



CAPE TOWN, SOUTH AFRICA

STABILISING SUDAN: DOMESTIC, SUB-REGIONAL, AND EXTRA-REGIONAL CHALLENGES

Policy Advisory Group Seminar

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Rapporteurs: Daniel Large, School of Oriental and African Studies (SOAS), University of London, England, and Chris Saunders, CCR

Editors: Adekeye Adebajo and Mark Paterson, both of CCR

Introduction

The Centre for Conflict Resolution (CCR) in Cape Town, South Africa, hosted a two-day policy advisory group seminar on 23 and 24 August 2010 in Somerset West, Western Cape, on the theme: “Stabilising Sudan: Domestic, Sub-Regional and Extra-Regional Challenges”.

The meeting examined Sudan’s multiple, interconnected challenges as the country fast approaches a historic transition. In January 2005, the government of Sudan and the Sudan People’s Liberation Movement/Sudan People’s Liberation Army (SPLM/A) signed the Comprehensive Peace Agreement (CPA). Six years later, in January 2011, according to the terms of the CPA, Southern Sudanese residents in the South and in designated areas outside South Sudan should be able to vote on the South’s self-determination and choose whether South Sudan should remain in, or secede from, a united Sudan. At the same time, Ngok Dinka inhabitants residing in Abyei will also vote on whether to remain in the North – in the event of the separation of the South – or join South Sudan. The Cape Town seminar sought to develop recommendations to help Sudan and its neighbours to achieve stability. It sought to identify ways in which African and extra-regional actors could help Sudan to manage the challenges of the forthcoming referenda for the country’s future. The advisory group focused on key aspects of Sudan’s current political juncture: preparing for, and managing the outcome of, the South Sudan and Abyei referenda; United Nations (UN) peacekeeping in Sudan, including Darfur; the contested border areas between the North and the South of Abyei, Southern Kordofan, and Blue Nile; the regional implications of the Southern and Abyei referenda; and the role of two key external actors: the United States (US) and China.



“Sudanese ownership of the CPA is critical, but external third-party actors can play positive roles”

SUDANESE LEADERS AT THE 2005 SIGNING OF THE COMPREHENSIVE PEACE AGREEMENT (CPA)

Image source - AFP
<http://ns211683.ovh.net/spip.php?article26371>

Context: Sudan at the Brink

Any current external engagement with Sudan must recognise the need to adopt both a historical approach and a holistic pan-Sudan perspective which take into account the dynamic interconnections between the country’s multiple interlocking conflicts. Sudan is Africa’s largest country and features great racial, religious, and cultural diversity. It is not sufficient to focus on only one of Sudan’s regions, or merely on the relations between north and south, or between Darfur and the rest of the country. Furthermore, Sudan has significant regional interconnections with neighbouring states in the Horn of Africa, East, Central, and North Africa, as well as the Middle East. Sudanese ownership of the CPA is critical, but external third-party actors can play positive roles. History has shown that effective implementation of policy goals within Sudan can depend on a convergence of purpose between internal Sudanese political constituencies and regional and external actors.

The implementation of the CPA has reached a critical phase. The agreement established a template for a wide-ranging agenda of political change in Sudan. Its intent extended beyond just the Southern referendum. This referendum, however, has become the accord's defining provision in the eyes of many Sudanese and the international community. The cost of any failure to implement the CPA would be considerable not just for Sudan, but also for the country's nine neighbouring states, the rest of Africa, and the world at large. A pressing issue for African and international policy engagement is how to ensure that the preparations, conduct, and outcome of the Southern and Abyei referenda can be managed peacefully to avoid a humanitarian disaster.

Laying the foundations for a mutually beneficial post-referendum settlement in line with the terms of the CPA will require political will and cooperation between the parties. If the accord were to be dishonoured, it is unlikely that any future agreement between Northern and Southern Sudan could be sustained. Effective implementation of the CPA's provision for Southern Sudanese to exercise their right to self-determination by voting either to remain in the present administrative structure or to become an independent state would require a process of managed separation and continued socio-economic interdependence. A number of critical post-referendum issues – such as security arrangements, sharing of water assets and oil revenues, as well as decisions about citizenship, currency, and national capitals – would also need to be urgently resolved. It is crucial that any new political configuration that emerges after the January 2011 referendum should involve peaceful co-existence that can assist rapid socio-economic development.



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A SUDANESE BOY HOLDS HIS MALNOURISHED COUSIN AS HE WAITS FOR MEDICAL ASSISTANCE AT A HEALTH CLINIC IN AKNUEM VILLAGE IN SOUTHERN SUDAN IN SEPTEMBER 2005.

Image source - David Mwangi Reuters
http://sudanwatch.blogspot.com/2005_09_01_archive.html

1. UN Peacemaking in Sudan

There has until recently been less international engagement with, and political support for, CPA implementation than on the Darfur issue. Furthermore, international engagement has suffered by not being guided by a holistic approach. The CPA's two signatory parties – the ruling National Congress Party (NCP) for the government of Sudan and the SPLM – have significantly failed to implement the agreement “fully and jointly”. However, the international community has also missed several opportunities to ensure a stable post-referendum outcome by failing to mount a more concerted, engaged effort to support the CPA after it was signed.

The 10,000-strong UN mission in Sudan (UNMIS), which was launched in 2005, faced particular difficulties in deployment, coordination, and making an integrated mission operational. UNMIS has made efforts to help the two main Sudanese parties meet the conditions under which they could implement the CPA by preserving the peace, by guaranteeing the rights promised in the accord and other international agreements, and by catalysing socio-economic development. However, development efforts have remained limited, partly due to the re-direction of international resources to Darfur. The failures of past UN and international engagements in Sudan can offer valuable lessons for the future that must be urgently applied to present circumstances.

2. Managing the Outcome of the South Sudan Referendum

The results of the Southern referendum will have a profound effect within and beyond Sudan. The African Union has pushed for an all-inclusive debate about the referendum and its potential aftermath in order to help the country to prepare for the future. Sudanese leaders need to take the lead in this process. A probable outcome of South Sudan's referendum is the establishment of a new independent state. External assistance would be required to meet the huge state-building and human development challenges created by such an outcome. The CPA's "one country, two systems" formula has inadvertently entrenched the very problem that it sought to address: the North-South division of Sudan. The root causes of the conflict are likely to remain unresolved for some time, especially in the marginalised peripheries of Northern Sudan. The vision of a united, democratic "New Sudan", which was championed by late SPLM leader, John Garang, during the country's civil war between 1983 and 2005, is unlikely to be achieved in the near future.

3. UN Peacemaking and Peacekeeping in Darfur

The situation in Darfur, where an estimated 300,000 people have died since 2003, continues to impede prospects for a durable political solution. Both Khartoum and the Darfuri rebel Justice and Equality Movement (JEM) continue to try to resolve the conflict primarily through a military victory. Inter-"tribal" clashes have increased, internally displaced populations continue to suffer amidst political fragmentation, and attacks continue on humanitarian personnel and peacekeepers. The 21,800-strong AU/UN Hybrid Operation in Darfur (UNAMID) also lacks a functioning peace agreement to implement, and remains a peacekeeping force surrounded by ongoing conflict. Without the cooperation of the JEM and the leadership of relevant social and political forces as well as other Darfuri rebel groups, including the Sudan Liberation Movement (SLM) – whose leader, Abdul Wahid al-Nur, is in exile in France – the prospects of a sustainable peace remain remote. In addition, the lack of effective coordination among internationally and regionally-sponsored mediation efforts continues to pose problems for the achievement of durable peace.

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4. Resolving the Border Areas of Abyei, Southern Kordofan, and the Blue Nile

While the North-South and Darfur conflicts have garnered the most international attention, Sudan's complex, volatile, resource-rich, and, in places, heavily militarised border areas have attracted comparatively little interest. However, these represent areas of great strategic importance for achieving durable peace in Sudan. While the complex interdependence of local and national groups across a potential inter-state border provides the opportunity for peaceful co-existence and neighbourly relations, it also engenders a threat of conflict and instability. The impact of the present peace deal on Southern Kordofan and Southern Blue Nile remains uncertain. The result of

the referendum in Abyei scheduled for January 2011 on whether the area wants to remain under the North or join the South will have far-reaching consequences for Sudan.

Failure to achieve a peaceful political resolution in these three border areas would threaten any peaceful implementation of the outcome of the Southern referendum, if the vote is for separation. Should the South secede, Khartoum and/or Juba could become embroiled in a new conflict in which other groups in these areas would exercise influence. A post-referendum northern Sudan could be faced with a possible opposing alliance of the new northern “peripheries”. The future of the SPLM in northern Sudan and the NCP in southern Sudan after 2011, the preferences of the populations in the ten Southern and Northern provinces along the common North-South border for unity or separation, and possible alliance patterns that the NCP and the SPLM would seek as a result to build in the border areas, also constitute critical issues that need to be urgently addressed.

5. Regional Implications of the Referendum in South Sudan

Sudan’s political future will inevitably influence peace and stability in the Horn, Eastern, and Central Africa. If the Southern referendum produces contested results leading to conflict, the impact would not be confined to Sudan. Failure to conduct the Southern referendum on schedule could also have serious regional security repercussions. Several of Sudan’s neighbours such as Uganda, Kenya, Eritrea, and Ethiopia appear to have a vested interest in a stable political transition and a peaceful future for a Southern Sudanese polity. Others like Egypt and Libya, fearing a loss of influence, regional instability, and – in the case of Cairo – a diversion of the Nile waters, seem more inclined to support the option of a united Sudan with more autonomy granted to the South. Egypt, however, has also made efforts to develop relations with the Government of South Sudan. Peaceful CPA implementation and any post-referendum settlement is necessary to preserve peace in Sudan’s neighbouring regions and other parts of Africa, as well as to help the continent to address security threats posed by extremist armed groups such as Somalia’s al-Shabab, Uganda’s Lord’s Resistance Army, and self-described backers of al-Qaida in the region.

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6. Extra-regional Actors: The United States and China

The United States remains the most important extra-regional actor engaged with Sudan. Having played a crucial role in negotiating the CPA, Washington is the agreement’s most powerful external guarantor. China, a fellow veto-wielding permanent member of the UN Security Council, is also a crucial actor due to its economic importance in Sudan. This role is centred on, but not confined to, the country’s oil industry, as well as Beijing’s leverage with the NCP, which first delayed and then ensured the deployment of UN peacekeepers to Darfur in 2007. The US and China have different engagements

with Sudan, but share a common interest in promoting stability through a peacefully managed CPA. War or instability in and around Sudan would damage the interests of both powers. Such conflict could aid extremist groups seeking to destabilise the region and threaten Western and Chinese interests. It could also impede Sudan's economic development. Support for peaceful CPA implementation is also importantly provided by the UN Security Council, relevant regional and sub-regional organisations – the AU and the Intergovernmental Authority on Development (IGAD) – and mechanisms such as the Troika – foreign ministries from the United States, Britain, and Norway. However, Washington and Beijing at present have a particular responsibility for – and powerful means to influence – the fate of the CPA, and must work collectively to help to manage its peaceful implementation.

Policy Recommendations

Peace and stability in Sudan and the broader region depend on the Southern referendum being properly held on schedule in January 2011 and the peaceful implementation of its outcome. The countdown to the Southern vote, and that in Abyei, is proceeding rapidly. National, regional, and international actors should prepare themselves for a range of possible outcomes in the aftermath of both referenda – particularly in relation to the impact on Darfur, and Southern and Northern Sudan's future. External parties should strongly discourage any unilateral decision, including resort to military force by the NCP and the SPLM, and encourage and incentivise both sides to continue instead to use political dialogue to resolve their differences.

Twenty policy recommendations in four key areas emerged from the Cape Town advisory group seminar. However, although most of them are directed towards regional and international actors, it was strongly emphasised that full implementation of the CPA and restoring peace in Darfur is fundamentally a Sudanese responsibility.

1. Implementing the Comprehensive Peace Agreement

- The UN Security Council, as the ultimate guarantor of the CPA, should make clear to all parties that it is fully committed to the accord and will take whatever steps are necessary to see that the CPA is fully implemented. All 15 Security Council members should therefore work towards reaching a shared understanding of how to achieve peace and security in Sudan in the aftermath of the referendum and undertake to act collectively in this regard. This must be done to avoid parties in Sudan exploiting divisions between external actors. Special responsibility lies with the US and China, which should take the lead in actively ensuring adherence to the implementation of the CPA's final benchmarks;

- The UN Security Council and the 15-member AU Peace and Security Council should encourage all parties to consider and prepare for what will happen in Sudan after the referenda in the South and Abyei, whatever their outcome. In the interests of peace and stability, all parties should prepare contingency plans for different eventualities;
- The UN Security Council should work with the Thabo Mbeki-led African Union High-Level Implementation Panel to ensure full and effective implementation of the CPA. More international support should be provided to the panel, which understands the issues and has the credibility to work with the signatories to the CPA. It is essential, however, that mediation efforts between the AU, IGAD, the US, the European Union, China, and other external parties be better coordinated;
- The UN mission in Sudan should be more actively supported and its mandate extended. Learning lessons from the post-referendum violence in East Timor in August 1999, the UN Security Council should clearly state that, if necessary, it will change UNMIS's mandate from that of a Chapter 6 peacekeeping force to that of a Chapter 7 peace enforcement mission, with the power to use force and take decisions independently of the government of Sudan in order to protect civilians and guarantee the implementation of the Southern and Abyei referenda;
- The two main Sudanese parties – the NCP and the SPLM – should provide regular, publicly-stated benchmarks to track progress on CPA implementation in its final stages, while external donors must deliver on their pledges to post-conflict reconstruction efforts in Sudan;

2. Preparing and Supporting the Referenda

- Core issues of contention between the main Sudanese parties, such as disputes over the demarcation of the boundary between North and South, Abyei, and future wealth-sharing arrangements, must be urgently settled to ensure stability in Sudan after the Southern and Abyei referenda;
- International actors should support a campaign to publicise the referenda and disseminate information about their processes and importance to Sudanese citizens, as well as about how issues of citizenship will be tackled;
- The effective functioning of the Southern Sudan Referendum Commission and the Abyei Referendum Commission is critical. Appropriate technical assistance, as required, should be provided to these Commissions by regional and external actors;

- Effective monitoring of the Southern and Abyei referenda by external observers is required in order to ensure that their processes and outcomes are credible;
- The UN Security Council and the AU Peace and Security Council should give warning in good time that if the CPA is not fully implemented, and that if the outcome of the Southern referendum is not respected, appropriate measures would be imposed on the offending parties;
- National governments and regional and external organisations should clearly state that they will accept the result of the referenda, in accordance with the terms of the CPA;
- All Sudanese parties should work towards the full implementation of the referenda in January 2011. Regional actors and the international community should help them to do so and take all necessary steps to ensure credible referenda, the results of which should not be questioned;

3. The Post-Referenda Period

- The international community should undertake to guarantee and respect the results, whatever they might be, of the January referenda in Southern Sudan and Abyei. If a new country of South Sudan emerges, the international community should be ready from the outset to work to help South Sudan to become a viable state;
- The international community should recognise the dangers of instability in Northern Sudan after the referenda and work to ensure the protection of human rights in all parts of Sudan, ensuring equitable participation of all regions of the country in the political process;
- Regional and external actors should focus not only on Juba and Khartoum, but should recognise that Sudan's border areas are a matter of critical strategic importance, especially Abyei, Southern Kordofan, and Southern Blue Nile, and will remain so after the referenda;
- A soft-border regime is required for Sudan's border areas to enable them to continue to exist as a shared zone for mutual benefit. The international community should therefore fully encourage current efforts to promote peaceful co-existence in these areas;



4. Stabilising Darfur

- The AU, IGAD, key external actors, and other interested parties should continue to engage with the Darfur peace process and promote a comprehensive, inclusive peace agreement in the volatile region;
- The peace talks in the Qatari capital of Doha, led by Djibrill Bassolé, Joint African Union-United Nations Chief Mediator for Darfur, should involve all parties to the conflict, and all those with influence should work to encourage those who are not participating in this process to do so;
- IGAD should take a more active role in working for peace in Darfur and in bringing the North and South together to settle the issues that divide them; and
- The AU/UN Hybrid Operation in Darfur should be fully supported and resourced to ensure that its mandate is effectively met. Punitive measures should be considered by the international community against armed groups which attack civilians and UN peacekeepers.