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AN ALL-SUDAN SOLUTION

Linking Darfur and the South

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The stakes in Sudan in terms of protecting human life may have no equal throughout the world today. As Darfur continues to churn and burn, the 2005 peace deal that ended a far deadlier war in Southern Sudan is at risk and in danger of eventual collapse.¹ If it unravels, there will be no chance for peace in Darfur, and if Darfur continues to deteriorate, the likelihood increases dramatically of a return to what was—for 20 years—a far more destructive war in the South.

The urgent task at hand, therefore, is to simultaneously and equally support both the resolution of Darfur's crisis and the timely implementation of the Comprehensive Peace Agreement. The CPA is the peace deal dealing primarily with the war in Southern Sudan, but it also provides a framework for a national solution. For the growing movement of activists who have committed themselves to work for an end to the genocide in Darfur, and for policymakers and negotiators working on Sudan, these two policy priorities must go hand-in-hand. The objective of the Darfur movement must be broadened to include achieving a sustainable and comprehensive solution for all of Sudan. The end to both crises rests in the same solution: the democratic transformation of the country, driven by strong internationally monitored peace agreements for the South, Darfur, and the East that are built on shared power, shared resources, and comprehensive political change.

Along with other members of the international community, the United States has a central leadership role to play—both in supporting the implementation of the CPA and the peace pact in Eastern Sudan, as well as in helping to broker an accord in Darfur. Acting on that leadership means ramping up U.S. diplomatic investments and working multilaterally, including to increase pressure on any party that would undermine efforts to achieve peace, particularly the ruling National Congress

Party, or NCP, in Khartoum. Acting on that leadership also means strengthening U.S. and broader international support for the CPA, a signed agreement witnessed by the international community. The United States should also discontinue any effort to entertain negotiations outside the framework provided by the CPA, a course of action that could actually hasten a return to war in the South.

SOUTHERN SUDAN: A DEADLY PRECURSOR TO DARFUR

Darfur is the ruling National Congress Party's latest destructive project, but it is certainly not unique. Sudan's ruling National Islamic Front party, which now goes by the NCP label, took power in a military coup on June 30, 1989. For these last 18 years, the ruling party has been at war with virtually all of Sudan's marginalized populations—in the North, South, East and West—and is primarily responsible for the war-related deaths of an estimated 2.5 million civilian noncombatants.

The bulk of civilian deaths over these last 18 years have occurred in the South of Sudan.² Seeking to ensure its control over the South's land and its resources, the NCP armed and directed allied raiders—very similar to the Janjaweed militias in Darfur—to do much of the violent dirty work of killing and forcibly displacing Southern Sudanese civilians from their land. These marauding forces, like the Janjaweed today in Darfur, received backing from the Sudan Armed Forces, which in turn was supported by the Chinese government. Although the NCP's methods of war in the South were nearly identical to what we have seen in Darfur, no one in a position of influence called it genocide, as then-Secretary of State Colin Powell did in the case of Darfur.

When the Bush administration took office in January 2001, it moved quickly to play a leading role in

1 The war in Southern Sudan cost upward of 2.25 million lives between 1983 and 2005.

2 For background reading on the war in Southern Sudan, see the International Crisis Group's book on Southern Sudan, *God, Oil and Country: Changing the Logic of War in Sudan* (by John Prendergast, available at www.crisisgroup.org), and subsequent Crisis Group reporting. Also see Eric Reeves' ongoing Sudan coverage at www.sudanreeves.org.

ending the war in Southern Sudan. At the time, a number of constituencies—Christian groups, human rights activists, and a core of highly motivated and invested members of Congress—worked in a bipartisan fashion to put the issue of Southern Sudan on the U.S. political map. While conservative Christian groups had the most influence with the Bush administration, it was ultimately a bipartisan, broad-based constituency for Sudan that empowered the Bush administration to mobilize quickly and take visible steps in pursuit of peace in the South.

A SUCCESSFUL PEACE DEAL IN SUDAN: IT CAN BE DONE

A full-blown U.S.-led effort was in place by early September 2001, headed by former Sen. John Danforth (R-MO), who worked hand-in-glove with Kenya and other regional states.³ Norway, the United Kingdom, and the United States represented a “troika” of countries that had been organized during the Clinton administration which helped bring leverage and ideas to the talks.⁴ In the aftermath of September 11 and with Sudan on the U.S. list of “State Sponsors of Terrorism,” it took three years of tough negotiations between the NCP and the rebel Sudan Peoples Liberation Movement, or SPLM, to reach signature on the CPA. The Khartoum regime was able to delay signing by playing the international efforts to contain the crisis in Darfur off against the peace process in the South. The regime also successfully used its counterterrorism cooperation with the United States to further blunt any criticism of or consequences for delays in either the South or Darfur. By the time the CPA was signed in January 2005, however, the war in Darfur was in full swing.

Headed by Dr. John Garang, the SPLM negotiating team on the CPA pursued a vision of a “New Sudan” and focused on all of Sudan, not just the South. The very core of the CPA became a package of democratic processes. The three most important

political milestones thus included in the CPA are a national census, local and national elections, and the referendum on the future status of the South. The results of the census will help to determine the percentage of seats that will be allocated, in advance of elections, to the North and South in the National Assembly. The elections themselves will ensure that those who occupy seats in the National Assembly are legitimate, elected leaders. Given popular sentiments throughout Sudan, the SPLM believed that fulfillment of the election provisions of the CPA, if aggressively monitored by the international community, would provide the opportunity for nonviolent change in Khartoum.

The SPLM pressed for these provisions out of the belief that the fundamental problem in Sudan was the absence of democratic governance. And it pushed for elections and nonviolent change notwithstanding the possibility that the people of the South might vote by referendum to separate legally from Sudan in 2011 because it wanted to increase the likelihood that Sudan would be a good neighbor to a newly independent South. Thus, the “New Sudan” vision sought to change all of Sudan for the better by ensuring that political representation was determined on the basis of a national census and free and fair elections. The CPA also envisioned the six-year “interim period” before the 2011 referendum to include an opportunity to make unity attractive to Southerners. Khartoum’s actions in Darfur and its foot-dragging on CPA implementation have significantly undermined the prospects for a pro-unity vote in the South.

Why would Khartoum sign such an agreement? The NCP essentially had little choice. It could not militarily defeat the Sudan People’s Liberation Army, or SPLA, the SPLM’s military arm. Meanwhile and significantly, the international community maintained intense pressure on Khartoum to conclude the CPA. Moreover, to the NCP, the nonviolent process outlined in the CPA appeared to buy

3 The East African regional organization that convened the talks is called the Inter-Governmental Authority on Development, and its envoy was General Lazaro Sumbeiywo.

4 Italy was also extremely helpful in this framework.

it six and a half years of protection from a majority that opposed it. However, after signature and with the death of the SPLM's leader, Dr. John Garang, the NCP reverted to type and began stonewalling, slow-rolling, and otherwise undermining the timely implementation of the Agreement.

LEMONADE BACK TO LEMONS?

Where does the CPA stand today, given the NCP's efforts to undermine it and the international community's less-than-forceful efforts to uphold it? The CPA, one of President Bush's most significant foreign policy achievements, is severely at risk because of the following:

- The NCP is doing all it can to ensure CPA-mandated elections are delayed and possibly canceled. In a country torn apart by decades of violence, the architecture for a credible election takes major time and effort to put in place, yet the NCP has delayed for months the release of funds for the census, a necessary prerequisite for elections, as part of its foot-dragging, brinksmanship approach to implementation.
- The NCP creates numerous obstacles to the CPA-required drawing of boundaries between North and South, a prerequisite for defining election districts.
- The NCP has not withdrawn its military forces from oil fields in the South in accordance with the CPA-stipulated timetable.
- The NCP has refused the "final and binding" Abyei Boundary Commission report, which has frozen all efforts to establish a new local administration in violence-prone and oil-rich Abyei, which is entitled to its own referendum.

The SPLM suspended its participation in the national coalition government in October out of frustration with the NCP's multiple efforts to undermine effective implementation of the CPA and

the international community's lack of attention and engagement on the problem. On November 2, however, President Bashir announced his government's renewed commitment to the CPA. While a welcome sign at first glance, this statement should be viewed within the context of the NCP's repeated bait-and-switch pattern of making unfulfilled promises designed to relieve international pressure. His latest words could thus signal another round of political maneuvering designed to blunt the impact of South Sudanese President Salva Kiir's visit to Washington in the second week of November.

It is quite conceivable that, at a time of the NCP's choosing, Khartoum could announce a postponement of elections scheduled for 2009. Such a step would herald the end of the CPA. It is also possible that Khartoum will continue to stall, and will do no better at implementing the terms of the CPA now than it has done in the recent past. Both risk a return to war beyond anything we have seen in Darfur.

INTERTWINED FATES: DARFUR AND THE SOUTH

The fates of Darfur and the South are deeply intertwined. The people of both regions have fought lengthy, deadly wars against the same regime, and are searching for an end to their chronic marginalization. Although their grievances are similar, they have not been a part of a united political front vis-à-vis the NCP. This is in part because Khartoum has managed to play the two conflicts off one another: During peace negotiations with the South, the NCP bought time by pointing to problems with Darfur. Now, with Darfur, the regime is using the CPA and tensions with the South to distract the international community and diminish external pressure on Darfur.

Additionally, during the negotiation of the CPA, the negotiators feared that the inclusion of Darfur's rebels, who had not been fighting Khartoum for nearly as long nor had lost nearly as many lives, would change the parameters of the negotiations

and further extend a very difficult process. It is clear, however, that both sets of rebels—from Darfur and the South—are afflicted by a common problem: an unaccountable government that refuses to share power, wealth, and resources with all of Sudan's people, and which, rather than compromise, mounts military campaigns against its own civilians to try to silence their concerns. The only way to address this problem effectively is by pressuring Khartoum to comply fully with the agreements it has signed, to move forward constructively with the peace process in Darfur and on preventing the demise of the CPA, and to hold accountable those most responsible for egregious acts of violence.

Larry Rossin of the Save Darfur Coalition Board puts it this way:

"I have constantly been struck by how the CPA (South) and Darfur are portrayed by so many in the international community with a stake in one or the other as some sort of 'zero-sum' situation—you can only pressure the Sudanese government on Darfur and bring resources there at the expense of reduced support for and pressure on Khartoum for CPA implementation, or vice versa. I think the Sudanese government has figured this out and uses it to play the CPA-focused group of international community members off against the Darfur-focused group. In fact, of course, the sum really will be zero if the focus is not all-Sudan, because either one failing will drag the other down with it, as we are seeing. The challenge for the international community—and a theme for advocacy—is that we must break out of this zero sum mold, and break out of letting Khartoum play that game, and tackle all of Sudan as a whole."⁵

AN UNFORTUNATE U.S. MIS-STEP

Despite being a key player in brokering the CPA, in October the United States undertook a dangerous diplomatic gambit that—if pursued—would

lead to the unraveling of its own peace deal. The United States proposed a set of what it calls "confidence-building measures" that effectively abandoned full compliance with the CPA as the roadmap to peace. The measures proposed that China, Saudi Arabia and the United States mediate between the NCP and SPLM to formulate a "package deal" to solve the impasse around Abyei and the border. The problem with this proposal is that it abandons the provisions of the CPA that speak explicitly to Abyei and to the determination of the North-South border and instead offers an alternative that, one assumes, is perceived to be more palatable to Khartoum than the CPA. What the United States should be doing is to press all parties to implement the specific provisions of the CPA and, in the event of noncompliance, impose meaningful consequences. By avoiding this route and instead offering up a new process for resolving issues addressed by the CPA, the United States risks weakening the CPA further rather than strengthening it.

The U.S. proposal concluded by asking the parties to "look for additional political measures *outside the CPA* that can build confidence between the two parties (emphasis added)." While confidence-building measures are well and good, the fact is that the CPA is a detailed agreement, brokered carefully by external mediators and signed by both parties, that speaks clearly to the resolution of any issues surrounding Abyei and the border. To abandon those provisions is to risk abandoning a newfound and fragile peace.

When combined with the non-implementation of the Boundary Commission provisions of the Ethiopia-Eritrea deal, this would signal a significant departure from full implementation of peace deals in the Horn of Africa, ostensibly with U.S. support. What incentive, then, would anyone have to sign any deal going forward if major external actors would support the revisiting of those agreements when a more powerful signatory decides not to fully implement the given agreement?

⁵ Correspondence with the authors, November 9, 2007.

This gambit by the United States should be given a public burial, and President Bush should make clear that the way forward for Southern Sudan is the full implementation of the CPA. The deal that ended the war in the South will be put on a slippery slope if an external actor—in this case the United States—begins to promote alternatives to the terms to which both parties have already agreed. The requirement moving forward is obvious: The NCP must be held to account and pressured to implement the agreement it signed, and in particular to move quickly to honor the provisions attendant to Abyei, the determination of the border, and the national census.

Pollyannaish U.S. expressions of optimism related to CPA implementation that don't square with reality are not helpful either. For example, on November 3, U.S. Special Envoy Andrew Natsios told the BBC that the parties had agreed to implement all provisions of the CPA. A mere 8 days later, the high-level panel set up by the NCP and SPLM to resolve the current political stand-off between the two parties collapsed, due again to the impasse over Abyei and the border.

DEMOCRACY AND PEACE: MAKING THEM REAL

The international community must redouble its efforts to ensure the prompt implementation of the CPA and strike a just deal for Darfur, simultaneously. The United States and its partners should be pressing for genuine power- and wealth-sharing and throw robust support behind the process of democratic transformation that is stipulated by the CPA. Enabling an unreformed, all-powerful NCP at the center is a recipe for further war and mayhem. The CPA outlines an approach, on the other hand, that allows the people of Sudan to shape the destiny of their country.

Much greater energy must be invested in efforts to get the CPA back on track. But at the same

time, energy must also be invested in the search for a deal for Darfur that reflects the CPA's vision of democratic governance while also addressing Darfur's unique circumstances. Each in their own way, activists, advocates, and policymakers need to pursue strategies that are built on the clear link between the fate of the people of Darfur and the fate of those in the South.

Meanwhile, and though the international community has stepped up its efforts to secure peace, much more must be done to ensure that Darfur's civilians are protected from the ravages of ongoing violence. Arguing that the force must be "entirely" African as opposed to "predominantly" African as the U.N. Security Council authorized, Khartoum continues to obstruct the prompt deployment of UNAMID. Deployment is being further delayed by the failure of U.N. members to contribute the specialized battalions that are needed to ensure that UNAMID has full mobility and other critical capabilities. Against this backdrop, and as the people of Darfur wait for the protection force that has been promised, aid workers and humanitarian operations face increasing risks and obstacles.⁶

But ultimately, a lasting solution for Darfur is not possible if the focus is on Darfur alone. Activists and advocacy organizations committed to helping resolve the crisis in Darfur must broaden their scope to achieving a sustainable comprehensive solution for all of Sudan. Thus the grassroots Darfur movement must demand that the United States and other key governments end their piecemeal, sporadic engagement and instead address the whole of Sudan. All of Sudan's peoples suffer from the same fundamental problem—the absence of democratic governance. The majority suffer the ravages of violence, orchestrated to a great extent by the NCP. The international community *must* conceive, achieve, and sustain an all-Sudan solution. Indeed, an effort focused on addressing both major crises in Sudan would potentially be much stronger and more effective than a one-at-a-time approach,

6 John Prendergast, Colin Thomas-Jensen, and Julia Spiegel, "How to Get the UN-AU Hybrid Force Deployed to Darfur," ENOUGH Strategy Briefing #6, October 2007.

given the overlap of players involved, the great similarity of problems faced, and above all the commonality of the cure: significantly increased multilateral pressure on the NCP (and, as required, the Darfur rebels and the GOSS if and when they present obstacles) aimed at securing a combination of peace agreements in the South, Darfur, and the East, monitored by the international community and fully implemented, in the context of the democratic processes stipulated by the CPA.

It is clear that the NCP holds most of the blame for faltering implementation of the CPA and the continued crisis in Darfur, yet the international community has failed to maintain the requisite pressure on the regime to both fulfill its obligations to implement the CPA and to halt its single-minded pursuit of a military solution in Darfur. The solution is rooted in the “3 Ps” of crisis response—peace, protection and punishment:

- **Peace:** The State Department, with full-backing from the White House, must establish a full-time diplomatic team in the region, headed by a full-time White House envoy with two senior deputies, to maintain consistent, high-level pressure on implementation of the CPA while also helping to drive a peace process for Darfur.⁷ The United States must enlist similar commitments from its allies—especially the U.K. and France—as well as from China, to demonstrate international consensus and commitment to a peaceful democratic process in Sudan, as stipulated by the CPA. Diplomacy must be matched by dollars. Promises made by the United States and other donors to provide economic aid to the South and to support the increased capacity of the new government of Southern Sudan must be delivered on now if the CPA is

going to have a chance of survival.⁸ The United States and others should also increase support to the GOSS’ efforts to unite Darfurians in preparation for further peace efforts in Darfur.

- **Protection:** The United States and its allies must leverage an end to Khartoum’s stonewalling of the U.N.’s and AU’s request that it concur in the troop composition list for the U.N./AU hybrid force for Darfur and ensure that UNAMID has the requisite financial and logistical support to achieve its mandate to protect civilians.⁹ The United States must work through the U.N. Security Council to maintain the U.N. Mission in Southern Sudan, or UNMIS, at current levels and support aggressive U.N. action to disarm militias that threaten to reignite war in the South.
- **Punishment:** Peace and protection will not be achieved without imposing a cost on any party that obstructs the Darfur peace process and CPA implementation, or that commits crimes against humanity. The U.N. Security Council should convene an extraordinary session with the goal of passing a resolution that establishes clear benchmarks and penalties in the form of targeted sanctions. The United States and other states must increase their support and intelligence-sharing with the International Criminal Court in order to support further indictments against those most guilty of committing atrocities in Darfur.

The way forward is clear. A comprehensive solution to Sudan’s ills is required. And it is possible. Activists and advocates must focus on these essential ingredients encapsulated in the 3 Ps, and demand the United States take the lead in helping to bring an end to Sudan’s agony, once and for all.

7 Such a presence would be both to push the parties toward agreed goals but also to help coordinate other external actors, particularly ones with unrealized leverage such as China, Egypt, Saudi Arabia, etc.

8 U.S. and other aid will be key to supporting the GOSS in developing the kind of strong, democratic, and accountable institutions necessary for prosperity in the South. The United States in particular must use its leverage to encourage such accountability—backed by a transparent revenue base—as a prerequisite for real development in Southern Sudan.

9 In his latest report to the Security Council on the deployment of UNAMID (S/2007/653 of 5 November 2007), Secretary-General Ban emphasizes the impediment Khartoum’s failure to give its views on this list—over a month after it was provided to the authorities there—presents to UNAMID deployment. He also underscores the risks to UNAMID mandate implementation presented by the complete failure of member states to pledge heavy ground transport and rotary wing transport and light attack craft. Separately, at the time of writing, the Bush administration had requested \$725 million for UNAMID, but Congressional leaders had decided to wait until the new year to act on that request.



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ENOUGH is a project founded by the International Crisis Group and the Center for American Progress to end genocide and crimes against humanity. With an initial focus on the crises in Darfur, eastern Congo, and northern Uganda, ENOUGH's strategy papers and briefings provide sharp field analysis and targeted policy recommendations based on a "3P" crisis response strategy: promoting durable peace, providing civilian protection, and punishing perpetrators of atrocities. ENOUGH works with concerned citizens, advocates, and policy makers to prevent, mitigate, and resolve these crises. To learn more about ENOUGH and what you can do to help, go to www.enoughproject.org.



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