

From: ASN
To: JN
Date: 5 April 2007
Re: Sudan Trip

1. This memo presents some of my thoughts on the current state of diplomacy on Sudan, particularly Darfur, with some suggestions for your trip.
2. **We face an unusual high number of disconnects in dealing with Sudan which may compromise our chances for resolution of the crisis.**
 - **Between public perception and ground reality.** The media, beltway, think tanks, Congress, and advocacy groups believe that “the slaughter continues” on a genocidal scale, a belief which is driving us towards policies which may not get us where we need to go to “save” Darfur. The field data does not support the image; in fact right now we are seeing the lowest level of deaths of non-combatants since last April. The GOS is continuing large scale population displacement, but apparently they are not killing people when they destroy villages. Even when they peaked last fall they were not on genocidal scale by any definition. Openly trying to correct this misperception is politically dangerous given the emotions around the issue and funding raising imperatives of the advocacy groups which rely on apocalyptic language.
 - **Between the UN’s ability to deliver troops on the ground and our ability to resolve PKO disputes with the GOS.** The timelines of UN/DPKO even under the most optimistic circumstances have the full force of UN troops arriving in a year or more even with full GOS cooperation. We need them in the next few months if miraculously we received GOS approval.
 - **Between public expectations of what a UN peacekeeping operation can do and what it will actually do.** The beltway erroneously believes that a UN peace keeping force will end civilian deaths and rapes of women and guarantee protection of humanitarian aid agencies from rebel and GOS attacks. A great deal of our finite political and financial capital is being expended on something which will likely disappoint many people unfamiliar with PKO history.
 - **Regional powers have more influence over the situation than western countries do and they are working at cross purposes with each other.** Chad, Egypt, Eritrea, and Libya are playing out their national interests in Darfur through payments to and pressures on rebels; this is making the chaos we face much worse. Under no circumstance does Libya want any UN troops in Darfur over which they would have little influence (they have a powerful influence in the AU as does GOS). The regional powers have been relatively immune to diplomacy (either we need them or are fighting with them on other issues elsewhere which complicates our diplomacy further).
 - **Between peace and justice.** Much of the advocacy community and the Europeans want war crimes trials. They are changing the behavior of the GOS but not necessarily for the better. I believe we are far less likely to get a

deal on PKO because the GOS is suspicious that deployed UN forces would start arresting their officials for war crimes trials. We can not nor should get involved in trying influence the ICC investigations, actions which would likely become public: it would then appear we did not want these killers to be held accountable for their crimes.

- **Between our bilateral sanctions initiative and the new round of UNSC resolutions on sanctions.** One of the arguments being used against the new UN resolution on sanctions is that the USG has already gone around the Council on sanctions, so why do we need a resolution? Chancellor Merkle recently said that the Europeans might consider imposing unilateral sanctions if the UNSC does not approve them. I do believe we must impose the sanctions soon or lose our future credibility particularly with the GOS.
- **On public perceptions that the GOS are the bad guys and the rebels are the good guys.** While the public perception of bad and good is changing given the serious abuses of the rebels, the reality is that western publics perceive the rebels as the good guys when in fact the rebels increasingly look like warlords and do much of the looting of NGO and UN aid trucks.
- **Time.** Everything associated with Sudan operates in slow motion, when the demand in the media, beltway, advocacy groups, and congress wants an immediate solution. Nothing is going to be resolved quickly and yet policymakers expect immediate results.

3. The US domestic politics of Darfur.

- The domestic politics in the US of how to deal with Darfur is highly charged and very treacherous to navigate.
- Susan Rice, Tony Lake and Don Payne have called for US military intervention along with some members of the Black Caucus. I spoke to Dick Holbrooke when I started this job and he told me he would guarantee the support of the Democratic Leadership in the Congress if Bush Administration decided on military intervention to solve the crisis, which is their solution.
- Most of these same groups talk about regime change (some administration officials do as well) but can not answer any questions about just how we would do it, how we would guarantee a new regime would be better than the current one (a big leap of faith), and how we would avoid the catastrophic collapse of Sudan as a nation.
- Every word you say will be watched by the advocacy groups and instantly disseminated through the internet. This politics is constraining what we may be able to do to resolve the crisis.
- For example, the GOS wants to make a deal, something they will likely repeat to you, to improve relations with the USG in exchange for an agreement on Darfur. They want some carrots such as return of three Guantanamo Sudanese prisoners, an exchange of Ambassadors (which I am told may be illegal by act of Congress), removal from the list of state sponsored terrorism, and removal of economic sanctions.

- They have been twice promised these carrots in the past and we have not delivered which has damaged the more moderate forces in the GOS that do not want confrontation and do want good relations with us. I have made *no* promises and I have told them I see little prospect for any carrots, given domestic US politics: not until things are very different in Sudan and the peace and human rights issues have been dealt with.
- I have avoided making public statements on any agreements reached with the GOS on my visits because they frequently do not implement them (though in my December and March visits they actually have done what they said they would do). Announcements of agreements with the GOS which go unimplemented only make us look ineffective or even naïve with domestic constituencies. I limit what I say to the press to what I said, not what they agreed to.

4. Current state of the three legs of USG policy on Darfur.

- **Humanitarian:** While the humanitarian conditions in the displaced camps are good and stable, aid agencies are being regularly attacked by rebels and outlaws and harassed by Sudanese security forces. Many camps are increasingly inaccessible to aid agencies: if this continues it will have serious humanitarian consequences for IDPs. I reached an agreement with President Bashir, affirmed in a communiqué by the UN, to improve operating and regulatory conditions for NGOs and UN. If the GOS implements what they agree to, it will make a great difference. We must emphasize to them full, immediate, and consistent implementation.
- **Political:** The GOS has agreed to negotiations with the rebels with the proviso that the basis for the discussion must be additions to the existing DPA, not an entirely new agreement. We agree and have been pressing the rebels to agree as well, but they are resisting. The biggest impediment to the resumption of negotiations is the atomization of the rebels, now broken into 14 separate movements. Efforts to unite them have not succeeded, despite aggressive efforts. Jan Eliasson suggests that we can't get the rebels united and that we try to get them to have one negotiating position, and get them back to the table with the GOS within one month.
- **Peace Keeping:** The place where relations with the GOS and the outside world have broken down is on the peace keeping troops to be sent under the Addis Ababa agreement of November 16. The GOS has essentially rejected much of the Phase II force structure proposed by the UN which has caused broad outrage in the US, Europe and Africa. We are at a stand still or worse on the troop operation with a real risk that the AMIS force will collapse as it has not been paid since last November and its mandate expires at the end of June. No matter what they agree to I doubt the GOS will actually allow us to put competent peacekeeping troops under UN command and control in Darfur. They may agree to it, but they will find ways to stonewall and delay them.

5. Suggestions

- Encourage President Bashir to implement the UN agreement on NGO and UN aid agency access and improvements in operating and regulatory conditions.
- The South is under pressure from the National Congress Party and additionally is having internal problems in delivering services, controlling corruption, downsizing the southern army, and making decisions. This is as a result of new and fragile political institutions, southern tribal tensions, an inadequately small educated elite capable of running the south, and destabilization efforts by the North. Publicly encouraging Southern leaders, listening to their problems with the Northern government (which they are theoretically part of), and explaining some of the things we will be doing to help transform the southern military would help ease tensions in the south.
- Strongly oppose any effort by the GOS or the Arab League to try to renegotiate what was agreed to in Addis November 16th. This is another stalling tactic. Encourage them agree *and implement* the UN plan as it is written with no renegotiation and no more delays.
- You may get hit by the GOS on our efforts to modernize or transform the southern military, which was leaked by DOD to the media using very inappropriate language which the GOS Defense Minister was quite outraged by. The USG is providing non-lethal technical assistance and construction of barracks and military headquarters offices to this effort which is specifically provided for in the CPA.
- The GOS is doing severe damage to the one rebel group which signed the DPA last year instead of implementing the agreement. This is not exactly an encouragement to other rebel groups to sit down to the negotiating table. The GOS must take what they signed seriously and support their one rebel ally.