



# SPECIAL REPORT

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## ABOUT THE REPORT

On January 14, 1999, the Institute convened a consultation on Sudan to generate recommendations for strengthening the negotiating process and to help refine some of the issues. Particular attention was given to the principle of self-determination because both the Khartoum government and the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/SPLA) have given at least nominal support to self-determination for southern Sudan.

The Institute invited representatives of all the major parties and factions in Sudan, as well as other experts on Sudan. A high-level delegation representing the government in Khartoum planned to attend but was unable to obtain visas to the United States, consistent with the UN sanctions governing travel by Sudanese officials. UN Under-Secretary-General for Political Affairs Kieran Prendergast was prevented from attending by bad weather.

Dr. David Smock, coordinator of the Institute's Africa activities, organized the consultation and prepared this report. Dr. Chester Crocker, chair of the Institute's board of directors and former assistant secretary of state for African affairs, chaired the consultation. At the end of this report is a list of participants and their papers. Copies of any of these can be obtained from the Institute and its website.

**The views expressed in this report do not necessarily reflect those of the United States Institute of Peace, which does not advocate specific policies.**

February 25, 1999

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## *Report on a USIP Consultation:*

# A New Approach to Peace in Sudan

## Briefly ...

It is time to rethink a peace strategy to end the civil war in Sudan. Although the peace initiative launched by the Inter-Governmental Authority for Development (IGAD) in 1993 showed some initially promising results, the military situation is now stalemated, famine has plagued large sections of the South, and the IGAD mediation process has brought no recent results.

The consultation concluded that:

- The IGAD process needs to remain the vehicle for mediation and negotiation, with Kenya continuing to take the lead.
- The process must be strengthened through international assistance to permit more effective and sustained negotiations.
- The countries of the IGAD Partners Forum including the United States, along with the United Nations and the Organization of African Unity, need to give the financial and technical support to make the IGAD process more effective.
- The Declaration of Principles agreed to by both parties needs to frame the negotiations. By giving particular attention to the principle of self-determination for the South, the process might make more significant progress.

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## Background

The longest, most devastating internal conflict in the world continues to rage in Sudan. An estimated two million people have died during the protracted war between North and South. The peace initiative undertaken since 1993 under the auspices of IGAD brought some initially promising results. But over the past year the military situation has stalemated, famine has plagued large sections of the South, and the mediation process of IGAD has yielded no significant results. Humanitarian agencies like CARE and Save the Children, while continuing to give humanitarian assistance, are attempting to mobilize international pressure to end the war. The IGAD Partners Forum, co-chaired by Norway and Italy and including several European countries along with the United States, shows some signs of renewed interest in Sudan. Overall, however, Sudan is not high on the international agenda. With Eritrea and Ethiopia, former allies in the effort to bring change to Sudan, now at war with each other, Sudan's neighbors do not seem ready to undertake a major peace effort for Sudan. Two presentations framed the issues for the consultation:

### Amb. Francis Deng

Formerly Sudan's minister of state for foreign affairs and currently senior fellow at the Brookings Institution

Deng asserted that in view of the glaring inadequacy of the current process, the worsening of the humanitarian situation, and the escalating civilian suffering, the international community is no longer justified in leaving the challenge of peace solely to IGAD. As the current stagnation seems to serve the strategic interests of the antagonists, no progress is possible without a rigorous and sustained involvement by powers from outside the region.

Despite the very modest progress that has been made in the IGAD negotiations, consensus has emerged around the principle of self-determination for the South, which is a major element of progress that tends to be overlooked or underestimated. No one should underestimate the complexity of self-determination for the South, but pursuit of this principle seems to be the only way to move toward genuine peace.

The Sudan People's Liberation Movement/Sudan People's Liberation Army is aware that the overwhelming majority of the South, given a genuine choice, would opt for secession. However, unless absolutely compelled to do so, the North will give only lip-service recognition to self-determination and in turn hopes to manipulate the referendum process to predetermine the outcome. Meanwhile, to win allies among northern opposition parties, the SPLM/SPLA emphasizes unity as a goal, while advocating the right of the South to self-determination as a residual, fallback option. The message that comes across is inherently and perhaps intentionally ambiguous.

Northern opposition parties in the National Democratic Alliance (NDA) confront a similar dilemma and adopt comparable tactics. Partly as partners with SPLM/SPLA in the opposition and partly out of conviction about the legitimacy of the southern cause, these opposition parties at least nominally accepted the right of self-determination as a matter of principle. But in reality they remain committed to the unity of the country.

The government, seeing self-determination for the South endorsed by all the major political forces in the country and by the international community, decided to join the game. First, it offered an alternative process that ostensibly recognizes the southern right to self-determination. When that process was exposed and discredited as flawed and disingenuous, the government decided to accept self-determination through the IGAD process. Even then, the SPLM/SPLA and its NDA allies still believe that this acceptance of self-determination by the government is merely a tactic to buy time for military advantage.

It is now widely accepted that the war in Sudan has gone on far too long and cost far too much. It must be stopped. The most practical way to stop it is to build on the principle of self-determination for the South. The practical steps forward must be based on the following principles:

First, self-determination for the South must be stipulated as a genuine goal to which all the parties must sincerely and transparently commit themselves.

Second, self-determination should not be viewed as synonymous with secession but should be seen as offering a genuine choice between unity and secession. The existence of such a choice should motivate those in the North advocating national unity to strive harder to create conditions favorable to the option of unity in the referendum on self-determination, including provision of extensive autonomy for the South and national power-sharing. The government should be asked to table the best package of reforms it is prepared to concede and have that as the alternative to secession in the referendum.

Third, the NDA needs to be involved in the negotiations along with SPLA/SPLM, and the negotiations must address the most pressing needs for reform in the North.

Fourth, parties want the United States to be more actively involved in the search for peace. International assistance, particularly from the United States, needs to be offered to the IGAD negotiating team as a credible and effective mechanism to advance the peace process.

Fifth, for self-determination to be credible, international mechanisms involving the IGAD Partners, the United Nations, and the Organization of African Unity must be adopted. These include international guarantees for a sustainable ceasefire, negotiating an interim administration and security arrangements in the South, and initiating the process for an internationally supervised referendum.

## John Prendergast

Director for Africa in the National Security Council

The reality is that we are no closer to a comprehensive settlement for the crisis in Sudan than we were in 1956, at the time of independence. Moreover, we need to be realistic about the prospects, humble about the potential efficacy of our own ideas, and wary of simple solutions. The effort for peace needs to be multifaceted and better coordinated.

First, efforts must be made to improve the effectiveness of the IGAD process. The international community needs to maintain support for IGAD as the exclusive vehicle, but IGAD must be strengthened to increase the prospects for its success. Among other enhancements to the peace process, the United States, working through the IGAD Partners Forum, would like to support

- (a) the creation of technical committees offering the Khartoum government and the SPLM/SPLA an opportunity to address the most divisive issues on a sustained basis;
- (b) strengthening the process of shuttle diplomacy, now conducted by Kenya's foreign minister; and
- (c) expanding the length of time of each negotiating session, with full-time representatives from each side sustaining the dialogue. Among the issues that need to be debated are whether the Declaration of Principles (DOP), including self-determination, provides the basis for a comprehensive solution. An immediate focus on self-determination may be needed, which could in turn force the government to adopt internal reforms to make the option of unity more attractive to south-

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erners. The international community must also recognize that self-determination for the South would be unlikely to end the war in the North and may well leave the current National Islamic Front (NIF) government in power and strengthened in Khartoum.

Second, discussion among Sudanese about Sudan's future must improve. The U.S. government needs to engage more effectively with NDA and assist NDA politically to develop a more credible alternative vision for the future of Sudan. NDA partner organizations and constituencies also must improve communication among themselves.

Third, a more effective effort is needed to improve the quality of governance inside Sudan. An initial step needs to be pursued in the territories now controlled by SPLM/SPLA and NDA. This effort will entail capacity-building, aiding the development of local administration, and creating the building blocks for future governance.

## Discussion

### *Does IGAD remain the right forum to negotiate an end to the war?*

Participants agreed that despite its shortcomings, IGAD needs to remain the forum for peace negotiations. This endorsement of the IGAD process sees the four designated foreign ministers (from Kenya, Uganda, Ethiopia, and Eritrea) as continuing to be responsible, with Kenya taking the lead. Although the current dangerous conflict between Eritrea and Ethiopia weakens the solidarity of the four countries and may have paralyzed the IGAD secretariat, all four of these states and their foreign ministers remain committed to the mediation process. The IGAD actors need considerable support from the international community and must rethink and reorganize the process.

One problem is that these four governments disagree about the preferred outcome and Sudan's future. In the past, three of these states have pushed for the ouster of the NIF government in Khartoum and expected the government to fall soon. They emphasized putting military pressure on Khartoum. But now there is a military stalemate and much less likelihood that the Khartoum government will fall. As a consequence, the core agenda must be reconsidered. There may now be greater readiness to address the North/South conflict first, focusing on self-determination. The future American position on the agenda will greatly influence the agenda adopted by the IGAD negotiating team.

### *How can the IGAD negotiating process be strengthened?*

One participant contended that the four countries managing the IGAD negotiations do not have the necessary determination to push ahead. When the issues are complicated and generate conflict, they adjourn the meeting. They avoid a prolonged discussion of self-determination. He argued further that the IGAD Partners Forum needs to be more involved in order to bolster the resolve of the IGAD negotiators. Another pointed out that multiparty mediation is inherently very complicated and is even more difficult when the negotiation sessions are so short and so much time elapses between negotiating sessions. Another participant said that in some ways the IGAD process is at a dead end, and can only be resuscitated if Kenya takes a strong lead and is given very strong support from the IGAD Partners. Moreover, much more effort needs to be put into the preparation for each negotiating session, by both the negotiators and the parties to the conflict.

Another participant said that the IGAD negotiators and the Partners should establish a deadline for the negotiations to give a sense of urgency to the process. Then they should relentlessly focus on the issue of self-determination. Self-determination cannot be considered in total isolation from the other principles in the DOP, but it can be the initial focus and lead into a discussion of the other issues. Increasing the mil-

itary pressure on the Khartoum government might help move the negotiation process forward as well.

The participants from the NDA asserted that the NDA's lack of representation at the negotiating table is a serious flaw in the IGAD process. As a consequence, the negotiations do not encompass the need for change in the North; they focus exclusively on the relationship between North and South. The NDA was created in 1994, a year after the IGAD process was launched. The NDA adopted the Asmara Declaration as a more comprehensive statement of the program for a new Sudan, which was embraced both by the SPLA/SPLM and the northern opposition parties. The Asmara Declaration goes beyond the DOP but has been disregarded in the IGAD negotiations. According to the NDA, a settlement that leaves the NIF in control of the government in Khartoum will only be a precursor to new trouble for the South and continued oppression in the North.

### ***What role should the international community play?***

One American participant contended that current U.S. policy assumes that the NIF government in Khartoum is incorrigible and hence cannot be meaningfully engaged. Second, the principal focus of U.S. policy is to combat terrorism and Islamic fundamentalism. But these goals marginalize an effort to end the war, which would require the government in Khartoum to be drawn into effective negotiations and would require the U.S. government to be more actively engaged. Another American participant said that the parties to the conflict must be tested by the use of leverage and positive incentives to ascertain their willingness to compromise and move the negotiation process forward. The current situation serves the interests of those who do not want to change the status quo so new inputs—both carrots and sticks—are essential.

Another American participant went further and said that it would be prudent for the U.S. government to engage with the government in Khartoum, because some officials within the NIF hierarchy are ready for dialogue. As a principal party to the conflict, the government in Khartoum cannot be completely ignored and isolated as it is currently by the U.S. government.

Others responded that effective engagement requires much more than conversations with Khartoum. It requires clear objectives, agreed-upon strategies, and close coordination with other interested parties, particularly IGAD and the IGAD Partners. Simple interaction with Khartoum has been tried and has failed. It is very easy to be manipulated and engagement must not lead to appeasement.

Participants differed about whether the NIF government is ready for meaningful negotiations on the tough issues. One argued that if the NIF government makes compromises, it is only a strategy to maintain its larger Islamist agenda for both Sudan and the region. But others suggested that the government is not a monolith and that one can find diverse points of view among officials. One northerner argued that there is a growing preparedness in the North and even within the government to consider self-determination for the South, even if that leads to secession. Others, however, were more skeptical and were not prepared to trust the regime.

One participant said that the regime in Khartoum has already had reforms forced upon it, as seen in the adoption of the new constitution. Although this constitution is still seriously flawed, it does provide for the registration of opposition parties. Although the major northern opposition parties are not yet prepared to register, smaller parties are registering and becoming active. The NIF may now be on a slippery slope, much like the National Party in South Africa when it first adopted some reforms in the apartheid system in response to both domestic and international pressures.

***Self-determination can be the initial focus and lead into a discussion of the other issues.***

***The current situation serves the interests of those who do not want to change the status quo.***

***Do the U.S. and other significant international actors have sufficient political will to give the civil war in Sudan the attention it requires?***

Sudan is receiving some increased attention within the State Department and the White House, but it is not yet clear how high it will be placed on the foreign policy agenda and how active the United States is prepared to be. The IGAD Partners have indicated a willingness to give more focused and energetic attention to Sudan in support of the IGAD negotiators. Egypt is also eager to play a more active role and be included as a member of the IGAD Partners. While Egypt is strongly opposed to the current government in Khartoum, its most compelling interest is to protect the flow of the Nile waters. Egypt is thus strongly opposed to self-determination for the South, assuming that self-determination would lead to secession and a new state controlling some of the Nile waters.

A coalition of humanitarian organizations has organized a campaign to press the international community to give urgent attention to Sudan in order to end the civil war.

The United Nations has begun to show greater interest in Sudan. Under-secretary general for political affairs, Kieran Prendergast, recently visited Sudan and will be reporting soon to the Security Council. Just what new role the United Nations may play is unclear, but hopefully the United Nations will be able to support the IGAD process.

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***What should be on the negotiating agenda?***

No clear consensus exists among the opposition groups about the priority issues for negotiation with Khartoum. For the SPLM/SPLA the issues are

- (a) self-determination;
- (b) unity of the Sudan, based on the condition that the Sudan government separates religion and state;
- (c) complete equality of all people in Sudan to be guaranteed by law;
- (d) an equitable sharing of the country's wealth; and
- (e) in the absence of an agreement on the issue of religion and state, the people of the South will have the right to determine their political future including the option of secession.

The Umma Party points to the Asmara Declaration as stating the key points upon which the opposition parties, including the SPLM/SPLA, have agreed and upon which they disagree with the government. As reflected in the Asmara Declaration the following are needed:

- (a) resolution of the issue of religion and politics whereby citizenship would be the only basis for constitutional rights and duties without discrimination on grounds of religion, race, gender or culture;
- (b) decentralized system of rule during the transition period, with a special status for the South during which the agreed reforms would improve the chances of a vote for unity; and
- (c) self-determination to be exercised at the end of a four-year transition period, thus opening the way for a new Sudan based on justice, democracy, and the free will of the citizens. Although the SPLA/SPLM expects that the referendum on the future of the South will result in an overwhelming vote for secession, most of the northern opposition parties hope and expect that reforms introduced during the four-year transition period would convince the southern voters to opt for a decentralized but united Sudan.

Other participants noted that any agreement on self-determination for the South should not be at the expense of the special needs of the Nuba community and the people of the Southern Blue Nile. The leaders of these regions want to ensure a process that would result in regional self-government with a federal system for Sudan. The federal

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system would recognize and protect the religions, cultures, and languages of these regions; the right of people to own their own land; and other civil and political rights. But as another participant pointed out, if SPLM/SPLA pushes the agenda for the Nuba mountains and the Southern Blue Nile, the chances that the Khartoum government would move forward on self-determination for the South will be reduced.

A participant from the North contended that the only chance for meaningful change can come if the government in Khartoum becomes more democratic. Only a transformation of the governmental system in Khartoum will permit meaningful dialogue on the whole range of outstanding issues with the opposition. For this dialogue to occur, the NDA also has to produce a more attractive agenda than the Asmara Declaration, which has garnered little public support in the North. He said that the Asmara Declaration is considered a declaration of war against the government. And the SPLM/SPLA vision for a new Sudan has appeal only among southerners. While there is growing preparedness in the North to accept self-determination for the South, the fear remains that an independent South will not end war in the rest of Sudan. A new consensus has to emerge for the future of the North.

## Conclusion

Chester Crocker found agreement in the discussion that IGAD, despite its shortcomings, has had some notable accomplishments. Except for Egypt, several of Sudan's most important neighbors are taking the lead in the IGAD negotiating process, although tensions exist among these countries. Moreover, the adoption of the DOP through the IGAD process successfully changed the terms of the discussion. But given the weaknesses of the IGAD process, the question becomes whether the international community, led by the United States and the IGAD Partners Forum, is prepared to become more energetically engaged. Is it ready to elevate the issues and exert focused pressures? If so, the Sudan problem will be taken seriously. The negotiations can progress even as the fighting continues. The peace negotiations can be used to generate new ideas and realities. Over the long term, the peace process, if conducted imaginatively and forcefully, can create new facts and transform the situation.

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## INSTITUTE ACTIVITIES ON SUDAN

Since 1993 the United States Institute of Peace has given special attention to the tragic situation in Sudan. A consultation for southern rebel groups, held jointly with the Africa Subcommittee of the House of Representatives, gave rise to the short-lived Washington Declaration to which both rebel groups subscribed. Subsequent meetings attempted to clarify a negotiating agenda for the Inter-Governmental Authority for Development (IGAD) negotiators. The Institute has also given grant support to the Sudan Resource Group which has provided ongoing assistance to the IGAD negotiators.

## Participants

A. M. Abdelhalim, Sudan Alliance Forces  
 Ali Alhedai, Democratic Unionist Party  
 Deng Alor Kuol, SPLM/SPLA, (foreign minister)  
 Peter Bell, CARE, (president)  
 Salih Booker, Council on Foreign Relations  
 Samson Chemai, Kenyan ambassador  
 Chester Crocker, USIP/Georgetown University  
 Ted Dagne, Congressional Research Service  
 Francis Deng, Sudan Resource Group/Brookings Institution  
 Alex de Waal, InterAfrica Group  
 Ezeikel Gatkuth, United Democratic Salvation Front  
 Matt Harrington, State Department  
 Robert Houdek, National Intelligence Council  
 Ann Huiskes, Office of Representative Frank Wolf  
 Mansour Khalid, NDA, (foreign minister)  
 Hazem Kharit, Embassy of Egypt  
 William Kontos, former U.S. ambassador to Sudan  
 Ann Lesch, Villanova University  
 Mubarak al-Mahdi, NDA, (secretary general)  
 Bona Malwal, Sudan Resource Group/Sudan Democratic Gazette  
 Charles McCormick, Save the Children, (president)  
 Kim Miller, Office of Representative Tony Hall  
 Abdul Mohamed, Sudan Resource Group/InterAfrica Group  
 Abdulwahab Osman, Sudan Resource Group  
 John Prendergast, National Security Council  
 Semere Russom, Eritrean ambassador  
 David Smock, USIP  
 Gunnar Sorbo, Michelsen Institute/Norwegian Ministry of Foreign Affairs  
 Roger Winter, U.S. Committee on Refugees, (executive director)

## Papers Available on Request and on the USIP website

	“Umma Party Aide Memoire for Participation in U.S. Institute of Peace Consultation on Sudan”
Deng Alor Kuol	“Notes on the Peace Process in the Sudan”
Francis M. Deng	“Sudan Peace Prospects at a Cross-Roads”
Deng Alor Kuol	“Notes on the Peace Process in the Sudan”
Alex de Waal	“The Road to Peace in Sudan: Prospects for Pluralism in Northern Sudan”
Ann Lesch	“Consultation on Sudan”
Abdul Mohamed	“The Road to Peace in Sudan: Bringing the IGAD Process to a Conclusion”