Towards peace in the
Sudan

Edited by Timothy Othieno and Siphamandla Zondi

INSTITUTE FOR

GLOBAL DIALOGUE

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Report on a round table discussion on the transition in the Sudan
held in Dar-es-Salaam, Tanzania, on 27–29 March 2006

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Cover: President Omar El-Bashir of Sudan watches as his first vice-president, Ali Osman Taha (left) and the chairman of the Sudan People's Liberation Movement/Army (SPLM/A), John Garang (right), exchange copies of the Comprehensive Peace Agreement moments after its signing in Nairobi, Kenya, on 9 January 2005. Garang, who then became vice-president, died in a helicopter crash six months later. Picturenet/MAXPPP

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Acronyms and abbreviations

BC	Beja Congress
ABC	Abyei Boundaries Commission
AEC	Assessment and Evaluation Commission
AU	African Union
CBS	Central Bureau of Statistics
CPA	Comprehensive Peace Agreement
CPC	Ceasefire Political Commission
CPTs	Commission preparatory teams
DUP	Democratic Unionist Party
FAO	Food and Agriculture Organisation
FFAMC	Fiscal and Financial Allocation and Motoring Commission
FMLN	Farabundo Marti para la Liberacion Nacional
GNU	Government of National Unity
GoS	Government of Sudan
GoSS	Government of Southern Sudan
HAC/RRC	Humanitarial Aid Commission/Relief and Rehabilitation Commission
ICRC	International Committee for the Red Cross
ICSS	Interim constitution of Southern Sudan
IDPs	Internally displaced persons
IGAD	Intergovernmental Authority on Development
IGD	Institute for Global Dialogue
INC	Interim national constitution
IRC	International Rescue Committee
IUNFICYP	UN Force in Cyprus
JAM	Joint Assessment Mission
JDB	Joint Defence Board
JIU	Joint Integrated Unit
JNTT	Joint National Transition Team
LRA	Lord's Resistance Army
MDTF	Multi-donor trust fund
NCP	National Congress Party
NCRC	National Constitutional Review Commission
NDA	National Democratic Alliance
NESI	New Sudanese Indigenous Non-Governmental organizations (NESI-Network)
NGOs	Non-Governmental organizations
NIF	National Islamic Front
NJSC	National Judicial Service Commission

NRC	National Review Commission
NSCC	New Sudan Council of Churches
RRR	Return, reintegration, and recovery
SANU	Sudanese African National Union
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SSDF	Southern Sudan Democratic Forum
SSDF	Southern Sudan Defence Force
SSF	Southern Salvation Front
TSSLA	Transitional Southern Sudan Legistative Assembly
UDF	United Democratic Front
UDSF	United Democratic Salvation Front
UN	United Nations
UNAMIC	UN Advance Mission in Cambodia
UNAVEM	UN Angola Verification Mission
UNITA	Unaio Nacional para a Independencia Total de Angola
UNMIS	UN Mission in Sudan
UNOCHA	UN Office for Civilian and Humanitarian Assistance
UNTAC	UN Transitional Authority in Cambodia
USAP	Union of Sudan African Parties
WFP	World Food Programme

Preface

From 27 to 29 March 2006, the Institute for Global Dialogue (IGD) facilitated a round table discussion among a cross-section of Sudanese political analysts and representatives of political and civil society, business, and youth formations. The project was undertaken in pursuance of the IGD's mandate which is realised under one of its four programmes, namely the Africa and Southern Africa programme. This programme is aimed at enhancing an understanding of Africa's development challenges, its prospects for renewal, and its international relations. The activities encompassed by the programme include round-table discussions, topical seminars, workshops, and conferences. In November 2005, the IGD sent a team to Sudan to explore the possibilities of holding a round table on the Sudan transition, and this intervention was a consequence of this visit.

About 40 Sudanese women and men from diverse backgrounds and sectors conferred and participated in dialogue over a period of three days, in a relatively stress-free environment. They were encouraged to engage in a cathartic and confidence-building conversation about the challenges facing Sudan. The programme of the round table consisted of the presentation of commissioned papers, submissions by a range of interest groups, discussions, debates, and the formulation and adoption of recommendations for the successful implementation of the Comprehensive Peace Agreement (CPA), which was signed in Nairobi, Kenya in January 2005.

The specific objectives of the round table were:

- to understand the challenges to and prospects for peace;
- to identify the key agents for change;
- to catalyse the dialogue on the basis of broader interests; and
- to establish points of agreement and disagreement as the basis for some consensus.

I was privileged to be the leader of the IGD delegation that facilitated this round table, and this was both an edifying and humbling experience. To have been part of this intervention made me realise how complex and difficult the path to a comprehensive and lasting peace can be. However, the commitment, earnestness, and resolve of the Sudanese participants at this round table must augur well for a just and permanent settlement of the Sudanese quest for peace.

Professor Hugh Africa
April 2006

Editorial note

The signing of the CPA between the government of Sudan (GoS) and the Sudanese People's Liberation Movement/Army (SPLM/A) in January 2005 brought an end to one of Africa's most devastating civil wars. It led to the swearing-in of the incumbent, Omar El-Bashir, as president of the republic, and the SPLM/A's John Garang as the first vice-president. This was followed on 9 July 2005 by the signing of a new interim constitution, establishing the asymmetrical federal state, a power-sharing government, and wealth-sharing governments for the north and south. The constitution has provisions for wider political and religious freedoms, democratic elections within three years, and a referendum to decide whether the south should break away. The thorny issues of the status of disputed territories and the determination of the exact border between the south and north are managed through special commissions. The CPA provides a sound basis for peace and democratic transformation. It introduced principles and values into the Sudanese politics and economics that are fundamental for permanent peace. The multi-stakeholder CPA monitoring commission is keeping a watchful eye on the implementation process.

However, despite these beacons of hope, the transition has not progressed as envisaged. Critical among challenges haunting the transition are the bilateral nature of the CPA, and exclusion of other aggrieved parties. The CPA is limited, also, in that it sought to solve the most violent problem, but not all dimensions of the crisis in the Sudan. The Darfur crisis and a simmering one in eastern and Northern Sudan have served as a reminder that the partial peace is less than adequate. This has threatened to replace the north-south conflict with north-west and north-east conflicts, a fact that threatens to undermine the implementation of the CPA. This report will show that while a new government of cohabitation is in place on the basis of a progressive constitution, the repressive machinery of structures and laws that orchestrated the violence remains intact. The CPA, meant to make unity with the north attractive to the south, has not produced tangible economic dividends in that region, in particular. It is these aspects that stand to derail the transition, which now seems stalemated.

In an attempt to understand the challenges facing the transition from the perspective of domestic role players, and to encourage the much-needed dialogue among stakeholders in the peace process, the IGD convened a round table in Dar-es-Salaam, Tanzania, on 27–9 March 2006, that brought together political formations, civil society, and business. The purpose of this dialogue was to help strengthen the peace process by providing a more nuanced understanding of both the challenges facing the transition, and opportunities for pre-emptive action by the UN and the African Union (AU), in the event of the country suffering a relapse into conflict.

The round table was opened by the Sudanese presidential advisor, the honourable Bona Malwal. The round table was also graced by the South African high commissioner to Tanzania, his excellency Sindiso Mfenyana; other representatives of the South African government; and the Sudanese ambassador to Tanzania, his excellency Ali Omer.

This report provides a synthesis of the deliberations and outcomes of the three-day meeting. The preface, written by Prof Hugh Africa, a member of the board of IGD and the chair of the proceedings at the Dar es Salaam round table, provides the rationale for the round table. This is followed by an edited version of the keynote address by the honourable Bona Malwal, giving an overview of the current state of the transition in Sudan, and a rationalisation of the state of CPA implementation thus far.

The second part of the report details the conceptual perspectives on the transition, its challenges, and the options for peace open to the various stakeholders. These are embodied in papers presented by two esteemed Sudanese opinion-makers. The first is Mahgoub Salih, the editor of *Al-Ayam* newspaper and the recipient of the World Press Award for 2004. The second is Prof Abednego Akok, head of the Institute for Strategic Studies at the University of Juba.

In the next section, the report draws partly from presentations by leaders of 11 political parties and 12 civil society organisations, and two business leaders, as well as from the interactive discussion that followed. It also synthesises deliberations by delegates as part of the interactive sessions. These touch on the challenges facing the role players, and recommendations for action. At the end of the round table the participants from Sudan further deliberated on the way forward, coming up with a consensus statement agreed upon by all. This is appended at the end of the report.

Some 37 senior delegates of key stakeholders in the Sudanese transition travelled from Sudan and Kenya to attend the meeting at a time when Sudan was hosting the Arab League summit. Ambassador Omer facilitated visas for Sudanese delegates. South Africa's high commissioner to Tanzania, his excellency Sindiso Mfenyana, was supportive and complementary. Dr Mariam Al Mahdi did the legwork of organising and liaising with delegates in Khartoum. Dr John Yoh of the University of South Africa and commander Lemi Lomuro of the SPLA assisted in finding delegates in the south. Prof Hugh Africa sacrificed his time to provide leadership and chair the proceedings on behalf of the IGD. They all deserve our gratitude for the parts they played. But the tricky process of organising the round table was driven by the Sudan project team of Timothy Othieno (team leader), Che Ajulu, and Siphamandla Zondi, who also prepared this report.

Timothy Othieno and Siphamandla Zondi
June 2006

Why the implementation of the CPA has stalled: implications of one-sided blame

Bona Malwal, Sudan presidential advisor

Remarks contained in the letter of invitation to this conference imply that there is a delay in the implementation of the CPA in Sudan; and that the delay should be blamed on one side. Assuming that there is a delay, in fact, then one should look for the reasons for this before laying the blame on a particular doorstep. After all, there are two principal Sudanese parties to the CPA. Each side has an important role to play.

Secondly, the international peace mediators and facilitators, who have both a follow-up and a monitoring role in the implementation, also have a role to play. These same facilitators are also among the principal fund donors and development supporters. Their role is crucial for the success and assessment of the CPA.

A few important landmarks need to be understood. The first of these is the international and regional concern that peace in Southern Sudan succeeds. This conference is the expression of that concern. The large presence of the Sudanese contingent to this conference is also an expression of that concern.

However, the international interlocutors for peace in Sudan need to be cautioned against a once-sided judgement about the failure of the implementation, if that type of judgement has not been made already. One needs to underscore that the nature of the CPA as an agreement itself does not leave room for anyone to blame one side. It is an agreement that has balanced power between the principal parties – the National Congress Party (NCP), the ruling party in Northern Sudan, and the SPLM, the principal peace negotiator for Southern Sudan. Power- and wealth-sharing are so delicately balanced between these two parties that it is difficult, if not impossible, to lay blame emphatically on the doorstep of one and not the other.

Take the central GoS, the so-called government of national unity (GNU), for example, in which the two principal parties have an intricately balanced power-sharing agreement. The SPLM has eight central ministries and ten ministers of state, who are intended to influence

the implementation policies in the ministries held by the other party. What is the judgement on the implementation of the CPA by the ministers of the SPLM in their own ministries, and what is the influence of its ministers of state in the ministries run by the NCP? Is that judged to be a failure or a success, and if it is a failure, who is to blame?

It is clear that all is not going smoothly with the implementation. There are problems with what one might call the peripheral sections of the peace agreement. One has, indeed, come to know that, with some of these sections, the problem lies between the principal parties to the peace agreement.

The section on security arrangements is crucial to the success of the CPA. Without smooth implementation of this crucial section of the agreement, peace will be threatened. The SPLM and the NCP must get down to implementing it in strict good faith. Although one reads in the media that security arrangements are not yet totally in place after one year, the question to be asked is whether only one side is to blame for this.

What I call the peripheral sections of the peace agreement include the sharing of the administration of the national capital, Khartoum, and the sharing of power between the two parties in the regions of Northern Sudan. Although it is important to resolve these issues in order for co-operation between the parties to go on smoothly, I do not, personally, judge that disagreement on them could sensibly derail the entire peace agreement.

On the peripheral sections of the peace agreement – power- and wealth-sharing – it now appears that things are moving well between the parties. Hence, we should judge the failure of the implementation in a comprehensive manner. Is the central GoS doing its work as a team or not? Are the individual ministers of the two parties getting on well with their functions or not? Looked at in that comprehensive and objective way, it would appear that the implementation of the CPA is on course. If there are failures to be observed, they will prove to be individual failures of individuals, and not of the Sudanese political system.

On the other hand, the CPA has empowered the government of Southern Sudan to be exclusively in charge of the south. The GoS in Khartoum cannot afford to interfere with what goes on in Southern Sudan. That would be a blatant violation of the CPA. Apart from the south's 50 per cent of the oil revenue that comes the GoS, which all parties have recently acknowledged are flowing smoothly to Southern Sudan, the government of Southern Sudan (GoSS) is entitled to receive directly all donations and aid pledges from abroad. Perhaps the organisers of this important conference should ask how smoothly and steadily the international pledges are flowing to Southern Sudan. If the answer is that the delay is not with the GoS or the GoSS, then perhaps pressure should be brought to bear on international donors, on behalf of the people of Southern Sudan, to release their donations and aid pledges to the GoSS.

The organisers of this conference can help the people of Southern Sudan on this. All of us will then be entitled to monitor the progress, and seek transparency in the exercise of power on behalf of the people of Southern Sudan by this largely autonomous, almost independent

GoSS. Until then, it would not be fair to judge whether the CPA has failed or succeeded. In any case, not enough time has passed for that judgement to be made.

The Sudan transition, and what needs to be done

Mahgoub Mohammed Salih, editor-in-chief, Al-ayam daily newspaper

Sudan is today in the unique position of waging war and peace simultaneously. Although Sudan is in a 'post-conflict situation' as far as the north/south war is concerned, it is in a state of civil war in its western region (Darfur). Sudan entered the 'post-conflict' era in the south after long, protracted, and difficult negotiations over a conflict that has been going on for nearly half a century, paralysing the country, and misusing its human and economic resources.

That this conflict is deep-rooted, protracted, and intractable is very well proved by the fact that a peace accord reached 35 years ago (Addis Ababa 1972) was shattered by war only a decade later – starting the latest round of fighting, which continued unabated for 21 years. Yet that was not the only conflict facing Sudan. Over the years, more conflicts escalated, and engulfed the whole country. In addition, political and regional polarisation, bad governance, economic mismanagement, and tribal feuds transformed low-intensity conflicts into violent confrontations in many parts of the country.

Historical background

To understand these developments, one needs to look back at their historical, political, and social background. Sudan, the largest country in Africa in area, is multi-ethnic, multi-tribal, multi-religious, and multi-cultural. Forging a nation out of such diversity has, at best, proved a very daunting task to many an African country. But this difficult task was further complicated in the Sudan by other factors. To mention only a few, let us review the following facts:

Firstly, there is the legacy of a misguided colonial policy that introduced into the Sudan a brand of 'apartheid', separating completely the northern and southern parts from each other, preventing any sort of interaction, and treating them as two separate entities. To add insult to injury, the colonial powers kept the south in a completely underdeveloped state; the little development that Sudan enjoyed was all concentrated in the north.

As a result, the ethnic and cultural differences between the two parts of the country were further aggravated by this lopsided development and social seclusion. This added to the feeling of mistrust, widened the gap between the north and the south, and pitted the two sides against each other.

Secondly, mismanagement, bad governance, and insensitivity to both the diversity of the country, as well as the need of certain underdeveloped areas to undergo accelerated development, compounded an already tense situation. Unfortunately, Sudan has been plagued, since its independence, by military dictatorships that arrested democratic development, dissolved all political parties and civil society organisations, prevented national discourse, monopolised power and wealth, and aborted all types of participatory governance.

Consequently, citizens, not only in the south but all over the Sudan, lost their ability to negotiate peacefully for the settlement of conflicts. Parties and regions rebelled against this. They staged several mutinies, thus introducing and entrenching a 'culture of violence', with citizens in different parts of Sudan carrying arms in the face of their governments. This development reached its climax about a decade ago, when the Northern Sudan political parties entered into an alliance with the rebel Southern Sudan movements, forming the National Democratic Alliance (NDA). This was a very important development because:

(a)   For the first time, the northern political parties and civil society organisations allied themselves with a Southern Sudan rebel movement to carry arms against the Khartoum government. In the past, the southerners had fought alone, without any support even from northern opposition groups.

(b)   This alliance proved that the Sudan crisis was no longer a north/south conflict, but rather an all-embracing crisis, and that any solution must therefore be all-inclusive. Northerners and southerners fought together, and were also agreed on a joint political agenda (the Asmara Declaration, 1995).

(c)   The long years of the war, totalitarian governments, social and political polarisation, and destruction of physical and environmental assets all contributed to the degradation of the quality of life, increased poverty, destroyed the social fabric, and increased tribal feuds as a result of competition over very limited and underdeveloped natural resources. Acquisition of firearms, either for self-defence or to acquire more assets, became a habit with many tribes, thus raising low-intensity conflicts to the level of full-fledged tribal wars. A culture of violence was introduced and maintained in the absence of any meaningful national dialogue.

(d)   Civil wars in Africa have a tendency to cross borders into neighbouring countries, a situation aided by long, difficult, and unmanned borders, often with the same tribes straddling two or more countries. This allows arms, military equipment, and even fighters to cross frontiers at will. It also leads to mutual destabilisation. Sudan suffered from destabilisation in neighbouring countries such as Chad, the Central African Republic, Ethiopia, Eritrea, and Congo, and even from the Chadian–Libyan war of the 1980s. Likewise, Sudan also exported destabilisation to these countries. The regional atmosphere therefore had been conducive to violence and armed conflicts. At present, the Ugandan rebel force, the Lord's Resistance Army (LRA), poses a real threat to peace in Southern Sudan.

The crisis dimensions

As a result of the interaction among all the factors mentioned above, Sudan became conflict-prone. And as all avenues of peaceful public discourse were shut out by dictatorial regimes that resorted to violent means to settle conflicts, violence became the order of the day in the Sudan by the mid-1990s. In addition, regional forces, political parties, and civil society organisations were all up in arms against the Khartoum government. This was at exactly the time that the Khartoum government asked the Intergovernmental Authority on Development (IGAD) states to help in the peaceful resolution of the north/south conflict. Despite the fact that at the time there was an all-Sudan crisis, the government opted to ask for help in solving only the south/north conflict, hoping that if it settled this big threat from the south it would be able to muster enough force to deal, even militarily, with other conflicts in the north. The IGAD initiative, therefore, was conceived as an effort to solve only the most violent conflict, not to address the full national crisis. The international community was aware of this, but argued that widening the scope of negotiations by introducing other conflicts or other actors would jeopardise the negotiation, and that settling a major conflict would pave the way for addressing other problems, and getting other parties on board at a later stage. Perhaps Darfur came as a reminder that peace is indivisible, and that you cannot have sustainable peace unless you solve all problems. This partial settlement is still considered by some observers as the main weakness of the Nairobi peace agreement.

However, the IGAD initiative produced results, under consistent prodding and pressure from the world community. At long last, the protracted talks produced what is commonly known as the 'Comprehensive Peace Agreement', which represents a great achievement, as far as the task it sets out to do – reconciling the north and south – is concerned. The CPA falls short of addressing the overall Sudan crisis. It should be reviewed, and should not be considered as a panacea for all of Sudan's ills. Yet it is a road map that charts the way for achieving equitable sharing of power and wealth if equality is to be applied to all regions.

The standards of the CPA sets for the south must be applied to other areas, so as to fulfil all aspirations. After all, the CPA is not as comprehensive as it pretends to be. It is neither comprehensive in scope, as it does not cover the demands of other regions, nor is it comprehensive in terms of the parties that negotiated it to the exclusion of others. We must admit that we need to improve on it. Yet the CPA is a history-making agreement that contains many valid principles which, if applied fully and with good faith to other conflict areas, will produce real tangible results.

Let us remember the following points about the CPA:

(a)   It does not offer a final solution to the south/north crisis. Rather, it introduces an interim arrangement for six years. The final decision comes six years later, when the Southern Sudanese go to the polls to decide whether they want to remain part of a united Sudan, or want to sever relations and establish their own independent state. Interim periods by their very nature are tricky and full of tension. If we add to this the mistrust and mutual lack of confidence that has been building up over the past years,

we may see how strange bedfellows the partners in this agreement are! Both parties have vowed to make 'unity more attractive' than self-determination, but lack of trust is creating tensions in their relations, and contradictions in their plans for running the country. The slow pace of implementation of the agreement is adding to these tensions.

(b) Both the NCP and SPLM face difficulties with their constituencies. The governing party, the NCP, is unable to reconcile itself to the tasks of dismantling the one-party system it has been building up for the past 17 years, and accept genuine democratic transformation. Hence, it vacillates or even reneges on some of its commitments under the agreement in an attempt to abort the change to real democracy. The SPLM/A, on the other hand, has still to accomplish a successful south–south dialogue, which eventually should lead to disarming southern militias, who pose a real danger to peace. Both those problems lead to unwarranted delays in the implementation of the agreement.

(c) Though the peace agreement is now nearly 15 months old, citizens are yet to see the peace dividends. There has been some progress in implementation, but little change in the life of the people; hence there is growing impatience on the part of the population. 'Displaced' persons are still living in camps, work on infrastructure projects and services in the south has not begun, and de-mining is very slow. All in all, the south is not yet ready to receive either internally displaced persons (IDPs) or refugees returning from abroad. The few who have ventured to return have gone back to an inhospitable environment. Many observers are afraid of a backlash if people do not see results of peace on the ground. It is true that reconstruction after two decades of war needs time, but people are impatient. If they do not see positive action they are liable to react in a very negative way.

(d) The CPA sets out to do two things: solve the southern problem, and put the country back on track for democratic transformation. To do this, new governance structures have been included in the agreement. The mainstay of the new structure is 'asymmetrical federalism', designed to safeguard the interests of the south, but neglecting other regions. The agreement also envisages a three-tier government structure for the south: state government, regional government, and federal government. But in the north, a two-tier system is provided for, with state government responsible directly to the federal government. This system is being resisted by other Northern Sudan regions – Darfur, eastern, and northern regions – who demand a system similar to the south, with a regional government responsible for three or four states in each case. They further demand some sort of representation of their regions in the presidency, as the south was given such representation. So the governance model created for Southern Sudan is now being looked upon as a model that must be applied country-wide. The government is resisting this, claiming it goes against the CPA. The resulting tension is expected to increase, unless some sort of compromise solution is worked out at the Abuja talks.

(e) Two further complications in the present administrative set-up are likely to create further difficulties. For one, three specific areas have been given 'special status' by the CPA within the asymmetrical federal system:
  ◆ The Abyei area's boundaries were subject to determination by a joint commis-

sion, but the report of that commission was accepted by SPLM/A and rejected by NCP. This poses a great challenge that could easily derail the agreement.

- ◆ Both the Nuba Mountains and Southern Kordofan have been given 'special status', in which the two parties share power nearly equally and rotate governorship. This created problems, especially in the Nuba Mountains, where the formation of the state government was held up and tension is mounting.

Furthermore, a commission that is expected to draw the final boundaries between north and south Sudan has not yet started functioning. Drawing boundaries is important for determining oil-revenue sharing. The SPLA feels the delay is intended to cause it loss of some oil revenue.

(g) Sudan has so far succeeded in writing a transitional national constitution and a constitution for the Southern Sudan government, and appointed parliaments, with absolute majority enjoyed by the NCP in northern states and the federal government, and by the SPLA in the south, are now functioning. A GNU, hardly meeting the prerequisites of inclusiveness envisaged in the agreement, has been appointed. But old laws and old governance structures are still in place.

Laws in the texts today – especially in the area of human rights – are incompatible with the constitution. If the government chooses to use these laws it can do so, thus undermining the constitution. Legal and structural reform is urgently needed.

The peace process limitations

The peace process that is now unfolding in the Sudan is the result of great efforts exerted by so many local, regional, and international actors, and as such should not be allowed to derail. To achieve real and sustainable peace, we need first to ensure the full and quick implementation of the CPA, both in letter and spirit. Secondly, we must broaden the scope of the peace process to incorporate problems not addressed by the CPA.

On the implementation of the CPA, we need to:

- ◆ ensure the full commitment of the two parties and their co-operation in good faith to carry out all parts of the agreement;
- ◆ undertake confidence-building initiatives and grass-roots advocacy for peace and reconciliation, to defuse tensions inherited from years of conflict – reconciliation must be tied up with accountability and compensation; and
- ◆ carry out immediate legal and structural reform to enhance good governance to redress mistakes of the past and abuses of the present – especially in Darfur.

Darfur is quite a complex conflict. It is a conflict that has been allowed, through mishandling, to escalate to catastrophic proportions. It is now the focus of attention of the AU, the UN, and the international community at large. People have been gripped by the tragedy that is still unfolding in the region. Such international focus on the human tragedy alone is liable to lead us astray as far as conflict resolution is concerned. Whatever arguments are

made in support of 'military intervention' for humanitarian reasons, we should not lose sight of the need for long-term planning to address the root causes of the conflict.

Of course, it is important to have peace-keeping forces to ensure cessation of hostilities, but the mistakes of the past and abuses of the present need to be addressed immediately. Failure to carry out these reforms will mean that the root causes of the conflict will persist. We will deal with Darfur in detail later, suffice it at this juncture to point out key actions required:

◆ Remove legal and administrative restrictions on independent civil society to enhance participation and guarantee democratic transformation.

◆ Activate the Constitution Review Commission created by the CPA, and broaden its base to give full and equitable representation to all political and social forces. The agreement entrusted this commission with continuous review of the constitutional set-up. If it is allowed to play this role as envisaged, it will definitely help in amending the constitution to cater for the demands of opposition groups and political forces – including Darfur and eastern Sudan.

◆ The SPLM/A should continue its south–south dialogue to try to neutralise remaining militia forces. The first round of the dialogue was successful in winning over part of the Southern Sudan Defence Force (an alliance of various Southern Sudan militias allied to the NCP). But there are still armed southern groups that pose a threat to the peace process. They should be disarmed as soon as possible. The agreement gives them two options: to join either the national government forces, or forces of the government of the south.

◆ There is also a growing feeling among political parties and civil society organisations that the government is deliberately ignoring parts of the agreement necessary for democratic transformation, such as the formation of certain commissions mentioned in the agreement, including the independent human rights commission and the civil service commission. The delay is seen as a sign of reluctance on the part of the government to improve the general political atmosphere. If the government does not move quickly, perhaps the CPA monitoring commission (which incorporates IGAD, IGAD partners, and the two agreement parties) should intervene to ensure implementation.

The Darfur conflict

We have so far dealt with the CPA, but we still remain with the present war in the Darfur region, and the threat of war simmering in eastern Sudan. Darfur is a very complex and vicious high-intensity conflict which has caused untold misery. At the moment, the international community is worried, quite rightly, about the humanitarian side of the conflict, and would like to see enough military forces on the ground, either under AU or UN auspices, to stop the fighting and protect civilians. This is good, but at the end of the day sustainable peace depends on successful negotiations and a political settlement acceptable to all the people of Darfur. As soon as the cessation of hostilities is achieved, focus should shift to the peace talks.

To understand the dimensions of the conflict, we have to look at the root causes of the problem. Darfur is a vast, arid region, the size of France. It is populated by numerous tribes that historically have clashed with each other because of keen competition over meagre natural resources. These tribal feuds were fought with traditional weapons (knives and spears); the number of casualties was limited, and the damage to property minimal. Meantime, tribal leaders had great traditional authority to control their tribes, and initiate reconciliation proceedings to settle these feuds. A number of recent developments, however, have shattered these traditional conflict-resolution mechanisms and changed the nature of conflict in Darfur.

The first of these is that traditional tribal leadership structures have been 'politicised'. The ruling party employed its own local members as tribal leaders, and sometimes coerced old leaders into adopting its party policies. Consequently, the structures' authority and legitimacy were greatly reduced.

Secondly, successive waves of drought and desertification had reduced the northern part of Darfur to a desert, driving pastoralists southward in search of water and grazing land for their cattle. This brought them into direct conflict with sedentary farmers, and the resulting conflict escalated into vicious fighting. No sustainable peace could be maintained if the peace settlement does not contain a coherent development component to address this problem.

Thirdly, wars in neighbouring regions (Southern Sudan, Chad, and the Central African Republic) introduced to Darfur highly lethal modern weapons, which transformed the traditional tribal feuds into modern, full-fledged wars, with high casualty ratios and intensive destruction potential.

Fourthly, the lack of essential services, high rate of unemployment, spread of poverty, and environmental degradation multiplied the grievances of the citizens and precipitated a mutiny in the armed forces. What really precipitated the crisis was the feeling of some ethnic groups, popularly dubbed as 'blacks', that the central government in Khartoum was supporting, arming, and encouraging Arab groups to attack them and usurp their fertile land. The government has denied this, but the rebels insist on their accusation. Hence, all militias must be disarmed immediately.

Fifthly, Darfur was the last region to be annexed by the British to become part of the Sudan administration (1916). Other regions were pacified and had stable administrations almost two decades earlier. Darfur, therefore, was a late starter as far as services are concerned, and it still lags behind. This has created a feeling of marginalisation which has poisoned its relations with the centre.

All these factors have to be taken into consideration in working out a peace plan. Such a plan must aspire to address, as far as the central government is concerned, the problems of marginalisation, and introduce a degree of regional autonomy to ensure equitable sharing of power and wealth. It must also address the internal conflict among Darfur tribes at grass-roots level through accountability and reconciliation. Lastly, the region needs a crash

programme of development to relieve the competition over limited natural resources.

Another feature of the Darfur conflict is its cross-border dimension. The region is closely linked with Chad, as the same tribes live on both sides of the border. When there is a conflict in one region, it immediately affects the other, resulting in mutual destabilisation. This situation should be rectified through joint local efforts, international support, and better ways to control the borders.

The situation on the ground is still bad. War is continuing, the rebel movements are splintering, and more and more armed groups are acting independently. If this situation is not brought under control, we are liable to get warlords controlling several areas and the conflict would get out of hand. Moreover, the government is neither controlling nor disarming its allied militias. As a result, civilians are being targeted daily, and humanitarian efforts are severely curtailed.

What should be done in Darfur?

The first priority should be to bring about an immediate halt to the hostilities under robust ceasefire-monitoring structures. No progress can be achieved in negotiations if fighting continues. Furthermore, third-party intervention is badly needed at the Abuja talks to help iron out problems that hold up the negotiations. The key to a peaceful settlement is to reach a negotiated agreement, and this must be given top priority. There is no military solution to the problem.

A tentative road map for peace in Darfur should include the following elements:

- a new and more detailed ceasefire agreement, showing clearly the present locations of all forces in Darfur, and defining and identifying all militia forces allegedly allied to the government;
- a robust neutral force on the ground, with a stronger mandate to observe the ceasefire and monitor any violations, in addition to protecting civilians;
- the activation of third-party mediation roles at the highest level to help solve problems that are holding up the talks in Abuja while, in the meantime, internal efforts are made for reconciliation at the grass-roots level; this should be part of a plan that emphasises reconciliation, accountability, and compensation; and
- a more inclusive approach. The Abuja talks are geared towards reaching an agreement with the rebels. At the moment no one is bothered with the views of the tribes who have not joined the war. This could turn out to be a costly mistake. These tribes must be included in any settlement, otherwise they will undermine the peace process.

Eastern Sudan

As for the eastern Sudan, negotiations must start immediately in an attempt to reach a settlement before the SPLM/A forces pull out of the region within the next few months. If this is not done, then the threat of escalation remains. Given the strained relations between Eritrea and Sudan, any escalation of conflict is bound to have far-reaching repercussions, which might derail the whole peace process.

Eastern Sudan is one of the poorest and most underdeveloped regions of the country. Its population harbours historical grievances and a high sense of marginalisation. The armed wing of the Eastern Front fought side by side with the SPLA in Eastern Sudan during the war, and still occupies a stretch of land which the SPLM/A, under the CPA, is to vacate shortly. Without a negotiated settlement, government forces and Eastern Front rebels are likely to rush in to fill the vacuum when SPLM/A forces pull out, thus precipitating a new crisis. Eritrea could well step in to support the rebels. This would mean a new war. However, the SPLM/A, a partner in the GNU, is well placed to help in negotiating an agreement with its former allies in eastern Sudan. It will be well advised to do this immediately, and before it pulls out. Eastern Sudan's demands are centred on equitable sharing of power and wealth, and accelerated development to relieve the present development conditions in the area. It would not be difficult to reach agreement with them.

As can be seen from the above reading of the Sudan crisis, the country is facing a serious situation. But a window of opportunity has opened and should be well utilised to solve all of Sudan's problems. Peace is indivisible. You can not bring it to one part of the country while war is raging in another part. It must come to the entire Sudan if it is to be sustainable. This is the real challenge at the moment – let us hope that all actors live up to it.

Models of transition and peace settlement

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This paper is an attempt to identify, understand, and rank the factors that have made for success or failure in instances such as Angola, the Addis Ababa accord of 1972, Cambodia, Cyprus, Namibia, and El Salvador. In other words, to identify what implementation needs to do to avoid losing control of a situation. As a nation in the process of settling conflict through negotiation, Sudan can benefit from those experiences, applying their lessons in the implementation of CPA. We begin with an overview of peace processes, with the purpose not only of determining whether Sudan's past six cases of negotiated settlement were in fact carried out as planned, but also of assessing the dynamics of implementations, and the linkage between pre-settlement and post-settlement negotiation.

The modalities of negotiated peace settlements

The success of peace settlements depends to a large extent upon their ability to anticipate the diverse means that will have to be used to cope with issues of the future. Failure to do so may set the stage for future eras of conflict and war. Peace agreements can unravel for a variety of reasons, and parties may simply come to the conclusion that it is no longer in their interest to abide by the agreements they have negotiated. Without proper monitoring and enforcement mechanisms, agreements negotiated in good faith can still be destructive and lead to the escalation of violence. Secondly, without the assistance of third parties who can do what adversaries are unwilling or unable to do, the peace process can come to a grinding halt. Furthermore, ambiguities in the text of an agreement may also become major points of contention, since these often cannot be resolved in subsequent negotiations or by mediation and arbitration. Conversely, agreements may be too rigid in their initial formulation to adapt to changing circumstances and political forces.

Here, we explore why peace agreements succeed or fail, emphasising how the implementation process affects the possibilities of achieving a durable peace settlement. The focus is on peace settlements that have been negotiated to deal with conflicts where third parties, notably the UN and the United States, were actively involved not only in peace-making, but also in what former UN secretary-general Boutros Boutros-Ghali called 'post-conflict peace-building'. This denotes identifying and supporting structures which would tend to

strengthen and solidify peace, in order to avoid a relapse into conflict. Sudan, as being a nation that has came out of war and is now implementing a negotiated peace settlement, can benefit from these experiences and avoid going back to war in the future.

We must note at the outset that, in addition to the enormous difficulties involved in bringing conflicting parties to the negotiating table in civil conflicts, the problems of reaching a settlement and making sure the parties continue to abide by it are by no means less formidable. Why is this so? Part of the reason has to do with the nature of civil conflict in today's world. Typically, these conflicts are rooted in a multiplicity of conflicting and overlapping tensions, evolving from ethnicity, religion, nationalism, socio-economic problems, and regional grievances. In addition, these conflicts are marked by self-sustaining patterns of hostility and violence, and usually involve fierce competition among differing factions for access to and control of the state's political institutions, and the search for national autonomy and self-determination.

The rejection of any sort of political authority is obviously one source of difficulty in these conflicts. Another is the tendency for these conflicts to spill across borders, drawing in outside actors intent on exploiting the internal situation for their own ends. One recent example is Chad's involvement in the Darfur crisis. This makes it difficult for outside actors to moderate or control the local security dynamic. Much of the literature suggests that conflicts are most amenable to resolution when issues and parties are well defined, and are structured in a way that permits a confidence-building process to emerge over time.

Getting the parties to the negotiating table and building momentum towards an agreement are only part of the difficulty. If one is lucky enough to secure an agreement, an even greater challenge that remains is to translate the agreement into a concrete package of mutual commitments and understandings that will end violence once and for all, while restoring political order at the same time. Here, too, the peace-making and peace-building process can break down, that is to say, peace agreements can easily dissolve as a result of a renewed outbreak of civil violence. In the hostile environment of protracted social conflicts, antagonisms run deep where different communal groupings struggle for power. The difficulties of implementing a viable peace process are thus fundamentally linked to what Brian Job (1992) identifies as, firstly, the state's lack of effective institutional capacities to provide peace and order, as well as the conditions for satisfactory physical existence, for the population; and, secondly, the ongoing sense of internal threats to and from the regime in power. The goal of political elites under these conditions is political survival, not co-operation or power-sharing with those who seek to overthrow them.

It should therefore come as no surprise that most civil wars in the 20th century were not ended. In the period from 1900 to 1989, out of a total of 65 cases, only 15 per cent were resolved through negotiations, and of these 11 cases of negotiated settlement, six were terminated through international mediation.

Success in post-conflict peace-building

Given that negotiated settlements are difficult to achieve, and obviously somewhat rare, the question of what determines success in restoring domestic order and ending civil violence is a critical one. The recent history of international relations is marked by some notable successes, and some conspicuous failures, in post-conflict peace-building efforts directed at ending civil conflict. Where some peace settlements have proved durable and succeeded in bringing about an end to military hostilities and violence, others have failed to prevent a relapse into armed confrontation and violence, or, at best, to transform a ceasefire into a genuine political settlement. In light of the fact that negotiated success is rare, but far more desirable than conflicts that end in elimination, it is vital to study why some settlements succeed and others fail. With such knowledge, we can reduce the probability of repeating past mistakes that result from ignoring the important lessons of history. In particular, this paper will examine six cases of settlements that succeeded or failed. We begin with two cases of negotiated peace settlements that were unsuccessful, and which Khartoum should study to avoid areas of failure and adopt procedures for success.

1. On 16 August 1960, the Republic of Cyprus became an independent state. The country's constitution, which had been negotiated among the governments of Greece, Turkey, and Great Britain in Zurich the preceding year, called for a constitution adapted to the ethnic composition of the island, which was 80 per cent Greek Cypriot and 18 per cent Turkish Cypriot. Following a series of constitutional crises, in 1963 Archbishop Makarios, president of Cyprus, unilaterally offered a series of amendments that were rejected by the Turkish Cypriot community. The situation continued to deteriorate, and serious fighting eventually occurred on the island. On 13 March 1964, the UN Security Council adopted resolution 187, establishing the UN Force in Cyprus (UNFICYP) to be deployed on the island to help restore peace. Although UNFICYP succeeded in supervising a ceasefire, there were numerous crises over the years. The most serious came in 1974 when Turkey launched an extensive military invasion on the north coast of Cyprus, following a staged coup d'etat against Archbishop Makarios by the Cypriot national guard, then under the heavy influence of the ruling junta in Greece. Fighting was eventually halted, but the result was a partition of the island into two separate ethnic communities. In 1983 the Turkish community declared its independence, and created the Turkish Republic of Northern Cyprus. Between the two Cypriot states, UNFICYP forces remain deployed in an effort to maintain inter-communal peace. To date, in spite of numerous attempts at mediation by the UN secretary general and other third parties, a lasting political settlement between the two communities remains elusive.

2. On 3 March 1972, a peace accord was signed in Addis Ababa between the Anya-nya movement and the government of Sudan. This was a negotiated settlement that ended the war between the arabised northern Muslims, who had monopolised the power and wealth of the nation since independence, and black Africans in Southern Sudan, who had not enjoyed the benefits of the nation's power and wealth for a very long time. A regional government was established in Juba, which continued peacefully. When several regime rulers realised that the south was being democratised and

development projects were being initiated, they began to apply policies to the south that were inimical to these developments. These policies included the imposition of Islamic laws, and division of the south into three regions without proper consultation. In addition to other grievances, this was opposed by educated southerners, and the spirit of mistrust and lack of confidence grew deeper. The war broke out again in 1983 between the north and the south.

3. On 22 December 1988, representatives of Angola, Cuba, and South Africa formally signed an agreement calling for implementation of UN Security Council resolution 435 (1978), which set in motion concrete plans for peace-building in South Africa, of which Namibian independence was a central element. The UN participated in Namibia's first elections as a fully independent and democratic country in 1990. Although the road to independence and free elections was a rocky one, Namibia succeeded in making the transition, enabling its people to live in peace.

4. The deployment of the UN Angola Verification Mission (UNAVEM) in Angola in January 1989 also resulted from the implementation of UN Security Council resolution 435 (1978). The Gbadolite accords of 1989, calling for a ceasefire and other measures, broke down almost immediately, and fighting resumed sporadically throughout the country. The Bicesse accords, signed in 1991, called for a new ceasefire between the government and Unaio Nacional para a Independencia Total de Angola (UNITA) rebels, new electoral laws, demobilisation of troops, and national elections not later than November 1992. However, war broke out again in Angola after UNITA rebels rejected the results of the UN-monitored election, and it was another three years before a new settlement was concluded.

5. In 1998, the Farabundo Marti para la Liberacion Nacional (FMLN) guerrilla movement and the government of El Salvador formally invited the UN to broker peace negotiations to end a civil war that had claimed 75 000 lives. Following several rounds of negotiations, a preliminary peace accord was signed in New York City on 31 December 1991, followed by a final peace agreement in Mexico City on 16 January 1992. The accords led to a ceasefire, demobilised the FMLN, and paved the way for legal reforms of the electoral system that would allow the FMLN to participate in future elections.

6. On 23 October 1991, the Paris Peace Agreement was signed, calling for national reconciliation in Cambodia; self-determination; free and fair elections; the disarming of all factions, including the rebel Khmer Rouge; and the installation of a transitional authority in Phnom Penh. Elections for a new Cambodian government were to be organised by a UN Transitional Authority in Cambodia (UNTAC). On 16 October 1991, the UN Security Council passed resolution 717, providing for the establishment of a UN Advance Mission in Cambodia (UNAMIC) to prepare Cambodia for the deployment of UNTAC. Although this deployment proceeded on schedule, fighting between the Khmer Rouge and the government continued, with the Khmer Rouge refusing to co-operate and to fulfil its obligations under the peace settlement. The election campaign was conducted in an atmosphere that was threatened by repeated violations of the ceasefire, and by the Khmer Rouge's refusal to allow UNTAC to register voters in locations under Khmer Rouge control. Nevertheless, almost 90 per cent of eligible voters went to the polls in a fairly remarkable peaceful vote. The election

was the culmination of the biggest effort in UN history. Approximately 20 000 personnel, from more than a dozen countries, effectively ran the country for two years, repatriated 700 000 refugees, monitored a ceasefire, and operated key government departments. However, UNTAC's failure to maintain the ceasefire in the run-up to the elections undermined its credibility with the Cambodian people, and the Khmer Rouge continued to wage war against the government after the elections.

Some explanations of successful of peace settlements

How do we now account for these different outcomes, marked by varying degrees of success and failure in bringing about an end to civil strife and recurring patterns of violence? A number of hypotheses or analytic approaches are suggested in the conflict-resolution literature, centring on:

- the role of third-party interveners in facilitating dispute resolution;
- the structural characteristics of the conflict process;
- the changing dynamics of regional or systemic power relationships; and
- the range of issues covered by the peace settlement in question, all of which can potentially affect the prospects of its durability.

Before we turn to these different explanations, we need to classify what we mean by success in assessing the outcome of a peace settlement. Needless to say, the definition of a successful settlement is highly problematic in conflict-resolution literature. For some, the conflict termination process must produce some set of arrangements that lasts for generations or stand some other test of time, demonstrating robustness and permanence. The problem with this definition is one of infinite regress, that is, exactly when do we conclude definitively that a peace settlement has succeeded? We cannot do this when the prospect of failure may lie just around the corner. Some have argued that the notion of success is inherently relative, because some processes never manage to get the parties into dialogue, let alone agreeing to a cessation of fighting. Some fail to find a possible agreement; others achieve agreement only to see it repudiated. Still other agreements break down at the implementation stage, and the process ends in recrimination and accusations of bad faith.

Linking the notion of success to different phases of the peace process avoids the problem of defining the concept in terms of an unrealised, and possibly unattainable, end point. However, is the definitional problem with, for instance, the onset of negotiations, the conclusion of a formal agreement, or the maintenance of a ceasefire? Or should we associate it with more comprehensive criteria, such as the demobilisation of forces, the laying down of arms, and the eventual restoration of political order? Furthermore, should we include the establishment and maintenance of participatory, democratic political institutions in our definition of political order and success?

While there are no easy answers to these questions, we obviously must consider first whether the signatories abided by the terms of the initial agreement. Typically these include

provisions for a ceasefire and the laying down of arms according to some pre-determined schedule. Because the renunciation of violence by warring factions is almost a necessary precondition for the restoration of political order, our definition of success begins with the ending of civil violence and armed confrontation. But success in this sense is only partial. For a peace settlement to be durable, institutions and support structures must be put in place so that parties are discouraged from taking up arms again. As Boutros Ghali (1992) explains in his report, *Agenda for Peace*:

Peacemaking and peace-keeping operations, to be truly successful, must come to include comprehensive efforts to identify and support structures which will tend to consolidate peace and advance a sense of confidence and well-being among people. Through agreements ending civil strife, these may include disarming the previously warring parties and the restoratives of order, the custody and possible destruction of weapons, repatriating refugees, advisory and training support for security personnel, monitoring elections, advancing efforts to protect human rights, reforming or strengthening governmental institution and promoting formal and informal processes of political participation.

Greater levels of success are thus associated with the comprehensiveness and durability of the confidence-building measures that are put in place during the post-settlement or peace-building phase of an agreement. Beyond keeping the peace itself, the list of tasks includes: (1) reconstructing civil society at both the national and local levels; (2) reintegrating displaced populations into the society and economy; (3) redefining the role of military and police forces in the maintenance of law and order; (4) building communities and allowing them to survive by bridging the gap between emergency assistance and development; and (5) addressing the needs of particular vulnerable sectors and groups in society, such as women and children. The ultimate success of the peace-building process in situations of civil conflict is thus directly related to a society's ability to make an effective transition from a state of war to a state of peace, marked by the restoration of civil order, the re-emergence of civil society, and the establishment of participatory political institutions. However, in the short term, if societies are to make this transition, the key considerations are whether the parties fulfil the commitments they agreed to under the settlement, and end violence.

By these standards, Cyprus was a failure, because the main provisions of the London-Zurich accords and the subsequent constitutional settlement were not implemented, and violence between the two communities on the island erupted into a full-scale civil war.

The Addis Ababa peace accord of 1972 that ended the 17 years of war in Sudan also failed to fulfil its provisions and objectives. The war started again in 1983, and continued for 21 years, until it was brought to an end a year ago. Namibia is a success because the civil war did come to an end, and key provisions in the peace settlement calling for Namibian independence, free elections, and the establishment of a new constituent assembly to draft the country's constitution were implemented. In contrast, the 1991–2 settlement in neighbouring Angola was an abysmal failure. Successive ceasefires failed to hold, and although elections were held, they were disputed by UNITA. This dispute led to the outbreak of a full-scale civil war shortly thereafter.

Like Namibia, however, El Salvador is a remarkable success story. After more than ten years of a bloody civil war, the rebel FMLN forces agreed to negotiate with the government in order to bring the war to an end. Negotiations were assisted by the UN and the United States, and a negotiated ceasefire managed to hold. The resulting peace agreements launched a process of national reconciliation that showed good promise of restoring democracy to El Salvador. The outcome in Cambodia, however, was mixed. On the one hand, against all odds, free elections for a new government were held and voter turn-out was high throughout the country. On the other hand, the leading rebel faction, the Khmer Rouge, opted out of the peace process and continued its civil war against the newly established government of Cambodia.

We have found wide variations in outcomes in these six peace settlement agreements, in that some of the disputants abided by the terms of peace settlements in some instances, while others did not. Sudan, being a nation which has ended a war through a negotiated peace settlement, can learn lessons from the examples above. The problem of Southern Sudan has been resolved by the inclusion of power- and wealth-sharing provisions in the negotiated settlement of January 2005. We define power-sharing as the participation of the representatives of all significant groups in the government of the country, and a high degree of autonomy for the groups. A year has passed since the signing of the peace settlement and the implementation, as is explained below. In addition, the lessons learned during this short period and a vision for a future Sudan have been suggested below, to avoid any possible failure of the peace agreement in the future.

The Sudanese peace settlement

In the aftermath of war, external development assistance to reconstruct Sudan's infrastructure, institutions, and economy is a key part of the peace agreement, and is vital to ensure that the country can develop, so as to prevent it sliding back into conflict. Reconstruction of property and infrastructure is one of the most immediate requirements. This will facilitate the return of the displaced to their homes, putting security, governance, and control measures in place, as well as food and supply transport, and general production and commerce, to begin rebuilding the economy. The transition to normal security conditions, with adequate police forces, is vital, and a functioning judiciary is needed to enforce the rule of law.

Governance has to be re-established and government services must begin to function again. Democratisation, demobilisation of ex-combatants, landmine clearance, protection of public security, the return of the displaced, provision of health care and education, and poverty reduction, are all key issues that need to be addressed. In the long term, a stable macroeconomic environment will promote political stability, and facilitate a solid financial base for the southern government. Further, it will make possible legitimate and transparent government revenue collection and expenditure capabilities, thereby strengthening democracy and lowering the propensity for violent conflict.

Implementation of the Comprehensive Peace Agreement

There is universal agreement that Southern Sudan needs strong institutions, which will be the backbone for implementation of the peace agreement. The building of institutions is the creation of governance capacities. It entails dismantling and transforming old organisations and legal, administrative, economic, and social institutions, as well as improving the efficiency and effectiveness of existing institutions. During the transition process, the following institutions are to be established with regard to power-sharing:

(a) *Legislation and constitution*: Both the former National Assembly and the liberation council of the SPLM/A approved the CPA in January 2005. The parties agreed to the implementation of the peace agreement according to the sequence, time period, and process set out. The two parties, in accordance with the CPA, prepared and established the National Review Commission (NRC), which comprises the NCP, the SPLM/A, and representatives of other political forces and civil society. The NRC was adopted by the National Assembly and the SPLM/A national liberation council on 6 July 2005.

(b) *National executive*: On 9 July 2005, the president of the republic signed the interim national constitution (INC), and also issued a presidential decree appointing Dr John Garang de Mabior as first vice-president and Ali Osman Mohamed Taha as second vice-president. Lieutenant General Salva Kiir Mayardiit was sworn in as the first vice-president on 11 August 2005, following the death of Garang on 30 July 2005 in a helicopter crash.

These events mark the actual transition to the peace process, in which the SPLM and Southern Sudan have significant and real power in the central government. After considerable delays and disputes over the allocation of some ministerial portfolios, most notably that of energy and mining, president Bashir issued four decrees on September 2005 establishing the GNU: number 30, appointing the assistant of the president; number 31, appointing federal ministers; number 32, appointing presidential advisors; and number 33, appointing ministers of state. The GNU was formed largely in accordance with the CPA power-sharing formula. The GNU included one presidential assistant, 12 presidential advisors, 28 federal ministers, and 33 state ministers. The highly disputed energy and mining portfolio was retained by the NCP. The NCP retained five sovereign ministries (presidency, interior, justice, defence, and federal government), six economic ministries (finance, energy, irrigation, agriculture, international co-operation, and animal resources), and four service ministries (labour and public service, culture and youth, social welfare, and guidance and endowment).

The SPLM received two sovereign ministries (council of ministers and foreign affairs), three economic ministries (foreign trade, investment, and transportation), and three services ministries (health, humanitarian affairs, and higher education). The ministers were all sworn in on 22 September 2005.

On 27 November 2005, president Bashir issued a further two decrees filling the vacant ministerial seats left for the opposition umbrella group, the NDA. The decrees appointed

Lieutenant General (retired) Saeed Abdelrahman as minister of science and technology, and Dr Hamid Mohammed Ibrahim as minister of agriculture and forestry.

Other opposition parties, including the Umma Party (mainstream), led by Sadiq El Mahdi, and the Popular Congress, led by Dr Hassan Al-Turabi, declined to participate in the GNU, but indicated their intention to participate in the general elections midway through the interim period. As a result, the GNU is composed of 14 parties and political organisations.

The presence of the SPLM and Southern Sudan in Khartoum will not be a token representation, as was the case before. The SPLM has put their best people in those ministries, who shall assert themselves in the cabinet to which they belong by right, not by invitation or someone else's good will. Their presence in the central government at all levels will be real and effective, and it shall be by the authority of the CPA and the INC.

These events solidified the transition process. For example, on 3 January 2006, president Bashir, first vice-president Kiir, and vice-president Taha met and decided on the following:

1. The formation of the cabinet for the administration of the national capital, to include eight ministers (four from NCP, two from SPLM – one of them a deputy governor, and two from northern political forces). The status of Khartoum as either the national capital or a northern state, however, is yet to be determined.
2. The establishment of the commission for the protection of the rights of non-Muslims in the national capital (to be followed by a presidential decree).
3. The re-establishment of the National Constitutional Review Commission (NCRC), with 60 members, including 31 from the NCP, 17 from the SPLM, eight from northern political forces, and four from southern political forces. The presidential decree was issued on 7 January 2006, although the membership of the NCRC is yet to be named. Consequently, the NCRC, as a body, has not met since its re-establishment.

The third element of power-sharing is the national legislature (the National Assembly and the Council of States). This was also formed during this transition period. The National Assembly is composed of 450 members. Membership is allocated according to the power-sharing formula as follows:

- ◆ NCP, 234 seats;
- ◆ SPLM, 126 seats;
- ◆ northern political forces, 55 seats (including 20 for the NDA, seven for the registered Democratic Unionist Party, three for the Umma Party for Reform and Renewal, three for the Federal Umma Party, three for Umma Party collective leadership, three for Ansar AlSuna, three for the Muslim Brotherhood, and five for parties forums);
- ◆ southern political forces, 27 seats (ten for the Union of Sudan African parties, five for the United Democratic Salvation Front, three for the United Democratic Front, five for the Sudanese African National Union, and four for the Southern Sudan Democratic Forum [SSDF]); and
- ◆ eight seats for national personalities.

Of the 55 seats allocated to the northern political forces, eight were allocated to the Umma Party (mainstream) and the Popular National Congress, but both declined to participate. NDA members joined the National Assembly in November 2006, filling the 20 parliamentary seats which had been set aside for them. The National Assembly held its inaugural session on 31 August 2005. Ahmed Ibrahim El Tahir (NCP) was elected speaker for the National Assembly, and Atem Garang Deng (SPLM) his deputy.

The Council of States was also formed, composed of 50 members, two from each state, in addition to two observers' members representing the Abyei area. The Council of States held its inaugural session on 31 August 2005. Ali Yahia (NCP) was elected speaker, and Remy Oller (SPLM) deputy speaker, of the Council of States.

On 29 November 2005, the National Assembly approved the chairmanship of its 19 standing specialised committees. The chairmanships were allocated according to the power-sharing formula, with the NCP chairing ten committees, the SPLM five, other northern political forces three, and other southern political forces one. The first session of the National Assembly should have ended on 31 December 2005, but was extended by the speaker in part to avoid six provisional presidential orders lapsing with no retroactive effect. The six bills are: the Police Act, the Red Crescent Act, the Act for the Commission on Higher Education, the Amendment to the Armed Forces Act, the Higher Council for Wages Act, and the Organisation of Humanitarian and Voluntary Work Act.

After a short recess, the National Assembly reconvened on 13 February 2006 for two weeks, during which the six controversial provisional presidential orders, tabled before the assembly last year, were withdrawn. One of the acts, the Organisation of Humanitarian and Voluntary Work Act 2006, was revised and resubmitted to the National Assembly. However, the act still contained a controversial article which caused tensions within the parliament. Although the southern opposition, northern opposition, and some members of the SPLM voted against the act, it was passed by a 52 per cent majority. There were also continued reports that some members of parliament were not given enough time to review the bills. Despite these issues not being addressed, the National Assembly went on recess on 22 February 2006 and reconvened on 3 April 2006.

Fourthly, the creation of a transparent legislative and judicial institution is important for reconciliation, and the establishment of trust in post-conflict societies is sometimes hindered by the complete absence of at least minimally trained lawyers and judges. International experts can assist in the restoration of the legal framework, by providing their expertise through legislative assistance in drafting laws, and by training legislators, lawyers, and judges. At the same time, the independence and accountability of justice must be based on human rights and the rule of law.

The justices of the constitutional court were named in accordance with the INC and the interim constitution of Southern Sudan (ICSS) on 28 November 2005. On 7 December 2005, president Bashir established the National Judicial Service Commission. The enactment of the National Judicial Service Commission Act, while properly passing through the National

Assembly with the required three readings, bypassed the NCRC. The SPLM has criticised the act, contending that the procedural errors, as well as key aspects of the new law, were not in conformity with the provisions of the INC or the ICSS. The president issued a decree on 24 December 2005, appointing the president and members of the constitutional court, nine of whom are from the south. They were sworn in on 31 December 2005.

Fifth is the setting up of commissions. As was the case with most of the other transitional arrangements, there was considerable delay in the establishment of the commissions and national institutions, as stipulated in the CPA. The process was, however, back on track by the end of October to early November 2005, with the formation and staffing of the Assessment and Evaluation Commission (AEC), the National Petroleum Commission (NPC), the Ceasefire Political Commission (CPC), the Fiscal and Financial Allocation and Motoring Commission (FFAMC), the Technical Ad-hoc Border Committee, and the National Judicial Service Commission (NJSC).

Sixth is the population census. The Central Bureau of Statistics (CBS) has started training programmes and cartographic activities, including mapping of states. This will take at least one year using its existing staff. Several meetings and retreats have been organised by the UN Population Fund (UNFPA), with the participation of all stakeholders, including the United States Census Bureau and France, to expedite the preparatory tasks and to discuss technical issues, including the legal basis for the census, draft policy-making, co-ordination, and implementation structures.

Then there is the issue of return, reintegration, and recovery (RRR). The parties agreed in chapter 1 of the CPA (the Machakos Protocol) that there was a need to formulate a repatriation, resettlement, rehabilitation, reconstruction, and development plan to address the needs of those areas affected by the war. The July 2004 joint Humanitarian Aid Commission/Relief and Rehabilitation Commission (HAC/RRC) policy framework for the return of displaced persons in a post-conflict Sudan recognised the rights of all displaced people in Sudan, and committed the parties to supporting their return, and their right to choose the destination of return. The government counterpart has a leading role in this process.

According to UN Security Council resolution 1590, the UN Mission in Sudan (UNMIS) is to facilitate and co-ordinate, within its capabilities and in its areas of deployment, the voluntary return of refugees and IDPs. In order to carry out this function effectively, UNMIS created the RRR unit. This unit plays a co-ordinating and planning role for the UN, non-governmental organisations (NGOs), and donor return-related activities, and a supporting role for government return-related activities. The 2005 UN work plan based its support for the RRR on a free and informed choice, and the right to choose the destination of return. All programmes of support to reintegration and recovery should be community based, benefiting equally those who left and those who stayed, according to needs. During this return season (2005–6), the RRR unit is supporting the spontaneous return of an estimated 580 000 returnees (IDPs and refugees).

The lack of civil authority in Abyei, however, remains a significant issue. Activities that hinge

on decisions by government civil authority have been prolonged, or sometimes suspended. The restriction on the movement of the UN and NGOs north of Abyei places severe constraints on humanitarian activities, because of the lack of authorities and absence of civil interlocutors. Furthermore, humanitarian assistance to returnees residing in areas within the restricted zone has also been put on hold, as UN agencies and NGOs cannot assess the humanitarian situation or render assistance. The situation is still at an impasse.

The seventh issue is the administration of the national capital in the interim period. A joint ad-hoc committee, composed of ten members representing the NCP and the SPLM, was formed on 18 October 2005 to discuss this issue. The committee was unable to agree on the status of Khartoum, as either a national capital or a northern state, and on the questions of representation in the administration of the national capital, and the establishment of mechanisms to guarantee the rights of non-Muslims in the national capital.

Lastly, representation of Sudanese people in Khartoum's law-enforcement agencies should be inclusive, with recruits accepted from across the country. While southerners and Darfurians make up the majority of non-commissioned officers, the majority of officers are from the north. The involvement of law-enforcement agencies such as the military and police in the conflict poses a major challenge to reform and institutional strengthening. International agencies have to be very careful in addressing police reform. To avoid the danger of strengthening potentially regressive capabilities, and irreversibly undermining the belief in the ability of the police forces to break with the past, the former structure of law-enforcement agencies has to be completely overhauled. Political neutrality of police forces has to be established. Accountability of police officers has to be introduced, monitored, and enforced.

Power-sharing arrangement in Southern Sudan

On 11 September 2005, first vice-president Kiir received the draft ICSS from the 40-member Southern Sudan constitution-drafting committee (SSCDC). The SSCDC was composed of 28 SPLM members, six NCP members, and six representatives of other southern political parties. It worked on a draft prepared by a 14-person SPLM technical committee. On 17 September 2005, the minister of justice formed a committee to examine the draft's compatibility with the INC. The draft constitution was approved by the transitional Southern Sudan legislative assembly at the end of October 2005. On 24 November 2005, the national ministry of justice issued a certificate of ICSS compatibility with the INC. The ICSS was signed into law by the president of the GoSS on 5 December 2005.

Salva Kiir became the president of the GoSS on 11 August 2005, following the death of Dr John Garang. As stipulated in the CPA, the SPLM/A chairman became both the first vice-president nationally, and the president of the GoSS. Riek Machar was appointed vice-president of the GoSS on 19 August 2005.

Pending the adoption of the ICSS, the caretaker GoSS was established on 22 October 2005 and sworn in on 24 October 2005. The SPLM/A consolidated its economic, secu-

rity, and military base by holding on to key ministries, notably cabinet affairs, police and security, legal affairs, finance, information, and regional co-operation. The GoSS line-up reflected a regional balance, with each of the ten states represented at the ministerial level. Nevertheless, the composition of the GoSS was criticised for lacking inclusiveness, as some of the smaller tribes and political parties were not represented. Southern Muslims were also excluded, while only two of the 22 ministerial portfolios were held by women.

After the signing of the Juba Declaration of 8 January 2006 between the SPLM/A and SSDF, Salva Kiir, in his capacity as the president of GoSS and commander-in-chief of the SPLA, issued decrees to facilitate the integration of the SSDF. SSDF commander Paulino Matip became the lieutenant general of the SPLA, and deputy commander-in-chief of the SPLA.

On the legislature of Southern Sudan, on 20 September 2005, GoSS president Kiir issued a decree appointing the transitional Southern Sudan Legislative Assembly (TSSLA). The assembly is composed of 161 members: 110 from the SPLM, 25 from the NCP, 26 from other southern political parties (seven from the Union of Sudan African Parties [USAP], three from the Sudanese African National Union [SANU], four from the United Democratic Salvation Front [UDSF], four from the SSDF, four from the United Democratic Front [UDF], and four from the USAP$_2$).

The assembly convened its first session on 25 September 2005, and elected James Wani Igga of the SPLM/A as speaker and Tor Deng of the NCP as deputy speaker. After the adoption of the ICSS on 5 December 2005, the TSSLA reconstituted itself into the Southern Sudan Legislative Assembly.

On the judiciary of Southern Sudan, the SPLM/A identified Chief Justice Ambrose Ring as president of the Supreme Court of Southern Sudan. The remaining judges nominated to the court were Justice Chan Reec Madut, Justice Attilio Fuad Zolein, Justice Lako Tranquillo Nyombe, Justice Ruben Madol Arol, and Justice Ayak Der Kom.

Wealth-sharing

With the support of Britain, in co-ordination with other donors and the UNDP, six commission preparatory teams (CPTs) were established, including the National Land Commission on 8 November 2005. The CPT for the Land Commission met with UN Food and Agriculture Organisation (FAO) to discuss two drafts for the National Land Commission Act. No further progress has been made to date.

On oil-sharing, shortly after the peace agreement was concluded, it was estimated by the Joint Assessment Mission (JAM) that the GoSS would receive US$1,2 billion in oil transfers as per the CPA, based on the national budget for 2005, though most reports suggested that a lower figure of US$700 million would be realistic. There have, however, reportedly been disagreements between the GoSS and the GNU over boundaries, particularly in the oil-producing areas, as well as reservations about the oil production figures. Partly as a result,

though official figures have not been shared, reports indicate that the oil revenues received by the GoSS in 2005 fell short of the amounts expected. It is currently estimated that the total transfer of oil resources to the GoSS in 2005 will not exceed US$400 million.

Although the Bank of Sudan has confirmed that discussions within the Joint National Transitional Team (JNTT) are ongoing on the issue of existing contracts and compensation, little progress has been made in this area. In accordance with the wealth-sharing agreement, the GoSS was to establish a technical team to review existing contracts within 30 days of signing of the CPA, though there is no provision for renegotiating such contracts. The team has not been established due to staffing constraints within the GoSS, which has reportedly requested the government of Norway to make available technical assistance as provided for in the CPA.

In addition, reports suggest that the GoSS and the NCP are in dispute over the right to sign oil contracts and the status of existing oil contracts. The SPLM/A claims that, prior to the formation the GNU, the minister of energy refused it access to existing oil contracts. The JNTT has since confirmed that data has been collected, but not yet passed to the GoSS because the NPC has not yet been established.

No action has yet been taken on compensation for victims of oil contracts, as provided for in the wealth-sharing agreement. However, the issue has been raised in the context of the south–south dialogue and is included in the dialogue's action points. There are high expectations that the proper functioning of the NPC, established in October 2005, will bring greater transparency to the process of estimating and managing oil revenues.

Despite various statements by politicians and other high-ranking officials, little progress was made with regard to providing clarity on the oil dossier. However, on 27 February 2006, minister of finance al-Zubair announced the creation of an eight-member committee (four NCP and four SPLM) to audit oil revenues. It is at this time unclear whether this committee is in fact an element of CPA implementation, and whether it has the support of the SPLM/A.

The NPC was finally established on 30 October 2005 by presidential decree, and its membership announced in a second decree, on 1 November 2005. At its first meeting, its members agreed to establish a technical commission to look at the oil price, predicted production for 2006, and division of revenues between the GoSS and GNU. The NPC was supposed to have established sub-committees intended to study the details of the commission's internal regulations, but they are yet to be formed. There was no agreement on the rules of procedure, or the mandate and composition of the secretariat for the commission.

The GNU has prepared budget allocations for 2006, with the GNU ministry of finance and national economy preparing a draft for discussion with internal committees, involving the relevant ministries, on topics including expected programming and cost-sharing components for multi-donor trust fund (MDTF) programmes in 2006. The budget included significant allocations to the three disputed areas of Abyei, Southern Kordofan and the Blue Nile State, as well as Darfur. The budget was approved by the National Assembly on

15 December 2005 after five readings. Key elements of the budget were also presented to the international donor community. While donors appreciated the step towards greater transparency, several questions remained with respect to overall GNU allocations beyond the expected MDTF programme, and the transfer of oil and non-oil revenues to the GoSS.

On 22–3 November 2005, the GoSS ministry of finance and economic planning hosted a workshop in Juba, including representatives of the ten states, line ministries, and donors, to clarify the budget process for 2006, and provide an indicative framework to all spending agencies and external financing.

Although the FFAMC was established by presidential decree on 15 November 2005, the chairperson submitted his resignation on 26 February 2006, citing lack of guidance and support. Also, it was noted that the composition of the FFAMC made it difficult for the body to meet (due to the travel requirements of the GoSS participants).

Banking and currency

A 20 November 2005 presidential decree appointed members of the board of directors of the Central Bank of Sudan. On 18 October 2005, the SPLM/A had appointed Elijah Malok Aleng governor of the Southern Sudan Central Bank. The bank underwent restructuring to accommodate a dual (Islamic and conventional) banking system, in accordance with the provisions of the wealth-sharing agreement. In addition, a Bank of Sudan Act was passed in the National Assembly on 25 September 2005, with stronger National Assembly oversight. The wealth-sharing agreement requires that a new currency should be adopted during the interim period.

Armed forces

During the interim period, the SPLA maintains a standing army and equality with the Sudan Alliance Forces (SAF) as part of Sudan National Armed Forces. In addition, a 40 000-strong joint integrated unit (JIU) is to be created of equal numbers from the two armed forces to be deployed in Southern Sudan, the two areas, the national capital, and Abyei. The security arrangement and the existence of two armies during the interim period are the most important guarantees for stability and implementation of the CPA, in addition of course to the good will of the partners, the SPLM and the NCP, and international guarantees.

The disputed areas of Abyei, Southern Kordofan, and Blue Nile State

The Abyei Boundaries Commission (ABC) was mandated to define and demarcate the area of the nine Ngok Dinka chiefdoms transferred to Kordofan in 1905, referred to as the Abyei area. Although the ABC submitted its final report to the presidency on 14 July 2005, its decision is yet to be implemented. Moreover, the executive council is yet to be established, and

civil administration is urgently needed to oversee the area in terms of necessary services, in addition to promoting security and stability.

On 16 August 2005, president Bashir issued a decree declaring the boundaries of Southern Kordofan state to be the previous boundaries of Southern Kordofan province, as defined in the 1974 act of the division of provinces. Western Kordofan and Southern Kordofan have merged in accordance with the decree. The effect of this is that Western Kordofan no longer exists. The boundaries of Blue Nile State remained as before. On 1 November 2005, president Bashir issued a decree appointing deputy governors of Blue Nile State and Southern Kordofan.

Lessons learned

Clearly, the CPA contains all the objectives that the Sudanese people struggled to achieve over the past 22 years. These are significant and real power in the GNU, with significant Southern participation at all levels of government. Indeed, it seems that the SPLM/A presence in Khartoum will not be a token gesture. Competent people have been placed in those ministries and will assert themselves. The security arrangements on the basis of equality and discipline continue to guarantee peace, at least, between the north and south in the interim. Unlike the Addis Ababa agreement, the CPA provides Southern Sudan with its own organic sources of revenue that do not depend on Khartoum. These are 50 per cent of oil revenue; 50 per cent of non-oil central government revenue generated in Southern Sudan; revenue generated by the GoSS by virtue of its taxing power; and international assistance to Southern Sudan, channelled through the Bank of Southern Sudan. The Oslo Donors Conference generated more than US$4 billion in pledges. By agreement, 50 per cent of these pledges shall accrue to Southern Sudan, and the rest to other war-affected areas in the north, such as Nuba Mountains, Southern Blue Nile and Abyei.

The problem of Abyei is even older than that of the south, as it was annexed to Kordofan in 1905, while Southern Sudan was formally amalgamated with the north by the colonial regime only in 1947, and Darfur in 1916. Whereas the CPA grants Abyei the right to self-determination, whereby the people of Abyei will conduct a separate referendum, this will be affected by how the GNU expedites the slow process of resolving the boundary question. There is progress in giving the people of Nuba Mountains and Southern Blue Nile power to run their affairs within a federal political system.

The CPA is clearly a good type of agreement, what is missing is the speedy implementation and translation of the agreement into tangible peace dividends for the war-torn parts of the Sudan. To that end, the first priority is the establishment of institutions of good governance, infrastructure, and the rule of law, including law enforcement agencies, to ensure justice and stability all over Southern Sudan and the three disputed areas. This governance must be inclusive of all ethnic groups in all aspects of politics, power, and the economy, and must be completely transparent in order to fight nepotism and corruption.

The second priority is putting in place physical infrastructure: roads, railway, river transport, telecommunications, and electronic power generation. There has never been a single tarmac road in the south; hence, the concentration of energies will be on the construction of key roads linking the south's ten states. In addition to the roads, the rehabilitation of the Wau–Aweil–Bananus railway and a railway connecting Juba to Mombasa will be crucial. The opening up of River Nile transport is also urgent, because it connects the north with the south and many states benefit from it. Finally, construction of a major dam for hydro-electric generation at Fula rapids or Bedden Falls, south of Juba, is critical for the overall development of Southern Sudan. This transport network will not only link Southern Sudan with Northern Sudan, but Sudan with the greater Horn of Africa and the Great Lakes Area, and thus create a major regional market.

On the economic front, the goal as set out in the context of the CPA, and in conformity with the millennium development goals, is for both the GNU and the GoSS to adopt poverty eradication as the ultimate objective of socio-economic development. To this end, the two need to adopt an economic development vision and programmes that emphasise economic growth through rural development, and for traditional agriculture, transportation that is integrated with agro-industries. The aim is to transform the present traditional subsistence agriculture in Southern Sudan and other areas through technological innovations, and make agriculture the engine of growth. The SPLM's vision is encapsulated in two slogans: 'use the oil revenues to fuel agriculture' and 'take towns to people in the rural areas'. This latter acknowledges that more than 90 per cent of the population of the new Sudan live in rural areas. For any meaningful development to take place, we must have a functioning, viable market, including various financial institutions, and encourage a vibrant market economy. Hence, more development banks are required in the south.

Another priority is the provision of basic social services – such as education, health, sanitation, and clean drinking water – to our people, who have missed a great deal during the 21 years of war. More than a million people have returned to their homes over the past nine months, and some 3 million more IDPs and refugees are expected to return to their homes during the interim period. The governments and the international community have done little to assist in their reintegration.

Another key national goal is for the country to heal, to forgive, to reconcile, and to unite around the CPA and its implementation, so that we face the challenges of the interim period with unified propose, will, and cohesion. This was the spirit of a recent south–south dialogue, a conference of all the southern states involved in the instability of the past few months, which resulted in the Juba Declaration between the SPLA and SSDF on 8 January 2006. The peace, reconciliation, and stability must begin here, where there is an interim SPLM/A administration. The Sudanese should own the CPA, and use it for the purposes of development and the provision of basic services.

Conclusion

It has been indicated that real political participation of the south is seen, for example, in the legislature, central government, and government of Southern Sudan. At the end of six years, southerners will vote in a free and internationally monitored referendum on self-determination, to choose whether to remain in a united Sudan under the one country, two systems arrangement, or opt for an independent Southern Sudan. The real challenge now for Sudan is to make unity attractive to Southern Sudanese, so that they vote for it in the referendum. Hence, both parties, the SPLM and the NCP, together with the international community, should keep peace by ensuring full implementation of the agreement.

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Perspectives from the floor

This section details the deliberations from an interactive session that followed the presentations. The key message from the interactive discussion among the Sudanese delegates was that the signing of the CPA in January 2004 was a milestone in the long road to peace in the Sudan. While the CPA is a direct product of the Naivasha peace process, it must also be seen as an outcome of failed attempts at realising peace in Sudan since the 1970s. Unlike previous attempts, the Naivasha process has led to a durable cessation of hostilities between the north and south. The CPA has also opened a window of opportunity for democratic transition, reconstruction of the nation state on the basis of broad consensus around some key principles of the agreement, and unity for all regions by free will.

For that reason, while excluded in the agreement itself, all major political formations in the Sudan have accepted the agreement with reservations. Yet the current phase of CPA implementation is confronting various challenges. Some are procedural, with regard to the manner in which the agreement was crafted and is being implemented. But there are also more fundamental problems, which have to do with the construction and governance of the post-colonial state of Sudan. Below are key challenges on which there was broad consensus, and the way forward.

The national question and the state in Sudan

The Sudan problem is fundamentally a consequence of a failure by the nation to resolve the national question. As one delegate put it: 'The main cause of differences and struggles that have continued over the last 50 years ... was, and still is, the building of the modern Sudanese state on the basis of recognising and accepting all differences, be they ethnic, religious, or cultural, in a society with a civic democratic system, and equally balanced development for all parts of the country.'

The post-colonial state was constructed without due regard for the sensitive issues of identity that have come to haunt it, with horrible consequences for millions of Sudanese. The pioneers of the modern state assumed that the partisan state imposed would, with the passage of time, be acceptable to all. The state-building project that was begun by colonial authorities was inherited without question, and consolidated by the post-colonial religio-political elite, belonging largely to aristocratic families. The state became even more beleaguered when the Islamists inherited and further consolidated their hold on power in the past two decades. This is at the root of the Sudan problem, the resolution of which any agreement that is signed must lean towards.

While ethnic, religious, and cultural diversity called for delicate handling by the state of its claim to national authority, the tendency was to seek to annul diversity and impose uniformity with the establishment. Successive governments exacerbated the problem by using ill-conceived policies to deal with symptoms of the problem, such as expressed discontent, organised resistance, and political campaigns for democratic transition. These state responses reached extremes under the rule of the National Islamic Front (NIF) and, now, the NCP. They sought to impose unity on the basis of Islam and Arab identities.

At one level, there was social engineering, using humanitarian efforts by which the 'other' was brought into the mainstream. At another, Shari'a law, and even military force, were used to impose this Arab/Moslem identity. Sudanese such as Nubians and the black people of Darfur did convert to Islam, but generally refused to become Arabised. The state set the Arab militia upon these to clamp down on them on ethnic grounds. The paradox is that some of the enthusiastic masterminds behind the government's heavy-handed suppression of dissent in Darfur and Nubia are Africans who believe that they are Arabs, fighting fellow Africans, often from the same tribes, because they opposed government.

The modern state entrenched the inviolability of colonial borders when there was a problem of ethnic groups that straddled borders. The state thus inherited a complex demographic imbalance that would deepen division and tensions at local level. As a result, post-colonial governments sought to suppress opposition from those living on the periphery and along the borders from the onset.

Initially, a unitary state system was imposed without resolving apparent internal cleavages along ethnic and religious lines. Regional federalism would have given greater autonomy to regions, but there was a deep fear in Khartoum that it would either balkanise Sudan, or lead to internecine wars. This partly explains the NCP government's ultra-sensitivity to the notion of self-determination as raised in the south. The irony is that the NCP's conduct with regard to implementing the CPA provides a stronger impetus for secession.

Successive governments pursued consolidation of political authority over the marginal areas, as well as control over natural resources such as oil. The borderline provinces of Nuba Mountains, Western Kordofan, and the Blue Nile, like the entire south, parts of far north, and the east, were starved of investment in social development, infrastructure, and economically productive activities. Instead, oil revenues from oil wells in the south were repatriated to the north for the benefit of the Khartoum regime, while the oil-producing regions remained impoverished and ravaged.

This contributed to the entrenchment of a one-party dictatorship. The regime was built on strict national security laws, a strong military control, and ruthless suppression of difference of opinion. This repressive state extends its influence to remote peripheries and difficult terrains by organising militia as proxy forces. The political system penetrates the economy and business environment, as well as civil society. The state takes a direct interest in the economy, and regularly intervenes to secure its interest. This has given rise to an economic environment that is not conducive to equitable distribution of economic oppor-

tunities. The result is that the ruling elite have entrenched themselves in all institutions, including the civil service.

The war in the Sudan was, therefore, a conflict between the prosperous power-wielding centre in Khartoum and the impoverished, disempowered peripheries. The gory north–south confrontation was only a manifestation of a deeper economic malaise and political distortion in Sudan. It is a dominant view that the CPA is absolutely crucial to putting an end to the horrendous military confrontation which has claimed millions of lives already, and it lays the basis for extending its privileges and principles to other parts of Sudan. To achieve this, Sudan would require a discourse on deeper issues confronting the entire state and its economy.

The crisis in the Sudan also is also an outcome of underdevelopment and unequal development in various geographical regions. Socio-economic decline, deepening poverty, high unemployment, lack of basic service delivery, lack of incentives to small-scale producers and farmers, and broad social exclusion have spurred communities on the margins of the oil-rich Sudan to raise their voices or take up arms against Khartoum. All regions have suffered from neglect and underdevelopment. Today, 90 per cent of the Sudanese people live below the poverty line. Marginalisation has bred a feeling of victimisation, and deep suspicion of the intentions and motives of the central government's every single move.

Narrow peace-making efforts

The Dar-es-Salaam gathering also heard that peace initiatives since the colonial period have perpetuated a misconception that the conflict in Sudan was between a monolithic north, led by the Islamist government, and the largely Christian south. This assumption hangs on a belief that the NCP duly represents northern interests and the SPLM/A controls the south. This over-simplifies a complex problem of cultural, ethnic, and political diversity in both the south and north. It also legitimises the imposed political order inherited from decades of dictatorship and unequal development. The problem of marginalisation is actually a national problem. It emerged from the discussion that even Khartoum and its environs exhibit deep socio-economic decline, marked by high poverty, high morbidity, social exclusion, and poor social and physical infrastructure.

The NCP, which controls the Khartoum government, seeks to preserve the status quo and often prefers a no-peace-no-war situation. Naturally, it fears losing the advantage of incumbency in an unpredictable transitional process. A key strategy for the regime in Khartoum is engaging each conflict situation separately. An enduring problem in the mortuary of peace initiatives in the Sudan is the tendency for government, under external pressure, to seek agreement with immediate protagonists at the expense of the broader dynamics of the conflict. Following the signing of the CPA, the government concentrated on peace talks with the Darfurian armed groups, the Sudan Liberation Army, and the Justice and Equality Movement, on the one hand, and the Beja Congress in the east, on the other. This assumes that these groups adequately represent the regional dynamics/interests at play in the con-

flicts. Consequently, agreements that emerge from these bilaterals, as with the CPA, will have the hallmarks of horse-trading between negotiating parties. These, too, might lead to the cessation of hostilities, but will not resolve the crisis.

By excluding other key players in the crisis, these agreements fail to find comprehensive solutions to the problems. Although unarmed opposition parties are ignored, they are expected to legitimise bilateral agreements as national breakthroughs. The problem with this is that it encourages disgruntled communities to take up arms to have their problems heard. Discontented Darfurians took up arms and formed armed groups to force Khartoum to give them a similar deal to the one the SPLM/A got in the Naivasha process. The signing of the CPA has contributed to a simmering conflict in the east and far north, as these communities also seek to extract concessions from government.

So the major flaw of the CPA is that, signed as it is between two parties, it is not an inclusive agreement. Although it embodies noble principles applicable in other parts of the country, it is primarily about the obligations of the northern government towards the south. Provisions on areas such as Abyei and Nuba Mountains, and the status of the Khartoum as the capital city, fit within that bill.

Therefore, the CPA will not address the fundamental challenge of bringing about an equitable sharing of wealth and power, and security for all Sudanese. In the Naivasha negotiations, the parties lost focus of the need to ensure equity and justice for all, rather than hope that the GNU would be sufficiently broad and legitimate to extend these dividends of peace to all. To date, the GNU has failed to congeal into a unit and neutralise the ubiquitous Islamist agenda of the Bashir regime. Hence, the former regime and the institutions it used to keep dictatorship intact remain entrenched in spite of the existence of the GNU. The regime's erstwhile tricks continue to manifest in the manner in which the Darfur crisis is being handled.

The reality of the matter is that, flawed as it is, the CPA is expected to force the incumbent government to work towards dismantling a system of state and economy that it established. There is no evidence that Khartoum has realised that the one-party system it created needs to be eradicated. To date the CPA has not led to state reforms, and the state remains entrenched in a plethora of national security laws, and the dominance of the NCP elements in all formal institutions. Legal statutes have not been and are unlikely to be repealed. Power-sharing was deliberately undermined when positions to be given to SPLM/A were stripped of their original mandate before this process began. Some commissions have not been established, electoral laws have not been promulgated, the integration of armed forces has not begun, and the state military remains engaged in suppressing dissent and imposing the status quo in Darfur and the east. Importantly, there is no demonstrable political will, especially on the part of the NCP, to implement the agreement, nor is there a common understanding of the spirit of the CPA between the signatories.

Peace agreement, but conflict continues

The inadequacy of the current approach to conflict resolution is made apparent by the Darfur crisis. The disgruntled and marginalised communities in western Darfur have for some time been targets of the government-supported militia, commonly known as the *Janjaweed*. When armed groups such as the Sudanese Liberation Army and the Justice and Equality Movement emerged, these tensions catapulted into a full-scale conflict, with dire humanitarian consequences for Darfurians. Like the simmering conflict in the east and far north, the Darfur crisis is a consequence of marginalisation and increased competition for scarce resources at the local level, which accentuated age-old tribal conflicts. These local conflicts have been accentuated by political contests among interest groups using militias as proxy forces to further their own agendas.

At another level, these conflicts manifest problems which are the result of cross-border spillage. The volatility of the domestic political and security situation in Chad, northern Uganda, and Eritrea, as well as the existence of cross-border ethnic groups, have complicated these conflicts. For example, Chad and Eritrea have been accused by Sudan of harbouring armed groups, and vice versa. The rebel onslaught on Chad has intensified as armed conflict in Darfur deepened, resulting in the two countries severing diplomatic ties completely. Relations with Eritrea are already hostile, while the LRA, escaping intensified crackdown by the Ugandan defence force, has moved into south Sudan, killing and maiming civilians and engaging SPLM/A forces militarily. These conflicts have thus acquired a regional dimension.

In the words of one prominent delegate:

> In order to understand the dynamics of the Darfur crisis, we have to investigate and comprehend the role of all the political parties. The successful implementation of the peace agreement in Darfur is dependant on the political will of the conflicting parties to reach a compromise. Without a solution in Darfur, the implementation of the CPA will be side-tracked. Therefore, it is in the interest of the SPLM and NCP to ensure that peace is secured in Darfur.

Resolving what has become a national crisis in Sudan will require a comprehensive approach. A delegate articulated this in the following words:

If you had fire in three rooms, you do not put out fire in one room and tell yourself fire is put out. The mistakes that have been made in the past should not be repeated, and the crisis in Darfur should not be treated in isolation. We need to start addressing these differences in a holistic manner, otherwise we will continue putting out fires in different regions while others wait to explode.

Consensus was built around the concept of an all-inclusive inter-Sudanese dialogue. However, the CPA and other bilateral peace deals to come are unlikely to bring that about.

CPA implementation

There was consensus that the CPA was remarkable in many ways, in that it brought an end to Africa's longest war and that it laid the basis for a national democratic transition. Although signed by two parties, it is widely accepted by Sudanese parties and the international community as legitimate and solid. Parties also believe that it is comprehensive on specific issues identified as terms of agreement, the core values, and the principles on which a new administration should be based. Delegates argued that the jubilation of millions on the streets of Sudan after its signing indicates the fact that a large segment of the population on both sides welcomed it.

Delegates also noted progress made in the implementation of the agreement, such as the establishment of the GNU itself and the first-ever government of Southern Sudan, both on the basis of a consensus constitution, wealth-sharing arrangements, and commissions that facilitate implementation of specific terms of agreement. After the death of Garang, implementation almost completely stopped. Differences between the signatories on the interpretation of the deal, and how it was to be implemented, began to surface. The NCP element that dominates the power-sharing government began to retreat tactically from its commitments, and slowed down the implementation process. Delegates suggested that this ensured that a political climate conducive for CPA implementation did not exist.

In some cases there were reversals, such as the stripping of certain ministries destined for the SPLM/A of their original mandate, and the centralisation of key national priorities in the office of the president. The delegates at the round table thought the post-Garang events in Sudan demonstrated that the NCP government had not negotiated in good faith. It seems the ruling party had expected the SPLM/A to disintegrate, or at least be considerably distracted by succession battles, and thus allow the NCP ample space to manipulate the process. Although this did not happen, the NCP still continued to undermine the agreement it had signed under duress. Since Garang's death, the NCP has orchestrated a gradual retreat from the spirit of the CPA. It wants to renegotiate issues of demarcation of the border between south and north, and the status of Abyei, South Kordofan, and Nuba Mountains. It is questionable if there is sufficient political will to implement the agreement.

The NCP retorts negatively to concerns of the SPLM/A about delays in the implementation of certain elements of the agreement, such as establishment of commissions, the integration of armed forces, and elevating Khartoum into a truly national capital. As one delegate explained, 'The National Congress seeks only to keep the basis of its regime that was built before the agreement, especially in the fields of the economy, politics, and security.' It seeks to maintain the status quo, and resist democratic transformation even in the appointment of judicial officers, advocates, leaders of farmer associations, heads of parastatal institutions, and even some independent organisations. The NCP is selectively implementing elements of the agreement that entrench its hold on power. Hence, until a process is put in place that will address the fundamental problem of the nature of the Sudan state, peace will not be achieved.

Delegates raised concerns about the role of the SPLM/A in the government and the CPA implementation process as well. It was noted that the party maintained its 'hawks' in the south and sent the 'doves' to Khartoum. This was ascribed to lack of faith by the Salva Kiir leadership in the utility of participation in the NCP-dominated central government. It is seen also as a 'strategic retreat' from the driving role it inherited from the CPA, because it doubts its impact on CPA implementation, given power arrangements skewed in favour of the NCP. The SPLM/A leadership is wary not to give too much legitimacy to an internationally beleaguered government. It wants to keep the secession option alive as the NCP fails to make unity attractive. The SPLM/A is working hard to consolidate the GoSS, moving fast to establish and expand its administrative reach, with technical assistance from countries such as South Africa. The post-Garang SPLM/A leadership appears to be waiting for the referendum to drive a vote for secession of the south.

The Abuja talks and the Cairo process have stalled, partly because those driving them have insisted on using the CPA framework, including the unfair distribution formula that emerged from the process. Unless that redistribution takes place, none of these initiatives will yield the desired results.

What should be done?

There needs to be an understanding that all stakeholders have played a part in bringing Sudan to its knees; hence, they all should play a significant role in preserving and improving on current achievements, such as the CPA. The delegates felt that Sudanese parties need to do some introspection in the process, so that none see themselves as being victims or victors. In spite of all the weakness, the Sudanese must not undo the effort put into bringing an end to the war and the signing of the CPA. Rather, they should consolidate the achievements. As one delegate put it, 'We should not see the CPA as an end but, rather, as a roadmap towards peace.' There are two ways in which the spirit and letter of the CPA could be reinforced: one is to ensure a speedy and faithful implementation, and the other is to make the CPA truly comprehensive.

The overwhelming view was that there is a need to make the CPA comprehensive and inclusive by giving all stakeholders a part in the national process of transition towards a peaceful, united, and democratic Sudan. The delegates noted the need to strengthen security through the speedy integration of armed forces, disarmament of militia, and deployment of external peacekeepers.

The delegates called for a national dialogue involving all known organised political groups, civil society organisations, and traditional and religious formations. This would build synergy between CPA and the fronts of peace negotiations currently in place: Abuja and Cairo. Such a national dialogue would address all major areas of conflict by concentrating on cross-cutting issues such as resolving the national question; identity and religion; equitable distribution of wealth, power, and development; conflict resolution; and the nature of a future state and government. There was also a convergence of views on the need for a federal government with a strong but benevolent centre to hold the regional autonomies together. Such a dialogue, it was pointed out, should lead to economic and political reform; eradication of corruption and nepotism, an end to unilateralism, the rehabilitation of Sudan's international image, and produce a pro-poor government.

Delegates recommended that to make this dialogue truly national, the Sudanese needed to convene regional fora such as south–south, north–north, Darfur–Darfur and east–east dialogues. These would discuss in detail the problems specific to the regions, and consolidate common positions on the national process. It was felt that these fora would assist in healing the ravages of war, conflict, and divisions, and build mutual trust. There was a view, also, that there should also be, at the same time, inter-faith dialogue, as well as discussion among women's and children's interest groups. Women, they pointed out, took the lead on both sides of the conflict, and had the potential to make an impact on national dialogue in

search of justice, equity, and democracy. Civil society formations would need to play an objective role in all these dialogues.

Regarding the implementation of the CPA, the general view, reiterated time and again, was that it is a major step towards democratic transformation. Hence, it was mentioned that the progress made towards its implementation should not be underestimated. Discrepancies in power-sharing were attributed to the lack of a basis for distributing power among existing political formations. This would be resolved by the results of a free and fair general election. Delegates expressed hope that the evaluation process currently in motion would help stakeholders identify problem areas.

The round table discussion also called for stronger monitoring of the implementation of the CPA by all stakeholders. Sudanese parties were urged to ensure that there is no regress, and that parties implement both the letter and the spirit of the agreement. In addition, stakeholders must watch carefully how commissions are set up, how appointments are made, and what mandates are given. The matter of the integration of the armed forces and the dismantling of the security apparatus of the repressive state was highlighted as key to the implementation of the CPA. The stakeholders felt that they could also form an organised force that would prevail upon the international community to keep a close watch on the implementation of the CPA, as well as monitor the Darfur peace process.

Sudan is going to need a catharsis of some kind, given the injustice and violence that has taken place. The national dialogue should mark the beginning of reconciliation. But given decades of mismanagement of political dissent, social neglect, and marginalisation, Sudan would need a truth and reconciliation commission to lead towards restorative justice. It would be important, also, to ensure a smooth return of the refugees and IDPs, as well as the restoration of those deposed from their positions in the civil service and other state institutions for their political positions.

These sentiments were embodied in a declaration written and adopted at the end of the round table, and reproduced here.

The Dar-es-Salaam Declaration on the transition in the Sudan

1. The meeting of representatives of Sudanese political parties, civil society organisations, and academia held in Dar-es-Salaam, Tanzania, at the invitation of the Institute for Global Dialogue, South Africa, deliberated over three days (27–9 March) on challenges facing the transition in the Sudan. The round table conference witnessed very lively discussions on all challenges facing Sudan in the present conflict situation, and the need for agreement through a national discourse on the peaceful resolution of all conflicts.

2. The conference noted that the Comprehensive Peace Agreement (hereafter CPA), as an instrument for the resolution of the north/south conflict, was a great achievement which enjoys nation-wide support. Its quick and full implementation must be geared towards delivering peace dividends to the citizens immediately. All difficulties impeding full implementation must be removed, and relations between the SPLA and NCP need to be streamlined.

3. The CPA was, however, neither conceived nor designed to solve all Sudan conflicts. Each conflict has its own dynamics and particularities and, therefore, its own solution. At the moment Sudan is facing conflict and challenges in many areas, such as the war in Darfur, imminent threats in Eastern Sudan, and the urgent need for an all-inclusive national agreement for accelerating democratic transformation. None of these objectives can be achieved without a national all-inclusive dialogue that will lead to a full agreement on the resolution on these conflicts. The conference, therefore, calls on all social and political forces in Sudan to enter immediately into direct all-inclusive dialogue to reach a national consensus on a road map for settling all these conflicts.

4. Darfur presents at the moment the most urgent problem that needs to be addressed forthwith. It is a human tragedy that has now acquired serious regional and international dimensions. It is a political crisis that needs a political, and not a military solution. The only way to achieve this is direct and meaningful negotiations. All Sudanese, in general, and Darfur citizens, in particular, must be fully engaged in the search for peace. To this end, negotiations need a conducive environment. We therefore call on all parties to the conflict to agree on an immediate and binding ceasefire, with full commitment and under robust monitoring. Furthermore, it is necessary to hold an all-inclusive 'All Darfur' conference, preceded by dialogue at the grass roots level, to reach agreement among stakeholders on the details of a peaceful resolution of the conflict, including reconciliation, compensation, and accountability. Equally, the conference urges the government to enter immediately into direct and meaning-

ful negotiations with Eastern Sudan armed movements to reach an agreement to solve this conflict, preceded by an all-inclusive east-east dialogue.

5. Further, the conference appeals to all the parties to the Abuja peace process to show more flexibility, to forestall any international interference.

6. There is a need to set up an all-inclusive national co-ordinating mechanism/forum to co-ordinate the different peace processes taking place, and agreements reached, to settle the different conflicts in the Sudan.

7. With regard to democratic transformation, the conference stressed the need for full commitment to the guidelines of inclusiveness in the CPA, and calls on the parties to that agreement to avoid a narrow interpretation of the agreement that aborts the idea of real transition in Sudan. Furthermore, all laws that curtail freedoms and restrict rights, and which are incompatible with the interim national constitution, must immediately be repealed to ensure smooth transition to a fully participatory society.

8. With regard to the security situation, the conference urges the signatories to the CPA to speed up the disarmament, demobilisation, and reintegration process, and eliminate the threat posed by the militia and other armed groups reeking havoc in the Sudan. The meeting took note of the negative impact of foreign armed groups, such as the LRA, on the security situation, and urged the central government and government of Southern Sudan to ensure forthwith the removal of this threat from Sudan.

9. The conference further stresses the need for accelerated economic development and reconstruction nation-wide, with positive discrimination to the benefit of less developed areas, so as to deliver the dividends of peace to the grass roots.

10. The conference calls on the joint committee recently formed by the presidency of the republic to unblock the deadlock over Abyei to accelerate resolution of that issue. The conference urges all responsible to expedite the work of the presidential committee formed to settle the issue of those dismissed from the civil service for political reasons.

11. Noting the importance of free and fair elections, the conference stressed the need for an independent electoral commission and fair electoral laws – written after full consultation with all stakeholders – to ensure impartial preparations for election, the management of the census, and the conduct of credible elections.

Unanimously adopted by delegates of parties and groups present on 29 March 2006, Dar-es-Salaam, Tanzania

بسم الله الرحمن الرحيم

معهد الحوار العالمي
مؤتمر المائدة المستديرة حول المرحلة الإنتقالية في السودان
إعلان دار السلام (تنزانيا)
29 مارس 2006م

1- بدعوة كريمة من معهد الحوار العالمي (جنوب أفريقيا) وبمدينة دار
السلام (تنزانيا) إلتقى نحو من ثلاثين شخصاً من النساء والرجال يمثلون
أحزاب ومنظمات مجتمع مدني وأكاديميين في السودان، وعلى مدى ثلاث
أيام (27-29 مارس) تداولوا في التحديات التي تواجه عملية التحول في
السودان. لقد شهد المؤتمر مناقشات غاية في الحيوية تناولت كل التحديات
التي تواجه السودان وأوضاعه المتأزمة في الوقت الراهن، كما تناولت
حاجة السودان إلى الإتفاق إلي تيار قوى من أجل الوصول إلي حل سلمي لكل
الأزمات .

2- لقد لاحظ المؤتمر بتقدير عميق أن إتفاق السلام الشامل (CPA) كآلية
حل الأزمة بين الشمال والجنوب كان إنجازاً عظيماً توفرت له مساندة
واسعة من الأمة السودانية لذا فإن تطبيقه العاجل والكامل يجب أن يكون
من أجل إيصال ثمرات السلام إلي المواطنين مباشرة . وهكذا فيما يجب أن
يعمل الجميع لإزالة الصعوبات التي تعترض التطبيق فإن توثيق العلاقة بين
الشريكين أصبحت حاجة ملحة .

3- إن إتفاق السلام الشامل لم يكن مصمماً أو مخططاً له أن يحل كل
أزمات السودان، إذ أن كل أزمة لها تعقيداتها وخصوصياتها وبالتالي لها
العلاج الخاص بها . على ذلك فإن الوقت الراهن يشهد أن السودان يواجه
أزمات وتحديات في مناطق متعددة، كالحرب التي تدور رحاها في دارفور،
والتهديدات الماثلة في شرق السودان، هذا عدا الحاجة الماسة إلي إتفاق
قومي تتراضى عليه الأطراف للتعجيل بالتحول الديمقراطي . لقد تأكد
للمؤتمر أن هذه الأزمات لايمكن حلها دون حوار قومي يشمل الجميع
ويقود إلي أتفاق واضح لحل هذه الأزمات وتأسيساً على ذلك فإن المؤتمر
يطلق نداءه لكل القوى الإجتماعية والسياسية في السودان للدخول وعلى
وجه السرعة في حوار مباشر يبلغ بالجميع إلي إجماع قومي حول خارطة
طريق يتجاوز بها السودان أزماته كلها .

4- من بين كل الأزمات فإن أزمة دارفور تعتبر وفي هذه اللحظة هي
المشكلة الأكثر إلحاحاً وتحتاج إلي مخاطبة عاجلة . إنها حقاً مأساة إنسانية
أكتسبت الآن أبعاداً إقليمية ودولية خطيرة، وهي في المقام الاول أزمة
سياسية تحتاج حلاً سياسياً، لا حلاً عسكرياً كما ظل سائداً . إن الطريق

الوحيد لإنجاز ذلك هي المفاوضات المباشرة ذات المعنى وعلى ذلك يصير واجباً على السودانيين عامة ومواطني دارفور خاصة أن يعملوا على إحلال السلام في الإقليم بما يوفر البيئة المواتية لإنجاح المفاوضات . من هنا يطلق المؤتمر نداءاً لكل أطراف النزاع للإتفاق على وقف العدائيات على نحو عاجل وملزم، تتعهد الأطراف بإحترامه تحت مراقبة محكمة، ودفعاً في هذا الإتجاه فإنه من الضروري عقد مؤتمر "كل أهل دارفور" يشمل كل الاطراف ويمهد له بحوارات في القواعد الشعبية، بلوغاً إلي إتفاق بالجميع حول تفاصيل الحل السلمي للنزاع يشمل المصالحة، التعويض والمحاسبة . على ذات القدر من الإهتمام فإن المؤتمر يحث حكومة الوحدة الوطنية وعلى وجه السرعة للدخول في مفاوضات مباشرة وذات جدوى مع الحركات المسلحة في شرق السودان وصولاً إلي إتفاق يحل النزاع ممهد له بحوار شرق/شرق يضم كل الأطراف المعنية .

5-أيضاً يناشد المؤتمر كل أطراف عملية السلام في أبوجا للتمتع بدرجة أعلى من المرونة تجنباً للبلاد مخاطر أي تدخل دولي متوقع .

6-برزت أمام المؤتمر الحاجة إلي منبر وآلية قومية جامعة لتنسيق عمليات السلام المختلفة الجارية أو تلك التي وصلت إلي إتفاقات لتسوية التزاعات في السودان نهائياً .

7-بالنسبة للتحول الديمقرطي، فإن المؤتمر يؤكد على الحاجة إلي الإلتزام الكامل بمفهوم الإجماع الوارد في موجهات إتفاق السلام الشامل ويدعو أطراف الإتفاق لتفادي أي تفسير ضيق للإتفاق قد يؤدي إلي إجهاض فكرة التحول الحقيقي في السودان، كما يطالب المؤتمر بإلغاء كل القوانين التي تحجر الحريات أو تقيد الحقوق أو تلك التي لاتنوافق مع الدستور الإنتقالي

8- بالنظر للوضع الأمني فإن المؤتمر يستعجل أطراف الإتفاق الشامل للتعجيل بعمليات نزع السلاح وإزالة أسباب الخوف التي فرضتها المليشيات والمجموعات المسلحة الأخرى والتي ظلت تثير الرعب في السودان . في المقابل أخذ المؤتمر علماً بالآثار السالبة على الوضع الأمني والتي تسببها مجموعات أجنبية مسلحة مثل جيش الرب، وعليه يحث المؤتمر حكومة الوحدة الوطنية وحكومة جنوب السودان على العمل لإبعادهم وإزالة هذا التهديد الماثل .

9-كما يؤكد الحاجة إلي التسريع بالتنمية الإقتصادية وإعادة التعمير على الصعيد القومي مع كفالة التمييز الإيجابي لصالح المناطق الأقل نمواً بإيصال ثمرات السلام إلي القاعدة الشعبية العريضة .

10- يدعو المؤتمر اللجنة المشتركة حديثة التكوين بقرار من رئاسة الجمهورية لحل أزمة أبيي للإسراع في حل هذه المشكلة . كما يدعو المؤتمر كل المعنيين لدفع عمل اللجنة الرئاسية التي تكونت لتسوية أوضاع المفصولين تعسفياً من الخدمة المدنية لأسباب سياسية .

11-مع التأكد على أهمية إنتخابات حرة ونزيهة، فإن المؤتمر يبرز الحاجة إلي مفوضية إنتخابات مستقلة، تعمل وفق قوانين عادلة، تعد بعناية بعد التشاور مع كل الأطراف المعنية، وذلك لضمان حيدة الإستعدادات للإنتخابات، وإدارة الإحصاء، وممارسة الإنتخابات بنزاهة .

List of participants

1	Prof Abednego Akok Kacuol	Juba University
2	Mahgoub Mohammed Salih	Editor of *Al-ayam* daily newspaper, Khartoum
3	Maryam Abdel Rahman Abdalla	Darfur Women Representative
4	Muhamed Eldoma Mater	Chairman of Darfur Lawyers
5	Badria Suliman	Member of parliament, Women's Union
6	Joshua Dau Diu	New Union of Sudan Africa Party, Juba
7	Dr Abdelnabi Ali Ahmed	Secretary-general, Umma Party
8	Abdalla Adam Khatir Imam	Journalist and publisher
9	Farouk Kadouda	Sudanese Communist Party
10	Gen Ibrahim Suliman Hassan	President, Darfur Forum for Peaceful Coexistence. Former governor of Northern Darfur
11	Ismail Suliman Saeed	Communist Party
12	Taj Mohammed Osman Salih	UNP and business
13	Yahia Mohamed Elhassin	Member of parliament for Baath Party
14	Mohamed Yahiya Mohamed	Khartoum University Students Union
15	Ali Elsheikh	Business representative in the energy sector
16	Sayed El-Khatib	NCP negotiator at CPA
17	Hisham Omer	Independent intellectual
18	Kamal Hamad Bolad	Baath Party
19	Fath Rahman Shilla	Vice-secretary-general of DUP
20	Gotbi Elmahdi Ahmed Elsanosi	Former presidential advisor and MP for NCP
21	Mohamed Ibrahim Izza	National Forum for Peace and Development (Darfur)
22	Hassan A Hilal	Businessman and member of DUP Politburo
23	Rev Peter Tibi	New Sudan Council of Churches
24	Philister Baya Lawiri	Southern Sudan women's group
25	Dr Bashir Adam Rahma	Secretary of political bureau, Popular Congress Party
26	Azhari Ibrahim	Sudan embassy in Nairobi
27	Neimat M Bilal	Sudan embassy in Nairobi
28	Somia Sayed	*Alai Alaam* newspaper
29	Prof Elamin Hamouda Dabib	Sudan National Party/University of Khartoum
30	Ali Mahmoud Hassanein	Vice-president of the DUP and MP
31	Magoub ElZubeir	Sudan Trade Union Federation
32	Susan Jambo	Network of Southern Indigenous NGOs
33	HE Bona Malwal	Sudan presidential advisor
34	HE Sindiso G Mfenyana	SA high commissioner to Tanzania

35	HE Ali Omer	Sudanese ambassador to Tanzania
36	Prof Hugh Africa	Board member, IGD
37	Che Ajulu	Researcher, IGD
38	Dr Timothy Othieno	Senior researcher, IGD
39	Dr Siphamandla Zondi	Programme director, IGD