

Sudan's Peace Settlement: Progress and Perils

Address by

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Mr. Chairman,
Excellences, Distinguished Delegates,
Ladies and Gentlemen,

I wish to express my profound gratitude to The National Defense University's Institute for National Strategic Studies (INSS) and the Woodrow Wilson International Center for Scholars, and in particular, to Ambassador Johnnie Carson for organizing this high-level symposium and for inviting me to make a presentation as a keynote luncheon speaker. The topic, "*More than North-South: The CPA and the Greater Conflict(s) in the Sudan*", is an important and timely one for several reasons.

Firstly, the ongoing conflict in Sudan is one of the biggest challenges facing Africa today. As the largest country in the continent, bordering some nine other states, Sudan demonstrates acutely many of the challenges facing Africa today. Moreover, the most recent events, from the increasing divisions in the ranks of the Darfur rebels to the rejection of a UN peacekeeping force highlight the problems inherent in the current negotiations being pursued by the international community. It is critical that more rebel groups in the region sign and implement the Darfur Peace Agreement (DPA) signed on May 5, 2006. There can be no military solution to the tragedy in Darfur. Only a real political settlement will end this conflict.

Before I share my insights on Sudan's prospects for a lasting peace, please allow me to acknowledge and pay tribute to Lt General Lazarus Sumbeiywo who negotiated the Comprehensive Peace Agreement (CPA) in Nairobi, Kenya between the southern Sudan People's Liberation Movement/ Army (SPLM/A) and the ruling Sudanese government's National Congress party (NCP) on January 9, 2005. As you are all aware, the CPA ended the 21 year old civil war between the north and south and the establishment of the new interim constitution on July 9, 2005 marking the beginning of the six-year interim period. In 2011, a referendum will determine whether the south will remain part of a united Sudan or become independent.

I also want to acknowledge the efforts by the Kenyan Government as well as the Inter-governmental Authority on Development (IGAD). This shows the continued and sustained will by African nations themselves to help resolve the conflicts in Africa. Last, but not least, I acknowledge the contributions of the international community, most notably, the US, Italy, Norway, UK and other Donor countries for their efforts in pushing for the signing and implementation of the CPA. It is indeed a great relief to the international community that the CPA has been signed. What is important now is to implement it.

I therefore appeal to all parties involved in the signing of the CPA to remain committed to its implementation. I join with IGAD in calling for a speedy commencement of projects of repatriation and resettlement of refugees, returnees and displaced persons and urge the international community to quickly disburse the US \$4.5 billion that was pledged for Sudan at the Oslo donors' Conference last year.

In my presentation today, I will try and highlight the status of the implementation of the CPA and discuss the United Nation's assessment of progress in its implementation. But first, a brief synopsis of the progress so far in the implementation of the CPA:

- 1) The Interim National Constitution (INC) was adopted on 18th June 2005 and the Sudan Government of National Unity (GNU) President, Omar El Bashir signed it into law on 9th July 2005.
- 2) The institution of the Presidency was established on 9th July 2005 when Dr. John Garang de Mabior was sworn in as the first Vice President of the Sudan GNU as well as President of the Government of Southern Sudan (GoSS). His tenure did not last long as he perished in a plane crash hardly three weeks after the swearing in. Following Dr. Garang's death, Gen. Salva Kiir was sworn in as the First Vice President of the Republic of Sudan and President of the Government of Southern Sudan.
- 3) The National Assembly was formed on 31st August 2005 comprising of 234 seats for National Congress Party (NCP), 126 seats for Sudan People's Liberation Movement (SPLM); 55 seats for Northern political forces; 27 seats for southern political forces and 8 seats for national personalities.
- 4) In September 2005 President Bashir issued four decrees establishing the Government of National Unity (GNU) based on the CPA. Precisely, the GNU was appointed on 20th September 2005.
- 5) The stage was then set for the formation of the Transitional Southern Sudan Legislative Assembly, which was appointed. It is this Assembly that approved the interim Constitution of Southern Sudan, which was signed into law by the President of Southern Sudan on 5th December 2005.
- 6) State Governors were appointed, State Legislative Assemblies formed and all state governments established except for Khartoum and Southern Kordofan. Perhaps most importantly, the Constitutional Court was established on 24th December 2005.
- 7) Different commissions have been set up as stipulated in the CPA. These include; the Assessment and Evaluation Commission (AEC), the National Petroleum Commission (NPC), the Cease-fire Political Commission (CPC), the Fiscal and Financial Allocation and Monitoring Commission (FFAMC), the Technical Ad hoc Border Committee and the National Judicial Service Commission.
- 8) In January 2006 South Sudan Defence Forces (SSDF) leader, Gen. Paulino Matip, signed an agreement with Gen. Salva Kiir, merging the SSDF with Sudan People's Liberation Army (SPLA) as provided for in the CPA. That was a good step, and other groups should be urged to follow suit as that will make South-South dialogue process a productive reality.

- 9) The two Multi-Donor Trust Funds (MDTFs) for North and Southern Sudan have been established. The Board of Directors and two Deputy Governors have been appointed for the Central Bank of Sudan (CBOS). The Bank of Southern Sudan has also been established.

In a recent address to the Woodrow Wilson Center, the First Vice President and President of the Government of Southern Sudan, (GoSS), Mr. Salva Kiir Mayardit stated that there was some progress in the implementation of the CPA, but progress had been slow, in part due to the negotiating partners leaving the warring parties to implement the agreement on their own goodwill, and also due to the failure by the negotiating partners to stay the course and help the warring parties implement the CPA.

As a result, the parties have been unable to implement the Abyei Protocol as the National Congress Party (NCP) rejected the report of the Abyei Boundary Commission, which was set up to demarcate the borders under the Abyei administration. He also noted that the Federal ministry had not paid the necessary funds to the Commission that was supposed to demarcate the north-south border. This has stalled the re-deployment of forces; Sudan Armed Forces (SAF), who were supposed to have withdrawn from the south and redeployed to the north, and the SPLA to be stationed in the south. Another problem as a result of the failure to agree on the respective boundaries of the north and south is rising tension over the control of the newly discovered oil resources.

Mr. Salva Kiir Mayardit also noted that the National Petroleum Commission proposed by SPLM, as a secretariat independent from the Department of Energy, to focus on oil production, sales and management is not functional. The oil revenues are currently being determined by the National Ministry of Energy and Mining and the Ministry of Finance- both controlled by the NCP. Its unpredictability thus represents an important obstacle to sound economic planning in the south.

He also noted that several commissions had not yet been established, for example, the Human Rights Commission, the National Civil Service Commission and the National Lands Commission and stressed the importance of setting up the infrastructure for effective development to take place. He underlined the need for donors to honor their pledges made at the Oslo Donors Conference in April 2005 and the first ever Sudan Consortium, held in Paris, France in March 2006, which was organized jointly by the World Bank, the International Monetary Fund and the United Nations.

United Nations Assessment of progress in the implementation of the CPA

Key developments since July 2006

1. The first anniversary of the inauguration of the Presidency and the signing of the Interim National Constitution was marked on 9 July with ceremonies throughout Sudan.

2. The Ceasefire Political Commission met for the fifth time on 27 July, but failed to resolve a number of deadlocked issues, including movement restrictions on UN personnel north of Abyei.
3. The Other Armed Groups' Collaborative Committee (OAGCC) held its second meeting on 5 August; its first meeting was held in March 2005.
4. On 3 July, the Second Parliamentary Session of the National Assembly came to an end; Parliament is scheduled to resume on 30 October.
5. The Assessment and Evaluation Commission gathered momentum during July 2006, with more working group sessions and increased participation from the CPA parties. The AEC held its tenth plenary meeting on 11 July.
6. The Technical ad hoc Border Committee held its sixth meeting on 20 July and approved its budget. The rainy season has delayed substantive work.
7. On 19 July, the Bank of Sudan opened its Juba Branch.

Updates

1. Neither the national nor southern legislature passed any legislation establishing new CPA Commissions or other bodies during their recent sessions. Of all the CPA commissions, only a few are actually convening regularly.
2. The national commissions that are yet to be established include: the Human Rights Commission, the National Civil Service Commission, the National Land Commission, the National Electoral Commission, the Commission for the Protection of the Rights of non Muslims in the National Capital and the Council for Development and Promotion of National Languages.
3. The National Constitutional Review Commission (NCRC) has not met since it was re-established on 7 January 2006.
4. A number of commissions are yet to be established in Southern Sudan, including the Land Commission, the Civil Service Commission, the Human Rights Commission, the Anti-Corruption Commission, the Relief and Rehabilitation Commission and the Disarmament, Demobilization and Reintegration (DDR) Commission, although Commissioners have been appointed.
5. The GoSS and the GNU formally endorsed the Interim Disarmament, Demobilization and Reintegration Programme (IDDRP) in January and May 2006, respectively. A 3 May 2006 presidential decree appointed the Chairperson and the Deputy Chairperson for the Southern Sudan DDR Commission. However,

- the commission itself is yet to be established. The Northern DDR Commission, established on 19 February 2006, has yet to convene its first meeting.
6. The Ceasefire Political Commission (CPC), the National Population Census Council, the Technical ad hoc Border Committee and the Joint Defense Board all met during July.
 7. Since mid-December 2005, the freedom of movement of UN Military Observers and humanitarian convoys has been restricted in Northern Abyei. There were further restrictions of movement in Eastern Sudan. In Southern Blue Nile, the parties continued to disagree on the definition of the ceasefire zone. These issues continued to be raised at the CPC.
 8. The SAF reported 61.7% redeployment and the SPLA reported 64.9% redeployment.
 9. As of 31 July 2006, 99% of UNMIS military personnel (9,595 out of a total of 9,692) have been deployed, including 689 UNMOs, 183 Staff Officers and 8,726 troops from the Troop Contributing Countries (TCCs). As of 7 August, 92% of UN Police have been deployed (659 out of a mandated strength of 715).

Conclusion

Mr. Chairman, I have tried to provide an accurate overview of the status of the implementation of the Comprehensive Peace Agreement. Much has been achieved, but a great deal remains to be done. It is particularly unfortunate that the tragedy in Darfur has, to a considerable extent, overshadowed and diverted international attention away from the progress and perils of the CPA. We must not allow the implementation of the CPA to falter for lack of adequate, and sustained international support. But at the same time, parties to the CPA must scrupulously live up to their commitments. The United Nations Mission in Sudan (UNMIS), under the able leadership of SRSG Jan Pronk, will continue to do its best in support of the parties.

I look forward to a lively discussion.

Thank you.