

PART II

North-South Relations and Regional Issues

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The Consequences of the Referendum in Southern Sudan for the Country and the Region

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Introduction

The Comprehensive Peace Agreement (CPA), which was signed between the Government of Sudan (GoS) and the rebel movement in southern Sudan (SPLM) in January 2005, ended the longest civil war in Africa. The Inter-governmental Authority on Development (IGAD) played a pivotal role in realizing that agreement in close cooperation with the big western powers. The agreement granted the people of southern Sudan the right to self-determination through an internationally-monitored referendum by the end of the six-year Interim Period. That was not an easy option for the political elite in the North, who dominated the central government since independence because their fellow northerners are the clear majority in the country, better educated and more experienced in politics and administration. The referendum may end a period of more than 150 years of a united Sudan. Nevertheless, the civil war between the government and southern rebel movements which started before independence and continued for decades, was too expensive in human lives, economic resources and political stability. Thus the government of Sudan accepted the risk of secession in order to bring peace to the whole country. On 9th January 2011, the referendum was conducted in a free and peaceful atmosphere, and as expected the result was overwhelmingly (98%) in favour

of secession. The North felt grieved and disappointed while the South rejoiced the newly-gained freedom and independence as a sovereign state. However, the government of the North have accepted the painful result of the referendum and declared that it respects the choice of the people of southern Sudan, and will be the first to recognize the new state. The separation of the two states would be effective after the end of the Interim Period on 9 July 2011. The outcome of the referendum raises a serious question: will the separation between the two parts of the country be peaceful and smooth or is it going to be friction a land acrimonious. The most important factor to influence the relationship is the manner in which the two parties should settle the outstanding issues which are serious and sensitive. No doubt that the difficult experience of secession will have its repercussions on North and South, and the region neighbouring them. We shall try to cover the expected consequences on both countries and the region below. The article was written immediately after the referendum but revised one year after the separation took place.

The Consequences on the Relationship Between North and South

There are a number of important issues mentioned in the Referendum Act, which should be settled by the two partners before the separation takes place, in addition to some difficult issues left over from the implementation of the CPA. Those issues are: Abyei, delimitation of border, citizenship, currency, public service, status of the Joint Integrated Units, agreements and international covenants, debts and assets, oil concessions and production, Nile waters and land ownership. The two partners constituted, in June 2010, four joint committees to negotiate these issues under the facilitation of the African Union High Level Implementation Panel (AUHIP) led by the former president of South Africa, Thabo Mbeki. The negotiations will be supported by the IGAD, the UN and the partners of IGAD, while the Assessment and Evaluation Commission (AEC) will provide administrative support. Till February 2011, the committees made little progress in some of the easy issues, but the difficult and sensitive ones remain without agreement. They agreed to differ on citizenship, the NCP refused to give citizenship to hundreds of thousands of southerners living in the North but will let them stay for some time and protect them and their properties. However, as they are no longer citizens of northern Sudan they are not entitled to hold government posts after the end of the Interim Period, especially those working in the army, police and the security agency. The army considers the southerners who number about 30,000 in its ranks as a security risk in case of a future conflict between North

and South. Those soldiers have settled with their families for many years in the North, their children have grown up in the North and most of them have never seen the South in their lives. It will be a painful experience for them to go back to the South looking for jobs and settlement in regions which they or their ancestors left a long time ago. The Government of South Sudan (GoSS) was ready to give citizenship on the choice of the northerner who lives in the South, on the basis that the southerner be treated the same in the North. The GoS feels that this is not a fair deal as the numbers, skills and economic position of the two groups are not equal. While the southerners in the North are hundreds of thousands, the northerners in the South are not more than a few thousands who work as traders or professionals residing without their families. It is not considered difficult for such professionals to resettle in the North. The government of South Sudan promised not to push them out, and allowed them to stay and work. Already, about 200,000 southerners left the North for the South during the last six months, but they suffered because living conditions were not prepared for mass returnees, and many of them were stuck in the middle of their journey because transport facilities were not available. The SPLM encouraged southerners to go back *en masse* to the South to vote in the referendum and to take part in building their new nation by whatever skills they learned in the North. It was afraid that if they stayed in the North, they might be influenced to vote for unity.

On the border issue, it is agreed that it should be open to allow thousands of pastoralist cattle keepers to cross from North to South during the dry season as they have done every year for many decades. The grazing rights for nomads are clearly stated in the CPA but it is not clear how it is going to be administered across the new international border. Furthermore, it might be prohibited or obstructed if the relationship between the governments of the two countries got worse. Nevertheless, 30 per cent of the border is not agreed upon and the two partners may have to go to some form of arbitration to solve this problem; though they agreed that demarcation should start immediately on the approved border. That was not possible because GoSS claimed later more regions as part of the South. As a matter of fact Sudan's borders with all its nine neighbouring countries have never been demarcated since independence. Both parties to the conflict were surprised to know that there was no complete map for Sudan on the first of January 1956, when the British left and Sudan got its independence. During their fifty-year rule, the British transferred a number of regions from one province to another for security or administrative reasons irrespective of the ethnic groups living in the area. On the currency issue, they have agreed to use the present one in

both countries for six to nine months after the Interim Period till the South is in a position to print its own currency. As a matter of fact, each side was secretly preparing to issue its own currency before the fixed period.

On the tough issues of Abyei, oil, security and Nile water no agreement is reached till June 2012. The situation in Abyei is tense and some clashes have already taken place between the armies of the two countries, which affected the relationship of the communities living in the region, mainly the DinkaNgok and Misseriya. The Misseriya are asking for equal rights to the Dinka's, especially the right of voting in the referendum to decide the future of Abyei, since they have been living in the region for more than one hundred years. The Dinka do not accept this argument on the grounds that the Misseriya are nomads who live only for some months in the area. Although the district is not more than 10,000 sq km, it may ignite a new conflict as the two concerned communities, who were living peacefully for many decades, became politicised and do not show any sign of compromise. The Dinka, being a southern tribe, are supported by SPLM while the Arab Misseriya are supported by NCP, but the two tribes are not completely under the control of their patrons. All the foreign facilitators, including the Americans, failed to solve the deadlock between the two communities. Therefore, despite the NCP's acceptance of the referendum result which should have led to a friendly and peaceful relationship between the two emerging states, that did not happen because the pending issues between them are critical and not easy to solve. Furthermore, the NCP is not in a mood to be flexible with the SPLM which championed the vote for secession although it promised in the CPA to work for unity. The question of security is another serious problem, with both parties accused each other of supporting militia groups fighting against the other state. Being a close observer of the political scene in Sudan, I could not understand the optimistic announcement made on 9th February in New York by the UN special envoy for Sudan, Haile Menkerios, that the two sides in Sudan have agreed so far on issues including oil revenue sharing, bilateral economic relations, citizenship arrangements, open borders and non-interference in each other's affairs. Other steps under discussion include security, non-aggression and military cooperation. I wish he were right but time proved he was wrong. The whole situation shows clearly that separation within the African countries is not easy to manage, even if there is goodwill and acceptance on both sides. The experience of Ethiopia and Eritrea proves that. Given the tough and sensitive pending issues, the possibility of conflict between North and South in Sudan cannot be excluded. It is a hard lesson which should be learned by peoples in the continent. On the other hand, if

the two separating states could cross peacefully the hurdles of negotiating their problems, they would play a positive role in strengthening economic cooperation between the Arab world in the north and east of Sudan with the African countries in the south and west of their homelands. The majority of the Arabs live in North Africa and they constitute the largest group in the African Union. Both Arabs and Africans have common interest in building good relations and economic cooperation, in addition to their cultural and religious heritage.

The Consequences for the North

The North cannot feel at ease after separation on the belief that it has become more homogenous in terms of ethnicity, religion and culture. To some extent this is true but the picture is not that simple. There are still many diverse and marginalised ethnic groups in northern Sudan. Some months after the secession of the South, armed conflict erupted in southern Kordofan and Blue Nile on the same basis of marginalised ethnic groups. It will be very painful for the North if the pending issues with the South are not solved in a peaceful way; it accepted reluctantly the risk of self-determination for the sake of peace. To end up with separation and war will be the worst of the two worlds. Furthermore, the North is not ready politically, militarily or economically for a new outright war. The major factor behind the southern problem, which started a few months before independence, was the failure of the successive national governments, especially military ones which ruled for four decades, to administer wisely the diversity and pluralism within a united Sudan. They were primarily concerned with the nation-building of the country in the image of a dominant Muslim-Arab culture irrespective of its serious consequences on minorities who felt marginalised because they suffered from poverty, lack of development and social services in their far-fung, neglected areas. With the present Islamic regime of *al-Inqaz* which has held power since 1989 and may continue till 2015, in accordance with the transitional constitution, the risk of failure in managing diversity exists. There is no apparent change of attitude or personalities in the structure of the semi-military regime.

The other regions which threaten the unity and peace in northern Sudan are: southern Kordofan, Blue Nile and Darfur. The states of southern Kordofan and Blue Nile were given special status in the CPA to have shares in power and wealth, some of their young men fought with the SPLM in its liberation war for a New Sudan. They thought it would be liberation for the whole country. By the fourth year of the Interim Period, they were supposed to conduct a

‘popular consultation’ among their inhabitants to say if the arrangements made for them in the CPA are satisfactory or not, and whether the implementation was good enough. The ‘popular consultation’ was not conducted on time; it will be done sometime in the future. Between 30 and 40 thousand soldiers from the two states who fought with the SPLM are left idle without work, and they will most likely not feel happy with the outcome of the ‘popular consultation’. Another 30 thousand or so highly trained soldiers from the two states, are part of the SPLA in the South who would choose to side with their fellow citizens at time of conflict. The problem of Darfur, despite reduced violence in the region during the last three years, is still dragging on without final political solution between the government and the armed groups who splintered several times in the past years. The three regions are less developed than the rest of northern Sudan and have a significant African presence that pioneered the armed struggle against the Arabised centre. If the government of Khartoum does not tackle the situation in those regions wisely, they could easily turn into another south.

Economically, the government lost about 40 per cent of its annual income from the oil revenue of southern Sudan which constitutes 80 per cent of the country’s foreign currency. The economic difficulties have already started to be felt by the people in the North: the domestic food prices are up at 19.8 per cent; the value of the Sudanese pound has fallen by about 30 per cent in relation to the US dollar; and, unemployment reached alarming level particularly among university graduates (about 40%). The official figure of the poverty level is at 46 per cent of the population, though academicians put it as high as 80 per cent. The World Bank report of February 2011 gives a poor picture of Sudan economy after secession: 5 per cent growth instead of 9 per cent to 10 per cent in the past few years, contraction in the oil sector, and reserves being critically low. The inflation rate in December 2010 reached 16.7 per cent; in the first half of 2012 it reached 30 per cent. The World Bank ended by saying that secession will put significant strain on economic stability in the North. Politically, polarisation between the government and the opposition parties is getting wider. All the opposition parties consider the government responsible for the secession of the South by following intransigent policies, some of them speak about the need of overthrowing the regime which came to power through a military coup. The difficult economic conditions may push people to protest in the streets of the capital, which the government cannot tolerate fearing what happened in other Arab capitals. In other words, the consequences of secession for the North are less security, economic difficulties and political problems.

The Consequences for the South

No doubt SPLM has achieved a long-awaited dream for the people of southern Sudan; at this stage SPLM is enjoying its honeymoon with most of the population in the South. However, the honeymoon might not continue for a long time because internal problems and frictions are bound to come out sooner rather than later. What might be the main problem? It is not different from the problem of the old Sudan; it is how to manage ethnic diversity in the new state and contain its ethnic conflicts, rebelling generals and extra-constitutional power struggle. The Sudan People's Liberation Army (SPLA) behaves as the liberator of the new state which should be put above every other institution. It is not yet a professional army that keeps away from interfering in politics and administration of the state. South Sudan comprises about 200 ethnic groups, almost each group has its own language, culture and geographical location. Some of those ethnic groups have historical conflicts with each other like Dinka with Nuer and Shilluk, Nilotic tribes with Equatorians, etc. Dr Samson Wassara, a distinguished southern scholar of Juba University, commented on conflicts in southern Sudan: life in the post-CPA is characterised by uneasy relationships between armed groups, IDPs, returnees and host communities. The causes of conflict are usually around: plunder of cattle, water and fish, land ownership and land use, trespassing tribal boundaries, blood feuds, family disputes over divorce and compensation, pastoralists grazing their cattle on peasants farms etc. Modern weapons and politics fuelled conflicts and increased the number of casualties. Tribal conflicts in southern Sudan in 2009 resulted in about 2,500 dead and 350 thousand displaced because of military operations in their regions.

There is a real fear among other tribes that the Dinka, being the largest tribe in the South and in control of the government and the army, will marginalise other tribes and deny them equal rights. After Addis Ababa agreement of 1972 and the establishment of the High Executive Council in the South, elections and change of governments were mainly based on tribal affiliation. The division of the region into three provinces was unconstitutionally decreed by president Nimeiry, mainly because the Equatorians showed discontent about the hegemony of the Dinka over the affairs of the whole region. The SPLM, being a liberation movement targeting nation-building, might not give due consideration to the sensitive issue of tribal diversity in the South. Since the precedent is set by the separation of the South, some tribes in the South itself (e.g., Equatorians) might also opt for self-rule because they did not get a fair deal in the administration of the Republic of South Sudan.

Other related factors may handicap the ability of the government to deal with the complex problems of building a viable modern state: the lack of basic infra-structure in the South; the complete dependence (98%) on the fluctuating oil revenue; the poorly-trained flabby civil service; the weakness of political parties and civil society groups; and the rampant illiteracy among the population (about 85%). Those problems are not confined to the new state of South Sudan, but they confront the state which does not possess enough political and administrative experience. Nevertheless, they are not insurmountable but they require time, national reconciliation and inclusiveness, stability and good governance. After a serious dispute with Sudan on transportation fees, the GoSS closed its oil fields in February 2012 causing severe economic problems to the apparatus of the government and the whole economy of the country.

The Consequences for the Region

The conflict in Sudan that lasted more than three decades has been explained in terms of ethnic and cultural diversities; a phenomenon which is to be found almost in every African country. What lesson may other African countries learn from the Sudan? We take, as an example, the Horn of Africa as the region which is more likely to be affected by what has happened in the Sudan since it is neighbouring Sudan from east and south, and having many similarities with its people. The IGAD countries, all of which are in the Horn, took the responsibility of successfully mediating in the Sudan conflict over a number of years till a final agreement is reached.

Despite the vague definition of 'ethnic group' in the African context, especially when we refer to its role in politics and conflict, it is still an important analytical concept which has to be considered. Usually scholars refer to an 'ethnic group' as the collectivity of people who share the same characteristics such as common ancestry, language and culture (including religion). The common assumption is that ethnic similarities or differences are the bases for social harmony or discord. It is expected that members of the ethnic group would have a relationship of solidarity and harmony with each other but one of cleavage and discord with those who do not share their ethnic identity. Conflicts in many African countries like: Ethiopia, Nigeria, Uganda, Liberia, Rwanda, Burundi, Angola, Zimbabwe, Democratic Republic of Congo, Cote d'Ivoire, Sierra Leone etc., are explained in terms of ethnic diversities and discord. For example, the civil wars in Ethiopia were characterised as wars between the Amharas and the Tigreans, Oromos and Eritreans; the conflict

in Djibouti as between the Afars and the Issas; the civil war in Uganda as between Bagandas, Langis, Acholis and Kakwas; the tribal clashes and contests in Kenya are between Kikuyus, Luos, Somalis and Kalenjins. Even in homogenous Somalia, conflicts are explained in terms of clans and sub-clans like Maraheens and Isaaqs or Darods and Ogadenis. There are at least about 3,000 ethnic groups living in Africa, many of them are extended across the borders of more than one country. Africans, in full diversity, are the natural inhabitants of the African landscape.

But is it ethnicity, as such, which is the cause of conflicts? Or is it the political and economic marginalisation of some groups within society by the authority at the time? That marginalisation may well be exploited by politicised elites, who belong to those groups in order to enhance their own political career by capitalising on the misery of their people. The evidence for such behaviour is abundant among multi-party countries, where we find leaders of the marginalised ethnic groups change their support to the same ruling parties that they accused of neglecting their people or regions. The conditions of their people may continue as they were before they happily joined the government. Thus, the socioeconomic basis of ethnic hostility must be given due weight with the role of the ethnic factor. What is called ethnic conflict may just be an elite-driven conflict covered up in ethnicity. It is true that the region's ethnic groups have their own prejudices and stereotypes about each other, but these attitudes do not normally turn into conflict at the grassroots level unless they are manipulated and organised by political leaders. However, the political solution cannot be the separation of marginalised regions from the mother country as happened in the cases of Eritrea and Southern Sudan, because ethnic diversity continues in the new states as it was in the old country. The difference may be that a minority ethnic group in the old country has become a majority in the new state, like the highland Tigreans of Eritrea and the Dinka of South Sudan. Once the conflict starts in the name of an ethnic group or region, fear and further animosity pervade the whole group or groups whose members are perceived as the enemy. Interestingly, neither in Ethiopia nor in Sudan or the Horn in general have we come across people-to-people violence between the so-called ethnic enemies. The conflict is mainly between 'liberation' groups and the central government which is dominated by one or more ethnic groups.

After the independence of African countries in the 1960s, liberal democracy was adopted for a short period before military regimes and one-party systems dominated the scene in most countries. The pretext for authoritarian rule was

that the multi-party system did not suit the African societies divided along the bases of tribes. The autocratic rulers justified the hegemony of their power in the name of building a whole nation instead of fragmenting the country according to ethnic lines. They ended up of empowering their own ethnic communities at the expense of marginalising others, without much success in achieving their declared objective of nation-building. During the last decade of the 20th century which witnessed the collapse of the totalitarian socialist regimes in the Soviet Union and Eastern Europe, African countries started to go back to some form of democratic system of government and multi-party politics. After a long oppressive rule, it is not surprising to find out that ethnic groups emerged as the most important bases for political parties.

The Tigrean People's Liberation Front (WOYANNE) which toppled Mengistu's rule in 1991 declared that the most important issue facing the country was the 'nationalities question', and proceeded to decree that all ethnic groups, nationalities and peoples in the country could define their own territory, form their own governments, and exercise self-determination even for an independence option. The map of the country has been redrawn according to ethnic zones; but as demarcating boundaries based on ethnicity is not an easy task, the map has been redrawn more than once. However, the ruling alliance "Ethiopian People's Revolutionary Democratic Front" did its best to win the election in 2005 and 2010 by more than 90 per cent, leaving the crushed opposition to allege and cry about foul play! While in the past civil wars were waged between the central government and insurgences bearing ethnic names; in the current situation peoples of different ethnic backgrounds are confronting each other on boundaries and landownership. The Ethiopian model may not be the right approach to solve the ethnic problem in the African context. To view every problem in the country from an ethnic point of view is an unwarranted exaggeration; poverty, lack of development and services, high unemployment, class analysis and elite exploitation may go a long way to explain the country's situation. Primordial ties are ill-fitted to define a nation, there are many capable citizens who would feel that their primordial roots do not necessarily reflect their interests, needs and aspirations. The two conflicting demands of 'nation-building' and 'self-determination' have embroiled the Horn of Africa, as much of the African continent, in decades of wars and destruction. The whole notion of ethnic animosity and the domination of one ethnic group by another as the real cause of conflicts in the country, and that the solution to conflicts is the secession of the marginalised group as an independent state, is a serious and wrong conclusion.

The Ethiopian researcher, Hizkias Assefa, might have managed the right balance by advocating the address of the economic and political inequities in the system, enlarging the economic base to share resources with various ethnic groups and opening up the political system so that everyone can have access to it. The system of governance should be really democratic and respect the human rights of all citizens, allowing freedom of expression and association. A mechanism must be found to legitimise ethnic identity without making it incompatible with the formation of a larger unit of identity based on mutuality and beneficial collaboration. In this regard, a loose federal system of governance supplemented by infrastructures oriented towards regional integration may be the right answer for the dilemma of ethnic solidarity and national identity.

Conclusion

The recent developments which took place till June 2012 proved that the separation of the countries was neither smooth nor peaceful. The negotiations on the outstanding issues dragged on till May 2012 without solving most of them. A number of armed clashes took place between the two parties. The Sudan Armed Forces invaded the region of Abyei in May 2011 after one of their withdrawing units was attacked by southern soldiers, despite the fact that it was accompanied by UN officials using their marked cars. The SPLA captured the oil-producing Heglig of the North in April 2012, but it was forced to withdraw under international pressure. A conflict erupted in southern Kordofan and Blue Nile in June 2012 between the government and the northern section of SPLA, and the GoSS accused the GoS of supporting the rebellion. Tribal conflicts and rebellious generals spread violence in a number of states in the South; the South government also accused the North of helping the rebels against the legal authority. Each government believed that the other wanted to overthrow its regime, which belief made the relationship between the two countries tense and acrimonious was and therefore not conducive to solving the outstanding issues. As a matter of fact, GoSS claimed other five regions in the North which were not disputed in the Joint Technical Boundary Committee which delimited the border between the two countries; although the president of southern Sudan affirmed the delimitation as a senior member of the presidency.

The government of the South produced its own self-made map, in which it included all the disputed regions in the North and a few others in Uganda. The AUHIP rejected the map as a reference for the negotiations on the border. After the attack on Heglig in April 2012, the Peace and Security Council of the African Union and the Security Council of the United Nations passed similar resolutions demanding: the immediate cessation of hostilities; the

withdrawal of all armed forces to their side of the border; cessation of helping rebel groups against the other state; and, resumption of negotiations between the two parties under the auspices of AUHIP to reach a settlement on all outstanding issues within three months. The SC resolution threatened to take appropriate measures against the party/parties which obstruct a negotiated settlement under article 41 of the UN Charter. Furthermore, it may impose a settlement on both parties on the bases of detailed proposals on all outstanding issues required from the AUHIP.

The economic situation in the two countries became seriously bad after the North lost its share in the oil revenue of the South, and the South closed its oil fields because no agreement has been reached with the North to transport the oil for export. The World Bank analysis of the economic and social impact of the shutdown of oil in the South gives a bleak picture of the economic situation and its repercussions in South Sudan. Besides the threats of the SC, the two countries have areas of vital common interest which they should care about: oil, Nile waters, cross-border trade and cattle-grazing, and shared systems of administration and social services inherited from the British during the colonial era. They have the potentials and conditions which allow them to co-exist in peace and cooperation. The international community should exert strong pressure, in a fair way, on both belligerent countries to reach a satisfactory settlement on all their differences. However, the experience of South Sudan like that of Eritrea showed that separation of a united country in Africa proved to be serious and of grave consequences to both separating states.

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