

Challenges to the 2005 Comprehensive Peace Agreement (CPA) between the Sudan People Liberation Movement/Army (SPLM/A) and the Government of Sudan: Implications for Human Security and Human Rights in Sudan

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ABSTRACT

The primary objective of this project is to identify the factors that may facilitate or impede the successful implementation of the 2005 Comprehensive Peace Agreement (CPA) between Khartoum and the Sudan People Liberation Army/Movement (SPLA/M). The focus is on the problems in the implementation of the Abeyei provisions of the CPA. The project also examines the linkages between the Darfur conflict and the Southern Sudan conflict to illustrate the connections between what is transpiring in these regions. Generally, this research project aims to identify the main challenges to human security and human rights in the country following the 2005 peace agreement. The project argues that a faithful power-sharing is important for eliminating the political inequality between the Southern and Northern Sudan and other parts of the country like Darfur. Power-sharing can help promote unity between the national government in Khartoum and the regional government in the South.

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LIST OF ABBREVIATIONS

ABC	Abeyei Boundaries Commission
AU	African Union
CPA	Comprehensive Peace Agreement
DPA	Darfur Peace Agreement
GOSS	Government of Southern Sudan
IGAD	Intergovernmental Authority for Development
NCP	National Congress Party
NGO	Nongovernmental Organization
SAF	Sudan Army Forces
SPLM/A	Sudan People's Liberation Movement/Army
UNMIS	United Nation Mission in Sudan
UN	United Nations

Chapter One: Introduction and Overview of Sudan's History

Sudan is one of many countries in Africa that endured many wars before gaining its independence. Because of the long-lasting bloody conflicts, Sudan remains as the world's longest running and most intractable conflict zone. With an overwhelming death toll in their wake, the Sudanese civil wars have frequently alarmed the international and regional actors, which are seen to be fumbling in attempting to press the warring parties towards a peace process and more stability in all regions of the country.

Sudan's stability and liveability for its citizens has been torn apart by internal conflicts for most of its period of independence. The suffering of citizens may be partly attributed to the Khartoum government, which has treated the people in the South, Western, and Eastern regions like second-class citizens. This raises the question of whether or not the root causes of the conflicts in Southern Sudan and in Darfur share a common element.

The events in the South to those in Darfur do indeed share commonalities. Both regions have been marginalized by the government of Sudan, which is controlled by the Arab ethnic minority in Khartoum. The Arab ruling elites in Khartoum hold power over the South and over the Darfur region, threatening human security and human rights of people in these regions. The hoarding of power and wealth by the ruling party in the capital Khartoum will likely persist as a means to control the country's lucrative oil wealth.

Sudan has been subjected to war and its ensuing ravages since its independence from British and Egyptian rule in 1956. The war between Southern and Northern Sudan has affected human development, human security, and human rights throughout the country. Currently, focused research in Sudan is needed to achieve a better understanding of the complex conflicts involving South and North and the Darfur region. Without a clear understanding of the conflict, the country's very fabric may be torn apart.

The core questions that inform this project are: What are the main obstacles and challenges to realizing human security and human rights after the 2005 Comprehensive Peace Agreement (CPA) between the Sudan People Liberation Movement/Army (SPLM/A) and the Sudan national government in Khartoum? Does the CPA help (or hinder) the resolution of the Darfur conflict? These questions may best be answered by assessing the factors that could derail the CPA and the potential linkages between Darfur and the conflicts in Southern Sudan.

One of the factors that challenges the CPA is the lack of open, unhindered, and truthful dialogue between the ruling National Congress Party (NCP) and the SPLM/A. In addition, a growing lack of commitment by the NCP is apparent in implementing the crucial parts of the CPA provisions. Indeed, the lack of commitment to implement the essential provisions of the CPA (including power sharing, distribution of resources, the Abeyei administration status, and the North-South border demarcation) are concerns that have raised tensions

between the SPLM/A and the NCP. This raises the possibility that the conflict between Southern and Northern Sudan will be re-ignited, which may hamper any attempt to initiate a peace agreement in the Darfur region. A re-igniting of the conflict will likely also be disastrous to human security and human rights throughout the country.

Objectives

The primary objective of this project is to identify the factors that may facilitate or impede the successful implementation of the 2005 CPA between Khartoum and the SPLA/M. The focus is on the problems in the implementation of the Abeyei provisions of the CPA. The project also examines the linkages between the Darfur conflict and the Southern Sudan conflict to illustrate the connections between what is transpiring in these regions. Generally, this research aims to identify the main challenges to human security and human rights in the country following the 2005 peace agreement. Thus, the ability of the 2005 peace agreement to bring an end to the war and its probability of succeeding is evaluated. The war-torn region of Darfur is used as evidence for the great challenges to human security and human rights.

Central Thesis

Before the 2005 Comprehensive Peace Agreement (CPA) can be implemented in Sudan, four important conditions must be met:

1. Power-sharing: Faithful power-sharing is important for eliminating the political inequality between Southern Sudan and other parts of the country. Power-sharing can help promote unity between the national government in Khartoum and the regional government in the South. For the 2005 CPA to succeed, Khartoum must adopt power-sharing that is transparent. Faithful power-sharing requires that both sides have confidence and a sense of trust, without which, the CPA cannot succeed.

2. Wealth-sharing: Wealth-sharing is essential for removing the economic marginalization of the South, which has caused concerns for the Southerners who have demanded an urgent response to address the issues of the economic imbalance. Much evidence suggests that the economic underdevelopment of the South was a main root cause of the conflict. According to Busumtwi-Sam:

...economic marginalization was a key grievance that had mobilized and politicized collective identity formation in the South, (and) addressing the regional imbalance through a transfer of resources from north to south was required.¹

If the economic imbalance had been properly addressed in the 1972 Addis Ababa peace agreement, perhaps the second rebellion might have been avoided. The CPA should include strategies to promote socioeconomic development in the South.

3. Implementation of the Abeyei Boundaries Commission (ABC)'s final findings by the NCP and the SPLM/A: Implementation of the ABC's final finding

¹ James Busumtwi-Sam. Sustainable peace and development in Africa, p.102.

will be important for the survival of the CPA. Without political willingness and commitment by the NCP and the SPLM/A to implementing the ABC's final finding, the 2005 CPA will likely collapse. A political compromise ultimately will be needed to implement the ABC's final finding.

4. Full participation of the international and regional actors. Full participation of the international and regional organization is important, as it will motivate both parties to move faster towards an implementation of the CPA. Without full participation of the international and regional actors, especially the nations that were guarantors of the 2005 CPA, the peace agreement will be in jeopardy.

If the above conditions are not properly met the 2005 CPA will likely fail. Moreover, for the CPA to be sustainable, it must address issues of human security and human rights of the Sudanese people without discrimination. In essence, the 2005 CPA must address the root causes of the conflicts between Southern and Northern Sudan, while acknowledging those factors that led to the failure of the 1972 peace agreement. The 1972 Addis Ababa peace agreement was abandoned because of the Southerners' dissatisfaction with the way the Khartoum government had been dealing with the key provisions of the agreement. Southerners were dissatisfied with how the wealth- and power-sharing issues were being approached – aspects that must be properly considered in the 2005 CPA. The 2005 CPA may also fail, as did the 1972 peace accord, and troubling signs have recently emerged to indicate that possibility; for example, the refusal of the Khartoum government to implement the most

important provisions of the CPA such as ABC's final finding and the lack of peaceful power-sharing in Khartoum.

Justification

Sudan provides a dramatic example of a country that provides no protection for civilians during, or after, an armed conflict. The government of Sudan favours state security over human security, a choice which has come at the expense of individual physical security and human security's core values. What are the roots causes of the conflict between Southern and Northern Sudan? The causes are thought to be both diverse and composite, generally hinging on the North's authoritarian designs over people of the South.² Nevertheless, the conflict is not a new development, as it began in colonial times, even before the British Governor General administered Sudan. Shortly after Sudan's independence, Southern forces began mobilizing armies to confront the Northern troops who had entered the South.³

Regrettably, analyses of the origins of the Sudanese conflicts are frequently colored by ideology. As Collier et al. describe in *Breaking the Conflict Trap*:

² Human Rights Watch Background, *Slavery and Slave redeem. The Return to Democracy in Sudan, in the Sudan*, March 2002. <http://www.hrw.org/africa/sudan.php> Retrieved on April 11, 2006.

³ Douglas H. Johnson (2003) Root cause of Sudan's civil war.

Most people think that they already know the root causes of civil war. Those on the political right tend to assume that it is due to long-standing ethnic and religious hatreds, those in the political center tend to assume that it is due to a lack of democracy and that violence occurs where opportunities for peaceful resolution of political disputes are lacking, and those on the political left tend to assume that it is due to economic inequalities or to a deep-rooted legacy of colonialism.⁴

The causes of the conflict in Sudan are said to be a series of issues from religion, race, ethnicity, and politics, with more recent studies placing emphasis on economic factors.

Several studies have depicted the conflict as being ethno-religious, with “black African Christians and animists” fighting for ascendancy with the government in the North, which is by all accounts composed “Arab Muslims.”⁵ In addition, the conflict is largely blamed on the pseudo-division of states imposed by the colonial powers. In actuality, an all-embracing ethnic and cultural synthesis subsists in all of Sudan.⁶ Collier et al argue that, “none of these explanations sit comfortably with the statistical evidence... the key root cause of conflict is the failure of economic development.” However, no single set of factors – political, economic or socio-cultural – taken separately can account for the Sudanese conflicts. All are implicated to varying degrees. Thus, the local perception of race,

⁴ Collier, Paul, V.L. Elliott, Havard Hegre, Anke Hoeffler, Marta Reynal-Querol & Nicholas Sambanis. (2003). *Breaking the Conflict Trap*. Washington, DC: World Bank and Oxford University Press. (p.53).

⁵ Morrison, J. Stephen & Alex de Waal. (2005). *Can Sudan escape its intractability?* In Crocker, Chester A., Fen Osler Hampson & Pamela Aall (p.161).

⁶ Douglas J. H. (2003) *The Root Causes of Sudan's Civil War*. The International Africa Institute, James Currey Oxford –UK. (2004, p. xii).

religion, social status, economic exploitation, and post-colonial intercession, are all facets of Sudan's old and modern history, and conflicts.⁷

A concise overview of Sudan's history shows that the country has been dominated by Arab intrusions for centuries. Before attaining independence on January 1, 1956, a joint government, known as the Anglo-Egyptian Condominium, controlled Sudan after the Turko-Egyptian administration.⁸ Even after Independence, socio-cultural activities continued to be dominated by remnants of the Turko-Egyptian and Anglo-Egyptian settlers. The Arabs, who settled in Northern Sudan, continued to play a significant role in fragmenting the socio-political and economic spheres of independent Sudan, which resulted in disastrous consequences for the inhabitants of Southern Sudan. In addition, the Anglo-Egyptian Condominium was the focus of blame for many Southern Sudanese intellectuals for 'selling out' the rights of the Southern Sudanese (Black Africans) to the Arab immigrants who came to the country as traders. In fact, the Arab settlers were mainly traders and not indigenous to Sudan.

Sudan, like many African countries, is comprised of numerous ethnic groups. It has two distinct divisions: the North mostly populated by Muslim Arabs, and the South, mostly populated by Black Neolithic people, some of whom are members of indigenous faiths, while others are Christians. The Islamic government of Sudan, according to Hampson, blocks NGOs from supplying any displaced people with essential needs, indicating how it has failed to provide

⁷ Anderson, G. Norman. 1999. *Sudan in Crisis: The Failure of Democracy*. Gainesville: University Press of Florida.

⁸ Abdel Salam Sidabmed (1997). *Politics and Islam in Contemporary Sudan* (pp.10-11).

human security in war time. Instead, the government aids and abets starvation by refusing to help the relief agencies.

These Arab immigrants were blamed for causing the longest outbreak of civil war and the economic depression still being experienced by many Sudanese. The economic depression was concentrated in the South, and since 1956, the relationship between the South and North has been characterized by economic, social, and political marginalization of the Southerners. Edgar O' Balance, for example, notes the discontent felt by Southern Sudanese about being economically neglected.⁹ The Southern Sudanese are poorly represented in and discriminated against by the national government, resulting in their political exclusion.

The premeditated strategy of retarding the economic and social development of South Sudan has led to a concentration of economic wealth in the North. Political and economic exclusion, as well as other historical forms of exploitation (such as the slave trade), thus undermined human rights and human security in the country. Due to social, political, and economic ill-treatment, the Southerners armed themselves against the Khartoum government to fight for liberation and the freedom of the Sudanese as a whole. Consequently, in order to sustain the current peace initiatives the Southerners need to be fully included in a diversified state through political and socio-economic representation and participation.

⁹ Edgar O'Balance. (1977). *The secret war in the Sudan 1955-1972*. (p.45).

The Southern Sudanese started the first rebellion, known as the Anya Nya One War in 1956. This war lasted for 17 years. In 1972, the Anya Nya One fighters made a legal agreement with the government in Khartoum.¹⁰ The agreement put an end to the 17-year-old war that had ripped the country apart. The agreement was signed in Addis Ababa, Ethiopia, in February 1972. It provides a basis for negotiating an end to the civil war. Nevertheless, some maintain that the Arab-dominated government in Khartoum was deceiving the Southerners so they would give up their fight against the government forces, and was not committed negotiating a solution to the civil war.¹¹ For example, at the start of negotiations, the Sudanese government made a statement that Sudan should be a united country.

Thus, the Arab Islamic government in Khartoum was attempting to block the Southern Sudanese's idea for a regional government. Douglas H. Johnson suggests that the "negotiation was proposed with a united Sudan as the one precondition."¹² Because of the condition, many southern Sudanese politicians were suspicious of the agreement, and tended to distrust it.¹³

The second rebellion, called the Anya Nya Two War, is well known for being the longest civil war in African history.¹⁴ The war displaced many people in Sudan and caused many Southern Sudanese to flee into neighbouring countries.

¹⁰ Douglas H. Johnson. (2003) *The root causes of Sudan's civil wars*. (p.39).

¹¹ Douglas H. Johnson (2003). p.39.

¹² Ibid.

¹³ Edgar O'Balance (1977). *The secret war in the Sudan 1955-1972*.

¹⁴ Douglas H. Johnson (2003).

The Anya Nya Two War is also famous for being the bloodiest war in the country's history.¹⁵

Method & Scope

The method of this project involves a detailed, historical case study of the Sudanese conflicts (North vs. South, Darfur region and in Eastern region) and the attempts at peacebuilding. However, the paper will not address the conflict in Eastern region as it lies outside the scope of the project. The study also aims to address the impact of the 2005 CPA that ostensibly ended the war between the North and the South, and assess its impact on the conflict in Darfur. The research is intended to contribute to a greater in-depth understanding of what is currently transpiring in Sudan, and specifically assist in unravelling the complex interrelationships between human security, human rights, and human development in the Sudanese conflicts.

The study begins with an analysis of the key provisions of the 2005 CPA (Ch 2), then proceeds (Ch 3) to examine a key issue (the Abeyi dispute) of conflict between North and South Sudan. The project then examines the impact of the CPA on the Darfur conflict (Ch 4), and the challenges to human security in Darfur that have arisen as a consequence of the failure to implement the 2005 CPA (Ch 5). The final part of the project summarizes the findings and analyzes the requirements for sustainable peacebuilding in all of Sudan.

¹⁵ Ibid.

Chapter Two: The 2005 CPA: Background and Major Provisions

The 2005 Comprehensive Peace Agreement (CPA) was the result of extensive peace negotiations by the government of Sudan and the Sudan People Liberation Movement/Army (SPLM/A). The CPA provides some important provisions in relation to the history of Sudan. It provides a six-year interim period, elections by 2009, an autonomous southern government, a referendum on self-determination for the South, and power and wealth-sharing agreements, which are aimed at ending decades of political and economic marginalization of the South.¹⁶ Nevertheless, the CPA is a fragile document that could fail as easily as other peace agreements in Sudan's history. Even if the CPA was fully implemented, the conflict in Sudan could still likely recommence.

The leaders on both sides must act responsibly to make the CPA a building stone for correcting the country's problems. In addition, the CPA should be viewed by leaders of both sides as the primary step towards building a sustainable and lasting peace, and achieving economic prosperity and development in Sudan. In any case, to implement the CPA and address the real root causes of the conflict, the right tools are needed, in particular, there must be full commitment and willingness for political compromise by both the NCP and the SPLM/A.

Historically, the CPA emerged as an essential facet in Sudan's history. In the summer of 2002, the NCP and SPLM/A agreed to set a framework (now

¹⁶ Sudan's Comprehensive Peace Agreement: the Long Road Ahead. Africa Report No. 106. (ICG 2006a, p.1).

known as the CPA), with agreement of the first protocol in Machako, Kenya, for solving the longest running conflict in the history of the continent. Both sides agreed on several aspects: The unity of Sudan shall be based on the free will of its people, democratic governance, accountability, equality, respect, and justice for all citizens of Sudan. This shall be the priority of the parties involved in the 2005 peace agreement. It is possible to redress the grievances of the people of South Sudan and to meet their aspirations within such a framework.¹⁷

These principles in the Machako Protocol are perhaps the most important provisions that set the stage for the overall CPA. Besides both sides agreeing to the free will of their people under democratic governance, accountability, equality, respect, and justice for all citizens, the protocol also included important clauses such as the Southern Sudan referendum, religious freedom, and government reform as part of a democratic standard.

The Machako Protocol was crucial, and even the United Nations Mission in Sudan (UNMIS) commented on how the Protocol set "forth the principles of governance, the transitional process and the structures of government as well as the right to self-determination for the people of South Sudan, and on matters of state and religion."¹⁸ Consequently, the Machako Protocol spelt out a clear vision for the South and for Sudan as a whole. The future of Sudan now depends on the successful implementation of all provisions in the CPA.

¹⁷ Machako's Protocol IGAD "Secretariat on Peace in the Sudan" July 20, 2002 (p.7).
http://www.iss.co.za/Af/RegOrg/unity_to_union/pdfs/igad/MachakosProt.pdf

¹⁸ Comprehensive Peace Agreement, the background to Sudan's CPA.
<http://www.unmis.org/English/cpa.htm>

In the Machako Protocol, the government of Sudan and the SPLM/A agreed that the two parties should work together to find an inclusive solution that tackled the economic and social oxidization of Sudan and use the term “war not just with peace, but also with social, political, and economic justice which respects the fundamental human and political rights of all Sudanese people.”¹⁹ In addition, the two parties agreed to adopt a democratic system of governance that would account for the cultural, ethnic, racial, religious, and linguistic diversity, as well as gender equality of the people of Sudan.

In theory, the Machako Protocol set important principles that would eliminate the injustices that had plagued Sudan’s history. In practice; however, the Machako Protocol and other aspects of the CPA are contentious. In fact, whether or not the parties will faithfully adopt all of the protocol provisions and practices as spelled out in the CPA, has yet to be determined.

The Machako Protocol was a starting point for the CPA and was followed by five protocols between 2003 and 2004, set out in Naivasha, Kenya. The five protocols agreed upon by the SPLM/A and the NCP involved: power sharing, wealth sharing, resolution of the Abeyei conflict, resolution of the conflict in the states of Southern Kordofan and the Blue Nile, and finally, a security arrangement. These protocols were all agreed to by the NCP and the SPLM/A before the final peace agreement was signed in 2005 in Nairobi, Kenya. The question remains whether the NCP and the SPLA/M, after agreeing to implement

¹⁹ http://www.issafrica.org/AF/RegOrg/unity_to_union/pdfs/igad/MachakosProt.pdf

all provisions of the CPA, will indeed follow through. A key test of this commitment relates to resolving the conflict over the Abeyi region by implementing the findings of the Abeyi Boundaries Commission (ABC).

Chapter Three: The Abeyei Resources and Territorial Boundary Conflict

According to the CPA, Abeyei is given special status until the Abeyei Boundaries Commission (ABC) presents its final findings to the Presidency. Once the ABC presents its final report on border demarcation, the Presidency will take action to place the “special administrative status” of the Abeyei region into instantaneous effect.²⁰ According to the resolution of the Abeyei Conflict Protocol, both parties will have to agree with the final report of the ABC before Abeyei will be installed with special administrative status.

However, instead of putting the special administrative status of the Abeyei area into immediate effect following the report, the NCP has used delaying tactics to control the Abeyei oil fields and to delay implementation of the CPA. Thus, the NCP’s refusal to immediately comply with the ABCs final report to install Abeyei administration is potentially a flashpoint for new political and military conflicts. The conflict that broke out in Abeyei on May 15, 2008 was clearly fueled by the Khartoum government’s refusal to comply with CPA provisions.

The ABC is important to the 2005 CPA because Abeyei was originally part of Southern Sudan until 1905 when the Abeyei region was transferred to Northern Sudan by the colonial government. The ABC is important to the survival of the 2005 CPA, as it essentially redraws the boundary between South and North. It may also allow Dinka Ngok to be part of the South once again.

²⁰ The Government of Sudan (GOS) the Sudan People’s Liberation Movement /Army SPLM/A on the resolution of Abeyei conflict, Naivasha, Kenya.
<http://www.iss.co.za/Af/profiles/sudan/protabyeimay04.pdf> (p.7).

According to the Abeyei Protocol, the ABC will “define and demarcate the area of the nine Ngok Dinka Chiefdoms transferred to Kordofan in 1905, referred to... as the Abeyei Area.”²¹ A refusal to accept the findings of the ABC is an indication that the Khartoum government is not accepting the full implementation of the 2005 Comprehensive peace Agreement.

As Johnson put it, “defining and demarcating the Abeyei Area is the pre-condition for implementing the Abeyei Protocol. By refusing to accept the ABC Report, the NCP may have abrogated the whole of the Abeyei Protocol. This is contrary to the Machakos Protocol.”²² In addition, the Abeyei Protocol creates a model for resolving border disputes between Southern and Northern Sudan; and a failure to resolve the Abeyei border problem may imperil the 2005 CPA. Johnson emphasizes that a

“failure to resolve the North-South border will jeopardize the faithful implementation of other protocols in the CPA dealing with security, wealth-sharing, elections, and the referendum. In other words, if the border dispute cannot be resolved, the CPA cannot be implemented as written, or as intended.”²³

If the Abeyei border conflict cannot be resolved, the conflict between North and South will likely resume.

The re-igniting of the conflict between North and the South is possible as long as the violations of the CPA continue and specifically because the refusal by

²¹ Protocol: The Resolution of the Abeyei Conflict, Determination of Geographic Boundaries (p. 5)
<http://www.issafrica.org/AF/profiles/Sudan/protabyeimay04.pdf>

²² Douglas H. Johnson, The Abeyei Protocol Demystified.
<http://www.sudantribune.com/spip.php?article25125>

²³ Ibid.

NCP to recognize the ABC's findings would leave Abeyei in a state of administrative and political limbo, and the Abeyei region would be akin to a political vacuum.²⁴ Whether or not the Abeyei dispute leads to a renewal of the conflict will depend on the NCP's commitment to fully implement all of the CPA provisions, including the Abeyei border demarcation and the sharing of wealth with the government of Southern Sudan (GOSS). Presently, the Khartoum government appears to be unenthusiastic about implementing the provisions, which is sending a signal to many southern Sudanese and to the international and regional actors such as United Nations, United States, Intergovernmental Authority on development and African Union in general, that the CPA is in danger of collapsing.

Therefore, to avoid a renewal of conflict between South and North Sudan, the dispute in the Abeyei region must be considered as a national issue and addressed accordingly by the NCP and the SPLM/A. The NCP must be prepared to accept the ABC's findings, so that the Abeyei dispute can be put to rest. The Crisis Group of Africa expressed this idea eloquently:

The risk of renewed conflict in Abeyei must be addressed on both the national and local levels but the primary challenge is to overcome the NCP's resistance to implementing the agreement in good faith, beginning with the acceptance of the ABC report.²⁵

In addition, with the lack of democratic reforms, the NCP clearly wished to remain in power by not implementing these essential provisions in the CPA.

²⁴ Sudan: Breaking the Abyei Deadlock Crisis Group Africa Briefing N°47, 12 October 2007 (p.6).

²⁵ Sudan: Breaking the Abyei Deadlock Crisis Group Africa Briefing N°47, 12 October 2007 (p.10).

According to the Crisis Group of Africa, the delays in implementing the CPA provisions dealing with democratization and transformation “allows the NCP to maintain control of political structures, while delays relating to Abeyei borders, troop redeployment, and oil transparency permits it to continue to retain control of resources.”²⁶ Unquestionably, the Sudan government has a long history of dishonouring peace agreements because of the desire to control resources and maintain its political power structures.

The Abeyei border dispute would not be the first instance where the Khartoum government has not honoured a peace agreement between the South and the North. The Abeyei dispute is a clear example of an issue that could easily re-ignite the conflict, as it first developed when oil was discovered in the South in mid-1970s. The discovery of oil was a main factor leading to the abandonment of the 1972 peace agreement, which had ended the first war between the South and the North. The collapse of the 1972 Addis Ababa Peace Agreement was triggered by President Nimeiri’s decision to violate the peace agreement after oil was discovered in the South in the mid-1970s.²⁷ Today, the evidence suggests that the non-implementation of important provisions in the 2005 CPA, and the non-existent transfer of resources and economic development in the South, would challenge the success of the 2005 peace agreement. The 2005 CPA appears to be little more than a re-enactment of the

²⁶ Sudan: Breaking the Abyei Deadlock Crisis Group Africa Briefing N°47, 12 October 2007 (p.7).

²⁷ James Busumtwi-Sam. Sustainable peace and development in Africa (p.102).

1972 peace agreement unless the NCP changes its attitude and implements all of the fundamental provisions of the CPA.

A reversion to war between the South and the North appears to be inevitable. The tension between the SPLM/A and the NCP seems to be mounting, which is an early warning sign of renewed conflict. To avoid an almost certain renewal of the conflict, the international and regional actors must assume an appropriate and core role to persuade the NCP to fully implement all CPA provisions. The re-engagement of the United Nations, United States, African Union, and Intergovernmental Authority on development, to ensure that the CPA is implemented, seems to be the only way it can succeed. The Crisis Group of Africa suggests that, to date, the heightened political tension between the SPLM/A and the NCP,

highlights that peace can only hold if there is proper and full implementation of the CPA. Improving the implementation of the CPA, and specifically breaking the Abeyei deadlock before there is an explosion will require significant international re-engagement.²⁸

While several issues are at play in Abeyei, the chief motivating reason behind NCP "intransigence" is oil. The Khartoum government has frequently exploited the Misseriya (Arabs) tribe in the South-North border in ways that demonstrate its interests are tied to the oil in the region. The NCP is using the lack of considerable Misseriya participation in CPA negotiations to its benefit, to violate this fragile peace agreement. The NCP has provided propaganda about the ABC testimony on Abeyei border demarcation, to entice the Misseriya to take arms

²⁸ Sudan: Breaking the Abyei Deadlock Crisis Group Africa Briefing N°47, 12 October 2007 (p.6).

against Abeyei residents. In addition, the NCP has used misinformation about the ABC report by harping on insecurities about Misseriya grazing rights in the Abeyei region, to prevent the ABC boundary report from being implemented. The NCP mobilized the Misseriya tribe to work against the boundary report and the Abeyei Protocol.²⁹

Thus, the role of oil resources in the stalemate of the Abeyei Protocol must be recognized and dealt with in good faith. The Sudan government must implement the wealth sharing provisions of the Abeyei Protocol, which are clearly spelled out in the Naivasha Protocol, to ease the tension between the two parties. As stipulated in the Naivasha Protocol, the ABC is to be established within two years and the commission must rule on the South - North border demarcation. Nevertheless, because of the vast resources involved in the Abeyei border dispute, the NCP position appears to be inconsistent with their stated commitment to the CPA provisions.

In fact, the NCP now appears to be waging war against the Southern Sudanese in Abeyei and other southern areas to gain full control of the vast resources in the region. Thus, the NCP is refusing to accept the ABC North-South border demarcation findings, and because of the oil resources in the area, is using war as a means to control the resources. The Khartoum government seems to be all too ready to wage a risky war against the southerners, ignoring the fact that it will lead to national calamity³⁰. In past years, the NCP faction and

²⁹ Ibid.

³⁰ Ibid

other members of coalition in Khartoum government have redrawn the border between the South and north, to encompass the majority of oilfields in the North. As a result, the Khartoum government's action to change its perimeter is a major source of apprehension about the 2005 CPA.

Regarding these tensions, the NCP and the SPLM/A must cooperate to prioritise the core provisions of the CPA; however, the mounting problems with the CPA are receiving little attention from the guarantors of the peace agreement, such as Intergovernmental Authority on Development, United Nations, United States and the African Union. IGAD, AU, UN and the US are focusing on the conflict in Darfur without realizing that any possible peace in Darfur region must be based on the success of the 2005 CPA. Therefore, the failure of the 2005 Comprehensive Peace agreement would mean no peace could be achieved in Darfur region.

As the fundamental difficulties with the CPA remain unsolved, the risk of a new conflict is emerging in the Abeyei region. In fact, the NCP and the SPLM/A need to be fully committed to implementing the CPA for it to survive the mounting tension between the two parties. On the other hand, the international and the regional actors must vigorously re-engage in supporting the shaky peace agreement and recognize that its full implementation would generate the most harmonious atmosphere for peace in Darfur and in other troubled regions of the country.

On the other hand, the NCP will not likely accept full implementation of the CPA, if it will not benefit the Khartoum regime. Indeed, the NCP's position on CPA implementation is clear, with its selectivity of provisions and its decision to wage war in Darfur. The NCP's decision to not implement the most important provisions, such as the acceptance of Abeyei border demarcation, and its continued tight control of resources, are indications that it will not implement provisions that might threaten its control of the country. According to the Crisis Group of Africa:

NCP – including maneuvers in Darfur – have been premised on a mostly successful strategy for preserving power and control of resources. The party's tight control of the military, intelligence and oil apparatus has allowed it to hold off the political transition promised in the CPA through selective implementation, the continued war in Darfur and orchestrated unrest in the North-South border areas, but national elections present the greatest threat to that control.³¹

Besides tightly controlling the country's resources, the Khartoum government has failed to completely redeploy the Sudan Army Forces (SAF) from the oil-producing regions and the CPA call for a full redeployment. This action signals that the Khartoum government is not willing to honour the 2005 CPA. If the Khartoum government does not allow a peaceful implementation of the key provisions in the 2005 peace agreement, Sudan will not likely be entering into an era of stability and peaceful development. Addressing issues that are crucial to the survival of the CPA is the main way for achieving peace in Sudan.

³¹ Sudan's Comprehensive Peace Agreement: Beyond the Crisis. Crisis Group Africa Briefing N°50, 13 March 2008 International Crisis Group (p.7).

According to James Lemor (in the *Khartoum Monitor*), the Vice-President of Sudan and the President of the Government of Southern Sudan, Mr. Slava Kiir Mayardit, noted in his key address to the SPLM/A Second National Convention that: "The issues that remain to be resolved include the Abeyei Protocol, national reconciliation, and democratic transformation. Without addressing these issues, we can hardly claim that we are out of the woods."³² Mayardit was implying that the conflict between the South and the North would not be over until the key provisions of the CPA are fully implemented. The speaker went on to point out that "Sudanese ownership of the CPA can be realized only through an inclusive process of national reconciliation."³³ Without a comprehensive process of national reconciliation, the CPA will not hold.

The NCP has resisted full implementation of the CPA because it sees it as a menace to the survival of the regime in Khartoum. In addition, the NCP is undermining the reforms that are significant to democratisation and to guarantee the self-determination referendum in Southern Sudan in 2011. If the CPA fails, especially because of the Abeyei provisions, which is becoming more likely, Sudan could easily return to full-scale conflict, with terrible implications for the people of Sudan and for its neighbours who will be affected by the return to full-scale war. Roger Winter and John Prendergast state:

³² James Lemor, *Khartoum Monitor*. "Implementation of CPA faces numerous challenges" Vol. 7 Issue no. 1525 (p.1).

³³ *Ibid.*

If the political crisis regarding Abeyei is addressed, there is potential for peace in the entire country. If it is mishandled, it dramatically increases the possibility that Sudan's current conflicts — from Darfur to the South to the East — will explode over the coming few years into a national war with regional implications and historically devastating repercussions for its people.³⁴

All studies of the 2005 CPA agree that it was intended to bring about harmony, peace, and affluence to the people of Sudan after 22 years of bloody conflict, but so far, little evidence points to its success, because of the lack of commitment from the government of Sudan.

Doubtlessly, the government forces and affiliated militia that attacked in Abeyei were attempting to derail the CPA. As Lemor points out, the spokesperson, of Professor Mading Deng Kuol (in *Khartoum Monitor*) said that “the militia’s repeated attacks were an attempt to abrogate the comprehensive peace agreement.”³⁵ The crisis began on May 15, 2008 when a group affiliated with Sudan National Forces (SAF) attacked the SPLM/A integrated unit in Abeyei town. As a result of that attack, the militia and Sudan army forces burned the town of Abeyei to ashes. Spokesperson, Mading Deng Kuol, acknowledges that “three quarters of the residential areas in the town have been completely burned down by the SAF and its affiliated militia.”³⁶ In addition to the destruction of the town, the clashes in Abeyei have caused the loss of many lives and injuries, as well as the displacement of many people.

³⁴ Roger Winter and John Prendergast. The project to end genocide and crimes against humanity. Abyei: Sudan’s “Kashmir” <http://www.enoughproject.org/abeyei> (p.1).

³⁵ James Lemor, *Khartoum Monitor*. “Implementation of CPA faces numerous challenges” Vol. 7 Issue no. 1525 (p.1).

³⁶ Ibid.

The problem of Abeyei is not a simple predicament that might be ignored by regional and international actors, since the survival of the CPA is at stake. The NCP has demonstrated to international and regional actors that it is prepared to void the CPA by violating the Abeyei Protocol and waging war against the people of Abeyei. The US envoy to Sudan, Mr. Richard Williamson, stated that the US government “decided to suspend the talks with Sudan as result of the failure by the NCP to address the plight of the people of Abeyei and implement the Abeyei protocol.”³⁷ The envoy said that he did not want to be part of what he called ‘paper peace’ in Sudan. The 2005 peace agreement appears to be following the same pattern the as 1972 peace agreement.

The failure of the NCP to address the Abeyei issue is a strong signal of the violence that may ensue in that embattled region, and may foretell a full-scale conflict throughout Sudan. International and regional actors have to act in a timely fashion to remedy the situation in Sudan. As participants in producing the CPA and especially the Abeyei Protocol, international (specifically the UN) and regional actors (the African Union and IGAD) must now take a leading role to settle the Abeyei dispute, which is a menace to the CPA, and to any potential lasting peace agreement for the Darfur region.

³⁷ Sudan Mirror (2008). Vol 5 issue 13.

Chapter Four: Does the CPA Help (or Hinder) the Resolution of the Darfur Conflict?

A brief history of the conflict in the Darfur region is necessary to understand the current problems and the linkages to the North-South conflicts in Sudan. Darfur is comprised of three areas: Western, Southern, and Northern Darfur. In these three areas, a long-running conflict has been taking place between different ethnic groups. The conflict became intense in the 1980s and 1990s with the clash of Arabs and Africans. The clashes led to the formation of militias which erupted in more conflicts in 2003. Scott Straus suggests that the conflict was a

series of deadly clashes in the late-1980s and 1990s. Arabs formed militias, burned African villages, and killed thousands. Africans, in turn, formed self-defense groups, members of which eventually became the first Darfur insurgents to appear in 2003.³⁸

The crisis in Darfur has grown out of numerous distinct yet interconnected conflicts. The rebels in Darfur are fighting the national government forces plus its allied militias. The Sudan army forces and the two rebel groups in Darfur (the Justice and Equality Movement, and the Sudan Liberation Army) have been fighting since 2003, and today, the conflicts have claimed many lives in the region. Straus estimates that the “massive campaign of ethnic violence has claimed the lives of more than 70,000 civilians and uprooted an estimated 1.8

³⁸ Scott Straus, *Darfur and the Genocide Debate*.
<http://www.foreignaffairs.org/20050101faessay84111/scott-straus/darfur-and-the-genocide-debate.html>
p.2.

million more since February 2003.”³⁹ The destruction and killing of innocent people in the Darfur region is an indication that the Khartoum regime is unconcerned about the rights and liberty of the Darfurian people.

Two key questions this project addresses are whether and in what ways the conflict in Darfur is related to the North-South Conflict, and whether the CPA will help or hinder the resolution of the Darfur conflict. The evidence suggests that the two conflicts are indeed related and that a resolution in Darfur depends on the progress made in implementing the key provisions of the CPA. The Darfurian conflict is related to the South-North conflict in that dissatisfaction with central government triggered both conflicts.

The people in these regions have been fighting in large part to end their economic and political marginalization at the hands of the government in Khartoum. The Oxford Analytica states that the well-known motivation for the Darfur rebels to oppose the government is the “dissatisfaction with the distribution of political and economic power. This is fundamentally the same reason why the SPLM/A fought the government from 1983 to 2005.”⁴⁰ The linkage is real and the evidence suggests that the conflicts in Darfur were related to the second war between Southern and Northern Sudan, and especially to the 2005 CPA. In this respect, the Darfur conflict is a direct result of the 2003 South-North negotiations. Darfur rebels declared war against the Khartoum government for fear of being left out of the peace negotiations.

³⁹ *Ibid.* p.1.

⁴⁰ Sudan: Regional politics crucial for Darfur security - 17 Jul 2007. *Oxford Analytica*
<http://www.oxan.com/>

According to Straus, the Darfur region was “never represented in the IGAD discussions, and the Darfur rebels decided to strike partly to avoid being left out of any new political settlement.”⁴¹ The negotiations for the CPA, which began in 2003 and ended in early 2005, did not incorporate all factions who were fighting the Sudan government; therefore, the intensity of the conflict in Darfur was sparked by the South-North peace negotiations in 2003. According to John Ryle, “Other political forces and regional interests in Sudan and other conflicts, north and south, have been sidelined, including those in Darfur. In this respect, the timing of the insurgency in Darfur was dictated by the Naivasha Agreement,”⁴² and thus, a successful CPA will motivate the Darfur rebels to hope for a similar success with the Darfur Peace Agreement (DPA). Furthermore, according to Burr and Collins,

“During the 2003 peace negotiations, wide agreement suggested that the prospects for peace at Naivasha helped to trigger the timing of the insurrection and that any North-South peace agreement (purposefully excluding the negotiations with the Darfurians), would simply solidify the marginalization of Darfur.”⁴³

The insurrection in Darfur dramatically escalated because of the comprehensive peace agreement between the North and the South. In fact, the people of Darfur believed that a peace agreement that did not include the Darfurians would disadvantage the region. Thus, their decision to take up arms against the Khartoum regime was to express their concern.

⁴¹ Ibid. p.1.

⁴² John Ryle, Disaster in Darfur *The New York Review of Books*. 12 August 2004, Vol. 51, No 13.

⁴³ J. Millard Burr and Robert O. Collins .2008. *Darfur the Long Road to Disaster*. (p.292).

I posit that the CPA would assist the resolution of the Darfur conflict if it is implemented in good faith. Without a successful CPA, a successful peace agreement in the Darfur region will be impossible. The successful implementation of the CPA will do two things. On the government side, it will send a clear signal of its commitment to peace and equitable development in all of Sudan, and on the Dafurian side, it will encourage them to negotiate a peace agreement with the Khartoum government. Although, there has been conflict in Darfur between the farmers and the herders over natural resources; the escalation of the conflict in Darfur was “spawned by the peace process that produced the CPA, and it showed the fallacy of the CPA's claim to be 'comprehensive.' In its current form or if it is enlarged, the DPA [Darfur peace agreement] indirectly depends on the survival of the CPA.”⁴⁴ In the short- and long-term, the permanence of any peace resolution in Darfur will depend on the Sudan government being held to its assurances for peace.

Thus, the CPA is an agreement between the South and North it also provides a framework for a national solution. The success in Darfur depends on the wider political process in Sudan. For instance, the suspension of the SPLM/A participation in the national government created many concerns about the status of the CPA and the future of the DPA. According to Oxford Analytica, the “move reflects the uncertainty around the CPA, and suggests how difficult any eventual

⁴⁴ Sudan: Regional politics crucial for Darfur security - 17 Jul 2007. *Oxford Analytica*
<http://www.oxan.com/>

resolution to the Darfur conflict will be.”⁴⁵ Thus, any impasse in CPA implementation will be a great challenge for peace resolution in the Darfur region. The implementation of the CPA would also help to transform the domineering governmental system in Khartoum, which is a root cause of the conflicts, and prompt a more open, transparent, inclusive, and democratic system in Sudan. In this way, the Darfur conflict may come to an end, theoretically and practically. Nevertheless, if the Khartoum government does not execute its share in implementing the CPA, and the CPA is in crisis, it will not likely assist in resolving the Darfur conflict.

In essence, the CPA crisis would be a signal to the Darfurians to not accept any false peace agreement that would be dishonoured by the Khartoum government, as was the earlier peace agreement with the South. The people of Southern Sudan and the people of Darfur are thus troubled by a common concern: an unaccountable government that denies the sharing of wealth, resources, and power with all its citizens. Rather than embracing national reconciliation and pacification, the government mounts military manoeuvres against its own citizens to crush their concerns.

To conclude, the CPA crisis cannot entirely be divorced from the Darfur conflict, or from the wider political processes in Sudan. The NCP is not implementing the CPA in good faith, which is sparking tensions with the SPLM/A. Moreover, the NCP is diverting the attention of the international and regional

⁴⁵ Sudan: CPA crisis affects Darfur peace talks - 23 Oct 2007. *Oxford Analytica*, (Para1)
<http://www.oxan.com/>

actors away from the Darfur conflict, while simultaneously crushing the people of Darfur. The international and regional actors must stop the Sudan government from using these tactics, and the government of Sudan must be held accountable for actions taken against innocent civilians in the South and in the Darfur region.

Chapter Five: Human Security Challenges in the Darfur Region

A major consequence of the failure to implement the core provisions of the 2005 CPA has been the increased threats to human security in Darfur. This chapter documents the scope and dimensions of these human security threats. The human security concept has been defined in numerous ways. For the purpose of this research project, human security is defined as “the absence of threat to those core human values, including the most basic human value, the physical safety of the individual.”⁴⁶ Human security is thus the recognition that human lives need protection from contingencies that may threaten security, rights, and values of humankind. In addition, the notion of human security is based on the welfare of people. For instance, Walter Dorn says:

In the human security approach, the welfare of human beings around the world is the object of concern rather than military and strategic interests of a particular state. The defense of human life is more important than the defense of land, and personal integrity is as important as territorial integrity.⁴⁷

Consequently, the main goals of human security are to achieve freedom from fear and freedom from want. Individuals would be guaranteed freedom from fear and freedom from want, with an equivalent opportunity to completely develop their human potential. Safety is the main characteristic of freedom from fear, while well-being is the characteristic of freedom from want. In many parts of

⁴⁶ Fen Osler Hampson, *Madness in the Multitude: Human Security and World Disorder*, Oxford University Press Canada, 2002, p. 4.

⁴⁷ Walter Dorn, *Human Security: an overview*, 2001, para.15.

Sudan, individuals are not free from fear, and the majority of Sudanese do not have freedom or the opportunity to develop their human potential freely and safely without interference from government or other factors that affect human development in most parts of the country.

What kinds of threats to human security are occurring in Darfur? Who is posing this threat? The threats to human security in Darfur essentially entail physical and psychological threats emanating from the government of Sudan and its militia allies. The government of the Sudan has employed the use of force on the civilian population in Darfur. Ample evidence shows how the militia and police have abused the citizens of Darfur, while the global community has not taken any collective action to stop the Khartoum government from committing its bloody and inhumane actions. Eric Reeves, for example, argues that the

most egregious instances of humanitarian obstruction come in the form of physical intimidation, threats, and even assaults. The {international and regional actors have} still been unable to secure from Khartoum any acceptable explanation for the vicious assault by police.⁴⁸

The profound reluctance of the international and regional actors to act in the Darfur conflict has led to countless cases of human rights abuses by the Sudan forces and militia on the people of greater Darfur-Sudan, which, one would surmise, has only increased human insecurity and human rights abuses in the region. The indiscriminate and massive killing of civilians in Darfur should be

⁴⁸ Eric Reeves. Human security in Darfur: A remorseless deterioration.
<http://www.sudantribune.com/spip.php>

viewed by the international regional actors as a crime against humanity. Thus, actions must be taken to stop this gross inhuman act, instead of taking no action, which will allow the disturbing abuses of civilians in Darfur to continue.

The threat to human security and human rights, and the involvement of the government of Sudan in the Darfur conflict cannot be denied by the Omar Hassan El-Bashir administration in Khartoum. The El-Bashir regime has been carrying out a massive operation in the Darfur region. For instance, Noëlle Quénivet noted that “trucks with government soldiers arrive in the villages followed by the militia on horses and camels.”⁴⁹ The government of Sudan is clearly the mastermind behind the destruction and massacre in Darfur. The government of Sudan has been using militia against civilian populations largely to obtain its political goals in Khartoum.

In addition, the use of militia against the people of greater Darfur is a tactic that El-Bashir and former regimes have used against the people of Southern Sudan. According to Burr and Collins, the government of Sudan armed its Baggara supporters on the Southern Sudan frontier with “automatic weapons and gave them freedom to pillage, rape, enslave, and kill the Dinka who lived across the Bahr al-Arab (the Kiir) river, and who were supporters of the SPLA and its Dinka leader, John Garang.”⁵⁰ The Baggara supporters of the government “almost destroyed the Dinka villages and this also seems to be the case in the Darfur conflict at the present time.” In fact, the mass rapes of South Sudan

⁴⁹ Noëlle Quénivet. *The Report of the International Commission of Inquiry on Darfur: The Question of Genocide.* (p.49) *Human Rights Review*; Jul 2006, Vol. 7 Issue 4, p.38-68, p.31.

⁵⁰ J. Millard Burr and Robert O. Collins. 2008. *Darfur the Long Road to Disaster* (p.286).

civilians, which were perpetuated by the militia and the Sudanese armed force, is now epidemic in the Darfur region.

The situation appears to be worsening in Darfur because the government of Sudan is supporting the militia, which leads to a further escalation of the violence, and brings more suffering to the people of the region. El-Bashir's government has fueled 'tribal clashes' into major acts of destruction by employing military tactics aimed at destroying the human existence in the Darfur area. As pointed out by Quénivet, "the fact that the government backs and arms the Janjaweed militia adds a political dimension to the conflict which escalated from small clashes into a major humanitarian catastrophe."⁵¹ The evidence also indicates that the abuse in Darfur is widespread; even the workers of non-governmental organizations (NGOs) are targeted by police and the militia in the displacement camps. Aid workers have been physically abused or even raped. Reeves mentions a case where "Sudanese police officers dragged a female United Nations worker from an aid agency compound in Darfur and subjected her to a vicious sexual attack."⁵² The abuse of aid workers caused trepidation in the camp; the workers

feared for their lives when armed police raided their compound in Nyala, dragging one European woman out into the street by her hair and savagely beating several other international staff before arresting a total of 20 UN, aid agency, and African Union staff.⁵³

⁵¹ Noëlle Quénivet. The Report of the International Commission of Inquiry on Darfur: The Question of Genocide. (p.49) Human Rights Review; Jul 2006, Vol. 7. Issue 4, p.38-68.

⁵² Eric Reeves. Human security in Darfur: A remorseless deterioration.
<http://www.sudantribune.com/spip.php>

⁵³ Ibid.

The chief and most destructive cause of the violence and consequential lack of security in Darfur remains the Khartoum government and its alliances with militias in the region. The Khartoum regime's regular armed force (the Sudan Armed Forces), its security forces (particularly the Military Intelligence), and its Janjaweed militia allies pose the greatest threats to security in Darfur. In addition, the regime in Khartoum persists in its assiduous bombing of civilians in the region. Thus, the regime in Khartoum is attacking rebel groups without endeavouring to discriminate between civilians and military targets, and undaunted by any response. Evidence suggests that the government of Sudan used aerial bombardment indiscriminately, as mentioned by De Waal:

In the first three weeks of July 2008 there were 21 separate incidents of aerial bombardment. The air strikes were carried out by the Government of Sudan with Antonov aircrafts and MIG fighter jets. Reportedly, the strikes impacted in the vicinity of civilian communities and allegedly resulted in the deaths of 12 persons, including 5 women and 2 children. The United Nations received further reports that civilian objects, in particular cultivated land and livestock, were also destroyed.⁵⁴

The repeated attacks by the Khartoum government have endangered human security and human rights in the Darfur region. The violence against Darfurians seems to be the order of the day and the government is making it a daily routine.

Reeves points out that the "violence and insecurity that have been so relentlessly orchestrated by Khartoum has put millions of vulnerable Darfurians at

⁵⁴ Alex De Waal. 2004. Prospects for peace and security in the Horn of Africa. In Sorbo, Gunnar M. & Siegfried Pausewang, eds. Prospects for Peace, Security and Human Rights in Africa's Horn

continual risk.”⁵⁵ The violence against innocent civilians in Darfur is not lessening and unless the Sudan government is put under intensive pressure from regional and international actors. The killing of civilians in displacement camps will continue in Darfur and in other parts of the country. The government troops that enter displacement camps are threatening internal displaced persons (IDP). For example, Farrow and Reeves stated that, in Kalma, 60 heavily armed military vehicles had entered the camp, shooting and setting straw huts ablaze. This same government and its proxy killers, the Janjaweed, attacked terrified civilians – who had previously fled their burning villages.⁵⁶

The threat to human security is far greater in Darfur than -- since the government and its militia allies are burning the civilian villages and disrupting their daily activities, and destroying their livestock, which is the core of their lives. The Kalma “massacre” was an element of Khartoum's well-built genocidal campaign in Darfur. Since 2003, 80% to 90% of Darfur's African villages have been burnt into ashes by the Khartoum regime.⁵⁷ This genocidal campaign in Darfur has terrified the Darfurians since the beginning of the conflict in early 2003.

These violations have occurred in Darfur with the knowledge of the international and regional actors and thus a key question is why international and regional actors have failed to intervene. In fact, the main regional organization in

⁵⁵ Eric Reeves. "Chaos by Design": Khartoum's Patterns of Violence in Darfur, 2008 Humanitarian Consequences of Khartoum's Campaign of violence <http://www.sudanreeves.org/Article224.html>

⁵⁶ Mia Farrow and Eric Reeves. Now Sudan is Attacking Refugee Camps," The Wall Street Journal, September 6, 2008 (para 1) <http://www.sudanreeves.org/Article223.html>

⁵⁷ Ibid.

Africa – the African Union (AU, est successor to the OAU in 2002) has a mandate to pressure and sanction member states who commit crime against humanity.

The AU constitution grants the organization authority to intervene to restore peace in the conflict regions of the continent. For instance, as Busumtwi-Sam notes, the AU has “explicit provisions for intervention to curb genocide, war crimes, and crimes against humanity, for intervention to restore peace and order, and for sanctions to be imposed on member states for non-compliance”⁵⁸. It is not clear why the AU did not use these provisions to impose sanctions against the Khartoum Government when there is clear evidence that the Sudan’s government is the primary source of violence in the Darfur conflict. While the AU has taken some limited steps, including deploying a small contingent of ‘peacekeepers’, more action needs to be taken to pressure the Sudan government to stop use of force against innocent people, help curb crimes against humanity, and restore peace and stability in Darfur region.

⁵⁸ James Busumtwi-Sam. Architects of Peace? The African Union and NEPAD. *Georgetown Journal of International Affairs*, v. 7, no. 1 Winter/Spring 2006-07

Chapter Six: Conclusion

The only way to produce a lasting peace between South and North Sudan or to have a meaningful peace agreement in Sudan as a whole is to embed both long-term and short-term aspects of sustainable development into the peace agreement. The failure to promote sustainable peace and economic development is the greatest threat to the CPA. In the southern and northern parts of Sudan, sustainable peace-building must be focused on factors that will promote peaceful implementation of the CPA, reduce the level of apprehension, and promote more equitable development over the longer term in order to prevent a recurrence of war. Successful Implementation of peace agreements requires clear benchmarks that can be evaluated. As W. Andy Knight argues,

an “evaluative measurement of peace building should be based on whether the program supports a sustainable structure and processes that strengthen the prospect for peaceful coexistence and decrease the likelihood of an outbreak of violence.”⁵⁹

Hence, peace-building in Sudan’s South-North conflict must focus on the political, social, and economic development to nourish a comprehensive peace agreement. The eco-social development is at the heart of the sustainable peace accord. Knight acknowledges that “conflict prevention through development and

⁵⁹ W. Andy Knight. “Conclusion: Building Sustainable Peace.” ed. Tom Keating and W. Andy Knight, p.373.

social transformation is central to the concept of sustainable peace.”⁶⁰ Indeed, the development of political and social transformations will help build lasting peace in southern Sudan and northern Sudan and in many of the parts of the country that are gripped by perpetual conflict.

While the peace accord needs to address long-term development, historically peace agreements have not addressed these long-term effects in Sudan. Negotiators usually only aim for an immediate end to the conflict, but do not attempt to address factors that might impede the peace implementation or possible scenarios that could take place when the conflict has apparently subsided. Sustainable peace requires a long-term commitment and changes to the communities that have been affected by war. According to Knight, “peace building must have the long-term objective of bringing about a fundamental transformation of conflict-ridden societies.”⁶¹ If peace-building has a long-term intention, it will reduce the level of threats to human security and human rights, and reduce the level of vulnerability in Southern Sudan.

Thus, many development projects lack sustainable peace goals because of a failure to determine clear and compelling goals for peace and to coordinate strategies to achieve them.⁶² Thus, the lack of comprehensive peace-related development goals in peace settlement processes in Sudan is often a critical

⁶⁰ Ibid. p.357.

⁶¹ Ibid. p.358.

⁶² Ho-Won Jeong. *Peace Building in Post-Conflict Societies: Strategy and Process*, p.19.

problem leading to a failure of peace agreements between the South and the North.

In addition to the failure to integrate sustainable peace development goals, the Sudan government's lack of commitment to the peace agreement is another one of the major threats to the peace process in many parts of Sudan including the Darfur region. The mediators and guarantors of the peace agreement must provide confidence-building measures that will help reduce uncertainty and mistrust, and they must take responsibility for addressing the issues, outlined in chapter two and three, which have derailed the implementation of peace agreements in the past. The parties concerned also need to adopt early-warning measures and strategies for dealing with unforeseen conditions, to prevent further conflict in the country. Because the potential devastation from war may have unthinkable results in Sudan, the international and regional actors and especially African regional organizations must arrive at an honourable and transparent solution that will achieve a lasting end to the armed conflicts and humanitarian crisis.

The bloody conflict between the South and North has been going on since before the country's independence, stemming from the ruling Egyptian and British government. Although the peace agreement was signed in 2005 to end the bloody conflict, a growing fear exists that a war between the South and North will be re-ignited, since the most important provisions in the CPA have not been implemented. A successful peace agreement between the South and the North

may help alleviate the conflict in Darfur, which has threatened human security and human rights since 2003, and isolated the Darfur region. If the Khartoum government fails to implement the CPA in good faith, and abide by the Abeyei provisions, the international and regional actors must shed their prolonged destructive complacency and take action to stop the war in the Darfur region and in other marginalized regions of the country. Conversely, if the international and regional actors take no action to end the Darfur conflict, the situation will likely get worse. The International and regional actors failed to produce a common approach and strategy to end the overwhelming crisis in Darfur region.

However, it is important to recognize that the international and regional actors face many challenges; these challenges include divisions within and among these international and regional actors. For example, the UN and the AU cannot agree on a common approach and strategy on how to deal with the crisis in Darfur region. For instance, it has been rightly noticed by David Mozersky that the Khartoum government has used the divisions within international and regional actors to “deflect pressure, and to neutralize efforts that would compromise its war strategy”⁶³. The Kartoum regime has either refused in many instances to allow UN and AU hybrid forces to be deployed in Darfur, or severely limited the scope of their mandates. More often, China and Russia have obstructed

⁶³David Mozersky (2007). *The Way Forward on Darfur: Building on the Olympic Spirit*
<http://nationalsecurity.oversight.house.gov/documents/20070611100235.pdf>

effective action. China has used its veto power to block UN Security Council resolutions on the Darfur conflict due its oil interests in Sudan.

The hope of Darfur for sustainable peace rests mainly with the successful implementation of the peace agreement between the South and the North, and with involvement of the international and regional actors. If the CPA is fully implemented it can serve as a model process for the whole country. The peace agreement between the Khartoum government and Southern Sudan was seen by many as the only hope to end a conflict that had afflicted every part of the country.

If the peace accord between the North and the South is not implemented the idea of peace emerging in other regions of the country, such as Darfur, becomes more far-fetched. The international and regional actors appears to be bewildered by the tactics of the Khartoum government, which has signed numerous peace agreements with different parties in Sudan, but then fails to honour those agreements. How can Khartoum be made to honour the Darfur Peace Agreement when it dishonours the peace agreement in the South? The government of Sudan will likely continue its game until the international and regional actors decides to take decisive action.

The NCP is practising destructive policies in the Darfur region, while ignoring the key provisions of the 2005 CPA. The NCP is thus deliberately triggering a crisis in the CPA implementation process largely to ensure that the ruling faction would survive the elections scheduled for 2009. The delayed

implementation of the CPA provisions, including democratization and transformation of the government in Sudan, is allowing the NCP to maintain control of political structures, resist the Abeyei border demarcation, and control oil resources.

The non-implementation of the Abeyei Protocol will likely hasten a fresh conflict between the North and South, and jeopardize any attempt to bring peace or stability to the Darfur region. To successfully implement the CPA, the international and regional actors who are the guarantors of the CPA must re-engage themselves in the situation and pressure the Khartoum government and the SPLM/A to take positive steps to fully implement all provisions in the CPA. Without the involvement of the international and regional actors such as UN, AU and major global powers such as the United States, the implementation of CPA in good faith would be impossible.

Unfortunately, the conflict in Darfur has drawn the attention of the international and regional actors away from implementing the CPA and put more focus on the gross humanitarian violations in the Darfur conflict. While the atrocities in Darfur do deserve regional and international attention, they have overshadowed the CPA and sidetracked the international and regional actors away from the need to implement the CPA. This project has argued that if the North-South CPA is not fully implemented, the possibility of a peace agreement in Darfur will be all the more difficult to achieve. The threats to human security and human rights identified in chapter five will thus continue to plague the region.

The most important policy recommendation is to ensure that the CPA is fully and honestly implemented, which would greatly reduce the possibility of conflict re-igniting between north and south Sudan, and facilitates a peace settlement in the Darfur region. All parties implicated in the CPA and the regional and international actors must be engaged in the peace process, not as an end to negotiations but as a beginning of a longer process towards sustainable peace in the country. The AU must work together with other international organizations to provide the support, pressure, and resources needed to ensure that this process succeeds.

The signing of a peace agreement is only the first stage in a long process of peacebuilding. Numerous stages must be passed between the signing of a peace agreement, its implementation, and sustainable peace. The rudiments for lasting peace must contain equitable economic development, political stability, democratic governance, tolerance of ethnic and religious diversity, a framework for the peaceful settlement of differences, and strong institutions. These institutions must work to ensure human rights and human security for the people of Sudan, and ultimately, for the whole region.⁶⁴

⁶⁴ Alex De Waal. (2004). Prospects for peace and security in the Horn of Africa. *In* Sorbo, Gunnar M. & Siegfried Pausewang, eds. *Prospects for Peace, Security and Human Rights in Africa's Horn* (p.12).

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