

# Research Report

# MUNISH '12



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**Forum:** Advisory Panel on the Question of Sudan and South Sudan

**Issue:** The Question of Sudan and South Sudan

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**Position:** President and Deputy President of APQSSS, MUNISH 2012



## Introduction

Over a year ago, on the 9<sup>th</sup> of July 2011, Sudan, a region long burdened with conflict, was separated into two different states (Sudan and South Sudan). The Republic of South Sudan is currently the world's newest country and the 193<sup>rd</sup> member of the United Nations (UN). Despite the declaration of South Sudan's independence many pressing political, humanitarian, and economical issues remain unresolved, furthering tensions between the North and the South.

## Definition of Key Terms

### Sudan

Refers to the region as a whole, both North and South Sudan

### The Republic of Sudan

The North of Sudan, often mentioned as 'the North'

### The Republic of South Sudan

The South of Sudan, often mention as 'the South' or 'South Sudan'

### Marginalization

The placement of something in a position of lesser importance

### Referendum

The question posed to an entire population of a country

### Sharia law

Legal system based on the Koran, also known as the Islamic law

## Ceasefire

An agreement to suspend fighting

## Autonomous

Independent and self-controlled rather than by exterior forces

## Literate

(In the case of this text) Those who are over the age of 15 and are able to read and write

## General Overview

### General information

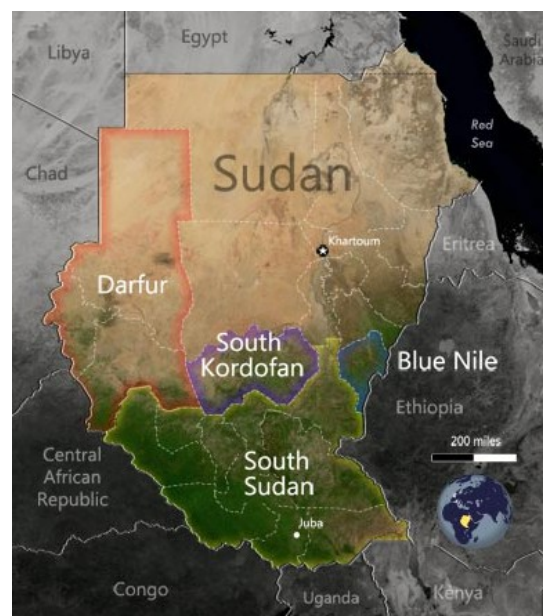
#### *Sudan*

Sudan has an area of 1,886,068 square kilometres, making it the third biggest country in Africa. The North has a population of 30.9 million people. The primary religion is Sunni Muslim, and alongside exists a small Christian minority. The languages that are officially spoken are Arabic and English. Approximately 61% of the total population is literate (72% of the males and 52% of the females). The Sudanese government is situated in the city of Khartoum (the capital). Sudan is officially a federal republic (run by the National Congress Party) since 1989. The legal system is a mix between Islamic law and English common law. As for the constitution, Sudan is in the process of creating a new one to replace the Interim National Constitution, which was approved in July 2005. The on-going conflict in the western region of Darfur and the split in oil production has troubled Sudan's trade and markets. This turned out to be very worrisome for the employment rates of the people. Sudan is currently making an effort to provide new sources of income (such as gold mining).

#### *South Sudan*

South Sudan has an area of 644,329 square kilometres (comparable to the areas of either France or Afghanistan). The Republic has a population of 9.1 million people. Over 4.5 million of these people are under the age of 18.

Roughly 27% of the total population is literate (40% of the males and 16% of the females). The primary religions are Animist and Christian. Same as in Sudan, the official languages are both English and Arabic, which include Juba and other Sudanese forms of Arabic. The South



Map of Sudan and South Sudan

Sudanese government is located in the capital of Juba. The constitution of the republic is officially titled the Transitional Constitution of South Sudan 2011 (ratified in July 2011). Roughly 7.3 million reside in rural areas and are mainly supported by livestock and farming. This year, the World Food Program (WFP) and the United Nations Food and Agriculture Organisation (FAO) anticipated that 5 out of every 9 people in South Sudan would experience difficulties feeding themselves.

## Historical background

Until its independence in 1956, Sudan was under British and Egyptian control for 57 years. British-Egyptian authority kept a clear divide between the northern and southern regions of Sudan. As development was concentrated in the North, the South (including regions such as Darfur) became marginalized both politically and economically. In 1946, both halves of Sudan were united. However, governmental authority purposefully remained located in the North. As a result, a bitter attitude arose from the population in southern regions. The South soon struck up a rebellion, afraid that they would continue to be ignored politically and economically. To end this conflict, a peace agreement was established in 1972. However, terms of the agreement were violated, breaking the (already) unstable peace. Also, the enforcement of Sharia law in Sudan outraged the inhabitants of the South who are primarily Christians and Animists.

In 1983, the anger broke out into open conflict which lasted 22 years, killing over 2 million people and leaving approximately 4 million people homeless. Finally, in 2005, the Naivasha Agreement was signed by both the Nation Congress Party (NCP) and Sudan Peoples' Liberation Movement (SPLM). Despite the agreement, struggles still continue between the North and South.

## More recent

As a requirement of the Naivasha Agreement or Comprehensive Peace Agreement (CPA), a referendum was held in the beginning of January, 2011. With a nearly unanimous vote of 99% a decision was made to grant South Sudan separation from Sudan. Indeed, half a year later, July 9<sup>th</sup>, the Republic of South Sudan marked its independence. However, most problems remained unaddressed, and only began to worsen. Roughly 20% of the border lines have not yet been decided upon. Also, citizenship is a very pressing issue at the moment. Due to the many of the fleeing refugees out of the conflict areas, there are an approximately 2 million South Sudanese living in Sudan (the North). At the top of the pile of issues, however, are how to split the oil profits and national debt of about 38 billion dollars.

## Darfur

Darfur is a region located in western Sudan and for the North it is the main origin of conflict. The heavy situation for the region of Darfur commenced in the early 1980s when it experienced an intense drought. Many northerners were forced to move to the South increasing the competition for land. This issue worsened with the contrasting views on land ownership as well as the ridding of local committees, which usually dealt with such matters. Finally, in 2003, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) revolted against the government. In response, Janjaweed (the Arab militia) raped, killed, and kidnapped rebels as well as civilians in Darfur. (The government continues to deny that it had anything to do with this). Six years later, in 2009, President Omar al-Bashir was officially accused of being involved with the Arab militia and the International Criminal Court called for his arrest. Disloyalty of the Sudanese government became apparent once it claimed that there were only 10,000 victims of conflict, when the UN estimated there to be around 300,000. Also 2.7 million people were left displaced, residing in refugee camps located in Central African Republic and Chad. In 2006, a ceasefire was signed by, among others, the SLA; however, the JEM refused to do so. This quickly changed the way the conflict was unfolding. In 2008, the African Union (AU) – United Nations Hybrid Operation in Darfur (UNAMID) - the UN-AU joint peacekeeping mission - was brought into action in Darfur. Finally, in 2010, the JEM signed a ceasefire; however, it soon began to break down due to slow progress in peace talks.



Villages burnt by the Janjaweed (the Arab militia) in Darfur

Luckily, in the last few months, the revolting groups have shown growing desires to cooperate. On July 14<sup>th</sup> of 2011, the Darfur Peace Agreement was signed by the government, the SLA and the JEM.

## Issues

### *Economical issues*

In 2004, the discontinuance of belligerency in Sudan and the expansion of unrefined petroleum (more commonly known as crude oil) resulted in an almost doubling of the Gross Domestic Product (GDP) per capita since 2003. The two-decade civil war and poor infrastructure stood in the way of further growth. Measures were also taken to establish a market-based economy (rather than socialist based); however, the government remained engaged with the economy. With the separation of the two



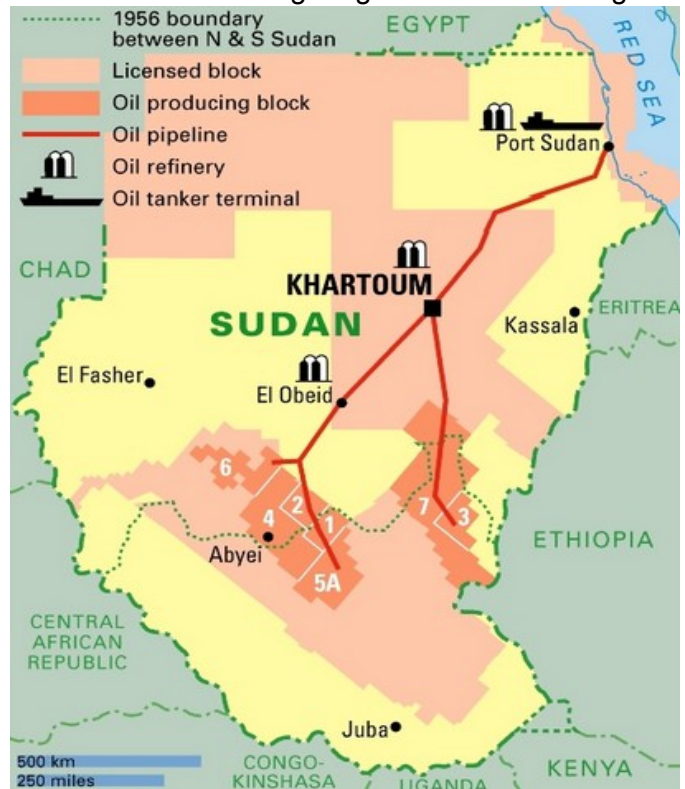
United Nations peacekeeping forces in Sudan

Sudan's the economies were immediately impacted. The way the new Sudanese economy will be structured still remains unclear; however, it is certain it cannot rely on oil production, which was in fact the main source economic growth in the past. Sudan will now be forced to target agriculture and mining for economic development.

### Humanitarian issues

The humanitarian situation in Sudan is unpleasantly tough. Due to two decades of civil war and conflict between the Sudanese government and the SLA, famine and violence have left 2 million dead and more than 4.5 million people displaced within Sudan and in neighbouring regions and countries.

After the International Criminal Court (ICC) issues an arrest warrant for president al-Bashir, the Sudanese government banished a dozen humanitarian aid organizations as well as 3 national ones. The UN stated that this affected 50 percent of the aid delivery to Sudan.



Map of oil producing regions in Sudan and South Sudan



Sudanese refugee camp in Chad

## Major Parties Involved and Their Views

### The Republic of Sudan

Also known as North Sudan, this country is one of the two main countries the conflict revolves around. After North and South Sudan were united in 1946, most of the political, administrative and economic power was concentrated in the northern part of the country. This has led the South and other peripheral regions, such as Darfur, to become marginalised. The inequality of the division led to feelings of anger and resentment among inhabitants of the South. Apart from this, North Sudan has also been the centre of development and aid from foreign countries for a long time. Therefore, it has always had an advantage compared to the South, a position that has stirred up emotions in the South. One of the disputed issues is the revenue of oil from oil fields in the North and the use of a strategic pipeline. The population of the North is largely dominated by Muslims, who mostly supported the introduction of Sharia law in 1983.

## The Republic of South Sudan

Also known as South Sudan, this country is one of the two main countries the conflict revolves around. The South has always been at a disadvantage, since the government (and the rulers of Great Britain and Egypt before them) located almost all power (political, administrative and economic), as well as development, in the northern part of the country after the independence. Due to this unbalanced division, the South has always regarded itself as being sidelined by the authorities and has subsequently shown its resentment by rebelling against the government's rule. From the start, South Sudan has been one of the world's poorest and most corrupt countries, making a stable situation far more difficult to achieve. Most of the inhabitants of the South are Christians, who were heavily opposed to the imposition of Sharia law in 1983. This decision, along with others, caused the formation of many rebellion groups who oppose the government in the North. In 2011, over 99 % of the population voted in favour of the independence of the South.

## The Three Areas

This is the common name for three regions in the middle of former Sudan: Abyei, South Kordofan and Blue Nile. These areas are still the centre of conflict and fighting and have not aligned with either the North or the South, even though the CPA contained regulations for a process that would help these regions determine their future. Abyei has been claimed by both countries for its oil reserves.

The main concern of this region is the importance of the Masseriya tribe, a tribe consisting of Arab nomads who consider Abyei their home for part of the year. While they are given full voting rights by the North, the South is reluctant to grant full voting rights to non-permanent citizens of Abyei. For a brief period, Abyei was seized by the North, which created a tension that was solved by a demilitarisation of the area and by deploying UN peacekeeping forces in the Area. South Kordofan and Blue Nile have also failed to see an end to the violence and a definitive decision concerning their position in the conflict.



Map of The Three Areas (Abyei is located in the south-western part of Southern Kordofan)

### Egypt and Great Britain

As former rulers of Sudan, both countries have some responsibility when it comes to reaching a solution to the conflict. Inhabitants of the South will likely see both countries as partially responsible for their marginalisation and the current problems with food, water, medical care and the economy. Egypt is also a neighbouring country of North Sudan and is therefore immediately affected by a sudden escalation of the conflict. As one of the richest and most influential countries on the continent and in the AU, Egypt is perfectly placed to play an important role in reaching a solution to the conflict. Great Britain may not be an African nation, but is still the possessor of a rare P5 membership in the Security Council and thus able to influence other major countries in the world to send immediate aid to the conflict areas.

### Chad and the Central African Republic

Chad is a country that borders North Sudan on the western side, meaning it borders the region of Darfur. It has received thousands of refugees during the long-standing civil war in Darfur, many of whom still refuse to return to a country that is still in conflict. The influx of refugees has only increased during recent conflicts. The Central African Republic, which border both North and South Sudan in the (south) west has also received a huge amount of refugees. Refugee camps have been set up in these countries, but the situation in these camps is far from ideal. Food and water problems, along with a lack of medical care, have led to life-threatening situations for the former inhabitants of Sudan.

### The International Criminal Court



The ICC has issued an arrest warrant for President Omar al-Bashir, who is suspected of genocide, war crimes and crimes against humanity. It is widely believed that his government supported the Janjaweed militias in the Darfur conflict and therefore caused the deaths of many people. Until now, every arrest warrant has been ignored by the Sudanese government. President al-Bashir still has many allies among other African rulers and has so far managed to evade capture by the ICC. Despite his strong position within the African continent and in Russia and China, Western countries call for his immediate arrest and trial and Western aid may prove vital in maintaining a peaceful and stable situation in Sudan.

### The Sudanese Peoples' Liberation Army

The SPLA, which was formed in 1983 as a form of rebellion against the government, has played an important role in the process of gaining independence of South Sudan and was one of the parties to sign the CPA. It is the military branch of the South Sudanese government and plays an important role in the upholding of ceasefires and peace treaties.

### The Sudanese Peoples' Liberation Movement

The SPLM is the political branch of the South Sudanese government and has been the ruling party since the independence in 2011. It is one of the main parties in negotiations concerning peace treaties and ceasefires. In recent times, it has tried to create a more stable situation and move towards an opening for opposition parties in the South. It is, however, facing problems within its own ranks, further complicating the process of forming a stable government in the South.

### The National Congress Party

The NCP is the main ruling party in North Sudan and the party of President al-Bashir. It was one of the parties to sign the CPA and it gave permission for the independence of the South. It also signed peace treaties concerning the region of Darfur. When it comes to finding a definitive solution to the escalating violence in the country, the NCP has the governmental influence to play an important role.

## Timeline of Events

The text next to each year is written in chronological order.

Date	Description of event
1899	British-Egyptian authority established in Sudan.
1956	Sudan becomes independent.
1962	Civil war commences (primarily in the South).
1972	A peace agreement is signed, granting the southern regions limited governance.

- 1978 Oil reserves found in the South.
- 1983 Islamic Sharia law imposed on all of Sudan. The Sudanese People's Liberation Army (SPLA) is formed and revolt against the government.
- 2002 A peace deal is signed by the SPLA and the government guaranteeing a half-year ceasefire and bringing an end to 19 years of civil war.
- 2003 In Darfur, two rebel groups revolt against the government because they believe the western region has been neglected.
- 2004 A ceasefire in the South is agreed upon by the SPLA and the rebels of the JEM. Meantime, in Darfur, hundreds of thousand refugees escape to Chad because of violent uprisings. Janjaweed (Arab militias that are in support of the government) perform organized killings in the villages of Darfur. In terms of the North-South dealings, advancement is made with 'power-sharing protocols'. The United States of America (USA) refers to the situation in Darfur as genocide. The UN agrees that Sudan is unable to demilitarize the military forces in support of the government, however, does not acknowledge the term genocide. The AU sends in protection forces.
- 2005 A permanent comprehensive peace deal is signed by the rebels in the South and the government. The United Nations Security Council states that those who perform acts of cruelty in Darfur may be sent to the ICC. An autonomous authority is shaped in the South.
- 2006 The United Nations Security Council takes a decision to deploy a 26,000 peacekeeping force to Darfur; however, the Sudanese president does not grant permission for this to happen.
- 2007 The ICC submits the first authorizations of arrest for Sudanese minister and a militia leader. Sudan finally allows the stationing of the 26,000 AU-UN forces to the region of Darfur (also known as UNAMID – African Union United Nations Mission In Darfur).
- 2008 Troops are sent to Chad and the Central African Republic to help the refugees from Darfur. The United Nations predicts that the conflict in Darfur had resulted in approximately 300,000 deaths. The government bombs schools and market places in Darfur leaving 13 dead. The North and South begin to fight over the oil rich Abyei. The ICC issues an arrest warrant for the president of Sudan (Omar al-Bashir) for atrocities and war crime in Darfur; however, Sudan refuses the

charges.

2009

The ICC in The Hague calls for the arrest for the President al-Bashir. The Hague gives the North control over the Abyei region.

2011

South Sudan gains independence. South Sudan becomes the 193<sup>rd</sup> member of the United Nations and the 54<sup>th</sup> member of the African Union. South Sudan launches its own currency.

## UN involvement, Relevant Resolutions, Treaties and Events

The UN has been involved in the conflicts that plague Sudan and the surrounding areas from the start. One of the main ways to help ease the tension between the opposing parties and to prevent escalation of the situation was to send peacekeeping troops (mainly from countries in the area, such as Ethiopia). Also, the UN has created specific peacekeeping missions for the Darfur conflict - the United Nations African Union Mission In Darfur (UNAMID) - and for the situation in Abyei - the United Nations Interim Security Force for Abyei (UNISFA). The UN has closely followed peace talks between the North and the South and has supported both countries in terms of development aid. It made the decision to decrease its involvement in certain affairs, handing authority back to local governments and Non-Governmental Organisations (NGO's).

Perhaps the most important mission of the UN was the United Nations Mission In Sudan (UNMIS). UNMIS was created to oversee the implementation of the CPA, which formed the basis of peace talks and a process to establish an autonomous (and later fully independent) region in the South. Furthermore, UNMIS provided UN funds and aid in areas concerning humanitarian aid and development, as well as the promotion and protection of human rights. In short, UNMIS hoped to provide assistance in accomplishing a stable and strong government in both halves of Sudan, ending a long-standing problem in North Africa.

Most recently, the UN welcomed South Sudan as its 193<sup>rd</sup> member and the newest country in the world. South Sudan is now represented in the UN and is therefore capable of informing the world of the current situation and of trying to gather support for further development. Due to the new situation that emerged after the independence, the UN decided to close UNMIS and to create the United Nations Mission In South Sudan (UNMISS) to address the serious threat to international peace and security the Sudan conflict was deemed to be.

Below are the resolutions which helped create the UNMIS and the UNMISS:

- Establishment of the United Nations Mission In Sudan, 24 March 2005 (**S/RES/1590**)
- Establishment of the United Nations Mission in South Sudan, 8 July 2011 (**S/RES/1996**)

Other resolutions on situations in Sudan can be found in the Appendix section.

## **Evaluation of Previous Attempts to Resolve the Issue**

The UN has created several missions to ensure the establishment of a peaceful situation in Sudan. On top of that, it has provided the inhabitants of both countries with humanitarian aid and has tried to assist wherever possible in achieving a recovery of a democratic and well-governed system.

One of the best examples to use is the CPA, one of the main attempts to create a continuous situation of peace in the region. While the CPA tried to achieve a transformation of the conflict area into a stable and durable governance system, it failed in many aspects. The CPA only recognised the SPLM as a rebel group and ignored most of the others and lacked sound improvements in areas of accountability for people's role in the conflict and reformation in the governance and legal area. On top of that, the government failed to put most of the aspects into action, rendering the CPA a flawed attempt at improvement. In short, the CPA only increased the division of wealth and power between the North and the South.

Many other peace treaties were not as highly regarded as the CPA, but still lacked in tackling the fundamental problems Sudan's inhabitants were facing.

## **Possible Solutions**

When tackling the problems Sudan and South Sudan are facing at this moment, it is necessary to consider the many aspects the problem comprises of. First of all, it is necessary to maintain a stable and durable atmosphere of peace in the region, for stopping the fighting is vital to opening doors to full recovery and development. One should look at the failed facets of earlier treaties, such as the CPA, and consider how these flaws can be improved. South Sudan should be transformed into a country with a stable government, a fair legal system and an acceptable living environment for its inhabitants.

Help from other countries should be taken into account as well. One might try to persuade refugees currently residing in neighbouring countries to consider a return to their home in Sudan, as many people are needed to build up the country again. Western countries may be asked to send in aid and primary needs for the Sudanese people (via the UN for example). A problem that may emerge here is the current status of President Omar al-Bashir. If Western countries refuse to send aid without his immediate arrest, it may be necessary to reach a definitive decision on this issue as well.

When attempting to create a solution to the problem, one should try to take the responsibilities, wishes and needs of all of Sudan's inhabitants into account. After all, a feeling of resentment and anger among the 'sidelined' people in the South was one of the main causes for this conflict. Whatever solution one comes up with, the only way for it to be definitive, durable and sustainable is when every party engaged in the Sudan conflict is content with the outcome.

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## Appendix or Appendices

- A collection of many resolution concerning Sudan, South Sudan, the Darfur region and other (closely) related topics :

<http://www.un.org/apps/news/docs.asp?Topic=Sudan&Type=Resolution>

Two of the most important resolutions can be found in the "UN Involvement" section.

- The Transitional Constitution of the Republic of South Sudan, 2011:

[http://www.sudantribune.com/IMG/pdf/The\\_Draft\\_Transitional\\_Constitution\\_of\\_the\\_ROSS2-2.pdf](http://www.sudantribune.com/IMG/pdf/The_Draft_Transitional_Constitution_of_the_ROSS2-2.pdf)

- The Comprehensive Peace Agreement Between The Government of The Republic of The Sudan and The Sudan People's Liberation Movement/Sudan People's Liberation Army:

<http://unmis.unmissions.org/Portals/UNMIS/Documents/General/cpa-en.pdf>