



Sudan lurches toward peace

Will a peace treaty in 2004 include genuine arrangements for power sharing?

BY PAUL MORTON

The year 2004 could see an end to Africa's longest-running civil war, the civil war in Sudan. That twenty-year war, between the government and the rebel forces in the south, has claimed more than two million lives. Whatever the details of an eventual agreement, it will set out multiple levels of government designed to share power both between different orders of government and within institutions. The two main sides in that war, the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A), have been meeting and have already signed some preliminary agreements.

The wealth sharing agreement reached in early January sets out some new governance mechanisms. There will be a roughly equal division of revenues. The central bank will have two arms, one applying Islamic banking laws in the North the other applying a western system in the South. Two currencies will be maintained until they are merged into a single national one. The development of these structures will require a great deal of political will on the part of the Sudanese. There will be a great need for capacity building across the country. The Sudanese will need to maintain the commitment needed to bring these negotiations together throughout the implementation period.

Key to peace in Sudan are two new factors: oil and the Machakos Protocol. Oil had been discovered earlier, but was first pumped from Port Sudan through a pipeline in 1999. An agreement by both sides to share the wealth makes oil a key negotiating point. The Machakos Protocol, named for the town in Kenya where it was signed in July 2002, gives Southern Sudanese their own self-government and acknowledges their right to self-determination. While the Sudanese government is backtracking on recent documents tabled in late 2003, hopes are high for a comprehensive agreement in 2004.

The international community will also have to maintain its support long after the agreement is signed. Providing security through an international monitoring force is only

one element of the support required from the international community. They will also need to provide assistance in making the new governance structure as effective and transparent as possible: if the mechanisms agreed upon to achieve peace are not effective, then peace will certainly not be sustainable.

Breakthrough with Machakos Protocol

But the prospects are encouraging. The parties are closer to peace now than at any other point since the insurgents took up arms against the government in 1983. Under the umbrella of the landmark 2002 Machakos Protocol, agreements were made in November and December 2003 in the two highly contentious areas of security arrangements and wealth sharing. This new momentum, as a result of the recent direct involvement of the most senior representatives of the government and the SPLM/A, and the increasing international pressure, have prompted hopes of a comprehensive agreement early in 2004.



A Red Cross orthopaedic centre for war amputees in Lokichokio, Lopiding, Sudan.

Alongside these reports of progress in the negotiations are disturbing accounts of ongoing violence in the Western Darfur region, and increased tensions in the East. These reports of violence alongside progress being made in the negotiations may appear contradictory. But the persistent tensions point both to the fact that there are still important hurdles to overcome, and that sustainable peace will require far more than a signed peace agreement between the two predominant players. Other key issues on the negotiating table are power sharing and decisions on the status of Abyei, Southern Blue Nile and the Nuba Mountains. But significant progress also needs to be made in addressing deep factional fault lines within both the North and South for an eventual peace deal to be sustainable.

Two decades of war ending?

Several attempts have been made to end this latest phase of the conflict, with little or no success until 2002. The current negotiations fall under the auspices of the Inter-Governmental Authority on Development (IGAD), initiated by the Kenyan government in 1993, although both parties did not formally accept its principles until 1997. Designed as an instrument of regional cooperation in the Horn of Africa

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on regional initiatives on trade, development and security, IGAD also oversees the peace process in Somalia. Little progress was achieved throughout the 90s, as regional players became increasingly focused on other matters, notably the wars between Ethiopia and Eritrea, and in the Democratic Republic of Congo. The fortunes of the IGAD process were reversed in July of 2002 with the signing of the Machakos Protocol, outlining a framework within which further negotiations could take place. Several factors have acted together in accelerating the peace process in the last eighteen months. These factors include fallout from the September 2001 terror attacks in the United States; the proactive involvement of the chief mediator, Kenyan General Lazaro Sumbeiywo; increased international pressure; and mounting pressure from a war-weary population throughout the country.

The Machakos Protocol laid out the underlying principles upon which a future interim government would be based. The Protocol states that the Southern Sudanese “have the right to control and govern affairs in their region and participate equitably in the National Government,” and “have a right to self-determination, *inter alia*, through a referendum to determine their future status.” In essence, the Protocol commits the parties, throughout the interim period, to a system of regional autonomy and power sharing within a united Sudan. This principled acceptance of diversity, and the corresponding need for sufficient autonomy and resources to accommodate it, are key elements in finding a permanent solution to the conflict. In this regard, the Machakos Protocol represented a fundamental breakthrough, and paved the way for current progress in the negotiations.

The first year of talks following the Machakos Protocol brought a steady stream of agreements on specific issues, although little or no progress was made on the difficult issues of power and wealth sharing, security arrangements, and the status of the three disputed areas. In the latter half of 2003, the process had been characterized by a number of dramatic swings, beginning with the presentation in July of what became known as the Nakuru document. The document represented a major shift in the mediation strategy, from incremental agreements on individual issues, to a holistic approach encompassing all the remaining issues. While the SPLM/A accepted it as a starting point, the government flatly rejected its terms, saying it contravened the principles of Machakos. The controversy surrounding the Nakuru document created an immediate crisis, and the strong language from both parties raised fears of a collapse.

The stalled talks did at least lay the ground for face-to-face discussions between Sudanese Vice-President Taha and SPLM/A leader Garang – a significant achievement, and a dramatic shift in favour of direct discussions between the two parties. The result, eventually, was an agreement in Naivasha on the difficult issue of security arrangements, including on the use of integrated forces in key areas. Discussions continued through the autumn, with increasing optimism in December for an imminent final deal. At this point, an agreement has been reached on wealth sharing, while power sharing and the status of the three disputed areas remain to be addressed. Although the status of the three regions may present the greatest challenge, appearances would suggest that the momentum is now

Sudan: a timeline

- 1955 Rebellion by South Sudanese
- 1956 Unified Sudan becomes independent
- 1963 Rebels in south unite under *Anya Nya*
- 1972 Addis Ababa peace agreement grants autonomy to the South
- 1983 Addis Ababa peace agreement effectively dissolved
- 1983 Second civil war begins, this time between SPLM/A and the Government
- 1989 National Islamic Front takes power by coup under the leadership of Omar Hassan al-Bashir
- 1999 Sudanese oil is first pumped to Port Sudan via pipeline
- 2002 Machakos Protocol signed July 20 by the two sides in Machakos, Kenya
- 2003 December - Government and SPLM/A agree to share country's oil wealth.
- 2004 January - Government and SPLM/A agree to share non-oil revenues.

great enough that both parties will likely sign an agreement. Their ability to bring other factions on side, will ultimately determine the breadth of support for the agreement.

Long history of division

The recent civil wars in Sudan have pitted a predominantly Arab, Islamic North against an African, Christian/animist South. This North-South division stems from a centuries-old process of ‘arabization’ and ‘islamization’ in the Northern Sudan, and the resistance to these forces in the South. The joint British-Egyptian conquest of Sudan in 1899 continued to foster this division with the decision to administer the country separately; the North under active Egyptian influence, and the South administered by the British with the help of a large missionary presence. The abrupt decision to reunite the regions just prior to independence in 1956 left a deeply divided country to face the second half of the twentieth century. Violence erupted even before formal independence.

A coup in 1958, and the resulting islamization agenda, prompted further rebellion in the South, eventually leading to the formation of Sudan’s first organized rebel movement, *Anya Nya* (snake poison). This led to the first civil war from independence through to 1972. As in the subsequent conflict through the 1980s and 90s, the conflict was characterized by a large degree of external influence, in particular Cold War dynamics and the Arab-Israeli conflict, as well as regional tensions. Only in 1972 were the parties able to sign the Addis Ababa Accord, granting the South significant autonomy – the closest independent Sudan has come to stability.

The current conflict began with the creation of the Southern People’s Liberation Movement/Army in 1983, following the issuance of a Republican Order in the same year effectively dissolving the Addis Ababa Accord. The result has been one of Africa’s most intractable civil conflicts, a large-scale humanitarian crisis, and significant regional instability. (6)