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Berghof Foundation for Peace Support

# **Sudan: Conflict Analysis and Options for Systemic Conflict Transformation**

**A Northern and a Southern View**

January 2006

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# Introduction into the Studies

## Background

The two studies on “Sudan: Conflict Analysis and Options for Systemic Conflict Transformation” are part of a wider research project on “Supporting Peace Processes through a Systemic Approach” conducted by the Berghof Foundation for Peace Support and supported financially by the Swiss Foreign Office and the German Ministry for Economic Cooperation and Development. In the wake of this 15-month project (Oct 2004-Dec 2005) a concept study on “Systemic Conflict Transformation” was written as well as four country-specific, short case studies (Nepal, Aceh/Indonesia, two on Sudan). Further details on these studies can be found on the BFPS website: [www.berghof-peacesupport.org](http://www.berghof-peacesupport.org).

With respect to Sudan, it was originally planned to conduct one short study only that should i) analyse the main drivers of the conflict and how clusters of drivers were interrelated and linked (analysis of the conflict system); ii) assess the current conflict transformation and peacebuilding activities at the different track levels (track 1, track 2 track 3); and iii) suggest potential options for a systemic approach focussing on agents of peaceful change and identifying suitable entry points for conflict transformation activities.

## Why Two Studies?

After a first round of discussions with potential Sudanese authors and knowledgeable Sudan experts, it was decided to conduct two studies. There were two main reasons behind this decision: First, the high complexity of the Sudanese conflict system (with different conflict types at the national, regional and local levels and a multitude of conflict issues and actors) makes it extremely difficult, if not impossible, for a writer to produce relevant results in a short study of (expected) 25-30 pages. Second, given the deep grievances of Northern domination in the Southern parts of Sudan, we thought that both, Northern and Southern, views and perspectives should be given equal space in this undertaking.

In June 2005, the two authors agreed to take up the challenge. Given the high complexity and the multi-faceted dimensions of the Sudanese conflict system, the writing process turned out to be more demanding for the authors than initially expected.

The *Berghof Foundation for Peace Support* would like to take this occasion and convey its deepest and warmest thanks to both authors for their interest and commitment, for their detailed analyses and, last but not least, their inspiring suggestions for conflict transformation activities.<sup>1</sup>

## How to Make Best Use of the Studies?

Both papers were based on the same set of questions and offer a lot of specific information, but show also some remarkable overlap in the analyses of the current situation.

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<sup>1</sup> We would also like to thank those Sudanese that have contributed to this study or its preparation in one way or the other as well as the German Development Service DED (Alain Sitchet in Khartoum, Leonore Küster and Anne Dietrich for their friendly support in Juba), the Friedrich-Ebert Foundation in Khartoum (especially Dr. Abdel Rahim Belal and the resident representative Manfred Öhm), and Daniela Körppen for her editorial support.

For a reader who is particularly interested in getting a short description of the main causes and actors of the Sudanese conflict and who wants to get some quick recommendations about areas of potential intervention, we suggest to refer to the joint summary of both studies as a first step.

For readers who have an interest in a more detailed analysis of the Sudanese conflict system, both papers offer a lot of detailed information as well as hypotheses on the root and proxy causes. While both authors do not disagree with or challenge their colleagues' paper, it should be mentioned that the first study provides more in-depth and detailed information on the conflict system as well as on peacebuilding activities, while the second has its strength in its more abstract generalisations and conclusions regarding the Southern regions of the country. As part of their respective terms of reference, the first author gives more attention to the rifts and tensions within the Northern polity, while the second author is emphasizing internal factors of the Southern political, social and cultural system.

Interestingly, both authors argue that the conflict in Sudan is primarily caused by political and economic marginalization and that issues of identity and religion are only a secondary or proxy cause that has been exploited and manipulated in the wake of conflict. The second paper gives identity a slightly stronger emphasis as the author, on different occasions, highlights the fact that the situation in the South is marked by high levels of tension between different (ethnic, tribal, regional) identity groups. Both authors regard the *Comprehensive Peace Agreement* (CPA) of January 2005 as a positive step and an important window of opportunity for political change. The first author, however, remains more sceptical and stresses that the agreement, in spite of its obvious strengths, may also reinforce adverse interests of the conflicting parties.

Both authors are clearly more familiar with track 2 peacebuilding activities. It is still striking that they do not put too much emphasis on the role of the international community.<sup>2</sup> They rather focus on the necessity of internal change and long-term transformation. These processes can be supported by external actors, but only if it is done with caution and in real partnership with Sudanese actors.

### **Suggestions for Conflict Transformation Work**

Both papers produced some, as we think, interesting and inspiring suggestions for conflict transformation activities and entry points for further assistance in the fragile Sudanese peace process by third party actors. However, the suggestions should be taken as first recommendations and brainstorming exercise and need further exploration and discussion.

The *Berghof Foundation for Peace Support* is interested in developing further some of the ideas mentioned in the study. We hope that other Sudanese and international actors and organizations may also profit not only from the analysis, but also from the suggested entry points for conflict transformation support and assistance. The authors have a clear point in outlining that there is high potential in Sudan's peace process, but that there is also good reason to remain sceptical about its outcomes. More efforts that aim at supporting, initiating and improving conflict transformation processes and initiatives at all track levels are certainly needed.

Oliver Wils

Executive Director, Berghof Foundation for Peace Support, Berlin, March 2006

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<sup>2</sup> For a more detailed account of track 1 activities in Sudan, see Emeric Rogier: *No More Hills Ahead? The Sudan's Tortuous Ascent to Heights of Peace*, Clingendael Institute 2005.

# Summary of the Two Studies

## Causes and Dynamics of the Conflict

The protracted conflict in Sudan reflects the long standing economic disparities, political exclusion and social and cultural deprivation in the distribution of political and economic power between the centre and the peripheries. The country inherited from colonialism a highly centralized authoritarian governance system and an uneven pattern of regional development. These structural elements shaped the later evolution of the modern Sudanese state and contributed to the marginalization of the peripheries, especially in the South. Both factors are mutually reinforcing, since in authoritarian systems economic and social development is often dependent on political leverage and access to political power. Without political backing, marginalized groups and regions have only limited access to social and economic services and institutions.

The root causes of the communal inter- and intra-tribal and ethnicised regional conflicts in Sudan could be seen in the competition over meagre and dwindling natural resources and political power positions. The meddling of the Islamist central government in tribal politics aggravated the communal conflicts. Darfur gives an example of the interlinkages and reinforcement of communal, inter-tribal conflicts over access to resources and the national conflict about power and wealth sharing.

The *Comprehensive Peace Agreement* (CPA) between the Government of Sudan (GoS) and the *Sudan People's Liberation Movement/Army* (SPLM/A) signed on the 9th January of 2005 formally ended one of the longest and highly violent armed conflicts in Africa. Although it is considered as not inclusive relating to the conflict issues (e.g. Darfur, the East) and the stakeholders (opposition parties, militias, rebel movements and civil society) it can be regarded as an unprecedented window of opportunity to attain a lasting peace in the country.

## Main Actors

The ruling *National Congress Party* (NCP) seized power by force in 1989 when General Omar al-Bashir led a military coup against the democratically elected government. Since then the Sudan has been ruled by an Islamic military-oriented dictatorship. Even today the regime still inhibits fair democratic conditions. Bashir and his close followers continue their hard-line rhetoric of commitment to sharia law and jihad to mobilise support within their constituency and from their Islamist allies in the Middle-East.

The GoS has experienced internal tensions. Most significant was the split between Dr. Hassan al-Turabi, the founder and ideological father of the *National Islamic Front* (NIF) and President Bashir. Turabi was dismissed from the NIF in late 1999 primarily due to power rivalry with Bashir, and immediately created his own party, the *Popular Congress Party* (PCP). Turabi remains a powerful figure in Sudan despite Bashir's attempts to marginalize him.

However, it is not only the GoS that does not have a tradition of inclusive and democratic governance. The SPLM/A hasn't a very impressive human rights record itself. The official objective of the SPLM/A is the founding of a 'new' Sudan, which is united but restructured, reformed, secular and organized around genuine autonomous or federal governments for the various regions of Sudan. But within the movement a significant political division occurred between

those in favour of an independent South and those in favour of a united but secular and democratic federal Sudan. Since the eruption of the armed conflict in the South Sudan, the SPLM/A leadership remained in the hands of the former chairman late Dr. John Garang de Mabior, who dominated the Southern politics for a long time. After his death in 2005 Salva Kiir Mayardit assumed the SPLM/A leadership. Although he committed himself to support the implementation of the CPA as Garang did, critics consider his position as much weaker - within the movement itself and also in relation to the NCP.

The highly polarized positions between the SPLM/A and the GoS have also influenced the relationship between the SPLM/A and some of its Northern allies within the *National Democratic Alliance* (NDA). The chairmanship of this umbrella organisation is held by the *Democratic Unionist Party* (DUP) which is, like the *Umma Party*, a Northern traditional sectarian party.

Other important actors in Sudan are the *Beja Congress* – formed by the non-Arab Muslim Beja tribes, the modern elites, militias from the North and South as the *Janjaweed*, the *South Sudan Defences Forces* (SSDF), the SLA/M and the JEM. Furthermore three Islamic groups can be identified on the Sudanese political scene: modern groups affiliated to political Islam, Sufi orders and radical literalists groups (Salafits). Traditional leaders such as religious and tribal leaders also have to be mentioned as important actors.

## Peacebuilding Activities

### *Track 1*

The involvement of the international community is an important factor in assisting the peacebuilding process in the country. International actors such as the USA had applied significant pressure on both the GoS and the SPLM/A to reach a conflict settlement in January 2005. Moreover, the peace agreement would probably not have been signed without the concerted efforts of the regional governments group known as IGAD and the international community led by the *Friends/Partners of IGAD*, given that the two negotiating parties were lacking confidence in each other.

IGAD is now playing a supervisory role through the evaluation commission which recently was established by the Presidency, while the mandate to monitor the implementation of the peace process lies with UNMIS (United Nations Mission in Sudan). Its mandate comprises also human rights- and democracy monitoring. UNMIS is active in all parts of the country. Besides monitoring activities at different levels and tracks, UNMIS is also involved in awareness raising and education activities with parliamentarians, politicians and activists through e.g. workshops and seminars on democracy and human rights.

Furthermore the *African Union* (AU) played an important role as a facilitator in the negotiations between the GoS and the armed opposition in Darfur. A ceasefire agreement was signed in 2004 in N'djamena and the AU deployed troops to monitor the ceasefire. UNMIS participates in the AU mediated Abuja peace talks. After several rounds of peace talks the warring parties, under the auspices of the AU, signed a *Declaration of Principles* (DOP) on 5th June 2005. The peace talks have been resumed in mid-September 2005 but failed to yield results. UNMIS assists the AU with planning and assessment of its mission in Dafur, while the EU supports the AU logistically and through the *African Peace Facility* (APF). The EU has currently allocated 400 million Euros for the Sudan through the *European Development Found* (EDF).

Apparently, the most immediate and official post war plans for the Sudan are those prepared by the *Joint Assessment Mission* (JAM). The JAM was composed of representatives from the government and SPLM/A, with the support of the World Bank and the UNDP in late 2003 and worked for 14 months to assess the reconstruction and development needs of the country during the interim period. Development assistance for the post war recovery will be handled mainly by a structure called *Multi Donors Trust Funds* (MDTF), one for the North and one for the South, administered by the World Bank. In the South, a *Community Development Fund* (CDF) has been established for local and community driven programmes.

### ***Track 2***

As the first study shows, several national civil society organizations and institutions, based mainly in Khartoum, have succeeded in establishing dialogue platforms for civil society activists. Although these meetings might be considered as think tanks, they lack outreach, coordination and continuity in the process of peacebuilding. There is no common strategy for the groups and no unified organizational culture. Apart from the efforts of the national CSOs on Track 2, several activities of international CSOs have to be mentioned such as the workshops of the *Max Planck Institute of International Law* on constitutional arrangements before and after the signing of the CPA, meetings of the *African Renaissance Institute* and the *International Relations Institution*, the *Civil Society Peace Initiative* of the *Friedrich Ebert Foundation* (FES), the *Civic Society Forum* and *Justice for Africa* in London.

The second study shows that until recently, there are no networks between the Southern CSOs and Northern CSOs and that this resulted into the lack of common agenda and priorities. There are only limited activities at the track 2 and track 3 peacebuilding levels in the South. The civil society has been under the control of the SPLM/A for quite long. There were no effective civil society groups in the liberated areas until 1996 when the SPLM/A accepted a dialogue with the churches and sat down to draw lines of responsibilities. At that same time pressure was mounted by the international community on the movement to not only establish a civil administration in the liberated areas but to allow the traditional civil society structures such as the traditional courts to operate. The *New Sudan Council of Churches* (NSCC) has successfully used the traditional mechanisms for conflict resolution in the *People to People Peace Process* that resolved the long standing feuds between the Nuer and Dinka tribes in both Bahr el Ghazal and Upper Nile regions, involving traditional leaders.

### ***Track 3***

Peacebuilding activities at grassroots level, involving traditional mechanisms of conflict resolution, were launched all over the country, but on a rather limited scale. In West Darfur some community based peace initiatives, such as those led by tribal leaders, were launched in January 2005. The initiatives are meant to address three main areas: (1) conflict resolution through maintenance of peace and law and order in the affected villages/communities, (2) civic education and (3) awareness. All the three initiatives aim to promote community involvement to achieve peace and security. The initiatives are founded on the premise that the aims stated above should provide the foundation for security and peace. The assumption is that traditional leadership is a driving force to attain social peace and an element in promoting security.

Southern civil society groups and some international NGOs have created networks at the grass roots level in Juba - the seat of the government of Southern Sudan - and in Nairobi Kenya (comprising 66 local Civil Society groups). The *Juba Network* is known as *Sudan Relief and Rehabilitation Commission* (SRRC).

## Options for Systemic Conflict Transformation

To overcome the current impasse in Sudan's peace process, interventions are needed, which are based on a unified and well orchestrated systemic strategy that focuses on the complexity of the conflict system and embraces both internal and external actors. It is recommended that the donors and other foreign 'actors', e.g. INGOs should refrain from being directly and actively involved, at least in the initial stage of this process. They can support it after intensive consultations, which contribute to confidence and partnership building, both of which are lacking particularly in the case of the relations between the main actors (NCP / SPLM/A) and the foreigners.

The following areas and options for conflict transformation interventions were identified:

### ***A. Governance and Inclusion of Society into the Peace Process***

Concerning the governance area the civil space should be broadened by a multidimensional social, political, administrative and financial state reform strategy at national, regional and local level. Besides this a resolution of the conflicts in Darfur and the East must be achieved. Once a political settlement is obtained adequate governance structures must be introduced that meet the demands and interests of the Darfurians and Eastern region as regarding power and wealth sharing.

Another important point is decentralizing the governance structures and empowering local communities by adequate structural capacity building. Furthermore it is crucial to re-institute and de-politicise the trade unions, professional associations and civil society organizations.

The ownership of the peace process has to be guaranteed, i.e. by promoting the inclusiveness of the process and broadening support for the CPA. Its dissemination and popularization is the basis for its successful implementation. Media, particularly radio campaigns are effective tools for these activities. CSOs should be instrumental in promoting ownership by expanding their outreach in rural and remote areas.

The Power Sharing Protocol stipulates the establishment of national commissions to implement the CPA. The inclusiveness of these commissions should contribute to the participation in the peace process and to its ownership. Political parties and CSOs should monitor and provide input, directly or indirectly, to these commissions and disseminate their outputs.

### **Further recommendations:**

#### Facilitating Problem Solving of Key Decision-makers through an Inclusive Peace Secretariat

Potential actors who can support the building of the peace secretariats are the dozen or so university affiliated research centres, not only in Khartoum, but also in regional universities. These institutions can be instrumental in decentralizing the peace secretariats. Think tanks, such as the Centre for Strategic Studies can be involved in this intervention, since they are more open to critical reflection. The Peace Advisory at the Presidential office, though not aiming at strategic advice and mainly entrusted with organizational tasks, can be engaged in the process.

### Strengthening the Participation of Civil Society in the Peacebuilding Process by Supporting a Permanent Workshop on Peace and Development

The *Permanent Workshop on Peace and Development* would target activities and agents of peaceful change in intermediary CSOs, student unions, professional associations and trade unions. The workshop would be decentralized, so that it can be organized in different regions, to reverse the feeling of exclusion and marginalization in the periphery.

### Problem-solving Workshops as a Tool for Conflict Resolution in Regional Conflicts

Due to the unresolved conflicts in Darfur and the East and latent conflicts in the three areas of Abyei, Southern Blue Nile and the Nuba Mountains, problem-solving workshops are urgently needed. This option is a kind of un-official low-level and eventually face-saving diplomacy, because decision-makers can easily distance themselves from the process and its outcomes.

### Institutionbuilding in the South

The Southern government necessitates a panel of experts to help analyze actions by top government officials who are alleged to make decisions according to their tribal interests. A semi-governmental peacebuilding unit should be established to render impartial advice to the Southern government. Further tasks of this unit could be to teach the stakeholders in peacebuilding and conflict transformation approaches and methodologies. To create peaceful relationships among the people of Southern Sudan and to reduce hostilities between the communities the implementation of a truth and reconciliation commission is required.

### Revival of Traditional Practices

Given that at the grass-root level there are signs that a number of areas throughout Southern Sudan will continue to experience communal conflicts over land use and water, the GoSS should therefore develop a policy which is in compliance with the provision of the CPA on communal land ownership. It should support the revival of known traditional practices related to land and water sharing by pastoralists and agriculturalists to avoid the resurgence of communal conflicts.

## ***B. Security***

A very narrow definition of national security is dominant in the country and based on considerations of military defence and regime stability. National security is equated with regime security. The regime constantly resorted to military power to resolve conflicts and advocates of non-violent conflict resolution were targeted and cast as threats to national security. The opening up of civil space should initiate a debate over security and open it to popular scrutiny and democratic control. Such a development would widen the concept of security to embrace human security, development and peacekeeping. A public and democratic security debate would contribute to demilitarizing society and government structures, establish a 'civic' culture and enhance popular civilian involvement in protection issues.

### **Further recommendations:**

#### Transformation of the Militias

One of the key challenges for the political system in the South is related to the transformation of the SPLM/A and other Southern militias from military movements into political organisations adhering to the principles of democracy and good governance. It is recommended that the international community offers its support in the required transformation and restructuring of the military movement. Furthermore, capacity building is needed on almost all levels, from leadership training to qualification in professional management and administration techniques.

These trainings should be organized with a long-term orientation and could only be successful if they are linked to existing training institutions in the South.

#### Demobilization and Control of Arms Programme

The Southern government has to set up a demobilization and control of arms programme. Experiences from other countries such as Mozambique could be adapted to the Southern Sudan so that the population is encouraged to effectively participate in recovery programmes. Besides this demining activities have to be strengthened.

### ***C. Decentralised Development Strategy***

The political development strategy outlined above has to be twinned with a comprehensive and coherent development strategy to sustain equality and just peace through the devolution of both power and wealth. To achieve this, the development strategy has to be decentralized and based on community, state and regional development plans. To design and implement such an intervention, strategic partnerships between internal and external actors have to be formed and peacebuilding, conflict transformation and development should be linked.

#### **Further recommendations:**

##### Development and Peacebuilding

Programms of on-going relief interventions linked with rehabilitation and development should be put into place. A development perspective has to be integrated in peacebuilding and conflict transformation to remove structural root causes of conflict.

##### Peace Dividends and Macro-economic Good Governance

Peace dividends should be realized. Changing the mode of governance towards rule of law, transparency and accountability should promote and enhance macro-economic good governance to ensure economic transparency and accountability.

### ***Agents of Peaceful Change***

Both studies contribute to the identification of agents of peaceful change, which are small strategic and influential groups or persons within the conflict parties, the civil society organisations or the functional elites who are willing to promote change within the society. They are key actors for systemic conflict transformation since they can operate as partners, multipliers and facilitators of processes of social and political change.

As regarding the Northern parts of Sudan, agents of peaceful change can be identified amongst the following groups: women, youth, regional elites and armed movements, professionals and urban workers, academics, tribal and religious leaders.

As a result of the political, economic and social marginalization of the South and of decades of civil war, it is difficult to identify specific social groups that would qualify easily as agents of peaceful change. Nevertheless they might be found the following groups: CSOs/CBOs, traditional leaders, political leaders of youth and student associations, SPLM/A cadres, professionals/administrators, members of political parties other than SPLM/A.

# Systemic Conflict Transformation in Sudan

## A Northern View

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# Introduction

This study discusses the conflict system in Sudan from a Northern perspective. It analyses the three types of conflict, which characterize the overall conflict system, namely: communal, regional and national conflicts. Since these conflicts have overarching root causes, they are interlinked and mutually reinforcing. The root causes, which date back to the colonial period, are inappropriate interlocking governance systems and a pattern of inequitable development, the results of which are: uneven regional development; political economic, social, cultural and religious marginalization and domination and consequently armed conflicts. Therefore, a systemic approach to the multi dimensional, multi-faceted armed conflicts at all levels is needed for conflict transformation to effect structural societal change through reformed governance and development structures.

The paper consists of three sections: the first section reviews the current situation and underlying causes of the conflict system and the main actors involved; the second section assesses the *Comprehensive Peace Agreement*<sup>3</sup> (CPA) signed in 2005, peacebuilding initiatives and activities at different tracks as well as their gaps and challenges; finally, the third part proposes options for interventions for systemic conflict transformation.

## 1. Analysis of the Current Situation

### 1.1 Overview and Conflict Dynamics

The history of recent violent conflict in Sudan goes back to the August 1955 mutiny by the Torit Garrison (headquarters of the army's Equatorial corps in Southern Sudan). This mutiny was a result of discontent and disappointment over the Sudanization process dominated by the Northern Arab-Islamic elites in the centre who dominated the civil service, the army and the police. Southerners perceived this as Northern domination and colonization. Similar grievances were later shared by other groups in marginalized regions in North Sudan, for example in 1958, *the Beja Congress* was formed to advocate for equitable development for the marginalized Beja region in Eastern Sudan.

In 1965, in the wake of the October 1964 uprising against the military regime of General Aboud, led by professional associations and trade unions, the *Darfur Development Front*, the *General Union of the Nuba Mountains* and the *North and South Blue Nile Unions* joined forces in a common *Sudan Rural Solidarity Party* against political, economic and cultural

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<sup>3</sup>The CPA comprises six protocols: the Machakos framework protocol, the protocols on power and wealth sharing, the three marginalized areas of Abyei, Southern Kordofan / Nuba Mountains and the Southern Blue Nile and security arrangements.

The Machakos protocol of July 2002 defined the precise role of religion in politics and governance and guaranteed the right to self-determination for the South. The parties signed a Memorandum of Understanding on cessation of hostilities on 15 October 2002. The negotiating parties engaged directly on the outstanding issues in Naivasha between September 2003 and May 2004 (*Naivasha Agreement*) and agreed on 5 protocols on security arrangements, wealth sharing, power sharing and on the three conflict areas of Southern Kordofan/Nuba Mountains, the Blue Nile States and the Abyei, in essence the root causes of the war. In 2003 when the Naivasha process was near completion there was hope for a new era in Sudan with implications for the region as a whole. The Naivasha process took a long time to complete with the involvement of regional civil society organisations, regional governments, and the international community. It was one of the most meticulous negotiating processes and thus expected to provide a basis for peace in Sudan. The final accord named the *Comprehensive Peace Agreement* (CPA) embodied the 5 protocols above and the Machakos protocol to make up the six protocols of the agreement signed on the 9th of January 2005. For further information of the CPA please see: [www.iss.co.za/AF/profiles/Sudan/darfur/compax/index.htm](http://www.iss.co.za/AF/profiles/Sudan/darfur/compax/index.htm)

marginalization. Civilian governments of the dominant traditional sectarian parties and military governments in the centre stigmatized the leaders of these movements, and the movements themselves, as racist and separatist bent on undermining national unity.

In January 1983, several garrisons in the South mutinied in response to the Nimeiri regime's unilateral re-division of the South into three regions, a violation of the *Addis Ababa Agreement*, concluded between the military regime in its leftist phase and the rebel movement, the *South Sudan Liberation Movement* in February 1972.<sup>4</sup>

One of the leaders of this renewed outbreak of war, Sudan's second civil war in the South, was Dr. John Garang de Mabior who had formed the SPLM/A<sup>5</sup> and issued the manifesto of the movement in July 1983. The *Sudan People's Liberation Movement/Army* (SPLM/A) adopted a revolutionary discourse, proclaiming as its goal the building of a new united Sudan, which ensures justice and equality for all regions and citizens. The South's grievances were treated within a national framework of underdevelopment and un-equal development, though the marginalization of the South was singled out as comparatively more intense in degree and form. This discourse appealed to non-Arab population groups of other marginalized regions in the North and became yet more appealing after the Nimeiri regime adopted repressive Islamization policies in September 1983. Therefore, the SPLM/A found fertile ground for its revolutionary analysis and prescriptions and could push its military operations into the Southern Blue Nile, Southern Kordofan, and the Nuba Mountains. The savage conduct of the war over 36 years (the first civil war 1955-1972 and the second 1983-2002) fuelled the grievances of the Southern population. Some two million are thought to have perished throughout these years and currently Sudan has the largest *Internally Displaced Persons* (IDP) population in the world, estimated at four million.

Since independence, Sudan has experienced chronic political instability and armed conflicts. Historically this has been expressed in chronic power struggles at the centre characterized by violent changes to central governments and a vicious political circle that takes the formula: fractious rule by political parties - military rule –a popular uprising that restores civilian rule.

The Nimeiri Regime was toppled in April 1985 by the second popular uprising against a military regime, beginning another cycle of the vicious circle: civilian rule of sectarian parties - military rule –popular up-rising leading to civilian rule. The uprising was led by professional associations and trade unions. In June 1989 there followed a military Islamist coup that adopted an Islamization and Arabization project on the basis of a fundamentalist, repressive, exclusivist and polarizing brand of Islam. The centre-periphery conflict spread all over the Sudan and escalated intensively. Shortly after the Islamist coup, the opposition parties in the North and South joined the armed struggle with SPLM/A under the umbrella of the *National Democratic Alliance* (NDA) operating from Eritrea. This centre-periphery conflict system culminated in its latest cycle in the outbreak of the Darfur conflict in March 2003. The impact of the two and half years of conflict in Darfur on its population is estimated at two million displaced and refugees in Chad and some 200,000 deaths.

Alongside the national centre-periphery conflicts over equitable power and wealth sharing and because of religious and cultural discrimination, the conflict system consists of further communal inter- and intra-tribal conflicts and ethnicized regional conflict, such as in Darfur. The root causes of these two types of conflict, which are characteristic of Darfur, are competition over meagre and dwindling natural resources and political power. The meddling of the Islamist central government in tribal politics, seeking to bolster the popular support it

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<sup>4</sup> The agreement brought regional autonomy to the South and peace to Sudan after 17 years of civil war in the South (1955-1972).

<sup>5</sup> For reasons of simplification we are using 'SPLM/A' as an umbrella term for the SPLA, SPLM and SPLM/A - although there are some differences between the factions.

lacks, aggravated these types of conflict, which are interlinked and mutually reinforcing, and added some substantial dynamism to the escalating violence.

On the 9th of January 2005 the Government of Sudan (GoS), i.e. the ruling *National Congress Party* (NCP), and the SPLM/A signed the CPA. Although the CPA is not inclusive regarding conflict issues (e.g. Darfur, the East) and stakeholders (opposition parties, militias, rebel movements and civil society) it is considered an appropriate political framework for constructive conflict transformation for the North-South conflict.

## 1.2 Structural Issues

### ***Power, Governance and Political Marginalization***

The centralized authoritarian governance system is constituted of two components or sub-systems, which interact and reinforce each other. They are, firstly, the centralized hereditary religious sectarian political parties and, secondly, the vertically and horizontally highly centralized state power in the executive branch dominates the legislature and judiciary. In this system, the localities are completely marginalized. The religious-sectarian parties lack democratic structures and representatives of women, youth and marginalized groups in their leadership, for instance electoral candidates are appointed by the party from among their urban cadre and dispatched to contest elections in the peripheral regions, where these parties have their traditional religious and tribal power bases, rooted in patrimonial relations and loyalties. The centrism of the government structure and power characterizes all the three types of government system, with which Sudan has experimented: the local government system, the regional government system and a federal system in the whole of Sudan.

Since the regional and federal systems were established by authoritarian military regimes under one party rule and the domination of the security organs, ostensible autonomy of the regions and states was rendered null and void.

All subunits were unable to execute their functions because of the lack of adequate funding and the fact that governors, administrators and political decision makers in the subunits were in practice imposed by the central government and the ruling party. In this order the President combines the offices of *Head of State* and *Leader of the Ruling Party*. In this top-down governance system, lower government units can be instituted, overridden, have their powers withdrawn, or even abolished by the central government. Periodic promises of federalism to the South have never been honoured by the Northern ruling elites.

### ***Wealth, Economic Marginalization and Domination***

Sudan inherited from colonialism a highly centralized authoritarian governance system and a pattern of uneven development. These structural elements shaped the later development of the modern Sudanese state and contributed to the economic, social and cultural marginalization of the regions. An operating principle of this structure is exploitative centre-periphery relations, expressed in urban biased economic policies, which have instigated conflicts that threaten national unity.

Traditional agriculture supports the livelihood systems of the vast majority of the Sudanese people of whom 70% live in poverty.<sup>6</sup> Traditional agriculture with practically no imported

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<sup>6</sup> MDGs Report, UNDP 2005.

inputs is a net foreign exchange earner and hence finances imported inputs of the modern sector. It also provides two million low cost seasonal labourers who work in the large-scale rain fed and irrigated farms of the centre. Traditional producers suffer from distorted prices of their produce and unfair internal terms of trade, for example pastoralists in Darfur get only 20% of the livestock export price.<sup>7</sup> Only 3% of development resources go to the rural areas, even this meagre amount is not allocated to improve traditional farming, but to expand the rapidly growing mechanized agricultural sector.<sup>8</sup>

In 1970, the *Unregistered Land Act* abolished customary rights of land use and access to land, thus marginalizing large numbers of small farmers and herders, favouring mechanized farming by big urban investors. Rain fed mechanized farming, furthermore, benefits from nominal land rents, subsidies, credit and other incentives, but leads to environmental degradation due to land misuse. In contrast, very few of the two million small holders in the traditional sector benefit from bank loans and other services. Agricultural development projects and public social services are concentrated in the triangle Khartoum – Kosti - Gadaref. Industrial enterprises owned by businessmen from the centre are located in Khartoum and neighbouring urban areas.

The regional inequality, injustice and disparity in services provision is striking. According to the ILO the ratio of doctors in Khartoum is 1 for 1,367 Sudanese while it is 49,600 in Darfur and 42,739 in the South.<sup>9</sup> The number of students from Khartoum State, with 8.8% of the population, admitted to the School of Medicine in 1985/1986 at the University of Khartoum, is five fold the number admitted from the marginalized regions of the South, Darfur, Kordofan and the East, whose populations make up 66% of the total population.<sup>10</sup>

About 70% of the urban labour force in Khartoum is in the informal sector, mainly drawn from the peripheral regions of Darfur, the Nuba Mountains and the South. The majority of these self-employed and the unemployed were displaced either by war or drought (about four million in Khartoum) and live in poverty belts around urban centres. They are continually harassed and evicted from their makeshift shelters to remote areas out of the urban centres, ostensibly for security reasons, but in reality because of land speculation. They are thus once deprived of land and livelihood systems in their places of origin because of war, natural disasters and expansion of modern agriculture; and once again as migrants and displaced in urban centres. The incidents of unrest that erupted on the 2<sup>nd</sup> of August 2005, in major towns throughout Sudan following Garang's demise, were in reality manifestations of grievances and hatred generated by these several layers of deprivation, multi-dimensional exclusion, discrimination and subjugation.

The recurrent droughts in the 1980s cost the Beja 80% of their livestock and forced many to seek work as labourers in the agricultural schemes in the region and in the regional capital Port Sudan. Because of the collapse of the modern agricultural schemes in the region and introduction of container technology in Port Sudan, un-employment in the region increased dramatically and was one of the direct causes of unrest in Port Sudan in 2005; these crises facilitated the easy recruitment of young Beja into the eastern rebel movement. The Beja people are also deprived of high-ranking management posts in the *Port Sudan Corporation* and the *Sudan Shipping Line*. Rather, they are employed in these corporations as cheap wage labourers on a daily basis

The Islamist government, which took over power on the 30<sup>th</sup> of June 1989 pursued the same pattern of uneven development and formulated economic policies favouring Islamists and

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<sup>7</sup> Personal communication to the author.

<sup>8</sup> Employment and Economic Reform: Towards a Strategy for the Sudan, ILO, Geneva 1987, p. 45.

<sup>9</sup> Ibid.

<sup>10</sup> Development: The Key to Peace in Darfur, (in Arabic), Friedrich Ebert Foundation, Khartoum, 2003, p. 92.

their supporters. Under this new regime national wealth continued to be concentrated geographically in the centre, along with two new developments: the extreme concentration of wealth in the hands of a few people affiliated to the regime and an increasing acuteness of poverty in the North. These developments added to grievances and the widening of social and economic disparities on a national scale. It is estimated that in the last 10 years the income share of the top 10% has risen from 65% to 77%, whereas the income share of the bottom 40% has decreased from 9% to 4%.<sup>11</sup>

## *Oil*

The discovery and exploitation of major oil deposits in 1999 encouraged the militarily orientation of the regime and raised the stakes of the war dramatically. As most of the oil fields lie in the South, the government conducted a massive military mobilization to secure these fields. The result was a scorched earth policy in Unity State, the proliferation of Nuer militias and indiscriminate attacks on civilians.

Paradoxically, the successful development of the petroleum industry and economic agenda led to a moderation of the *National Congress Party's* (NCP) ideology and strengthened the hand of the business faction within the party. Oil development has become the first priority of the government, although it maintains its Islamist rhetoric and commitment to the *sharia*, its primary objectives are now maintaining the unity of the country and keeping control of the oil fields. Religious fundamentalism of the type witnessed early in the rule of the *National Islamic Front* (NIF) regime is eroding.<sup>12</sup>

Estimates put current oil production at 300,000 bpd and set to rise to 500,000 bpd by the end of 2005. This translates into revenues estimated at US \$3 billion. The belief shared among many observers is that the regime will try at all costs to hang on for the six year interim period of the peace agreement to exploit these resources for the benefit of the party. Oil exploration has brought the involvement of numerous external actors in Sudanese affairs and shaped the political and economic behaviour of the regime.

## *Identity, Religion and Cultural Marginalization*

Religious and cultural marginalization is an important factor in the complex conflict system in Sudan. The very beginning of the nationalist movement in the 1920s was clearly pan-Arabist, and favoured the association with Egypt based on shared interests against British colonialism. The vanguard organization of the nationalist movement was the *Graduates' Congress*, founded in 1938. Its membership was composed exclusively of Northern nationalists from the centre and the North and its discourse was clearly Arabo-Islamic. Paradoxically, the principle of the separation of religion from state, introduced by the British, was broadly accepted in Northern Sudanese society. The Arabo-Islamic discourse of the *Graduates' Congress* dominated the Northern political scene, since Islam and Arabism were equated and considered to be the basis of national unity.

Irrespective of their shared Arab-Islamic orientation, the power struggle between the two Islamic sectarian parties, the *Umma Party* and the *Democratic Unionists Party* (DUP) was conducted on sectarian lines and not on broader national issues of development, governance and national identity. The Aboud military regime (1958-1964) continued the Arabo-Islamic

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<sup>11</sup> Clingendael 2004. *Designing an Integrated Strategy for Peace, Security and Development in Post-Agreement Sudan*, p. 35, (Compare also for the 1970s ILO p. 37).

<sup>12</sup> International Crisis Group 2002. *God, Oil and Country*, p. 35.

discourse of the nationalist movement and pursued an Islamization and Arabization policy in the South focusing on education.

The entry of the *Muslim Brotherhood*<sup>13</sup>, in the late 1940s, signified a new Islamic element in Sudanese politics. Initially they were a negligible fringe force, but contributed later to changes in the political constellation. Economic and social change in the 1960s and 1970s elevated them to a central player in the political landscape building on Islamic traditions in Sudan, which go back prior to the Mahdist revolution in the nineteenth century. The *Muslim Brothers*, at a later date re-named the *Islamic Charter Front* and yet again the *National Islamic Front* (NIF), advocated an Islamic constitution and an Islamic state.

During 1965-1966, and through the constitutional commission formed after the October 1964 uprising, groups from the marginalized regions of the East, the Nuba Mountains and Darfur, joined Southerners led by Abel Alier<sup>14</sup> and formed an opposition against the proposed Islamic constitution, which they considered a ploy to consolidate the hegemony of Khartoum under the umbrella of Arabo-Islamic culture.

The leftist coup of Nimeiri in May 1969 was a counter-reaction to the rapid drift towards an Islamic constitution and Islamic state. However, in September 1983 the same Nimeiri shifted from his leftist discourse of 1969 to an Islamic discourse and introduced Islamic *sharia* laws, just after dissolving the Southern Regional Government and re-dividing the Southern region. The January 1983 mutiny that sparked the second civil war was fuelled by these two turning points in the Nimeiri regime's policies.

In June 1989, the NIF took over power by a military coup to impose their Islamization Project. The Islamists converted the war in the South into a Holy War (*jihad*) and conducted it with unprecedented ferocity.

### 1.3 Actors in the Conflict System

#### *The National Congress Party (NCP)*

The ruling NCP seized power by force in June 1989 with two interrelated objectives: 1) to prevent the signing of an impending peace agreement with the SPLM/A, perceived as a betrayal to the Arab cause, 2) ensuring the expansion of the Arabo-Islamic agenda throughout Sudan. Since then, the Sudan has been ruled by an Islamic military-oriented dictatorship.

#### *Nature of the Regime and Political Context*

Ideologically driven, the NCP has nevertheless always been pragmatic in the means to achieve its goals. Realizing that Sudan's generally conservative and non-doctrinaire Moslems would never adhere to its Islamist project, the party relied on the military to gain and then to maintain its hold on power. Hence, the current regime is dominated by the military wing of the Islamic movement. President Bashir, Second Vice President Ali Osman Taha and other key ministers simultaneously hold command positions in the armed forces and in the party leadership. This security focus has led the regime to vastly expand the security services (for its own benefits) and to use every means at its disposal to suppress opposition to its Islamist agenda, thereby creating a totalitarian regime.

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<sup>13</sup> The Muslim Brotherhood was founded in Egypt by Hassan al Banna.

<sup>14</sup> See also page 49.

### State of Political Liberties

The current political environment does not allow for political parties and associations to develop - freely. All political parties were banned following the 1989 military coup. Since 2000, political 'associations' may be established with State permissions only. Trade unions and professional associations are subject to government control, with elections of their leaders being organized by government organs.

Political opponents, politically active students and representatives of independent newspapers or human rights NGOs remain subjected to different forms of harassment (including torture, in both physical and more subtle psychological forms).

The freedom of the press is largely restricted: press articles are subject to preliminary censorship - by the security organs; journalists are threatened with imprisonment and instructed on how to reflect information; financial burdens are imposed on independent newspapers. In force since December 1999 (until July 2005), the state of emergency further weakened the role of the Parliament - by giving the President the power to overrule any law by presidential decree.

### Powerful Security Apparatus

In 2002, both the Intelligence Service (tasked with external security) and the National Security (in charge of internal security) were unified under one Director and made directly accountable to the Presidency. The resulting *National Security Organization* (NSO) is the most powerful and well organized state institution, and is seen by many analysts as *the* ruling institution rather than the political party. Actually, policies and decisions on vital issues are made within the NSO and then passed over for implementation to the council of ministers or to the ruling party. For the sake of intelligence gathering, the NSO has further penetrated the civil society through a multiplicity of organizations, businesses, unions and various other forms of institutions that are active at all levels of society.

Being vital for the survival of the regime, the NSO is allocated significant human and financial resources. The recruitment process is very selective and prioritises loyalty and political Islamic identity. National security officials are then given a free hand in performing their duties.

Police and security forces are responsible for a great deal of human rights abuses and enjoy a high degree of impunity. Since December 1999, the state of emergency provides the basis for the imposition of security measures, often arbitrarily implemented. Security forces have been engaged in a campaign of harassment, intimidation and persecution, targeting political opponents and human rights defenders by means of arbitrary arrests, followed by protracted detention without judicial review.

### Dependent Judiciary

The Constitution of 1998, which was suspended in December 1999 when the state of emergency was declared by presidential decree, provided no guarantee for the protection of human rights and basic liberties. Those rights and liberties were not absolute in terms, but organized by the law which may restrict their scope. In addition, the Judiciary is by no means independent but subjected to the Executive. All seven judges of the Constitutional Court are appointed for a period of five years by the President, who may dismiss them. The President also controls appointments of judges to the High Court, Appeal Courts and Primary Courts. A major criticism of the judicial system concerns the special courts such as the Military Courts and the Public Order Courts before which the lawyer may not be allowed to appear and whose rulings are all final (no appeal possible).

### *Collapsing Public Service*

Under the *National Salvation Regime*, the civil service in the North has deteriorated almost to a point of collapse. This trend is partly ascribable to the fact that the salaries and wages of the public sector did not rise in line with the rampant inflation of the 1990s. The result of this economic hardship is that the motivation of employees, the level of discipline and the extent of accountability are very low in the civil service while corruption, embezzlement of public funds, and bribes have grown out.

Another major problem lies with the politicization of the civil service, which expresses itself in the priority given to political loyalty over professional competence. In accordance with this policy, any (competent) civil servant may be fired by the director of the unit on political and even personal grounds.

### *Exclusive Governance, Eroded Legitimacy*

That the regime survived despite the failure of its Islamist project, little popular support and a regional environment hostile to its extremism can be ascribable to three main factors: first, its ruthlessness; second, the weakness and lack of legitimacy of the Northern opposition discredited by the failed experiment of 1986-1989; third, the failure of the armed opposition movements to mount a real military challenge so far.

Nevertheless, the NCP is effectively discredited in the eyes of the large mass of the population; as exemplified in the break-out of peripheral rebellions, its legitimacy is seriously eroded. The case of the 'three areas' to which may be added the rebellions in Darfur and Eastern Sudan, therefore exemplifies the fact that Sudan's war should no longer be solely seen as a North-South conflict but rather as a conflict between the centre and the periphery.

The key objective of the core of the party is no longer the pursuit of political Islam, but simply survival. From that angle, the IGAD process may have served as a lifeline since it has secured the maintenance of *sharia* in the North, ensured the ruling party a majority in parliament and provided guarantee of the party's existence at least until national elections are held.

Overall however, weakness best characterises the NCP's current position and derives from:

- a. The party's lack of popularity and dependence on state violence to stay in power;
- b. The departure of Turabi and his supporters (represented in particular in the security sector and in Darfur);<sup>15</sup>
- c. The insurrection in Darfur (which caused the regime to replace many security functionaries originating from Darfur with Northerners);
- d. Internal dissent over the Naivasha process, the handling of Darfur crisis, the role of Ali Osman Taha and the distribution of spoils.

### ***The Sudan Peoples' Liberation Movement/Army (SPLM/A)<sup>16</sup>***

Since launching its rebellion in 1983, the SPLM/A has weathered internal splits, massive government offensives, damning international critiques of its human rights record, criticism from within the South and the Southern Diaspora, and a host of other challenges. A decade ago, it lost its main benefactor, the Soviet-backed Mengistu regime in Ethiopia, and had to reinvent itself as a popular liberation movement. It suffered another serious setback in 1998, when three principal benefactors (Ethiopia, Eritrea and Uganda) became consumed in other wars.

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<sup>15</sup> See sub-chapter on *Popular Congress Party*

**PT<sup>16</sup> TP** See also: Rogier, Emeric 2005. *Designing an Integrated Strategy for Peace, Security and Development in Post-Agreement Sudan*, CRU Occasional Paper, The Hague, Clingendael Institute, April 2005, p.7.

The movement has no democratic legitimacy, but a legitimacy grounded in the military struggle against successive Khartoum-based governments. Having long directed its scarce material and human resources to the war front and given scant attention to political mobilisation, development, or public administration, with the attainment of peace the SPLM/A will have to transform itself. The shift will not come easy as the movement is characterised by the lack of a coherent ideology, tribalism and regionalism, lack of accountability, little respect for human rights, and the virtual abandonment of the civil sphere to donors and international NGOs.

#### *Lack of Coherent Ideology*

Rather than a coherent ideology, the followers of the SPLM/A have largely been motivated by anti-Arabism and anti-Islam and a strong affirmation of their African character and cultures. While John Garang professed notions of common struggle with people in the North and claimed to be fighting for a united 'New Sudan', this has little resonance among the Southern masses who simply want to break their ties with the North. The absence of ideologies means that the motivation for the struggle is often reduced to racist denigration of the Northern '*Jallaba*' (a term for Northern Merchants, historically the group interacting with the South through trade, derived from the customary full length robe of Northern Sudanese males – the *Jellabia*).

#### *Ethnic Politics*

While the SPLM/A is officially committed to a Sudan-wide project, it continues to have difficulties in the pursuit of nation-building even within the South. Politics in the South is shaped by the tribes and from this perspective the legitimacy of the SPLM/A is sometimes cast into doubt, since it is perceived to be dominated by the Dinka. It should be recalled that the *Addis Ababa Agreement* of 1972 failed not only because Northerners went back on their commitments, but also because of power struggles between ethnic communities in the South, and principally fears by Equatorians of Dinka domination. The fears of small tribes of being politically marginalised by larger tribes are an important factor to take into account in post-settlement setting.

#### *Absence of Democratic Culture*

The absence of a democratic culture in the SPLM/A was most graphically expressed in the overwhelming dominance of John Garang in the movement. Over many years, Garang had been successful in politically or physically eliminating those prepared to challenge his authority. As the Chairman of the SPLM/A Garang had the power to appoint and dismiss at every level of the military and civilian administration.

#### *Little Respect for Human Rights*

In SPLM/A-controlled areas, there are virtually no guarantees for the respect of basic rights and fundamental freedoms. Severe restrictions on freedom of opinion and expression, speech, assembly; and association have been deployed together with repressive measures to control and/or suppress independent political initiatives as well as administrative structures. In general, the judiciary often acts on an arbitrary basis.

In the coming period, the SPLM/A will face the dual challenge of building new institutions and administering the South, whilst staffing agreed upon quotas for the Southerners at the central level. At present, it does not possess the required personnel for either of these two endeavours.

#### *Emerging Southern Civil Society*

Viewing itself as a military movement, the SPLM/A has frequently and actively opposed the development of Southern civil society, which was tolerated at best and repressed at worst. The weakness of the civil society may be a major obstacle to effective and democratic governance in the post settlement period.

However, civil society has become increasingly active in recent years, in part because of a decline in opposition from the SPLM/A, and also because the advance of the peace process has served as a stimulus to people not willing to have their fate determined by a handful of movement leaders. A host of civic organisations and national NGOs have formed recently.

### ***Traditional Parties: Umma Party and Democratic Unionists Party (DUP)***

The two main traditional parties are the Umma Party and the DUP. They evolved from the *Mahdist/Ansar* and the *Khatimiya* sects respectively, and have different historical backgrounds. Sudan was a British-Egyptian Condominium before independence. The *Khatimiya* advocated unity with Egypt, while the Mahdists supported independence from both Egypt and Britain, but were pro-British.

Regardless of these historical differences they have several common characteristics, both are religious, sectarian and Arab-Islamic in inclination. The leaders of the two sects are also leaders of the two political parties. Their party system is highly centralized and un-democratic, because of the hereditary system of leadership. They are not representative for women, youth and marginalized groups. The two parties were at the core of the traditional alliance that has historically ruled Sudan comprising merchants, top civil servants from the North and the centre and tribal leaders from outside the centre. Due to the wide societal and economic changes, political configurations have changed dramatically, mainly because of the rise of significant new political forces in the marginalized peripheries. Therefore, the power base of these two parties is shrinking, even in regions and among tribes in which they used to hold exclusive power. Historically, the *Khatimiya* dominated in the North, East and the centre, while the *Ansar* in the West and the White Nile region. The leaderships of these parties used to send electoral candidates to these regions in the past. This practice caused discontent and grievances against the parties' leaderships, and one reason for the rise of peripheral political movements.

The power struggle between the two parties was conducted along sectarian lines and not over broader national issues of development, governance and national identity. The two parties are plagued by factionalism and splitism, which increased immensely during the reign of the present Islamist regime, which targeted all opposition entities with an aggressive manipulative policy of 'divide and rule'.

### ***The National Democratic Alliance (NDA)***

The brutal repression forced adversaries into alliance, only months after the Islamist coup of 1989 the Northern opposition went into exile and formed an umbrella organization. The *National Democratic Alliance* (NDA) quickly set up an armed wing, calling it the 'Legitimate Command of the Sudanese Armed Forces'. The Northern opposition opted for armed struggle to overthrow the Islamist government and hoped for uprisings similar to those of October 1964 and April 1985, but this hope failed to materialize. The NDA chairmanship is held by the DUP, the strongest member of the NDA after El Mahdi left to return to Sudan in January 2000. El Mirghani is known for his Islamic and Arab inclinations and his unilateral decisions. The Communist Party has some intellectual influence within the NDA, but its power base is narrow and it is isolated since it has worked for years in the underground.

The NDA is therefore a loose alliance without a common strategic vision to reconcile the divergent visions of the secularists and religions based parties it comprises. After the CPA agreement has been signed, the NDA negotiated an agreement with the government under the auspices of Egypt. Parallel to these negotiations, the NCP conducted secret negotiations with the DUP to take it on board in building the *Government of National Unity* (GNU), as part of its

'divide and rule' approach. As a result, the NDA has nearly disintegrated, because the DUP agreed unilaterally to join the government and the parliament.

### ***Darfur Rebel Groups***

In March 2003 a civil war erupted in Darfur between the government and two Darfurian rebel movements, the *Sudan Liberation Army* (SLA) and the *Justice and Equality Movement* (JEM). The two movements have the same goals, namely devolution of power and wealth, to overcome chronic underdevelopment, political, economic, and cultural marginalization in a united Sudan. It is to be noted that Darfurians are Muslims, but escalated armed conflicts with the Islamist government subjected them to displacement, atrocities and unprecedented suffering.

Under pressure from the international community and under the auspices of the African Union, the government started negotiations with the rebel movements in April 2004. A *Declaration of Principles* (DOP) was signed in June 2005. But in 2005 disagreements and clashes surfaced between the two rebel groups. The groups are under-going internal splits and factional clashes and fighting. The reasons are differences between politicians and field commanders, divisive policies of the government and different tribal and political affiliations. The SLA, which is predominantly Fur, favours a reformed democratic secular Sudan, similar to that pursued by SPLM/A from which it gets support. The JEM, mostly Zaghawa, is linked to Al-Turabi's *Popular Congress Party* (PCP) and is regarded as having Islamic inclinations.

Both movements lack political experience. On the 14<sup>th</sup> of September 2005, the two movements issued a declaration in Asmara, stating that they will cooperate strategically, politically and militarily and that they will have a common negotiating position in the sixth Abuja round of negotiations starting on the 15<sup>th</sup> September 2005.

### ***The Beja Congress***

The *Beja Congress* was established in 1958. The non-Arab Muslim Beja tribes complain that they are being marginalized and their region is left to poverty and neglect. After the Islamic coup and at the beginning of 1991 the Beja Congress was reactivated and two factions emerged. One faction opted for armed struggle operating from Eritrea and allied itself with the SPLM/A. The other group remains inside Sudan, has denounced armed struggle and advocates dialogue and negotiations with the government. Both groups conduct dialogue on ways and means to attain the Beja rights.

In mid 2004 the armed Beja Congress allied with the *Free Lions* of the Arab *Rashida* tribe. This fact increased their military potential in the East posing a serious threat to oil installations and gold mines. The East is economically one of the most important regions in the Sudan because the main refinery and oil ports as well as the main sea port are located in this region. The destabilization of this region would negatively impact on the Sudanese economy. In 2004 the *Beja Congress* entered into an alliance with the Darfur based *Sudan Liberation Army* (SLA) and together with the Free Lions and other tribal groups in the region formed the Eastern Front in March 2005. The Beja Congress' Secretary General is a woman, Dr. Amna Dirar, a lecturer at the Ahfad Women's University. It is striking that she is accepted as leader in the extremely conservative Beja society. She has faced continuous harassment and interrogation by the regime's security services.

The ruling party formed an organization in the East to counteract and divide the *Beja Congress* but it failed. It was suggested that negotiations between the *Beja Congress* and *Free Lions* and

the government are to be conducted under the auspices of the African Union (AU) and the *United Nation Mission in the Sudan* (UNMIS)<sup>17</sup>, but implementation has not taken place.

### ***Militias, North and South***

#### ***South Sudan Defences Forces (SSDF)***

A long-standing government war strategy was to co-opt Southern militias both to wage war by proxy and to undermine attempts at Southern reconciliation. There are some 32 GoS-affiliated militias in Southern Sudan, including 26 in Upper Nile and three each in Equatoria and Bahr el Ghazal, most of which are brought together under the umbrella of the *South Sudan Defence Forces* (SSDF). These militias are important military actors in that *a)* they are made up of thousands of fighters (possibly up to 35,000); *b)* they control a large band of territory in South Sudan and in particular provide security in the oilfields; and *c)* they include a substantial number of *Nuer*, the second largest ethnic group in South Sudan. In January 2006, a significant faction of SSDF militias joined the SPLM/A.

The militias' relationship with GoS was formalized under the *Khartoum Peace Agreement* of 1997. The SSDF oppose the SPLM/A in several respects: they reject any notion of a new or united Sudan and pursue, despite their alliance with the government, separatist goals; they are opposed to Dinka hegemony of the South and Dinka domination of the SPLM/A; and demand a greater role in the post-settlement South Sudan and greater access to the oil revenues of Unity State. Interestingly, Salva Kir is a more acceptable interlocutor to the militias and some observers believe he is in a position to reach an understanding with them. In this vein the promotion of Reik Machar, formerly the premier *Nuer* military leader, as Vice-president of the South, may also facilitate the South-South dialogue. Both could be considered as possible agents of peaceful change.

#### ***Janjaweed***

In Darfur, it is now widely acknowledged that the GoS mobilized, established, armed and directed 'Arab militias' commonly referred to under the name *Janjaweed*. The *Janjaweed* include different armed groups, such as pastoralist groups, camel-herding clans, Chadian Arabs, *Popular Defences Forces* (PDF) etc. have also been involved in attacks in Darfur and have absorbed *Janjaweed* fighters. The willingness and capacity of the GoS to effectively disarm these groups, a committed it has repeatedly made, is much in question.

### ***The Popular Congress Party (PCP)***

Hassan al-Turabi, a prominent constitutional expert, was the mastermind of the Islamic coup of June 1985 and undisputed leader of the Islamist movement. Known for his sentiments against army officers he crafted the 1998 constitution to re-establish civilian rule that included, for example, the limitation of powers of the President and a provision for free elections of State Governors. President Beshir, and his first Vice-President Taha, perceived these manoeuvres as a threat to their powers. Therefore, the President dissolved the Parliament, whose speaker al-Turabi was, in December 1999. Thereafter, al-Turabi formed his own party, the *Popular Congress Party* (PCP), in July 2000 and signed an agreement with the SPLM/A calling for peace and democracy. Al-Turabi was then arrested, the PCP banned and party members faced harassment and extra-judicial detention. They also lost their jobs in civil service, the army, the security and the PDF. But al-Turabi still retains the support of wide segments of committed Islamists, especially among the youth and students.

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<sup>17</sup><http://www.unmis.org/english/mandate.htm>

The PCP is well organized and its members highly committed. Al-Turabi has a strategic vision and thinks long-term. The PCP is accused by the NCP of supporting the JEM to topple the Government. Therefore, the PCP is considered to be the biggest threat to the regime and capable of derailing the peace process. In June 2005, al-Turabi forged an alliance with the *Umma Party* and endorsed a National Charter, which calls for a civil state that guarantees citizenship and a comprehensive and just peace. The Charter condemns the present regime as repressive and corrupt. The two parties support the CPA as a great achievement, although they criticise its exclusiveness and call for an inclusive conference to ensure broad based support for peacebuilding and to overcome the bilateral framework of the CPA. Al-Turabi's pragmatism is seen as opportunism by wide segments of the enlightened population. But in case a power vacuum is created if the International Criminal Court pursues members of the NCP, the PCP may help in filling the power vacuum with the *Umma Party*, and will probably perform well in a fair election.

### ***Islamic Groups***

At present three Islamic groups can be identified on the Sudanese political scene. They can be categorized according to their conceptual framework and course of action, which determines their role in the conflicts system as regards their stand on identify issues. The three groups are:

- Modern groups affiliated to political Islam.
- Sufi orders.
- Radical literalists groups (*Salafists*).

The modern groups affiliated to political Islam have their roots in the Muslim Brotherhood, an extension of Muslim Brothers in Egypt, that was developed independently in Sudan after the 1960s. They are critical of Sufi orders and the two big sectarian parties: the Umma and DUP, which evolved from the *Ansar* and *Khatmiya* sects. The pragmatism of the modern Islamists in the *Islamic Charter Front* made them establish alliances with these parties and later with the military Nimeiri Regime, when he introduced *sharia* law, to come to power and to achieve their goals of an Islamic constitution and state and to counteract the communists and secular groups. Supported by this movement Nimeiri introduced *sharia* law in September 1984. When the Islamists took power in June 1989 they used excessive state violence to implement their Islamization and Arabization project and to exclude all others from politics and business.

Their Islamization project alienated all other political forces, including the vast majority of Muslims. They declared their brand and interpretation of Islam as the one and only truth. They focused on education, mass media and culture, which were streamlined according to party doctrine. The civil war in the South was declared a Holy War. Tribal leaders in the North had to recruit young people for the civil war to be inducted into the PDF and these tribal leaders became agents of war instead of being peacebuilders. The Islamization project and its culture, religious and linguistic homogenization of policies alienated non-Muslims and non-Arabs, as well as Muslims and Arabs, who refused to follow the one-dimensioned exclusive interpretation of Islam. Marginalized groups in the peripheral regions in the North perceived the Islamization project as a rationale for erasing their identities. They took up arms not just for recognition of their identities, but to be culturally recognizable in the state portrayal and to change the overall power structures, including those in the centre to achieve this goal. Therefore, they joined the armed struggle, led by the SPLM/A against the central Islamist government. Under external pressure, the Islamist regime signed the CPA, despite a solid Bill of Rights that recognizes religious and cultural diversity and citizenship without cultural, religious, ethnic and gender discrimination.

Among the Islamic groups, the Sufis are the most capable of appreciating the values of humanism, tolerance and inclusion. They enjoy cross-tribal support. Sufism is considered to be a path to piety, and Sufi leaders as holy and therefore, intermediaries to God. Thus, their main weakness is the patron-subject/follower-client relationship. This explains why the leaders of the two religious sectarian parties, the Umma and DUP, are also leaders of the two sects, the *Ansar* and *Khatimiya*, these being the power base of the two parties respectively. Irrespective of the patron-client relationship, Sufism at present attracts young people frustrated by partisan politics and political Islam. However, because of their hereditary system of leadership they are considered undemocratic.

In the mid-1960s, these two sectarian parties were in favour of the Islamic constitution, at present their position as regards *sharia* wavers. Nevertheless, under external pressure they support human rights, denounce Islamic terrorism, cultural homogenization, and recognize cultural diversity as a precondition for peace and attractive national unity.

The radical literalists (*Salafiun*) entered Sudan in the 1950s from Saudi Arabia; and have been on the rise since 1970s. They get support from their *Wahabist* patron in Saudi Arabia. They preach an Islamic Caliphate and justify the use of force and *jihad* to achieve these goals. They violently impose their concept of upright Islamic social behaviour and lightly declare their Muslim antagonists as non-Muslims. In their conspiracy theory they consider human rights as paradigm of decadent western societies, which strive to undermine Islam. Radical fundamentalists are tolerated by the present regime, which uses their mosques as platforms to intellectually terrorize secularists and advocate intolerance, exclusion and *jihad*. They are most dangerous advocates of war. They are potential allies of opponents of the CPA within the Islamist movement who are losers in the redistribution of power and wealth mandated by the CPA, if it is genuinely implemented.

### ***Traditional Leaders***

Two groups are to be differentiated: tribal and religious leaders. There are two trends to be taken into consideration to analyse the role of traditional leaders. One trend is the change of the traditional subsistence rural economy, which is the basis of tribal affiliations and loyalties to tribal leaders. In the traditional system tribal leaders are responsible for law and conflict resolution within the tribal territory and border vicinities. They are also responsible in their jurisdiction for natural resources management. This system is successful in areas where tribal and tribal based traditional livelihood systems and tribal values still prevail. But the transformation of these types of systems to market economies deprives the tribal leaders of their influence and power base. They also lose the confidence of the tribe and its members and have become politicised, so they have to be de-politicised and neutral to regain tribal confidence.<sup>18</sup>

The second trend is that one of the constituents of the aforementioned transformation process is education that contributes to the emergence of a new type of tribal leader, whose insight, particularly on development issues and tribal needs, goes beyond the limited areas of tribal jurisdiction. These trends apply also to religious leaders (Sufi *Tariqa* leaders) who are gaining more influence within the youth and even academics, because of the frustration with politics. As indicated elsewhere in this paper, religious leaders are bearers of humanitarian values of tolerance and the acceptance of the 'other'. Tribal and religious leaders are peacebuilders and therefore, can be instrumental as agents of peaceful change.

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PT<sup>18</sup> TPA Southern Tribal Elder, in Uganda in April of 2002 at a North-South Dialogue Forum, stated to the author: "If the war continues, I will no longer be a tribal leader, as so many members of the tribe have been systematically killed or are leaving the tribal areas!"

### ***Modern Elites in the North***

Modern elites are distinguished from traditional elites by their education. The conservatives among them supported totalitarian military regimes and are the intellectual driving force behind the traditional parties and the Islamist movement. The non-aligned independent non-partisan liberals, leftists and secularists in the centre, particularly in Khartoum, were well placed and represented in trade unions and professional associations before these organizations were 'streamlined' and co-opted by the regime. In addition to the urban workers, they constitute the modern anti-establishment bloc, which embraces young liberal and leftist army and police officers. At present regional elites are active supporters of the CPA and peace.

Sections of the modern elite are quite distinct from those in the centre. They have led the regional movements of the marginalized regions: Darfur, the East, the Nuba Mountains and the Southern Blue Nile, since 1965 and after the October 1964 uprising. In the late 1990s two factions emerged within these regional groups. One group is influenced by the SPLM/A and opted for armed struggle against the centre while the second group has opted for dialogue to attain power and wealth sharing. All of them advocate radical structural changes in power and wealth relations to overcome regional marginalization. Initiatives of these regional elites, particularly those from Darfur, have been persistently rejected by the government and the ruling party, which has formed its own platforms for dialogue to counteract these initiatives of the independent regional elites. They are important actors in Track I and Track II, since they have broad-based support in their regions and can be an effective link in integrating the three tracks.

### ***Civil Society Organizations (CSOs)***

Generally speaking, in the past, during both military and democratic rule, traditional mass and popular organizations, such as trade unions and associations of youth, women and students, though quite influential in many ways, did not foster a peace based movement with a firm foundation and institutional sustainability in the Sudan. This is in spite of fact that the civil war in the South started in 1955 and continued to present, lasting for 36 years, with only a brief 11 year interlude from 1972-1983. Although, it should be kept in mind that the civil war in the South was the major factor that triggered the October 1964 uprising.

Large numbers of ex-employees of the civil and private sectors who were active in trade unions and professional associations lost their jobs in the massive lay-offs by the Islamist regime. These newly un-employed joined civil society organizations. Students, young graduates and women suffering from unemployment and neglect and frustrated with partisan politics resort to civil society organizations to articulate their discontent, opposition and aspirations. They are particularly engaged in human rights and peace activities and supported by international donors and INGOs.

### ***CSO in a Difficult Political Environment***

Totalitarian military regimes always regard Civil Society Organizations (CSO) as sources of trouble and potentially threatening. They therefore, adopt several tactics to contain CSOs, depending on the experience of the junta in power with public affairs, voluntary work and CSOs. The present regime implemented one or more of the following strategies:

(1) Exclusion and banning, (2) Containment, (3) Penetration, (4) Weakening and (5) Creation of parallel government affiliated organizations (GONGOs). Almost 40 years of totalitarian rule and civil war have weakened and hindered the development of intermediary advocacy CSOs. Out of about 1,100 intermediate CSOs, almost half are GONGOs.

To stop the present tide of vibrant and dynamic CSOs the government issued an extremely restrictive Presidential Decree on voluntary work in August 2005. The Decree generated wide and strong opposition within the CSO movement, media and public opinion, and even within Islamist CSOs.

#### Popularization of Peace Culture

The present regime did not permit CSOs to address issues pertaining to the civil war, until the signing of the *Khartoum Peace Agreement* in 1997, the enactment of the 1998 Constitution and the adoption of 'Peace from within' strategy, which turned out to be a big failure. In short, CSOs faced immense difficulties from the government as a result of the war culture that prevailed within Sudanese society and was propagated through oral traditions. Nonetheless, women's organizations and networks formed during late 1990s in the North, the Nuba Mountains and the South played an important role in popularizing the peace culture. The most prominent among these is the *Civil Society Women's Network* that was supported by the Netherlands. In this context, training workshops were convened on conflict resolution over natural resources.

#### Popularization of Human Rights Culture

The long incumbency of totalitarian (civilian and military) governments, greatly obscured awareness and development of a human rights culture. Human rights are thus easily stereotyped as an alien western way of thinking.

The political Islam and Salafism that reigned after the decline of the authoritarian socialist school of thought waged a strong anti-human rights campaign based on the pretext that Islamic countries have a specificity of culture that denies the universality of human rights. Accordingly, CSOs in general, and those concerned with human rights in particular, faced formidable obstacles in their awareness campaigns. Despite these obstacles there has been a wide scale of activity and peace culture.

#### Basic Weaknesses of CSOs

The main weaknesses of the CSOs are:

1. Intermediate urban based CSOs are neither committed to the masses nor involved in fieldwork, whether in urban or rural areas. The coming period offers a rare opportunity for these CSOs to build relationships with the CBOs, by assisting them in the formulation and implementation of the latter projects. There is a huge social capital, which should be utilized in reconstruction and sustainable development, especially in cooperation and networking between the different basic, intermediary and donor organizations.
2. Lack of experience and expertise in the area of relief, rehabilitation, resettlement and development, which cannot be acquired through theoretical training only. While this necessitates fieldwork for extended periods, the problem of CSOs lies in that they do not possess adequate logistical resources of transport, communications ...etc.
3. Inability to communicate with tribal and religious leaders who are vested with the responsibility for social peace and resolution of conflicts in local and tribal communities. Because of the development of local conflicts into conflicts between the centre and the periphery, collaboration between CSOs and the traditional leadership becomes necessary to resolve conflicts with these new dimensions. This is because the CSOs will be able to carryout research and project proposals, a task, which traditional leaders are not able to perform.
4. Given the lack of employment opportunities and low-income levels, CSOs have become attractive employers, a state of affairs which adversely affects the spirit of volunteerism. Under these circumstances national CSOs became sub-contractors for foreign NGOs, who necessarily have their own agenda and priorities.

### ***Regional Actors***

Over the past fifteen years, two trends are worth stressing related to the position of Sudan within the region and the role of regional actors in the Sudan's conflicts. First, the GoS has managed to move away from almost complete isolation to substantial regional support, though relations with Egypt, Ethiopia, Eritrea and Uganda remained tense, second, the conflict in the South has been mainly mediated by the Sudan's Southern neighbours. By contrast, the Darfur conflict enabled Sudan's Northern neighbours and other 'marginalized mediators' like Nigeria to accomplish a diplomatic comeback under the auspices of the African Union. Most recently, the Egyptian government seized the chance to offer its services by hosting talks in Cairo with the Northern opposition. The distribution of roles therefore reflects geopolitical realities around Sudan's conflicts and the strategic interests of the 'mediating' governments and security interests, not humanitarian concerns, usually drive the regional actors' involvement in peacemaking activities.

### ***Regional Peacemakers***

Only two countries played a genuine peacemaking role, in the sense that they have never been party to the conflict they proposed to mediate. Kenya's support for the SPLM/A has never been of a military character and the Kenyan authorities have always managed to keep cordial relations with Sudan. This may explain why Kenya has been at the forefront of peace diplomacy - even though war in Sudan provides significant resources to a country used for decades as the launching pad of relief assistance. The Kenyan government has gradually taken the lead in the IGAD peace initiative, the chief negotiator being Kenyan, and overshadowed other state members; but critics argue it is itself acting upon close US guidance. *Nigeria* has long-standing political and cultural ties with Sudan. The countries share no border but are similarly divided along North-South and Muslim-non Muslim fault lines. The Nigerian authorities mediated, unsuccessfully, in the Southern conflict in the early 1990s and tried again a decade later with respect to the Darfur crisis.

The involvement of Arab leaders and the Arab league inevitably impacted on the conduct and contents of the negotiations in a way that the GoS did not object to. Hence, Nigeria's position on Darfur has seemed to come increasingly closer to the first group of this typology. Nevertheless, as it provides troops to the AU mission in Darfur and may contribute to the UN mission in the South, Nigeria's role in peace implementation may remain critical for the years to come.

To conclude, support by neighbouring countries for one another's rebel groups is a critical element in regional relations and represents a threat to the implementation of any peace agreement. Khartoum fuels cross-border instability in the South through supporting the Ugandan armed group based in South Sudan the Lord Resistance Army (LRA). There are elements in Chad and Eritrea that could instil further destabilization in Western and Eastern Sudan. The Eritrean authorities seem more openly hostile to Khartoum than the Chad.

For the time being, the Sudan's neighbours may be roughly categorized in terms of supporting either the government or the rebellion(s).

### Countries Supportive of the GoS

Arab countries and organizations have never shown great sympathy for the Southern Sudanese cause and the prospect of an independent South. Egypt's concern with NIF fundamentalism in the 1990s was counter-balanced with its fear of seeing the SPLM/A getting control over the Nile headwaters. For its part, Libya supported the SPLM/A until the fall of Nimeiri, but then realigned its policy and worked to improve both relations with the NCP and its image of regional peacemaker.

On the Darfur conflict, Arab countries tend to support, partly for domestic reasons, the GoS on behalf of Arab solidarity. This group also includes Ethiopia, which shifted sides following the outbreak of hostilities with Eritrea in 1998 and has since built a mutually-benefiting alliance with Khartoum.

### Countries Supportive of Rebel Movements

Although a rapprochement with Khartoum has been attempted at times, overall Eritrea and Uganda have provided steady support to the GoS' political and armed opponents. Eritrea has long been providing political and military support to the NDA (in particular to Beja forces) and is strongly suspected of backing Darfur's rebel groups. Asmara and Khartoum accuse each other of supporting one another's armed dissidents but contrary to the early 1990s, Eritrea seems to be facing growing regional and international isolation.

Similarly, Uganda-Sudan relations have been dominated, despite bilateral agreements to the contrary, by the long-standing support Kampala and Khartoum provide respectively to the SPLM/A and the LRA. However, the group seems to have been weakened by the Ugandan army's recent incursions in South Sudan and the SPLM/A seems resolute not to allow the LRA to operate from South Sudan. Its administration of the region may isolate the group.

Finally, Chad has been dragged into the Darfur disaster. Several reasons account for this: first, Chadian President Deby's regime itself came to power through heavy support by the NCP, using Darfur as territory to launch its rebellion. President Deby and many officers from the Presidential guard and general staff are from a subgroup of the Darfur Zaghawa tribe. Hence, while trying to avoid confrontation with Khartoum, the JEM and the SLA receive support from the Chadian military establishment. Second, many Janjaweed are in fact 'Arab' Chadians remnants of the Chadian civil war and Chad-Libya conflict. Finally, Khartoum repeatedly threatens to support Chadian armed opponents if President Deby does not help defeat the JEM.

## **1.4 Synthesis: Drivers of Conflict and Challenges for Conflict Transformation**

In short, the main causes and drivers of the conflicts are the interlocking highly centralized non-participatory, authoritarian governance system and the pattern of inequitable development in the regions. These factors are mutually reinforcing as, for example, in authoritarian systems economic and social development are often dependent on political leverage and good 'connections'. Without political backing, marginalized groups and regions have only limited access to social and economic services and institutions. Furthermore, regional economic and social disparities do often lead to an unequal distribution of educational facilities and opportunities which in consequence leads to further under-representation of marginalized and disadvantaged regions and groups in the high ranks of the civil service, army and police.

This downward spiral of neglect is accompanied by the failure of successive central governments, both civilian and military, to address these misguided policies and inequitable development patterns, increasing the grievances, frustrations, distrust and hate among the

“dominated” and “neglected”. Taking up arms seems to be the only means to achieve more social and political justice.

The current NCP regime lacks legitimacy and their refusal to integrate the peripheries into the national political and economic system is partly based on the narrow interests of their clientele and on its fear to loose control. Hence they consider neither armed opposition nor the numerous demands for power and wealth sharing as a consequence of failed policies in the past, but rather as a direct and very fundamental threat to their rule. This explains why they obviously consider violence as the most appropriate answer to violent rebellion (violent action-reaction cycle) as is exemplified in Darfur, which shows, at least in part, clear characteristics of a counter-insurgency.

The Sudanese conflict system is basically a centre-periphery conflict over equitable power and wealth division exacerbated by religious and cultural discrimination. But there are also communal inter- and intra-tribal and ethnicised regional conflicts. The root causes of these types of conflict are the competition over meagre and dwindling natural resources and political power positions. The meddling of the Islamist central government in tribal politics aggravated these communal conflicts. Darfur gives a clear example of the interlinkages and fatal reinforcement of communal, inter-tribal conflicts over access to resources and the national conflict about power and wealth sharing.

The complexity of (internal and external) actors, issues and levels of the Sudanese conflict system require a strategy which takes all these factors in account. The challenges that such a systemic strategy has to face are threefold: firstly, how to deal with all the main actors in an inclusive approach; secondly, how to design a process that leads to mutual trust-building between main actors in order to facilitate the necessary (and radical) social, economic and political changes to achieve democratic governance, equitable development and sustainable peace; third, how to develop mechanisms of power and wealth sharing (including a comprehensive rural development programme) that effectively address the root causes of conflict in Sudan.

In the next chapter, we will present and critically assess the CPA between the GoS and the SPLM/A as well as other peace initiatives on the track 1, track 2 and track 3 levels.

## **2. Assessment of Core Political Challenges and Gaps in Peacebuilding Activities**

### **2.1 Assessment of the Comprehensive Peace Agreement (CPA)**

The CPA, which brought an end to the long and protracted civil war in South Sudan, was hailed by most sectors of Sudanese society. In spite of its obvious strengths of offering unprecedented opportunities for the Sudanese people to attain a lasting peace, the CPA also has several weaknesses, which must be strengthened in order to achieve the long awaited goal. Key among these strong points is that the CPA brought an end to the war and bloodshed, thus offering an opportunity to re-draw the power structure and achieve the much sought peace, justice and sustainable development. The agreement attempts to deal with the root causes of the conflict, especially those related to the system of governance by ensuring the right of self-determination for the South together with separation of religion from the state, preceded by self government and by devolving more powers to the states in Northern Sudan. By agreement on equitable sharing of power and wealth, the CPA has been a catalyst in encouraging other marginalized regions to intensify their armed struggle to achieve their long denied rights.

Furthermore, the two co-signatories have declared their full commitment towards implementation of the CPA, indicating their commitment to radically altering the political, economic and social landscape of the country. Finally, the CPA calls for bringing about fundamental changes in traditional power structures to accommodate the new alignment of power signalled by the stipulations above, these will primarily benefit the NCP and SPLM/A, but to a lesser extent other political forces as well.

Perhaps the most important area of CPA weakness is that it leaves all the doors and windows wide open for a power struggle, not only between the two signatories, but also among all the political factions all over the country, possibly by a polarization along an Arab - Islamic axis as opposed to a national - secular one. This power struggle is probably the illegitimate child of the fact that CPA is devoid of a strategy of how to build peace and avoid state failure. As the CPA is mainly an accord between the two warring parties, it neither considered other actors in the political sphere, nor did it attempt to deal with all the major issues of concern in the Sudan. One of those major issues is that the CPA does not clearly spell out how the process of democratization should be put in place and implemented in the Northern States, considering the power of the ruling NCP, at least during the first four years of the interim period. Given the fact that the CPA does not institute a regional layer of governance in the North, it enables the NCP to retain its grip on the whole system in the North, particularly by preparing itself for the general elections for Parliament and the Presidency. In view of this, the probability is that the North will continue to exist under the lop-sided fundamentalist *sharia* system, guaranteed by the majority the NCP has in both the executive and the legislative bodies.

The CPA has thus served as a face saving device for the Islamists, after the failure of their so-called 'civic orientation'. Also, whereas its primary aim of governance is federalism, the CPA says little, if anything, on local government in terms of powers and resources. There is little mention of wealth sharing other than oil, particularly lacking is a vision on important wealth resources, such as water and the land. The ambiguity of the implementation process of the CPA gives ample opportunities for different interpretations of the text with special reference to the question of resettlement of the IDPs, i.e. whether to remain where they wish to stay or be repatriated to their original homes, by force if necessary. On the whole it may be said that the CPA bears the seeds of secession by adoption of two different systems of governance in the country ('two systems, one country'). This might eventually lead to a fresh eruption of the conflict, as the Islamists do not wish the South to break away with all the oil and other mineral resources. For the interim period, the two "allied enemies" are likely to enter into bouts of disputes over some of the important yet "sensitive" ministries that are at the centre of power and wealth, especially the Treasury and the Ministry of Energy and Mining. Such disputes over power sources are very likely to shatter any illusions of creating the so-called "attractive unity."

### ***The Comprehensive Peace Agreement (CPA), the Government of National Unity (GNU) and the Options of Actors***

To outline and analyze the various scenarios and highlight the choices before actors, we must address the stance of these actors with respect to the CPA and the GNU.

In the first implementation phase of the agreement, the NCP refused to make a commitment to the necessary civic and political openings, such that CSOs and political parties could disseminate the agreement, spread human rights and peace culture among the public. The following activities of the government and NCP confirm this:

1. The NCP has not disseminated and publicized the CPA, to create the required popular support, such that people take ownership of it and provide the necessary popular support. The Ministry of Justice published the agreement several months after its

- signature and sells it at a high cost - 5,000 Sudanese Dinars. This puts it beyond the means of the middle class, let alone the majority of the people.
2. It has prevented CSOs from disseminating the agreement outside the centre of Khartoum and Greater Khartoum.
  3. The objection to wide participation in the *Constitutional Review Commission* and insistence on dogmatic application of the percentages set out in the *Protocol of Power and Wealth Sharing* for representation in the Commission. The SPLM/A has defended the NCP by insisting on the ratification of the interim constitution. The SPLM/A, after Garang's arrival in Khartoum, did try to broaden the base of participation in the Commission, through negotiations with the opposition NDA, whose members participated only in the drafting of the final text.
  4. The formation of the GNU by the two parties to the agreement was as per the percentages in the *Power Sharing Protocol* and the small percentages allocated to the other Northern political forces 14%. Members of small parties loyal to the government were appointed to the government in negligible numbers, as well as members not supported by their own parties.
  5. No steps to reform the civil service have appeared, which will affect the performance of the ministries and ministers, in particular those from the SPLM/A.
  6. The President promulgated a *Provisional Decree on Voluntary Work* that is very restrictive and grants the executive and security organs wide powers over CSOs. This proves that the NCP is not working to expand civic space and democratic transformation.
  7. The NCP continues to conduct the policy of 'Divide and Rule' to weaken the opposition parties, instead of reaching a minimum agenda as a basis for a national strategy to implement the CPA and ensure sustainable peace.
  8. The practices of the NCP in the interim parliament: obstructing the active participation of parliamentarians from the SPLM/A by swift passing of bills and in an exclusionary manner by using Arabic only, so as to deny the effective participation of the SPLM/A members.
  9. The struggle over the *Ministry of Energy and Mining* that the NCP insisted on occupying, despite the fact that 80% of Sudanese oil is extracted in the South. When the SPLM/A conceded the Ministry to the NCP, large sections of Southerners perceived this as a continuation of Northern injustice towards Southerners, and declared this as the countdown to secession of the South. The leadership of the SPLM gave the justification that it would not re-ignite the war over a ministry.
  10. The ill-treatment of Southern IDPs in Khartoum, e.g. forced relocation to marginal areas devoid of any services.
  11. The continued 'Kashas' (round ups) of informal workers, large numbers of who are from the South and other marginalized areas. This increases the resentment and grievance against Northerners in general, rather than against the ruling party.
  12. The continued surveillance and censorship of the media.

All these practices have led the SPLM/A to attempt to work with the CSOs to disseminate the CPA and support them in contrast to an earlier wariness. This turn towards CSOs is also motivated by a drop in support for the SPLM/A after the violent events of 'Bloody Monday' after Garang's death, in contrast to the popular support extended them after the initial signing of the CPA. In large part, this popular feeling was attributable to Garang's charisma and magnetic public presence, while his successor, Salva Kir, does not similarly capture the Northern public imagination. Several observers are of the opinion that the problems expected in implementation of the CPA, besides the lack of commitment of the NCP, that it has become clear that the government has about 20% of the capacity required to implement it. This percentage will decrease after the entry of the SPLM/A into the government, given the political and ideological differences between the two parties. Observers think that the clique around the President will coalesce around the agreement to preserve their hegemony and will not

make any changes to the structures of power and wealth in the North or any reforms in state organs that are called for in the Agreement.

The positions of the government and its party make clear that it has not implemented the CPA with the required detail and commitment, most important of these is the expansion of civil space and application of human rights. Guarantees of freedoms and democratic transformation would allow wide participation for the *critical mass*<sup>19</sup> to achieve a just and sustainable peace, this is in addition to the lack of stability in Darfur and the call by the UN to the government to disarm the militias loyal to it in Darfur.

### ***The Stance of Actors Towards the Agreement***

#### **SPLM/A**

In spite of the SPLM/A's commitment to implementing the CPA and partnership with the NCP, despite deep differences with it, accusations are levelled against the SPLM/A that it violated the agreement prior to the implementation stage as follows:

1. Signing an oil production agreement with a British company the *White Nile Petroleum Company*.
2. Issuing a currency for Southern Sudan.

The SPLM/A has clearly been shaken by Garang's demise and Salva Kir's succession to the Chairmanship of the movement and Vice-President of Sudan. Garang's inner circle, which conducted the CPA negotiations and gained a great experience in dealing with the NCP and became familiar with its methods of manoeuvring, scheming and manipulation, has been sidelined. The ruling party will continue to practice these calculating tactics, as it does with the opposition parties, in its dealings with the movement and seek to split, fragment and corrupt it. The party has plentiful wealth, from the oil revenues, to do so. The NCP is also highly disciplined and efficient in uniting its ranks and will, do so to ensure a strong united party front to minimize the impact of those provisions of the CPA that compromise its power. Most important of which is the shift in the balance of power embodied in the agreement that will benefit the regions / peripheries and dissident movements, both armed and non-armed.

The courting of the SPLM/A by the NCP that has clearly begun, this will push Garang's wing closer to the Northern opposition and Northern CSOs. These elements must insist on a detailed implementation of the CPA that grants the South the rights it won and the promises for democratic transformation and decentralization in the North. This new trend must continue, whether the South secedes or not, to achieve democracy and establish human rights in the South and ensure the constitutional rights embodied in the interim constitution as the Bill of Rights. Such outcomes require an alliance between the Northern opposition and CSOs, Southern groups and external agents to pressure the ruling party to reform its exclusionary policies and weaken its iron security hand that grows stronger everyday. This alliance requires a move from the critical mass to implement the agreement and change the structures of power and wealth to achieve a just and sustainable peace. Peace committees are necessary as mechanisms to organize these alliances and think tanks that will enrich the alliance with scientific input. CSOs have laid the foundations for these committees and think tanks that are necessary to expand civic space and ensure effective advocacy of human rights.

#### **Northern Actors**

Despite initial reservations over the peace negotiations and protocols there is near unanimity on supporting the CPA, with the exception of several factions within the Islamic movement

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<sup>19</sup> See also chapter 3.2

and some Southern militias. Nonetheless, this consensus is marked by several reservations, excepting Southern rights gained by the agreement. These reservations are:

1. The Absence of a second layer of power, i.e. regional, between the central and states levels, such that the NCP's hegemony will remain over the whole North, thus depriving regions from self-government.
2. There is a need to change the percentage of the ruling party (52%) in the share of power and wealth, as this prevents the effective participation of other political entities, in particular the regional armed movements (Darfur and the East) from a share in power in the centre, regions and states.
3. The agreement is silent on localities and, as such, will weaken the decentralization necessary for the participation of the grassroots of local communities.
4. Preservation of the NCP's authoritarian rule over the North will obstruct democratic transformation and broad participation.

## 2.2 Risks and Challenges

There are numerous risks and challenges the South Sudan and North Sudan have to face in implementing the CPA. The UN is tasked with supporting the implementation of the peace agreement and with facilitating the voluntary return of refugees and displaced persons. The UN will also have to work out how to convene an all-inclusive national conference so that all political and social actors will share in the ownership of the CPA. The UN will, furthermore, have to tackle with and facilitate a settlement for the conflict in Darfur (and probably in Eastern Sudan as well). The issues of de-mining, repatriation and resettlement pose great challenges to the UN system, in terms of both the formidable costs and the required technicalities. In this regard, the UN will have to see that both the internal and external actors adopt harmonized structures and concerted action to undertake implementation of the CPA.

South Sudan must, first, settle the question of the militias proliferating in the region so they do not jeopardize the implementation of the CPA. One important step to achieve this is reconciliation among the socio-political actors in a well-organized South - South dialogue. A prerequisite to this is the democratization of the SPLM/A, so that the Southern elites are able to freely participate in its structures and take part in the building of state apparatus. This seems to be necessary to erase the mistrust that presently exists between the leadership of SPLM/A and other senior Southern political leaders. The government of South Sudan should be cautioned that it must hasten the implementation of the CPA as any tactical delays to achieve temporary political gains might eventually turn into real impediments to implement the agreement.

The implementation of the CPA in the North of Sudan faces many challenges because there exists under appalling conditions of surveillance by the security forces, a complete lack of democracy and very weak political parties that continue to be under attack by the incumbent government. Many political leaders support the convening of an all-inclusive conference as the only way to challenge the legitimacy of the government, overcome the weakness of their own political machinery and attempt to forge national unity based on a consensus that hopefully will be reached in this conference. Very few people in North Sudan, as yet, feel that the CPA is really owned by the Sudanese nation as a whole because it mainly addresses the issues pertaining to South Sudan, with little, if any, reference to those of North Sudan. Also, even though the government keeps reiterating its commitment to implement the CPA, Northern Sudanese do not really see any strategy or programme to that end. On the contrary, the most obvious actions of the government seem to be totally directed towards continued and reinforced NCP domination in socio-political spheres, with the view of winning the coming general and presidential elections to strengthen its grip on power. This is partly demonstrated

in the gross negligence of the government machinery at state and local levels, which largely remain powerless and starved of resources. The main tool of maintaining this status quo is the use of a fundamentalist version of political Islam, the NCP knows only too well that advocacy of an Islam of any other sort is unlikely. Polarization between the Sudan and Arab-Islamic countries over Islamic ideology might further the disintegration of Sudan - this remains the greater challenge.

Donors and foreign experts, on the other hand, are faced with the challenge of aid coordination in order to be utilized for the correct purpose through the correct channels. Without doing so, the donors might unwittingly cause a recurrence of conflict that will again threaten the unity of Sudan. The donors are, furthermore, faced with adopting a programme of state reform before going on to formulate a long-term development strategy based on transparency and accountability. In this regard the donors must ensure that ownership of the CPA rests with the entire Sudanese nation and not with the South alone.

## 2.3 Tracks

### ***Track I: Initiatives to Support Peacebuilding***

#### *The United Nations (UNMIS)*

Operating within the overall UN goal of achieving peace, development and human rights for all, the United Nations Mission in Sudan (UNMIS) is the latest element in the UN system in Sudan. UNMIS was established by *Security Council Resolution 1590* of 24 March 2005, under *Chapter VI* of the UN Charter, as a peacekeeping mission and lead agency for all UN agencies in Sudan. Its main tasks include the following:

- a. Good offices and political support for the peace process (including support to the implementation of the CPA and the *assessment and evaluation commission*, efforts to resolve on-going conflicts and cooperation with the African Union with regard especially to Darfur).
- b. Governance issues (i.e. capacity-building and monitoring in the fields of police and rule-of-law institutions, human rights monitoring, electoral assistance, public information, development of civil administration in the South).
- c. Security issues (monitoring and coordination of support for ceasefire and security arrangements, advice to the Joint Defence Board in the areas of security sector reform and protection of civilians under threat of physical violence).
- d. Humanitarian assistance and development (provision of humanitarian assistance; return of refugees and IDPs; coordination of mine action activities; and DDR).
- e. UNMIS is also authorized to take necessary action in the areas of deployment of its forces and as it deems within its capabilities, to protect UN personnel, facilities, installations and equipment. Moreover, without prejudice to the responsibility of the GoS, the UNMIS is to protect civilians under imminent threat of physical violence; in this regard, the Security Council authorized up to 10,000 military personnel.

Although UNMIS has no direct responsibility for sustainable development, its activities would complement ongoing work in this area, including the *Millennium Development Goals*. The work of UN and the African Union in Sudan is complementary; they maintain strong relations at operational and strategic levels. Assistance to the AU is part of the Mission's responsibility. The mandate of the peace support operation could take approximately seven years including the pre-interim and interim periods.

### The African Union (AU)

In 2004, the AU stepped in facilitating negotiations between the GoS and the armed opposition. A ceasefire agreement was signed in N'djamena in 2004 and the AU deployed troops to monitor the ceasefire. UNMIS participates in the AU mediated Abuja peace talks. UNMIS sent human rights monitors to Darfur. After several rounds of peace talks, the warring parties, under the auspices of the AU, signed a *Declaration of Principles* (DOP) on 5<sup>th</sup> June 2005. The peace talks have been resumed mid-September 2005 but failed to yield results. UNMIS assists the AU with planning and assessment of its mission in Darfur, while the EU supports the AU logistically and through the *African Peace Facility* (APF).

In view of the humanitarian crisis in Darfur, the UN dispatched a Commission of Inquiry to investigate the situation in Darfur in January 1993. The Commission concluded that crimes against humanity and war crimes under International Humanitarian Law have been committed in Darfur. Based on this report the Security Council referred the situation in Darfur to the *International Criminal Court* (Resolution No. 1593, 31<sup>st</sup> March 2005).

### Inter-Governmental Authority on Development (IGAD)

The IGAD peace process was initiated in 1994, though it was only in 1997 that serious negotiations started. After revitalising the IGAD in Djibouti in November 1996, the leaders put conflict prevention management, resolution and humanitarian affairs as a top priority for the sub-region.

From 1997 until 1999 this was managed by an IGAD ministerial sub-committee but the Foreign Affairs Ministry staff of IGAD member states. In 1999 an IGAD Secretariat for the peace process was established - this was the beginning of continuous and sustained mediation efforts between the two parties. The *Friends of the IGAD Group* was transformed and renamed the *IGAD Partner's Forum* (IPF) and was expanded in 1998 to incorporate a wide range of states, including Egypt and UN agencies, the fruits of this process, of which it was the driving force, were the already mentioned *Machakos Protocol* of July 2002 and the *Naivasha Agreement*.<sup>21</sup>

The outbreak of the Darfur crises in 2003, led to the intervention of external actors, most significantly the UN and the African Union. The leadership role of the AU and the involvement of African non-IGAD countries, such as Libya, Chad and Nigeria in the peace process in Darfur have certainly sidelined the IGAD. Sudan's crises are a challenge to the regional order and system, whose capacities, logistical and financial are limited. However, the AU has mandated the IGAD to build a peace keeping brigade for intervention in conflicts in the region.

### The European Union (EU)

The EU currently has allocated 400 million Euros through the *European Development Fund* (EDF) for the Sudan - meaning that those funds are earmarked for development according to the *Country Strategy Paper*<sup>22</sup>, with the focal themes of food security and education. These funds are held under the *Cotonou Partnership Agreement* between African, Caribbean and Pacific (ACP) States and the European Union was signed on the 23<sup>rd</sup> of July 2000. The agreement is formally a tripartite one among the EU, the ACP countries and the *Non-State Actors* (NSA) within each country. The NSAs are recognized as (1) private sector (2) socio-economic partners, such as trade unions and associations of farmers, herders, labourers and professionals, and (3) all other forms of civil society.

The agreement stipulates that the NSAs be allowed access to:

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<sup>21</sup> See also page 3.

<sup>22</sup> Issued by the EU in January 2005.

- information so as to be able to take part in the formulation of policies, strategies and priorities of cooperation
- financial resources, as provided for in the agreement
- participation in project implementation
- support for capacity building, especially in respect of organization

An interim Committee of NSAs was set up before the conclusion of the CPA to liaise with the European Commission to plan and implement projects of these actors, although the committee only includes CSOs in the strict sense of this paper.

#### *The Oslo Donors Conference*

The Oslo Donors Conference was held in April 2005, interpreted by many as a reward to the NCP and SPLM/A for achieving peace. Some US \$4.5 Billion were pledged at the conference; far exceeding expectations, though the largest single contributor is the United States, European countries pledged the majority of the total amount. These pledges are tied to the *Joint Assessment Mission (JAM)*<sup>23</sup> development frameworks.

#### *The Joint Assessment Mission (JAM) to Sudan*

The JAM was composed of representatives from the government and SPLM/A, with the support of the World Bank and the UNDP, in late 2003 and worked for 14 months to assess the reconstruction and development needs of the country during the interim period. The proceedings of the process were to form the working document for the Oslo Donor Conference to be convened in Oslo 11<sup>th</sup> –12<sup>th</sup> April 2005. The assessment covered eight ‘clusters’, assigned by the World Bank, with the exception of the ‘Three Areas’, expert working groups formed to address each, as follows:

(1) capacity building and institutional development, (2) governance and law enforcement, (3) economic policy, (4) productive sectors, (5) social services (6) basic infrastructure, (7) livelihood systems and social security, (8) information and statistics.

Whereas some foreign observers claimed that the working groups did not provide sufficiently strong results to support the JAM's efforts, local Sudanese experts are of the opinion that the weakness of the reports was mainly because the World Bank, UNDP and EU did not respect their promises to convene a meeting for the groups to present and improve their findings.

Representatives of CSOs who participated in the Oslo NGO Forum parallel to the Donor Conference formed an NGO coalition and launched an advocacy campaign against a new restrictive Presidential Decree on Voluntary Work (August 2005).

A complex international, multi-lateral and national institutional framework mandated in the CPA has superseded the JAM. The components of this machinery are:

1. The *Joint National Transition Team (JNTT)*. The JNTT was established to cover wealth and power sharing, but has now been stripped of its power sharing mandate to cover only wealth sharing.
2. Two *Multi-Donor Trust Funds (MDTFs)*, administered by the World Bank, Foreign Aid is to be channeled through these funds. The two MDTF, one for the North, one for the South, are composed of:
  - a. A decision making *Standing Committee*, which has been already established.
  - b. *Technical Secretariats*, these have also been convened. The initial project proposals of these *Secretariats* have been approved.

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<sup>23</sup> See Track II, section 2.3/2.5

3. The *National Reconstruction and Development Fund* (NRDF), whose brief includes both war affected areas and least developed areas outside Southern Sudan. This fund is to be financed by the *Government of National Unity*(GNU).
4. The *Southern Sudan Reconstruction and Development Fund* (SSRDF) dedicated to Southern Sudan reconstruction and financed by the *Government of Southern Sudan* (GoSS).
5. The *Commissions* in the CPA, the most important elements for successful implementation of the CPA. The *National Constitutional Review Committee* is supposed to be consulted on the installment of the Commissions, this is not the case, however, and therefore, those parties not represented in the National Assembly are sidelined.
6. Assistance, technical support will be provided to the *Commissions* by six *Commission Preparatory Teams* (CPTs) by the UK in coordination with other donors and the UNDP. A member of the JNTT is Coordinator of the *Commission Preparatory Teams Project*.

## ***Track II: The Role of CSOs in Peacebuilding***

CSO activities revolve around the following interrelated fields:

Actions of civil society at the intermediate level:

1. Strategic move towards structural societal change by defining the root causes of conflicts in Sudan, which are inequitable development and centralized exclusive system of governance, as indicated in the CPA.
2. Public awareness of the CPA and popularization of peace culture and human rights.
3. Provision of inputs for the Commissions identified in the CPA and for CSOs.

Reference is made to the following organizations and institutions, which have inputs in this regard:

1. *Women's Peace Network*, which is the network for empowerment of women in peace, formed from (a) *Civil Society Women's Network* (b) *Nuba Mountains' Women Network*, (c) *National Alliance of Women*, (d) *National Committee for Women* and (e) *Southern Women's* there is also the *Women's Solidarity Network* which is the only one that submitted proposals to the *Constitutional Review Commission*, besides the Nairobi meeting of civil society organization from the South and North in April 2005
2. *Sudanese Initiative for Peace, Unity and Democracy*
3. *Sudan First Forum*
4. *Principal's Forums* at the Ahfad University
5. *Department of Political Science* and the *Centre for Peace Research*, University of Khartoum
6. *Peace and Development Centre*, University of Juba
7. *National Civic Forum*
8. Cultural centres, such as the *Sudanese Studies Centre*
9. *Committee of Ten*
10. *Political Parties Peace Forum*
11. *Council for Religious Co-existence*
12. *Civil Society Peace Initiative*, which accorded importance to the peace protocols and explaining them to the public

These organizations and institutions have succeeded in establishing dialogue foras for civil society activists, thinkers, politicians, researchers and journalists - men, women and youth - to brain-storm, political enlightenment and popularization of peace culture and democracy. The meetings offered opportunities for many different groups with shared interest in democratization and good governance based on accountability, transparency, rule of law and

participation. This is in spite of the fact that these groups are of different political, religious, ethnic and regional affiliations. Although these meetings might be considered as think tanks, because of the papers produced and published in the media, they lack coordination and continuity in the process of peacebuilding, as there is no common strategy for the groups and no unified organizational structure.

Apart from the efforts of the national CSOs in Track II, there are several international CSOs and governments, which discuss specific issues, such as:

1. The Workshops of the *Max Planck Institute of International Law* on constitutional arrangements before and after the signing of CPA.
2. Meetings of the *African Renaissance Institute* and the *International Relations Institution*.
3. Consultations of *Concordis International*.
4. EU cooperation with *Non-State Actors* in the context of the *Cotonou Agreements*.
5. UNDP support for networks working on peace and human rights. Of late, UNDP has showed an interest in governance, especially local government and human rights, for which it recently established special units.
6. *New Sudan Council of Churches* meetings in Kampala on peace, reconciliation and governance.
7. The *Civic Society Forum* and *Justice Africa* in London, which contributed the Bill of Rights to the *Constitutional Review Commission*.
8. Other diverse regional organizations.
9. FES peace initiative supporting dialogue, networking and popularization of peace process (*Civil Society Peace Initiative*, No. 12 above).
10. DiFiD: *Commissions Preparatory Teams* (CPT).

The *Sudan First Forum*, the *National Civic Forum* and *Civil Society Peace Initiative* are the best examples of CSO interventions in peace building on Track II.

#### *Civil Society Peace Initiative*

The *Civil Society Peace Initiative* evolved out of a previous initiative, the *Alternative Commissions Project* initiated in 2003 by civil society activists who had been closely following the negotiations between the GoS and SPLM/A in Kenya. The two negotiating parties supported by the World Bank and UNDP formed a team to assess Sudan's needs during the interim period (see JAM below), CSOs, in turn, were asked to form their own team to provide a civil society perspective. These CSO Committees were named the *Shadow Commissions*, and assembled in a loose network as a result of several meetings hosted by *Friedrich Ebert Stiftung* (FES) to explore ways of implementing that proposal. The *Shadow Commissions* were as follows:

- (1) Land and Resources, (2) Legal Reforms, (3) Social Development (4) Constitution (5) Religion, Rights and Diversity (6) Financial Reforms (7) Election Laws, (8) Media and its Role in Peace and Democracy, (9) Civil Service (10) Rational Governance in the Participating Organizations.

Only two commissions, (1) and (4) were able to put forward useful presentations.

FES was subsequently requested to commission studies and analysis of the six peace protocols. Accordingly, papers on peace issues pertinent to the peace process were suggested:

- (1) Democratization, (2) Equitable Development, (3) Judicial System, (4) Governance in Northern Sudan, (5) Governance in Southern Sudan, (6) Women's Rights, (7) Other Avenues of Negotiations, (8) Attractive Unity, (9) The Three Areas, (10) Self-determination, (11) The Role of the International Community.

This *Civil Society Peace Initiative* organized 15 meetings during the period 10<sup>th</sup> October 2004 and 1<sup>st</sup> June 2005 in which 150 researchers, academics, civil society activists and politicians participated from all regions of Sudan. This initiative has been a successful dialogue forum and civic education programme, analyzing, explaining and critiquing the protocols and at the same time popularizing the contents of the CPA. It continues with an outreach programme in the regions.

#### *Sudan First Forum*

This forum was initiated in August of 2002. It had 200 participants of different political affiliations. It established the following committees and spheres:

Main committees: steering committee and information committee

Themes: framework agreement, power, wealth, security and guarantees

Sub-committees: the constitution, the interim period, human rights, Darfur

Objectives:

1. To involve political parties, political organization and CSOs in the on-going negotiations in Machakos, such that any settlement reached will be based on a national consensus and address all dimensions of the national crisis.
2. Provide sound studies / briefings based on the realities and experiences in Sudan by expert committees. The studies are to support the peace process and provide recommendations.
3. Engage in discussion with all political forces and take note of points of common agreement to arrive at common minimum agenda that unites efforts and ensures a successful contribution to a national solution to the crisis.
4. The forum was to continue after Machakos and address all outstanding national issues from a genuinely national perspective based on careful study.

Mechanisms:

- Direct contact with all political forces, entities, national personalities and CSOs to conduct a joint debate on all outstanding national issues based on peace, democracy and sustainable development.
- Organize a number of workshops and studies with the aim of incorporating all points of view across the Sudanese spectrum and produce a common national consensus.

The forum produced a paper critical of the *Machakos Framework Agreement*, as well as detailed papers resulting from 50 general and working meetings. The forum also reviewed some 20,000 pages of documents, including studies and research. It was banned by the security forces in April 2003, because it touched on security issues and began to deal with the Darfur crisis, which at that time was proscribed.

#### *The Committee of Ten*

In October of 2003, ten well-known political personalities of national standing formed the *National Reconciliation Committee*, popularly known as the *Committee of Ten*. The committee drafted and published a memorandum containing a six-point programme to address the national crisis and a comprehensive solution to it.

In addition to the six-point programme the memorandum called for a national conference to be attended by all political and social forces in Sudan to draft a framework for national reconciliation and an end to the several national crises. The memorandum was put forward as a provisional agenda for this conference and a minimum common outline on which parties to the conference could build.

The six-point programme called for:

1. Rejection of violence and the peaceful dialogue for the management of political conflict.
2. Recognition of ethnic, cultural and religious diversity of the Sudan and the adoption of citizenship as the basis for Sudanese national identity.
3. Self-determination for the South.
4. Democratic transformation.
5. Full political freedoms and rights.
6. An national economic programme that ensures just and balanced development.

#### *The National Civic Forum*

The *National Civic Forum* was launched in 2002 with support from the *Heinrich Böll Foundation*. The forum drew together CSOs, independent intellectuals, religious figures, media personnel and politicians. The forum was conceived as a 'think tank' and platform from which to initiate debate and consensus over national issues, in particular 'sensitive' and un-addressed issues, e.g. unity vs. separation, religious co-existence, marginalization ...etc.

The initiative succeeded in sustaining itself since its inception and produced three volumes of the debate proceedings. It was a key actor in producing the civil society memorandum on the *Machakos Protocol* sent to the IGAD, EU members and the two negotiating partners, reflecting a civil society position on national affairs.

#### *Sudanese Environmental Conservation Society (SECS)*

SECS, supported by NOVIB, developed and adopted a comprehensive *Peace, Environmental Sustainability and Environmental Governance* Advocacy Programme. This programme formed the core of SECS' Strategic Plan, and the Executive Committee was intimately involved in executing the programme. Two taskforces were formed to coordinate the effort. The programmes' objectives were as follows:

1. Disseminate the peace protocols and a culture of peace.
2. To influence policies related to the environment through stakeholder dialogues.
3. To strengthen the on-going processes for resolution of natural resource based conflict.
4. To support community based initiatives on natural resources based conflict at local levels.

#### *The Darfur Forum and Tripoli Talks*

Two rounds of all-Darfur consultations were convened in October 2004 and January 2005, with the intention of providing a forum for a broad cross section of Darfurian society. Non-armed Darfurian civil groups, prominent Darfurians, Arab and African tribal groupings and intellectuals have all participated in this umbrella to search for lasting solutions and helping to restore the region's social fabric. Since the rebels were also invited, these consultations proved vital in the process of fine-tuning the armed opposition's political agenda and facilitating its broader understanding by Darfurian leaders inside Sudan. These discussions also helped build consensus behind a common agenda among a broader Darfurian constituency and have been central to the emergence of the Darfur Forum.

A May 2005 meeting of the forum in Tripoli was less successful due to Khartoum's refusal to allow Darfurian leaders in the Sudanese capital to attend. There is also growing suspicion among Darfurians of Tripoli's real agenda and a feeling that Tripoli is exploiting the crisis for its regional ambitions and national security concerns, specifically to discourage Western intervention in Darfur.

*Gaps to achieve a critical mass of forces to participate in conflict transformation are as follows:*

All the efforts on Track II managed to provide dialogue platforms and build networks of trust and sustained personal relationships reinforced by Sudanese collective traditions and values. Yet, organizational and institutional relationships among Northern participants, e.g. academic institutions and parties, and to a lesser extent among Northerners and Southerners, remain weak.

Furthermore the following gaps have to be mentioned:

- No unified organizational structures.
- No comprehensive strategic vision embracing political and socio-economic development issues and the neglect of reconciliation and security issues.
- Solid research and analytical capacities, reflections and novel ideas are missing.
- Generational gap and to a lesser extent the gender gap.
- Lacking outreach as regards geography and participation outside and beyond the Khartoum University campus, or even beyond Khartoum because of intervention of security organs who are aware of the impact of such outreach.
- Parties do not attend (particularly key figures) activities because incompetence and arrogance.
- No participation of trade unions and the business sector.
- No participation of artists
- Shortage of trainers and facilitators. At present a small fixed core of persons conduct all trainings. While academics refrain from participation because of past repression and the distance between them and political activists, students can be trained to build trainers' groups, as they are flexible and committed to voluntary work in rural areas under harsh conditions. The UNDP has exerted efforts to organize youth and students in a forum / parliament.

### ***Track III: Community Based Organizations (CBOs)***

Some community based peace initiatives, such as those led by tribal leaders, were launched in West Darfur, January 2005. The initiatives are meant to address three main areas: (1) conflict resolution through maintenance of peace and law and order in the affected villages/communities, (2) civic education and (3) awareness. All the three initiatives aim to promote community involvement to achieve peace and security. The initiatives explicitly advocate the principle of 'peaceful coexistence'. The initiatives are founded on the premise that the aims stated above should provide the foundation for security and peace. The assumption is that traditional leadership is a driving force to attain social peace and an element in promoting security.

Traditional leaders are in most cases government appointed and have been politicized and intimidated by the government. However, under the socio-cultural condition, these leaders can become agents of peaceful change in peacebuilding through these initiatives. Although tribal leaders have enormous indigenous knowledge and experience in conflict, inter-group conflict poses a real challenge to these leaders, as they do not lend themselves to traditional conflict resolution mechanisms. These mechanisms are detached from the wider socio-economic, environmental and political context and decision-making processes. Coalitions and cooperation between local communities' tribal leaders, the broader civil society movement and macro level actors are needed to overcome limitations and weakness of the individual parties. Effective participation, however, requires empowerment of the people and strengthening the capacity of CBOs to generate responsive social policy and social capital in order to influence the peace process.

## 3. Options for Supporting Systemic Conflict Transformation

### 3.1 Areas of Intervention and Priorities

The three key priority areas of intervention are as follows: political development and governance, security and socio-economic development.

#### *Political Development and Governance*

In the *Machakos Framework Protocol* signed by the two parties, the GoS and the SPLM/A declared their commitment to a negotiated, peaceful and comprehensive resolution by “addressing the root causes of the conflict and establishing a framework for governance through which power and wealth shall be equitably shared and human rights guaranteed. Thus, the CPA, for which the *Machakos’ Protocol* is a framework, levelled the ground for radical change in the political, economic and social landscape of the Sudan. In addition, the interim constitution, which embodies all six protocols of the CPA, has a solid Bill of Rights.

Irrespective of the exclusiveness of the CPA in regards to issues and stakeholders (as analyzed in section 2.1) if it is genuinely and faithfully implemented, state reform is to be undertaken and human rights, rule of law, good governance and democratization will be achieved. Nevertheless, there are strong indicators that the ruling party, the NCP, does not show adequate commitment and the will to honour the agreement and strictly adhere to its implementation.

It is becoming clear that the NCP, irrespective of latent internal tensions and divisions within its ranks, developed a coherent strategy to continue its exclusionary and divisive policies. It has made only cosmetic corrections to governance structures, while blocking all serious political steps towards state reform: widening political space; and conducting the implementation of the CPA in an inclusionary manner with participation, transparency and accountability.

The NCP utilizes the domination it attained through the CPA to preserve the status quo. It continues to weaken politically and financially all other actors, particularly the opposition parties and civil society organizations, to prove to the international community that it is the main actor and generator of stability in the country. Currently, it is preparing the ground to emerge as the strongest contender in the elections scheduled in 2008/9. In this way and through blocking any constructive dialogue, with and among, other actors, it is fuelling a polarization, which could be disastrous and fatal. To overcome such polarization urgent interventions are needed, which can only be effective if they are based on a unified and well orchestrated systemic strategy that focuses on the complexity of the conflict system and embraces both internal and external actors.

#### *Governance and State Reform*

To broaden the civil space a multidimensional social, political, administrative and financial state reform strategy at all levels, national, state and local has to take place as follows:

- a. Abolishing the domination of the civil service and governing structures by the security organs.
- b. De-politicizing state and traditional tribal institutions so that they become neutral, representative and independent. Re-instituting ex-tribal leaders and ex-state employees who were fired for political reasons.
- c. De-militarizing the police force, society and curricula in educational institutions.

### Governance Structures

- A resolution to the conflicts in Darfur and the East must be achieved; here pressure from the international community on the parties to the conflict to speed up negotiations is required. Once a political settlement is achieved adequate governance structures must be introduced that meet the demands and interests of the Darfurians and Eastern region as regards equitable power and wealth sharing. This involves opening up political space and improving the political environment and context to enable internal actors to exert pressure on the warring parties.
- Decentralizing governance structures and empowering local communities by adequate structural capacity building is urgently needed. Such capacity building programmes can build on existing UNDP programmes in this area.
- Re-instituting and de-politicising the trade unions, professional associations and civil society organizations. These are the most important steps in building good governance, as they spearheaded important political changes and toppled military regimes in the past.

### Ownership of the Peace Process

Ways to guarantee ownership of the peace process are manifold. First and overall, is promoting the inclusiveness of the peace process by implementing the provisions of the agreement and broadening support for the process.

- Dissemination and popularization of the CPA and the interim constitution is the basis of this broad support. Media, particularly radio campaigns are effective tools for these activities. CSOs should be instrumental in promoting ownership by expanding their outreach in rural and remote areas. Of paramount importance is the awareness of the Bill of Rights in the Constitution. Peace culture and human rights culture are interlinked and mutually reinforcing.
- Demilitarising school curricula and introducing the constitution, CPA and human rights into schools are important for a wider dissemination of these central elements of peace. Citizens should get economic peace dividends as early as possible to support, monitor and own the peace process.
- Hold authorities accountable for their commitments to peace. Students and youth have proved to be very instrumental as agents of peaceful change and peace builders in disseminating peace culture and promoting the culture of dialogue. Youth and students parliaments, promoted by the UNDP and UNMIS are effective in enhancing outreach and participation. The awareness about socio-economic dimensions in these interventions should be substantially strengthened.

### Commissions

The *Power Sharing Protocol* stipulates the establishment of national commissions to implement the CPA. The inclusiveness of these commissions should contribute to participation in the peace process and to its ownership. Political parties and CSOs should monitor and provide input, directly or indirectly, to these commissions and disseminate their outputs. A prerequisite for such interventions is professionalism and specialization, which can be attained by intensive capacity building.

Political parties and CSOs stress the specific importance of participation on the commissions to ensure accuracy and transparency and fair democratisation, rule of law and democratic elections, the following have been singled out as most important:

- a. the National Electoral Commission
- b. the National Human Rights Commission
- c. the National Judicial Service Commission
- d. the National Civil Service Commission

FES is supporting CSOs to prepare their input and participation on the *Land Tenure Commission*. DiFiD plans to support key commissions through *Community Preparatory Teams* (CPT) in cooperation with the *Joint National Transition Team*.

### ***Security***

The section does not focus on the military aspects and guarantees of security with which the peacekeeping forces of the AU and UNMIS are entrusted. It focuses on the civilian aspects of security.

Opening up the security debate and demilitarizing Sudanese society would promote the implementation of security measures. Sudan has been governed by military regimes for almost 40 years; therefore, a very narrow definition of national security is dominant and based on considerations of military defence, regime stability. National security is equated with regime security. In this respect, the present regime has developed the most extreme doctrine of national security and therefore, the domination of security organs over all spheres of life and militarization of the society was a declared policy of the regime. Given this outlook, the regime consistently resorted to military power to ‘resolve’ conflicts and advocates of non-violent conflict resolution were targeted and cast as traitors and threats to national security.

The opening up of civil space should initiate a debate over security and open it up to popular scrutiny and democratic input, such a development would widen the concept of security to embrace human security, development and peacekeeping, which include: human rights, particularly social and economic rights. Such a public and democratic security debate would contribute to demilitarizing society and government structures, establish a ‘civic’ culture and enhance popular civilian involvement in protection issues. CSOs, particularly human rights organizations play a decisive role in the four areas of:

- *Human Rights*: Monitoring of human rights violations, training and capacity building, legal aid and advocacy at the macro-policy level are needed. Such efforts should combat impunity and ensure that human rights violations are swiftly and effectively investigated and perpetrators are brought to justice.
- *Internally Displace Persons (IDPs) and Refugees*: IDPs and Refugees must be guaranteed the inalienable right of return to their places of origin. To that end, they should be afforded protection and a conducive environment for sustainable livelihoods created. An appropriate compensation for all affected is to be determined, especially in Darfur.
- *Community-based disarmament, demilitarization and reintegration (DDR)*: Although DDR of ex-combatants is addressed in the context of peace agreements, the civilian responsibilities of the communities in these areas should be supported, since these ex-combatants are to be integrated into local communities.
- *Reconciliation*: Broad based reconciliation efforts are urgently needed to restore peaceful co-existence at local community levels, but also at all other levels within the South and North and between North and South. Traditional mechanisms fall short of effecting reconciliation at higher levels. Mechanisms for reconciliation at these levels

are to be introduced by CSOs, such as professional associations and students, to address deeply rooted grievances and distrust. Reconciliation at the higher levels will hinder future conflicts between South and North, if the South separates. If separation take place, peacebuilding and good neighbourly relations will be essential to avoid a scenario of animosities as between Eritrea and Ethiopia for example.

### ***Socio-economic Development***

Since independence, development policies and strategies were determined by top-down and sectoral approaches and urban bias. They not only neglected rural development, but also enhanced the drainage of rural resources. This resulted in structural inequalities, regional, social and gender disparities, poverty, famines and environmental degradation. The CPA paves the way for radical change of governance and development structures and consequently of power and wealth and centre-periphery relations. Although, the CPA deals with regional disparities, a limitation is that it does not deal with social disparities and injustices *within* regions.

The political development strategy outlined above has to be twinned with a comprehensive and coherent development strategy to sustain equality and just peace through the devolution of both power and wealth. This is necessary to offset centrifugal forces, which have fostered civil strife, and to reverse the deep sense of marginalization and exclusion among peripheral communities in Sudan. This could be achieved if the development strategy is decentralized and based on community, state and regional development plans.

To design and implement a development strategy, strategic partnerships between internal and external actors should be formed. In this respect, obstacles that hamper donor coordination need to be removed.

### ***Development and Peacebuilding***

Since development cooperation has been suspended for the last 14 years, donor assistance has focused on emergency and relief operations. Therefore, programmes of on-going relief interventions linked with rehabilitation and development should be put in place. To achieve just and sustainable peace, a development perspective is to be integrated in peacebuilding and conflict transformation to remove structural root causes of conflict.

### ***Peace Dividends and Macro-economic Good Governance***

In spite of high growth rates generated by oil production in the last three years, it is evident that its effects have not trickled down to expand employment opportunities and reduce poverty. Peace dividends have not been realized, on the contrary, prices and taxes are rising. Changing the mode of governance towards rule of law, transparency and accountability should promote and enhance macro-economic good governance to ensure economic transparency and accountability.

### ***Development Documents***

At present, donors and government agencies have produced five documents, which lay out important elements for national socio-economic development:

- UNDP, the 2003 *Human Development Report* (HDR), published in February 2004.
- The *Millennium Development Goals Report* (MDGR) for which the *Ministry of International Cooperation* is responsible. The UNDP has a facilitating role in organizing meetings of the government committees and coordination vis à vis UN agencies.
- The EU *Country Strategy Paper* issued January 2005.

- The JAM reports prepared a joint team from the North and South and presented to the *Oslo Donors Conference* in April 2004. The main criticism of the reports is that they consist of separate assessment needs in the North and South and they focussed on the structural deficiencies, without required attention to the critical security issues and political dynamics.<sup>24</sup>
- The draft *Interim Poverty Reduction Strategy Paper* (IPRSP) produced in January 2005 by the World Bank. The Ministry of Finance and National Economy is entrusted with implementation.

Evidence seems to suggest that no lead government agency has been assigned to harmonize and coordinate the implementation of these documents and compile them into a coherent and comprehensive development strategy as outlined above.

It is worth mentioning that the *IPRSP* proposes setting up a detailed participation plan and evaluating CSO capacity needs as a basis for action. CSOs need to enhance their organizational management, advocacy and networking capabilities to participate effectively in the strategy.

It also bears mentioning that in Chapter II, *Guiding Principles and Directives*, Article 10 of the Interim Constitution, there is reference to the MDGs and distributional issues in the imbalances of incomes, which are not dealt with in the CPA as follows:

“The overarching aims of economic development shall be eradication of poverty, attainment of the Millennium Development Goals, guaranteeing equitable distribution of wealth, redressing imbalances of incomes and achieving a decent standard of life for all citizens”.

The CPA does not foresee a commission for socio-economic development, this is left to the federal government, the regional government of the South and states’ government.

### 3.2 Agents of Peaceful Change and Critical Mass

It is crucial for systemic conflict transformation to identify agents of peaceful change within the conflict system. Agents of peaceful change are small strategic and influential groups or persons within the conflict parties, the civil society organisations or the functional elites who are willing to promote change within the society. They don’t need to have exactly the same ideas and intentions as the intervening third party but it is necessary that they are sharing some basic ideas concerning the necessity of peaceful change and the acceptance of an equal and multiethnic society. Agents of peaceful change can operate as partners, multipliers and facilitators of processes of change.

The critical mass refers to the quantitative amount of agents of peaceful change needed in order to be considered as ‘serious actors’ in processes of social change. Based on hypotheses of chaos theory and on research on revolutions it could be argued that during complex processes of social change small groups could develop a disproportionate influence.

Two types of change need to be distinguished in the Sudan: the first is a change in the centre of power monopolized by the NCP. An inner clique within the party dominates over the nation's wealth and power; closely guarded through its control of the security services and the

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<sup>24</sup> Emeric Rogier, *Designing an Integrated Strategy for Peace, Security and Development in Post-Agreement Sudan*, CRU Occasional Paper, The Hague, Clingendael Institute, April 2005.

military. The political opposition aims to replace these active agents in the centre of power, but without necessarily aiming for radical 'structural' change in the power structure or wealth concentration, such as is mandated by the CPA. This second type of change cannot, however, be accomplished prior to the change of the first type. The agents of peaceful change for the second type of change differ and include:

- Women
- Youth, in particular students and unemployed graduates.
- Regional elites and armed movements.
- Professionals and urban workers.
- Academics
- Tribal and religious leaders, among others.

### Women

Women suffer from inequality, given the patriarchal nature of Sudanese society. This inequality has increased under the NCP's Islamic project that has certainly imposed codes of behaviour on women. The NCP consolidated traditional patriarchy, beginning with a dress code, restricted movement within society and constraints to participation in public life, targeting in particular, female university students. Since the 1940s, Sudan has had a powerful women's movement made up of loosely affiliated organizations. Though predominantly elite and urban, it achieved much on behalf of women on equal pay, education and political participation. In recent years, large numbers of women from rural and urban areas, particularly from the media, have joined civil society organizations, and played important roles in the human rights and peace movements. Yet, they lack common strategic vision, coordination and technical abilities necessary to play a more effective role in implementing the CPA and to achieve the anticipated structural transformation.

### Students and Youth

Students have well established traditions in public life. This tradition began in the 1930s, in what was the *Gordon Memorial College* at the time, and continued to this day. The student movement in the *University of Khartoum* has produced capable politicians, who have assumed and shouldered the leadership of political parties, among them the NCP and PCP. In fact, popular opinion holds that the leadership of these two parties manage the country's affairs in the style of a student's union. Among the milestones of this tradition was the *October Revolution* of 1964, which started out at a *Khartoum University* forum on the war in the South and also the April *Intifadah* of 1985 (revolt), which began at the *Islamic University* in Omdurman. Student elections are considered indicators of political shifts and currents in the country, the landslide of the opposition student movement in the latest elections for unions in seven universities are a clear indicator of expected political changes. It must be noted here the election, for the first time in the history of student's movements, of a Southern student as President of the *Khartoum University Student Union* in 2005 as a landmark.

The expansion of higher education, both private and public, universities and colleges and higher institutes, now numbering over 50, has helped the expansion of the student movement. In spite of the fact that the government intended this expansion to build support among students, this has widened the base of opposition against the regime. This is so for two reasons: the deterioration in university environments and the living standards of students on the one hand, and the unemployment that students face after graduation on the other. The regime's efforts to support the unions and individuals that back it did not bear fruit. Nevertheless, the structural economic crisis that expands unemployment has become an obstacle to the ruling party's policies, due to the small job market alongside the economic centralism that is unable to modernize rural areas. Educational curricula are not up to date with the market requirements, and the job market itself is glutted with foreign workers imported by foreign companies in large numbers.

To assess students and graduates weight in the critical mass, of which they are an important part, we must note the disappointment of graduates in the policies of political parties. These groups tend to form independent alliances within student unions far removed from the alliances of political parties in the external political field. This is a result of political disenchantment amongst students along with the turn of large numbers to independent *Salafist* and *Sufi* groups - a new development in the Sudanese political scene. It is observed that the youth played a significant role in the April *Intifadah*, particularly in the neighbourhoods in comparison with the *October Revolution*, which started from work places.

#### Regional Elites and Armed Movements

It must be emphasized that the regional elites and armed movements are from different traditional political parties, who do not aim to change the centre of power that they have monopolized in the past. The regional elites, who have chosen peaceful means to change, call for structural changes in power and wealth relations, similar to those embodied in the CPA. Yet, they insist on some necessary amendments to the agreement regarding the concerns of marginalized regions, noting that these were addressed for the South.

The armed regional movements in Darfur and the East, that have opted for armed struggle, agree with the independent regional elites on these ends, yet differ on the means. Representatives of both groups have tried to open up dialogue among themselves to adopt a common strategy to achieve the rights of regions. The regime, however, stubbornly obstructs any dialogue of this kind, as it understands its political implications, namely the end of political hegemony of the ruling party in the regions.

#### Professionals and Workers

These sectors have a long history and strong presence in the nationalist movement since the colonial period and the founding of the *Graduates Congress* in 1938. Their activism continued after independence. Professional trade unions (engineers, lawyers, doctors, accountants, teachers and craftsmen) and workers unions lead the *October Revolution* and the April *Intifadah*. When the current regime assumed power, it crushed these unions and promulgated a law forcing amalgamation of institutions / corporations that, for the first time, brought together members from distinctively different unions in one. This led professionals to abstain from membership of the unions. Other tactics include the politically motivated firing of union activists and continual repression; finally the regime issued a new law to organize professionals in separate unions from the Sudan workers union. Even this move is opposed by the independent and leftist professionals, who are trying to revitalise their 'legitimate' associations, yet these revivals face severe repression from the security forces of the regime

Here we note three types of professional organizations, these are:

- a. *Professionals*: The *Professional Councils* appointed by the government, these undertake professional monitoring, there are also professional organizations, that belong to civil society that oversee codes of conduct and certification of members and unions that serve memberships interests, and bargain on behalf of their members.

The deterioration of the living and occupational status of minor professionals in the public service / civil service lead these groups to revive their unions. It is to be noted that young Islamist professionals, who share the concerns of young independent professionals, have joined these movements. The spilt in the Islamic movement played a big role in this phenomenon, as large numbers of Turabi's party militants have entered into collaboration with independent professionals, dispute the wariness and mistrust between the two.

- b. *Workers:* Workers participated in the October 1964 and April 1985 revolts, though to a lesser degree in this latter uprising, given the May regimes control over the workers' movement of the time, in comparison to the professional unions. The current deterioration in living standards of workers in government institutions and the public and private sectors, that is concentrated in urban areas, particularly Khartoum, are affected to a greater degree from the retreat of the state from service provision and subsidies, thus they are an important element of the critical mass. In addition to the large influx of citizens from peripheral areas into the working class in urban areas, again in particular Khartoum has changed the profile of the urban working class, whose organizations used to be controlled by leaders from the Riverain centre, particularly DUP members. These changes have not only changed the make up of the working class, but also its leadership, this is what makes it more radical in its demands, if the restrictions on its independence from the regime are removed.

The spread of democracy and democratic transformation, will release the abilities of the professionals and academics in general, especially in the different area of development.

- c. *Academics:* Although the majority of academics were organized within the professional unions, they must be looked at from within their professional academic occupations, particularly in universities and research institutes. The deterioration of working conditions in these institutions and the living standards of this sector, have created a genuine interest for them in radical change, especially as great numbers from the periphery have joined this sector, whether in regional universities or research institutions. This sector has begun to re-organize its unions, for example the *University of Khartoum Staff Union*. The importance of this group is traced to its key role in designing development strategies and programmes at various levels, research and science and the application of its research and its spread into the regions through regional universities and research institutions in the regions. Despite their small numbers and limited resources, they can play an important role in planning regional development plans on the basis of economic decentralization.

### 3.3 Entry Points and Areas of Assistance

#### *Assessment of the Options in the Sudanese Context<sup>25</sup>*

The options presented below are suggested as the themes for several workshops on strengthening and supporting Sudanese capacities for conflict transformation. Through such discussions, the options can be adopted and/or new options can be developed. The participants in the workshops can then be actors in promoting the concepts and thus the concept and process can be owned by the Sudanese. It is recommended that the donors and other foreign 'actors', e.g. INGOs should refrain from being directly and actively involved, at least in the initial stage of this process. They can support it after intensive consultations, which contribute to confidence and partnerships building, both of which are lacking particularly in the case of the relations between the main actors (NCP / SPLM/A) and the foreigners. These consultations can be conducted at the personal level.

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PT<sup>25</sup> TPOptions presented in this section are based on an initial input prepared by Dr. Oliver Wils and developed further by the author of this paper.

Some people in the Sudan may see the initiatives and involvement of external actors with a certain sense of distrust. As the box below shows there are several reasons for hostilities against foreigners in the Northern Sudan.

**Reasons for hostility towards foreigners in the North:**

1. Presence of foreign troops.
2. Luxury in which donors and INGO staff live.
3. Lack of 'win projects' quickly prepared and easily implemented.
4. Fundamentalists' promote hostility.
5. Perception of the exclusiveness of the CPA as a product of external pressure.
6. Flow of aid through third parties, i.e. INGOs.
7. Role of external actors in Afghanistan and Iraq.
8. Up to date there has been no flow of aid.

***Option 1: Facilitating Problem Solving of Key Decision-makers Through an Inclusive Peace Secretariat.***

Since the top decision-making is concentrated in a small number of persons around the President and Vice-president (Taha), it is not probable that these top decision-makers would encourage the building of the envisioned peace secretariat. A reason of reluctance to participate in such a peace secretariat is the exclusionary attitude of the top decision-makers. In the case of the SPLM/A the attitude can be different. But since the new GNU has been installed, other target groups than the top decisions-makers can be envisioned or identified. Potential groups are the 12 advisors in the Presidency, parliamentarians in the national parliament and members of the state parliaments.

Potential actors who can support the building of the peace secretariats are the dozen or so university affiliated research centres, not only in Khartoum, but also in regional universities. These institutions can be instrumental in decentralizing the peace secretariats. Think tanks, such as the *Centre for Strategic Studies* can be involved in this intervention, since they are more open to critical reflection. The *Peace Advisory* at the Presidential office, though not aiming at strategic advice and mainly entrusted with organizational tasks, can be engaged in the process. Personal relations between academics at the universities and the actors in the think tanks would facilitate building info-linkages and constructive cooperation and partnerships.

Targeting in-directly the public at large through dissemination of relevant documentation, will contribute effectively to filling gaps, it is also advisable to investigate targeting decision-makers in opposition parties and as guests leading journalists, academics and eventually influential religious leaders or their representatives. This will serve the interest of broad based dialogue/inclusivity and developing a shared vision of the future and to conduct constructive discussions on differences. The participation of leading academics and religious leaders and can be a driving force for the participation of decision-makers.

***Option 2: Strengthening the Participation of Civil Society in the Peacebuilding Process by Supporting a Permanent Workshop on Peace and Development.***

The *Permanent Workshop on Peace and Development* would target activities and agents of peaceful change in intermediary CSOs, student unions, professional associations and trade unions. The workshop would be decentralized, so that it can be organized in different regions,

to promote practical decentralization and to reverse the feeling of exclusion and marginalization in the periphery. In that sense, this concept would go beyond the idea in the Concept Note. At the national level, a *Permanent Workshop on Peace and Development* can organize communication with the media, which should be included, one way or another. Local mass media, particularly radio, should contribute to the dissemination of the findings and results of activities.

In consultation with the different actors, a secretariat or focal point can be established to guarantee effective preparation, communication and follow-up of activities based on the work of the regional permanent workshops. In this context the bridge building between civil society and their constituencies, would not only be easier, it will be even more adequate taking the vastness of the country and specificities of the different regions into account. A link between the regional peace secretariats and the permanent workshops must be established. Reflecting the regional context and objectives can be more adequately: i) analyzed and addressing the peace process; ii) the state of the implementation of the CPA or the forthcoming peace agreements; iii) the identification of the key factors that hinder or facilitate the transformation towards peace; and iv) the of peacebuilding needs not addressed so far.

Capacity building is needed as regards these aforementioned issues, besides negotiations, problem solving, facilitation and training of trainers (TOT) courses. A proper screening of the participants is needed to avoid resorting to the same 'professional activists and functionaries'. It should investigate how to increase the number of participants through organizing several regional workshops in different towns in each region, since the need for wide and effective participation in the peace process is crucial given the high risks of derailing the peace process. This broad based and decentralized approach in the case of Options 1 and 2, is urgently needed to ensure broad based and comprehensive support for peace building.

### ***Option 3: Problem-solving Workshops as a Tool for Conflict Resolution in Regional Conflicts.***

Due to the unresolved conflicts in Darfur and the East and latent conflicts in the three areas of Abyei, Southern Blue Nile and the Nuba Mountains, problem-solving workshops are urgently needed. This option is a kind of un-official low-level and eventually face-saving diplomacy, because decision-makers can easily distance themselves from the process and its outcomes.

This process can build on the experiences of the ex-warring parties, the GoS and SPLM/A, who participated in similar workshops, called the *round table meetings*, organized by UNESCO, UNICEF, FES and the EU. The advantages of these workshops are quite distinct, as they offer the parties the possibility of testing scenarios of conflict solutions, though they face a challenge of clear informal consent of the key players that are willing to explore potential options for a solution. Therefore, it may not be easy to move the key players to participate along with other actors, like traditional leaders, civil society representatives and senior academics. But the participation of these will facilitate dialogue and communication and they can easily be included. Safe and neutral venues outside Sudan can be provided by different neutral states. The outcome of such workshops can then be disseminated according to agreed rules that ensure the appropriate level of informality.

The project can be implemented by the *Berghof Foundation for Peace Support* in partnership with other donors and implementation agencies. Obstacles have to be taken into consideration, e.g. the will of actors to participate and the splitism of actors.

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# Sudan – Supporting the Peace Process through a Systemic Approach

A Southern View

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## Introduction

The armed conflict in the Sudan between the North and the South which was peacefully brought to end in January 2005 is the second phase of the armed struggle between these groups of people in the Sudan. The first phase of the war which took off in August 1955 ended in 1972 with a peace accord which gave the South an autonomous status within a united Sudan. However war again broke out in 1983 for the second time. The causes of these phases of the conflicts are the same though some causes which ranked high in the first phase such as economic under-development were over taken by religious and cultural causes (attempts to assimilate the non dominant Southern African ethnicities).

It is believed that the first agreement failed because the parties did not address the causes of the conflict which are mainly the dichotomies in the economic and social development between the North and the South. In the ten years of the agreement (1972 -1982) Southerners did not see any social and economic advancement which they expected after the signing of the peace accord in 1972. This brewed dissatisfaction, feelings of being cheated by the North and anger. The second phase was triggered by the abrogation of the peace agreement in 1983 and the move towards Islam in all spheres of life of all the Sudanese people without any exemption of non Muslims who are mainly in Southern Sudan. In the course of war and destruction the Sudanese, and especially the people in the South, suffered tremendously. It is estimated that around 2 million people had died and that the fighting produced 4.5 to 5 million refugees and internally displaced persons.

On the 9<sup>th</sup> of January 2005, the *Sudan Peoples' Liberation Movement and Army*(SPLM/A)<sup>26</sup> and the *Government of Sudan* (GoS) signed a peace agreement thereby ending the second phase (1983 - 2004) of the South - North conflict. However and as stated above, there are still conflicts in Darfur in the Western region of Sudan and also in Eastern Sudan. The peace concluded on the 9<sup>th</sup> of January 2005 is therefore vulnerable unless the Sudanese stakeholders are equally involved in peacebuilding.

This paper is an attempt to survey the factors which drove and might continue to drive the conflict in the Sudan at all levels. We consider it useful to perceive the conflict as a conflict system were different sets of factors are inter-linked and probably reinforcing each other. Root causes need to be addressed but it might be necessary to address proxy causes first because they increased its importance due to the protracted nature of the Sudanese conflict system. Likewise, we try to analyse the current state of peacebuilding activities and the gaps in the *Comprehensive Peace Agreement*(CPA).

The paper is divided into three sections. The first section analyses conflict factors and dynamics and gives an overview on the most relevant conflict actors. The second section deals with the current peacebuilding activities that are being undertaken by the different actors at the different levels and tracks. The third section is on the proposed options for peacebuilding activities that aim at helping Sudanese and international actors to identify those areas that need priority attention and to support and strengthen structures of conflict transformation as well as to support ongoing initiatives and agents of peaceful change.

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<sup>26</sup> See also page 4.

# 1. Analysis of the Situation in Sudan

The protracted conflict in Sudan is so complex that it involves multiple factors and actors at various conflict levels. The conflict reflects issues of the long standing economic disparities, political exclusion and social and cultural deprivation in the distribution of economic and political power between the centre and the periphery in Sudan. But there are many important concrete and inter-connected factors which characterize the conflict(s) to various degrees at various times. The conflicts actually revolve around the following factors:

## 1.1 Structural and Proxy Causes of the Conflicts

### *Colonial Legacy*

The current Sudan was twice colonized by the Turks and the Egyptian-British in a partnership. The brand of the colonial system of rule established was known as the condominium rule (agreement between Great Britain and Egypt on the joint administration of Sudan).

The colonial powers divided Sudan into North and South administratively. This was because the inhabitants of these two parts of Sudan are distinct and differ with regards to culture, beliefs, and the general outlook. It wasn't possible for people from the North to assess freely southern areas and vice versa. Sometimes the Southern Sudan was closed to the North. Indeed the plan was to create a buffer zone in Southern Sudan against any Islamic expansion into the inland of Africa. This condominium policy for Southern Sudan in 1930 states "*The approved policy is to act upon the fact that the peoples of the Southern Sudan are distinctively African and Negroid, and that our obvious duty is therefore to push ahead as fast as we can with their economic and educational development on African and Negroid line and not upon the Middle-eastern and Arab lines of progress which are suitable for the Northern Sudan. It is only by economic and educational development that these people can be equipped to stand up for themselves in the future, whether their lot can be eventually cast with the Northern Sudan or with East Africa for partly with each.*"<sup>27</sup>

Southern Sudanese believed they were not part of the North. It was only unfortunately for them that the colonizing powers reversed this policy in 1945 as follows: "*The policy of the Sudanese government regarding the Southern Sudan is to act upon the fact that the peoples of the Southern Sudan are distinctively African and Negroid but that geography and economics combine (so far as can be foreseen at the present time) to render them inextricably bound for future development to the Middle Eastern and Arab zed Northern Sudan, and therefore to ensure that they shall be educational and economic development be equipped to stand up for themselves in the future as socially and economically the equals of their partners of the Northern Sudan in the Sudan of the future.*"<sup>28</sup>

At the time of the change of this colonial policy on Southern Sudan, the Southern Sudanese were still under developed and very few had the necessary education to compete with their fellow Northerners.

During the transitional period (1953—1955) Southern Sudanese felt excluded from the processes of transition, especially in the Sudanization of the civil service. The move to

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<sup>27</sup> Deng D. Akol Ruay 1994. *The Politics of Two Sudans: The South and the North (1820 – 1969)*, Nordiska Afriainstitutet, Uppsala, p. 42.

<sup>28</sup> Ibid.

sudanize the army at that same time came as a trigger to the already low intensity conflict between the people of the South and the North. Thus the war broke out in August, 1955.

Unfortunately, the post colonial national governments dominated by the Northern Muslims had always paid very little or even no attention to the causes of the conflict in the South which revolved around economic, social, cultural and political disparities. Many times the conflict is viewed as a mere security problem which demands for security solutions.

As a consequence of the continuous marginalization of the peripheries and the people of Western and Eastern Sudan also took up the arms to fight for their equitable rights in the country.

### ***Political Factors***

The civil wars in Sudan are fundamentally about the nature and power of the state. The central conflict issues revolve around access to political power which enables a certain group to have control over resources and national identity. These issues are not new but they have not remained static either. It is possible to draw parallels to confrontations between 'Arabs' and 'Blacks' centuries ago but one should be careful not to read back into the past the ethnic connotations of today. The emergence of the national level conflicts was closely related to the creation of the modern Sudanese nation-state after independence. The political elite to whom the British-Egyptian colonial rule left control of the state came from narrow elite, which mobilized political support along sectarian lines. This elite institutionalized traditional racism against 'Blacks' and confronted the issues of Sudan's diversity and unequal development by attempting to build a national identity based on the principles of Arab culture and the religion of Islam. This assimilation project, which became known as 'Arabisation' and 'Islamisation,' has been pursued with changing intensity and by various means by all the successive central governments since independence. The current *National Islamic Front* (NIF) government's policies and measures are therefore not a new phenomenon.

One factor of conflict has been the lack of access to political power of individuals and groups coming from the periphery, particularly the Southern Sudanese. The politics of the centre were dominated historically by affiliations forged in the 19<sup>th</sup> century. Those who had not been part of these original affiliations have been largely denied a voice in national affairs. In addition, the political position that the people in the periphery had achieved in the colonial system of native administration has been undermined by the *Government of Sudan's* (GoS) structural reforms since the 1960s. As a consequence, the people of the periphery have become increasingly marginalised and were unable to influence political decisions. Thus, as a result they have had no political power to redress the GoS policies. It is the marginalization and the denial of political power and the direction of economic and social advancement that drives the conflict waged by the Southern people against the different post colonial national central governments.

Furthermore, there is no democratic tradition in national Sudanese politics. Democratic and constitutional procedures have been ignored time and again. "Too many agreements dishonoured", is the title of a book by the Southern politician and elder statesman Abel Alier<sup>29</sup> and this seems to sum up a key reason why the GoS has very little political legitimacy throughout the marginalised areas of Southern Sudan and the peripheral areas of the North (Western and Eastern Sudan). Southerners are fighting against this exclusion and marginalization.

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<sup>29</sup>Abel Alier 1991. *Southern Sudan: Too Many Agreements Dishonoured*. 2<sup>nd</sup> Edition Ithaca Press – London.

Despite promises to respect human rights the GoS continues to use the judiciary and the security forces to maintain a tight grip on political life. Violations of civil and political rights, including torturing political opponents, prohibiting oppositional political parties, placing restrictions on the press, and restricting freedom of speech, expression and assembly take place throughout the country. In the absence of a political space in which political issues could be addressed and negotiated, violent representation of interests has taken the place of dialogue. However, it is important to note that it is not only the GoS that does not have a tradition of inclusive and democratic governance. The SPLM/A does not have a very impressive human rights record itself. In spite of the recent moves towards inclusiveness, the organization is, despite its rhetorical commitment to inclusiveness, democracy, and human rights, still primarily a military organization which does not take opposition or criticism very well. It should also be recognised that in the later period it has made significant improvements and is trying to transform itself.

The political positions of the parties to the conflict have been polarized along various interrelating issues. First of all there is the issue of whether Sudan should be an Islamic or secular (or multi-religious) state. The positions are highly polarized between the SPLM/A and the GoS but this has also influenced the relationship between the SPLM/A and some of its Northern allies within the National Democratic Alliance (NDA). For many Muslims in Sudan (in particular the Islamists) the separation of Islam from law and the constitution is not viewed as an acceptable option.

Another central issue is that of the division of power within the state. Whereas the GoS has pursued the development of a strong centralized state, defined as Arab and based on Islamic values and law, various political movements are demanding the right of the peoples in the periphery to govern their own affairs (self-determination), including their right to maintain their local cultures and to regain control of local resources.

Two alternatives to the unitary state have been advocated; secession of the South or a federal solution that would grant significant local autonomy throughout Sudan. Although the official line of the SPLM/A has always been to find a solution within a unified state, separation increasingly has become the political aspiration for most people from the South. However, in the marginalised areas in the North the prospect of Southern secession is viewed with great concern, as this would mean a very significant weakening of their position in relation to the GoS. This issue is very controversial and will remain central during the interim period. If the post war central government managed to make unity as attractive as provided in the *Declaration of Principals* (DOP) and the following *Naivasha Peace Protocols*<sup>30</sup>, then the chances for a united Sudan will increase. But this demands a lot of work since the period is very limited. What should be put into place during this time are necessary and basic projects and new relationships that can easily be translated into equity, justice and inclusiveness by ordinary Sudanese citizens especially in the South.

Parallel to and in some ways interlinked with the North-South conflict was the so-called factional conflict. It took place between factions of the SPLM/A, which were fighting over issues of political power and the political agenda of the rebellion. The factional conflict started in August 1991 after an attempted coup against the movement's leader late Dr. John Garang led by three SPLM/A commanders Riek Machar, Lam Akol and Gordon Kong. The GoS skillfully exploited the opportunity to widen the gap between the contenders for power by supporting the so called 'Nasir faction' under the command of Machar, with weapons and through aid diversion. While the factional conflict has ended, as both Akol and Machar have re-entered the command structure of the SPLM/A, there are still active GoS aligned militias in the South called the *South Sudan Defence Forces* (SSDF). Furthermore, the central issues

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<sup>30</sup> See also page 3.

underlying the factional conflict remain unresolved and continue to pose a potential source of future conflict in the South. Furthermore, the factional conflict has had severe consequences for the relationship between the various peoples of Southern Sudan. Both sides of the factional conflict mobilized the civil population and exploited tribal loyalties. The conflict became increasingly anarchical and only exacerbated the already serious tendencies of tribalism within the South, leading also to increasing inter-tribal (e.g. Dinka vs. Nuer) and inter-clan conflicts (for example the Nuer civil war). Often detached from the political issues of the factional conflict these conflicts have tended to follow the logic of revenge and revolve around competition over scarce resources such as pasture.

### ***Economic Factors***

Internal and external interests in Sudan's natural resources (especially oil, water, land, gold, timber and livestock) are a core issue of the conflict in Sudan. Both access to and control over these resources have been key motivational factors for actors on all levels to stay involved in the violent conflicts. Northern Sudan is dependent on the more fertile areas of the South. Furthermore, internal and external interests in Sudan's oil resources and Egypt's dependence on water from the Nile (running through Southern Sudan) are key factors influencing national level politics. This dependence on natural resources from the Southern parts of Sudan is the main reason why the centre has always opposed Southern self-governance and independence. The violent exploitation of the periphery by successive governments reveals that the centre has been more concerned with the extraction of the South's resources, especially oil and water, with a minimum return for the region itself, than with modern nation-building. These exploitative practices and the manner in which they have been carried out are key motivational factors behind the violent rebellions.

Among the triggers of the outbreak of the war in 1983 were issues relating to the discovery of oil in the South and the attempts to redirect water from the South to the North. The latter related to the 1978 decision to construct a 360-kilometer Jonglei canal in order to drain the heartlands of the Southern Upper Nile and Jonglei Provinces for the benefit of irrigation projects in Northern Sudan and Egypt. Despite promises that the local population would not suffer as a consequence of the project the GoS showed no concern for the negative impacts endured by the people when implementing the project in the beginning of the 1980s. Furthermore, around the same time oil was discovered in Southern Sudan. This discovery was followed by government initiatives to ensure control over the resources. Without consulting the *Southern Regional Government* (SRG) the GoS granted concessions to Chevron and Total for prospecting and drilling for oil. It pushed for a new North-South borderline South of these oil fields but without success; it started the construction of a 1,455 kilometer pipeline to carry the crude oil directly from Bentiu to Port Sudan in the far North-East and it finally took control of Southern region politics, as part of the move by Nimeiri to reorganise the Southern regional governance structure from one to three regions. Unlike the then Southern regional government, the three regional governments in Equatoria, Upper Nile and Bahr el Ghazal which were established after the abrogation of *Addis Ababa Peace Agreement* of 1972 by the central government were without any powers. By the beginning of the 1980s most Southerners had lost their confidence in the government's willingness to respect Southern interests.

Macro-economic developments have also crucially influenced the political developments in Sudan and thus the cause of conflicts. The economic crisis in the 1970s and the attempted coups against President Nimeiri made him initiate the so-called 'national reconciliation'. This meant giving political concessions to the sectarian parties and the Islamists in the NIF. These concessions included the introduction of Islamic banking, which together with the Islamists' heavy investment in rain-fed mechanized farming schemes became the economic foundation of the NIFs political powerbase. With NIF in power the further privileging of so-called Islamic business has included tax exemptions justified in these companies' financial contributions to

the governments '*jihad* effort' in the South and certain areas of the North. Consequently, even if the current Islamist regime is replaced, the NIF will continue to enjoy considerable control over the financial and economic systems and thus will have the resources that can influence on national political decisions.

The struggle to control the oil fields located in the South has played a central role in the second civil war that ended early in 2005. The GoS strategy of supporting rivaling military groups in the South to provoke infighting served its central objective of getting access to oil fields in the South. While the Nasir-faction and the SPLM/A was fighting each other throughout the 1990s the GoS exploited the situation and together with the splinter rebel groups in Upper Nile deployed troops into Western Upper Nile. This enabled the construction of a thousand-mile pipeline to the Red Sea Coast. The GoS has also used scorched earth tactics on the civilian population in order to secure these areas for foreign oil companies. But nevertheless the foreign companies have been the targets of the guerrilla warfare of the SPLM/A. The oil business meant a significant new source of income to the government, as well as a new group of external 'friends' consisting of multinational oil companies and nations interested in Sudan's oil and therefore willing to support the GoS politically on international arena.

Land is a central issue to all rural peoples in Sudan. It is a source of basic survival, as well as a source of individual and tribal pride. However, all the national governments have viewed land as a state asset and due to the historical imbalance between the 'centre' and the 'periphery' it has been possible for them to lay successful claims to the lands of poor, rural communities by ignoring customary rights which were tempered by legislations and force. The government's policies of land expropriation for heavy investment in mechanized schemes and oil areas took place in the name of development, but had devastating consequences for the agrarian and pastoral population in the affected areas in places like Renk in Northern Upper Nile, Unity state in Western Upper Nile region and the Nuba Mountains. The scorched earth tactics used by the GoS against the people who were traditionally using the land has also served the dual purpose of gaining control over farming and grazing land and creating large-scale population displacement.

Sometimes the displaced people have been relocated strategically in so-called 'peace villages' near commercial schemes owned by commercial institutions and companies closely connected to the NIF government. In this way displacement has served to satisfy the Northern commercial elite's demand for a cheap 'dissocialized' labour force. People had to work under slavery-like conditions on large mechanized schemes in the North and in GoS-controlled areas in the South. The tribal militias that have carried out the scorched earth warfare have often had self-interest in doing so, as they have been able to acquire cattle, slaves and other resources. The bulk of them come from 'Arab' pastoralist communities who themselves have been badly affected by the government's land reforms and by the long-term trend of environmental deterioration in the North and the transitional zone. The desertification of areas like Northern Darfur has forced pastoralists to move their cattle permanently on to land used by agriculturalists and pastoralist tribes in Northern Bahr el Ghazal state. As a consequence conflicts have been fuelled. Having been granted impunity and provided with automatic weapons by the GoS these militias have been able to ignore traditional mechanisms of sharing access to land with other communities.

The loss of land to the oil industry and mechanized schemes is one of the injustices felt strongly by many people in some areas of the periphery, and is a key source of motivation for joining armed groups fighting the government and allied militias. Land is a key source of conflict. The CPA has provided that land belongs to the people. If this provision means that the traditional owners of a particular piece of land are the people, then there will be a lot of cases against the government by those groups and communities that have been forcibly displaced from their ancestral lands by the government because of the oil industry.

The cost of war is immeasurable. The physical destruction of everything from buildings and infrastructure to crops and livestock, as well as the psychological damage endured by the population in the war zones, and the erosion of traditional values and coping mechanisms are of such a comprehensive scale that most of the South and other marginalised areas will have to develop from scratch in terms of government structures, living standard, education, health and all other social services when stable peace makes this possible. Once an agricultural exporting nation, Sudan now imports most of its agricultural goods such as wheat and sugar. As a consequence of the conflict Southern Sudan has become increasingly dependent on foreign food aid for their survival. The oil revenue has not benefited the people of Sudan, especially not the people from the areas of the oilfields who suffered more due to the GoS intensification of the war effort to maintain control of these areas.

### ***Social Factors***

Sudan's tribal, cultural and religious diversity is often referred to when various actors explain the causes of conflict in Sudan. However, while it is true that cultural differences and tribal loyalties often play a role in violent conflicts, they cannot explain why Sudan has been ridden by violent conflicts for half a century. There are various factors, including political and economic interests, which cause and fuel communal conflicts. However, there are different levels of communal identities which are relevant to the different levels of conflict. The racial and religious distinctions between 'Arabs' and 'Africans' or 'Blacks' and between Muslims and Christians or non-Muslims are perceived as synonymous with the distinction between friend and enemy in the overall civil war. In general people in the South, Darfur, Nuba Mountains and other marginalised areas who identify themselves as 'African' feel that they are victims of racism by those who are described as 'Arab'. On the side of the people who think of themselves as 'Sudanese Arabs' the general tendency is to see themselves as racially and culturally superior to 'Blacks'/'Africans'. This imagined superiority goes back at least to the Turco-Egyptian colonial rule and has since then been used to justify political exclusion, slavery, and other forms of economic exploitation of 'Black Africans'. The parallel distinction between Muslims and non-Muslims, which also has historical roots, sometimes overlaps with the racial distinction. In Darfur for example, the vast majority of the population is Muslim, but most identify themselves as 'Black'/'Africans'. While the racial distinction now has become the central line of conflict in Darfur it is worth noticing that most of the Fur people are consistently identified with the Muslim North in relation to the conflict against the non-Muslim South.

The radical positions and racism experienced on all sides today are the result of the deliberate exploitation and manipulations of communal loyalties by those who have an interest in promoting conflict. This has been evident in the national level conflicts, in the factional warfare within the South and the conflicts at the grass-root level. The GoS and the SPLM/A have mobilized along communal lines and have contributed to strengthening communal antagonisms. For instance, the GoS has mobilized Northern Muslims for the *jihad* against the Dinka, Nuba and others who have been portrayed as threats to Islam. On the grass-root level, tribal and clan affiliation generally correspond with military and political loyalties. The factional war in the South between the SPLM/A leadership in early nineties quickly developed into a Nuer-Dinka conflict. Further, tribal animosities continue to conflate with conflicts over resources like cattle, water and land.

### ***Religious Factors***

The representation of the conflict as one between Islam and Christianity is widespread but simplistic and highly political. Admittedly, neither Islam nor Christianity played any major role at the beginning of the 1980s when violent conflict broke out again. However, due to the

polarization and radicalization caused by the war, political-religious extremism has become a growing force.

Claiming Islam to be under threat the central NIF government, in January 1992, issued a *jihad* (holy Islamic war) against unbelievers and apostates in the South of Sudan. The current government's radical Islamic agenda therefore has been fought by radical means. This unfounded claim has been used by the Muslim fanatics in power to justify restrictions of freedom, large-scale conscription, massive military spending, and authoritarian rule. The targets of this policy have not only been non-Muslims in the South but also the large sections of the Muslim population which traditionally have practiced less politicized versions of Islam or have chosen to stay in rebel-controlled areas during conflict. This resulted into the brutal suppression and silencing all other expressions of Islam and thus polarized not only the relation with the Christians and Christians institutions in the country but undermined the previous Northern consensus.

Extremist political Christianity has become an important force within the initially secular and strongly anti-clerical SPLM/A. This process has been encouraged by external Muslim and Christian extremists who have been willing to support what they regard as their side in a clash between Christianity and Islam in Sudan. Both sides have exploited this willingness to raise funding for the war. The GoS has been able to mobilise support from Middle Eastern countries while Christian groups, primarily in North America, have tactically supported the SPLM/A.

However, one should be careful not to overemphasize the religious element of the conflict. Many Southerners do not see the conflict as a war for Christianity against Islam but as a defense against the Islamic and Arab imperialism and the assimilation policy of the GoS. In concrete political terms the main issue is Islam's status within the Sudanese state and society. This is an issue about recognition of the religious diversity existing in Sudan and about equality among all citizens of Sudan irrespective of religion. The divide is thus really not about Islam vs. Christianity but rather between those advocating an Islamic state and those wanting a state in which all religions are equal. The peace agreement contains many paragraphs which state that the parties are committed to protecting and supporting religious diversity and equality in Sudan.

The national conflicts have been fought with brutality especially by the GoS forces and allied militias. Both sides of the war are responsible for gross human rights violations (attacks on civilian, use of anti-personnel landmines and recruitment of children brutal suppression of political opposition).

The common divisions in the South have been encouraged by the GoS, which has supplied various militias and rebel factions with weapons. In this it has way been able to exploit rivalry between these various groups to keep them weak and divided, and has used this division to argue that the civil war in Sudan is really between Southern tribes incapable of living peacefully together. However, it should be recognized that tribal animosities often play a role and that many of the groups aligned with the GoS have grievances against the SPLM/A.

## **1.2 Actors in the Conflict System**

This section will focus on the key actors in the Sudanese conflict. The purpose is not only to identify these actors but also to analyze their interests, capacities, and mutual relations. This is important because the conflict is driven by a complex combination of domestic, regional and international actors who act out of their particular interest. These actors influence the conflicts on different levels and to various degrees.

### ***The Government of Sudan (GoS)***

The current NIF government has been in power since 1989, when General Omar al-Bashir led a military coup against the democratically elected government. For ten years all other political parties were banned and even though this is no longer the case the regime still inhibits fair democratic conditions. The government, which is one of the most authoritarian of its kind in Africa, is built around a small, powerful and well-organized constituency. It has used its control over the Army and the security forces to effectively suppress all opposition in the 'centre' and has applied the same strategy in the South and in the marginalised Northern periphery, albeit with less success, as is evidenced by the violent insurgent movements.

The NIF developed out of the Muslim Brotherhood founded in Egypt, which has branches throughout the Middle East and is committed not only to creating Islamic states but to a particular version of Islam (Political Islam). The overall objective of the NIF has been the assimilation of Southerners and non-Muslim Northern 'Africans' into a narrowly defined Arab culture and Islamic religion. However, there are indications that its leaders and supporters are primarily motivated by their desire to hold on to power and maintain the commercial and financial dominance which they have used to gain political influence. Thus while Bashir and vice President Taha continue their hard-line rhetoric of commitment to *sharia* law and *jihad* to mobilise support within their constituency and from their Islamist allies in the Middle East, their economic interests in oil exploration seem to have taken precedence over their Islamist agenda. This does not necessarily reflect a fundamental change in the policies of the NIF government however, but it is perhaps a pragmatic move to maintain power in a situation where it is under increasing pressure from external actors.

Like the SPLM/A the GoS has also experienced internal tensions. Most significant to date was the split between Dr. Hassan al-Turabi, the founder and ideological father of the NIF and President Bashir. Turabi was dismissed from the NIF in late 1999 primarily due to power rivalry with Bashir and immediately created his own party the *Popular Congress Party* (PCP). Turabi remains a very powerful figure in Sudan despite Bashir's attempts to marginalise him, including placing him under house arrest for years. The GoS claims that Turabi and the PCP were behind three attempted coups against the GoS in the autumn of 2004 and vice President Taha has claimed that the PCP is responsible for the outbreak of conflict in Darfur and that Turabi is part of a Zionist imperialistic plot to build a Greater Israel. There is in deed evidence of links between the PCP and one of the insurgent groups in Darfur, the *Justice and Equality Movement* (JEM), but the connection between Turabi and Israel seems unlikely.

The relationship between President Bashir and Vice President Taha is another axis of power rivalry within the GoS with the potential to escalate. While Bashir is popular within the army, Taha is reported to be close to the regime's official and covert security agencies, some of which are affiliated to the ruling party and not to the government as such. However, despite divisions within the government there exists consensus around the core of their political agenda of maintaining Sudan's unity, political Islam, improving the image of the regime on the international arena (as the Darfur crisis shows this is not going well) and the exploitation of oil.

### ***Sudan People's Liberation Movement/Army (SPLM/A)***

The SPLM/A has been the dominant armed insurgent movement in Sudan since the beginning of the civil war in 1983. It has however, been challenged by various different actors on its claim to represent the people of the marginalized Sudan. The SPLM/A heartland is in Southern Sudan, though at the beginning it drew much of its support from among the various Dinka tribes, but today it has a wider support base including most Nuer (since the end of the factional war) and increasingly people from most of the Equatoria tribes. The movement has

however a legacy of authoritarianism and human rights violations and many Southern clans hold strong grievances against it for its brutal treatment of civilians. Although late Dr. John Garang has been the strong leader of the movement and this has caused several internal power rivalries, the central leadership wasn't able to control completely the way local commanders conducted the war. Some commanders have for instance been more brutal than others. While some have been more concerned with protecting and helping the civil population, others have ruthlessly exploited it. The SPLM/A primarily remains a military organisation. It has little experience in the understanding of inclusive and democratic governance. It continues to be intolerant of alternative voices and it still uses various forms of intimidation and manipulation to control social and political life. However, there have been signs of a positive development towards more openness and acceptance of civil society organisations since 1994. Local mechanisms for governance and the provision of public/social services have also been established in many of the areas under the movement's control.

As described above, the SPLM/A has been severely affected by internal tensions most significantly the split in 1991, which led to the factional war. This split had less to do with political differences than with the individual power interests of its leaders. A significant political division has been between those in favour of an independent South and those in favour of a united but secular and democratic federal Sudan. The official objective of the SPLM/A is the founding of new Sudan, which is a united but restructured, reformed and secular Sudan, free of racism and tribalism and organized around genuine autonomous or federal governments for the various regions of Sudan.

#### *The aftermath of the death of Dr. John Garang*

Since the eruption of the armed conflict in the South of Sudan, the SPLM/A leadership remained in the hands of its former chairman and *Commandant in Chief* late Dr. John Garang de Mabior. As is known, all along the period he was leading the war in the South against the central government; late Dr. John Garang pursued a centralized system ruling the movement. And several attempts which were made by his colleagues to overthrow him revolved around his high handed style of rule. Garang dominated the Southern politics up to the date of his death. His vision of a new Sudan was however not widely accepted by the majority of his Southern army who as stated earlier yearn for a separate South Sudan. Except for few instances, the SPLM/A leader was not much interested in dialogue and contacts with other Southern political groupings and the nascent civil society groups inside the then liberated areas under his control. It seems he felt such dialogues would not help him much and might delay or derail the achievement of his vision.

Garang's death was followed with events some of which resulted in the loss of lives and property. The SPLM/A leaders were however able to contain and manage the situation by quickly and unanimously accepting the SPLM/A hierarchy just established by the late Garang after the passing of the transitional national Constitution. Salva Kiir Mayardit who was appointed by Garang as the SPLM/A deputy assumed the SPLM/A leadership. Salva Kiir a Dinka comes like Garang from Bahr El Ghazal. He is among those who remained loyal to the movement in spite of the differences he had with the late chairman Dr. John Garang de Mabior. Salva and the entire SPLM/A obviously have to continue with the implementation of the CPA as expected. The new leadership is on record that they will commit themselves to their vision which is the vision nursed and pursued by late Dr. John Garang and continue to stick to the CPA. However as a different person and leader, Salva Kiir Mayardit the chairman of the SPLM/A and first Vice President of the republic, has his own clique within and outside the SPLM/A. After assuming power, he has made changes that many view as clearance of the kitchen of the Garang's aide's. Though much has not been said and seen, the SPLM/A is divided along the lines of those who were close to the late chairman and *Commander in Chief* Dr. John Garang and those with Saliva Kiir in particular those Dinka from Bahr el Ghazal. These are people who with one reason or another were opposed to the late style of leadership.

Southerners who felt this division fear that the NIF government would utilize and exploit this situation as usual for its benefit.

Some Southerners believe that Salva Kiir who is more of a fighter than a politician has not been involved very much in the SPLM/A political programmes and activities though he led the SPLM/A teams to peace talks with the GoS in Abuja and Machakos. He can easily be outwitted or outmaneuvered by the Northern Partners in the *National Congress Party* (NCP). In fact the current SPLM/A decision of giving up the contested Ministry of Energy and Mining to its partner, the NCP, is taken as a proof of the SPLM/A weakness. Some Southerners went as far as suggesting that Salva should remain with one position, that of the first Vice President of the republic and commander and chairman of the SPLM/A. That he should give the Presidency of the GoSS to Riek Machar and the party leadership to James Wani, the speaker of the regional assembly in Southern Sudan so that the North has several Southern minds to deal with.

### ***The UMMA Party and the Democratic Unionist Party (UMMA & DUP)***

The most significant Northern opposition parties are the two traditional sectarian leading parties, the *Umma Party* (UMMA) and the *Democratic Unionist Party* (DUP). Both parties draw most of their support from Northern, Islamic communities and their leadership coincides with that of respective religious sects. The UMMA and its leader, Sadiq al-Mahdi, returned to Sudan in 1999. In 2001 splinter groups of the UMMA and DUP joined the government although the parties mainstream led by Sadig el Mahdi has not done so. The DUP leader, Mohamed al-Mirghani remains in exile in Eritrea/Egypt, where he functions as the chairman of the *National Democratic Alliance* (NDA). He and the DUP have a strong card against the government because of the party's close links to Egypt, Saudi Arabia and other Gulf states. Both the UMMA and the DUP are basically opposed to the CPA. They view it as a means by which the NCP government - dominated by the NIF (President El Basheir and Ali Osman Taha) - will use to maintain the status quo. In particular the whole Northern opposition is opposed to the CPA provision on self determination. Some of them are already working to frustrate the CPA as they did in 1977 to the *Addis Ababa Peace Accord* of 1972 which gave the South self autonomy within a united Sudan. The Northern opposition has no doubt that Southerners will unanimously vote for secession if given the chance at the end of the interim period.

These two parties didn't participate in the peace processes between the SPLM/A and GoS which culminated in the signing of the CPA in Nairobi on the 9<sup>th</sup> of January 2005. Though they support the agreement because it has ended a devastating war which has halted development, the UMMA leadership in particular is requesting that the peace agreement which has been bilaterally concluded should be endorsed by all the political groups and colours in a national comprehensive conference. According to Sadig, the agreement, in addition to the fact that it was bilaterally concluded, has a lot of grey areas which can be cleared and elaborated upon in a conference of all the Sudanese people. These two parties, the PCP of Turabi and the *Sudan Communist Party* have resisted a call to join the GNU. They are agreed that the ratios and percentages meted out by the CPA do not reflect the political weight of the political parties and groups in the country and that the SPLM/A and the GoS supported by the regional and international community have given themselves ratios and percentages they do not deserve. They argue that in the CPA peace had a priority over democracy. Therefore even though the Northern major political parties support the agreement, they are basically opposed to unless it is endorsed by all Sudanese. Naturally they will work against it or at least its amendment when they take over power through a civil action (elections after four years).

### ***The National Democratic Alliance (NDA)***

The *National Democratic Alliance* (NDA) is the name of a network of actors which unite in a political and armed opposition to the NIF government. The NDA was formed in 1995 and includes the SPLM/A, the DUP, the *Beja Congress* from Northeast Sudan, the *Sudan Liberation Army* (SLA) from Darfur, the *Sudan Alliance Forces* which have been fighting in the East, the *Union of Sudan African Parties* which is composed by several Southern political organisations, the *Free Lions* from the far North and Northeast, the Arab Socialist *Ba'th Party*, and the *Sudanese Communist Party*. The UMMA was a member until the year 2000 but has since then sought to position itself between the NDA and the GoS. The NDA thus represents a very broad range of actors with highly diverse political positions and interests. This is both the coalition's strength and weakness. The reason for forming the NDA was to develop a minimum consensus approach to governing Sudan. In the *Asmara Declaration* from 1995 the members agreed to the separation of state from religion and to the right of self-determination. Hereby it demonstrated both the broad opposition to the GoS and the possibility of centre-periphery cooperation. However, the NDA's range has also been the weakness that has prevented it from becoming a strong united force. During the peace process many of the NDA members have expressed concern about their exclusion from the peace negotiations and that any agreement between the GoS and the SPLM/A would inevitably lead to the secession of the South, with the North firmly in the hands of the NIF. Southerners, on the other hand have expressed the fear that negotiations between the GoS and Northern members of the NDA could lead to a Northern deal, which would undermine the position of the SPLM/A and other Southern actors. The GoS strategy is trying to divide the opposition by avoiding an all inclusive negotiation process and instead maintain individual and bilateral negotiation tracks with different conflict actors. The NDA has of late come to a cross-road when the post war government extended its invitation to it for participating in the government. Some NDA individual party members indicated acceptance while others press for an equitable share of the portfolios etc. One can easily conclude that most NDA members may not join the post war GNU.

### ***The South Sudan Defence Forces (SSDF)***

The SSDF is an umbrella organisation of Southern armed groups that, although fighting for Southern secession, has been aligned with the GoS against the SPLM/A. The SSDF will, according to the security arrangement signed in September 2003 by the GoS and the SPLM/A, not be allowed to function independently but will have to be integrated in either the *Sudan's Armed Forces* (SAF) or the SPLM/A. The most sensible option for both the SSDF and the SPLM/A would be inclusive dialogue between armed groups with the objective to reconcile. The template of South-to-South dialogue was agreed but, as the zero-sum logic prevails among political and military leaders in Sudan, these attempts have met obstacles. When splits began to occur within the SSDF the SPLM/A ceased the opportunity to negotiate individual deals with SSDF commanders rather than with the SSDF as a whole. This, the SPLM/A hopes, will mean that they will have to make fewer compromises with the SSDF, but while the GoS continues to pursue its divide and rule strategy by giving personal incentives to SSDF commanders, it may prove to have come at the high cost of continued insecurity in the South. Despite the commitment in the security arrangement, the GoS has encouraged the SSDF to remain a parallel force in the South during the interim period. The SPLM/A will not accept this and there is therefore a real danger that fighting will continue to undermine the efforts to build peace and stability in the South during the interim period. In January 2006, however, a significant number of SSDF militias under the leadership of Paulino Matip joined the SPLM/A.<sup>31</sup>

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<sup>31</sup> On the agreement between Matip and SPLM/A ('Juba Declaration of January 8, 2006), see [www.gurtong.com](http://www.gurtong.com).

## ***Neighbouring States***

Sudan's neighbours have played a significant role in Sudan's civil wars. The relationships between the governments in the region have been characterized with distrust and tensions caused by disputes over resources and issues of culture and religion. Several of Sudan's neighbours (Eritrea, Ethiopia, Uganda and in the past Libya) support or have supported the SPLM/A and the NDA in Sudan, while the GoS has supported insurgent movements in Eritrea, Ethiopia, Uganda and Chad, this tendency does not benefit any of the states but rather like other vicious spirals of conflict it has been self-sustaining.

Egypt is a very important regional actor and its position regarding the North-South conflict is crucial for any peace settlement to be sustainable. Egypt would like to see a moderate cooperative and united Sudan and is opposed to the radical Islamist line of the NIF government, which has close affiliations to fundamentalist Egyptian groups. However, the main issue determining the relationship between Egypt and Sudan is that of war given Egypt's interest in and dependence on securing or ensuring access to as much of the Nile water as possible. The birth of a new country would make it necessary to renegotiate the *Nile Waters Agreement* from 1959, which as it stands is in Egypt's favour, and therefore Egypt will be very much against new negotiations.

Uganda has been the SPLM/A's most important foreign supporter since Mengistu's downfall in 1991. It has provided a haven and military support for the movement and Ugandan troops have even participated actively in SPLM/A offensive. The GoS has supported the Ugandan rebel movement, the *Lord's Resistance Army* (LRA) and the *Allied Democratic Forces*. While Bashir in 2001 claimed that it had stopped all support for the LRA may argue that this is not true and that the GoS now provides its support through different channels.

Eritrea also has a highly tense relationship with the GoS. It harbours the NDA headquarters and the GoS have supported the Muslim insurgent movement *Eritrean Islamic Jihad*. The border with Eritrea has been seen as a potential new frontline, which would place the GoS under further pressure. However there are indications that both countries are trying to review their relationships so that they could return to normality for the benefit of both countries. The GoS seems to have realized that peace has dividends.

The GoS has, and has had, several supporters among fellow Muslim governments in war against the SPLM/A with weapons, funds and military training. There are economic, political and religious issues which align the GoS with many other Muslim governments in the region. It is for this reason that the GoS continuously appeals for support through the claim that there is a Christian-Zionist plot to divide Sudan. China has become Sudan's most important trading partner largely due to heavy Chinese investment in oil production in Sudan. China is becoming increasingly dependent on oil import and has, unlike Western countries, not been constrained by public concerns regarding human rights issue in the oil fields in Sudan. China has, together with Russia and countries like Poland and Belarus, sold military equipment to the GoS and will continue to do so to gain the government favour in the oil business.

### **1.3 Synthesis: Key Drivers of Conflict**

As has been outlined in the previous sections, for the people in the South the conflict system in Sudan is basically marked by political, social and economic marginalization and ignorance of cultural identity. These areas are strongly interlinked and were for a long time mutually reinforcing the feelings and consequences of exclusion. The lack of paying attention to the economic and social needs in the South and the lack of equitable participation in the running of the governing machinery for the past five decades resulted inter alia into widespread

poverty that covers almost all the communities in the South. This has been made worse by the civil war that took almost the whole post independence period. Poverty created the feelings of injustices among the Southern people who believe that they are deliberately kept poor and victimized by their Northern counterparts. They accused Northerners for lack of attention when planning for the national development programmes. For example, the 25 years government strategic development plan does not visibly include Southern Sudan.

This brings in the factor of a lack of participation in power which is not only due to the isolation of the Southern politicians but also a lack of economic and financial resources necessary for the political activities. Southerners believe that unless they can equally take part in political power where major policy decisions are made, they will not progress economically and socially. But in order to participate adequately the necessary resources are needed. This reinforcing loop encourages the tendency of supporting secession from the North.

Along with political and economic marginalisation, the North has been all along insensitive to the strong cultural and religious diversities in the country. This resulted in the pursuit of policies by the North which aim at founding a culturally and religiously uniform society based on one religion and one culture and language. The forceful attempts to assimilate the South into the bigger and dominant Arab Islamic society in the country has always met resistance by Southerners. In the eyes of the Southerners assimilation violates their human dignity and in order to be fully understood it has to be linked to deeply rooted grievances dating back to times of slavery, brutal oppression and violent exploitation. As a result Southerners are highly sensitive to issues of identity and are keen to protect their own cultures, religions and languages.

The situation in the South is also marked by specific characteristics that contribute to inter- or intra-regional, inter-ethnic and inter-tribal violence. Conflict revolves around injustices, particularly in the administration of the South. Some tribes feel that they are usually not equitably represented either at the local, state and regional level of administration while others will justify their monopoly and domination of administrative machinery with claims of being the majority. The conflict is also fuelled by the unequal distribution of resources and services. And finally, there are traditional tensions between farming tribes (who value their crops) and the pastoralists (who value their cattle, goats and sheep). Due to lack of pastures and growth in the number of cattle there is continuous potential for conflict, triggered by the spread of small weapons and firearms and the loss of traditional conflict resolution mechanisms.

However, these internal conflict factors need not to be taken as a Southern speciality alone. On the contrary, they have been impacted upon by the overall conflict system (e.g. through economic marginalization) and exploited by war conditions (e.g. assistance of militia groups through the North). The high levels of sensitivity to equal and just distribution of power and resources have to be taken very seriously by all stakeholders and addressed accordingly. Donor organisations and other agencies should be aware that not only counts *what* is done, but that it is equally important *how* something is done. The issue of South-South reconciliation is still pending and will remain critical in the coming years.

## 2. Assessment of Core Challenges and Gaps in Peacebuilding Activities

### 2.1 The Comprehensive Peace Agreement and Current Peacebuilding Activities

#### *The Comprehensive Peace Agreement (CPA)*

The peace agreement, which is commonly referred as the CPA, between the GoS and the SPLM/A signed on the 9<sup>th</sup> of January 2005 ended the longest armed conflict in Africa. It opened an unprecedented window of opportunity to turn devastation of years of war, displacement and underdevelopment into a new era of peace and prosperity. It therefore focuses on those issues that comprise the root causes of the conflict. The agreement provides that a referendum will be conducted for Southern Sudanese after a six year interim period to decide whether they will accept to continue living in the united Sudan or secede and establish a sovereign state. The CPA foresees strict implementation schedules.

The CPA provides the basis for broader participation in government and the civil service by adopting a federal system of administration in Sudan. This will allow the devolution of power from the centre to the peripheries and the re-structuring of all the national institutions which must be preceded by the promulgation of a new national constitution that recognizes the international conventions on human rights, Sudanese diversities, free a fair elections and good governance etc.

The *wealth sharing section* of the CPA provides a framework for resource allocation and sustainable decentralization, establishing comparative underdevelopment and war affected status as the key criteria for prioritization of public revenue allocations. It assigns a share of oil revenue to the South as well as the right to collect additional local revenue and external assistance, and the right to have its own banking system within the framework of the Central Bank of Sudan.

The *security section* outlines a collaborative or partnership approach to security institutions and organisations. It provided for two armed forces - the *Sudan Armed Forces* (SAF) and the SPLM/A - and joint integrated units to become the nucleus of a future national army, enabling the parties to the CPA to gradually downsize their forces and allowing the Government of Southern Sudan (GoSS) to mobilize resources for the SPLM/A.

The two main parties to the agreement the GoS and the SPLM/A - are now taking the necessary steps to set up the government institutions, structures and mechanisms at all levels of the governance, federal, regional, state and local levels. The process is however lagging behind the schedule stipulated in the CPA. The formation of the federal and the Southern governments delayed mainly for two reasons. Firstly the two parties faced a deadlock concerning the discussions for the division of the ministerial portfolios. The allotment of the Ministry of Energy and Mining became a difficult issue and proved that the parties need to be assisted in the implementation process as earlier voiced and promised. Secondly the two parties want to bring in the other political parties and forces which did not participate in the peace dialogue to participate in the GNU. These two factors and the untimely death of Dr. John Garang caused the delay in coping up with the CPA schedules. Until today some of these political parties have rejected the offer to participate in the GNU.

Having taken part in the restructuring of the national government institutions, the SPLM/A leadership has moved to the South and is currently engaged in the building of new regional and state government institutions. The regional assembly has been appointed and it comprises members from the SPLM/A, NCP and the Southern political parties as provided in

the CPA. Further, the SPLM/A still is involved in discussions with the Southern militias about their participation in the GoSS (regional and state levels). In addition, the SPLM/A leadership seem to have extended invitation for participation to the Northern political parties in the opposition. Already Salva Kiir Mayardit, the First Vice President of the Republic and President of South Sudan is reported to have received lists of nominees from DUP and PCP. This has triggered concerns from the Southern people who saw this as action not stipulated in the CPA. According to them, the government in the South is formed from the SPLM/A, Southern political parties and the NCP only. Therefore some Southern politicians and intellectuals are currently raising voices that the extension of invitation for participation in the Southern government institutions to the Northern opposition parties amounts to a unilateral amendment of the CPA by the SPLM/A leadership.

In general, the Southern technocrats and intellectuals - some of them have been trained by the South African government, the IMF and the World Bank on issues such as good governance, stewardship, transparency etc - are waiting for the completion of the process for the creation of the government institutions in the South so that they are recruited to the various organs of the government. Since a complete government is not yet established in the South governmental plans for action are also missing. Currently the SPLM/A leadership is still struggling with the endorsement of the Southern constitution by the appointed regional parliament in Juba. This will be followed by the building of institutions for governance.

### ***Peacebuilding Activities at the Track 1 Level***

Though the SPLM/A has not really started to operate in the South, as stated earlier, the GoSS is engaged in building the regional and state government institutions. Earlier, the SPLM/A senior and middle cadres were also given trainings by the South Africans, the World Bank and the IMF in the fields of civil administration, good governance, rule of law and accountability. Since the civil administration and the whole government organs are currently being established, it is difficult to see the impact of the trainings. On the other hand, the newly appointed members of the national and the regional parliaments were given orientations on the role of a parliamentarian. The orientation was given by the Presidency and two NGOs, Justice Africa and Reconcile International. Some countries like Norway have also provided funds for capacity building in these areas.

The involvement of the international community is a key factor in assisting the peacebuilding process in the South. It is worth remembering that international actors such as the US had applied significant pressure on both the GoS and the SPLM/A to reach a conflict settlement and both sides admit that without this pressure the peace agreement probably would not have been reached in January 2005. In addition the peace agreement would probably not have been reached without the concerted efforts of the countries in the region under the umbrella of the regional governments group known as IGAD and the international community led by the *Friends/Partners of IGAD*, given that the two negotiating parties were very much lacking confidence from each other.

IGAD is now playing a supervisory role through the *evaluation commission* which recently was established by the Presidency, while the mandate to monitor the implementation of the peace process lies with UNMIS (United Nations Mission in Sudan). UNMIS' mandate<sup>32</sup> comprises also human rights- and democracy monitoring. UNMIS is therefore active in all parts of the country carrying out its mandate through many activities, particularly in western Sudan (Darfur region). Besides monitoring activities at different levels and tracks, UNMIS is also

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<sup>32</sup> See also page 27.

involved in awareness raising and education activities with parliamentarians, politicians and activists through e.g. workshops and seminars on democracy and human rights.

Apparently, the most immediate and official Southern government post war plans are those prepared by the *Joint Assessment Mission* (JAM). The JAM plans revolve mainly on institutional capacity building, sustainability of peace through economic and social programmes and reconstruction. The role of the civil society organizations and communities as partners is only in the implementation stage. Development assistance for the post war recovery in the South which will be handled mainly by a structure called *Multi Donors Trust Fund* (MDTF) - administered by the World Bank - has established a *Community Development Fund* (CDF). The funds for community development will be for the local and community driven programmes. Some communities in the war affected areas have been targeted already.

### ***Peacebuilding Activities at the Track 2 and Track 3 Levels***

There is only limited activity at the track 2 and track 3 peacebuilding levels. The civil society in the South has been under the control of the SPLM/A for quite long. Since the SPLM/A is mainly a military movement, the civil society has to generally conform to its codes of conduct. There were no effective civil society groups in the liberated areas until 1996 when the SPLM/A accepted a dialogue with the churches and sat down to draw lines of responsibilities. At that same time pressure was mounted by the international community on the movement to not only establish a civil administration in the liberated areas but to allow the traditional civil society structures such as the traditional courts to operate. Sometimes the civil society has been manipulated by the SPLM/A and the different militia groups. They have been mobilized and used by these leaders to achieve their self-interests. This was apparent when the leadership of SPLM/A got into crisis in the early nineties. There were devastating fights between the different tribal groups which are instigated by the SPLM/A leaders almost in all parts of the South. It was when the churches, assisted by the international community, which intervened with peacebuilding and conflict transformation programmes so that this phenomenon was somehow minimized.

Of late civil society groups mushroomed in the SPLM/A liberated areas. Some of their activities helped in making peace among the communities which lived in hostilities for quite a long period of time while other CSOs deal with skills and capacity building. The *New Sudan Council of Churches* (NSCC) has successfully used the traditional mechanisms for conflict resolution in the *People to People Peace Process* that resolved the long standing feuds between the Nuer and Dinka tribes in both Bahr el Ghazal and Upper Nile regions. This process involved traditional leaders. Though most of the civil society groups in the South are new, they have already played a significant role in influencing the peace discussions that ended in the CPA by making presentations to the parties on issues such as inclusion of human rights in the CPA. Currently the International NGOs and CSOs in the South are carrying out civic education trainings in governance and good governance, democracy and participation in public life, human rights, rule of law, gender etc.

NGOs and CBOs might react quickly to current internal migration movements as was the case with the mass move of the Dinka Bor pastoralists with about 1.5 millions head of cattle from Western Equatoria through Central Equatoria to Bor, their original homeland. On the other hand they are offering assistance to the already sporadic movements of the *Internally Displaced Persons* (IDPs) and refugees from the neighbouring countries of Uganda and Kenya in particular to their original destinations and locations in the South which started after the signing of the CPA. It appears that these IDPs and refugees who for several years have lived in misery in the displaced and refugees camps could not afford to wait for the government planned repatriation programme.

Though the numbers of Sudanese CSOs working for peacebuilding and conflict transformation have increased, they remained islands and isolated from one another and do not very much relate to the government in terms of project plans. Until recently, there are no networks between the Southern CSOs and Northern CSOs.<sup>33</sup> This resulted into the lack of common agenda and priorities. In the South, the CSOs in the government controlled areas have no network with those in the former SPLM/A controlled areas. This gap needs to be closed by networking so that the meager resources are maximized and focused on the most important issues of the post war if the NGOs are to complement and fill the gaps in the government plans and endeavours particularly in peace building and conflict transformation. It is unfortunate that until now the government has not formed the *reconciliation body* which is provided in the CPA.

## 2.2 Key challenges

### *Political Challenges*

Though the Southern government institutions have not been established yet, the anticipated problems at the political level will include the development of good governance and democracy in Southern Sudan. The CPA has designed a democratic system of governance, but this needs to be realized. The SPLM/A has come out of a totalitarian military system and urgently needs to transform into a democratic political organisation. Currently, the Southern Sudanese are still jubilating and dancing for the peace agreement that has been brought by the SPLM/A. Sooner, some citizens in the South will begin to ask questions around the governance system and on peace dividends. Unless the SPLM/A is transformed, they may handle these issues and questions in the old way (suppression which might sometimes be forceful).

The war has internally displaced significant numbers of the Southern people, it is therefore expected that many will return in the first half of the interim period. Service delivery in terms of repatriation, relief, resettlement and rehabilitation will be a challenge to the regional government in the South. The new institutions of local government should be seen functioning and accountable to the people.

Southern Sudan is a region in which tribal and clan ties are stronger than ideological and political relationships. Even though there are political groupings and parties, the government actions will in many instances be viewed from the tribal and regional angle. Take for example the experiences with implementing the 1972 peace agreement: The then Southern administration which was led by Abel Alier, himself a Dinka, was accused of tribalism and sectionalism. This led to the demand by some politicians from Equatoria to decentralize the Southern administration in 1983. The new government of Southern Sudan will have to develop sound strategies for overcoming this phenomenon when dealing with the allocations of services, relief, development aid and jobs. The SPLM/A top leaders in the South, Salva Kiir Mayardit and Dr. Riak Machar who come from the major tribes of Southern Sudan have to be careful and cautious not to allow history to repeat itself. The Southern government has to guard against the manipulation of tribal and provincial loyalties by some of the Southern politicians who would be quick to do that to achieve their narrow political interests or objectives. Keeping a tribal balance so that all groups are seen to benefit equally is going to be a big challenge and one that must be overcome if peace is to be sustainable.

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<sup>33</sup>At the grass roots level, the Southern civil society groups and some international NGOs have created networks in Juba the seat of the Government of Southern Sudan and in Nairobi Kenya (comprising 66 local Civil Society groups). The Juba Network is known as *Sudan Relief and Rehabilitation Commission* (SRRC); here, both the SPLM/A (SRRA) and the GoS (HAC) are represented.

While steps are being taken to complete the building of the regional and state government organs and structures, the Presidency seems to be dragging its feet on the issue of Abyei. According to the CPA, Abyei area is under the Presidency. It should be administered during the interim period and before elections by an executive council appointed by the Presidency. The appointment has not taken place and already the Presidency is faced with the issue of the findings and recommendations of the committee set up in accordance with the CPA to draw the Abyei boundary. Rising tensions among the communities were reported as the Baggara tribe dismisses the boundary resolutions and recommendations as having claimed their land. On the other hand, the Ngok Dinka Abyei feel that their issue is being forgotten by the Presidency. The drawing of the boundary between the North and the South is going to be one of the challenges of the GNU. In recent years, the central government had changed these boundaries, in particular the boundary between Bahr el Ghazal with Darfur and Kordofan and the boundary between Upper Nile and Kordofan and White Nile.

### ***Economic and Social Challenges***

Southern Sudan has not witnessed any form of economic development that changed and transformed the lives of the people. Almost all communities still live in the traditional style. There is very little infrastructure in the South so that people from one end of Southern Sudan find it difficult to move to the other end. The towns have no clean drinking water, electricity etc. There are no industrial schemes and projects. The two decades of armed conflict had forced millions of Southern Sudanese into refuge and diaspora. Many of them will definitely come back. Some of them will come from countries and environments that are very different from the one they will find in the South, and huge numbers of people will need to find the necessary means for livelihood and basic health and education services. At the beginning the GoSS will face challenges that will be revolving around the issues of repatriation, resettlement, rehabilitation and finally re-construction as means of providing jobs and services so that the returnees will be able to get integrated into the communities who remained in the South of Sudan. Otherwise the expectations of the returning Southern Sudanese populations will turn into despairs and can breed further conflict.

Besides the resource related tensions, there is a probability that integration and re-integration will cause tensions if not properly handled. It is possible that there may be tensions between people who have stayed in the war zone and people who are returning from displacement in other areas of Sudan or from refuge in other countries due to acquired practices which are incompatible to the indigenous culture and practices. Without major reconciliation efforts these will continue to pose a fundamental threat to peace throughout most of Southern Sudan. However, it is important to understand that conflict transformation and reconciliation initiatives will only be possible and sustainable if the fundamental problem of resource scarcity is addressed simultaneously. Thus, conflict transformation, reconciliation and development must go hand in hand to put an end to the cycle of conflict occurrence and the spiral of violence.

### ***Security Challenges***

During the war in Sudan each of the parties could not win straight away militarily. As a result, many tactics, strategies and devastating weapons were used by each party. These included but not limited to the use of proxies. In this process, most of the civilians in Southern Sudan have acquired light weapons for protection. As a result, light weapons have proliferated and can be found everywhere in the Southern Sudan. They pose a security challenge as they are frequently used in individual and domestic conflicts. Without a proper demobilization policy and related programmes, the communities in the South may not experience any peace.

The militias groups were not included in the peace process that culminated in the signing of the CPA. These groups comprise mostly of former SPLM/A combatants from Southern Sudan who have in one way or the other fallen off from the SPLM/A ranks, especially during the split of the SPLM/A in the 1990s. They were used and regrouped by the government of Sudan in order to assist the army in the fight against the SPLM/A. There are some of them who (for one reason or the other) could not join the government militias and operated in between the two main parties to the conflict. Though the security arrangements in the CPA provide that these groups have the freedom to choose either to join and get incorporated to the SPLM/A or the GoS forces, some of them are still holding out with backing from the GoS and are demanding from the SPLM/A a share in the Southern government and forces. The leaders of these armed groups or militias have started threatening the SPLM/A leadership that unless they are given the share in the political power and in the armed forces, they will not allow the SPLM/A to enter the areas they alleged to be under their control. There is a looming danger that these armed groups/militias in the South may not accept any demobilization if they are not assured of their positions and roles in the Southern Government structures, army, and other security institutions. The South Sudan Defense Forces (SSDF) have the military capacity to undermine the peace process and unless the SPLM/A is willing to share power it is likely that the SSDF will try exactly that. These armed groups are ethnically oriented. Many at times they use ethnicity as a means of advancing and achieving personal interests. The ongoing discussions between the new SPLM/A leader and the representatives of the Southern militias might result into amicable arrangements between the two.<sup>34</sup>

Furthermore, the main factor uniting the diverse tribal and political groups in the South is the opposition to the *National Congress Party* (NCP). The disappearance of the common enemy might very well undermine the fragile state of relative consensus. This is especially problematic since the tendency of tribalism in the South is a source of division. In the implementation of the CPA the SPLM/A is keen to defend Southern interests in order to maintain the Southern consensus. Taking the SPLM/A as a political party, it is clear that it seriously lacks effective party structures. There are no cadres assigned to carry out party work. Most of the senior SPLM/A commanders are already ministers at the federal, regional and state levels. After the forthcoming elections in three or four years one might not be surprised if SPLM/A losses the control of Southern Sudan to mainly the (NCP) and other Southern parties. There is a need for the SPLM/A to properly understand what transformation means to them.

### 3. Options for Systemic Conflict Transformation

#### 3.1 Areas for Assistance

##### *Training of SPLM/A Members and Assistance to the Transformation of the Movement*

As outlined several times, one of the key challenges for the political system in the South is related to the transformation of the SPLM/A and other Southern militias from military movements into political organisations adhering to the principles of democracy and good governance.

Furthermore, the international community should offer its support in the required transformation and restructuring of the military movement. This is of course a very sensitive

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<sup>34</sup> On January 8, 2006 SPLM/A and the *South Sudan Defense Forces* signed an agreement for the integration of the SSDF into the SPLM/A. However, Paulino Matip who brokered this agreement in the name of SSDF did not represent all SSDF factions, important militia groups are thus not bound by this decision.

issue and will require a long-term commitment. Capacity building is needed on almost all levels, from leadership training to qualification in professional management and administration techniques.

There have been initial training programmes for SPLM/A cadres, but they were not sufficient and should be organized with a more long-term orientation. Furthermore they should include the bulk of the Southerners who were in the main Southern towns running the government machinery at the state levels. The trainings given to the SPLM/A so far did not include this group which will form the base of the government officials and civil servants in the whole Southern Sudan. Training programmes can only be sustained if they were linked to existing training institutions in the South.

### ***Demobilization and Control of Firearms***

Security is the base for stability and progress. The two decades of war which experienced several local conflicts opened a gate for the proliferation of arms in the whole of Southern Sudan. The government and SPLM/A have both used small arms outside their organized forces. Today in the South, pastoralists are guarding their cattle with guns instead of white arms (spears and clubs) as it was the tradition. It is also common now that local misunderstandings and feuds between civilians are settled by the use of guns. The Southern government has to set up a demobilization and control of arms programme. The law enforcement officials like the police and the army should be trained so that they are not vulnerable to some vices while carrying out their duties in the process of demobilization and control of firearms. Experiences from other countries such as Mozambique could be adapted to the Southern Sudan so that the population is encouraged to effectively participate in recovery programmes. The current demining activities are very insignificant compared to the mined areas and the demographic changes which will take place in the South as a result of the peace agreement. The government and the NGOs should double their efforts to avoid losses of life and property.

### ***Conflict-sensitive Development***

Development is a central factor contributing to the further course of the peace process in the South because it gives evidence to the questions whether and for whom there is a tangible peace dividend. With the MDTF the international community has introduced a very reasonable approach: Projects are defined together with the communities on the basis of needs identified in the JAM process. To a high degree this approach is just and transparent, which is crucial in a political environment that is characterized by a lack of trust, the absence of transparent parameters, nepotism and corruption. However, one could argue that the development approach of the MDTF could be further strengthened if there were proper mechanisms of supervision of the actual implementation of the projects in place. Furthermore, due to delays in actual funding of the MDTF, the local population is increasing losing confidence in this financing mechanism.<sup>35</sup>

Although conflict-sensitivity should have been mainstreamed in the JAM process, there seems to be little if any practical consequences or consideration how development aid could contribute to overcome regional, ethnic and tribal tensions. There is good reason to argue that with the MDTF approach, development aid is delivered in a way that might minimize the danger of further harm. But the potential of development aid as an incentive for inter-regional, inter-ethnic and inter-tribal cooperation is not made use of so far. It is suggested to the donor

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<sup>35</sup> Up to the end of November 2005, a total of \$112 million only have been donated by Netherlands, USA, Norway, Sweden and Iceland for Southern Sudan MDTF (see [www.gurtong.net](http://www.gurtong.net)).

community to adjust the principles of the MTDF in a way that it plays a more pro-active role in peacebuilding in Southern Sudan.

### ***Mechanisms for Proper Utilization of Resources***

The national resources from oil have been apportioned between the GoS and the SPLM/A. This apportionment deliberately targets the war affected areas as priorities for services delivery and economic development in the post-war era and in particular during the interim period. However, the Sudanese society has developed a culture of tolerating corruption. Both parties to the agreement have had reports on misuse of public resources. There is a high expectation by the population in Southern Sudan in particular that development will take off immediately. However, unless a mechanism is put into place to insure that the resources are properly utilized for public interest, their hopes may not be achieved. The GoSS has indicated that it will establish an anti-corruption commission. It is important that this commission is assisted by some International NGOs such as Transparency International to help in capacity building in the monitoring of use of public funds and other resources by public officials during the interim period.

### ***Process of Inclusiveness***

Since the birth of the current political sovereign Sudan, Southerners have found themselves marginalized and excluded from participating in political decision making. The CPA provided that Southern Sudanese shall share politically and administratively in all the affairs of the country. It has made citizenship a base for acquiring rights and getting duties. The new GNU will have to translate these provisions into a reality by including competent Southern Sudanese in all the national public institutions, corporations etc. Barriers such as religion and language should not again be entertained.

One way of achieving a meaningful and acceptable inclusiveness and equitable participation is by taking an affirmative action. The GNU has to deliberately take an affirmative action by recruiting more qualified Southerners into the national institutions. In addition to the *evaluation commissions* created by the CPA, there is a need for another commission or a national committee to follow up and guide the GNU in the issue of inclusiveness. This kind of a committee should comprise both nationals and members of the IGAD Partners and set bench marks for inclusiveness which will help the government in implementing this CPA provisions on the subject.

In the South, tribalism is the easiest item used by disgruntled individuals and groups. The use of tribe and tribalism have caused conflicts of devastating nature. The Southern government needs to set up a structure comprised of experts to help analyzing actions by top government officials in the South who are alleged to be tribal in nature so to help in correction processes and to render impartial advice to the government and explanations to the public. This could be best achieved by a semi-governmental peacebuilding unit dealing with those contentious and sensitive issues which might cause conflict. It could also embark on teaching the stakeholders on peacebuilding and conflict transformation approaches and methodologies.

### ***Popularization of CPA***

There is of course always the possibility that the GoS and the SPLM/A will engage in a constructive cooperation to recover the country, but this would require quite radical changes in attitudes and strategies, as well as trust, none of which seem to be happening. The SPLM/A continues to claim its commitment to a united Sudan, thus sharing one central objective with Khartoum. The two parties to the peace agreement have committed themselves to work

together to make unity an attractive choice for the people of Southern Sudan. But the Northern population including the opposition parties can not believe the fact that both will sincerely work for a united Sudan with the support of the international community who generally are in favour of unity. To avoid any misunderstanding that may lead to a coup, there is a need to popularize the CPA across the country and at all levels of the society so that it is properly understood by all the Sudanese people. The national NGOs and CSOs are in a better position to carry out this programme with the resource support from and coordination with the government and international donors. This is important to avoid recurrence of the conflict. The current efforts by the local and international stakeholders (INGOs, NGOs and the GoS) should be coordinated and related to the civic education on the CPA. There are already some NGOs working on the popularization of the CPA both in the North and the South. What is needed is a coordinated and concerted efforts for quick achievement of the out put.

### ***Reconciliation***

The war that is generally ended by the CPA has created hostile relationships among individuals and communities in Southern Sudan. In the course persecuting the war some of the Southern Sudanese people were involved in committing human rights violations against their fellow citizens that resulted in losses of life and property. Today there are a good number of people who are suspecting others to have played a role in the disappearances or extra judicial executions of their dear ones. There are also others whose properties have been taken over by those in the government security organs. The CPA has a provision for reconciliation. It is therefore necessary that a national truth and reconciliation commission is set up. This commission will hear cases, stories, complainants and testimonies of witnesses, victims and those involved in the commitment of atrocities against the people so that reconciliation can be meaningful. Truth must be availed to those who suffered during the war. Truth of what happened to their love ones and to their properties during the war. It will be very difficult to forge new harmonious relationships among the people of Southern Sudan if the truth is not availed to them. While it is the right of a citizen to know the truth, the documentation of truth is a political asset that helps in shaping the future of the people and their nation.

### ***Practical and Genuine Devolution of Power***

One of the key structural factors of the war is the historic underdevelopment in Southern Sudan. Governance in Sudan has been increasingly characterized by urban and highly centralized regimes that are seen to favour the populations living around Khartoum and the riverain areas in the North. Since independence, the political decision makers in the central governments have resisted any meaningful devolution of power to the peripheries, particularly the South. The 1998 constitution did provide for a federal system, but lack of political will and the preference for a centralized government system meant that instead of real devolution the decision making power remained at the centre and in the hands of a few. This phenomenon is likely to be found in the Southern regional government. Power devolution is to be done as a political development priority. People at the grass roots want to see themselves effectively taking decisions that affect their lives and conditions. At that level, there is a need to set up a structure that will help in ensuring that power is indeed devolved to the grass roots to avoid any sort of marginalization. It is suggested to establish a center for power sharing and devolution that contributes to capacity building and training for the communities on issues such as democracy, devolution of powers, participation in public affairs, control and resource mobilization and management so that they are enabled to pursue their equitable rights even to the level of raising cases in courts of law.

### ***Revival of Traditions and Practices for Sharing Pastures and Water Points between Pastoralists and Agriculturalists in the South***

At the grass-root level there are signs that a number of areas throughout Southern Sudan will continue to experience communal conflicts over land use and water. The present civil war has resulted in permanent settlements of displaced on lands traditionally owned by others. The CPA provides that in Southern Sudan land belongs to the people. The population in Southern Sudan understands that this provision gives ownership of land to those who traditionally occupy a particular piece of land in Southern Sudan. The GoSS should therefore develop a policy which is in compliance with the provision of the CPA on communal land ownership and support the revival of known traditional practices related to land and water sharing by pastoralists and agriculturalists to avoid the resurgence of communal conflicts.

The CPA has recognized for the first time in Sudan history that all the ethnic languages are national languages. This alone will not be enough. There should be a deliberate action to revive and promote the development of the local languages in all parts of the Sudan while Arabic language is maintained as the lingua franca in the Sudan together with the English language. This is an enormous task encompassing setting up institutions and projects for the development of these languages and cultures of the Southern people and all the non dominant groups in the North e.g the Nuba, Nubia, Brun and Ingessena. It would require collaborative action of the GNU, donor organizations and local and international NGOs.

### **3.2 Agents of Peaceful Change**

As a result of the political, economic and social marginalization of the South and of decades of civil war, it is difficult to identify specific social groups that would qualify easily as agents of peaceful change. It is more appropriate to select individual persons from different groupings and background that are able and motivated to strive for peaceful changes.

These individuals might be found among the following groups:

- CSOs/CBOs;
- Traditional leaders (but that might depend on the subject and direction of change: they may be in favour of reducing violence in the community and thus support programmes such as disarmament, but other issues such as power devolution might contradict their interests)<sup>36</sup>;
- Political leaders of youth and student associations;
- SPLM/A cadres;
- Professionals/administrators;
- Members of political parties other than SPLM/A.

It seems that the criteria for selecting agents of peaceful change have to be clearly defined and linked to the objectives of desired change. It has to be assumed that the creation of a critical mass of agents of peaceful change requires long-term engagement and a lot of capacity- and trustbuilding.

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<sup>36</sup> Concerning the role of traditional leaders, it should be noted that “The institution, status and role of traditional authority, according to customary law, are recognized” under the “Draft Interim Constitution of Southern Sudan” from October 2005 (for details, see [www.gurtong.net](http://www.gurtong.net)).

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## Glossary

AU	African Union
CPA	Comprehensive Peace Agreement
CBO	Community Based Organizations
CPT	Commission Preparatory Teams
CSO	Civil Society Organizations
DDR	Disarmament, Demobilization and Reintegration
DOP	Declaration of Principles
DUP	Democratic Unionists Party
FES	Friedrich Ebert Stiftung
GNU	Government of National Unity
GONGOs	Government Affiliated Organizations
GoS	Government of Sudan
GoSS	Government of Southern Sudan
IGAD	Inter-Governmental Authority on Development
IDPs	Internally Displaced Persons
IPF	IGAD Partner Forum
IPRSP	Interim Poverty Reduction Strategy Paper
JAM	Joint Assessment Mission
JEM	Justice and Equality Movement
JNTT	Joint National Transition Team
LRA	Lord Resistance Army
MDGR	Millennium Development Goals Report (MDGR)
MDTF	Multi-Donor Trust Fund
NRDF	National Reconstruction and Development Fund
NCP	National Congress Party
NDA	National Democratic Alliance
NIF	National Islamic Front
NSA	Non-State Actors
NSO	National Security Organisation
PCP	Popular Congress Party
PDF	Popular Defence Forces
SAF	Sudan Armed Forces
SECS	Sudanese Environmental Conversation Society
SPLA	Sudan Peoples' s Liberation Army
SLA	Sudan Liberation Movement/Army
SRRC	Sudan Relief and Rehabilitation Commission
SSDF	South Sudan Defence Forces
SPLM/A	South Sudan Liberation Movement/Army
UNMIS	United Nations Mission in Sudan