

Program on Intrastate Conflict  
Report Series

*The Sudan: Saving Lives,  
Sustaining Peace*

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**BCSIA**

Belfer Center for Science and International Affairs

HARVARD  
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**THE SUDAN:  
SAVING LIVES,  
SUSTAINING PEACE**

Deborah L. West

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## **I. Policy Recommendations: Ending Mayhem in the Sudan**

Too many lives have been lost for too long. Misery, pillage, rape, and killing fields have disfigured the Sudan without effective regional or international intervention. Those were the stark, simple messages emerging from a heated, thoughtful meeting of Sudanese and United States officials, and experts on the Sudan, at Harvard's Kennedy School of Government in March.

Conflict is still very hot in Darfur, the Sudan's westernmost region, and at a much lower level in the nevertheless tense Beja-dominated areas of the east. In Darfur, at least 200,000 civilians have died since hostilities emerged in 2003, and about 2 million remain in squalid camps for refugees or internally displaced persons. Very recently, Darfur's battles between various rebel groups and government-backed militias have spilled across the border with Chad, where fighting continues. Chad and the Sudan loudly accuse each other of arming respective groups of rebels.

The strong policy recommendations that emerged from the Kennedy School meeting were directed foremost at reducing or eliminating violence in Darfur. There was widespread recognition that the existing 7,000 person African Union monitoring force within Darfur had not stopped attacks by militias against civilians in or out of the existing camps. Nor had it been able to forestall assaults by anti-government rebel groups.

A more robust peace enforcement arrangement was urgently needed. As contemporary discussions at the United Nations, and in Washington and Brussels, hinted, this arrangement must include a tougher mandate, more troops, better troops, and more strongly equipped troops. Those officers and soldiers cannot necessarily be found from within the African Union, but more likely will need to be NATO personnel or UN-recruited battalions. About 20,000 to 40,000 are needed, but they must have orders to disarm the government-backed militias and the rebels, and to impose the kind of peace that will permit refugees and displaced persons to return to their homes. Waiting until the African Union force shifts responsibilities to the United Nations in September will not do.

A "no-fly" zone needs to be established, as over Iraqi Kurdistan in the 1990s. This zone could be controlled by French pilots from bases in Chad, or by Americans from Djibouti or Chad. Actions on the ground will also be necessary. Furthermore, supplies of fuel and equipment for the African Union troops need to be able to transit the Sudan without interference.

In addition to a new military detachment to enforce the peace in Darfur, the international border between Darfur and Chad should be patrolled separately, perhaps by a French legion or by NATO or European Union soldiers.

These new peace mechanisms in the Darfur region should be complemented by renewed attempts to create a durable ceasefire, if not a full peace, at the ongo-

ing but so far desultory talks between representatives of the rebels and the Sudan government in Abuja, Nigeria. Those talks have been held half-heartedly for most of last year, with no seeming urgency. But Washington and the UN recently tried to inject a new concern into the arena.

Whether or not the talks in Abuja succeed, many of the participants at the Kennedy School meeting also recommended that a wider set of discussions, a form of *loya jirga* for Darfur, be convened to take any Abuja-organized ceasefire to a sustainable level. At such a *loya jirga*, all the tribes, communities, and factions in Darfur, not just rebel elements and the government, need to be represented.

All of these ideas for resolving the war in Darfur met with little favor from high level representatives of the government of the Sudan. They asserted that the African Union was performing reasonably, and merely required more funding from the United States. They were also opposed to strong suggestions that the U.S. and the UN should supply full information on crimes against humanity in Darfur to the International Criminal Court, the jurisdiction of which the Sudan refuses to recognize in Darfur.

Using indigenous methods of reconciling the competing groups in Darfur would obviously be essential after hostilities cease. Alternatively, the current Government of National Unity of the Sudan, or a successor, could contemplate a South African Truth and Justice Commission to take testimony about depredations in Darfur and throughout the Sudan. Many participants demanded, however, that the key criminals be held to an international legal standard of justice.

Beyond Darfur, there was clear acknowledgement that the Eritrean-backed rebel movements in the northeast, near Port Sudan, were still active, but were not currently strong enough to threaten the government, or the main roads or oil pipeline that bisect their territory. Hamish Koreib, a small town near the Eritrean border, was a possible flashpoint. Southern troops are supposed to withdraw from that area. When they do, combat between Beja insurgents and government forces may start again.

A long-term solution to that insurgency, to the troubles in Darfur, and to potential unrest throughout the entire Sudan – whether or not the essential North-South Comprehensive Peace Agreement (CPA) is fully sustained – comprises a shift from unitary, central government (the Sudan's present form) to a seriously devolved federal arrangement. Greater autonomy is desirable for the vast country's regions. Whether the final configuration should be confederal or modestly federal was not decided. But the question should be studied intensively.

The participants also called for punctilious attention to the completion of the first phases of the Comprehensive Peace Agreement. Otherwise, the North-South settlement could unravel, throwing the South back to war. Most critical was a final determination of the boundary between the North and the South, because its

demarcation directly affects petroleum revenues and their distribution – the economic lifelines of both sides.

Likewise regional governments in Abyei and the Nuba Mountains need to be created, as contemplated by the CPA. Scheduled withdrawals of government troops from the South, and the further reintegration of the common army, should be completed.

Arrangements for a national census, on which so much else depends, requires action and oversight. If the census is delayed or is not regarded as legitimate, then scheduled elections in 2009 cannot be held. The credibility of those elections will need outside authentication, too.

Finally, but hardly least, there were critical questions regarding the formulas in the CPA for the composition of the central government between North and South. Those formulas need revisiting, particularly since they do not take explicit account of representation from the east, from Darfur, or elsewhere.

The Sudan is Africa's largest failed state. The end of the North-South war was intended to usher in a period of development, but the so far flawed implementation of that agreement, and the wars in Darfur and elsewhere within the country, make the creation of a stable national peace an ultimate, but not easily attainable goal. With the enactment of the measures contemplated in this report, however, an enduring foundation for peace might finally be laid.

– Robert I. Rotberg  
Director, Program on Intrastate  
Conflict

April 30, 2006

## Republic of the Sudan



<http://www.cia.gov/cia/publications/factbook/maps/su-map.gif>

*The following is intended to provide a non-individually attributed summary of the discussions at the conference on Darfur and the Sudan held March 2-4, 2006 at the John F. Kennedy School of Government under the auspices of the Belfer Center's Program on Intrastate Conflict. Debate was spirited throughout the conference, and participants sometimes disagreed strongly regarding controversial issues. Items included in this summary do not necessarily reflect the author's opinion or that of all conference participants. Instead, this report seeks faithfully to capture the sense of debate and the character of the important questions articulated during three days of intense discussion.*

## **II. Achieving Peace in Darfur**

### *Providing Security*

"The most important thing is to protect innocent non-combatant civilians," urged one participant, and the rest of the group fully agreed. Although most of the region's refugees and internally displaced persons (IDPs) are now housed in camps, the camps are not fully secure; men who venture outside the camps are killed and women raped. Without security or a means to obtain livelihoods, there is no possibility of a return to the villages, and without a return home, the conflict cannot end.

Enforcing a ceasefire and securing civilians are essential. How best to do so, however, was the most hotly debated topic throughout the conference. Who should and can provide security – the Sudanese government, the African Union, the UN, NATO, the U.S.?

The African Union forces on the ground were widely recognized as too limited in their mandate and capacity to protect Darfurian civilians. The African Union Mission in Sudan (AMIS) forces were originally brought in to monitor a ceasefire, but the parties that agreed to the ceasefire have not maintained their commitment and have continued to fight. While some participants praised the dedication and efforts of the African Union troops, most recognized that the 7000 person force is inadequate to monitor a region the size of France or Texas, let alone to secure it. "The African Union was thrown into too deep waters," said one participant. Added another, "they have become a soft target for bandits, militias, and government forces. Their weapons and cars have been taken, their personnel taken and killed. There is a lack of will and leadership within the African Union troops to protect civilians."

The weaknesses of the AU forces must be analyzed and addressed in the short-term, because even under the proposed UN formula, no new troops would

arrive in Darfur before September. Participants called for assistance with “intelligence, transport, logistics, and administration,” and some recommended “finding a way to ban overflights, which the African Union cannot do, and which would give them greater leverage.” Asked one participant, “the U.S. continues to support the African Union but the money will stop at some point. Do you send good money in after bad?” Most participants felt that there was no way to increase AU capacity to the extent that it could cope with increased violence, or could create an environment in which a peace agreement could be sustained.

A transition to a UN takeover poses additional threats to the African Union troops. “The African Union has a legitimate fear that if the Peace and Security Council endorses the UN takeover, there will be attacks against their forces in the field,” noted one participant.

The African Union’s failure to maintain peace in Darfur could result in wider repercussions for this fledgling international body. Commented one participant, “the Sudan is the African Union’s first test case for solving problems. If they’re not doing the job and we should move on, what is the future of the African Union?”

A larger, more capable force is necessary to stop the violence in Darfur, urged many participants, who called for a credible threat to be deployed quickly. Nonetheless, the group could not agree on who should take the lead in supporting a force of at least 20,000 more troops, with the African Union cadres at its core.

One model called for UN Charter Chapter 7 troops, “with an African Union hat and a UN umbrella.” Since the conference, the African Union agreed to turn its peacekeeping mission in Darfur over to the United Nations in September, 2006. “Sending in Chapter 7 troops with heavy armaments isn’t going to solve the problem,” countered another participant.

“NATO is an existing and underutilized force with serious firepower that should be part of this discussion,” recommended one participant, while another said that “it would be a mistake for NATO to have boots on the ground in Darfur,” and called only for communications, logistics, and transportation support from NATO. Some participants recommended bringing in new peacekeeping forces specifically from Morocco, Tunisia, Indonesia, Bangladesh, India, and Turkey.

In addition to the stronger protection forces, one participant called for “a highly mobile, well-equipped contingent that can show up anywhere,” and cited a successful Joint Military Commission force of seventy-two people that enforced a ceasefire in the Nuba Mountains in 2002.

Supporting a large number of troops in Darfur poses severe organizational challenges in an area with limited infrastructure. Aviation fuel must be flown in from Dubai, and all food and supplies must be provided from outside the region. In addition, it is crucial that any international intervention “not be seen or ma-

nipulated to raise specters of colonialism,” invoking images of a creeping Western invasion of Muslim countries, as in Afghanistan and Iraq.

Some participants voiced deep criticisms of the Sudanese government’s role in Darfur, and asked that the Government of National Unity either take a lead role in providing security in Darfur or request and accept international involvement to stop the violence. “I honestly believe that international involvement is in Khartoum’s interest,” said one participant. “Khartoum gets blamed for anything that happens in Darfur.” Stopping the violence there by any means necessary “very much serves the interest of people in Khartoum.” Participants recommended the use of joint (North and South) integrated units in Darfur to reestablish security in the region and help strengthen the Comprehensive Peace Agreement.

Representatives of the Government of National Unity disagreed with many of the security recommendations. They felt that the African Union troops were fulfilling their mandate and only needed more funding and logistical assistance from the U.S. and the international community. They strongly opposed any solution calling for additional outside troops to quell the violence in Darfur, and emphasized the need to pressure the rebels to respect their ceasefire commitments. Said one, “if the UN, NATO, and U.S. forces want to come, it must be with the consent of the government of the Sudan. We care about our people, which is why we asked the nearest organization to us to intervene, the African Union. It cannot be said that only one party is involved in the war in Darfur.”

Many participants argued that disarming the janjaweed was impossible without a political solution. “The theory of fight and negotiate does not work,” said one participant. “It does not deliver the goods. Not until the SPLM and government of the Sudan signed a ceasefire in October 2002 was it possible to negotiate a peace agreement. This needs to happen in Darfur.”

#### *No-Fly Zone and Border Patrols*

A no-fly zone was seen as an urgent and feasible measure for curbing violence in Darfur. Knowledgeable participants agreed that logistically, the U.S. Air Force could enforce a no-fly zone over Darfur as it did over Iraqi Kurdistan in the 1990s. Other experts acknowledged greater operational challenges to reaching the landlocked region, as well as the difficult task of gaining permission to fly over the Sudan’s neighbors’ sovereign space. Other participants felt that France could more easily take the lead in maintaining a no-fly zone, given its military presence at bases in northern Chad. However, participants questioned whether France would be willing to involve itself in Sudanese affairs.

In addition to providing general security in Darfur, some participants called for a separate military operation to patrol the border between Chad and Darfur, where conflict has been rekindled in recent months. Said one expert, “the poten-

tial for internationalization of the crisis in Darfur by going into Chad, where janjaweed raids continued into late April, provides the window for greater international involvement. The UN Security Council has a responsibility to prevent war." Another expert urged that the border force should promote "stability and security, protect civilians, and guarantee humanitarian access."

### *Long-term Tensions*

Although the massive humanitarian crisis in Darfur has drawn extensive attention from the international community, underlying issues, including ethnic and tribal rivalries and limited resources, have contributed to decades of sporadic conflict in the region. The current conflict will not be resolved without addressing those long-term tensions.

Darfur's population is roughly split between those identifying themselves as Arabs, and Arabic- and non-Arabic-speaking Africans (comprising many tribes, including the Fur, Tunjur, Masalit, and Zaghawa). All are Muslims. The Arabs have traditionally been herders, grazing sheep, goats, and camels, though since this era's drought some have turned to farming. The Africans have traditionally pursued agriculture, harvesting millet, sorghum, peanuts, gum arabic, and fruit, though they, too, herd livestock. Although the two groups often lived in peace, exchanging farm products for animals and other trade goods, they have also competed for land and water.

As one participant noted, "People have used the problems in Darfur for political reasons, but there is also a general development challenge." The Sahara Desert's borders fluctuate over time, and its arid reaches have been creeping southward in recent years. The population of Darfur has increased and now strains the limits of the land's ability to sustain it. The soil in the region is poor, as are the people, who have few resources to improve the fertility of the land. The only way to yield increases is to plant more acreage. Farms now extend into areas where herders traditionally pastured their animals. These animals are also not free from conflict; an estimated 4-5 million goats, sheep, cows, and camels have been looted from the Africans by the janjaweed and their allies. Although they cannot all be returned to their original owners, "there has to be a discussion about the transfer of animals before people can return to their villages," reminded one participant.

Potable water is essential in a region where it rains for three months and is bone-dry for nine. Although traditional reservoir systems such as the *hafiz* collect water during the rainy season and allow it to last through the dry season, it is a system that requires maintenance. With several years of conflict preventing its upkeep, the *hafiz* have deteriorated to the point where many are unusable.

Although the conflict began as a war over resources, it escalated in 2003, when Darfurian rebels saw an opportunity to fight for the same rights as those

for which the Sudan People's Liberation Army was negotiating with Khartoum. A local dispute developed into an attack on Sudanese government installations in southern Darfur. The Sudan Liberation Army (SLA) and the largely Zaghawa-led Justice and Equality Movement (JEM) won most of the battles against the Sudanese army for the first ten months or so of the war, in part because many soldiers in the Sudanese army had been recruited from the Darfur region and were unwilling to pursue the scorched-earth policy that had been demanded by the government.

Instead, Khartoum recruited a militia composed of local Arabs, who were soon known as the janjaweed. The well-armed janjaweed ravaged Darfur, raping and pillaging villages throughout the region. At least 200,000 people have died since the conflict began, and over 2 million civilians have been displaced from their homes, many ending up as refugees or internally displaced persons in bordering Chad or within Darfur.<sup>1</sup>

The janjaweed see the survival of their herds as contingent on Africans staying in their camps forever so they can graze their animals where the African villages used to be. The janjaweed's wealth and survival depend on the herds. Asked one participant, "what can we do that would allow them to have herds, survive, and have the villagers return home if possible? People want to go home to what they had before. A lot of janjaweed leaders know that ultimately the whole thing will be destabilized. They can't buy grain because they destroyed all the farms. They need the Africans to grow food."

Violence and death numbers decreased in 2005, largely because so many villages had been emptied and their populations relocated, and because of the immense humanitarian efforts of the international community to feed and house the refugees and displaced persons. However, as of late 2005 and early 2006, insecurity began increasing again as IDPs moved from camp to camp, and both the rebels and the government forces renewed their attacks.

### *Crime against Humanity*

Conference participants fully agreed that the crisis in Darfur constituted crimes against humanity. Not everyone was comfortable with using "genocide" to describe the crimes in Darfur as the U.S. administration had done. Said one participant, if the use of the word "raised the world's attention, that's good, but the word shouldn't get in the way of solving the problem."

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<sup>1</sup> For an overview of the recent history of the Sudan and the conflict in Darfur, see Robert I. Rotberg, "Sudan and the War in Darfur," *Great Decisions* (New York, 2005), 57–67.

*The Humanitarian Crisis*

The group agreed that the most pressing need in Darfur was for sheer security. However, drought and war have also left Darfur in urgent need of humanitarian support, which it continues to receive – for now. “Malnutrition rates were cut in half in 2004–2005, mortality rates fell, famine has been averted, and epidemics that were foreseen didn’t occur” because of the 82 NGOs and 14,000 humanitarian workers on the ground, described one participant. He added that “the humanitarian situation is under control where there is access.” However, while humanitarian workers are able to reach approximately 80–90 percent of northern and southern Darfur, access is limited to under 50 percent in western Darfur, leaving tens of thousands of square kilometers without access to aid. Access continues to decrease as the conflict again escalates; NGOs have had to evacuate from Jebel Mara, and 70,000 Zaghawa were recently displaced from a narrow region in South Darfur. In April, the UN complained to the government of the Sudan about diminished humanitarian access, and Norwegian and other relief organizations were harassed, or barred from Darfur, by Khartoum.

Currently, the IDPs and refugees are safer in their camps than outside, and because of the lack of security and sustainable livelihoods, they are not in a position to return home. “How long can we continue this relief cycle?” questioned participants, who noted that 85 percent of the food relief now comes from the U.S. government. The group acknowledged that the international community tends to focus on each crisis in isolation, and that inevitably a newer disaster will draw attention away from Darfur. “We can’t count on international assistance to be maintained in the future. We have to get people into sustainable livelihoods again even if we can’t get them home,” urged one expert.

One participant noted that the cereal food pipeline is expected to break down in May, shortly before the rainy season, when it will become much more difficult to move food supplies. Few provisions are stockpiled in case of a breakdown. Said one expert, “while in general the food and medicine comes through, there is a very, very thin cushion. If you have a problem on the Chad border, that thin cushion could be broken through and a horrible situation on the ground becomes impossible, and the implications are unthinkable.”

Some participants described the ongoing tension in the NGO community over military support for humanitarian goals. One said, “We prefer to go alone, even in risky places. When we go with the army, we are a target. When we go alone, we get stopped, but can talk and negotiate and get permission to pass.” Another expert noted that “it’s a narrow pipette into Darfur; the infrastructure is very limited....the more military force you put in, the harder it is to get in humanitarian supplies.”

### *The Abuja Process*

While calling the Abuja peace process “imperfect, limited, and deeply flawed,” the group agreed that the political process was an essential complement to creating security in solving the conflict in Darfur. “We shouldn’t let the discussion about security distract us from the peace agreement,” counseled one participant. “The Abuja talks are deeply flawed, the parties are deeply flawed. The alternative in the short-term is to have no talks...A flawed agreement brought about by flawed parties is still better than nothing. It puts the forces of good in a better position to deal with ongoing issues,” commented an expert.

The goal of the Abuja process should be the same as the peace negotiations in the South – an effort to re-empower the people of the region. Said one participant, “everyone knows the basic structure, and that’s where the Comprehensive Peace Agreement is a great gift because it outlines what needs to be done.” Participants felt that some tenable power- and wealth-sharing proposals had been presented at Abuja and could be taken up if the government and the splintered rebel leaders were willing to do so.

In contrast to the North-South negotiations, the Darfurian rebels lack the equivalent of the Southern Sudan People’s Liberation Army/Movement (SPLA/M) to negotiate as a unified voice for the people and to enforce a peace. Although the SLA attempted to present a united front in Abuja, their efforts soon disintegrated into factional fighting. Because of the difficulty in finding negotiating partners, some participants were concerned about the players who had been chosen to represent the people. They felt that many Darfurians had not initially supported the rebellion and could not be represented by its leaders. Said one participant, “the JEM dominated the process for a long time, because they had skills which the SLA lacks. They didn’t have that many people on the ground, and no support in Darfur. They get the tribal vote, but not even all of that.” Another expert noted that “this splinter of rebels in Abuja is not really controlling the commanders on the ground and doesn’t have a unified front in the talks.”

Participants recommended keeping in mind that the janjaweed also want to survive, and that their interests should be considered. Said one, “the government of the Sudan is afraid the janjaweed will join the other tribes.”

One participant criticized SLA factional leader Mini Minawi, and was concerned that he entered the peace talks with little military support and gained credibility by participating in the talks, but is not capable of enforcing any action on the ground. Other leaders, such as Abdel Wahid, were seen as seeking more military power and trying to represent a greater number of tribes, but could not necessarily gain sufficient support. Noted one participant, “there are risks in terms of [having] the rebels as negotiating partners, including differences among them.”

Participants feared that getting a political agreement in Abuja with disunited rebels who can't control the majority of their commanders would be a hollow achievement. Said one, "even if there is an agreement in Abuja... it can't be implemented. The people on the ground who could implement it are not there." Field commanders have largely been excluded from the political process, resulting in a disconnect between those with power on the ground and those with political power. One participant felt that only recently had the international community recognized the need to talk "not only to the top level of the rebels, but the rebels on the ground....You have to negotiate directly with them to get aid relief in and that's what we're doing."

Some participants recommended expanding the Abuja talks to include additional participants including a greater number of rebel leaders, civil society and business leaders, tribal leaders, including the Nazir of the southern Rizeigat, from which some of the janjaweed were drawn, and members of the Zaghawa tribe. "There is a need for a peace process that includes all parties in the negotiation, and if you have that, you won't need big forces," said one participant.

Others favored improving the political process, but not to the extent of "widening the group of negotiators and doing away with the hierarchy," which would "result in total failure."

Participants were deeply concerned about the fate of the Zaghawa, a powerful trading tribe allied with the leadership in Chad. Other tribes fear their aspirations for "a greater Zaghawa." Participants noted that Zaghawa are being persecuted in Darfur and Khartoum, and that Zaghawa students have been arrested in Khartoum. Said one participant, "a peace without the Zaghawa will not be a peace."

Participants also criticized the role of outside money in the negotiations. The Sudanese government, Libya, Chad, and Eritrea were all accused of attempting to buy influence over the peace talks.

#### *A Darfurian "loya jirga"*

Several participants recommended a *loya jirga* equivalent for Darfur, engaging a broader spectrum of actors in the peace making process as a complement to the official talks in Abuja. Citing Darfurian frustrations at the official lack of progress, one participant noted that "all Darfurians need to come together to sit down and solve their problems...People need to feel included in the peace process." This set of talks could include a broader set of representatives from all tribes and factions in order to discuss "tribal aspirations for a stand-down of hostilities and process toward a settlement."

### *Chad and Destabilization*

Chad plays a destabilizing role in the Darfur conflict, and the country's internal politics threaten the Sudan — and vice versa. Participants called for a separate border force to address the escalating attacks on Darfurians along the Chad border, and to prevent the conflict in Darfur from spreading back to Chad. Such a force must have “a mandate to stop cross-border violence, stop the flow of arms, and stop attacks on refugees and IDPs,” said one participant. The Sudanese-Chad border is extensive, but aerial surveillance could make the task possible.

Chad's military regime, under the leadership of President Idriss Déby, supports and arms some of the Darfurian rebels. Participants were deeply concerned about the flow of arms across the border, but as one participant noted, “cutting off arms to the rebels while the [Sudanese] government has no such reduction in arms guarantees that the government will win the war.” On the Sudanese side, some participants argued that the international community must warn Khartoum that “supporting Chadian forces in the Sudan is a sanctionable offense. There has to be political effort as well as military.” The rebel attack on Ndjamena, Chad's capital, took place in April, after the conference. Déby accused the Sudan of supporting the rebels and fostering war.

### **III. Other Threats to Peace**

During discussions of the Comprehensive Peace Agreement, the issue of identity was raised repeatedly in conjunction with the need for more shared, decentralized power throughout the country. Said one participant, “the word Sudan means the land of the blacks. The colonial powers put all these people together without consultation. Khartoum was created by the colonial powers. You need regional situations where all these people can pool their resources and rule themselves.” One expert reiterated the concern that the Comprehensive Peace Agreement has not yet brought a peace dividend to the East, as it has equally failed in the West. “The peace process ignored these power sharing issues in the East and West...two parties held the knife to divide the pie but no one else was at the table. The only way to get to the table is to shoot your way to it.” Because so much international attention has been concentrated on Darfur's humanitarian crisis, the East has been ignored.

“It's unfortunate that other parts of the Sudan aren't getting the attention that Darfur is. There's a tendency to follow the explosion,” said one participant. One panel of the Kennedy School conference focused solely on conflict in the East as a contender for the next major outbreak of violence. “There is a commonality of the experience of the East with other areas of the Sudan. Any solution

needs to include it, take up a wider national approach and deal with the symptomatic issues popping up. The situation is also distinctive," explained an expert.

Like the South and Darfur, eastern Sudan has also "been colonized from the center." The area is inhabited mainly by Beja peoples, who are African Muslims with a rich historical tradition in the region. They are one of the largest ethnic groups in the Sudan, and range from northwestern Eritrea into Egypt. The Beja tend to be agro-pastoralists and extremely poor, with some migrating into urban slums in the three states that make up the region. "Their means of subsistence has come under increasing pressure from climate change, making a harsh terrain much harsher," advised one expert. He also noted that, "it is a marginalized group that lacks access to political representation and hasn't been treated well. There is no mechanism for redressing grievances so they take up arms and don't get attention until there is a humanitarian crisis." This description, he added, could fit many peoples of the Sudan.

Politically, much of the conflict centers around the Beja Congress, which started as a social and cultural organization in the 1950s, became political in the 1960s, and took up arms in the 1990s with the formation of the National Democratic Alliance (NDA).

When the NDA was dismantled, the Beja Congress moved into an alliance with the Free Lions, a small military force based among the Rashaida tribe, and most recently with the JEM in a grouping called the Eastern Front. The Rashaida are latecomers to the region. Historically, they migrated to the area from the Persian Gulf and were traders across North Africa. They constitute a wildcard with no loyalty to Eritrea, the Sudan, or the opposition, but are now allied with the Beja. The JEM, an expert noted, are interested in any opportunity to oppose the central government, but do not represent a new or substantive threat. The Beja are the major people and major armed force in an increasingly unstable area.

An expert estimated that there are about 4 million Beja people. The numbers in the Beja Congress are hard to pin down but are probably in the low thousands. As pastoralists, the Beja have and use guns to defend their flocks, so it is difficult to identify people as belonging to an army. Most attacks are small scale and "people step in and step back from armed conflict without being identified as soldiers. There is internal cohesion so it takes place within an almost spontaneous command structure."

In January 2005, there was a major Beja demonstration in Port Sudan, where many Beja live, reported one participant. The Beja asked for greater representation, jobs, wealth sharing, and increased services. The demonstration was violently repressed, leaving 20 dead and 120 arrested, which reinforced the notion that there weren't any avenues for redress of their grievances, and armed resistance was the only option.

One participant emphasized Eritrea's role in the region.<sup>2</sup> The ruling Eritrean People's Front for Democracy and Justice (PFDJ) has had uncomfortable and sometimes hostile relations with the Sudan since the 1970s and 1980s. That person noted, "when we look at the situation, there is a history of mutual support among the peoples, and tension between political movements in Eritrea and the government of the Sudan. These tensions run deep."

Over the years, Eritreans have provided food, fuel, and ammunitions to the Beja. The two largest tribes among the Beja, the Hadendowa and the Beni Amir, have their own history with Eritrea. The latter were associated more with the Eritrean Liberation Front (ELF), while the Hadendowa had better relations with the Eritrean People's Liberation Front (EPLF, the precursor to today's PFDJ). The EPLF has had a close relationship with the Beja Congress, at times directly intervening to control its leadership.

"There are Eritrean opposition movements that are getting support from the Sudan, but wouldn't stop without the Sudanese support...I don't think you can solve the national issues in the Sudan without incorporating the East, and you can't solve the East without dealing with Eritrea and Ethiopia," said one expert. Suggested another, "Eritrea and the Sudan are unlikely to really gain rapprochement. It's all in the context of Ethiopia-Eritrea relations. [Eritrean President Isaias] Afwerki just wants to make sure that the Sudan wouldn't come in on the side of Ethiopia. Eritrea is not going to substantively change its policy."

In terms of resolving the broader issues, the only peace talks for the region thus far have been sponsored by Libya, and one participant described the initiative as, "the only game in town, and not a good one." It fell apart over inter-state disputes and Asmara's role in the negotiations. He added, "there are no signs on the horizon that political negotiations will take place any time soon. UNAMIS is monitoring the situation...No other organization or body has come forth to take up this issue."

Political negotiations between the Government of National Unity and the Eastern Front under an international mediator were seen as the best long-term solution. One participant observed that the divisions between the Beja and Khartoum are "much less than what divides the government from the South or Darfur. They are Muslims. Historically they have been more influenced by the inflow of Arabs from the North and East...These people potentially have a lot more in common with Khartoum than the other regions; could they reach a quicker solution?" Another expert countered, "They're closer in some ways, but that doesn't always help...Increased representation and services would help the Beja. How many of these deals can you cut before you change what the Sudan is?"

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<sup>2</sup> For more information on Eritrea, see Dan Connell, "Eritrea on a Slow Fuse," Robert I. Rotberg (ed.), *Battling Terrorism in the Horn of Africa* (Washington, D.C., 2005), 64-92.

One participant suggested that, “the Beja Congress and Eastern Front have been doing little to mobilize in the last seven or eight months. They refrained from any political activity on the anniversary of the Port Sudan massacre.” However, negotiations were seen as unlikely because participants felt that the government was happy with the status quo and lacked incentives to work toward peace.

Participants were deeply concerned about the situation in Hamish Koreib. The United Nations Mission in the Sudan (UNMIS) determined that the government military movements in the Koreib area had violated the Comprehensive Peace Agreement ceasefire. Said one participant, “the incursion into Hamish Koreib occurred with no repercussions, which leads to the assumption that they can continue. The government is expanding in Hamish Koreib.” He recommended commencing negotiations immediately with all parties and declaring Hamish Koreib a demilitarized zone. Another participant noted that the SPLA remains in Hamish Koreib, along with some Beja militias, while Sudanese army forces are nearby and the Eastern Front has left the area. The SPLM has until May to remove its troops, but, said the participant, “I think they’ll delay further because the government hasn’t adhered to its redeployment schedule in the South...It’s a bargaining point for several issues of Comprehensive Peace Agreement implementation.” Other participants feared that the withdrawal of SPLA forces would result in a security vacuum. They suggested that if there were a larger conflict, it would most likely involve an effort from Khartoum to clear out the rebel military forces in the area. Because of the region’s ties to Eritrea, it would inevitably prove to be a cross border operation.

Participants questioned what would happen if peace fails, noting that the East was a strategic region. Experts did not believe that there was much potential for a civil war between the Beni Amir and the Hadendowa, however. Action against the government could be easier, noted one participant, “You don’t need a big force to shut down pipelines and truck routes.” Participants felt that the road to Port Sudan provided an easy target, and that the Rashaida knew the area well. Said one expert, “An attack on the pipeline wouldn’t be about the economy collapsing, it would be about what it would do to the government.”

In terms of Khartoum’s response, one expert noted that “if there was action against the Beja it would be big and quick; it can’t be drawn out.” Another said that, “given the importance of the pipeline, is there any reason to assume that Khartoum’s military response would entail anything other than massive targeted human destruction?”

The area is already ripe for a humanitarian crisis, observed participants. One participant cited NGO concerns about food supplies. If the food pipeline stopped for a week, it would have major humanitarian implications. He identified access as a major issue. Many eastern NGOs are staffed by Eritreans, who are not al-

lowed access to the eastern Sudan, and NGOs are having difficulty gaining permission to assess the East.

One expert concluded:

This area provides such an extraordinary disjunction between what is and what could be that it is mind boggling. SPLA commanders in the area were amazed at how poor and harsh the terrain was and how hard it was to scrape a living out of this incredibly arid, harsh land. There isn't anything growing on the trees. This area also has the skeleton of major infrastructure that could be reinforced. A savannah is covered by dirt that has washed down from the highlands of Eritrea and would produce food if water were available. There are ports, and access from the outside and inside. The possibilities are extraordinary but for politics...From a technical standpoint, this is the most easily resolved situation in the country. The issues are definable. There is a potential infrastructure; the Beja Congress can represent the population and enforce an agreement. The problem is that it's wrapped up in the larger Sudanese context.

#### **IV. The Comprehensive Peace Agreement**

Although the Comprehensive Peace Agreement, completed in 2005, was hailed as an enormous step toward peace in the Sudan, there was significant disagreement at the conference over what it meant and how it should (or could) be implemented. Did the CPA give too much power to a centralized government based in Khartoum? Could more power be devolved to marginalized regions? How soon? Could the CPA lead to a united Sudan or were too many groups excluded from the North-South agreement for the framework to hold? Should alternative power- and wealth-sharing initiatives addressing marginalized groups be promoted now, or would they undermine the CPA? Would the North or the South be willing to give up some of their power in order to more fully include the rest of the country? What does the death of John Garang mean to the Sudanese peace process?

The CPA was signed in early 2005 by the SPLM and the Government of Sudan. The agreement, consisting of three separate protocols, was the result of several years of negotiations under the auspices of the Inter-Governmental Authority on Development (IGAD), with support from the U.S., Britain, and Norway. The CPA calls for an interim period of six years, during which time the Government of National Unity, comprised of SPLM members, National Congress Party (NCP) members, and a limited number of opposition parties will rule un-

der a complex power sharing agreement. The agreement calls for the establishment of a Government of South Sudan (GOSS) to rule the South, providing a broad degree of autonomy there during the interim period. At the end of the interim period, the South will have the opportunity to secede.

Despite their many questions and concerns, the group agreed that the CPA could not be renegotiated. However, many participants feared that the CPA left too many groups disenfranchised. One of the biggest criticisms of the CPA was that it only spelled peace for the North and South. Said one participant, "The Comprehensive Peace Agreement is very comprehensive between Khartoum and the SPLM, not the rest of the country." Another participant felt that "you can't have one process for the whole country at this point, but some greater coordination and vision should be pushed by the international community." However, still other participants cautioned "falling into the trap of following the system as we know it, with partial agreements with the center." One participant noted that historically and today, "The government of the Sudan loves having multiple proposals out there and manipulating them against each other...If we propose other alternatives to the Comprehensive Peace Agreement now, we will facilitate the central government's smokescreen. Let's hold them to what they agreed to instead of confusing it with ten other things."

Participants spoke to the Sudan's "crisis of national identity." Although the group did not agree, many felt that a small, limited Arab-Muslim Islamist group projects the national identity framework for the nation, leaving, as one participant noted, "a gap between perception and reality." Identity issues revolve around ethnicity, race, religion, and often, who gets what. Cautioned one expert, "I think it's dangerous to politicize identity...On the other hand, if ethnicity has been a major way to allocate resources for a long time, you have to get through that. There should be centralized political, economic, and social leadership with cultural autonomy."

### *North and South*

The Sudan's future cannot be addressed without contemplating its past. One participant described that "the country was perceived as North-South, with the North Arab and Muslim and the South African and Christian or animist. The South was colonized internally with the North stepping in and taking the position of the British...The Arabs of the central Sudan are the first class citizens. The Muslim non-Arab citizens are second class, the northern non-Arab non-Muslim citizens are third, and the South are fourth class. Bringing all these together is not easy. The CPA accommodates these totally different visions for the country."

The North-South war began as a fight for liberation and self-determination. Its second stage began when Southern leaders, notably Garang, realized that secession was not viable, and recast the struggle as one of liberating the whole of

the Sudan. Said one participant, "The country became polarized between those committed to the Arab-Muslim vision, and those trying to liberate the country from this group... We [should not] isolate Darfur from what are in fact proliferating conflicts in the country... manifestations of a country in search of itself."

The question remains whether there are more elements in the Sudanese political mix that are genuinely interested in unity or whether the advantages to maintaining the status quo are greater. Noted one expert, "The international community recommended making unity attractive by improving conditions in the South. But how can this be done when the agendas remain different?" A participant said, "I think there's a temptation to let the South fail." Another asked "Who is willing to give what up? The South fought for twenty years for the Comprehensive Peace Agreement. Are they going to have to give up some power now so that other marginalized voices can be heard?" Others argued that any power sharing must come from the Northern "piece of the pie," but that, feeling that they had given up a great deal already, Northerners were unlikely to compromise further. Observed one participant, "those in power want to stay in power. That's not unique to the Sudan."

#### *Government Capacity*

Some participants believed that senior government officials on both sides were committed to implementing the CPA, while others questioned that commitment, or noted that it did not extend to the rank and file in the North or the South.

Many participants criticized the slow implementation of the CPA, but others pointed out that "the Government of National Unity is a coalition government, so there are a lot of factions that have to be accommodated. This coalition is more difficult because it's made up of two parties who have been fighting for over twenty years... The peace agreement must be made to work. There is no other route to socio-economic development. It is about the framework for conducting politics in a democratic manner."

Representatives of the Sudanese government pointed out that at the time of the conference, the Government of National Unity had only been in office for four months, and it would take more time for it to be seen delivering its program. They cautioned against confusing the current, coalitional Sudanese administration with its predecessor. Other participants pointed out that members of the SPLM, after two decades of military and political opposition, were now part of the government. Participants noted, "The SPLM in its years as a liberation movement developed strong internal coherence and was able to address many issues. However, it did not have experience at managing a government, and some of the skills are different. There is a shocking lack of infrastructure in the South. There are only fifteen kilometers of paved roads in an area the size of

Texas...You can extrapolate that out to the [lack of] infrastructure for water, sewage, everything." Many were concerned about senior Southern officials publicly questioning the Government of National Unity.

As one participant noted, "In a historical sense, it's very important and amazing that the agreement has held" since the death of Garang. It's as if "Moses arrived in the Promised Land, and then his helicopter went down." With Garang's death, Salva Kiir has assumed all of his leadership roles. Said one participant, "He's the head of the SPLA, national first vice president, head of the SPLM army, and head of the Government of South Sudan. He has four jobs, any one of which is a killer." Participants urged continued international support for the Government of Southern Sudan as it develops its own institutional capacity.

Clearly, the transition from opposition to authority, and from military to political power, is not easy, and takes time. Some in the group felt that time was not something the Sudan could afford, given the humanitarian crisis in Darfur and other looming flashpoints.

#### *Implementing the CPA*

"Garang didn't see the peace agreement as an end. He saw it as a phase in transforming the Sudan," pointed out one participant, and many at the conference agreed. Said one expert, "The Comprehensive Peace Agreement does offer the right categories and the right issues. Regionalism needs to unfold in some logical way."

Participants noted that at 150 pages long, the CPA is a very complicated document. It includes a laundry list of precise steps and numerous benchmark dates. Many of the most difficult issues are not yet resolved. Said an expert, "There are a few dozen commissions for dealing with issues where there wasn't agreement. There are really profound differences of identity and development." Participants felt that some of the most crucial commissions that needed to be up and functioning were:

- The Assessment and Evaluation Commission (charged to monitor and evaluate the implementation of the CPA)
- The National Petroleum Commission ("How much money should be sent to the South? Where does the oil revenue go? How is it allocated?")
- The North-South Boundary Commission
- The Civil Service Reform Commission ("The SPLM ministers must now rely on civil service from the North. What's on the ground depends on the civil service, and it matters the most to the people.")

A census is the next step called for in the Comprehensive Peace Agreement. It is scheduled to be carried out in 2007, but will likely be delayed. The results will affect the national distribution of power and wealth and are critical to the elections slated to follow. It has been assumed that about one-third of the Sudan's population resides in the South, but no reliable census has been taken since 1983. Some participants questioned whether the Sudan is capable of carrying out an effective census by itself. Others noted that "without a baseline population count you can't go forward," and that although there will be many problems carrying out the census, "the errors would not necessarily be malicious" and that there were "no alternatives." The U.S. has offered technical assistance, and Ethiopia has a good statistical bureau that could be called upon. Another concern is that too many IDPs will not have returned home to the South before the census, leading to an inaccurate count.

Following the census, a next step should be free and fair elections, scheduled to be held in 2009. Said one participant, "As many reservations as I have about elections in this part of Africa, they're probably the only way to move forward." Another added that "an election in three years that doesn't make people ashamed would be a good outcome." But some participants were concerned that "elections don't make democracy...There should be a multi-party democracy, or the dictatorship continues."

Resolving the border question is yet another essential issue, as the exact location of the North-South border will determine the distribution of oil revenues. Some participants felt that the government was stalling on developing a functioning North-South Boundary Commission, while others attributed internal politics to slowing the process. One participant said, "All evidence suggests that the boundary has been effectively moved South, bringing more oil production to the North...so there's no chance the South will get its fair share of the money." Several participants recommended using the 1956 line as the permanent boundary.

### *A United Sudan?*

Ultimately, the Sudan can only succeed if its people agree on the vision of a united country. Said one participant, "If people from all over want a new Sudan where everyone has a sense of belonging, why would I want to secede? But if the other regions are problematic, the South is likely to vote for secession." Another participant noted that, "in the North-South context, significant sections of the communities did show commitment and took a bold step to reach the Comprehensive Peace Agreement. This hasn't happened yet in Darfur."

Participants questioned the sustainable commitment of the international community to the peace process. Asked one, "If it took the international community and the U.S. to bring the parties to agreement, how much will they continue to need the international community and U.S.? ... Is the international community

marking time to see if the national dynamics change, or will they hold to their commitments?" One participant recommended that "the UN Peacebuilding Commission could be implemented and help in these matters."

That the Sudan's economy was growing rapidly was considered positive, with some caveats. Some of the estimated 8-14 percent growth is a result of cessation of war, but the majority is the product of increased oil revenues. Observed one participant, "An economy growing at 10 percent can deal with some challenges that economies growing at 2 or 4 percent can't overcome. Any apple of discord will also be larger." A participant observed that the newfound wealth, "means little to those outside Khartoum. It means more to those in Khartoum. There is more to fight over now. One guy is chasing a sick donkey and another guy has a car."

### *Confederation*

Participants agreed that confederation was a way to keep the Sudan united, though as with other multi-ethnic countries in conflict, the possibility of fracturing into two or more smaller states worries efforts to knit the country together. They felt that some kind of federation was not only encouraged by the international community, but has finally been accepted by the elites of both the North and the South. Questions remain about how federalism will be developed and if it can extend to regions beyond the North and the South.

Any solution must take into account the Sudan's "identity issues and the crimes perpetrated in identity's name. Solutions would be both regional and federal." The Sudan's long history of a strong central government alternated with oppressive and often violent efforts to control the subordinate populations. Said one participant, "The Sudan's system was created by the British so that many people were always marginalized...Federation and regionalism are still under a dictator, who manipulates the system to his will." He added that under the current system, there is no true representation. "The government in the center sends its representatives to regions. It's not the other way around, that the people on the ground elect representatives and send them to the center. The people don't elect their representatives."

One participant questioned who is at the center of the confederal entity, voicing concerns not about the strength of the center, but its "willingness to use genocide to conduct policy." Another mentioned the lack of competence in the current administration, observing that when the old British civil service departed there were many capable administrators still in power. They were replaced by young National Islamic Front members with no government or international experience. He added, "They now run the whole bureaucracy. [President Omar Hassan] Bashir and [Vice President Ali Osman] Taha are now imprisoned by the bureaucracy they created ten years ago."

Participants referenced countries such as Iraq and Nigeria in modeling political outcomes for the Sudan. One noted that “a federal system on the Nigerian model shows a reasonably strong center,” adding that “in Nigeria, there are too many states. In the Sudan there may also be too many states.” Another participant said, “when talking about macro-governance and too many states, Iraq came to mind. It’s a diverse population (though less diverse than the Sudan), but there is a crisis of identity, and concern that it’s pulling into three pieces that won’t be viable. The history is also of an oppressive central government, and those on the receiving end are against a strong central government. Supra-regional autonomous areas can pull the whole thing apart.”

### *Oil*

Wealth sharing from the Sudan’s petroleum resources remains a critical issue to be resolved. The National Petroleum Commission is not yet active, and there is little transparency or agreement over how much money has been transferred to the SPLM or the Government of Southern Sudan, or what the appropriate revenue sharing formula will be going forward. Said one participant, “All the figures are disputed and without transparency the arguments will get worse.”

However, one expert noted that the war cost the North about \$2 million a day. The amount the South receives for the oil should be approximately the same, resulting in no net loss for the North. Many participants felt that the Northern elites would not be sanguine about this tradeoff.

Some oil possibilities have been discerned in Darfur, but several experts believed that the findings would not yield exportable quantities. However, noted one participant, “If they find oil before a peace agreement, it will be a disaster for Darfur.”

### *Other Dangerous Issues*

Many participants felt that a major threat to the CPA was the situation in Abyei, which lacks a government. Said one participant, “There are protocols in the Comprehensive Peace Agreement dealing with the transitions there, but the steps have not been followed; the constitution, parliament, line ministries, etc., haven’t progressed yet.” Per capita, Abyei has more returnees than anywhere else in the Sudan, and one participant noted that it could “see a huge influx in the next year...Abyei is a flashpoint. There is a massacre that could occur almost any day.” Said another participant, “The danger in Abyei isn’t the tribal relationships, it’s the central government taking sides.”

While the situation is not yet as critical in Nubia, the government is struggling there as well and conflict could erupt.

Participants were also concerned about the lack of implementation of the CPA's security protocol. Joint integrated units are scheduled to be created from Sudanese government army and SPLM troops. The units are supposed to be formed in sensitive areas, but none has been formed so far. Said one participant, "The structures for managing this in Khartoum, the Joint Defense Board, don't seem to be active or effective. The only unit we can find that does anything together is a police unit in Juba. It's a huge challenge to do this and some more energy is needed."

Another component of the security protocols is the failure to reduce troop levels in Juba. However, some participants pointed out that reducing troops in the South could be destabilizing to the North. Said one, "The 125,000 troops in Juba are southerners. Are 75–85 percent of southerners trained in war going to be withdrawn from Equatoria and sent to the North?" Participants noted the government of Sudan's genuine fears that southern troops might again make war on the North. Some participants recommended that the troops in question be reallocated to Darfur.

Asked another participant, is the Sudan "hedging its bets in case it goes back to war, and making sure that there is enough capacity on the military side?"

In terms of U.S. policy, one participant noted that the U.S. government has limited influence on the security protocols. Others noted that UNMIS is in charge of monitoring the security protocols, and that the U.S. can influence its priorities. The UN force for the Southern Sudan calls for projected troop levels of 10,000. Seven thousand troops are there now, with troops coming from Norway, Italy, and other countries. Still, participants asked, "We have just signed a peace agreement. What will these 10,000 do? The war is in Darfur – why are we bringing troops to the South? There is no sensitivity about Southerners joining with Northerners to go to Darfur. Why aren't we doing it?"

## V. In Pursuit of Peace

### *Development*

Participants agreed that the time was ripe for significant developmental assistance, both from international donors and from the use of the Sudan's new oil wealth. It is essential to use developmental assistance to build institutions of governance.

Participants cited a range of developmental projects, noting that many were not yet connected or coordinated. Enabling IDPs and refugees to return home was seen as the most pressing need, but return is impossible without sufficient security, water, a sustainable livelihood, and infrastructure. "Refugee and IDP returns are central to reconstruction," noted one participant, who added that

refugees and IDPs bring “energy and creativity.” He cautioned, however, that “if there isn’t sufficient facilitation, IDPs can become...handicaps to reconstruction.”

The Government of National Unity’s plan is that return shall be voluntary. The government must persuade people on the advantages of going back. This issue is problematic in the Sudan and elsewhere, noted several in the group. One participant cited studies showing that the longer people were displaced, the less likely they were to go back to where they came from.” This problem is most acute in Khartoum, where many of the IDPs are employed, and some even live in finished areas rather than slums. Even in IDP camps in Darfur, said one participant, people “are already building fired brick buildings in the camps, whether or not they’ve been given permission.”

In addition, IDP camps can be a magnet for the non-displaced, “especially when there’s a level of services that is high in the camp, and nothing in the surrounding areas...Some of the people in the camps are from the cities nearby and just want services. They get their immunizations and food and then go home,” said one participant. One expert recommended that instead of building new villages: “Go to existing villages, Rizeigat, Zaghawa, Masalit, whatever, and do the projects where people are already, where people aren’t displaced...Where you have people already living in the more remote places, develop projects there to get more people back.”

Finally, some areas may never be ripe for return. Said one expert, “The northern part of Darfur is not inhabitable. It can’t support the level of population that is there now.”

Participants were concerned about the new oil wealth tempting the Sudanese, particularly in the South, toward corruption rather than development. The “resource curse” has afflicted many countries in Africa, with Botswana serving as the exceptional example of a country where natural resources have been used for development. However, said one participant, “People in the South are so proud and want peace to succeed. Corruption could destroy the Comprehensive Peace Agreement, but there are efforts to develop accountability systems.” Another participant noted that “Garang used to say that he’d use oil to fuel, literally, the development of agriculture.”

Infrastructure is sorely lacking throughout many marginalized regions of the Republic of the Sudan, particularly the South, where there are only fifteen kilometers of paved roads in a region the size of Kenya, Uganda, Tanzania, Rwanda, and Burundi combined. Better infrastructure can lead to more commerce. Said one participant, “Roads will bring prosperity to the South.”

“Functioning markets are critical to the functioning of any country...The restoration of a trading system and markets is critical. Both sides need to stop penalizing the people. If millions of animals die, the wealth of the province dies,” said one participant. He described a controversial project to reconstruct roads in Jebel

Mara, noting that gardens in the area traditionally supplied Port Sudan. When conflict started, the road deteriorated, “stopping the trade, and reducing incomes in a formerly prosperous area.”

Participants felt that agriculture could be improved to the point where it could sustain the population. Although agriculture might eventually be developed for export, the current limitations on the South’s infrastructure mean that there is no way to get what is grown to market. One participant cited a project to produce oil from lula trees for high-end cosmetics, but noted that it can’t yet be gathered in sufficient quantity to be commercially viable. In addition, “the potential for a leather industry in the South is very high, but that takes time and requires infrastructure.”

Developing water supplies throughout much of the Sudan was seen as critical to reducing conflict. One participant noted that a lack of water contributed to the ongoing conflict in Darfur. Traditional reservoirs, called hafiz, have not been maintained in recent years because of ongoing conflict and a lack of government attention. A typical hafiz consists of a thirty-foot compound sealing in water. A pipe for animals extends from one side, a pipe for people on the other side, and the entire structure is fenced off so that the animals can’t contaminate the water. When a hafiz becomes oversilted, it can no longer hold water, and the wells cease to function. “Improving utilities could play a role in conflict prevention,” it was noted. “Small projects could transform and shape life differently.” Another participant cited the potential for accessing water in the Red Sea province, where there are “massive amounts” of renewable water that could be reached by drilling.

Other water supply issues surround the Nile River. Not only the Sudan, but Egypt, Uganda, and Ethiopia consider the Nile to be extremely important to their existence. Addressing riparian issues now “might prevent another crisis we haven’t talked about, a water war in the Nile basin,” suggested one participant. The flow of the Nile must be regulated cooperatively to prevent flooding, provide a flow downstream all the way along the Nile, and provide electricity from dams.<sup>3</sup>

Resolving land issues was seen as critical to lowering tensions and helping IDPs and refugees to return to Darfur. Land there is communally owned, and each tribe has its own land, which can be used for grazing or agriculture. Outsiders who wish to use the land must get permission from the tribal leader. Unregistered land is owned by the state, but not regulated, and during the conflict, old tribes have been driven off, and new tribes have settled, creating new conflicts in an area already unable to support its growing population because of desertification.

One participant noted that in recent years, “the livestock population has increased enormously...and the additional animals aren’t sold or eaten, they just graze.” A solution was offered based on Botswana’s model: “Botswana has introduced some ranching in very simple ways. People are allowed to have a cer-

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<sup>3</sup> For more information, see the Nile Basin Initiative website: [www.nilebasin.org](http://www.nilebasin.org).

tain amount of cattle within their areas. They drill water holes. Eight square kilometers is enough [to support] their thirty or forty animals. Because it is fenced off, no other animals move in. The animals inside are vaccinated. As a result, people have fewer cattle, but can afford more bulls, and can improve the quality of their animals and their lives.”

In choosing which projects to pursue first, one expert described USAID’s move away from sectorally-based development programs “because countries don’t develop by sector and countries don’t succeed because a sector succeeds.” Sectoral funding can be directed to the most sensitive areas, and related to conflict resolution. For example, “If there’s a dry area, and you can build a school, a clinic, or a well, I can tell you which one will cause war.”

Coordination of international aid was seen as a major challenge, and participants felt that there was a strong need for unified leadership and accountability, possibly under the UN Refugee Agency (UNHCR), the United Nations Children’s Fund (UNICEF), or the World Food Program. The Sudan “represents an opportunity to be serious about getting the international multilateral institutions to coordinate and succeed,” said one participant. Donors can fulfill different, complementary roles. South Africans have offered to do training in administration, others can focus on infrastructure, schools, health, or agriculture.

Other participants were concerned that not enough money was flowing into the Sudan based on pledges made during the 2005 Oslo conference. But one participant noted that “last year the UN spent \$82 million alone on aviation fuel in the Sudan [to deliver humanitarian assistance].” However, participants also noted that the donor community tends to respond to crises, and does not focus sufficiently on longer-term development projects that might avert future crises.

Other participants were concerned about the Sudanese government’s capacity to distribute aid, and its sensitivity to aid projects leading to an official tendency to be obstructionist. One participant recommended reminding the Government of National Unity that, “in the past they were humanitarian statesmen for Africa,” hosting a million refugees during the 1980s. Although the government’s humanitarian record in Darfur has been poor, its legacy should be refreshed and extended to Sudanese suffering in Darfur and other marginal areas.

Several participants noted that it was critical to fund visible developmental projects not only for the victims, but also for those on the other side of the conflict. In Darfur, some of the Arab tribes provided troops to the janjaweed, but not all did. It is important not to send “the wrong message – that the perceived victims will be rewarded and the perceived perpetrators will be punished. There is no incentive to work out a peace agreement under those circumstances.”

In addition to alleviating suffering, humanitarian assistance can reduce or even halt conflict. Said one participant, “The leverage is tremendous on humani-

tarian relief. The cost benefits are huge. Arguably, \$10 million a year prevented a counter genocide in Rwanda.”

Several participants pointed to the need to support and partner with indigenous Sudanese development organs within the government and in the private sector. Such efforts both build capacity in the short term and work toward independence in the long term. One participant referenced a Sudanese NGO counseling women who had been raped in Darfur, though noted that there were only “fourteen trained psychiatrists to deal with all of the Sudan.” Although it is often culturally and personally difficult for women to report rapes, another participant noted that “some women have tried to report rapes and have been stopped,” and recommended more human rights monitors, especially women human rights monitors. One participant mentioned a new \$15 million Office of Transition Initiatives project on women and rape as a beginning.

One participant raised the issue of completing the partially dug Jonglei Canal, but others feared that Southern concerns about the canal could lead to war. Said one participant, “There’s concern that it would dry up the fishing industry in the South. It moves water from the South to Egypt.” Another participant noted that “people in the area are concerned about who will get the land and control the dam in the Bor Area.”

#### *Justice and Reconciliation*

Some participants urged the use of the International Criminal Court to demand accountability in the Sudan. Said one, “I think the International Criminal Court process is crucial and needs to be strengthened. It is taking time to unfold.” While several participants noted that official U.S. policy rejects the International Criminal Court, and that stance is unlikely to change in the near future, others recommended that the U.S. quietly support the ICC process by collecting evidence using signals intelligence. Given the constraints on U.S. policy, one participant recommended: “There should be a European affirmation of the ICC, with the U.S. staying quiet.”

Other participants voiced their concern about the use of the ICC in the Sudan, fearing that the process endangered civilians. Said one participant, “Witnesses are put in danger, and operations on the ground can be put at risk. It is appropriate for the ICC to act quietly unless they and witnesses and others can be protected from the government of the Sudan, which has expressed its utter contempt for the ICC.” Another participant countered that “a lot of the data gathering is happening outside Darfur, but it should be kept at a quiet level to protect those who are gathering information. Those inside the Sudan are keeping their heads down. Highlighting the fact that data is being gathered puts them in danger.”

The relationship between justice and peace was questioned, as were potential cross cultural differences between traditional African approaches to justice and international, Western norms. One expert said that "I think there is a different way that Africans deal with these situations. I'm not very excited about the International Criminal Court in the Sudan... There needs to be a more African process than the International Criminal Court. In Rwanda and South Africa there was victor's justice, in this situation there wouldn't be." Another participant added that "the Sudanese generally would tend to err on the side of reconciliation... those committed to justice are more Western." "Crime in tribes is the responsibility of the tribe, not the individual... You have to keep the tribe in mind, they will not sanction the punishment of their leader. Tribally-based reconciliation can be more effective because it includes compensation," offered another participant.

Others felt that the ICC process focused on a narrow range of criminals involved in genocide, not on "those who have been used to do the crimes," but "those who have planned them." There are "many players who have done wrong to their environment and livelihoods." Therefore, pursuing the ICC is "completely compatible with tribal accounting and reconciliation; these are not separate routes."

"There's been a glaring lack of discussion about reconciliation," pointed out one participant, who added that it is widely accepted that reconciliation is important at the grassroots level in order for some of the other parts of peacemaking to succeed. Others agreed, urging that genuine representatives of the people be identified. One participant observed that "there is massive contact between different armed rebel movements [among the janjaweed]... They want to be included in the political process."

One participant recommended a reconciliation process to include non-retributive justice, adding that "there would be a way to deal with a number of these issues over time, and to short-cut the international community."

## **VI. The Role of the U.S. and the International Community**

### *The United States*

U.S. officials described the strong American commitment to the Sudan, dating back to the North-South conflict. That interest has now been transferred to Darfur. "The grassroots interest in the U.S. is enormous... President Bush gets questioned about Darfur in places like Kansas and Florida... that's a telling point about the sustainability of U.S. interest," said one participant, who added that Darfur is a "growing issue, and a bipartisan issue."

The U.S. has devoted \$1.2 billion a year to the Sudan, much of it going toward humanitarian aid. Participants called for more U.S. funds to be devoted toward reconstruction, but acknowledged the tendency of governmental institutions to focus on humanitarian emergencies rather than on the steps needed to prevent emergencies. In the Sudan, one participant described how the law was stretched “to allow some rehabilitation, but no reconstruction.” Participants urged that funding levels be maintained at a high level after the Darfur crisis had passed in order to forestall the next crisis in the region. Funding is also restricted in countries which suffer coups that unseat the regular government – funding can only move forward if there is a political settlement.

Citing strong congressional interest in Darfur, one participant recommended using credible threats other than force on the Sudan, such as denying visas and freezing personal assets. Another participant countered that such proposals were impractical or impossible because the actors most heavily implicated in the violence in Darfur do not have relevant assets such as Swiss bank accounts: “We can’t freeze Musa Hilal’s sheep.”

The U.S. lacks financial leverage against the Sudanese government as well. As one participant noted, the U.S. “has a total economic blockade on the Sudan, and they’re growing at 14 percent a year. Keep that leverage in mind and in context.”

#### *The UN and the African Union*

Participants recommended that the UN Security Council mandate UNMIS to operate in the East, and apply more pressure on achieving a political settlement.

In mid-March, the African Union mandate in Darfur was extended for another six months, at which point the UN is slated to command the new peace-keeping force. The African Union will keep its 7000 troops in Darfur and support a transition to UN authority. The UN has called for up to a total of 20,000 troops in the region.

However, the Sudanese government has said that it will not accept United Nations troops until a peace agreement is signed in Abuja. And shortly after the African Union agreed to hand over its mandate, the Sudanese government blocked Jan Pronk, the UN’s senior envoy to the Sudan, from entering the country for several days, until finally agreeing to let him into the country to monitor the situation in Darfur.

#### *China*

The exact nature of China’s reach in the Sudan was disputed, but not the extent of its influence. One participant observed that “thirteen of the fifteen largest foreign businesses in the Sudan are Chinese,” and several participants noted that Chinese interests dominate the Sudan’s oil business. One participant cited an Am-

nesty International report of armed Chinese workers in the oil region, who are not uniformed, but willing to use arms to defend the oil pipeline. Another expert noted that “the government of the Sudan has been a good partner to the Chinese. In the early to mid-1990s most people predicted that the Sudanese would not be able to extract oil. The brutal efforts of the Sudanese government have been successful. They have insured that the pipeline has largely been uninterrupted.”

One expert observed that “China has a clear policy that it will not look at the internal events of other states when it manages its relations. Without moving to full humanitarian intervention, China could say that what’s going on is not in their interest. Yet, they could make more of a positive contribution. They should not be indifferent to what’s going on in a country that’s so important to them economically.” Specifically, one participant counseled that since China’s interests in the Sudan are in oil and oil companies have some leverage, China could promote a more national distribution of oil revenues.

## Conference Participants

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