



Spoilers and Perils In Post-Settlement Sudan

Moving Beyond the North-South Paradigm

Summary

Fifteen years after the National Islamic Front (NIF) seized power by force, the Sudan is at the crossroads: although the twenty-one year old conflict in the South has been nominally brought to an end, unremitting extreme violence in Sudan's western region of Darfur and lingering tensions in the central and eastern parts of the country cast a shadow over the misnamed Comprehensive Peace Agreement (CPA) signed in Nairobi on January, 9, 2005. Since the CPA provides a basis for resolving Sudan's conflicts and for fostering democratic transformation, external actors should unreservedly support its implementation in the face of various potential spoilers. Eventually, however, building a peaceful and united Sudan will require broadening the scope and support base of the agreement, and moving beyond the North-South paradigm.

Dr. Emeric Rogier

A Historic Achievement

The signing of the comprehensive peace agreement following thirty months of rolling negotiations in Naivasha and other Kenyan towns represents a historic achievement in several respects.

First, it brings an end to Africa's oldest war – a war triggered by Khartoum's unilateral abrogation of the Addis Ababa agreement in 1983, but rooted in a small Arab elite's domination of the Sudan straight away from its independence in 1956.

Secondly, the agreement provides for a fair settlement of the conflict by addressing legitimate grievances of the Southern Sudanese, and by stipulating in particular a referendum of self-determination for the South at the end of the six year interim period.

Thirdly, the agreement foresees tangible democratic changes in the field of governance that may help to gradually abolish the dictatorial regime that dominated the country for the past fifteen years.

Political changes at the centre combined with steps toward effective decentralization may further create a more conducive context for addressing conflicts and grievances in Sudan's other peripheral and marginalized regions.

Notwithstanding the historic character of the CPA, the perils and difficulties ahead are commensurate with the size of the country. Even though the peace agreement may provide a starting point for restructuring the Sudan, it is actually perceived not so much as a driver of change but rather as a bilateral deal between the Government of Sudan (GoS) and the Sudanese People's Liberation Movement/Army (SPLM/A) on sharing power and wealth. It may therefore face resistance in every region of the Sudan, including the South, and may even be undermined by elements party to it.

A Potential Spoiler at Each Corner

In the South, the post-settlement setting raises serious challenges of governance for the former rebellion. Whereas the SPLM/A has been granted massive powers over the Southern administration, the movement will have to maintain its unity, transform itself into a political party, and learn the basics of democratic governance. Despite its popular support, the SPLM/A does not represent the South in its entirety, since it is dominated by the Dinkas. Hence, its forthcoming supremacy is likely to generate fears and frustrations from other groups, such as the Nuers and Equatorians. The interim security arrangements are a case in point: the Dinka-dominated SPLA will subsist alongside the Sudanese Armed Forces (SAF), but the Nuer-dominated South Sudan Defence Forces (SSDF) – a conglomerate of separatist Southern militias affiliated with the Government of Sudan – are called to disband and to integrate either of the two recognized armies within a period of twelve months. It is unlikely that all SSDF members will abide by such provisions; some of them, potentially encouraged from Khartoum, might play a spoiling role, even more so if reconciliation efforts among Southerners fail to make tangible progress.

SPLM/A's brothers-in-arms in Abyei, the Nuba Mountains and Southern Blue Nile, the Three Areas bordering the South, should have less reasons to complain since their case was actually addressed in parallel with the IGAD talks¹. However, the Protocol on Abyei, while granting the area a special status under the institution of the Presidency, contains a number of loopholes and shortcomings that may well obstruct its implementation. Moreover, the Protocol on Southern Kordofan and Southern Blue Nile states seems unlikely to satisfy groups like the Nuba people who claim the right to govern themselves on their historic land but were refused, contrary to Abyei residents, a referendum to choose between North and South.

Frustration over the IGAD process and its outcome has also grown in north-eastern Sudan. Since the 1990s, the Beja Congress and the Rashaida Free Lions have combatted alongside the SPLM/A under the opposition umbrella organization, the National Democratic Alliance (NDA), to protest,

like others, against government neglect. At present, the two groups lack a clear reason to feel grateful to their former allies: the SPLA committed itself to withdraw from eastern Sudan within a year, while NDA leaders negotiated in Cairo the conditions of their return to Khartoum but failed to defend Beja interests before the government. Riots in Port Sudan in late January and the recently announced merger of the two groups into a new party, called the Eastern Front, attest to rising tensions in the region.

Finally, there remains Darfur, which, contrary to all other areas cited above, is not included in the ceasefire zone and continues burning. If Naivasha is a historic achievement, then Darfur is a tragic example of what should not be done in conflict management, in particular relying exclusively on regional organizations that are usually held hostage by their own members and lack the necessary peacekeeping capacity.

In short, the so-called 'comprehensive peace agreement' provides for welcomed changes in the South and possibly in Khartoum, but seems inadequate in settling the conflicts in the Three Areas and overlooks the eastern and western fronts. Moreover, the ruling party's domination is consolidated over all northern states for the four years to come. As a



¹ IGAD stands for the Intergovernmental Authority for Development, the regional organization under the auspices of which the negotiations were held.

result, unresolved conflicts in the North are likely to persist and, in the worst scenario, might link with each other, from Western Darfur to the Red Sea via Kordofan. Various indications suggest that a 'coalition of the marginalized' is being set up, possibly facilitated by Eritrea and by the fact that one million Darfurians migrated over time to Eastern Sudan. These groups might also be acting with the blessing of the NIF's former *eminence grise* Hassan al-Turabi, whose invisible hand the GoS thinks to see all over the country since his dismissal in 1999. In any event, the possible emergence of an arc of conflicts throughout Sudan's central belt raises critical security questions and poses a serious threat to the sustainability of the Naivasha agreement. But it may not even be the biggest one.

The Threat From Within

At first sight, it thus seems that the CPA is mainly threatened by groups not party to it. Yet, it is not that simple. While deploring its restricted format, opposition parties from the North largely support the peace process in which they see an opportunity for regime change and simultaneously for their own political comeback. And while continuing the armed struggle, certain rebel groups nevertheless welcome the signing of the peace agreement in the hope that the appointment of SPLM/A's chairman, John Garang, as First Vice-President will help their cause. Eventually, the support for the peace agreement by a given party less depends on this party's signatory status than on its perceived interests.

From this perspective, the biggest threat to the peace agreement may well be posed by the GoS itself. The NIF seized power by force in 1989 with the aim of preventing the imminent conclusion of a peace deal with the SPLM/A and imposing instead its Arabo-Islamic agenda throughout the Sudan. Fifteen years later, the Islamist project has ended up in failure and President Al-Bashir has resolved to make peace with John Garang. However, the National Congress Party (as the NIF has renamed itself) made this U-turn in the aftermath of 9/11 for self-preservation purposes only. As its response to the insurrection in Darfur shows, the ruling elite remains largely attached to Arab supremacy and the benefits of exclusive governance. It is question-

able therefore whether it will actually play the game of power sharing and let the Southern Sudanese appropriate oil reserves by referendum.

This situation creates a serious dilemma for outsiders: building peace and safeguarding Sudan's unity require the end of NCP supremacy; but the ruling faction is likely to resist any such move and, as Darfur illustrates, does not hesitate to resort to genocidal violence to hold its grip on power. Hence, the peace implementation process has a high potential of relapse.

How Best to Promote Unity?

By signing the Machakos Protocol, the parties have subscribed to the unity of Sudan as the ultimate goal of the peace process. Since most Southerners – with the notable exception of their leader, John Garang, a genuine unionist – want to break ties with the Northern 'Jallaba', the challenge is considerable and the Machakos Protocol may eventually prove a procedure for divorce rather than a roadmap towards unity. Moreover, the international/ donor community is on the whole committed to giving Sudan's unity a chance, but as divided as the Sudanese parties on the modalities for doing so: 'pro-Sudan' donors emphasize an even-handed and bridge-building approach between North and South, whereas 'pro-South' stress the need to make unity attractive for the Southern Sudanese. In fact, as this policy brief argues, prioritizing unity entails moving beyond the North-South paradigm. Guidelines are suggested below for fostering change in the South, the other marginalized areas, and the centre.

- If the international community actually wants to advance the unity of Sudan and encourage Southerners to vote accordingly in 2011, it will first have to ensure implementation of the agreement (through providing safeguards and enforcement mechanisms like a robust UN force) and help the South to catch up for its development differential (including making extra efforts for enhancing Southerners' representation at the central level). In doing so, donors should insist on the requirements for democratic governance in the South and press for genuine reconciliation efforts between Southern groups.

- While hoping and working for unity, donors and interested governments should bear in mind that unity is not the most likely outcome; they should therefore plan in time for ensuring respect for the voters' will and for possible separation.

The peace process and a vote for unity are further unlikely to materialize if the North is conflict-ridden and/or if no significant changes occur in the centre.

- Conflicts in Darfur and Eastern Sudan should be addressed by bringing pressure to bear on the strongest party. Since the SPLM/A has historically claimed to fight for a 'New Sudan' and risks losing the Naivasha dividends otherwise, its leadership should be encouraged to play a constructive role.
- The possibility of (re)creating (western, eastern, central) regions after the Southern model in the northern half of Sudan should be examined as a way to accommodate outstanding grievances while preserving the Naivasha framework.
- Development aid should be allocated between the Sudan's five main regions according to their relative level of development.

In order to foster changes at the central level, the international community should further induce the signatory parties into holding on to their promise of opening the political space to non-signatories and should insist on accountability for war crimes.

While the national income will significantly rise in peace-time, the donor community should also try to spare Sudan from the well-known oil curse and promote greater equity and transparency.

- Broad participation in public affairs should be promoted through supporting an inclusive constitutional review process, facilitating free and fair elections, and providing targeted political party assistance to the new political forces that are coming or aspiring to come to power peacefully. Political progress should be tangible, yet gradual in order to ensure a peaceful regime change of the kind witnessed in Milosevic's Serbia.
- Accountability for war crimes should be sought through supporting the establishment of a Truth Commission to deal with the Southern conflict and ICC prosecution of abuses committed in Darfur. The US administration should recognize that a one-way ticket to The Hague is eventually a better option for neutralizing spoilers than a travel ban.
- Donors should promote improved economic management through ensuring transparency of oil exploitation, advocating budget allocations to social services, and effecting fiscal decentralization.

This multi-faceted approach will require a genuine multilateral strategy similar to the one that enabled the negotiation process to finally succeed.

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The Netherlands Institute of International Relations 'Clingendael' conducts training and research on international affairs. The Conflict Research Unit (CRU), which is part of Clingendael Security and Conflict Programme, focuses on conflict-related issues in developing countries.



The Author

Dr. Emeric Rogier is Senior Research Fellow at Clingendael Conflict Research Unit.

RELATED INFORMATION

- Rogier, E. (2004), *Rethinking Conflict Resolution in Africa. Lessons from the Democratic Republic of the Congo, Sierra Leone and Sudan*. CRU Occasional Paper, Clingendael Institute, The Hague.
- Rogier, E. (2005), *Designing an Integrated Strategy for Peace, Security and Development in Post-Agreement Sudan*, Clingendael Institute, The Hague, forthcoming

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