

Comprehensive support for peace processes

The case of Sudan

Mediation which continues alongside a peace process both during peace talks and through the implementation period involves some specific challenges and opportunities. This has been evident in Sudan where political mediation has contributed to keeping commitments generally on track, as well as allowing improvisation when agreements lend themselves to different interpretations. This session will consider the impact and importance of this type of mediation on the implementation of both new agreements in Sudan as well as agreements in other countries.

The Comprehensive Peace Agreement (CPA) signed between the Government of Sudan (GoS) and the Sudan People's Liberation Movement (SPLM) on 9 January 2005 was the culmination of thirty months of negotiations. The CPA ended decades of civil war and significant local violence in the southern and central parts of the country and called for wealth-sharing, power-sharing and security arrangements between the two parties. The historic agreement included a ceasefire, the withdrawal of troops from southern Sudan, and the repatriation and resettlement of refugees. CPA provisions which have been implemented include the formation of the National Legislature; the appointment of Cabinet members from both parties (SPLM and the National Congress Party); the establishment of the Government of Southern Sudan and the signing of the interim Southern Sudan Constitution; the appointment of state governors; as well as national constitutional reforms and the adoption of state constitutions.

The electoral law paving the way for national elections was passed in July 2008 and, in April 2010, elections were held at six levels (including for national and Southern Sudan president, state governors, and national, Southern Sudan, and state legislatures). Laws governing the Southern Sudan and Abyei referenda and the popular consultations in the Southern Kordofan and Blue Nile states were passed in December 2009. In February 2010, the parties also agreed to begin demarcation of the north-south border. On 15 January 2011 the week-long Southern Sudan referendum concluded and the final results indicated that 98.83% had voted for secession.

Prior to the CPA, a number of tools and mechanisms were used to establish peace in Sudan including the Sudan Troika (the United States, United Kingdom and Norway); the initiatives under the Naivasha talks; the IGAD-led Verification and Monitoring Mission; the Friends of the Nuba Mountains; and the Joint Military Commission (JMC) mission in the Nuba Mountains. As a result of the CPA, the Assessment and Evaluation Commission (AEC) was established. Other mechanisms employed through the CPA and in recent years include the Joint Monitoring Committees as part of the CPA-mandated and UNMIS-supported monitoring of the security arrangements; and the mandating by the African Union of the AU High-Level Implementation Panel for Sudan (AUHIP), led by former South African President Thabo Mbeki to facilitate post-referendum arrangements.

Significant progress has been made since the CPA in 2005 and the completion of the Southern referendum is a major achievement. However, there are aspects of the agreement which still require further facilitation and negotiations, including the status of Abyei; the demarcation of the north-south border; the resolution of disputed areas along this border; and the completion of the popular consultations in the Southern Kordofan and Blue Nile states. Additional areas for negotiation include economic co-operation, wealth-sharing, oil management, security, debt, and citizenship.

Lessons drawn from previous mediation efforts in Sudan can inform plans for addressing the remaining CPA issues, as well as the areas likely to need mediation in the post-CPA period. The parties will need continuous support throughout the rest of the peace process to ensure that peace is maintained while stability and representative governance are consolidated. Decisions made over the next few months have the potential to lay the foundation for sustainable peace between Sudan and the soon-to-be-independent South Sudan – or they could re-ignite violence and propel the country, and potentially the region, back into war.

Drawing lessons from past experiences, the session will consider which elements are needed to ensure and support the viability of the two new states. The session will also consider the mediation strategies the international community can use during the implementation given that there may be resistance from the parties to structures that can be perceived as intrusive in their “internal” affairs.

Questions for discussion

What lessons can be learned from these experiences in terms of identifying efficient mechanisms to secure the implementation of a peace agreement? Were the monitoring mechanisms built into the CPA (for example, the AEC) sufficient?

What challenges have arisen around confidence-building measures and how can these be addressed in future peace negotiations?

What kind of mechanisms will be required to ensure peace is maintained during the post-referendum talks and beyond the CPA Interim Period?

Have external stakeholders (the African Union, neighbouring countries and the United Nations) taken a different approach to the peace process in Sudan than elsewhere?

Which factors led to the relatively peaceful conclusion of the Southern referendum, despite fears about a lack of preparation and the potential for violence?

What are the lessons that other countries in conflict can take away from the CPA and its implementation? What type of follow-up mechanisms should ideally be incorporated in peace agreements? How is international support and pressure best applied?