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The Future of South Sudan

Background

In January, the people of South Sudan unequivocally expressed their desire to separate from the Republic of Sudan, with almost 99 percent voting for secession. In spite of isolated instances of violence, worst-case scenarios—including a potential return to warfare between the North and the South if the referendum were delayed or mishandled—were averted. The South Sudan referendum went off smoothly and on time. It was a transparent process, and the results, officially announced in early February, were accepted by the North. On July 9th, after the six-month postreferendum period stipulated by the 2005 *Comprehensive Peace Agreement* expires, South Sudan is scheduled to become an independent state. It would be the first new state established in Africa in nearly two decades.

While this is an exciting period for the people of South Sudan, the future presents them (and their neighbors in the North) with many difficult challenges. The status of Abyei and postreferendum issues between North and South—e.g., citizenship, oil sharing, border demarcation, currency, and debts, among others—are yet to be resolved. In addition, the South faces significant statebuilding challenges, ranging from reforming the security sector and developing inclusive political institutions to strengthening public administration and delivering essential services, such as education and health care.

On March 14th, the International Peace Institute (IPI) held a roundtable discussion that brought together nearly forty experts working on Sudan from the UN Secretariat, UN member states, the African Union, and the NGO community for an interactive dialogue on the challenges and opportunities of the postreferendum environment and statebuilding in South Sudan. In particular, the discussions focused on strategies that the UN, its member states, other multilateral institutions, and NGOs can pursue to help the parties to resolve postreferendum issues and the Abyei impasse, and to assist the people of South Sudan in building an effective, inclusive, and legitimate state.

The Abyei Impasse

Determining the status of Abyei is generally considered the most difficult issue facing both parties. The region's long and troubled history extends to the present, and a couple of speakers suggested that tensions there have the potential to drag both parties back into war. In May 2008, the armies of North and South Sudan fought a battle in Abyei (a town, part of the broader region with the same name), which led to the deaths of over 100 civilians and the displacement of thousands. In late February and early March of this year,

members of the migratory Misseriya clashed with South Sudanese police and Ngok-Dinka in Abyei, resulting in 148 deaths and, according to *Médecins Sans Frontières*, tens of thousands of displaced.[1] In March, media outlets reported the presence in Abyei of forces aligned with North Sudan and South Sudan in violation of the 2005 *Comprehensive Peace Agreement*.[2]

In mid-April, as a result of the violence in the region, the North and South agreed to establish a joint technical committee to "oversee…the withdrawal of all unauthorized forces and deployment of Joint Integrated Units throughout the region," in accordance with the January 2011 Kadugli agreement and the March 2011 Abyei agreement.[3] The UN Mission in Sudan (UNMIS) facilitates the committee, which met for the first time on May 8th, and is expected to help the parties withdraw all unauthorized military personnel from the region by May 17th.[4] Unfortunately, there were violent clashes in Abyei as recently as May 1st resulting in the deaths of three civilians and eleven soldiers from the Joint Integrated Units.[5]

A referendum to determine whether the Abeyi region would remain in the North or join the South was scheduled concurrently with the South Sudan referendum in January 2011. However, it never took place. The main sticking point concerned whether members of the migratory Misseriya tribe should be permitted to participate in the referendum. The Misseriya, a nomadic tribe with ties to Khartoum, migrates south into Abyei for access to water and grazing land for their cattle. The North believed that the Misseriya should be eligible to vote in the referendum; the South argued that only full-time residents of the region should be allowed to participate.

The two sides did not demonstrate flexibility on

voting criteria. This is because the stakes were so high. As one participant in the meeting noted, the Misseriya far outnumber the Ngok-Dinka, a tribe that considers Abyei its ancestral homeland and has good relations with the SPLM. If the Misseriya were allowed to vote, the result of the referendum would be a foregone conclusion, as the Misseriya would likely vote overwhelmingly in favor of Abyei's incorporation into the North. Thus, much of the conflict in Abyei results from intertribal tensions between the Ngok Dinka, who do not want to be part of the North, and the Misseriya over access to the region's fertile land.[6]

Another factor affecting the calculations of North and South is the presence of oil in Abyei. Although oil production in the region has dwindled significantly since the signing of the *Comprehensive Peace Agreement* in January 2005, it is possible that more may be found in the region.

Some participants offered ideas for resolving the Abyei impasse. One speaker noted that linking pre-agreed concessions on oil sharing and borders to the status of Abyei might create incentives for both sides to compromise. Another speaker stated that in 1972, at the end of Sudan's First Civil War, there was a proposal to designate Abyei a "special area," one that "would be a model for peace and unity in the country and a point of contact and integration." Unfortunately, the level of distrust at the time between the North and South was too great for this vision to become a reality; while tensions remain high today, it was suggested that this proposal may serve as a springboard for negotiation. It was also noted that a durable solution to the Abyei situation needs to address the grievances of the Misseriya and the Ngok-Dinka, while fostering reconciliation between both tribes.

1   Security Council Report, "South Sudan: April Forecast," March 31, 2011, available at www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.6676149/k.3564/April_2011brSouth_Sudan.htm .

2   See. for example, Voice of America, "UN Says Disputed Sudanese Region is Militarized," March 31, 2011, available at http://blogs.voanews.com/breaking-news/2011/03/30/un-says-disputed-sudanese-region-is-militarized/ . See also, Reuters, "Rival Troops Build up in Sudan's Abyei: Satellite," March 11, 2011, available at http://af.reuters.com/article/topNews/idAFJOE72A05920110311?pageNumber=1&virtualBrandChannel .

3   Sudan Tribune, "North and South Sudan Agree to Agree to Withdraw 'All Unauthorized Forces' from Abyei," April 14, 2011, available at www.sudantribune.com/North-south-Sudan-agree-to,38581 .

4   UN News Centre, "Sudan: UN Welcomes Agreement to Withdraw Forces from Abyei Area," May 9, 2011, available at www.un.org/apps/news/story.asp?NewsID=38311&Cr=sudan&Cr1= .

5   UN New Centre, "Sudan: UN Voices Concern After 14 Killed in Fresh Clashes in Sudan's Disputed Abyei Region," May 3, 2011, available at www.un.org/apps/news/story.asp?NewsID=38257&Cr=unmis&Cr1 .

6   Luc Van Kemenade, "US Envoy to Sudan: Abyei Conflict Could Spark War," Associated Press, April 9, 2011, reprinted in Kansas City Star and available at www.kansascity.com/2011/04/09/2787967/us-envoy-to-sudan-abyei-conflict.html .

Other Postreferendum Issues

Many participants in the meeting agreed that, while the status of Abyei appears to be an intractable problem, other postreferendum issues—wealth sharing, citizenship, distribution of assets and debts, and border demarcation (other than that of Abyei)—are more manageable. One speaker suggested that not all of the postreferendum issues need to be resolved before South Sudan becomes an independent state in July, which implies that each matter could be handled separately. However, some participants indicated that the issues could be negotiated collectively as part of a broad package.

When Salva Kiir, President of the Government of South Sudan, spoke at IPI in September 2010, he stated that, "if Southern Sudan separates from the North, it will not shift to [the] Atlantic Ocean or Indian Ocean."[7] His point was clear: the future of South Sudan will be connected in many ways to that of the North—in addition to geographical proximity, the two sides share significant economic, political, and security concerns. Some of these were raised during the discussion.

The management of oil is one major area in which the two sides must cooperate. While approximately 75 percent of Sudan's oil is located in the South, all of its pipelines and refineries are in the North.[8] The South is investigating the possibility of developing alternative pipeline routes to bypass the North, but these will take years to build. Currently, Port Sudan on the Red Sea (in the North) is the only export outlet for the country's oil.

The governments of Sudan and South Sudan will need to address mutual security arrangements to mitigate the chances of a renewal of conflict. Intertribal skirmishes in Abyei, even if initiated without the knowledge or support of either government, have the potential to drag the North and South back into conflict. Likewise, tensions between North and South inevitably escalate if and when the parties arm rebels on either side of the border. In fact, the March 14th meeting at IPI took

place at a time when the SPLM had temporarily suspended talks with the NCP amid accusations that the NCP was supporting anti-SPLM militias in the South.[9]

The political and civil rights of northerners living in South Sudan and southerners living in North Sudan are another concern shared by both parties. There are approximately 1.5 million southerners living in the North, although the number of northerners in the South is significantly lower. One participant also wondered what will happen to the SPLM in the North, where the party maintains a presence.

Statebuilding in South Sudan

There was a strong sense among the participants that a large-scale development effort is needed to facilitate statebuilding in South Sudan, with one speaker calling for "a mini Marshall Plan" in the South. The South would be a considered a fragile state by almost any measure. Access to quality education and healthcare is severely limited, as reflected by high illiteracy and infant mortality rates in South Sudan. Infrastructure is lacking, especially outside the capital, Juba. Food scarcity is widespread. Inclusive political processes need to be developed side by side with basic administrative structures. In this sense, concern was expressed in the IPI meeting that the April 2010 elections were marred in the South by violations of human rights and civil liberties.

As one speaker noted, the Government of South Sudan will need to address several key issues. Executive leadership will need to be strengthened. Security-sector reform remains a critical need, as does strengthening the rule of law and improving public administration. The Government of South Sudan will also have to do a better job of extending its authority throughout its territory, one of the core aspects of statehood. Currently, there are militia groups challenging the South Sudan government. Notable is the group led by former SPLA commander George Athor, who has roughly 2,000

7   Salva Kiir, speaking at "Sudan: The Referenda and Beyond," event held at IPI New York, September 22, 2011, transcript available at www.ipinst.org/events/speakers/details/230-salva-kiir-southern-sudan-vote-delay-could-risk-war.html .

8   Julius N. Uma, "Global Witness: Sudan's New Oil Deal Must Guarantee Transparency," *Sudan Tribune*, April 10, 2011, available at www.sudantribune.com/Global-witness-Sudan-s-new-oil,38532 .

9   The NCP and the SPLM resumed negotiations on Abyei and other postreferendum issues on April 6, 2011, in Addis Ababa.

rebels under his command, according to Philip Aguer, a spokesperson for South Sudan.[10] David Yau Yau and Captain Johnson Olony lead renegade militias in the South as well. Resistance to the SPLA is focused largely in Unity, Jonglei, and Upper Nile states, where fighting between the militias and the SPLA has led to several hundred civilian deaths this year.[11]

Some development initiatives currently underway were highlighted during the meeting. According to one participant, with the support of the Inter-Governmental Authority on Development (IGAD), UNDP has facilitated co-location of 200 civil servants from neighboring countries with officials within the South Sudanese government, in an effort to help develop the skills of the South's civil servants. Through the "county flip initiative," UNDP also works with the Government of South Sudan to enhance security by increasing the population's access to water and land and creating youth employment in ways that channel problematic behavior into constructive avenues. As a concrete illustration of this initiative, one speaker stated that youth caught raiding cattle outside their home county are sometimes put to work building police stations in the county in which they committed their crime. Currently, according to this participant, the initiative has been implemented in six counties, and it would likely be expanded with enhanced donor support.

The multiple benefits of building roads were elaborated. Road-building has already been incorporated into "state-level stabilization" programs in Jonglei, Lakes, and East Equatoria in the South. In addition to the jobs that road-building projects provide, roads also facilitate access to markets, schools, and hospitals. Additionally, roads, as well as airstrips, help humanitarian relief to reach remote locations.

Several funding mechanisms through which South Sudan could be supported were discussed at the meeting. A number of donor trust funds already exist to support South Sudan. As an independent country, South Sudan will be able to apply for assistance from the International Monetary Fund (IMF). It could receive further support from the International Development Association, a branch of the World Bank that provides interest-free loans and grants to poor countries. South Sudan might also be eligible for the High Indebted Poor Countries Initiative (HIPC), a World Bank/IMF initiative designed to reduce the debts of economically troubled countries to a sustainable level. Some participants in the discussion also underscored the importance of debt relief for economic and social development to take hold in the South.

A multiplicity of bilateral and multilateral actors is engaging in South Sudan, attempting to support a government with limited absorptive capacity. According to one speaker, the Government of South Sudan must work hard to develop a clearly defined strategy with discernable priorities, while external actors need to support this strategy in a coherent way. At present, however, some participants expressed concerns that coordination among external actors engaging in South Sudan needs to be vastly improved.

Conclusion

On July 9, 2011, if all goes according to plan, the Republic of South Sudan will be the world's newest country. The birth of this country will be accompanied by many challenges, both for the government and people of South Sudan, and for the many multilateral and bilateral actors assisting with statebuilding processes in the South. In the coming months, North and South Sudan (with the support of these international actors) will hopefully work in good faith to resolve the remaining postreferendum issues, most notably the difficult issue of Abyei's status.

Independence in the South will likely be greeted with euphoria and high expectations among much of the population. But, as experience has demonstrated in other postconflict settings, new beginnings are often accompanied by growing pains, and while the South has had a head start

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10 Reuters, "Factbox: South Sudan's Renegade General George Athor," February 15, 2011, available at
     http://af.reuters.com/article/sudanNews/idAFHEA55432520110215?pageNumber=1&virtualBrandChannel=0 .
11 See Josh Kron, "800 Civilians Killed This Year in South Sudan, UN Says," *The New York Times*, April 13, 2011, available at
     www.nytimes.com/2011/04/14/world/africa/14sudan.html ; and United Nations, *Report of the UN Secretary-General on the Sudan*, UN Doc. S/2011/239, April 12,
     2011.

since the signing of the *Comprehensive Peace Agreement* in 2005, building a new state out of the rubble of a long and brutal civil war will be an arduous and lengthy process. Even if the transition to statehood goes well, the Government of South Sudan will have to face the challenge of managing the expectations of its people.

Finally, as Ibrahim Gambari, Joint AU/UN Special Representative for Darfur, has stated, it should be noted that we are not witnessing the birth of just one new country this summer, but two.[12] The secession of South Sudan will irrevocably change the Republic of Sudan (or North Sudan)—politically, economically, demographically, geographically, and culturally. Several participants in the meeting expressed the hope that the Republic of Sudan, having lost the South, will strive to create a more inclusive state, one that makes a serious effort to resolve the Darfur crisis and reverses its marginalization of other peripheral regions such as Blue Nile and South Kordofan. Otherwise, in all likelihood the Republic of Sudan will be unable to escape its troubled past.

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12 Ibrahim A. Gambari, "Ending the Conflict in Darfur: Time for a Renewed Effort," speech delivered at IPI New York, March 30, 2011, transcript available at www.ipinst.org/images/pdfs/transcript-gambari.pdf .

Agenda

08:30-09:00   Breakfast

09:00-09:15   **Welcome**
Dr. Edward C. Luck, *Senior Vice President for Research and Programs, International Peace Institute (IPI)*

09:15-10:45   **Panel I: Transitioning to Statehood**
What role can the UN system, UN member states, and regional and subregional organizations play in helping the parties to resolve the impasse in Abyei and negotiate key postreferendum issues related to border demarcation, remaining security issues, citizenship, oil sharing, assets, debts, and currency? What role can external actors play in promoting reconciliation among various actors in the South (as well as between the North and the South)? How can the UN most effectively coordinate internally, as well as with other key stakeholders, in addressing these challenges? How will UNMIS be reconfigured moving forward and what will be its mandate in South Sudan?

Chair
Dr. Edward C. Luck

Speakers
Ms. Margaret Carey, *Director, Africa I Division, Department of Peacekeeping Operations, United Nations*
Mr. Nicholas Haysom, *Director, Political, Peacekeeping, and Humanitarian Affairs, Executive Office of the UN Secretary-General*
Ambassador Adonia Ayebare, *Director, Africa Program, IPI*

10:45-11:00   Coffee Break

11:00-12:30   **Panel II: Building the New State**
What are the major statebuilding challenges facing South Sudan? What strategies can South Sudan employ to develop state capacity (e.g., sequencing and prioritizing tasks)? More broadly, what role can the UN system, member states, regional and subregional organizations, nongovernmental organizations, and international financial institutions play in helping South Sudan to develop effective state institutions responsive to the needs of the public? How can the UN most effectively coordinate internally, as well as with other key stakeholders, in supporting South Sudan's statebuilding efforts?

Chair
Ambassador Adonia Ayebare

Speakers
H.E. Mr. Ezekiel Lol Gatkuoth, *Chief of Mission to the United States, Government of South Sudan*
Mr. João Honwana, *Director, Africa I Division, Department of Political Affairs, United Nations*
Mr. Jordan Ryan, *Director, Crisis Prevention and Recovery Unit and Assistant Administrator, United Nations Development Programme*

12:30-12:45 **Closing Remarks**
Dr. Edward C. Luck

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