



Civil Society Dialogue Network Geographic Meeting

‘Peacebuilding in Sudan and South Sudan: The Role of the EU’

Thursday 6 October 2011, Brussels

Meeting Report

On Thursday 6 October 2011, a Civil Society Dialogue Network (CSDN) geographic meeting, ‘Peacebuilding in Sudan and South Sudan: the Role of the EU’ took place in Brussels. It was organised by the European Peacebuilding Liaison Office (EPLO) with the support of the European External Action Service (Directorate for Conflict Prevention and Security Policy) and the European Commission (Foreign Policy Instruments Service).

The meeting provided an opportunity to present civil society’s analysis of conflict risks and mitigation strategies in Sudan and South Sudan; to explore the opportunities for cross-border initiatives aimed at reducing the risk of conflict in the border areas; to consider means for promoting an enabling environment for Sudanese-led governance reforms; to present suggestions as to how institution-building efforts in South Sudan could incorporate peacebuilding elements; and to suggest ways in which the EU may be more effective at promoting peace internationally. Participants included officials from the EU institutions, representatives of EU Member States’ national administrations and civil society organisations (CSOs) from Sudan, South Sudan, Europe and elsewhere.

This report, by consultant Laura Davis, summarises the discussion and gathers the key recommendations made by participants during the meeting, which was held under the Chatham House Rule. No opinion expressed in the report may be attributed to any participating individual or institution, nor necessarily represents the views of EPLO or its member organisations.

1. The EU and the Sudans: A Comprehensive Approach

The Sudans are high priorities for the EU: they have been discussed at the Foreign Affairs Council (FAC) five times in the 12 months to July 2011, with particular attention paid to the implementation of the Comprehensive Peace Agreement (CPA), the referendum and the run up to the independence of South Sudan. Since 2010, EU Member States have had a largely common approach to the Sudans, with some difference in nuance. The first European Union Special Representative (EUSR) to Sudan was appointed in 2005. The incumbent, EUSR Rosalind Marsden, was appointed in 2010. The EUSR reports to the 27 EU Member States and makes frequent visits to Khartoum, Juba and countries in the region. Part of the EUSR’s role is to report regularly to the EU Member States, to ensure that they are well-informed of current developments and discuss an EU response.

Since the mid-1990s, the EU has been a major provider of humanitarian assistance to the Sudans: the European Commission’s (EC) Humanitarian Aid department’s (ECHO) operation in the Sudans runs to €40 million annually, and is the largest ECHO operation in the world, reflecting the gravity of the situation. In 2005, the EC resumed development assistance to Sudan and made €400m of development available through the ninth European Development Fund (EDF 9), 45% of which went to South Sudan. As the Government of Sudan (GoS) did not ratify the revised Cotonou Agreement, because of the

language it contains in support of the International Criminal Court (ICC), Sudan is not eligible for development aid under EDF 10. However, in 2010, the EC took the extraordinary measure of mobilising a further €150m in aid from EDF 9 specifically to assist war-affected populations in North and South Sudan. (NB/ Some of the work planned using these funds in eastern Sudan and Darfur might have to be discontinued given developments in Abyei, Southern Kordofan and Blue Nile.) It is not clear what options will be available once the EDF 9 funds run out.

In May 2011, €200m was made available to South Sudan. In line with the Government of South Sudan's (GoSS) priorities, the focus is on health, education, infrastructure, rural development, food security and the rule of law. The EU now places a greater emphasis than it did before independence on the fight against corruption, and on turning rhetoric into action on human rights and democracy through, for example, a transitional compact on mutual accountability of donors and the Government, and more structured dialogue on crucial issues.

There is an EU delegation in Khartoum and the EU office in Juba will be upgraded to a delegation. There are nine resident EU ambassadors in Khartoum, and seven in Juba, who – uniquely – share an EU compound. Through their contributions to the United Nations (UN), EU Member States currently fund 45% of the budgets of the UN Missions in South Sudan (UNMISS) and the African Union (AU)/UN Hybrid Operation in Darfur (UNAMID). EU Member States (of which four currently serve on the UN Security Council) feel that they should have a significant voice in how UNMISS and UNAMID operate. The EU also provides political, financial and technical support to the AU's High-level Implementation Panel for Sudan (led by President Mbeki) to resolve outstanding CPA issues.

During the run up to, and after the elections in April 2010 in Sudan, the EU pressed for an expansion of the political space and for greater political freedoms, and engaged a large election observation mission as well as a mission to monitor the referendum. Regarding Darfur, EU Member States contributed significantly to funding the AU Mission in Sudan (AMIS) and support greater involvement of civil society in the processes, including the Darfur-Darfur Dialogue and Consultation (DDDC) and the Heidelberg Darfur Dialogue.

The situation in Sudan was also a top priority for the EU in the latest session of the UN Human Rights Council, although the outcome was mixed. All EU Member States are parties to the Rome Statute (of the ICC) and call on the GoS to co-operate with the ICC. The EU regularly reminds states parties of their responsibilities under the Rome Statute, for example when ICC indictees travel. The EU has a united position against the use of Article 16¹ of the Rome Statute in this context.

In a new approach, the EU institutions and Member States are developing a joint strategy so that aid is programmed jointly. This should increase aid effectiveness, impact, and visibility. In June 2011, the FAC agreed to follow a comprehensive approach to Sudan and South Sudan, with the aim of combining all of the EU instruments available for diplomacy, security, development aid and trade in a coherent manner. The Comprehensive Approach was initially developed in May 2011, before the developments in Abyei, Southern Kordofan and Blue Nile; the EU is currently reviewing the Comprehensive Approach to see how much of it is still valid and will continue to keep it under close review. The EU supports the emergence of two viable countries, and will pursue a balanced approach to Sudan and South Sudan while making it clear in Khartoum that the EU's ability to deliver (e.g. debt relief) depends on progress in implementing the CPA as well as developments in Abyei, Southern Kordofan and Blue Nile. It encourages negotiated solutions to outstanding issues and supports the AU's High-level Implementation Panel to this end. The EU also supports a peaceful resolution to the conflict in Darfur; the UN Secretary-General will produce a road map soon, and the EU hopes that this will bring coherence to the various strands of the peace process and the various, competing, international engagements in that conflict. The Instrument for Stability (IfS) focuses on stabilising volatile border areas. The EU supports the concept of 'soft borders' and encourages dialogue. It urges the parties to find an early and final resolution to the situation in Abyei,

¹ Article 16 enables the UN Security Council to defer a prosecution or investigation for 12 months (renewable). The Government of Sudan has repeatedly sought an Article 16 resolution in the case of President Al-Bashir, indicted by the ICC for genocide, war crimes and crimes against humanity allegedly committed in Darfur.

based on the CPA and the ruling of the Permanent Court of Arbitration in The Hague. It calls for a return to the political dialogue regarding Blue Nile and Southern Kordofan, on the basis of the 28 June 2011 Framework Agreement, for immediate unhindered humanitarian access, and for investigation into reported human rights violations.

The EU emphasises the core values of democratic governance, human rights and the rule of law by encouraging an inclusive approach to the constitutional review processes, greater accountability, and through strengthening civil society. The trend towards an exclusive, Arab Muslim identity in the North is worrying, as are the increased prominence of military hardliners and the reticence of civilian pragmatists. The GoS' decision to terminate UNMIS' mandate and the rejection of President Mbeki's mediation efforts show resistance to international intervention. In South Sudan, the new cabinet is more inclusive, but the scale of fatalities in inter-tribal violence is of great concern; anti-corruption measures are not in place and inflation is at 46%.

Discussion focused on the following issues:

1.1 Humanitarian access and human rights violations: Humanitarian assistance is a right under international humanitarian law. 13 international non-governmental organisations (INGOs) providing crucial humanitarian aid (65% of the total) in Darfur have been expelled; this support has not been replaced by the international community. There is currently no access to populations in Southern Kordofan or Blue Nile so it is difficult to assess the conditions there; internally displaced people (IDPs) are reportedly denied camps. The GoS has drawn an 'iron curtain' over information, so it has a free hand (which has repercussions in other parts of Sudan; there has been, for example, a crackdown and members of the Sudan People's Liberation Movement (SPLM) have been detained *en masse*). The EU has been trying to glean information from people who have fled the violence to Juba, Kampala and other locations.

The EU High Representative for Foreign Affairs and Security Policy, Catherine Ashton, has made repeated, clear statements condemning reports of human rights violations, and has called for an independent investigation by the UN High Commissioner for Human Rights. As the Ministry of Humanitarian Affairs in Khartoum is not accessible on the issue, the EU is working through the UN (this is also a high priority for the UN Secretary-General). During the UN General Assembly Ministerial Week, the EU has also been meeting concerned actors to try and influence the GoS to allow access to the whole of Southern Kordofan and Blue Nile, not just government-controlled areas. The GoS is increasingly looking to the Arab League and Gulf States for support, and these countries have influence in Sudan.

Recommendations

- The EU should continue to take a clear and firm position insisting on humanitarian access, particularly in Abyei, Southern Kordofan and Blue Nile; and it should work with the Arab League, Gulf States and African countries to influence the GoS
- The EU should work to keep international attention on the Sudans
- The EU should continue to support an international commission of inquiry into human rights violations, particularly in Abyei, Southern Kordofan and Blue Nile.

1.2 Support to civil society: The EU's policy of supporting two viable countries would be enhanced by seeking the advice of civil society on key issues. Civil society in both Sudan and South Sudan will play an important role in the positive transformation of both countries, and it needs systematic and sustainable support to build capacity. For the EU, the relationship with civil society is very important: CSOs are crucial for democracy, accountability and they are an important source of information and policy suggestions. New EU heads of delegation will be arriving soon, and part of their mandates will be to seek and maintain contact with civil society.

In the past, local NGOs have had difficulty accessing EU funding. The EU delegations in Khartoum and Juba will have much of the responsibility for programming EU support to NGOs (e.g. through the European Instrument for Democracy and Human Rights, and the budget line in support of Non-state

Actors under the Development Cooperation Instrument). The EU recognises the importance of building the capacity of civil society, and would like to address this together with CSOs. Support will not be limited to capacity building, however, and will also include support in key thematic areas.

Another crucial area for EU support would be to bring civil society together to try to create space in Sudan, to develop linkages between Sudan and South Sudan, and regionally, and to develop a mechanism for interaction between civil society and the international community.

There has been limited response on the ground to the conflicts and dire humanitarian crises in the border regions since the independence of South Sudan. CSOs working on civilian peacekeeping and civil protection in conflict areas are under-resourced, especially when compared to how conflict has spread. Civilian peacekeeping is more effective than military intervention and should be a priority for the EU. Some areas (e.g. Unity State) are not served by international organisations.

Recommendations

The EU should:

- Develop systematic and sustainable support for building the capacity of civil society in Sudan and South Sudan, including at the grassroots
- Engage with civil society on a range of thematic issues linked to the positive transformation of Sudan and South Sudan
- Help to create political space for civil society to engage within Sudan, support linkages between Sudan and South Sudan, and regionally, and interaction with the international community
- Support women's participation in civil society
- Support civilian peacekeeping/civil protection by CSOs, particularly in the border regions

1.3 Women's participation: It is very positive that the EU appointed a woman as EUSR; there are not many women representing the EU. Seeing women in high positions has an impact on the ground and is a visible commitment to UN Security Council Resolution (SCR) 1325. There should be more women at the negotiating table and in mediation support teams (currently there are no women).

The EU supported women's participation in the Darfur peace processes through civil society. Whilst recognising that civil society's role is evolving, it is important that civil society and women maintain a place in the processes, which will only be possible with support. The Darfur experience could also provide a useful model for women's participation in other peace processes.

Recommendations

- The EU should implement UNSCR 1325 by bringing women to the negotiating table and appointing women in mediation support teams
- It should support women's participation in civil society and in peace processes and examine ways in which the experience of the Darfur peace processes can be used as a model for women's participation in other peace processes

1.4 The Lord's Resistance Army (LRA): In early 2009, the LRA attacked the Diocese of Mundri. It is now moving into "ungoverned space" in the Central African Republic (CAR). Military responses have resulted in the LRA moving on to other areas such as Mundri. LRA-affected countries (CAR, the Democratic Republic of Congo (DRC), South Sudan and Uganda) need to find a lasting solution. An AU initiative to appoint a senior envoy to ease tension and strengthen co-operation between LRA-affected areas may help, as may military coordination between the countries, or military operations supported by the UN and the USA. Some form of dialogue with the LRA might be an option; but for others, the prospect of opening Juba-style talks should be treated with caution. Dealing with the threat posed by the LRA has been added to the EUSR's mandate. The EU provides humanitarian assistance to LRA-affected areas, promotes a defection programme for commanders in an attempt to weaken the organisation, and supports early warning radio networks with churches and the UN mission in the DRC. The LRA's supporters should be identified.

Recommendation

- The EU should address the problem of the LRA, including through identifying its supporters and putting pressure on governments in the region (e.g. CAR, DRC and Uganda) to find a lasting solution to the problems which it has created

1.5 **Disarmament, demobilisation and reintegration (DDR)** remains unresolved. DDR will be crucial for “right-sizing” the armed forces. Previous DDR efforts in Sudan (which had considerable EU and EU Member State support) may have been manipulated and abused by the GoS. Giving sums of money to demobilised individuals may not be the best approach in areas where there are no jobs; DDR should rather be seen through the focus of development programmes for a community/area. Recent research suggests a community approach to reintegration is necessary. Approaches to DDR should be reviewed and revised for Abyei, Southern Kordofan, Blue Nile and Darfur, and community reintegration efforts in Darfur should not wait until a peace deal is agreed.

DDR is a very important and strategic issue for the EU. The EU has contacted the GoSS and requested a DDR plan be presented to donors in 2012. It is likely that the EU will contribute to DDR, security system reform (SSR) and justice sector reform.

Recommendation

- The EU should examine past experience of DDR and learn from that experience to inform and improve future DDR efforts, which should focus more on community reintegration than previous DDR initiatives did

1.6 **Justice:** Tribal conflict has led to the concept of “legalised violence” as no-one is brought to justice for attacks on communities. Strengthening traditional justice may help communities to end impunity. Where the tribal violence is worst, there is little or no police presence. The EU has some experience of justice sector reform (e.g. rehabilitation of justice buildings in South Sudan under EDF 9), and justice sector reform will be one of six areas of joint EU-EU Member State programming. The EU may take the lead in rule of law reform in South Sudan.

Recommendation

- The EU should work to address tribal conflict through strengthening the rule of law, including traditional justice and law enforcement (policing)

1.7 **Four freedoms:** The four freedoms are very important to the people. The EU is monitoring the situation carefully. There is concern that no clear steps are being taken in Sudan for Southerners to regularise their status (NB/ the EU would be very concerned if Southerners lose Sudanese citizenship in April 2012 without adequate arrangements in place for regularisation), or to allow freedom of movement. The EU provided expert advice on citizenship to President Mbeki who is very engaged on the issue.

Recommendations

- The EU should play close attention to how the question of citizenship unfolds
- It should encourage freedom of movement between the Sudans

1.8 **Financial transfers:** It is almost impossible to transfer money between the Sudans as the parties to the CPA did not make arrangements for this. The AU’s High-level Implementation Panel has encouraged the two central banks to try and work together to mitigate the damage to the economies caused by the uncoordinated launch of the new currencies, which has led to sharp inflation. The EU supports the Panel’s efforts.

Recommendation

- The EU should encourage both governments to find an arrangement between the two central banks in order to allow financial transfers between Sudan and South Sudan

1.9 **Land ownership** remains a critical issue in South Sudan.

Recommendation

- The EU should help the GoSS to address land ownership in a systematic way

1.10 **Peace Commission:** There is a need for a peace commission or peace actors' forum. The South Sudan Peace Commission needs more capacity and should be independent; there have been problems in Upper Nile and in other areas where politicisation of the Commission has blocked programming.

Recommendation

- The EU should build the capacity of an independent Peace Commission in South Sudan

1.11 **Integrating peacebuilding objectives into development aid:** The areas where there is conflict are mostly underdeveloped; many of those who are armed are young. There are few schools and limited job opportunities. When locals try to mediate disputes they are told to go away and not to come back because of the shortages of water and schools. The opportunities provided by development programmes to support community-relationship building have not been fully seized; peacebuilding objectives should be integrated into development aid. There should be more development aid in the border regions, focusing in particular on water, which is crucial and a cause of conflict. Development projects should engage civil society, nomads and local institutions so that they all have a stake in their own security.

Recommendation

- The EU should integrate peacebuilding objectives into development aid, including seizing opportunities for community relationship-building

1.12 **Monitoring the Comprehensive Approach:** It will be important to examine how the political, security and trade strands interact with each other.

Recommendation

- The EU should examine carefully how the political, security and trade components of the Comprehensive Approach impact each other. It should also continuously monitor the delivery and impact of the Comprehensive Approach on the ground

1.13 **Supporting regional actors.** The Arab League, the Gulf States and China influence the GoS; the EU should work with them to bring pressure on the GoS. Regional economic organisations and the AU will also play an important role in the long-term for stability and economic development in Sudan and South Sudan, yet they lack capacity at present.

Recommendation

- The EU should engage with regional actors and support them to take over from the EU in the future where relevant

2. Border Regions: Conflict Risks and Mitigation Strategies

a. Conflict risks

During this session, participants identified the following factors which heighten the risk of conflict in Sudan and South Sudan:

- The non-implementation of the CPA, and undermining the viability of the two countries and non-implementation of the Abyei Protocol and/or the Joint Political and Security Mechanism

- Failure by the GoS and the SPLM to reach agreement in the North on Blue Nile or Southern Kordofan; this could spill over to South Sudan, and link with Darfur which would significantly increase the chance of large-scale conflict
- There is extensive migration from North to South on a seasonal basis, which has in the past generated a certain amount of conflict, and which will now cross a new international border. The GoSS has indicated that it may be prepared to stop the migration if there is no progress in other areas, which would generate conflict
- Border demarcation and delimitation: There needs to be a way to resolve conflict in the five areas where Sudan and South Sudan do not agree where the border lies. Demarcation may also bring conflict where local people disagree with the agreements made at the national level; this also needs to be ameliorated
- Citizenship: A mass movement of Southerners from Sudan to South Sudan as a result of decisions around Sudanese citizenship could generate conflict
- There is a plethora of small arms in the border regions and it is very difficult to disarm the people. Migrants carry arms for self-protection; seen in the South for cattle rustling
- Demobilisation and development: There is not enough work for young men in either country so the demobilised unemployed may be recruited back into the armed forces and increase militarisation
- Internal borders: The creation of new borders at the state- and *payam* levels are important causes of conflict in South Sudan
- Conflicts caused by environmental degradation, and over water and other natural resources

b. Proposals for mitigating conflict risks in and between Sudan and South Sudan

2.1 Implementing the CPA: The parties can deviate from the CPA with impunity. The international community should have clear measures so that if one party does not implement the provisions of the CPA, the Abyei Protocol, the Joint Security and Political Mechanism etc., the international community can intervene in a timely manner without waiting for fighting to break out. The two countries should recognise dual citizenship and dual jurisdiction over Abyei so that the GoS cannot control access to the area.

Recommendations

- The EU should apply political pressure on the parties to resolve the outstanding issues from the CPA and to implement the Abyei Protocol and the Joint Political and Security Mechanism and – together with other parts of the international community, it should react when the CPA and other provisions are not implemented
- The EU should have a clear policy on the dual jurisdiction of Abyei and unlimited access from both Sudan and South Sudan

2.2 Multi-level conflict: Tensions in the border regions are, in part, the result of machinations in Khartoum and Juba, which need to be addressed as part of a bigger political dialogue (i.e. at border-, state- and national levels). South Sudan should take the lead in creating a conducive environment to engage Sudan and to address the border issues.

Local dynamics are also very important in the border regions. The UN cannot reach all parts of the country; working with effective local organisations which can access the population such as indigenous organisations in Abyei will be very important. Local administration, including traditional administration, needs more capacity to manage local conflict non-violently and on early warning/response. (However, local administrations have also been instrumentalised by the centres in the border disputes). Peacebuilding in the border regions requires civil society engagement without which military confrontation becomes more likely. Nomads know that their future is in South Sudan and need to adjust to that new reality; CSOs can contribute to that.

Recommendation

- The EU should attempt to delink the local causes of conflict from national politics, including by addressing the administrations at the state- and local levels as well as the capitals, and working with civil society to reach indigenous organisations, especially in areas such as Abyei where the UN has no access. It should build the capacity of local administrations, including traditional administrations, on early warning, early response and non-violent conflict management

2.3 Border delimitation and demarcation will be politically difficult and likely to be manipulated to fuel conflict. There is deep misunderstanding of what has/has not been agreed at technical committee (in which Khartoum and Juba are represented). There will also be disappointment in some border regions where communities disagree with the decisions made at the national level where the new border will differ from the traditional border. Demarcation should be accompanied by a package of services which address the daily needs of people living in the border regions. There is a role for civil society in raising public awareness of these difficulties. The ‘soft border’ concept is very important; the softer the border is, the less important where it is.

Consideration is being given to an expansion of the mandate of the UN Interim Security Force to Abyei (UNISFA) to include border monitoring; if the mission spreads along the border, how it does so will be important: a military presence may inadvertently harden the border, at least psychologically. The length of mandate would also be important: it should only be an interim measure; otherwise it could incubate and prolong the issue. There may also be a danger in talking too much about borders which may legitimise territorial approaches to land and borders (North/South and internal in South Sudan) and encourage the creation of “ethnic fiefdoms” in South Sudan.

It is important to find new entry points for the Border Governors Forum (*Tamazuj*).

Recommendation

- The EU should support civil society initiatives to raise awareness of demarcation efforts and the importance of soft borders and in managing disappointment of border communities with border delimitation. In this regard, it should examine the potential of the Border Governors Forum (*Tamazuj*).

2.4 Internal borders are important sources of conflict in South Sudan. Plans to increase the number of states would increase the risk of conflict. The county is an important source of corruption in South Sudan and the creation of new counties creates tension; this pattern is repeated at the level of *payam*. Decentralisation is seen as important by donors who see the benefits of decentralisation, especially in comparison to the centralised past. However, there is an assumption that decentralisation will lead to better service provision which, given the levels of corruption and tension at local levels, is not necessarily the case.

Recommendation

- The EU should resist the assumption that decentralisation will automatically lead to better service provision as internal borders and the creation of “ethnic fiefdoms” at the level of county and *payam* in South Sudan are causes of tension

2.5 Resource-based conflict: In the border regions of South Sudan, access to water is the most important issue. Environmental degradation has also caused pastoralists and nomads to migrate across the border; civil society should be empowered to play a peacebuilding role.

Sudan will continue to prospect for oil, which will cause destabilising displacement, whether close to South Sudan or far away. Armed groups are engaged in informal natural resource extraction (e.g. gold mining) which will also fuel conflict.

Reconstruction and development aid are also potential causes of conflict, especially if the South receives more aid (a pull factor for migration) than the North.

Recommendations

The EU should:

- Address issues connected to natural resources, including water, fertile land, minerals (e.g. oil and gold), and environmental degradation
- Do No Harm: The EU should continuously analyse impact including, for example, the potential of increased aid to South Sudan as a source of conflict with Sudan

2.6 Migration routes: The problems are different in each region and each route needs to be examined individually. A mapping exercise of the routes would help to identify which are the highest priorities and, therefore, need to be tackled first.

Recommendation

- The EU should support initiatives to map the migration routes, examine the context of each, and prioritise unblocking the most important

2.7 Integrating returnees from Sudan to South Sudan remains a challenge, yet they may contribute significantly to the economy of South Sudan.

Recommendation

- The EU should continue to support the GoSS' efforts to reintegrate South Sudanese returnees from Sudan

2.8 Build markets: South Sudan is threatening to close the border to the Misseriya in December 2011 if the trade embargo continues; escalation would be very damaging. Communications infrastructure, particularly roads, is in a poor condition and hinders economic development.

Recommendations

- The EU should move fast to diffuse the tension around the trade embargo and should commission studies and run workshops in Khartoum and Juba to find a mechanism to build markets
- The EU should support the development of communications infrastructure, particularly roads, in the border regions

2.9 DDR: There is an urgent need for DDR, and also a reduction in the numbers of weapons in circulation. DDR efforts should link demobilisation with the creation of new skills through vocational training (e.g. universities could set up vocational training centres) and microfinance initiatives to support those with vocational training to set up in business.

Recommendations

- DDR is a high priority and demobilisation should be linked to job creation
- Community reintegration efforts should not wait for a negotiated settlement in Darfur
- Universities could establish vocational training centres
- Donors should supply microfinance to those with vocational training to set up business
- The EU should support efforts to reduce the numbers of small arms in circulation

2.10 Dialogue is very important. A key experience is that dialogue processes without follow-up cause problems. To avoid "dialogue fatigue", dialogues need to be part of a bigger development package which empowers communities to act on the outcomes of the process. There are interesting examples – such as common ground conferences, in which all the stakeholders in a community are brought together and given a chance to speak and agree a way forward; these could inform other processes.

Recommendations

- The EU should support community-level dialogues and avoid “dialogue fatigue” by providing a development package which empowers communities to implement their agreements and meet their needs
- The EU should ensure follow-up of dialogue processes at every level (from the official level to grassroots, community-based dialogues etc.)

2.11 Media: In Sudan, there is little awareness of the border issues in the media. Civil society and media organisations should engage more, including through forums to talk about the issues, discuss how journalists are covering the issues and contributing to the news, and how journalists could contribute to alleviating tensions.

Radio could be tool for dialogue. There is an absence of information in the Three Areas, and radio could help fight rumour and manipulated information. As national and international journalists are not allowed into the regions concerned, local journalists are best positioned to inform the people. Fondation Hironnelle’s Radio Miraya invites civil society representatives to debate with the authorities, but civil society representatives often feel unable to participate. The EU should give strong support to the independent media and press freedom in South Sudan (where the media has no legal framework), and to the free flow of information.

Recommendation

- The EU should support forums to bring media organisations and civil society together to discuss the border regions, how journalists are covering the news from those regions and what they can do to alleviate tensions. It should also support the independent media and press freedom in South Sudan, and the free flow of information

3. Governance challenges and inclusive constitutional review processes in Sudan and South Sudan

There is broad agreement on the need for inclusive, nationwide constitutional review processes in Sudan and South Sudan which involve as many people as possible. This session sought suggestions for ways in which the EU could assist in this, and in initiatives to promote good governance more broadly.

a. Promoting good governance

3.1 The EU should use its leverage, influence and engagement with the GoS to promote good governance and, in particular, an inclusive constitutional review process; given the poor state of the economy, the EU may have more influence than it may seem.

Recommendation

- The EU should seek entry points to influence the GoS (e.g. through China). It should use its leverage, influence and engagement with the GoS and, where necessary, take a strong role and use conditions and benchmarks in order to make progress

3.2 **The ICC** is very important and the EU should raise the issue as highly as possible, including through influencing the US to support the ICC’s work in Sudan. The EU should also consider its diplomatic relationship with the GoS if it allows continuing human rights violations (e.g. in the Three Areas).

Recommendations

- The EU needs to raise the issue of the ICC as highly as possible, including by reaching out to the USA to support the ICC in Sudan. It should also reconsider its diplomatic relationships with the GoS if it allows crimes against humanity and systematic human rights abuse to continue
- The EU should support an international commission of inquiry into human rights abuse and the humanitarian situation in Southern Kordofan and Blue Nile

3.3 Elections and political parties: There is a need to engage in developing political parties in both Sudan and South Sudan ahead of the elections. The SPLM also needs support in the transition from liberation movement to political party. In South Sudan, the military dominate the political space. EU support for the elections should be long-term and focus more broadly on the demilitarisation of politics, good governance and democracy. A census will be necessary for fair elections, and the EU should support this. The influence of radical Islam and the effects of events in Egypt and Libya in Sudan should be carefully monitored. The EU should encourage opening up the political space and the development of multiple democratic political parties in Sudan and South Sudan. Civil society has a role to play in this process, but it needs the support of external actors to keep the pressure on. A free media would also play an important role in this regard.

Recommendations

- Demilitarisation of the political space in South Sudan is a priority; the EU should support a census as the basis for fair elections
- The EU should engage early with the SPLM to support its transition from liberation movement to political party with democratic internal processes
- The EU should support the opening up of the political space and the development of multiple democratic political parties in both Sudan and South Sudan
- The EU should support independent media as part of the opening up the political space

3.4 The UN's role needs to be defined: it is there to support good governance, not to provide it.

Recommendation

- The UN should clearly define its role as supporting the reform of and not replacing institutions; its role is not to provide governance

3.5 Corruption and public finance management: Accountable management of natural resources, especially land, and minerals (many deposits have not yet been identified) is very important. There is considerable frustration with how the revenue from natural resources is managed (e.g. governors of oil-producing states want to increase their share of revenue from 2% to 10-15%, but there is no transparency on how the 2% has been spent). International actors have a critical role to play in supporting transparent and accountable management of public finances. Civil society should monitor resource management, and also support or represent the communities affected by resource extraction in expressing their grievances. In Sudan, the economy is monopolised by individuals connected to the Government; in South Sudan, corruption remains a serious challenge.

Recommendations

- Anti-corruption, including in the management of natural resources, and ending the monopolisation of the economy by individuals in government should be high priorities for the EU
- The EU and the international community should push for opening up the economy in Sudan

3.6 Women are seen primarily as victims of violence rather than as stakeholders in society. Outside Khartoum, few women can participate in public life. It is important to strengthen the role of women in public life at the state- and grassroots levels; prepare women for genuine participation in the elections – not just as voters – through civic education; and meet women's everyday needs, without which they will not participate.

Recommendation

- The EU should support women's participation in institutions at state-level (i.e. not only at national level). It should also support civic education

b. Constitutional review

3.7 **Civil society** in both countries should lead on raising public awareness of the issues and processes and engaging the populations in the process. In Sudan, civil society is informed, but there is no space to engage and influence decision-makers. In South Sudan, civil society is engaged in the process but is not able to influence the decision-makers. The process is also confusing (e.g. there is no clarity on which is the latest draft or on who has (and has not) been consulted). Civil society should be included in the Commission, as well as observe it.

The **media** has an important role to play in the process by linking the institutions with the people. Civil society should monitor the media, and engage with media organisations on how they cover the review processes and also encourage the participation of different sectors of the population (e.g. women) through the media.

Recommendations

The EU should:

- Support the role of civil society in participating in constitutional review processes, and in connecting the population to both processes
- Push for opening up political space in Sudan for CSOs to engage with and influence the processes, and resist the move towards an exclusive identity based on faith and ethnicity
- Further the participation of women in the processes, as stakeholders rather than as victims of violence
- Support civil society initiatives to monitor the media, and engage with media organisations to see how they are covering the processes and how they are engaging the views of different parts of the population (e.g. women)

4. Peacebuilding and institution-building in South Sudan**a. Regional organisations**

4.1 Regional organisations have an important role to play for South Sudan, particularly the Intergovernmental Authority on Development (IGAD), the AU and the East African Community (EAC). The AU's early warning mechanisms could be very important in the future. Currently, the information collected is through open sources, particularly the international media, and there is no civil society input. CSOs are currently lobbying to be able to feed in data and verify information. This is particularly important in South Sudan, where there is an information vacuum in international sources. IGAD has the potential to manage the international relations between Sudan, South Sudan and their neighbours. The EAC will be important for South Sudan's economic development (Sudan has also applied to join), linking economic integration, conflict mitigation, and trade.

4.2 The EU works with other regional and international actors, such as the AU's High-level Implementation Panel, and reaches out to the AU, the Arab League, and the regional powers. It also tries to coordinate with other western actors, (e.g. the USA) and to promote a coherent response. The EU also needs to engage China.

4.3 Currently, investors from Uganda and Kenya are developing businesses in South Sudan, but without creating jobs. Going forward, the challenge will be to encourage foreign investment and the creation of local jobs, without being hostile to immigration.

Recommendations

- The EU should understand the dynamics of regional organisations and their future importance for stability and development, (e.g. the AU for early warning, the IGAD for managing regional relationships, and the EAC for economic integration), and help these bodies to strengthen their capacities
- The EU and the international community should support strategies which encourage foreign investment and create jobs locally without being hostile to immigration

b. State-society relations

4.4 **Security service provision:** Civil society should engage in a debate on the future role of military power within the state and in politics, whether the army is a tool of the party or a national defence force, and the role of a national defence force (e.g. should it defend internal boundaries, and, if so, when?) DDR and “rightsizing” the SPLA will present serious problems as there are no economic opportunities for the demobilised. When it comes to policing, there is an assumption that a high police presence leads to greater security. However, its impact in terms of positive security dividends is questionable given the types of insecurity experienced (e.g. cattle rustling, bride abduction etc.). Non-state actors are not only potential sources of insecurity, but also potential security providers where the state cannot provide security, or where the police are not trusted or feared. There is also potential to engage traditional justice mechanisms in providing justice and security, although the relationships between formal and traditional justice mechanisms need to be managed carefully.

4.5 However, increasing security without increasing the accountability of the security services risks simply increasing the reach of abusive institutions and entrenching impunity. Increasing security must be based on an assessment of the real requirements for crime prevention, making a clear distinction between criminal activity and conflict.

4.6 Attempts to reform government institutions to be leaner need to take into account that in the absence of economic development, the state is often the only employer. Government institutions lack capacity, including in financial management. Corruption remains a serious challenge and obstacle to development. The Diaspora could make important contributions to South Sudan’s development, if there is an incentive for them to return.

4.7 Peace education and non-violent conflict management should be integrated from the beginning across the whole education curriculum.

Recommendations

The EU should:

- Support a public debate on the role of the security sector in South Sudan. It should avoid assuming that more policing means more security, and consider the role that non-state actors can play in providing security where the state is not present or is not trusted
- Ensure that support to the security system includes robust measures to improve accountability and to end impunity within the system
- Provide assistance in developing effective financial management within public institutions and tackling corruption
- Support the integration of peace education across all aspects of the education curriculum
- Recognise the tension between a desire for leaner government and the reality that the government is an important employer by supporting job creation as well as reform
- Examine ways in which the Sudanese Diaspora resident in the EU can be encouraged to return to South Sudan and contribute to development

c. Coordinating external interventions

4.8 There is a lack of coordination amongst NGO actors, which often engage the same people for different tasks. Establishing peace committees to coordinate the work of NGOs and external actors, and to engage the people and local authorities (at state- and *payam* level) would be important for peacebuilding as it would enable local people to engage fully in the process. The example of the Peace Commission in Southern Kordofan could provide interesting lessons for other peace commissions or peace committees, or similar mechanisms, in other states and/or at the national level. Challenges going forward will be that external actors need to advise, not implement; local people need to be engaged in the whole process from beginning to end; and local capacities to act must be strengthened.

4.9 Officials at the state- and *payam* levels should receive 'Do No Harm' training.

4.10 The international community must coordinate its interventions; ministers are swamped by delegations from bilateral donors. CSOs can – and must – tell donors to go away if they need to. INGOs can be selective in where they work, meaning that the “hard” states receive less aid than the “softer” ones. CSOs will be key for countering aid dependency in the long-term.

Recommendations

The EU should:

- Support peace committees to coordinate international interventions and to provide platforms which engage local authorities (state, county, *payam*), civil society, INGOs and other actors and to ensure that local capacities are strengthened by external actors
- Examine the example of the Peace Commission in Southern Kordofan and see what learning is applicable more generally for peace committees, or similar mechanisms, in South Sudan
- Support the training of government officials and communities in non-violent conflict management
- Coordinate its interventions with other international actors and not overburden ministers and ministries with numerous bilateral engagements

Civil Society Dialogue Network

The Civil Society Dialogue Network (CSDN) is a three-year project funded by the European Commission aimed at facilitating dialogue on peacebuilding issues between civil society and EU policy makers. It is managed by the European Peacebuilding Liaison Office (EPLO). For more information please visit the [EPLO website](#).

EPLO asbl, Rue Belliard 205, Box 12, 1040 Brussels, Belgium
Tel.: +32 (0)2 233 37 37 – Fax: +32 (0)2 233 37 38
E-mail: office@eplo.org – Web : <http://www.eplo.org>