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## Transcript

# Waging Peace in Independent Southern Sudan: the Way Forward

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### **Major General Moses Bisong Obi:**

The people of Sudan have had the misfortune of enduring the longest running conflict in Africa lasting from 1955-1972 and 1983-2005 when the Comprehensive Peace Agreement was signed between the parties which are the Government of the Republic of the Sudan (GOS) and the Sudan People's Liberation Movement /Army (SPLM/A) in Naivasha, Kenya on 9 January 2005. It is estimated that about 2 million people died as a result, while many more were displaced.

The CPA, to end the war, is a highly ambitious document. It envisaged a permanent ceasefire between the GOS and its forces, the Sudan Armed Forces (SAF) on the one hand and the SPLM/A on the other. It provided for political and wealth-sharing arrangements to address the grievances of Southerners, and mechanisms to resolve the long term future of disputed areas. More than the above, the CPA envisaged a structural and democratic transformation of the Sudan that would address long standing conflicts between the centre and its peripheries. This, it was hoped, would 'make unity attractive' to Southern Sudanese, while reserving their right to vote for secession in a referendum.

The UN Security Council, in its Resolution 1590, established the United Nations Mission in Sudan (UNMIS) to support the implementation of the Peace Agreement. UNMIS mandate is to:

- a. Support the implementation of the CPA between the parties.
- b. Facilitate the delivery of humanitarian assistance and with the return of refugees and internally displaced persons.
- c. Assist in demining efforts.
- d. Contribute towards the protection of civilians and of human rights.

### **Referendum**

Six years on, the CPA has achieved a number of milestones though some issues remain unresolved. The ceasefire and security arrangement have held. South Sudan has benefited from genuine devolution, a share in national power and large scale oil revenues. However, the CPA promise of democratic and social transformation has not been fully realized. Measures intended to secure judicial independence and political and social rights at national level, in particular, have foundered. The South Sudan Referendum has held and the outcome has been a resounding vote for secession. In his address to the UN

Security Council on 9 February 2011, the head of UNMIS and Special Representative of the UN Secretary General (SRSG), His Excellency Haile Menkerios, emphasized the historical significance of the South Sudan Referendum. He described it as 'probably the single most important foundation for the future of peace and stability of Sudan and of the entire region'. He commended the NCP and SPLM and their leadership for their commitment in holding the South Sudan Self-Determination Referendum. In doing so, he said, 'they have most likely ended, once and for all, one of Africa's most protracted and deadliest conflicts. Indeed, 7 February will have to be remembered and celebrated in Sudan's and Africa's history as a day when the longest running civil war in the Continent's recent history came to a definitive end, when the spirit of peace and cooperation prevailed over the spirit of war'.

The final results of the South Sudan Self-Determination Referendum were officially announced by the South Sudan Referendum Commission on 7 February 2011. Out of almost 4 million (3,947,676) Southern Sudanese registered, 97.58% of them voted in a process which has been unanimously described by all observers – (national, regional and international) as free, fair and credible. An overwhelming majority of these, i.e. 98.83% (3,792,518) voted for secession. President Omar Al Bashir of Sudan signed a decree, on the day of the announcement of the results, confirming his government's acceptance of the results as the legitimate expression of the will of the people of South Sudan. This confirms Government of Sudan's willingness to recognize the formation of an independent South Sudan at the end of the CPA period on 9 July 2011. Having delivered on the referendum, the task of ensuring sustainable peace for independent South Sudan and indeed the North will be daunting. No wonder, the SRSG cautions that the task of the CPA partners in this regard has just begun. Some of the challenges to ensuring sustainable peace in Sudan and in particular, South Sudan are discussed subsequently.

## Challenges

Both the North and South will still face a number of challenges in consolidating on the gains of the Southern Sudan Referendum. These would include political, socio-economic, geographical as well as security challenges. Successful management of the post-referendum period with minimum of violence and disruption is critical. It would require a comprehensive approach to ensure the development of viable states in both the North and South and to consolidate on the peace attained.

The outcome of the referendum would challenge the NCP following the loss of the South and considerable revenues. Already, the cost of living in the North is on the rise. Instability of the North has implication for the South.

Communities in the centre of Sudan are an intricately woven mix of people. Geographical conditions will keep forcing the nomads southwards in the dry season and these migrations often generate friction with the Southern tribes along the routes of migration.

Other unresolved CPA issues that may affect peace between the North and South Sudan include:

a. Abyei Referendum which was to hold simultaneously with the South Sudan Referendum. Abyei Administrative Area is yet to have its referendum to determine whether to remain in the North or join the South. However, the parties remain engaged in the search for a solution to the area's future status. The AU High Implementation Panel (AUHIP) had presented a set of proposals to the two parties for their consideration. Unfortunately, Abyei continues to pose a risk to peace and stability on the ground.

b. Boarder demarcation. Some portions of the border have remained contentious and are, therefore, possible flash points.

c. Boarder management. The issue of border management has been a subject of discussion between the parties.

d. Wealth sharing including debt, needs to be addressed during this transition period.

e. The future of Southerners in the SAF and Northerners in SPLA in the South.

f. Citizenship. The parties have already agreed in broad outline, on citizenship arrangements, including rights of travel, residency, property ownership and employment, as well as protection against forced deportation or relocation of each other's citizens. This goodwill, on both sides, is necessary for peaceful co-existence post-CPA.

g. The dissolution of the Joint Integrated Units (JIUs) that were set up to form the nucleus of the new SAF, in the event of unity. Recent attempt to commence hasty withdrawal of the SAF JIU components to the North became violent as it would appear not much sensitization was done prior to it.

## **Popular Consultations**

UNMIS had, in the past, expressed concern over the limitations of the popular consultations process. Clarity of objectives needed to be demonstrated by the parties to meet requirements of the peace process. It is significant to note that the NCP has not only widened the base of the National Government, but has started broad consultations over the future Constitution of Northern Sudan. UNMIS in the words of SRSG, 'stands ready to support, in collusion with partners, particularly the AUHIP which has the mandate to facilitate such a process, any political process that would permit the consolidations of democratic gains made during the CPA and are essential for the continued stability of Northern Sudan'. Meanwhile, Popular Consultations hearings have been concluded in Blue Nile State. Issues such as power and wealth sharing, the future of the Northern SPLA members, land allocation and mutual identity were raised during the consultations and will need to be on the agenda for discussions with the National Government. Similar consultations in Southern Kordofan State are expected to commence after the elections scheduled for May 2011.

## **Post CPA North – South Relations**

North – South relations remain the greatest determinant of the environment in which Southern Sudan will face its internal challenges in the post –CPA period. The future of North-South relations will, of course, unfold in a wider regional and international context. For now, international interests appear aligned to the goal of peaceful, managed secession. There has been an outpouring of goodwill for a safe and stable Sudan that enables continued development of oil and natural resources and offers investment opportunities.

Peace in Sudan is fragile, and would require at all levels, multinational-facilitation and constant encouragement by the UN, the AU, and other international players to ensure that the many challenges are addressed in a constructive and decisive manner. The CPA partners need to sustain the commitment which they have shown to the peace process. This same spirit has helped the CPA partners make significant progress in post-referendum negotiations, facilitated by the AUHIP chaired by President Thabo Mbeki and supported by Presidents Buyoya and Abubakar and with the active engagement of UNMIS.

In their draft November 2010 framework agreement, the CPA parties have committed themselves to work for the future in which 'Northern and Southern Sudan maintain political, social, economic and cultural relations; are stable,

democratic, fair, and prosperous societies, secure within their borders and are at peace with each other and their neighbors’.

They committed themselves to broad-ranging cooperation including:

- a. Economic cooperation, including strategic cooperation in the development of natural resources, infrastructure and agriculture.
- b. Political cooperation including mutual promotion of democratic principles.
- c. Security cooperation involving non-aggression and the future of Northerners in the SPLA and Southerners in the SAF.

### **Peace-Building Priorities**

Independent South Sudan would need to identify their peace building priorities most of which would require the UN and other international partners playing strategic roles informed by comparative advantage relative to the actors. This should draw from lessons drawn from the CPA period. Some of these priorities may include:

- a. Consolidation of political stability. This should be through continuation of democratic governance reforms, reinforcement of institutional checks and balances and inclusive representation in government.
- b. Improving safety and security of Southern Sudanese people by professionalizing its security and justice institutions. Improving conflict management mechanisms and the rule of law.
- c. Improving the economy and enhancing capacity of the state to provide services to the people.

President Salva Kiir’s consensus peace building skills and wide support base should enable the SPLM to continue to manage political tensions in the short-term. However, the medium term critical path to stability will require progress towards a new system of democratic governance.

During the period of the CPA implementation, President Salva Kiir has been able to establish a ‘broad tent’ into which former enemies are drawn under generous terms. Thousands of militia formerly aligned to the North have been absorbed into the SPLA. Government positions have been distributed across regional ethnic and tribal spectrum. This has contributed to relative stability of the Government of South Sudan.

Meanwhile, the process for considering the United Nations future presence and possible role in Northern and Southern Sudan and between the North

and South has started. The Government of South Sudan has indicated it would welcome the UN and international presence and engagement in support of peace consolidation, capacity-building of the new State's institutions and border management. A technical assessment of these needs is being carried out.

For the North, the situation is not yet clear. Discussions are already on with UNMIS to ascertain areas in which they seek future cooperation of the United Nations. Possible UN or other third party engagement in the implementation of the post-referendum arrangements the two parties may agree upon, such as Abyei, the border, etc, are on the agenda.

## **Conclusion**

The recently conducted South Sudan Self-Determination Referendum has been acknowledged as a huge success. It may as well have put to an end, Africa's longest running civil war. In the words of SRSG Menkerios, 'it marks a new historic moment for Sudan, a new dawn that, if built upon, can lead to sustainable peace and progress in Sudan and contribute to the same in the immediate region and throughout the Continent'.

The parties have shown remarkable commitment, but the challenges ahead are daunting. Stable North and South are necessary in order to consolidate on the gains of the CPA. In this regard, a heavy dose of international support is of absolute necessity.