

UNIVERSITY OF NAIROBI

**INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES UNIVERSITY
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**TOPIC: THE ROLE OF REGIONAL ORGANIZATIONS IN CONFLICT
MANAGEMENT: A CASE STUDY OF IGAD PEACE PROCESS IN SUDAN
CONFLICT (1993 -2005)**

BY: BENARD GITHINJI MWANIKI

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PURPOSE: A research paper presented to the institute of diplomacy and international studies University of Nairobi in partial fulfillment of the requirements for the award of the Post Graduate Diploma of University of Nairobi

SUPERVISOR: MR. R N OMWEGA

DATE:

DECLARATION

This is my original work and has not been submitted for a PGD in any other university.

-----Signature Date-----

MWANIKI BENARD GITHINJI

This work has been submitted for examination with my approval as the University supervisor.

_____ Signature Date _____

MR. R N OMWEGA

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Abbreviations and Acronyms

AACC-	All African Conference of Churches
CPA-	Comprehensive Peace Agreement
GoS-	Government of Sudan
HEC-	High Executive Council
IGAD-	Inter-Governmental Authority on Development
IGADD-	Inter-Governmental Authority on Drought and Development
OAU-	Organization of African Union
SANU-	Sudan African National Union
SPLM/A-	Sudan People's Liberation Movement/ Army
SSLM-	South Sudan Liberation Movement
VMT-	Verification and Monitoring Team
WCC-	World Council of Churches

Definition of terms

Bargaining- Making offers and counter offers until both sides reach agreement

Conflict- A perceived divergence of interest or belief that the parties' current aspiration cannot be achieved simultaneously hence leading to clash and competition

Mediation- a communication process in which conflicting parties work together, with the assistance of an impartial third party, cooperating to resolve their conflict peaceably

Inquiry- A search for facts about the dispute by a third party

Hudud- punishments based on Sharia

Table of Contents

DECLARATION.....	i
Acknowledgment.....	ii
Abbreviations and Acronyms.....	iii
Definition of terms.....	iv
Abstract.....	vii
CHAPTER 1: INTRODUCTION.....	1
1.1 Background to the study.....	1
1.2 Statement of the Problem.....	3
1.4 Study Objectives.....	4
1.5 Hypotheses.....	4
1.6 Literature review.....	4
1.7 Theoretical framework.....	10
1.8 Justification of the study.....	12
1.9 Research Design and Methodology.....	12
1.10 Study Scope and Limitations.....	13
1.11 Chapter outline.....	14
CHAPTER 2: DYNAMICS OF THE CONFLICT.....	15

CHAPTER 3: THE SUDAN PEACE PROCESS.....	25
CHAPTER 4: SUCCESS FACTORS OF IGAD-LED PROCESS.....	36
4.1 Impact of the international community to the IGAD process.....	42
CHAPTER 5: CONCLUSSION AND RECOMMENDATIONS.....	45
BIBLIOGRAPHY.....	50
7.0 Appendices.....	55
Appendix I – Map of Africa.....	55
Appendix II – Map of Sudan.....	56

Abstract

This is a post-referendum reflection of the Sudan conflict. This conflict is the longest and worst conflict in African history after Angola with millions of casualties. It had great impact both within the Sudan and the region at large. It is estimated that 1.3 million of people died, though there has not been a reliable official figure. The actual figure notwithstanding, separate reports of the various clashes leave no doubt that the conflict was catastrophic in terms of human life. Apart from the dead, the war was responsible of displacement of many people both internally and into neighbouring states. This conflict ended with the signing of Comprehensive Peace Accord in 2005 brokered by the IGAD-led peace process. The Accord was substantially implemented when the referendum was held in January 2011 in which Southerners voted to secede.

This paper explored the uniquenesses of the IGAD-led peace process by presenting a comparative analysis with respect to predecessor initiatives. It also explored the role of the international community in mediating for peace. It identified success factors such as follow-through initiatives, a more specialized approach, proximity of the mediating party, the contribution of neighboring countries especially Kenya and the coordinated input of the IGAD Partners Forum. By presenting a post-referendum reflection of the peace process, it makes recommendations that would be important in ensuring that post-war Sudan recover and become sustainable.

CHAPTER 1: INTRODUCTION

1.1 Background to the study

This study explored the Kenya-led IGAD initiative in brokering peace in the Sudan conflict. The Sudan conflict is one of the longest conflicts in Africa and globally with estimated millions of casualties dead and displaced. Literature indicates that there is no reliable official number of casualties. Actually, total conflict related casualties are not known but estimates range between two and three million.¹ In his works, Johnson gives the figures of between 2.5 and 3 million casualties.²

There had been numerous peace brokering initiatives since 1963 up to 2005 when the Comprehensive Peace Accord (CPA) was signed in Nairobi. Following the Accord, South Sudanese voted in favor of autonomy and seceded in January 2011 giving rise to the youngest republic. The Accord was brokered by the Intergovernmental Authority on Development (IGAD). IGAD is a regional organization in Eastern Africa renamed so in March 1996 and transformation from the Intergovernmental Authority on Drought and Development (IGADD), formed in 1986. The successor organ was formed in response to emerging issues arising from the end of the cold war. It had a wider spectrum of objectives with respect to regional economic and social development and political stability. It is a political platform used by member governments to achieve peace, prosperity and regional integration within the Horn of Africa.³

The success of IGAD in ending such a perennial conflict underlines the importance of conflict management and the role of regional organizations in brokering peace.

¹ United Nations Environment Programme, Sudan: *Post-conflict Environmental Assessment*, (Switzerland: United Nations Environment Programme, 2007), pp. 73

² Johnson, D., *The Root Causes of Sudan's civil wars*. (Oxford: James Currey, 2003), pp. 143

³ Mulugeta, K., *The role Role of Regional and International Organizations in Resolving the Somali Conflict: The Case of IGAD*. (Addis Ababa: Friedrich Ebert-Stiftung, 2009), pp.22

Until January 2011, Sudan was the largest country in Africa and the 10th worldwide with a total surface area of 2,505,813 square kilometers. The country is bordered by Egypt to the North, Red sea to the North East, Eritrea and Ethiopia to the East, Kenya, Uganda to the South East, Democratic Republic of Congo to the South West, Chad to the West and Libya to the North West. The name Sudan is derived from the Arabic word ‘Bi lad al-Sudan, meaning land of the Blacks.⁴ The river Nile traverses the country from the southern border through into Egypt in the north. The area to the North of Sudan is a desert with negligible rainfall. The rainfall, however, progressively increases towards the south where Savannah vegetation is found. People of Arab descent who practice Islam while a dark skinned Christian and Animist population inhabits the South dominate the North. Most of the economic activity in Sudan is concentrated along the river Nile and its tributaries. The country has vast reserves of oil in the South whose exploitation was hampered by the civil war between the Muslim North and the Christian south.

The conflict in Sudan is one of the longest running in Africa. Its genesis goes back to the historic relations between the North and the South but since then, the conflict has remained dynamic with the contentious conflict precipitating issues changing form with time. The History of the Sudan is lengthy and certainly contains events, which still contribute to the conflict today. The conflict between the northern and southern Sudan has usually been misunderstood, because the historical roots of the conflict have been misinterpreted.⁵

⁴ Collins, R., *Civil wars and revolution in the Sudan: essays on the Sudan, Southern Sudan and Darfur*. (Hollywood: Tsehai Publishers, 2005), pp. 325

⁵Johnson, D., *The Root Causes of Sudan's civil wars*. (Oxford: James Currey, 2003), pp 1.

1.2 Statement of the Problem

The Sudan conflict took over three decades to resolve. Over the period of the conflict, there were millions of casualties and derailed economic growth of both the South and North. There were several unsuccessful attempts made by third parties to resolve the Sudanese until 1993 when the IGAD process began. In 2005, the IGAD peace process succeeded resulting in the peace Accord that eventually allowed the 2011 referendum. Whereas there were numerous attempts to resolve the conflict, it is only the IGAD process that succeeded in brokering peace. There have been studies exploring the weaknesses of the IGAD process. However, there are gaps with reference to post-referendum literature that would be vital in enhancing post-conflict reconstruction. A post-referendum reflection of the peace process would be vital in enhancing the post-conflict reconstruction given that the Accord has been fully implemented.

The Republics of South Sudan and Sudan are now geared for reconstruction. It is imperative that the regional organization and the international community entrench a follow-through in view of affirming the established peace agreement. Against this background, the study interrogated factors that enabled the IGAD to successfully mediate the Sudanese conflict. It entrenched a comparative approach between the IGAD led process and its predecessors. The success of the much-needed follow-through may be established on the unique success factors. It explored the IGAD peace process in attempt to identify success factors, IGAD uniqueness and challenges in the process with reference to preceding peace initiatives.

1.4 Study Objectives

- a) To examine factors that enabled the IGAD process to successfully mediate between SPLA/M and the GoS.
- b) To evaluate the impact of the international community to the IGAD process.
- c) To assess challenges encountered by the IGAD process and how these challenges were overcome.

1.5 Hypotheses

- a) Situational factors affect the effectiveness of mediation processes.
- b) Mediator proximity and sensitivity affect mediation initiatives and outcomes.
- c) Mediation organizational framework determines the success of a process.
- d) The international community plays an important role in civil conflicts resolution.

1.6 Literature review

There are numerous works about the IGAD-led mediation process in Sudan, especially in the post CPA era. While presenting a regional outlook of the African conflict, Giroux *et al*⁶ defines the ‘*tormented triangle*’, which includes the conflicts in Sudan, Chad and the Central African Republic. Specifically for the Sudan conflict, there were traded alliances between the SPLA and Ethiopia and Uganda; and between the north and its Muslim allies such as Libya.

⁶ Giroux, J., Lanz, D., Damiano, S., *The Tormented Triangle: The Regionalization of conflict in Sudan, Chad, and the Central African Republic*, (London: Destin LSE, 2009). pp, 1-22

Similar sentiments are underlined by Grzyb indicating that there was polarization around the labels ‘African’ and ‘Arab’.⁷

These alliances were the drive behind the militarization of the conflict. The alliances were also seen with respect to the flow of displaced and fleeing refugees from the hot zones. The alliances severed the categorization and polarization both within the borders of Sudan and without. Neighboring states became parties to the internal conflict. This was reflected in the selection of an appropriate neutral state, later by the IGAD to lead and host in the mediations. As such, this literature suggests that the Sudan conflict could not be confined just to the conflicting partners, but was rather a regional affair. Maundi presents a regional view to the conflict comparing it to others in the Central and Northern regions of Africa within the same period. The Sudan conflict was more than just a centralist conflict exclusively aiming at state control.⁸ The conflict was both dual in nature, and it also generated a dual approach.

In as much as each of the discussed republics had an internal-affair conflict, the ‘*tormented triangle*’ reflects conflict dynamics intertwined between state and non-state actors utilizing the regional alliances to acquire and maintain power.⁹ In retrospect, any mediation process would require as regionalized an approach as the conflict was. Giroux *et al* explains the regionalized aspect of the Sudan conflict, alongside others pointing out the need for regionalized mediation. With respect to this, this literature mentions the role of the AU mediation in the Abuja I and II Conferences and its failure to broker a peace agreement.¹⁰ However, there is little

⁷ Grzyb, A.F., *The World and Darfur: International Response to Crimes Against Humanity in Western-Sudan*, (Montreal: McGill-Queens University Press, 2009). pp. 9

⁸ Maundi, M.O., *Mediators’ entry into the settlement of African conflict*, (Washington D.C: United States Institute of Peace Press, 2006). Pp. 127

⁹ Ibid, pp. 127

¹⁰ Giroux, J., Lanz, D., Damiano, S., *The Tormented Triangle: The Regionalization of conflict in Sudan, Chad, and the Central African Republic*, (London: Destin LSE). pp, 15

mentioning of either the IGADD or the IGAD regarding the Sudan conflict. This notwithstanding, the literature underlines the regionalization the conflict. Regionalization exacerbated the conflict within Sudan and spread impact within the region. Maundi highlights the impact if refugees as a socioeconomic burden to host states, as well as cross-border destabilization of peace and security.¹¹

Whereas Giroux *et al* underline the need to change the mediation and conflict management approaches in Africa to long-term, Maundi goes further to discuss what this change involves. Maundi discusses the IGAD process as resonating with a new perspective of establishing external actors' reluctance and inability to resolve rather than just the regional impact of African conflicts.¹² This approach reflects the benefits accrued by a mediation process that adequately understands a conflict in all its possible dimensions prior to entry attempts. Maundi also makes a comparative observation of the process with respect to mediation entry. The literature suggests that the entry into a mediation process greatly affects the effectiveness.

Entry is defined as the process by which a mediator achieves acceptability to be involved as an intermediary in negotiations. Mediation entry is a voluntary process that is either by proposition or by invitation. Compared to peace brokering processes prior to the IGADD's entry, the latter had a successful entry. There were nine attempts to resolve the conflict between 1983 and 1993. Key entry effectiveness factor for the IGAD were neutrality and acceptability by conflicting parties. This sets a strong basis for the identification of other success factors for the IGAD as compared to the previous entries. Maundi also underlines the importance of regional organization's getting involved in conflict resolution. Indeed, the inauguration of the IGAD was

¹¹ Maundi, M.O., *Mediators' entry into the settlement of African conflict*, (Washington D.C: United States Institute of Peace Press, 2006). pp, 16

¹² Maundi, M.O., *Mediators' entry into the settlement of African conflict*, (Washington D.C: United States Institute of Peace Press, 2006). pp, 128

with an enhanced emphasis on regional settlement of conflict as a means to achieving sustainable development.¹³ This study set to explore other unique success within the mediation process and post-mediation involvement of the IGAD.

There are many other factors that are important for any mediation process to be effective. Regional organizations can be effective in mediating a conflict and this effectiveness may be assessed.¹⁴ These organizations are best positioned to deliver African solutions to African problems by pursuing pan-African and self-reliance mindsets.¹⁵ Citing the achievements Nathan indicates that the organizations have been involved in preventive diplomacy, peace operations, mediations, post-conflict reconstruction disarmament and arms embargos.¹⁶ Hence, their importance is not only acknowledged by the UN but also by the member states.¹⁷ The UN specifically entrenches another perspective of viewing their importance as providers of security governance.¹⁸

It is thus vital to assess their effectiveness in any engagement and provide feedback for reference in the future. Although there are epistemological problems in gauging effectiveness, the term is defined in various ways such as ending and preventing hostilities, brokering efficacious peace and security protocols and mechanisms and long-term prevention of crises.¹⁹ Effectiveness may also be measured with respect to the aims and objectives of the organization or as a reflection of the situation. Referring to the Agreement Establishing the IGAD member

¹³ Mulugeta, K., *The role Role of Regional and International Organizations in Resolving the Somali Conflict: The Case of IGAD*, (Addis Ababa: Friedrich Ebert-Stiftung, 2009) pp 23

¹⁴ Nathan, L, *The Peace Making Effectiveness of Regional Organizations*, (London: Destin LSE, 2010), pp. 1

¹⁵ Linnea, Gelot, *Legitimacy, Peace Operations and Global-Regional Security : The African Union-United Nations Partnership in Darfur*, (New York :Taylor and Francis, 2012) , pp 46

¹⁶ Nathan, L, *The Peace Making Effectiveness of Regional Organizations*, (London: Destin LSE, 2010), pp. 1

¹⁷ *Ibid*, pp 2

¹⁸ Emil, Kirchner and Roberto, Dominguez, *The Security Governance of Regional Organizations*, (New York: Taylor and Francis, 2011), pp 1

¹⁹ *Ibid*, pp. 3

states agreed to engage in eliminating threats to regional cooperation, peace and stability; to establish effective mechanisms of consultation and cooperation for settlement of disputes and differences and to be involved in inter-member disputes before they are referred to the international community or other regional organizations.²⁰ Against this benchmark, the study evaluated whether the IGAD was successful and what factors made it succeed in comparison to other previous entries into the Sudan conflict.

Nathan cites the IGAD led process in Sudan as highly successful amid failures of the organization to resolve other conflicts between member-states. This literature cites exceptional performance with respect to the Sudan and Somali conflicts ended in 2004 and 2005 respectively.²¹ It cites the organization's institutional framework as being fundamental in sustaining the mediation through the many challenges it faced such as withdrawal of parties, regional fluidity and instability, as well as financial constraints. However, this literature does not in any case compare this fundamental factor with respect to the previous entries.

Apuuli corroborates this by citing the success of the IGAD in both Somali and Sudan, conflicts that had been undertaken ostensibly to test the efficacy of the expanded and revitalized IGAD.²² The success notwithstanding, this literature indicates that the mediation was ad hoc and there lacked a comprehensive and formal framework by which to tackle conflict issues in the region. It was in the interest of this study to establish why this ad hoc arrangement succeeded in brokering a peace agreement when the previous entries had failed. The study intends to fill in the

²⁰ Mulugeta, K., *The Role of Regional and International Organizations in Resolving the Somali Conflict: The Case of IGAD*, (Addis Ababa: Friedrich Ebert-Stiftung, 2009) pp 23

²¹ Nathan, L., *The Peace Making Effectiveness of Regional Organizations*, (London: Destin LSE, 2010), pp 10

²² Apuuli, K. P. ' (2011). 12 IGAD's peace and security strategy: A Panacea for long-term stability in the Horn of Africa Region?', in Sharamo, R and Mefsin, B (eds), *Regional Security in the post-Cold War Horn of Africa*, (Institute for Security Studies ,2011) , pp 348

gap by exploring how the ad hoc was managed and the reasons behind its success in brokering for peace in the conflict.

A similar approach is taken by Waithaka examining how Kenya's chief Mediator Major General (Rtd.) Lazaro Sumbeiywo successfully steered the peace process.²³ However, this literature is not exhaustive of all the success factors. In addition, the author presents Abyei as a marginalized area. The Abyei area is a complex issue in the full implementation of the PAC and is yet to hold a referendum on whether to join the South or North. In the study, Abyei was discussed from the context of the resource potential, and not necessarily a marginalized area

The previous attempts are briefly mentioned by Butler but with respect to another comparative perspective: ripeness of the situation.²⁴ Essentially, it is vital to assess whether or not a conflict was ripe for mediation in order to ascertain the effectiveness of the mediation process. A situation is said to be ripe when attaining satisfactory results is impossible without incurring unacceptable risks and costs forcing the parties to seek a way out- invite mediators.²⁵ The IGAD was invited by Sudan's president amid growing pressure regionally and internationally.²⁶ This is corroborated by Nasongo and Murunga citing that the parties to the conflict were subjected to international pressure.²⁷ The cited factor is a situational advantage for the IGAD-led process that predecessors did not enjoy. As such, it is not an adequate parameter to use in comparatively studying the effectiveness of the IGAD vis a vis its predecessors. However

²³ Waithaka, W. (2006). *The Mediator*. Nairobi: Kenway Publications.

²⁴ Butler, Michael, *International Conflict Management: An Introduction*. (New York: Routledge, 2009), pp 149

²⁵ Ibid, pp 135-6

²⁶ Maundi, M.O., *Mediators' entry into the settlement of African conflict*, (Washington D.C: United States Institute of Peace Press, 2006), pp. 148

²⁷ Nasongo, W. S. and Murunga, R. G., 'Lack of Consensus on Constitutive Fundamentals: Roots of the Sudanese Civil War and Prospects for Settlement' in Obi, C. (ed). *Conflict and Politics in Post ColdWar Africa*, (Leiden: Koninklijke Brill N. V , 2005), pp. 56

it is vital to establish how the mediators successfully tapped into this situational advantage. This study explored the factors in the framework and organization of the IGAD as well as how the process was conducted and other relevant factors pertinent to the mediation process, not necessarily the situational factors.

1.7 Theoretical framework

This study applied a theoretical framework based on the theory of violence by Johan Galtung. The study's main objective was to determine the unique factors that facilitated the success of the IGAD-led process. IGAD entered for mediation after nine attempts by predecessors- local, regional and international.

Galtung developed the theory of violence in which he identifies three types of violence: direct, structural and cultural.²⁸ This theory explains the complexity of the root-causes of violence and the factors determining the scale of this violence. In addition, this theory conceptualizes the effects of any each of violence. This completes the conceptualization of violence as a vicious triangle.²⁹ Direct violence occurs when an actor commits an aggression against another. This is the visible types of conflict often leading to loss of lives, injuries and loss of property. As indicated by Galtung, this type of violence often *represents change and dynamism*.³⁰ Cultural violence consists of cultural aspects of the violence used to either justify or legitimize violence action. In the Sudan conflict, cultural violence was manifested in aspects such as the ethnic-religious factors playing between the Christian southerners and Islamic

²⁸ Keeble, R., Tulloch, J., and Zollman, F., *Peace journalism, war and conflict resolution*. (New York: Peter Lang, 2010), pp. 124

²⁹ Nwokeafor, C and Langmia, K., *Media and technology in emerging African democracies*, (Lanham: University Press of America, 2010), pp. 160

³⁰ Galtung, J., 'violence, peace, and peace research' *Journal of Peace Research*, vol. 6, no. 3 (1969), pp. 173

northerners. Structural violence comprises of the physical and/or psychological harm resulting due to oppressive, unjust and discriminative socio-economic and political systems. The structural violence reflects the indirect consequences of the root-causes whereas the cultural aspect reflects the consequence of actors' perceptions and psychological reactions to the causes and the conflict itself.³¹

Galtung views direct violence as an event, structural violence as a process and cultural violence as an invariant performance. The three are interconnected into a triangle in which each type is in its corner. Each can be a source of violence that transfers to others. In addition, they may all be in action simultaneously leading to a virtuous violence triangle. Direct violence is a visible event and an expression of the interplay between structural and cultural violence.

According to Maoz, this event is neither static nor uniform.³² This event may also be conceptualized as a dyad of incompatible goals. The incompatible goals, according to Galtung refer to the structural conflict. The perceived incompatibility results from the cultural conflict. The dyad has a fabric with unique relations between or amongst the conflicting parties, the issues resulting in the conflict, the severity of escalation and losses and the dynamisms of mediation. These factors comprise the context of the conflict.

Nathan suggests the concept of mediation effectiveness and that it can be assessed.³³ This indicates that there are parameters by which to assess the mediation. Therefore, the application of this theoretical framework enabled the study to analyze the success of the process with respect to both the context of the conflict and the mediation input. The latter comprises of the situational advantages as well as the organization of the mediator. This vicious triangle of violence requires

³¹ Nwokefor, C and Langmia, K., *Media and technology in emerging African democracies*, (Lanham: University Press of America, 2010), pp. 160

³² Maoz, Z., *Multiple paths to knowledge in international relations: Methodology in the study of conflict management and conflict resolution*. (Lanham, Md: Lexington Books, 2004), pp 252

³³ Nathan, L, *The Peace Making Effectiveness of Regional Organizations*, (London: Destin LSE, 2010), pp. 1

mediation with the view of a virtuous triangle of peace.³⁴ This is a contingency framework treating mediation success or failure as being contingent on variables, with reference to both the context and the process.

1.8 Justification of the Study

Although this study was not a pioneer work on regional organization intervention in conflict management, it intended to shed light on the dynamics that enabled the IGAD process to successfully mediate in the SPLA/M and the GoS conflict. The IGAD process was preceded by numerous local, regional and international initiatives which were unsuccessful. It is essential to study the IGAD process in the Sudanese conflict to identify the success factors of the IGAD process. The knowledge of these factors is vital to scholars and mediators in African conflict especially with reference to the post-referendum South Sudan and Sudan states.

The exploration of the IGAD peace process was done with reflections on the success of the CPA. Most of literatures with reference to the Sudan conflict have focused on the pre-referendum situation. From this knowledge, it is possible to learn and adapt the information in other regional conflicts. It was hoped that this study would contribute to knowledge in academic circles and even raise issues for future research. The study only illuminated on the success factors, challenges and approaches applied. Future research would address the aforementioned areas with reference to other conflicts in Africa and other areas.

³⁴ Nwokefor, C and Langmia, K., *Media and technology in emerging African democracies*, (Lanham: University Press of America, 2010), pp. 160

1.9 Research Design and Methodology

The study adopted a historical research design. This design entails the identification, evaluation, analysis, reflection and synthesis of data from past events. The study intended to reflect on the IGAD-led peace process in the Sudan conflict with a view of relating the data to the present and making recommendations for the future. The purpose of the research was to unearth information on the activities of IGAD in the conflict resolution between early 1990s and January 2005.

The study relied on secondary data collected from library and online databases. The study involved intense data collection which formed the variables for analysis. Content analysis was applied to enable thematic analysis with reference to the research objectives. The proportion of sameness of the content was be analysed and interpreted for reporting purposes.

1.10 Study Scope and Limitations

The study examined the IGAD-led process in the management of the Sudanese conflict from 1993 to 2005. The time line of this study was determined by the fact that IGAD established a standing committee on peace to help end the civil war in Sudan in 1993. In 2005, the IGAD process successfully brokered the Sudanese peace leading to the signing of the CPA between SPLA/M and the GoS. The scope of this study was therefore to examine why the IGAD process was successful in mediating the Sudanese conflict. The civil war in Sudan is a complex problem that cannot be wholesomely covered. In order to capture precision and avoid generalization it will be rational to discuss the Sudanese conflict from specific areas rather. Therefore, this study

had a strategic focus on the Kenya-led IGAD process in the management of the conflict between SPLA/M and the GoS.

The study was limited to the data collection and analysis techniques. It relied solely on secondary data that was considered for content analysis. Whereas such sources have been cited as having integrity issues, this study used triangulation methods to evaluate and ascertain the accuracy and authenticity of information.

1.11 Chapter outline

The chapters are outlined as follows. Chapter one: introduction and research methodology. Chapter two: dynamics of the conflict, chapter three: the peace processes, chapter four: the IGAD process and chapter five: conclusion and recommendations.

CHAPTER TWO: DYNAMICS OF THE CONFLICT

The conflict in Sudan is one of the longest running in Africa. The conflict has also been one of the most dynamic with the contentious precipitating issues changing form with time. The History of the Sudan is lengthy and certainly contains events, which still contribute to the conflict today. Due to misinterpretation of the historical aspects of both Sudan as a state and the conflict, the latter has been misunderstood.³⁵ Understanding the dynamisms of both the state and the conflict enhances the knowledge of the context of the conflict. On the bases of the dynamisms, it is possible to underline the factors by which to assess and compare the effectiveness of mediation initiatives. They are important in underlining the situational factors affecting the ripeness of entry, the process and mediation exit, with reference to both the successes and challenges of the processes.

At around 1800 AD, very little was known of the Sudan except for brief descriptions made by Arab travellers who passed through it and called it “bilad el Sudan”, meaning land of the black people.³⁶ This area which the dark skinned Africans controlled covered the vast Sahel belt including what is now known as Southern Sudan. The Arabs, in their migration across the river Nile from east to west and vice versa, used to seek permission and guidance of these people. The situation changed with Turco-Egyptian invasion in 1820, led by Mohammed Ali, which was followed by the establishment of an Islamic Turco-Egyptian regime in what is now Northern Sudan. It is seen that under the Turco-Egyptian administration, slave trade flourished³⁷. This was started by the Turks and Egyptians as a means of financing but was heightened by the Madhist regime after the Mahdiyya uprising of 1881. The Madhists collaborated with the Turks

³⁵Johnson, D., *The Root Causes of Sudan's civil wars*. (Oxford: James Currey, 2003), pp 1.

³⁶ Collins, R., *Civil wars and revolution in the Sudan: essays on the Sudan, Southern Sudan and Darfur*. (Hollywood: Tsehai Publishers, 2005), pp. 325

³⁷Deng, F. (2005). “Sudan’s Turbulent Road to Nationhood”. In RLaremont, R. (Ed) *Borders, Nationalism and the African state*, (Colorado: Lynne Reinner Publishers, 2005), pp. 16

in the plunder, pillage and enslavement of the people in South Sudan, the Nuba mountains and Funj; marring the relationship between the North and the South.³⁸

The Anglo-Egyptian conquest of the Sudan between 1896 and 1898, which lasted until 1946, brought new factors into play. It adopted different policies for the administration of the North and South respectively. The situation was exacerbated by the rebellion of 1924 against the British led by Ali Abdel Latif, a young Dinka officer of slave background.³⁹ After this rebellion, the South, the Nuba mountains and the Ingessina hills were sealed off from the rest of Sudan under the Closed Districts Ordinance. This policy consolidated the separate socio-economic, administrative and political evolution of the two regions. This ran until 1947, when the policy was reversed.

A significant factor that continues to haunt the relationship between the South and the North was the colonial concentration on the economic, political and administrative development of the North at the expense of the South, thereby creating socio-economic and political disparities between the two regions. In this evolution of uneven development, education was a major factor in that the Northerners, being closer to Egypt, found easy access to educational facilities in Egypt and the rest of the Arab world. The education dispensed to the Southerners retarded development of their national consciousness and political awareness.⁴⁰ The government in Khartoum regarded educational needs in the South as much more limited than in the north. This was inherited from the British policy of Native Administration which discouraged education in the south, especially among the pastoralists.

³⁸Deng, F. (2005). "Sudan's Turbulent Road to Nationhood". In RLaremont, R. (Ed) *Borders, Nationalism and the African state*, (Colorado: Lynne Rienner Publishers, 2005), pp. 15

³⁹Ibid pp. 37

⁴⁰Op cit pp. 16

With the end of the Second World War, Europe's pre-war colonial arrangements came under review, with pressure especially from the United States for colonised countries to be granted full independence. The Anglo-Egyptian Condominium had, therefore to make a decision about the future of Sudan. The tide of Sudanese Nationalism was rising in the North, and the cause of self-determination for Sudan was being taken up by Egypt which indicated its desire to end the Condominium.⁴¹ For almost two decades, the Condominium government had been unable to decide what to do with the South. It had the option of either linking the South with the North in an independent Sudan or to extract the South from an independent Sudan and link it politically with East Africa. In the meantime the South remained closed.

When the Southern policy was repealed, a conference was convened in Juba in 1947 with the aim of exploring the Southern Sudan question and to determine whether it was advisable for the South to send representatives to the Legislative assembly or have their own Advisory Council similar to the one established in the North in 1944. Its participants from the South comprised of fifteen Southerners chosen by Governors of the Southern Provinces, who included a police sergeant major, a few chiefs and very junior administrators. Not all were educated to the same standard. Coming from different provinces, they lacked a common experience to draw them together.⁴² The other participants included six British officials and six Northerners. The conference was, according to Southerners, unsatisfactory. The Northern representatives, led by Judge Mohammed Saleh Shingiti, were highly educated and had a definitive view of Sudan's political future as a single state. The Southerners had differing opinions both from the Northerners and amongst themselves. Clearly, they could not visualise at that time what the political developments would be in future.

⁴¹ Hubbard, James P. *The United States and the End of British Colonial Rule in Africa, 1941-1968*. (Jefferson, North Carolina: McFarland & Company, 2011), pp. 136

⁴² Johnson, D., *The Root Causes of Sudan's civil wars*. (Oxford: James Currey, 2003), pp 25

The Civil Secretary, who chaired the meeting made remarks that were in favour of the unity of the Sudan rather than have the South joining an East African federation. This created fear in the minds of the Southerners that the aim of the conference was simply to inform them of a decision that had already been reached between the Northerners and the British, that the South would be handed over to the North. This meant a new form of colonialism; this time from the North, although it had been agreed to have thirteen Southerners participate in the Legislative assembly.⁴³In April 1952, the Legislative Assembly, enacted with the agreement of both the British and Egyptians, tabled a draft Self-Government Statute that established a Council of Ministers from Northern Sudan who were to exercise authority in a transitional period leading to Independence. This contained safeguards for the South, vesting these in the authority of the Governor General. This was however opposed by the Northern political parties who after a series of meetings, merged to form the National Unionist Party (NUP) which nominated Ismail al Azari as the presidential candidate for an independent united Sudan.

On 5th December 1952 an agreement was reached between the NUP and the Egyptian Government to reject the draft Self-Government Statute as a satisfactory basis for Sudanese independence, and issued a statement declaring the Sudan as an indivisible entity. The Northern parties presented a unified front and prevailed upon Egypt to omit specific powers that were reserved for the Governor General for the protection of the interests of the South. The British had no alternative but to revise the draft Self-Government Statute.⁴⁴On 12th February, 1953, an Anglo-Egyptian agreement was signed reiterating the unity of Sudan as a fundamental principle of policy leading to the full independence, while specific concerns of the South were only

⁴³ Riam, G. *Christian Muslim Relations in Sudan: A study of the relationship between church and state (1898-2005)*. (Scotland: Non Western World College, 2008), pp. 37

⁴⁴Ibid pp. 35

acknowledged in general terms to ensure fair and equitable treatment of all inhabitants of the provinces of Sudan.⁴⁵

The period leading to the signing of this agreement was marked by intense “Sudanisation” of the South. Various economic, educational and administrative reforms were introduced which while advancing the development of the South, were intended to affirm the principle of national unity. A united system of education that included the teaching of Arabic was introduced, local government was established in all districts, trade opened up to all Sudanese and restrictions on movement between the north and south relaxed.

In February 1954, a committee comprising of two British officers and three Northern members was set up with the remit of replacing the British officials with Sudanese in government posts- the South was not represented. When the names of the new Sudanese were announced, out of eight hundred posts, only six were assigned to Southerners. The highest of the posts was that of Assistant District Commissioner. This act heightened tensions between the North and the South. These events made the Southerners more politically conscious than they ever were before.

Accelerated Sudanisation was met by growing political awareness and dissent by educated Southerners who gave voice to their opposition to the political arrangements that were being put in place for Sudanese independence. By early 1954, tensions were so high that it only required an issue to precipitate a revolt by the South. Some Southerners began to see that a union with Egypt was the only chance they had to curb the power of the North, now that the British had given up all positions of influence and authority in the country. The Egyptian Government which still hoped for union with Sudan encouraged Southerners in this belief.⁴⁶

⁴⁵Holt, P.M. and Daly, M.W., *A History of the Sudan*, (New York: Longman, 1998), pp. 160

⁴⁶Johnson, D., *The Root Causes of Sudan's civil wars*. (Oxford: James Currey, 2003), pp. 27

The mutiny in the South began on 18th August 1955 in Torit when the Equatorial Corps, whose British officers had been replaced by Northern Sudanese officers, refused to relocate to Khartoum without ammunition.⁴⁷ Just before the orders were issued, the British officers were evacuated from the South and their Northern counterparts took charge of the Southern Military Corps. All the platoons comprising of only Southerners were ordered to move to Khartoum, allegedly to take part in a parade marking the evacuation of foreign troops from Sudan. As the Torit Garrison paraded for departure, they requested that their relocation only be temporary. Their request was not granted, and fearing retribution, the Garrison broke into the armoury taking guns and ammunition. This marked the beginning of a general revolt throughout Southern Sudan.

On 20th August, a state of emergency was declared in the Southern Provinces of Bahr al Ghazal, Equatoria and the Upper Nile. The insurrection was suppressed with the help of the Royal Air Force but the anger it had unleashed could not be suppressed. This marked the beginning of the civil war in South against the North for political rights and self-determination. On 19 December 1955, the elected parliament promised that the request of the Southern members of parliament for a federal system of governance for the South would be given due consideration by the Constituent Assembly. However, immediately after independence in 1956, it became clear that the new government intended to follow a policy that was based on one language; Arabic, one religion; Islam and one nation.⁴⁸

The reviewed aspects of the history of Sudan highlight the context of the Sudan conflict. According to Maoz, the impacts of mediation outcomes are a contingency of both the context of

⁴⁷Riam, G. *Christian Muslim Relations in Sudan: A study of the relationship between church and state (1898-2005)*. (Scotland: Non Western World College, 2008), pp. 40

⁴⁸ Arou, M. N., *Post-Independence Sudan*. (Scotland: University of Edinburgh, 1980), pp. 17

the conflict and the mediation process. In retrospect, the context of the Sudanese conflict largely shows continued suppression of the south by both the British and Khartoum. The British colonial masters were not keen to implement policies aimed at bettering the lives of southerners. For instance, this study has, in previous sections highlighted the disparity in education provision. As a result, there was skewed placement into civil service jobs. For instance, in the first two decades of the Anglo-Egyptian rule of Sudan most of the administrators were Egyptians. They were replaced from the 1920s by the educated northern Sudanese. The Native Administration policy adopted by the British also ensured that there were better education opportunities in the north. After independence, government at Khartoum continued with the trend of exploitation of the south.

As indicated by Johnson, the grip on the levers of power by the north continued even in the post-independence era with many areas of the south suffering economic neglect.⁴⁹ Over time, the Sudan political and socioeconomic system had been organized in a way that the northerners always had an upper-hand over the southerners. This was a colonial-bred problem that was translated into post-independence organization of the state. This triggered the conflict and gave it the complex dynamism many of the IGAD predecessors failed at resolving. In addition, these events cumulatively prepared a situation of ripeness given that most of them had taken a regional outlook. The involvement of neighbouring states directly as supporting antagonists or indirectly as hosts of the refugees regionalized the conflict, thereby necessitating a regional mediation approach.

Many concepts and theories have been proffered to provide explanations and understanding to the nature of conflicts and the means of conflict management. A conflict refers

⁴⁹ Johnson, D. H., *The root causes of Sudan's civil wars: Peace or truce*. (Woodbridge, Suffolk: James Currey, 2011), pp. 16

to a situation where two or more parties have incompatible goals about something. There are many schools of thought explaining the nature of conflict and management or resolution approaches. One such school is the conflict transformation theory. Essentially, this theory seeks to address the wider and multidimensional social, economic and political sources of conflict with a basic intent of transforming the negative conflict energy into positive change in all concerned areas.

Theorists in this school of thought ascertain that contemporary conflicts should not be viewed just within the traditional frame of reframing conflicting parties' positions and identifying win-win situations in resolution. Rather, it is imperative to view the contemporary conflict as with structures and relationships that are complex, multidimensional and conflictual associations extending beyond the conflict.⁵⁰ As such, the fundamental pillar of such an approach is to change from a protracted and destructive relationship between warring parties towards a '*constructive accommodation*' between or amongst them.⁵¹ The goals of this theory is to analyse and understand a conflict from all possible perspectives, to change the inequality and injustice frameworks and structures, rebuild and establish long-term and enduring relationships amongst the parties, and to develop systems, rules and process aimed at ensuring sustainability of peace and cooperation.⁵²

According to Kurtz, transformation has both structural-behavioural and subjective-attitudinal features.⁵³ Structurally, the transformation is a joint one with changes in mixture of behaviours and focus to mutual dependence. Subjectively, there are changes in feelings and beliefs with parties tending to mutual acceptance. It assumes that any conflict is caused and

⁵⁰ Wimmer, Andreas. *Facing Ethnic Conflicts: Toward a New Realism*. (Lanham, Md: Rowman & Littlefield, 2004), pp. 163

⁵¹ Kurtz, Lester R. *Encyclopedia of Violence, Peace, and Conflict*. (Burlington: Academic Press, 2008), pp. 437

⁵² Fisher, Simon. *Working with Conflict: Skills and Strategies for Action*, (London : Zed Books, 2000). pp. 9

⁵³ Kurtz, Lester R. *Encyclopedia of Violence, Peace, and Conflict*. (Burlington: Academic Press, 2008), pp. 402

fuelled by competing social, cultural and economic problems. There is denial of basic needs, security, economic development and governance leading to protraction of a conflict. In addition, this theory emphasizes a dynamic analysis of a conflict with respect to relationships and structure. As such, it posits that contemporary conflicts can broaden, widen or intensify.⁵⁴ By broadening, the conflict sucks in new issues; by widening, the conflict sucks in new parties and by intensifying, it has more victims. This means that there are newer goals, actors, situations, alliances and relationships as well as structure. This change of the complexity of structure and relationship imply that there is also change in the negative energy. However, this is not conflict transformation.

Conflict transformation occurs only when there is de-escalation.⁵⁵ The change notwithstanding, Wimmer indicates that it is possible to transform the conflict.⁵⁶ When advanced to the Sudan conflict, this theory explains the dynamics of the conflict the following factors. Firstly, the patterns of governance which developed in the Sudanic states before the nineteenth century mooted the spirit of isolation of the south. Other aspects are the exploitive relationship between the centralising power of state and its hinterlands mainly through the institutions of slavery and slave raiding, the creation of groups of peoples with a lastingly ambiguous status with reference to the state, and socioeconomic and political inequalities. Fifthly, there was brand of militants' Islam in the late nineteenth century which further deepened the divide between persons with and without full legal rights within the country. Sixthly, the British decided to grant independence based on political expediency to Sudan before disparities in development could be

⁵⁴ Wimmer, Andreas. *Facing Ethnic Conflicts: Toward a New Realism*. (Lanham, Md: Rowman & Littlefield, 2004), pp. 166

⁵⁵ Kurtz, Lester R. *Encyclopedia of Violence, Peace, and Conflict*. (Burlington: Academic Press, 2008), pp. 402

⁵⁶ Wimmer, Andreas. *Facing Ethnic Conflicts: Toward a New Realism*. (Lanham, Md: Rowman & Littlefield, 2004), pp. 168

addressed, and without obtaining adequate guarantees for safeguarding the interests and representation of the Southerners.

Resultantly, there emerged a narrowly-based nationalist movement among the northern elites which confronted the issues of the Sudan's diversity and unequal development by attempting to build a national identity based on the principles of Arab culture and Islam. This was followed by failing consensus building on power balance, national unity and regional development. The already unstable national stability was further challenged by weakening southern economy amidst awareness by the southerners about the vast resources they held. Finally, Sudan was affected by the anarchic pressures with reference to the cold war and rising economic and political influence of Islam at both national and international levels.

CHAPTER 3: THE SUDAN PEACE PROCESS

The search for peace in the Sudan can be traced back to the 1930s when the British developed the policy of the Closed Districts Ordinance. This policy was developed to foster political independence of the South from the North. However, by independence, a number of issues concerning the coherence of the Sudanese polity remained unresolved and these led to the continued conflict between the South and the North. There were many attempts to resolve the conflict between the North and the South. These attempts can be categorized into distinct phases.

Phase One covers the period from the Juba Conference of 1947 to the Addis Ababa agreement of 1972. In 1963, President Milton Obote of Uganda offered to mediate between the North- South conflicts in Sudan. The inspiration for Obote to mediate in the Sudanese conflict could have been prompted by the large number of Southern Sudanese refugees in Uganda and concerns for internal security.⁵⁷ However, the Obote mediation efforts did not bear fruit because the GoS was determined to pursue a military option for the Southern problem. Later, Ghana's Kwame Nkrumah attempted mediation but did not succeed. The GoS insisted that the conflict was a Sudanese internal affair. This argument is reinforced by the OAU's Charter principle of non- interference in the internal affairs of sovereign States.

This also includes the Khartoum Round Table Conference which was intended to resolve the Anya Nya war, 1955-1972.⁵⁸ The Conference was an initiative of the prime minister of Sudan, Sir El-Khatim el-Khalifa to work out a negotiated settlement to the conflict. It was between representatives from the government, the Northern political parties and the two main Southern political parties; Sudan African National Union (SANU) and the Southern Front (SF).

⁵⁷Mulu, F. K., *The Role of Regional Organization in Conflict Management; IGAD and Sudanese Civil War*. (Nairobi: The CUEA Publications, 2008), pp. 78

⁵⁸ Kwaje, S. L., "The Sudan Peace Process: From Machakos to Naivasha". In Mukami, M (Ed.) *African Regional Security in the Age of Globalisation*. (Nairobi, Heinrich Boll Foundation, 2004), pp. 96

There were observers from Tanzania, Ghana, Uganda, Algeria and Egypt. During the conference, a wide range of constitutional options for the South were discussed which included separation, federalism and local government.

The South pressed for two options; SANU pressed for federalism while SF opted for full independence.⁵⁹ The North, on the other hand, preferred local government and would not discuss either separation or federalism. The Southerners demanded for a referendum but this was refused and the meeting ended without agreement. The National elections that followed a few weeks later dissipated all the optimism that had been brought to the conference in that the coalition government that came to power under Mohammed Mahjoub was representative of the old Northern parties that had previously failed to resolve the Southern issue.

The government opted for an option of crushing the rebellion in the South while at the same time seeking a political solution to the South under an Islamic constitution. This option failed to resolve the conflict, which continued until the signing of the Addis Ababa Accord in 1972. The Accord was the result of an ecumenical intervention by the AACC and WCC which worked in conjunction with the Sudan Council of Churches (SCC) and the Roman Catholic Church (RCC).⁶⁰ The negotiations of this Accord were brokered by the then president of Ethiopia, Haile Selassie. The agreement was successful in granting autonomy to southern Sudan and creating a regional government to be governed by the High Executive Council, bringing peace in Sudan well into the 1980s and. The Southern Sudan autonomous region consisted of three provinces; Equatoria, Bahr el- Ghazal and the Upper Nile. Both AACC and WCC signed

⁵⁹ Johnson, D., *African Issues: The Root Causes of Sudan's Civil Wars*, (Oxford: James Currey, 2003), pp. 41

⁶⁰ Niblock, T., *Class and Power in Sudan: The Dynamic of Sudanese Politics 1898-1985*, (London: Macmillan Press, 1978), pp. 272-275

the agreement as guarantors of peace; however, they did not follow through this commitment.⁶¹ The conflict resurfaced after Nimeiri reneged on the agreements of the Peace Accord and declared *Sharia* as the law of the land.

The second phase in the search for peace began in 1985. It began with the Koka Dam Conference in 1986 between the SPLM/A, trade unions in the country and political parties in the country including the Umma Party, the Sudanese Communist Party and Southern Sudan political parties. The Sudan People's Liberation Movement/Army was formed to spearhead a revolutionary armed struggle for the southerners. It rose in 1983 as a continuation of past struggles between the south and the north over socioeconomic and political disparities as well as the question of self-determination. The SPLM/A was a political and military organization formed by the uniting of the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Movement (SPLM). These armed struggle elements were formed by deserting soldiers, rebel soldiers of the Anyanya, students, prominent politicians and other civilians from the south.

The National Islamic Front (NIF) and the Democratic Unionist Party failed to attend the conference. The Conference led to the Koka Dam Declaration in which it was agreed in principle to separate religion from the state, called for the abrogation of the Islamic laws and the abolition of all political and military treaties with foreign countries that impinged on the sovereignty of Sudan. However, after elections in the same year, General Al-Dahab was replaced by Saddiq al-Mahdi. Instead of implementing the Koka Dam Accord, he sought fresh negotiations with SPLM with a view of reviewing the Accord with regard to Islamist pursuits. This led to Southerners breaking trust with him, leading to protraction of the conflict.

⁶¹Van de Veen, Hans. "Sudan: Who has the will for peace?." *Searching for Peace in Africa* (1999)

The third phase for the search for peace started after the NIF took over power on 30th June 1989.⁶² Several negotiations were undertaken during this phase. Firstly, there were talks without external mediators. Further negotiation between the two parties without any external mediation took place in Nairobi. Later the former US president Jimmy Carter was engaged in the Nairobi talks. However, the talks were unsuccessful. Between May and June 1992 the Abuja I talks were held mediated by then Nigerian president and OAU chair Ibrahim Babangida. The talks were attended by delegates from GoS and SPLA/M factions led by Dr. Garang and Dr. Riek Macher.

The Nigerian government and OAU observers pressured the SPLM/A to accept self-determination as their common objective in negotiations with the government of Sudan. This had the positive result of uniting the Southern groups despite their ideological differences. The GoS proposed constitutional amendments based on *Sharia*, although the South was to be exempted from *hudud* (the Islamic word for punishments based on *Sharia*). SPLA/M factions pressed for a secular democratic system and the right to self-determination for the South.⁹The GoS delegation rejected secularism and self-determination making the Nigerian leader to adjourn the talks. Later on in 1993, the Abuja II Talks were held but no agreement was reached due to a deadlock on separation of state and religion and self-determination for southerners. This collapse ushered in the IGAD under the invitation of the president of Sudan, El-Bashir.

The fourth phase of the search for peace commenced when IGAD came in as a mediator in the conflict. The IGAD countries started the negotiations for peace in the Sudan in 1993, when the IGADD Standing Committee on Peace was constituted comprised of the heads of state from member states. It was entrusted to bring peace in the Sudan through a negotiated settlement.

⁶² Kwaje, S. L, "The Sudan Peace Process: From Machakos to Naivasha". In Mukami, M (Ed.), *African Regional Security in the Age of Globalisation*. (Nairobi, Heinrich Boll Foundation, 2004), pp. 97

Simultaneously the Friends of IGAD forum was established comprising of USA, Britain, Norway and Italy.⁶³ Apparently IGAD member states shared a collective interest to contain Sudan's Civil War. They were concerned with the rise to power of a politically expansionist Islamic regime in Khartoum. Secondly, the war in Sudan had spill-over effects in neighboring especially with respect to refugees and increased volatility of borders. In addition, the economy was adversely closed leading to closure of local and multinational companies such as Chevron.⁶⁴

In February 1994, the president of Kenya was mandated to mediate as the Chairman of the Committee. It convened in Nairobi in March 1993, and drafted Declaration of Principles which identified the contentious issues as being separation of religion and the state and the right to self-determination. In September the same year, the fourth session of the Standing Committee was held but the position of the parties continued to harden and become further polarised.⁶⁵ The GoS rejected the proposed right to self-determination and insisted that it had the constitutional right as well as the religious right to Islamise the whole of the Sudan.⁶⁶ The GoS placed its reliance on an eventual military victory over the SPLA.⁶⁷

This stalemate led to the convening of a Second Summit of the IGADD Heads of State Peace Committee in Nairobi in September 1994. The Summit resolved that the peace process should continue and the Declaration of Principles should be the basis for negotiations. However, the talks stalled for thirty-three months due to disagreements over the Declaration of Principles.

In 1997, an Extraordinary Summit of IGAD member States was convened in Nairobi calling for the revival of the negotiations. It was then that the GoS accepted the Declaration of

⁶³Young, J., *Sudan IGAD Peace Process: An Evaluation*. (Vancouver: Simon Fraser University, 2007), pp.24

⁶⁴Waithaka, W. (2006). *The Mediator*. Nairobi: Kenway Publications.

⁶⁵Ibid pp. 97

⁶⁶Johnson, D., *The Root Causes of Sudan's civil wars*. (Oxford: James Currey, 2003), pp.

⁶⁷Ibid pp. 174

Principles as the basis for future negotiations. Negotiations began in September 1997 under an IGAD Ministerial Sub-committee. Four sessions of talks were held which did not bear any tangible results. Several more sessions of talks were held but no agreement was reached although the points of difference were highlighted as separation of religion and state, rights to self-determination, marginalised areas of Abyei, Southern Kordofan and Southern Blue Nile, the right to self-administration, wealth and power sharing and the status of the two armies; SPLA and GoS Army.⁶⁸ It became clear that since the inception of the Sub-committee, no breakthrough had been made in the peace process.

In June 2001, an Extraordinary Summit of the IGAD Sub-committee on the Sudan Peace Process was convened to chart the way forward by establishing a new mechanism and an innovative approach to the negotiations. All the IGAD Heads of States including the President of Sudan attended the Summit. The final communiqué of the summit recognised the outstanding issues that constituted a stumbling block to the negotiations and recommended serious negotiations between the parties. The peace talks resumed in Machakos in November 2001 when Lieutenant General Lazaro Sumbeiywo was appointed as a special envoy to the IGAD Peace Process, replacing Ambassador Daniel Mboya. General Sumbeiywo embraced this task hoping to make a difference. In May 2002, he prepared a programme and an agenda for the negotiations. In July 2002 the parties, for the first time reached an agreement on the key issues of the right to self-determination and the separation of the religion and the state. This agreement was named as the Machakos Protocol.⁶⁹

On the issue of the right to self-determination, it was agreed by the parties that the people of Southern Sudan would have the right to self-determination, exercised by an internationally

⁶⁸Op cit, pp. 98

⁶⁹ Kwaje, S. L, "The Sudan Peace Process: From Machakos to Naivasha". In Mukami, M (Ed.) *African Regional Security in the Age of Globalisation*. (Nairobi, Heinrich Boll Foundation, 2004), pp. 99

monitored referendum. The referendum would have two options; confirmation of the unity of Sudan as set out in the Peace Agreement, or a cessation. There would be an interim period divided in two phases; a pre-transitional period of six months followed by the main transitional period of six years. It was agreed that during the pre-transitional period, the parties would work out a legal framework and establish institutions of governance as set out in the agreement. Steps were also to be taken towards the implementation of a comprehensive ceasefire while resources and assistance would be mobilised for reconstruction. The main transitional period would see the operationalization of the institutions of governance both in the centre and in the South, and implementation of all agreements and principles set out in the peace agreement.

Concerning the separation of religion and the state, it was agreed that the National constitution would guarantee the freedom of belief, worship and religious practice to all Sudanese. When legislating in the North, the *Sharia* laws and customs would be used as the basis for legislation while non-*Sharia* sources would be used and may derive legislation from popular consensus, values and customs of the Southern Sudanese people. There would also be a bicameral legislature consisting of an upper and a lower house. The lower house would consist of members directly elected by the people, while the upper house will consist of equal representation from the North and the South. The function of the Upper house was to protect states from National legislations of a religious nature with possible adverse effects. In addition, during the transition period, the GoS would implement substantial devolution of power from the centre to the South.⁷⁰

⁷⁰Ibid, pp. 100

The Machakos Protocol was however not a comprehensive agreement but a framework for further negotiations.⁷¹ After signing of the protocol, the SPLM convened a Consultative Conference on the IGAD Peace Process (CCIPP) in Kapoeta where delegates from the five regions of Southern Sudan deliberated on the Peace Protocol. The CCIPP came up with resolutions to be used as guidelines for further negotiations. The SPLM/A delegation were fully mandated by the conference to negotiate with confidence on behalf of all the Southern Sudanese.

After the signing of the Machakos Protocol, further talks followed in Machakos which came to be known as the Machakos II talks. The talks began in August 2002. This time Gen Sumbeiywo and other regional envoys from Eriteria, Ethiopia, Djibouti and Uganda were joined by observers from the USA, Norway, UK, and Italy. The agenda that was finally adopted by the parties included the structures of government; power sharing; wealth sharing; human rights; judiciary and the rule of law; security arrangements; comprehensive ceasefire; modalities for implementing the peace agreement and regional and international guarantees.

In September 2002, the GoS decided to withdraw its delegation from the talks stating they could not continue with negotiations based on the SPLM/A position regarding to power sharing, status of the national capital, and the issue of Funj, Nuba Mountains and Abyei.⁷² The SPLM had proposed a structure of power sharing at three levels of government: national government, South Sudan government, and the state governments. It also proposed a *Sharia* free capital for the central government. On the issue of the three areas of Nuba Mountains, Abyei and Funj, the SPLM/A accepted the proposal of the IGAD mediators that the status of these areas be dealt with under IGAD mediation as part of an overall solution to the Sudanese conflict. The

⁷¹ Barltrop, R., *Darfur and the international community: the challenges of conflict resolution in Sudan*. (London: Tauris Academic Studies, 2010), pp. 57

⁷² Barltrop, R., *Darfur and the international community: the challenges of conflict resolution in Sudan*. (London: Tauris Academic Studies, 2010), pp. 46

GoS demanded that IGAD limits the peace process to the Southern Sudan according to the borders of 1st January 1956.⁷³

The SPLM/A position paper on power sharing was a submission in response to the requirement of the mediators. The government also submitted a paper with proposals that the SPLM/A could object to. These presentations were meant to provide a basis for negotiations and therefore the GoS's decision to withdraw from the talks did not have much to do with the SPLM/A's position on power sharing. The withdrawal was a strategic decision to avoid tackling the serious issues. Indeed, the Government had wanted to deal with the issue of the ceasefire as the first item on the agenda contrary to the agenda worked out by the mediators. This would have enabled them exploit the oil in the South while dragging their feet in negotiations so as to earn revenue from the oil to prosecute the war against the SPLM/A and secure a victory on the ground.

The position of the SPLM/A was that the issue of the ceasefire should be discussed under the agenda on security rather than having it as a precondition to political negotiations. The SPLM/A clearly saw this as a pretext for the government to mount a major offensive and aerial bombardments of Bahr el-Ghazal, Western Upper Nile, Eastern Equatoria and the Southern Blue Nile so as to pressure the SPLM/A. the fears were confirmed when GoS started carrying out aerial bombardments of civilian infra structure in the South on 15th August 2002, just a few days after the commencement of the peace talks. The GoS also ordered its troops to attack SPLA positions in Malek in Upper Nile, Milik in Southern Blue Nile and around Torit in Eastern Equatoria. The troops also attacked Idolu and Hilaya, which forced the SPLA to pursue the attacking forces up to Torit, leading to the Government withdrawal from Torit in September 2002.

⁷³ Khalid, M., *War and peace in the Sudan: The tale of two countries*, (Oxon: Routledge, 2010), pp. 147

The GoS returned to the peace talks with SPLM on 14 October 2002. The two parties signed a Memorandum of Understanding (MoU) on cessation of hostilities on 15th October 2002, in order to create and maintain a conducive atmosphere throughout the negotiations until all outstanding issues were resolved.⁷⁴ This meant that both parties had to maintain a period of tranquillity during the negotiations by ceasing all hostilities in all areas of Sudan and ensuring a military stand down of all forces including allied forces and affiliated militia. The cessation of hostilities meant retaining current military positions, refrain from any offensive military action and occupation of new areas, cessation of laying landmines and supplying of weapons and ammunition, and refrain from any violence or other abuse on the civilian population. In addition, all parties were to freeze media wars and propaganda against each other. The MoU was later reinforced by an addendum to it after repeated violations. The addendum allowed for the establishment of a Verification and Monitoring Team (VMT).⁷⁵ The VMT was empowered to travel anywhere violations were reported and file its findings to IGAD and the international community.

This MoU and its addendum helped in the maintaining ceasefire and consequently created conducive environment for negotiations. This enabled a lot of progress to be made in the Sudan Peace process through negotiations that shifted from Machakos to Nakuru in July 2003, to Nanyuki in August 2003 and to Naivasha in September 2003.⁷⁶ The Naivasha talks involved high level negotiations between the GoS and the SPLM/A leaderships. The negotiations began in September 2003. The GoS delegation was led by the First Vice President, Ali Osman Mohammed Taha, while the SPLM/A delegation was led by the Chairman of SPLM and

⁷⁴ Barltrop, R., *Darfur and the international community: the challenges of conflict resolution in Sudan*. (London: Tauris Academic Studies, 2010), pp. 199

⁷⁵ United Nations, Yearbook of the United Nations, 2003: (New York: Department of Public Information/ UN, 2005), pp. 257

⁷⁶ Mwangi, M., *African Regional Security in the Age of Globalization*, (Nairobi: Heinrich Boll. 2004), pp. 102

Commander in Chief of SPLA, Dr John Garang. Many issues especially on security arrangements and wealth sharing were resolved during these talks.

The security arrangements included the existence of two armies, The SPLA in the South, and the Sudan Armed Forces (SAF) in the North, which would remain separate during the interim period. They would be considered and treated equally as Sudan's National Armed Forces and would remain disengaged and separated. The agreement also required the formation of joint integrated units consisting of equal numbers from Sudan Armed Forces and the SPLA. These units would constitute the nucleus of a post referendum army should the result of the referendum confirm unity; otherwise they would be dissolved and constitute components integrated into their respective forces. Except for those currently deployed in integrated units, all forces of the Sudan Armed Forces currently deployed in the South would within two and half years be deployed North of the 1st January 1956 border between the Northern and Southern Sudan, under international monitoring and assistance. Equally, apart from SPLA forces deployed in integrated units, all those SPLA forces deployed in the Nuba Mountains and Southern Blue Nile would be deployed south of the 1st January 1956 border under international monitoring and assistance.⁷⁷

The principle of downsizing of forces on both sides was agreed upon, at a suitable time following the successful completion of all cease fire arrangements. Details of the cease-fire agreement were to be worked out by a team of international experts and IGAD representatives. In addition, the issue of wealth sharing, including the proceeds from the oil production would be shared equally between the North and the South.⁷⁸

⁷⁷Kwaje, S. L, "The Sudan Peace Process: From Machakos to Naivasha". In Mukami, M (Ed.) *African Regional Security in the Age of Globalisation*. (Nairobi, Heinrich Boll Foundation, 2004), pp. 103.

⁷⁸Ibid, pp. 104

CHAPTER 4: SUCCESS FACTORS OF IGAD-LED PROCESS

There are key aspects that characterized the IGAD-led process, making it comparatively more successful than the rest. This was against the backdrop of recurring challenges both with respect to conflict parties and to individual members with internal and external problems. This study reflected on these aspects from a post-referendum platform. The CPA was substantially implemented in the 2011 referendum in which South Sudanese voted for their independence from the North. However, there have remained issues with unresolved agreement concerns over the Abyei region and sharing of oil resources. These issues later escalated into offensive military action between the GoS and government of South Sudan in 2012. Reflecting on these success factors established a foundation on which to make recommendations on follow-through initiatives that focusing on ensuring sustainably peaceful coexistence between the GoS and South Sudan. Much progress has been made since the IGAD process was initiated. However, there is need for intentional- and sustainability-oriented follow-through.

Lack of sustained follow-through is a key reason behind the failure of most of the pre-IGAD initiatives. For instance, the WCC and AACC successfully lobbied the conflict parties to negotiate for peace culminating into the Addis Ababa talk of 1971.⁷⁹ On 27th February 1972, the Addis Ababa Accord was signed to grant South Sudan regional autonomy. However, the mediators did not follow-through to oversee the implementation of the Accord.⁸⁰ In addition, many other initiatives manifested as ‘hit-and-run’ and spontaneous actions. As such, the initiatives impacts would not sustain the challenges of the conflict. Quite often agreements and accords were broken leading to recurring tension and offensive moves from both parties. Perhaps

⁷⁹ Niblock, T., *Class and Power in Sudan: The Dynamic of Sudanese Politics 1898-1985*, (London: Macmillan Press, 1978), pp. 272-275

⁸⁰ Van de Veen, Hans. "Sudan: Who has the will for peace?" *Searching for Peace in Africa* (1999) available at <http://www.conflict-prevention.net/page.php?id=40&formid=73&action=show&surveyid=22>

this was due to varying proximity of interests as most initiatives were led by third parties who would be considered more distant than IGAD members and Friends of IGAD Forum.

Literature indicates that mediation process requires substantial threshold with regard to two conditions.⁸¹ It is important to satisfy the relationship between motives for initiating and accepting mediation and the mediator, and the self-interests of both the conflict parties and the mediators. As such, the degree of proximity of a mediator to the impacts of the conflict influences the interest developed and resultant type of action. Realist theorists posit that hegemony's intervention in a country's internal conflict should be analyzed with respect to the national interests of the latter.⁸² For instance, the neighboring IGAD members had a threat due to weakening border points and humanitarian crisis due to fleeing refugees.

Maundi argues that a conflict in a neighboring states results in refugees who end up becoming a socioeconomic burden. There is also regional destabilization of peace and security which undermine coexistence, regional cooperation and trade. For instance, refugees in neighboring states of Kenya, Uganda and the Republic of Zaire by then created problems in those countries.⁸³ Apart from the burden of providing for the refugees, the influx of refugees led to a proliferation of arms in the countries. The results were seen in the form of heightened ethnic rivalry and cattle rustling among the pastoral communities in Northern Kenya and Uganda and increased crime in the major cities.

⁸¹ Maundi, M. O., *Getting in: Mediators' entry into the settlement of African conflicts*. (Washington, D.C: United States Institute of Peace Press, 2006), pp. 12

⁸² Ibid, pp. 16

⁸³ Badri, A. E. & Sadig, I. I., *Sudan Between Peace and War: internally displaced women in Khartoum and south and west of Kordofan*, (Nairobi: UNIFEM, 1998), pp. 9

A state or an entity with close proximity to the conflict will be more motivated to initiate mediation than others without due to contagion and demonstration effects.⁸⁴ Proximity affects mediator's sensitivity whose degree is likely to influence intervention approach and the results or potential. This sensitivity affects the mediator's openness to discrepant information, flexibility of alternatives and persistence through the alternative options.⁸⁵ Whereas this may be related to compromising neutrality due to mediator's vested interests in the conflict, proximity may agitate one to initiate mediation. Proximity closed out some IGAD member states from hosting the Standing committees such as Eritrea, Ethiopia and Uganda. However, proximity of Nairobi especially with reference to the influx of refugees would prompt selection to chair and host the Committee. In addition, the IGAD's success may be related to the fact that all member countries had been in a way or another affected by the now regionalized Sudan conflict.

Due to some of these aspects, the study observed that the pre-IGAD mediators were relatively weak mediators. However, this study also suggested the importance of appreciating their benefit to the IGAD-led process in various ways. Firstly, they enabled the IGAD-led process to be better informed. A history of the initiatives is necessary in understanding the dynamisms of the conflict. Secondly, the IGAD-led process picked-up where others did not follow-through and took with it vital lessons about the conflict. This is unlike the IGAD members states who all shared boundaries with both parties as well as Friends of IGAD who had direct economic interests especially in the oil reserves and security concerns.⁸⁶ The IGAD members showed persistence against the challenges of the conflicting parties. On the contrary, wealthier nations and organizations such as the US and OAU were unable. Given their stronger

⁸⁴ Carment, D., *The Effectiveness of Mediation to End Internal Conflict: Some Preliminary Results*, (Cambridge: Harvard University, n.d), pp. 2

⁸⁵ Leatherman, J., *From Cold War to democratic peace: Third parties, peaceful change, and the OSCE*, (Syracuse, N.Y: Syracuse University Press, 2003), pp. 28

⁸⁶ Young, J., *Sudan IGAD Peace Process: An Evaluation*. Vancouver: Simon Fraser University, 2007), pp. 41

economic and political influence on a larger global scale, it would be expected that they were in a better position to influence the direction of the conflict when they were mediating. However, as Leatherman indicates, successful mediation depends not only on mediator's interests and resources but also its sensitivities to the direct and indirect impacts of the conflict.⁸⁷

The IGAD-led peace process benefited largely from the commitment of IGAD demonstrated in the formation of dedicated committees to mediate the peace process. Mediation was led by the Standing Committee on peace later to be replaced with the Secretariat for IGAD Peace Process after succumbing to conflicts and stalling mediation until 1997.⁸⁸ The Secretariat for the IGAD Peace Process mandated to ensure continuous and sustained mediation focused at peaceful resolution of the conflict.⁸⁹ The secretariat was legalized in Kenya and granted a diplomatic status.

The Secretariat, first under Special Envoy and later under General Sumbeiywo revived the peace process. In the renewed vitality for peace, the Committee received support from the IGAD Partners Forum and acceptance from both parties especially with respect to Machakos I and II. There was also progress in humanitarian aid flow as both parties agreed to allow free flow of aid. Through continuous and concerted accounts of mediation, the Secretariat was able to mediate a solution under six protocols.

Essentially, the approach of IGAD with respect to the Secretariat was one of specialization. The main mandate was to deliver peace to the warring parties within a given period. Initially, the time line was six months. However, it took the Sumbeiywo-led Secretariat

⁸⁷ Leatherman, J., *From Cold War to democratic peace: Third parties, peaceful change, and the OSCE*, (Syracuse, N.Y: Syracuse University Press, 2003), pp. 28

⁸⁸ Heyns, C., & Stefiszyn, K., *Human rights, peace and justice in Africa : a reader*. (Pretoria: Pretoria University Law Press, 2006), pp. 313

⁸⁹ *Ibid*, pp. 313

three more years to broker for the CPA. As such, it appears that the specialized focus into the conflict by the Secretariat became a source of synergy for the peace process. This was also characterized by sustained funding and support by the Forum and member countries, as well as other stakeholders such as the UN and OAU. Tiekü supports this by shedding light into the establishment of effective ad hoc regional institution to support the mediation process.⁹⁰

This suggests the importance of institutionalizing regional interventions. Whereas regional organizations may have the capacity to resolve conflicts, failure to establish determinate and focused agencies into the initiatives may hinder their success. Tiekü demonstrates how the OAU succeeded in brokering peace in Burundi through the formation of the Great Lakes Regional Initiative for Peace in Burundi.⁹¹ This institution entered the mediation as an independent mediator and was thus able to get acceptance of conflict parties as well as support from international financiers. It should be underlined that regional organizations have, at any given time, a myriad of regional issues to deal with. In addition, member countries may be having internal problems with which it may be impossible to engage into initiatives at an individual level.

⁹⁰ Tiekü, T., *Lessons learned from mediation by an African regional organization*. (Toronto: University of Toronto, 2011). Paper presented at the BISA Africa and International Studies Working Group seminar on Peace, Conflict and Intervention at University of Birmingham, April 7, 2011, pp. 1

⁹¹ Ibid, pp. 2-5

Protocol	Date
The Machakos Protocol	July 2002
Security arrangements during interim period of 2003 September	September 2003
Wealth Sharing	January, 2004
Power Sharing	May, 2004
Conflict areas of South Kordofan, Nuba Mountains, Blue Nile States	May 2004
Abyei area	May 2004

Six protocols⁹²

The Secretariat success is closely related to the role played by the Republic of Kenya in the IGAD-led process. This study observed that the Kenya Government was a central player in the success of the process. This is related to the formation of the Standing Committee and its successor, the Secretariat, and their positioning in Nairobi. Thus, the government was even more related to the unique success after the establishment of the Secretariat. In Young, the Kenyan Government is mentioned as one of the parties that strongly influenced the IGAD-led process.⁹³ It is mentioned alongside donors, the IGAD Partners Forum and broader political developments.

⁹² Breidlid, A, Avelino, A, and Astrind, K.B., *A Concise History of South Sudan*, (Kampala: Fountain Publishers, 2010), pp. 316

⁹³ Young, J., *Sudan IGAD Peace Process: An Evaluation*. (Vancouver: Simon Fraser University, 2007), pp. 40

This study presented a post-referendum reflection of the Sudan peace process. In the post-referendum perspective, the Government of Kenya remains integral in the post-conflict reconstruction. The political and diplomatic position of the Government made it the preferred chair and host of the Secretariat. The parties to the conflict accepted Kenya as an impartial mediator.

In Kenya, there was a legislation granting the IGAD and its member's diplomatic status. In addition, the Chairman of the Secretariat was granted the dual status of Special envoy and Kenyan Ambassador for Peace. It is also important to underline that General Sumbeiywo was appointed from the Army to replace Ambassador Mboya. In addition to his vast knowledge in military intelligence and regional issues, he was close to the then President Moi. This close relationship has been cited in literature to have the benefit of ease in securing funds and overcoming political and administrative issues. In the conduciveness of the Kenyan environment, progress was made; protocols were negotiated and drafted, and implemented.

4.1 Impact of the international community to the IGAD process

The Sudan peace process largely assembled the international community in terms of the UN, the OAU, the US and the IGAD Partners Forum. Essentially, the international community is involved in literary every internal or external conflict. In some conflicts, it has been party to the conflicts as being a precursor of the conflicts. This has been common with respect to fueling up of internal tensions due to international political environment and resources especially in African and Asian states. Indeed, almost every internal conflict has an external influence.⁹⁴ At greater

⁹⁴ Rotberg, R.I., *When States Fail: Causes and Consequences*, (Princeton: Princeton Univ. Press, 2004), pp. 108

lengths, the international community has been involved in conflict resolution initiatives of which the Sudan peace process is a case. There are numerous literatures on the role of international community in conflict resolutions with reference to the Sudan peace process. However, as noted earlier, the CPA is not yet fully implemented and has been rocked with numerous challenges both within South Sudan, and with her neighbor Sudan. The international community, IGAD Partners Forum and the US were extensively involved in brokering for the CPA and its implementation. This study suggested that these stakeholders remain highly relevant in the post-referendum era if peace is going to be sustainable.

A key challenge of the Secretariat was constriction of funds. Throughout the process, it was cash-trapped and had to contend with inflexible structure and issues in budgeting. The costs of the process revolved around facilitating the negotiations and payment of salaries. However, the funds from the Forum were used to facilitate meetings and partially pay mediators and staff salaries. The lack of adequate funds also resulted in lack of supportive structures. The greatest concern in these challenges was failure for donors to honor their pledges and that the involvement of the international community was uncoordinated and unstructured.

The IGAD-led peace process was largely funded by the donors, especially the IGAD Partners' Forum. From its onset, Nairobi Secretariat relied on third-party support to fund the process and pay up the salaries for the mediators. The funding role was played in tandem with vital political and economic roles by which the Forum sought to shield the process from being wrecked by rival initiatives from Libya and Egypt. In retrospect, it is vital to underline that the specialized Secretariat was formed as a result of pressure by the international community on IGAD member states. As such, it was an initiative that they had participated in establishing and

thus had a sense of ownership. The participating players from the international community, especially the US had close proximity to the conflict.

Young⁹⁵ points out the September 11 terrorist attack in the US as heightening US interests in Sudan. There were growing concerns about international terrorism precipitating into the bombing of Al-Shiffa Pharmaceutical Plant, Khartoum in 2000. As such, Sudan and the South were considered strategically vital in the US security agenda for anti-terrorism. Whatever the reasons given, the international community not only funded the process, but also pressured the Secretariat for accountability. It also pressured the conflicting parties into coming into agreement. For instance, the US imposed heavy sanctions forcing the GoS back to the negotiations through the Sudan Peace Act of 2002.

There are other opinions with respect to the determination of the international community, especially the Forum and US. Hassan and Ray⁹⁶ underline that the determination was indirectly influenced by the 1994 Rwandan Genocide. The international community was still in shock and guilt over its inaction and silence about the Genocide. As such, the Sudan conflict and Darfur crisis were given priority in the agendas of key international decision makers such as the UN and UN Security Council. It also likely that the move was driven by vested economic interests in the rich oil, uranium and other valuable minerals in the South.

⁹⁵ Young, J., *Sudan IGAD Peace Process: An Evaluation*. (Vancouver: Simon Fraser University, 2007), pp. 5

⁹⁶ Hassan, S. M., & Ray, C. E., *Darfur and the crisis of governance in Sudan: A critical reader*. (Ithaca: Cornell University Press, 2009), pp. 65

CHAPTER 5: CONCLUSION AND RECOMMENDATIONS

The conflict in Sudan is Africa's longest after Angola. It had a great impact both within Sudan and in the region. The human cost of the war has certainly been immense although no reliable figures exist to tabulate the cost. The first attempts made to come up with an estimate of war related deaths were made in 1993 by Millard Burr, "Quantifying genocide in the Southern Sudan 1983-1993", in which he came up with a figure of 1.3 million.⁹⁷ The war casualties are estimated at 2.5 to 3 million.⁹⁸ The actual figure notwithstanding, separate reports of the various clashes leave no doubt that the war has been catastrophic in terms of human life. Apart from the dead, the war had caused a lot of displacement both internally and into neighboring states. Even after the referendum, the issue of rehabilitating of displaced persons is still high on the agenda.

The prosecution of the conflict was directly linked to the pursuit of long term economic objectives.⁹⁹ However, it led to long-term economic and social problems. As such, there was proliferation of aid organizations, which have been linked to helping further protract the war. The war led to underdevelopment of the Southern. Existing infrastructure such as transport and education was often targeted by GoS forces. The existing schools closed down and many young people were conscripted into the war. The few Southerners who managed to get a decent education are those who fled into neighbouring states like Kenya, where they took advantage of the education systems there. With this shortage of learning of opportunities, the post-referendum government of South Sudan faces deficiency of skilled manpower for essential services.

Socially, the war had equally strong effects on the social fabric of the Southerners. Many of these were displaced and forced to live in squalid conditions of deprivation. Many ended up in

⁹⁷ Johnson, D. (2003). *The Root Causes of Sudan's Civil wars*. (Oxford: James Currey, 2003), pp. 143

⁹⁸Ibid, pp. 143

⁹⁹El-Bushra, J. *et al.*, *Cycles of Violence: Gender Relations and Armed Conflict*. (Nairobi: ACORD, 2005), pp. 31

refugee camps where the conditions were not suitable for promotion of culture. In addition, some of the refugees and displaced people were forced to engage in various socially degrading activities to survive, such as prostitution and crime.¹⁰⁰

Economically, a major direct consequence of the conflict was the decline in the economic performance of the government. As the war progressed, the GoS increasingly relied on external funding which enabled it to survive through the 1980s. However, in the early 1990s, an international embargo on development aid saw the amount of development assistance decreased from \$1907 million in 1985 to \$127 million in the year 1993/4.¹⁰¹ Efforts to align herself more with Islamic organization in order to obtain funding saw the United States brand Sudan as one of the states sponsoring terrorism, and banned United States individuals from doing business with Sudan, especially in the oil sector. It was not until the late 1990s that Sudan was able to attract the much needed foreign investors to invest in the oil industry.

Politically, the conflict also had its adverse effects. First, there was polarization both in the North and South. As it progressed, it led to a split in the SPLA/M into tribally aligned factions which led to serious clashes with much loss of life. In the north the 1972 Addis Ababa Peace Agreement caused friction among political opposed to the ensuing constitution. They wanted a strictly Islamic constitution and thus formed a united opposition the Agreement. In this pursuit, there were three coup attempts against GoS between 1973 and 1976 which weakened the government. The political impact also transcended the international boundaries. Most of the SPLA/M leadership found sanctuary in the neighbouring countries. At the height of the conflict, relations between the GoS and her southern neighbours soured with the government accusing the

¹⁰⁰ El-Bushra, J. *et al.*, *Cycles of Violence: Gender Relations and Armed Conflict*. (Nairobi: ACORD, 2005), pp. 31

¹⁰¹ *Ibid*, pp. 159

neighbouring states with harbouring and assisting the SPLA. The situation grew tenser and finally led to a rebel group from Uganda fighting the Ugandan Government from Sudan. Such occurrences internationalized the conflict.

All these events were important in predicting the ripeness of mediation processes, effectiveness entry and the outcomes of the process. They were also pertinent in making the conflict complex and more dynamic. Firstly, at the collapse of the Abuja II conference, Khartoum was facing challenging economic times due to the cost of maintaining the war against the SPLA. This was made further challenging by increasing sanctions from the economic community. These prompted the invitation of IGADD into the conflict. Secondly, these factors deteriorated the humanitarian affairs in the region with growing number of the dead, the injured and displaced. Specifically, there was an influx of refugees in neighboring states, leading to socioeconomic burdens. This carried the face of the regionalized Sudan conflict making almost all IGAD member states to have close proximity with the conflict. As such, there was impetus from the member to resolve. This impetus was demonstrated by IGADD's/IGAD's commitment to peace by creating permanent committees and secretariats. With these in place, the mediation was able to sustainably transform the conflict.

Resolving the Sudan conflict took decades of negotiations and mediation efforts. By its end, there had been at least twenty one years of continuous fighting.¹⁰² The study shed light into these efforts and attempts to bring peace as done at local, regional and international levels. After the numerous but largely unsuccessful initiatives, the IGAD-led initiatives brokered Comprehensive Peace Agreement on 9th January, 2005. Since the first attempt to broker peace to

¹⁰² Bilal. N. M. (Ed), Sudan Bulletin No. 002 January –March 2005, (Sudan Embassy Press Office, Nairobi, 2005), pp. 7

the IGAD initiative beginning 1992, the Sudan peace process was challenged with broken agreements as well as recurrent withdrawals and offensive military actions between the parties. The Agreement culminated from six protocols covering all contentious issues as stated in the Declaration of Principles. It paved way for self-determination and independence of South Sudan from Khartoum as overwhelmingly voted for in January 2011.

The study presented a post-referendum reflection on the IGAD-led process. It attempted to underline factors that made the process successful compared to its predecessors. The factors identified include the employment of specialized and conflict- dedicated secretariats, the ripeness of the situation during mediation entry, effective mediation entry strategies, the role of Kenya, the leadership of Sumbeiywo and the impact of the international community. Unlike previous attempts which were based on the search for a solution through a single mediator, this process involved most of the players and interested parties to the conflict, including the neighbouring states. This arrangement permitted an integrated regional approach to the issues at hand, adding to the effectiveness of the negotiations. Apart from just the IGAD initiative, most countries of the international community, led by the United States felt that time was right for a peaceful settlement to the conflict and therefore pushed for the peace process. The IGAD-led process involved players who had close proximity to the impacts of the conflict and were thus able to maintain momentum and persistence. Critics have pointed out that the weakness in the Peace Process is that it excluded other parties in direct participation in the negotiations such as opposition stakeholders, religious and civil society leaders.¹⁰³ ¹⁰⁴ The argument is that certain grievances may not have been addressed, and may therefore lead to a situation of bad Peace.

¹⁰³ Johnson, D., *The Root Causes of Sudan's Civil wars*. (Oxford: James Currey, 2003), pp. ix

¹⁰⁴Riam, G., *Christian Muslim Relations in Sudan: A study of the relationship between church and state (1898-2005)*. (Scotland: Non Western World College, 2008), pp. 164

However, the Peace Agreement was positively received by the whole of Sudan and the international community at large.

More than a year after implementing the major aspect of the CPA, its implementation is progressing well and peace has prevailed in the South.¹⁰⁵ There are, however, challenges ahead especially as concerns the future status of the areas of Abyei, the Nuba Mountains and the Blue Nile. As far as lasting peace is concerned, the prognosis is good so long as there is good will on both parties to stick to the Comprehensive Peace Agreement and willingness to address all contentious issues through IGAD. There will be a need to solve the development issues in the South through equitable sharing of resources in order to raise the living standards of the Southerners, ravaged by war for so long, and embrace them in a unified Sudan. These challenges can be adequately addressed if the mediation parties are continually in follow-through actions. The study observed that the identified success factors are required to make peace not only sustainable but also long lasting. Post-conflict reconstruction of both the South and North will require the engagement of all stakeholders. The regional and international communities with close proximity to the impacts of the conflict and long-term needs of the parties have a role to play in overseeing the return to normalcy of the parties.

¹⁰⁵ Bilal, N.M. (Ed), Sudan Bulletin No. 004 February –April 2006, (Sudan Embassy Press Office, Nairobi, 2006), pp. 1

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7.0 APPENDICES

Appendix 1- Map of Africa



Appendix II- Map of Sudan

Source: **Nyaba;** (1997) *The Politics of Liberation Sudan*. Fountain publishers, Kampala

