



**Investors
Against
Genocide**



Peace in Both Sudans

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When Sudan becomes two countries on July 9, 2011, the two new states will face multiple urgent crises. Provocative military action by the Government of Sudan, especially the invasion of Abyei, has aggravated tensions and threatens a new international conflict between North and South Sudan. In the North, Darfur's conflict has deepened during the past year and violence has broken out in South Kordofan. Northern-stoked militia violence threatens the stability of the South and is exacerbated by abusive and indiscriminate southern responses. Across both North and South humanitarian access is worsening and human rights abuses are increasing.

The United States led a concerted international diplomatic effort to secure a peaceful, timely, and respected referendum for southern independence, but that success is now at risk. Diplomatic efforts revolving around the provision of incentives to the Sudanese government have run up against Khartoum's skillful and brutal use of military means to change facts on the ground and to break and renegotiate peace agreements. At present, the international response to these crises remains focused on cobbling together temporary fixes, rather than pushing for a long-term resolution.

Without a change in approach, Sudan's internal strife will become an international conflict that could threaten the wider stability of the region and will certainly cause new levels of human suffering. Averting this scenario will require continued robust diplomacy, but also a willingness to impose consequences on actors who undermine peace by committing war crimes, breaking agreements, and promoting violence.

The role of the U.S. government

The United States is in a unique position to continue to influence whether the governing bodies in North and South Sudan choose to fulfill their people's desire of achieving and maintaining peace. U.S. leadership—which has proven to be incredibly effective in helping to achieve a peaceful referendum for South Sudan—is now needed more than ever, as violence is on the rise across both North and South.

The United States has deployed high level diplomacy in pursuit of peace in Sudan, but in the face of intransigence and worsening violence, a solely incentives-oriented policy will not succeed. In fact, the imposition of escalating consequences is a complement to diplomacy not a substitute for it. By pressing for accountability for war criminals and using economic pressures to target spoilers, the United States can hamper warmongers and help encourage Sudanese leaders to return to the roadmap toward normalization on the basis of sustained peace.

The role of the advocacy community

We have seen the positive effects of ordinary people across the country coming together to tell the U.S. government that peace for all people in Sudan matters. Our government has taken action under the Bush and Obama administrations for Sudan because we have demanded it from them.

If the advocacy community fails to keep pressure on the U.S. government during this crucial time—a time when peace for Darfur remains elusive, when the situation in Abyei, South Kordofan, and the Blue Nile remains explosive, and when the new Republic of South Sudan faces myriad security and development issues as the world's newest nation—then we risk our elected officials de-prioritizing Sudan in favor of other pressing national security issues.

Below is a set of conditions that must be met in order to ensure long-term peace in both Sudans. All are areas where U.S. policy can help to avert the risk of mass violence and set both Sudans on the path toward permanent peace. We, the advocacy community, must call for U.S. leadership in addressing these key issues.

The conditions that must exist for lasting peace

Sudan faces multiple challenges including, but not limited to, the following, which must be resolved in order for long-term peace to be possible:

1. A peaceful and principled resolution to the crisis on the North-South border, including Abyei, South Kordofan, and Blue Nile
2. Peaceful resolution of other outstanding separation issues that could lead to a resumption of North-South war, including border demarcation, oil wealth sharing, and citizenship status
3. An end to the crisis in Darfur and a comprehensive peace agreed to by all parties
4. Security for all people in the Republic of South Sudan, including protection from militia violence, and responsible and accountable Southern security services
5. Tangible and measurable steps toward democratic governance in the North and the South
6. Accountability for crimes against humanity, war crimes, and genocide

A peaceful and principled resolution to the crisis on the North-South border, including Abyei, South Kordofan, and Blue Nile. The recent invasion of Abyei by the Sudan Armed Forces violated the Comprehensive Peace Agreement, or CPA, and brought Sudan to the brink of a return to full-scale civil war. The Government of Sudan violated the laws of war in its disproportionate response to an incident of violence by southern forces and by indiscriminately targeting civilians, which led to the displacement of tens of thousands. These acts may constitute ethnic cleansing and crimes against humanity. In neighboring South Kordofan, the forcible disarmament of fighters who fought in the North with the South has sparked conflict and threatens a wider conflagration. Across these areas, there is a need for both credible security arrangements that would protect civilians and help displaced people return home, and a political settlement based upon the measures agreed to by North and South in the CPA. Independent investigations are needed so that those responsible for the reckless violence can be held accountable. Pressures and consequences will need to be deployed to press the North and other spoilers of peace to accept a principled settlement to these crises before they erupt into an international conflict.

- **What the United States can do:** The process toward normalization between the United States and Sudan should be suspended, and offered incentives should be supplanted by escalating consequences for government officials in Khartoum and any other party that promotes violence, commits human rights abuses, or targets civilians. In particular, the review toward removal from the State Sponsors of Terrorism list and technical talks on debt relief should be suspended and steps taken to implement unilateral and U.N. sanctions on those responsible for violence. For example, U.S. sanctions should be extended to cover actors responsible for conflict on the North/South border, and the United States should update the list of individuals and companies linked to the regime to be subject to asset freezes and travel bans, as well as considering broader financial sanctions if conflict persists. The United States should as part of this effort engage key members of the U.N. Security Council, in particular China, to develop a concerted diplomatic effort to secure peace, including incentives and consequences. The United States should also support an independent investigation and the possible referral of Abyei to the International Criminal Court.

Peaceful resolution of other outstanding separation issues that could lead to a resumption of North-South war, including border demarcation, oil wealth sharing, and citizenship status. The internationally recognized secession of South Sudan will not itself prevent the resumption of large-scale conflict between North and South. The case of Eritrea—where peaceful separation from Ethiopia in 1993 was followed by large-scale international warfare in 1997—looms large. Negotiations on post-referendum arrangements are increasingly unlikely to settle all of the points of dispute before July 9, and sustained U.S. diplomatic involvement will be critical to preventing a return to war over remaining issues including border demarcation, oil wealth sharing, and citizenship status.

- **What the United States can do:** In addition to the steps taken toward resolving Abyei listed above, continue and strengthen diplomatic support for proactive negotiations to finalize and sustain the separation of North and South. Work with the United Nations and the African Union to ensure international monitors are deployed along the North-South border to provide early warning and clear, united messaging that a return to war is unacceptable, and be prepared to impose consequences on any party that presses for a return to war. Engage with the international community to ensure that no precipitous action is taken with respect to southerners in the North or northerners in the South.

An end to the crisis in Darfur and a comprehensive peace agreed to by all parties.

Stopping the violence against civilians in Darfur and enabling the region's millions of displaced people to return to their homes will require a political settlement between the government and the armed movements as well as grassroots engagement once some semblance of security has been established. In the meantime, humanitarian and peacekeeper access is hampered by the government, and despite the presence of 23,000 peacekeepers, there is little protection for civilians and limited independent reporting on the situation.

- **What the United States can do:** Invigorate the Darfur peace process, and press the significant Darfuri rebel groups to engage in talks. Press for a single empowered international mediator, and support their work using sanctions and debt relief as leverage. Keep the pressure on Khartoum to allow humanitarian and peacekeeper access, and build international support for consequences for continuing violence. Building international support for a consequence-based policy should include high-level U.S. attention and statements regarding consequences, as well as engagement with the Chinese government on common approaches.

Security for all people in the Republic of South Sudan, including protection from militia violence and responsible and accountable southern security services. As anticipated, proliferating militias have emerged in the wake of the southern referendum. Historical precedent and circumstantial evidence suggest that many are backed by the northern government with the aim of destabilizing the South, but there remain a range of grievances within the South that have fueled these uprisings and have been exacerbated by the southern government's behavior. The Lord's Resistance Army, or LRA, also continues to terrorize civilians in South Sudan and throughout the region.

- **What the United States can do:** Pressure Khartoum to cut all assistance to militias, and build international support for robust investigation and monitoring of illicit arms flows and other support for illegal armed groups. Work with the southern government on a viable strategy to integrate and accommodate militia groups and address legitimate grievances, with the understanding that the United States will hold the South

to a high standard of behavior and will determine the degree of its support based on this behavior. Implementation of President Barack Obama's strategy to end the threat of the LRA, which has historically been used as a proxy by Khartoum and which continues to threaten civilians in southwestern Sudan, should be fully integrated into U.S. Sudan policy and made a priority.

Tangible and measurable steps toward democratic governance in the North and the South. Democratic transformation remains the unfulfilled promise of the CPA. The revolutionary wave across North Africa has already begun to impact Sudan, and although Khartoum has cracked down on protests, steps toward power sharing and democratic governance could still promote a more stable, less violent future for Northern Sudan. In the South, less than inclusive decisions by the ruling party have already contributed to worsening security, and the window for getting South Sudan started on the right foot is closing.

- **What the United States can do:** Condition support to both states on their fulfillment of the democratic transformation elements of the CPA during the post-CPA era. Engage with constitutional review processes to promote inclusivity, ensure that the popular consultations process for South Kordofan and Blue Nile are incorporated into those processes and partner with Sudanese civil society in North and South. Ensure that the new U.N. Special Representative of the Secretary-General and the new U.S. ambassador to South Sudan have the experience, inclination, and directions to engage robustly on these issues, including with civil society.

Accountability for crimes against humanity, war crimes, and genocide. Despite International Criminal Court, or ICC, warrants and African Union efforts, when it comes to atrocities in Sudan, impunity persists. Until perpetrators of genocide, crimes against humanity, and war crimes are held to account, violent and exploitative patterns of governance are likely to persist.

- **What the United States can do:** In addition to the steps described above, support ICC investigations, warrant executions, and other justice mechanisms where appropriate. Build diplomatic coalition to isolate indictees and incentivize compliance with the court. Ensure there is culpability of those in Darfur who are responsible for past atrocities and current human rights violations.

Enough is a project of the Center for American Progress to end genocide and crimes against humanity. Founded in 2007, Enough focuses on the crises in Sudan, eastern Congo, and areas affected by the Lord's Resistance Army. Enough's strategy papers and briefings provide sharp field analysis and targeted policy recommendations based on a "3P" crisis response strategy: promoting durable peace, providing civilian protection, and punishing perpetrators of atrocities. Enough works with concerned citizens, advocates, and policy makers to prevent, mitigate, and resolve these crises. To learn more about Enough and what you can do to help, go to www.enoughproject.org.

