



STABILISING SUDAN: DOMESTIC, SUB-REGIONAL, AND EXTRA-REGIONAL CHALLENGES



CAPE TOWN, SOUTH AFRICA

POLICY ADVISORY GROUP SEMINAR REPORT

23-24 AUGUST 2010, ERINVALLE ESTATE, SOMERSET WEST, SOUTH AFRICA

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RAPORTEURS
DANIEL LARGE AND CHRIS SAUNDERS

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About the Organiser

The Centre for Conflict Resolution, Cape Town, South Africa was established in 1968, and has wide-ranging experience in conflict interventions in the Western Cape and Southern Africa. CCR is working increasingly on a pan-continental basis to strengthen the conflict management capacity of Africa’s regional organisations. Its policy research has focused on post-conflict peacebuilding involving the African Union (AU), the United Nations (UN), and civil society; the European Union’s (EU) engagement in peacebuilding in Africa; Southern Africa’s peacebuilding challenges; and HIV/AIDS in relation to post-conflict societies.

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Executive Summary

The Centre for Conflict Resolution (CCR) in Cape Town, South Africa, hosted a two-day policy advisory group seminar on 23 and 24 August 2010 in Somerset West, Western Cape, on the theme: “Stabilising Sudan: Domestic, Sub-Regional, and Extra-Regional Challenges”.

The meeting examined Sudan’s multiple, interconnected challenges as the country fast approaches a historic transition. In January 2005, the government of Sudan and the Sudan People’s Liberation Movement/Sudan People’s Liberation Army (SPLM/A) signed the Comprehensive Peace Agreement (CPA). Six years later, in January 2011, according to the terms of the CPA, Southern Sudanese residents in the South and in designated areas outside South Sudan should be able to vote on the South’s self-determination and choose whether South Sudan should remain in, or secede from, a united Sudan. At the same time, Ngok Dinka inhabitants residing in the Abyei region are supposed to vote on whether to remain in the North or join South Sudan. The Cape Town seminar sought to develop recommendations to help Sudan and its neighbours to achieve stability. It sought to identify ways in which African and extra-regional actors could help Sudan to manage the challenges of the forthcoming referenda for the country’s future. The advisory group focused on key aspects of Sudan’s current political juncture: preparing for, and managing the outcome of, the South Sudan and Abyei referenda; United Nations (UN) peacekeeping in Sudan, including Darfur; the contested border areas between the North and the South of Abyei, Southern Kordofan, and Blue Nile; the regional implications of the Southern and Abyei referenda; and the role of two key external actors: the United States (US) and China.

Context: Sudan at the Brink

Any current external engagement with Sudan must recognise the need to adopt both a historical approach and a holistic pan-Sudan perspective that take into account the dynamic interconnections between the country’s multiple interlocking conflicts. Sudan is geographically Africa’s largest country and features great racial, religious, and cultural diversity. It is not sufficient to focus on only one of Sudan’s regions, or merely on the relations between north and south, or between Darfur and the rest of the country. Furthermore, Sudan has significant regional interconnections with neighbouring states in the Horn of Africa, East, Central, and North Africa, as well as the Middle East. Sudanese ownership of the CPA is critical, but external third-party actors can play positive roles. History has shown that effective implementation of policy goals within Sudan can depend on a convergence of purpose between internal Sudanese political constituencies and regional and external actors.

The implementation of the CPA has reached a critical phase. The agreement established a template for a wide-ranging agenda of political change in Sudan. Its intent extended beyond just the Southern referendum. This referendum, however, has become the accord’s defining provision in the eyes of many Sudanese and the international community. The cost of any failure to implement the CPA would be considerable, not just for Sudan, but also for the country’s nine neighbouring states, the rest of Africa, and the world at large. A pressing issue for African and international policy engagement is how to ensure that the preparations, conduct, and outcome of the Southern and Abyei referenda can be managed peacefully to avoid a humanitarian disaster.

Laying the foundations for a mutually beneficial post-referendum settlement in line with the terms of the CPA will require political will and cooperation between the parties. If the accord were to be dishonoured, it is unlikely that any future agreement between Northern and Southern Sudan could be sustained. Effective

implementation of the CPA's provision for the Southern Sudanese to exercise their right to self-determination by voting either to remain in the present administrative structure or to become an independent state would require a process of managed separation and continued socioeconomic interdependence. A number of critical post-referendum issues – such as security arrangements, sharing of water assets and oil revenues, as well as decisions about citizenship, currency, and national capitals – need to be urgently resolved. It is crucial that any new political configuration that emerges after the January 2011 referendum should involve peaceful co-existence that can assist rapid socio-economic development.

1. UN Peacemaking in Sudan

There has until recently been less international engagement with, and political support for, CPA implementation than on the Darfur issue. Furthermore, international engagement has suffered by not being guided by a holistic approach. The CPA's two signatory parties – the ruling National Congress Party (NCP) for the government of Sudan and the Sudan People's Liberation Movement – have significantly failed to implement the agreement "fully and jointly". However, the international community has also missed several opportunities to ensure a stable post-referendum outcome by failing to mount a more concerted, engaged effort to support the CPA after it was signed. The 10,000-strong UN mission in Sudan (UNMIS), which was launched in 2005, faced particular difficulties in deployment, coordination, and making an integrated mission operational. UNMIS has made efforts to help the two main Sudanese parties meet the conditions under which they could implement the CPA by preserving the peace, by guaranteeing the rights promised in the accord and other international agreements, and by catalysing socio-economic development. However, development efforts have remained limited, partly due to the re-direction of international resources to Darfur. The failures of past UN and international engagements in Sudan can offer valuable lessons for the future that must be urgently applied to present circumstances.

2. Managing the Outcome of South Sudan's Referendum

The results of the Southern referendum will have a profound effect within and beyond Sudan. The African Union has pushed for an all-inclusive debate about the referendum and its potential aftermath in order to help the country to prepare for the future. Sudanese leaders need to take the lead in this process. A probable outcome of South Sudan's referendum is the establishment of a new independent state. External assistance would be required to meet the huge state-building and human development challenges created by such an outcome. The CPA's "one country, two systems" formula has inadvertently entrenched the very problem that it sought to address: the North-South division of Sudan. The root causes of the conflict are likely to remain unresolved for some time, especially in the marginalised peripheries of Northern Sudan. The vision of a united, democratic "New Sudan", which was championed by late SPLM leader, John Garang, during the country's civil war between 1983 and 2005, is unlikely to be achieved in the near future.

3. UN Peacemaking and Peacekeeping in Darfur

The situation in Darfur, where an estimated 300,000 people have died since 2003, continues to impede prospects for a durable political solution. Khartoum, the rebel Justice and Equality Movement (JEM), and the rebel Sudan Liberation Movement (SLM), continue to try to resolve the conflict primarily through a military victory. Inter-tribal clashes have increased, internally displaced populations continue to suffer amidst political fragmentation, and attacks continue on humanitarian personnel and peacekeepers. The 21,800-strong AU/UN

Hybrid Operation in Darfur (UNAMID) also lacks a functioning peace agreement to implement, and remains a peacekeeping force surrounded by ongoing conflict. Without the cooperation of the JEM and the leadership of relevant social and political forces, as well as other Darfuri rebel groups, including the Sudan Liberation Movement – whose leader, Abdul Wahid al-Nur, is in exile in France – the prospects of a sustainable peace remain remote. In addition, the lack of effective coordination among internationally- and regionally-sponsored mediation efforts continues to pose problems for the achievement of durable peace.

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

While the North-South and Darfur conflicts have garnered the most international attention, Sudan's complex, volatile, resource-rich, and, in places, heavily militarised border areas have attracted comparatively little interest. However, these represent areas of great strategic importance for achieving durable peace in Sudan. While the complex interdependence of local and national groups across a potential inter-state border provides the opportunity for peaceful co-existence and neighbourly relations, it also engenders a threat of conflict and instability. The impact of the present peace deal on Southern Kordofan and Southern Blue Nile, where the CPA provides for popular consultation, remains uncertain. The result of the referendum in Abyei scheduled for January 2011 on whether the area wants to remain under the North or join the South will have far-reaching consequences for Sudan.

Failure to achieve a peaceful political resolution in these three border areas would threaten any peaceful implementation of the outcome of the Southern referendum, if the vote is for separation. Should the South secede, Khartoum and/or Juba could become embroiled in a new conflict in which other groups in these areas would exercise influence. A post-referendum northern Sudan could be faced with a possible opposing alliance of the new northern "peripheries". The future of the SPLM in northern Sudan and the NCP in southern Sudan after 2011, the preferences of the populations in the ten Southern and Northern provinces along the common North-South border for unity or separation, and possible alliance patterns that the NCP and the SPLM would seek as a result to build in the border areas, also constitute critical issues that need to be urgently addressed.

5. Regional Implications of the Referendum in South Sudan

Sudan's political future will inevitably influence peace and stability in the Horn, Eastern, and Central Africa. If the Southern referendum produces contested results leading to conflict, the impact would not be confined to Sudan. Failure to conduct the Southern referendum on schedule could also have serious regional security repercussions. Several of Sudan's neighbours such as Uganda, Kenya, Eritrea, and Ethiopia appear to have a vested interest in a stable political transition and a peaceful future for a Southern Sudanese polity. Others, like Egypt and Libya, fearing a loss of influence, regional instability, and – in the case of Cairo – a diversion of the Nile waters, seem more inclined to support the option of a united Sudan with more autonomy granted to the South. Egypt, however, has also made efforts to develop relations with the Government of South Sudan. Peaceful CPA implementation and any post-referendum settlement is necessary to preserve peace in Sudan's neighbouring regions and other parts of Africa, as well as to help the continent to address security threats posed by extremist armed groups such as Somalia's al-Shabab, Uganda's Lord's Resistance Army, and self-described backers of al-Qaida in the region.

6. Extra-regional Actors: the United States and China

The United States remains the most important extra-regional actor engaged with Sudan. Having played a crucial role in negotiating the CPA, Washington is the agreement's most powerful external guarantor. China, a fellow veto-wielding permanent member of the UN Security Council, is also a crucial actor due to its economic importance in Sudan. This role is centred on, but not confined to, the country's oil industry, as well as Beijing's leverage with the NCP, which first delayed and then ensured the deployment of UN peacekeepers to Darfur in 2007. The US and China have different engagements with Sudan, but share a common interest in promoting stability through a peacefully managed CPA. War or instability in and around Sudan would damage the interests of both powers. Such conflict could aid extremist groups seeking to destabilise the region and threaten Western and Chinese interests. It could also impede Sudan's economic development. Support for peaceful CPA implementation is also importantly provided by the UN Security Council, relevant regional and sub-regional organisations – the AU and the Intergovernmental Authority on Development (IGAD) – and mechanisms such as the Troika – foreign ministries from the United States, Britain, and Norway. However, Washington and Beijing at present have a particular responsibility for – and powerful means to influence – the fate of the CPA, and must work collectively to help to manage its peaceful implementation.

Policy Recommendations

Peace and stability in Sudan and the broader region depend on the Southern referendum being properly held on schedule in January 2011 and the peaceful implementation of its outcome. The countdown to the Southern vote, and that in Abyei, is proceeding rapidly. National, regional, and international actors should prepare themselves for a range of possible outcomes in the aftermath of both referenda – particularly in relation to the impact on Darfur, and Southern and Northern Sudan's future. External parties should strongly discourage any unilateral decision, including resort to military force by the NCP and the SPLM, and encourage and incentivise both sides to continue instead to use political dialogue to resolve their differences. Twenty policy recommendations in four key areas emerged from the Cape Town advisory group seminar. However, although most of them are directed towards regional and international actors, it was strongly emphasised that full implementation of the CPA and restoring peace in Darfur is fundamentally a Sudanese responsibility.

1. Implementing the Comprehensive Peace Agreement

- The UN Security Council, as the ultimate guarantor of the CPA, should make clear to all parties that it is fully committed to the accord and will take whatever steps are necessary to see that the CPA is fully implemented. All 15 Security Council members should therefore work towards reaching a shared understanding of how to achieve peace and security in Sudan in the aftermath of the referendum and undertake to act collectively in this regard. This must be done to avoid parties in Sudan exploiting divisions among external actors. Special responsibility lies with the US and China, which should take the lead in actively ensuring adherence to the implementation of the CPA's final benchmarks;

- The UN Security Council and the 15-member AU Peace and Security Council should encourage all parties to consider and prepare for what will happen in Sudan after the referenda in the South and Abyei, whatever their outcome. In the interests of peace and stability, all parties should prepare contingency plans for different eventualities;
- The UN Security Council should work with the Thabo Mbeki-led African Union High-Level Implementation Panel to ensure full and effective implementation of the CPA. More international support should be provided to the panel, which understands the issues and has the credibility to work with the signatories to the CPA. It is essential, moreover, that mediation efforts between the AU, IGAD, the US, the European Union, China, and other external parties be better coordinated;
- The UN mission in Sudan should be more actively supported and its mandate extended. Learning lessons from the post-referendum violence in East Timor in August 1999, the UN Security Council should clearly state that, if necessary, it will change UNMIS's mandate from that of a Chapter 6 peacekeeping force with certain Chapter 7 provisions to that of a full Chapter 7 peace enforcement mission, with the power to use force and take decisions independently of the government of Sudan in order to protect civilians and guarantee the implementation of the Southern and Abyei referenda;
- The two main Sudanese parties – the NCP and the SPLM – should provide regular, publicly stated benchmarks to track progress on CPA implementation in its final stages, while external donors must deliver on their pledges to post-conflict reconstruction efforts in Sudan;

2. Preparing and Supporting the Referenda

- Core issues of contention between the main Sudanese parties, such as disputes over the demarcation of the boundary between North and South, Abyei, and future wealth-sharing arrangements, must be urgently settled to ensure stability in Sudan after the Southern and Abyei referenda;
- International actors should support a campaign to publicise the referenda and disseminate information about their processes and importance to Sudanese citizens, as well as about how issues of citizenship will be tackled;
- The effective functioning of the Southern Sudan Referendum Commission and the Abyei Referendum Commission is critical. Appropriate technical assistance, as required, should be provided to these Commissions by regional and external actors;
- Effective monitoring of the Southern and Abyei referenda by external observers is required in order to ensure that their processes and outcomes are credible;
- The UN Security Council and the AU Peace and Security Council should give warning in good time that if the CPA is not fully implemented, and if the outcome of the Southern referendum is not respected, appropriate measures would be imposed on the offending parties;

- National governments and regional and external organisations should clearly state that they will accept the result of the referenda, in accordance with the terms of the CPA;
- All Sudanese parties should work towards the full implementation of the referenda in January 2011. Regional actors and the international community should help them to do so and take all necessary steps to ensure credible referenda, the results of which should not be questioned if properly conducted and monitored;

3. The Post-Referenda Period

- The international community should undertake to guarantee and respect the results, whatever they might be, of the January 2011 referenda in Southern Sudan and Abyei. If a new country of South Sudan emerges, the international community should be ready from the outset to work to help South Sudan to become a viable state;
- The international community should recognise the dangers of instability in Northern Sudan after the referenda and work to ensure the protection of human rights in all parts of Sudan, ensuring equitable participation of all regions of the country in the political process;
- Regional and external actors should focus not only on Juba and Khartoum, but should recognise that Sudan's border areas are a matter of critical strategic importance, especially Abyei, Southern Kordofan, and Southern Blue Nile, and will remain so after the referenda;
- A soft-border regime is required for Sudan's border areas to enable them to continue to exist as a shared zone for mutual benefit. The international community should therefore fully encourage current efforts to promote peaceful co-existence in these areas;

4. Stabilising Darfur

- The AU, IGAD, key external actors, and other interested parties should continue to engage with the Darfur peace process and promote a comprehensive, inclusive peace agreement in the volatile region;
- The peace talks in the Qatari capital of Doha, led by Djibril Bassolé, Joint African Union United Nations Chief Mediator for Darfur, should involve all parties to the conflict, and all those with influence should work to encourage those who are not participating in this process to do so;
- IGAD should take a more active role in working for peace in Darfur and in bringing the North and South together to settle the issues that divide them; and
- The AU/UN Hybrid Operation in Darfur should be fully supported and resourced to ensure that its mandate is effectively met. Punitive measures should be considered by the international community against armed groups which attack civilians and UN peacekeepers.

1. Introduction

The Centre for Conflict Resolution (CCR) Cape Town, South Africa, hosted a two-day policy advisory group seminar from 23 to 24 August 2010 in Somerset West, Western Cape, South Africa on the theme, “Stabilising Sudan: Domestic, Regional, and Extra-Regional Challenges”.

The meeting examined Sudan’s multiple, interconnected challenges as the country fast approaches a historic transition.¹ In January 2005, the government of Sudan and the Sudan People’s Liberation Movement/Sudan People’s Liberation Army (SPLM/A) signed the Comprehensive Peace Agreement (CPA). Six years later, in January 2011, according to the terms of the CPA, Southern Sudanese residents in the South and in designated areas outside South Sudan should be able to vote on the South’s self-determination and choose whether South Sudan should remain in, or secede from, a united Sudan. At the same time, Ngok Dinka inhabitants residing in the Abyei region are also supposed to vote on whether to remain in the North or join South Sudan. The Cape Town seminar thus sought to identify ways in which African and extra-regional actors could help Sudan to manage the challenges of the forthcoming referenda for the country’s future. The meeting also developed 20 concrete recommendations to help Sudan and its neighbours to achieve stability.²

The Comprehensive Peace Agreement had reached a critical phase when the Cape Town seminar convened. The 2005 agreement had codified a template for wide-ranging political change, or “democratic transformation”, in Sudan, and was meant to cover far more than just the Southern referendum. The poll was originally intended to allow Southerners to assess whether unity had been made attractive since 2005. The idea was that if unity had been made desirable, there would be no need for the South to separate from the North, and a referendum could confirm this. However, following a long history of Southern subordination in a united Sudan, not enough was done to make unity attractive, to deliver a “peace dividend”, and to begin a process of national reconciliation. As a result, the significance of the poll grew and its possible ramifications for peace and security in the Horn of Africa, the Great Lakes, and North Africa became increasingly serious. The likelihood of a Southern vote for secession has turned the Southern referendum into the CPA’s defining provision, even if the future of Abyei is also of fundamental importance to the future of Sudan. The cost of a failure to implement the CPA fully will be considerable, not just for Sudan and the Sudanese, but also for Sudan’s nine neighbouring states³, Africa, and the world at large. In particular, the seminar stressed the importance of African and international policy engagement to manage the preparations, conduct, outcomes, and post-referendum consequences of the Southern referendum peacefully, and avoid a humanitarian disaster.

Laying the foundations for a mutually beneficial post-referendum settlement in line with the terms of the CPA will require political will and cooperation between the parties. If the accord were to be dishonoured, it is unlikely that any future agreement between Northern and Southern Sudan could be sustained.⁴ Effective

1 See Francis Deng, *War of Visions: Conflict of Identities in the Sudan* (Washington DC: The Brookings Institution, 1995); Dunstan M. Wai, *The African-Arab Conflict in the Sudan* (New York and London: Africana Publishing Company, 1981); Peter Woodward, *Sudan, 1898-1989: The Unstable State* (Boulder: Lynne Rienner, 1990); and Francis Deng, *Sudan at the Brink: Self-Determination and National Unity* (New York: Fordham University Press, 2010).

2 This policy advisory group seminar built on a previous successful meeting organised by the Centre for Conflict Resolution in Cape Town on 20 and 21 April 2006 on the theme, “South Sudan Within A New Sudan”. See *South Sudan within a New Sudan*, CCR policy advisory group seminar report, April 2006 (available at www.ccr.org.za). The concept paper upon which this report is partly based was prepared by CCR researchers, Gwinyayi Dzinesa, Dawn Nagar and Elizabeth Oitodun.

3 Chad, Central African Republic, the Democratic Republic of the Congo, Egypt, Eritrea, Ethiopia, Kenya, Libya, and Uganda.

4 See Abel Alier, *Southern Sudan: Too Many Agreements Dishonoured* (London: Ithaca Press, 1990).

implementation of the CPA's provision for Southern Sudanese to exercise their right to self-determination by voting either to remain in the present administrative structure or to become an independent state would require a process of managed separation and continued socio-economic interdependence. It is crucial that any new political configuration that emerges after the January 2011 referendum should involve peaceful co-existence that can assist rapid socio-economic development in all parts of Sudan.

The August 2010 policy advisory group brought together 25 participants from Africa's regional organisations, the United Nations (UN), civil society, and academia. The group included: Sudanese scholar-diplomat Francis Deng, the Special Adviser of the UN Secretary-General on the Prevention of Genocide, who is also an active CCR board member; Jan Pronk, former Special Representative of the UN Secretary-General for Sudan; Henry Anyihodo, former Deputy Joint Special Representative of the African Union (AU)/UN Hybrid Operation in Darfur (UNAMID); Richard Williamson, former United States (US) Special Envoy to Sudan; and Lissane Yohannes, the Intergovernmental Authority on Development (IGAD) Special Envoy to Sudan. Most participants, however, while experienced in and knowledgeable about Sudan, hailed from outside the country. CCR organised the meeting in the belief that a more detached perspective would provide the critical distance necessary to produce useful policy recommendations.

Objectives

The August 2010 policy advisory group seminar's nine key objectives were to:

1. Evaluate the implementation of the Comprehensive Peace Agreement of 2005;
2. Explore how to manage the conflict of identities in Sudan;
3. Examine the prospects for the Abyei referendum and popular consultations on the future status of Southern Kordofan and Blue Nile;
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 and IGAD in relation to Sudan;
7. Assess the challenges for African Union and European Union (EU) peacemaking efforts in Darfur;
8. Consider the regional implications of self-determination for South Sudan; and
9. Discuss the key roles of extra-regional actors in Sudan, such as the United States (US) and China.

The seminar's discussions aimed to help the Sudanese government, political actors, and civil society, IGAD, the AU, the UN, the EU, external donors, and other policymakers to obtain a better understanding of the challenges faced, and the prospects for stabilising Sudan.

Any discussion of present-day Sudan involves taking account of many views and political issues. This report has tried to capture some of the key points that emerged during the CCR policy seminar in Cape Town, but without seeking to propose a uniformity of opinion on these. It has been particularly challenging to strike a balance between the CPA's emphasis on making unity attractive and the issues raised by the scheduled referenda in South Sudan and Abyei. Much work remains to be done before, during, and after the scheduled referenda in January 2011.

Background

As Africa's geographically largest country, with nine neighbours, Sudan's stability is critical to any efforts to ensure stability in the Horn of Africa, the Great Lakes, and North Africa. The nation's sheer diversity has complicated efforts to analyse the main sources of its various conflicts.⁵ Categorising Sudanese people as either "African" or "Arab" fails to capture fully the complexities of identity, religion, and power in Sudan. British colonial rule implemented a policy of separate and unequal development for North and South Sudan, while also centralising power and establishing a particular form of a dominant central state in Khartoum. This laid the foundation for the marginalisation of Sudan's peripheries, including Southern Sudan. The colonial legacy of an authoritarian governing style at Sudan's political and economic centre produced deep-seated tensions between the North and the South, and between the central government in Khartoum and the country's eastern, central, and western peripheral regions.⁶

After Sudan attained independence in January 1956, the asymmetrical relationship between North and South continued.⁷ Sudan became embroiled in two civil wars. The first war in South Sudan ended with the Addis Ababa peace agreement, which was ratified in March 1972 between Khartoum and Southern rebels, establishing regional self-government for Southern Sudan.⁸ However, the central government failed to implement fully the provisions of the agreement, which led to renewed political violence. Changing political alliances and the discovery of oil also fuelled the second civil war, which broke out in 1983, with the rebellion led by the Sudan People's Liberation Movement/Army. The war escalated after 1986, when elections led to a coalition government in Khartoum headed by Sadiq al-Mahdi. Fighting further intensified in June 1989 after the government was overthrown by a National Islamic Front coup led by Brigadier Omar al-Bashir, following a split within the SPLA in 1991. Sudan's protracted North-South civil wars only ended when the CPA was signed in January 2005,⁹ even as a destructive conflict was escalating in the country's western Darfur region. In addition to the South and Darfur, persistent conflict has been a defining feature in Sudan's border regions and eastern Sudan. Substantial and sustained international humanitarian support has also been extended to Sudan in the past three decades, notably during the period of the UN's "Operation Lifeline Sudan" after 1989, and in response to the Darfur conflict after 2004.

The signing of the Comprehensive Peace Agreement in 2005 represented an opportunity to address long-standing issues of identity, democratic inclusion, and socio-economic development. The accord sought a triple transition: from war to peace, from relief to development, and from dictatorship to democracy. The agreement stipulated a six-year interim period. As part of this process, a landmark referendum was scheduled for January 2011, at which the Southern electorate would decide whether to remain within or secede from a united Sudan. A vote in favour of secession would imply the creation of an independent South Sudan, based on a constitutional framework that aims to promote human rights, development, and democratic participation for all

5 See Centre for Conflict Resolution, *South Sudan Within A New Sudan*.

6 African Union, *Darfur: The Quest for Peace, Justice and Reconciliation*, report of the African Union High-Level Panel on Darfur, October 2009, p. xiii (available at http://www.africa-union.org/root/au/Conferences/2009/october/audp/AUPD%20Report%20on%20Darfur%20%20Eng%20_%20Final.pdf).

7 See Adam Azzain Mohamed, "The Comprehensive Peace Agreement and Darfur", in Alex de Waal (ed.), *War in Darfur and the Search for Peace* (Cambridge: Global Equity Initiative, Harvard University, 2007), pp. 200-201.

8 International Crisis Group, *Preventing Implosion in Sudan*, December 2009 (available at <http://www.crisisgroup.org/en/key-issues/preventing-implosion-in-sudan.aspx>).

9 See Centre for Conflict Resolution, *South Sudan Within A New Sudan*. Also see Mohamed, "The Comprehensive Peace Agreement and Darfur", pp. 203-213.

sectors of South Sudanese society.¹⁰ South Sudan is itself far from homogenous, and must manage intra-regional ethnic and cultural diversities. The CPA also stipulated that the voters of the oil-rich Abyei region in the centre of Sudan would be polled on whether their region should join the South or remain under the North's rule. The neighbouring regions of Southern Kordofan and Blue Nile were granted more limited opportunity through "popular consultations" to affirm the governance arrangements relating to these areas under the CPA.

Sudan held its first national elections in 24 years in April 2010 in accordance with the CPA. Over 16 million Sudanese – almost 80 percent of the country's eligible voters – registered to cast their ballots.¹¹ The holding of the elections faced a range of challenges: Sudan's vast geographic size, underdevelopment, high rates of illiteracy, tenuous security, a contested census, and political tensions. President Omar al-Bashir, head of the northern ruling National Congress Party (NCP), won 6,901,694 of approximately 10 million votes (about 69 percent) to be re-elected National President of Sudan.¹² His main challenger, Yasir Arman of the SPLM, withdrew from the elections, but still received 2,193,826 votes (about 22 percent). The SPLM boycotted the elections in 13 northern states, citing an uneven electoral playing field tilted in favour of the NCP. SPLM leader, Salva Kiir, was confirmed as President of 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, obtained only 197,217 votes (about 6 percent).

The UN observed that the elections remained free from major incidents of violence, 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 a secret ballot, and opposition boycotts).¹³ Post-election



Dr Francis M. Deng, Special Adviser of the United Nations Secretary-General on the Prevention of Genocide, New York, United States

10 See Centre for Conflict Resolution, *South Sudan Within A New Sudan*.

11 United Nations News Centre, "As Sudanese Elections Near, UN Voices Concern over Reports of Harassment", 23 March 2010 (available at <http://www.un.org/apps/news/story.asp?NewsID=34172&Cr=sudan&Cr1=election>).

12 United Nations, "Sudan/Election Announcement", 26 April 2010 (available at <http://www.unmultimedia.org/tv/unifeed/d/15062.html>).

13 United Nations, "Secretary-General Congratulates Participants in Sudan's National Elections", SC/SM/12844 AFR/1963, 15 April 2010 (available at <http://www.un.org/News/Press/docs/2010/sgsm12844.doc.htm>).

violence occurred in areas such as Darfur, where large groups were excluded from the electoral process.¹⁴ Other observers issued mixed reports on the elections. 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 a new elections commission.¹⁵ The AU and IGAD observer missions reported that the elections were conducted largely in accordance with the AU’s Declaration on the Principles Governing Democratic Elections in Africa, which was agreed in 2002, as well as Sudan’s constitutional, legal and institutional frameworks.¹⁶ Some Western observers, such as the Carter Center and the EU, noted flaws in the polls, which they said did not meet international standards.¹⁷ 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. The meeting further noted that international support for the election results could 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.¹⁸

Implementation of the Comprehensive Peace Agreement

Positive steps have been taken to implement the CPA’s power and wealth-sharing clauses. However, progress to implement the agreement’s other key provisions has been more uneven. As stipulated, a Government of National Unity and an autonomous Government of Southern Sudan (GOSS) were created and made functional. The CPA’s “one country, two systems” framework was followed, as demonstrated by the continued application of *sharia* law in the North, and a secular system in the South.¹⁹ Wealth sharing was implemented, although the transfer of oil revenues from the North to the South has remained a matter of dispute, and complaints have persisted about the lack of a tangible “peace dividend” from the revenues for Southern Sudan, where most of the oil is extracted.²⁰ In terms of security, the ceasefire zone along the North-South administrative border has been fairly effectively supervised by the ceasefire monitoring framework, with the exception of armed engagement during a crisis in Abyei in May 2008. The strength of the Joint Integrated Units, comprising personnel from the national Sudan Armed Forces (SAF) and the SPLA, stood at approximately 83 percent of the mandated strength of 39,639 troops in June 2010.²¹

The 2008 mid-term report of the Assessment and Evaluation Commission (AEC) – a body established in October 2005 in accordance with the CPA²² and mandated to monitor its implementation – highlighted five key areas that needed to be addressed in order to implement the accord successfully. These included: Abyei;

14 United Nations, *Report of the Secretary-General on the United Nations Mission in the Sudan, S/2010/168/Add.1*, 27 April 2010 (available at <http://www.pogar.org/publications/other/un/secgen/sudan/sl68add10e.pdf>).

15 Ibid.

16 See African Union, “Preliminary Statement of the African Union Observer Mission to the Sudan Elections: 11-15 April 2010” (available at www.africa-union.org). Also see Intergovernmental Authority on Development, “Election Observer Mission to the Sudan: Interim Statement”, 19 April 2010 (available at <http://igad.int/>).

17 See The Carter Center, “Election Observation Mission: Sudan, Presidential, Gubernatorial and Legislative, April 2010”, The Carter Center Preliminary Statement (available at www.cartercenter.org).

18 African Union/United Nations press release on the “African Union/United Nations Strategic Review Meeting on Sudan”, 7 May 2010, Addis Ababa (available at <http://www.africa-union.org/root/ar/index/Communique%20Eng%20-%20AUHIP.pdf>).

19 See Centre for Conflict Resolution, *South Sudan Within A New Sudan*.

20 Musifky Mwanasali, “Building Peace in Sudan: A Daunting task”, paper presented at the Centre for Conflict Resolution policy seminar, “Peacebuilding in Post-Cold War Africa”, Gaborone, Botswana, 25 to 28 August 2009.

21 See United Nations, *Report of the Secretary-General on the United Nations Mission in the Sudan, S/2010/168*, 5 April 2010.

22 The members of the AEC are representatives from the Government of National Unity (three from NCP and three from SPLM), representatives from the Intergovernmental Authority on Development (Kenya and Ethiopia) and representatives from Italy, the Netherlands, Norway, Britain and the US, which witnessed the peace negotiations that led to the signature of the CPA.

elections and democratisation; demarcation of the North-South border; preparation for the 2011 referenda in South Sudan and Abyei; and security sector reform.²³ Critically, in the run up to the 2011 South Sudan and Abyei referenda, legislation governing the two polls was agreed by the Sudanese parties and passed in December 2009.²⁴

At meetings held by the African Union High-Level Implementation Panel (AUHIP)—chaired by former South African President, Thabo Mbeki—and the UN in Addis Ababa in May 2010, the NCP and the SPLM re-committed themselves to timely implementation of the CPA's outstanding provisions. They pledged to: create conditions for peaceful referenda and post-referenda processes; establish functional commissions for both Abyei and South Sudan; manage security in the South; and find ways to support a comprehensive peace process throughout Sudan, while harmonising the CPA, the Darfur Peace Agreement (DPA), and the Eastern Sudan Peace Agreement.²⁵ In October 2010, the Sudanese parties had still not reached full agreement 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 should facilitate negotiations on the CPA's post-referenda implementation processes. Meanwhile, the government of Sudan and the Liberation and Justice Movement (LJM),²⁶ which was created in February 2010 as a negotiating umbrella for ten Darfuri rebel factions, agreed to establish six committees to examine power- and wealth-sharing and security in Darfur.

One issue that continued to hamper CPA implementation was the demarcation of the border between North and South Sudan, based on the colonial boundary of 1 January 1956. In October 2010, the Technical Border Committee had demarcated more than 80 percent of the North-South border line, a key precondition for the referendum.²⁷ However, a number of areas remained contested amid political deadlock. The issue of border demarcation became a political and not just a technical question and, as such, required political will from the presidency to be finally resolved.²⁸ The AUHIP, whose mandate was extended to assist CPA implementation, recommended, in the absence of an agreed final report to the presidency, that two parallel reports should be submitted by the Northern and Southern chairs with their respective positions on the issue.

The Road to the Referendum in South Sudan

The credibility of the Southern referendum depends on the preparedness and capacity of all concerned Sudanese parties, the electoral framework that has been established, and a conducive political climate for the poll. The law governing the referendum, scheduled for enactment in 2007, was finally adopted at the end of December 2009, after protracted negotiations between the NCP and the SPLM.²⁹ The law stipulated how the referendum should be held. It was agreed that a simple majority vote, on a two-thirds turnout of registered voters, would decide the outcome of the poll.

23 Assessment and Evaluation Commission January 2010 Report (available at www.aec-sudan.org/docs/aec/2010_AEC%20_January_Evaluation-en.doc).

24 United Nations, *Report of the Secretary-General on the Sudan*, S/2010/31, 19 January 2010.

25 *Ibid.*, pp. II-12.

26 See Mohammed, "The Comprehensive Peace Agreement and Darfur", pp. 208-212.

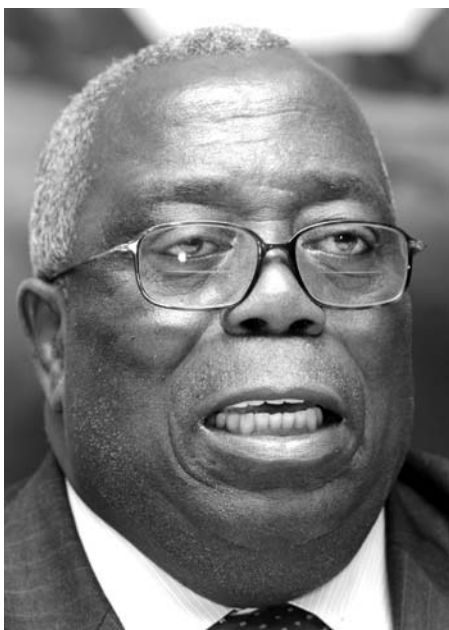
27 The Assessment and Evaluation Commission January 2010 Report.

28 See International Crisis Group, "Sudan: Defining the North-South Border", 2 September 2010.

29 Edward Thomas, "Decisions and Deadlines: A Critical Year for Sudan", Chatham House Report, January 2010, p.18.

The Assessment and Evaluation Commission recommended the rapid establishment of a strong referendum commission to assume responsibility for the poll's administrative, logistical, and funding mechanisms.³⁰ Political tensions within the Government of National Unity delayed the establishment of the South Sudan Referendum Commission (SSRC) until the end of June 2010.³¹ In October 2010, issues of voter eligibility and the logistics for voter registration remained a concern. To ensure the credibility and legitimacy of the referendum, strong oversight mechanisms and arrangements for international monitoring also still needed to be established. In addition, civic campaigns to educate the Southern electorate about the referendum were considered critically important to create an environment conducive to the holding of a free and fair vote.

By October 2010, the NCP and the SPLM had not yet negotiated key post-referendum issues such as security arrangements and wealth sharing. The absence of post-referendum agreements, and conflicting expectations about the referendum, risked turning the vote into a cause for renewed conflict between North and South.³² In the absence of consensus between both parties on many issues relating to the referendum and its aftermath, the SPLM engaged in dialogue within Southern Sudan aimed at achieving unity and co-operation among South Sudanese in the run-up to the poll. GOSS President Salva Kiir also established the Southern Sudan 2011 Taskforce to plan referendum and post-referendum arrangements.



ABOVE: Major General Henry Anyidoho, Former Deputy Joint Special Representative of the African Union/United Nations Hybrid Operation in Darfur
RIGHT: Ambassador Lissane Yohannes, Special Envoy to Sudan, Intergovernmental Authority on Development, Khartoum, Sudan

30 Ibid.

31 See United Nations, *Report of the Secretary-General on the United Nations Mission in the Sudan*, S/2010/168, 5 April 2010, p. 5.

32 See United Nations, *Report of the Secretary-General on the Sudan*, S/2010/31, 19 January 2010. Also see Damien Helly (ed.), *Post-2011 Scenarios in Sudan: What Role for the EU?* European Union Institute for Security Studies Report, November 2009, No. 6, p. 12.

2. UN Peacemaking in Sudan

The 10,000-strong United Nations Mission in Sudan (UNMIS) was set up by the UN Security Council in March 2005 with a mandate to support implementation of the Comprehensive Peace Agreement and with a particular focus on ceasefire monitoring and verification.

UNMIS's political mandate, following the CPA, was to "make unity attractive", which entailed helping the parties from North and South to satisfy the conditions under which they could choose unity or secession through a legitimate referendum. In addition, due to widespread insecurity in Sudan, UNMIS faced mounting pressure after 2008 in implementing its civilian protection mandate, which remained an immense challenge on the ground. Despite persistent operational and logistical obstacles, the UN has played an important peacebuilding role in South Sudan,³³ including providing technical and logistical support to the National Elections Commission (NEC) for the April 2010 elections, and granting technical support for the South Sudan legislative reform process.³⁴ UNMIS has encountered many problems, including destabilisation by armed groups and a failure of political leadership in North and South to engage in fully implementing the CPA. In addition, concerns have been raised on the ground that UN peacekeeping has been sparse in border areas. In Southern Kordofan, for example, the UN peacekeeping mission was cantoned, and tended to regard conflict as local disputes, even when national actors were involved. UN peacekeepers also stood by amidst destructive fighting in the Abyei region in May 2008.



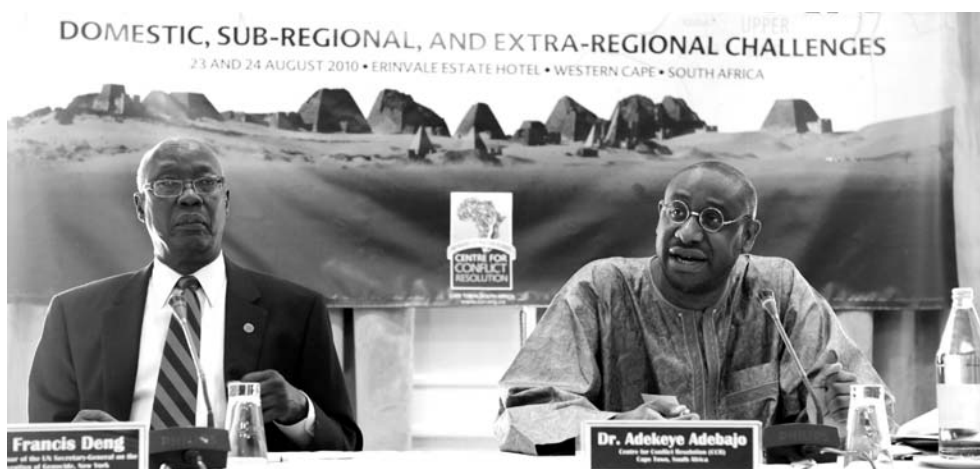
Ambassador Richard S. Williamson, Former US Special Envoy to Sudan (*left*) and Dr Jan Pronk, Former Special Representative of the UN Secretary-General for Sudan

³³ As of July 2010, UNMIS had deployed 9,445 troops, 493 military observers and 665 police officers with a budget for July 2010-30 June 2011 of \$938 million.

³⁴ United Nations, *Report of the Secretary-General on the Sudan, S/2010/31*, 19 January 2010.

In general, UNMIS's mandate and deployment has focused on the CPA. The mission strengthened its electoral component to provide technical support to Sudan's elections commission and South Sudanese electoral bodies ahead of the 2011 referenda.³⁵ It has been supporting the referendum commission established by the AEC under the CPA. UNMIS's civilian police component made a commitment to help the South Sudan Police Service and Abyei local police to provide security for the referenda.

There has until recently been less international engagement with, and political support for, CPA implementation than on the Darfur crisis, in which an estimated 300,000 people have died since 2003. Furthermore, the de-linking of CPA negotiations from issues relating to Darfur has damaged the quality of the international engagement, with Sudan forgoing the benefits of a pan-Sudan approach – one that considers and engages Sudan as an inter-connected whole, rather than focusing only on certain parts of the country. International interest in the CPA waned after the accord was signed, and as Darfur attracted increasing attention. Warnings to the 15-member UN Security Council that it had to pressure all parties to keep CPA implementation on track often went unheeded, as the Security Council occupied itself with Darfur and other issues. The CPA's two signatory parties – the ruling NCP for the government of Sudan and the SPLM – have significantly failed to implement the agreement “fully and jointly”, as the text of the accord stipulates. However, the international community has also missed several opportunities to ensure a stable post-referendum outcome by failing to mount a more concerted, engaged effort to support the CPA after it was signed. The failures of past UN and international engagements in Sudan can offer valuable lessons for the future that must be urgently applied to present circumstances. In particular, the UN could usefully reassess its present peacekeeping mandate to take account of the probable outcome of the Southern referendum and likely emerging scenarios.



Dr Francis M. Deng, Special Adviser of the United Nations Secretary-General on the Prevention of Genocide, New York, United States (*left*) and Dr Adekeye Adebajo, Executive Director, Centre for Conflict Resolution, Cape Town, South Africa

35 Ibid.

3. Managing the Outcome of South Sudan's Referendum

While progress has been made on the referendum process, including the creation of the South Sudan Referendum Commission, difficulties have persisted. For example, in October 2010, the Abyei Referendum Commission had not yet been established.

Many of the key issues – borders, the Abyei referendum, and the South Sudan Referendum Commission – continued to be discussed by the AU High-Level Implementation Panel with leaders in the North and South. The SPLM and the NCP finally adopted a law governing the referendum in the South in December 2009. The two parties also agreed to accept the AUHIP as the facilitator for the referendum process, and to support the AEC. Cluster groups were established to engage in substantive negotiations on security, international agreements and legal issues, assets, debts and oil sharing, as well as citizenship and nationality issues. IGAD, the AU, the UN, the EU, and the League of Arab States (LAS) have all recognised that they must act with a common purpose on referendum issues. The AU and the UN set up the Sudan Consultative Forum in May 2010, which brings together all special envoys. The UN Security Council, the US and China all have crucial roles to play before the scheduled referendum. It has been agreed that the AUHIP, which has made clear recommendations on the special roles of external actors, should take the lead in coordinating international support to a post-referendum Sudan.

What happens in Sudan will resonate throughout the regions bordering the country, the continent and the international community. Successful CPA implementation and management of the process can help to create peace and security in Sudan through an agreed outcome. The “peace dividends” from a successful referendum process would extend beyond Sudan to the continent, establishing an environment conducive to national and regional development. In addition, a stable post-referendum Sudan could help Africa to address the challenges of religious and political extremism. The corollary is also true: failure to implement the CPA successfully could mean a return to war – and one that would be far more destructive than that waged before the 2005 accord which ended hostilities in the post-1983 conflict. Both parties have enhanced their military capacity since then, and renewed war would probably ensnare the region in continued instability. Extremist armed groups in the region, such as Somalia's al-Shabab, Uganda's Lord's Resistance Army, and self-described backers of al-Qaida, could flourish. In addition, the failure of the CPA would represent a major setback for IGAD, the AU, the UN and the broader international community.

The outcome of the Southern referendum, and, in a different way, that of Abyei, will clearly have profound implications within and beyond Sudan. As the AU has repeatedly affirmed, Sudan should be prepared for all possible outcomes. Sudanese leaders have been called upon to assume responsibility for this process, starting with an all-inclusive debate about the referendum and its outcome. In October 2010, as the scheduled date for the poll approached, many analysts, assessing historical factors and more recent trends, predicted that the likely result of the Southern referendum would be a vote in favour of secession and the eventual establishment of an independent state. In particular, the analysis was based on the failure of Sudanese parties since 2005 to “make unity attractive” to Southerners. This failure may be attributed in part to Khartoum's role in the war in Darfur, which may have undermined Southern confidence in the Northern government after the CPA.

Notwithstanding the reasons for the failure, should the South – which has capacity issues and political divisions among its major ethnic groups that have sporadically resulted in armed clashes – decide to separate from the North, it would face immense challenges – such as building an effective governing state, and achieving socio-economic development – that would require sustained and effective external assistance.

The CPA's "one country, two systems" formula has inadvertently entrenched the very problem that it sought to address: the North-South division of Sudan. Furthermore, the root causes of conflict – an understanding of which inspired the vision of a "New Sudan" championed by martyred SPLM/A leader, John Garang, and which underlies the CPA – have not been fundamentally altered, especially in the marginalised peripheries of Northern Sudan. In addition, serious economic, ethnic, and governance problems persist in South Sudan, requiring concerted and effective efforts by the GOSS with the UN and other international donors. Fears have also mounted that the failure to ensure a "soft" landing after the referendum may lead to war. The UN Security Council, the AU, IGAD, and other external partners have been urged to clarify and guarantee that the CPA, which all 15 Security Council members witnessed and signed in Kenya, enshrines a right to self-determination on the basis of a credible referendum. The UN Security Council must discuss the modalities of a "soft" landing to assist talks between North and South about post-referendum arrangements. External parties should also strongly discourage both sides from taking unilateral decisions after the referendum, including a resort to military force by the NCP and/or the SPLM, and should incentivise the parties to continue to use political dialogue to resolve their differences.

Although IGAD, the AU, the UN and the broader international community could have done more to ensure effective CPA implementation, the NCP and the SPLM must also shoulder responsibility for any shortcomings in adhering to the accord. The two parties should be urged to come together to negotiate outstanding, critical, technical and political issues before the referendum is held. The SPLM has expressed its determination to go ahead with the referendum as scheduled regardless of a final agreement on borders with the North. The NCP has maintained that no referendum can be held without a prior agreement on borders. The difference in positions jeopardises a successful referendum, or at the least, increases the chances of conflict after the poll. Implementation of the CPA and the creation of sustainable peace between Northern and Southern Sudan have also continued to be threatened by the lack of a political settlement to the conflict in Darfur.



From left, Major General Henry Anyidoho, Former Deputy Joint Special Representative of the African Union/United Nations Hybrid Operation in Darfur; Dr Comfort Ero, Deputy Director, Africa Programme, International Centre for Transitional Justice, Cape Town, South Africa; and Ambassador Abiodun Bashua, Director of Political Affairs, African Union/United Nations Hybrid Operation in Darfur

4. UN Peacemaking and Peacekeeping in Darfur

The 21,800-strong AU/UN Hybrid Operation in Darfur remains a peacekeeping force surrounded by ongoing conflict and also lacks a functioning peace agreement to implement, due to the breakdown of the 2006 Darfur Peace Agreement.

Established by the UN Security Council in July 2007, UNAMID was created to bolster the 7,000-strong AU mission in Darfur³⁶ that had been operational since 2004. UNAMID was mandated to oversee the implementation of the Darfur Peace Agreement and to protect civilians.³⁷ Slow deployment in an area of Sudan which is the size of France complicated efforts to make UNAMID fully operational and effective; its first two years also focused largely on logistical, political, and security deployment challenges. As of July 2010, the mission consisted of 21,816 uniformed personnel (16,997 troops and 4,577 police officers) and 1,124 international civilian personnel with an approved annual budget of \$1.8 billion.³⁸ The mission mounts military patrols and undertakes community policing, especially in camps for internally displaced persons (IDPs). UNAMID's work has taken place in a political climate affected by the indictment of President Omar al-Bashir by the International Criminal Court (ICC). The Court issued a warrant to arrest al-Bashir for crimes against humanity and war crimes in March 2009. The ICC's move provoked a swift response from Khartoum, which expelled international agencies and imposed a range of restrictive measures.

Notwithstanding these tensions, the government of Sudan and UNAMID both supported a policy of "early recovery" in Darfur. Khartoum has supported the return of IDPs, in parallel with peace negotiations on Darfur held in the Qatari capital of Doha under Burkinabé diplomat Djibril Bassolé, and has backed recovery and development initiatives. UNAMID adopted the view that, since conflict in much of Darfur could be sparked or exacerbated by scarcity of resources and services, it should not wait for a lasting Darfur peace agreement before providing developmental support. Such support for "early recovery" is controversial. Some parties, including major Western countries, have argued that humanitarian work should take priority, and that it would be premature to engage in developmental activities as long as conflict continues.

UNAMID's role has also included providing support for ongoing peace negotiations. The League of Arab States has bankrolled mediation efforts in Doha. Hopes were raised when the Justice and Equality Movement (JEM) signed a framework agreement on 23 February 2010, which was followed on 18 March 2010 by another framework agreement, this time between the Liberation and Justice Movement and the government of Sudan. However, following the second deal, JEM argued that it was the only movement with which the government of Sudan should negotiate, and that all other rebel movements should come under its leadership. Meanwhile, a January 2010 agreement between Chad and Sudan normalising relations was agreed. The deal obliged President Idriss Deby to expel JEM from its Chadian bases. However, implementation of the deal prompted JEM attacks into Darfur to establish new bases, resulting in renewed fighting. The regional dimensions of the conflict in Darfur continue to be a factor. Chad, Libya, Egypt and Eritrea all have different interests in Darfur, which have tended to conflict with each other and thwart peace efforts.

36 See Seth Appiah-Mensah, "The African Union Mission in Sudan: Darfur Dilemmas", *African Security Review* vol.15, no.1, 2006, pp. 249; and Kristiana Powell, *The African Union's Emerging Peace and Security Regime: Opportunities and Challenges for Delivering on the Responsibility to Protect*, Institute for Security Studies (South Africa) Monograph Series no.119, May 2005.

37 United Nations Security Council Resolution 1769, 31 July 2007, S/RES/1769.

38 See UN General Assembly, "Approved Resources for Peacekeeping Operations for the Period from 1 July 2010 to 30 June 2011", 13 July 2010 (A/C.5/64/19).

In October 2010, the Darfur peace negotiations appeared to be stalled, and the prospects for a political settlement bleak. Khartoum, the rebel JEM, and the rebel Sudan Liberation Movement (SLM) continue to try to resolve the conflict primarily through a military victory. Inter-tribal clashes have increased, internally displaced populations continue to suffer amidst political fragmentation, and attacks continue on humanitarian personnel and peacekeepers. Without the cooperation of the JEM and the leadership of relevant social and political forces, as well as other Darfuri rebel groups, including the Sudan Liberation Movement – whose leader, Abdul Wahid al-Nur, is in exile in France – the prospects of a sustainable peace remain remote. In addition, the lack of effective coordination among internationally- and regionally-sponsored mediation efforts continues to pose problems for the achievement of durable peace.



TOP: From left, Dr Jan Pronk, Former Special Representative of the UN Secretary-General for Sudan; Ms Hodan Addou, UN Development Fund for Women, Country Programme Director, Khartoum, Sudan; and Ambassador James Jonah, Former UN Undersecretary-General for Political Affairs, and Senior Fellow, Ralph Bunche Institute for International Studies, New York, United States

ABOVE: Dr Francis M. Deng, Special Adviser of the United Nations Secretary-General on the Prevention of Genocide, New York, United States (*left*) and Professor Adebayo Adedeji, Executive Director, African Centre for Development and Strategic Studies, Ijebu-Ode, Nigeria

RIGHT: Professor Peter Woodward, Emeritus Professor of Politics and International Relations, University of Reading, United Kingdom

5. Resolving the Border Areas of Abyei, Southern Kordofan, and Blue Nile

Abyei, Southern Kordofan, and Blue Nile – otherwise known as the Three Areas – represent strategic regions along Sudan’s contested borderline. Cooperation and co-existence, as well as conflict, have characterised the history of the Three Areas.³⁹

While the North-South and Darfur conflicts have garnered the most international attention, Sudan’s complex, volatile, resource-rich, and, in places, heavily militarised border areas have attracted comparatively little interest. However, analysis of the border areas reveals the limits of approaching Sudan in the binary terms of North/South or East/West, as well as the importance of the Three Areas for achieving durable peace in Sudan. The CPA’s Protocol on the Resolution of the Abyei Conflict mandated a six-year interim period of joint SPLM-NCP administration in Abyei, followed by a referendum on whether the area should remain within the North or join the South. Abyei administers itself under the auspices of Khartoum, while its people have dual North and South Sudanese identity.⁴⁰ Despite agreeing on the administration of the region and the sharing of its oil revenues, the NCP and SPLM differed on the demarcation of Abyei’s borders. The Abyei Boundaries Commission (ABC) was supposed to produce a final, binding settlement. The NCP rejected the Commission’s report of July 2005, arguing that the body had extended Abyei’s borders and exceeded its mandate.⁴¹ A subsequent July 2009 ruling on Abyei by the Permanent Court of Arbitration in The Hague redrew the borders demarcated in 2005, leaving control of many key oil fields with the government in Khartoum.

Under the CPA, an Abyei Referendum Commission was supposed to be created to take responsibility for the referendum there. However, this body has not yet been established, provoking popular protests. In October 2010, the Abyei referendum, which should allow Ngok Dinka residing in the Abyei region to vote on whether to remain in the North or to join South Sudan, was even further behind schedule than the Southern referendum. The final demarcation of the North-South and Abyei borders could spark further conflict, if not carefully managed. While both Khartoum and Juba remain formally committed to respecting the decision of the international court of arbitration, full implementation of Abyei’s border demarcation has been stalled by continuing instability.⁴² Widespread confusion about the ruling has also heightened tensions in the area. The work of the Abyei demarcation team has been blocked by armed militia, threatening further conflict in the region.⁴³

The CPA’s Protocol on the Resolution of the Conflict in Southern Kordofan and Blue Nile States granted residents of these areas the right of “popular consultation” by elected legislatures. Since the NCP dominates the elected Blue Nile state assembly, the required “popular consultations” – even if they took place – would not necessarily truly reflect public opinion. Southern Kordofan lacks even an elected legislature. Both areas are

39 See United Nations, *Report of the Secretary-General on the United Nations Mission in the Sudan*, S/2010/168, 5 April 2010, p. 7.

40 Centre for Conflict Resolution, *South Sudan Within A New Sudan*, p. 18.

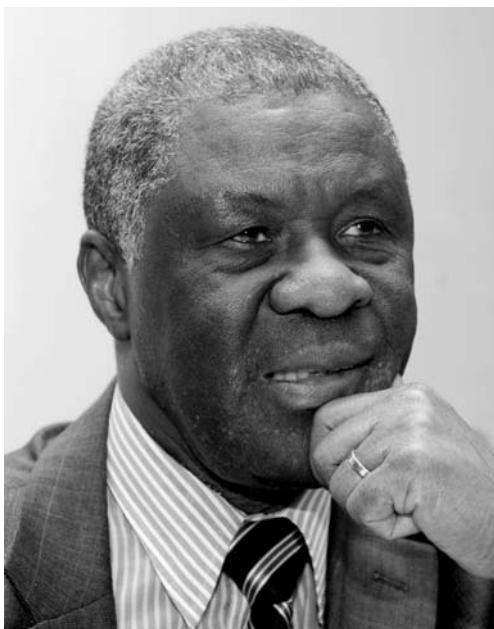
41 Thomas, “Decisions and Deadlines”, p.8.

42 United Nations, *Report of the Secretary-General on the Sudan*, S/2010/31, 19 January 2010.

43 In May 2008, Abyei became a flashpoint when fighting erupted and some 60,000 people were displaced southwards by the northern army.

highly militarised, and arms stockpiling has been widely reported. The threat of renewed armed conflict is exacerbated by the sheer numbers of regular and irregular armed forces, and Joint Integrated Units, concentrated in the three strategically located areas. Misseriya and Nuba groups see themselves as losers in the CPA. Conflict in South Kordofan and Blue Nile could escalate and become politicised, drawing in many actors – as happened in previous such cases, for example, in Darfur. In the context of a possible vote for an independent South Sudan, political groups in the Three Areas opposed to the centralisation of power in Khartoum may again take up arms to seek to win what they consider to be a better deal in a future northern Sudan. Such reactions could force Khartoum and Juba out of strategic necessity rather than choice to engage in conflicts over which they would have little control. Against this background, concern has been expressed that “hard” rather than “soft” borders have become a preferred option at meetings of the Border Governors’ Forum. In fact, a “soft” border regime may better enable Sudan’s border areas to continue to exist as a shared zone for common benefit.

Failure to achieve a peaceful political resolution in these three border areas would threaten any peaceful implementation of the outcome of the Southern referendum, if the vote is for separation. Should the South secede, Khartoum and/or Juba could become embroiled in a new conflict in which other groups in these areas would exercise influence. A post-referendum northern Sudan could be faced with a possible opposing alliance of the new northern “peripheries”. In relation to the border areas, other critical issues that need to be urgently addressed include: the future of the SPLM in northern Sudan and the NCP in southern Sudan after 2011; the preferences of the populations in the ten Southern and Northern provinces along the common North-South border for unity or separation; and possible alliance patterns that the NCP and the SPLM would seek as a result to build in the border areas.



ABOVE: Ambassador James Jonah, Former UN Undersecretary-General for Political Affairs, and Senior Fellow, Ralph Bunche Institute for International Studies, New York, United States
RIGHT: Mr Boitshoko Mokgathe, Senior Political Officer, African Union Liaison Office in Sudan, Khartoum, Sudan

6. Regional Implications of the Referendum in South Sudan

Both IGAD and the AU will play critical roles in managing the outcome of the 2011 referendum.⁴⁴ IGAD⁴⁵ provided sustained institutional support for the North-South peace negotiations, convening and managing the peace talks in Naivasha, Kenya, that led to the signing of the CPA in January 2005.

IGAD's efforts were buttressed by financial support provided by a group of Western donors – the IGAD Partners Forum. The sub-regional grouping has continued to support the implementation of the CPA, urging the Sudanese parties to negotiate post-referendum arrangements in South Sudan in order to ensure peace and stability in Sudan and surrounding countries. IGAD special envoy, Lissane Yohannes, continues to play an active role on Sudan. In March 2010, the 14th Extraordinary Summit of IGAD Heads of State and Government issued a communiqué expressing strong support for full implementation of the CPA, effective working relations between its two parties, and continued help for Sudan before and after the referendum.⁴⁶

The African Union has also supported implementation of the CPA, establishing a Ministerial Committee on Post-Conflict Reconstruction in July 2003 to assist the rebuilding of Sudan.⁴⁷ South Africa, which chairs the Committee, has trained more than 1,000 Sudanese government officials in various public administration roles, in partnership with the University of South Africa. In relation to the referendum, the perception that the AU generally favours unity was bolstered in February 2010 when AU Commission Chairperson, Jean Ping, expressed this view.⁴⁸ One concern of the pan-continental body is that independence for South Sudan could set a dangerous precedent for Africa and result in a “catastrophic scenario” in which Darfur and other regions could follow suit, leading to the possible disintegration of Sudan.⁴⁹ However, by supporting the CPA, the AU is committed to recognising the outcome of the legally recognised accord, proper implementation of which represents a legitimate path for a possible new state, and in that respect is far more desirable than any alternative scenario. Forced unity or unilateral independence would be more destabilising for the AU than a consensual CPA-based outcome to the referenda. Other regional organisations have expressed support for CPA implementation, including the League of Arab States, whose Secretary-General, Amr Moussa, witnessed the signing of the CPA. In August 2010, the League's envoy to Sudan, Salah Halima, called for the referendum to be held on schedule.

The conduct and outcome of the Southern and Abyei referenda will significantly affect Sudan's neighbours. Furthermore, although these neighbours have relatively little direct influence over Sudan's internal affairs, their support or otherwise for the referendum process and its outcome will be crucial to ensuring peace and stability in the country and region.⁵⁰ Egypt and Libya, as well as the League of Arab States, have generally favoured a

44 Ruth Iyob and Gilbert M. Khadiagala, *Sudan: The Elusive Quest for Peace* (Boulder: Lynne Rienner, 2007), p. 101.

45 IGAD's six member states are: Sudan, Ethiopia, Djibouti, Uganda, Kenya, and Somalia. Eritrea suspended its membership of the body in 2007.

46 IGAD, “Communiqué of the 14th Extraordinary Session of the IGAD Assembly of Heads of State and Government on the Sudan Peace Process”, 9 March 2010.

47 The committee comprises Algeria, Egypt, Ethiopia, Gabon, Kenya, Nigeria, Senegal, and South Africa.

48 Jean Ping controversially noted that the “unity of Sudan is the most attractive option”. African Union, “Chairperson Ping Holds Press Conference on Recent Achievements by the Commission”, 16 February 2010 (available at <http://www.africa-union.org>).

49 International Crisis Group, *Sudan: Regional Perspectives on the Prospect of Southern Independence*, 6 May 2010, p. 19.

50 Thomas, “Decisions and Deadlines”.

united Sudan. Since the signing of the CPA, it has even been said by some that Cairo has done more than Khartoum to “make unity attractive”. Egypt has expressed concerns about the sustainability of an independent South Sudan, and the implications of such an outcome for the Nile Waters Agreement of 1959,⁵¹ which governs the allocation of water from the famous river to Egypt. Cairo has also expressed fears that secession-induced instability could assist regional extremist elements. Egypt, however, has engaged with the Government of Southern Sudan, as was seen notably in November 2008, when President Hosni Mubarak visited Juba to discuss Egypt’s political co-operation and development support with the GOSS. In addition, Cairo was instrumental in organising an Arab Conference on Investment and Development in South Sudan held in Juba in February 2010.

Compared with Egypt’s position, Uganda and Kenya have tended to be more positive towards South Sudan, for both political and economic reasons. Kampala has demonstrated a strategic interest in a stable buffer on its northern border and increased trade with the South. It has openly backed the independence of South Sudan. Nairobi has engaged closely on CPA implementation and has promoted relations with the GOSS and South Sudan, which has become a new frontier for Kenyan business. Kenya is positioned to gain economic benefits should South Sudan win independence.⁵² Ethiopia has seen regional security as its prime concern, given its own domestic fragility, the potentially explosive situation that it faces with Somalia, and its continuing dispute with Eritrea.⁵³ Somaliland will also be watching events closely in the hope that South Sudanese independence may strengthen its own case for statehood. Sudan’s political future will inevitably influence peace and stability in the Horn, Eastern, Central, and North Africa. If the Southern referendum produces contested results leading to conflict, the impact would not be confined to Sudan alone. Failure to conduct the Southern referendum on schedule could also have serious regional security repercussions. Some of Sudan’s neighbours have a vested interest in a stable political transition and a peaceful future for a South Sudanese polity. Others, fearing that secession may be contagious, tend to support a unity option that would grant the South more autonomy but preserve interdependence between North and South. Peaceful CPA implementation and any post-referendum settlement is necessary to foster peace in Sudan’s neighbouring regions and other parts of Africa, as well as to help the continent to address security threats posed by extremist armed groups such as Somalia’s al-Shabab, Uganda’s Lord’s Resistance Army, and self-described backers of al-Qaida in the region.



Professor Adebayo Adedeji, Executive Director, African Centre for Development and Strategic Studies, Ijebu-Ode, Nigeria (*left*) and Dr Chris Landsberg, Head of Department, Department of Politics, University of Johannesburg, South Africa

51 In 1959, the Nile Waters Agreement allocated 18.5 billion cubic metres of water to Sudan annually, and 55.5 billion cubic metres to Egypt.

52 International Crisis Group, *Sudan*.

53 *Ibid.* p. i.

7. Extra-regional Actors: the United States and China

In October 2009, the United States unveiled a new policy on Sudan which was described by President Barack Obama as “a comprehensive strategy to confront the serious and urgent situation in Sudan”.⁵⁴

The policy identified three strategic priorities for Washington in Sudan: an end to conflict, gross human rights abuses, and mass crimes in Darfur; implementation of the CPA, whether or not this results in the creation of two separate states; and preventing Sudan from becoming a “safe haven” for terrorists.⁵⁵ The US strategy committed Washington, in cooperation with other international partners, to providing technical expertise and support for Sudanese parties to implement the requirements for conducting credible referenda in January 2011. The US, together with the AU and the UN, has also actively participated in the Doha peace talks that culminated in the signing of two framework agreements between the government of Sudan and Darfur rebels in February and March 2010. Washington was the biggest contributor of humanitarian aid to Sudan in the 1990s, with expenditure on such assistance exceeding \$1.2 billion.⁵⁶ The United States remains the most important extra-regional actor engaged with Sudan. Having played a crucial role in negotiating the CPA, Washington is the agreement’s most powerful external guarantor. However, in keeping with America’s history of chequered policy stances on Sudan, the US approach continues to be influenced by contrary positions, including advocating a more hardline stance to the government in Khartoum, while simultaneously seeking to pursue a more moderate engagist line. In September 2010, the US government announced a set of incentives to Khartoum to try to ensure that it would implement the CPA in the run-up to the referenda in January 2011.

In recent years, China has become Sudan’s most important economic partner – although Malaysia and India also continue to play a significant role in Sudan’s oil sector and wider economy. The Middle East also wields much influence through its investments in the country. Since entering Sudan’s oil sector in the mid-1990s, China has developed into Sudan’s most important investor. Its influence has extended beyond oil, with Chinese businesses now active in a range of service industries, construction, and the development of Sudan’s energy and transport infrastructure. Until relatively recently, Beijing’s relations with Sudan centred on Khartoum and the NCP. In recent years, however, direct relations have developed between Beijing and the GOSS. A Chinese consulate opened in Juba in September 2008, and China increased its assistance to South Sudan in a number of areas. In addition, Chinese engagement with Sudan has become more embedded: in particular, China’s oil investments, which were guided by an entry/start-up strategy in the 1990s, have now established interests in older and more recent oil concessions and increasingly support offshore exploration in the Red Sea. Deeper engagement has entailed greater immersion in Sudanese politics, as the pressures on Beijing to protect Chinese investments mount. Instability creates vulnerability for Chinese investments, which have already been targeted by armed groups.

54 Statement by US President Obama, on “Sudan Strategy”, 19 October 2009 (available at <http://www.whitehouse.gov/the-press-office/statement-president-barack-obama-sudan-strategy>).

55 US Department of State, “Background note: Sudan”, October 2009 (available at <http://www.state.gov/r/pa/ei/bgn/5424.htm>).

56 Francis Deng and J. Stephen Morrison, *US Policy to End Sudan’s War*, report of the Center for Strategic and International Studies Task Force on US Sudan Policy, Washington, 2001, p. 3.

The regional and international dimensions of Beijing's relations with Khartoum have become more significant in recent years. China established diplomatic relations with Chad in 2006, which have coloured its regional interests in the greater Darfur region. Beijing has also been concerned that its reputation would be tarnished by support for a Sudanese government sponsoring a murderous conflict in Darfur, criticisms raised particularly before the Beijing Olympic Games in August 2008. China subsequently adopted a more engaged diplomatic and political role, which contributed to the creation of UNAMID in July 2007. Beijing has also backed UNMIS and sent peacekeepers to the mission. China became more involved in some of the multilateral fora involved with Sudan, and offered continued support to the AU. Beijing has increasingly won international recognition for its change of approach. However, despite statements of support for the CPA and a recent visit by Chinese special envoy, Liu Guijin, the extent of Beijing's political role has failed to match its economic standing within Sudan. The Chinese government's relations with the NCP give it great leverage, which could be deployed usefully to aid peaceful implementation of the CPA. Both the US and China could help to secure any post-referendum settlement in Sudan. American engagement might be guided by continued sanctions against northern Sudan and whether or not the country will open again to US businesses. Chinese investment and operations could help recovery and development in Sudan, including support for the developmental and state-building needs of Southern Sudan.

Economically, China is far more vulnerable than the US to renewed conflict in Sudan. A breakdown of the CPA would jeopardise the security of Chinese investments in Sudan, threatening the future of the bilateral relationship between Beijing and Khartoum as well as the benefits that these ties bring to both countries. China considers Sudan to be a key ally due to its oil investments there. Beijing could build on this relationship, protect its interests in Sudan, and gain great credit by making real efforts to assist the Sudanese parties towards a more challenging political goal: peaceful, durable implementation of the CPA, and a negotiated, lasting solution to conflict in Darfur. Support for peaceful CPA implementation is also importantly provided by the UN Security Council, relevant regional and sub-regional organisations – the AU and IGAD – and mechanisms such as the Troika – foreign ministries from the United States, Britain, and Norway. However, Washington and Beijing, which are both veto-wielding permanent members of the UN Security Council, at present have a particular responsibility for – and powerful means to influence – the fate of the CPA, and must work collectively to help to manage its peaceful implementation.



ABOVE: From left, Professor Godfrey Muriuki, Professor of History, University of Nairobi, Kenya; Dr Fantu Cheru, Research Director, The Nordic Africa Institute, Uppsala, Sweden; and Mr Sharath Srinivasan, Director and David and Elaine Potter Lecturer, Centre of Governance and Human Rights, Department of Politics and International Studies, University of Cambridge, United Kingdom
RIGHT: Professor Iqbal Jhazbhay, Professor of Arabic and Islamic Studies, Department of Religious Studies and Arabic, University of South Africa, Tshwane, South Africa

8. Conclusions: the Way Forward

After the Cape Town policy advisory group seminar on Sudan in August 2010, the issue continued to grab headlines around the world. In September 2010, US Secretary of State, Hillary Clinton, talked about the “inevitable” secession of South Sudan and described Sudan as a “ticking time bomb”.

In the same month, US President, Barack Obama, told a high-level UN meeting in New York attended by Sudanese Vice-President, Ali Osman Taha, and GOSS President, Salva Kiir, that the CPA should be fully implemented and called for Sudan's two referenda to be held peacefully on time. Taha told the meeting that attempts to undermine national sovereignty would create a climate of mistrust, while Kiir described the CPA as “the roadmap for success in the Sudan”.⁵⁷ A UN Security Council delegation subsequently visited Sudan in October 2010. The delegation stressed that the two referenda scheduled for January 2011 must be held on time, in a peaceful environment, and according to the provisions of the CPA. However, two months before the scheduled referenda on the future status of South Sudan and Abyei, concerns were mounting about whether credible polls could be organised in time. Work on final voter registration lists, which were supposed to be released three months before the vote, had yet to begin. Voter registration was expected to begin by mid-November. Although the Southern Sudan Referendum Commission had been established and made operational, it faced serious financial problems and mounting fears of registration and voting fraud as international observers began to deploy. Meanwhile, the Abyei referendum commission had yet to be appointed by mid-October 2010.

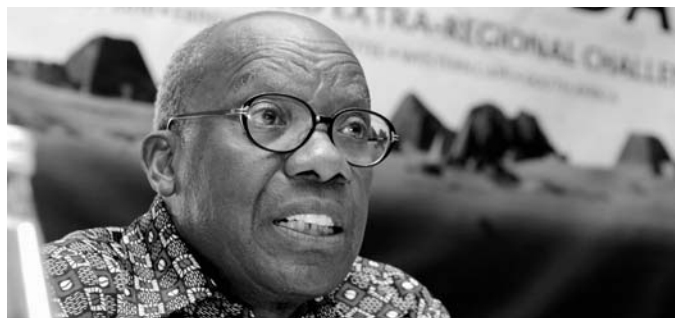
As the negotiations for post-referendum arrangements continued, concern about the fate of Southerners in the North and Northerners in the South was growing in an increasingly politically-charged atmosphere. Pro-separation demonstrations were held in Juba and other Southern towns. Salva Kiir, having returned to Juba from New York, said that he would personally support secession, because unity had not been made sufficiently attractive. These remarks sparked threats by NCP leaders about what would happen if the South voted to secede. Southern leaders continued to insist that the referenda should proceed according to schedule, amid fears that delay could lead to a cancellation of the poll. Unease mounted that such a delay or cancellation could spark a popular backlash and/or force the GOSS unilaterally to declare independence after a vote in its assembly. In addition, ongoing negotiations and mixed signals about the referendum in, and fate of, Abyei further heightened concerns that the area might be abandoned to future disputes over its status.

One effect of the impending polls was to turn attention to the probability of a South Sudan vote for secession and the challenges for Sudan and Africa that this could pose. The situation also raised questions about the kind of future Sudan that Sudanese from different parts of the country would want to build and how to create a “New Sudan” that could learn to live with itself. Although the voting outcome of secession has been widely described as a “divorce”, the reality is that – whatever the choices made and as a matter of necessity – North and South Sudan will continue to interact with each other. Mechanisms to create a climate of peaceful co-existence need to be urgently fostered. Furthermore, even if South Sudan votes in favour of secession, the “New Sudan” ideal, which was championed by former SPLM/A leader, the late John Garang, may continue to guide many people. If a political or military struggle is waged in the North in pursuit of this ideal, such a movement would inevitably look to the South for support.

57 General Salva Kiir Mayardit, “Address to United Nations High-Level Meeting on Sudan”, UN General Headquarters, New York, 24 September 2010.

It used to be said that the South could not survive without the North. More recently, it has been said that the North cannot survive without the South. Traditionally, the North looked to the South as a means to achieve political change. The counterpoint of this was that many said that the South was incapable of ruling itself or of surviving as a viable state. Whatever the stereotypes, the rights of the Southern Sudanese to self-determination and to be treated with dignity as full citizens, being equal without discrimination, should be recognised. For many, this can only take place with a redistribution of wealth and power away from a dominant political and economic centre in Khartoum.

Sudan's national security and that of the region are intertwined. Despite the domestic origins of the country's conflict, the situation has been compounded by a pattern of intervention involving neighbouring states. Full implementation of the CPA is essential not just to ensure peace and stability in Sudan itself, but also in the



TOP: From left, Professor Chris Saunders, Research Associate, Centre for Conflict Resolution, Cape Town, South Africa; Dr Adekeye Adebajo, Executive Director, Centre for Conflict Resolution, Cape Town, South Africa; Dr Jan Pronk, Former Special Representative of the UN Secretary-General for Sudan; and Mr Daniel Large, Director, Africa Asia Centre, The School of Oriental and African Studies, University of London, United Kingdom

ABOVE: Dr Eddy Maloka, Adviser to the Minister of Foreign Affairs, International Relations and Cooperation Department, Tshwane, South Africa

RIGHT: Professor Godfrey Muriuki, Professor of History, University of Nairobi, Kenya

Horn, the Great Lakes and North Africa. Any failure of the CPA would resonate throughout the interlocking and regional security complexes of which Sudan is a part. Furthermore, whatever happens in Sudan will resonate throughout Africa. CPA success and effective management of the post-referendum phase would contribute greatly to preserving peace in Africa as well as establishing foundations for Sudanese and regional development. It follows that CPA failure would seriously damage Africa's future development. The cost of robust international engagement to guarantee the CPA would be dwarfed by that incurred as a result of any failure to act decisively to ensure a peaceful outcome. If the CPA were to be dishonoured, such would be the level of distrust between North and South that any immediate prospects of peace would probably disappear.

Peace and stability in Sudan and the broader region depend on the Southern referendum being successfully held on schedule in January 2011 and on the peaceful implementation of its outcome. What happens in Abyei will also have tremendous repercussions for future peace and stability in the country and the broader region. The countdown to the Southern vote, and that in Abyei, is proceeding rapidly. National, regional, and international actors should prepare themselves for a range of possible outcomes in the aftermath of both referenda - particularly in relation to the impact on Darfur, and Southern and Northern Sudan's future. In the eventuality of a vote for secession, the key challenge is to manage any break-up of Sudan as peacefully as possible. External parties should strongly discourage any unilateral action, including resort to military force by the NCP and/or the SPLM, and encourage and incentivise both sides to continue instead to use political dialogue to resolve their differences.



Participants of the policy advisory group seminar, "Stabilising Sudan: Domestic, Sub-regional, and Extra-regional Challenges", Western Cape, South Africa

9. Policy Recommendations

Twenty policy recommendations in four key areas emerged from the Cape Town advisory group seminar. However, although most of them are directed towards regional and international actors, it was strongly emphasised that full implementation of the CPA and restoring peace in Darfur is fundamentally a Sudanese responsibility.

1. Implementing the Comprehensive Peace Agreement

- The UN Security Council, as the ultimate guarantor of the CPA, should make clear to all parties that it is fully committed to the accord and will take whatever steps are necessary to see that the CPA is fully implemented. All 15 Security Council members should therefore work towards reaching a shared understanding of how to achieve peace and security in Sudan in the aftermath of the referendum and undertake to act collectively in this regard. This must be done to avoid parties in Sudan exploiting divisions among external actors. Special responsibility lies with the US and China, which should take the lead in actively ensuring adherence to the implementation of the CPA's final benchmarks;
- The UN Security Council and the 15-member AU Peace and Security Council should encourage all parties to consider and prepare for what will happen in Sudan after the referenda in the South and Abyei, whatever their outcome. In the interests of peace and stability, all parties should prepare contingency plans for different eventualities;
- The UN Security Council should work with the Thabo Mbeki-led African Union High-Level Implementation Panel to ensure full and effective implementation of the CPA. More international support should be provided to the panel, which understands the issues and has the credibility to work with the signatories to the CPA. It is essential, moreover, that mediation efforts between the AU, IGAD, the US, the European Union, China, and other external parties be better coordinated;
- The UN mission in Sudan should be more actively supported and its mandate extended. Learning lessons from the post-referendum violence in East Timor in August 1999, the UN Security Council should clearly state that, if necessary, it will change UNMIS's mandate from that of a Chapter 6 peacekeeping force with certain Chapter 7 provisions to that of a full Chapter 7 peace enforcement mission, with the power to use force and take decisions independently of the government of Sudan in order to protect civilians and guarantee the implementation of the Southern and Abyei referenda;
- The two main Sudanese parties – the NCP and the SPLM – should provide regular, publicly stated benchmarks to track progress on CPA implementation in its final stages, while external donors must deliver on their pledges to post-conflict reconstruction efforts in Sudan;

2. Preparing and Supporting the Referenda

- Core issues of contention between the main Sudanese parties, such as disputes over the demarcation of the boundary between North and South, Abyei, and future wealth-sharing arrangements, must be urgently settled to ensure stability in Sudan after the Southern and Abyei referenda;
- International actors should support a campaign to publicise the referenda and disseminate information about their processes and importance to Sudanese citizens, as well as about how issues of citizenship will be tackled;
- The effective functioning of the Southern Sudan Referendum Commission and the Abyei Referendum Commission is critical. Appropriate technical assistance, as required, should be provided to these Commissions by regional and external actors;
- Effective monitoring of the Southern and Abyei referenda by external observers is required in order to ensure that their processes and outcomes are credible;
- The UN Security Council and the AU Peace and Security Council should give warning in good time that if the CPA is not fully implemented, and if the outcome of the Southern referendum is not respected, appropriate measures would be imposed on the offending parties;
- National governments and regional and external organisations should clearly state that they will accept the result of the referenda, in accordance with the terms of the CPA;
- All Sudanese parties should work towards the full implementation of the referenda in January 2011. Regional actors and the international community should help them to do so and take all necessary steps to ensure credible referenda, the results of which should not be questioned if properly conducted and monitored;

3. The Post-Referenda Period

- The international community should undertake to guarantee and respect the results, whatever they might be, of the January 2011 referenda in Southern Sudan and Abyei. If a new country of South Sudan emerges, the international community should be ready from the outset to work to help South Sudan to become a viable state;
- The international community should recognise the dangers of instability in Northern Sudan after the referenda and work to ensure the protection of human rights in all parts of Sudan, ensuring equitable participation of all regions of the country in the political process;

- Regional and external actors should focus not only on Juba and Khartoum, but should recognise that Sudan's border areas are a matter of critical strategic importance, especially Abyei, Southern Kordofan, and Southern Blue Nile, and will remain so after the referenda;
- A soft-border regime is required for Sudan's border areas to enable them to continue to exist as a shared zone for mutual benefit. The international community should therefore fully encourage current efforts to promote peaceful co-existence in these areas;

4. Stabilising Darfur

- The AU, IGAD, key external actors, and other interested parties should continue to engage with the Darfur peace process and promote a comprehensive, inclusive peace agreement in the volatile region;
- The peace talks in the Qatari capital of Doha, led by Djibril Bassolé, Joint African Union United Nations Chief Mediator for Darfur, should involve all parties to the conflict, and all those with influence should work to encourage those who are not participating in this process to do so;
- IGAD should take a more active role in working for peace in Darfur and in bringing the North and South together to settle the issues that divide them; and
- The AU/UN Hybrid Operation in Darfur should be fully supported and resourced to ensure that its mandate is effectively met. Punitive measures should be considered by the international community against armed groups which attack civilians and UN peacekeepers.

Annex I

Agenda

Day One Monday 23 August 2010

09h00 – 09h30 Welcome and Opening Remarks

Dr Adekeye Adebajo, Executive Director, Centre for Conflict Resolution, Cape Town, South Africa

Dr Francis Deng, Special Adviser of the UN Secretary-General on the Prevention of Genocide, New York

09h30 – 11h00 Session I: Opening Addresses

Chair: Professor Adebayo Adedeji, Executive Director, African Centre for Development and Strategic Studies, Ijebu-Ode, Nigeria

Speakers: Dr Francis Deng, Special Adviser of the UN Secretary-General on the Prevention of Genocide, New York
“Managing the Conflict of Identities in Sudan”
Professor Peter Woodward, University of Reading, England
“Sudan and Security on the Horn of Africa”

11h00 – 11h15 Coffee Break

11h15 – 12h45 Session II: United Nations Peacemaking in Sudan

Chair: Ms Hodan Addou, Manager, Sudan Country Programme, United Nations Development Fund for Women (UNIFEM), Sudan

Speakers: Ambassador James Jonah, Former UN Undersecretary-General for Political Affairs
Dr Jan Pronk, Former Special Representative of the UN Secretary-General for Sudan

12h45 – 13h45 Lunch

13h45 – 15h15 Session III: Managing the Outcome of South Sudan’s Referendum

Chair: Ambassador James Jonah, Former UN Undersecretary-General for Political Affairs

Speakers: Dr Francis Deng, Special Adviser of the UN Secretary-General on the Prevention of Genocide, New York

Mr Boitshoko Mokgathe, Political Officer, African Union
Liaison Office, Sudan

15h15 – 15h30 Coffee Break

15h30 – 17h00 Session IV: United Nations Peacemaking and Peacekeeping in Darfur

Chair: Dr Comfort Ero, Deputy Director, Africa Programme, International Centre for Transitional Justice, Cape Town

Speakers: Ambassador Abiodun Bashua, Director, Political Affairs Division, AU-UN Hybrid Operation in Darfur (UNAMID), Sudan
Major General Henry Anyidoho, Former Deputy Joint Special Representative of AU-UN Hybrid Operation in Darfur (UNAMID)

17h15 – 18h15 Centre for Conflict Resolution book launch: *The Curse of Berlin: Africa After the Cold War* by Adekeye Adebajo (Columbia University Press, Hurst, and University of KwaZulu-Natal Press, 2010)

Chair: Professor Adebayo Adedeji, Executive Director, African Centre for Development and Strategic Studies, Ijebu-Ode, Nigeria

Speaker: Dr Adekeye Adebajo, Executive Director, Centre for Conflict Resolution, Cape Town

Discussant: Dr Chris Landsberg, Head of Department, Department of Politics, University of Johannesburg

19h30 Dinner

Day Two Tuesday 24 August

09h15 – 10h45 Session V: Resolving the Border Areas of Abyei, Southern Kordofan, and Blue Nile

Chair: Dr Fantu Cheru, Research Director, The Nordic Africa Institute, Sweden

Speakers: Professor Godfrey Muriuki, Department of History, University of Nairobi, Kenya
Mr Sharath Srinivasan, Director, Centre of Governance and Human Rights, Department of Politics and International Studies, University of Cambridge, England

10h45 – 11h00 Coffee Break

11h00 – 12h30 Session VI: Regional Implications of the Referendum in South Sudan

Chair: Professor Peter Woodward, Emeritus Professor of Politics and International Relations, University of Reading, England

Speakers: Ambassador Lissane Yohannes, Intergovernmental Authority on Development (IGAD) Special Envoy to Sudan
Dr Iqbal Jhazbhay, Professor of Arabic and Islamic Studies, University of South Africa

12h30 – 13h30 Lunch

13h30 – 15h00 Session VII: External Actors: the United States and China

Chair: Dr Chris Landsberg, Head of Department, Department of Politics, University of Johannesburg

Speakers: Ambassador Richard S. Williamson, Former US Special Envoy to Sudan
“The Role of the US in Sudan”
Mr Daniel Large, The School of Oriental and African Studies, University of London, England
“The Role of China in Sudan”

15h00 – 15h30 Completing Evaluation Forms and Coffee Break

15h30 – 16h30 Session VIII: Rapporteurs’ Report and Way Forward

Chairs: Dr Jan Pronk, Former Special Representative of the UN Secretary-General for Sudan
Dr Adekeye Adebajo, Executive Director, Centre for Conflict Resolution, Cape Town

Rapporteurs: Professor Chris Saunders, Research Associate, Centre for Conflict Resolution, Cape Town
Mr Daniel Large, The School of Oriental and African Studies, University of London, England

Annex II

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3. Professor Adebayo Adedeji
Executive Director
African Centre for Development and Strategic Studies
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4. Major General Henry Anyidoho
Former Deputy Joint Special Representative of the African Union/United Nations Hybrid Operation in Darfur (UNAMID)
5. Ambassador Abiodun Bashua
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African Union/United Nations Hybrid Operation in Darfur (UNAMID)
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Uppsala, Sweden
7. Dr Francis M. Deng
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 23. Ambassador Richard S. Williamson
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 24. Professor Peter Woodward
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 25. Ambassador Lissane Yohannes
Special Envoy to Sudan
Intergovernmental Authority on
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Khartoum, Sudan
- Conference Team**
26. Ms Tamsyn Pillay
Centre for Conflict Resolution
Cape Town, South Africa
 27. Mr Shane Everts
Centre for Conflict Resolution
Cape Town, South Africa

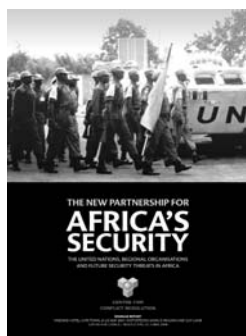
Annex III

List of Acronyms

ABC	Abyei Boundaries Commission
AEC	Assessment and Evaluation Commission
AU	African Union
AUHIP	African Union High-Level Implementation Panel
CCR	Centre for Conflict Resolution
CPA	Comprehensive Peace Agreement
DPA	Darfur Peace Agreement
EU	European Union
GOSS	Government of Southern Sudan
ICC	International Criminal Court
IDP	Internally Displaced Person
IGAD	Intergovernmental Authority on Development
JEM	Justice and Equality Movement
LAS	League of Arab States
LJM	Liberation and Justice Movement
NEC	National Elections Commission
NCP	National Congress Party
SAF	Sudan Armed Forces
SLM	Sudan Liberation Movement
SPLM/A	Sudan People's Liberation Movement/Army
SSRC	South Sudan Referendum Commission
UN	United Nations
UNIFEM	United Nations Development Fund for Women
UNMIS	United Nations Mission in Sudan
UNAMID	African Union/United Nations Hybrid Operation in Darfur
US	United States

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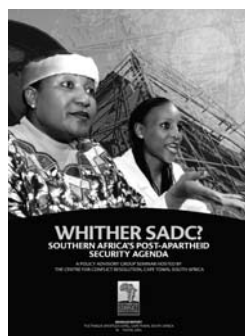
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THE UNITED NATIONS, REGIONAL ORGANISATIONS AND FUTURE SECURITY THREATS IN AFRICA

The inter-related and vexing issues of political instability in Africa and international security within the framework of United Nations (UN) reform were the focus of this policy seminar, held from 21 to 23 May 2004 in Claremont, Cape Town.



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SOUTHERN AFRICA'S POST-APARTHEID SECURITY AGENDA

The role and capacity of the Southern African Development Community's (SADC) Organ on Politics, Defence and Security (OPDS) were focused on at this meeting in Oudekraal, Cape Town, on 18 and 19 June 2005.



VOLUME 2 SOUTH AFRICA IN AFRICA

THE POST-APARTHEID DECADE

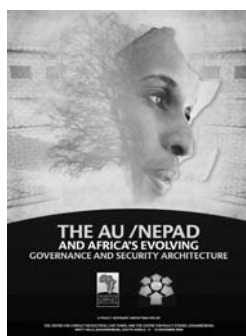
The role that South Africa has played on the African continent and the challenges that persist in South Africa's domestic transformation 10 years into democracy were assessed at this meeting in Stellenbosch, Cape Town, from 29 July to 1 August 2004.



VOLUME 6 HIV/AIDS AND HUMAN SECURITY

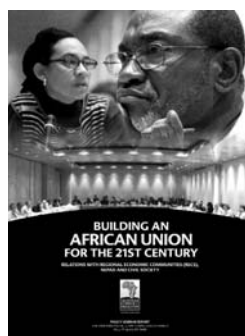
AN AGENDA FOR AFRICA

The links between human security and the HIV/AIDS pandemic in Africa, and the potential role of African leadership and the African Union (AU) in addressing this crisis were analysed at this policy advisory group meeting in Addis Ababa, Ethiopia, on 9 and 10 September 2005.



VOLUME 3 THE AU/NEPAD AND AFRICA'S EVOLVING GOVERNANCE AND SECURITY ARCHITECTURE

The state of governance and security in Africa under the African Union (AU) and The New Partnership for Africa's Development (NEPAD) were analysed and assessed at this policy advisory group meeting in Misty Hills, Johannesburg, on 11 and 12 December 2004.



VOLUME 7 BUILDING AN AFRICAN UNION FOR THE 21ST CENTURY

RELATIONS WITH REGIONAL ECONOMIC COMMUNITIES (RECS), NEPAD AND CIVIL SOCIETY

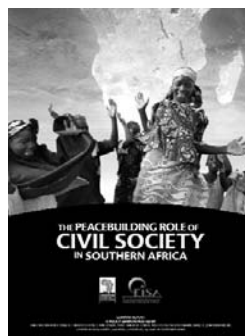
This seminar in Cape Town, held from 20 to 22 August 2005, made policy recommendations on how African Union (AU) institutions, including The New Partnership for Africa's Development (NEPAD), could achieve their aims and objectives.



VOLUME 4 A MORE SECURE CONTINENT

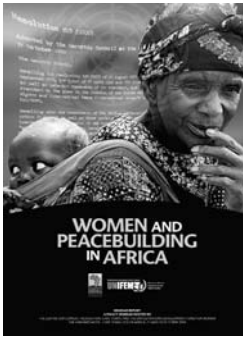
AFRICAN PERSPECTIVES ON THE UN HIGH-LEVEL PANEL REPORT, A MORE SECURE WORLD: OUR SHARED RESPONSIBILITY

African perspectives on the United Nations' (UN) High-Level Panel report on Threats, Challenges and Change were considered at this policy advisory group meeting in Somerset West, Cape Town, on 23 and 24 April 2005.



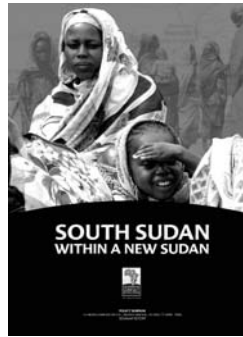
VOLUME 8 THE PEACEBUILDING ROLE OF CIVIL SOCIETY IN SOUTHERN AFRICA

This meeting, held in Maseru, Lesotho, on 14 and 15 October 2005, explores civil society's role in relation to southern Africa, democratic governance, its nexus with government, and draws on comparative experiences in peacebuilding.



**VOLUME 9
WOMEN AND
PEACEBUILDING IN
AFRICA**

This meeting, held in Cape Town on 27 and 28 October 2005, reviewed the progress of the implementation of United Nations (UN) Security Council Resolution 1325 on Women and Peacebuilding in Africa in the five years since its adoption by the United Nations (UN) in 2000.



**VOLUME 13
SOUTH SUDAN WITHIN
A NEW SUDAN**

This policy advisory group seminar on 20 and 21 April 2006 in Franschhoek, Western Cape, assessed the implementation of the Comprehensive Peace Agreement (CPA) signed in January 2005 by the Government of the Republic of the Sudan (GOS) and the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/A).



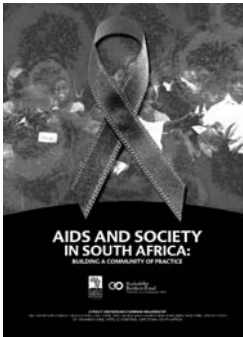
**VOLUME 10
HIV/AIDS AND
MILITARIES IN
SOUTHERN AFRICA**

This two-day policy advisory group seminar in Windhoek, Namibia, on 9 and 10 February 2006 examined issues of HIV/AIDS and militaries in southern Africa.



**VOLUME 14
AFRICAN PERSPECTIVES
ON THE UN
PEACEBUILDING
COMMISSION**

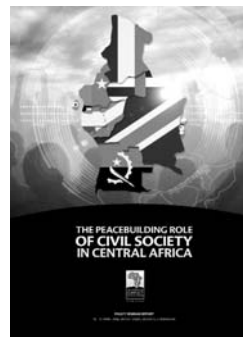
This meeting, in Maputo, Mozambique, on 3 and 4 August 2006, analysed the relevance for Africa of the creation, in December 2005, of the United Nations (UN) Peacebuilding Commission, and examined how countries emerging from conflict could benefit from its establishment.



**VOLUME 11
AIDS AND SOCIETY
IN SOUTH AFRICA**

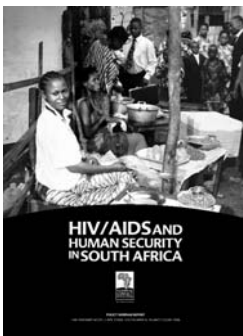
BUILDING A COMMUNITY OF PRACTICE

This policy and research seminar, held in Cape Town on 27 and 28 March 2006, developed and disseminated new knowledge on the impact of HIV/AIDS in South Africa in the three key areas of: democratic practice; sustainable development; and peace and security.



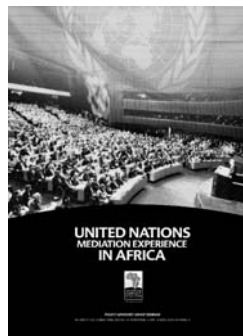
**VOLUME 15
THE PEACEBUILDING
ROLE OF CIVIL SOCIETY
IN CENTRAL AFRICA**

This sub-regional seminar, held from 10 to 12 April 2006 in Douala, Cameroon, provided an opportunity for civil society actors, representatives of the Economic Community of Central African States (ECCAS), the United Nations (UN) and other relevant players to analyse and understand the causes and consequences of conflict in central Africa.



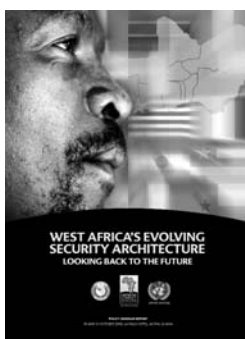
**VOLUME 12
HIV/AIDS AND HUMAN
SECURITY IN SOUTH
AFRICA**

This two-day policy seminar on 26 and 27 June 2006 took place in Cape Town and examined the scope and response to HIV/AIDS in South Africa and southern Africa from a human security perspective.



**VOLUME 16
UNITED NATIONS
MEDIATION EXPERIENCE
IN AFRICA**

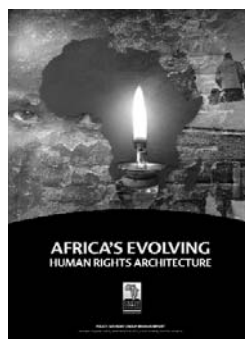
This seminar, held in Cape Town on 16 and 17 October 2006, sought to draw out key lessons from mediation and conflict resolution experiences in Africa, and to identify gaps in mediation support while exploring how best to fill them. It was the first regional consultation on the United Nations (UN) newly-established Mediation Support Unit (MSU).



**VOLUME 17
WEST AFRICA'S
EVOLVING SECURITY
ARCHITECTURE**

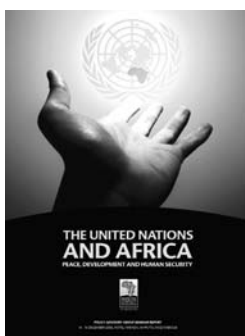
LOOKING BACK TO THE FUTURE

The conflict management challenges facing the Economic Community of West African States (ECOWAS) in the areas of governance, development, and security reform and post-conflict peacebuilding formed the basis of this policy seminar in Accra, Ghana, on 30 and 31 October 2006.



**VOLUME 21
AFRICA'S EVOLVING
HUMAN RIGHTS
ARCHITECTURE**

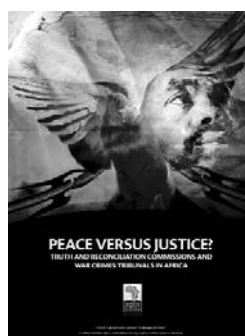
The experiences and lessons from a number of human rights actors and institutions on the African continent were reviewed and analysed at this policy advisory group meeting held on 28 and 29 June 2007 in Cape Town, South Africa.



**VOLUME 18
THE UNITED NATIONS
AND AFRICA**

PEACE, DEVELOPMENT AND HUMAN SECURITY

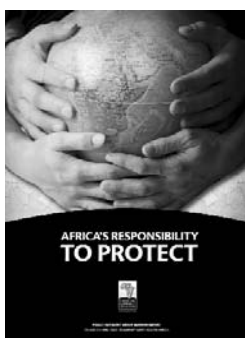
This policy advisory group meeting, held in Maputo, Mozambique, from 14 to 16 December 2006, set out to assess the role of the principal organs and the specialised agencies of the United Nations (UN) in Africa.



**VOLUME 22
PEACE VERSUS JUSTICE?**

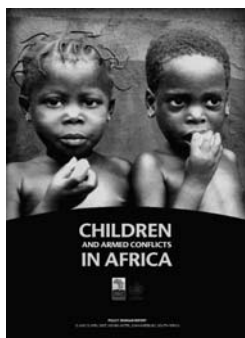
TRUTH AND RECONCILIATION COMMISSIONS AND WAR CRIMES TRIBUNALS IN AFRICA

The primary goal of this policy meeting, held in Cape Town, South Africa, on 17 and 18 May 2007, was to address the relative strengths and weaknesses of "prosecution versus amnesty" for past human rights abuses in countries transitioning from conflict to peace.



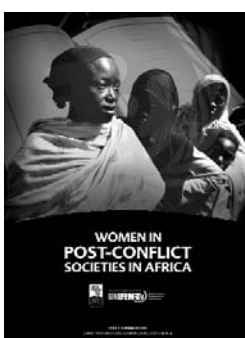
**VOLUME 19
AFRICA'S
RESPONSIBILITY TO
PROTECT**

This policy seminar, held in Somerset West, South Africa, on 23 and 24 April 2007, interrogated issues around humanitarian intervention in Africa and the responsibility of regional governments and the international community in the face of humanitarian crises.



**VOLUME 23
CHILDREN AND ARMED
CONFLICTS IN AFRICA**

This report, based on a policy advisory group seminar held on 12 and 13 April 2007 in Johannesburg, South Africa, examines the role of various African Union (AU) organs in monitoring the rights of children in conflict and post-conflict situations.



**VOLUME 20
WOMEN IN POST-
CONFLICT SOCIETIES IN
AFRICA**

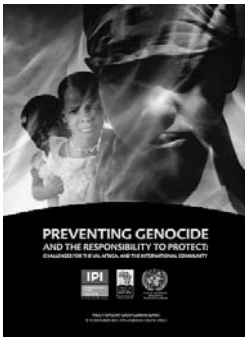
The objective of the seminar, held in Johannesburg, South Africa, on 6 and 7 November 2006, was to discuss and identify concrete ways of engendering reconstruction and peace processes in African societies emerging from conflict.



**VOLUME 24
SOUTHERN AFRICA**

BUILDING AN EFFECTIVE SECURITY AND GOVERNANCE ARCHITECTURE FOR THE 21ST CENTURY

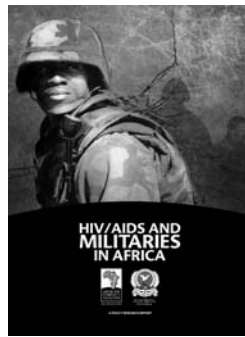
This report is based on a seminar, held in Tanzania on 29 and 30 May 2007, that sought to enhance the efforts of the Southern African Development Community (SADC) to advance security, governance and development initiatives in the sub-region.



**VOLUME 25
PREVENTING GENOCIDE
AND THE RESPONSIBILITY
TO PROTECT**

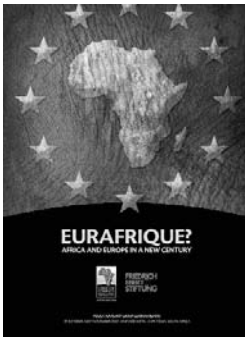
**CHALLENGES FOR THE UN, AFRICA, AND THE
INTERNATIONAL COMMUNITY**

This policy advisory group meeting was held from 13 to 15 December 2007 in Stellenbosch, South Africa, and focused on six African, Asian and European case studies. These highlighted inter-related issues of concern regarding populations threatened by genocide, war crimes, "ethnic cleansing" or crimes against humanity.



**VOLUME 28
HIV/AIDS AND
MILITARIES IN AFRICA**

This policy research report addresses prospects for an effective response to the HIV/AIDS epidemic within the context of African peacekeeping and regional peace and security. It is based on three regional advisory group seminars that took place in Windhoek, Namibia (February 2006); Cairo, Egypt (September 2007); and Addis Ababa, Ethiopia (November 2007).



**VOLUME 26
EURAFRIQUE?**

AFRICA AND EUROPE IN A NEW CENTURY

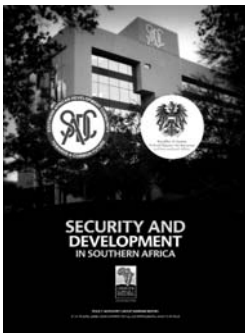
This seminar, held from 31 October to 1 November 2007 in Cape Town, South Africa, examined the relationship between Africa and Europe in the 21st Century, exploring the unfolding economic relationship (trade, aid and debt); peacekeeping and military co-operation; and migration.



**VOLUME 29
CONFLICT TRANSFORMATION
AND PEACEBUILDING IN
SOUTHERN AFRICA**

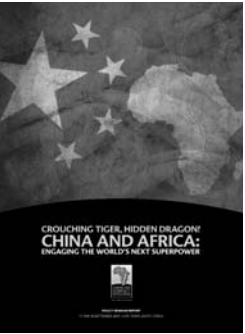
**CIVIL SOCIETY, GOVERNMENTS, AND
TRADITIONAL LEADERS**

This meeting, held on 19 and 20 May 2008 in Johannesburg, South Africa, provided a platform for participants from Lesotho, Swaziland and Zimbabwe to share insights on sustained intervention initiatives implemented by the Centre for Conflict Resolution in the three countries since 2002.



**VOLUME 27
SECURITY AND
DEVELOPMENT IN
SOUTHERN AFRICA**

This seminar, held in Johannesburg, South Africa, from 8 to 10 June 2008, brought together a group of experts – policymakers, academics and civil society actors – to identify ways of strengthening the capacity of the Southern African Development Community (SADC) to formulate security and development initiatives for southern Africa.



**VOLUME 30
CROUCHING TIGER,
HIDDEN DRAGON?
CHINA AND AFRICA**

ENGAGING THE WORLD'S NEXT SUPERPOWER

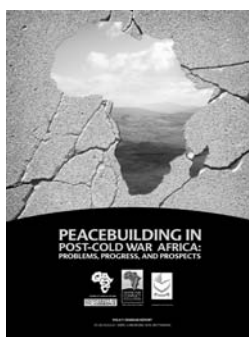
This seminar, held in Cape Town, South Africa, on 17 and 18 September 2007, assessed Africa's engagement with China in the last 50 years, in light of the dramatic changes in a relationship that was historically based largely on ideological and political solidarity.



VOLUME 31
FROM EURAFRIQUE TO
AFRO-EUROPA

AFRICA AND EUROPE IN A NEW CENTURY

This policy seminar, held from 11 to 13 September 2008 in Stellenbosch, Cape Town, South Africa, explored critically the nature of the relationship between Africa and Europe in the political, economic, security and social spheres.



VOLUME 33
PEACEBUILDING IN
POST-COLD WAR AFRICA

PROBLEMS, PROGRESS, AND PROSPECTS

This policy research seminar held in Gaborone, Botswana from 25 to 28 August 2009 took a fresh look at the peacebuilding challenges confronting Africa and the responses of the main regional and global institutions mandated to build peace on the continent.



VOLUME 32
TAMING THE DRAGON?

DEFINING AFRICA'S INTERESTS AT THE
FORUM ON CHINA-AFRICA CO-OPERATION

This policy seminar held in Tshwane (Pretoria), South Africa on 13 and 14 July 2009 – four months before the fourth meeting of the Forum on China-Africa co-operation (FOCAC) – examined systematically how Africa's 53 states define and articulate their geo-strategic interests and policies for engaging China within FOCAC.

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After Sudan — Africa’s geographically largest country — emerged from the continent’s longest civil war in 2005 with the signing of a Comprehensive Peace Agreement (CPA) by the government of Sudan and the Sudan People’s Liberation Movement/Army (SPLM/A), it found itself facing a historic transition. The CPA outlined a process of “democratic transformation” for Sudan. In the event that the idea of a united Sudan could not be made generally attractive, the CPA stipulated that in January 2011, Southern Sudanese should be able to vote on the South’s self-determination and choose whether they should remain in, or secede from, a united Sudan. At the same time, Ngok Dinka inhabitants of the Sudanese province of Abyei should also vote on their future in January 2011. With the implementation of the CPA reaching a critical stage, the CCR policy advisory group seminar analysed the dynamic interconnections between the country’s multiple interlocking conflicts and sought to identify ways in which African and extra-regional actors could help Sudan to manage the challenges of the forthcoming referenda and achieve a stable future.



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