

UNIVERSITY OF NAIROBI
INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

**GENDER MAINSTREAMING AND CONFLICT MANAGEMENT
IN AFRICA: THE CASE STUDY OF THE IGAD II SUDAN PEACE
PROCESS (1994-2006)**

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MASTERS OF ARTS IN INTERNATIONAL STUDIES**



DECLARATION

This is my original work and has not been presented for a degree in any other University.

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ABSTRACT

This study aims at drawing attention to the need to incorporate gender mainstreaming in conflict management in order to increase the involvement of women in decision-making processes during conflict management and reconstruction. It presents a survey of the IGAD II led Sudan Peace Process and discusses its mandate and role in bringing peace to Southern Sudan. The study has demonstrated that failure to incorporate gender mainstreaming in peace affects successful peace management and sustainability.

The problem of the study has been identified as poor and non inclusive conflict resolution and management processes leading to fragile peace arrangements. The study argues that situation of women in armed conflict and post conflict situations has been systematically neglected, especially where law enforcement is weak and judicial systems are ineffective. Women suffer violence from combatants, family members, neighbours or others, increasing their susceptibility and vulnerability to myriad of conditions, including HIV/Aids. Further that despite women being heavily affected by the conflict, they are nearly always left out in conflict resolution, management and search for sustainable peace. The study then contends that finding a lasting solution to sustainable peace through a more inclusive system could be the only hope for those affected by the conflicts, both during the conflict situation and in post conflict reconstruction and reintegration.

The objectives of the study, theoretical framework, hypothesis, literature review and research methodology are also presented. A detailed analysis of gender mainstreaming or

lack of it in the IGAD II Sudan Peace Process has been given to help in testing the hypotheses.

The study lays emphasis on the need to include women in the peace process so as to ensure sustainable peace. It uses the feminist approach in its discussion of the term gender as compared to women which has a double advantage in that it puts women into a context, focusing on the socially constructed relation between women and men and by so doing making visible the aspect of power in gender relations.

The study has established a number of reasons why women in Sudan continue to be under-represented in decision-making positions even after the signing of the peace accord. Patriarchal traditions, practices and national and customary laws are central factors contributing to women's inability to enter these positions. Further, high levels of illiteracy and poverty, unequal work burdens within their homes and communities are often the result of these patriarch customs, practices and laws and are among the main factors why for instance women and especially leaders formerly associated with fighting forces as well as women civilians have a difficult time accessing the formal political sphere and, thus, why they have correspondingly low representation in decision-making positions, including in peace negotiations and reconstruction activities.

Although it is evident from the study that the CPA did create a new democratic political space and committed the government to good governance and the rule of law, justice, equity and respect for human rights, Sudanese women need to rise to the challenge of building a solid foundation for democracy by doing everything possible to increase their

political participation and create an equal and level playing field for all citizens. The greatest hope now for women across Sudan is that they will be able to expand on the Bill of Rights in the Interim National Constitution as well as effect change through the mid-term elections and effective mobilization. The Sudanese women can use the peace agreements and their shortcomings as important areas for their campaign. This can be used a stepping stone towards increasing their advocacy to have increased representation in legislative assemblies at state and national levels in order to gain more influence.

The study has found the IGAD II Sudan peace process did not mainstream gender in its processes and that this lack of inclusion of women in the IGAD II peace process contributed in and hence was responsible for the part failure of the objectives of the process. The study further notes that certain groups of women in Sudan like women formerly associated with fighting forces are even more vulnerable and almost always excluded from accessing public decision forums, including conflict management processes. Consequently the research recommends that future conflict management processes need to take into consideration these excluded groups. Although the study has not established clearly whether or not they are among those who could or should play a public role in advocating for more inclusive and just social, political and economic change, it is clear is that they face a daunting task in accessing both public decision-making forums and civil society spaces. They however form a critical mass whose role and experiences can inform future peace processes. This is an area that may require further examination.

ACRONYMS

AU- African Union

CEDAW- Convention on the Elimination of Discrimination Against Women

CPA- Comprehensive Peace Agreement

BBSAWS-Babiker Badri Scientific Association for Women Studies

DRC- Democratic Republic of Congo

GoSS- Government of Southern Sudan

GoS- Government of Sudan

IGAD- Intergovernmental Authority on Development

NRD- Nuba Relief, rehabilitation and Development

NSCC-New Sudan Council of Churches

NSWF-New Sudan Women Federation

OAU- Organization of African Unity

SC-Security Council

SNCTP-Sudan National Committee on Traditional Practices

SWAN-Sudan Women Association in Nairobi

SWU- Sudanese Women Union

UNFPA- United Nations Population Fund

UNIFEM- United Nations Fund for Women

WAG- Women Action Group

CHAPTER ONE

INTRODUCTION

1.1 Overview of the Study

This chapter will give an overview/ background of the topic of the research study, the statement of the problem, justification, theoretical framework, literature review, hypotheses and the methodology of data collection. In the background of the study, the war in Southern Sudan is briefly discussed and the development of gender mainstreaming efforts espoused. The statement of the problem discusses the fact that most gender studies have made important contributions to the broader field of peace and conflict studies, including insights into the costs to societies due to exclusion of women, understanding the value of non-hierarchical relationships for the prevention and resolution of conflicts, new knowledge on integrative agreements based on processes of consensual decision making, and the need to include marginalized groups and voices for building durable peace. A review of literature is centered on the role of gender in conflict management. Specifically, the literature discussed emphasizes the need to include women in formal peace processes so as to ensure sustainable peace. The literature also discusses the mandate of IGAD II and its role in bringing peace to Southern Sudan.

At the international level norms and commitments have been developed to ensure that gender mainstreaming issues are included in conflict management processes and post conflict recovery. The first UN articulation linking gender equality to peace was the 1975 UN Conference on Women in Mexico City, and later the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which defined

discrimination against women and set up an agenda for national actions. The Beijing Declaration and Platform for Action in 1995 highlighted several gender specific impacts of armed conflict on women and girls. Paragraph 135 of the Platform reads, “while entire communities suffer the consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society and their sex”. The adoption of the UN Security Council Resolution 1325 on ‘Women, Peace and Security’ in October 2000 called for the incorporation of gender perspectives in all areas of conflict and peace management, a major concept shift that recognized women in international law as active agents in peace building and development rather than merely as victims of war. This resolution is the first ever passed by the Security Council that specifically addresses the impact of war on women and women’s contributions to conflict resolution and sustainable peace.

Following the adoption of Resolution 1325, there has been a new wave on the inclusion of gender mainstreaming in international peace building and security initiatives. Several documentary contributions since 2002 have made insights into the implementation of Resolution 1325. This research study argues that incorporating a gender perspective to conflict management process is a major transformative step towards realization of sustainable peace in the Sudan. An examination of gender, “the social roles that define women and men in a specific cultural context” provides insights on assumptions and stereo types of values and qualities associated with each.

During conflict, civilians and combatants suffer immensely, experiencing internal displacement, the breakdown of institutions, traditional support structures, inability to tend their farms, heightened levels of gender based violence, and massive loss of lives.¹ Women are the most vulnerable and victimized group during armed conflicts along with children and the elderly and it is only fair that this be equally reflected in their participation in peace building processes.² However, the most dominant image in relation to women and conflict is that of vulnerability and victimization, ignoring the contribution they make in resisting invading forces and maintaining the society during conflicts. In addition, women's role in formal and traditional peace negotiation is not sufficiently recognized.³ In the light of this contradictory situation, this research study attempts to bring to the fore and highlight the potential role of women in conflict management, in recent conflicts especially in the Sudan during the IGAD led Peace Process.

Most of the wars waged in the Horn of Africa since 1960 can be described in terms of ethnic conflict, both by the adversaries themselves and by external analysts. Sudan's independent history is spotted with chronic, exceptionally cruel warfare that has largely divided the country on racial, religious, and regional grounds and displaced millions of civilians.⁴ Sudan has had two major ethnic wars (between the Nuer and the Dinka clans) dating as far back as 1955, with the first Sudanese war taking place from 1955 to 1972 when a cessation of the north-south conflict was agreed upon under the terms of the

¹ Byrne, Bridget; Marcus, Rachel; and Power-steyvens, Tanya, 1996. 'Gender Conflict and Development: Case Studies; *Bridge Report; No. 35*.IDS, Brighton, University of Sussex.

² Byrne, Bridget.1996. 'Towards a Gendered understanding of conflict'. *IDS Bulletin, No. 273*, IDS. Brighton.University of Sussex.

³ Ibid

⁴ Ann Mosely Lesch, *The Sudan: Contested National Identities* (Bloomington,1998),p.185.

Addis Ababa Agreement. This led to a ten-year break in the national conflict.⁵ The second major civil war was reignited in 1983 and this war is said to have damaged Sudan's economy and led to food shortages, resulting in starvation and malnutrition. The complicated dynamics of this ethnic war that pits northerner against southerner, on one hand, and southern ethnic groups and clans against each other, on the other, has overwhelmed traditional methods of conflict resolution and post conflict management.

This study will question how the problems of 'conflict' and the desired goal of 'peace' are conceived and the strategies used to achieve sustainable peace where gender mainstreaming is ignored and yet peace holds a different promise and reality for women than it might for men, whose wartime obligation is fulfilled at the frontline. Traditional role of elders to resolve disputes has been eroded by war. Women have stepped into this void and are drawing on the positive aspects of their traditional role as peace makers to rebuild their communities.

Incorporating gender analysis and perspectives into formulating responses so that discriminatory policies are not perpetuated in post conflict situations is essential. Gender analysis elicits different questions about the causes and effects of conflict on different sectors within society and their particular relationships and roles with each other.⁶ IGAD recognized the need to establish a women's desk as one of its institutional gender mainstreaming efforts, to oversee gender mainstreaming and related issues in its priority projects and programmes. The IGAD women's desk undertakes the responsibility of

⁵ M.A.Fitzgerald, *Throwing the Stick Forward: The impact of war on southern Sudanese women*, Africa Women for Peace Series, UNIFEM, 2002 pp3-11

⁶ UNIFEM/ACCORD, *Conflict Trends, Special Issue on Women, Peace and Security*, 3/2003 pg 14

engendering policy and planning processes within IGAD⁷. But despite this vital institutional strengthening, IGAD is yet to fully incorporate women's participation in its peace processes in the Sudan. In fact, women's groups and Muslim and Christian church leaders have been urging IGAD to include women in the dialogue but this has not borne much fruit. This in essence has had an impact on rebuilding peace in Southern Sudan despite the signing of the Comprehensive Peace Agreement between the Sudanese People's Liberation Front (SPLM) and the Khartoum Government in 2005⁸. Indeed it is the contention of this study that lack of inclusiveness could be the culprit for lack of sustainable peace.

This research study aims to draw attention to the need to incorporate gender mainstreaming in conflict management aimed at increasing the involvement of women in decision-making processes during conflict management and reconstruction. It will demonstrate that failure to incorporate a gender mainstreaming aspect in peace affects successful peace management and sustainability.

1.2 Statement of the Research Problem

The situation of women in armed conflict has been systematically neglected. In post conflict situations where law enforcement is weak and judicial systems are ineffective, women continue to suffer violence from combatants, family members, neighbours or

⁷ IGAD, Report of Training in Advanced Negotiation and Mediation for Women in Peace Making Leadership and Development, pp9

⁸ Ibid

others, increasing their susceptibility to starvation and vulnerability to HIV/Aids⁹. However, finding a lasting solution to sustainable peace could be the only hope for those affected many of who are dependent on emergency assistance. Yet women who suffer most are nearly always left out in conflict resolution, management and search for sustainable peace.

Indeed, many studies¹⁰ attest to the fact that women are typically left out in most of these conflict management processes, either deliberately or otherwise, and this has had a negative impact on the attainment and management of sustainable peace. Most gender studies have made important contributions to the broader field of peace and conflict studies, including insights into the costs to societies due to exclusion of women, understanding the value of non-hierarchical relationships for the prevention and resolution of conflicts, new knowledge on integrative agreements based on processes of consensual decision making, and the need to include marginalized groups and voices for building durable peace. The proposed research study will look in to the contribution of gender mainstreaming in the conflict resolution and peace management and demonstrate that the lack of gender mainstreaming in conflict management process in the case of Sudan contributes to lack of a sustainable peace.

It is the contention of this study that new strategies for peace need be explored, incorporate the views and experiences of women and that women also participate more in preventing, managing and resolving conflicts in Africa.

⁹ See UNIFEM/IGAD, *Placing Gender in the Mainstream: IGAD policy Seminar on Peace and Conflict Resolution*, Khartoum, October, 2000, pp 9

¹⁰ United Nations, *Gender Equality: Striving for Justice in an Unequal World*, United Nations Institute for Social Development, 2005 pp233-237

Women and men civilians and combatants have suffered immensely in the conflict in Sudan, experiencing internal displacement, the breakdown of every institution, traditional support structures, inability to tender their farms, heightened levels of gender based violence, and massive loss of lives.¹¹ And yet, justice for cases of sexual violence for instance is a key element in successful conflict management process and eventual sustainable peace.¹² And while this is happening, women may require opportunities to make informed choices during reconstruction. But it would appear that this is however relegated to the background in reality while designing the conflict management strategies and this could be the culprit for lack of sustainable peace.

1.3 Objectives of the Research

The overall goal of the study is to demonstrate that gender mainstreaming in conflict management enhances sustainable peace.

1.3.1 Specific Objectives

1. To determine the relationship between incorporating gender mainstreaming in conflict management process and peace sustainability.
2. To demonstrate that the continued exclusion of women in formalized conflict management processes negatively affects peace sustainability.

¹¹ ICRC Report.(2005) *Women and war*: p 23

¹² Ibid

3. To determine whether IGAD II led Sudan Peace Process was an all inclusive process and how this has impacted on sustained peace in the Sudan.

1.4 Literature Review

A review of literature is centered on the role of gender mainstreaming in conflict management. Specifically, the literature discussed emphasizes the need to include women in the peace process so as to ensure sustainable peace. The literature also discusses the mandate of IGAD II and its role in bringing peace to Southern Sudan. The literature review also uses the feminist approach in its discussion of the term gender as compared to women which has a double advantage in that it put women into a context, focusing on the socially constructed relation between women and men and by so doing making visible the aspect of power in gender relations.

Literature review on conflict prevention and the overlapping roles of women.

Conflict prevention and resolution in Africa is a much debated subject in recent years. Africa has and continues to witness numerous conflicts most of which have defied any efforts at resolution.¹³ These conflicts have had various faces, ranging from Interstate conflicts, intrastate conflicts, others that are spread over several countries, and potential conflicts like those over transboundary water resources like the River Nile. Some others have been caused by poor governance and exclusion from the sharing of power. But the biggest problem has been poor conflict resolution and management leading to fragile peace arrangements despite the world community's willingness to assist and provide

¹³ See for instance the Somali civil war

enormous resources.¹⁴ Scholars such as Kent and McIntyre¹⁵ see this as partly due to lack of gender perspective in these processes.

According to Kent and McIntyre¹⁶, despite the myriad of overlapping roles of women in conflict, women have not been considered to have the leadership skills necessary for peace building and reconstruction¹⁷. Evidently, the complexities of gender roles, priorities and responsibilities have not been adequately recognized. Yet conflict management and peace building is a complex endeavor that must take into account the differences and inequalities between women and men in relation to their position in the economy, distribution of domestic responsibilities and mobility patterns¹⁸

The focus on satisfying human needs is derived from the conflict resolution theories of Burton.¹⁹ Unless people are given a chance to reach their full potentials, they may not then be effective actors in peace building. In fact, the structure of relationships and culture may either exclude or inhibit some actors from achieving their full potentials, which can be perpetuated by structural and social stereotypes.

¹⁴ Smock, David R., "Humanitarian Assistance and Conflict in Africa" in *Peaceworks* No. 6 (Washington DC: United States Institute of Peace, 1996)

¹⁵ Kent and McIntyre, "From Protection to Empowerment", p.5

¹⁶ Ibid

¹⁷ Ibid

¹⁸ Report of the Secretary- General, "Gender Mainstreaming in Peace Keeping Activities" A/57/731 (New York: United Nations, 2003), p.11

¹⁹ J.W. Burton, "Human Needs Theory" in *Conflict: Resolution and Prevention*, London, Macmillan, 1990, pp.36-48

Licklider²⁰ argues that the ending of overt violence via a peace agreement or military victory does not necessarily mean the achievement of peace. Robert Rothstein²¹ further argues that the ending of violence or 'post conflict' situation as provides "a new set of opportunities that can be grasped or thrown away". According to Spence, "the process of peace building calls for new attitudes and practices: ones that are flexible, consultative and collaborative and that operate from a contextual understanding of the root causes of conflict".²² Ignoring gender inclusivity can undermine the very process of conflict management and peace building.

Conflicts present complex challenges to which neither the parties to the conflict nor the international community have been able to provide adequate responses. The amount of human suffering resulting from violent conflicts is immense and the emergency measures required after conflict are also immense. Capson²³ in his study of the possibilities of peace in Post-cold war Africa observes that despite the favorable developments in the regional and international system, conflict remains a serious problem. There is a growing need to carry out an in-depth examination of many factors that have made conflict management and peace processes not achieve the goal of enhancing peace in the region while evaluating all the strategies that might affect these factors in order to achieve peace. This study will look into the contribution of gender perspective and where it has been infused into the peace process, why it has failed the test of sustainable peace.

²⁰ Licklider, P, "In search of peace through Violence" Pg 7

²¹ Robert Rothstein,2001, "Peace management in Violence situations" ,pp 32

²² Rebecca Spence, "Post –Conflict Peace building", p. 145

²³ Capson D ,2000, " Peace in Post cold war Africa, pp 35

In Africa the utility and relevance of women's analysis, information and insight on peace and security issues in general and particularly conflict management are underestimated²⁴. women do not participate in sufficient numbers, or sufficiently in influential positions, at forums where the terms of such processes are decided. And because their presence, opinions and experiences are routinely overlooked, vital opportunities to develop more accurate gender and age disaggregated pictures of conflict and conflict management strategies are often lost.

The United Nations Security Council Resolution 1325 makes an explicit recommendation that²⁵ "women be involved in the processes that accompany conflict management processes". The resolution acknowledged that women and men, both civilians and ex-combatants and their dependants have different needs in the peace process²⁶. While successive and inclusive peace processes offers a rare opportunity to transform a war torn community into one in which combatants can become citizens and civilians begin to rebuild shattered lives under the protection of the rule of law, to "ignore women in such a crucial moment is not only a violation of their right to participate but also to undermine the very objective of the processes of conflict management, reintegration, sustainable and equitable development".²⁷

²⁴ Report of the Secretary- General, "Gender Mainstreaming in Peace Keeping Activities" A/57/731 (New York: United Nations, 2003), p.11

²⁵ United Nations Security Council Resolution (UNSCR) 1325 of October 2000

²⁶ Ibid

²⁷ UNIFEM: *Getting it right, Doing it Right: Gender and Disarmament, Demobilization and Reintegration*, 2004 pg 1

Literature review on gender attention during negotiations

Gender refers to the socially constructed roles as ascribed to women and men, as opposed to biological and physical characteristics. According to UNESCO's Guidelines on Gender-Neutral Language, a person's sex is a matter of chromosomes; a person's gender is a social and historical construction and the result of conditioning.²⁸ Mbote²⁹ considers gender to mean a state of being male or female which is distinguishable physically by sex or reproductive differences. Gender roles vary according to socio-economic, political and cultural contexts. They are learnt and changeable, while gender equality³⁰ is a goal to ensure equal rights, responsibilities and opportunities for both men and women. The Beijing platform for Action, in paragraph 141, notes that "in addressing armed conflicts an active and visible policy of mainstreaming a gender perspective into all the policies and programmes should be promoted so that before decisions are taken an analysis is made of the effects on women and men respectively."³¹ This study will recognize women's roles as victims and active agents during conflict and post conflict reconstruction leading to sustainable peace.

During negotiations of ceasefire agreements and/or peace accords, there is usually very little or no attention paid to gender issues, for fear of scaring away an imminent

²⁸ UNESCO, Guidelines on Gender - Neutral Language, (Paris, 1999), p. 5. Go to <http://www.unesco.org>.

²⁹ Patricia K. Mbote, Gender, Conflict and Regional Security, in M. Mwagiru, African Regional Security in the Age of Globalization, (Nairobi:Heinrich Boll Stiftung, 2004), pp83-94

³⁰ Equality is not a synonym for anti-discrimination. It is not equality *de jure* either, meaning that all gender-based obstacles in legislation are removed. Equality must be considered as a positive entitlement, or equality *de facto*, related to women's and men's rights to diversity and difference. It also implies that women and men are free individuals and that the relations between them evolve constantly. For these reasons, the concept cannot be simplified and reduced to the categories of male and female.

³¹ In Women, Peace and Security, United Nations, 2002, Study submitted by the Secretary General pursuant to Security resolution 1325 (2000), p4.

settlement.³² As a result, a gender perspective regarding the orientation of interventions during reconstruction is lost. In addition, women in areas of conflict are faced with a restricting social organization that dictates that they remain at the periphery of social life. To the credit of international organizations, programmes are designed to include the participation of women, but in actual fact, men dictate their participation particularly in Africa.

Literature review on Intergovernmental Authority on Development (IGAD)

The Inter-Governmental Authority on Drought and Desertification, (IGADD) was established in 1986 with a narrow mandate around drought and desertification, which caused periodic widespread famine, ecological degradation and economic hardship in the region.³³ In 1994 IGADD started to undertake conflict management tasks when the Authority hosted and facilitated negotiating sessions between the Sudanese government in Khartoum and the rebel forces from Southern Sudan in an attempt to end the civil war. This led to the change in the name in April 1995 to IGAD and the creation of a department for conflict management.³⁴ Talks on the Sudan conflict continued sporadically amidst intensifying international pressure until, the signing of a framework agreement in June 2004, which outlined provisions for power sharing, wealth sharing and transitional security arrangements. The negotiations were finalized in 2004 resulting in the signing of the Comprehensive Peace Agreement (CPA) in January 2005.³⁵

³² Young, J., "Sudan's changing relations with its neighbours and the implications for war and peace," paper presented to the Institute of Governance Studies, Simon Fraser University.

³³ Ibid

³⁴ ibid

³⁵ ibid

In 1998, the need for gender representation and participation in the operations of the revitalized IGAD was mooted during a trade Policy Harmonization for Women in Business workshop held in Nairobi, Kenya. IGAD has a Gender Affairs Programme, with specific mandate, vision and objectives. But despite these structures and the fact that the Women's Desk had been approved by as early as 1999, there is little success to show on the ground as concerns its contribution to sustainable peace in Sudan, numerous calls for the inclusion of women in peace monitoring processes and for making resources available that would be directed to ensuring that post conflict reconstructive processes are gender responsive, not withstanding.³⁶

In the long run, it should be appreciated that women, as human agents, play indispensable roles in preventing wars, ending strife, managing conflict, and building peace. The empowerment of women is now widely viewed as essential for economic growth, improved health status, decline of poverty, sustainable management of the environment, and consolidation of democracy, while progress for women may as well mean progress for all'.³⁷ This study will further demonstrate that though gender has been recognized as an important ingredient to by IGAD and other players, this may only be so on paper.

1.5 Theoretical Framework

The current discourse on the role of women on conflict management and transformation owes many of its fundamental assumptions to the feminism approach. This perspective

³⁶ In Women, Peace and Security, United Nations, 2002, Study submitted by the Secretary General pursuant to Security resolution 1325 (2000), pg4.

³⁷ Skjelsbaek, Inger. 1997. *Gendered battlefields. A gender Analysis of peace and conflict*. International peace research Institute(Prio): Oslo

makes the assumption that philosophical and socio- scientific theories of the past have been cognitively inadequate because they have failed to take into account the stand point, activities and experiences of women. Further that to correct gender blindness it is necessary to identify a set of experiences, activities as well as patterns of thinking, feeling and acting which can be characterized as 'female'. Such activities and experiences are seen by the proponents of this approach as a consequence of women's social position or of their position within the sexual division of labor; whereas men are seen as having been active in the public sphere of production, politics, war and science while women's activities have been confined to the domestic/ reproductive private spheres³⁸. These feminist arguments may correspond well with arguments regarding exclusion and or inclusion of women in conflict management where arguments are rife that conflict management practice and theory has failed to take into account the activities, experiences and knowledge of women and that the dominant discourse of conflict management and prevention has been gender blind and thus excluding women's experiences, activities and patterns of thinking, feeling and acting. And although feminist theories have been accused of being value laden, they have been able to expose biases and impartiality embedded in the patriarchal mainstream structure of relationship and epistemology³⁹, exposing also male centered assumptions, values and interest. It is possible and sometimes necessary, however, to analyse gender in political activity from perspectives other than those of feminists.

³⁸ UNIFEM/ACCORD, Conflict Trends, Special Issue on Women, Peace and Security, 3/2003 pp 7 - 8

³⁹ Louise Antony, Quine as Feminist: The radical import of Naturalized Epistemology..in Keith Lelier (ed), The Coherence Theory of Knowledge Philosophical Topics, Vol. 14 (1986) pp 539-573

Signe Arnfred⁴⁰ observes that Feminists wanted to criticize the dominant women-in-development (WID) approach for dealing with integration of women into existing development policies, with no critical analysis of development as such, and with no criticism of the unequal power relationships between men and women. Seen from the point of view of the feminists then, the term gender as compared to women had a double advantage in that it put women into a context, focusing on the socially constructed relation between women and men and by so doing making visible the aspect of power in gender relations.

Feminists like Spike Peterson, Mary Daly and Rebecca Grant conceptions of human behaviour are frequently based on the observations of men and since societies are male dominated; men's legitimize aggression and dominance as a way to resolve conflicts. The task of a gendered perspective in conflict resolution practice and theory then is to make the lived experiences, activities and perspectives of women part of the gender for conflict management and peace building. Feminism seeks to integrate women in the mainstream of social, economic and political policy making process to enhance gender equality, thus laying a strong basis for addressing the gendered needs of women in conflict and their role in conflict management and peace building.

In conclusion, the feminist approach was preferred over WID approach due to its point of view of the term gender as compared to women as it has a double advantage in that it put

⁴⁰ Signe Arnfred, Questions of Power: Women's Movements, Feminist Theory and Development Aid, as cited in Sida Studies no.3, Discussing Women's Empowerment-Theory and Practice, p 73

women into a context, focusing on the socially constructed relation between women and men and by so doing making visible the aspect of power in gender relations.

1.6 Justification of the Study

It is more than a year since the signing of the CPA, which was widely expected by majority to signal the onset of peace in Sudan after decades of war between the Sudanese People's Liberation Movement (SPLM) and the Khartoum government. But the situation is a far cry from what can be referred to as peace. Although the peace agreement paved the way for the creation of Government of National Unity (GoNU) as well as an autonomous interim government of Southern Sudan, the continuing political uncertainty and violence in the Western State of Darfur underline the increasing fragility of the newly created institutions, also severely testing the durability of the CPA.⁴¹

A possible reason for this state of affairs could be the non inclusion of a gender perspective into the process as this study is expected to determine. Indeed, as people of southern Sudan prepare for the people's referendum after the six year interim period, scholars in conflict management and institutions like IGAD must forge and come up with more inclusive ways of sustaining peace in Africa.

The significance of gender in the resolution of conflict and building of peace has until recently been completely overlooked. According to Noeleen Heyzer, women's

⁴¹ Mariam B. Jooma, "Sudan: Eighteen Months after CPA", Situation Analysis, Institute for Security Studies, 2006

contribution to the peace process have been neglected, 'We have seen how women's protection is glaringly neglected, how their contributions to peace building are marginalized, and that without women's equal participation and full involvement in peace processes there will be neither justice nor development'.⁴² Mwangi says some of the key distinguishing characteristics in Africa are "its many dysfunctional and protracted socio-political conflicts"⁴³. Conflicts affect men and women differently. Gender stereotypes often suggest that women lack the ability to lead, but this also undermines men's leadership as it inhibits their search for peaceful solutions⁴⁴

Participation of women has generally been limited to the role of counseling other women affected by conflict, or engaging in other humanitarian-oriented activities. Although these are important, we should not replicate patriarchal division of labour in conflict management interventions by assigning women to the periphery of the political debate.⁴⁵

IGAD has been involved in negotiating for the Sudan peace process which culminated in the signing of the Comprehensive Peace Agreement (CPA) on 9th January 2005 between the Government of the Republic of the Sudan (GoS) and the Sudan Peoples' Liberation Movement/Army (SPLM/A). This marked a historical watershed for Sudan and it brought to an end 22 years of protracted and costly civil war that had caused tremendous loss of life, devastated the country's infrastructure (especially in the South) and destroyed

⁴² Statement of Noeleen Heyzer, executive director of the United Nations Development Fund for Women, round table dDiscussion on women and peace and security, New York, 26 October 2000.

⁴³ M. Mwangi, *The international Management of Internal Conflicts in Africa*, Uganda Mediation, 1985

⁴⁴ Ibid pg34

⁴⁵ Skjelsbaek, Inger. 1997. *Gendered battlefields. A gender Analysis of peace and conflict*. International peace research Institute(Prio): oslo

livelihoods, trust and hope. But despite this, war continues to ravage Darfur area with some analysts calling it a genocide.

A new perspective to conflict management that is currently gaining recognition asserts that the involvement of women is a major step towards achieving lasting peace. At the core of such thinking—which represents an ‘instrumental’ view rather than an ‘institutional’ perspective—rests the concept that building sustainable peace requires the significant involvement of women and women’s groups. This viewpoint incorporates findings that improvements in the education and status of women stabilize and uplift the whole of society, that is, the situation of men, children, and women. The enlistment of women and their increased participation in public policy is now widely viewed as fundamental to expanding economic growth, improving health status, reducing poverty, sustaining the environment, and consolidating democracy in societies long bowed to authoritarianism and tyranny. In Africa, there is more than a suspicion that the exclusion of women is connected to acute violent conflicts.⁴⁶ Meanwhile, around the globe, a consensus is forming that calls for changes in age-old practices that have denied rights and entitlements to women.

Indeed, women and women’s groups may be among the most potent forces available for the prevention of acute conflicts, warfare, and violence.⁴⁷ This study will shed light on the importance of an inclusive peace process that recognizes both women and men as key

⁴⁶ *Violence Against Girls and Women: A Public Health Priority*. UNFPA. 1999.

⁴⁷ Joan Kelly Gadol.1986. “ The social Relation of the sexes: Methodological Implications of women’s History” In *women , History and Theory*, University of Chicago Press: Chicago

stakeholders with reference to the Sudan peace process. It will underscore and posit that incorporating a gender perspective in Peace Processes affects the successful peace management and sustainability.

This study will try to fill this gap by looking at the IGAD II led Sudan peace process and analyzing the gender mainstreaming or lack of it in the process and how this has impacted on sustainable peace in the Sudan and Africa generally. An attempt will be made to understand any institutional arrangements put in place by IGAD to mainstream gender issues in conflict management and peace building in Africa and why such arrangements have failed partially to bring sustainable peace. This insight will be necessary to make suggestions on how to mitigate against any deliberate or otherwise, exclusion of women's experiences and knowledge in conflict management in future peace processes in order to ensure acceptance and ownership of peace outcomes. Finally the study is expected to open up new areas of research in the gendered dimension of conflict management.

The study will further demonstrate the utility and relevance of women's analysis, information and insight on peace and security issues in general and particularly conflict management as they are now underestimated. And because their presence, opinions and experiences are routinely overlooked, vital opportunities to develop more accurate gender and age disaggregated pictures of conflict, conflict management and sustainable peace strategies are often lost.

1.7 Hypotheses

1. Failure to mainstream gender issues in the IGAD led Sudan Peace Process has negatively impacted on the sustainability of peace in Sudan.
2. Mainstreaming gender in conflict management and peace building processes enhances sustainable peace.

1.8 Methodology of the Research

The study will take the form of a desk study though a few interviews will be conducted in an effort to capture the respondent's view of the role of gender participation in the IGAD II peace process and the role of gender in sustainable peace. A desk study was preferred due to the nature of the problem statement and the sensitivity of the physical area under study (Southern Sudan). Therefore, it is not feasible to carry out a field study and hence data collection exercise in Southern Sudan. Consequently, secondary sources of data will be accessed from relevant published and unpublished works. These will include books, periodicals, journals, articles, newspapers, bibliographies, print media and internet sources.

1.9 Scope and Limitations of the Research

The research will be limited to the area of gendered impact on peace sustainability in Sudan. It will also target the year 1994 to the 2006.

1.10 Chapter Outline

Chapter One: Introduction

Chapter one gives an overview of the topic of the research study, the statement of the problem, justification, theoretical framework, literature review hypotheses and finally the methodology of data collection.

Chapter Two: Analysis of the Southern Sudan War

The chapter discusses the history/back ground of the war in Southern Sudan. This discussion will commence with a theoretical approach to causes of war/conflicts and end with a chronological analysis of the war. The objective of this chapter is to equip the reader with background information on the Sudan war so as to foster appreciation of the woes of the Sudanese people. In addition, gender experiences, how women were affected by the war, during the conflict will be documented and analyzed in this section.

Chapter Three: Effectiveness of Traditional Structures in Sudan's Conflict Management Process

This gives an overview of the effectiveness of the local traditional peace structures and their limitations in solving the half a century old Southern Sudan conflict. Hence the need to have a formal conflict management process (IGAD II).

Chapter Four: An Analysis of the IGAD peace process

The chapter discusses the origin of the IGAD II peace process and the challenges the peace process faced in its quest for sustainable peace

Chapter Five: Gender Mainstreaming in the IGAD peace process.

It will look at the extent of how gender mainstreaming was or was not observed during the IGAD led peace process in Sudan and how this has impacted on the Sudan Peace process and peace in the Southern Sudan. By so doing, the researcher will examine thoroughly the formation of IGAD, its gender composition, its challenges, and argue that its gender composition may have led to its observed non delivery of sustainable peace.

Chapter Six: Conclusion and recommendations

The chapter will make a summary of the study, conclusions of the research study, and make recommendations suggest possible new areas of further research.

CHAPTER TWO

AN ANALYSIS OF THE SOUTHERN SUDAN WAR

2.1 Introduction

This chapter discusses the history/ background of the war in southern Sudan. In this section, the terms war and conflict are used interchangeably. Also in this chapter, the Southern Sudan war will be introduced and the factors leading to its outbreak and perpetuation substantiated. Finally, the impact of the war on women and girls and the policy implications of the effect of the war will be espoused.

2.2 Causes and factors exacerbating wars in Southern Sudan

Over the past decade, a worrying trend has emerged in the relationship between economics and armed conflict in Southern Sudan. This trend appears to have two dimensions. First, valuable resources that are of economic value have been used to finance the civil war in Sudan, such as to purchase arms, ammunition and military assistance. For example, several companies were granted oil mining concessions by the Sudanese government in exchange for arms and ammunition. In many cases, such as the case of Sudan, valuable resources, which would have been critical to rebuilding the country in the aftermath of the war, have been used to barter for weapons. Second, a successful outcome of a war is no longer perceived as being the sole means for achieving economic benefits. Rather it has been argued that the perpetuation of war in certain African countries has become an alternative way of generating profits.⁴⁸

⁴⁸ Ibid

It has been alleged that where economic privileges and assets have been acquired in an armed conflict, either from control of the state or secured through illegal means, parties to the conflict tend to acquire vested interests in prolonging the conflict.⁴⁹ The reason is that peace, democracy and accountability for human rights abuses could seriously undermine wartime economic interests. War profiteering is not a new phenomenon in Sudan and external institutions and countries do benefit from the sale of arms to the government of South Sudan as well as the SPLM/A. However, it has been argued that the extent to which commercial agendas are driving or perpetuating current violent conflict in Africa, and the profits that are being derived from these activities, are unprecedented. Critically, these economic agendas provide significant obstacles to the resolution of many conflicts and will prevent sustainable processes of peacemaking and peace-building from being achieved.

Economic Agendas

An agenda is a plan or program, which is a phenomenon that has a distinct aim or motive. Hence, an economic agenda entails a plan or intention to derive financial benefits from a particular situation.⁵⁰

In a war, economic agendas can be divided into two broad categories, namely economic agendas that are related to the causes of war, and economic agendas that contribute to the

⁴⁹ David Keen, 1998. "The Economic Functions of Violence in Civil Wars", Adelphi Paper 320, (London International Institute for Strategic Studies), pp. 15-17. An updated version of this publication is titled "Incentives and Disincentives for Violence" and appears in Mats Berdal and David M. Malone (eds.), 2000. *Greed and Grievance: Economic Agendas in Civil Wars* (Boulder: Lynne Rienner), pp. 19-42

⁵⁰ Shannon Field, 2000. "The Civil War in Sudan: The Role of the Oil Industry", Institute for Global Dialogue (IGD) Occasional Paper No.23, (Braamfontein: IGD).

perpetuation of war. There is no clear boundary between these two categories as there can be a degree of overlap, particularly with respect to greed.⁵¹

In terms of the first category, the Sudan war emerged out of attempts by political communities to improve their material well-being. Historically, many military campaigns have been launched in order to acquire valuable natural resources and/or strategic trading points. Examples include Spain's conquest of the Americas and various wars during the critical era of state formation in Europe, namely between the fifteenth to the seventeenth centuries. In addition, economic grievances, such as socio-economic deprivation, and inequitable distribution of resources by the state amongst its citizens, can contribute to the outbreak of war. The Government of Sudan has perpetuated the existing socio-economic deprivation which was started by the colonialists. In addition, the Government of Sudan has been involved in the transfer of wealth from the South to the North and also to the pockets of a few as oil proceeds generated from the South are used pockets by the Government. Such an economic grievance was fundamental enough to cause the outbreak of the Sudan war. This was also the case with the French and Russian revolutions, as well as many of the wars of national liberation in Africa.⁵²

In terms of the second category, wars can be perpetuated due to the presence of key individuals or groups who derive economic benefits from the war that would be negatively affected should the war be peacefully resolved. Consequently many of these individuals and groups devise and implement plans to prolong armed conflicts. These profit-making activities tend to be driven by greed and generally involve the exploitation

⁵¹ Ibid

⁵² William Reno, 2000. "Shadow States and the Political Economy of Civil Wars, in Mats Berdal and David M. Malone (eds.), pp. 43-68

of mineral rich areas, usually diamonds and oil, and commercial ventures such as weapons trafficking. Again, various international companies profit from dumping their goods in Sudan as the markets are distorted due to war. The Sudan war is responsible for high prices of basic commodities and firms trading in these basic commodities exploit this opportunity by reaping huge profits from the sale of goods. It can also be argued that the black market in Sudan is a multibillion dollar industry. David Keen, one of the only authors to provide a detailed definition of an economic agenda, interprets this phenomenon more broadly by claiming that the following seven categories constitute economic agendas⁵³. In Sudan, controlling or monopolizing trade has been an important component of the civil wars, where 'forced markets', rather than market forces, may determine the demand and supply of resources. War in Sudan causes price increases of certain commodities, and may make it easier to threaten or constrain trading rivals. Officials in Sudan do profit by allowing government restrictions or sanctions on wartime trading to be breached; conflict may make it easier for warlords to avoid paying government taxes.⁵⁴

Another cause of war in Sudan is related to Land and Natural Resources. Conflict may depopulate large areas, allowing armed groups to claim land, water and mineral resources. Mineral rich areas are often intentionally targeted by armed forces for this very reason.⁵⁵ A perfect example was observed in Kenya in the period immediately after the

⁵³ David Keen, 1998. "The Economic Functions of Violence in Civil Wars", Adelphi Paper 320, (London International Institute for Strategic Studies), pp. 15-17. An updated version of this publication is titled "Incentives and Disincentives for Violence" and appears in Mats Berdal and David M. Malone (eds.), 2000. Greed and Grievance: Economic Agendas in Civil Wars (Boulder: Lynne Rienner), pp. 19-42

⁵⁴ Global Witness, 1999. A Crude Awakening: The Role of the Oil and Banking Industries in Angola's Civil War and the Plunder of State Assets, (London: Global Witness Ltd.).

⁵⁵ Shannon Field, 2000. "The Civil War in Sudan: The Role of the Oil Industry", Institute for Global Dialogue (IGD) Occasional Paper No.23, (Braamfontein: IGD).

marred December 2007 General elections. Politico-ethnic induced conflict led to the internal displacement of over 300,000 people from their lands and homes. This was a perfect opportunity for the SDLF militants and other warlike establishments to occupy lands for the displaced. The government of Sudan has also use helicopters and gunships to displace the Southerners who live in oil rich areas so that the Government can take possession.

It can also be argued from the history of Sudan war that Looting and Pillaging was a major cause of war in Southern Sudan. In many situations of the violent conflict, sections of the government's armed forces often looted and pillaged villages and towns in order to supplement military wages, which often are not paid by the government. The Rebel groups (SPLM/A) often engaged in similar activities in order to obtain supplies and money to purchase weapons.⁵⁶

However, as Keen⁵⁷ defines economic agendas broadly, he neglects to distinguish between actual economic agendas, namely planned or intended actions, and opportunistic spin-offs of armed conflicts. For example, looting/pillaging, protection money and theft of aid supplies are rent-seeking activities, but in most conflict situations they do not constitute a significant agenda or motive that would obstruct the peaceful resolution of armed conflicts.

⁵⁶ Human Rights Watch. 1999. *The Price of Oil: Corporate Responsibility and Human Rights Violations in Nigeria's Oil Producing Communities* (New York: Human Rights Watch).

⁵⁷ David Keen, 1998. "The Economic Functions of Violence in Civil Wars", Adelphi Paper 320, (London International Institute for Strategic Studies), pp. 15-17. An updated version of this publication is titled "Incentives and Disincentives for Violence" and appears in Mats Berdal and David M. Malone (eds.), 2000. *Greed and Grievance: Economic Agendas in Civil Wars* (Boulder: Lynne Rienner), pp. 19-42

Mark Duffield ⁵⁸ analyses the relationship between globalisation and protracted civil wars in developing countries, and provides a sound analysis of war economies. Duffield argues that globalisation has not contributed to civil war in a significant way, but has led to increased disparity and instability in the developing world, as well as the expansion and penetration of all forms of transborder activity, particularly, highly criminalized war economies. As war economies are dependent on external markets, Duffield argues market regulation could potentially be a useful conflict resolution tool. Duffield calls for more research to be undertaken in this regard. The researcher agrees with Duffield and points out that the Sudan war would have been quashed had it not been for globalization and the external markets support of the Government of Southern Sudan. It is important to note that, had market regulation been effected by global economies possibly through economic sanctions and boycotting of products from Sudan, the Government of Sudan as well as the rebel group SPLM would not have accessed financial resources to continue the war.

According to Nathan⁵⁹, in African countries the risk of violence increases when poor socio-economic conditions suddenly deteriorate even more; when government is corrupt and unresponsive to the needs of its people; and when poverty and unemployment are linked to an inequitable distribution of wealth⁶⁰ This can be said of being the case on Sudan.

⁵⁸ Mark Duffield, 2000. "Globalisation, Transborder Trade, and War Economies", in Mats Berdal and David M. Malone (eds.), pp. 69-90

⁵⁹ Laurie Nathan, 2000. "The Four Horsemen of the Apocalypse: The Structural Causes of Crisis and Violence in Africa", *Peace and Change*, Vol. 25, No. 2, pp. 190-192.

⁶⁰ Ibid

A number of rebellions have been initiated by foreign governments. Indra de Soysa⁶¹, who draws on Paul Collier⁶² extensively, examines the links between the scarcity of natural resources and civil conflict by utilizing World Bank estimates of natural capital stock per capita for sixty-four countries. Essentially, de Soysa seeks to challenge the position that natural resource scarcity drives conflict. The results of de Soysa's analysis suggest that the abundance of renewable resources among poor countries is more likely to lead to violence and to lower economic, human, and institutional development. De Soysa further claims that the abundance of non-renewable resources is consistently associated with higher levels of conflict and lower levels of human and institutional development. According to De Soysa, the results support the argument that armed conflict is often driven by greed-motivated factors rather than grievance factors.

This argument is relevant to the causes of the Sudan war. The author wishes to point out and agree with De soysa that the Sudan war was driven by greed rather by grievance as Sudan is endowed with huge oil deposits. It may also fetch to note that the Nuba Mountains are agriculturally rich and the River Nile passes through Sudan vast territory.

2.3 Human Rights Issues

Focus human rights issues exposes alleged human rights abuses as a consequence of civil wars. The relationship between war and economic agendas is discussed within this

⁶¹ Indra de Soysa, 2000. "Natural Resources and Civil War: Shrinking Pie of Honey Pot?", presented at conference on the economics of political violence, Princeton University, 18-19 March 2000; Indra de Soysa, 2000. "The Resource Curse: Are Civil Wars Driven by Rapacity or Paucity?" in Mats Berdal and David M. Malone (eds.), pp. 113-136..

⁶² Paul Collier and Anke Hoeffler. 2000. "Greed and Grievance in Civil War", presented at conference on the economics of political violence, Princeton University, 18-19 March 2000

context. Many of the publications provide policy recommendations. Examples include country or issue specific reports by Human Rights Watch, Amnesty International, and the US Department of State.⁶³ In the case of Sudan, Amnesty International report that "[t]ens of thousands of people have been terrorized into leaving their homes in Western Upper Nile since early 1999. Government forces have used ground attacks, helicopter gunship and indiscriminate high-altitude bombardment to clear the local population from oil-rich areas."⁶⁴

In the case of Sudan it has been argued that foreign currency earned from oil exports has provided the government with the means to continue fighting a war against the Sudan People's Liberation Movement⁶⁵. It has been alleged that the increase in oil exports was due to the revival of Sudan's oil industry through the Greater Nile Oil Project, which is dominated by foreign oil companies. The biggest players in this initiative are the China National Petroleum Company, Petronas Carigali (Malaysia) and Talisman Energy (Canada). The Sudanese government has implemented divide and rule strategies, initiated the forced removal of communities, and allegedly committed gross human rights

⁶³ See Human Rights Watch, 1994. Angola: Arms Trade and the Violations of the Laws of War Since the 1992 Elections, (New York: Human Rights Watch); Human Rights Watch, 1999. Angola Unravels: The Rise and Fall of the Lusaka Peace Process, (New York: Human Rights Watch); Human Rights Watch World Reports 1998 and 1999 (<http://www.hrw.org>); Bureau of Democracy, Human Rights, and Labor; U.S. Department of State, 2000. 1999 Country Reports on Human Rights Practices (http://www.state.gov/www/global/human_rights/1999_hrp_report) - see reports on Angola, Sierra Leone, Democratic Republic of Congo and Sudan

⁶⁴ Amnesty International 2000. Sudan: The Human Price of Oil. (<http://www.amnesty.org/ailib/aipub/2000/AFR/15400100.htm>)

⁶⁵ Ibid

violations, all in an attempt to consolidate its control over oil resources. This has had the effect of exacerbating the armed conflict.⁶⁶

2.4 History of the war in Sudan

Like many colonial creations, Sudan amalgamated territory and peoples had never previously been a coherent entity. Much of northern Sudan is an arid desert, while the south has large areas of rain forests and swamps. Some places in the far north receive only a week of rain, while the far south can get nine months of rainfall. The experiences of those in north and south have often been as sharply different as Sudan's climate and geography.

Many difficulties arise from the colonial legacy. When Sudan fell under the control of Britain and its quasi-protectorate⁶⁷ Egypt in 1898, a joint-authority government was formed. Britain took over management of southern Sudan, leaving the north under nominal Egyptian rule (largely as a nod to former Egyptian territorial claims). Britain developed a "Southern Policy", the primary aim of which was to prevent economic integration of the two regions in order to curtail the north's Arabic and Islamic influence.⁶⁸ The British saw a distinct south as a buffer that could preserve English values and beliefs, such as Christianity, and eventually either be developed into a separate political entity or integrated into British East Africa.⁶⁹ A Christian missionary presence

⁶⁶ Shannon Field, 2000. "The Civil War in Sudan: The Role of the Oil Industry", Institute for Global Dialogue (IGD) Occasional Paper No.23, (Braamfontein: IGD).

⁶⁷ Britain became involved in Egyptian affairs in the 1870s but did not declare a protectorate over Egypt until 1914.

⁶⁸ Peter Woodward, "Sudan: War without End", in Oliver Furley (ed.) *Conflict in Africa* (New York, 1995).

⁶⁹ Robert Collins, *Shadows in the Grass* (New Haven, 1983).

was encouraged in the south, as were the English language and legal traditions. The southern provinces were largely closed off to northern contact and increasingly isolated.⁷⁰ In the north, where Egypt encouraged Islamic values, Britain focused its efforts largely on economic and social development. Consequently, as disproportionate economic and political power came to be centred in the north, the two regions' cultural and religious identities became more divisive, and the stage was set for discord. In 1947, after realizing the inevitability of Sudanese independence, the British fused the separately ruled zones and gave political power to the northern elite. This transfer at the expense of the south sowed the seeds of war within newly independent Sudan. As former Sudanese Foreign Minister Francis Deng, currently a professor at the City University of New York, writes: " For the South...independence was to prove merely a change of outside masters, with the northerners taking over from the British and defining the nation in accordance with the symbols of their Arab-Islamic identity".⁷¹ With independence imminent, the northern elite commenced "Sudanisation"- replacing British officials with Sudanese nationals. Almost all colonial administrators were removed between June and November 1954. This massive infiltration of northerners into the government greatly alarmed southerners.⁷² In September 1956, the Legislative Assembly appointed a committee to draft a national constitution, only three of whose 46 members were southerners. The southern delegation walked out after its repeated calls for a federal constitution were outvoted.⁷³

⁷⁰ History of Sudan, *Britain's Southern Policy*, p.1.

⁷¹ Francis M.Deng, *War of Visions*, Brookings Institution, Washington D.C.,1995.

⁷² Of the eight hundred posts granted by the Sudanese Public Service during this period, Southerners received only six junior positions. Taisier M.Ali and Robert O. Matthews, *Civil Wars in Africa* (London, 1999), p.203.

⁷³ Francis M.Deng, "Negotiating a Hidden Agenda:Sudan's Conflict of Identities" in I.William Zartman (ed.) *Elusive Peace: Negotiating an End to Civil Wars*, Brookings Institution, Washington D.C.,1995,p.86.

Violent conflict broke out even before independence in January 1956. In 1955, as independence approached, southern apprehension led to riots and a bloody rebellion⁷⁴. After hearing rumors that they were to be disarmed and transferred to the north, soldiers from the army's Southern Corps mutinied, and at least 300 people (mostly northerners) died. Mutineers who evaded imprisonment fled into the bush or neighboring countries. In November 1958, the army, led by General Ibrahim Abboud, seized power. The military regime suppressed opposition, imprisoning politicians, trade unionists, students and communists⁷⁵. Abboud also launched a controversial effort to accelerate "Islamisation" of the south through an aggressive proselytizing campaign. His repression forced thousands of southerners into exile in Uganda, Kenya, Ethiopia, and the Central African Republic. These refugees formed opposition organizations, the most significant of which came to be known as the Sudan African National Union. It petitioned the United Nations and the Organization of African Unity (OAU), arguing for self-determination and a peaceful solution to the southern Sudan problem⁷⁶.

While the Sudan African National Union was emerging as a political voice, a southern Sudanese military movement, the *Anya-Nya* ("snake poison"), composed mainly of former soldiers and policemen from the 1955 mutiny, materialized out of the bush. Feeling underrepresented and discriminated against, the southern civilian population supported *Anya-Nya*. General Abboud responded with a sweeping military campaign, and over half a million southerners fled as refugees.⁷⁷ As the war intensified and the

⁷⁴ Peter Woodward, "Sudan: War without End", in Oliver Furley (ed.) *Conflict in Africa* (New York, 1995).

⁷⁵ History of Sudan, *Britain's Southern Policy*, p.1.

⁷⁶ *ibid*

⁷⁷ Mohamed Omer Beshir, *The Southern Sudan: Background to Conflict* (London, 1968), p.84.

government refused to acknowledge its root cause was the lack of southern political and economic power, even the Sudan African National Union, which initially condemned the *Anya-Nya's* violent tactics, organized guerrilla attacks.⁷⁸ By 1963, there was full-fledged civil war.

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With southern grievances rising, Nimeiri became increasingly apprehensive that half of the Southern Command was controlled by former *Anya-Nya*. In January 1983, southern troops of the 105th battalion refused orders to abandon their weapons and be transferred north. They feared they would be sent to Iraq to join another Sudanese contingent fighting in that country's war against Iran and leave the south vulnerable to an all-northern unit.⁷⁹ After negotiations failed, Nimeiri ordered an attack on the insubordinate soldiers in May 1983. The southern unit fled, taking weapons and equipment and inspiring a succession of desertions and mutinies in the south throughout the year.⁸⁰ The mutineers found sanctuary in Ethiopia, where they united to form the SPLA.

The military success of the SPLA in its first seven years was significant but it soon endured severe setbacks. In May 1991, the collapse of the Mengistu regime in Ethiopia deprived it of its main operating base, its primary military and financial supplier and most of its military momentum. The new provisional Ethiopian government, composed of various rebel groups backed by the Sudanese government, was hostile. The SPLA

⁷⁸ Dunstan Wai, *The African-Arab Conflict in the Sudan* (New York, 1981), p.90. Mohamed Omer Beshir, *The Southern Sudan: From Conflict to Peace* (London, 1975), p.87.

⁷⁹ Douglas H. Johnson and Gerard Prunier, "The Foundation and Expansion of the Sudan People's Liberation Army" in M.W.

Daly and Ahmad Alawad Sikainga (eds), *Civil War in the Sudan* (New York, 1993), p.124.

⁸⁰ Ibid.

evacuated its military camps, and 200,000 Sudanese refugees were forced back into harm's way on the battlefields of southern Sudan.⁸¹ In May 1991, the Sudanese air force bombed Sudanese refugees as they fled their camps in Ethiopia.⁸²

Although the forced departure from Ethiopia placed tremendous strain on the SPLA, and Bashir expected the rebels to concede, Garang held fast.⁸³ Several SPLA military leaders, however, began to seriously question Garang's leadership. A major split erupted within the SPLA over the perceived lack of broad-based participation in its leadership. The fissure also had an ethnic dimension, as the splinter group, SPLA-United led by Riak Machar, took most of the Nuer ethnic component with it. There was a history of tension between the Nuer and Dinka ethnic groups - the dominant groups in the SPLA - and the government sought to exacerbate the rift by providing aid and encouraging SPLA-United to attack its former compatriots. Within months, nearly 70 per cent of the Bor Dinka ethnic group in the southern Upper Nile region had been displaced, with thousands of civilians killed or wounded by the SPLA-United. Nuer communities felt the devastating repercussions from revenge raids by Garang's SPLA.⁸⁴ This intra-southern fighting continued throughout much of the 1990s.

With bloodletting preoccupying the South, the government felt a military victory was tantalizingly close. Iran's President Rafsanjani visited Khartoum in December 1991,

⁸¹ Douglas H. Johnson and Gerard Prunier, "The Foundation and Expansion of the Sudan People's Liberation Army" in M.W. Daly and Ahmad Alawad Sikainga (eds), *Civil War in the Sudan* (New York, 1993), p.139.

⁸² Millard Burr and Robert O. Collins, *Requiem for the Sudan* (Boulder, 1995), p.296.

⁸³ Ann Mosely Lesch, *The Sudan: Contested National Identities* (Bloomington, 1998), p.157.

⁸⁴ Jok Madut Jok and Sharon Elaine Hutchinson, "Sudan's Prolonged Second Civil War and the Militarization of Nuer and Dinka Ethnic Identities", *African Studies Review*, September, 1999, p.128

declared the civil war a *jihad* and signed military protocols, including one promising to pay for U.S. \$300 million in Chinese military material.⁸⁵ The new weapons allowed the army to mount a forefront offensive in February 1992, and by mid-year the SPLA was on the defensive.⁸⁶ The bloodshed and the SPLA's decline led to a proliferation of third-party mediation attempts. Talks convened in Abuja, Nigeria from 26 May to 4 June 1992 with the government and both the SPLA and the SPLA-United attended. The government insisted that SPLA-United have its own delegation; in an effort to play the rebel factions against one another.⁸⁷ In fact, on 25 January 1992 Lam Akol of the SPLM-United signed an agreement with Dr. Ali al-Hajj Muhammad of the government in Frankfurt, Germany. The agreement led to a cease-fire between the army and the SPLA-United, which allowed government forces to use land controlled by the dissident rebel group to attack SPLA positions. The government promised an interim period during which a referendum would be held so the people of the south could "freely choose the political and constitutional status that accords with their national aspirations without ruling out any option". The talks were doomed. The government came prepared to make no concessions because of its military success. The SPLA was in a weak bargaining position.

Though international pressure caused the Abuja talks to resume approximately a year later, the sides deadlocked again on the hot-button issues: religion and state; the political system and security during an interim period; socio-economic policies; and a referendum

⁸⁵ Millard Burr and Robert O. Collins, *Requiem for the Sudan* (Boulder, 1995), p.306

⁸⁶ *Ibid*

⁸⁷ See Ann Mosely Lesch, *The Sudan: Contested National Identities* (Bloomington, 1998), p.173. The government failed to follow through on all promises made to SPLA-United at Frankfurt.

on self-determination.⁸⁸ In 1994 Riak changed the name of his movement from SPLA-United to the Southern Sudan Independence Movement. Unable to secure weapons abroad, he increasingly turned to Khartoum to maintain his fight against Garang. Consequently, the fighting between Dinka and Nuer intensified. In April 1996, Riak and other former SPLA officers and politicians negotiated a "Peace Charter" with the government. A year later it was transformed into a formal "Peace Agreement" that offered vague promises that "a regional referendum on southern Sudanese independence would take place after an 'interim period' of four years in exchange for Riak's cooperation in merging his remaining forces with the national army".⁸⁹ Despite the bitter Dinka-Nuer divisions in the south throughout the mid- 1990s, the SPLA increased contacts with the National Democratic Alliance, in a partnership based on a shared antipathy for the National Islamic Front government. This relationship made for strange bedfellows. In the late 1980s several of the allies had been adversaries, specifically when Sadiq al-Mahdi prosecuted the war against the SPLA. But Bashir's crackdown on all opposition and introduction of *jihad* forced an alliance of necessity. Commitments were made to overthrow the government, hold a constitutional conference and establish a democratic government with the active participation of all members of the National Democratic Alliance. Though general principles were easily agreed, the details of an interim government and a constitution produced fierce debate and threatened to disband the loose alliance.

⁸⁸ Ann Mosely Lesch, *The Sudan: Contested National Identities* (Bloomington, 1998), p.178.

⁸⁹ Jok Madut Jok and Sharon Elaine Hutchinson, "Sudan's Prolonged Second Civil War and the Militarisation of Nuer and Dinka Ethnic Identities", *African Studies Review*, September, 1999, p.129.

The SPLA feared that the northern parties had no interest in the south, were using the SPLA for its military strength and would retain Islamic law and revert to past behavior once they overthrew Bashir. The northern parties were skeptical of the SPLA's commitment to a unified Sudan. Some feared the SPLA would ultimately sign an agreement with the government that allowed for a separate south controlled by the SPLA, while conceding the north to the National Islamic Front. Throughout the mid-1990s, the National Democratic Alliance sought a formula to reconcile the divergent visions of its secularists and its religious-based political parties. Underlying mistrust continued to prevent it from becoming a more substantial political threat. Nonetheless, it provided the SPLA with important northern and southern allies after its disastrous schism. In March 1995 the Sudanese government bombed Ugandan territory, which prompted President Yoweri Museveni to break diplomatic relations and increase support for the SPLA.⁹⁰ Sudan's meddling in Eritrea and Ethiopia alienated those regimes, which consequently also began to help the rebels. The United States gave no direct assistance but provided the SPLA with moral and political support. Garang's 1995 visit to the U. S. instilled him with confidence that the rebel movement was respected by the U.S. government - an important endorsement for any rebel group constantly in search of legitimacy.⁹¹

There was only a nominal change when Sudan's government transformed itself in 1993 from a military to a civilian one. President Bashir ruled with behind-the-scenes help from Hassan al-Turabi and other National Islamic Front hard-liners. Bashir held elections for the first time in March 1996, although they were widely boycotted by the National

⁹⁰ Ann Mosely Lesch, *The Sudan: Contested National Identities* (Bloomington, 1998), p.185

⁹¹ The Economist Intelligence Unit, *Country Report: Sudan*, 1996.

Democratic Alliance political parties and other opposition groups and deemed illegitimate by most international observers . Not surprisingly, he won 75.7 per cent of the vote, with only an estimated 7 to 15 per cent of eligible voters in Khartoum going to the polls.⁹² Turabi was elected unopposed Speaker of the National Assembly. The entrenchment of National Islamic Front influence constrained the regime's policy options to a degree. Bashir pursued the *jihad* with a vengeance, declaring, "The basic Islamic agenda of the regime will not change. Islam is the cornerstone of our policy. . . "⁹³ This was a time of intense isolation for the government .Support for Iraq during the Gulf War, the extreme Islamist agenda and a policy of harbouring terrorists, including Osama bin Laden, alienated many former allies.

In 1995 the SPLA mounted its first major offensive since its expulsion from Ethiopia and won a series of victories over the ensuing two years. In July 1997, under heavy military and sustained international pressure, the government finally agreed to negotiate on the basis of the Inter-Governmental Authority on Development (IGAD) Declaration of Principles.⁹⁴ The environment of political repression and authoritarian rule continued throughout the 1990s. Late in the decade, a combination of military pressure and international isolation induced the government to institute cosmetic political and human rights reforms that led many in the international community to conclude that fundamental change was coming. In May 1998, the government adopted a new constitution, which

⁹² Ann Mosely Lesch, *The Sudan: Contested National Identities* (Bloomington,1998),p.125.In the highly controlled December 2000 election, the government won 270 out of 360 seats in parliament, a body that largely remains a rubber stamp for Bashir and the National Islamic Front party leadership.

⁹³ Ibid.

⁹⁴ Ann Mosely Lesch, "Sudan: The Torn Country", *Current History*, May 1999, p.220. For further discussion of the IGAD peace initiative and principles see especially Chapter 6.

promised basic liberties, such as freedom of religion, freedom of association and self-determination for southern Sudan. However, these reforms were implemented in very limited, manipulative and politically controlled fashion. In December 1999 President Bashir declared a new state of emergency, dismissed Turabi as Speaker of Parliament, and dissolved that body only two days before it was to vote on a bill - crafted by Turabi - designed to reduce presidential powers.⁹⁵

2.5 Gender based impact of the war in Southern Sudan

The gender impact of war can be analyzed and categorized into physical effects, economic and social effects. It is to be noted that the effects are experienced during war and post war periods. Below is a discussion of these effects and a brief analysis of the policy framework to address these effects.

Sudanese women and girls account for a smaller percentage of casualties from landmines and unexploded munitions than their counterparts, men and boys⁹⁶. However, as a result of socio-cultural perceptions the consequences for Sudan female victims are different. They continue to suffer stigma and rejection and may also have less access to prosthetic and rehabilitation services. Anti-personnel landmines and other explosive remnants of war (ERW) strike blindly and senselessly, often injuring civilians more than any other victims. Long after the fighting stopped, mines continued to cause death and destruction and when they don't kill, the injuries they cause are particularly horrific, disabling

⁹⁵ U.S. State Department Country Report on Human Rights Practices, Sudan, 1999, available at www.state.gov.

⁹⁶ ICRC Report, 2005: *Women and war*:

survivors for life⁹⁷. Most victims of mines and unexploded ordnance are Sudanese men who were working outdoors at the time of the accident. Sudanese women and girls tend to remain in or around their homes, and are thus less likely to be exposed. Nevertheless, going about their daily routine puts them in harm's way. In many regions of Sudan, women must venture beyond the perimeters of their town or village to find food, water and firewood. Populations fleeing violence and threats, mostly women and children, are particularly vulnerable to landmines in border areas. Higher rates of illiteracy and less contact with the public sphere mean that Sudanese women and girls may not get enough information about the threat of mines.⁹⁸

The implications of landmine injuries for women in general and Sudanese women in particular are often worse than for men. Women are more likely to be valued for their physical appearance, meaning that if they are perceived to be disabled, they may be deemed unmarriageable or deserted by their husbands and left to support their children alone. Their status in society and their self-esteem suffer when they can no longer carry out childcare or household duties. Destitution may reduce them to begging or leave them particularly vulnerable to ill-treatment, sexual exploitation or prostitution.⁹⁹

Women today enlist more frequently and play a greater role in military combat and support operations. In the United States military, for example, around 15 per cent of

⁹⁷ ICRC Women and War team (2004). *Addressing the Needs of Women Affected by Armed Conflict*. Geneva: ICRC, pp. 59 - 60

⁹⁸ Ibid

⁹⁹ *Violence Against Girls and Women: A Public Health Priority*. UNFPA. 1999.

service personnel are women¹⁰⁰. Similarly, an increasing number of women are fighting in armed groups: in Nepal, women reportedly make up about one third of the Maoist fighting forces. Reasons why women take up arms vary. Some, like men, are recruited by the regular armed forces of their country. Others join government forces or armed groups for their own protection or that of their families, food, social standing, or for political reasons. Still others may join to gain equal status with men or because their husband is already a member and combatant of a particular group. Women are generally more likely to take up arms when they have no family or are living in extreme poverty.

Majority of women in Sudan join armed groups completely against their will. However, the Sudanese women and girls abducted by armed groups don't always participate directly in the fighting; many end up as sex slaves, or cooking and cleaning in the camps. Forced recruitment is a way to terrorize civilians. It's a vicious cycle, often turning abductees into hardened killers by forcing them to commit monstrous acts. In some armed groups the first assignment given to a new recruit is to attack her own village or murder a family member, so that desertion is not an option. The more violations they commit, including abhorrent crimes against civilians, the more likely they are to rise through the ranks. They may become dependent on the groups that recruited them. Many develop addictions to drugs and alcohol, supplied to induce aggression and fearlessness.¹⁰¹

¹⁰⁰ Kari Karamé (1999): 'Women and War: a highly complex interrelation' in Helland, Karamé, Kristensen and Kjelsbæk eds: *Women and Armed Conflicts*. A study for the Ministry of Foreign Affairs, Oslo, NUPI, pp.4-35

¹⁰¹ *Violence Against Girls and Women: A Public Health Priority*. UNFPA. 1999.

When the fighting stopped, female fighters in general and specifically women in Sudan often found it difficult to return to civilian society. In southern Sudan, many female ex-combatants express their frustration at the uncertainty of their future. For them, it's difficult to return to the community after demobilization and become a civilian again. Rejection by the community for having affronted female stereotypes and traditional values is one of the greatest obstacles to successful reintegration.¹⁰² Unlike men for whom military service is generally a source of pride, women are believed to be unsuited to such a role and thus risk marginalization. In many societies, women attain economic and social status through marriage. After war, the scarcity of men or rejection of a girl who has taken part in the conflict, willingly or not, can limit or end her chances of finding a husband. And some women may return home as single mothers, with all the various issues this raises for many communities.¹⁰³

It is estimated that women represent only 4 to 5 per cent of the prison population around the world. The number of women held in relation to an armed conflict is even lower, which reflects the fact that women constitute a minority in armed forces and groups. Even when they are members, they may not be allowed to fight on the front line, which reduces the risk they will be captured.¹⁰⁴ Also, male civilians are more likely to be perceived as combatants or potential combatants and hence detained or interned for security reasons. While there are fewer Sudanese women than men in detention, their conditions are no better. All detainees must cope with separation from their family and

¹⁰² Donald Horowitz: 1985. *Ethnic Groups in Conflict*: university of California Press: Berkely 1985

¹⁰³ Post modernist Feminism influenced by French thinkers such as Michael Foucault , Jacques Derrida and others made significant shift from analyzing women's position in the world of work and the sexual division of labor to the analysis of identity construction

¹⁰⁴ Thomas Schelling. 1960. *The Strategy of conflict*: Havard Univeristy Press

friends, but women may be particularly affected. Women's prisons are rare in Sudan¹⁰⁵. Many Sudanese women therefore end up far from their families and far from the court in charge of their trial. Alternatively, Sudanese female detainees may be held in the same prisons as men, which can have a negative impact on their situation.

Rape as a method of warfare in Sudan

Rape is considered to be a method of warfare when armed forces or groups use it to torture, injure, extract information, degrade, displace, intimidate, punish or simply to destroy the fabric of the community. The mere threat of sexual violence can cause entire communities to flee their homes. By violating women, the Sudan Government arms bearers are able to humiliate and demoralize the men who could not protect them. Where the integrity of the community and the family is perceived as bound up in the "virtue" of women, rape can be used as a deliberate tactic to destabilize families and communities.¹⁰⁶ As in many contexts a woman who has been raped is believed to have brought dishonor upon her family or community, victims may be abandoned or even killed to salvage the family's reputation, a so-called "honor" killing. Victims of sexual violence may also be rejected by their community on the assumption that they have been infected with HIV/Aids.

When considering the impact of war on health, physical injuries come to mind first. But war also undermines access to food, clean drinking water, adequate shelter, sanitary

¹⁰⁵ Donald Parkhurst.2000. Women, Gender and Peace Building. Working Paper No.5. Department of Peace Studies, University of Bradford, Bradford p.11

¹⁰⁶ S Maguire .1998. 'Researching a "Family Affair"'. Domestic Violence in former Yugoslavia and Albania in C Sweetman, ed. Violence against women. Oxfam publications: Oxford.

facilities and health services; as a consequence, the risk of epidemics and nutritional problems is much higher. Women in general and Sudanese health often suffered in times of armed conflict, in particular their reproductive health. The age at which women or girls become sexually active, the frequency of their pregnancies and the quality of the care they receive during pregnancy are critical factors in determining their state of health. All of the above was severely affected by armed conflict. Even if Sudanese women normally have access to family planning services, they were deprived of means of contraception when they were forced to flee, leading to a higher frequency of pregnancies. A sharp increase in rape, sexual exploitation and sex for survival during war lead to more early pregnancies and put Sudanese women at greater risk of HIV/Aids or other sexually transmitted infections. Pregnant women and nursing mothers found that there was limited ante and postnatal care available, and little or no medical assistance for the delivery itself.

This often resulted in higher maternal mortality rates. For all women, reproductive health care is essential and normally covers the following areas: antenatal, obstetric and postnatal care, family planning, and the prevention and treatment of sexually transmitted infections (including HIV/Aids). Since some or all of these services were not available in times of conflict, problems went untreated, which resulted to severe consequences for Sudanese women. It was especially common for maternity services to be neglected. The immunization of pregnant women and children was another very important facet of

maternal and child health services; yet all too often the Sudan conflict disrupted national immunization campaigns if at all they existed.¹⁰⁷

Break down of the social fabric

Millions of people worldwide have been brutally uprooted from their homes and livelihoods. As a result, they often find themselves living in difficult conditions with inadequate access to food, water, shelter and health care. Displaced women in Sudan had to manage alone and assume extra responsibilities, which took its toll on their health and put them at greater risk of sexual violence and abuse. In the chaos and panic of displacement, which all too often took place on foot, families became separated.¹⁰⁸ This created a number of problems for Sudanese women and exposed them to various hazards. In some of Sudan traditional cultures they were not permitted to travel unless accompanied by their husband or a male family member. Many did not have the necessary personal documentation to cross checkpoints or international borders. They were stopped, harassed, or subjected to humiliating body searches. For the Sudanese women, life was centered on the home and the community, so leaving their land and traditions was extremely traumatic. This upheaval resulted in a loss of identity and status, especially when combined with the disintegration of the family unit.¹⁰⁹

¹⁰⁷ Cynthia Cockburn.1999. "Gender Armed Conflict and political Violence", Paper presented at a workshop in Gender, Armed Conflict and political Violence" paper presented in at a workshop on Gender, Armed Conflict and political violence. The World Bank, Washington D.C.

¹⁰⁸ Kabeer, Naila, "Gender, Development and Training: Raising Awareness in Development Learning" paper presented at National Labor Institute.

¹⁰⁹ M Zalewsky.1995. "Feminism and war. Well, what is the feminist perspective on Bosnia?" International Affairs, Vol.71.No.2 p.347

For hundreds of thousands of Sudanese women, one of the worst consequences of armed conflict was the long and agonizing wait for news about their relatives. In the Sudan war, countless people lost touch with their loved ones. The reasons for this varied. Families became separated while seeking refuge from the violence. Displacement often prevented people from sending news to their next of kin. Civilians may have been abducted or arrested and held incommunicado. Children may have been forcibly recruited, imprisoned or even hastily adopted. While many attempts to restore contact between family members and establish the fate of missing relatives are successful, for others the uncertainty goes on. Anguish over the fate of missing family members is often a harsh reality for families long after a conflict has ended. Since the vast majority of those who disappear or are killed are men (usually of a military age, although many have not taken up arms), the burden and pain of trying to ascertain their fate and whereabouts fell to their Sudanese female relatives.¹¹⁰

2.6 Economic effects of the war

The economic effects of the war may be construed to include the loss of current earnings as well as the capacity to earn in the future. Loss of earnings came about through jobs lost through war. In addition, poverty of women is also brought about by missing breadwinners who are either killed in the battlefield or go to fight never to return.

When Sudanese men were absent – participating in the fighting, detained, fleeing or dead – the burden of providing for the basic needs of their families fell to women, with various

¹¹⁰ Skjelsback, I. And Smith, D. 2001, "Introduction in Gender, Peace and conflict". Sage Publications: London, Thousand Oaks, New Delhi

spillover effects for their daughters. They were compelled to take on new responsibilities, often including heavy chores, and additional roles within the family and the community – roles which often challenge and redefine their cultural and social identities.¹¹¹ These changes in the roles ascribed to girls can sometimes be seen as positive developments; girls do mature more quickly when faced with armed conflict and acquire new levels of responsibility and independence. Yet it is important to weigh these benefits against the loss, poverty and deprivation endemic to war, and the fact that in many societies' women and girls still only gain economic and social status through marriage.¹¹² The lack of marriage prospects – because there are too few men or because society rejects girls who have been abused or have played a role in hostilities – can have huge implications.

When the missing person is the household breadwinner, Sudanese wives and mothers had to find ways to support the family, often facing a life of poverty – a situation that was exacerbated by the low social status and marginalization they suffered in the society. Many lacked a trade or source of income that would enable them to provide for their dependants. Furthermore, their legal status was unclear, since they were no longer wives yet not officially widows.¹¹³ Some countries allow years to pass before declaring a person officially dead or absent. Without the proper documentation, women cannot claim an inheritance, seek guardianship of children, access property or even remarry. Women may

¹¹¹ Cynthia Cockburn.1999. "Gender Armed Conflict and political Violence", Paper presented at a workshop on Gender, Armed Conflict and Political Violence". The World Bank. Washington D.C.

¹¹² M Zalewsky.1995. "Feminism and War. Well, what is the feminist perspective on Bosnia?" International Affairs, Vol.71.No.2 p.347

¹¹³ Kabeer, Naila, "Gender, Development and Training: Raising Awareness in development Learning" paper presented at National Labor Institute.

not be able to seek help from the authorities due to financial constraints, safety concerns, cultural barriers or a lack of information.¹¹⁴

Like all other children in times of war/ conflict, the hardship Sudanese children endured during the war strikes at the very heart of childhood. Conflict in Sudan killed thousands of girls and boys and disabled many more – through injury, disease or malnutrition. The experience of war harmed children’s physical development while the violence they witnessed inevitably had a psychological impact. Then Sudan War deprived girls and boys of family members, educational opportunities and health services, as well as carefree time spent with friends in the playground.¹¹⁵ Girls per se were vulnerable in the Sudan armed conflicts, but the younger they were, the more vulnerable they were. As children, they can be categorized as vulnerable by virtue of their age, their stage of development and their dependence on others for their well-being. As females, they may face the same discrimination, challenges and risks that women are exposed to.

It is widely accepted that in any society, girls’ safety depends largely on the traditional protection afforded to them by their families and communities. However, during conflict, communities and families are fragile, and hence unable to offer this much needed protection. The Sudan scenario is no different. During the Sudan war, young girls were forced to flee their homes, and in the chaos some children became separated from their parents. Children and girls in particular were frequently exposed to threats of abduction, sexual abuse or violence from members of military forces or armed groups, or other men,

¹¹⁴ S Maguire .1998. ‘Researching a “Family Affair”. Domestic Violence in former Yugoslavia and Albania in C Sweetman, ed. Violence against women. Oxfam publications: Oxford.

¹¹⁵ Donald Parkhurst.2000. Women, Gender and peace building. Working Paper No.5. Department of Peace Studies, University of Brandford, Brandford p.11

including those who were supposed to be protecting them.¹¹⁶ Arms bearers often abducted Sudanese girls to fight or to serve as forced labor - to cook, clean and fetch water and firewood and sometimes as sexual slaves. All of the above left the girls vulnerable to sexual violence, which often has even more serious consequences for girls than for women. The violence of the act combined with their physical immaturity increases the likelihood of physical trauma and of sexually transmitted infections such as HIV/Aids. In some cultures in Sudan, rape victims were considered unmarriageable, meaning that a girl's entire future in her community was jeopardized.¹¹⁷

Early pregnancy, often a result of rape or exploitation, posed a serious threat to Sudanese girls' health. Girls who became pregnant prematurely were at greater risk of complications and death, especially as medical services were often scarce in wartime. Motherhood at a young age also has profound socioeconomic implications, since girls encumbered by child rearing are generally unable to complete their education and are thus consigned to a lifetime of poverty.¹¹⁸

2.7 Conclusion

In conclusion, the Southern Sudan war was caused by a multiplicity of factors raging from religion intolerance, economic agendas from both the Khartoum government and outsiders, globalization as well as local ethnicity. The effects of the war have been not only sociological; they have also been physical and economic. In relation to this, the social fabric has been torn, education halted and healthcare abandoned. Women, men and

¹¹⁶ UNFPA. 1999. *Violence Against Girls and Women: A Public Health Priority*.

¹¹⁷ ICRC Report, 2005: *Women and war*:

¹¹⁸ Ibid

children have been killed, detained, mutilated and raped. The war has led to the loss of livelihoods and increased poverty. Finally, this chapter notes that women and girl children in Southern Sudan have been mostly affected by the war due to their vulnerability as a disintegrated society affords them little or no protection.

CHAPTER THREE

EFFECTIVENESS OF TRADITIONAL STRUCTURES IN SUDAN'S CONFLICT MANAGEMENT PROCESS

3.1 Introduction

Chapter three endeavours to introduce and discuss selected concepts of conflict management including conflict prevention and conflict resolution. It strives to expound on the role of local structures for conflict management in Sudan as well as providing highlights to the inner workings of the local traditional peace processes and their limitations to the management and resolving the Sudan's north-south conflict hence the necessity of the IGAD peace process. In order to appreciate the difference between the two peace structures, it is important to discuss various terminologies of conflict management such as conflict prevention, conflict management mechanisms and conflict resolution mechanisms.

3.2 Conflict management and conflict resolution

Tanner¹¹⁹ has defined conflict management as the limitation, mitigation and /or containment of as conflict without necessary resolving it. Wallenstein¹²⁰ has also defined conflict management as a change in the mode of interaction from destructive to constructive. Swanstrom further asserts that the process of conflict becomes the foundation for more effective conflict resolution. In sum, it could be argued that conflict

¹¹⁹ Tanner Fred, 2000, " Conflict prevention and conflict resolution: limits of multilateralism", International review of the Red Cross, Vol 82;541-559

¹²⁰ Walenstein Peter,1981, " Incompatibility confrontation and war: Four Models and Three historical systems 1816-1976", Journal of Peace Research , No. 1vol xviii

management and conflict resolution are two mechanisms at different sides of a continuum, which are used to deal with the same conflict in different settings.¹²¹

Conflict management indicates in the first instance the perspective of the so called “third party” (a mediator, conflict advisor, conflict manager, or supervisor), which is called to help, or engages itself after its own incentive, in order to provide assistance to both conflict parties (and eventually one of them). One can speak about conflict dealing also when during the conflict both parties look for a consensual solution, without asking for an external assistance. The forms of approaching and dealing with conflicts could be of very different nature. What then is a conflict management mechanism?

The basis for a definition can be found in what makes parties accept a solution, since without the acceptance of a mechanism, there can be no conflict management. Galtung¹²² has argued that “one way of accepting the mechanism lies in its institutionalization”. This means that there would be a lesser acceptance of ad hoc mechanism, and it is only mechanisms that have reached some form of institutionalization that are accepted, both for formal and informal mechanisms.

According to Swanstrom, conflict management mechanism can thus be defined as an institutionalized instrument under which the information is coded and decoded to offer a solution to a problem. Further, he distinguishes between formal and informal conflict

¹²¹ Swanstrom, “Regional Cooperation and conflict management: lessons from the Pacific Rim”. Department of Peace and Conflict Research; Report No. 64, 298 pp-Uppsala. ISBN 91-506-1632-3

¹²² Johan Galtung, “Violence, peace and peace research” in *Journal of Peace Research*, Vol. 6, No. 3 (Oslo: International Peace Research Institute, 1969).

management mechanisms. Accordingly, formal conflict management mechanisms are institutionalized structures aimed at minimizing disputes through rule based regulations whereas informal conflict management mechanisms are institutionalized structures aimed at minimizing disputes through negotiations in a power or consensus based way.¹²³ The same structure will apply for conflict resolution, with the exception that conflict resolution is always rule based.

Thus it would not be possible to operationalize an informal conflict resolution mechanism since no disputing parties would accept a resolution mechanism without any predictability or formality.¹²⁴

3.3 Effectiveness of traditional structures in Sudan conflict management

Indigenous conflict mitigation mechanisms¹²⁵ can address some of the proximate factors that help fuel conflict at the local level—access to land or water, competition over foreign assistance—and can provide appropriate, sustainable and long-term solutions. While local Sudan peace processes were not able to stop a large conflict, they helped prevent small disputes from escalating into larger conflicts. Many communities in Sudan perceive conflict resolution activities directed by outsiders as intrusive and unresponsive to indigenous concepts of justice, and prefer to resolve conflicts within the community.

¹²³ Swanstrom, "Regional Cooperation and conflict management: lessons from the Pacific Rim". Department of Peace and Conflict Research; Report No. 64, 298 pp-Uppsala. ISBN 91-506-1632-3

¹²⁴ *ibid*

¹²⁵ John Paul Lederach. *Building Peace: Sustainable Reconciliation in Divided Societies*. Pg 56: Tokyo: United Nations University, 1994.

Conflict management mediators from the Sudan local community were generally more sensitive to local needs than outsiders and were immersed in the culture of the violence-afflicted community. Their activities were rooted in conflict's context, addressed some of its immediate causes, and therefore brought long-term solutions. They drew people away from the conflict, breaking its momentum.¹²⁶ Indigenous conflict management and resolution mechanisms in Sudan aimed to resolve conflicts locally, preceding or replacing external dispute resolution and thereby reducing reliance on external structures. Traditional mediation helped the community keep control over the outcome of the dispute.

Implementing this approach did not require sophisticated party structures or expensive campaigns; it provided a low-cost, empowering means of resolving conflicts within a relatively short timeframe. In many societies, elders had traditional jurisdiction in facilitation, arbitration, and monitoring outcomes. Local conflict mediators typically possessed moral status, seniority, neutrality and respect of the community; they were acceptable to all parties and demonstrated leadership capacity. Resolutions were generally accepted and respected by all concerned parties.

Documentation on the effectiveness of Sudan grassroots conflict prevention mechanisms is inconsistent¹²⁷, yet indicate that indigenous mediation may be powerless to address some of a conflict's root causes—centrally-instigated conflict, predatory behaviour linked to exploiting economic advantage, external meddling. Indigenous mediators often bring

¹²⁶ *ibid*

¹²⁷ Rahim Afzahir, 2000, "Empirical studies on Managing Conflict". International Journal of conflict management. Vol II

important social influence but may lack the power and the means to enforce the resolutions adopted. Advice is only accepted when both parties agree to it, and both parties must feel their concerns were properly addressed. Traditional structures' power to prevent the occurrence of violence is hence limited.

Some of Sudan traditional conflict mitigation efforts were weakened by age or gender bias—for example, in cases with no women elders, some women believed that male elders were biased against women and that this was reflected in their decisions. Indigenous, traditional authorities generally were not progressive elements of social change.¹²⁸ Local conflict management's potential effectiveness was diminished where traditional authority had eroded and armed authority had increased. This is so simply because these trends run counter to traditional values and ways of social organization, including those of handling conflict.

International agencies' efforts to build local capacity and enhance participation in Sudan should question whether traditional authority structures are being undermined, what their role is in keeping the society intact and managing conflict, and whether it is important to make efforts to retain such structures. Indigenous mediation has a dynamic of its own and does not always respond positively to external prompting. Indigenous mediation requires delicate and knowledgeable management, and external actors must bring an intimate understanding of local conditions.¹²⁹

¹²⁸ Ibid

¹²⁹ Ibid

The process of strengthening international and regional institutions has neglected internal solutions. Conflict is inherent in society; so are mechanisms for dealing with it. The decline of traditional authority and its role in conflict mediation has contributed to the development of large-scale conflict (as in Liberia, Somalia and Sudan).¹³⁰ In other cases (Rwanda and, to a lesser extent, Burundi) the parties to broader conflicts have subverted traditional mediation mechanisms or included them in the conflict. External initiatives can renew indigenous forms of peacemaking and conflict resolution to restore the balance in society that was destroyed by modern internal war. Such work must rebuild indigenous peacemaking capacity from the bottom up, and from the periphery in.

Traditional mechanisms have been less effective in areas where foreign aid resources were heavily concentrated; such aid may have stimulated conflict and undermined local structures and mechanisms. High-profile peace fora financed and organized by external parties may interfere with more than assist in producing plausible settlements, especially if conducted without coordinating with local non-military leaders. At the national or international level, such efforts may require external support, such as logistical assistance, and probably should be accompanied by other actions to prevent the immediate outbreak of violence.¹³¹

3.4 Conclusion

The chapter expounded on the role of local structures for conflict management in Sudan and provided highlights to the inner workings of the local traditional peace processes and

¹³⁰ Reimann, Cordula (2005), "Assessing the state-of-the-art in conflict transformation", in David Bloomfield/Martina Fischer/Beatrix Schmelzle (eds.), *Berghof handbook for conflict transformation*, Berlin, [http://www. Berghofhandbook. Net/articles/reimann_ handbook. pdf](http://www.Berghofhandbook.Net/articles/reimann_handbook.pdf).

¹³¹ Ibid

their limitations to the management and resolving the Sudan's north-south conflict hence the necessity of the Track I peace process. The chapter concludes that while local Sudan peace processes were not able to stop a large conflict, they helped prevent small disputes from escalating into larger conflicts. However, local conflict management's potential effectiveness was diminished where traditional authority had eroded and armed authority had increased. This is so simply because these trends run counter to traditional values and ways of social organization, including those of handling conflict. Similarly local conflict management was driven mainly by women or women organizations, making it to be viewed as a women's agenda. The next chapter will discuss the IGAD II peace process, its origin and the challenges the peace process faced in its quest for sustainable peace.

CHAPTER FOUR

AN ANALYSIS OF THE IGAD II PEACE PROCESS

4.1 Introduction

The chapter discusses the IGAD II peace process, its origin and the challenges the peace process faced in its quest for sustainable peace. It analyzes the Machakos protocol as well as the Naivasha protocol. The chapter also looks at the weakness of the IGAD II peace process.

The Inter-Governmental Authority on Drought and Desertification, (IGADD) was established in 1986 with a narrow mandate around drought and desertification, which caused periodic widespread famine, ecological degradation and economic hardship in the region.¹³² In 1994 IGADD started to undertake conflict management tasks when the Authority hosted and facilitated negotiating sessions between the Sudanese government in Khartoum and the rebel forces from Southern Sudan in an attempt to end the civil war. This led to the change in the name in April 1995 to IGAD and the creation of a department for conflict management.¹³³

4.2 The IGAD II Peace Process

Sudan has suffered war for most of its existence as an independent state and many hoped the Comprehensive Peace Agreement (CPA) of 9 January 2005 would not only end the long-running southern civil war, but would provide the momentum and serve as a model

¹³² Ibid

¹³³ Ibid

for resolving other conflicts in the country¹³⁴. While speculation is still out on whether the CPA will survive until the 2011 referendum on Southern self-determination, it has not served as the stimulus to end the war and humanitarian crisis in Darfur. Nor to date has the CPA advanced any reconciliation between the people of North and South Sudan, provided hope that its commitment to 'make unity attractive' is being fulfilled, or is ushering in a democratic transformation of the country.

There is a widespread acceptance that the CPA and the broader peace process it fostered is at best stalling, or at worst is collapsing. Indeed, on 13 April 2007 at a meeting in Nairobi the IGAD Council of Ministers concluded that the implementation of the CPA was 'lagging behind schedule' and urged an extraordinary meeting of the IGAD Heads of States was to be held to consider the problem¹³⁵

IGAD's engagement in the Sudan peace process began on 7 September 1993 when it established a Standing Committee on Peace to assist negotiations and end Sudan's civil war. A Declaration of Principles (DoP) was proposed and quickly accepted by the SPLM/A as a basis for negotiations, but was not endorsed by GoS until 1998. By this time the peace process was floundering and in an effort to re-activate it the mandate was renewed by the IGAD Sub-Ministerial Committee on the Conflict in Sudan¹³⁶. This Committee established a 'Secretariat for the IGAD Peace Process on the Sudan' based in

¹³⁴ Young, John. 'Sudan IGAD Peace Process and Sign Posts for the Way Forward' African Studies Programme. Institute of Security Studies. Occasional Paper 86. Institute of Security Studies. Pretoria. March 2004.

¹³⁵ Ibid

¹³⁶ Young, John. 'Sudan: A Flawed Peace Process Leading to a Flawed Peace,' *Review of African Political Economy*. No. 103. Vol. 32. 2005.

Nairobi with the mandate 'to carry out continuous and sustained mediation efforts with a view to arriving at a peaceful resolution of the conflict'. This phase of the peace process led by Special Envoy Ambassador Daniel Mboya also floundered and the next and final phase – which is the subject of this evaluation - began under Special Envoy Lt. General Lazaro Sumbeiywo in May 2002¹³⁷.

On 20 July 2002 the Government of Sudan and the SPLM/A signed the Machakos Protocol as a framework for the conduct of the negotiations and after two and one half years of negotiations endorsed the CPA.¹³⁸ The Sudan mediation under Special Envoy Sumbeiywo was widely appreciated for its effective management of the process and financial accountability, particularly when measured against earlier weaknesses of the IGAD mediation. The mediation was also applauded for its impartiality, success in maintaining the integrity of the process, the generally positive role of the advisors, resource people and ambassador envoys from the region, achieving good relations with the donors, and the steady production of protocols that culminated in the CPA, and these will be duly noted and commented on as lessons to be learned.

The mediation also linked together the parties to the conflict, IGAD as the regional organisation, and elements in the international community in an innovative structure¹³⁹. However, the Sudan peace process is in a state of crisis which is not simply due to failures in the implementation of the agreement, but is a result of its narrow approach and

¹³⁷ Ibid

¹³⁸ Ibid

¹³⁹ W. Waihenya. *The Mediator: Gen. Lazaro Sumbeiywo and the Southern Sudan Peace Process*. Nairobi. Kenway Publications. 2006.

short-sighted vision¹⁴⁰. By assuming a limited definition of peace, focusing solely on the north-south dimension of the conflict, refusing to involve other political parties and civil society, treating the media as a threat to the process, and leaving the fate of the process to SPLM/A leader Dr. John Garang and First Vice President Ali Osman Taha, it was successful in reaching an agreement based on an acceptance of the lowest common denominators of the parties.

4.3 The Weakness of the IGAD II Mediation Process

But this approach largely precluded the realisation of its own stated objectives, which included a sustainable peace, Sudan's democratic transformation, and making unity attractive.¹⁴¹ The weaknesses of the IGAD mediation include: 1) Lack of inclusivity of interested parties in southern Sudan, notably civil society and other political parties, and at the national level for a peace process that claimed to be comprehensive. The result is an agreement that is effectively a bilateral arrangement between the SPLM and the NCP for which most people in Sudan feel no sense of ownership. 2) The peace process never developed trust and understanding between the parties, and in its absence and the failure to commit to wide-ranging reconciliation, the mediation followed Western practice and emphasised legal requirements and time-tables. But the great number of bodies and commissions formed to regulate, monitor, and adjudicate disputes have not managed to overcome the lack of trust between the SPLM and the GoS, and as a result the implementation of the agreement is far behind schedule. 3) The elitist approach of the

¹⁴⁰ Young, John. 'Sudan's Peace Process: Laying the Basis for Future Conflict.' Conference on Peace and Security in the Horn of Africa. Inter-Africa Group and the Center for Policy Research & Dialogue. Addis Ababa. 12-13 March 2007.

¹⁴¹ *ibid*

mediation was also manifest in its disdain for the media. Instead of viewing the media as a partner in the peace process, a valued critic, and a crucial instrument with which to engage the Sudanese public and provide a measure of accountability, it was treated as an enemy and a threat. 4) The lack of inclusivity of the peace process means that the Sudanese people can only pass judgement on the CPA through national elections, but the elections have been delayed and the difficulties in demarcating the north-south border and ending the conflict in Darfur may result in a further postponement. In addition, the development of a democratic culture conducive for the holding of fair elections has not been permitted to emerge in either north or south Sudan where security regimes dominate. Lastly, the National Assembly has passed legislation that prohibits parties participating in the national election unless they endorse the CPA, thus precluding a negative assessment of the agreement. 5) The narrow focus of the mediation and the emphasis on reaching an agreement meant its implications were not fully appreciated. Thus the agreement to dissolve OAGs threatened to unleash a war between the SPLA and the South Sudan Defence Force, while the power sharing arrangement which gave the SPLM and the NCP the lion's share of state power undermined efforts to reach a settlement in Darfur and have encouraged secessionist sentiments in the country. 6) While international engagement in the peace process is necessary, the mediation failed to appreciate that this engagement posed a threat to the sovereignty of Sudan and the IGAD region. The conclusion of the US and its allies that their security and the 'war on terror' necessitates heightened military and diplomatic involvement in the Horn raises fears that the region could again – as it was during the Cold War – become a focus of competition and conflict for external interests. 7) Although never stated, the mediation was carried out

on the basis of a narrow model which focused on ending the violence (many respondents referred to it as an extended cease-fire), instead of laying the basis for a sustainable and comprehensive peace in the south and the country at large.¹⁴²

The lessons to be learned from the weaknesses of the Naivasha process include the need for a strong commitment to democratic change as the cement upon which any peace agreement should be built, and that in turn necessitates a comprehensive conception of peace¹⁴³. It requires a much wider involvement in the process, robust reconciliation, and respect for the media. This approach also recognises that endemic conflict, such as that suffered in Sudan, is the result of deep seated problems which necessitate structural change. The lessons to be learned also include the need for the mediation to weigh the effect of its endeavours on other conflicts. Although the Sudan peace process needed the financing, expertise, and legitimacy provided by the international community, the injection of external foreign policy concerns into the process posed a threat to national and regional sovereignty which IGAD needs to be aware of and respond appropriately. Lastly, the experience of the Naivasha peace process makes clear that peace processes do not end with the signing of a peace agreement, but must continue into the post-conflict period.¹⁴⁴ These lessons form the basis of an alternative approach which will be longer, more complex, stress process and principles over legalised agreements, and offer no promises of success.

UNIVERSITY OF NAIROBI LIBRARY
EAST AFRICANA

¹⁴² Ibid

¹⁴³ Young, John. 'Naivasha and the Search for a Comprehensive Peace in Sudan.' Conference to launch an IGAD Strategy for Peace and Security in the Sub-region.' Khartoum. 1-3 October 2005a.

¹⁴⁴ Ibid

At the close of the sixth round of peace talks, the AU had called for stronger actions and commitments by partners and parties to the talks to include more women directly in the negotiations, and better reflect gender issues in its content. The AU has now appointed a Senior Gender Advisor to the Peace Talks, Dr Mary Maboreke, and the number of women in delegations has increased in the current round to reach a total of eight women (two from government and six from the Movement, a bloc representing the Justice and Equality Movement and the Sudan Liberation Movement).

The inclusion of women in the peace negotiations acknowledges that the women of Darfur are not only victims and survivors of violence, but also fundamental contributors to peace efforts. The "technical" status accorded to the team in the negotiations means that they are officially recognized by all parties, partners and the mediation team as a main resource to draw from on gender issues.

The successful facilitation of the team's participation has led to the Sudanese government requesting for four more women from Sudan to join the team, especially women from government ministries with specific mandates for gender issues.

4.4 Conclusion

The chapter concludes that there is a widespread acceptance that the CPA and the broader peace process it fostered is at best stalling, or at worst is collapsing. This is because the approach taken largely precluded the realisation of its own stated objectives, which included a sustainable peace, Sudan's democratic transformation, and making unity

attractive. The major challenges facing the process include lack of an all inclusive as well as the elitist approach.

CHAPTER FIVE

A CRITIQUE OF GENDER MAINSTREAMING IN THE IGAD II SUDAN

PEACE PROCESS

5.1 Introduction to gender mainstreaming

*Gender mainstreaming*¹⁴⁵ in peace process is the term used for deliberate policies and actions to ensure a focus on gender and women's issues, and the engagement of more women personnel in a peace process. The aim of this contribution is two-fold: it will describe the torturous path towards the recognition of gender mainstreaming as a tool in the delicate work for peace and security on the international level; it will then focus on the elements of successful gender mainstreaming – and what may still hamper its implementation.

Gender mainstreaming is generally defined as a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated¹⁴⁶. This requires careful consideration of the implications, for both women and men, of actions, policies and programmes. In earlier peace processes, there was no particular attention to women's needs, experiences and capacities, and thus 'gender mainstreaming' came to be used to mean a focus on so-called 'women's issues'. But current research and policy tend to include men's special needs as well, and point to the

¹⁴⁵ *Mainstreaming a Gender Perspective in Multidimensional Peace Operations, Lessons Learned Unit, Department of Peacekeeping Operations, UN, July 2000.*

¹⁴⁶ Ibid

fact that sustainable peace can be obtained only if both women's *and* men's issues are taken into consideration¹⁴⁷.

5.2 Gender mainstreaming as a quality-improving strategy

As we have noted above, the UN system generally defines 'gender mainstreaming' as a strategy aimed at addressing the concerns and experiences of both women and men. Mainstreaming gender into peace-building processes – also when the focus is on women only – necessitates assessing the implications "...for women and men of any planned action, including legislation, policies or programs, in any area and at all levels."¹⁴⁸ Four closely interrelated dimensions characterize successful gender mainstreaming: gender balance, gender awareness, cultural sensitivity and local knowledge. Quality improving strategies include formulation of legislation, policies and programs on: gender and health, gender and economic prosperity, gender and political representation, gender and environmental protection, gender and security, gender and social relations as well as gender and human rights

On the relief/work/peace operation side, in all groups and committees planning or carrying out a humanitarian assistance/ post-conflict programme, there should be a gender balance – on all levels and in all stages of the work – to ensure that the needs and

¹⁴⁷ Louise Olsson , 'Gender Mainstreaming in Practice: The United Nations Transitional Assistance Group in Namibia', in Olsson &. Tryggestad, eds. (2001), pp.97–110.

¹⁴⁸ Sumie Nakaya (2003) 'Women and Gender Equality in Peace Processes: From Women at the Negotiating Table to Postwar Structural Reforms in Guatemala and Somalia' in *Global Governance* 9 (2003), pp.459–476, at p.462.

concerns of women are taken into consideration. For the benefit of the reconstruction of the civil society, these issues should be included from the very beginning of the process. On the host-society side: local women on all levels should be integrated into the process, and their voices heeded from the first day. It must be borne in mind that 'women' do not constitute one single, homogeneous category, but are individuals who may have varying needs and aspirations¹⁴⁹. Ensuring a gender balance among the international personnel – preferably fifty per cent women – will not in itself guarantee that more attention is paid to gender issues. It is necessary to provide training for both women and men in the following three areas that are also fundamental in successful gender mainstreaming:

By this it is meant the ability to recognize and integrate a gender aspect into each and every activity. It is a combination of gender analysis and equitable action, aimed at improving the situation of the target group: individual, family, community or society. It includes awareness of changes in gender roles and the consequences of these on the relations between women and men. For instance, it has been found that domestic violence tends to rise among refugees and internally displaced persons, as well as on the return of combatants to their families¹⁵⁰. This will in turn have an impact on women's security and their capacities as agents in the peace-building process. This calls for both women and men peace operators to be trained in gender awareness.

¹⁴⁹ For further development of this point, see Nakaya (2003), pp.461–463.

¹⁵⁰ Julie A. Mertus (2000) *War's Offensive on Women: The Humanitarian Challenge in Bosnia, Kosovo, and Afghanistan*, Bloomfield, CT., Kumarian Press, Inc., p.97.

Peace and humanitarian operations usually take place in countries with cultural values different from those of the international personnel. For the success of the mission, it is important to avoid cultural conflicts with the host society. Such conflicts often concern contacts between foreign male personnel and local women. This is not to say that contact between international personnel and all members of the host society is to be avoided, however: it is indeed necessary and desirable. International personnel on their side often wrongly assume that women's roles in a host society (above all in Muslim societies) are restricted to the private arena, and that they therefore are not in a position to act as partners. The challenge is to find ways to work together with local women without violating local norms¹⁵¹. Ensuring the presence of women among the international personnel – on all levels and in all functions – is one way to do this. All personnel have to be trained in cultural sensitivity – and in ways of overcoming eventual cultural barriers to good co-operative working relations¹⁵².

Different conflicts have different dynamics and characteristics. This is a point that international assistance should take into consideration, in planning and in implementing peace operations. This is equally true for the civilian population, including the women. In wartime, the majority of the killed, the disappeared and the prisoners of war are men,

¹⁵¹ Brown, Mark Malloch. 23 September 2004. Gender Mainstreaming at UNDP. UN New York. This is a statement by Mark Malloch Brown, UNDP Administrator, to the UNDP/UNFPA Executive Board on gender mainstreaming at the UNDP. Available via the UNDP website: <http://www.undp.org/dpa/statements/administ/2004/september/23sept04.html>

¹⁵² Ibid

which mean there will be a majority of women, and of female-households¹⁵³. In post-conflict Rwanda, for example, women comprise seventy per cent of the population, and fifty per cent of the households are headed by women. The role of women in the peace-building process and – equally important – the massive demographic changes – have necessarily had repercussions on the situation of women. Five ministers and 25.7 per cent of the Members of Parliament are women, as are thirty per cent of the Gacaca court judges. On the other extreme, many of the women who were raped during the genocide and infected with HIV, are now – nine years later – starting to die, “causing a crisis at the family level as so many of them are single household heads, and at the level of state infrastructure as women had assumed a greater role.”¹⁵⁴ This situation will be reflected in the needs and the capacities of the women of Rwanda in their further participation in the post-conflict reconstruction of society.

There may be important disparities in needs and capacities between women from the educated elite and women from poorer segments of society. In Africa, however, it would seem that, whereas mainly women from the elite form organizations, these organizations then function across societal dividing lines. One good example is MARWOPNET – a network of women’s organizations in Sierra Leone, Liberia and Guinea, established in May 2000 to contribute to the search for regional peace and security. To date,

¹⁵³ Barriteau, Eudine. 2004. "Engendering Development or Gender Mainstreaming? A Critical Assessment from the Commonwealth Caribbean." *Feminist Perspectives on Gender and the World Bank*. Eds. Edith Kuiper and Drucilla Barker. London: Routledge.

¹⁵⁴ *Gender Profile of the Conflict in Rwanda*, UNIFEM/WomenWarPeace.org, n.d.

MARWOPNET's most notable achievement is its success in bringing the heads of state of their three countries back to the negotiating table in 2001.¹⁵⁵

5.3 Lessons drawn from gender mainstreaming in peace processes of other countries

The PFA calls for Governments to establish National machineries for the implementation of the platform. There is also a call for collaborative efforts between NGO's and Government agencies. There have been several national initiatives to increase the participation of women in the National Peace processes. In selected African Countries that have experienced conflicts, women's groups have taken up bold and effective strategies to ensure their participation in the peace process. During the inter-Agency Best Practices in Peace Building and Non-Violent Conflict Resolution Conference in Addis Ababa in 1998, several case studies were revealed¹⁵⁶.

In Liberia, women organized themselves effectively through two national networks to influence the peace process. After the active participation of women, a long-term sustainable peace process was developed that was inclusive of both women and men. In Sierra Leone, Sudan, Somalia and Northwest Somalia various women's movements for Peace was formed to promote a peaceful resolution of the conflicts. In Rwanda, women's action was centered on influencing the central political process.¹⁵⁷

¹⁵⁵ Africa Recovery, February 2003, p.17.

¹⁵⁶ Ibid

¹⁵⁷ Rehn & Sirleaf (2002) *Women, War, Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-building*, New York, UNIFEM.

In the Republic of Congo, women participated in the development of two peace pacts, namely those of 1994 and 1997. In Mali the participation of women in an internal conflict involving the Northern Tuareg peoples has played an important role in reconciliation and restoration of trust between the communities¹⁵⁸. The experience of Liberian women in the peace talks held in Accra, Ghana where they organized a delegation of six women to make a forced entry into the 1994 Accra Clarifications Conference, demonstrates that Governments and regional bodies may still be gender-biased against women in peace initiatives. Yet the strategic presence at the conference gave the women a high visibility through the print and electronic media. The Governments of Liberia and Burundi also took steps to include the participation of women in the peace building process. The Liberian government supported a woman President who was instrumental in negotiating the lasting peace that this country enjoys today¹⁵⁹.

The suggestions that follow as to the use that might be made of international law for developing a gendered framework for post-conflict peace-building in Africa are general, as in each instance account must be taken of local conditions¹⁶⁰. Just as women experience war differently from men (and different women experience war differently from each other), so are their experiences of post-conflict gendered. However, there are some important starting points. First, there can be no assumption that, for women, the violence stops with a formal ceasefire. The forms and locations of gendered violence may

¹⁵⁸ Kari Karamé (1999): 'Women and War: a highly complex interrelation' in Helland, Karamé, Kristensen and Skjelsbæk eds: *Women and Armed Conflicts. A study for the Ministry of Foreign affairs, Oslo, NUPI*, pp.4-35.

¹⁵⁹ Ibid

¹⁶⁰ *An Agenda for Peace, Preventive Diplomacy, Peacemaking And Peace-Keeping*, Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992, UN Doc. A/47/277 - S/24111, 17 June 1992, para. 21.

change at the cessation of active conflict, but violence against women is likely to persist¹⁶¹. The collapse of civilian structures may mean continuing and pervasive lawlessness. The widespread availability of small arms, unemployment and economic insecurity, and demobilized former (mostly male) combatants all contribute to continued violence against women. Second, post-conflict, women's relations with war-traumatized children, family members and former fighters all place gendered demands upon them¹⁶². Third, demographic changes flowing from the conflict, in particular the disproportionate number of women and women-headed households,¹⁶³ impact upon issues such as access to and ownership of property, housing, caring responsibilities, and return after internal or international displacement. Fourth, concepts of reconstruction and rehabilitation may be misnomers in the case of women. Both concepts assume an element of going back, restoring to a position or capacity that previously existed. But this is not necessarily what women seek¹⁶⁴.

In many instances conflict will have empowered women and opened up new opportunities that did not previously exist. The goal should rather be societal transformation – not restored dependence and subordination, but a continuation of any positive changes in women's status and an accepted new social position that accords full citizenship, social justice and empowerment based upon respect for standards of women's human dignity and human rights. As Sheila Meintjes has expressed it: "women do gain from the shifts in gender relations during the war, they may lose their wartime gains in

¹⁶¹ Ibid

¹⁶² The Causes of Conflict and the Promotion of Durable Peace in Africa, Report of the Secretary-General, April 1998, para. 63.

¹⁶³ The PRWA, article 20, covers widows' rights.

¹⁶⁴ Ibid

the cusp, in the period between war and peace. Thus the transition from war to peace emerges as a critical moment in the shifting terrain of gender power”¹⁶⁵.

Those involved in peace-building must be careful not to make assumptions about the needs and priorities of women within the conflict zone. Women themselves often have very clear ideas about priority issues within their own context, and the fullest account should be taken of their views. For example, women in Burundi asserted the need for measures to protect women and girls, including mechanisms for the prosecution of crimes of sexual violence, legalization of women’s right to inherit land and access to education for girls. Liberian women united over the need for disarmament over elections¹⁶⁶. The goals of women from the DRC¹⁶⁷ were the inclusion of women in transitional government, addressing violence against women, addressing impunity, disarmament, reintegration of child soldiers¹⁶⁸ and support for traumatized civilians. What women need is a safe and secure space to be able to reflect on what they most need, to articulate their conclusions and to have them taken seriously in peace-building.

Certain categories of women may have specific needs. Former women combatants may face particular difficulties in reintegration, especially where they are perceived as having transgressed gender roles or where demobilization programmes, including rehabilitative

¹⁶⁵ Sheila Meintjes, (2001) ‘War and Post-War Shifts in Gender Relations’ in Meintjes, Pillay and Turshen (eds.) *The Aftermath: Women in Post-Conflict Transition*, London and New York, Zed Books, p. 64.

¹⁶⁶ S. Anderlini *Women at the Peace Table: Making a Difference* (UNIFEM, 2000), p. 20.

¹⁶⁷ Femmes Africa Soldiarite, Paper prepared for Expert Group Meeting, ‘Peace Agreements as Means for Promoting Gender Equality and Ensuring Participation of Women’, UN DAW, November 2003 available at <http://www.un.org/womenwatch/daw/egm/peace2003/reports/OP1FAS.PDF>

¹⁶⁸ Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, 2000, article 7 requires states to cooperate in the ‘in the rehabilitation and social reintegration of persons who are victims of acts contrary to this Protocol, including through technical cooperation and financial assistance’.

measures, are directed towards male combatants. Some women may have been active in the transfer of small arms, and face destitution if this is stopped. Those who are pregnant or who have given birth to children as a result of rape may require particular assistance. So too do those who have sexually transmitted disease, including HIV/AIDS. There may be girls who were abducted and forced to 'marry' the abductor. Women from the Diaspora might find on returning that their perceptions and goals differ from those who have lived throughout the conflict¹⁶⁹.

'Top-down' efforts to impose programmes and policies must be avoided. International and even regional agencies may be ignorant of local initiatives and programmes; without finding out the position of women on the ground, they may marginalize local women's groups. Telling is a comment from Kosovo that 'the international community has marginalized us women in a way we never have been before. We have never felt so pushed aside as we feel now.'¹⁷⁰ At the same time it cannot be assumed that greater community involvement necessarily ensures greater attention to women. International and regional personnel may focus on liaison with male-dominated community groups and be willing to accept myths and stereotypes of women's place within the community without testing the reactions of local women. It is also important that issues do not become labeled as either 'women's issues' or as other 'important' issues. There are gendered dimensions to all aspects of peace-building – political, economic and social –

¹⁶⁹ ICRC Women and War team (2004). *Addressing the Needs of Women Affected by Armed Conflict*. Geneva. ICRC, pp. 59 - 60

¹⁷⁰ Member of Motrat Qiriaz, an umbrella of four Kosova rural women's networks, cited in OSCE, *Gender Aspects in Post-Conflict Situations*, 1. Code and Custom, p. 5, available at <http://www.osce.org/secretariat/gender/>

and in this sense gender mainstreaming is required throughout all substantive discussions and operational measures¹⁷¹.

5.4 Gender mainstreaming in Sudan peace process

Women suffered disproportionately in Sudan's civil war¹⁷². They lost fathers, brothers, husbands and sons to fighting and forced conscription, and were even occasionally frontline soldiers themselves. All too often, women along with their children suffered at the hands of combatants who perpetrated terrible crimes against them, such as forced displacement, rape, abduction and slavery. In Sudan as in many countries, women are the main socializers in the family, and the primary link that joins family to society. Culturally, women are the peacemakers in the family, and by extension can and do act as a stabilizing force for peace in society as a whole. Because of this societal role, women's participation is vital to sustaining peace in Sudan. However, women have been largely excluded from the peace negotiating and peace implementation processes for varied reasons. First, the enormous loss of life in Sudan's civil war has created massive economic insecurity and left a staggering number of women as heads of households. Due to limited resources, many Sudanese women and their children live in abject poverty.

This obstacle as well as a traditional gender bias has led to a marginalization of women in the efforts that produced the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudanese People's Liberation Movement. An Operation Lifeline Sudan report noted that there was scant involvement of women in the Sudanese

¹⁷¹ Ibid

¹⁷² ICRC Women and War team (2004). Addressing the Needs of Women Affected by Armed Conflict. Geneva:ICRC, pp. 59 - 60

peace process. "The women of Southern Sudan would be expected to overcome their acute trauma and contribute in new ways to the future of their communities... [however] all but a handful of those sitting around the table discussing the future of Sudan are men," said the report.

As Sudan enters a new era guided by the CPA, laws will be enacted to create and protect the rights of women. Already, it is anticipated that a new national constitution will address the question of gender bias and that affirmative action will be considered in the South. In spite of the progress that has been made, women are ill-prepared to fully embrace the opportunities these new developments will offer due to the devastation of the war and the numerous obstacles it created. In addition, although women of both the North and the South suffered during the war and share many common concerns, communication difficulties and cultural prejudices have kept women from joining forces in the efforts to improve their lives to promote peace in Sudan.

The issue of engendering the peace process in the Sudan emerged from the Nairobi Forward looking strategies for the advancement of women to the year 2000, following the Mexico discussion in 1975¹⁷³. The Beijing (1995) International Platforms & Beijing+5 put great support for action to be implemented in regard to gender studies and the ideals of equality, democracy and peace. Accordingly, many women groups in the Sudan are started to involve in peace building at both sides of the conflict: The Sudanese Women Union (SWU), New Sudan Women Federation (NSWF), SPLA women's movement,

¹⁷³ International Conference on Sudanese Women & Peace Making Maastricht, the Netherlands 11th-13th April 2000 (unpublished paper).

Sudan Council of Churches (SCC), New Sudan Council of Churches (NSCC), Babiker Badri Scientific Association for Women Studies (BBSAWS), Sudan National Committee on Traditional Practices (SNCTP), Women Action Group (WAG), Sudanese Women Association in Nairobi (SWAN), Nuba Women Peace Group, Mandi Group and the Nuba Relief Rehabilitation and Development Society (NRRDS). In fact, many individual organizations and group organizations from the above mentioned put great efforts in raising various initiatives and training in the issue of peace building¹⁷⁴.

Another example is the Sudanese Women's Voice for Peace. Founded in Nairobi, Kenya, in 1994, it works across ethnic lines in South Sudan, and also meets with women from the northern part of the country. The organization was represented at the Machakos Protocol negotiations in July 2003, where its members had to face the reluctance of many men who refused to sit together with women. According to one leading member, three quarters of the women in South Sudan are widows; as sole breadwinners of the family, they must work hard to keep it together. They have to find ways to cope with the new situation. Some opt to fight as soldiers, leaving the children with their own mothers; other work for peace and reconciliation within the community. "The peace process should be inclusive. Women should not be sidelined: they should be part of the process."¹⁷⁵ Other goals of Sudanese women's peace movements are: to educate the Sudanese people on their rights, improved access to education and health facilities, respect for the culture and the languages of the people, and self-determination for the people of the South and other

¹⁷⁴ Sudanese Women in the Civil Society Agenda for Peace, 15th Jan 2000 (unpublished paper).

¹⁷⁵ The passage on the Sudan is based on an interview with Awut Deng published in *The East African* (Nairobi), 20 January 2004.

regions. They ask for regional and international guarantees to the conflict solution in the Sudan.¹⁷⁶

It is essential that women play a key role in the peace building process in conflicts around the world. Although UN Security Council Resolution 1325¹⁷⁷ urges states to engage the equal participation of women in conflict resolution and peace building, women too often continue to be underrepresented¹⁷⁸.

As women often bear the brunt of the effects of war, including sexual violence, abandonment, and increased economic burden, women have a right to partake fully in the resolution of conflicts and subsequent reconstruction efforts. Furthermore, without the full participation of women, such efforts will not be as democratic or as successful. The many victims of rape as a weapon of war and other forms of horrific violence know firsthand the hardships of conflict and would likely be the first to promote peace¹⁷⁹. Women have a unique opportunity to rebuild their communities after conflicts have ended. Frequently left in the majority after violent conflicts, women have both greater need and opportunity to support their families through creative entrepreneurship. In addition, post conflict situations can offer women increased prospects for leadership in newly formed governments or civic organizations. There is a dire need for women's

¹⁷⁶ Ibid

¹⁷⁷ United Nations Security Council Resolution 1325, on Women, Peace and Security, October 2000.

¹⁷⁸ The passage on the Sudan is based on an interview with Awut Deng published in *The East African* (Nairobi), 20 January 2004.

¹⁷⁹ Amna Rahma, *Women & Peace Making in Sudan; Roles and Vision of Sudanese Women*, paper to Hague appeal for peace conference, 11th –15th May 1999 (unpublished Ibid paper).

participation in peace building around the world; women survivors of war possess the drive, insight, and power to contribute to the conclusion of conflicts worldwide¹⁸⁰.

At the Machakos and Naivasha negotiations between the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) the negotiators merely assumed that by sharing power and resources between political forces along regional or geographical divides, this would resolve the Sudanese conflict. However, this approach neglected other constituencies and the fact that a just and sustainable peace, based on good governance, equity, justice and democracy, requires an environment where every citizen has the opportunity to contribute to decision-making and development. In particular, Sudanese women play a very central role in their society, in physical and psychological welfare as well as conflict prevention and peace building. It is therefore important that women are not just seen as passive victims, or as representatives of political parties, or as having no political affiliation or perspective, but that they are encouraged to participate fully and see their perspectives taken seriously and incorporated into solutions to political conflicts¹⁸¹.

Women were never simply guests at the negotiating table. The roles they play as combatants, supporters of fighting forces and peacemakers qualify them to sit at the negotiating table and to assume an active role in implementation. Thousands of women had joined the southern liberation struggle in response to a political situation that affected whole communities, leaving the comfort and security of their homes not just to accompany their husbands but to fight for freedom, democracy, equity, justice, rights and

¹⁸⁰ Ibid

¹⁸¹ Ibid

dignity¹⁸². Their roles in the conflict ranged from combatants to providers of support to fighters, including feeding and caring for sick and wounded soldiers. Although in any armed conflict women are victims of violence, bombing, landmines, hunger and diseases, it is not correct to portray them simply as innocent victims. In Khartoum, women contributed gold in support of the *jihād* and encouraged their sons to join up, while in the south, the Nuba Mountains and southern Blue Nile women contributed food and encouraged their sons to join the SPLA to fight marginalization and oppression by the government in Khartoum.

On the other hand, Sudanese women have worked very hard to keep families and communities together during conflicts through singing peace songs, persuading their husbands, sons and brothers to stop fighting, risking dangerous peace missions across enemy territories, or marrying across enemy lines to unite or reconcile warring communities¹⁸³. There were times when women stopped conflict from escalating by defying or opposing decisions by male members of the community to go to war. In one case women from a community in southern Sudan were reported to have threatened not to comply with their conjugal obligations until their husbands stopped killing each other, while in some areas of the south women threatened to expose their nakedness (a curse in most Sudanese customary beliefs) to protest ethnic conflict.

¹⁸² Dodson, Debra. *How to Create a Gender Balance in Political Decision-Making*. Brussels: European Commission.

¹⁸³ Dodson, Debra. *How to Create a Gender Balance in Political Decision-Making*. Brussels: European Commission.

Women have also taken a leading role in creating links and forums for resolving inter-ethnic conflict, leading to many grassroots peace accords¹⁸⁴. Examples include the people-to-people processes, such as the Wunlit Covenant between the Nuer and the Dinka and the Lilir Covenant between Nuer groups. It has been reported that when it was decided by Dinka elders that a peace delegation was to be sent to Nuer land, no one wanted to go; it was the brave wife of a Dinka chief who demanded that her husband lead his people to Nuer land, even though she was aware of the high risk involved. Another example where women stood together in solidarity against their husband's political position was the period following the split in the SPLM/A. Women from both sides of the split continued to visit one another, maintain communication and provide a forum to discuss issues that affected their communities, something no man was capable of¹⁸⁵.

In order to effectively address social, economic and general problems of war facing women, many women organized themselves into groups, networks and NGOs on both sides of the political divide. These activist networks (including the Sudanese Women's Voice for Peace, New Sudan Women's Federation, and New Sudan Women's Association) went all over the world advocating peace and drawing attention to what was then referred to as 'the forgotten war.' In Washington DC, the UN Headquarters in New

¹⁸⁴ Economic Commission for Latin America and the Caribbean (ECLAC). Study of Gender Mainstreaming in the Caribbean, 15 March 2000.
<http://www.eclac.cl/publicaciones/PortOfSpain/7/LCCARG607/carg0607.pdf>

¹⁸⁵ Massiah, Joycelin. 1999. Putting Gender on the Agenda: the Next Generation. Milroy Reece Memorial Lecture, Solidarity House, Barbados.

York, the Hague and Beijing, women lobbied the international community to pressure Sudan's warring parties to end the war¹⁸⁶.

It is clear that the absence of women at the negotiating table in Naivasha or Abuja was not due to lack of experience and capacity, but to the perceptions of their role.

5.5 A gender-blind agreement

Despite the active role women played at various levels to bring peace to the Sudan their role has tended to be underestimated or ignored during negotiations. This may have originated from the misconception that women are passive victims of war, forgetting the very important role they have played in negotiating, keeping and building peace in their communities.

The most disappointing aspect of the 2005 *Comprehensive Peace Agreement* (CPA) and 2006 *Darfur Peace Agreement* (DPA) was that negotiations for an equitable share of power and resources were premised around political forces and regional interests. Neither mediators nor drafters gave much thought to other constituencies or dimensions, such as gender, along which power and wealth could be shared¹⁸⁷.

Yet conflict in Sudan is not just a matter of political rivalry but is triggered by many forms of marginalization. The late Dr John Garang, the SPLM/A leader and briefly the

¹⁸⁶ Mohammed Patricia, Catherine Shepherd and Elsa Leo-Rhynie. 2002. *Gender in Caribbean Development: University of West Indies Women and Development Studies Project*. UWI Press.

¹⁸⁷ Dodson, Debra, *How to Create a Gender Balance in Political Decision-Making*, European Commission. Brussels

First Vice-President of Sudan and President of Government of Southern Sudan, publicly recognized women as the 'marginalized of the marginalized.' Long before the negotiations, he used affirmative action (quotas and training) aimed at creating a critical mass of women capable of influencing policies and decisions.

The SPLM/A leadership nominated a handful of women leaders as members of the delegation to Machakos and subsequent rounds of negotiations. However, this did not necessarily enable their strong participation: the women were often co-opted to these delegations at short notice with very little opportunity to consult with each other and develop a women's peace agenda; they were expected to contribute to the overall party position which was gender-blind to begin with; and they were always a minority, ill-prepared for debates with seasoned politicians who ridiculed or intimidated anyone who dared to spend much time on gender issues¹⁸⁸. Similarly, views from wide range of categories of women were never sought. For instance, former women soldiers were left out in these negotiations and so was their valuable experiences and information regarding peace and reconstruction¹⁸⁹. On the other hand they face daunting challenges upon return. This is clearly demonstrated by the following story from a former women soldier the researcher interviewed.

"I was only 12 years when I was abducted by the soldiers. I was with my friends fetching firewood. The soldiers did not ask any questions. They just demanded in loud voices that we carry their luggage and not ask any questions either. The journey through the forest was horrendous and scaring. Every soldier had a 'right to our young bodies'. At first I did not know what was happening when one

¹⁸⁸ CIDA: Gender Analysis in Peace-Building Initiatives http://www.acdi-cida.gc.ca/cida_ind.nsf/d86cbc87319a898c8525677e0072d6f8/38#406811791e81485256990004f1c1e#9

¹⁸⁹ UNDP: Gender Approaches in Conflict and Post-Conflict Situations <http://www.undp.org/erd/ref/gendermanualfinal.pdf>

of the other girls started screaming in the bush. But all I knew was that it was terrible. When my turn came, I was just thrust into the bush and violated...the pain was piercing through my heart and for a moment I wished I could die.

Then the soldier gave me more luggage to carry and shouted at me to catch up with the others. It was so inhuman. This went on throughout the journey. I do not know how long we trekked. Finally we reached destination and had to train how to use the gun. Fail to shoot and you would be dead. I longed to go back home and begin a new life. I wanted to tell the people all I had seen and the cause for the fighting, how to protect young boys and girls, and how to bring peace to our country...and more.

But when I finally left the bush I was faced with a big dilemma- where was home and who would accept me anyway. In fact even when the peace negotiations began, all of us were largely ignored and no one sought our views. How my life was wasted"!¹⁹⁰

Another example can be seen from the fact during the negotiations SPLM/A women proposed a minimum quota of 25 per cent for the representation of women in the civil service, legislative and executive at all levels of government, as provided for by the SPLM/A constitution¹⁹¹. One senior male member of the SPLM/A delegation laughed and asked where the women would be found to fill these positions. The 25 per cent quota was eventually accepted in the larger group, where there were at least three women, but then the all-male SPLM/A drafting committee reduced this figure to 5 per cent. The SPLM/A Chairman raised this to 10 per cent as a compromise. Later on we learned that it had been dropped altogether when government negotiators refused a quota for women in power sharing on the grounds that they had not been fighting women¹⁹².

¹⁹⁰ Fitzgerald, Mary A; (2002) Throwing the stick forward: the impact of war on Southern Sudanese Women

¹⁹¹ *Mainstreaming a Gender Perspective in Multidimensional Peace Operations*, Lessons Learned Unit, Department of Peacekeeping Operations, UN, July 2000

¹⁹² Sheila Meintjes, (2001) 'War and Post-War Shifts in Gender Relations' in Meintjes, Pillay and Turshen (eds.) *The Aftermath: Women in Post-Conflict Transition*, London and New York, Zed Books, p. 64.

There are articles in the final agreement that recognize customs, traditions and religion as sources of moral strength for the Sudanese people; personal and family matters including marriage, divorce, inheritance and succession fall under the competency of customary law. Yet some customs and traditions have contributed to the marginalization of women.

Even when women were consulted about gender issues or directly included in the peace negotiations, it was only a gesture to showcase democracy and inclusiveness: their perspectives and their experiences in peacebuilding and negotiation were not recognized or fully utilized¹⁹³.

The SPLM/A women's realization that the CPA did not require any party to achieve gender-related targets prompted them to share their experiences with Darfurian women during the Abuja negotiations. We told them how we had been shocked that the CPA - apart from making provision for a bill of rights - left women to the mercy of governments and political parties. The Darfurian women took these experiences seriously and with support from UNIFEM and other organizations (who realized they had not done enough to support the SPLM/A women), quickly started to lay down the strategy for influencing the peace process and the final document¹⁹⁴. They lobbied to be involved and the result is over 70 sections in the agreement referring to women, including the recognition of gender-based violence and the recommendation that women be involved in drafting legislation¹⁹⁵.

¹⁹³ Ibid

¹⁹⁴ S. Anderlini *Women at the Peace Table: Making a Difference* (UNIFEM, 2000), p. 20.

¹⁹⁵ *Mainstreaming a Gender Perspective in Multidimensional Peace Operations*, Lessons Learned Unit, Department of Peacekeeping Operations, UN, July 2000

However, like the CPA, the DPA now relies largely on men for its implementation, and the likelihood that the DPA will be fully implemented appears very slim. Given the insensitivity of many Sudanese - particularly men - towards gender issues, it will be hard work for Darfurian women to get the government in Darfur to commit to such important initiatives as gender-sensitive police training. A lack of commitment to implementing the provisions of an agreement can render even a good agreement useless, so the full participation of women in the implementation of CPA, DPA and the recent *Eastern Sudan Peace Agreement* is essential. This can be achieved through the effective dissemination of the agreements and the Interim National Constitution and through building women's capacity to organize themselves to negotiate, lobby and advocate for their rights and interests¹⁹⁶.

Even though many individual Sudanese men resist gender mainstreaming, in the south the official government position is favourable to women's equality and empowerment. Consequently, the south's Interim Constitution has a 25 per cent quota for women's representation in the legislative and executive, making it unconstitutional for any government institution not to have women in decision-making positions. The President of the Government of Southern Sudan (GoSS) has appointed women as chairpersons for the Human Rights Commission and the Anti-Corruption Commission, and he reportedly officially refuses to view any list of appointees for State and GoSS positions that does not

¹⁹⁶ Jennifer F. Klot: 'Women and Peace Processes: An Impossible Match?' in Louise Olsson ed.: *Gender and Peace Processes – an Impossible Match?* Uppsala, Collegium for Development Studies, 2002, pp.17–25.

include women. Currently two cabinet ministers, four Chairpersons of Parliamentary Committees and two presidential advisors are women¹⁹⁷.

On the other hand, at the Government of National Unity level, the National Congress Party, including its women leaders, opposed both a quota for women in the government and the UN Convention on the Elimination of All Forms of Discrimination against Women. Instead they preferred 'women's empowerment,' a vague term which does not effectively tackle the issues of rights and freedoms.

5.6 Gender mainstreaming, rehabilitation and reconciliation towards peace in Sudan

The right of women to participation on the same level as men is inscribed both in the charter of the United Nations and in international law¹⁹⁸. With their experiences and agency during war and armed conflicts, local women have insightful knowledge of the needs of the civilian population. Involving more women personnel in a peace mission has proven beneficial for contacts with the host society and within the mission as well¹⁹⁹.

Rehabilitation²⁰⁰ is the process of renewal and sustainable recovery for a society that has been ravaged by unrest and destruction. This process is an enormous undertaking for a society that has been at war for decades. In a workshop dubbed stewards for peace, attended by a group of North and southern Sudan women, participants emphasized the

¹⁹⁷ UN 2000, *Mainstreaming a Gender Perspective in Multidimensional Peace Operations*, Lessons Learned Unit, Department of Peacekeeping Operations, United Nations.

¹⁹⁸ UN Document A/52/3/Rev.1.

¹⁹⁹ S. Anderlini 2000. *Women at the Peace Table: Making a Difference*, UNIFEM, p. 20.

²⁰⁰ Jennifer F. Klot. 2002. 'Women and Peace Processes: An Impossible Match?' in Louise Olsson ed.: *Gender and Peace Processes – an Impossible Match?* Uppsala, Collegium for Development Studies, pp.17–25.

importance of taking steps for rehabilitation and highlighted five areas that should be addressed in the initial stages of the healing process to ensure women's rights are advanced in Sudan²⁰¹.

When it comes to civic education, many Sudanese in general and women in particular, are uninformed about their basic human rights. Women should be involved in developing civic education curricula to ensure the female perspective. This would ensure that the curricular recognizes the different experiences and abilities of women, men, girls and boys.

Furthermore Sudanese women have almost no role in decision-making at the community, regional or national level. Currently, Sudan's law and cultural traditions are not supportive of increased participation for women. There is a need to strengthen the capacity of women to prepare them for decision making and to increase the number of women participating in elections and government. Sudan should adopt a quota system to jump-start the participation of women in all decision-making institutions.

In the redistribution of resources, the women do not have a role in the critical issue of redistribution of resources as it relates to rehabilitation²⁰². Generally, women lack skills to participate in this area, and there is gender-biased exclusion at the local level.

²⁰¹ Rehn & Sirleaf. 2002. *Women, War, Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-building*, New York, UNIFEM.

²⁰² Louise Olsson. 2001, 'Gender Mainstreaming in Practice: The United Nations Transitional Assistance Group in Namibia', in Olsson & Tryggstad, eds. pp.97-110.

Leadership training for women, lobbying and advocacy by women and an increase in the number of women at decision-making levels will help address these inequities.

On the other hand the poor quality of education, particularly at the primary and secondary level is a social problem for all of Sudan and affects Sudanese of both genders. It is particularly harmful to women, however, who lag far behind men. The current curriculum is gender-biased and should be revised with input from women. Better trained and highly motivated teachers are needed as well.

Women suffer from discrimination in employment and education and in society in general. Women must be empowered through access to information about rights and to skill-building so they can affect positive change. The government needs to provide equal rights under the law to both males and females. In the same vein, both the government and civil society must heighten national awareness that some cultural and religious beliefs are discriminatory. Women should lobby for the ratification of Covenant on the Elimination of Discrimination Against Women.

Reconciliation²⁰³ is often a necessary precursor to rehabilitation, since it calls for mutual understanding and respect. Workshop participants identified six areas that need to be addressed in order to build a solid foundation for reconciliation efforts in Sudan.

²⁰³ Jennifer F. Klot. 2002. 'Women and Peace Processes: An Impossible Match?' in Louise Olsson ed.: *Gender and Peace Processes – an Impossible Match?* Uppsala, Collegium for Development Studies, pp.17–25.

Reconciliation starts with the acknowledgement of wrongdoing and atrocities, followed by apologies and forgiveness. Sudan must recognize there is unity in diversity and should model its reconciliation efforts on the South African approach. Women must participate in reconciliation efforts, have access to trauma counseling centers and be provided with a platform for public testimony by victims. In the long term the need to rebuild trust must also become central to peace efforts. In this regard, Sudan must be aware of the opportunities and threats relating to reconciliation and use all available tools – role plays, dramas, songs – to build trust across cultures.

The government focus on developing programmes for long term reintegration of Internally Displaced Persons (IDPs) and refugees with due regard to their experiences and the devastation on infrastructural development in their areas of origin. The government must further create jobs and provide access to credit and vocational training to returning Internally Displaced Persons (IDPs) and refugees²⁰⁴ to ensure sustainable reintegration and avoid recurrence of conflicts.

General lack of knowledge and communication on basic rights, good governance and conflict resolution is widespread. Sudan must recognize the importance of civic education in this regard and integrate it into schools. Media can be an effective tool to quickly educate the populace. The media should play a critical role through strategic civic education programming. There should be comprehensive civic education programming in the media, particularly with regard to cultural diversity, women's health and women's

²⁰⁴ Report of the Secretary-General, 2003 "Gender Mainstreaming in Peace Keeping Activities" A/57/731 (New York: United Nations, p.11)

rights. Women's participation in all levels of media will enhance this effort, and there is a great need for capacity building for women in all fields relating to media (reporters, anchors, technicians, researchers, etc.). A three-year program to train approximately 2,000 women in all fields related to media is recommended²⁰⁵.

Traditional and cultural norms inhibit the inclusion of women in politics. Women also lack awareness of election laws and procedures²⁰⁶. Civil society should push for just and fair legislation, and there needs to be a concerted effort to increase the number of women in political parties. A network of organizations should be created to prepare and submit a list of priorities concerning the needs of women. These priorities should be presented to all donors who are active in Sudan's reconciliation efforts.

5.7 Constraints hindering Women's successful participation in peace activities

In 1997, the groups working in peace building identified the following obstacles: Erosion of familiar and traditional peace mechanisms system of kinship are replaced by civic organizations which lack women, representation and a relation to the home land, specially when based outside of the war-affected areas. The role of intermarriage, inter-cultural assimilation and traditional conflict resolution has changed due to interventions from outside²⁰⁷. Members of women's groups are usually overworked and carry too many responsibilities. Some have little education or training for mobilizing grass-root

²⁰⁵ Louise Olsson. 2001. 'Gender Mainstreaming in Practice: The United Nations Transitional Assistance Group in Namibia', in Olsson & Tryggestad, eds. pp.97-110.

²⁰⁶ Kari H. Karamé 2001. *Gendering Human Security. From Marginalisation to the Integration of Women in Peace-Building*, Fafo report 352/ NUPI report no. 261, Oslo, NUPI.

²⁰⁷ A. Bari, A. Bari. 1998. *Sudan Between Peace & War*, UNIFEM.

women, limited access to information, men play the most important roles in both political and military affairs in Sudan and there is little attention of political organization to voice women's concern ,and Travel between North and South is extremely difficult.

5.8 Conclusion

The Comprehensive Peace Agreement (CPA) ended a long and devastating war and was a source of pride for both the region and Africa as a whole because it demonstrated Africa's ability to resolve its conflicts, notwithstanding the importance of the support from the international community. However, with due respect to the achievements of all parties to the agreement, mediators and the international community, the role permitted to women during the negotiations was based on a perception of them as passive victims of war, not active players in politics and society. This is clearly reflected in the CPA's lack of clear gender targets or timelines for the parties to meet, limiting the effective utilization of women's experiences, expertise and perspectives in decision-making in the post conflict period. Democracy is about freedom and rights of participation in decision-making, but the democracy bequeathed by the CPA and DPA will be lopsided, lacking a level playing field for women.

CHAPTER SIX

CONCLUSION AND RECOMMENDATIONS

6.1 Conclusion

In this study, it was hypothetically argued that failure to incorporate gender mainstreaming in the IGAD led Sudan Peace Process has negatively impacted on peace management and sustainability in Sudan. In addition, it was also stated in form of a hypothesis that mainstreaming gender in conflict management and peace building processes enhances sustainable peace. For women, girls and women leaders involved in armed opposition groups and women leaders within civil society, their meaningful participation in peace negotiations marks a pivotal step in setting post conflict governance and reconstruction agendas that takes women's and girls' needs and priorities into account. This was clearly illustrated in the case of South Africa. Token inclusion of women at the peace negotiations, where it was demonstrated that towing the agenda set by the male leaders, does not produce positive results for women and girls in the frameworks and agendas that emerge. Another good example is the peace negotiations of Sudan conducted in Kenya. Failure to include women in the peace talks meant that the issues affecting the socio economic and political aspects of women were not addressed afterwards. Furthermore, the study has demonstrated that failure to include women in the IGAD II Process has contributed greatly to the lack of everlasting peace after the signing of the peace accord. Were the women involved, they would have brought a different dimension to the peace table in terms of putting agendas forward that would have safeguarded peace and reduced the effects of war on the civilians in general and women in particular.

When women negotiators and women representatives are not present at the peace talks, women's issues, concerns and priorities are usually also absent at the peace table. In fact despite international laws such as CEDAW and the Protocol on the Rights of Women in Africa, and important initiatives like SC Res 1325 that stipulate the need for gender inclusivity and non discrimination and although women had participated in the armed struggle, most were excluded from decision-making positions in the new governments and security forces that were established. Most of the male combatants on the other hand were well incorporated into the new government and contributing to the rebuilding of their country. On the other hand, most of the women, especially former combatants are still languishing in poverty, some unable to return home for fear of being shunned by their communities.

The study has established a number of reasons why women in Sudan continue to be under-represented in decision-making positions even after the signing of the peace accord. Patriarchal traditions, practices and national and customary laws are central factors contributing to women's inability to enter these positions. Further, high levels of illiteracy and poverty, unequal work burdens within their homes and communities are often the result of these patriarch customs, practices and laws and are among the main factors why for instance women and especially leaders formerly associated with fighting forces as well as women civilians have a difficult time accessing the formal political sphere and, thus, why they have correspondingly low representation in decision-making positions, including in peace negotiations and reconstruction activities. Often times and

even in other instances outside of the Sudan Peace Process, cultural reasons are given to justify women's continued exclusion. However, it is important to recognize that culture is dynamic and that taboos about women being decision makers could fade in time if women entered the public, civil and political arena.

Although it is unclear whether or not women formerly associated with fighting forces are among those who could or should play a public role in advocating for more inclusive and just social, political and economic change, it is clear is that they face a daunting task in accessing both public decision-making forums and civil society spaces. Notably, civil society organizations whose agendas are women's rights, peace, equality and reconstruction often have similar goals to those of women leaders coming from fighting forces. However, networks and alliances with such organizations are particularly difficult for women formerly associated with fighting forces to build, often because there is little agreement or trust among the former women fighters, civil groups and the general public. Indeed, civil society, women focused groups, and women rights groups in particular, are wary of building alliances with those formerly associated with the fighting. Consequently, women formerly associated with fighting forces would have to engage in much negotiation, truth-telling and reconciliation with other members of civil groups, and in particular women's groups, for the forming of such alliances to occur. Importantly, it is likely that only through such alliances that women formerly associated with fighting forces would likely be able to achieve the kinds of change they are seeking within their societies. Though this group of women has not been solely the focus of this study, they form a critical mass whose role and experiences can inform peace processes in a more

encompassing way so as to incorporate all views. This is an area that may require further examination.

In conclusion therefore, this study has found the IGAD II Sudan peace process did not mainstream gender in its processes and that this lack of inclusion of women in the IGAD II peace process contributed in and hence was responsible for the part failure of the objectives of the process. Hence, the hypotheses are true.

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6.2 Recommendations

This study notes that the CPA did create a new democratic political space and committed the government to good governance and the rule of law, justice, equity and respect for human rights. Sudanese women need to rise to the challenge of building a solid foundation for democracy by doing everything possible to increase their political participation and create an equal and level playing field for all citizens. The greatest hope now for women across Sudan is that they will be able to expand on the Bill of Rights in the Interim National Constitution as well as effect change through the mid-term elections and effective mobilization. The peace agreements and their shortcomings are important areas for their campaign, making women realize the need to increase their representation in legislative assemblies at state and national levels, to gain more influence.

Finally, future conflict management processes need to take into consideration excluded groups like women formerly associated with fighting forces. Although it is unclear whether or not they are among those who could or should play a public role in advocating for more inclusive and just social, political and economic change, it is clear is that they

face a daunting task in accessing both public decision-making forums and civil society spaces. They form a critical mass whose role and experiences can inform future peace processes. This is an area that may require further examination.

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