CONCEPT PAPER

For a
Policy Advisory Group Seminar on

Stabilising Sudan: Domestic, Sub-regional, and Extra-regional Challenges

Centre for Conflict Resolution (CCR)
Cape Town, South Africa

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Introduction

The Centre for Conflict Resolution (CCR), Cape Town, South Africa has established itself as a leading policy and research institution on the African Union (AU), Africa’s regional organisations such as the Southern African Development Community (SADC), the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS), the Intergovernmental Authority on Development (IGAD), and the Arab Maghreb Union (AMU), as well as the United Nations (UN). CCR intends to hold a two-day policy advisory group seminar on 23 and 24 August 2010 focusing on the domestic, regional, and international challenges facing Sudan, as the country prepares for the landmark referenda in South Sudan and Abyei in January 2011. The meeting will involve about 30 participants from Africa’s regional organisations, the United Nations, civil society, academia, and key Government officials, and will seek to craft concrete policy recommendations for ensuring a stable post-referendum Sudan.

The proposed policy advisory group seminar builds on a previous successful meeting held by CCR in Cape Town on 20 and 21 April 2006 on the theme, “South Sudan Within A New Sudan,” involving Francis Deng, the Special Adviser of the UN Secretary-General on the Prevention of Genocide, who is also an active CCR board member. The 2006 meeting assessed the Comprehensive Peace Agreement (CPA) of 9 January 2005 signed by the Government of Sudan (GOS), and the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/A). The seminar involved 25 participants comprising academics and several senior officials from the Government of National Unity (GNU) of Sudan; the Government of South Sudan (GoSS); members of the South Sudan Legislative Assembly; representatives of the government of South Africa; key members of the diplomatic community; as well as representatives of civil society organisations. Key policy recommendations stemmed from the April 2006 meeting, on how South Sudan can use the opportunity of the signing of the CPA to promote state-building as well as peace, security, and development within the region.

Background

Sudan is geographically Africa’s largest country and has borders with nine countries.¹ The country’s stability is therefore critical in any efforts to ensure a stable Horn of Africa. The racial, religious, and cultural diversity of Sudan’s 38 million people has complicated efforts to analyse the main sources of its conflicts.² Categorising Sudanese as either “Arab” or “African” fails to capture complexities such as identity, ethnicity, religion, status and power in the country. British colonial rule implemented a policy of separate and unequal development for North and South Sudan, which laid the foundation for the marginalisation and deprivation of Southerners and communities in the country’s peripheries. This not only created deep-seated tensions between the predominantly Arab Muslim North and the predominantly Black Christian South, but also between the centre of power in Khartoum and the country’s eastern, central and western regions.³ Sudan’s attainment of independence as a unitary nation in January 1956 and its accompanying governance frameworks failed to address the country’s long-standing racial, ethnic, cultural, and religious diversities.⁴ This was evident in the asymmetrical North-South power and wealth relationship. The continued official neglect of the South and segregation of Southerners meant that the opportunity to manage Sudan’s diversity within the nascent unitary state through strategies like self-determination was missed. South Sudanese, provoked by a crisis of national identity and neglect, became embroiled in two civil wars. Sudan’s first civil war lasted for 17 years from 1955 until 1972. The war ended with the signing of the first peace agreement between North and South Sudan in Addis Ababa, Ethiopia in March 1972.⁵ The failure by the Khartoum government to implement fully the provisions of the agreement fuelled

¹ Sudan’s nine neighbouring countries are: Chad, Central African Republic, the Democratic Republic of the Congo (DRC), Egypt, Eritrea, Ethiopia, Kenya, Libya, and Uganda.
political violence. A second civil war broke out in 1983, with the creation of the Sudan People’s Liberation Movement/Army (SPLM/A) in Ethiopia, and lasted for 22 years until the signing of the Comprehensive Peace Agreement in January 2005. Persistent conflict has also been a defining feature in other regions such as Abyei, Blue Nile, Southern Kordofan, and Darfur. Under the CPA, popular consultation has been promised in the cases of Blue Nile and Southern Kordofan.

The Comprehensive Peace Agreement of 2005 represented a potential tool for conflict prevention, management, and resolution for Sudan. The agreement offered South Sudan an opportunity to address long-standing issues of national identity and integrity. In January 2011, the region’s electorate is set to participate in a landmark referendum – a key provision of the CPA’s stipulated six-year interim period - to decide whether to remain within a united Sudan or to become independent. The referendum, if the outcome leads to secession, will imply the creation of South Sudan that is based on a constitutional framework that aims to promote human rights, development, and democratic participation for all sectors of South Sudanese society. South Sudan, is in itself not homogenous, and must still manage intra-regional ethnic and cultural diversities. The future status of the oil-rich central region of Abyei will also be decided at the same time as that of South Sudan. Abyei will vote on whether to join the South or to remain under the North’s rule. The neighbouring regions of Blue Nile and Southern Kordofan will have more limited opportunity through ‘popular consultations’ to affirm the governance arrangements agreed for them under the CPA.

In accordance with the CPA, Sudan held its first national elections in 24 years in April 2010. Over 16 million Sudanese - or almost 80 percent of the country’s estimated voting age population - registered to cast their ballots. The elections took place in a complex context including Sudan’s vast geographic size, underdevelopment, high rates of illiteracy, lack of voting history, tenuous security, contested census, and political tensions. The United Nations observed that despite well-documented irregularities and deficiencies such as missing names on voter lists, voter confusion over locations of polling stations, delays, inadequate privacy provisions to ensure secrecy of voting, and opposition boycotts, the elections were free from major incidents of violence. President Omar Al-Bashir of the National Congress Party (NCP) won 6,901,694 of about 10 million votes (about 69 percent) to be elected National President of Sudan. His main challenger, Yasir Arman of the SPLM, who had withdrawn from the elections in the North, still received 2,193,826 votes (about 20 percent). The SPLM boycotted the elections in 13 Northern States, citing an unlevel electoral playing field in favour of the NCP. SPLM leader, Salva Kirr, was confirmed as President of the semi-autonomous South Sudan, with a landslide victory, amassing 2,616,613 votes (over 90 percent), while his nearest rival, the SPLM-Democratic Change’s Lam Akol, managed only 197,217 votes (about 6 percent).

Election observation teams gave the elections mixed reviews, and post-election violence occurred in areas such as Darfur where large groups were excluded from the electoral process. Tamam, a network of 120 Sudanese civil society groups, dismissed the election results as “fraudulent” and called for a new electoral process including a new census and new elections commission. The AU and IGAD observer missions reported that the “imperfect but historic” elections were conducted largely in accordance with the AU’s Declaration on Principles Governing Democratic Elections in Africa of 2002 as well as Sudan’s constitutional, legal and institutional frameworks. Some Western observers such as The Carter Center and the European Union (EU) noted flaws in

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6 See Centre for Conflict Resolution, South Sudan Within A New Sudan. Also see Mohamed, “The Comprehensive Peace Agreement and Darfur”, pp. 203-213.
7 See Centre for Conflict Resolution, South Sudan Within A New Sudan.
11 Ibid.
the polls meeting international standards. A post-election AU/UN Strategic Review Meeting on Darfur endorsed the elections and urged the international community to coordinate support for the Presidents of Sudan and South Sudan, and other elected institutions, to promote inclusiveness and build on the momentum established to further democracy, peace, and security ahead of the January 2011 referenda in South Sudan and Abyei.

Seminar Themes

About 30 mostly African policymakers, scholars, and civil society activists will be invited to participate in the Cape Town policy seminar in August 2010. The two days will be structured around the following nine main themes which will form the basis for presentations and discussions during the seminar:

1. The Implementation of the Comprehensive Peace Agreement;
2. Managing the Conflict of Identities in Sudan;
3. The Role of the United Nations in Sudan;
4. Managing the Outcome of South Sudan and Abyei’s Referenda;
5. The Role of the African Union Panel on Darfur;
7. Resolving the Border Areas of Abyei, the Blue Nile, and Southern Kordofan;
8. Regional Implications of the Referendum in South Sudan; and

Seminar Objectives

The August 2010 policy advisory group seminar’s nine key objectives are to:

1. Evaluate the implementation of the Comprehensive Peace Agreement;
2. Explore some of the key strategies of, and challenges for, managing the conflict of identities in Sudan;
3. Examine the challenges and prospects for the Abyei referendum and popular consultations on the future status of the Blue Nile and Southern Kordofan states;
4. Evaluate how to strengthen the role of the United Nations in Sudan;
5. Assess the likely consequences of the referenda in South Sudan and Abyei;
6. Examine the role of the African Union Panel on Darfur;
7. Assess the challenges for the African Union and European Union’s peacemaking efforts in Darfur;
8. Consider the regional implications of self-determination for South Sudan; and
9. Discuss the key roles of external actors in Sudan: the United States and China.

Engaging on the nine themes which are discussed in greater detail below, will assist the Sudanese government and civil society, the UN, external donors, and other policymakers to obtain a better understanding of the challenges and prospects for stabilising Sudan. Concrete policy recommendations will be drawn from the discussions for incorporation into the work of relevant domestic, regional, and external stakeholders. A five-page policy brief and 30-page policy report will be produced from the meeting. These documents will be widely disseminated to key decision-makers and actors and will aim to inform more effective policymaking before the January 2011 referenda.

1. The Implementation of the Comprehensive Peace Agreement

Although there have been some positive steps in the implementation of the Comprehensive Peace Agreement’s power-and wealth-sharing clauses, mixed progress has been evident in the full implementation of other key

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provisions of the CPA. A Government of National Unity as well as an autonomous Government of South Sudan have been created. The CPA’s provision for a “one country, two systems” configuration is demonstrated by the continued application of *Sharia* (Islamic) law in the North, while the South has remained secular. The agreement’s guiding principles for the distribution of oil revenue are being implemented, though the figures of the oil produced, the revenues shared, and the delivery of the agreed percentages remain contested. The absorption and administrative problems in South Sudan have also undermined the potential for using petroleum revenues of about $6 billion between 2005 to 2008, to deliver a concrete peace dividend for the country’s population. In the area of security, with the exception of armed engagement during the crisis in Abyei in early 2008, the ceasefire zone along the North-South administrative border has been fairly effectively supervised by the ceasefire monitoring framework. The strength of joint integrated units comprising personnel from the national army – the Sudanese Armed Forces (SAF) - and the SPLA, and intended to serve as the nucleus of a unitary national defence force, stood at approximately 83 percent of the mandated strength of 39,639 troops in June 2010.

The 2008 mid-term report of the Assessment and Evaluation Commission (AEC) - a body mandated to monitor the implementation of the CPA - highlights five key areas for successfully executing the CPA. These areas include: i) the Abyei issue; ii) elections and democratisation; iii) demarcation of the North-South border; iv) preparation for the 2011 referenda in South Sudan and Abyei; and v) security sector reforms. As earlier noted, national elections have already been held. Critically, in the run up to the 2011 South Sudan and Abyei referenda, legislation governing the two referenda was agreed by the Sudanese parties and passed in December 2009.

At joint African Union High-Level Implementation Panel (AUHIP)-UN meetings in Addis Ababa in May 2010, the NCP and the SPLM also re-committed themselves to timely implementation of the outstanding provisions of the CPA including: i) creating conditions for peaceful referenda and post-referenda processes; ii) establishment of functional commissions for both Abyei and South Sudan; iii) management of security in the South; and iv) finding ways to support a comprehensive peace process throughout Sudan, and to link the CPA, Darfur Peace Agreement (DPA) and Eastern Sudan Peace Agreement in a complementary manner. The Sudanese parties have still not fully agreed on key post-referenda arrangements such as nationality, security, natural resources and national assets and liabilities. In June 2010, the Sudanese parties agreed that the AUHIP and IGAD would facilitate the negotiations on the CPA’s post-referenda implementation processes. Meanwhile, the Sudanese government and a newly formed Liberation and Justice Movement (LJM) agreed to establish six committees to examine power- and wealth-sharing and security in Darfur, which some say helps to link the Darfur Peace Agreement with the CPA. The Cape Town seminar will evaluate the progress made in the implementation of both accords.

2. The Road to the Referendum in South Sudan

The assessment of the political environment and/or electoral framework leading up to the January 2011 self-determination referendum and the role and capacity of Sudanese parties and organisations is important to gauge the possibility of a credible referendum in South Sudan. The appropriate referendum law, initially scheduled for enactment in 2007, was finally adopted at the end of December 2009, after prolonged and difficult negotiations by the Sudanese parties. The law lays down the procedures for holding the referendum including provision for a simple majority vote on a two-thirds turnout of registered voters. All people of southern origin resident outside South Sudan and people of northern origin living in South Sudan will be eligible to vote in the referendum. In

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16 See Centre for Conflict Resolution, *South Sudan Within A New Sudan,*
21 Ibid, pp.11-12.
addition, the Interim Constitution of South Sudan (ICSS) provides a framework for democratic governance, including guarantees for free political participation at all levels of government.

While the Technical Ad Hoc Border Committee has demarcated over 80 percent of the North-South border process, seen as a key precondition for the referendum, referendum preparations such as voter registration, are complex. The Assessment and Evaluation Committee has recommended the rapid establishment of a strong referendum commission to assume responsibility for the administrative, logistical, and funding mechanisms. Political tensions within the GNU delayed the establishment of the South Sudan Referendum Commission until the end of June 2010. To ensure the credibility and legitimacy of the referendum, strong oversight mechanisms and arrangements for international monitoring, also need to be established. Civic education campaigns that educate the southern electorate about the real issues pertaining to the referendum are also of critical importance for the creation of an environment conducive to a free and fair referendum.

Sudan’s parties have not yet negotiated key post-referendum issues for unity or secession such as security arrangements; sharing of oil revenues; water; assets; liabilities; treaties; foreign relations; currency and banking; nationality; pastoralism; the national capital; and national reconciliation. In March 2010, the parties to the CPA announced that they had agreed on the modalities for the post-referendum negotiations. However, there is concern that the absence of post-referendum agreements and conflicting expectations about the referendum, risk rendering the vote being viewed as a zero-sum game, and could reignite the conflict. The SPLM has, in the interim, engaged in South-South dialogue that is geared towards achieving unity and co-operation among South Sudanese in the run-up to the referendum. GoSS President Salva Kiir has also established the Southern Sudan 2011 Taskforce whose mandate is to plan for referendum and post-referendum arrangements. However, some analysts have expressed fears about stability after the referendum in South Sudan. The Cape Town seminar will analyse the extent to which the Sudanese parties have managed to create a conducive environment for a free and fair referendum in South Sudan.

3. Managing the Outcome of South Sudan’s Referendum

Many South Sudanese view Khartoum’s efforts to make unity attractive in line with the CPA as grossly inadequate. The possibility of South Sudanese opting for independence in the 2011 self-determination referendum gives rise to three key questions such as: i) what are the possible consequences for the North and South of such an outcome? ii) what will be the impact on inter-ethnic relations within and between both regions, and iii) how can this situation be best managed to avert violence? There are many challenges that could confront both North and South Sudan should the South opt for independence in the 2011 referendum. Some Northerners fear that this would diminish their political power and reduce Northern control over oil revenues from the South. Yet, the commitment by the North to respect the outcome of the referendum is essential for the attainment and maintenance of lasting peace in Sudan.

Meanwhile, historical deprivation of basic social services, such as health, education, and infrastructure meant war-torn South Sudan has a huge public service administrative capacity gap. A “peace dividend” has been absent in the region, where lack of service delivery by the GoSS has led to a heavy dependence on international non-governmental organisations. Efforts by Juba to alleviate poor service delivery by decentralising public service delivery to state governments have been slow due to capacity constraints. The outcomes of these initiatives are likely to have profound implications for the North and South as well as the attainment and maintenance of lasting peace in Sudan regardless of the outcome of the 2011 referendum.

25 Ibid.
4. Resolving the Border Areas of Abyei, the Blue Nile, and Southern Kordofan

The oil-rich Abyei region, the Blue Nile, and Southern Kordofan states are three of five borderline areas - including Kaka Town, and the area on either side of the Bahr al-Arab/Kiir River - that are contested by North and South Sudan. In line with a special protocol to the CPA, the people of Abyei will vote in a separate referendum on whether to continue to be under North Sudan or join South Sudan. Currently, Abyei administers itself under the auspices of Khartoum, while its people have dual North and South Sudanese identity. Despite agreeing on the administration of the region and sharing of its oil revenue, the Khartoum government and South Sudan, however, differ on the demarcation of Abyei’s borders. This resulted in the establishment of an Abyei Boundaries Commission (ABC) to settle the dispute over the area’s boundary pursuant to the Abyei Protocol of May 2004. The Commission comprised five members from the government; five individuals from the SPLM; and five impartial experts (three appointed by IGAD and one each from the United States and Britain). The Khartoum government rejected the ABC’s border delimitation report of July 2005, arguing that the Commission had amplified Abyei’s borders. A subsequent July 2009 Permanent Court of Arbitration ruling on Abyei reduced the borders demarcated in 2005, leaving control of many key oil fields with the Khartoum government. The demarcation of the North–South and Abyei borders - a key requirement for the referendum to take place – could spark further conflict if not carefully managed. While both Khartoum and Juba formally committed to respecting the court’s decision, the full implementation of Abyei’s border demarcation has been stalled by insecurity, mainly confined to the Misseriya-dominated villages of Dumboloya, Um Khaer and Shegei. Widespread confusion about the ruling has also heightened tensions in the area, and the work of the Abyei demarcation team has been blocked by armed militia, threatening further instability in the region.

The outcome of the Abyei referendum will have important ramifications for both the North and the South. From 2005 to 2007, the area’s oilfields produced $1.8 billion in revenues, which translated to 26.6 percent of the total oil production of Sudan in 2005. If Abyei votes to join South Sudan, large tracts of fertile land and the Diffra oil field would fall under this entity. Despite the Abyei protocol’s recognition of their grazing rights, the Misseriya Arabs are concerned that they will lose access to pastoral lands. Against this backdrop, the Abyei referendum legislation and institutions such as the Abyei referendum commission will need to develop effective administrative, logistical, and funding mechanisms. This should also address sensitive issues such as the residency criteria for eligibility to vote in the referendum. Meanwhile, the implementation of the long-delayed popular consultations on the future status of the Blue Nile and Southern Kordofan states will also be essential for achieving a stable and durable peace in Sudan.

5. Regional Implications of the Referendum in South Sudan

The Intergovernmental Authority on Development, the regional economic community in the Horn of Africa, has provided proximate, solid and sustained institutional support for Sudan’s peace process. The sub-regional body convened and managed the peace talks in Naivasha, Kenya that led to the signing of the CPA in January 2005 incorporating the Naivasha agreement; the Declaration of Principles (DOP); and the Machakos Protocol. IGAD’s efforts were buttressed by financial support provided by a group of Western donors – the IGAD Partners Forum (IPF). The sub-regional grouping continues to support the implementation of the CPA, and has urged the Sudanese parties to engage in post-2011 South Sudan referendum negotiations on post-referendum arrangements in order to ensure peace and stability in Sudan and the Horn of Africa.

The African Union (and its predecessor the Organisation of African Unity) has also been engaged in Sudan’s peace process. An AU Ministerial Committee on Post-Conflict Reconstruction was established by the continental

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30 See Centre for Conflict Resolution, South Sudan Within A New Sudan, p. 18.
34 IGAD’s six member states are: Sudan, Ethiopia, Djibouti, Uganda, Kenya, and Somalia. Eritrea unilaterally suspended its membership in 2007.
36 Ibid.
body in July 2003 to support the CPA implementation and assist the rebuilding of Sudan. South Africa, the chair of the Committee has since contributed in the area of human resources development, including the training of over 1000 Sudanese government officials in various public administration roles, in partnership with the University of South Africa. On the issue of the referendum, the AU is said by some to have assumed a pro-united Sudan stance. AU Commission Chairperson, Jean Ping, noted that the “unity of Sudan is the most attractive option,” since South Sudan’s independence could set a dangerous precedent for the continent and set a “catastrophic scenario”, in which Darfur and other regions could follow suit resulting in the possible disintegration of Sudan.

The outcome of the referendum will not only be significant for the peace and development of Sudan alone, but also for its nine neighbours. Some analysts have noted that despite the low level of influence Sudan’s neighbours have on its internal politics, their support for the referendum process and respect for its outcome, will be crucial to ensuring peace and stability in the country and region. Egypt and Libya as well as the Arab League favour the maintenance of a united Sudan. The two North African countries have argued that an independent South Sudan would be a weak state. Egypt is also opposed to the emergence of an independent South Sudan as it argues that this could complicate the Nile water agreement, thereby upsetting Cairo’s quota. Uganda, strategically interested in a stable buffer on its northern border and its increased trade with the South, has openly backed the independence of South Sudan, while there could be considerable economic benefits for Kenya in its post-2011 relations with an independent South Sudan. Regional security will be a prime concern for Ethiopia, itself domestically fragile, and facing a potentially explosive situation with Somalia, as well as a continuing dispute with Eritrea. Both IGAD and the AU will play critical roles in managing the outcome of the 2011 referendum.

6. The Role of the United Nations in Sudan

The United Nations Mission in Sudan (UNMIS) was set up by the UN Security Council in March 2005 and mandated to support the implementation of the CPA. UNMIS has 9,569 out of an authorised 10,000 military personnel. Despite persistent operational and logistical challenges, the mission has played an important peacebuilding role in South Sudan including: implementing a training package for the South Sudan Police Service; providing technical and logistical support for the National Elections Commission (NEC) to conduct the April 2010 elections and address post-electoral problems; implementing stabilisation activities in South Sudan with the support of a donor-funded Sudan Recovery Fund; and providing technical support for the South Sudan legislative reform process. UNMIS has strengthened its electoral component to provide technical support to Sudan’s elections commission and other South Sudan electoral bodies ahead of the 2011 referendum. The mission’s police component will also support the South Sudan Police Service and Abyei local police in the provision of security for the referendum.

The United Nations/African Union Hybrid operation in Darfur (UNAMID) was set up by the UN Security Council in July 2007. UNAMID was mandated to bolster the 7,000-strong AU mission in Darfur that had been in operation since 2004. UNAMID’s main mandate was to oversee the implementation of the Darfur Peace Agreement of 2006 and to protect civilians. But as in South Sudan, the slow pace of UN deployment in a territory the size of France complicated efforts to resolve this complicated case. UNAMID continued to conduct

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37 The committee comprises Algeria, Egypt, Ethiopia, Gabon, Kenya, Nigeria, Senegal, and South Africa.
40 Thomas, “Decisions and Deadlines”.
41 International Crisis Group, Sudan.
42 Ibid. p.i.
45 Ibid.
patrols in the territory, and the $1.5 billion a year mission had deployed 17,157 of its authorized 19,555 troops by April 2010. By May 2010, progress had been made in the areas of security and the protection of civilians while pockets of instability remained. Instability also continued on the Sudan/Chad border, though UNAMID has continued to support mediation efforts geared towards the establishment of a durable ceasefire.

7. The Role of the African Union High-Level Panel on Darfur

The African Union High-Level Panel on Darfur (AUPD) is part of the AU’s sustained efforts since 2004 to contribute towards peace, security, and stability in Sudan, and more specifically in the Darfur region. In February 2009, the AU Assembly of Heads of State and Government endorsed a decision by its 15-member Peace and Security Council, to establish the AUPD. Mandated to examine the situation in the AU on how to bolster peace, reconciliation and justice in Darfur, the Panel’s activities stretched over a six-month period, from 19 March 2009 to 15 September 2009. During this time, panel members met with representatives from a wide range of Sudanese and international stakeholders including: the Government of Sudan; political parties; rebel movements; civil society organisations; internally displaced persons; native administration leaders; the diplomatic community in Khartoum; and various other groups and individuals. They also held consultations with Sudan’s neighbouring countries.

The Panel’s report, submitted to the Chairperson of the African Union Commission, Jean Ping, in October 2009, noted in particular the critical role of the Sudanese people in bringing about a resolution to the conflict in Darfur; stressed that a solution to the conflict should involve the integration of Darfur into Sudan; and emphasised the link between a solution to the conflict and the overall democratisation of Sudan. The report also highlighted the importance of fast-tracking the social and economic development of Darfur; the need for promoting reconciliation and building mutual trust; and the importance of normalising relations between Sudan and its neighbours, as well as with the international community. Recommendations outlined in the Report cover among other issues: the process of reaching a Global Political Agreement (GPA); justice and reconciliation; the promotion of dialogue among Darfurians; mobilising Sudan’s neighbours; South Sudan’s referendum; measures for the implementation of peace agreements; support to the AU-UN mediation process; and the role of UNAMID and the AU in promoting and consolidating peace in Darfur. The report also proposed the establishment of a Darfur Implementation and Monitoring Commission (D-IMC) to oversee the implementation of the GPA. The creation of a special unit within the AU’s Peace and Security Department, to support the AU’s increased engagement with Sudan, and equipping the AU liaison office in Sudan to play a greater role in the Sudanese peace process were also suggested. The African Union High-Level Implementation Panel was tasked with assisting in the implementation of the recommendations; supporting and facilitating the continued engagement by Sudanese parties in the implementation of the CPA; and providing support to other processes related to the democratic transformation of Sudan. Given the AUHIP’s one year mandate, key AU and UN officials have called for the conclusion of the Global Political Agreement on Darfur by the end of 2010, ahead of the South Sudan referendum in January 2011. These officials have also highlighted the importance of adopting an integrated approach that links peace in Darfur to preparations for the 2011 referendum and the essential goal of achieving overall stability in Sudan.

50 Members of the panel were: Former presidents - Thabo Mbeki (South Africa); General Abdul Salami Abubakar (Nigeria); and Pierre Buyoya (Burundi); as well as former Foreign Affairs Minister of Egypt, Ahmed Maher El Sayed; Judge Florence Ndepele Mwachande Mumbe (Zambia); Kabir Abdullah Mohammed (Nigeria), former State House Counsel and Special Envoy of former President Olusegun Obasanjo on the Trial of suspects of War Crimes and Human Rights Violations in Darfur; and Rakiya Omaar (Somalia), Director, African Rights.
51 African Union, Darfur: The Quest for Peace, Justice and Reconciliation, p.5.
52 Ibid. p.77.
53 Ibid. pp.116-118.
54 Ibid. pp.xviii–xix; p.78.
55 Ibid. p.98.
8. The Role of Extra-regional Actors in Sudan

The United States

In October 2009, the United States unveiled its new policy towards Sudan, which President Barack Obama described as “a comprehensive strategy to confront the serious and urgent situation in Sudan.”60 The policy identifies Washington’s three strategic priorities in Sudan: i) an end to the conflict, gross human rights abuses, and mass crimes in Darfur; ii) implementation of the CPA that results in a peaceful post-2011 Sudan or two separate stable and viable states, and iii) ensuring that Sudan does not become a “safe haven” for terrorists.61 Washington had played an instrumental role in ensuring the signing of the CPA in 2005. The current US strategy commits Washington to providing technical expertise and support, alongside other international partners, for the Sudanese parties to implement the requirements for conducting credible referenda in 2011. Washington has played a significant role in Sudan’s peace process. US envoy to Sudan, General Scott Gration, promoted peace talks between Sudan and neighbouring Chad. The US, together with the UN and AU, has also actively participated in the Doha peace talks that culminated in the signing of two framework agreements between the GOS and Darfur rebels in February and March 2010. Washington was the biggest contributor of humanitarian aid to Sudan in the 1990s, with expenditure for humanitarian assistance exceeding $1.2 billion.62 The US has also worked jointly with the AU, the UN and wider international community on peace operations in Sudan.

The European Union

Sudan is currently the European Union’s largest recipient of humanitarian aid and received €110 million worth of assistance in 2009.63 The EU played an instrumental role in brokering the CPA, and also supported the Abuja peace talks of 2005 which culminated in the signing of the Darfur Peace Agreement of 2006.64 In 2008, a 3,700 strong EU force (EUFOR) - mandated to monitor and provide security to the camps for Darfuri refugees and internally displaced persons - was deployed to Chad and Central African Republic (CAR) to support the AU/UN mission in Darfur.65 The EU also assisted in funding the $200 million shortfall for the AU operation in the Darfur region, and has assisted the AU through the provision of equipment and assets; planning and technical assistance; military observers; and strategic transportation.66 The EU’s involvement in Darfur include: providing financial support of almost €1 billion most of which was allocated toward humanitarian assistance for Darfuri refugees in neighbouring Chad, while €12 million was provided for activities relating to the political process. Other contributions were made to the Ceasefire Monitoring Group (CMG) and the AMIS force.67 In August 2009, the EU officially opened its representative office in Juba. This could see more European countries opening similar offices in Southern Sudan.

China

China became the world’s second largest oil consumer after the US in 2003,68 and has significant strategic interests in Sudan’s oil areas. Beijing became Sudan’s largest trading partner at a time when most Western companies pulled out of Sudan. In 1996 China’s National Petroleum Cooperation (GNPOC) purchased 40

65 Ibid, pp.32-33; The EUFOR operation in Chad and CAR was transformed into a UN force (MINURCAT) by March 2009; “From Eurafrique to Afro-Europe: Africa and Europe in a New Century”, seminar report, Cape Town, South Africa, 11 to 13 September 2008, pp.40-41.
66 Ibid. pp.30-33.
67 Ibid. p.32.
percent of the Sudanese oil consortium, the Greater Nile Petroleum Operating Company, and bought shares worth $8 billion in fourteen projects. 69 GNPOC controls 12.2 million acres of concession land as well as a $1 billion pipeline extending from the Bentiu oil fields to the Red Sea coast at Port Sudan. Beijing is a significant player in Southern Sudan’s oil industry due to deals it has signed with the Khartoum government. Chinese oil exploitation has generated intense criticism over the forceful displacement of Southerners to open space for oil drilling in the region. Beijing is also a major supplier of arms to Khartoum.

China, one of five permanent members of the UN Security Council, followed a non-interference policy and either abstained or watered down most of the major resolutions concerning the crisis in Sudan’s Darfur region at the Council meetings, until it supported the deployment of UNAMID in July 2007. 70