The New Sudan

Nobody articulated the SPLM’s vision of a transformed Sudan – the ‘New Sudan’ – with more conviction than the late Dr John Garang. The SPLM’s national ambitions are reflected in the Power Sharing protocol. The Chairman of the SPLM is also First Vice-President of the Sudan, and SPLM officials will be appointed to about one third of all ministerial posts when the Government of National Unity is formed. Moreover, the composition of the national civil service will be reformed to make it more reflective of the nation as a whole. The CPA also paves the way for the SPLM to establish itself as a political force to be reckoned with in northern Sudan. Until elections are held after about three years, SPLM members will hold 10% of the seats in state legislatures in the northern states, giving the movement a flying start in establishing itself as a national movement.

The sudden death of Dr Garang has led many observers to wonder if the SPLM will downplay its national aspirations in favour of preparing for full independence in six years. The new Chairman, Salva Kiir, does not have the same history of articulating a national agenda (despite his inaugural speech in which he rebuffed suggestions that he was in favour of independence) and the new deputy chairman, Riek Machar, came to the fore in 1991 when he sought to oust Garang in part because the latter did not favour secession. The commitment – or not – of the SPLM leadership to a national agenda will have important consequences for the implementation of the power-sharing arrangements. Another dimension of this question is how the SPLM will relate to the established political parties in northern Sudan. Since there is little reason to believe that the SPLM will lose its predominant position in the political landscape of southern Sudan, it seems a fair guess that any political alliance that the SPLM chooses to enter will become the predominant political force in the country. This explains why so many suitors from the full spectrum of the Sudanese political landscape wooed Dr Garang. Salva Kiir has inherited the role of potential kingmaker but may not want to invest much time in politics at the national level.

Implementing the CPA is also a question of capacity. The difference between North and South is stark. In the North, existing capacity can be enhanced; in the South, systems must be built almost from scratch. The financial sector is a good example. There are banks in most commercial centres in northern Sudan and the banking system is stable. Apart from in the major towns in southern Sudan, there are no banks, which means that money transfers are difficult, the public have to carry cash, and the commercial sector has no access to financial markets offering loans at competitive rates. It will take time for institutional capacity in southern Sudan to develop, even with extensive support from the international community.

Conclusion

Two parties negotiated the CPA. Critics accused the process of being exclusive and other political forces demanded to be included. The parties acknowledged that in the post-conflict phase it would be essential to broaden the political process. The preparation and adoption of the national interim constitution demonstrated both the willingness to include other groups and the willingness of such groups to participate. But that was only one test and probably a relatively simple one at that. The crisis in Darfur and simmering unrest in the eastern part of the country pose other, more substantial challenges. The CPA provides a framework for dealing with these challenges. Success or failure may depend on how far the new political establishment in Khartoum is willing to take the principles of power and wealth sharing.

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1. Full text at www.reliefweb.int/re/rwkb.nsf/8B0000BD7X7PCZ7R?OpenDocument
2. www.principlesafrica.org/secureAcase历e_agreement.pdf
3. A footnote explains that the protocol “is the full text of the proposal entitled ‘Principles of Agreement on Aybel’ presented by US Special Envoy Senator John Danforth to HE First Vice President Ali Osman Mohamed Taha and SPLM/A Chairman Dr John Garang... The Parties hereby declare to adopt these Principles as the basis for the resolution of Aybel Conflict.”
4. The CPA also gives the National Congress Party 10% of the seats in the state legislatures in southern Sudan, thus ensuring that it remains a substantial force also in southern Sudan.
5. www.reliefweb.int/rw/rwb.nsf/0/416354

Could peace unravel?

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 freedom 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 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.
- UNMISS should provide a peacekeeping 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.
end 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.

Sudan reports at: www.crisisgroup.org/home/index.cfm?id=1230&l=1

For further information, see ICG Sudan.

Could peace unravel?

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The NGO Forum was started in 1996 to bring together international NGOs (INGOs) associated with Operation Lifeline Sudan (OLS) - the umbrella operation for UN agencies and NGOs working in southern Sudan established in 1989. The Forum was created to discuss issues around programming, delivery of humanitarian aid and access, and subsequently evolved to include non-OLS members and Sudanese Indigenous NGOs (SINGOs). From the outset the Forum developed terms of reference, met monthly and agreed that representation would be through an elected Steering Committee (SC) of seven to eight NGOs. Representation on the SC was initially divided between European/US and larger/smaller NGOs but it soon become clear some of the smaller NGOs did not have sufficient staff to allocate to SC activities. High-level liaison with donors and the UN were the responsibility of the SC which consulted with the larger forum on matters of common interest and advocacy.

Working under a tripartite agreement between the UN, Government of Sudan (GoS) and the SPLM meant that NGOs, which came under the umbrella of the UN, were unequal partners. With the establishment of the Forum and the SC, NGOs could use their collective voice to greater advantage. Unfortunately, the OLS/non-OLS distinction – which the UN was obliged to maintain rigorously until the peace talks were well underway - created artificial divisions and rivalries which undermined coordination between NGOs. Lack of international political recognition of the SPLM’s de facto government complicated attracting funding. Lacking a viable tax base, and in the absence of effective governance and regulation, the local authorities resorted to taxing NGOs directly and indirectly - behaviour which was tolerated, and even encouraged, by some donors.

The NGO Forum provided an entry point for NGOs to engage with and influence the process and outcomes of the Joint Assessment Mission (JAM). The Forum appointed NGOs to serve as JAM cluster focal points, enabling the JAM teams to get NGO perspectives without having to consult individually all of the members. Forum engagement through the SC and focal points has helped to establish NGO credibility with new and important actors such as the World Bank and UNDP.

Although it will never be possible for the Forum to represent adequately the views of all 80+ NGOs working in south Sudan, attempts are always made to consult as widely as possible and to integrate differing viewpoints. Some NGOs are particularly good at keeping abreast of the complex political context of Sudan while others are more focused on programme implementation. The broad range of mandates, structures and capacities of INGOs and NGOs - and the fact that some have overt political allegiances - makes it difficult to reach consensus and could make it difficult to agree on self-regulation mechanisms. Even larger NGOs are already overstretched and senior staff often find it hard to contribute to the Forum.

Individual SINGOs and small INGOS do not always have the capacity to participate actively in the Forum, particularly on the SC. There is a danger - real or perceived - that their perspectives are not adequately represented or that they feel excluded altogether. Some Sudanese NGOs who are members of SINGO networks, such as New Sudan Indigenous NGOs (NESI) and the Federation of Sudanese Civil Society Organizations (FOSCO), have tried to address this issue by allowing the networks - to represent them.

New realities

To date, all NGO Forum meetings have been held in Nairobi. In future, the NGO Forum hopes to hold most meetings in south Sudan. Many NGOs have already established bases or liaison offices in Rumbek, the former capital of south Sudan, or are focusing on improving infrastructure and management presence at bases and offices in other parts of Sudan.

Prior to the peace process it was possible for NGOs to bypass the SPLM and the Sudan Relief and Rehabilitation Commission (SRRC), its humanitarian wing. The policies of many donors and the UN discouraged or even prohibited direct engagement with the SPLM. Now that the Government of South Sudan (GoSS) has been formed, the establishment of a clear and workable NGO regulatory framework is essential to provide an

 NGO coordination in south Sudan

by Adele Sowinska and Wendy Fenton

The peace agreement and the establishment of a government in south Sudan pose new challenges to established means of NGO coordination.

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