

Introduction

Mark Simmons and Peter Dixon

The signing of the *Comprehensive Peace Agreement* (CPA) in Nairobi on 9 January 2005 was hailed by leaders from around the world as the dawn of a new era for Sudan. Uganda's President Yoweri Museveni described the scene: "We saw here the reality of the Sudan when they were dancing, the people of the turbans and the people of the ostrich feathers. How do they live together respecting each other's culture? This has been the problem of the Sudan."

Two years on, it is not clear whether Sudan has moved any closer to answering Museveni's question. There is, though, an underlying flaw in the question: implicit in his observation is the common tendency to describe Sudan's conflicts in simplified terms, north and south, Arab and African. The north-south war was just one part of a broader web of conflicts involving competing claims by various, shifting groups to land, water, natural resources, political power or cultural identity.

Moreover, the CPA is a bilateral agreement between the Government of Sudan (GoS) and the Sudan People's Liberation Movement/Army (SPLM/A). It is neither the beginning nor the end of the story of peacemaking for Sudan. Along with the interim national constitution, it represents not an inclusive settlement, but one element – albeit the most significant one – in a more piecemeal approach to making peace. It presents a useful and tenable framework for resolving the north-south conflict, but it did not see this conflict as a product of the centre's relationship with the periphery and did not admit participation from other parts of Sudan. It has not brought about comprehensive peace, which is why this issue of *Accord* is also concerned with Sudan's other wars.

Any analysis of a peace process is bound to be a snapshot of a 'work in progress.' Perhaps even the word 'progress' assumes too much. The long-term sustainability of the CPA is yet to be proven, insecurity in the south remains, the *Darfur Peace Agreement* (DPA) of May 2006 appears to be in a state of collapse and it is

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yet to be seen how effective the *Eastern Sudan Peace Agreement* (ESPA) of October 2006 will be. This issue of *Accord* examines some of the root causes of conflict in the Sudan, describes aspects of recent peace processes, and asks what remains to be done to build a comprehensive peace.

Historical and background issues

We set the scene by examining two significant underlying causes of the conflict: historical political development and land. In his survey of the background to conflict in the Sudan, Atta el-Battahani gives a helpful overview of how a history of exploitative and co-optive politics since the colonial era has fuelled decades of war, and Mona Ayoub's article shows the tension caused by the erosion by modern legal frameworks of traditional concepts of land use.

Assessing the north-south process

The first major section of this issue addresses the protracted negotiations between the GoS and the SPLM/A which led to the CPA, by far the most far-reaching of Sudan's recent peace agreements. The section begins with the views of the government negotiator Mohamed el-Mukhtar Hussein and the

SPLM/A negotiator Cirino Hiteng Ofuho on the factors that allowed the IGAD process to end the long hiatus in which the two sides failed to reconcile their opposing positions on religion and the state and federalism. The authors give understandably different pictures of the obstacles to progress before 2002, but both show in different ways that a combination of international and domestic factors came together to make a change of attitudes possible.

A number of other articles build on this theme of how seemingly intractable obstacles were overcome, not least IGAD mediator Lazaro Sumbeiywo's insight into the process leading up to the signing of the CPA. Sumbeiywo worked hard to develop the long-term ownership of the negotiations by the two Sudanese parties, adopting a robust stance against attempts by various international actors to influence the content and timing of the agreement. His approach to diplomacy was that of a soldier, characterized by firm leadership and organization, and was therefore well suited to a process inherently structured to deal with the two main armed factions in the country. On the other hand, too tight a focus on military and even economic power can lead to neglect of some of the less tangible elements of peacebuilding that can improve the chances of long-term peace. In particular, the limited involvement of

Sudanese stakeholders beyond the two negotiating parties in the development of the CPA reduces its scope. Nevertheless, Sumbeiywo's patience and long-term commitment to the process helped produce a landmark agreement. His account is complemented by that of Fink Haysom, one of his advisors, who describes some of their mediation strategies. Above all, Haysom emphasizes the importance of *process* rather than *text* – and the time needed for a process to develop – if the parties are to develop the political will, trust and joint responsibility for the peacemaking project.

Difficult issues

As Haysom recalls, as soon as the mediators felt they had dealt with one obstacle, another would appear. This is illustrated in the wealth-sharing protocol of January 2004, which contained the challenging issue of how to handle the ample oil reserves in Sudan's mainly southern oilfields. Jostein Tellnes describes how difficult decisions on the ownership of subterranean resources were deferred, enabling the parties to focus on more 'divisible' issues such as revenue sharing and petroleum sector management and thus reach some kind of agreement. Another issue that proved difficult to tackle head-on was that of the 'three areas.' These are areas north of the 1956 boundary but with significant southern affiliation: Abyei, the Nuba Mountains and southern Blue Nile. The complexities involved in dealing with these areas are covered by Jason Matus, who points out that deferring resolution of core grievances to the implementation stage requires strong and serious implementation. While the Southern Kordofan and Blue Nile protocol of May 2004 is often described as a model for resolving similar issues elsewhere in the country, its provisions do not yet seem to be working while implementation is lagging, international and domestic attention is focused on Darfur, and political integration is weak.

Another story of innovative process and poor implementation comes from Taj es-Sir Mahjoub. The GoS and the SPLM/A jointly led an in-depth planning process for 'post-conflict' reconstruction in parallel with the latter stages of the talks. The World Bank and the United Nations Development Programme, whose recognition of the need for a holistic approach to post-conflict peacebuilding reflected lessons learnt in Afghanistan and elsewhere, facilitated this Joint Assessment Mission (JAM). The resulting framework for peace, development and poverty eradication was comprehensive, even if broader involvement had been limited. Yet as Taj es-Sir Mahjoub shows, while the negotiating parties assumed the lead roles in the detailed JAM process, the poor implementation record indicates there was less 'local ownership' than at first appeared. The same difficulties may well resurface with the similar but unconnected JAM process anticipated by the DPA.

Peace for everyone?

The second major section in this Accord issue considers the ways in which the process leading to the CPA was characterized by elements of exclusion – the exclusion of certain regions, interests, constituencies, concepts and themes – and asks what this means for further peacebuilding.

Other parties and regions

From early on, the IGAD process was conceived as a process between the powers behind the country's two major armed forces. The former prime minister and leader of the one of the main excluded political parties, as-Sadiq al-Mahdi, argues in his article that the bilateral nature of the negotiations inevitably led to a flawed agreement and constitution. He argues that only a more participatory and accountable system of government than is allowed for in the interim constitution will assure a peaceful future for the whole of Sudan. He also suggests that in the current circumstances this may only be achievable with significant international intervention.

All of these strands come together in the conflict in Darfur. With international attention focused on the CPA there was only minimal external pressure on the warring parties in Darfur to maintain their ceasefire agreements, although indignation over the plight of Darfurians eventually brought an African Union (AU) peacekeeping force to Darfur, and AU-led talks, located mostly in Abuja. These negotiations led in May 2006 to a text that was only signed by one faction of Darfur's fractious insurgency, and subsequent acceptance of the agreement on the ground has dissipated even further.

Three separate articles by mediators involved in the Abuja process shed some light on this. Julian Hottinger and Laurie Nathan each identify the parties' lack of ownership of the text as significant elements in the agreement's lack of resilience. Nathan highlights the 'deadline diplomacy' and the AU's inability to engender trust between and within the parties such that they could negotiate sufficiently with each other rather than with the mediation team. Hottinger, on the other hand, focuses on the use of the CPA as a model despite the different nature of the conflict – giving Darfur's armed groups the false impression that they could get their own CPA, when in fact the CPA itself limited the scope of any gains they could achieve. Alex de Waal takes up this thread – describing the constraints posed on the mediators by a step-by-step approach to peacemaking – but suggests that the DPA can still offer the Darfur movements a way to become part of a common national process of building democratic participation.

The same opportunity exists in eastern Sudan, where the Beja Congress and Rashaida Free Lions insisted on the right to separate negotiations after the National

Democratic Alliance (an opposition umbrella group of which they were members) signed the June 2005 *Cairo Agreement* with the government. A pre-negotiation initiative led to formal talks, which concluded with the *Eastern Sudan Peace Agreement (ESPA)* in October 2006. Unlike the CPA or DPA, the ESPA was concluded largely without international involvement (beyond the mediation of the Eritrean government) and it remains to be seen whether this will make it easier to implement or lead to an absence of incentives or monitoring. In its scope and its consistency with the CPA, the ESPA complements the *Cairo Agreement*, and if taken seriously by the negotiating parties and their constituencies – and backed up by improved access to economic and educational opportunity and political power – these agreements could prove to be a constructive piece in the jigsaw of Sudan's peace processes.

Beyond elite peacemaking

If the key problems in Darfur were a lack of trust and a fixation on bargaining over shares of political power, those involved in informal peace initiatives would argue that developing this trust and digging deeper for solutions are among the roles of low-profile, informal and long-term 'track two' diplomacy. Our article on these non-official peacemaking initiatives attempts to trace the history of this aspect of Sudanese peace processes. Although effective, sustained and informal interventions are poorly documented and not always well coordinated with official mediation processes, anecdotal evidence and experience convince us that the relationships they build are often the glue that holds agreements together.

Like track two processes, grassroots peacebuilding and civil society initiatives have – or should have – a key role to play in taking peace processes beyond the domain of elites, and the articles by Paul Murphy and Hassan Abdel Ati examine activities which develop sound and equitable governance as a foundation for a peaceful society. Abdel Ati focuses predominantly on northern civil society – a powerful force in the era of strong trade unions, but constrained and squeezed in recent decades and given little space to influence peace processes – and identifies the challenges that civil society must meet to help build peace today. Murphy draws on his experience running the Sudan Peace Fund, which supported various peacebuilding projects including the 'people-to-people' process originally devised by the New Sudan Council of Churches to reconcile divided southern communities and political factions. For continued peacebuilding, he calls for better leadership to link up various initiatives, and the institutionalization of such processes into new governance structures.

The active role of women in war and peace, both individually and collectively, has often been ignored or underestimated. Former SPLM/A negotiator Anne Itto seeks to address this problem by describing women's roles in both conflicts and peacemaking, arguing they

were far more than simply 'guests at the table' of Sudanese processes. Although she shows how women's expectations were not been fully met in spite of their presence in Naivasha and Abuja, she identifies opportunities for an enhanced role for women in post-agreement Sudanese politics.

Beyond the sphere of grassroots activities are many whose engagement with the peace process was at best patchy and at their own initiative. Although Tania Kaiser's account focuses on a particular refugee camp with a high percentage of Acholi people who have traditionally not sided with the mainstream SPLM/A, it provides an insight into ordinary southerners' perceptions of what a peace agreement means to them.

Two politically charged issues that were less than fully addressed in the CPA, and have proved equally difficult in the subsequent processes for Darfur and eastern Sudan, were land and federal arrangements beyond the south. Cultural differences, land use and economic marginalization lie behind much of the controversy over federalism and regionalization, for example whether Eastern Sudan and Darfur should be seen as regions *per se* or remain divided into a number of states. The SPLM/A's Daniel Awet Akot makes interesting comparisons in his article between concepts of regionalism in different parts of the Sudan, while Omer Egemi examines how effectively land use and tenure have been addressed by the CPA and DPA. Despite the various peace processes, questions of who owns what – and with what authority, rights and responsibilities – continue to loom over northern and southern Sudan.

Conclusion

The analysis in this publication shows that peacemaking does not involve just a single process but a complex web of complementary processes and activities from the grassroots to senior diplomatic and military levels. Peacemaking in Sudan, rather than being complementary and coordinated processes that promote the inclusion of a full range of stakeholders in society, has served divisiveness, based on the government's 'sequencing policy' of tackling 'rebellions' piece by piece, and armed groups' failure to look beyond their own factional interests and commit to a national democratic project. The resulting arrangements are hard to manage: Sudan is, as Matus says, one country with seven systems. Understandable as it is to concentrate on the most immediate violent problem, a broader and longer-sighted approach is essential in any conflict situation. Insufficient attention has been given internationally and in Sudan itself to this broader view. It is not too late for a comprehensive peacemaking effort in Sudan, but the main Sudanese parties and international actors must support inclusive and coordinated peacemaking and peacebuilding initiatives if this is to become a reality.