



NORWEGIAN  
REFUGEE COUNCIL

# REPORTS

A thematic report from the Norwegian Refugee Council, 2010



## **SOUTHERN SUDAN 2010: MITIGATING A HUMANITARIAN DISASTER**

# INTRODUCTION

Following a comprehensive mapping exercise of existing scenario reports on the fate of Southern Sudan and the Comprehensive Peace Agreement (CPA) process, there appears to be a broad consensus that the humanitarian situation in Southern Sudan will deteriorate in 2010.

This report seeks to acknowledge the negative impact a failed CPA process would have on the humanitarian situation in Southern Sudan, while making the case that failing to address intra-South causes of conflict would render a successful CPA process largely meaningless with regards to the current humanitarian situation in the South.

It is important to stress that although interrelated, the problems associated with the CPA process and the causes of intra-South violence must be seen as two separate issues, for the purpose of effectively addressing both of them. It is obvious that a smooth and legitimate CPA process would reduce the risks of renewed North/South fighting, but it would not address the root causes of most intra-South conflicts.

There still remains a window of opportunity to remedy some of the existing problems in Southern Sudan and mitigate against others. However, this window is narrowing quickly as the April national elections and the 2011 referendum on independence approach.

In this report NRC outlines three priority areas where international and domestic partners need to focus their activities in order to address the expected humanitarian challenges in 2010-11.

- 1) First, a continued failure to resolve important issues relating to implementation of the CPA, including the census, electoral register, border demarcation and oil revenue agreement, is a recipe for disaster in Sudan. It certainly could lead to armed conflict between the North and South and/or within the border states of Abyei, Southern Kordofan and Blue Nile, even though the CPA process itself is completed.
- 2) Second, irrespective of progress with the CPA, there is an urgent need to increase activities that focus on mitigating potential triggers for violence within Southern Sudan. This includes election/referendum awareness education to combat Southerners' limited access to information and therefore questionable understanding of the processes involved; conflict resolution work in the areas worst affected by inter-ethnic conflict over resource-use rights; and boosting the capacity of the Government of Southern Sudan (GoSS) and its state governments.
- 3) Third, displacement and humanitarian needs will continue to increase dramatically in 2010 due to intra-Southern conflicts resulting from inter-ethnic tensions, water and grazing rights disputes, food insecurity and political marginalisation of minority ethnic groups. Emergency response capacities must be immediately boosted, both where intra-Southern conflicts are combined with deteriorating food security, as well as in the areas historically most vulnerable to renewed North/South fighting.

## LIST OF CONTENTS

<b>INTRODUCTION</b>	<b>2</b>	<b>PREPARING FOR A WORSENING HUMANITARIAN CRISIS</b>	<b>11</b>	<b>ANNEX 2: SELECTED IMPORTANT EVENTS: 2005-2009</b>	<b>19</b>
<b>COMPREHENSIVE PEACE AGREEMENT - KEY CHALLENGES</b>	<b>3</b>	<b>CONCLUSION</b>	<b>16</b>	<b>ANNEX 3: NORWEGIAN REFUGEE COUNCIL OPERATIONS IN SUDAN</b>	<b>20</b>
<b>REDUCING THE POTENTIAL FOR INCREASED CONFLICT WITHIN SOUTHERN SUDAN</b>	<b>5</b>	<b>KEY RECOMMENDED ACTIONS</b>	<b>17</b>	<b>ANNEX 4: MAPPING OF EXISTING SUDAN SCENARIO REPORTS</b>	<b>21</b>
		<b>ANNEX 1: KEY FACTS ABOUT SUDAN</b>	<b>18</b>		

*NATIONAL ELECTIONS: Southerners in Yei, Central Equatoria, queuing up to register to vote in the April 2010 national elections. As promised in the 2005 Comprehensive Peace Agreement (CPA), the elections are planned to be Sudan's first full, multi-party poll in 24 years.*



photo: THERESE WITT

# COMPREHENSIVE PEACE AGREEMENT – KEY CHALLENGES

The shortcomings of CPA implementation since 2005 have been extensively covered in reports and studies by a wide range of actors and agencies operating in Sudan. The prevention of a unilateral declaration of independence by Southern Sudan before a referendum process has taken place must be seen as a top priority for international partners in Sudan to reduce the risks of renewed North/South fighting.

The lack of CPA implementation and failure to address the most sensitive issues in the process have increased the risk that the South will see the CPA process as a failed mechanism and conclude that declaring independence is the only means of attaining statehood. Not only would this increase the risk of North/South conflict, it would also complicate negotiations to resolve a plethora of administrative, military, boundary and resource-sharing issues.

The new urgency that CPA implementation has taken on in recent months, after repeated delays in the processes leading to the national elections, should serve as a catalyst for resolving the most sensitive issues before the CPA process is completed or loses all legitimacy in the eyes of the Southerners. It is considered highly unlikely that a minimum level of peace

can be maintained around the 2011 referendum if these issues remain unresolved. The most pressing issues are broadly seen to be:

- Broad acceptance of the 2008 census results by the NCP (National Congress Party) and SPLA/M (Sudan People's Liberation Army/Movement).
- An electoral register that is broadly accepted by the NCP and SPLA/M.
- A referendum law that has been wholly accepted by both sides
- North/South border demarcation.
- Resolution of issues relating to oil revenue and production agreements.
- Agreed procedures for North/South cooperation in security and administrative functions.
- Clear definition of what «popular consultation» will entail in Southern Kordofan and the Blue Nile regions before the referendum.
- Resolution of issues relating to Darfuri voting in national elections

Resolution of these issues is considered to be imperative for a successful and legitimate CPA process. To date, these central



issues have been dangerously neglected, directly contributing to an increased risk of North/South conflict in 2010-11. Each of the issues listed above could contribute to increased instability in their own way:

- An election process that is undermined by real or perceived failings in 2010 will likely lead to civil unrest in areas with disputed results.
- A flawed referendum law or loss of faith in the referendum process by Southerners could lead to a unilateral declaration of independence by the GoSS.
- Disputed borders create opportunities for armed conflict (e.g. Ethiopia/Eritrea; Abyei clashes in May 2008).
- The economic uncertainties for both North and South with regard to oil revenues mean that the risk for armed conflict for control of oil resources is a strong possibility in the absence of a negotiated settlement.
- Lack of procedures for North/South military and administrative bodies creates ample opportunity for conflict (especially in the case of an independent South).
- The ethnic splits in Southern Kordofan and Blue Nile along North/South sympathies create a high risk for conflict if both sides are not satisfied that their views have been heard (with

- a strong likelihood that no process will satisfy both sides at once).
- Considering the limited timeframe before the planned national elections, it is unlikely that all issues relating to Darfuri participation in the elections can be resolved prior to April. The mandate of the Government of National Unity expires in July 2010; if elections are not held or amendments are not made to the 2005 CPA beforehand a constitutional crisis could emerge.

There is general consensus that an independent South is the most likely outcome of a referendum vote in 2011. International partners must work from this assumption and focus on ensuring that the mechanisms for secession are in place and that Southern Sudan is capable of operating as a viable nation state.

Excluding the obstacles relating to elections and a referendum law, all of the issues listed above will continue to require resolution even in the event of a Southern declaration of independence. The humanitarian, economic and administrative consequences of an abandoned or illegitimate CPA process are clearly visible in the history of Sudan's Second Civil War and should not be underestimated.



photo: THERESE WITT

# REDUCING THE POTENTIAL FOR INCREASED CONFLICT WITHIN SOUTHERN SUDAN



photo: THERESE WITT

*VOTER REGISTRATION: A woman registering to vote outside Aweil, Northern Bahr el Ghazal, during voter registrations in November and December 2009. People needed either their birth certificate or a witness to verify their identity when registering. Witnesses were commonly used throughout Southern Sudan.*

International and domestic partners must focus on the kinds of activities that can help to mitigate potential triggers for violence within Southern Sudan such as: limited understanding of the election and referendum; inadequate conflict resolution mechanisms for handling land, water and grazing rights issues; poorly

implemented civilian disarmament programmes; insufficient efforts to increase civilian and military security force capacity to 'maintain' peace; poor investment in strengthening the 'rule of law' infrastructure in Southern Sudan; and insufficient integration of tribal leaders into the GoSS political arena





**WEAK INFRASTRUCTURE:** *The unsealed airstrip on Aweil airport, Northern Bahr el Ghazal. Lack of - or weak - infrastructure is a challenge for the delivery of humanitarian assistance and access to markets in remote areas of Southern Sudan.*

(within both Juba-based institutions and state governments). These issues will be important for reducing conflict in Southern Sudan regardless of whether it becomes independent or not.

**ELECTION/REFERENDUM EDUCATION**

Election and referendum expectations of Southerners will be a major risk factor in 2010-11, and informing the population should be seen as a significant part of reducing the potential for increased violence and displacement over the 2010-11 period. Given the short timeframe before the 2010 elections every effort should be made to integrate training and information dissemination about the elections and referendum into all aspects of donor activity where possible in the coming months. In order to ensure the most efficient use of resources, international and domestic partners should first:

- Identify areas where election education can most easily take place; and
- Identify areas with the lowest levels of election and referendum awareness.

The extensive survey done by the National Democratic Institute (NDI), *Imagining the election: A Look at What Sudan’s Citizens Know and Expect of Sudan’s 2010 Vote*, clearly identifies worrying expectations and misunderstandings regarding upcoming voting exercises. Many Southerners are already sceptical of an election process and fear it could lead to new struggles for power within the South, but many are also unaware of the difference between the 2010 elections and the 2011 referendum.

Perhaps the most dangerous trend was the misconception that



Southerners would be voting for independence in 2010. Given that there is a strong likelihood that the NCP and President Bashir will remain in power following the 2010 elections (a result many Southerners already say they will not accept), it is important that large numbers of Southerners do not take this to mean that a referendum on independence for the South is no longer an option. International and domestic partners must be enlisted to increase awareness raising activities, using existing channels and services to engage as many communities as possible.

**THREE TARGET AREAS FOR GENERATING A GREATER PEACE DIVIDEND**

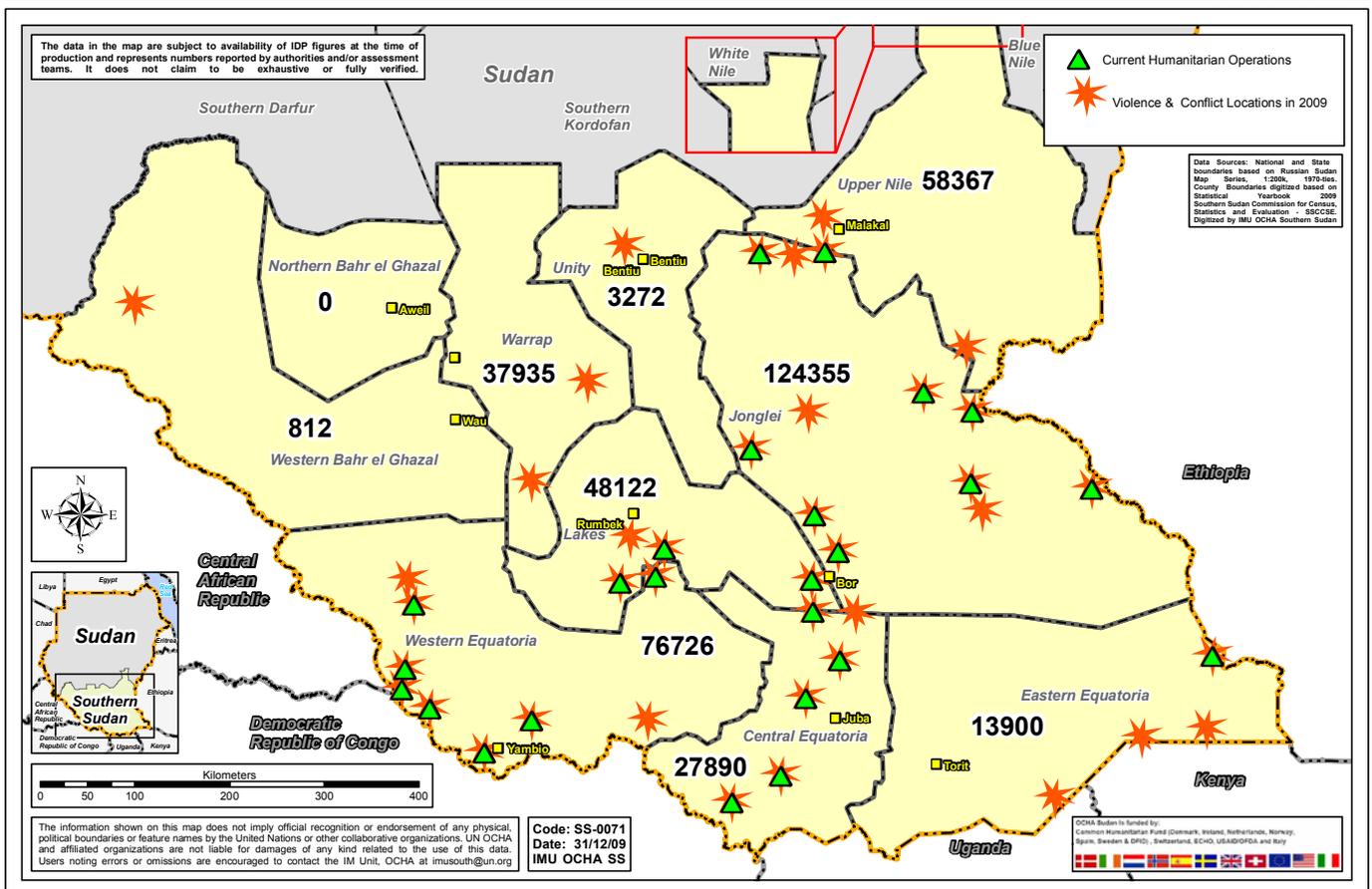
Another destabilising factor in Southern Sudan has been the lack of a substantial peace dividend as a result of the CPA to date. This is largely due to the failure of donors and the GoSS to deliver a higher degree of improved infrastructure, education and health services and an improved security environment, particularly outside Juba. There are multiple causes contributing to this: lack of capacity in government agencies, inflexible and bureaucratic mechanisms for donor funding, poor coordination between implementing agencies (international and domestic) and strong allegations of corruption within the GoSS.

The failure of the CPA process to deliver a meaningful peace dividend has left many Southerners disillusioned with the process and in some cases feeling that the security situation is getting worse rather than better. Three key steps to boosting the peace dividend are: strengthening conflict resolution capacities in the GoSS, alongside increased investment in the security apparatus such as building more police stations with appropriate resourcing; a more realistic focus on boosting the GoSS's ability to deliver basic services; and streamlining donor funding mechanisms for projects being carried out in Southern Sudan.

**CONFLICT RESOLUTION CAPACITIES**

The failure to create an improved security environment has had the farthest reaching impact on the Southern population. Over 300,000 people were displaced by inter-ethnic fighting in Southern Sudan in 2009, excluding those displaced by attacks by the nominally Ugandan Lord's Resistance Army rebel group in Western and Central Equatoria states. Priority must be given to improving the GoSS's administrative capacities in the areas most vulnerable to conflict resulting from disputes over access to basic resources (water, grazing rights, etc).

Reported cumulative figure of displacement in 2009 - Status 31/12/2009: 391,400 IDPs



The lack of capacity within Juba-based GoSS institutions and state governments to mediate, monitor and enforce access to these resources between different ethnic groups has played a significant role in the rising levels of inter-ethnic violence witnessed in 2009. Insecurity makes the delivery of health and education services, water and sanitation, food security measures and livelihood assistance more difficult (or impossible in the most insecure areas), disrupts economic activities and food production, undermines trust in the GoSS by citizens and sows the seeds for further conflict in the future.

Increased conflict resolution activities should focus on the areas known to be prone to inter-ethnic conflict over water and grazing resources, especially in Jonglei (including North Jonglei/Upper Nile border), Lakes, Warrap/Unity border and Upper Nile. The International Crisis Group's, Jonglei's tribal conflicts: countering insecurity in South Sudan, provides a good example of largely knowing of an area where the risk of conflict is greatest: along the Sobat River on the Jonglei/Upper Nile border two groups (Lou and Jikany) have consistently had conflicts since the 1990s. Given the poor rains in Jonglei in 2009 and the traditional watering routes used by the Lou, it is known that

they will be arriving on the banks of the Sobat from December onwards, creating tensions with the Jikany in the area. Directing resources to areas known to be at risk may prove preventative if activities are well planned, timed and executed. Conflict resolution efforts carried out by the UNDP, UNMIS and others between migrating nomads and host communities in areas such as Abyei, Unity and Jonglei need to be increased in both scope and frequency and seen as imperative to achieving a minimum level of security in the South. Better tracking of the political linkages between government and ethnic groups will also be key, as the politicisation of more traditional conflicts over resource access etc, will undermine resolution efforts that do not take this reality into account.

Improving the GoSS's ability to maintain peace is imperative if Southern Sudan is to become a viable independent state. The number of people killed and displaced as a direct result of intra-South conflict in 2009 highlights the limited impact even a successful CPA process would have on security in Southern Sudan. Moreover, there are concerns that the lack of a common enemy among Southern groups could further destabilise Southern Sudan in a post-referendum/independence future.

## POWER STRUGGLES WITHIN THE SOUTH'S FORMAL GOVERNMENT STRUCTURES

Inter-ethnic conflicts over access to resources and cattle-raiding are not the only sources of insecurity at work in Southern Sudan. In many cases, observers have noted that jockeying for position within the SPLA/M by local politicians has exacerbated existing ethnic tensions and contributed to intensifying conflicts. Following the CPA agreement in 2005, the GoSS and SPLA largely became a collection of various southern actors. During the civil war, many of these groups put aside their competing interests to defeat the North. However, some of these groups' allegiances are more closely related to geographic and ethnic affiliation than to a coherent idea of a sovereign Southern Sudan. These internal divisions and suspicions continue to play a role in the failures of

disarmament campaigns, conflict resolution activities and development initiatives throughout the South.

There is considerable concern that in a post-independence environment these internal SPLA/M tensions will come to the fore after numerous reports indicate that some key political players are consciously maintaining a minimum level of cooperation with the GoSS so as not to threaten the chances for southern independence. However, once the unifying aspect of a common enemy in the North is removed, in-fighting in the SPLM is not unlikely. There are politicians and military commanders that still command considerable support among the armed groups they belonged to before integration into the SPLA/M and have significant potential to create

instability within the South. International partners must more openly acknowledge the threat that these internal divisions pose to the stability of Southern Sudan as well as the ability of the GoSS to function properly. Increased efforts to strike an improved ethnic balance across all departments of the GoSS (including at the state level) and to boost involvement of local leaders into government structures must be made in order to overcome the localised and short-term nature of political interests in the South. Increased support for South-South dialogue will be critical to the stability of Southern Sudan going forward. Observers note that many of the ethnic conflicts in the South are being increasingly politicised by elements within the GoSS that seek to strengthen their powerbases.





photo: THERESE WITT

*RE MOTENESS: Southern Sudan is one of the poorest and least developed parts of the world. The need to improve basic service delivery such as schools, health clinics and roads is immense, even if some infrastructure has been constructed since the Comprehensive Peace Agreement in 2005.*

**GREATER PRACTICAL FOCUS ON INCREASING BASIC SERVICE DELIVERY CAPACITIES**

In order to address some of the medium- and long-term objectives of improving basic service delivery by the GoSS, more effort needs to be made to improve the administrative capacities of local and central authorities. At present international NGOs provide over 80% of all education and health services in Southern Sudan. This situation is unsustainable and is the direct result of a failure to develop capacities within the GoSS and state governments. Efforts should focus on a realistic timeframe for handing service delivery responsibilities over to the GoSS, but must accept that this will not be possible in the immediate future. The South did not exist as a state before and the international community should accept that building a viable state will take a very long time and large amounts of aid and technical assistance will be required, possibly for decades.

Projects must deliver services while simultaneously building capacity well into the medium-term. As noted by Oxfam in its most recent report on Southern Sudan, the GoSS has only 150 internationals providing technical assistance throughout its ministries, while there were over 3,000 individuals working within the government in post-war Mozambique in 1990. The secondment of a substantial number of persons with leadership experience from local, regional and central government agencies in partner countries to the central and provincial government agencies of the GoSS, could provide an efficient mechanism for recruiting and deploying an increased number of internationals to assist the GoSS in a timely manner. These deployments should focus on project management, budgeting and control, interaction with the political leadership and greater integration of tribal leaders in decision making processes. These individuals would be seconded either directly to the relevant authorities or with loose affiliation to UN organisations or other partners.



## MORE EFFICIENT DONOR FUNDING MECHANISMS

In order to achieve the aim of generating a greater peace dividend and boost capacity development and service delivery, changes must be made to the donor funding mechanisms currently in place in Southern Sudan. The low level of disbursements from the Multi-Donor Trust Fund (MDTF) for Southern Sudan highlights the inappropriateness of the mechanisms governing the fund and the need for a change in how donors direct aid to the region.

Total donor funds paid into the MDTF for Southern Sudan since its inception were US\$593.4m in June 2009. However, the total value of grant agreements signed by the MDTF has only reached US\$234.7m, while the amount actually disbursed was even lower at just US\$159.3m. When considering the exceptionally low level of development in Southern Sudan and the extensive investment requirements, a disbursal rate of around 27% cannot be considered sufficient.

Donors need to directly target organisations that have proven implementation capacity and have demonstrated results and restrict usage of multi-donor funding mechanisms to speed the disbursement of aid flows. Funds that are currently being channelled through UN agencies by donor countries to NGOs should be disbursed directly to larger NGOs and avoid the administrative costs and delays of using UN agencies to disburse funds. By doing this, UN agencies would still play an important role in the disbursement of funds to smaller NGOs with limited capacity, and would also be able to play a larger role as a coordinating body for all assistance programmes in the South.

By boosting the through-flow of aid funds into Southern Sudan, the necessary increases in large-scale investment programmes for schools, clinics, roads, administration buildings, education programmes, and teacher and nurse training can be achieved.

*SCHOOL CONSTRUCTION: A school being built by the Norwegian Refugee Council (NRC) in Aweil, Northern Bahr el Ghazal. Large scale investments by donors and the GoSS in school construction and education activities are crucial to meet basic needs and generate a greater peace dividend in Southern Sudan.*



photo: THERESE WITT

# **PREPARING FOR A WORSENING HUMANITARIAN CRISIS**



photo: THERESE WITT



In 2009 391,400 people were displaced by violence in Southern Sudan and an estimated 2,500 killed<sup>1</sup>. The vast majority of internally displaced movements were the result of inter-ethnic violence. End-December estimates by UN OCHA show substantial numbers of IDPs in seven of the 10 states of Southern Sudan: Jonglei (124,355), Western Equatoria (76,726) Upper Nile (58,367), Lakes (48,122), Warrap (37,935), Central Equatoria (27,890) and Eastern Equatoria (13,900). Unity (3,272), Western Bahr el Ghazal (812) and Northern Bahr el Ghazal (0) states were the least affected by inter-ethnic fighting in 2009.

In comparison, according to the Global Overview of the NRC's Internal Displacement Monitoring Centre<sup>2</sup>, 187,000 people were internally displaced in Southern Sudan in 2008.

Improving emergency preparedness will be a key element of combating deteriorations in the humanitarian situation in Southern Sudan in 2010-11. International and domestic partners must work to:

- identify the areas where action will most likely be needed;
- engage in prevention activities where possible; and
- plan for logistical contingencies, including the stockpiling of supplies in strategic locations to ensure rapid delivery of assistance.

In 2010-11 there are three main variables that have the potential to increase the number of people in need of humanitarian assistance in Southern Sudan. Two of these, increased inter-ethnic conflict within Southern Sudan and LRA-related attacks (mainly in Western and Central Equatoria states), are viewed as highly likely given the expected increase in food insecurity and greater competition for water and grazing resources between ethnic groups in large parts of the South and the lack of success in solving the LRA problem militarily in the past.

The third variable of election-related fighting and renewed North/South fighting in border and oil-rich areas poses perhaps the greatest threat to a significant deterioration in the humanitarian situation in Southern Sudan over the next 18 months. Given these three variables, capacity for delivering humanitarian aid must be boosted to meet both likely and possible crises in the coming months.

**FOOD INSECURITY**

Conflict and displacement has been a major contributor to food insecurity in the South in 2009, especially in the Eastern floodplains. There was a strong correlation between food insecurity and inter-ethnic conflicts, as greater scarcity of resources contributed to a cycle of violence-scarcity-violence through the disruption of food production activities.



photo: THERESE WITT

*FOOD INSECURITY: Conflict and displacement are closely linked to food insecurity in Southern Sudan.*

Although food security improved due to harvesting in September-December 2009, the FAO (Food and Agriculture Organization) and FEWSNET (Famine Early Warning Systems Network) are reporting that food security conditions will have started deteriorating by early February across large parts of Jonglei, parts of Warrap and Northern Bahr el Ghazal states, as well as pockets in Lakes, Unity, Eastern Equatoria and Upper Nile states.

Donors must become more proactive in taking preventative measures when useful intelligence is available. In early January in an interview with IRIN regarding rising food insecurity in the South, state Minister of Agriculture in Eastern Equatoria, Betty Angwero Achan, made the failure of aid agencies to act on these forecasts clear by saying, "In case you haven't noticed, I have for months now issued appeal after appeal for food aid."

International and domestic partners must boost capacity to deliver emergency food aid in the areas currently predicted to be at greatest risk of food insecurity in the coming months. Better coordination between development partners in the areas of access, logistics, sourcing and distribution will be central to more effective aid delivery in the areas forecast for worsening food security conditions. Monitoring weather and food production forecasts from international agencies will play an important role in formulating appropriate strategies for delivering food aid if and when shortages arise. In parallel to addressing short-term food insecurity needs, donors must integrate longer-term goals relating to the development of coping mechanisms, supply of inputs and technology, market access and infrastructure, so that viable and comprehensive programmes addressing the structural causes of food insecurity are being implemented to the greatest degree possible.



<sup>1</sup> UN OCHA, Southern Sudan, December 2009 <sup>2</sup> www.internal-displacement.org/countries/Sudan

**PROTECTION OF CIVILIANS AND ACCESS**

A new focus on access in the most conflict-prone areas must take priority, especially in Jonglei, which is now the state hardest hit by a combination of rising food insecurity and inter-ethnic conflict. There are important lessons to be learned from the experience of the few aid agencies working in Somalia. Their experience with many of the networks being used to deliver aid in Somalia’s most dangerous areas must be emulated in Jonglei and other high-risk areas.

With a civilian death-toll in 2009 greater than Darfur, Southerners are currently facing extreme protection risks. Most of the violence is occurring in remote rural areas and is connected to inter-ethnic conflict and clashes over land due to food insecurity. Consequently, access to those in most need of assistance and protection is constrained both by lack of roads and functional airstrips in remote areas and increased fighting between a myriad of armed groups.

Several reports have shown the lack of success – or even the counterproductive effects - of the ongoing disarmament programme. Although it is clear that disarmament of armed non-state actors must continue, there is little hope of this improving the protection of civilians in the short term. Alternative strategies must be sought.

Improved capacity of the security forces is imperative and urgently needed, both to increase effectiveness and actual outreach to civilians in remote areas. This will require international assistance, particularly by UNMIS, and should focus on human rights training, operational guidance for improved protection of civilians, as well as delivering essential and intensive literacy and numeracy programs for enhanced education outcomes.

The United Nations Security Council has provided UNMIS with a partial Chapter VII Mandate to ensure that necessary action can be taken to protect civilians. Given the enormous size of Southern Sudan, the extremely challenging logistical conditions and the vast amount of armed groups engaged in fighting in several provinces of the South, providing direct protection to civilians will prove extremely difficult for UNMIS. The force strength is insufficient, areas of practical operation are too limited and there’s both a lack of support from DPKO for protection activities, and unclear expectations of UNMIS, in terms of protection of civilians.

An alternative and complimentary strategy for strengthened civilian protection is to improve access in order for humanitarian organisations to deliver assistance (emergency shelter, non-food items (NFIs), food security items, basic health services, etc) that will, if provided professionally, reduce people’s vulnerabilities to protection risks. UNMIS could play a key role in improving access for humanitarian organisations. The priority should be



photo: THERESE WITT

**LOCAL FOOD PRODUCTION:** *Strengthening food security through support to local food production and market access is important in addition to emergency food aid, if and when shortages arise.*

to work together with GoSS to secure airstrips and main roads and ensure ambient security in conflict areas with communities in need of humanitarian assistance, thus allowing access for assistance provided by UN agencies and NGOs.

**BOOSTING PREPAREDNESS IN AREAS MOST AT RISK FROM RENEWED NORTH/SOUTH FIGHTING AND LRA-AFFECTED AREAS**

Historical displacement patterns should be used as strategy tools. During the Second Civil War IDPs from oil-rich areas pre-2005 tended to move towards North Jonglei, Unity, Warrap, and Northern Bahr el Ghazal states. In the case of renewed North/South conflict it is very likely that these areas will see similar IDP movement trends. In addition to this, non-Arab populations in Southern Kordofan and Blue Nile are more likely to head for the South if fighting resumes in order to avoid being caught on the “wrong” side of the border, in the context of an independent Southern Sudan. Again, this indicates a large influx of IDPs into Upper Nile, Unity, Warrap and Northern Bahr el Ghazal states if fighting resumes.





photo: THERESE WITT

## **EMERGENCY RESPONSE FROM THE NORTHERN BAHR EL GHAZAL (NBeG) PERSPECTIVE**

Five years into the CPA, there continues to be a serious shortage of basic services such as education, shelter (including school construction and rehabilitation), food security, water and sanitation in NBeG. Additionally, NBeG is the main destination for spontaneous returnees from South Darfur and North Sudan. The population is estimated at more than 790,000 residents with 51% returnees. An estimated 400,000 people have returned to NBeG since the signing of the CPA in January 2005.

NBeG State is not troubled with internal ethnic/tribal conflicts within the state, however it is surrounded by volatile areas such as Darfur and the transitional areas including Abyei and Warrap State, where there are escalating tribal conflicts and other types of conflicts leading to an influx of IDPs to NBeG State. An estimated 50,000 people were displaced by fighting between the SPLA and Arab militia in Abyei in May 2008, with many of these IDPs fleeing to NBeG during the crises. Additionally, many Darfurians have settled in Aweil North due to increasing levels of violence in their communities. Ethnic conflicts in Southern Kordofan and Warrap State have further created forced displacement to NBeG. With the upcoming events of the national election, referendum

and border demarcations, NBeG State is in a key location and thus highly vulnerable. Should the implementation of the CPA fail, and fighting begin in the border areas, NBeG State could potentially receive thousands of IDPs within a very short time, creating a humanitarian crisis of considerable magnitude where critical emergency assistance in the form of food, shelter, education, water and health would be required. Considering available basic services are insufficient for the current demands, this would put immense pressure on the existing NBeG infrastructure.

In addition to man-made crises connected to ethnicities and the North/Southern Sudan dynamics, natural disasters are a potential threat in NBeG. The state is vulnerable to both annual flooding and drought. In 2008, floods devastated residential areas and crops were severely damaged. In 2009, the rainy season came late, delaying the cultivation season and causing increased food insecurity in NBeG State. The present threat of drought has the potential to further exacerbate the humanitarian crisis, and in a worst-case scenario, lead to famine in many parts of Southern Sudan. At this point, there is already a strong correlation between areas of conflict and food insecure areas.



photo: THERESE WITT



Given the extensive intra-South violence witnessed in 2009, there is a possible need for a humanitarian corridor in the South if North/South fighting resumes, as some of the main routes IDPs have historically travelled along within the South go through some of the areas most affected by inter-ethnic violence in 2009. This could result in IDPs running from fighting in one place only to walk straight into a conflict zone in another.

Moreover, any influx of IDPs into already volatile areas will increase the risks for violence given the increased competition for scarce resources. Though it is impossible to pinpoint all of the places where IDPs will be most vulnerable, some high risk areas appear to be along the Lakes-Jonglei border and White Nile River; the stretch between Bor and Juba; and the area around Rumbek (Lakes). Increasing the presence and emergency response capacity of international and domestic development partners in Jonglei, Warrap, Unity and Northern Bahr el Ghazal should therefore be seen as a priority over the next 12 months.

The vast number of IDPs created by LRA-related violence since 2008 is well documented and according to OCHA reached an estimated 70,000 in the final months of 2009. To date, LRA violence has been located mainly in Western Equatoria along the borders with Democratic Republic of Congo (DRC) and Central African Republic (CAR). Not only has this violence generated IDPs in Southern Sudan, but in many instances refugees from DRC and CAR have fled into Southern Sudan as well.

Improved strategic planning for humanitarian assistance needs due to LRA violence is needed in 2010-11. The LRA are expected to remain a problem in the South regardless of how the CPA process moves forward, but increased insecurity relating to North/South issues would likely exacerbate the LRA problem, given the diversion of SPLA resources to more northern points and the change of focus of the GoSS and UNMIS in light of renewed North/South fighting.

To ensure the most efficient use of financial and human resources, a higher level of activity by implementing agencies should focus on a dual-purpose approach to humanitarian assistance in the areas most vulnerable to renewed North/South fighting and LRA-related attacks. Missions must focus on election education, shelter, food security, livelihoods and basic services (water, health, sanitation), while also having planned capacity to rapidly deploy emergency assistance in the areas most likely to receive a high influx of new IDPs in the case of renewed North/South fighting, as well as in Western Equatoria in response to LRA-related displacements.

*FOOD INSECURITY: Being able to feed their children is a key concern amongst returnees in Northern Bahr el Ghazal. The area is one of many in Southern Sudan with a high risk of deteriorating food security conditions.*



photo: THERESE WITT

## CONCLUSION

The aim of this report from NRC is to direct efforts to the activities that have the greatest potential for meeting humanitarian needs and preventing a further deterioration in Southern Sudan's humanitarian situation through increased violence. The outstanding issues of the CPA remain a primary concern for the future of Sudan. The international community must be more bluntly honest in acknowledging that failure to resolve these issues before a 2011 referendum is a recipe for disaster in Sudan.

In parallel to the threats to peace that CPA failure presents, rising intra-South violence and the serious lack of capacity within the GoSS (including state governments) threaten to lay the foundation for state failure in the future. The hope that five years of peace following 22 years of civil war would be enough for Southern Sudan to develop viable governance institutions looks, in hindsight, to have been overly optimistic.

However, there remains a window of opportunity to prevent the worst case scenarios being played out in Southern Sudan if international and domestic partners address CPA and intra-South problems simultaneously; as solving either set of issues will not wholly solve the problems of the other. CPA problems are not the result of intra-South violence and intra-South violence is not only the result of a failing CPA process.

Realistic and pragmatic strategies must be pursued in building the capacities of the GoSS and a sober assessment made of the resources and timelines necessary to achieve substantive progress. However, a major factor in boosting development and humanitarian

efforts in Southern Sudan will be dependent on more efficient funding mechanisms for projects, which to date have proven to be a major hindrance in addressing the humanitarian and development challenges in Southern Sudan.

In terms of capacity, donors and implementing agencies must incorporate the very real risks of renewed North/South fighting into their strategies in 2010-11. The areas most likely to be affected by renewed conflict are largely known from historical data and offer a chance for pro-active strategic planning rather than a more reactionary approach to changing humanitarian needs.

The same principle applies to food security and conflict mitigation activities, as FAO and FEWSNET predictions already indicate where food insecurity is likely to be most acute in the first half of 2010 and the seasonal migratory patterns of nomadic pastoralists give some indication where some resource conflicts will likely need to be mediated.

The problems in Southern Sudan are complex and multifaceted. While there are no simple solutions to all of the South's problems, there are certain fundamental areas where interventions have the best chance of achieving success and contributing to the prevention of a further deterioration in the humanitarian situation. Through cooperation, pragmatism, and appropriate strategic decisions, international and domestic partners have the best chance of helping to avert a major crisis around the upcoming voting exercises and beyond.

# KEY RECOMMENDED ACTIONS

## GOVERNMENT OF SOUTHERN SUDAN

- Ensure immediate attention to key challenges to the CPA such as lack of understanding of the elections and referendum, disputed borders, ethnic divisions in the disputed areas and oil revenue agreement.
- In cooperation with UNMIS, dedicate security forces to secure airport strips and main roads to allow access for humanitarian actors to areas likely to be affected by displacement and worsened food insecurity.
- Work to improve coordination and dialogue between Juba-based institutions and state governments to ensure that all levels of the GoSS are working together to create a more inclusive and cooperative governance system.
- Dedicate capacity and accept international assistance to immediately address insecurity and humanitarian needs in the areas most vulnerable to conflicts resulting from land disputes, especially in Jonglei (including Northern Jonglei/ Upper Nile border), Lakes and Warrap states.

## NORWAY AND OTHER KEY ACTORS IN THE INTERNATIONAL COMMUNITY:

- International partners must recognise that at present the main causes of violence and displacement in Southern Sudan are not directly CPA-related and will remain problematic regardless of whether the South becomes independent or not.
- Donors must ensure that agreements amenable to both sides are reached regarding outstanding CPA issues prior to an independence referendum to reduce the risk of a unilateral declaration of independence by the South.
- International and domestic partners must focus on activities that can help to mitigate the triggers for intra-South violence.
- Priority must be given to improving the GoSS's administrative capacities (including conflict resolution) in the areas most vulnerable to conflict resulting from disputes over access to basic resources (water, grazing rights, etc), especially in Jonglei (including Northern Jonglei/Upper Nile border), Lakes and Warrap states.
- Changes must be made to the donor funding mechanisms currently in place in Southern Sudan. Donors need to directly target organisations that have proven implementation capacity and have demonstrated results and restrict usage of multi-donor funding mechanisms to speed the disbursement of aid flows.
- Improve coordination between UN, GoSS and other humanitarian agencies operating in Southern Sudan to ensure the most efficient use of resources (financial and human) and that the priorities of the GoSS are being targeted.

- In order to deliver basic services while simultaneously building capacity well into the medium-term, personnel with leadership experience from the municipalities in partner countries should be seconded to the central and provincial government agencies of the GoSS, focussing on project management, budgeting and control, interaction with the political leadership and greater integration of tribal leaders in decision making processes. The NRC proposes the deployment of 40-60 persons through Norwegian funding.
- Greater engagement of members of the Southern Sudanese diaspora by host country NGOs, as these individuals are often an effective but under-utilised resource.

## UN AND HUMANITARIAN ACTORS

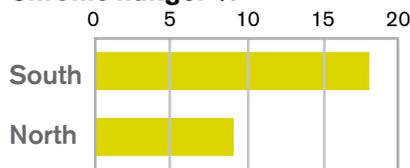
- A new focus on access in the most conflict-prone areas must take priority, especially in Jonglei, which is now the state hardest hit by a combination of rising food insecurity and inter-ethnic conflict.
- To address the lack of understanding regarding the national elections and referendum, international and domestic partners must cooperate to identify areas where election education can most easily take place and identify areas with lowest levels of election/referendum awareness.
- Many of the areas most prone to conflict over water and grazing rights are largely known and through improved cooperation between international and domestic partners platforms for emergency interventions need to be established at strategic points around the region.
- International and domestic partners must boost capacity to deliver emergency food aid in the areas currently predicted by the FAO and FEWSNET to be at greatest risk of food insecurity in the coming months.
- In terms of capacity humanitarian agencies must incorporate the very real risks of renewed North/South fighting into their strategies in 2010-11. In addition, the likelihood of further LRA-related displacements must be accounted for in all assistance strategies.
- Missions must take a two-track approach to operations. One track to focus on election education, shelter, and basic services (water, sanitation, health); and a second track focussed on ensuring there is capacity to quickly deliver emergency assistance in the areas identified as high risk for IDP arrivals in the case of renewed North/South fighting and in response to LRA-related displacements.

# ANNEX 1: KEY FACTS ABOUT SUDAN

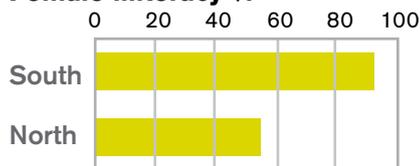
Southern Sudan	All Sudan
<b>Population:</b> 7.5 m to 9.7 m	<b>Population:</b> 42.2 m
<b>Area:</b> 6400,000 sq km	<b>Area:</b> 2.5 sq km
<b>Maternal mortality:</b> 1,700 deaths per 100,000 births	<b>Maternal mortality:</b> 1,107 deaths per 100,000 births
<b>Access to clean water:</b> 50 %	<b>Access to clean water:</b> 70 %
<b>Life expectancy:</b> 42 years	<b>Life expectancy:</b> 58.92 years

SOURCES: CIA, UN, UNFPA

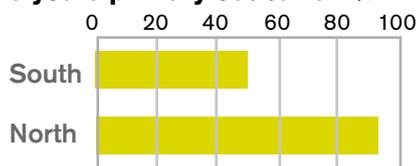
## Chronic hunger %



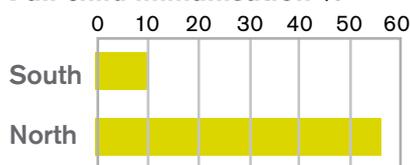
## Female illiteracy %



## 5 years primary education %



## Full child immunisation %



SOURCE: OXFAM, UN



Map No. 3707 Rev. 10 UNITED NATIONS April 2007

Department of Peacekeeping Operations Cartographic Section

# **ANNEX 2: SELECTED IMPORTANT EVENTS: 2005-2009**

## **2005**

The north-south Comprehensive Peace Agreement (CPA) is signed. John Garang, the leader of the Sudan People's Liberation Movement (SPLM), is inaugurated as vice-president of Sudan and President of the Government of Southern Sudan (GoSS). However, only weeks later he is killed in a helicopter crash. The deputy leader of the SPLM, Salva Kiir, becomes the new vice-president and GoSS president. In September a new Government of National Unity (GNU) is appointed, but there are complaints that the ruling National Congress Party (NCP) has retained too many of the key positions in the GNU. The UN Mission in Sudan (UNMIS) peacekeeping mission begins deployment, albeit slowly.

## **2006**

Little progress is made in implementing the CPA agreement, as many of the commissions and bodies to be established under the CPA make little progress or fail to materialise all together. UNMIS nears its full deployment of 10,000 military personnel by September. Heavy fighting between the northern Sudan Armed Forces (SAF) troops and SPLA troops is reported around the southern town of Malakal, resulting in hundreds of deaths.

## **2007**

The SPLM suspends its participation in the GNU in October over the failure to resolve the continuing dispute over the border area of Abyei and to fully implement other aspects of the CPA. Following further talks, the SPLM rejoins the GNU in December.

## **2008**

In April counting for the national census begins. In May a major outbreak of violence occurs in the disputed town of Abyei between SPLA troops and Arab militia in the area – and estimated 50,000 are displaced by the fighting. UNMIS reports that levels of inter-ethnic violence in Southern Sudan remain worryingly high at year-end, with thousands of households having been displaced throughout the year. Renewed reports of attacks by the Ugandan rebel group, Lord's Resistance Army (LRA), emerge from the Western Equatoria Region. By end-2008 key election bodies to be established under the CPA had still not been formed.

## **2009**

In April the National Elections Commission of Sudan announced that elections would be delayed until February 2010. In July this date was moved further to April 2010. Also in July, both the North and the South accept a ruling by an arbitration court in The Hague creating new boundaries for the region of Abyei, putting a key oil field clearly in the North. Tensions between the NCP and SPLM increased throughout the year as key legislative agreements failed to materialise regarding Southern Sudan Referendum Bill, the Abyei Referendum Bill, the National Intelligence and Security Services Bill, the Popular Consultations Bill and the treatment of the disputed census results in the 2010 elections. By year end, the NCP and SPLM announce they have reached an agreement on the Southern Sudan Referendum Bill. In 2009, inter-ethnic violence in Southern Sudan reached increased sharply, resulting in the displacement of 359,000 people and killing and estimated 2,500.

# **ANNEX 3: NORWEGIAN REFUGEE COUNCIL OPERATIONS IN SUDAN**

**Established:** 2004  
**Project areas:** Northern Bahr el Ghazal, Central Equatoria, Warrap  
**Country Office:** Juba  
**Field offices:** Aweil, Yei  
**Budget 2010:** NOK 30 million

**Current Donors:** NMFA, SIDA, DFAIT, DANIDA  
**Potential donors:** ECHO, CIDA, DFID, UNHCR, UN-HABITAT  
**International staff:** 8  
**National staff:** 75

## **NRC'S PRIORITIES AND PROGRAM IMPLEMENTATION**

The NRC Country office in Juba is the administrative centre for NRC's activities in Sudan. In Southern Sudan, NRC has a presence in Juba, Aweil and Yei running projects within education, school construction and ICLA (Information, Counseling and Legal Assistance on return). There are also school construction activities taking place in Warrap state. The ICLA project in Southern Sudan is working closely with the NRC office in Uganda West Nile to provide Sudanese refugees with ICLA. The Ugandan West Nile office was closed on the 31st of January 2010, and ICLA Juba will continue mobile activities into Northern Uganda in service to Sudanese refugee communities.

## **NRC PRIORITIES FOR 2010 AND BEYOND**

All activities in Southern Sudan are linked to the ongoing return process, and NRC plans to continue working towards a holistic approach in the implementation of all projects in Sudan. In addition, NRC is developing contingency plans to address potential new displacement. In 2010, NRC intends to expand its program portfolio, both in terms of geographic areas and in terms of core activities. In most areas where NRC is currently programming it is planned to start additional core activities to complement and support ongoing programs. Establishment of a base of operations in Warrap is highly likely in 2010 and ICLA Central Equatoria will begin mobile training activities in both Eastern Equatoria and Jonglei in 2010.

# ANNEX 4: MAPPING OF EXISTING SUDAN SCENARIO REPORTS

## A) IKV PAX CHRISTI—FOUR SCENARIOS

In the IKV PAX Christi report *Sudan 2012: Scenarios for the Future*, three potential scenarios for how Sudan reaches 2012 are laid out in detail. Below are the key elements of each scenario.

### LAST WAR REVISTED (WAR-UNITED): MAIN CHARACTERISTICS

- National elections won by NCP, Bashir in power
- Divisions weaken SPLM performance in southern elections
- Pro-independence SPLM elements gain control of GoSS (Kiir replaced)
- South declares independence unilaterally
- Heavy fighting in border areas first
- GoSS crumbles, SPLA fractures into old militias with only core left
- Widespread insecurity in the south, militias supported by North
- North controls oil fields, southern economy collapses
- Widespread food insecurity across most of the south
- Southern refugees flood into Northern Uganda and Kenya

### BORDER WARS (WAR-SECESSION): MAIN CHARACTERISTICS

- National elections won by NCP, SPLM landslide victory in South
- No progress made on issues of oil revenues, border demarcation in 2010
- Referendum held in 2011 and South votes for independence
- Abyei votes to join Southern Sudan
- North invades border areas and oil-rich regions
- Fighting mainly takes place in Abyei, South Kordofan, Blue Nile
- Fighting in border states mainly along religious lines
- Southerners in the North are terrorised by Nationalist Northerners
- High levels of insecurity in South as all GoSS resources towards war
- Oil production comes to a standstill, both economies are suffering
- IDPs from border areas flood into the South

### CPA HURRAY! (NO WAR-UNITED): MAIN CHARACTERISTICS

- New momentum behind CPA from end-2009

- New confidence building measures put in place (greater SPLA demobilisation)
- Elections delayed until Jan 2011 by mutual agreement
- Referendum rescheduled for November 2011 by mutual agreement
- SPLM cooperates with Northern opposition parties
- Umma and DUP join “Rainbow Coalition” to contest elections
- Elections are peaceful and large turnout
- SPLM and partners win national elections
- Rainbow Coalition invites NCP into Government of National Unity
- Smaller opposition groups in the South still causing some insecurity
- Foreign investment pick-up strongly, North and South benefiting
- Referendum delayed until 2013, possibly to be cancelled as unity more attractive now to the South

### CAREFUL WHAT YOU WISH FOR: SOMALIA? (NO WAR-SECESSION): MAIN CHARACTERISTICS

- Scenario appears to assume status quo following 2010 elections
- South votes overwhelmingly for independence in 2011 referendum
- International community tries to quickly boost GoSS capacities
- Ethnic clashes intensify in border areas
- Competition between Southern Sudanese politicians leads to ethnic violence in Southern States
- Fighting intensifies between groups in South Kordofan and Blue Nile as southern leaning groups feel abandoned to the North
- North having its own problems, as well as Darfur and cannot stop Southern secession
- Without a common enemy, South cannot maintain unity
- Kiir assassinated and ethnic conflicts and warlordism thrive in a new Southern Sudan
- A weakened NCP losing control in areas of the North
- Rebel groups sabotage oil pipelines in both North and South, oil stops
- Increased instability across all of Sudan, refugees flee to Ethiopia, Uganda, Kenya and Egypt.

### REPORT CONCLUSIONS

The Border Wars and Last War Revisted scenarios were considered the most likely

among participant groups in this study. The CPA Hurray! scenario was seen as the least likely. The main findings of the report can be seen as: It is very likely that the situation in Sudan will deteriorate and violent conflict will continue in the country; the organisation of free and fair elections is essential for any chance of a less violent scenario; continuous outside pressure is needed to get CPA implemented; biggest factor for success in the South in all cases is a stable and effective GoSS.

## B) US INSTITUTE OF PEACE (USIP) —THREE SCENARIOS

The three scenarios in the USIP report were based on a few key assumptions: absent a change in the status quo, most of the substantive issues (oil, border demarcation, security agreements) between the North and South will not be resolved before the referendum; the NCP retains power in the North; much of Sudan’s conflict stems from competition between groups for scarce resources; political and economic power remains concentrated in the Nile Valley, dominated by a small Arab population; and most importantly, that a referendum is held and the South votes for independence. Four key drivers of developments in Sudan were identified as relevant for all scenarios deemed the most plausible:

- The governance capacity of the South;
- The North’s cooperation in the referendum process before and after the referendum (including military, political, and administrative responses to events and other parties);
- The availability and allocation of basic resources at the grass roots (a peace dividend supplemented by international aid); and
- The extent to which key issues (oil, transitional areas, border demarcation) are resolved before or immediately after the referendum.

### COSTLY SECESSION: MAIN CHARACTERISTICS

- GoSS lacks capacity to deliver needed services, including the equitable allocation of basic resources (roads, water and food)
- GoSS spends the majority of its revenues on military investment at the expense of other basic services
- Interethnic violence escalates as services failed to be delivered
- Violence rises in South Kordofan and Blue Nile



- GoSS is unable to disarm militias
- North fails to lend assistance to avoid violence in the South

## CIVIL WAR, FROM TINDERBOX TO CONFLAGRATION: MAIN CHARACTERISTICS

- North and South lack a shared vision of the CPA or the future
- Joint integrated units (JIUs) are ineffective
- Issues of oil revenue sharing remain unresolved
- Militia activity continues in the North and South (violence rising)
- Census results remain disputed by both sides
- Referendum law passed though SPLM unhappy with final version
- Disarmament does not happen, arms building on both sides
- Following a vote for secession by the South, North sends troops to defend oil fields, including some in the South
- Conflict between the SPLA and Northern army erupts around oil region

## MUDDLING THROUGH: MAIN CHARACTERISTICS

- A compromise is reached on the 2008 census results
- North and South share some semblance of a vision for a post-referendum Sudan (before the referendum is held), be it as one or two nations (some agreements reached on key questions of oil revenues and border demarcation)
- Resolution of outstanding issues relating to Abyei, South Kordofan and Blue Nile before the referendum

In a separate USIP report, *Six important issues for Sudan and its future*, USIP focuses on issues thus far seemingly under explored. The issues are:

- Lack of a definition of the term “Popular consultation” to be employed in South Kordofan and Blue Nile at the time of the referendum on secession.
- Fate of Southerners in the North (over 500,000) if the South votes for independence. Some expectations of violence against Southerners (mainly around Khartoum) if South secedes. Concerns that the GoSS does not have the capacity to handle a large influx of Southerners coming from the North in an independent South—especially in border states where they would arrive first.
- Whether or not the SPLM will put forward a Presidential candidate in the 2010 elections.
- Decentralisation efforts in the South: How long will the population be patient with GoSS’s failure to deliver services and strengthen local and regional administrations?
- What would a post-secession Northern Sudan look like? Would it be more or less

the same, simply minus the South?

- The failure of the GoSS and UN agencies to implement a viable and effective civilian disarmament programme in the South.

## REPORT CONCLUSIONS

The overriding conclusions from the USIP publications are that there are big overarching issues such as 2008 census results, border demarcation and oil revenue/production agreements between the North and South that must be resolved if there is any hope for maintaining a minimum level of peace surrounding the referendum or immediately thereafter. Although USIP scenarios do not explicitly outline the humanitarian impacts of each case, it is clear that without resolution of these outstanding policy issues, the potential for violence will only increase around the elections and referendum, limiting humanitarian efforts to disaster management and undermining any longer-term development objectives as a result of the unstable macro political context.

## C) EUROPEAN INSTITUTE FOR SECURITY STUDIES (ISS)—THREE SCENARIOS FOR THE SOUTH

The EU ISS report focuses on the four potential outcomes of the next two years: Forced Unity, Forced Secession, Agreed Unity and Agreed Secession. Under each of these possibilities, the ISS report identifies how key variables will affect the outcome.

Variable one: SPLM/NCP negotiate post-2011 issues ahead of referendum

Issues relating to oil revenue sharing, border demarcation, ownership of state assets, North-South security arrangements and resource agreements (water) all desperately need to be addressed to reduce the risks of renewed conflict in Sudan.

**Forced Unity.** If negotiations unsuccessful a high likelihood of return to war;

**Forced Secession.** There is a high potential for return to war, but also a “no war, no peace” situation. Instability remains high similar to Eritrea/Ethiopia situation.

**Agreed Unity.** Negotiations less urgent and risks of full-scale war are reduced. Some wealth and security agreements will still need to be reached between North and South.

**Agreed Secession.** If some post-2011 issues are resolved before the referendum then a much-reduced risk for return to conflict between North and South. New terms would need to be set out for establishing inter-state cooperation on certain issues; A higher likelihood of smooth transition and reduced risk of conflict in transitional areas.

Variable two: Progress on professionalizing the SPLA and Southern security services

Separate from the outstanding issues between the North and South is the internal problem in the South of a lack of a viable security apparatus that can protect civilians, disarm militias and enforce the rule of law.

**Forced Unity.** Professionalisation efforts put on hold as SPLA is mobilised for renewed fighting against the North. NCP exploits existing divisions within the SPLA/M, but Southern forces also more unified against a “common enemy” in the North. Efforts to integrate the SPLA into a national force are unlikely to be successful under this scenario.

**Forced Secession.** Professionalisation efforts put on hold all forces mobilise for renewed fighting with the North. Possible splits between SPLA/M (South) and SPLA/M (North) exacerbate insecurity in the South. Possible disruptions to oil flows would limit South’s ability to pay its soldiers.

**Agreed Unity.** SPLA would be integrated into the national army, largely following on the examples already existing in the JIUs in some areas. There would also likely be elements of the SPLA who would not accept this outcome and become an enemy of the government in Juba.

**Agreed Secession.** Professionalisation of SPLA and Southern security services essential for the South to become a viable state. A likely increase in internal conflicts between southern groups as they vie for power and resources and the state lacks the capacity to contain outbreaks of violence.

The upturn in intra-Southern violence in 2009 highlights the GoSS’s lack of capacity on the internal security front. Although there are strong suspicions that the NCP is exacerbating problems by arming southern tribes to fight each other, food insecurity and traditional conflicts over water and grazing rights are also key factors. Poorly executed disarmament programmes have in many cases made insecurity worse through asymmetric implementation and a failure to provide protection for civilians from armed groups. There is concern that without a common enemy in the North, Southern groups cannot maintain a minimum level of unity to become a viable state – regardless of how it may become independent.

Variable three: Credible popular consultation processes in South Kordofan and Blue Nile states.

CPA implementation in these areas is considered to be lagging far behind. At present there is no clear idea of what popular consultation means and what it would look like. There is concern that this process will not adequately address grievances that could lead to new conflict in these state either before or after 2011.



**Forced Unity.** Strengthened links between SPLA/M (South) and groups in Nuba and Blue Nile. Strong possibility of a return to North-South war.

**Forced Secession.** Uncertainty of role of SPLA/M in Nuba and Blue Nile regions. Risk of conflict in these regions heightened and also in Abyei if local conflicts regarding grazing rights for Misseriya remain unresolved. Proxy war tactics of NCP likely to be used in again following referendum – increased conflict.

**Agreed Unity.** SPLA merged into national army based on JIUs. Increased involvement of SPLM on national stage empowers South Kordofan/Blue Nile non-Arab populations. Reduced risks for conflict.

**Agreed Secession.** Uncertainty of role of SPLA/M in Nuba and Blue Nile. Risks of renewed conflict and proxy war tactics by NCP in these areas.

## REPORT CONCLUSIONS

The overall conclusions that can be taken from the ISS report are that Agreed Unity scenarios offer the greatest chance for peace between the North and South, but may lead to increase intra-South fighting as some groups are unwilling to accept anything other than Southern independence. Again, this report highlights the overarching policy issues that will largely make or break prospects for peace between North and South. It also highlights how the lack of capacity of the GoSS promises to be a source of conflict and instability in an independent South, regardless of how they get there. The report concludes (as do others) that Agreed Unity scenarios are the least likely going forward. The attractiveness of unity with the North for Southerners has been further reduced by the failure to fully implement the CPA over the last 4-5 years. Given this, scenarios for Forced Secession or Agreed Secession are the most plausible – both of which foresee increased levels of violence and insecurity in the South and border states.

## D) OCHA-THREE SCENARIO

The OCHA has developed three scenarios for its Humanitarian Action Plan 2010 for Southern Sudan. Four key variables have been identified to outcomes in Southern Sudan: Inter-ethnic related violence (including LRA violence); Food gaps; GoSS budgetary pressures; and political challenges (including failure of CPA implementation. The three scenarios are classified as Best Case, Worst Case and Most Likely Case.

### BEST CASE: MAIN TRIGGERS

- Resolution of census disagreements between NCP and SPLM

- Timely preparation of elections, including voter education and registration
- Timely resolution of census and agreement on border demarcation and Referendum Act
- Peaceful civilian disarmament
- Effective measures for conflict resolution
- Timely implementation of Juba Compact
- Normal rainfall and improved trade

### WORST CASE: MAIN TRIGGERS

- Intransigence by both parties on CPA issues
- Election-related violence
- SPLA-led forced disarmament of armed groups
- Inadequate conflict prevention and mitigation measures
- Clashes along the North/South border
- Inter-ethnic violence and LRA attacks deep within Southern Sudan
- Large-scale displacement
- Sharp drop in crop production

### MOST LIKELY CASE: MAIN TRIGGERS

- Election-related violence
- SPLA-led forced disarmament
- LRA attacks along DRC border
- Inter-ethnic violence
- Implementation of the Juba Compact
- High food prices

## REPORT CONCLUSIONS

As can be seen from these three scenarios, the main triggers currently most active are in the Worst and Most likely scenario outcomes. Under these two scenarios OCHA expects large-scale displacements. Under the Worst Case, displaced peoples reach over 500,000, but when considering that at end-2009 over 250,000 were displaced as a result of this year's violence (mainly inter-ethnic), IDPs under the Most Likely Case would likely not be too far below the levels in the Worst Case. Although oil prices are forecast to rebound strongly in 2010, thus boosting GoSS coffers, the political challenges associated with the CPA, lack of disarmament and predicted lower food production (as predicted by FAO), make a scenario closer to the Worst case the most plausible outcome in 2010. Perhaps the most striking aspect of these scenarios is that regardless of whether there is a return to fighting between the North and South, IDPs are set to rise sharply simply as a product of intra-Southern violence.

## E) A NEW SCENARIO FOR THIS REPORT: PANDORA'S BOX – WORST CASE SCENARIO

Many of the scenarios outlined in the above reports focus almost exclusively on outcomes within Sudan and do not make extensive reference to the potential regional impacts of

a new North-South war in Sudan. Although somewhat on the doomsday side of things, this scenario is not the most unlikely of those summarised in this report. The Pandora's box scenario would look something like this:

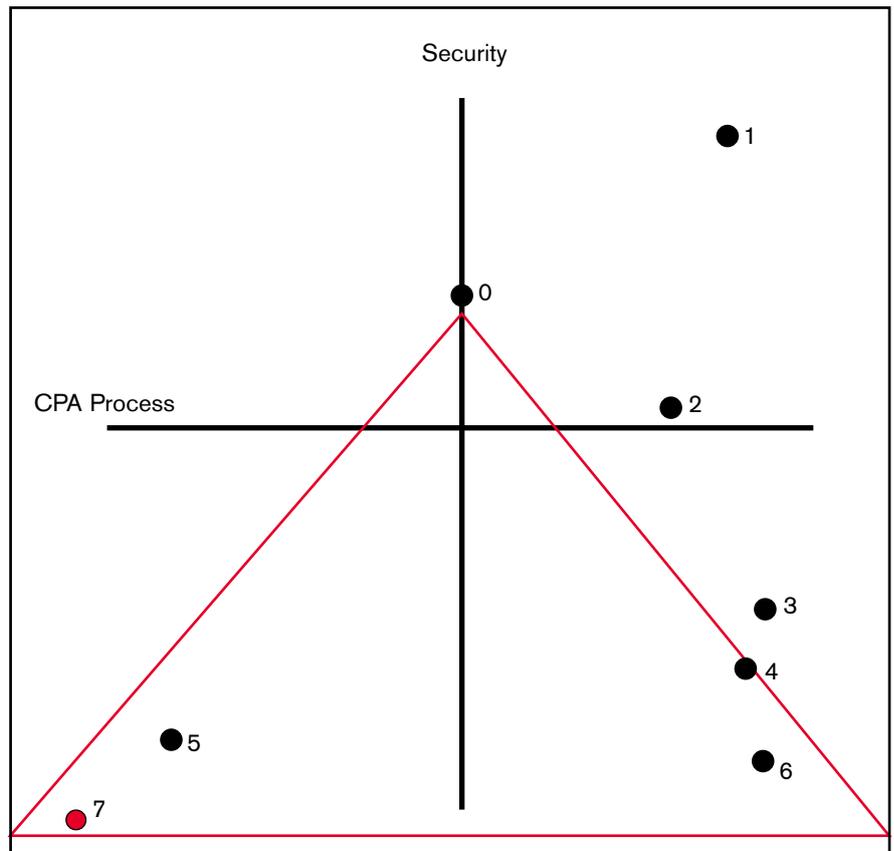
- High levels of election-related violence surrounding the 2010 elections which were delayed until June—only just before the GNU's mandate expires in July
- Election results are highly disputed and rejected by most Southerners. Most cannot accept that the NCP and Bashir remain in power and failure to resolve voting problems with Darfur undermine legitimacy of the election
- The South declares unilateral independence
- North South fighting resumes along the border, especially oil areas
- GoSS receives aerial support from Ugandan and Ethiopian militaries
- Eritrea supports the North, as do players in the Middle East and Arab League
- GoSS is wracked by insecurity in several areas owing to militias backed by NCP, Eritrea and Middle East players. SPLA mostly focussed on border fighting and holding oil-rich areas
- IDPs flood from the border areas further South and from other areas into North Uganda, Kenya and Ethiopia
- Economies on both sides of the border are crumbling as oil production disrupted (regardless of which side controls the oil fields)
- North becomes increasingly isolated internationally (ie Eritrea) and increased Islamicisation of Northern regime
- Eritrea acts as a conduit for Mujahideen from Somalia to engage in Sudan
- A new conflict theatre of Christian (West) vs Muslims is born

This scenario recognises certain dynamics that are currently playing out in the Eritrea/Ethiopia conflict and the Somalia conflict. There are interests at play in Somalia that would be equally influential in a North-South war portrayed as a war between Christians and Muslims. This scenario would have severe consequences for Ethiopian security policy as a nominally Christian country in an increasingly radicalised Horn region. Oil production could resume if the South retain control, but only after a pipeline is constructed into Uganda and Kenya—there are several technical reasons why this would be difficult, but regardless, it would take between 18-24 months for a pipeline to be built under the best conditions.



0. Present
1. CPA Hurray! (IKV PAX); Best case... (OCHA)
2. Muddling Through (USIP); Most likely case (OCHA)
3. Costly secession (USIP)
4. Border Wars (IKV PAX); Worst case (OCHA)
5. Civil war...(USIP)
6. Somalia? (IKV PAX)
7. Pandora's box scenario

Nine of the twelve EU ISS scenarios would fall below the present on the Y axis (a deterioration in security levels)



## FURTHER IMPORTANT POINTS TO KEEP IN MIND

There are several other important points that have been identified in other reports on Sudan and in interviews with Sudan analysts. Below is a brief list of the most salient points:

- The current GNU's mandate expires in July 2010, meaning that if elections do not take place beforehand, Sudan will be facing a constitutional crisis that will have to be dealt with at the expense of attention to outstanding CPA issues
- There is a worryingly low level of understanding of the election process across most of the South, as well as in Southern Kordofan and Blue Nile. This includes many thinking the elections and the referendum are the same thing and peoples in the border states thinking they will be voting to join either the North or the South (Imagining the election: A Look at What Sudan's Citizens Know and Expect of Sudan's 2010 Vote, National Democratic Institute (NDI), 2009)
- The current structure of the electoral system under the CPA will not result in adequate political accommodation of minority groups even if the process is free and fair. Considering the expectations among many of the most marginalised groups about what the elections will achieve for them, this poses significant risks (National Elections and Political Accommodation in The Sudan, Conflict Dynamics International, 2009)
- The SPLM has done a poor job of including tribal leaders in the political arena in the South, undermining a sense of unity and creating opportunities for others to exploit feelings of dissatisfaction
- Conflict and displacement has been a major contributor to food insecurity in the South, especially in the Eastern floodplains. Although currently improved due to harvesting in Sept-Dec, this area is expected to experience increasing food insecurity in the coming months. Lower production has also led to higher prices for some basic food crops – all contributing to a cycle of violence-scarcity-violence.
- The GoSS currently has no policy for addressing the demarcation of local borders within the South, increasing risks of conflicts between groups.
- There are elements within the SPLM that, like the NCP, would prefer if no referendum ever took place—some have very comfortable positions currently
- The South did not exist as a state before and the international community should accept that building a viable state will take a very long time and large amounts of aid and technical assistance will be required, possibly for decades.
- Movements of IDPs if North-South violence renews are largely expected to follow the same patterns as they did during the Second Civil War. The exception is that more IDPs will be heading South rather than North, given the new political context of an independent South.



## REPORTS USED IN PREPARING THIS STUDY

*Land, Security and Peace Building in the Southern Sudan, PRIO Papers, 2009*

*Elections in Sudan: Learning from Experience, Rift Valley Institute, 2009*

*National Elections and Political Accommodation in The Sudan, Conflict Dynamics International, 2009*

*Post-2011 scenarios in Sudan: What role for the EU?, EU Institute for Security Studies (ISS), 2009*

*Scenarios for the future of Sudan—Economy, governance and conflict management, EU ISS Workshop Report, 2009*

*Sudan 2012: Scenarios for the Future, IKV PAX Christi, 2009*

*Scenarios for Sudan: Avoiding political violence through 2011, US Institute of Peace (USIP), 2009*

*Six important issues for Sudan and its future, USIP, 2009*

*OCHA Common Humanitarian Action Plan Southern Sudan (draft), 2009*

*Against the Gathering Storm: Securing Sudan's CPA, Chatham House, 2009*

*Sudan: Justice, Peace and the ICC, International Crisis Group, 2009*

*Imagining the election: A Look at What Sudan's Citizens Know and Expect of Sudan's 2010 Vote, National Democratic Institute (NDI), 2009*

*Sudan Country Reports, Economist Intelligence Unit, (various) 2009*

*Draft NRC Sudan Strategy Note 2010-2011, NRC, 2009*

*Rescuing the Peace in Southern Sudan, Joint NGO briefing paper, Oxfam International, 2010*

*Jonglei's tribal conflicts: countering insecurity in South Sudan, International Crisis Group, 2010*