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From: Mills, Cheryl D <MillsCD@state.gov>
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To: H
Subject: Fw: Khartoum Update

From: Shortley, Timothy R
To: Mills, Cheryl D; Sullivan, Jacob J
Sent: Wed Dec 16 02:09:44 2009
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FYI.,
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Deputy to SE Gration
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From: Scott Gration <[REDACTED]>
To: S_SpecialAssistants
Cc: Burns, William J; Steinberg, James B; Carson, Johnnie; Yamamoto, Donald Y; Shortley, Timothy R
Sent: Wed Dec 16 01:09:34 2009
Subject: Kharoum Update

B6

Madame Secretary, I'm two-thirds of the way through my trip to Sudan, but in light of the comments made at yesterday's press conference by Congressman Wolf and others, I wanted to send you an update about the situation here and the facts on the ground.

SPLM-NCP Agreement

Last Sunday, the NCP and SPLM reached a political agreement on three major pieces of legislation to implement the CPA—the Southern Sudan Referendum Act, the Abyei Referendum Act, and the Popular Consultations Act. This agreement was the culmination of months of negotiations that stretched through each of my last six visits to Sudan. While we helped facilitate many of these discussions, the parties reached this agreement on their own and they deserve the credit for demonstrating the political will and leadership that forged the deal. These three bills will be introduced in the National Assembly this week and should be passed in the coming days. When implemented, they'll set the stage for three landmark CPA processes—the referenda on self-determination for Southern Sudan and the Abyei region, and popular consultations in Southern Kordofan and Blue Nile (an opportunity for citizens in the two states of to weigh in on the CPA power-sharing and wealth-sharing arrangements with the central government). The parties are continuing their discussions on two issues—reform of the National Security Act and resolution of the census dispute.

Public Demonstrations and Elections

In an unfortunate backdrop to these discussions, two public demonstrations (7 and 14 Dec) by political opposition parties calling for legal reform necessary for CPA-mandated democratic transformation and credible elections resulted in a violent response from Sudanese security forces here in Khartoum. Senior opposition leaders were arrested and released on both occasions, and the peaceful crowds subjected to tear

gas and beatings. We have echoed your condemnation of this violence during our meetings and press conferences, and we're urging the parties to make progress quickly on the legal reforms called for in the protests.

Even with this unacceptable response to their peaceful demands for credible elections, the SPLM and other opposition parties have not called for postponement or cancellation of elections. Most still believe elections should take place in April. The SPLM is actively preparing to contest elections, and other opposition parties are watching conditions closely to determine their level of participation. Voter registration concluded on 7 Dec with almost 16 million people registering out of an estimated eligible population of 20 million. In the end, 81 percent of estimated eligible voters registered, including more than 60 percent in Darfur. Although these numbers are still unverified and the registration process was not without flaws, we know that large numbers of people turned up across the country and across the political spectrum demonstrates that there's still a good possibility to have credible elections and long-term democratic transformation in the long term. So long as the Sudanese continue to push for national and legislative elections in April in accordance with international standards, I believe at this time that the US Government should remain firmly committed to supporting the election process and timeline.

Darfur

Concerning Darfur, we've been informed that Chadian Foreign Minister Faki plans to visit Khartoum on 23 Dec (date still confidential), as a follow up to Sudanese Presidential Advisor Ghazi's groundbreaking visit to N'djamena earlier this year. We are hopeful that this meeting will be another significant step toward improving Chad-Sudan relations—a crucial action to improving the security situation in Darfur. Dr Ghazi stressed that both parties are moving toward implementation of the 2006 Dakar Agreement, changing the dynamic in Darfur by cutting supplies to the Justice and Equality Movement (JEM). He noted that rebel unification efforts and improved Chad-Sudan relations have increased the willingness of JEM and Abdul Wahid (Chairman of his segment of the Sudan Liberation Movement) to talk to the joint AU/UN mediator, Djibril Bassole in Doha.

I also met with former President Thabo Mbeki, who stressed that the AU High-Level Panel for Darfur that he chairs has now transitioned to the "Panel for Implementation" of all outstanding issues Sudan. President Mbeki's reach is likely to be significantly greater than the original mandate to investigate the situation Darfur and make recommendations on justice and accountability. He outlined his major priorities as: 1) launching Darfur/Darfur Dialogue, 2) supporting NCP-SPLM post-2011 negotiations, 3) mitigating inter-tribal conflict in Southern Sudan, 4) pressing the GoS to improve the situation on the ground in Darfur despite slow progress in the peace talks in Doha, and 5) implementing the Panel's recommendations on accountability and justice in coordination with ICC. We will have to work closely with President Mbeki to ensure his efforts progress the agenda for peace in Sudan.

[redacted] pledged to give us the list of actions the Government of Sudan would take (including proposed timelines) to improve the situation on the ground in Darfur that we can incorporate into our benchmarks. President Mbeki will travel to New York to brief the UN Security Council on 21 Dec. AU Chairperson Jean Ping UNSYG Ban Ki Moon, and he will discuss [redacted]

[redacted] and ways to move the peace process forward. [redacted] also indicated that he will reach out to you to provide his views on the present state of play in Sudan.

Next Steps

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On this my last day in Khartoum this year, I will meet with additional members of opposition parties who participated in the protests on Monday, as well as the National Election Commission and Vice President Taha, to discuss the electoral environment, implementation of this weekend's agreement, and resolution of remaining issues. I depart Sudan this evening for Stuttgart coordinate our security framework with AFRICOM, then I'll spend Friday in Brussels addressing the European Union's Political and Security Committee and improving our coordination with key EU allies.

With Sudan's campaign season beginning in early February and all attention focused on elections at that point, we must maximize our efforts in the next 45 days to advance our goals for Darfur and CPA implementation (e.g., we must begin to the process for negotiating the post-2011 issues of citizenship, North-South border demarcation, and resource sharing). Senior US leadership involvement in Sudan's issues will be crucial, and I'll send you a proposal for this engagement at the conclusion of this trip, along with an update on the European portion of my travel. Very respectfully, Scott

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