

Could peace unravel?

by Suliman Baldo

If the international community does not confront the hard issues – ending ruling party support for its proxy southern militias, challenging corruption, fostering democracy and broadening participation and transparency (particularly in relation to oil revenues) – Sudan's respite from war may be short-lived.

Like most negotiated agreements, the Comprehensive Peace Agree-

ment (CPA) included something for everyone but left all parties short of their full goals. The deal was predicated on extensive sharing of power, wealth and security arrangements and established an asymmetrical federal system, with the Government of Southern Sudan (GoSS) existing as a buffer between the central government and southern states but no parallel regional government in the North.

Although the CPA is detailed and comprehensive, it reflects the direct interests of only the Sudan's People Liberation Movement/Army (SPLM) and the ruling National Congress Party (NCP). The exclusion of the many other groups on the periphery threatens the long-term viability of the agreement. The NCP and the SPLM – long-time sworn enemies – have become strange bedfellows who must work together on imple-

mentation at the expense of former allies left on the outside.

The peace deal poses a real threat to many groups associated with the NCP regime which signed the CPA under some duress both to deflect international pressure over Darfur and to strengthen its domestic power base by securing a partnership with the SPLM. Most NCP members recognise that the free and fair elections required by the CPA in 2009 would probably remove them from power. Many also fear that the self-determination referendum will produce an independent South, thus costing Khartoum much of its control over oil and other southern natural and mineral resources. There are signs the NCP seeks to undercut implementation through its use of the South Sudan Defence Forces (SSDF) militia, bribery and divide-and-rule tactics. It actively encourages hostility between southern groups, with the hope that intra-south fighting will prove sufficiently destabilising for the referendum to be postponed indefinitely without its being blamed.

These tactics are likely to intensify if pressure over Darfur diminishes and the African Union-sponsored talks in Abuja remain stalled due to divisions between the two main rebel movements. Regime policies towards Darfur have not changed, despite foreign disapproval. The architects of ethnic cleansing retain significant power in the new government of national unity, which thus far remains unwilling to take the military and political steps needed to resolve the conflict: neutralising the Janjaweed militias and establishing genuine power and wealth sharing between Darfur and Khartoum.

In preparation for the SPLM's arrival in Khartoum, NCP leaders prepared multiple incentives. An NCP leader told the International Crisis Group (ICG): "They have new cars and houses set aside to offer. Each strong SPLM figure will be assigned a deputy from the government security services to watch over them." Members of the first SPLM delegation to reach the capital joked that they would be 'subsidised' upon arrival. This is what was done with many southern politicians during the peaceful interlude of 1972-1983 that was ushered in by the Addis Ababa

Agreement and what has been done to weaken other opposition groups since the present leaders took power in 1989. The NCP's intransigence during the negotiations for the establishment of the Government of National Unity and its appointment of known hardliners to key security and economic ministries and as advisors to the president indicated its determination to retain control. Realising the consequences of being outmanoeuvred, the mood among the SPLM and the northern opposition was gloomy as the long-awaited implementation of the CPA got underway.

John Garang survived numerous challenges and splits to hold the SPLM together, only to find a tragic death in a helicopter crash three weeks into the implementation of the CPA. The peace negotiations were conducted by a select group around Garang, creating resentment among those excluded. Salva Kiir, new President of South Sudan, had a high-profile clash with Garang in November to December 2004 over the lack of transparency and consultation in decision making. Remaking the SPLM into an open, transparent body inclusive in its decision making was an important challenge Garang had just begun to deal with; it is more critical than ever now that he is gone. It is now less likely to be able to make a major contribution towards resolving the war and humanitarian catastrophe in Darfur or the simmering problems of eastern Sudan. The odds of southern secession have increased.

If the SPLM is to do its part in preventing an eventual breakdown of the CPA and return to war, it must make fundamental shifts in the way it operates. It has struggled, however, in its transition from a rebel movement to a political party. Its lack of inclusiveness and transparent decision making has mirrored in some ways its long-time foe's approach to governance. It is far behind its timetable for converting its guerrillas into a new army and has made little progress in creating institutional structures of governance and changing overly centralised methods of taking decisions, weaknesses that have been compounded by lack of money. There is growing frustration as early expectations of the peace have not been met.

Increased public and diplomatic support for the peace agreement and particularly the SPLM is needed at this difficult time. The troika partners, the USA, UK and Norway, have a particular responsibility. More must be done to ensure that hard-line elements in Khartoum opposed to the CPA do not exploit Garang's death to back away from its strict implementation. The UN Security Council must react quickly to any violations of the CPA's timetable in order to keep the parties on course

Recent deals signed by the SPLM to develop oil concessions in the South violate the CPA, have generated considerable criticism both from the government and within the SPLM itself, and should be scrapped. Given that Khartoum's approach to oil has long been even more problematic, it is urgent to review all contracts signed in the past year. Worryingly, the CPA has no mechanism for rapidly resolving disputes that have arisen over North-South boundaries in the oil areas, risking further delay in much needed disbursement of oil revenue to the GoSS.

Key recommendations made by the ICG are that:

- The NCP must end all support to SSDF members who have not been integrated into the Sudan Armed Forces.
- IGAD, the US and the UK should establish a commission, similar to the Abyei Boundary Commission, to determine the North-South borders in the oil-producing areas.
- The international community should provide technical expertise to assist the SPLA transition from a guerrilla force to a professional army.
- Churches, women's organisations and other civil society groups need enhanced capacity to promote South-South dialogue.
- UNMIS should provide a peace-keeping force in the South with sufficient rapid response capacity to protect civilians and respond to outbreaks of violence, particularly offensive actions by rogue militias.
- The SPLM should address transparency and accountability in the new GoSS by establishing an anti-corruption commission, creating a post of auditor general, requiring ministers to declare assets

and developing an enforceable code of conduct for civil servants.

- More women must be included in all government bodies and commissions.

Even if implementation moves forward, Sudan is likely to remain

unstable for the foreseeable future given the problems in Darfur and elsewhere that have no easy answers. With the CPA, the people of Sudan have taken a small but important step towards turning the country around but the road ahead is far from certain.

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For further information, see ICG Sudan reports at: www.crisisgroup.org/home/index.cfm?id=1230&l=1