

## Senator Danforth's Sudan Challenge: Building a Bridge to Peace

*John Prendergast*

### Introduction

Just before the September 11 terrorist attacks in the United States, President Bush launched the highest-level initiative aimed at addressing the Sudanese civil war ever undertaken by an American administration. On September 6, on the White House lawn, the president named former senator John Danforth as his special envoy, with a six-month mandate to ascertain whether there is any demonstrable willingness on the part of the government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) to seek a negotiated settlement to Sudan's 18-year war, and what future constructive role the United States might play in promoting a multilateral peace effort.

Danforth's first mission to the region in November unveiled a four-point confidence-building agenda as a means of systematically testing intentions. The four initiatives aim to facilitate a cease-fire and delivery of humanitarian aid in the Nuba Mountains region of south-central Sudan; engineer additional temporary cessations of fighting ("days and zones of tranquility") that would permit humanitarian assessments and disease eradication campaigns; stop the aerial bombardment of civilian targets; and end slave raiding. Danforth's four confidence-building measures are laudable and build systematically on humanitarian initiatives launched in July 2001 following USAID administrator Andrew Natsios's visit to Sudan and the surrounding region. They generated a 30-day temporary truce in the Nuba Mountains that facilitated UN humanitarian aid across battle lines for the first time since the war began.

Demonstrating seriousness of purpose, in early December, a U.S. technical team led by Roger Winter, director of the U.S. Office of Foreign Disaster Assistance, added an

ambitious level of concrete detail to these initiatives. With specific regard to the Nuba Mountains, the team won agreement (1) to the "immediate dispatch" of a relief and rehabilitation assessment mission, led by the UN's World Food Program; (2) to negotiate an internationally monitored permanent cease-fire "with the broader objective of promoting a just, comprehensive settlement of the conflict"; and (3) to observe and extend the current military stand-down there. Also during the team's visit, the two sides agreed that USAID should undertake development projects to promote ethnic reconciliation and economic growth and commit to a U.S.-led investigation into the means of preventing slavery and forced abductions in Sudan. No agreement has yet been reached on the issue of the bombing of civilian targets.

Simultaneous with these efforts, Danforth moved forward on two other tracks. Following the senator's November trip, President Bush sent letters to President Mubarak of Egypt and President Moi of Kenya urging them to make common cause in seeking a peace effort that reconciled conflicting regional initiatives. Later in December, Danforth visited Europe where he won agreement from the Norwegians, the British, and the Dutch to support his overall strategy. Separate other consultations with the Swiss, Italians, and Canadians drew similar expressions of support.

Building an early U.S. strategy on Sudan around these four focused tests, under tight timeline pressures, and with the advantages of intensified U.S. pressures on Sudan, post-September 11, will no doubt bring new vitality to efforts to address the myriad humanitarian and human rights crises in Sudan. In its larger objective of moving toward a serious peace process in Sudan, judgment would be premature. The U.S. strategy may prove smart and effective: if it overcomes the many diplomatic traps created by the two opposed, stalled regional peace initiatives—the Libyan-Egyptian Joint Initiative (LEI) and the Intergovernmental Authority on Development (IGAD); and if it generates quick, concrete evidence of a change of attitude by Khartoum and the SPLM/A leadership. However, this strategy also carries the risk of an abrupt decline of U.S. engagement, should U.S. tests become rigid preconditions for U.S. engagement

in the peace process, and should this strategy invite hardliners to derail Danforth's efforts. Indispensable for progress is a broader, long-term strategy for a comprehensive peace that weakens those hard-line elements most committed to obstructing a peace process.

If the parties in the short term fail to make acceptable progress on most or many of the tests by circumventing, evading, or simply not implementing agreements, Danforth may feel compelled to conclude that the parties are not at all serious about peace and consequently advise President Bush that the United States should avoid deepening its direct efforts in Sudan and perhaps even disengage. This conclusion might not necessarily reflect the parties' intentions toward a serious peace process, but it might reflect their disregard for what are perceived to be short-term, temporary U.S. probes, which they estimate will not be followed by sustained U.S. pressures, or simply reflect an overall cynicism with regard to humanitarian confidence-building measures.

There exists today a new window of opportunity for peace in Sudan<sup>1</sup> due to the emergence of new internal and external factors. The post-September 11 environment has strengthened a consensus within the Khartoum regime to overcome Sudan's international isolation. That can only be accomplished if Khartoum is able to achieve some normality in its relations with Washington, and that will only happen if there is a negotiated just peace in Sudan. The government remains concerned about its vulnerability to U.S. covert and overt action due to its past association with terrorists (particularly Osama bin Laden), and it fears retribution internally as it watches the rapid dissolution of the Taliban. The regime faces a persistent military threat in the oil fields from the SPLA and Nuer militias, which the early January reconciliation between the SPLA and Rick Machar's Nuer militias further strengthened. Lower global prices combined with the threat in the U.S. Congress of capital market sanctions on international oil corporations operating in Sudan encourage the government to engage more seriously in a peace process.

For its part, the rebel SPLA is facing a long-term strategic disadvantage on the battlefield, although in the short run it is better positioned to disrupt oil production. Southern Sudanese are clamoring for a serious peace process, which will also impact on SPLA calculations.

<sup>1</sup> This is the subject of a forthcoming book (publication date, January 21, 2002) by this author for the International Crisis Group, *God, Oil, and Country: Changing the Logic of War in Sudan* (Brussels: International Crisis Group, 2002).

If a lack of adherence to Danforth's four measures prevents more direct and serious U.S. engagement in the peace process, a historically unique opportunity will be missed, the war will persist, and short-term agreements will decay. If there is non-adherence, the proper response is not to disengage, for that will only play into the hands of hardliners on both sides. The appropriate response is to work more vigorously—and apply ever-greater pressures on the two sides—to see that these and other efforts on the humanitarian and human rights front move forward in tandem with deeper engagement in the peace process.

That is the central argument here. Danforth's initial efforts are promising but carry a risk that needs to be managed. They should not preclude, but should rather expedite, simultaneous movement towards direct high-level U.S. political action to address the macro-requirements of a comprehensive settlement to Sudan's tragic civil war. Fortunately, there appears to be significant sentiment in favor of this option within key quarters in the Bush administration. If U.S. policy towards Sudan is handled dexterously in this period, and short-term setbacks do not become the pretext for premature disengagement, it should be possible for Danforth's initial efforts to translate into a serious, multilateral peace effort that brings forward more, not less, U.S. creative energy and pressure.

## The Reaction of the Sudanese Parties to the Danforth Mission<sup>2</sup>

Though hardliners in Khartoum and within the SPLA may oppose a serious peace effort, there is broad civilian Sudanese support for U.S. involvement in peace in Sudan, and expectations for Danforth's mission were therefore high. President Bush's high-profile backing of the effort, clearly demonstrating unprecedented White House support for the initiative, further enhanced hopes among the Sudanese that the United States is serious in its quest for peace.

It is not necessarily a bad sign that, in private and to a lesser extent in public, both parties reacted negatively to Danforth's initial visit in November. Had one party been pleased, while the other disappointed, this could have derailed the initiative before it was able to move forward. There are, however, significant concerns expressed by both parties that have direct ramifications on whether the United

<sup>2</sup> The author visited Sudan in November after Danforth had departed.

States will be able to take advantage of the opportunity for peace that exists in Sudan today.

- *Inadequate time frame.* All of the parties were stunned by Danforth's announcement that he would make his policy recommendations to Bush (i.e., ascertain the level of seriousness of the parties) by the end of his next trip in January. Most of those interviewed on a recent field mission to Sudan, a combination of southern and northern civilian and military officials, as well as civil society and political party representatives, believe this is far too short a period in which to make such a determination. Many see it as a sign of U.S. frustration with the actors and the complexity of the issues; others see it as indicating a lack of seriousness on the part of the United States to commit itself to a difficult peace process. Only a few view it as the Bush administration may have intended it: as a tactical move by the Danforth team to demonstrate that this effort is not business as usual, that the United States will not be played for time and tactical advantage as have so many previous mediators. Time will soon tell which of these perspectives is accurate.
- *Misplaced effort.* Convinced that a new window of diplomatic opportunity now exists to end Sudan's war, many Sudanese, southern and northern, contend that the confidence-building measures articulated by the U.S. team aim too low and merely address the symptoms of the crisis rather than its causes. There was surprise at the minimalist agenda of the Danforth team; the government and the SPLA, as well as civil society and opposition activists in Khartoum, had expected the United States to come with a more substantive plan to address the underlying causes of the war, rather than focus on how the war is being fought.
- *Unrealistic expectations.* The parties feel that the effort to build any confidence between the warring factions in a few months, after 18 years of war, is futile, particularly in light of the failure of past initiatives of this kind discussed later in this article.
- *Potential for failure.* Many of those interviewed expressed concerns that the confidence-building measures were simply tests—with little chance of success and a high chance of quick conspicuous failure. Hard-line elements in both warring camps,

which are opposed to serious peace engagement, have the capacity to undermine these tests in the short run and spoil the chances for peace. It may be much more difficult to manage these elements in a short time period in which a civilian bombing or an unauthorized attack can scuttle the whole process, than it would be to manage these actors in a longer-term engagement at the peace table, where coalitions around compromise positions can emerge and contain hard-liner treachery. Depending on how the tests are graded, it is possible that the government has already failed, given its bombing of civilian targets in Bahr al-Ghazal and Upper Nile in the week following Danforth's visit and thereafter.

- *Inappropriate test.* Many feel that however important these human rights and humanitarian issues are, they are not accurate gauges of whether the parties are serious about a peace process or whether the time is ripe for peace.

## Implications of the Reactions of the Parties

Advocacy for these humanitarian and human rights objectives should continue in earnest. But it is unrealistic to think that, in a short time period, either of the parties will give up the tools that undergird their comparative tactical advantages before the war has ended or before there is even a serious peace process in place. In the case of the government, its principal war-fighting strategies have been aerial bombardment (often of civilian targets), use of food as a weapon, and support for militias that also conduct slave raids. All of these tactics are threatened by the Danforth proposals and thus will be strongly resisted.

For its part, the SPLA fears the emergence of a creeping comprehensive cease-fire, to which it is strongly opposed, and it will thus be very wary of extending any short-term localized cessations of hostilities or accepting unlimited monitoring mechanisms that could become semipermanent fixtures with a built-in logic for expansion. The absence of a peace process, which the warring parties take seriously and to which these confidence-building measures could be tied (i.e., short-term cessation of hostilities while serious negotiations are undertaken), is a major missing element of the Danforth initiative. It ends up putting the cart before the horse, pushing on the cart before a horse has been identified. Simply building on an exhausted IGAD process and a severely problematic Egyptian-Libyan Joint Initiative

is a poor substitute for a real process for which the United States must take some leadership and responsibility. The Danforth team is, encouragingly, widely consulting on possible ways forward, which may open the way for a new U.S.-led initiative.

In order for there to be serious long-term traction on fundamental humanitarian and human rights issues, a serious peace process needs to be constructed. This is the essential challenge for the United States: to build a bridge from the important confidence-building measures spelled out by the Danforth mission to the creation of a unified peace effort that harmonizes or neutralizes competing regional agendas, identifies a prominent negotiator respected by the parties, and creates a multilateral assortment of carrots and sticks deployed in support of the resulting process. Such an initiative should go hand-in-hand with ongoing human rights advocacy and humanitarian action.

## **Lessons from Recent History: Confidence-Building Measures that Undermine Trust**

The warring parties have been down the road of humanitarian cease-fires and confidence-building measures many times during the past 18 years of war. In Sudan, as in many other places, these measures have become standard operating diplomatic procedure. Unfortunately, the negative experience in Sudan has meant that what once were billed as confidence-building measures have a high potential for in fact undermining trust. Externally brokered localized cease-fires have been relentlessly violated with such regularity that they are no longer taken seriously by the parties, despite the gravity of their objectives, and are viewed as obstacles to be manipulated or circumvented. Nearly every diplomatic venture undertaken in the past 15 years has begun with a humanitarian initiative, and every humanitarian initiative has been launched in hopes that the effort will build confidence between the parties. Instead, promises are broken, military assets are redeployed, and agreements are otherwise violated with no external repercussions. Sadly, the parties have come to view these initiatives as foreign-imposed hoops through which they have to jump, yet without any lasting consequence.

## **Building a Bridge to a Serious Peace Process**

Despite these constraints, there still exists an opportunity for peace in Sudan that should not be ignored. If the Danforth effort is to translate into an effective, multilateral campaign to end Sudan's war, it is critical that Washington devise a strategy to move from the initial four measures to mobilizing multiple pressures upon the warring parties to engage in a peace process with some reasonable prospect of success. In the first instance, that requires creating meaningful goals, benchmarks, and monitoring mechanisms for each of the four confidence-building tests so that none becomes a rationale for the United States to avoid direct engagement in the peace process.

### ***Extending Aid to the Nuba Mountains***

Both sides have significant problems with this measure, which requires them to agree to extensions of a short-term, localized cessation of hostilities to facilitate the provision of humanitarian aid to the long-suffering civilian populations in the Nuba Mountains. As noted above, the SPLA fears a creeping cease-fire scenario, in which monitors become semipermanent or in which progress in this limited area results in geographic expansion. It does not want to freeze the military situation in place in the Nuba Mountains, where the government holds a decided advantage in territory controlled. Finally, it fears that the international community will endorse the protection of a vulnerable point in the oil pipeline that passes near the area, thus removing a strategic target from the SPLA's military strategy.

For its part, the government is hampered by the Nuba cessation because it wants to undertake a significant dry season offensive, in which it believes it can continue to erode the position of the SPLA in the Nuba Mountains. Khartoum's primary weapon in the Nuba conflict has been the denial of relief assistance in order to clear populations out of SPLA areas into government "peace camps." Removing this tactic from its arsenal will be difficult to accept for an extended period of time.

Despite these obstacles, this is the confidence-building measure with the best short-term potential for success on which Danforth can build to enlarge U.S. efforts toward peace engagement. Some monitoring of this effort will be required, perhaps by small groups in three or four locations that each side identifies as areas of potential violation. The

U.S. technical team led by Roger Winter has managed to extend the localized cease-fire beyond the initial four weeks; predictably there are already charges of violations. The parties agreed to an assessment mission in the Nuba Mountains to ascertain unmet needs, similar to the assessment the parties agreed to nearly two years ago in response to UN humanitarian diplomacy.

### ***Ending Slavery***

Measuring success in this category is complex, and will require a multifaceted strategy. Monitoring is an important component. It will be costly, but there will have to be air assets made available for mobile teams to investigate reported incidents of slave raiding. It also must be remembered that a key element of the government's war strategy has been to support the militias that conduct slave raids, and therefore it will be very difficult to see full compliance in this area.

Beyond that, the United States wants to undertake a study of the issue to determine whether slavery is indeed present in Sudan. International political considerations have led to reluctance on the part of many key governments to accept that slavery exists, accepting instead Khartoum's denials at face value. Despite reports of successive UN human rights rapporteurs spelling out clear evidence of slavery, as defined by international law, the United States may feel it is important enough to undertake another investigation into the matter in order to establish some kind of objective reality. The United States should ensure that the people who carry out the work for such a study have a long and deep familiarity with the dynamics of the Bahr al-Ghazal and Kordofan regions of Sudan and can distinguish between historical abductions and current patterns of slavery. It should also ensure that the overseers of the study are internationally recognized human rights experts who are experienced in ascertaining violations of the Geneva Conventions and other international human rights instruments.

In addition, it is important to understand the conditions over the past year that led to a reduction in the phenomenon of slave raiding. In addition to military developments, including SPLA redeployments and the development of a civil defense capability, one of the central factors has been the enlargement of agreements between the Baggara Arab populations and their Dinka neighbors to the south. These intercommunal agreements should be reinforced with humanitarian and development assistance in support of their implementation. This is one of the key ways to

promote a reduction of slavery, as the economic incentive to cooperate replaces that of raiding. Increased USAID support for these measures would have a very positive impact.

### ***Stopping Aerial Bombardment of Civilian Targets***

This measure might be the one in which progress will prove the most difficult. Aerial bombing has increasingly become the government's principal battlefield advantage, both for softening military targets and for cowering civilian populations and punishing them for perceived support of the SPLA. Recent purchases by Khartoum of MiG-29s from Russia will only heighten this tactical imperative. The test will receive a failing grade if it is based solely on whether bombing has stopped, as the government had already been accused of bombing multiple civilian targets less than a week after Danforth's departure from Khartoum, and reports of such bombings have only increased. Alternatively, some kind of monitoring mechanism could distinguish between bombings of military and civilian targets, and use the strict application of the Geneva Conventions in this regard as the guideline for application. Human Rights Watch<sup>3</sup> has developed a sensible list of requirements for a credible monitoring regime, which again will be a costly affair, and should be financed out of global U.S. funds, not out of a depleted Africa budget. Until now, the government has been unwilling to commit to stop bombing civilian targets.

Furthermore, for this or any of the other measures, it will be imperative that monitoring teams be deployed very soon after negotiations conclude over their modalities. This requires that the State Department assemble contacts now, in advance of these agreements. The State Department or USAID could contract with an organization like the International Resources Group to prepare teams for immediate deployment and to identify necessary air and ground transportation assets.

### ***Pursuing Days of Tranquility***

The Swiss government will host an initial session, but this should be turned over to the UN secretary general's special envoy for humanitarian affairs in Sudan, Ambassador Tom Vraalsen, allowing the UN to undertake the humanitarian diplomacy on behalf of this objective, with U.S. support. UN agencies—particularly UNICEF—have been successful in this regard in other conflicts around the world.

<sup>3</sup> See its letter to Danforth, December 3, 2001.

## Conclusion

When Senator Danforth negotiated the initial terms of his mandate, during the summer of 2001, there was ample reason to be cautious and for the United States to refrain from assuming a lead role in promoting peace in Sudan. U.S. leverage was thought to be weak and uncertain, as was the U.S. commitment to a negotiated settlement. Sudan's internal war was notoriously intractable. And Sudan had become a deeply contentious subject within the United States itself. Hence, when Senator Danforth stepped to the podium on September 6 to accept his new assignment from President Bush, he was quick to emphasize that this was to be a short-term assignment to assess ripeness in Sudan, and that his role was not to displace the responsibilities of line officials in the State Department and White House, nor leaders in Sudan and its surrounding region.

September 11 and its aftermath—as well as other internal and international factors—have changed the context in ways that open the possibility for significant movement towards peace in Sudan, if there is sustained, creative U.S. leadership. Senator Danforth has put in place four challenging tests, and in the coming weeks it will be apparent in which areas some quick progress is possible and what reinforcing actions, including heightened external pressures, are needed to ensure concrete and irreversible progress.

Beyond these four areas, more, not less U.S. leadership capacity is needed to take full advantage of heightened U.S. leverage and push the margins for peace. The United States needs to assert overtly its commitment to lead, ensuring that a high-level veteran diplomat picks up where Senator Danforth voluntarily leaves off. It needs to add to that person's stable dedicated senior talent from both the Near East and Africa Bureaus of the State Department, quickly assign a very senior career officer to Khartoum to supplement U.S. efforts on peace and human rights, and win a high-level commitment to coordinate U.S. policy from the deputy secretary of state or under secretary for political affairs. Only when the latter step is taken will the perennial, and recently aggravated, institutional turf battles over Sudan policy be quelled.

Conceptually, it is incumbent upon the United States to articulate the broad parameters of an interim settlement as the target end state of a renewed peace process, and to lead the effort to craft that process, in close consultation with existing actors on the peace front. No other entity is in a position, credibly and authoritatively, to take this critical

step. The United States will also be crucial in leading an effort to craft multilateral incentives and pressures aimed at supporting the new process: maintaining U.S. pressures until there is an agreement will be crucial to success at the peace table.

Anything less than this outcome should be considered another failure of international political resolve concerning Sudan, and will result once again in humanitarian band-aids substituting for serious political engagement.

*John Prendergast is the Africa Program codirector for the Brussels-based International Crisis Group (ICG), whose Web site is [www.crisisweb.org](http://www.crisisweb.org). He formerly worked for the State Department, the National Security Council, and a variety of NGOs in Africa and the United States. He is the author of *God, Oil, and Country: Changing the Logic of War in Sudan* (Brussels: International Crisis Group, 2002), which will be published in mid-January, as well as five other books on Africa.*

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