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**Restoring peace and
democracy in Sudan:
limited choices for
African leadership**

by

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Abbreviations

ANC	African National Congress
AU	African Union
DOP	Declaration of Principles
ELJI	Egyptian and Libyan Joint Initiative
GOS	Government of Sudan
HIPC	Heavily Indebted Poor Countries
IGAD	Inter Government Authority for Development
IPF	IGAD Partners' Forum
IMF	International Monetary Fund
LRA	Lord's Resistance Army
NDA	National Democratic Alliance
NIF	National Islamic Front
OAU	Organisation of African Unity
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
UK	United Kingdom
US	United States

Foreword

Sudan remains Africa's longest running, and arguably most bloody civil war. It is a conflict that bears the hallmarks of deep-seated racism, religious intolerance, and contests for both power and resources. This is all at the expense of the lives of innocent civilians and their long-term human security. What has seemed to some another example of a failed state, parts of which have little or no infrastructure, education, or health care, to others, who have investigated further, it is a cold, calculated struggle for political and economic dominance that is taking place. The more highly developed North Sudan has sought to impose its vision of Islamicization and Arabization on the predominantly black South. The South has resisted these attempts through armed struggle without the necessary air power or weaponry to gain the strategic advantage that would enable it to negotiate from a position of strength. As a body politic, the South remains disunited, unable to speak with one voice, after years of successful divide and rule strategies of the North.

With the onset of oil production in 1999, where oil has been discovered in the South, while the proceeds are diverted to the North, the stakes in the civil war have been raised exponentially. It is estimated that Sudan has 12.5 billion barrels of untapped oil beneath its surface. In an era in which the world's major oil consumers are seeking secure long-term oil supplies, the spotlight has been increasingly turned on Africa as an alternate source of oil to the Middle East. Alongside Angola (which should be pumping more oil than Kuwait by 2015), Nigeria, and the Gulf of Guinea, Sudan has been earmarked as an important investment locale for the future.

With Canadian, Swedish, Austrian, French, Malaysian, Chinese and other companies either lining up for, or already involved in, Sudan's oil industry, the Americans are increasingly aware of being left out in the cold. Since 1996, the US government banned any American company from doing business in Sudan as it was considered a country supporting terrorism, according to its Anti-Terrorism Act. The global battle for oil has seen US companies chomping at the bit to enter the fray in Sudan, but American civil society, concerned with the raging civil war, have railed against what would amount to 'blood oil'.

If the US is to legitimately engage in Sudan again, it needs to secure the semblance of peace. Hence, the pressure from outside to ensure that the Machakos talks succeed, and the mechanisms for peace are put in place. But the path to peace has not proved as easy to navigate as the foreign powers may have assumed. This is due to a lack of understanding of the historical context of this civil war and the objectives driving both sides. This paper was commissioned in order to expose some of the fault lines that underpin the struggle in Sudan, and to draw the relevant comparisons to South Africa's own historical experience and struggle for liberation.

It is hoped that the analysis by David Melvill, a long time Sudan analyst, will help to inform South Africa's future Sudan policy, as well as civil society's understanding of the internal dynamics of this devastating civil war. Given that the war has claimed more lives than Rwanda, Bosnia, Kosovo, Chechnya and Sierra Leone combined, the African Union will need to place conflict resolution in Sudan high on its list of priorities.

**Shannon Field
Deputy Director
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Executive Summary

The architects of South Africa's apartheid system were a group of predominantly Afrikaner white men who, utilizing their tendentious interpretation of Christianity as the foundation and motivation for their actions, embarked on a process of disenfranchising the non-white population of South Africa. Their purpose was to impose apartheid as a reflection of their vision of Christianity while promoting and protecting only their own interests.

These architects were an association of men belonging to a highly secretive organization called the "Broederbond". The consequences of their rule were catastrophic for the human rights of the majority of South Africans. Only as a result of the resistance of those suffering under the apartheid system, combined with the solidarity that they received from the international community, led by African nations, was the Broederbond vision of Apartheid defeated.

Sudan, like South Africa, is populated by a rich diversity of multi-ethnic and multi-religious peoples. Situated in the transitional zone of sub-Saharan Africa, it is the largest country in Africa, with very considerable natural resources. Colonial rule until 1956 established a legacy for northern elite rule and underdevelopment in the south of the country. With the exception of a brief respite of relative peace from 1972 until 1983, Sudan has been at war virtually since independence.

The Kokadam Declaration of 1986 recognised that Sudan's conflict was rooted in competing visions of its identity, and established the need for an inclusive constitutional conference to define an identity that would reflect the aspirations of all Sudanese.

Rather than seeking an accommodation to end the conflict in Sudan through participation in a constitutional conference, the National Islamic Front (NIF), a minority political party driven by religion as its *raison d'être*, orchestrated a coup to take power and impose its vision of a Sudanese identity on all the people of Sudan, thus further inflaming the conflict.

The architects of Sudan's "National Salvation Revolution" are an 'association of men' who predominantly identify themselves as Arab and Muslim. Utilizing their tendentious interpretation of Islam as the foundation and motivation for their actions, they have attempted to impose an Islamic and Arab identity on the Sudanese while promoting and protecting their interests. The consequence has been the disenfranchising of Sudanese who do not subscribe to their vision, and the castigation of Sudanese 'non-believers' as enemies of Islam and 'Infidels'. Ultimately this marginalization has meant destruction.

For although racism is not enshrined in the Sudanese constitution, the actions of the NIF have been racist and devastating for people from all parts of Sudan and the south in particular. In excess of two million Sudanese have died, and over four million are internally displaced as a result of the conflict, the victims overwhelmingly women and children who have often been deliberately and systematically targeted by the NIF regime. Independent investigations have irrefutably confirmed a practice of slavery and servitude carried out at the behest of the NIF regime.

The NIF's successful development of the oil resources situated in southern Sudan has dramatically exacerbated the conflict and provided it with a cash windfall, enabling it to sustain itself, annihilate its opponents who resist oil development, and build its military capability to further

expand oil development.

Current South African leadership is uniquely qualified to understand the motivations of an 'association of men' who utilize religion as a means of maintaining power and suppressing opposition. The ANC, with its own history and experience of struggle for the rights of the people of South Africa, is also distinctly qualified to offer solidarity to the Sudan People's Liberation Movement (SPLM) as it fights for the dignity and democratic rights of Sudanese, particularly those in southern Sudan.

Against this background, and as Chair of the African Union, South Africa's commitment to conflict resolution and good governance, the underpinnings of the New Partnership for Africa's Development, will be tested in a most consequential fashion.

David Melvill*

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Introduction

South Africa's apartheid years -- the struggle to overcome oppression and the ultimate demise of apartheid as a consequence of internal uprising and external pressure -- have been widely studied and analyzed. The dynamics of racism mixed with economic power relationships was a potent political mix that galvanized the attention of the international community in a manner not seen since the Second World War. Historians will continue to scrutinise this period of South African history, with the apartheid years serving as an example of a failed human experiment. If comprehensively understood, it might serve as a guide to understanding human behaviour when race, power, cultural survival, religion and non-renewable resources are at stake.

The Sudanese civil war, with its devastating toll on civilians, deserves scrutiny through any lens that might help provide an understanding of the dynamics at play. The death of more than two million people, overwhelmingly women and children, and the internal displacement of four and a half million of its citizens is, by any measure, an appalling human tragedy. The system of apartheid never bore a human toll as alarming as the Sudan conflict. Indeed, the number of victims of the Sudan conflict exceeds the Balkans conflicts, Rwanda, Somalia, Sierra Leona, and Chechnya combined.¹

Yet Sudan, the largest country in Africa, mirrors South Africa in many other respects. They have equivalent population numbers, both are multi-ethnic and multi-religious, and both share a British colonial history. And both are marked by a tragic history of internal violence, and the servitude of portions of their respective populations based on ethnicity.

South Africa differs from Sudan in one notable respect. It has been able to resolve its conflict and find an accommodation for all of its people under a democratic government.

The resemblance warrants further exploration. This paper will begin to make some observational comparisons between apartheid South Africa and conflict-ridden Sudan with a particular focus on the role of the Broederbond (Association of Brothers). It was the Broederbond that played a crucial role in not only providing guidance to the apartheid Nationalist Party government but also dominating it through the infiltration of its membership. A similar situation exists with an "association of brothers" (mostly members of the National Islamic Front (NIF)) who have now guided, infiltrated and benefited from its control of the Sudanese government. This paper will explore the role of a brotherhood of men in these two movements who have used and continue to use whatever tools they have at their disposal with a view to maintaining power.

Part I of the paper is focussed on what we can understand from the South African experience of the Broederbond and the NIF. Following the conclusions related to the nature of the "association of brothers" (the NIF and its Broederbond counterpart), Part II identifies some of the other key considerations for African leadership in determining its response to the conflict.

The paper concludes with recommendations for African leadership that might hasten a negotiated, just settlement to the Sudan conflict.

The roots of Sudan's War: colonialism

Today's conflict is a direct consequence of the entrenchment of the Northern Elite^a in the state apparatus during the colonial period, and of the parallel marginalization of the development needs of southern Sudan. Under Anglo-Egyptian rule between 1898 and 1956, the economic policies of the colonial authorities concentrated investment in the fertile regions between the two Niles. Land was reserved for the religious

^a The term 'Northern Elite' is used to describe the group of sectarian Arabic speaking Muslims of northern Sudan who have dominated the Sudanese government since independence in 1956.

aristocracy by colonial authorities in an attempt to protect the interests of sectarian families and the South was largely left underdeveloped. Colonial administrators ensured that southern Sudan was treated as a closed district under a decentralized colonial rule using traditional leaders. Colonial administrators barred travel to the South by northerners without a permit. Southerners had little voice in the running of the country, with no substantive public participation, setting a tone for a legacy of domination by the Northern Elite, who would go to great lengths to protect their power and position.²

The ending of colonial rule in 1956 gave rise to open conflict with the Northern Elite endeavouring to exert their dominance over the South, which in turn resisted its political marginalisation, economic neglect and cultural domination.

Northern Elite rule has evolved since independence. In order to maintain dominance and control the current ruling elite have embarked on a policy of Arabisation and Islamization, with the goal of converting 1 million square miles of Sudan into an Islamic state. This vision of the country is different from that held by many in both the North and South who are fighting for a secular and democratic state.³

Part I: An association of brotherhoods

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1.1 The Islamic Brotherhood

1.1 *The Islamic Brotherhood*

Sudan's National Islamic Front (or the Muslim Brotherhood as it was earlier known) was a small urban political movement, composed of religious fanatics when former dictator Nimeiri took power in a coup d'état in 1969.

As Nimeiri's regime moved from the left, in alliance with the communists, and then to the right, with the support of Arab petrodollars, he found himself without a popular support base, and alienated from the northern sectarian political parties and the Sudanese Communist Party. Desperate to prop up support for his ailing dictatorship through the 1970s, Nimeiri turned to different parties for support. Of most significance for unfolding Sudanese history was the consequence of Nimeiri obtaining the support of the South and the Muslim Brothers for his embattled regime.

He negotiated with the South and signed the 1972 Addis Ababa agreement to resolve the then simmering conflict. Without gaining the consensus of the North for this concession, Nimeiri became the celebrated peacemaker by agreeing to grant the South limited autonomy and allow for the establishment of an elected assembly. In return for the support and close collaboration of the Muslim Brothers, Nimeiri granted them several posts in government, enabling them to infiltrate the state apparatus. More importantly, the Muslim Brothers were granted banking concessions allowing for the expansion of the Islamic banking empire into Sudan.

But Nimeiri's regime remained tenuous, without popular support, and constrained due to a growing economic crisis. The prospect of escaping from these economic pressures loomed when oil was discovered in Sudan in the late 1970s. Although the oil resources were located in the South, Nimeiri conveniently established a new province, removing jurisdiction of the oil fields from the South. Then, with support for his tottering regime further eroding, Nimeiri acceded to the demands of the Muslim Brothers in return for their support and imposed the infamous 'September Laws', which meant the application of Sharia law on all its citizens.

Nimeiri's actions were inevitably seen by the South as an abrogation of the promises made in the 1972 Addis peace agreement, and conflict once again ignited in Sudan's South. By 1985, opposition to Nimeiri's despotism was widespread, and inflamed by arbitrary arrests and the harsh application of Sharia law, including both hangings and amputations.

The consequent popular overthrow of Nimeiri in 1985 was followed by the interim instalment of a transitional regime, which, in turn, oversaw what is now Sudan's last democratic election in 1986. The sectarian Umma party, led by Sadiq el Mahdi, won the 1986 elections with 40 percent of the registered vote^b. Determined to win the elections, el Mahdi was responsive to the wide unpopularity of Sharia law, and campaigned to "to sweep the Islamic laws to the dust bin of history as they are not worth the ink used to write them."⁴ The Muslim Brothers, led by Hassan el Turabi, campaigned to secure the advances that they had made during the Nimeiri regime, managing to obtain only 14 percent of the registered vote.

Notwithstanding the National Islamic Front (NIF) minority standing in parliament, it continued to expand its tentacles into Khartoum's power structures, particularly through the growth and influence of its banks, but also as a consequence of Sadiq el Mahdi's indecision and renegeing of earlier commitments. Under the

^b Although receiving 40 percent of the registered vote, it should be recalled that since the country was then at war, likely more than a third of the country's populace was unable to register and, consequently, did not vote.

scrutiny of his sectarian rival, Mohamed Osman el Mirghani of the Democratic Unionist Party (DUP), Sadiq el Mahdi demurred with respect to his campaign promise regarding Sharia law. Then, faced with the challenge presented by the Kokadam Declaration, the agreement with the South on a path to peace through the convening of a constitutional conference, Sadiq el Mahdi again demurred and formed a coalition government with the NIF. With the NIF in government, and with its leader, Turabi, holding the same cabinet post as Justice Minister that he did under Nimeiri, they were able to make further gains within the state apparatus.

The NIF, as the only party not a signatory to the mandate of the earlier transitional government which had listed its goals as democracy, peace, secular laws, human rights, rule of law and a national egalitarian economic policy, was not apt to cooperate with an agenda that might commit it to these principles. When the DUP, as the second sectarian party, negotiated a peace agreement with the southern opposition that effectively endorsed these principles, the NIF severely denounced them. Public disenchantment, partially also exacerbated by Sadiq el Mahdi's muddled management of the economy, led to a highly volatile political environment in Khartoum in late 1988. Fed up with the ongoing civil war, Sudan's Armed Forces issued an ultimatum, which induced Sadiq el Mahdi to establish a government of national unity.

Composed of all the political parties and unions that mandated the earlier transitional government, the government of national unity moved quickly to establish a peace committee, and lay out the ground work required for a peace agreement, including the immediate replacement of the hated Sharia laws. The NIF was the only party to boycott the government of national unity and subsequently walked out of Parliament.

On the very night that the cabinet was to meet to endorse the alternative laws and dates for a constitutional conference as part of a peace process, the NIF acted through military officers and its own militia to take over political power. As a secretive, mysterious and powerful organization, it was not even initially apparent that it was an NIF orchestrated coup. Its supposed leader, Hassan el Turabi, was placed under temporary arrest along with other political leaders, including the Prime Minister, Sadiq el Mahdi, while a military officer, Brigadier Omar Hassan al-Basher, was installed as President of the Junta. It was only some years later that Turabi admitted that his arrest was a ruse to sow confusion as to who the coup plotters might have been.⁵

1.2 The Armed opposition to the NIF

The vanguard of the armed opposition is the Sudan People's Liberation Army/Movement (SPLA/M) led by Dr. John Garang, a movement that came into being in 1983. It has been joined by all the political parties in Parliament prior to the 1989 coup with the exception of the NIF itself and the Umma party. This opposition has organised itself under a pan-Sudanese alliance called the "National Democratic Alliance" (NDA).

As a relatively young liberation movement born in the midst of a civil war, the SPLM/A has been prone to factionalism and various splits, and understandably does not have mature democratic accountability structures. The NDA has, however, proven itself to be a relatively democratic entity; its decisions are reached by consensus of its members. It continues to play a leading role in opposing the regime, in spite of the considerable pressure from the NIF and Egypt for the parties with a high proportion of northerners amongst their membership to reconcile under the governance of the NIF.

As the war has progressed, so have the sacrifices by southern Sudanese opposition increased dramatically. Commensurate with these sacrifices is an increasing strength of feeling that southern Sudanese will not compromise on the right to self-determination as a path to peace with justice, and as a means of securing their livelihoods. As the war persists with the consequential

disproportionate suffering of southern Sudanese, it would appear inevitable that southern Sudanese will more likely vote for outright independence during a self-determination referendum on the future status of southern Sudan.

1.3 The power behind President Al-Basher: Khartoum's Broederbond

1.3 *The power behind President Al-Basher: Khartoum's Broederbond*

How does one begin to explain the power of an elusive and secret organization that governs through its own functionaries in an African context? Looking south to the Broederbond (Association of Brothers), the secret organization behind the South African Nationalist Party government and its apartheid social experiment, provides a window of understanding into the dynamics of the NIF.

The Broederbond was an organization which guided the process of social engineering during the apartheid years in the interest of its Afrikaner members. Its affairs for most of its existence were so secret that they were a matter of conjecture. To become a member of this exclusive and secretive organization, a candidate had to agree to promote an Afrikaner nation with a distinct language and culture; he (since membership was reserved for men only) had to give preference to 'Afrikaners and other well-disposed persons and firms in economic, public and professional life'. A Broederbond member had to be a Protestant, principled, faithful, and actively promote the functions and activities of the "Bond". As Hendrik Verwoerd put it in 1943: 'The Afrikaner Broederbond must gain control of everything it can lay its hands on in South Africa. Members must help each other to gain promotion in the Civil Service or any other field of activity in which they work with a view to working themselves up into important administrative positions.'⁶

Education and the media were accorded the highest priority by the Broederbond. They managed to infiltrate every aspect of the educational profession, ensuring that there was no other perspective other than the Broederbond endorsed 'Christian National Education'. Through the infiltration of its membership it was able to gain monopoly control of the South African Broadcasting Corporation, and impose its world view. The intent was that, even if one was not a member of the Broederbond, its world view would have a major influence in shaping the course and direction of South Africa. There were seemingly few opportunities to be exposed to other philosophies as it was intended that there would be no gaps for information to be passed on other than information which had been directly or indirectly censored by the Broederbond.⁷

Like the Broederbond, in the twenty years from 1969 to 1989, the Muslim Brothers in Sudan had evolved into a highly organized and well-financed entity with tentacles into the corridors of power. It had also evolved from being a party of purely religious fanatics to one where its membership increased on the basis of their preferential access to business opportunities, partly facilitated by the expanded Islamic banking system. Membership in the NIF implies agreement to promote Arabism, with its distinct language and culture, and would require giving preference to NIF members and Muslim persons in economic, public and professional life. By definition, an NIF member would be a Muslim and would be encouraged to actively promote the functions and activities of the NIF.

During the weeks, months and years following its takeover of power in 1989, the NIF embarked on its 'National Salvation Revolution'; a social experiment to impose its worldview in Sudan by winning the war, and gaining control of everything it could lay its hands on. To achieve this goal, the NIF, as a party without popular national support, would require the absolute loyalty of its core members, a high degree of organization, a common set of values, and a firm belief that these values were superior to others.

What was clear to the NIF in early 1989 was that their objectives could not be achieved if there was an irreversible peace process at play. And so it was that, with both haste and secrecy, the elusive NIF moved to forcibly take power in Khartoum in 1989. (Members of the NIF have subsequently publicly admitted that the coup was timed to derail the peace process)⁸

1.4 'The National Salvation Revolution': a social experiment

Once in power the NIF moved quickly to achieve its objectives. It appointed Brigadier Omar Hassan al-Basher, one of its own members, as a figurehead President. Almost immediately it withdrew from the peace process with the SPLM/A, and installed its own leadership in the Army to pursue the war against them.

The NIF then acted to consolidate its grasp on power. It purged the civil service, and installed thousands of individuals whose only credentials were membership of the NIF^c. Thousands of opposition members were arrested, and many were tortured in ghost houses⁹. Fully aware that active civil society organizations were responsible for the overthrow of the former dictator Nimeiri, the NIF set about infiltrating and decimating trade unions, professional and student organizations. It banned all the political parties active in Parliament during the 1986-1989 democratic period. It changed the banking system, enabling the Islamic banking empire to grow and gain preferential access to the agricultural sector (the backbone of the Sudanese economy), marginalising the long-term dominance of this economic sector by other traditional northern sectarian elites. It imposed an Islamicization and Arabisation agenda on all the public schools and universities. It gained a monopoly over all media, while also investing more public resources into its communications agenda than on the education of its populace.

Every move to consolidate the NIF's grasp of power was carefully calculated, and a reflection of their sense of having a 'divine right' to govern. The NIF shared this philosophy with the Broederbond. Both have held it as faith that those who are not with them are against them and must be treated as deadly enemies; their respective power bases were simply too narrow to allow them to risk tolerating their opponents. Also, with similar objectives to impose apartheid and Islamicization and Arabism, it was impossible for both the Broederbond and the NIF to make concessions to those who differed from them without endangering their entire *raison d'être*. The result has been the adoption of a rigid and uncompromising stance in their conduct of international and domestic affairs.

The Broederbond philosophy did not perceive domestic civil conflict as a function of the unpopularity flowing from the imposition of its belief system. Conflict was exclusively a consequence of external forces. Thus the NIF sees a crusade targeting Sudan's religious orientation as having imposed war in the South, reducing the conflict to 'a plot to undermine the unity of the Islamic state' motivated by 'the fears of the enemies of Islam'. The Afrikaner Broederbond saw its domestic conflict as a 'total onslaught' on its divine right to govern orchestrated by the external forces of atheistic communism that had to be countered with a comprehensive policy of 'total war'.

White South African Defence Force conscripts were presented with the simple logic that it required 'their sacrifice to defend the volk and the fatherland' from this 'total onslaught'. Popular Defence Force volunteers (the NIF volunteer militia), responding to the logic of its leadership that without Islam 'Sudan has no identity, no direction', explained their commitment to serve: 'we are being attacked by infidels from Eritrea and Uganda'.¹⁰

Opponents of the Broederbond were lumped together and smeared. While the NIF simply refers to them as 'infidels', a leading NIF Politburo member and a former Minister of Interior in Nimeiri's cabinet went further: "Most of its (the South) inhabitants are heathens who worship stones, trees, crocodiles, the sun, etc...All this presents a civilised challenge to all of us as Arabs, because there were heathens and Jews at the time of the Prophet, and we know how the Muslims treated Christians and Jews. Southerners are not credited with a sense of historic development or progressive engagement with the world."¹¹ Afrikaner Broederbond opponents, regardless of their political stripe or ethnicity, were simply lumped together and labeled as 'communist'.

^c Between 1989 and 1994, 73 000 professionals were dismissed from the civil service to make way for religious extremists.

1.5 Treatment of dissenters and opponents by the NIF and the Broederbond

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While a policy of apartheid relegated non-whites to second class citizenry, it also, virtually by definition, meant that this grouping of South African citizens were dissenters and opponents of the regime. Of course there were many other dissenters and opponents to the policy of apartheid, many of whom were Afrikaners by birth. And there were many non-whites willing to collaborate with the Nationalist Party government because of the financial and material self-interest on offer.

Human rights for the disenfranchised population under apartheid were, by any measure, woefully below international human rights norms. People were forcibly removed from their land, forced into servitude, and relegated to a status as temporary sojourners in the land of their own citizenship. The lowest of priorities was given to the appropriation of state resources to promote their long-term development. The ugliness of the racist policy of apartheid of the Broederbond earned its reputation.

Dissenters and opponents were severely mistreated. Arbitrary arrests, detentions and torture were the norm. Banning orders and trumped up charges based on the apartheid philosophy were meted out, ensuring that the leadership of the apartheid movement was seemingly forever disparate, incapacitated or voiceless. Many were forced into exile.

The human rights of non-Arab, non-Islamic Sudanese are today, by any measure, also woefully below international human rights norms.^d But the human rights of Sudanese who are Muslims, who identify themselves as African, and many of whom live in urban and rural northern Sudan, have also been systematically undermined.¹² Estranged from the centre of the Khartoum NIF regime's power, and being of limited value if not an obstacle to an NIF agenda, they have been progressively marginalised by the ruling Khartoum regime. Many have also gone into exile. Realising that many in the North share the same deprivation and political marginalisation as their southern countrymen, and that their political aspirations are unlikely to be met by the current Khartoum regime, many have also taken up arms against their government. Indeed, during the reign of the Khartoum NIF regime, Sudan's 'southern conflict' has become a national conflict. At the outset, the declared objective of the SPLM was not the secession of the South, but the creation of a new Sudan in which neither race, ethnicity, culture or religion would be grounds for discrimination. It is an ideal which has become national with wide support amongst the Nuba from the central mountain region, the Beja from the East, and the Fur from the West, Nubians from the north and other urban Sudanese. Many, like the northern-dominated 'Sudan Alliance Forces', have also joined in armed opposition to the Khartoum regime under the National Democratic Alliance (NDA) with the SPLM/A to fight for their rights.

As many as five million of these marginalised Sudanese citizens have been forcibly displaced as a direct result of the ongoing conflict, marking Sudan with the terrible distinction of being the country with the highest number of internally displaced people in the world today.¹³ While conflict might produce displaced people as an inevitable by-product, both the United Nations Special Rapporteur for Human Rights in Sudan, Gerhart Baum, and the United Nations Special Representative for Internally Displaced People, Francis Deng, reserved particular concern for the status of these Sudanese citizens. They have been deprived of shelter, education, and access to food and medical care. Men are also not allowed to work in the formal economy unless they have spent two years in the [government's] military. Displaced women, many of whom are heads of the household, brew a traditional beer as a means of survival, and are, consequently, often arbitrarily arrested for breaking Sharia law.¹⁴

^d Due to the concerns of the international community in regard to the status of human rights in Sudan, the United Nations appointed a Special Rapporteur to monitor its human rights in 1995.

The Special Representative argued that locating displaced people just outside the city, where they were neither part of the urban community nor in their own natural setting, “was inherently degrading, especially as it was popularly believed that they had been removed in order to “clean” the city and rid it of undesirable elements”.¹⁵

According to the NIF, a planning process has been under way in these displaced peoples camps requiring residents to be registered, while their identity and status is checked in order to qualify for land ownership. Supposedly the area in which they are currently settled is also being surveyed with a view to laying out main streets and plots of land for ownership by those who are then ‘registered’. With priority given to ‘married claimants who can present their marriage and nationality documents’¹⁶, this process would seemingly have some merit. But the reality is that few displaced people have documentation (and replacement documentation is virtually impossible to obtain), and many households are female headed. Also, the Ministry of Housing demarcation and road planning process was reportedly in progress while these displaced people have long since established their current shelters. The consequence is that these displaced people are deliberately kept in a state of impermanence. Their shelters could, and have been, bulldozed to make way for a road supposedly ‘to service the community’. And without documentation to confirm their citizenship, they continue to be sojourners in the land of their birth.

The NIF has not enshrined racism in its constitution. It has preferred to celebrate its constitution as ‘modernist’, and as protective of the human rights of all its citizens. Conveniently overlooked is that the constitution is unevenly applied, and that the annual renewal of the State of Emergency sets aside many of these stated rights. Perhaps most markedly, as if the Constitution is a statement of a *de facto* reality in Sudan rather than a statement of a vision for the Sudanese people, the NIF continues to deny that many of its southern citizens have been enslaved, and that they serve as chattel labour for their ‘Arab masters’. This is part of a systematic effort to undermine the morale of its southern opponents. They instead insist that only some abductions have taken place, and that this is limited to tradition during times of conflict between, in particular, the Dinka and Meseiriya ethnic groups.

Reputable human rights organisations, a Canadian government sponsored fact finding mission¹⁷, and a USA sponsored ‘Eminent Persons Group’ have confirmed a ‘commonplace’ practice characterised by: “capture through abduction; forced transfer of victims to another community; subjection to forced labour for no pay; denial of victims’ freedom of movement and choice, assaults on personal identity such as renaming, forced religious conversion, and the prohibition on the use of native languages”¹⁸. The group concluded that slave taking has evolved since the start of the war as the product of a counter-insurgency strategy pursued by the NIF regime [and its predecessor government]. The practice for which the group reserved particular concern involves arming local militias from northern Sudan, known as the muraleen^e, which attack villages in SPLA-controlled areas in the transitional zone between North and South Sudan. “They burn villages, loot cattle, rape and kill civilians, and abduct and enslave men, women and children. Such attacks are frequently carried out by militia members while employed by the government as auxiliary guards on military rail convoys traveling through SPLA-controlled areas.”¹⁹ These militia have enjoyed impunity for the wide range of serious crimes committed in the course of these attacks.²⁰

The group concluded that in a “significant number of cases, abduction is the first stage in a pattern of abuse that falls under the definition of slavery in the International Slavery Convention of 1926 and the Supplementary Convention of 1956.”²¹

The persistent denial of the existence of slavery by the NIF regime has had the convenient consequence in that no effective action is taken to stop the practice. The inaction is, in turn, license to those to persist with the practice, and since those militias engaging in the practice are operating, and have operated for years, at the behest of the Khartoum NIF regime and is a sanctioned policy of the NIF.

^e Baggara Arab tribal militia

1.6 The Broederbond and terrorism

1.6 *The Broederbond and terrorism*

The NIF did not hesitate to use their international Islamist networks to expand their influence and further secure their grasp of power in Khartoum. Iran, Iraq and China have supplied arms for them to pursue the war with the South. To expand their regional influence and to destabilise their enemies, they provided moral if not material support to Islamist fanatics in Algeria, Egypt, Ethiopia and Eritrea, fanning the flames of regional ethnic and religious tensions. When the millionaire religious fanatic, Osama Bin Laden, sought a haven after being exiled from the land of his birth in Saudi Arabia, the NIF welcomed him. And with the support of Khartoum's state apparatus, Osama Bin Laden set about establishing the financial architecture of his al-Qaeda network.

Seeing Egyptian President Hosni Mubarak as a secular threat to its regional ambitions, the NIF laid a plot to assassinate him while on a visit to the OAU in Addis Ababa. Although unsuccessful, NIF involvement in the assassination attempt resulted in the imposition of diplomatic sanctions on Sudan by the United Nations Security Council. Sudan's status as a pariah state needed no further affirmation.

To punish their southern neighbour, Uganda, for its empathy and support of the SPLA, the NIF set about providing a haven, logistical support and arms for the Ugandan opposition group, the fundamentalist Lord's Resistance Army (LRA). Led by a disenchanted mystical fanatic, Joseph Kony, it has proceeded to terrorise Northern Uganda by kidnapping as many as five thousand of its children, and using them as sex slaves and porters as they went about their business of terror. The irony of the Khartoum NIF regime, with its supposed purist Islamic agenda, providing support and sanctuary to the LRA, a Christian fundamentalist movement, belies a professed Islamic agenda.

But the actions of the NIF should not have been a surprise. The South African Broederbond had long before perceived modernist, post-liberation nations on their front-lines as a threat to their apartheid worldview. Such was the perceived threat that they set about undermining the Front Line States through military support to opposition movements which were prepared to collaborate with apartheid functionaries in their brutal tactics of terror. But, to be sure of their success in undermining the perceived threat, they also apparently plotted the assassination of President Samora Machel of Mozambique.

The NIF has not abandoned its sinister ambitions. Today, Sudan remains on the US State Department's list of terrorist-sponsoring nations; indeed, in the same year as the attack on New York's Twin Towers, the USA specifically noted Sudan's support for al-Qaeda operatives. A report in the *Washington Post* on September 3, 2002, alleged that financial officers of al-Qaeda had shipped large quantities of gold out of Pakistan to Sudan. Subsequent to the Twin Tower attack, the Canadian intelligence service leaked a brief to the media indicating that Khartoum agreed to arrange for diplomatic credentials for Bin Laden followers, allowing them unfettered travel around the world. The agreement was apparently struck in 1998 between bin Laden's top aide, Dr. Ayman Al-Zawahri, and Khartoum's NIF²². Indian newspapers reported the use, in 2001, of Sudan's New Delhi embassy for the recruiting of new al-Qaeda operatives²³.

1.7 Funding of a Broederbond agenda

The Broederbond's economic roots were as farmers (Boers). Soon after its inception in 1918, the Broederbond realised that, unless its members partook in the capitalist industrial revolution, they could not hope to realise its objective for the Afrikaner people. Financing for its entry into the commercial world would be a requisite, and so, for example, the Volkskas Bank was established, and from which they made extraordinary inroads into the English dominated commercial world. By the 1980s they owned or controlled major insurance companies (Sanlam), steel companies (Isacor), utility companies (Eskom), oil companies (Sasol), amongst many others.²⁴

Many of their gains were facilitated after coming to power in 1948, when they were able to use the instruments and funds of the state to expand the growth of their economic power. In particular, Afrikaner farmers were able to benefit from access to capital from state land banks, and the establishment of monopoly cooperatives and control boards, thus ensuring the best possible return for farmers who were the economic backbone of the Broederbond. Favouritism and corruption was endemic. Power stations were built next to Broederbond member owned coal mines, ensuring their long-term profitability. Mining concessions were given to Broederbond member owned companies, in spite of the qualifications of other mining houses.

Khartoum's NIF did not enjoy the same economic rooting as farmers did with the South African Broederbond. They were principally urban financiers, their headstart being provided by the concessions they received from Nimeiri to open the Islamic banking empire with Gulf financing. Utilising this foreign financial backing, and access to the state apparatus after 1989, they too have been able to facilitate the growth of their economic power.

Valuable state owned industries have been sold off at rock bottom prices to well placed NIF-linked individuals. Property belonging to opposition parties has been confiscated. Mining and resource concessions have been sold on a preferential basis to NIF-linked members. Concessions for importing and trading in various commodities have been allocated on an exclusive basis to individuals who have advanced the cause of the NIF. Indeed, the enrichment of many individuals linked to the NIF has accelerated in the period since the NIF came to power in 1989.

Under the Islamic banking system interest is not paid to depositors but rather reinvested in other commercial endeavours. As a consequence, a considerable investment was made over a relatively short period in mechanized agriculture, requiring both more land to facilitate its expansion, and part-time labour for harvesting. This trend has undermined subsistence farming by encroaching on traditional farmlands, and, combined with the increased demand for indentured labour, has provided an inducement for the state to move peasants from their communal lands, as has been the case in the Nuba mountains.

The actions of both the Pretoria Broederbond and Khartoum's NIF had the same impact on rural peasantry. In both countries they were progressively and deliberately marginalised. Their presence was viewed as an inconvenience if they took up desirable arable land, but at the same time they were considered an asset if they were landless because they then made into a readily available pool of cheap labour.

But even with the significant investment in Sudan's agricultural industry, and a 6 percent GDP growth in 2001, Khartoum's economic problems have continued to mount.²⁵ As one of Africa's most heavily indebted countries, Sudan has an external debt in excess of US \$21 billion. A recent IMF report revealed how the Khartoum regime has in recent years mismanaged and under-financed its all-important agricultural sector while dramatically increasing its military budget. An estimated 70 percent of university graduates are unemployed, business loans are harder to secure, civil servants in some parts of the country have not been paid for months, and urban centres are clogged with the increasing influx of people migrating from rural areas. Some analysts and diplomats argue that corruption is siphoning off the supposed benefits of reconstruction and development.²⁶

The continued civil war is a virtual assurance that Sudan will not gain relief from the IMF's Heavily Indebted Poor Countries (HIPC) initiative, while also being unable to regain additional loans from the World Bank or the IMF.

1.8 The inducement for peace

As dogmatic and persistent as the Pretoria Broederbond was when faced with domestic and international pressure in opposition to its policy of apartheid, there was a 'tipping point' beyond which they were unable to sustain their power and maintain the policy of apartheid. Exactly what the factors were that induced the Pretoria Broederbond to step back from the brink of all out civil war in South Africa is a matter for separate academic scrutiny. But what is clear is that a combination of factors rendered a continuation of the policy of apartheid both morally and economically impossible. The galvanisation of the international community around the single issue of opposition to apartheid was unprecedented. With the fall of communism, an immoral agenda, and faced with an upsurge in internal dissent, and division amongst their own ranks as to how to respond to the crisis, the Pretoria Broederbond was cornered. Their hard won gains would be in jeopardy if they insisted on continuing to fight to maintain power. And so, upon the release from prison of Nelson Mandela, when it became inevitable that the apartheid regime was embattled, the Broederbond negotiated and acted to secure their 'gains' in a post-apartheid South Africa.

The Broederbond's acquiescence to these realities reflects the fact that they simply had no options. No country, organization or membership of an international 'brotherhood' was going to bail them out of the predicament that they faced, and they no longer had the financial wherewithal to buy time and maintain the expense of their apartheid apparatus. Ultimately, perhaps as a humble and deeply religious folk (people) they likely realised that they were rooted in southern Africa, with no escape or natural connection to another part of the world, and that to survive as a 'volk' they would have to adapt to new challenges that they now faced. Thankfully it was a realisation that likely saved South Africa from an ugly implosion.

It would seem that the NIF is close to the brink. Their 'National Salvation Revolution' is widely resisted by the people of Sudan, the economy is perpetually in peril, and donors are unwilling to subsidise a country at war, particularly now that it has oil revenues. Oil development offers the prospect of a significant 'peace dividend' when military expenditures no longer need be made, and there are clearly 'dividends' to be gained by ending support to international terrorism following events of September 11. Sudanese are tired of the war and its human toll, and countries of the Horn recognise the necessity of resolving their internal conflicts as a prerequisite to the region's long-term development, and are pressing for an end to the conflict.

The Sudanese peace process, mediated by Khartoum's neighbours^f under the aegis of the Inter Governmental Authority for Development (IGAD), offers a face-saving mechanism to step back from the brink and find a just, durable settlement to the conflict. These neighbours, who have themselves suffered as a direct consequence of Sudan's civil war, recognise that their long term development is tied up to the resolution of Sudan's conflict, and have sought to ensure that its root causes are addressed. As part of these efforts IGAD was able to obtain the agreement, in 1997, of the Sudanese government and the SPLA/M to a 'Declaration of Principles' (DOP) as a basis for negotiating an end to the conflict.

The DOP explicitly identifies the issues that require negotiation in order to resolve the conflict. It provides for a secular and democratic state, and a self-determination process for the South only if agreement on a secular state cannot be resolved as the basis for reaching a negotiated, peaceful solution to the conflict. Following agreement to these principles, the DOP then set out the parameters for negotiating a ceasefire.

Western donor nations (led by USA, UK, Norway, Canada, Netherlands and Italy), recognising the need for a mediated and just resolution to the conflict that explicitly has the support of its neighbours, have provided financial support to IGAD's mediation efforts. Specifically, in order to

^f The members of the IGAD sub-committee responsible for mediating an end to the conflict are Eritrea, Ethiopia, Uganda and Kenya as Chair.

accelerate the mediation process, a secretariat was established in Nairobi in 1999, with Kenya as the chair of the mediation process.

Notwithstanding the increased energy of the mediation process and the prospect of a breakthrough due to the establishment of a dedicated secretariat to support mediation efforts, there was negligible progress by late 2000. A willingness to compromise on the key tenets of the DOP was not apparent, and it was evident that IGAD's mediation efforts had to be more inclusive, involving the NDA, reflecting the broadened national scope of the conflict subsequent to the negotiation of the DOP in 1994. Coincident with the absence of progress at IGAD, Egypt began to voice its concerns at the prospect that 'self-determination' might result in the establishment of yet another nation in the Nile headwaters.

Rather than entertain the prospect that southern Sudan might seek to establish its own state, Egypt joined with Libya to establish a competing peace process that would seek to reconcile Sudanese, and resolve the conflict on the basis of a single citizenship. The Khartoum NIF regime leaped onto the 'Joint Initiative' of Egypt and Libya as it laid out a basis for their opponents to reconcile with its 'National Salvation Revolution'. Egypt, in deciding to support the NIF in spite of their earlier effort to assassinate the Egyptian President, made a calculation that their support would ensure that the Khartoum NIF regime would then be beholden to it. Ultimately, the introduction of the 'Joint Initiative' also meant that the NIF could play for time and play one peace process off against another.

Confident that the 'Joint Initiative' would serve to save its 'National Salvation Revolution', the NIF then set about ensuring that IGAD's mediation efforts would be limited to and only address 'the problem in the south'. Following a high level NIF visit to Kenyan President Daniel Arap Moi in 2000, the Kenyan mediator rebuffed an overture by the NDA to meet to discuss the expansion of representation at IGAD negotiations, reflecting the national scope of Sudan's civil conflict.²⁷

Why Kenyan President Moi chose to kowtow to the NIF is unclear⁸. Donors supporting President Moi's mediation efforts had long called for IGAD to be inclusive, involve the NDA in particular, and find a comprehensive resolution to the conflict. President Moi subsequently failed to respond substantively to the questions and concerns that the donors had in relation to the Kenyan-led IGAD mediation secretariat.

There were extraordinary pressures and compelling reasons for the NIF to step back from the brink, and engage in serious negotiations to resolve the conflict. That they have continued to pursue the conflict with the apparent intent of winning the war outright, regardless of the toll to fellow citizens, would indicate that they perceive peace as not being in *their* interest.

1.9 Inducement for war

As this paper has already noted, the discovery of oil in southern Sudan during the Nimeiri dictatorship led to the abrogation of the 1972 Addis accord allowing autonomy for the South. Nimeiri redefined the borders with the South to include these oil fields in the North. Southerners were outraged. They had no say in the Northern elite's colonial and post-colonial governance. It was that governance that had utilised their natural resources, and contributed to their underdevelopment by not providing them with basic services. It was then

⁸ Allegations that President Moi has a personal interest in Sudan's oil industry remain unproven.

no surprise that one of the first military acts of the SPLA, upon the resumption of the conflict in 1983, was to attack the oil fields being developed at that time by the US-based company Chevron. It was this military act that resulted in the death of three foreigners, shutting down oil development supposedly for the duration of the conflict. Another of the early military acts of the SPLA was to shut down the construction of the Jonglei canal, the canal designed to drain the southern swamps to increase water flow up the White Nile so that 'the North', and Egypt in particular, could have access to a larger water supply for development.

And so it was, in full cognisance that oil development had been a trip-wire for the resumption of Sudan's civil war in 1983, that the Khartoum NIF regime some 13 years later began to explore the option of oil development in 1996. As such, the decision to pursue oil development was principally a political and military one. But, with an economy in tatters, if the pumping of oil was achievable, it would immediately provide the NIF with the fungible resources to promote their political and military objectives.

Faced with much the same international opprobrium and financial pressure as the Broederbond, the Khartoum NIF regime has opted not to participate meaningfully in a peace process. They have been remarkably honest about the option that they have chosen. In a speech marking the eleventh anniversary of the coup that brought him to power, President Omar Hassan al-Bashir said Sudan would mark the anniversary by making its own weapons: 'Sudan will celebrate the festival of the revolution this year with the production of tanks and heavy equipment by Sudanese hands'.²⁸

Opting to pursue oil development in spite of the historical context was a decision that would with absolute certainty further exacerbate tensions, particularly if southerners were not consulted nor invited to participate as stakeholders. That the NIF did not consult or invite southerners to participate in oil development at the outset raises the question about whose interest would be served by developing Sudan's national oil resources.

Not surprisingly, research points to the close involvement and ownership of NIF-linked companies to Sudan's oil development [see IGD paper by Shannon Field and www.vitrade.com]. Detailed research on identifying these linkages is not the focus of this paper. The focus of concern is the hugely consequential result of Sudan's oil development.

The immediate result is that, following the investment of capital from Canada's Talisman Energy Inc., Malaysia's Petronas, and China's Petrochina, a 1,600 kilometre pipeline has been built, and, since 1999, oil has been exported from Sudan's oilfields. By 2001, an average of 230,000 barrels/day was exported. The success was a cash windfall for the Khartoum NIF regime. But the success also enabled them to sell other oil concessions in the South, providing them yet more up-front cash and, in a barter exchange with the Russians, military hardware including tanks and helicopter gun ships. It also enabled them to make IMF debt payments, which they clearly hoped would redeem their reputation in the eyes of the international community after having been unable to make payments for many years.

Also celebrating the success of oil development are China and Malaysia. With a dependence on domestic oil production, China needs to diversify and secure alternative oil supplies if it is to fulfill its modernisation plans. Following the success of oil development, China immediately bolstered the Khartoum NIF regime's confidence by signaling its willingness to provide diplomatic cover to the Khartoum regime at the United Nations, and providing it with military hardware. Malaysia also came to the aid of the Khartoum regime by providing them with South African-sourced ammunition.²⁹

Since recent IMF reports indicate the continued undercapitalization of the all-important agricultural industry and civil servants continue to go unpaid for months while reported military expenditures are up by in excess of 100 per cent, it is now evident that the Khartoum NIF regime is indeed spending the cash

windfall as they said they would^h. The reality is that there is no cash for the normal running of a government, for the Khartoum NIF regime is spending more cash on the war than present oil revenues can fund. They have turned to 'borrowing' cash from the sale of oil concessions that are presently undeveloped and unsecured. Indeed, there is no oil revenue to 'share' or utilise in the 'development' of the South as they had promised the UN Special Rapporteur for Human Rights. (And it would explain that, when the Special Rapporteur asked for proof of that investment that they had made in development, they could only reply that this was a matter of sovereignty).

But what is the consequence for the people of southern Sudan who have, since the beginning, resisted oil development until there is a just resolution to the conflict?

On this the record is undisputedly clear: to make way for oil development, and to secure the land for oil development from any potential military threat from the SPLA, the Khartoum NIF regime has gone to extraordinary lengths. They have employed a strategy of systematically and forcibly removing indigenous people from the oil concessions and the regions immediately adjacent to them. To do this they have engaged in a numbingly destructive scorched earth policy. This has resulted in innocent Sudanese women, men and children being deliberately targeted, killed and displaced by their own government on a systematic basis.

United Nations personnel were eyewitnesses to an attack, typical of the means employed by the Khartoum NIF regime to achieve their objective, on the village of Bieh on 22 February 2002, south of Bentiu, the epicentre of Sudan's oil region. There Khartoum's helicopter gunships directed rockets and heavy machine-gun fire into thousands of women and children gathered to receive emergency food distributions from the UN's World Food Program. As many as fifty innocent civilians were killed; while many more were wounded.

The World Food Program had notified the Khartoum regime of its plans to distribute food in Bieh on that day. The UN compound was also well marked and well known to Khartoum's forces, which had actually conducted reconnaissance operations earlier in the day. There were no opposition military forces anywhere near Bieh. World Food Program staffers were present and overseeing the distribution of food, which occurred in broad daylight. Their eyewitness testimony makes clear that the pilot and gunner aboard the helicopter gunship knew they were not attacking a military target. The WFP spokesperson observed to the Associated Press: "The [attacking helicopter] was flying low enough that our staff could see inside the helicopter and a man inside firing a machine gun. How could they not see that there was food being distributed, that women and children were receiving food?"³⁰

Unbelievably, this Bieh attack is not atypical. There have been countless other attacks on civilians by mechanized ground forces, helicopter gunships and Russian-made Antonov bombers, many documented but most undocumented. Both to facilitate its attacks, and to ensure that its scorched earth policy is effective, the Khartoum NIF regime denied access by humanitarian aid agencies to 1.7 million people mostly in the western Upper Nile oilfields. Not surprisingly, this tactic is the same tactic that was used during the last three major famines in Sudan (1987-8, 1992-3, and 1998).

Eyewitness testimony points to a massive Khartoum offensive from January to May 2002, using forces redeployed from the Nuba mountain ceasefire, to secure the oilfields. Many lives were lost, with the Khartoum regime apparently taking the brunt of the casualties. That a fully mechanised force was resisted by a guerilla movement with much lighter weaponry bears testimony to the extraordinary motivation of the opposition movement. It would appear inevitable that, absent a substantive counter offensive or settlement

^h On April 30, 1999 the former Secretary General of the NIF, Hassan al-Turabi, stated that the government would use earnings on oil exports to finance factories which the government is building to produce tanks and missiles. "We are currently building several factories to produce our needs in weapons, and we plan to manufacture tanks and missiles to defend ourselves against conspirators." Associated Press.

to the conflict, the opposition will again face a mechanised force with even more sophisticated weaponry during the next dry season.³¹

One of the tragedies for Sudan's opposition is that they face an upgraded military machine, the provision of which is funded entirely by the oil development they have resisted for so long. Until the development of oil, the war was fought with localised skirmishes using AK47s. Helicopter gunships were never part of the Khartoum NIF regime's military repertoire, but now they are used with devastating affect on civilians. Without any means of defense against these machines, and completely naïve to their application, they have been annihilated.

The success of oil development has likely exceeded the expectations of the Khartoum NIF regime. Not only has it been able to replenish its military machine, but it has provided a logistical base for mobilizing against its southern opponents with a view to their objective of 'winning the war'. That 'success' led a Canadian government sponsored independent investigation into Sudan's oil development and its link to human rights to conclude: "*It is difficult to imagine a cease-fire while oil extraction continues, and almost impossible to do so if revenues keep flowing to the Greater Nile Petroleum Operating company partners and the Government of Sudan as currently arranged*".³²

Even setting aside the conclusion of the Canadian independent investigation, the basis for negotiating an end the conflict under the terms of the DOP were not established in cognisance of successful oil development.

Acceptance by the NIF of a secular and democratic state is tantamount to asking them to forgo power. And while reaping the cash rewards of oil development, what incentive does it have to give up power? The NIF is only able to distinguish itself from other Northern Elite secular political parties (the Umma and the DUP) by insisting, as its *raison d'être*, upon the imposition of Arabism and Islamisation through the application of Sharia law. As apartheid was anathema to those who had to suffer as a consequence of its application, so Sharia is anathema to an African Sudanese culture. And if the NIF allowed a free vote today, they would certainly be out of power – just as the Pretoria Broederbond lost power when a free vote was allowed.

And with successful oil development in the South, there is simply no incentive for the NIF to negotiate any terms for self-determination in the south. Any compromise on this, on their part, would result in fewer revenues for its coffers. And most certainly the NIF would not countenance the loss of control over oil development in southern Sudan if there was any acceptance of the notion of a vote on independence for the South.

Senator Danforth, the US Special Envoy to Sudan, acknowledged in his recent report to President Bush that there could be no enduring settlement to the conflict unless the oil issue was addressed as a major cause of conflict.³³ He further suggested that a revenue sharing mechanism might be a key to resolving the conflict. Revealingly, before the ink had barely dried on his report, Vice President Taha, likely the most powerful member of the Khartoum NIF regime, gave this suggestion short shrift, disingenuously saying: "The petroleum is a national wealth [sic] owned by the Sudanese people and cannot be the object of compromise."³⁴

In contrast, southern Sudanese believe that wealth-sharing is impossible until there is a just and lasting peace, and only then is it an issue which can be successfully negotiated.

In the face of its apparent success, the Khartoum NIF regime has a compelling rationale to pursue war. Other than to pay lip service to a peace process, indeed any peace process, an inducement to pursue substantive negotiations under the aegis of IGAD simply does not exist.

1.10 Inducement to fight an ‘unwinnable’ war

In the decade prior to the ending of apartheid there was an exodus of many young, educated white South Africans from their country. In the face of the growing resistance to the policy of apartheid by the masses, and the ‘immovable’ nature of the Broederbond inspired Nationalist Party government, they were not prepared to risk their lives, and nor were they willing to defend the morally indefensible in the context of an impending civil war. The intractability of the Broederbond, and the resistance of those suffering under the apartheid system were on track for collision. It seemed certain that civil conflict could not be avoided.

At the time, South Africa was under a media microscope. Any unleashing of its suppressive powers was globally reported, and the Nationalist Party government was compelled to answer to every act that defied international human rights norms. While the need for power had driven their actions for so long, and they had survived international opprobrium, as a ‘God fearing’ community there was a disconnect between their actions and their beliefs. President FW De Klerk, a long time Broederbond member, boldly stepped forward and guided his people towards compromise, avoiding what many thought would be a bloody conflict to try and win a war that was definitively ‘unwinnable’.

Senator Danforth’s report to President Bush concluded, like many before him, that the Sudanese civil war is ‘unwinnable’. It would seem that the rationale for reaching this conclusion is that the strength of ‘anti-northern’ sentiment in the South is such that it is hard to comprehend the possibility that the current Khartoum regime could ever ‘win over’ popular support for its ‘National Salvation Revolution’. And that the geographical size and dispersion of the people in the South is such that it would seem that they could never be militarily overwhelmed.

Yet, notwithstanding a war widely thought of as ‘unwinnable’, the Khartoum NIF regime has opted to choose to continue to fight their fellow citizens. Most notably, they have opted to use a scorched earth strategy to attempt to win the war. The Khartoum NIF regime in choosing this option has crossed over a line in the sand that the Broederbond in South Africa dared never to cross.

1.11 Broederbond diplomacy: theatre of fabrication

The Nationalist government gained notoriety in the international diplomatic circles for their insistence that, despite the reality of apartheid, the South African government was acting in the best interest of its people. The common refrain was that ‘Blacks in South Africa were better off than those in the rest of Africa’. Internal dissent was, according to the diplomats, merely a reflection of some instigators, mostly from abroad, and mostly due to the expansionary interests of the communists. After all, governance in South Africa, argued the diplomats, reflected ‘Western’ (democratic) norms.

And because governance was a reflection of ‘democratic values’, when it came to having to defend the ugly actions of the apartheid government, there was official denial. According to the diplomats, the occupation of Namibia was not in violation of international law. The forced removal of millions to the Bantustans was for their benefit. The SA Defence Force incursion into Angola did not happen. The deaths in detention of opponents were accidents as a result of detainees having ‘slipped on soap’.

While apartheid itself was effective in keeping the white population at a distance from the realities, the repeated use of fabrication to deny or disguise realities led to a culture of denial that permeated the society. It was only post-liberation through the painful process of the ‘Truth and Reconciliation Commission’ that this veil of denial was lifted, and enabled many to say, quite truthfully, ‘we did not know’.

The culture of denial in Khartoum also permeates. Its media barely reveals the ugliness of a conflict hundreds of kilometres from their northern urban centres. The blight of internally displaced ‘black’ shantytowns have been removed far from sight. Systematic abduction with servitude does not exist. It deliberately attacks civilians while insisting that it is committed to peace.

The NIF diplomats espouse the virtues of the ‘election’ of President al-Bashir as an outcome of their new, ‘inclusive’ constitution, and, with respect to resolving the conflict, they point to the 1997 Khartoum Peace Agreement. (An agreement that was partially successful in dividing the southerners by taking advantage of Nuer disenchantment with Garang’s leadership of the SPLA.) The agreement, they argue, brings southerners into government, and it provides a basis for sharing oil revenues, and the SPLA must be blamed for being the only holdouts from this agreement. And, implying that its governance reflects the democratic wish of the Sudanese people, the international community is told that they must respect ‘their’ religion and the laws of governance that only ‘they’ are entitled to choose as a sovereign nation.

Denial is also part of the lexicon of the NIF diplomats: ‘Slavery does not exist, only abductions’. And even then blame must be placed on tribes who have ‘traditionally carried out the practice’. Furthermore, there is no religious or ethnic discrimination in Sudan. They are not bombing civilian targets in southern Sudan but rebel hideouts.

But the NIF diplomats have been most successful in convincing the international community that, despite pursuing the war since they came to power in 1989, their ‘primary goal is peace’. Talking persistently about peace is a necessity if the Khartoum NIF regime is going to make any inroads into breaking its international pariah status, diverting attention away from the war, and attracting attention to the economic prospects that their oil development potentially offers. And so the NIF will capitalise on any opportunity to talk about peace, including shopping for peace initiatives. Their ‘talk’ has bought both international goodwill and time. (But the lesson of peace talks is that the moment they address substantive issues, they reach deadlock or a party finds an excuse to disengage. The OAU sponsored Abuja talks went on for two years and IGAD’s DOP has existed since 1994.)

Buttressed by successful oil development, the Khartoum NIF regime has made diplomatic inroads. Appealing to African solidarity they nearly defeated a European Union drafted resolution expressing concern with the status of Sudan’s human rights at the 2002 annual Commission of Human Rights. They have been able to drive a wedge between western nations, concerned about their human rights and ongoing conflict, and the Chinese and Arab nations sympathetic with its agenda, thus ensuring that the Sudan issue can most likely never be substantively addressed at the United Nations Security Council.

But where the NIF regime has been exceedingly successful is in its diplomatic theatre in Khartoum. Without understanding the historical context of Khartoum’s policy of renegeing on commitments to the peace process, and likely with an eye on the prize of Sudanese oil development, foreign career diplomats are enamoured by the promise of impending forward movement of the process. The foreign capitals are only too happy to seize on to the incoming reports from their ambassadors, not just because of the tantalising economic prospect they offer. Without levers that they can use with the Khartoum regime, the reports enable foreign capitals to suggest to their political masters that it is unnecessary for them to defer to risky policy options that ultimately involve confrontation with the Khartoum regime. The capitals are perennially told by their Ambassadors of the evidence that the parties are ‘on the verge of substantive negotiations’, and that ‘peace is just around the corner’.

1.12 The Broederbond vision for resolving the conflict

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The Broederbond attempted to redefine South Africa as a means of maintaining power and perpetuating apartheid. Rather than defining their policy as apartheid, they embarked on a policy of ‘separate development’. The idea was to establish separate ‘states’ within South Africa where all blacks would hold citizenship, and where they would voice their political aspirations. In this way, the remaining citizens of South Africa would be White, and the Afrikaner would maintain a ‘legitimate’ majority through the representation of the predominant number of Afrikaners amongst the White population.

The flawed logic of the idea was never workable. The ‘island’ states were not economically viable, and they never served to reverse the rural to urban migration. The desire for liberation by ‘Blacks’ within and outside of the island ‘states’ was never dampened, and the Broederbond continued its policy of suppression.

The wish of the NIF to devolve power to states whereby the aspiration of their citizenry can be met, particularly with respect to the laws they wish to apply, has much the same appeal as the Pretoria Nationalist Party government’s separate development plan. It is a plan that presumes that the rural to urban influx is reversible and that, in particular, assumes that the devolution of power will disenfranchise southerners currently resident in Khartoum.¹ And then it is a plan that, most importantly, presumes that the NIF will be able to reconcile with its northern opponents. In this way, the NIF envisages that it will be able to retain control of the nations all-important central governance structures.

Real compromise for the NIF will be difficult. As an NIF consultant noted: “Not even the language through which the conflict is talked about can be negotiated, let alone the terms of a solution, because the Islamists owes No Allegiance to Anyone But God”.³⁵ The International Eminent Persons Group observed that the problems they analysed “are the expression of a profound lack of respect among certain Sudanese for the rights of some other Sudanese. Overcoming these attitudes and the conduct that flows from them constitutes a basic challenge in the spheres of politics and law”.³⁶

1.13 Conclusions

The similarities between apartheid South Africa with governance by the Nationalist Party, and war-torn Sudan with its governance by the NIF are inescapable. Tragically, the perceived remoteness of Sudan, and the international community’s apparent inability to comprehend the apartheid-like injustice that is being perpetuated by the NIF, has resulted in a lack of political will to confront the Khartoum NIF regime with the objective of hastening an end to the conflict, liberating Sudanese, and ensuring democratic governance is returned to Sudan.

By virtue of South Africa’s own history and the role that its current leadership played in confronting apartheid rule, it has the moral authority to provide African leadership in understanding the tactics utilised by both the NIF and its opposition in advancing their respective objectives in Sudan. peace, security, democracy, good governance, human rights and sound economic management are conditions for sustainable development

The concept of ‘Separate Development’ was an attempt by the Pretoria Broederbond to cater for the political aspirations of disenfranchised South Africans. It was a Broederbond form of compromise. And, as it was offered as a ‘compromise’ on their terms, it was ultimately unworkable.

¹ One of the apparent reasons for the breakdown in the Machakos negotiations on [date] was apparently due to the desire on the part of the SPLA/M to negotiate the religious status of Khartoum state as secular. According Khartoum this status is counter to an NIF objective of devolving such status to only the southern states.

The Pretoria Broederbond terms of 'compromise' were outlined during the infamous speech of President PW Botha when he stated, in reference to how far they were willing to go in the loosening of the apartheid structures, that 'we have crossed the Rubicon'. The position of the Broederbond was in reality a statement that power would remain centralized in the hands of Whites. The Broederbond policy of apartheid remained intractable. The ANC knew this and they continued to persist with the armed struggle. As a political prisoner, Nelson Mandela knew this and refused offers of release on Broederbond terms.

Civil conflict in Sudan will never be resolved on the terms of one party to the conflict. Solutions to the conflict must be based on negotiations that reflect the democratic aspirations of all the Sudanese people. To achieve this parties must be brought to a negotiating table, and be encouraged, and if necessary, induced, to negotiate in good faith on the substantive issues at the root of the conflict. The Khartoum regime must be reformed if Sudan is to remain a unified state and for there to be a comprehensive, just peace.

The NIF, as one party to the conflict, has deliberately obstructed the peace process with a view to perpetuating conflict in order that it can achieve partisan and pernicious objectives. The systematic denial of access by humanitarian aid agencies, and the deliberate targeting of civilians amounts to a deliberate strategy of human annihilation on the part of the Khartoum regime. Such actions dramatically belie the Khartoum NIF regime's assertion that it wants a just peace.

Oil resources have now become central to Sudan's conflict, and will unavoidably be central to its resolution.

On the part of the NIF, successful oil development provides it with the cash resources to sustain itself while also symbolizing a step towards defeating its opponents. It also represents a means by which it believes it can break its pariah status by attracting new investment in the country.

From the point of view of the opposition, oil has been forcibly developed at significant cost to its people, and is now being used to fund the military machine against them.

^j President PW Botha speech to parliament on August 15, 1985. The speech was expected to include announcement of significant new reforms but rather takes a hard line, saying he has "crossed the Rubicon" on road to reform, but that he will set pace, choose terms. Botha rules out significant political power-sharing, blames "barbaric communist agitators" for disturbances in South Africa. Value of rand drops 20 percent following speech. Botha's speech, in addition to increasing pressure on Reagan administration to take some action, also spurs reassessment of investment policies on part of number of state/local governments, US colleges, pension funds and others.

Part II: Is there a role for African Union leadership to help
Part II: Is there a role for African Union leadership to help achieve a negotiated solution
to end the conflict?

On the evidence available, the South African government has not shown leadership in responding to the Sudanese crisis. In 2001, it abstained from voting on the Sudan Resolution expressing concern with regard to Sudan's human rights situation at the United Nations Commission for Human Rights. In 2002, after the UN Special Rapporteur tabled his report indicating that the situation of human rights in Sudan had worsened since the previous year, South Africa voted against the carefully crafted Sudan Resolution, which again expressed concern with regard to Sudan's human rights, while also extending the mandate of the UN Special Rapporteur (on human rights in Sudan). A senior South African government official acknowledged that they had ignored the human rights realities in Sudan in opting to vote against the resolution. It was deemed more important to resist an overtly 'political resolution' proposed by the European Union.³⁷

As an architect of the New Partnership for African Development (Nepad), South Africa must be seen to be taking vigorous action in support of its objectives. As the chair of the newly established African Union (AU), the onus will largely be on South Africa to set continental standards through its leadership. Nepad is a noble vision for sustainable development, but Africans must address the prerequisites for achieving that vision. South Africa must use its influence to help forge continental peace, security, democracy, human rights, good governance and sound economic management.

The benchmark that South Africa has set for itself means that it cannot afford to be disengaged from Africa's most destructive conflict. Inducing the parties to Sudan's conflict to negotiate and reach a just settlement will require the creative, energetic and courageous support of African leadership.

South Africa's engagement to hasten an end to the war and foster a democratic Sudan would enable it to be better positioned to partner in the development of Sudan's lucrative natural resources. It increases the prospect that G-8 donors will perceive African Leadership as being committed to the prerequisites for long-term development identified by Nepad.

Inaction by South Africa to hasten change in Sudan and secure democracy does not favour South Africa's long-term political and economic interests. Proactive action in favour of justice, human rights, peace and democracy, rights earned by South Africans after its deep-rooted conflict, will earn South Africa many friends in Sudan.

South African leadership is in a position to influence the prospects for peace in Sudan. The Khartoum regime looks to South Africa to build legitimacy for itself, and the opposition is looking to South Africa for leadership to end their suffering. The Sudanese aspiration for 'self-determination' is a cry for liberation from persecution. It is an aspiration no less compelling than the wish of Black South Africans for their liberation from the shackles of apartheid. It is an African struggle for democracy and, as such, is a struggle with which South Africans should immediately and deeply empathise. South African leadership has the moral credibility and standing to identify the Sudanese struggle for these critical forms of human justice, and thereby proactively work to support and promote a negotiated settlement to the conflict.

2.1 South Africa's current Sudan policy

Earlier South African governments have understandably had limited relationships with Sudan. Ironically, the apartheid regime was in negotiation with the NIF government in the early 1990s with a view to its cooperation in the servicing of the Khartoum regime's military helicopters.³⁸ The previously exiled ANC did not have apparent cause to seek support or develop a relationship with the Sudanese government.

A substantive trade relationship does not exist. A Durban-based company owns an abattoir in Khartoum. Soekor, the South African state oil company, was recently warned against engaging in Sudanese oil development by the South African government until a resolution of the conflict.³⁹ The experience in dealing with the Khartoum regime does not bode well for the giant South African utility company, Eskom. A contractual agreement relating to the development of a power generating plant was quickly scrapped by the Khartoum regime when an apparently more advantageous offer was placed on the table by their major Chinese oil partners. Former Executive Outcome operatives have been hired by the Khartoum oil consortium to help secure oil development.⁴⁰

South Africa projects a neutral stance toward Sudan's civil conflict, encouraging an 'all inclusive' peace process in line with the key tenets of its foreign policy to 'strive for peace, stability, democracy and development on the African continent'. South Africa has endeavoured to engage both sides to the conflict in a dialogue to promote peace, and, to this end, it has unsuccessfully sought to arrange a meeting between President al-Bashir and the main leader of the armed opposition, Dr. John Garang, the Chairman of the Sudan Peoples Liberation Movement/Army (SPLM/A).

South Africa has also indicated its support of the Kenyan led mediation efforts under the aegis of the regional Inter Governmental Authority for Development (IGAD) and integration of the Egyptian-Libyan initiative into IGAD.

2.2 Key considerations:

The USA:

Sudan's humanitarian tragedy has galvanised Washington D.C. across party lines in common cause in a manner unseen since the days of heated political debate around apartheid South Africa. Of particular note is the focus and motivation of Washington's 'Congressional Black Caucus' on Sudan. Current public opinion is overwhelmingly in favour of embarking on a strategy to resolve the conflict. Prior to the September 11 tragedy, Secretary of State Colin Powell called Sudan 'perhaps the greatest tragedy on the face of the earth' and identified it as one of his key concerns.

As a reflection of USA interest, comprehensive legislation ("The Sudan Peace Act") was passed in The House by an overwhelming majority of Representatives [422 votes against 2]. The Act was designed to provide guidance to the USA engagement with Sudan to resolve the conflict, and affirms USA support for the DOP as the basis to resolve the conflict, making allowance for capital market sanctions aimed at oil companies raising their funds in the USA. The Act is held up by Senate Republicans with the approval of the Bush administration, which is resisting "the precedent of politicizing the capital markets".⁴¹

President Bush appointed a Special Envoy to Sudan, Senator Danforth, to determine if there was 'a demonstrable willingness on the part of the parties to the conflict to seek a negotiable settlement', and what future multilateral role the US could play to advance a peace process. Observing that there had been many agreements related to resolving the conflict, and that none had been implemented Danforth established a four-point plan to test the intentions of the parties to the conflict. The plan was designed to protect civilians, challenge political behaviour by requiring the parties to make tough political choices, and promote international involvement in monitoring to maximise the prospect that agreements would be respected. While Senator Danforth's tests are important in helping to establish a negotiating framework, they are not a substitute for supporting the fashioning of a single, credible peace initiative.⁴²

Senator Danforth suggested to President Bush that the USA support the IGAD regional mediation

effort led by Kenya, but urged Kenya and Egypt to work together. Danforth also observed the Khartoum regime's resistance to 'self determination' as a means of resolving conflict, and suggested that it may be preferable for southern Sudan to live under a national government that respects its religion and culture. Regarding the role of the USA, he did not propose that the USA embark on a separate peace process, rather that the USA be 'catalytic, collaborative, energetic and effective' in its support role.

During testimony given to The House International Relations Committee on Sudan by various experts, the Danforth report was castigated for prejudging the crucial issue of self-determination and being fundamentally 'misconceived' by placing too much US leverage in 'confidence-building tests' rather than clear timetables and benchmarks for the peace process.⁴³

Most notably, the US experts unanimously believed that it was 'up to the US' to take a lead in bringing the appropriate pressure to bare, engaging in the mediation itself, and ensuring that there was a just peace put in place.

The Washington D. C. Congressional Black Caucus in a May 21, 2002 letter to the Senate Majority leader made known their interest in Sudan: "Mr. Majority Leader, the Congressional Black Caucus considers the struggle in Sudan in much the same way as the struggle against the apartheid regime of South Africa. We intend to remain actively engaged with this issue, as we did during the years of that hateful regime. Accordingly, we regard legislative resolution of the Sudan Peace Act with the same moral urgency."⁴⁴

Norway and the European Union:

Norway, as co-Chair of the western donor group providing financial support to the IGAD peace process, and with a long-term historical relationship with Sudan, has played a leading role in support of the peace process. Respected by both sides to the conflict, and with a long-term aid commitment to Sudan, it has an important role to play in supporting the peace process.

The European Union with its disparate membership has, since 1999, engaged in dialogue process with the Khartoum regime to promote human rights, while at the same time it has enabled some of its companies to engage in the development of Sudan's oil resources. It has further indicated to the Khartoum regime that, if there is substantial forward movement with regard to the peace process, it will undertake to renew its aid commitments to the country.

Egypt and Libya:

Egypt is dependent on the Nile river for its water resources. An agreement with the countries in the Nile watershed specifies the quantity of water that each country is allowed to draw from the Nile. Egypt does not wish to see the emergence of another independent state in the Nile watershed as it appears to consider this a threat to its riparian rights, and vociferously rejects the notion of the right to 'self-determination' for southern Sudanese. Egypt, by its own account, deems 'self-determination' to be code-wording for full independence rather than an arrangement that might provide autonomy for the south.

Egypt has historically preferred a benign dictatorship in Khartoum that it can influence. Indeed, it has informed Sudan's opposition that, with respect to the NIF, it would prefer 'the devil we know and not the one we don't know'.⁴⁵

The rejection by Egypt of the right to self-determination for southern Sudanese, and its overt colonial tendencies toward its southern neighbour, serves to increase tensions between the countries.

Libya's Pan-Africanist aspirations seem to be being played out in their support of the "Egyptian – Libyan Joint Initiative" although it is apparent that Libya also has long-term interests in Sudan's water. (Libya is drawing down on its aquifers for irrigation purposes at a rapid rate, and will need alternative sources of water in the future).

IGAD:

The sub-committee of IGAD mandated with the responsibility of mediating an end to Sudan's conflict comprises Eritrea, Ethiopia, Kenya and Uganda with Kenya as the Chair. Prior to the Eritrea-Ethiopia conflict, the IGAD process saw considerable movement forward, particularly in achieving agreement to the DOP as a basis for negotiation in 1997. There was a dramatic slowing of the process at the onset of the Ethiopia-Eritrea war. The weight that they might have brought to bear was superseded by the need for them to capitalize on their bilateral relationships with the Khartoum regime in order that either one of them may not benefit at the expense of the other.

Uganda has also had a strained relationship with Sudan. Uganda's empathy with the plight of the southern Sudanese has, in the past, been cause for it to provide logistical and material support to the SPLA. In turn, Sudan has provided a safe haven for the Ugandan 'Lords Resistance Army' (LRA). Notwithstanding the mutual hostility, the two countries have recently resumed diplomatic relations, and the Khartoum regime has supposedly cooperated in facilitating a Ugandan Defence Force initiative to attempt to track down the LRA inside Sudan. The recent resumption of LRA activities in Uganda would seem, however, to indicate that there are elements of the NIF that are intent on ensuring that it continues with its heinous crimes. Regardless, Khartoum's supposed cooperation likely relates to embarrassment associated with the LRA and its heinous crimes, and the need to distance itself from them. It is also apparent that Khartoum expects Uganda to reciprocate by not lending support to the SPLA. Either way, Uganda is not in a 'neutral' position that might enable it to be proactive in IGAD mediations.

The only country that remains as a potentially neutral actor in IGAD mediation is Kenya. President Moi has maintained both a diplomatic relationship with Khartoum and has allowed the SPLA/M to operate an office in Kenya. In addition, international aid organizations use Kenya as a base for the delivery of significant amounts of humanitarian assistance to Sudan. As such, Kenya has been a major beneficiary as a result of the logistical effort required for this humanitarian operation in southern Sudan.

The Donor forum financially supporting IGAD (the IGAD Partners Forum – IPF) and IGAD itself have never had substantive discussions on the "pressures and incentives" required to ensure the forward movement of IGAD's mediation efforts.

South African public interest:

In the absence of a historical association between Sudan and South Africa, and Sudan's geographical distance from South Africa, it would appear understandable that South Africans have not been widely galvanised by this conflict. But as an African human rights crisis with deep-rooted issues of power, identity and self-determination at the crux of the conflict, it is a conflict akin to South Africa's liberation struggle.

South African commercial opportunities:

There are significant commercial opportunities available in Sudan that would be particularly appropriate for South African corporations to pursue, most of which can not be developed until there is a just resolution to the conflict. The NDA has stated that commercial partners of the NIF, particularly in current oil development, will not be welcome under a new democratic government in which they will be represented.

The New Partnership for Africa's Development (Nepad):

Nepad states that "peace, security, democracy, good governance, human rights and sound economic management are conditions for sustainable development. [African Leaders] are making a pledge to work, both individually and collectively, to promote these principles in their countries, sub-regions and the continent."⁴⁶

International financial institutions, bilateral government donors, independent Human Rights monitoring organizations and the UN Special Rapporteur on human rights in Sudan have all independently indicated that Sudan has not made serious progress on these preconditions for sustainable development.

2.3 Conclusions

In light of the AU Charter [reflecting the wish to maintain current borders], it would be in the best interests for African states to act to ensure the unity of Sudan. To achieve this, power will have to be shared, particularly by southerners, and rights will have to be guaranteed through constitutional and security arrangements, and through international guarantors. Sudan's constitution, in particular, will have to reflect and be owned by all its people.

To achieve such a constitutional arrangement, southern Sudanese require maximum leverage, and a self-determination referendum represents just such leverage. A 'two systems, one Sudan' approach envisaging two constitutions without a reformed Khartoum will not work.

Only a single unified peace process based upon the Declaration of Principles, inclusive of the NDA, the Umma party, and the Egyptian-Libyan Joint Initiative principles, has any hope of being able to achieve a comprehensive, just and durable peace.

Absent effective, credible pressures, incentives and guarantees by the international community, the peace process is unlikely to move forward.

Recommendations

To African Union leadership

1. Treat the resolution of the Sudan conflict as the highest priority, requiring the cooperation of, in particular, the countries of the Horn region, and the support of the international community.
2. Secure a working agreement in collaboration with the Troika (USA, UK and Norway) between the Kenyan and Egyptian Head's of State for IGAD's partnership with Egypt to construct a single, comprehensive, negotiating forum to end the conflict based on the Declaration of Principles, inclusive of the NDA, the Umma party, and the Egyptian-Libyan Joint Initiative (ELJI) principles.
3. Secure agreement from IGAD and ELJI to the expanded participation in negotiation of, not only the GOS and the SPLA/M, but the NDA and the Umma party. Also, agreement should be reached to allow for civil society perspectives to be tabled during formal negotiations.
4. Work with IGAD and ELJI to establish a clear set of benchmarks and timelines for the mediation process.
5. Establish an AU working committee with a monitoring capacity and a mandate to identify pressures, incentives, and inducements to ensure that there is forward movement of the single peace process.
6. Appoint an independent AU Head of State as Chair of the Inducements Committee to provide an international profile to the peace process and serve as a liaison with the international community. This role would ensure linkage with the African Peer Review Mechanism outlined by Nepad.

To IGAD and Egypt

7. Work with African leadership to ensure a single, effective peace process under the leadership of IGAD.
8. Ensure that the IGAD Special Envoy regularly consults with IGAD capitals and is fully committed to the Sudan mediation effort.
9. Ensure that the IGAD Special Envoy reports to the African Union.

To the USA, UK and Norwegian troika

10. Coordinate with African leadership in a partnership approach to meet its objective of securing a working agreement between Egypt and IGAD to ensure a single, effective peace process results in a just resolution to the Sudan conflict.

11. Support initiatives to strengthen Sudan’s civil society and prepare for a democratic transition, and to ensure that a negotiated settlement can take root and avoid the prospect of a return to civil conflict.

To the international community

12. Lend support to the work of the Inducements Committee and, particularly, its recommendations regarding “Pressures and Incentives” to ensure that the peace process moves forward and there is a just solution to the conflict.
13. Provide financial support to the mediation process and the strengthening of civil society to ensure that a peace agreement can take root.
14. Develop instruments to address commerce-in-conflict issues.

To the South African government

15. Appoint monitors to ensure that commitments made by the parties to the conflict, particularly with regard to the protection of civilians, are adhered to as and when requested.
16. Actively engage the NDA as a pan-Sudanese movement in a dialogue on its future aspirations for a peaceful and democratic Sudan.
17. Call for an urgent temporary suspension of all Sudanese oil operations, including any oil development and exploration, while the search for peace is intensified. Adherence to such a suspension of oil operations until a negotiated settlement is reached could be identified by African leadership as a criterion for Sudan gaining any short-term benefits accruing from Nepad.
18. Engage the Chinese and Malaysian governments with a view towards supporting the role of African leadership in resolving the conflict in Sudan.
19. Express deep concern at the situation of human rights in Sudan in both multilateral and bilateral arenas.
20. Provide support to human rights promotion in Sudan.
21. Call for unfettered humanitarian access to civilians in need of assistance in Sudan. Offer to scrutinise humanitarian shipments into Sudan to ensure that no military supplies are being provided to the opposition under the cover of humanitarian goods.
22. Provide support to local peacebuilding initiatives (people-to-people dialogue).
23. Promote and support confidence-building efforts that impart South Africa’s own experience in resolving its deep-rooted conflict.

To South African civil society

24. Express solidarity with Sudan's marginalized and terrorised civilian populations by providing support to civil society peacebuilding efforts, particularly with a view to strengthening civil organizations in order that democratic governance can take root.
25. The ANC, in cognisance of its own history of struggle, should identify with the Sudanese struggle for freedom and engage in a relationship of solidarity with the SPLM.
26. Call for a boycott of Engen Service stations as a means of pressuring Petronas of Malaysia (which wholly owns Engen) to suspend oil development in Sudan.

To the South African Commercial sector

27. Engage in scenario-building involving oil development in reference to Nepad. Challenge the world's resource industries to examine ways in which it can contribute to the achievement of peace in African conflict zones.
28. Engage in a dialogue with the NDA with a view being an active partner in the future development of Sudan's natural resources.
29. Suspend any current commercial relations until an irreversible peace process has been adopted.

Appendix

Benchmarks in Sudan's conflict

1956 – Sudanese independence.

1969 – General Gaafer Nimeiri comes to power in a coup d'etat

1972 – Signing of Addis Ababa accord allowing for limited southern Sudanese autonomy.

1978 – Oil is discovered in southern Sudan within the region under the jurisdiction of southern autonomy.

1983 – Nimeiri reneges on the Addis accord, removes jurisdiction of oil from the South, and adopts aspects of Islamic Sharia law and later martial law to bolster support for his tottering regime.

1983-1984 – Southern Sudanese organise the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Movement (SPLM) and resume their armed struggle for 'liberation'.

1985 – General Gaafer Nimeiri is overthrown in a bloodless coup. A transitional government oversees democratic elections in which the south, then at war, does not participate.

April/May 1986 - Sadiq al-Mahdi of the Umma party is installed as an elected prime minister and starts three years of chaotic coalition government.

1987 – signing of the Kokadam Declaration identifying the need for a constitutional conference to resolve issues of Sudanese identity as a basis for resolving conflict.

June 30, 1989 - Lieutenant-General Omar Hassan al-Bashir of the NIF takes power in a bloodless coup.

May 1994 - The Inter-Governmental Authority on Development (IGAD), a regional body mandated with mediating an end to the conflict, adopts a 'Declaration of Principles' based on self-determination for the south and the establishment of secular and democratic state. Khartoum pulls out of the IGAD talks.

June 1995 – The NIF is implicated in the attempted assassination of Egypt's President Hosni Mubarak.. The U.N., as a consequence, imposes diplomatic sanctions on the Khartoum regime.

Aug 1997 - The government, facing military losses and regional isolation, signs IGAD's Declaration of Principles (DOP) as a basis for negotiating a resolution to the conflict.

Nov 4, 1997 - United States imposes sweeping economic sanctions on Sudan, saying it was sponsoring terrorism.

May 6, 1998 - The government and SPLA agree to an internationally supervised vote on self-determination for the south.

Aug 20, 1998 - The United States launches cruise missile strikes against "terrorist-related" bases in Afghanistan and a factory in Sudan, saying they were linked to the bombings of the U.S. embassies in East Africa.

Dec 23, 1999 - Egypt restores full diplomatic ties with Sudan.

February 2001 – Hassan Al-Turabi is arrested for signing an agreement with the SPLA/M.

July 4, 2001 - Sudan's government accepts a Libyan-Egyptian peace initiative.

Sept 28, 2001 - The U.N. lifts sanctions against Sudan after five years. Unilateral U.S. sanctions remain in force.

Jan 19, 2002 - In Switzerland, the government and SPLA/M sign a ceasefire covering the Nuba mountains.

July 20, 2002 - Delegates from the Sudanese government and the Sudanese People's Liberation Movement sign the Machakos protocol under the aegis of IGAD mediation to end the conflict.

Aug 12, 2002 – SPLA/M and government officials resume negotiations under the aegis of IGAD to advance the Machakos protocol. The talks are scheduled to last around five weeks.

September 1, 2002 – The NIF suspends its participation in the Machakos negotiations.

Endnotes

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- ¹ Pittsburgh Post-Gazette March 12, 2001. "Spring promises new round of war; 2 million deaths so far in Sudan; experts see more carnage ahead". Philip Smucker, special to the Post-Gazette.
- ² T., Ali and R., Matthews. 'Civil War and Failed Peace Efforts in Sudan', in *Civil Wars in Africa*, (eds) Ali, T and Matthews, McGill-Queen's University Press, Montreal, 1999, p. 193
- ³ 'Nice Words, Pity About the War', *The Economist*, 27 February 1999, p.42
- ⁴ See <http://www.usip.org/research/rehr/sudanconf/panel3.html>
- ⁵ Interview with Dr. Taisier Ali (1991 and 2001). Dr. Ali was the mediator between Prime Minister Sadiq al-Mahdi and the SPLA in 1989.
- ⁶ "*The Political Mythology of Apartheid*", Leonard Thompson New Haven, Yale University Press, 1985 p. 74
- ⁷ "*The rise of the South African Reich*" by Brian Bunting (1969) <http://www.anc.org.za/books/reich.html>
- ⁸ Interview with Dr. Taisier Ali, August 2001.
- ⁹ See Human Rights Watch report "BEHIND THE RED LINE; Political Repression in Sudan", May 1996 <http://hrw.org/reports/1996/Sudan.htm>
- ¹⁰ Interview in Ottawa, June, 2001.
- ¹¹ T., Ali and R., Matthews, 'Civil War and Failed Peace Efforts in Sudan', in *Civil Wars in Africa*, (eds) Ali, T and Matthew, McGill-Queen's University Press, Montreal, 1999.
- ¹² See Human Rights Watch report "BEHIND THE RED LINE; Political Repression in Sudan", May 1996 <http://hrw.org/reports/1996/Sudan.htm>
- ¹³ Report of the Representative of the Secretary-General on internally displaced persons, Dr. Francis Deng, 5 February, 2002 (<http://www.brook.edu/dybdocroot/fp/projects/idp/articles/SudanReportCHR2002.pdf>)
- ¹⁴ Ibid
- ¹⁵ Ibid
- ¹⁶ Ibid
- ¹⁷ See "Human Security in Sudan: The Report of a Canadian Assessment Mission," February, 2000.
- ¹⁸ "Investigators say slavery 'commonplace' ". United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Integrated Regional Information Network (IRIN) NAIROBI, 29 May 2002
- ¹⁹ p. 11 Report of the International Eminent Persons Group, <http://www.reliefweb.int/library/documents/2002/usdos-sdn-22may.pdf>
- ²⁰ P. 8, Report of the International Eminent Persons Group, <http://www.reliefweb.int/library/documents/2002/usdos-sdn-22may.pdf>
- ²¹ Ibid, p. 8
- ²² The National Post (Canada), September 28, 2001.
- ²³ Dr. Eric Reeves, Smith College, occasional paper, October 12, 2001. "Osama bin Laden's "Sudan Connection""
- ²⁴ "The Rise of the South African Reich" by Brian Bunting (Penguin Africa Library 1969). See <http://www.anc.org.za/books/reich14.html>
- ²⁵ Projection by the Economist Intelligence unit (see its "Country Report: Sudan", February, 2002)
- ²⁶ see page 5 "Capturing the moment: Sudan's peace process in the balance", 3 April 2002 by the International Crisis Group, Washington and Brussels (www.crisisweb.org)
- ²⁷ Interview, Asmara, September 2000.
- ²⁸ "Sudan's Bashir to celebrate coup by producing arms", KHARTOUM, June 16 (Reuters), 2000
- ²⁹ Interview in Pretoria, November 2001.
- ³⁰ See Associated Press, February 21 & 28, 2002

³¹ *"Dialogue or destruction: organizing for peace as the war in Sudan escalates"* published by the International Crisis Group, 27 June, 2002, p.3 (www.crisisweb.org)

³² "Human Security in Sudan: The Report of a Canadian Assessment Mission," February, 2000.

³³ Report to the President of the United States on The Outlook for Peace in Sudan From John C. Danforth Special Envoy For Peace April 26, 2002 Report to the President <http://www.whitehouse.gov/news/releases/2002/05/20020514-11.html>

³⁴ "Sudan government rules out sharing oil revenues with SPLA" KHARTOUM, May 1, 2002 Agence France-Presse

³⁵ "Civil Wars in Africa: Roots and Resolution." Edited by Taisier M. Ali and Robert O. Matthews (McGill-Queen's University Press - ISBN 0-7735-1777-4) - Published January 1999.

³⁶ "Slavery, Abduction and Forced Servitude in Sudan," Report of the International Eminent Persons Group, May 22, 2002, p. 8.

³⁷ Interview with senior South African government official in Pretoria, April 8, 2002.

³⁸ Interview in Pretoria April, 2002.

³⁹ "Soekor has decided not to mine oil in Sudan", Soekor press release, July 20, 2001.

⁴⁰ Interview in Pretoria April, 2002.

⁴¹ See www.house.gov

⁴² Report to the President of the United States on The Outlook for Peace in Sudan From John C. Danforth Special Envoy For Peace April 26, 2002 <http://www.whitehouse.gov/news/releases/2002/05/20020514-11.html>

⁴³ See House International relations committee testimony on June 5, 2002 at http://www.house.gov/international_relations/fullhear.htm

⁴⁴ "An Extraordinary Push for the Sudan Peace Act", Dr. Eric Reeves, May 3, 2002 occasional paper.

⁴⁵ Interview, Asmara, 2000.

⁴⁶ See www.africanrecovery.org