

15. The government's abstention from recruiting children below the age of 18 into the army.

16. The government's continued cooperation with the Co-ordination Office for Humanitarian Issues of the United Nations and Operation Life-Line.

17. The government's continued cooperation with the IGAD.

18. The government's efforts to adapt the legislation to the articles of the new Constitution.

19. The continued efforts by the government to make its national legislation coherent with the texts of international human rights, and ensuring that all citizens enjoy these rights.

20. The government's commitment to establishing democracy and the rule of law and to creating the conditions leading to a process of moving into democracy, expressing in full the aspirations of the people of Sudan and ensuring its full participation.

Commentary

Hence, the international community acknowledges all the constitutional, legislative, and humanitarian developments that are related to human rights, and especially its acknowledgment and welcoming of the Peace Agreement of 1997 and the new Constitution, which contains chapters and sets up institutions to protect human rights, such as the chapter on "basic rights" and the "constitutional court," and all the mechanisms included in the Constitution that achieve democracy and the active public participation in government.

The HRC resolution against the SPLA

1) The word "condemnation" was used only once—unlike what was done in the previous resolutions since 1993—and this one condemnation was clearly against the SPLA for murdering four Sudanese aid workers recently while they were held hostages by the SPLA. 2) Condemnation of abduction, use of children as soldiers, recruitment by force and torture in the context of the conflict in southern Sudan. 3) Condemnation of the SPLA, especially, for using civilian facilities for military purposes. 4) Condemnation of the SPLA specifically to make it stop its offenses against aid workers, and the demand that the SPLA allow a comprehensive investigation of the circumstances of the death of four aid workers. 5) Condemnation of the SPLA specifically for diverting the flow of humanitarian aid, including food, away from the civilians for whom this aid is intended. 6) Condemnation of the SPLA for recruiting children below the age of 18 as soldiers.

This is the first time that the so-called Sudanese People's Liberation Army (SPLA) has been subjected to a straightforward condemnation by the international community and by a major UN organ, the Human Rights Commission, concerning important issues related to human rights and humanitarian aid activities.

Interview: Dr. Riak Machar

Prospects, obstacles to peace in Sudan

Dr. Machar is president of the Coordinating Council of the South of Sudan and vice-president of the Sudan National Congress; he was the leader of the South Sudan Independence Movement (SSIM), an armed faction against the government in southern Sudan. As recounted in his interview in EIR of Feb. 22, 1998 (see also his interview in EIR of July 24, 1998), his movement chose a course for peace in 1995, and entered into direct talks with the Sudan government in March 1996. On April 21, 1997, they signed the peace accord with the Sudan government. Dr. Machar was interviewed by Muriel Mirak-Weissbach and Uwe Friesecke in Khartoum, on April 14, 1999.

EIR: Dr. Machar, could you bring us up to date on where the peace process stands, one year after the peace treaty was incorporated into the Constitution?

Machar: After we promulgated the agreement, and the Constitution was made, we thought that, for the peace to be complete, there was a need to bring in other players, who were not involved, and particularly John Garang [head of the Sudanese People's Liberation Army, SPLA], on the question of the South. I made efforts to meet face to face with John Garang, and this happened in June, in Uganda). My aim was to explain to John Garang that the political issues on which the war has been fought, had been resolved. Whether it was the national state we wanted to establish in Sudan—Sudan being multi-ethnic, multi-racial, multi-religious, multi-cultural, with the definition of citizenship as the basis for rights. So, I explained to him that this was the cornerstone solution to resolving the conflicts in the country, whether there are differences on rights and freedoms, or differences on the system of government. We recall that the South, since 1947, has been calling for implementation of a different system for the country, because Sudan is so large and so diverse. So, I explained to him that we can resolve all these issues within a multi-racial, multi-cultural, multi-religious Sudan.

Now, I also explained to him that the South has its special characteristics, as has been addressed in the Coordinating Council; therefore, the South can handle its own problems. The Coordinating Council would give us an umbrella government for the whole South, and even if there were legislation which we felt were not good for the South, the Coordinating

Council could seal this legislation off, [preventing it] from affecting the population in the South. And, finally, the permanent solution depends on the people, to exercise their right of self-determination, through the referendum, with the two options open: unity, or opting for secession.

So, what I was telling him was, "Look, there is no political reason for the war today." What remains is, if he wants power, then this can be achieved, not through the barrel of the gun, but through the ballot box. Therefore, if he came and bid for this, saying the country was not democratic, that there was no pluralism, I indicated to him that Sudan was marching toward democratization, and as of Jan. 1, this year, Sudan now has many parties that have been registered. We have now registered the United Democratic Salvation Front: The front that signed the peace agreement, has now registered as a political party.

With this, we hope that if the question is power, in the country, or in the South, anybody can bid for power at any level: the level of the South, the level of the Coordinating Council, or the level of the federal government. So, the SPLA should be free to come in, and establish itself as a political party, and make sure that it abandons the armed struggle. Because after all, they can achieve the objectives they stand for, whether it is unity in the multiplicity of Sudan, or secession for the South, this can be done through peaceful means, instead of the continuation of destruction in the South or in the East.

So, originally, we explained these concepts, contained in the peace agreement in the Constitution, to the neighboring countries, and our belief is that, if Sudan can be stable, it would actually bring about stability and peace in the region. We are a big country, and border on about nine countries, and once we are unstable, it will affect others, because of the nature of the composition of African countries. You will find, across the borders, tribes that share the same language, same culture; for example, I come from the Nuer, and, in western Ethiopia, nobody would question my being a Nuer. So, anything that destabilizes the Nuer land in Sudan, has repercussions on the Nuer land in Ethiopia, and the same goes for the tribes in Equatoria, or Zandi in western Equatoria, some of whom are in Democratic Congo and some in the Central African Republic. If you go into western Sudan, also, you'll find that we have common tribes with Chad, and so on. So, any instability in Sudan spills over into neighboring countries. Thus, our contention was, that if a comprehensive peace was achieved in Sudan, the rest would be stable.

Now that we have addressed the fundamental problems which made us different, whether it be the southern problem, or the question of democratization and pluralism, or with some northern political parties, and took up arms, we have now resolved this. Our main concern is that we may not reach an agreement with the northern political parties or the SPLA in the South; this is because the American position has not really shifted, it is not yet for peace in the Sudan.



"If today we have difficulties implementing the peace agreement, it is from the financial aspect; it is because the West and particularly America has not supported it," says Dr. Machar.

There is no logical explanation, because we know the three reasons for which the U.S. administration was at odds with Khartoum. One, was the question of peace and war in the Sudan. The steps taken by the Sudan government on the question of war and peace, particularly toward peace, are known. What we had expected was that the American administration would support the peace process, support it politically, support it morally, support it financially, but today, one of our handicaps is [the lack of] financial support for the implementation of the peace agreement. And we had expected the Western world, the U.S., to support this noble process, because this would bring stability to the country. With the peace agreement, a lot of things have changed.

One accusation of the U.S. administration, was that Khartoum was harboring international terrorism. Since 1997, this talk has totally died down, because it has been proven that it is not there. If at all, if it had existed before, now no longer. One would have thought the American administration would have been happy, and supported the peace process.

The third reason why the U.S. administration was against Khartoum was the question of human rights. They used to talk about religious persecution, detention of political opposition figures, but this is no longer there. I remember the speech of Sudanese President Gen. [Omar] Bashir on April 5 this year, when he opened the Parliament, and he said, "We do not have a single political prisoner." This would also be attributed to the fact that the peace agreement has brought about liberalization, respect of human rights, and therefore people are free to express their political views without fearing intimidation or detention. So, one [would

have] thought that the U.S. administration would see the qualitative change that had taken place.

The fourth issue over which the U.S. administration was at odds with Sudan, was the question of democratization and pluralism. Now we have made it. The parties are registered, and one felt that the U.S. administration would support this process, so that a comprehensive peace would be brought about. And before the U.S. Ambassador, Mr. [Timothy] Carney, left Sudan, I had a long conversation with him. By then, Sudan was drafting the Constitution. My advice was, "Why doesn't the U.S. support this move to constitutionality?" But it was not supported. I was surprised that the move toward democratization and pluralism was not even being supported.

These were the four issues the U.S. administration had raised, in its opposition to the Sudan government. I thought, on the international front, the Sudan government has done its best. On the internal front, it has pushed the peace process, and all it needs is support from the international community to ensure that those who have been fighting come to the peace process. There is openness for it.

Let us say, Sudan has been declaring a comprehensive cease-fire from time to time; prior to any peace talks, the Sudan government would declare a cease-fire. But strangely enough, the SPLA would refuse the cease-fire. And when people were dying, the humanitarian situation was not a good one; in Bahr al Ghazal, it was so bad—in the areas controlled by the SPLA. But then we opted for a comprehensive cease-fire, so that this humanitarian situation could be corrected. That was not heeded by the SPLA, the international community could not exercise influence on the SPLA, so that the humanitarian situation could be corrected. In addition, the world made a lot of noise about what was happening, but they could have pressured the parties to accept a comprehensive cease-fire. It didn't happen.

In a way, as if condoning the mass deaths from starvation in the South—but then, the liberation process would be meaningless, because if people are dying, what are you "liberating" after all? Mainly, people were dying in the areas controlled by the SPLA. So, we thought, by July 1998, that the SPLA would have come to reason and said, "Look, enough is enough. The Sudan government has shown good faith, in settling the problem peacefully." That was not the case. After all, we got bombed, on Aug. 20. We did not see the justification for the bombing. We did not see the need for that pressure, to get to peace, because, already, steps had been taken by the Sudan government, whether on the question of the South, whether on the Constitution, and there was a program to reach democracy and pluralism. And yet, they dropped the bombs. And before that, it was an economic and trade embargo. These pressures do not have any justification.

Sadiq al Mahdi and Othman Mirgani have to be pressured, to come to peace. If they think that they have the majority in the streets, if they think the population would vote for them, they should have the courage to come here, register their

parties, and run for elections. This could be done by the U.S. administration. Most probably, the British stand would not allow that. So, in a way, it looks as if the peace process that was started in 1996 and completed in 1997, is to collapse. But that would mean going back to a war, where they expect support. If today we have difficulties implementing the peace agreement, it is from the financial aspect; it is because the West and particularly America has not supported it. So nobody is moving to financially support the implementation of the peace agreement.

EIR: What do you think motivates Garang to be so stubborn? His own people are dying because of the war, and he still refuses.

Machar: I think he has not gotten the message. And the other side is telling him, don't do business with this government. They don't want it. The U.S. administration doesn't want this government.

EIR: But if he is an African, why is he listening more to them than to his own people?

Machar: Maybe because he thinks there's only one superpower today which decides the fate of many nations in this world. Probably. As I'm telling you, we didn't get any financial support, from anyone, to implement the peace agreement. So, he may be holding out; if the U.S. doesn't want a peace agreement with this government, then where does he implement it? But the resources which are now going into the continuation of the war, could be used to implement the peace. But the main reason, is what the superpower says.

EIR: Is this what John Garang told you?

Machar: This is what we understand. Because there is no reason for continuation of the war.

EIR: But what was his actual response?

Machar: He was dismissive. He was dismissive in the sense that he held back. Those people are buying time, they are not serious. There is a war, but it is on all of us, the North and the South. The South is worse, because the war is being fought there; people get displaced, others die because of disease, others die because of hunger and the problems like floods, drought, and all that. So, in a way, he needs to be helped.

There is also the psychology of war, and he has become afraid of peace. I think John Garang is afraid of peace. He has become used to war for so long that he has lost the political will to come to peace. But, he could be helped. If he needs international guarantees, the IGAD [Inter-Governmental Authority for Development] forum, supported by the IGAD partners, is a good international forum for guaranteeing any agreement he arrives at with the government. He says that he lacks confidence in this government.

EIR: On IGAD: Are there other governments associated

with that process which are supportive of the peace process?

Machar: Yes, I think the Germans and the Italians, maybe the Norwegians; those are clearly in support of getting a peaceful settlement.

EIR: On other occasions, we have discussed the possibility of bringing the truth about the peace process to the U.S. population. A delegation could go there and lobby Congress, to present the reality of the peace process. Have you had the opportunity to go to the U.S. as a representative, a leading protagonist of this process?

Machar: I don't think the American public, the American people, know that there are children, women, and elderly people dying because of war in the Sudan. They do not know about it. They do not know how long this war has gone on; it is now over 44 years since the first shot [was fired]. And over 52 years since the conflict was raised. And the very political solutions suggested during those years, whether in 1947 or in 1956, are today the ones that are being implemented.

Now, if we've got a political solution, our conflict that had lasted so long, we expected the American public to support it. I don't know whether they know that people who should explain it to them are barred from going to the U.S. There was a conference held at the U.S. Institute of Peace [USIP]. The Sudan government was belatedly invited. I had a long talk with Dr. [Thomas] Smock [of USIP], who was the organizer. I told him, "Look, the Sudan government is ready to send a high-level delegation, led by the First Vice-President, if they were going to be let into the U.S." I talked to the guys responsible for the [U.S. State Department] Sudan desk, I talked with [Matt] Harrington, and with [Thomas] Gallagher, responsible for Sudan, trying to persuade them to move for top-level Sudan government officials to be at that conference if the opposition is invited. Because we strongly feel we have a case to make, to the Congress, to the American public; we have a case to make to the world. That, sometimes, we are being denied.

I don't think it is easy for Sudanese diplomats to go into Britain, a former colonial power in Sudan, which should keep its doors open, for dialogue. I even don't think there is a sincere dialogue, that the U.S. administration is serious about dialogue with the Sudanese government on the issues they raised. Because if they had dialogued seriously, they would have found out that the issues they raised, on which the U.S. administration imposed trade and economic sanctions, and bombed one of the medicine factories, these issues would have been resolved. I think the U.S. administration, or even the public, would ask themselves—the American taxpayer is paying for most of the humanitarian aid in south Sudan, but can this humanitarian aid be shifted to development, to empowering the people to produce for themselves? If this war is stopped, I think this can be done. But how do we explain that to the American public, to the Congress, to the U.S. administration, when the U.S. administration is shunning dialogue, is ignoring whatever positive steps have been taken?

EIR: And what happened with the USIP conference? Did a delegation go?

Machar: What we did, some of our supporters, Sudanese, as individuals, attended, people who could serve their country. We said to them, the Sudan government cannot send a delegation because the U.S. administration cannot give them visas. You are Sudanese citizens in America; attend on our behalf, this is our position. So, I would say, intentionally, a forum was created to lash out against Sudan, and intentionally, the Sudan government was denied an opportunity to defend itself. You cannot try somebody *in absentia* when that person is not refusing to be present. Particularly when we heard that John Garang was going to attend, we said we would send a high-level delegation.

EIR: How do you respond to the new allegations of slavery, which are being spread massively in Canada and in Britain?

Machar: I saw a video shot in areas controlled by the SPLA. Now, the question is: Who is sanctioning the slavery? Is it the SPLA? . . . Since that time, it has been our concern that, if at all such is happening, it will stand out, and then we see the North and South have very long borders.

The war was very intensive in northern Bahr al Gazal, in Wahabi state, which are adjacent to southern Cordofan and southern Dafur states. There was big displacement in the areas of Waharat state, and northern Bahr al Gazal state. There was famine in that area. So, desperate people would also abandon their children. The intensive fighting can cause abductions. We have tried our best. I am part of the government: If there is slave trade of people of the South going on, and people of the North [are involved], we try to get at the truth: Where are the markets for that? Abduction—I can understand how it happens. Recently, there was a conference in Bahr al Gazal, a peace and reconciliation conference between the Dinka and the Nuer people. In the resolution of that conference—which was successful, with the international community involved, people from America were involved—one of the resolutions was about locating people—children, women—who had been abducted during seven years of conflict. If you turn that into the slave trade, that is wrong. Let us say, even if it were happening in that part of this country, what would be the cause of it? It would be the war. It would be the fact that there is lawlessness created by the war. Why, then, not resolve the fundamental problem? The problem is this war. Get to a peaceful settlement, and then impose authority of government in that area. To me this would be the approach to take, that is why we are pushing for peace.

EIR: You mentioned the financial constraints. Can you say something about what has been achieved, despite these constraints, on the ground over the past year?

Machar: You know that the South is made up of many states. Now there are governments and state assemblies in place, doing their normal work, providing security, providing ser-

vices to the people, doing limited development with the resources they have. We in the Coordinating Council have rebuilt some of the infrastructure destroyed by the war. The main emphasis is on agriculture, so that our people can have food security, and the other is security itself, so that they can produce for themselves. The third is that we try to open up roads and river transport, so that this infrastructure can help us carry out development. Some industries, particularly the labor-intensive industries, we have revived during this time. This we are in the process of doing.

But our main handicap is financial support. In 1972, when the first agreement was made, it was possible to take off very fast, setting up the political institutions, and the administration, in a very short time, because then the war stopped and there was financial support externally. This we lack.

EIR: Is there no financial support coming from the outside?

Machar: Nothing, nothing. The policy of strangulating the implementation of the peace agreement through withholding of finances, has effectively worked.

EIR: You also went to Kampala, Uganda, during the last year. What attitude toward a peace settlement did you find there?

Machar: I met [Ugandan] President [Yoweri] Museveni more than three times, and I was persuading him that we were going to get regional peace and stability. There is a need to see the peace agreement on the table in a positive manner. I tried my best to explain to him in detail, that the Ugandan government and the people in the region would get a return if there were peace. There is one of the big corridors for our exports and imports. There could be very strong trade links, as the people are culturally one. There could also be economic integration with Uganda. Politically, I wanted President Museveni to see that this peace agreement made inside, is stronger than the 1972 peace agreement, which was supported internationally, and with us having the stability, he would be stable. He definitely has problems, and I think with stability in southern Sudan, these problems would find resolutions very quickly. And I wanted President Museveni to use his influence on John Garang, and that if Garang wanted a guarantee, Museveni could give one, since he is part of the IGAD mediation team.

The fear with Garang is that, coming in, the peace agreement may not last unless it has international support, regional support from governments that supported him. So I said, that is understandable all right. Museveni would be in a good position, someone who knows Sudan.

EIR: And what was Museveni's response?

Machar: Initially it was positive. But I think he got external pressure. I think the U.S. policy in Africa is having bloc countries—in Central Africa it is a bloc, led by Museveni, with that bloc moving together and sanctioned by the U.S. adminis-

tration. There are difficulties: It is crumbling in Central Africa; Congo is fighting Uganda, Uganda has invaded half of the country. So, the policy is failing.

EIR: What is the situation with southern faction leader Kerubino Kuanyin Bol [who signed onto the April 1997 peace accord between southern leaders and the government of Sudan, but quit the peace charter in late 1997, and re-defected back to the SPLA]?

Machar: When Kerubino left the peace process in January 1998, he was pushed by parties opposed to the peace agreement, and he thought he would find an alternative. But when he got there, he found that the peace agreement he had left was the one that met the needs of the people of the South. We then contacted him, when we realized that he had himself gotten a shock from the other side. We were clear that he was positive to come back to the peace process; we gave him guarantees: All that is needed is that we join in a peace settlement, if you think it was a mistake that you left and you now believe that this is the solution to The problem. We welcomed him back. So, he made a unity statement.

EIR: Recently, at a forum on peace and reconciliation in Munich, a Ugandan parliamentarian, Mr. Mao, the editor of the *Monitor*, said that after apartheid was dissolved in South

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Africa, now the next big threat to peace and reconciliation is the Sudan government. The parliamentarian explicitly spoke of the “appetite” of the Sudanese government for the rest of Africa. How would you respond?

Machar: I think there is a lot of misinformation, and this is intended. Really what is happening in the Sudan: I fought for 13 years as a guerrilla leader, against oppression, and when I found out that we could make a peaceful settlement with this government, we did it. Sudan should be judged on what it is doing and what it has on paper. Sudan is a federal government. When you take the steps of implementing a federal system of government, it is a higher stage to democratization, and you are ensuring more participation of the people in their own affairs. We have 26 states. If this system is a monster, it would not have chosen federalism as a system of government, because with federalism you have a broader participation of the people. On top of that, now, we have moved to a multi-party system. Anybody can form a party, a number of 100 can form a party, to propagate their views.

There is misinformation about Islam, the cultural differences. I am not a Muslim, but it looks like the countries that are Islamic and which try to bring their religious background into their political life, get misjudged. To the Muslims, *Sharia*, or Islam to them, is a way of life, it regulates their way of life; it is also a religion, it plays a part in the governance. And, this comes to the question of what is your source of legislation. Sudan today has three sources of legislation: One, is the *Sharia*, the Islamic background—the majority in the North has [this background]. The other is custom, and this is particularly meant for the South. The third is consensus, or commonality, what we see, as Sudanese, common among ourselves; we can use it as a source of law when legislating. I don’t think this is unique to Sudan.

We have no state religion, but other countries, Islamic countries, take Islam as a state religion. In the Sudan, it is not a state religion. There is only mention that a majority of Sudanese are Muslims. As for eligibility for holding public office, your religious background is not necessary, your creed is not necessary, your cultural background is not a condition for eligibility to public office.

Now, when statements are made, to equate the Sudan with apartheid, I think this is a gross misrepresentation, and I even think it is lack of information. Apartheid can be based on race, where power is exclusively with one race, which is what happened in South Africa, or when voting rights are denied on the basis of race. But I can also see institutionalized religion. We are talking here, this is the Republican palace, I am assistant to the President of the Republic and I am not a Muslim. I am not even alone: There is another Vice-President who is not a Muslim. So, there is no way of constituting apartheid based on religion.

Apartheid can be instituted on the basis of culture. We have Islamic, African cultures in this country. Our Constitution says, citizenship is the basis of rights and duties, it is not

done on the basis of culture. So, there can be no justification for saying there is apartheid in the Sudan. These are the three basic factors, on which apartheid can be instituted. I think that what brothers somewhere are saying, is not true. If they talk of power-sharing and wealth-sharing, this is the cornerstone on which we fought this war: Let’s share the power equitably, let’s let the wealth be distributed equitably, so that each has a fraction of the national cake. So, I think it’s untenable to support a theory of apartheid in the Sudan.

Interview: Dr. Lam Akol

Sudan’s struggle for peace and development

Dr. Akol is Sudan’s Minister of Transportation. He was interviewed by Muriel Mirak-Weissbach and Uwe Friesecke in Khartoum, on April 15.

EIR: How do you see the current status of the peace process?

Akol: As you know, there have been many sessions of peace talks under the auspices of the IGAD [Inter-Governmental Authority for Development] countries; this initiative started in November 1998, and is still ongoing. In the first two years, they developed the Declaration of Principles, in which they outlined the main principles on which a solution, a just and durable solution, could be reached between the parties in the war. When it started, of course, it was three parties, the [Sudanese People’s Liberation Army] SPLA-United, the SPLA-SPLM of John Garang, and the Sudan government. Those principles, clearly, stated that the first preference was for a united Sudan, and that, failing that, the next option was to grant the people of southern Sudan the right to self-determination, so that they can decide for themselves what kind of future they want for Sudan: Either they want to be part and parcel of a united Sudan, or they would want to have a state of their own. This is the outline of the Declaration of Principles.

EIR: We have followed the peace process closely, and *EIR* has published the documents from 1996 and 1997.

Akol: Then, as you well know, at the moment, a number of countries are opposed to this regime in Sudan, for different reasons. There are regional countries, and the United States, and, to a lesser extent, some other European countries: They want the government to be overthrown; they want to change