

THE BROOKINGS INSTITUTION

SOUTHERN SUDAN IN TRANSITION:  
PROMOTING AND PROTECTING HUMAN RIGHTS

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PARTICIPANTS:

**Introduction and Moderator**

ELIZABETH FERRIS  
Senior Fellow and Co-Director, Project on Internal Displacement  
The Brookings Institution

**Featured Speakers**

HON. ELKANAH ODEMBO  
Ambassador to the United States  
Republic of Kenya

HON. EZEKIEL LOL GATKUOTH  
Head of Mission  
GOSS Mission to the United States

JOYCE LEADER, Former Ambassador;  
Senior Associate, Institute for the Study of International Migration  
Georgetown University

ANDREW NATSIOS, Distinguished Professor  
Walsh School of Foreign Service  
Georgetown University

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## PROCEEDINGS

MS. FERRIS: Welcome everybody. My name is Beth Ferris and I'm a Senior Fellow here at Brookings and delighted to welcome to you this event on Southern Sudan in Transition: Protecting and Promoting Rights. I'm sorry for the little delay in getting started. We were waiting for the representative from Southern Sudan who was sitting as the front row as we prepared to greet him.

Since the Comprehensive Peace Agreement was signed in 2005, there has been a lot of excitement about Southern Sudan, about the possibilities for, first, an end to this terrible, long war, and then the prospects of independence. As you all know, the referendum in January resulted in a resounding clamor for independence and secession which is to take place in July of this year. And there is a lot of excitement, there are also a lot of daunting challenges in terms of poverty, oil, violence in Abyei, problems with political leadership within Southern Sudan. To explore some of these issues we have a very distinguished panel to speak to you.

We'll begin with the representative from Southern Sudan, Ezekiel Gatkuoth, who has been a member of the SPLA/ SPLM since 1984. He studied in the United States and he has held a number of positions vis-à-vis the United States and will speak to us from the perspective of someone representing this soon-to-become independent country. He will be followed by the Ambassador from Kenya. Ambassador Odembo has been ambassador for a year and a half more or less, July of last year, 8 months, therefore very knowledgeable about things happening in Washington. He has a long history of involvement with civil-

society groups in Kenya, and certainly as a neighbor of Sudan has a lot to say about the situation happening next door. He will be followed then by Joyce Leader. Joyce was the former Ambassador Guinea with a long career in the State Department and did some work with Brookings not too long ago in Juba looking particularly at the work of the Southern Sudan Human Rights Commission and the possibility for them to monitor displacement. Finally we'll hear from the always outspoken Andrew Natsios, former Administrator of USAID and Special Envoy to Sudan. He has worked with NGOs, government and military and has just about everything and certainly always has something to say.

We're very glad you're here, and we'll begin with you if you'd like to use the podium to make some remarks.

AMBASSADOR GATKUOTH: It would have been better if I can sit down because this is actually too short for me.

MS. FERRIS: You may sit down if you prefer.

AMBASSADOR GATKUOTH: No. That's okay. Thank you very much. I'm so happy to be here. And of course when you are actually talking about Sudan, you cannot be late. I was here almost around 9:50. I will be brief and quick so that we can maybe interact and answer some questions from the audience.

The history of Sudan is actually a long history, but I will make it short because the issues of Sudan are complex. Definitely you can talk for almost 3 days about Sudan. But the history of Sudan, of course we have been at war with each other for a long time before independence in 1956. The Southern

Sudanese -- the war of independence in 1955 because they wanted to actually be in the home state when the United Kingdom left. Of course we ended up being part of the North in 1956. But that war to 1972 was a war of independence so that we can have our own independent state. Definitely another war broke out and we had relative peace from 1972 to 1983. Then in May 1983 another war broke out again. This is the war myself and my colleagues here participated in. That was actually calling -- it was spearheaded by the late hero John Garang who was saying let us transform Sudan because the history of Sudan was a history of marginalization, discrimination and exclusion of the marginalized areas. Southern Sudan is part of, Nuba Mountain and Southern Brunal, and even Darfur. So that war ended in 2005 and we had an agreement called the Comprehensive Peace Agreement and in that agreement it was meant to two issues. The rest are formalities. One is let us transform Sudan into a better Sudan for all of us, the restructuring of Sudan so that Sudan can belong to all of us, so I don't have to feel excluded. Because when the British left in 1956 or 1955, Sudan was narrowly defined as an Islamic and Arab state which is actually wrong because 60 percent of the population of Sudan are Africans so that you cannot accurately categorize Sudan as an Arab country. Yes, you can actually say the majority of Sudanese are Muslims, but there are other religions. All the religions in the world they are in Sudan including my own religion until 1984 when I was baptized to be a Christian. An African is more gods.

So in the second one, if we failed to transform Sudan into a better Sudan for all of us, the second option is the referendum, the Southern Sudanese

decide their future, if they want to remain in the North or form their own independent state. Track one; we have failed miserably to transform Sudan into a better Sudan so that is why we went to track two. A referendum, the Southern Sudanese voted overwhelmingly 99 percent for the independence of the South. The referendum was very free, fair and transparent. Even sometimes people are actually saying that it was actually very unique because 99 percent, we always here them in the election of Saddam Hussein and other people, but it happened in the 21st century. So it was actually credible, free, fair and transparent.

Yes, there are challenges. Southern Sudan is going to be an independent state come July 9, 2011. This country has been marginalized for years. That is no development at all. No roads, even agricultural resources that we are so good in we have not yet developed. We are relying on oil. Ninety-eight percent of our budget from the South is from oil. So definitely there are a lot of challenges that we need to meet in July, already starting from now until July and beyond. Institutions are very weak especially institutions that can actually deal with issues of human rights and the police. When we went in in 2005 to govern Southern Sudan, there was no police. Institutions are not there. And then definitely we need help to make sure that the police force is built from the guerrilla soldiers into a professional police officer so they can actually deal with communities.

The rule of law is something that we really need to be supported on so that we can actually deal with the issue of human rights. Definitely Salva Kiir is somebody who is promoting the issue of -- because we have been fighting

for democracy and justice for all, so definitely we are advocates of preserving human rights.

So in a nutshell I wanted to finally say that definitely we are going to be an independent state but Northern Sudan and Southern Sudan will continue to be there as neighbors. So there are issues of postreferendum issues that we need to tackle. One of this is actually the issue of oil because now the pipeline is going northward and the oil 80 percent of it is in the South so the North they need is and we need the North so that we can cooperate on this issue of oil industries. Then definitely the issue of refineries. They are in the North and the oil is in the South. We really need one another. The issue of border. Our citizens will actually cross the border because this border in Africa, it is actually not a border that is fenced so you can actually walk from there to here. Like myself, I'm from a border between Ethiopia and Sudan. So there is nothing that actually you can see on the ground that is actually this is the line where you can stop so your cattle can cross and people also can cross. So definitely we need to actually agree on how we can actually manage this border.

And many other issues, the issue of debts and assets and issues of currency. These are the postreferendum issues that we will be dealing with before July 9, 2011. But definitely as a young government we need your help in making sure that our capacity is built and we can govern effectively because the most important thing that we are actually tackling now is the issue of governance so that we can govern effectively because most of the things that are happening in Africa is weak governance so that people are not happy with their government

and they rise up against that government. So we wanted to make sure that we start with equal footing and we can actually build a viable state come July 9. I will stop here. Thank you very much.

MS. FERRIS: Thank you very much. Ambassador Odembo?

AMBASSADOR ODEMBO: As you can see, we are from the same stock. Good morning, everyone. Thank you much, Madam Chair, thank you Special Envoy Ezekiel.

It's a pleasure for me to be here to speak briefly about Southern Sudan, a country that I know a bit about but not as much obviously as Excellency Ezekiel does. I between the years 2007 and 2008 was in and out of Southern Sudan at least six or seven times in my capacity as a civil-society and development and human-rights activist at that time based in Nairobi. That is my background as was mentioned earlier. Our agenda at that time was to start working in the CPA arrangement as Special Envoy Ezekiel has mentioned, the need to build civil society because there was an almost nonexistent civil society. You had people who had been fighting in a civil war for many years and therefore during this period of the CPA some of us thought that it was very important that we engage with civil-society organizations in Southern Sudan and help starting to build capacity.

It was during that time that it was quite apparent to me meeting and talking with many civil-society leaders in Southern Sudan that the referendum was going to come and that it was going to be fairly conclusive that most Southern Sudanese as Special Envoy Ezekiel has mentioned were not

happy with the status quo. Economically, politically and socially, yes, marginalization continued. People didn't feel that they were adequately represented. And for those of you who have been to Southern Sudan, you will appreciate that it lacks in the most basic of facilities and infrastructure, everything from education to health care and big infrastructure such as roads, electricity and so forth.

Kenya as a neighbor, again, it is in Kenya that the Comprehensive Peace Agreement was signed. I was standing no more than 10 yards behind the late John Garang when he signed it at Nyayo Stadium in Nairobi. We as Kenyans celebrated the signing of that Comprehensive Peace Agreement as if it was ours, but mostly because we had engaged very significantly with the North and the South and we have tried all along to maintain a honest-broker relationship with Khartoum and Juba as well in the course of the period of the Comprehensive Peace Agreement because it is our belief that come July 10 when the CPA ends there will be a post-CPA period and program that we will need to embark on and it is extremely critical that the relationship between Juba and Khartoum be one that is healthy, one that is facilitative, because, again as the Special Envoy has mentioned, there are a number of fairly serious pending issues. I don't see the international community as having paid enough attention between the time of the referendum and July in addressing these. I know everybody is working in different ways, the U.N., the United States, the European Union and the African Union, but I honestly do not see a comprehensive, robust



program that recognizes the fact that between the referendum and July we have some weighty issues that really needed to be tackled.

So we will be waking up on July 10 and we will still have a number of these issues still pending, but the situation will have changed because we will be then dealing with a situation where we have two countries and if it was difficult negotiating these while we were under this arrangement of a semiautonomous Southern Sudan and still under one government in Khartoum, I suggest that it is going to be even more challenging to now deal with these weighty issues beyond the Comprehensive Peace Agreement time.

My feeling is that there are big economic issues that need to be sorted out because Southern Sudan is going to become independent. The referendum was 99.999, it could not have been more resounding, but the work begins, the reasons for which Southern Sudan has wanted to secede and become an independent country and other issues that Excellency Ezekiel has outlined very well, marginalization and exclusion. Once July 10 arrives, those issues will still have to be dealt with because there are issues within the South, and we have to make sure there are no communities in the South who feel marginalized in this new arrangement because it is not homogeneous. There are obviously common platforms that the people of Southern Sudan were able to agree on and in their decision to secede from the North that was very clear, but now there will be a new set of challenges as the Special Envoy has mentioned that the Southern Sudanese will have to deal with. Some of them are political

and have to do with issues of human rights, issues of governance when Southern Sudan becomes independent, but then there are social issues.

The lack of infrastructure in Southern Sudan is incredible. In my opinion, with the post-CPA/U.N. IGAD, the Intergovernmental Authority on Development Arrangements, there really needs to be the equivalent of a Marshall Plan of some kind. I think nothing less than a Marshall Plan for Southern Sudan will do. The reason why I say this is because if we don't move with haste so that the people of Southern Sudan begin to feel that life is changing, that life is becoming better, that their basic needs of food, water, access to health care and access to education are addressed quickly then I think the challenges that have been mentioned will be even greater.

Kenya stands by the people of Southern Sudan. Kenya looks forward to a continuing engagement with Southern Sudan and Juba. We already have a very, very good relationship. I think we invited Southern Sudan to join the East African Community before the referendum and I think the indications from President Salva Kiir are that Southern Sudan will become a part of the East African Community, the regional bloc of Kenya, Uganda, Tanzania, Rwanda and Burundi, I think the inclusion of Southern Sudan will be part of how we can fast-track the economic development that needs to take place in Southern Sudan less people get disillusioned.

I want to bring to your attention that Kenya of course in terms of the civil service that needs to be developed has engaged and continue to engage and have made some serious commitments to the tune of \$10 million in the next

3 years to work with Southern Sudanese civil society, to work with the Southern Sudanese government to build the civil service. We are starting from almost scratch to build the police, to build the military and we will continue to engage with Southern Sudan because we know very well that a prosperous and developed Southern Sudan is in the good of the rest of the region.

Congressman Christopher Murphy of Connecticut had a very good statement so that if you go to Congressman Murphy's website you will see a statement that he has issued to Congress with regard to some of what he thinks need to be done and also highlighting the role that Kenya has played in Southern Sudan and in the Comprehensive Peace Agreement between North and South and the very critical role that we look forward to playing as Kenya in Southern Sudan. I thank you all very much. Thank you.

MS. FERRIS: Thank you, Mr. Ambassador. We turn now to Joyce Leader in a bit of an obstacle course here.

MS. LEADER: Good morning. Thank you very much. I am very pleased also to be here. As Beth said, I got to go to Southern Sudan to Juba to do some work for them with the Southern Sudan Human Rights Commission. It was for only a week and it was my first visit to the country of Sudan although I've spent a years in my career dealing with Africa working and living in Africa. I had never been there before so I do not claim to be an expert, but I would like to share with you today first to let you know about the staggering magnitude of the internally displaced peoples problem or issue there, and then to make just a few observations that grew out of my work with the Southern Sudan Human Rights

Commission and the interviews that the assessment team that I worked with from the organization had during the week that I was there.

There are two sorts of the internally displaced and those would be those who are within Southern Sudan proper and the 10 states there, and the second would be those who are going to be returning from outside now that the country is gaining its independence.

In the first group, the largest group is the victims of conflict. There are people who have been victims of communal violence, competition over scarce resources particularly water and grazing, and food insecurity exacerbates these kinds of conflict as does drought. When the rains come the conflict diminishes, and when the rains don't come the conflict increases. Flooding when the rains do come becomes the flip side of that coin and there is a lot of displacement with flooding.

I should say the numbers of conflict last year were about 220,000. That's the neighborhood that we're talking about. That's about the same number that was displaced internally at the end of 2009. They are predominantly in Jonglei State and Lake State where the communal violence is pretty significant. But the other kind of violence is the local militias and in particular the LRA which is as many of you know the Ugandan group that has taken refuge in the northeastern areas of the Democratic Republic of the Congo and they have made lots of raids into the western part of Southern Sudan, and 42,000 people were displaced last year as a result of that. And there were even more people who came as refugees from the Congo into Southern Sudan.

There is some development displacement from the oil. The oil wells have been built on land that belonged to people, many of whom fled during the fighting during the war. There are some war displaced, a number that's not been really calculated. People who instead of fleeing from the border areas because that's where most of the displaced people have originated from, instead of fleeing North, some of the fled South, didn't cross a border, remained displaced within Southern Sudan, actually displaced some farther South who became refugees and these people are fairly well settled and have been for decades and don't really consider themselves displaced at this point.

Then there are the people who are going to be returning. Since 2005, of the 4 million who were displaced to the North during the years of war, 2 million have since returned. By October, 2 million had returned to the South. Staggering numbers as I said. Since October, keeping pace with the previous return rate, 250,000-plus have returned to the South and this is according to figures from IDMC, the Internal Displacement Monitoring Center, reports and OSHA reports similar kinds of numbers. This leaves about 1,700,000 in the North in and around Khartoum.

The other kinds of returnees of course are those returning refugees where 500,000 fled across borders to neighboring countries, 400,000 the UNHCR estimates are likely to return during this year. I should say, and I'll come right back to this, that the Southern Sudanese Relief and Rehabilitation Commission is planning for returning 1.3 million more from the North to the South during the course of this year.

A few observations. The government and the international community of IDP stakeholders I found to be totally focused on the return issue. They were particularly seized with the process of return. The Southern Sudan Relief and Rehabilitation Commission had a prereferendum strategy of getting back as many people as possible as quickly as possible, hopefully all, before the referendum. That was scaled back a little bit to slow down the pace a bit, but it's still called an accelerated return plan, as I said, to bring back essentially all of those living in the North. Some of these people are coming back spontaneously, others are being assisted but they're trying to plan for transporting this many people back and IOM, the International Organization for Migration, is their partner for the transport aspect.

On paper their plan looks very good and it's totally consistent with the guiding principles, but I would say that there are a few questions that need to be asked. One is the voluntariness of it. When I posed that question to an official at the SSRRC, they said that they would be able to express where they wanted to go when they got to the reception centers inside Southern Sudan and I thought that might be a little bit late if they were people who wanted to stay in the North, but in a way things may have been overtaken by events because the North has said that all of the southerners should leave so that now they're afraid so that many are going whether that's their first choice or not with expulsion and the possibility of losing citizenship if they stay in the North.

Protection is another issue on these return journeys which are quite long. They have been attacked, they have been stalled for one reason or

another, the roads have been closed so that there are a lot of issues along the way that are things that have human-rights implications and the protection of IDP implications. Of course, reintegration itself with this many people returning to places as the representative said where there has been no development, no roads, half the people do not have access to clean water, 1.4 million in the South are dependent on food assistance because food insecurity is a very major problem throughout the South so that these kinds of pressures will need some watching in terms of potential for conflict, the potential for differences and all kinds of issues. The pressure on services as you can imagine with the lack of schools, lack of clinics and lack of access to water. In its planning the Southern Sudan Human Rights Commission has been part of the National Planning Task Force for IDP Returnees, but I didn't get the impression that staff in the organization itself were seized of this matter. I did discover part of the reason was that the attitude is that the organization has a reluctance to take IDPs as a separate group of people separate from all the others who are disadvantaged and who need services and who need support. So they want to look at it more as a community-as-a-whole issue, a holistic-community approach which makes a lot of sense in these circumstances, but it also sometimes can overlook some of the issues and human-rights concerns that are unique to persons who are displaced or who are trying to find their way back to their place of origin. The mandate of this organization doesn't mention IDPs specifically; it talks about population of the region.

I should mention also that the policy of the government is to have the people return to their place of origin. Some of them have been displaced for decades. They haven't been to that place of origin. They've developed a different sort of lifestyle from a rural lifestyle. They've been much more urbanized in the North during their time in the North. There are no livelihoods for them to come back to, but many still do not want to stay in those rural areas and are migrating to the towns and urban areas so that this is again putting new pressures on those areas as well.

Back to SSHRC. They did talk about IDPs, internally displaced persons, in their 2008 annual report which is the last one they've issued for budgetary reasons predominantly. They did talk about camp conditions being very difficult. They also interestingly noted the challenges of IDPs who were returning to places of origin that were occupied by other people, or oil wells or something of this nature, lands that they thought they had but they unable to return to. And IDPs I found also are mentioned in the work plan goals and strategies and now the organization has hopefully in part as a result of our mission named one of their staff persons their human-rights officers in their protection unit to be a focal point for IDPs so they can begin to look a little bit more closely at the group that does have some special needs.

The UNHCR is the lead protection agency for the internally displaced. They somewhat share this with the United Nations mission in Sudan which had the full responsibility in a way for protection but now is mostly focused on physical protection while UNHCR has taken on leadership of the protection



cluster under the U.N. system of trying to support the IDPs. The protection cluster got off the ground in July and is co-chaired with the Norwegian Refugee Council which is an NGO and they've initiated a rapid protection needs assessment strategy which includes interagency humanitarian organizations, U.N. organizations, NGOs, and government agencies could probably be also involved although I'm not absolutely sure. They're working at the state level. The government of Southern Sudan has the 10 states and they've devolved a lot of the administration to the state levels and this is where a lot of the action is going to take place. This rapid protection needs assessment has been called in to service 10 times in the first 6 months of its existence probably mostly in response to communal violence of militia attacks that may have caused displacement. Of course, the UNHCR is looking into early reintegration issues as well.

I would note that the UNDP which you might expect to be involved in many of these things is not really doing that. They have focused all of their attention as I understand it in Southern Sudan on building the capacity of these state administrative units, the ministries that are represented at the state level and so forth and they've offered funding to the Southern Sudan Human Rights Commission to help on IDP activities at that level.

I would also note that there is a bit of a policy vacuum on IDP issues. There was a 2009 national policy on IDPs that adhered very closely to the guiding principles on IDPs but I was told that it was written under duress from the international community and never was implemented. But there are so many

issues that are likely to need policy guidelines, although it's not seen by the Ministry of Legal Affairs and Constitutional Development as a priority now given all of the other postreferendum priorities and independence priorities, but they have asked UNHCR to help develop a policy for durable solutions.

The Southern Sudan Human Rights Commission will want to try to work on strengthening its IDP protection work through increasing networking with the other organizations that are already working on IDP issues and bringing to it this human-rights and IDP-rights aspect, it will also benefit from partnering with these other IDP stakeholders particularly in the states. I found that there were some excellent opportunities for the Southern Sudan Human Rights Commission to do this. The UNHCR invited them to become part of the rapid protection needs assessments when they took place in the various states and they urged UNHCR to join them in helping to develop the policy on durable solutions. They also encouraged them to become more involved in advocacy to support and reinforce messages of the international community using their privileged position to carry these messages to government actors.

The UNDP as I mentioned did offer financing and the Legislative Assembly has a Committee on Rights and Humanitarian Affairs that have requested assistance with training legislators on IDP principles because they are going to be engaged in monitoring returns and in advocacy work at the state level talking with governors about preparedness. They wanted to be more knowledgeable about that and I think that offers an opportunity that would also allow senior levels of the Human Rights Commission to be in tune with the

guiding principles. Outreach is another activity that the Human Rights Commission is going to be engaged in now that they've been trained, some of their people have been trained as trainers so that this is going to be another activity that they will be able to be engaged in as the returns issue becomes more front and center on their agenda as it will be definitely on the agenda of the Southern Sudan government.

MS. FERRIS: Thank you very much, Joyce. Andrew Natsios?

MR. NATSIOS: Southern Sudan is facing two major challenges, one is external and a whole set of internal issues and let me talk about the external problem it faces. That is that the new Northern Sudanese state because it is not the case that one new state will be birthed on July 9. Two new states will be birthed. The Northern state will be profoundly different without the South in it and everybody knows that in the North and people know that in the South.

President Bashir said December 20 that with the South leaving they will now constitutionally impose in the Sudanese Constitution that the statement that the Northern State is an Arab Islamist state. That is sure to cause political unrest in the North. Why is that? At least 45 percent by my calculations of the Northern Sudanese state after July 9 will still be African and they do not want to be called Arabs and they do not want an Arab state. All that will do is cement in place the same kinds of issues that have existed since 1956.

Secondly, there are still half-a-million Christians in the North, but there is also a large body of communist and socialist people on the left in the North who may be Muslim in their personal religious beliefs, but they are not in

terms of their political views. They believe in a secular state and they do not want Islamism in the Sudanese Constitution. There is also a large body of Islam that comes out of the Sufis tradition which are very ambivalent about the notion of an Islamic state in the North. In fact, Hassan al-Turabi who is sort of the bin Laden of the North and the leader of the radical Islamist movement since the 1960s, his party never got more than 18 percent of the vote in any of the legitimate national elections that were held. So by previous votes we have evidence that this is a large minority, or not even large, 18 percent is not a large minority so that Sudanese public opinion is very mixed on this subject and any attempt to impose an Islamist Arab state in the North constitutionally and legally will force the organization of the Darfuri rebels, the Nuba Mountains, the Blue Nile constituencies led by Malik Agar who was elected governor by 56 percent of the vote in a legitimate election, he is a Northern governor and he was an SPLM commander. He is a Muslim and he's a Northerner and he's an African and he is a secularist in terms of his views of the state. He was elected legitimately against the NCP, Bashir's party's, candidate so that we know that in Blue Nile Province in a legitimate election that the great bulk of the people against Bashir's own party. The Beja people were already in revolt in the Red Sea Province and in the Northern part the Nubian people are very upset with a whole bunch of issues so that there is unrest in the North now. If the North destabilizes and I think there is the risk that it could because of the behavior of the regime, it will affect the South in several ways. One is there will be a Northern SPLM party that will be a separate party as it will be an independent state, but they still have

association with the South. Two, more importantly for the South since as Ezekiel said a large portion or almost all of the revenues of the Southern government includes a number of people on the public payroll, they have a large state structure at this point who rely on those oil revenues for their paychecks, if that stops because of chaos in the North, it will affect the South. The oil pipelines that could go through from the South through Ethiopia or Kenya will take 10 years to build. It can't be done overnight. The oil pipelines now that go through two oil refineries in the North to Port Sudan could be affected if there is a civil conflict in the North, and there could be under these circumstances.

I think stability is very important for both the North and the South. The Arab revolution going on in Northern Africa and the Levant in the Arab world is affecting the North in a very interesting way. You can see the statements being made by President Bashir and other members of the NCP government in Khartoum. They see this as a victory for their Islamism. The Islamist movement is divided in the North between those in the government, Bashir's party, and Hassan al-Turabi. They had a personal split and they hate each other, but they are still Islamists and their ideology is very much the same. They're a little bit more pragmatic in the government and Turabi is still quite radical. But the fact is their ideology is the same and they see the removal of the Mubarak regime in Egypt as a victory for their allies in the North because they came out of the Moslem Brotherhood in Egypt. That's where the whole Islamist movement started in Sudan. Their statements in the North are getting quite arrogant in the Northern government and self-confident. They saw themselves surrounded by

secularists before; they see them now surrounded potentially by their allies, the Islamists. They have had a long-time 20-year treaty with Iran. Iran has base rights in Port Sudan. This is a public treaty and is not a secret that any Iranian ship can land without any permits or approvals or anything else in Port Sudan. They have armaments factors and they have advisers in the Northern Southern Sudanese Army so that there is a very deep relationship. In fact, the closest ally of Iran in the world is the Southern Sudanese government. Those relationships will be cemented and not diminished after independence of the South. The North is still a serious issue even after July 9, it's not going to go away and depending on how the Northern government deals with these issues of secularism versus Islamism and Arabism versus a more inclusive state will affect the stability of the North and therefore the South.

Secondly, with respect to the South, there is a series of very, very important issues that have been discussed but let me just add a few comments. This is not a reconstruction effort in the South. It's a construction effort. One of the least-developed areas in the world is Southern Sudan. There was a policy of the British to keep the Arab slave traders in the North away from the South during the period of independence from the beginning of the 20th century until independence in 1956. Their policy was to keep everyone out from the North to protect the South, but it also meant that the South until very late had no schools. The only schools in the South were missionary schools run by the Anglican Church and the Roman Catholic Church, the British did not build infrastructure in the South and that was a major impediment to development and that's what the

South is attempting to do right now using oil revenues and I think they've made remarkable progress in 5 years. I am astonished at the international organizations and aid agencies and NGOs complaining about progress. They should have seen the progress the United States made in the first 5 years in the republic. We didn't have anything in this city. The city was a giant swamp for the first 10 years, it took a long time and the southerners are actually far advanced from where we were in the United States in the mid part of the 1790s after our independence. They're making progress. They have a huge problem on their hands and that is they do not have an educated workforce. They have an 85-percent illiteracy rate, the United States had a very high literacy rate at its independence and that was a major factor in our development in the 19th century, the fact that we had an educated workforce and some preexisting institutions.

The remarkable thing about the South is it is not simply oil that they have in riches. They have water and huge water resources all over the South, not just the Nile River, but the Sud is the largest wetland in the entire world. There are 2 to 3 million animals and wild-animal herds in the east of the Nile River. It is the largest wild-animal population left in Africa. It's larger than the Serengeti or some of the other game parks in the South. In fact, there are several species that we thought were virtually extinct, and there are 50- to 100,000 of these antelopes in the east and they are beginning now to look at development of the tourism in the eastern part of the South.

Secondly, they have huge mineral resources, among the richest mineral resources in Africa. They have luxuriant soils in a content where frankly most of the soils of sub-Saharan Africa are very weak and are not strong. That is not the case in Southern Sudan. They have 60 or 70 feet of extremely rich black topsoil so that the possibility of large-scale farming in the South is very real. Anne Itto, a Ph.D. from Kansas State who is an entomologist is the Minister of Agriculture who was educated in the United States. She knows all of these issues. I just met with her a couple of weeks ago. She knows exactly what needs to get done. She is highly educated who is a very good manager and very tough I might add. She is going through all of the things they need to do to begin to grow food on a large scale in the South including inviting companies in or people in from other countries who are used to running large farms in a scientific way which is a very wise thing it seems to me under these circumstances.

The South is also very thinly populated compared to other countries. Kenya, Uganda, Rwanda and Burundi are the size of Southern Sudan geographically. Those four countries have 92 million in them; Southern Sudan has 8- or 9-million people so that there are large tracts of land where there should be no displacement as they are not used right now so that the South can develop plans without having to displace populations. There are conflicts as Joyce has said about who will settle where, but there are large areas of land that could be developed in the South without a lot of political turmoil which is very unusual in many of these countries and very rich land I might add.



The biggest problem in the South will be the development of functional institutions, public, private and nonprofit. I want to say that we all know in development theory and development practice that the thing -- in fact there's a lot of literature on this at the World Bank and Douglas North won the Nobel Prize for developing institutional economics -- the principal reason wealthy northern countries are wealthy and stable and democratic is because of the density, the resilience and the legitimacy of institutions. That is what distinguishes poor from rich countries. The South has only two broad categories of functional institutions. One is the SPLA because the war has been going on so long. Commanders give orders and orders are carried out. The SPLA is a functional military. It's still a guerrilla army and it's being gradually transformed. The Kenyan government is doing some very important work. I think the manuals being used in the southern training schools to train their NCOs and their officers are Kenyan because the South has decided on English as the lingua franca of the South. They're in English and have been changed over the years by the Kenyans in a way that is very compatible with the South. One of the things I did when I was envoy is that the U.S. government paid for the mass reproduction of these manuals and the Kenyan Army was very helpful in doing this. They are being used in the South to transform the army into a conventional army under the control of civilians and it is very important not that they interfere in politics in the South. The second functional institution which is something that people are nervous about in this city and in this country in dealing with is the church. The fact is from my estimates is that the fastest conversion to Christianity of any country in modern history was

Southern Sudan and there are a variety of reasons for that that are beyond my comments today. But there is a reluctance in international organizations, bilateral aid agencies and some secular NGOs to deal with the church. The church is not like it is in the United States sort of another institution. It is the institution. During the civil war the church provided the schools to the extent that there were schools. They were the social organizers. They were the local government. They maintained some of the roads, and to the extent that they could get any health care in, it was the church that did that. There is a reluctance of aid agencies to deal with church institutions in the South. I might add that the best way to make sure the southern government deals with human-rights well is to train the pastors, the priests, the bishops and the archbishops in international human-rights law. If I were to do something in the South it would be with civil society and a civil-society organization capable of getting the southern government to pay attention to any issue is the church. There are a very devout Christians in the government but there is no reluctance by the archbishop of the Catholic or the Anglican Church or the Pentecostal pastors to go in to see Salva Kiir or the government and say you're not doing this right. We want this. The people want this and they respond it. They take the Church very seriously but it's an entirely independence force from the government. If I had a recommendation to make to the international organizations, they'd better put aside this Western mindset of the separation of church and state in the traditional Western sense. The southerners do not want theology in their southern constitution, but they want us to reassess how we view religious institutions in both the North and the

South. Also with mosques in other areas of Africa concerns dealing with the grassroots religious institutions which are not doing a good job at.

What is it that we should do in the United States? We still need a robust aid program. I think we have to reassess how it's working because a lot of the focus is using traditional institution-building techniques that do not work in the South for a variety of reasons. The northern policy during the civil war was to destroy as much traditional organizational structure as they possibly could. They persecuted the church and 4 million people died. There is a demographer named Millard Burr. There are a lot of silly or exaggerated estimates of the number of people who died in Darfur. That is not the case with this 4-million estimate. Millard is a Ph.D. in demography. He did a study for the U.S. Committee for Refugees and tracked how many people died in the war. Four-million people have died from 1956. Almost no other civil war in the world other than Afghanistan suffered casualties like that. The destruction to southern society was a policy of the northern government since 1956. It's not just Bashir. It's been done by every single government in the North since 1956 and it has had a profound effect in the South and we need to recognize that. So we need an aid program that assesses where the South is developmentally which has not been done. It's trying to transfer things that work in other countries to the South and they don't work very well and we need a different approach.

Two, personally if the South wants to it and only if the South wants to do it to tie the U.S. economy as we have in many other countries where we have allies. We've done this in Morocco, in Jordan, in Chile and Peru, we're

about to do it in Colombia and Central America. We've done it with Ghana. I think we have a free-trade agreement with Botswana. So there are a number of countries in the world that are allies of the United States that are stabilizing forces in unstable areas where we've signed free-trade agreements to hold down all of the trade restrictions between our countries and that will encourage American investment in the South which I think would be very good for the South.

Secondly, I think we should as a government sign a security guarantee, a formal treaty with the South after independence that protects the territorial integrity of the South that is after the issues have been settled as to where the border is and I'm not suggesting the United States get involved in that other than as a mediator. But I think that we need to do what we did with South Korea after the Korean War, a security guarantee and a formal treaty, not to station U.S. troops there, but an agreement as to how we will see any attack on the South. If the South remains stable, it will stabilize all of East Africa. The North-South war has destabilized the entire region for 50 years. Ask the Kenyans, the Ugandans or the Ethiopians. There were a lot of fears in Ethiopia and Kenya as to what was going to happen if the war started again. They were going to seal their borders because it has caused so much chaos in the neighborhood. Stabilizing the South is in the interests of all of East Africa and it's frankly in the interests of the North as well. I think the North should know what U.S. intentions are.

The third thing is I think we need a large U.S. embassy in the South. I've had people here who see the United States as an imperial power.

That's not what I'm talking about. This is if the South wants it. Every southerner I've talked to wants a large U.S. diplomatic presence in the South. Why? It's an indication that we intend to stay there and have a presence. They want a U.S. presence. They want an alliance with the United States that's not based on this victimology thing where we see the whole South as a bunch of victims. That's how everybody perceives the South. The South is about to become an independent country. We should stop treating them like a victim. It's not healthy and it's also not accurate. They're a sovereign state. They're going to have an Ambassador to the United Nations; they're going to have an Ambassador to the United States and other powers. They are a sovereign state. We should treat them that way and thinking of them simply as victims. Have they been a victim? Yes. But they're transitioning to a new position in international affairs and African affairs. They're going to be a member of the African Union and I think we should change our attitude as to how we see the South. Thank you.

MS. FERRIS: Thanks to all of our panelists. We have time now for some questions. When the microphone comes your way, please introduce yourselves.

MS. DAHAN: I'm Shopa Dahan. I'm a second-year master's student at Georgetown University. All of you mentioned capacity building and Professor Natsios mentioned that Southern Sudan has an 85-percent illiteracy rate. How does one especially in these crucial years find enough civil servants who are educated to bring the government to stability over time?

MR. FREEMAN: Lawrence Freeman from "EIR" magazine at the African desk. I was particularly in the Ambassador from Kenya's remarks on a Marshall Plan. This is what I've also been discussing in my trips to Sudan. The entire country of Sudan needs to develop around water, power and food. In fact, the entire region using Sudan's agriculture, using new water agreements from the South and from Ethiopia. This entire area can be developed to produce food in abundance for Sudan, in abundance for the Horn of Africa and in abundance for the Maghreb. This is infrastructure development. This is the power of energy, water development and rail development. The question is how is this going to be done and the Marshall Plan is the right example. I think the Western economies are collapsing. The euro may collapse this week or by Monday. This poses the question of getting an economic system to provide credit. I think this is in the interests of the South and the North and this is what I've tried to discuss with people. We have to get over some of the long-term prejudices and I think the South has to recognize that continuing to blame everything on the North is a loser. There are real problems and the unity of a common-interest approach for Sudan and the entire Horn of Africa is in their interest. I think this is far better than free trade or depending on markets, but I would like your response.

MS. FERRIS: Thank you.

MR. TESLICKO: My name is David Teslicko from the Public International Law and Policy Group. Most of the recent media reports have dealt with allegations by the South of northern material support for rebel groups or other destabilizing forces and I was wondering if the panel could comment on

how large a factor that will be in impeding negotiations both during this transitional period and postindependence. Thank you.

MS. FERRIS: Let's take one more perhaps.

MS. CORVIN: Katie Corvin from Creative Associates. I'm also thinking about the education sector and I'm wondering what role peace education will play in the ministry especially considering that a good number of the teacher workforce will be ex-combatants.

MS. FERRIS: Thank you. We can turn to our panelists now. We have two questions on education, finding educated Sudanese to provide leadership and the role of peace education, the issue of a Marshall Plan and always the question of northern support for southern rebel forces.

AMBASSADOR GATKUOTH: Thank you very much. I think I will answer the issue of support by the National Congress Party to the militias in the South. Yes, we had a meeting this past Sunday on the 21st in the U.N. Security Council with the government of Southern Sudan calling or asking the U.N. Security Council to convene a meeting to investigate the support by the North to the militias. Yes, it is true. The documents are there, and not only documents, but material support like guns, uniforms and all of this they are there. And even those who were captured during when we were fighting those militias, they testified and they said we got our guns from the North in Küsti and a other places. The support is actually real, but what is actually the benefit of the North by doing this? This is the question that we are asking.

I think there are two things to this. Of course one, the North they have tried to prevent the referendum not to take place by encouraging militias to destabilize the South from the beginning. This is not a new strategy. It has been there during the war, but we thought that they are going to stop this. I think what they are trying to achieve is actually to disrupt the referendum but this one was not possible because the Southern Sudanese were united, the South saw that the dialogue was there. The international community was united to making sure that the referendum is going to be held on the 9th of January 2011. So they were squeezed into this. They were pressured to accept the reality of the situation internationally and inside the country.

But now the referendum is gone. Another way of actually reactivating this strategy to destabilize the South is to have their own government that will be loyal to the North basically, just the situation of Syria and Lebanon in the 1970s and 1980s. Syria wanted to have their ally in Lebanon ruling this country. This is basically the strategy. This means more than 22,000 Southern Sudanese from the Sudan Army in the North and retraining them and then sending them to the South to go and take over the government, telling them that, yes, the referendum is conducted, you are going to be an independent country but you take it because you are ally. This is actually the reality that is happening.

But what are they going to get out of this? I don't think they will benefit out of this because they will not overthrow the SPLM. It is going to create bad relations between the North and the South we don't want. And it will actually even because it's a tit-for-tat if they are doing it. We are capable of doing it also.



But this is not going to benefit us and that is why we are telling them and the world that let us actually work together to make sure we end the war in Darfur and we have an agreement on the postreferendum issues, in oil, debts and assets, currency, because we know that the North needs us and we need the North and this should be the thinking in the North.

On the issue of education, we have enlarged Southern Sudanese who are actually in the Diaspora. Especially here in the U.S. we have 150,000 Southern Sudanese who are staying in different places, like in Nebraska we have over 10,000 Southern Sudanese who are staying in Omaha, Nebraska. I don't know why they are there, but they are there. So definitely some of them went to school like myself and David here and Enoch and many others who are actually in the room so they can go back home and the assisted to get home so that they can actually help for the development. Andrew, I'm sure he knows about this, the USAID was actually trying to initiate a program, a Southern Sudanese skills-transfer program, transferring the skills of other Southern Sudanese in the U.S. to Southern Sudan so that they can help and they can be assisted by providing some incentives so that they can go there because they have responsibilities here in the U.S. If they are going there then who is going to take care of their families and who is actually going to -- you need some programs to help them. I think it was done also in Namibia after the war by the U.S. here. So I think the same thing should be done so that we can actually help those who are there in Southern Sudan because the commitment is there, the determination is there, we want to build our country, but if we are lacking capacity, I'm sure you can actually

help in building our capacity in the States because some people are saying in the North they are going to be a failed state because there are many tribes and they don't know how to live together. It is the North that is actually fueling this. After independence the Southern Sudanese, they love each other. We never fought each other from the 1950s and 1960s. It is after the war when instability and ethnic exploitation came about and then we had issues.

So I think we have a large community who are educated. In Kenya we have a huge number of Southern Sudanese there, and in Uganda and Ethiopia. They are highly educated, but I think there has to be a program to actually get them home so that they can help us.

MS. FERRIS: Thank you. Mr. Ambassador, would you like to comment on the question about the Marshall Plan?

AMBASSADOR ODEMBO: Thank you very much. I'll touch on the issue of education again. I do believe with Excellency Ezekiel that there is I think what you would consider a critical mass of Southern Sudanese who are very well educated and very well trained. It's a question of what kind of a program and what kind of structure do we put in place to enable them to get back and be accepted and enable them to become a part of now this new Sudan and play their role in the development of the country.

Education is critical. Again whatever else we do the Southern Sudanese must be educated. The former head of USAID, Special Envoy Natsios has stated very, very well that in fact we have a situation where we must not only invest in education, but we must see education as part and parcel of a program

of building human capacity, enough people not only to fill the civil service, enough people to run the private sector, enough people to run the nongovernmental and civil-society sector, so that that education will cut across everything that needs to happen in the Sudan including the reference that I made to a Marshall Plan. It will not be possible. It cannot be a Marshall Plan that is imposed by anybody from the outside or the international community in whatever shape or form on the people of Southern Sudan. The Southern Sudanese must be a part and parcel of any strategy moving forward and there needs to be a 20- to 25-year strategic plan and it needs to be a comprehensive one. It cannot be piecemeal. What I see beginning to emerge with the current efforts, the post-CPA/U.N. IGAD arrangement isn't long term enough. It needs to be 25 to 30 years. A lot of what needs to be done in Southern Sudan will take many, many years and for that to happen there needs to be a comprehensive long-term strategic plan and it must be developed with the people of Southern Sudan. Kenya has one of the oldest public-service training programs. The Kenya Institute of Administration was set up in 1950. Within the continent it is one of the oldest. We have one of the most sophisticated civil services so to speak. We have heard in the last 6 years of a number of Kenyan civil servants going into Southern Sudan and working with the people of Southern Sudan. We have actually in the last 1 year established the Kenya Institute of Administration in Juba. In the last 6 months we have had more than 20 Southern Sudanese trained in our Foreign Service Institute in Kenya as diplomats. This has all been happening in the last 1 year or last 1-1/2 years.

The Marshall Plan may be the wrong word because I think again Special Envoy Natsios says that a Marshall Plan might imply that you want to reconstruct. There is no reconstruction. We are beginning from scratch so a Marshall Plan might not be the right word here, but what I'm saying is it has to be a comprehensive, robust, long-term program with all the resources. It cannot be business as usual. In terms of financing, not the usual financial mechanisms -- the World Bank and the IMF will do here. We need to think about new and innovative ways to provide financing to enable the building and the development of infrastructure in Southern Sudan to happen. I think I'll leave it there.

MS. FERRIS: Andrew or Joyce?

MR. NATSIOS: Let me make a comment about the Marshall Plan comparison because I've heard it many times before. It isn't appropriate. The Marshall Plan was a credit plan through European banks that existed for 300 years before the Second World War with a highly skilled -- in fact the best-educated workforce in the world was in Europe. A lot of them had been killed and the infrastructure had been destroyed, but the institutional sophistication of Europe was among the most advanced in the entire world, even in some ways more advanced than the United States was. What we did was pump capital into existing institutions and that's what led to the Marshall Plan. We didn't go in and build any of the stuff ourselves. There were construction companies all over Europe. We didn't have to train anybody in construction techniques in Europe with German engineers. Germany had a 60-percent literacy rate in the 18th

century and they had a 100-percent in the 20th century. Their political system was extremely dysfunctional. It's not really comparable.

I do think that a long-term presence is absolutely essential and my fear is because of the short-term nature of our political system in the United States that we're going to do something for 2 years or 3 years or we have this counterbureaucracy in Washington that I've written about that demands metrics for how much progress we're making by the week or the month and quarterly reports with thousands of statistics. It is a waste of time. It is destructive. OMB should stop doing it. The I.G. should stop doing it. The Congress should stop demanding it because it's diverting the AID and its partner organizations from getting the work done. It's not going to happen overnight. It's going to take 10 or 15 years. We should stop taking this short-term metric-based quantitative approach because that is not going to help develop Southern Sudan. That's outside AID's control. We've resisted it for years and it's just being rammed down the agency's throat by the counterbureaucracy in Washington which is another issue.

MS. LEADER: I would like to make an anecdotal comment on the education situation. The people who I met, the young people who I found when I was going interviewing people and organizations and so forth, many of those who were in positions of mostly support staff kinds of things or even officers were returned refugees who had been educated from refugee camps, who had been educated through university by programs that helped the refugees in Kenya, in Uganda, and they were the ones who were providing the intellectual robustness

of these organizations. At the U.N. at UNMIS, I found these people. So there is a cadre there that can be built on. The thing of course is to make sure that they do come and feel that pull to come back and help Southern Sudan.

The other thing that I would add to the list of government, nongovernmental and civil-society organizations that need to be part of this capacity building is the private sector. There is virtually no private sector that I was able to find, and certainly none that was run by Southern Sudanese. For example, the car agency where I had to rent a car and a driver was Eritrean. The water trucks that I saw all around town, the garbage-collection trucks were Eritrean. The camp that I stayed in was run by Indians. The man who ran the little store where I bought my water every afternoon when I came hot and thirsty was Ethiopian. So there are these people around from the neighboring countries who are finding quite interesting lucrative opportunities to make business in Southern Sudan, but it's not the Southern Sudanese, and they're not getting the jobs in these organizations either from what I saw. This is an area also that I think is very critical.

MR. NATSIOS: Let me add something to this. The southern government took a decision 4 years ago to encourage East African entrepreneurs to come into the country and they facilitated 100,000 East Africans, Ugandans, Kenyans, Eritreans and Ethiopians to come in and start businesses and work them on a small scale or even on a larger scale. This was not an accident. It was a deliberate policy because they said we've been at war

for 55 years. We don't have skills developed here; we don't have institutions developed so we imported people.

I might add that the Gulf States did the same thing. Ninety-five percent of the people in many of the Gulf States are not from those countries. They're from Sri Lanka, India, Pakistan, the Philippines or Bangladesh and they were all imported because they had skill sets and a large number of laborers. In fact, there are a lot of Sudanese in those countries in the Gulf States. The South took a deliberate to do this, it was not an accident and they hope over time that there will be skills transfer because Some Sudanese are being hired in some of these institutions. It is an issue, Joyce. You're absolutely right.

MS. LEADER: My point is that it shouldn't be just hope. It has to be a deliberate policy of transferring this.

MR. NATSIOS: Yes.

MS. LEADER: Otherwise it will be domination by the people from the outside who did develop some attitudes about why they didn't want to hire Southern Sudanese.

MS. FERRIS: We're running out of time. Let me ask both of you to make a final comment and then we'll need to wrap up.

AMBASSADOR ODEMBO: Somebody did ask a very specific question about the education curriculum and the issue of peace. I did have an opportunity to look at the curriculum that is being developed for both primary and secondary schools because the government of Southern Sudan has been

working very closely with the Ministry of Education in Kenya and there is a component of peace building incorporated into the curriculum.

Again I think in summary it has been summarized very well that what we are looking at is a long-term strategy and it has to be comprehensive. It can't be piecemeal. It has to make sure that it incorporates and that it is in partnership and in collaboration with the people of Southern Sudan and it has to be across the board. It has to be in the public sector and in the private sector as well. It has to be deliberate. It can't be ad hoc with people coming in doing their business, making their money quickly and running out. And it also has to be in civil society and I agree that a big part of that civil society is a faith-based civil society and must be a part of this agenda, and we really do wish the people of Southern Sudan well. We will work with them.

MS. FERRIS: The last word?

AMBASSADOR GATKUOTH: Thank you. Two things. One is actually our policy in the government of Southern Sudan. Anybody who is doing business in Southern Sudan has to have a local partner. Those who are working there are teaming up with the Southern Sudanese. This is our policy. Otherwise you cannot be registered as a businessperson in Southern Sudan. That's our policy. Also to make them learn from those businesspeople so that they can actually branch out or team up so that they can actually prosper.

The final word is actually what Andrew said before, and thank you very much for your articulation about Northern Sudan. Unless there is a



democratic transformation in Northern Sudan, you will never have peace in the entire region of Africa. Thank you.

MS. FERRIS: Thank you very much. Thanks to the panelists and thanks to all of you.

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