THE BROOKINGS INSTITUTION

WEBINAR

WHAT IS THE FUTURE OF THE SUDANS?

Washington, D.C.

Monday, January 24, 2022

PARTICIPANTS:

MICHAEL O'HANLON, Moderator
Senior Fellow and Co-Director, Africa Security Initiative
The Brookings Institution

PETER BIAR AJAK
President
Revive South Sudan

SUSAN D. PAGE, Ambassador
Professor of Practice, Weiser Diplomacy Center, University of Michigan
Former U.S. Ambassador to South Sudan

NYAGOAH TUT PUR
Researcher, Africa Division
Human Rights Watch

ELIZABETH SHCKELFORD
Senior Fellow
Chicago Council on Global Affairs

JOSEPH TUCKER
Senior Expert
United States Institute for Peace

* * * * *

P R O C E E D I N G S

MR. O'HANLON: Greetings everyone. I'm Mike O'Hanlon with the Brookings Institution and our Africa Security Initiative. And it's my distinct privilege and pleasure to invite you today and welcome you to our event on the Sudans and U.S. policy towards the Sudans as well as the future of those two countries near and in the general northeastern vicinity of Africa, the broader Horn of Africa region.

We have a remarkably distinguished and accomplished panel today. I'm not going to speak a lot here at the beginning except to say a brief word or two about each and then just about the subject. But Lizzy Shackelford is going to help me frame the topic. I want to give her accolades and thanks for helping me with this event but also for her government service, including in the Sudan, she was a foreign service officer.

She recounted her various experiences and frustrations in a book called, "The Dissent Channel," which she published after resigning from the foreign service in 2017. She is currently associated with the Chicago Council on Global Affairs, has been affiliated with the Quincy Institute and is a very thoughtful scholar on subjects concerning Africa and Sudan and U.S. diplomacy more generally.

After we hear from Lizzy, we will hear from Nyagoah Pur who works with Humans Rights Watch based in Nairobi, Kenya with an expertise on the Horn of Africa and Sudan and South Sudan. And she will recount to us as well as the other panelists, how they currently see the situation on the ground at this time when we know the Sudans both have been going through very challenging periods that Lizzy is going to help us again frame in just a moment. I'm not going to try to do a lot of that in my introduction.

Just a couple more words about the panelists. Ambassador Susan Page, a very accomplished American public servant and foreign service officer herself was first U.S. Ambassador to the newly independent South Sudan a decade ago. Is currently professor at the University of Michigan and has been really an inspirational voice on these questions throughout her career and now in her teaching role there.

Peter Biar Ajak is a remarkable individual who has maintained his positive attitude and his wonderful smile despite 18 months imprisonment in Sudan, in South Sudan for his activities concerning elections and promoting the well-being of the Sudanese people. Has now come to the United States and created an organization called Revive South Sudan which he's in the process, along with some others, of helping to build. But he's been associated with a number or organizations over the years, including the World Bank here in Washington but also starting independent organizations in Juba, South Sudan and really and activist and scholar of the First Order. We're very privileged, Peter, to have you with us as well.

And then finally, Joe Tucker, last but certainly not least. A USIP scholar at the Institute for Peace but also with considerable experience living in the Sudans also working with USAID, also working with the special envoy to Sudan and South Sudan within the Department of State. I believe we'll hear from the panelists the position has now been expanded to a broader envoy for the Horn of Africa region which encompasses Sudan and South Sudan. Now held by David Satterfield after my colleagues at Brookings, Jeff Feltman initiated that process early in the Biden presidency.

So thank you for joining us and without further ado, Lizzy, over to you. Thank you for your thoughts in advance and then we'll work through the panel as we frame the situation. Just one last word. We're going to hear from everyone with their explanation of what they see as the most important dynamics and/or characteristics of either Sudan or South Sudan or the two of the together, depending on who's speaking. And then we'll have a second round where we hear a policy recommendation or two from each of our panelists. And then our third and final 20 minute segment will be from hearing from you and with the panelists responding to your questions that you can submit at events@brookings.edu. So thank you and Lizzy, now I really will pass the baton.

MS. SHACKELFORD: All right. Well thank you so much, Mike, I'm really pleased to be here with some friendly faces, people that I worked with on this in the past. These issues are really near and dear to all of our hearts, I know. I've been given the

unenviable task of kind of providing the context for two countries over the past 10 years and how we got here today. So this is going to be a 30,000 foot level view and then we're going to pass it on to other panelists to go a little bit deeper on the separate issues.

So 10 years ago, the split of Sudan left these two countries in very different positions. South Sudan was at this moment of elation and high hopes and a fresh start while Sudan had just incurred a major loss of territory, population and probably most important for that regime, revenue in the loss of most of the oil fields. It's been a rocky decade for both of these countries and neither looks particularly positive from where we sit today.

But they're trajectories over the last 10 years while linked in several ways that we'll talk about, have been really different. South Sudan's independence was considered a big win for human rights and democracy at the very outset. There was incredibly high international engagement and assistance both ahead of to help end the second Sudanese Civil War with the 2005 Peace Agreement and in kind of the launching years of South Sudan's independence.

But history wasn't forgotten at that point. Largely at that time, it was a lot of the conflict, a lot of the abuses that had been conducted by the people who now were leading the country of South Sudan. They were really just right under the surface. The country's leaders were responsible for really horrific abuses during the war and a lot of that was kind of papered over in the name of unity and moving towards the future.

Now, it wasn't entirely papered over and of course Ambassador Page could speak to this. There was a nod to transitional justice and accountability in the original comprehensive Peace Agreement but it was really kind of a side show and it was never prioritized. The movement was towards the future. But the political leaders there proved to be more interested in hoarding power that would facilitate thefts of the resources in the country. And political conflict led to a devastating civil war beginning only a couple of years after independence.

I'll say it's possible even most of us were in Juba at that time that that war began on this panel here today. I know several of us were. It was shocking but not surprising

at that point that war had begun. By that point in time, it had become evident that the government's bad act were systemic and weren't simply growing pains of a new country.

So I'm going to rapidly fast forward through several years and a couple of peace agreements to say that international partners who had been really involved in South Sudan's beginnings were really in a situation where they had little influence beyond being able to provide humanitarian assistance and shepherding two ill-fated peace accords.

The first was reached in August 2015 and lasted less than a year. The second reached in 2018 is still yet to be fully implemented. But we're at a stage now where implementation of that agreement has really been the focal point. Despite the fact that the best case scenario of that implementation is probably going to be that power remains in the hands of a small number of elites who continue to exploit the country's resources to fund security services and patronage that is used to keep them in power.

Meanwhile, violence continues. It is not a peaceful place if you are in the country. Instability is exacerbated by a total lack of governance and by natural disasters that are pushed forward by climate change issues. South Sudan is facing its hungriest year ever as horrific flooding is piling on in areas where last years flooding never receded. And the people who suffer the most have practically no say in the country's future.

We're going to hear more about that in the role that civil society could be playing and should be really promoted in the future but that's where we are today. So that's South Sudan. It started high, it plummeted and it's pretty much stayed low.

Switching over to Sudan's decade which has been really different. I would say a little bit more dynamic but still nonetheless we're in a really difficult situation. Sudan started out low. The financial loss that came with South Sudan's succession helped spur a financial crisis, high inflation. This was also around the same time as the launch of the Arab Spring which certainly did not go unnoticed in Sudan.

Many at that time, I think thought that the country's future fights would really focus on things like the border disputes with South Sudan and disputes over the oil revenue

there. But over time, the biggest conflict that's really sustaining today has been this internal conflict of public opposition and protest. Sudan's climax in this chapter was really in 2019 when the popular uprising help bring down Omar al-Bashir, the dictator who have served for decades.

But one of those things that we forgot in that moment of elation that like a popular flood had helped to change this situation was that it was really a military coup that sealed the fate of Bashir. And the military since that time has really just failed to move forward on a transition to civilian role.

We've seen repeated protests against the military taking over. In October, the military launched another coup, this time basically taking over from what had been a military civilian joint leadership that was meant to be a transition. The civilian Prime Minister Hamdok was detained at the time. He was then reinstated in this effort to put this civilian venire back on that government. But he steps down finally I believe last month, again, kind of sealing the fate of this not being a civilian even partnered effort.

So huge hope a few years ago in Sudan that this move towards democracy in civilian leadership might get traction but hope now is on very short supply. That said, anti-coup protests continue. They continue to be met with deadly crackdowns and Sudan as well today is looking pretty bleak.

Despite these different trajectories of these two countries like one like this and the other kind of like this, they still have kind of intertwined fates because they both still depend largely on oil. They depend on each other in a lot of ways for monetizing that resource. They remain with contested borders and disputes and they also both are hit by the regional conflicts that are happening outside their borders but continue to impact both of them such as the conflict in Ethiopia.

So that was my lightening round view of how we made it here over the past 10 years. I invite the other panelists to correct any of those gross generalizations that I made. But hopefully for those who aren't as familiar with these two countries in the last 10 years, that gives you a little bit of context.

MR. O'HANLON: Fantastic. You can see from her way with words why Lizzy's book won the Douglas Dillon award for outstanding writing in 2020. And Nyagoah, if I could now go to you, please. I know you're going to focus primarily on South Sudan. Maybe you can pick up a little bit, give us a little more texture as to how things are today and any other comments you would like to offer. Over to you, my friend.

MS. PUR: Thanks, Michael, thanks Elizabeth for that very great overview. You know, it is true how you ended that South Sudan and Sudan are still quite intertwined at the hip. And we see this in the great example of how, you know, just very recently, the Sudanese government hosted a faction of the South Sudan people's liberation in opposition called the kid one movement. And they hosted the two factions. They hosted one side of a faction together with the government of South Sudan which led to the signing of two various peace deals.

But at the same time, you have the Sudanese peace process also taking place in South Sudan. And you see shadowed diplomacy happening across the borders. There is also the various trade points between Sudan and South Sudan.

But how is South Sudan fairing on 10 years after separating from Sudan? Now the whole point of the succession movement and the whole point of the liberation movements and the link to South Sudan's independence is because the north did not invest in the south. In terms of infrastructure, health, education, putting in place the basic tenants of the democracy or putting in place the basic tenants of the state that would be enjoyed by the southern and this is what led to the civil war.

But fast forward after independence, you still have the very same predatory tactics that the Sudanese government that the southerners fought against Sudan for. You have a government that is highly repressive, that is clamping down on rights and that is preying on the civilian population. But at the same time, that is totally absent from citizens lives and people's lives.

Since independence in 2011, South Sudan's government has been unable to

invest infrastructural developments creating the basic economy that would be able to run without the assistance of international aide or the international community. Instead, the oil economy just as much as it has not benefitted Sudanese, has not also benefitted South Sudanese. It has slipped into elite coffers and instead what we see time and time again is a national budget that is heavily invested in security service rather than in providing health, education and other basic services that the common South Sudanese could enjoy.

But also at the same time, we have seen over time that the basic tenants of political parties in South Sudan and of the political organization in South Sudan, the models of Parenti of, you know, political parties as well as the government of South Sudan is based on violence. And this we saw in the lead up to even before 2013. We saw the fallout from the 2010 general elections with various individuals taking to leading insurrection movements basing on their losses in the general elections.

But also, post 2013, we saw predatory tactics from both the governments and the opposition groups with all sides targeting and continuing to attack civilians. Now a lot of people who say that the conflict was ended by the peace deal that was signed in 2018 but I argue that that is not true.

The macro level fighting between the various parties has shifted to the states. And what we're seeing is the government and opposition groups and various other parties, political actors and military actors are using community grievances in the states to meet the end of their greater political needs. We have seen this in Jonglei where between 2020 and 2021, the kind of violence that we saw between the Dinka Bor, the Lonor (phonetic) and the Mulay (phonetic) was quite coordinated and reached the impacts of that conflict in Jonglei reached quite -- it created civil war like conditions.

We are also seeing that in Wirap (phonetic) state which is the home ground of precedent here. We're seeing various competition among political and military actors that is then transferred to communities who have age old grievances over land resources and other concerns. But we're seeing political leaders and military leaders manipulating some of these

grievances for their own political gain.

But, you know, inasmuch as well belabor what the last 10 years or what the last decade looks like for the Sudans, we have to think about where are we right now. So we're got a piece deal that is being implemented half-heartedly. You know, as recent high ranking government official told me recently, that we are in a state of suspended animation. We are speaking about progress but have made no progress at all.

So we see a peace deal that has the foundational reforms required for far reaching change and this, you know, this is not the first time these reforms have been articulated in a peace deal. We saw them in the 2015 peace deal and in various (inaudible) by agreements. But the question is, how do we ensure that these agreements are put into practice and what accountability measures can we -- have to be put in place in order fast track the implementation of a peace deal.

And also, what is the alternative thinking. What is the scenario thinking beyond -- on South Sudan beyond the 2018 peace deal. And how can we actually put in place institutional reforms that can lead to sustainable change and developments.

MR. O'HANLON: Thank you. You're teeing up some good questions for discussion in our second round as well so appreciate that very much. Ambassador Page, over to you. You've got considerable experience in the whole region. Look forward very much to your thoughts. Thanks for joining today.

MS. PAGE: Thank you very much to both you Michael and to Lizzy and to the Brookings Institute. Well, Lizzy gave a great overview and with Nyagoah's details about South Sudan. So let me just pivot a little bit towards Sudan.

I remember when I went to South Sudan as the Ambassador, my marching orders and my instructions were very much about peace between Sudan and South Sudan. And I know I'm sure everyone will talk about this as well. The fact that we don't really talk about that anymore and I think that that's a mistake. Because we are treating each of these countries very much separately and while they do have, of course, separate trajectories, they are still

united and all of the things that they have not accomplished when independence was achieved is still outstanding.

I mean, the borders are still not drawn. Abdea (phonetic) is still not resolved. And that continues the tensions between the two countries and it has also led to a unity in some ways of the securocrats between those in Sudan and the intelligence officials on the South Sudan side. And that overall is not good for the populations of either country because they're manipulating the violence of both states and continuing to keep the people down.

So one of the things that I did believe was a very positive sign was the initial appointment of Ambassador Jeffrey Feltman as the Special Envoy for the Horn of Africa. I liked the fact that it was someone who had a wide range of contacts and experiences including in the Middle East. Because that is where a number of countries are involved in both of these countries, both in Sudan and South Sudan, but also in the wider region, including in Ethiopia which is now also having a war and other parts of the region.

So it was very important that we have someone who had contacts in the Middle East and that we didn't just continue our policies of separating out sub-Saharan Africa from North Africa and the Middle East. And after all, most of these countries are also part of the African Union which is trying to resolve these conflicts as well.

Not always positively to the minds of many people but the fact that they are linked and you've got actors from Saudi Arabia, Qatar, the Emirates, Turkey as well as Israel and other countries. It's really important that we have other advisors who have those contacts.

That said, we now have seen the resignation of Jeffrey Feltman and Ambassador David Satterfield has taken over as the Special Envoy. And we're seeing signs of disunity within the American foreign policy community between the State Department and perhaps the Envoy's office which quite possibly is what led to Ambassador Feltman stepping down.

And I think it's important that we talk about as Nyagoah teed up, what are some of the tools that we could use to bring about change. And there are different views about

sanctions on the military in Sudan. Personally, I would like to see those sanctions be placed on military leaders.

First of all, they did have a coup that was never part of the agreement. I don't know why we have not done anything other than continue to sort of speak as if they just have to reinforce and add a civilian back to this civilian military leadership. Which the military has clearly said we're not interested in a real civilian lead transition. And we continue to work with the military as if they are a legitimate actor who has done nothing wrong.

And then the last point I will say on Sudan is, as Lizzy mentioned, I mean even this morning in Sudan, obviously the time difference, the protestors were out there again on the streets. They are not taking no for an answer. They have even been saying good bye to their fellow friends and other protestors realizing that they are risking their life because the military cracking down with live bullets and live fire.

But the Sudanese Resistance Committees and the Sudanese Professionals Association and others are insisting that the military leave way, leave the scene and get out of politics and to have it really be a civilian led government. Not a civilian military led government but a civilian government. Thank you.

MR. O'HANLON: Ambassador Page, thank you for that broad perspective of your own with your previous work not only in Horn but throughout the continent of Africa and beyond. By the way, I think that Jeffrey Feltman who is now back at Brookings always intended to only do the job for 12 months but I have no doubt that there were frustrations along the way. I'll let him speak for himself when he chooses to go public with any reflections he has.

If we could just continue now to hear from Peter and look forward to your thoughts on South Sudan specifically. And again, thank you for joining us today and for your exemplary and heroic and courageous work throughout your career. Over to you.

MR. AJAK: Well thank you very much, Michael, and it's really a great honor to share the platform with so many distinguished speakers. You know, it's really wonderful that we're having this discussion, particularly on South Sudan. I've been in Washington now for

quite some time and I feel like South Sudan has drifted to the bottom of the agenda. And even with the excitement about the appointment of Horn of Africa Envoy to focus on the whole region because our issues are very much interrelated. I haven't actually seen much engagement from the Envoy on South Sudan. So while that is great, we like to see that country too being dealt with and issues that the South Sudanese are dealing with being also prioritized which has not always been the case.

I'd like to pick up from the point that Lizzy mentioned. She said that people who suffer the most, especially in the context of South Sudan, have totally no say in the country's future. And it's great that we're having this conversation, right, after the Democracy Summit that President Biden hosted which was supposed to focus on issues of human rights, dealing with corruption and kleptocracy. And I think the overall aim of it was to bring people back into the center of government so that people have say in their own future.

Unfortunately in the case of South Sudan, we have not had a say for quite some time. And while the leaders of South Sudan are to blame for the most parts, I think the international community bear also responsibility in how it has basically enabled those actors that are basically destroying the future of South Sudan and legitimize them and given them the total control of our country and our future.

We now have a power sharing agreement that is made up for basically warlords. You have president and five vice presidents, each of whom represent a waring faction. They get to a point, everybody in the country. Our parliament is determined by these warlords. Everybody that is appointed there is loyal to one of those factions.

The same thing with the governors in the state. At the state level also, parliamentarians are appointed based on the same power sharing ratio. Now it has gone to the level where even the chiefs, traditional chiefs, are appointed by the same waring faction. So within the 10 years from what Lizzy mentioned from the excitement that we had in Juba, we have come now to a situation where we, the people of South Sudan, have completely no say in the future of our country unless if you take up arms and you begin killing some people, then you

are invited for a talk.

And this is not just only the government that can be blamed on this, it's also the international community because they have always legitimized these processes and focus on this so-called power sharing. And that power sharing is what has led to the situation where we are in now.

So what we see today in South Sudan is the legacy of both how the South Sudanese leaders have managed and also how they international community has engaged. So this is it. So let us see what that is. In my view, what needs to happen going forward is to change this dynamic completely. We have to bring the people back so that people have a say in the future of South Sudan.

This is what we have always wanted. We wanted to determine the future of our country. But because of this so-called peace agreement and I'd like to point everyone to an article that recently appeared in Africa Arguments by Josh Cray. Very important article and it's actually in form by a book that my supervisor from Cambridge wrote. And I think the title of the book is, *When Peace Kills Politics*. And this is essentially what has happened in South Sudan.

So in my view, why everybody gets so fascinated about this peace agreement and we want to implement the peace agreement, no one is interested in implementing the peace agreement. The only thing that all these warlords are interested is positions of power. And this is why people focus so much, who gets what position on the economic cluster, on the security cluster so that they use that to sustain their network.

Some of these warlords don't even have support. They only come after they have signed a peace agreement. That is when they recruit soldiers and it's usually the same soldiers that were already in the military that basically defect so that they can come back at a higher rank. So all the institution in South Sudan has been distorted by the endless negotiation and endless peace agreement.

So in my view, we have to get out of that mindset and really try to find ways in which people of South Sudan can come back and engage in a process where their voices are

heard and where they can actually determine their own future. And that, in my view, is election. I have noticed in Washington when you mention election, there is all this pessimism that oh, the election can't happen, there will be violence. As if there is no violence and as if we have not been living in a situation of violence for so long.

And when you ask them what is the way forward, no one has anything. You find them complaining. We have done this for South Sudan, we have done that for South Sudan. Oh, we have done this for South Sudan. Of course, we have done all of that for South Sudan. But this is the context we are in now. Do we want to continue to repeat this same thing that has failed so many times and that has left the people of South Sudan in utter disillusionment or should we try something new?

And following up on the Biden Democracy Summit and now we are in the year of action, year of action where things will be implemented that will deliver democracy not just only in one region but across the world. We're here to begin thinking about how do we make sure the people of South Sudan have a say. And I think in my view, that is elections. We have to make sure that elections are held in South Sudan as soon as possible. Thank you.

MR. O'HANLON: Peter, thank you very, very much. And Joe, last but not least as clean up batter and looking to integrate the discussion of the two countries into a broader frame. So please, over to you, my friend.

MR. TUCKER: Thanks Michael. Yeah, Ambassador Page and Nyagoah really hit the nail on the head, you know, from sort of South Sudan's independence until the outbreak of civil war in 2013. There was just a lot of focus on that relationship and avoiding conflict in that relationship. And that of course quickly, you know, switched as attention rightly turned to internal matters in each country.

Now setting that international engagement aside for the moment, I think it is worse looking at that relationship between the two briefly during that early period. Until around 2017, there was, of course, work continuing on a demilitarized border zone, any proxy support for armed movements seemed to cease at that time as Ambassador Page mentioned. A border

commission was meeting but little progress was actually made on resolving those disputed border areas.

The important point here, I think, it's easy to forget that there is diverse communities on both sides of that shared border. They have really important economic relationships, livelihoods relationships that often depend more on what's on the other side of international border than actually what's, you know, inside in their own country. The impact of climate change, of course, of economic crisis in both countries which really compounds that existing pressure and what's really unsustainable humanitarian needs as Lizzy mentioned.

At some point, both countries are going to need to cooperate more on these issues. There are strong protocols that are actually already outlined and agreements reached between the two in 2012 under the facilitation of the AU. An important caveat here is that, you know, sometimes when there's political tension on these issues from both Khartoum and Juba tensions and dormant conflicts can sometimes resurface at those local levels.

To move to the kind of last few years since I think they're important in terms of this evolving political relationship between Sudan and South Sudan. You know, under President Bashir, Sudan played a really outsized role in South Sudan's 2018 revitalized peace agreements. And then, of course, one year after 2019 revolution in Sudan, South Sudan did the same with the Juba Peace Agreement which was between the transitional government in Sudan and some movements.

And up to 8 days ago as Nyagoah said, there was a military government in Khartoum mediated a deal between the South Sudan governments and a breakaway rebel movement that many view as contentious. And, you know, a lot of the back drop to this, of course, as Peter hit on is that, you know, many people over the years have criticized sort of western and regional involvement in Sudanese and South Sudanese processes really going back to the 1990s.

You know, this is because they produced power sharing deals that really seemed to reward rebellion. Positions were dolled out, forces divided, a lot of sorts of

ineffectual committees formed. And as many have said and it's pretty easy to see, citizens have really benefitted from these. But these processes were replicated during the 2018 and 2020 agreements.

Now we have to ask ourselves why is this the same sort of non-transparent processes and implementation problems appear to be replicated. Again, this needs to be looked at and, you know, given that same template appears to be used, it may be important to take really a fresh look at peace processes and agreements on lessons learned. Lessons learned is often sort of, you know, maybe overused as a term but lessons learned from these peace deals both the processes that are used to reach them and implementation or lack thereof are very important.

I think the ones active now are not working. They continue to sort of reinforce zero sum militarized politics. You know, these peace deals both their shape and their impact need to account much, much more for citizen needs sort of long term socio-economic benefit, not just short term elite political gams as Peter mentioned.

Lastly, it's interesting that a lot of international actors, you know, plotted engagement between both those countries after the Sudans revolution. Harrowing it as sort of a new, more productive relationship. But we also have to ask ourselves, what is the basis for that relationship? Are civilians managing that relationship or are security elites in both countries? Is that relationship used to develop more transparent effected economies, especially as it relates to the shared oil sector as Lizzy mentioned.

And lastly, and I'm glad that Peter mentioned sort of Joshua Cray's and Sharat (phonetic) because a very, very good scholar as an analyst of this and that relationship within these two political systems are strikingly similar. Both feature sort of over reliance on personalities at the expense of building institutions. We've seen this for years now. Accountability is often absent and then ethnic communal, ideological issues really bleed into the political scene and increasing polarization and conflict.

I say this all here because sooner or later, I think Sudanese and South

Sudanese not to mention community, will have to develop strategies that really account for these issues and relationships. And I think here and Ambassador Page will remember this line, I think, from the State Department years back. Is that people would do well to remember that, you know, an undeniable refrain from 2013 but infrequently used right now is that, you know, the stability and prosperity of Sudan depends on that of Sudan and vice versa. So thanks for that, Michael, I look forward to the discussion and recommendations.

MR. O'HANLON: Thank you, Joe, and you've all been very compelling and very cogent. But because we have such a rich topic, we've also now used almost 40 minutes of the discussion. So what I want to do is in the interest of not just losing the audience questions but also not rushing them at the end, I'm going to read them to you now.

And to the extent we're going to have basically then one more round from each of you where you give us, you know, build on what you've already said and give us your policy recommendations. And then to the extent that you wish, you could factor in or weave in a response to one or more of these questions. You don't have to each answer all of them obviously and then we'll have about 3 or 4 minutes per panelist for this recommendation round.

So what I'm just going to go through the 6 or 8 questions and please take notes if one of them strikes you. What can the U.S. learn about supporting transition in Sudan from its engagement in South Sudan a decade ago if there are lessons there. And again, some of these questions you've already touched on and some of them came in before the event began. So I'll let you be the judge of what you want to say next.

What new approach can the international community muster in stabilizing and reversing the decades of conflict experienced by millions in Sudan and South Sudan that will not be easily dismissed as neocolonialism or imperialism or what have you. By the way, I think there is still three UN peace keeping missions between the two Sudans. You might want to speak to that as well and how do we frame this kind of international engagement in a way that doesn't come across as patronizing or imperialistic.

Another question about Sudan's transitional justice program. The design to

counter corruption as well as human rights violations. The understanding of the member of the audience is that it's been on pause since the October coup and how do we revive it. That's another question about transitional justice.

Brian DeSilva asks, why is there no U.S. policy on the Sudans. Some of you have touched on that a little bit. You may want to expand further.

Herman Cohen asks, is it accurate to say that South Sudan was born a failed state and remains that way today. Just two more questions, how is the Ethiopia dimension of this factored in either the way in which events in the Sudans effect Ethiopia or vice versa as Ethiopia has experienced conflict in recent times.

And then the last would be, assuming that the ARCSS process ultimately culminates in democratic elections in South Sudan, how confident are you that will bring some greater degree of accountability and good governance. And I would just second, by the way, from my experience as a Peace Corps volunteer in DRC, I've done a lot with Iraq and Afghanistan. I've watched elections polarize places sometimes rather than bring them together. So just building on that question with my own two cents.

And then turns out, I guess there is one more that has come in and then I'll stop. The question is, I share with Peter the frustration of trying the same thing and expecting different results. Peter suggested elections in South Sudan but is it possible to really hold them under current circumstances and how do we make them free and fair and, you know, contributing to a sense of cohesion rather than division.

So that's a lot. You don't have to do it all and my apologies that there isn't enough time to delve into each of these in detail. But Joseph, why don't we start with you and then go in reverse order.

MR. TUCKER: Excellent questions. I think I'll make two that sort of I think could be applicable to both Sudan and South Sudan. I hit on a number of these and the first one and I've really felt this for a long time including work in and outside of the U.S. government. Is that there's often a desire to say well this conflict is local, it's communal and that conflict is

national.

I think we've seen time and again whether it's in Darfur, whether it's Eastern John Way that more often than not, the local, the communal, the regional, the national all blur together and that's often in the interest of political elites at both levels. Because there is sort of like a guessing game of why and how and when conflicts can be resolved. So I think getting a much better grasp of the roots of these conflicts and who are the main actors and how they can be addressed is critical to really moving any sense of stability forward in both these countries outside the capital.

Secondly, and I didn't really mention this in sort of my tour of lessons learned from peace agreements but, you know, I think we often see that political elites sometimes can hide behind peace agreements. And I know that sounds kind of harsh but I think there's a sense of you have a venire of a peace deal of chapters and agreements of protocols of just hundreds of pages of what should be done and that stands there at the front.

And behind that, we have extremely skilled political and security elites who are quite masterful at doing a lot of horse trading, a lot of engagements and brokering behind the scenes and very non-transparent ways and that may be really where the future of these countries lay. So getting a better sense of that and how both Sudanese, South Sudanese, regional and international actors can sort of help with that, I think are key lessons learned here.

MR. O'HANLON: Outstanding, thank you. Peter, over to you.

MR. AJAK: Well thank you for those questions. I'll start with the question of whether South Sudan was born a failed state. Of course, if we talk about in the context of failed state as discussed in the literature, we would say yes. But I would probably even go further and say that South Sudan was not really a state, it was a country because it has a territory. But in terms of a state, I don't think we would build a consensus on sheer ideals or aspirations.

Because during the entire liberation process, the politics side of things was missing and people of South Sudan never really agreed on what kind of a country that they want to build. So I think part of the challenge is actually to establish a state in South Sudan and

that can't be done through endless peace agreements and endless negotiations. It will require a process where Sudanese, South Sudanese people can actually build a consensus and I think the election would play a big part of it.

Now do I believe that everything will be smooth and that South Sudan is prepared to do these elections and that it will turn out great and everything will be fine, no. It would be very challenging and I think people have to prepare that this will be the reality whether these elections are held next year or in 5 years or in 10 years or in 20 years. They will be very challenging, there will be elements of violence, there will be people that are shouting and saying things here and there.

But still, I fundamentally believe that poorly conducted elections would be better, way better than the current situation we are in. Because the current situation is basically making us useless, looking as spectators in the affairs of our country unless we get our hands dirty and begin shooting people and killing them so that we're included on the table. And I think it was a fundamentally wrong idea to even include civil society in the negotiations and have them in this all sort of process. That kind of legitimized them to a certain extent and made them part of the illegitimate processes in the eyes of many South Sudanese people.

Now there's a lot of work that can be done now and one of the institutions that still enjoys widespread respect and legitimacy in the eyes of many South Sudanese people are the church. And the churches, not the South Sudan Council of Churches, because we make that mistake all the time. South Sudan Council of Churches has actually been taken over by the government. The secretary of it is essentially brigadier general in the national security. We keep saying it and people don't understand but that is the reality.

But we are talking about church leaders' initiative for peace. This is a multidenominational organization that also include Islamic religious leaders who are actually engaged in peace building at the local level. They are the ones that are actually now helping the communities to co-exist and resolve some of the tension that exists at the local level.

So these groups can be empowered and they can engage in civic education at

the local level with communities and community's leaders. This work can actually do way more than a billion dollars that the U.S. spent in South Sudan on humanitarian aid, a third of which I would probably argue is used to bribe the same actors that are creating disaster in the country so that a little of it can reach the civilians.

The other third of it is probably spent on hiding compounds and houses of the same (inaudible) that have are basically looting the resources of the state. So some of that money can be put toward investment in allowing South Sudanese to have engagement and political discussion about determining the future of their country.

Now fundamentally, one thing that needs to happen before these elections are held is that we need a new constitution. And in this new constitution, there are certain things that must be in it. One of them is term limits. Imagine if the election had been held in 2015 and there was a term limit. And let's say (inaudible) had warned them. Okay then they would run again in 2020. Then by 2025, his term would have ended and we would probably have a new person that would come in position.

Now we are stuck, we don't have term limits, we don't even know when the term even began. So term limits must be in it, it must be federalism, and what needs to be clearly there is that the differentiation between the national, the executive and the national level and the state level. So that governors are elected by the people and there is no room where the president or somebody at the top can come and fire the governors. Because that's one of the things that created the crisis to begin with in South Sudan.

The same thing with parliamentarians. You know, they should be elected. If someone die in office, there should bi election as it is in other countries. Not have somebody come and appoint people. There should also be independence of judiciary and then there would be other legislation that would be prioritized like the national security legislation, judicial service legislation, things that are necessary to allow South Sudan to actually hold an election that can be free and fair.

Now some of these actors may still come back but the very least who will elect

our own members of parliament, will elect our own commissioners, maybe we may even have a chance at electing our own governors and that is better than the situation we are in now where everybody, including chiefs, are appointed by warlords.

MR. O'HANLON: Peter, that helps me a lot because it does answer the question that's haunting me with so many countries that you don't want elections just to produce a tyranny of the majority. But you've explained how with federalism and a strong judiciary you can hopefully protect minority and individual rights even as you have some kind of a majority rule out. Thank you, excellent answer. And now, Ambassador Page, if I could please to go you.

MS. PAGE: Sure. Thank you again for these great questions. I agree with Peter's commentary but what is the difficult part is how to achieve that. How will the South Sudanese achieve this new constitution that they have not managed to do in all this time despite all of the statements, all of the peace agreements, that very clearly have these provisions included.

And that's where, I think, some of the lessons that have been learned not just from other African peace agreements but other peace agreements writ large could be utilized as examples. And one area that I do think that the U.S. government has made a mistake in is constantly prioritizing one aspect of the peace agreement of the arsis or the renewed arsis over another aspect. And this cherry picking, okay well we have to meet this deadline so the parties have to meet this deadline to form a transitional government but there's nothing else in place. That doesn't mean that they are fulfilling the terms of the peace agreement.

So I think that's one aspect that we really should be learning from. And how do you hold their feet to the fire when they don't meet these deadlines and they don't, you know, even transparently release the finances that are supposed to go towards these different, you know, for instance, for the military for the units to be trained and what not. So that to me is, I mean, the practical side I think is really difficult because there doesn't seem to be a way to convince them to do what they signed up to actually fulfill.

Now I'd like to go just very briefly to Brian DeSilva's question which is, why does the U.S. not seem to have a policy on the Sudans. And I mean I think that the constant list of crises that will be ones to watch, Africa is very rarely on the list in terms of how it might affect the United States. So I think we have to have a really good understanding, the United States itself, what do they think of the national security interest between the United States and Sudan, South Sudan, Ethiopia.

Why haven't we appointed ambassadors to some of these countries? And again, it's not just, you know, the Sudans but lots of other countries where war is actually taking place as well or very tense situations and we don't even have someone lined up.

Even if Congress, you know, even if the Senate ultimately is not quickly confirming people, we haven't nominated someone. So, I mean, I was glad to see that Secretary Boykin just nominated Lucy Tamlyn as the Chargé for Sudan. But again, that's until the nomination of a Senate confirmed nominee for ambassadorship to Sudan. That was a promise that was made two years ago and it still hasn't occurred.

So I think that there needs to be a real look at what our policies are and we've had representative Cory Booker and others who have come out with, we need to have a strategy on South Sudan. You said that you were going to look at this, okay so unveil it, where is it now? And the same thing about sanctions on the Sudanese military. We have done that time and time again. I don't know why we're hesitant.

The military in Sudan own companies, they're making money off the conflict. And instead of trying to insist that the civilians who are peacefully protesting the military coup, we need to make sure that their voices are heard and not just this insistence on go back to the status quo ante because that is not what the population actually wants. They do not want the military to continue to play a role in the politics of Sudan. I'll leave it there. I wish we all had more time but these are great, great questions.

MR. O'HANLON: And great answers. Thank you. And now Nyagoah.

MS. PUR: Right. Ambassador Susan raises a really good question about why

the United States does not have a policy on South Sudan. What has become very clear since the signing of the 2018 peace deal is that the old way of conducting diplomacy on South Sudan is no longer working. I can say this, any single country government, international government that holds sway over the South Sudanese government or that the South Sudanese are actively listening to.

Other than, you know, its regional neighbors and its regional -- the regional states which has always been the case as well. And there's a question that one of the audience members asked about how the United States and other country governments can intervene on South Sudan without it being a neocolonialist.

If South Sudan is listening more clearly to Uganda and to Hamdok and at some point, it will listen to Ethiopia before Ethiopia descended into civil war. Then perhaps the United States should really work through South Sudan's neighbors to affect some sort of political transition and transformation in South Sudan. It's very clear that this hands off approach that Washington has had over the last couple of years as well as, you know, yes, sanctions can be ruled out but I believe what has really aided the South Sudanese population of civilians in the last couple of years has been the fact that there has been (inaudible) in place since July 2018 which came through the Trump regime government.

Yes, so and that (inaudible) has to be retained. The United States needs to work with regional states who have aided, you know, and abetted its violation. And also, you know, the security council needs to work very closely with Uganda and Sudan who have been found to violate, you know, the (inaudible) by not reporting cargo inspections and the like.

But South Sudan when we talk about elections in South Sudan, I feel like people get very excited because yes, you know, since 2005 and also since 2010 general elections, the South Sudanese have been defrauded of the right to choose their own executive leaders. And so, when there is an opportunity to turn that tide, of course we will jump at it. But I feel like there's so much carefulness that is required in the lead up to elections or around this discussion around elections.

The peace deal, you know, is in the state of suspended progress and it's very clear that there is no intention or inspiration to affects all elements of the agreement. So when we talk about all the institutional reforms that should happen, yes, the Political Parties Act was passed recently but there is no civics base in the country.

In the lead up to 2013, I remember the government used to keep announcing that elections would be held on June 30, 2013 that year. But in the end, because of the political agitation that was taking place and the fact that there was no political accommodation, we then ended up with a December 2013 scenario. If there's anything I have learned from South Sudan over the last seven years is that there is nothing that is predictable.

And so, we have to carefully run around this discussion of elections and how the preparation can be done. And, of course, constitution making is essential to that but I feel first and foremost is the civic space. I mean ask yourself a question. Why hasn't Riek Machar gone traveling through the states to meet his constituency. He's been, you know, they formed the government almost two years later. Yet how often has he left the capitol and what does it mean for freedom of expression or political space for some of these political actors that will probably be running in elections.

And also, my very last point in the interest of time is that so there's a problem with a cookie cutter in South Sudan in that the 2005 peace deal sort of modeled this idea of power and wealth sharing as the solution to South Sudan and that's how we ended up with both the 2015 and 2018 peace deal. But, you know, the mistake that was made in the 2005 peace deal of excluding accountability has been rectified in this current arrangement in the 2018 peace deal. And so, it's very important that elements of accountability truth telling are not left out and that the U.S. focuses on that.

Last year, they withdrew funding over support to the hybrid court due to the various delays between the African Union and the government of South Sudan. But a mass pressed for progress to be made in the institution of accountability mechanisms and must and should make a guarantee that funding will be available for these processes. Thank you.

MR. O'HANLON: Thank you very much. And Lizzy, over to you. Don't worry, take a few minutes. We don't have to finish right at the top of the hour. Look forward to your thoughts as well, please.

MS. SHACKELFORD: Well I'll start by saying I just want to reiterate a lot of what the other panelists have said. I think we really hit the nail on the head with a lot of what the problems are that really are shared in the policy approaches to these two countries. I'm going to basically address the first question that came out from the audience which was what are the lessons from South Sudan's experience that we can carry to Sudan today.

And I think a major theme is that struggle that we have as kind of international partners and certainly the United States, to desire to accomplish something. And that something over the past decade has largely been peace agreements. And we've fixated on getting these peace agreements in place and getting these peace agreements implemented. When the challenge has been that when we're working with bad actors and the peace agreements that we're putting in place are helping to entrench their power and their control.

I think we need to take a lesson that sometimes it's not worth the squeeze. And I don't fault anyone for the initial peace agreement in South Sudan's civil war because I think at that stage, we were still, I mean, the desire understandably was to stop the fighting, stop the bleeding.

But I think by 2018, we kind of knew what we were dealing with and rehashing this same approach and the circumstances that we had was really not helping South Sudanese reach peace but it was putting something on paper that legitimized a government in place that was bad to the South Sudanese people.

The hard part to that is that I see the same interest right now with Sudan which is let's just cobble together the civilian military thing that we can sign off on. Now I think after October, that is less appealing than it was before but we have to be realistic about what our influence as international partners can be. And sometimes we can't accomplish a big, you know, kind of flagship achievement.

So I don't think that the neglect of the past few years is the right approach but one of the things that I was really buoyed by in seeing that Senate resolution that Ambassador Page had mentioned was this focus on shifting our approach to identifying political and civilian stakeholders beyond Kiir and Machar and working towards a way to find a graceful exit for those who have not been putting South Sudan on a path of peace.

Is that easy to do, no, if it were, we would have done it already. But is it worth making that our focus instead of just checking a box on implementing an agreement that is not putting South Sudan on a path towards better lives for their people? I think sometimes we have to accept a left kind of dramatic solution for focusing on reinforcing the people who over the long term can take a country on a better path.

And I think in Sudan, that means, you know, the civilian, the public protestors and the organized civilian groups that have been working tirelessly towards democracy. And I think that we need to focus on something similar. Peter had suggested this as well bringing more civilian focus and a public focus to our engagement as international partners.

MR. O'HANLON: Lizzy and everyone, thank you so much. Extremely illuminating conversation on a very important topic. One of Africa's most important regions and two very important countries that have shown some signs of hopefulness but continue to struggle. I will say one final word which is I'm at least encouraged that in thinking about Sudan, you know, given what we've been through the last 30 years as a generalist watching the U.S.-Sudan relationship and the problems there, it at least seems to me like there's possibility of progress.

And certainly, with South Sudan, Lizzy as you said, things have been so difficult for so long. That maybe with some of the big, bold ideas, people like Peter and Nyagoah have that we could imagine seeing the empowered South Sudanese people help realize their future if they're given the chance.

So with that little mini sermonette and farewell, let me say thank you to everyone for joining and signing off from Brookings. And again, Happy New Year, it's not too late to say that

in 2022. I hope it's a happier new year in the Horn of Africa as well.

* * * * *

CERTIFICATE OF NOTARY PUBLIC

I, Carleton J. Anderson, III do hereby certify that the forgoing electronic file when originally transmitted was reduced to text at my direction; that said transcript is a true record of the proceedings therein referenced; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and, furthermore, that I am neither a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Carleton J. Anderson, III

(Signature and Seal on File)

Notary Public in and for the Commonwealth of Virginia

Commission No. 351998

Expires: November 30, 2024