

Notes on the Peace Process in the Sudan  
By Deng Alor Kuol  
SPLM/SPLA

January 14, 1999

The Sudan has been at war with itself since August 18, 1955. The first war, which was led by the Anyanya, lasted for seventeen years and the World Council of Churches and the then Emperor of Ethiopia, Haile Selassie, brokered peace in 1972. The agreement, which granted the South a measure of self-government, was a manifestation of the people of the South to determine their future. It was a political compromise which came about through a negotiation process between the warring parties as well as consultation among the people of the Sudan. To the disappointment of many, the Addis Ababa Agreement (as it was known) was abrogated ten years later by none other than the then President Jaafar Nimeiri who in the first place initiated the peace negotiations and later signed the agreement; an action that compounded the historical and perpetual mistrust between the South and North. The present war that is being led and waged by the Sudan Peoples Liberation Movement and Sudan Peoples Liberation Army (SPLM/SPLA) broke out thereafter in 1983 to continue our peoples fight for self-determination, democracy, justice, respect for human rights as well as political and religious freedom.

The central problem of the Sudan is the domination of the Arab and Muslim North over the African and Christian South since independence in 1956. The people of the South, the Nuba Mountains and Southern Blue Nile have been excluded from the centre of state affairs since independence. All the governments that have ruled the Sudan since then have pursued this policy of racial and religious discrimination. The present government of the National Islamic Front (NIF) is the culmination of all the repressive regimes in the Sudan. This is a government of Islamic extremists who believe that the Sudan is an Arab-Muslim country and that the people of the South must be forced to convert to Islam and coerced into Arab cultural assimilation. They have whipped up religious sentiments and mobilised the Muslims in the North through 'Jihad' holy war against the people of the South, the Nuba Mountains and Southern Blue Nile.

When the SPLM/SPLA was formed in 1983, the movement seriously analysed the Sudanese dilemma, and concluded that it would be more realistic for the Movement to struggle for conditional unity or secession of the South if the conditional unity is untenable. The conditional unity presupposes the evolution of a Sudan that belongs equally to all its citizens, united by the voluntary free will of its people and achieved through the exercise of the right of self determination as opposed to that which is imposed from the top by a small group of elite and sycophants and that is based on religious and racial hegemony. This has been the political agenda of the SPLM/SPLA since then.

## **PEACE INITIATIVES**

The Sudan People's Liberation Movement and Sudan People's Liberation Army SPLM/SPLA has been involved in the quest for a peaceful resolution of the Sudanese conflict since 1985.

Since then, there have been several attempts to resolve the conflict peacefully in the Sudan but unfortunately without any apparent success. There have been many peace talks, workshops, symposia and seminars, but peace has been very difficult to achieve because the GOS particularly the present one wants a peace settlement within the frame of Unity of Sudan which is based on its own Islamic-Arab image. As an example of our commitment to peace negotiations, I shall here deliberate on the IGAD Peace Initiative. This is because it is the first peace initiative in the history of the Sudanese conflict that has come up with the correct diagnosis of the causes of the war. The options proposed by the 'IGAD' mediators are crystal clear and if adhered to are likely to resolve the conflict. Briefly, they are:

- Self-determination for the South,
- Unity of the Sudan, based on the condition that the Government of the Sudan must separate between Religion and State,
- Complete equality of all people in the Sudan to be guaranteed by law,
- A secular and democratic Sudan to be established,
- Fair sharing of wealth, and

- In the absence of an agreement on the issue of Religion and State, the people of the South will have the right to determine their political future including independence.

I will try to examine some of the critical issues that have so far been discussed by the IGAD mediators and the positions taken by both the Government of the Sudan and the SPLM/SPLA.

## **SELF-DETERMINATION**

The Government of Sudan was initially reluctant to discuss self-determination, but when it was pressed by the IGAD mediators in May 1998, it accepted self-determination only as a mechanism for resolving the question of the present war. The SPLM/SPLA however, believes self-determination is not just a mechanism for ending the war, but rather a democratic and an inalienable human and people's right. But despite the difference in the definition of self-determination, the mediators managed to bridge the gap between us. So the Movement contends that there is some progress on the issue of self-determination.

However during the August 1998 IGAD Peace Talks in Addis Ababa between the Government of Sudan and the Sudan People's Liberation Movement and Sudan People's Liberation Army, (SPLM/SPLA) the two parties disagreed on the scope of applicability of self-determination. The Movement wanted self-determination to cover the South Sudan as of 1.1.1956 and the district of Abyei Dinka, Nuba Mountains, and South Blue Nile. The SPLM/SPLA argument was that Abyei is culturally and ethnically part of the South and was promised referendum twice in 1952, during the British rule and in 1972 during the Addis Ababa Agreement but no implementation was carried out in both cases. The Nuba Mountains and Southern Blue Nile are currently fighting as members of the SPLM/SPLA so it is only logical that a solution must be found to end the war in these areas. Besides being part of a marginalised fighting Sudan, the people of these two areas live in one continuous territory with South Sudan and are not scattered and dotted all over the Sudan. This aspect makes them a natural and geographical part and parcel of the Southern Sudan component of the New Sudan. Hence they have the legitimacy to exercise the right of self-determination together or separately with the people of Southern Sudan.

At the Addis Ababa talks of August 1998, the leaders from the Nuba Mountains and Southern Blue Nile (Cdr. Yusuf Kowa Meklci and Cdr. Malik Agar) informed the Government delegation and the IGAD mediators that they were indeed part of the South but should the Government of Sudan reject this argument then it could go ahead to finalise the self-determination process with South Sudan including Abyei. However, they would remain outside such a settlement and continue to fight for their rights.

The pertinent question is not whether the issue of self-determination is accepted by both the SPLM/SPLA and Government of Sudan but rather the reluctance and lack of seriousness on the part of the Government of the Sudan. The real intention of the Government of Sudan is a military victory or manipulation of the Movement to finally accept their version of Peace from within. Neither military victory, nor acceptance by the SPLM/SPLA of their peace from within is possible in my view.

## **REAL PROSPECTS FOR A PEACEFUL RESOLUTION OF THE SUDAN CONFLICT**

The Sudan People's Liberation Movement and Sudan People's Liberation Army, (SPLM/A) strongly believes that the North has finally self-determined their political destiny by the adoption of the Islamic Constitution. The NIF Government has at long last passed this divisive constitution, hence the talk about the option of unity therefore becomes redundant and academic within the context of the National Islamic Front (NIF) Government. This will require a real shift in the thinking of the NIF and the realisation that any peace between the SPLM/SPLA and NIF would be within the context of the principle of coexistence of two systems with each dropping the idea of trying to absorb the other. The SPLM New Sudan and the NIF Sudan are incompatible. The IGAD mediators and the IPF should begin to realise this fact. The mediation should be geared towards a final divorce between SPLM/SPLA New Sudan and the NIF Sudan.

## **REFERENDUM**

At the end of an interim period, the right of self-determination in the South shall be exercised through a referendum with ideally two options; **unity and secession.**

In this regard the SPLM/SPLA believes that the Sudan during the interim period must be administered through confederal arrangements. Confederation as a system during the interim period addresses the issue of relationship between state and religion. The confederation shall therefore consist of two states: **North and South.** Each state chooses how it should relate to religion. One of them may opt for an Islamic system of government, with an Islamic constitution such as the constitution passed in March 1998 by the National Assembly in Khartoum. The Northern confederal state will embrace the Islamic Constitution passed by the National Assembly; the Southern confederal state will opt for a secular constitution.

The implementation of the referendum is therefore predicated on creation of two independent states. The referendum can only succeed and be correctly implemented if the South is entirely under the control of the Movement and people of the South. The implementation of the referendum process with the South under the control of NIF will mean manipulation of the results of the referendum and condemnation of the South and its people into an unholy unity. The NIF already shocked the people of South Sudan and the international community last year by saying that the people of South Sudan had voted overwhelmingly by 97% in support of their Islamic Constitution. This is at a time when they control a very small part of South Sudan. As experience shows the result of any referendum in the South under the NIF will be at least 97% in support of unity. The SPLM/SPLA can not allow or be a party to this system of manipulation and lies which may forever destroy the dreams of our people. The International Community should try to bring pressure to bear on the NIF to accept the reality of incompatibility and hence co-existence during the interim period.

Questions have been posed here thus "If unity is desired, what alternatives are possible? What is the acceptable frame-work of unity?" The view of the SPLM/SPLA on this is that we do not desire any unity arrangement in the context of the NIF during the interim period. However, if sufficient guarantees are provided by the international community, then the following formula shall apply:

- The administration of the South including Abyei and that of the Nuba Mountains and Southern Blue Nile (known as the New Sudan) shall be the responsibility of the SPLM/SPLA and other groups that are indigenous to these areas.
- In the event of an agreement by the parties on the separation of state and religion in matters of governance and with regards to the constitution and laws in the public domain, a genuine Decentralised System should be considered for the interim period. Its details should be the subject of negotiation between the parties i.e. the SPLM/SPLA and GOS.
- The SPLM/SPLA shall be responsible for the Security of the New Sudan during the Interim period. The Government should withdraw and redeploy its military and security forces outside the New Sudan as a confidence building measure and a genuine assurance of its commitment to a permanent peace. The necessary details can be negotiated by the parties. The participation of armed factions that are now allied with the government in the administration of the New Sudan shall be ensured and guaranteed.
- An interim government of national unity be constituted from the NDA, NIF, SPLM/SPLA, SSIM and others where: -
- The constitution, central government organs, and other national institutions to be neutral on religion. Any state may adopt an Islamic system of government. The NIF regime has now drafted an Islamic constitution and it has been adopted by the National Assembly and signed by the President of the Republic and passed by referendum carried out by the people of the North.
- The GOS and SPLM/SPLA to agree on a draft law governing the referendum on the issues of unity and independence. The referendum should be conducted by an independent election commission duly constituted by agreement. The referendum draft law should be explicit on who is qualified to vote in the referendum and there shall be a provision for international monitoring.

- The Interim arrangements once agreed upon shall be subject to international Monitoring by the United Nations, OAU, IGAD or other Regional and International Organisation which the parties may agree upon.

## **THE ROLES OF THE INTERNATIONAL COMMUNITY, EGYPT AND THE NDA**

The International Community including the IGAD Partners Forum, our neighbour the Arab Republic of Egypt and infact the United Nations (UN) should take a proactive role in the peace process.

The IGAD mediators after identifying the issues through the DOPs should direct them to be tackled in the way they appear in the agenda and allow further negotiations on those which have not been resolved. It is important that sequencing of negotiations be carried out so that issues agreed upon are not repeated in consequent round of talks. They should be in a position to identify a party that is intransigent after each round of negotiations. The IGAD Partners (IPF) should give greater support to the IGAD Secretariat. The IPF should also have some inputs and assist the IGAD mediators. The United Nations (UN) has been dormant in the Sudanese conflict. It is now time that the UN takes a more prominent role which may include an appointment of a full time special representative of the Secretary General to monitor the peace process and other developments in the Sudan. The UN should therefore reinforce and complement the IGAD peace initiative and pressurise the GOS as a UN member to respect all international conventions and accept to negotiate seriously.

As for the role of NDA in the IGAD peace process, the Movement is on record that it is working for a comprehensive peace that includes all the Sudanese political forces. The SPLM is part and parcel of the NDA and has no objection in the active participation of the other partners. This process of inclusion is important so that broader political interests of the Sudanese people are represented. However, before the NDA becomes a full partner of the IGAD Peace Talks there are certain things we need to agree upon so that we have a complete and common agenda. These include the finalization of the NDA Constitution and the working out of the interim arrangements for the government of national unity. These

documents are now being prepared and will soon be submitted to the leadership of the NDA for ratification.

It is in the interest of all the neighbours including Egypt to have a peaceful South Sudan under SPLM/SPLA which maintains very good relations with all the neighbours; so that new and real avenues for development and investment are available to the international community including Egypt. I, submit that, the NIF Government alone can not and is incapable of creating any conducive atmosphere for stability, development and international investment. Egypt in addition to its role as member of IPF can contribute in this aspect.

Finally I would like to conclude that the SPLM/SPLA desires a negotiated settlement that results in a just and lasting peace. This settlement in our view will actually be more than resolving the Sudanese conflict alone. Rather it could serve as a model of resolving most of the present conflicts in the region so that our people can have dignity, freedom of worship and expression, justice, equality for all as well as freedom of mobility in search of economic opportunities in the Greater Horn of Africa region and beyond.