

TOO BIG - TOO MANY- TOO MUCH

Policies and Instruments of the European Union in “post-peace agreement” areas: a coherent contribution to stability, security and development?

THE CASE OF SOUTHERN SUDAN

A study commissioned by the
Association of World Council of Churches related Development Organisations in Europe
(APRODEV)

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Preface

In 2005, APRODEV published the report *Whose Security? Integration and integrity in EU policies for security and development*, written by Clive Robinson. The report provides a broad and insightful analysis of the overall European Union policies with regard to development and security.

APRODEV felt that, after this more general analysis of European Union policy concepts and intentions, it would be good to test how coherent the implementation of these policies is in a specific post-conflict context. Various options were considered and, in the end, Southern Sudan was chosen as a focus, also because a number of APRODEV member organisations are active in that region.

Two consultants, Marina Peter from Germany and Emmanuel LoWilla from the Sudan, were asked to assess whether the new European Union focus on a combination of security, stability and development contributes to a coherent strategy that has the potential to reduce unlawful violence, increase security, build lasting peace, initiate the transformation of conflicts, and promote development. The findings of the two authors paint a picture of a highly complex situation in which the European Union and its Member States struggle to play a constructive role. The challenge is overwhelming: the Sudan as a country is too big, too many are the players and the conflicts between them, and too much attention is drawn to Darfur at the expense of other parts of the country. Therefore, it is not surprising that the role played by the European Union remains below its own expectations and stated intentions, and that coherence of policies is more a pious wish than a reality on the ground.

The report includes several proposals for greater coordination, cooperation and coherence between the policies and actions of international actors such as the European Union. If only for the sake of the much-battered people in the Sudan, we hope that the various actors concerned will seriously study the recommendations and take appropriate action.

Both authors of this report are highly committed to trying to find ways forward towards peace with justice in the Sudan. We greatly appreciate that they gave their valuable time and energy to writing this study. APRODEV is also grateful to the members who financed this study, notably Brot für die Welt and Evangelischer Entwicklungsdienst (EED).

Rob van Drimmelen
General Secretary APRODEV

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The opinions expressed in this report are those of the authors and do not necessarily reflect the position of APRODEV and its members.

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A Map of the Sudan



In February 1994 the government of Sudan divided the then existing nine states into the 26 states shown on this map.

Quotes

"Europe and Africa are bound together by history, by geography, and by a shared vision of a peaceful, democratic and prosperous future for all their people"

"Our Vision", European Council: The EU and Africa: Towards a strategic partnership, Brussels December 15/16, 2005

"Good governance is the most important element in the political vision and is seen as the most effective means for guaranteeing development, restoring stability and ensuring that the country does not revert to chaos and violent conflict"

Ahamd Tejan Kabbah, President of Sierra Leone, European Development Days, November 13, 2006

"Don't neglect other areas in need - Darfur must not become an excuse for hesitant or piecemeal support for the recovery of the rest of Sudan – anymore than sustaining the peace in the south can be an excuse for failing to rescue the people of Darfur"

UN Secretary General Kofi Annan, Donor Conference Sudan, Oslo, April 11/12 2005

"The security situation in Southern Sudan is extremely fragile...Whilst important gaps in support remain, the most pressing need is for improved coordination, to include all aspects of the security sector, including DDR, SPLA transformation and elements currently labelled "rule of law" and community security"

Joint Donor Security Needs Assessment Southern Sudan, Norwegian Institute of International Affairs, 2007

"As we tend to Darfur, we must not neglect this fragile situation, lest a broader war break out anew and undermine all our efforts... Any peace must have deep roots if it is to endure. In Juba and El Fasher, I heard about the importance of listening to the voices of a broad range of society -- tribal leaders, representatives of independent political movements, women's and refugee groups, local and national officials. We need a social contract for peace..."

UN Secretary General Ban Ki-Moon, Washington Post, September 14, 2007

Executive Summary

On 9th January 2005, the government of Sudan and the Sudan People's Liberation Movement/Army signed the Comprehensive Peace Agreement, aiming at putting an end to a war, which, basically, had been fought since the eve of Sudan's independence in 1955. The African regional body IGAD, and the international community were deeply involved in bringing about the agreement, and had prepared to plan for a tremendous rehabilitation and development programme, with gender identified as one of the mainstream topics, something which would make Sudan a test case for many newly introduced policies and instruments. Ever since, the European Union has been committed and involved, but seldom prominently. It has remained more or less in the background and, with quite heavy funding, has employed other implementers, namely UN organisations. However, certain Member States such as the UK, the Netherlands, Italy and France have for their part shown a more public profile, with the UK and France also pursuing vital interests in the wider region. The Horn of Africa has been identified as being of special interest in the worldwide "war against terror", and with Sudan are still on the USA's list of countries which sponsor terror.

But in economic terms, too, Sudan with its oil and water reserves is not only crucial for neighbouring countries, but also for worldwide players. The world's biggest oil consumers, the USA and China especially, seem to be involved in a kind of "race" - if not to say a war by proxy - to secure their interests and influence in Sudan. The biggest oil reserves known so far are located in Southern Sudan, which has been guaranteed semi-autonomous status in the CPA, and accorded the right of self-determination, facts which might well bring about a separation. With China having strong ties with North Sudan and at the same time developing others with the South at fairly high speed, the USA for its part has already for a long time been supporting the South, the current phase now nearly half way through the interim period, might well pave the way for major future changes. At the present time and, in terms of financial support and investment, European countries are far behind countries like China, India or members of the Arab League. This also reduces their political influence, and as long as money is easily accessible from donors who do not insist on too many preconditions for loans and do not ask too many questions, those not particularly interested in real democratic change will keep resorting to the "easy" sources. This dilemma increasingly rises to the surface, not only in Sudan, and needs to be discussed and addressed much more openly.

Because of its reputation as an "honest broker", high level EU presence in the South can contribute to gaining more understanding and can as a result gain more positive influence, especially in areas of potential conflict.

The importance of Sudan for the worldwide community can also be seen in the fact that, following a Donors conference in 2005, a Sudan Consortium was founded with meetings attended by around 130 countries and organisations.

The crisis in Darfur, which has grown more complex since its first peak in 2004, and which by now is also inextricably interwoven with conflicts in neighbouring countries, emphasizes how crucial successful transformation in Sudan is for the whole region and for Africa in general.

This study was commissioned to take a closer look at whether the EU instruments and policies help in bringing about peace, development and security in a coherent way, taking Southern Sudan as a test case. It is not, therefore, a Sudan study as such.

It is hoped that it will elucidate the situation in Sudan and its wider region and, because of the complexity of the tremendous challenges there, indicate the lack of capacity on one hand, combined with a lack of will for transformation on the other, which have produced an unusual set-up, a situation of "one country-two systems". In addition, the post peace agreement phase, undertaken amid severe prevailing conflicts, and with the best of intentions and instruments, might not indeed be enough to cope with the situation at large, since these often only address themselves to one part of the complexity. Instruments for Co-ordination, like the Multi-Donor Trust Fund and

the Joint Donor Office, are not sufficiently transparent, face severe problems and are currently in a phase of revision. Despite all official announcements, civil society involvement and consolidation is still a severe deficit, especially in the role of helping people to fulfil the task of playing the much-needed role of “watchdogs”. A similar deficit is to be seen in the lack of profound reconciliation, in the need for healing traumas and in building peace as a basis for a better future. Women, who have been identified worldwide¹ as playing a crucial role in peace building and reconciliation, are still not given the attention and support needed.

Southern Sudan might not be the best “test case” for an EU coherence study; other examples might come forward with much more positive findings, but, on the other hand, as long as instruments and policies do not provide substantial assistance for a sustainable, peaceful transformation, as in the case of (Southern) Sudan, there will be no other way than to persist in advocating and working for better ones.

It is now already very clear that the CPA is seriously derailing, and that we might be at the brink of a new war between North and South. We might soon see Sudan ‘in pieces’ instead of at peace.

The CPA has offered a new, challenging opportunity to all international humanitarian organizations to partner the reconstruction of Sudan. It has opened up multiple avenues to comply with the myriad needs of Sudan at this time. These are all critical needs and require immediate response. However, unless the capacity for governance is dealt with, together with unity and reconciliation among the population, factors which are acutely needed in southern Sudan, any development strategy will merely remain on paper.

In multi-complex crisis situations like Sudan, a coherent and well co-ordinated EU strategy is still missing or, where tried, is facing severe problems.

The time for ‘piecemeal’ approaches, which have failed so many times in Sudan, should now be over. What is urgently needed is an approach to the ‘Sudan as a whole’, implying a profound analysis and an informed strategy, undertaken by the EU and its Member States. The office of the EU Special Representative can play a vital role here. It should be strengthened and put to better use, at least by CSOs/NGOs.

Real, sustainable changes in the country can finally be brought about by none other than the Sudanese themselves, supported by refocusing on transformation and democratisation. These processes - as originally envisaged in the CPA - with the co-operation of the Sudanese people, organizations and parties, should be at the centre of all outside efforts to assist.

¹ UN Security Council Resolution 1325, 2000, on women , peace and security

Introduction

For the last few years - and increasingly since 2003, following the 2001 September 11th events in New York and the subsequent global fight against terror – the EU has been concerned about what has been called a "secure Europe" and a "better World". In this context, it issued a number of policy papers and instruments signifying a shift in approach and outlook on security and development. These policy papers recognize that "today's world holds brighter prospects, but also greater threats than ever known and that the future depends on our actions"². The policy paper on security and stability (2003) clearly indicates that no single country is able to tackle today's complex problems on its own.

Purpose of the study and methodology

The objectives and the purpose of this study have been to analyse whether and how policies of the EU and Member States (MS) contribute to stability, security and development in the present post-peace agreement situation in the South of the Sudan. The specific question that the study has tried to address itself to is "whether the new EU focus on a combination of security, stability and development contributes to a coherent strategy that has the potential to reduce unlawful violence, increase security, build lasting peace, initiate the transformation of conflicts, and promote development".

This consultancy was commissioned in May 2007 and the study was finalised in October 2007. The study is based on desk research and semi-structured interviews with a number of staff in selected APRODEV member organizations, with Sudanese partners (both governmental and non-governmental) and, EU/ Member States officials, as well as on the observations and experience of both the Southern Sudanese and the European consultant over many years.

The study is explicitly not meant as a Southern Sudan study, but as an EU policy and instrument coherence study, taking Southern Sudan as an example. However, given the uniqueness of the Sudanese situation, the urgency of the Darfur conflict as yet unsolved, new serious conflicts emerging, and the CPA in danger of derailing, some recommendations will have to be Sudan specific, and might not necessarily fit into dealing with other post-peace agreement situations. At the same time, however, this is a lesson in itself, one often stated, but seldom translated into practice: Not to draw easy conclusions in dealing with conflicts/ post conflict situations, using the same instruments in different situations and surroundings, but to carefully analyse the whole context, concern ourselves with root causes and, in particular, listen to the local players before determining appropriate action from a set of possibilities.

Background

As a way of contributing effectively to the rebuilding of post-peace agreement (PPA)³ areas and as a means of ensuring broad European Union (EU) involvement and coherent approaches, APRODEV commissioned this study to identify specific advocacy points.

The case of Southern Sudan was chosen partly because many APRODEV members have been working in this extremely challenging environment during the war, and more so after the signing of the Comprehensive Peace Agreement (CPA) between the Government of Sudan (GOS) and the Sudan People's Liberation Movement/Army (SPLM/A) in January 2005. The EU itself, some of its Member States and other international bodies also identified PPA Sudan as a "test case"⁴ for

² A secure Europe in a better World-European Security Strategy; Brussels December 12th 2003.

³ The Study works with the term "post peace agreement" (PPA) rather than the common "post conflict" as it will be further elaborated on; still too many conflicts prevail and emerge in the Sudan.

⁴ E.g. as identified by and following the OECD drafted principles of 2003, the Paris Declaration 2005 and the

various newly introduced instruments. Among these was Civil Society involvement, introduced in the Cotonou agreement, the Joint Assessment Missions, cooperation with the AU, especially in the case of Darfur, the Multi Donor Trust Fund, the Joint Donor Office, the security and development link, as well as civil and military cooperation etc.

This study falls somewhat short of really being in a position to analyse the coherent use of all EU instruments. Not only because the European Union is still a deep, opaque jungle, where it is difficult to find a way to understanding it when confronted with its organs, its responsibilities, its funding sources, its legislated funding amounts, and its co-ordination mechanisms, but, even more so, since this paper (by request) does not focus on EU activities in the whole of Sudan. In this, it would only be repeating the mistake of most international players, namely to deal only with one part or issue and so not see the interdependences and potential derailing problems within the complexity. On the other hand, it can help to refocus attention on problems dealt with for too long as "footnotes", including those adopted in EU Council resolutions, which, basically and for a long time, have always ended up contained simply in one sentence on the implementation of the CPA.

Looking at the EU General Affairs and External Relations Council (GAERC) Resolutions of 2006, they were all purely addressing the situation in one part of Sudan: Darfur. Only - after intensive advocacy work - at the beginning of 2007 was there a strengthening of the mandate for the EU Special Representative to pay more attention to southern Sudan; then it took up to July 2007 to open an office in Juba with one staff only. Up to today, (October 2007), there is no other EU senior level representative in the South. In the meantime, 17 other countries have opened consulates where organisations have high-level representatives; the EU delegation, based in Khartoum, is only represented in the South by programme officers and technical assistants (TAs), people without sufficient authority to take decisions, a fact that severely affects the day-to-day business and its relations with GOSS⁵.

Actions regarding the South and the implementation of the CPA might have been quite different, had Darfur not been what many people call "the worst humanitarian crisis in today's world", absorbing a lot of attention, time, capacity and money, and findings might be different, if the efforts of the EU in all parts of Sudan were the subject of this study.

It can be observed, for example, that the EU and some Member States have tried to learn from lessons experienced in the past, especially those in dealing with Darfur and the failure of the Darfur Peace Agreement (DPA) of May 2006. In this, they have focussed, for example, more on inclusiveness and civil society voices in preparing for the next round of peace talks, but the new co-operation between the African Union (AU) and the EU in particular, the AMIS (AU Mission Sudan/Darfur), would be worthwhile having a closer look at in order to learn something for future co-operative activity.

When the international community, including the EU and many of its Member States, prominently witnessed the signing of the CPA which they had helped the African IGAD⁶ to broker, they were aware of the severe challenges in rebuilding a totally collapsed infrastructure and civil administration. Society had been thoroughly militarised and the people composing it had become deeply traumatized after more than 20 years of war in Southern Sudan. They were also aware that the two sides the agreement brought together in a Government of National Unity (GoNU), the SPLM/A on one hand, and the National Congress Party (NCP) on the other, could not be more different from each other. There was a deep-rooted mistrust on all sides, and people were far from

OECD/DAC meeting spring 2007

⁵ The EU delegation in Khartoum is planning to open an office in Juba. Legal hurdles have now been overcome, and the GOSS has guaranteed that the EU can move back into its old compound. However, the buildings need to be renovated and no date for their re-opening has yet been set.

⁶ Inter Governmental Authority on Development, consisting of Sudan, Ethiopia, Eritrea (currently suspended membership), Kenya, Uganda and Djibouti.

having any track record of being democratic or particularly experienced in 'Good Governance'. Consequently, they committed themselves to not repeating the mistake of 1972⁷, and so provided safeguarding mechanisms, including a UN troop peace-keeping mission (UNMIS) and a CPA Assessment and Evaluation Commission (AEC)⁸. In addition and in preparation, they had already introduced a Joint Assessment Mission (JAM) to assess the country's development needs, and had tried to involve non-state actors (NSAs) in the process as foreseen in the Cotonou agreement. As a consequence, they pledged US\$4.5 bn at a widely attended donors' conference (DC) in Oslo in April 2005. This was much more than expected, and was to be divided between a national and a Southern Sudan programme, the funds of which were to be supervised by a Multi Donor Trust Fund (MDTF) under the auspices of the World Bank (WB) - and ever since regular meetings have taken place in the 'Sudan Consortium'.

Despite many prior warnings and uttered concern, not least those raised time and again by the Sudan Ecumenical Forum (SEF)⁹, they have either not been sufficiently aware of the larger issue or they have simply for quite a while tried to ignore how seriously the already prevailing conflicts in other parts of the country, and especially that in Darfur, would affect all their planned efforts. Warnings were widely ignored, such as that the peace agreement, not being an inclusive one which took all armed movements into consideration or one backed by all opposition groups, might not provide the envisaged way for a lasting and sustainable peace for all Sudanese, but might indeed even provoke more conflict. In addition, the newly introduced "One country- two systems" within the CPA set-up has constituted a major challenge to any diplomatic and developmental approach in the area of conflict resolution.

The words of UN Secretary General Kofi Annan during the Donor Conference, as quoted on page 5, were more than appropriate, but have remained unheeded. The reality experienced during the time before and after has shown that apparently all EU and other international instruments – and this despite all the undeniable good intentions and the tremendous effort invested - are not in themselves sufficient to translate early warning into early action. They are unable to cope with a post-peace agreement coupled with a severe multi-dimensional conflict situation in one country at the same time.

Too big and in all aspects too diversified is this largest country in Africa; too big are the expectations and too many are the challenges; too many are the players with vested interests in and outside the country who interfere; too many are the prevailing conflicts, too much money and too much (wo)men power is yet needed - and too much attention is drawn to the conflict in Darfur at the expense of the rest of the country. Thus, in the end, there is too little capacity at all levels and on all sides, as well as a painful lack of powerful, timely, well co-ordinated and easy-to-use instruments to deal with too many dimensions.

Many Sudanese officials and civil society organizations (CSO's) let alone the common people, still do not have the slightest idea about the instruments or policies of the EU, while the majority of people in Juba, the capital of Southern Sudan, do not even know about the very existence of a small EU Commission liaison office there. Nevertheless, the EU- although (or perhaps because) it is not so prominent as other donors - has a reputation better by far than most of the other big players and also some of the individual Member States. This is not merely a matter of easy access to funding and of transparency, but because the EU is seen by many as an honest broker, and therefore is far less suspected of having vested interests.

⁷ 1972-Addis Ababa agreement was signed, ending the first North-South war (1955-72). However, 11 years later, the two sides were again at war.

⁸ Composed of representatives from NCP, SPLM, Kenya, Ethiopia (both for IGAD) and the UK, under the Chairmanship of Norwegian Tom Vraalsen. The UN, the EU, the AU and the Arab League have observer status.

⁹ An international ecumenical network of church councils, churches and church related NGOs for advocacy on peace and human rights, introduced in 1994 under the auspices of the World Council of Churches (WCC)

The current situation and the major challenges for cooperation in Sudan: an Overview

“February 2005, Paluach, Southern Sudan:

It is only a month ago that the comprehensive peace agreement (CPA) between SPLM/A and the government of Sudan (GOS) was signed in neighbouring Kenya. Officially, it brought an end to more than 20 years of war, which killed hundreds of thousands of people, displaced millions of others and not only left deep devastation, the complete breakdown of infrastructure and civil administration in an anyway little developed Southern Sudan, but also a deeply traumatized society. And now we are sitting in the middle of nowhere, deep in the bushes, surrounded by happy people telling us with enthusiasm how they were able to return to this place, rebuild their burned huts, and who are about to install a little water pump, a primary health care centre and a school, assisted with some material by church organizations, but basically with their own hands. How they look at the peace, whether they thought it would prevail, we want to know from some elderly women, who have lost their husbands and some of their children and grandchildren in the war. "You know", they answer, "Without us, these big people in Kenya would have never signed. It was we who started to make peace with our neighbours. And we will never allow those at the top to destroy it again- we simply want to live in peace!"¹⁰

These women who have never visited a school know exactly what peace building is about: to start from where you are, in your immediate neighbourhood, to build peace from within, and not to allow others to misuse their powers to destroy it. But of course this is much easier said than done. Especially in surroundings, so deeply divided, where facilities on all levels are lacking, where the rule of law, good governance, respect of human rights and other prerequisites for lasting peace are still virtually absent, where basically every man is armed even today, and where, last but not least, regional and international players with vested interests severely disrupt the processes of re-integration.”

Despite every effort from within and without, the people of Palluach may even now still be at the brink of a serious new conflict, since many of their fellow Southern Sudanese in various parts of the country are already embroiled in strife. On 9th January 2005, the Sudan People's Liberation Movement/Army (SPLM/A) and the government of Sudan (GOS) signed the Comprehensive Peace Agreement (CPA), ending twenty-two years of war, one which was not only devastating for the country itself, but also for the entire region and perhaps even for the whole of Africa.

Brokered by IGAD under the lead of Kenya, pushed by the international community headed by the USA, Norway and the UK, and with considerable pressure and input from the Sudanese civil society supported by their (ecumenical) partners - a contribution often ignored by international players until today - it provides a unique framework aimed at leading to a sustainable, just peace for Sudan. While the unity of the country is to be given a chance for six years, the biggest achievements, at least in the eyes of southern Sudanese, are their signed rights of self-determination to be carried out in a referendum after this interim period. These will provide the opportunity to vote on unity or separation and the possibility to vote to abolish the Islamic Sharia (law) in the south. But the CPA also provides regulations for some of those who had fought in the war for their rights and who had joined the SPLA/M: these are the people of the Nuba Mountains, Southern Blue Nile and Abyei.

Wealth and power sharing agreements during the interim period are far reaching, with provisions for a government of national unity (GoNU), with 28% of the seats in parliament and government

¹⁰ One hand can't pack up – with peace comes hope, Marina Peter, Mitteilungen 6/05, ELM Hermansburg

reserved for SPLM, the position of the first vice president reserved for the leader of the SPLM and president in the Southern Government (GOSS), as well as at least two other important national ministries reserved for SPLM, and with 50% of the oil revenues from the South guaranteed to be transferred to the GOSS budget.

While the first peace agreement, signed in 1972 in Addis Ababa, lacked international monitoring and guarantees, this time the UN became involved and monitored the implementation of the CPA with 10,000 soldiers/policemen (UNMIS)¹¹, a duty called by the first commander in chief "the biggest challenge ever in the history of UN missions". In addition, and again contrary the first agreement, this time there are three armies of Sudanese nationals: apart from a national army (SAF), there is a unit of joint SPLA/GOS forces (JIF) and a standing southern army in the South, with the latter providing another important guarantee factor in the eyes of southerners.

With the signing of the CPA, a new era in Sudan began. The (western) international community had made this signing a pre-condition to open full co-operation, also in terms of development aid, and is now on its way back to Sudan, where for many years, at least for the government, countries like China, Malaysia, India, Russia, Egypt, Libya and some from the Arab world had been the most important economic and military partners.

The USA, a long-term staunch opponent of the GOS, while remaining on friendly terms with the SPLM, is to go a step further on its way to strengthening its presence in Africa and especially in the Horn of Africa. Thereby, the USA has enhanced their hegemony and further strengthened their economic and military strategy, following September 11. Their agency, USAID, has been notably present in the South for many years and will remain the major player in development and related policy issues¹².

¹¹ For details, see www.unmis.org

The UN Security Council established the UN Mission in Sudan (UNMIS) with its unanimous adoption of Security Council Resolution 1590 on 24 March 2005. UNMIS was initially established for a period of six months, but ever since got prolonged.

According to its mandate, UNMIS is tasked with supporting the implementation of the CPA. UNMIS is also tasked with facilitating the voluntary return of refugees and displaced persons; providing de-mining assistance; and contributing towards international efforts to protect and promote human rights in Sudan.

The mandate authorizes UNMIS to have up to 10,000 military personnel and an appropriate civilian component, including up to 715 civilian police personnel. Meanwhile, most of them are in place with a considerable contribution from Asian countries. Besides the military and police component, UNMIS structures provide for dealing with the issues of peace building, civil affairs, gender, HIV/AIDS, DDR, Human Rights, Public Information and Rule of Law. EU and EU Member States support UNMIS both financially and with personnel.

Acting under Chapter VII of the UN Charter, UNMIS is authorized to take the necessary action, in the areas of deployment of its forces, and as it deems suitable within its capabilities, to protect United Nations personnel and to ensure their security and freedom of movement, as well as, without prejudicing the responsibility of the Sudanese Government, to protect civilians under imminent threat of physical violence. It has no mandate to interfere in local conflicts, even if these are violent.

The Security Council also requested the UN Secretary-General, through his Special Representative in Sudan "to co-ordinate all the activities of the UN system in Sudan, to mobilize resources and support from the international community for both immediate assistance and the long-term economic development of Sudan, and to facilitate coordination with other international actors, in particular the African Union and Inter-Governmental Authority on Development (IGAD), of activities in support of the transitional process established by the Comprehensive Peace Agreement, and to provide good offices and political support for the efforts to resolve all ongoing conflicts in Sudan." Given the important role of UNMIS to safeguard the CPA, it is less than understandable that it took the UN a whole year to appoint a new Special Representative after the former was expelled by Sudan in October 2006.

¹² For details, see www.usaid.gov According to their publications, USAID increased its budget from 72,704,000 in 2004 to 109,000,000 \$US in 2006 (in addition to Humanitarian Aid). Their focus areas are support for the peace process, governance, health transformation, education and economic recovery. The USAID is the biggest donor in the SPLM administered states.

Businessmen and big companies are lining up to seize lucrative contracts both in the North and in the South. "The battle" for oil contracts/exploitation (the latter has gone hand in hand with severe human rights abuses)¹³ started a long time ago, continues and is expected to intensify, especially because of the fact that, with the current supply crisis, the interests of China and the USA are at stake as the world's biggest oil consumers. This scramble for oil resources will run parallel with a struggle for water supplies. In this, Egypt already plays an important role. Its policy, which strongly opposes self-determination, may, in fact, promote secession.

At an international donors' conference (DC) held in Oslo on 11th/12th April 2005, US\$4.5 bn were pledged for the 'reconstruction and development' in Sudan¹⁴, to be channelled through two trust funds, one national and one in the South (which for the first time ever received direct access to development money), supervised by the World Bank. So far, these provisions are still in the implementing and first revision phase, but everybody is preparing to grasp his/her "share of the cake". International NGOs are flooding the country, some of these are old partners of the Sudanese churches or civil society organizations, and are now about to open own offices inside the country again. Many of these were entirely absent during the war period, and possessed little knowledge of the country and its people but, for all that, have far reaching ambitions. Networking is lacking in many places, and many Sudanese fear that their own efforts might once again get marginalized by this massive international presence, despite all expressed commitment on 'capacity building' for the indigenous population and churches/ civil society organisations. As in other post conflict/ PPA situations, a severe 'brain drain' has begun, with many of those who worked with civil society organisations/churches taking much better paid appointments in the government or with international (N)GOs. At the same time, highly educated Sudanese who lived abroad during the war and who are thus regarded as not having contributed, still find it difficult to find employment.

Despite serious efforts and some undeniable improvement at some levels, the general picture and outlook is not promising at present. Public and diplomatic international attention are focusing once again on only one part of Sudan, namely the Darfur crisis, which itself is worsening day by day with a failed DPA, and a UN/AU hybrid force (UNAMID) to be deployed as from 1st January 2008. At this stage, it is most likely to become a major disaster. The Eastern Peace Agreement (ESPA) is basically ignored; the Lord's Resistance Army (LRA)-Uganda talks in Juba have not been successfully concluded yet. Added to this, the CPA implementation process is in danger of serious derailment, the level of mistrust among and between northerners and southerners seems to have reached a new peak; armed conflicts are increasing and critical regions like the East, Southern Kordofan, southern Blue Nile and especially Abyei seem to have vanished almost completely from the screen for many of those who once committed themselves to safeguarding the CPA. The NCP (temporarily?) closed its ranks behind President El Beshir, stimulated by UN resolution 1706 and threats by the IC, but has serious internal problems, reflected in current tough policies and measures against suspected opposition, and which have also included the expulsion of the Canadian *Charge d'affaires*, the EU representative¹⁵ and the director of Care International within one week in August 2007.

The SPLM and the south as a whole were seriously affected by the death of Dr John Garang, founder and chairman of SPLM/A, in a plane crash only a few weeks after he was sworn in as first vice president. It also suffers from internal problems, and is still on the way to becoming a party.

¹³ For details see www.ecosonline.org The European Coalition on Oil in Sudan (ECOS) is an offspring of SEF, founded in 2003, and consisting of 80 member organisations, many of them APRODEV/CIDSE members. It calls for action from governments and the business sector to ensure that Sudan's oil wealth contributes to peace and equitable development in Sudan. The website contains several situation reports and oil maps.

¹⁴ Many donors however included food aid and other humanitarian assistance in their pledges for "reconstruction".

¹⁵ Both diplomats had – in contradiction to diplomatic protocol – directly contacted the Sudanese Secret Service to intervene on behalf of detained opposition leaders. The EU head of delegation was later allowed to return to Sudan after the EU seem to have apologized.

Garang's successor, first vice president of Sudan and president of GOSS, chairman of SPLM and commander in chief of SPLA, General Salva Kiir de Mayardit, and wider parts of SPLM seem to have given up on securing any kind of leverage in GoNU, and, contrary to NCP, are seriously lacking both capacity and clearly developed strategies in dealing with the many critical issues at stake. People complain about nepotism and corruption, and a prevailing military/security mindset.¹⁶ The situation in Upper Nile especially, with its still too many old and newly emerging militias, gives one every reason to be concerned.

Regional implications and developments (both with neighbouring countries and in the wider Horn area, into west and north Africa, for example) are not given adequate attention in as far as their interdependence is concerned. Tensions between Eritrea and Ethiopia are high, with the NCP partly supporting the Eritreans, while the Ethiopians are renewing their former strong ties with SPLM. Ethiopia, for its part is deeply involved in Somalia, where the Islamic Courts Union is supported partly by NCP, while Chad and Sudan, for example, busily accuse each other of supporting rebel movements of the other.

Looking at the country as a whole, the efforts of the international community (including China, the Arab League and AU Member States) can, by and large, be described as being neither streamlined nor coherent. They suffer from vested interests and to some degree, too, suffer from contradictory approaches. Conflict analyses, apart from a few exceptions, largely ignore important aspects. One of these is Sudan's economy, including the oil sector, its economic relations and government funding, but also the internal dynamics of the NCP and other parties, the interests of the powerful security and military intelligence services, its two major armies plus the militia and their alliances.

Beyond any doubt, the people of Sudan want to live in peace and deserve something better than what they have had to endure in the last few decades. Many Sudanese work very hard from inside to pave the way for a better future, but, given the tremendous obstacles they are obliged to face, it is more than evident that they need assistance from outside to reach their objectives, not only in terms of material or capacity building, but they also need a watchdog role authorised from outside. The international community has committed itself to this, and also to constant and ongoing advocacy. Examples from other countries show how much it is an error to imagine that, with the signing of agreements, one could just halt these activities. The Israel/Palestine and Eritrea/Ethiopia conflicts are two cases in point among many. But Sudan itself suffered from this mistake in the past. After the signing of the first peace agreement in Addis Ababa in 1972, the international solidarity scene just did not stay to monitor the implementation, to help in building a strong civil society. It was not there to ring the bell when the first signs of breaking the agreement were evident. Today, many analysts suggest that we are quite close to a similar situation again¹⁷.

¹⁶ Looking at the GOSS budget, institutional allocations for 2008, for example, show more than half of it is allocated for security (1.900.000.000 SD out of a total amount of 3.415.864.076 SD)

¹⁷ See e.g. Emerging North-South Tensions and Prospects to return to war, John Young, Small Arms Survey, Geneva July 2007; A strategy for a comprehensive peace agreement, ICG African reports 130, Brussels July 2007; Joint Donor Office Security Needs Assessment, Norwegian Institute for International Affairs, Oslo 2007

UNSC resolution 1325 and the status of women in Southern Sudan¹⁸

There have always been rather strong women parliamentarians and a strong women's union since independence. Nevertheless, Sudanese politics, institutions, religions and social life as a whole including in Southern Sudan can be described as rather male dominated and strongly patriarchal. However, some important changes have taken place. As everywhere in the world, women in Sudan have been the ones suffering most from violent conflicts, and rape has been widely used as a weapon of war¹⁹. The latter is a sensitive issue that, so far, has not been sufficiently addressed in the PPA. During the war between North and South, strong women's groups emerged, both in exile, particularly in Nairobi, as well as inside, especially Southern and Nuba women in Khartoum. After a while, they were able to overcome political and religious boundaries and to raise their voices strongly for peace, supported in this by some members of the international community²⁰. In several workshops and conferences, both inside and outside the country, they became one of the strongest lobby and advocacy groups. They never shied away from challenging their own as well as international male leaders, and were able to impact the peace negotiations in spite of the fact that they were never given an official place at the negotiating table. Having learnt from experiences in other post conflict situations, where women were easily forced back to their "traditional" roles and places and kept away from influential positions within government, parliament, administration or business, the Southern Sudanese women fought their way through to an affirmative action by the new government in the South, as well as within the party: 25 % of positions in all legislative and executive positions are to be filled by women.²¹

In his opening speech before the parliament in April 2006, the president of GOSS stated:

"Before the establishment of the Government of Southern Sudan, the SPLM, which I have the honour and privilege to lead, had adopted an advanced policy in the area of gender equity. It committed itself to a policy whereby at least 25% of positions in all legislative and executive positions would be filled by women. As we speak today, the composition of this august House and the legislative assemblies of our ten states as well as the national legislature in Khartoum, suggest that we are moving in the direction of that target. We have established a separate Ministry of Gender to focus on promoting gender equity issues. We have in our government at the level of Southern Sudan two women ministers and an advisor (another advisor has yet to take up her assignment), and I am pleased to say that they have made me proud by their performance so far. In this Assembly we have women chairing select Assembly Committees. At the level of the states, women have been appointed as deputy governors, deputy speakers, ministers, advisors or commissioners. This policy is now a cornerstone in the programme of action of our government as regards the empowerment of women. All the ministries have already demonstrated an enthusiastic commitment to this policy in the recruitment of their civil servants. Some ministers have even gone the extra mile by leaving some positions in the super scale bracket vacant while they try to find suitable qualified women to occupy them. I am aware that in some states, women seats have been allocated to men. And now that a comprehensive report about this matter has been compiled, I wish to assure you that I shall initiate appropriate measures to redress this digression.

Nevertheless, we shall not lose sight of the imperatives of quality service while pursuing this policy. There are certain professional jobs for which it will be difficult to apply this policy of affirmative action. No persons will be employed as medical practitioners, pharmacists, engineers, judges or lawyers except only on the strength of their academic qualifications. But there are ways through which women can be assisted to access such professions in an accelerated fashion. This is one of the important tasks of the Ministry of Gender and Social Welfare, a task in which other ministries of our government are obliged to give any necessary assistance.

¹⁸ United Nations Security Council resolution 1325 on women, peace and security, October 31, 2000

¹⁹ This constitutes a major problem in the ongoing conflict in Darfur, as several reports clearly prove

²⁰ The Netherlands, Norway and UNIFEM to name but a few

²¹ The women had originally asked for 30%

In this respect, the Ministry of Gender, Social Welfare and Religious Affairs has developed policies to enhance the effective participation of women in the economic, social and political life of Southern Sudan. Some of these policies involve the enactment of legislations by this Assembly to realize their objectives. The Ministry plans to establish a Women Resource Centre in Juba to act as a focal point for women to access information, train and organize.

The government will support the rehabilitation and implementation of projects designed to improve the income generating capacity of women by ensuring their access to credit facilities and training them in entrepreneurial skills.”²²

In the quote above, President Salva Kiir proudly states the “advanced policy in the area of gender equity” of SPLM. Four months later, the then GOSS Minister of Roads and Transport Rebecca Nyandeng Garang²³, said GOSS failed to keep its promise of at least 25 percent share of representation for women in the government institutions. She pointed out: “There has been a drop in the 25 per cent allocated to women in most institutions and the percentage was totally forgotten in other cases. For example no women diplomats or ambassadors have been included in the recent appointment.” Rachel Mayanya, the then UN Secretary General Special Advisor on Gender Issues and the Advancement of Women, stated during a visit to Sudan “The situation of women and girls, especially in the camps for displaced persons and in the South, remains very poor and requires urgent action.”

Not surprisingly, the reality is still far behind the desires and announcements. Nevertheless, there is a good number of women in rather powerful positions: as ministers in GOSS and in the States, as heads of GOSS commissions (e.g. anti-corruption and human rights), as governor, parliamentarians and as deputy GS of SPLM. These women, most of them having worked with civil society organisations and the churches during the war, now continue to use their new power to work on gender issues, trying to ensure that women in Southern Sudan would not face the fate of many of their sisters around the world in PPA times. In the light of the many challenges referred to above, there is a real danger that gender issues slip off the list of priorities of both those inside the country and international donors and NGOs.

²² President of the government of Southern Sudan, Lt Gen. Salva Kiir Mayardit, Government Policy Statement, 10 April at the opening of the second session of the Southern Sudan Legislative Assembly, April 10, 2006.

²³ Meanwhile adviser to the president

The European Union – A complex set of institutions

In any analysis of the European Union, it is important to understand that it is not a single organisation, but a network of several institutions with complex relations and often conflicting interests. This not only explains why decision making within the EU is a long and cumbersome process, but also underlines that lobbying the EU requires regular contact, not just one, but the need to contact every institution, and its individual Member States into the bargain. This equally applies to the case of Sudan.

Historically, what has today become the European Union started with a very limited agenda for facilitating economic growth among its Member States by removing trade barriers, such as taxes and customs duties. With time, it became apparent that many other obstacles existed before the aim of a common market could be achieved, and more and more areas of cooperation were agreed upon. However, these were still focused upon economic concerns. Cooperation on political issues, in particular foreign policy, was only introduced in the mid-1980s and is still a relatively young field of EU activity.

The decision-making structure in the European Union reflects this history. While Member States see the advantages of increased cooperation, national governments are at the same time wary of losing too many competences to a supra national authority. As a consequence, there is not only a complex set of European institutions, but also different procedures for decision-making, depending on the issue under discussion. The Treaty on the European Union recognises three different thematic ‘pillars’. The first of these includes the core issues of the early years, such as trade (which includes the sub-field of development policies), traffic infrastructure and monetary issues, but also research, education and health. The second and third pillars reflect more recent additions to the EU’s fields of cooperation dealing with a Common Foreign and Security Policy (CFSP) and cooperation in the areas of organised crime and terrorism.

Among the most important institutions involved in the decision-making process are the following:

The European Council is the meeting of the Heads of all EU Member States and is convened twice a year. While it has no direct decision-making powers, it provides overall political direction by debating and concluding on questions of principal importance.

Not to be confused with the European Council is the **Council of Ministers**, which unites the Member States’ ministers in thematic meetings according to their areas of responsibilities (e.g. agriculture, justice and home affairs, foreign relations). The format uniting the 27 EU Foreign Ministers is called **General Affairs and External Relations Council** (GAERC). The Council of Ministers meets – in its respective formations – about once a month. The Council of Ministers takes decisions on European laws jointly with the European Parliament²⁴. On issues concerning the second and third pillars, the Council of Ministers can, by and large, take its own autonomous decisions.

The European Council and the Council of Ministers (and all other meetings of Member States representatives) are chaired by the **Presidency**, which rotates among the Member States according to a fixed schedule. During its six-month tenure, the Presidency has the prerogative to set political priorities.²⁵ The Presidency is supported by the **Council Secretariat** based in Brussels, which contributes to the formulation, preparation and implementation of European policy decisions, in

²⁴ The European Commission has the right to initiate debates and introduce draft laws, but has no voting rights.

²⁵ As six months is often not enough time to decide on complex issues, the concept of a “18-months-Presidency” has been introduced, whereby three consecutive Presidencies agree on a common framework to be implemented during their respective terms. In the framework of the debate on reforming EU institutions, there are plans to abolish the rotating short-term Presidency and to replace it by an elected long-term Presidency.

particular in the fields of foreign and security policy. The Secretary-General of the Council (currently Javier Solana) doubles as the High Representative for the Common Foreign and Security Policy and acts on behalf of the Council in conducting political dialogue with third parties.

The **European Commission** has largely executive functions, as it is responsible for the implementation of decisions taken by the Council of Ministers and the European Parliament (as regards the competences connected with the first pillar). However, the Commission also has the right to initiate new laws or policies. While the Council is an inter-governmental organisation in which the individual states try to maximise their national interests, the Commission is a truly supra-national institution and its members should work to advance common European interests. As such, the Commission can initiate legal action against individual Member States where European interests are at stake. As it also controls the EU budget, it is a powerful player in the institutional set-up. The Commission is currently organised in 27 thematic, so-called Directorate-Generals (DG), including those on development policies (DG DEV) and external affairs (DG RELEX). While DG DEV is responsible for outlining the EU's development programmes (in Africa, the Caribbean and the Pacific), DG RELEX is in charge of the EU's diplomatic representations in third countries, the so-called Delegations²⁶. In the case of Sudan, for example, the Delegation is based in the national capital Khartoum, and thus, apart from sporadic visits, geographically quite far away from the southern Sudanese.

The **European Parliament**²⁷ shares legislative powers with the European Council. It endorses the Commission's political leadership and is involved in the approval of the EU budget. The Parliament has certain rights to control the executive and furthermore initiates political debates within the EU institutions.

Finally, the 27 **EU Member States** must be mentioned as key players. Not only do they control key institutions such as the European Council and the Council of Ministers, but they also have strong and influential opinions on whether certain issues should be discussed by the EU at all or should rather remain a national prerogative. In addition, individual EU Member States pursue their own agendas regarding Sudan.

Even from this rather brief sketch of EU institutions, several important conclusions can be drawn as far as the EU's foreign and development policies are concerned.

Research work, including interviews with various stakeholders, has clearly shown that, due to conflicting interests and, all too frequently, to inflexible and slow instruments, the role of the EU – like other players active in the areas of interest in this study - so far remains below expectations and announcements, and approaches are not coherent in complex situations such as the one under consideration.

First of all, there is no clear separation of legislative and executive powers. On the one hand, the Commission has the right to initiate legislation and on the other, the Council has certain executive functions in the field of the EU's foreign and security policy. The role of all institutions has changed over time and remains contested. There is often tension about competencies between the various institutions and in particular between the Commission and the Council. Co-ordination between the institutions is hampered by this state of affairs. Any given topic may become politicised as a desirable precedence (but in some cases as an undesirable one) so that the outcome of a discussion is sometimes a better reflection of ongoing institutional disputes than of clear policy-making.

²⁶ A Delegation of the European Commission is the equivalent of an embassy. However, as the EU is not a state, there is a slight difference in status.

²⁷ A certain number of seats in Parliament is reserved for each Member State, roughly depending on its population size. The distribution of these seats is determined through direct elections in the respective member state. Elections for the European Parliament are held simultaneously in all EU Member States.

This is particularly true for the related fields of foreign and development policies. The latter are considered a sub-field of trade relations and are thus included in the 'first pillar' competencies of the Commission (as is humanitarian aid, for example). However, the Council itself controls foreign and security policy. While the Secretary-General of the Council is the official EU representative for external affairs, it is the Commission, which controls the worldwide network of EU delegations. Furthermore, many Member States are reluctant to subordinate their national foreign policy to a common EU position. As a result, the process of finding an acceptable compromise position is time-consuming and does not allow for bold decisions or the seizing of short-lived "windows of opportunity". In some cases, Member States even undermine joint positions by continuing to follow their own agendas.

Despite this complexity, the following **general rule** applies to the EU's external activities: while general policy discussions and ensuing diplomatic activities are the domain of the Council (and the Member States), most accompanying programmes requiring budgetary means are implemented by the Commission. This includes humanitarian aid, development assistance programmes as well as support for democratic change and human rights defenders. However, no purely military activities may be funded from the Commission's budget. In the absence of a European budget for military expenditure²⁸, EU military missions must be funded either directly by the Member States or through an *ad-hoc* fund set up for a particular mission. But in conjunction with military related involvements of the EU (like funding AU/AMIS in Darfur for example), voices have been raised on whether it would not be appropriate to use funds allocated to the commission. This is an idea which is strongly opposed by humanitarian and development NGOs, but the debate is not over yet.

The Council's Common Foreign and Security Policy (CFSP)

The highest authority on CFSP is the General Affairs and External Relations Council (GAERC), which brings the 27 EU foreign ministers together about once a month in Brussels. The GAERC discusses current political developments and decides about action to be taken. It releases the Council conclusions, which have no legal consequences, but can be considered the EU's current position on the topics concerned. The Council also decides on common positions and common actions, and these are the legal basis for installing a Special Representative for a region, for example, or for imposing an arms embargos and/or other sanctions in conflict situations, as well as for engaging in a military mission. As mentioned above, the Council (of Ministers) discussions and conclusions on Sudan have been dominated by Darfur at the expense of a coherent approach to the country as a whole.

Decisions in the GAERC are prepared by a number of subordinate working and advisory groups. As far as Sudan is concerned, discussions usually begin in the regional Council Working Group on Africa (COAFR), which meets every three to four weeks and brings representatives together from the EU capitals, from the respective African departments (usually as head of a unit and regularly at Director level). COAFR continuously follows the situation in all sub-Saharan African countries and, if need be, calls it to the attention of higher level working groups and so recommends action to be taken. To influence the debate in COAFR, it is important to lobby both the incumbent Presidency, which chairs the meetings and sets the agenda, and the diplomats responsible for Africa in the Member State capitals. Diplomats based at their permanent representation in Brussels, however, often represent the smaller Member States at COAFR.

The next level of discussion is held at the Political and Security Committee (PSC), which meets up to twice a week and unites high-level diplomats from the Member States' permanent representations in Brussels (often this is the deputy ambassador). The PSC plays a key role in the decision-making process as it is generally expected that proposals approved by the PSC will be

²⁸ There is a rather small budget for CFSP purposes (100 Mio EURO in 2006), but it does not allow military expenditure.

accepted without further amendment by higher-level institutions. The PSC, for example, rarely concludes after a single discussion and often tasks additional thematic working groups to give advice, for example, from military or civil-military perspectives. Once a proposal is agreed upon by the PSC, it is forwarded to the Committee of Permanent Representatives (COREPER), which then usually endorses the text and forwards it to the GAERC for final decision.

In the case of Sudan, a Special Representative²⁹(SR) has been installed to follow developments there more closely and to explain the EU's position to all key players. The EU SR reports directly to the PSC, but also briefs the COAFR and co-ordinates its work with the EU's High Representative for CFSP. Since the EU SR has no budget to implement activities in Sudan, it also works closely with the Commission to ensure that the financial decisions administered by the Commission are in line with the overall EU policy. The Commission also has an observer seat in COAFR, PSC, COREPER and in the Council.

EU and (Horn of) Africa

The general EU-Africa Strategy is based on three foundations, all of which were once intended to sustain the ultimate aim of achieving the Millennium Development Goals (MDGs). These three basic structures consist of

- Areas considered **prerequisites** for achieving MDGs and sustainable development (Peace & security and good governance);
- Areas that **create the economic environment** for reaching the MDGs (Economic growth, trade and interconnection – e.g. transport, communication and an African Market);
- Areas **directly targeting** the MDGs (social cohesion, health, education, environment).

The new EU-Africa Strategy places African ownership, achievement of the MDGs and the promotion of sustainable development, security and good governance in Africa at its centre.

As stated in various papers³⁰, a prosperous, democratic, stable and secure region is in the interests of the countries and the peoples of both the Horn of Africa and the EU. However, an uncontrolled, politically neglected, economically marginalized and environmentally damaged Horn has the potential to undermine the region's and the EU's broad stability and development policy objectives and also to pose a threat to European Union security. As the Horn has been identified as a region in which groups might support terror, or as countries which might be used as a hide-out, the international community at large as well as the EU and Member States increasingly have, since 2003, been showing a particular interest in security, and this has been followed by respective measures to that end. Their often one-sided Eritrea-Ethiopia and Somalia policies and the interdependence in the wider Horn including Sudan would be worthwhile considering in a separate paper.³¹

The EU also has strong interests in maintaining a stable Horn of Africa. The Horn adjoins strategically important parts of the Middle East: it flanks the Red Sea waterway, which is crucial for EU trade and supplies, particularly energy; it is a neighbour of Saudi Arabia, the world's largest oil producer; it straddles the Nile basin, which is of central importance to Egypt (whose stability in turn is an important element of Mediterranean and Middle East stability); and it is in close proximity to countries covered by the EU Neighbourhood Policy, both in North Africa and the Near East. In addition to all this, the EU is a key international trading partner of the region and there is potential for EU economic interests to grow, if energy supplies and economic growth in the

²⁹ Details see below

³⁰ E.g. Council of the European Union, 15961/05, The EU and Africa: Towards a Strategic Partnership, December 2005; Council of the European Union, 9333/06 EU-Africa Ministerial Troika Meeting, final communiqué, May 2006

³¹ These policies are dominated by the "war on terror", following the USA, favoring a strong allied Ethiopia at the expense of human rights in the country, and supporting Ethiopia's hegemonies interests

region continue to rise and are managed satisfactorily. It is important to note that other countries, notably the US, China and India, have taken an interest in the strategic importance of the Horn, and are investing in significant resources there.

Whether the EU and all its Member States really understand the complexity and inter-dependence is not clear from research findings. At least its actions, especially those dealing with Ethiopia, do not appear to be very coherent approaches in the matter of conflict management.

EU-Sudan Relations after 1990

In 1989, the NCP (by then NIF-National Islamic Front) forcefully took over power in Sudan, overthrowing the elected government of UMMA party leader Sadik el Mahdi³². The new regime began with a clear Islamic agenda. It dismantled all political parties, trade unions and all other organisations, including press associations not loyal to them, arrested, tortured and killed in large numbers people they suspected as their potential opponents, intensified the war with the south and committed every conceivable harsh human rights abuse. Consequently, many countries and international organisations halted all development co-operation, and neighbouring governments³³ severed diplomatic relations. The EU cancelled its development support in 1990; Lomé funds were no longer transferred and an arms embargo was announced.

Years of international political isolation of the regime followed, based on the assumption that the regime would give in to pressure. However, this strategy was only partially successful, particularly as the regime was able to acquire access to the oilfields in the south through an internal peace agreement (1997). This resulted in a faction of the rebel movement controlling the respective area by both supporting and exploiting various local militias to displace civilian personnel. In addition, it was able to find financially strong new partners, namely China, Malaysia and India, ready to provide tremendous assistance, including arms supplies, loans and investments, not least, in the oil-sector.

While other bodies and individual states were deeply involved in trying to bring about a peace agreement between SPLM and NCP in November 1999, the EU started to engage in a **political dialogue** with the government of Sudan (GOS). The intention was to normalize relations within 3 years. It was part of a 'carrot and stick policy', intended to engage positively with the GOS in such a way that they would recognize the advantages of co-operation, and therefore be ready to improve their record. EU ambassadors and government officials met regularly in pursuance of this dialogue, which was focussed on five main topics: human rights; democracy, the rule of law and good governance; the peace process; terrorism; and co-operation between Sudan and its neighbouring countries. A 'Humanitarian Plus Programme' of €15 m, was to be spent on food security, health, water, and education, to start by 2001. The drafting of the CSP constituted the most important element of the 'carrot' policy. European companies and investors had special interests in this programme, in the dialogue and in the normalization of relations, since they were hoping to acquire better business opportunities and also access in particular to oil related business.

During the first year of negotiations, the EU announced that "considerable progress" had been made but an African-Caribbean-Pacific-EU (ACP-EU) Joint Parliamentary Assembly mission to Sudan, on the other hand, reported disappointment with the government's lack of co-operation in the dialogue in June-July 2001. Their report noted several human rights concerns discussed, but not subsequently attended to by the government. One of these concerns included aerial bombardment of civilians in the South. The report also stated, that "a major issue was that of the use of oil revenues. There seems to be a complete lack of transparency in this area...", it added. Furthermore, shortly after the beginning of the dialogue, GOS had declared a state of emergency and the

³² Due to the war, which erupted in 1983 in the South, larger parts of the South did not take part in the elections.

³³ Such as Ethiopia, Eritrea and Uganda

suspension of the National Assembly, following a split in its party. In a November 2001 resolution on Sudan, the ACP-EU Joint Parliamentary Assembly stated that it was "aware of the currently destabilizing effects of oil production, but also of its extremely valuable potential contribution to the country's economic development". At the same time, the UN Special Rapporteur for Human Rights in Sudan expressed his concern about a further deterioration in human rights and in movements towards democracy. On this occasion, he also mentioned oil exploration as a specific area of concern.

Nevertheless, at the end of an EU troika mission to Sudan, it was announced in a joint communiqué with the Sudanese Foreign Office (FO) that the management unit for the Humanitarian Plus programme would start its activities in Khartoum in January 2002.

ECHO (European Commission Humanitarian Aid Office) channelled funding in the South mainly to NGOs. A Humanitarian Plus programme did not get off the ground here, as the SPLM – feeling itself equal to GOS- wanted to control the funds. The EU suspended assistance following a dispute over a Memorandum of Understanding (MoU). Relations and dialogue with the SPLM were in any case much less frequent than those with GOS, so that for quite a while southerners described the EU as one-sided and as an organisation supporting GOS, especially after the dialogues started. This feeling was enhanced by the fact that – due to the absence of a common foreign policy, as was explained earlier - the EU as such was never prominently involved in funding the IGAD peace talks. However, EU Member States were. The UK, for example, was the third party along with Norway and the USA in the troika assisting the Kenya-led IGAD mediation, and The Netherlands as well as Italy showed particular interest and involvement, while France tried in vain to be included³⁴.

It needs to be noted that the EU has continuously even up to today tried to get tougher resolutions put through and to ensure the continuation of the mandate of the Special Rapporteur on Sudan in the annual **UN Human Rights Commission/later Human Rights Council** meetings. However, in the end the resolutions were watered down time and time again, due to the need to build majorities including those countries closer to Khartoum or to find them from African states motivated by 'continental solidarity'.

Along with the attempt to resume normal relations, the EU then started to draft a **Country Strategy Paper (CSP)** for Sudan³⁵, announced to be ratified immediately after the signing of a peace agreement. This decision was partly influenced by the fact that over the years quite a high amount of EDF and Stabex³⁶ funds of the Lomé/Cotonou agreements were waiting to be spent.

The first draft of the CSP was revised prior to the signing of the CPA. Only at a rather late date was SPLM also consulted, but did not find itself in a position to make a considerable contribution. Nevertheless, the SPLM signed the paper, too, following the CPA and the government's example.³⁷

³⁴ France came in at a rather late stage, and was also perceived as being rather one sided. Especially the fact that, in exchange for the terrorist "Carlos", who hid in Sudan for some years, they provided the government of Sudan with Sat images of the SPLA camps, makes it difficult for France until today to restore relations with Southerners.

³⁵ For details, see chapter: Implementing the policy

³⁶ Under the Lomé Conventions, the STABEX was a financial instrument to compensate for loss in export revenues due to commodities' prices fluctuations on the world market. The STABEX instrument disappeared in 2000 with the signature of the Cotonou Agreement and unused funds have been used to support the 2005-2007 Country Strategy.

³⁷ Republic of the Sudan-European Community, Country Strategy Programme and National Indicative Programme 2005-2007, 35 pages plus a 48-page appendix.

EU as part of Multi Donor Instruments in Sudan

Joint Assessment Mission (JAM) / Sudan Consortium

Parallel to the IGAD peace talks, several countries formed an 'IGAD Partners Forum' (IPF) to coordinate efforts and to provide necessary funding. Under the assumption that a peace agreement would be signed in early 2004, in its meeting in December 2003, it was decided to invite the UN and the World Bank to co-operate in leading a Joint Assessment Mission for Sudan, aimed at providing the necessary information and strategy for an agreement to take effect immediately subsequent to the signing of the peace agreement. This agreement was to start a rehabilitation and recovery programme (first 2 years of the interim period), and seen as a prerequisite for consolidating peace and to provide an equitable and sustainable development programme over the full interim period of 6 years, and one which also targeted the MDGs. The outcome, formulated in a report of 3 volumes, formed the basis for pledges and commitments at the Donor conference, finally held in Oslo in May 2005, which then resulted in the formation of the '**Sudan Consortium**', that held its first meeting in Paris in March 2006.^{38 39}

Following a preparatory phase from March-July 2004, the intensive phase of the JAM process started in August the same year. Start-up funds were provided by Norway, to be divided equally between North and South, channelled through UNDP, and topped up by some core funding by the World Bank and UNDP. The JAM core group consisted of GOS/SPLM, WB, UN, IPF and IGAD. Other organisations involved were WFP, FAO, UNICEF, WHO, UNHCR, UNIFEM, OCHA, UNEP, DPKO, UNJLS, HABITAT, IMF and the Islamic Development Bank. In addition to Norway, the USA, UK/DFID, Italy, France, Sweden, the Netherlands and, last but not least, the EC provided technical and financial support to the cluster work.

The following (sub) clusters, with gender, environment, participation, conflict and costing and results as cross-cutting issues, were identified to consider the most urgent needs:

- Institutional Reform and Capacity Building (including decentralization, civil service reform and public financial management);
- Governance (including rule of law and police, security, peace-building & reconciliation, human rights, accountability, media and information campaigns);
- Economic policy (including macro-economic policy, fiscal policy and budget allocations, sources of growth, economic and financial institutions, and budget);
- Productive sectors (including agriculture, livestock, fisheries, forestry, irrigation and private sector development);
- Basic social services (including health, HIV/AIDS, education, and rural water & sanitation);
- Infrastructure (including transport and civil works, communications, urban water and sanitation, and energy);
- Livelihoods and social protection (including demobilization, de-militarization and re-integration (DDR); internally displaced people (IDPs) and refugees; community driven development and employment generation; and mine action); and
- Information (including data collection and analysis, monitoring and evaluation).

³⁸ For all details see JAM Report (Vol. I: Framework for Sustained Peace, Development and Poverty Eradications, Vol. II: Cluster Costing and Matrices (TRMs), and Vol. III: Cluster Reports), and PCNA Review, JAM Case study, www.unsudanig.org/JAM

³⁹ For details on the consortium see e.g. Statement by the World Bank, the UN and the IMF on Sudan, March 10, 2006

Today, the results and strategies of the JAM process, confirmed by the Donors' conference of May 2005 and the Sudan Consortium still form the basis of the Sudan approaches, and its implementation is discussed and slightly modified at the meetings of the Sudan Consortium, and at the CSPs of the various stakeholders. The Sudanese civil society held its own meeting in Norway prior to the Oslo donors' conference and was able to present its recommendations there directly. Two civil society representatives are allowed to attend the Sudan Consortium meetings, which take place twice a year.

Most activities are carried out by UN organisations⁴⁰, with the largest share of activity (about 43%) by WFP. UNICEF follows with about 10% and UNDP with about 5%, and 17 other UN organisations are also involved, adding up to around 81% of the total aid funds. (US\$1 bn allocated for 2007 for humanitarian programmes, US\$437 m for development). INGOS are budgeted with US\$185 m, but only 0.2 % is channelled directly to Sudanese NGOs (US\$2.6 m). These funds concentrate on service delivery, rather than on helping the Sudanese in becoming advocates for their own affairs in politically re-structuring their own country.

The EU channels its funding mainly through MDTF, UNDP and FAO.

Some experts estimate that up to 80% of all funds are consumed for salaries of aid agencies' personnel, communication, security, flights and logistics.⁴¹

The Multi Donor Trust Fund (MDTF) and Joint Donor Office

As mentioned earlier, it was intended that the bulk of the funding should be channelled through the Multi Donor Trust Fund under the direction of the World Bank, with one national programme and one programme for the South. The World Bank itself describes its Strategy as follows:

“The MDTF-South Strategy

Building on the cooperation and lessons learned during the JAM, the operational strategy of the MDTF-S is to be a central partner of the GOSS in all the key sectors. There will be special emphasis on ownership and capacity building, as well as on enabling GOSS to prioritise among a vast array of recovery and development needs. This would permit expeditious decision-making and phasing of investments and provide a basis for scaling up.

The strategic objectives for the MDTF-S suggest a balance across five key areas:

- *Establishing an effective core of public sector administration, including core capacity to plan and finance GOSS programs with key accountability mechanisms in place;*
- *Preparing selected investments to consolidate the peace and generate social capital through access to basic services with rapid scale-up of education programs; and*
- *Putting priority sector programs in place, including basic infrastructure (roads, electricity, water) education, and health;*
- *Supporting preparation of programs, including agriculture and private sector development to facilitate the transition from subsistence-based livelihoods to a development-oriented economy;*
- *Harmonizing development assistance.*
- *Several crosscutting strategic objectives will also be addressed, including explicit recognition of the regional dimension in all programs, and the importance of transparency and accountability. The risk of funds mismanagement and corruption is high and requires special attention. Large-scale public sector programs supported by donors should be designed to avoid crowding out the nascent local private sector and civil society. Specific measures are being put in place to ensure that each of these risks is addressed on a systematic basis. Southern Sudan is quite unique among low-income post conflict*

⁴⁰ Sudan Development Program 2007, www.sudandevdevelopmentprogram.org

⁴¹ Grawert, Elke, The Aid Business in South Sudan after the Peace Agreement, 2007

situations in terms of the amount of domestic resources available in the immediate post-conflict period. In this context, the comparative advantage of the MDTF-South, much like the MDTF-North, resides not only in its financial muscle, but equally if not more in its ability to help establish robust sectoral programs that can expand to scale to bring much needed technical assistance to ministries and to support transparency and good fiduciary standards for large contracts. The yearly budget of the GOSS is expected to be between \$1 and \$1.5 bn in the next two years, while MDTF financing is likely to be in the \$200-300 m range (on a commitment basis). The GOSS budget is critical to the strategy and success of the MDTF, not only as the primary means of actually financing development programmes, but in a broader sense as an indication of GOSS priorities (which should be subject to parliamentary and public debate and scrutiny) and as the key signal to inform donor choices and partnership across sectors.”⁴²

Originally, for the period 2005-07 US\$574.5 m was pledged for development projects within the MDTF. The formula originally anticipated that GoNU and GOSS should contribute twice the MDTF amount for each project. Mid 2007, US\$308 m were allocated to projects in Southern Sudan. Since GOSS had suffered from severe budget problems, partly due to mis-management, to extremely high expenditures for security, inefficient reserves to deal with natural disasters (like the 2007 floods) and partly due to problems with the share of oil revenues, this formula was subsequently revised.

However, as of 31st July 2007, only eleven projects had been approved for MDTF-South funding, with an additional three approved pipeline projects. The total MDTF funds for these projects amounted to US\$188.3 m, for GOSS additional US\$213 m. MDTF has fully paid for the national currency reform and the census preparation (7.6 % of the approved funds). GOSS paid larger amounts for police and prison programmes, as well as for fishery and livestock. The bulk of the money goes to transport and other infrastructure projects, followed by health and rapid emergency impact projects. Out of the US\$28 m allocated for DDR programmes, only US\$10.3 m have so far been spent. This is definitely related to the fact that GOSS has still not provided acceptable laws to deal with the matter.

In the field of education, only US\$4.1 m of the projected US\$110 m has been secured.

Outsiders and southern Sudanese widely regard the MDTF as a very slow and impenetrable administrative instrument; only very few have any idea as to how to access funds. In addition to this and mainly due to procurement problems on behalf of GOSS, a number of envisaged projects have simply been delayed. The last public monitoring report dates back to August 2006. Furthermore, there is a pending dispute between UNDP, which originally had hoped to be the trust fund holder, and the World Bank. Some donors, too, out of concern that the MDTF might not be flexible enough, like some Donor Conference members, have decided not to put the bulk of their money into the trust fund, but to start systems of direct funding together with the setting up of projects. However understandable decisions such as these may be, in the light of the many challenges at hand, which require fast action, Donor Conference members are undermining their own decisions at a rather early stage in the proceedings.

One such approach is the **Joint Donor Office (JDO)**, established in Juba in May 2006, with the founding partners Denmark, The Netherlands, Norway, Sweden and the UK. Canada joined in 2007. It aims at being “...responsible for development co-operation in the Southern Sudan on behalf of the participating Governments and will promote their effectiveness...” with the security sector as one of its priority areas. Like the MDTF, the JDO cooperation mechanism, too, has been facing problems from the very beginning and has been trying to revise its strategy.

⁴² World Bank, <http://go.worldbank.org>

Apparently, co-operation is easier said than done, especially in view of the fact that every country has its own approaches and regulations. A Joint Donor Security Sector Needs Assessment Report⁴³ concludes: “Whilst important gaps in support remain, the most pressing need is for improved coordination, to include all aspects of the security sector, including DDR, SPLA transformation and elements currently labelled ‘Rule of law’ and community security. Without such coordination, a coherent and complementary approach to supporting the improved delivery of security and justice in southern Sudan will not be achieved”. It further notes: “Most fundamentally, there is a need for a common policy framework to be agreed by the Joint Donor Team (JDT) partners as a platform for engagement in Southern Sudan and a shared view on the JDT role in delivery. The partners also need to agree on a shared conceptual understanding of the nature and scope of SSR ... this concept should be based on the OECD DAC guidelines on Security System Reform and Governance”.

⁴³ Norwegian Institute of International Affairs, 2007

Implementing policy in Southern Sudan

EU Development Assistance / Country Strategy Paper (CSP)

The EU's development policies regarding most African countries⁴⁴ are governed by the Cotonou Agreement, which also covers trade issues including preferential treatment for the signatories. Under the Cotonou Agreement, states and regions receiving financial assistance from the EU have a strong influence on how it will be spent. The EU and the receiving state jointly draft a Country Strategy paper (CSP) to agree on a common analysis of the situation and identify priority sectors, in which the funds made available by the EU should be invested. The CSP builds on the analysis and recommendations of a Poverty Reduction Strategy Paper (if this exists), takes into account the country's development priorities and tries to maximise the impact of EU assistance by analysing the activities of other development institutions. The Cotonou Agreement also stipulates that civil society (called 'Non State Actors' in EU terminology) must also be involved in drafting the document. Once the CSP has been signed, it is the government's prerogative to propose concrete projects in the agreed priority sectors and, where possible, to take the lead in its implementation.

However, the Cotonou Agreement includes the respect for human rights and democratic institutions as an essential element of the contract. This allows for the suspension of development assistance if these criteria are not met. The EU, for example, suspended its assistance to the Sudanese government after the *coup d'etat* of 1989. As mentioned earlier, along with the attempt to resume normal relations, the EU started to draft a Country Strategy Paper (CSP) for Sudan in 2002, due to be signed immediately after the signing of a peace agreement.

The first draft of the CSP was revised prior to the signing of the CPA. Only at a rather late date was SPLM also consulted, but it was not in a position to make a considerable contribution. Nevertheless, the paper was signed after the CPA as the government had required.⁴⁵ Following the provisions of the Cotonou Agreement, two networks of civil society organisations were also involved as from 2004, one in Nairobi for the Southern Sudan CSOs, and the other in Khartoum for those in the North. However, both networks suffered from a lack of inclusiveness, and especially in the North where they were rapidly undermined by "GNGOs" (government related NGOs); their contributions were never widely published. These networks and work with them did not survive, and, according to officials and Southern Sudan CSOs, the southern civil society so far has not been involved in working out the new CSP for the period 2008-2011, which is currently in its non-public final drafting phase. Reportedly, it will follow the previous focus areas and strategies.

Under the 9th EDF (2005-07), the total of €18 m in programmable aid (€45 m of envelope A + €82.7 m of previous EDF balances + €91 m of Stabex funds) has been allocated to Sudan for the period 2005-07, focussing primarily on food security and education, and including a substantial amount (approximately €67 m) of earmarked funds for non-focal sectors (including good governance, rule of law, peace supporting initiatives). The EU interventions are designed within the framework provided by the Sudan Joint Assessment Mission (JAM). Additionally, €63 m of envelope B (funds released from the long term development reserve) have been allocated to cover unforeseen needs, including humanitarian emergency interventions (for more details, see under Humanitarian Aid and Development Co-operation).

The allocations under the 10th EDF (2008-2013) are listed in the overview (table).

⁴⁴ Except the Maghreb and South Africa. The Agreement is concluded between the European Commission and 77 states from Africa, the Caribbean and the Pacific (so called ACP countries)

⁴⁵ Republic of the Sudan-European Community, Country Strategy Programme and National Indicative Programme 2005-2007, 35 pages+48 pages annex

EU Special Representative (SR)

The EU Special Representatives shall promote EU policies and interests in troubled regions and countries and shall play an active role in efforts to consolidate peace, stability and the rule of law.⁴⁶

They are to support the work of Javier Solana, EU High Representative for the Common Foreign and Security Policy (CFSP), in the regions concerned. The EU itself states: “They play an important role in the development of a stronger and more effective EU Common Foreign and Security Policy (CFSP) and in the EU's efforts to become a more active, more coherent and more capable actor on the world stage. They provide the EU with an active political presence in key countries and regions, acting as a “voice” and “face” for the EU and its policies.”⁴⁷

Despite lobby efforts, which also included SEF/APRODEV members, to introduce the position of an **EU Special Representative (SR) for Sudan** – as is currently the case with the UK, France, the USA and other countries, which had installed this post long before, it needed the Darfur Crisis to actually make it happen.

The first EU SR for Sudan, the Finnish former minister, Pekka Haavisto, started work in July 2005, concentrating first and foremost on the Darfur crisis. Still in the renewed, extended mandate of 15th February 2007, all the first paragraphs concentrated mainly on Darfur. Collaboration with the AU is also only referred to in conjunction with Darfur. The new mandate contains a paragraph on coherence (3, e): “ensure coherence between the Union’s contribution to crisis management in Darfur and the overall political relationship of the Union with Sudan”.⁴⁸ At the same time it widened the mandate, which formerly had been a matter of some dispute within the various EU bodies, in dealing with Sudan in its complexity. It also paved the way for the establishment of a SR sub-office in Southern Sudan, this in addition to the main one in Khartoum and sub-offices in Darfur. Additional staff was recruited in Addis Ababa and in Brussels. The EU Peace and Security Committee was to provide the SR with strategy guidance and provide the primary point of contact with the Council. Given the complexity of the Sudanese situation, the current staff and general SR support situation remain insufficient.

On 19th April 2007, the Danish diplomat Torben Brylle was appointed EU SR for Sudan. His mandate runs until on 29th February 2008, but is renewable. It is based “on the EU's policy objectives in Sudan as regards efforts to achieve a political settlement of the conflict in Darfur, to facilitate the implementation of the Comprehensive Peace Agreement and to promote South-South dialogue, with due regard to the regional ramifications of these issues and to the principle of African ownership. He also contributes to ensuring maximum effectiveness of the EU's civilian-military action in support of the African Union mission in Sudan (AMIS).”⁴⁹

Brylle’s mission statement reads:

“Darfur is on our minds and so it should be! The human tragedy is still unfolding. Darfur requires constant and full attention.

This was my fundamental assumption when I took over the position of the European Union's Special Representative for Sudan in May 2007. To bring the EU's considerable influence and wide

⁴⁶ The European Union currently has nine Special Representatives (Afghanistan, the African Great Lakes Region, Bosnia and Herzegovina, Central Asia, Republic of Macedonia, the Middle East, Moldova, the South Caucasus and Sudan), preparations are also ongoing for a position for Kosovo.

Some SRs are resident in their country or region of activity while others are working on a traveling basis from Brussels.

⁴⁷ www.consilium.europa.eu/cms3

⁴⁸ Council Joint Action 2007/108/CFSP

⁴⁹ www.consilium.europa.eu/cms3

range of policy instruments to bear in support of a peaceful and stable Sudan where human suffering and degradation is replaced by a perspective of dignity and development.

The people of Darfur need security, peace, respect for their rights, and a viable perspective for their lives. We, as members of the international community, should - through a collective effort - do our utmost to bring an end to the tragedy in Darfur.

The Sudanese have demonstrated that they can bring serious conflicts to an end. The Comprehensive Peace Agreement (CPA) between the North and the South proves this - after years of war and unimaginable suffering. But agreements must be implemented to secure lasting peace. The CPA is in this respect fundamental for the future of Sudan, and we, as the international community, should not waver in our efforts to press for and support its full implementation in good faith by all parties.

The importance of Sudan for peace and stability in the region and beyond is crucial. Neighbouring countries are directly affected. Critical humanitarian and security situations prevail in regions close to Darfur. The European Union and the wider international community must respond, but also make it clear that destabilising activities across borders are not acceptable.

A Sudan in crisis is a matter for the European Union. The international community must collectively engage with those who have the responsibility and capability to bring the conflict in Darfur to an end and to secure a full implementation of the agreement between the North and the South.

As the European Union's Special Representative for Sudan it is my mission – under the authority of the EU's foreign policy chief, Javier Solana – to deal with the complex nexus of issues – humanitarian, political, security – spanning a wide spectrum of issues related to Sudan.”⁵⁰

Here again, the prime focus is on Darfur, and consequently the SR also is deeply involved in efforts to bring about a solution to the conflict there. Officially based in Brussels, both SRs have spent a considerable amount of time in Sudan for discussions with various stakeholders. Brylle increased the time spent in Southern Sudan and obviously understands the need for a “whole Sudan approach”. However, so far it does not seem an easy task to translate this into adequate and coherent action (as required by the mandate). On one hand, Darfur is so high on the public agenda and therefore on the EU agenda too, as well as on those of some important Member States that other parts are virtually neglected, other than giving them “lip service”. On the other hand, there are approaches which look as if countries deal with the “North” and “South” of Sudan as already completely separate areas, and so intentionally or unintentionally contradict the CPA with its aim to “make unity attractive”, and apparently pre-empting a possible outcome of the referendum.⁵¹

In addition and also alluded to above, as in other cases the Sudan SR’s work suffers from the fact that the EU has no Foreign Minister of its own, and from the fact that individual policies and interests of Member States as well as the Commission’s ideas have to be compromised in a common position. The SR also has the problem of not being allowed to develop too much public and EU internal profile, and so has to work with limited funds. Like Haavisto during his time, Ambassador Brylle has always been open for discussions with NGOs/CSOs, and Aprudev members as well as southern Sudanese civil society should make much better use of this chance.

⁵⁰ www.consilium.europa.eu/cms3_fo

⁵¹ Capacity building programmes for SPLM/southern Mps, Ministers and other officials e.g. only concentrate on Juba/GOSS, but not in helping them to find their role and way in GoNU; consulates are opened in the South, SPLM offices abroad are sometimes dealt with as quasi embassies of South Sudan, people travel on SPLM permits to South Sudan via Nairobi or Uganda, instead of applying for a visa for Sudan, as required by the I(nterim)N(ational)C(onstitution)

The EU's financial instruments in Southern Sudan⁵²

Overview

The Financial Instruments	Purpose/Aim/Mandate	Funding	Remarks
Current and Future Instruments:		In Euros (2007-2013)	
1. European Instrument for Democracy and Human Rights (EIDHR)	To promote Democracy and Human Rights in third countries. Sudan has been made a priority area which means that besides the macro funds that are accessed through Brussels globally, Sudanese NGOs would have access for micro projects through the delegation in the Country	€1.1 bn for the whole instrument	<ul style="list-style-type: none"> • It is a specific instrument with a global coverage and a separate regulation. • In the Sudan it has facilitated local NGOs to promote the values of Democracy and Human Rights. • Access to the funds by NGOs in the Southern Sudan not easy, especially as the delegation headquarters is in Khartoum.
2. EDF- (9 and 10th) 5 or 6 year Fund that is the financial arm of the Cotonou agreement between the EU and the African, Caribbean and Pacific states (ACP)	The aim of a European Development Fund (EDF) is the sustainable economic and social development of the ACP developing countries; the smooth and gradual integration of the ACP developing countries into the world economy; and	€22.7 bn For the 10 th EDF (2008-2013) <u>Envelope for Sudan:</u> On-going programmes in Sudan including RRP and SPCR are financed with EDF	<ul style="list-style-type: none"> • Instrument with a geographical coverage (ACP) • In Sudan it is anchored on two strategies 1) growth through rural development and 2) service delivery through

⁵² The following chapters provide an overview about various EU instruments used and on money spent or allocated for (Southern) Sudan. As much as the authors tried to get hold of accurate figures and concerned EU papers, it was however not possible to really trace all. Promises to provide material were not kept, some interview partners lacked a comprehensive overview themselves, other potential interview partners were just reluctant, a lot of material is not made public on the EU websites etc. So they had to finally decide to work with the material available, risking that not all money/projects might have been discovered. Nevertheless, they are confident that the material at hand justifies conclusions and recommendations.

	<p>the campaign against poverty in these countries.</p> <p>In African countries, the European Development Fund is the major funding instrument for the national indicative programme informed by the Poverty Reduction Strategy (PRS) of the Country taking into account the Country's development priorities.</p> <p>The 10th EDF CSP for Sudan has not been published yet.</p>	<p>money from 9th EDF and balances from previous EDF and Stabex. Total amount available: €318.7 m</p> <p>Envelope for Sudan under 10th EDF: Not known at the time of publication, probably €258 m as a minimum.</p>	<p>decentralization.</p> <ul style="list-style-type: none"> • The challenge is the one country two systems in the Sudan. This slows down the process of access to the funds. • Until late 2007, Southern Sudan does not have high level EU staff but GOSS/CSO work with Project officers and TAs. • EDF is the source of funding for the Peace Facility that supports the AMIS mission in Darfur and the AU peace building and conflict resolution processes.
<p>3. Development Cooperation Instrument- (DCI)</p> <p>Started in 2007</p>	<p>The DCI plays the role of the EDF in non-ACP developing countries (Asia, Latin America, Central Asia...)</p> <p>The DCI instrument also includes a budget for 5 thematic programmes applicable to all developing countries. Sudan can benefit from projects financed by these thematic programmes in the areas of food security, environment, migration and asylum, human and social development and in support to non-state actors and local authorities.</p>	<p>€16.9 bn of which €5.6 bn allocated to the 5 thematic programmes</p>	<ul style="list-style-type: none"> • Thematic programmes are a potential source of funding for NGO and CSO projects in Sudan in future. • The challenge is to explain to people without capacity how these complex instruments work. Thus it becomes necessary to begin with building the capacity.
<p>4. Instrument for Stability (IFS)</p>	<p>It is aimed at delivering an effective, immediate and integrated response to situations of crisis in third countries.</p>	<p>€2.06 bn for the period 2007-2013</p>	<ul style="list-style-type: none"> • It has global coverage with horizontal budget. • Key elements include 1) Crisis response and preparedness, and 2) long term trans-regional threats to stability. • Short term measures to be

			adopted on case by case basis. Long-term measures programmed for the period 2007-2011. No priority on Sudan so far.
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Programme	Purpose	Allocations	Remarks
Recovery and Rehabilitation Programme (RRP)	Capacity building and concentrating in five states of Central Equatoria, Eastern Equatoria, Warrap, Northern Bahr el Ghazal and Northern Upper Nile (Renk)	€7.5 m funded by EDF	Administered by UNDP and supports a consortium work This is a part of the EDF
Sudan Production Capacity Recovery Programme (SPCRP)	Targets the other five States of the South not covered by the RRP, Western Equatoria, Western Bahr el Ghazal, Lakes, Jonglei and Unity States	€40 m funded by EDF (Stabex)	Implemented through FAO and works closely with the Ministry of Agriculture.

The Stability Instrument (IfS)

The Instrument for Stability (IfS) was discussed from 2004 and established in 2006 by the EC to rationalize the provision of external assistance. The Stability Instrument proposal was tabled against the background of a broader proposal to replace many other existing ranges of geographical and thematic instruments for funding external assistance, which the EU had been using previously.

The purpose of the Stability Instrument as established is to deliver an effective, immediate and integrated response to crises in third countries within a single legal instrument until normal co-operation under one of the other instruments for cooperation and assistance can be resumed⁵³. It aims at:

"The provision of an effective and integrated response to crises and threats to human rights, democracy and the rule of law, with the overall aim of aiding the establishment or re-establishment of the conditions necessary to permit the effective implementation of the Community's development and economic cooperation policies, its neighbourhood policy and its pre-accession strategy".⁵⁴

The Commission argues that the provisions of the instrument were developed in the light of experience of the implementation of the Rapid Reaction Mechanism (RRM), the Africa Peace Facility, the regulation concerning action against anti-personnel landmines and the **European Initiative for Democracy and Human Rights (EIDHR)**, as well as the vast experience of crisis response under the existing 'geographic' financing instruments and international best practice.

The IfS seeks to ensure that the Community can address itself to a number of key challenges in the mutual interests of both the Community and the partner country. It further focuses on efforts to deal with global challenges as outlined in the Commission's European Security Strategy (ESS). These threats include combating the use of weapons of mass destruction, regional conflicts, organized crimes and conflicts resulting from failed states. The Commission argues that the added value provided by the IfS would be the possibility of rapid, concerted global action, for instance in combating the financing of terrorism, money laundering or tax fraud, and the ability to promote issues of particular concern to the Community.

The purpose of the Instrument, among others, is centred on⁵⁵:

- The provision of an effective and integrated response to crises and threats to human rights, democracy and the rule of law, with the overall aim of aiding the establishment or re-establishment of the conditions necessary to permit the effective implementation of the community's development and economic cooperation policies, its neighbourhood policy and its pre-accession strategy.
- Assistance to strengthen the cooperation between the EU and third countries in relation to global and regional trans-border challenges affecting the security of the citizen.
- Help in safeguarding the population against critical technological threats and combating the proliferation of weapons of mass destruction.
- The IfS also provides a basis for promoting international action in support of the general objectives of the regulation, including research and the training of civilian experts for deployment on EU crisis management missions.

⁵³ ISIS briefing-June 27th 2005

⁵⁴ Com (2004) 630 final

⁵⁵ Com (2004) 630 final

As can be seen, the IfS is really intended to respond quickly in times of crisis. The decision-making framework is to be on a case-by-case basis. At the outset of the crisis, the Commission can adopt a mixture of integrated responses and, after a period of about nine months,⁵⁶ it would then report to the Council on progress, suggesting either no further action or the adoption of an interim response for a period of two to three years. As a third option, it could also adopt measures under any long-term instrument.

It should be noted that the IfS could be initiated under two policy statements:

- 1) Crisis Response Policy (CRP) or
- 2) Security Policy.

Other instruments in the Crisis Response Policy include Humanitarian Aid and Common Foreign and Security Policy Instruments, while under the Security Policy it is the SI and CFSP instruments only.

Under the Crisis Response Policy the IfS activities include:

- Conflict prevention and peace building;
- Support for peace building and diplomatic initiatives for political stabilisation, provision of incentives to the parties and support for early implementation of specific provisions of a peace agreement;
- Fostering stability during political transition (including through monitoring), safeguarding human rights and democratic processes (including transitional justice procedure).

Early recovery - ensuring basic development - needs early response, but with a long-term perspective, that is to say:

- Mobilising public administration;
- Supporting the preparation of a national budget in order to mobilise donor/multilateral funds for reconstruction;
- Getting children back to school;
- Re-opening health and local public services;
- Generating employment.

Managing the direct consequences of violent conflict:

- De-mining / clearing unexploded ordnance;
- Reconstruction of homes and public buildings;
- Demobilization and reintegration of combatants.

Promote stabilisation through good governance:

- Elections and constitutional processes;
- Local government;
- Security sector reform;
- Small arms and light weapons management;
- Civil society development.

All these requirements fit ideally into the situation of Southern Sudan, and consequently these elements form the basis for EU supported programmes. Despite this, they cannot all be delivered at the same time, and even informed choices will remain below expectations in such a complex situation. Where capacity is lacking at all levels, and basic laws are absent, and where a complete new system of governance has to be set up, peace needs to be built and conflicts prevented in one place, while simultaneously in another part of the same country, other grave conflicts are escalating, conflicts which basically have the same root causes. In such cases, very good communication and coordination between all those involved and a commitment beyond own

⁵⁶ ISIS briefing June 2005

interests would be required. In the absence of this, since we are not living in an 'ideal world', the impact of the Stability Instrument can only be a limited one.

Humanitarian Aid

The EU humanitarian aid objective is "to save lives and to provide immediate relief for people facing severe crisis, whether as a result of natural disaster or of conflict"⁵⁷. The Commission's regulations of 1997 note that "Humanitarian aid, the sole aim of which is to prevent or relieve human suffering, is accorded to victims without discrimination on the grounds of race, ethnic group, religion, sex, age, nationality or political affiliations, and must not be guided by or subject to political considerations", EC regulation 1257/97.19

Looking at the Humanitarian Aid Global Plan 2006 for Sudan of December 2005, there are five strategies identified that ECHO would work for through the Instruments provided:

1. Priority countries: Sudan has been identified as being among the 20 most poverty-stricken countries due to the crisis in Darfur and conflicts in the south which ended by the signing of the Comprehensive Peace Agreement in 2005.
2. Humanitarian crisis: The situation in Darfur, which is described by the EU document as one of the worst and one of the largest world crises today, has made it necessary for the EU and its Member States to get involved in humanitarian work in the Sudan. The impact of the returnees and internally displaced people due to the agreement in the south has produced another severe area of crisis, not to mention the effects of the LRA attacks and HIV/Aids.
3. Improvement of the situation of Water and Sanitation to deal with the scarcity as well as the quality of water supplies.
4. Promoting quality Humanitarian Aid by systematically mainstreaming cross-cutting issues into its operations, and
5. Linking Relief Rehabilitation and Development (LRRD)

ECHO as an instrument has been working in southern Sudan and continues to do so since the peace agreement. Indeed, it has been one of the major donors in the relief tasks of Operation Lifeline Sudan (OLS) operating from the Kenyan border town of Lokichokio. The principles and values that it has worked with are clearly demonstrated in the global plan. Contrary to the other instruments, EU operations enjoy rather high visibility here.

During 2006, the ECHO budget was reinforced, using funds from the Emergency Aid Reserve of the Commission to the amount of €140 m, €40 m of which was devoted to the Darfur Crisis. All in all in 2006 alone, the Sudan budget allocation rose from €40 m to €97 m, plus €13.5 m allocated to Chad in response to the consequences of the Sudanese population movements. In the eyes of many southerners, this looks as if they were deprived of their share. They are often of the opinion that the delay in repatriation to the South might also be linked to the increasing demands for money in Darfur.

European Development Fund (EDF)

As was seen above, after the signing of the Comprehensive Peace Agreement between GOSS and the SPLM/A, GOSS signed the country strategy paper (CSP) to resume cooperation. This country strategy paper was centred on supporting the quest for a just peace, as well as addressing root causes of conflict. It promotes democracy, good governance and the improvement of human rights as a basis for sustainable peace. In response to this, the EU supports the agreed strategy and this is focused on two main sectors: Food Security and Education, targeting the resettlement of Internally

⁵⁷ Com (2007) 317 final-Towards a European consensus on Humanitarian Aid.

Displaced Persons, and containing a strong element of capacity building for Governance. It can also be oriented to demobilization, disarmament and re-integration operations, including mine clearance, training of the security forces and other actions for which provisions are made under Article 11 of the Cotonou Agreement. Issues such as human rights, good governance, and the rule of law are contained in it as well as direct support for peace processes, peace-building initiatives and the strengthening of civil society.

The Treaty that established the EC provides that the EC's policy in development cooperation should cultivate the following points. These are -

- 1) The sustainable economic and social development of the developing countries, and more particularly, the most disadvantaged among them;
- 2) The smooth and gradual integration of the developing countries into the world economy; and
- 3) The campaign against poverty in developing countries.

The Sudan situation definitely fits into all these broad policies and so into that of EU involvement. For this reason, co-operation between the Community and Sudan is intended to pursue these objectives, taking into account those fundamental principles laid down in Article 2 of the Cotonou Agreement. "Equality of the partners and ownership of the development strategies: for the purposes of implementing the objectives of the partnership, the ACP States shall determine the development strategies for their economies and societies in all sovereignty and with due regard for the essential elements described in Article 9; the partnership shall encourage ownership of the development strategies by the countries and populations concerned;"⁵⁸

On the other hand, Sudan's development strategy is drawn from its past experiences as a country emerging from war. It is anchored to two broad principles.

1) **Growth through rural development**, what the late Dr. John Garang called taking the towns to the people. Being rich in natural resources implies that Sudan's future depends on building on and developing its resource bases. Its mixture of product and export should have a higher proportion of resource-based items, particularly in agriculture. This requires a major shift in development strategy towards rural areas and, more specifically, towards agriculture, but, at the same time, the agriculture needs to move from one predominantly producing goods for subsistence, particularly in Southern Sudan, to one producing commercially for markets. Small farmers and those on the land should be enabled to increase their productivity and integrate themselves in the market economy.

and

2) **Service delivery through decentralization**. Decentralization is indispensable for the efficient and effective delivery of social services for rapid human development. This has been the SPLM intention, and the CPA power-sharing mechanism has drawn much from this principle. Consequently, there is need to decentralize power, thus politically empowering local communities throughout the country. Shifting political power and access to resources from the centre to local communities will also help diminish the sense of marginalization that is currently being felt by some communities. Nevertheless, this idea is still a concept. Both the north and the south favour centralized systems. Truly decentralized systems would re-enforce the peace process, eliminate the danger of further regional conflict and encourage a feeling of national identity. Nevertheless, for decentralization to actually come into being, human and institutional capabilities would first need to be founded, especially in the south. Well-defined capacity building programmes are urgently needed. For example, the German government is trying to become engaged on bilateral terms in helping the government of southern Sudan to build its capacity in governance, which also includes decentralization, but like many other projects of this kind, it faces problems due to unclear roles and competencies.

⁵⁸ The Cotonou Agreement, revised 2005

With decentralization, each locality would have :

- (i) Security of person and property, which entails secure access to land, thereby contributing to enhanced equity;
- (ii) The right to participate effectively in the life of the community, ensuring that development priorities are set at the local level by the local populace (participatory democracy), and in determining how these are to be achieved;
- (iii) Determination of the sources of income which will also bring about the need to develop local infrastructure such as power, water, transport to market towns, finance and purchase of other inputs etc; and
- (iv) Access to primary education and a package of basic health services.

For this twofold strategy to succeed, the creation of appropriate institutions and good governance is vital. In addition of course, institutional and economic reform will have to be pursued. This instrument might be working well in other countries, but in Sudan it seems as yet to be invisible. If the south is reasonably stable at the moment, the crisis in Darfur has swung the focus to crisis management and not to development.

Since the EU Commission has no high-level official presence in Southern Sudan so far, it is directly represented by programme officers and Technical Assistants. According to these, it is envisaged that a change in this difficult situation will be brought about in the near future (January 2008). The TAs are strategically placed according to the CSP. The EDF is most fundamental and funds are normally equally split between the North and the South.

The **Recovery and Rehabilitation Programme** (€7.5 m), is administered by UNDP, and channelled to the so-called **Consortia**. These normally have a lead agency, in most cases an international NGO, and several members, most of which are indigenous NGOs. The idea is to strengthen the local capacity via joint consortium work. Interviews have shown that these consortia function with varying degrees of success, and indeed some have already collapsed, while others seem to work quite well for the time being. The selection criteria for the lead agency have not always been transparent. In some areas complete newcomers were chosen, and not those having operated there during the war. Not surprisingly, and since heavy funding is usually involved, this situation created an atmosphere of strong competition between NGOs and INGOS, which was not at all healthy.

The RRP focuses on five states, selected in collaboration with SPLM: Central Equatoria, Eastern Equatoria, Warrap, Northern Bahr El Ghazal and Northern Upper Nile (Renk).

The Stabex-funded Sudan Population Recovery Programme (SDSRP- €40 m) targets the five states not covered by RRP, and focuses in collaboration with the agricultural ministries on large-scale production schemes. In addition, micro projects, designed with SPLM, will be introduced in cooperation with FAO.

A third project deals with Food Security Information (€10 m), and is about to start.

The EU commissioned €48 m to the MDTF, with a clear preference for education and food security programmes. Added to this, it provides one Technical Assistant. Again, the contracting/procurement situation was a problem, and the programme has not really got underway yet.

A US\$150 m programme focused on education, to be topped up by MDTF (US\$7.7 m) and GoSS (US\$15.4 m), is also to be started in collaboration with the GoSS Ministry for Education, and with contracts to NGOs for capacity building.

The EU has provided one Technical Assistant to the Ministry of Legal Affairs and Judiciary, within the Governance and Rule of Law programme (€5 m euros).⁵⁹

⁵⁹ An AWEPA (Association of European Parliamentarians for Africa) programme has started just recently. A delegation visited the area in early September, and envisaged having a permanent representative working with the Assembly as from October. AWEPA is an international non-governmental organisation that supports parliaments in Africa and works to keep Africa high on the political agenda in Europe. It has some 1500 current and former parliamentarians as members, coming from the European Parliament and almost all EU Member States, plus Norway and Switzerland.

CONCLUSIONS and RECOMMENDATIONS

General Conclusions

1. The situation in Sudan is characterised by multiple and simultaneously occurring complex crisis situations. In such a context, there is a clear need for coherent and well-coordinated strategies. Unfortunately, such strategies are short in supply and when efforts are made to implement such strategies, serious problems are encountered.
2. The European Union instruments which are applied in Sudan should be reviewed with the objective to see how they can adequately translate early warnings into early actions. At present, these instruments are also not well suited for addressing, simultaneously, the multidimensional crises and post-conflict/post-peace agreements which exist in the country.
3. The CPA has offered a new and challenging opportunity to all international humanitarian organisations to be partners in the reconstruction of Sudan. It has opened up multiple avenues to address the huge number of urgent needs which presently exist in the Sudan. However, efforts to promote unity and reconciliation require the design of and support to a *whole-of-actors approach* that includes civil society and facilitates a structural dialogue between all actors at national level on their respective *and* changing roles and responsibilities in humanitarian response, reconstruction and nation building.

General Recommendations

4. As long as EU Member States and different EU institutions pursue their own policies and do not see the need for coordination and cooperation, even the best-designed instruments will remain mostly ineffective.
5. In order to address this situation, EU Special Representatives should have a more prominent role in addressing problems of coherence and coordination between strategies of Member States and EU Institutions. Therefore, their financial and personnel capacity needs to be strengthened. In addition, more flexible EU instruments should be at their disposal.
6. The conclusions adopted by the Council, in November 2007, on Security and Development and on the EU's response to situations of fragility⁶⁰ recognise and address many of the problems identified in the present study and represent a good political framework. Their translation into country-specific strategies and more concrete action plans is an urgent task that would certainly benefit from the lessons learnt from the situation in South Sudan.
7. In line with these Council conclusions, the EU instruments should be reviewed to see how they can more effectively operate in situations of fragility and complex crisis. A well functioning and flexible Stability Instrument could play a key role in that context both as a 'rapid response tool' and longer term security instrument.

⁶⁰ Council conclusions adopted by the External Relations Council meeting, 19-20 November 2007.

8. The "EU Code of Conduct on Complementarity and the Division of Labour in Development Policy" has also the potential to bring a real improvement in terms of coordination and joint assessments as well as reducing the administrative burden and using the funds where they are most needed to deliver more, better and faster aid. Its full implementation however requires a strong political will and readiness to act jointly in an aligned and transparent way.
9. Country Strategy Papers (CSPs), such as the one for the Sudan, must be drafted and implemented in close cooperation with, and active involvement of local civil society organisations (CSOs). Implementation benchmarks should be introduced and a duly established and recognised CSO body should be involved in monitoring the CSPs.
10. The role of CSOs and NGOs in initiatives towards conflict resolution and peace building is seriously hampered by the strict visa policy of the countries in the Schengen zone which is a result of the "war against terror". This visa policy renders it all but impossible to assemble key protagonists from the Sudan in secure places for meetings related to peace building. The Schengen countries should review their visa policy and make it easier for those involved in peace building and reconciliation projects and policies to attend meetings in their zone.

Specific recommendations concerning South Sudan

11. It is urgent that the EU actively engages with Sudanese civil society in its reconstruction, rehabilitation and governance programmes. The formal EU recognition of the importance of a vital and independent civil society must be translated into concrete action and support (both materially and politically), by consulting and involving local actors, including women's organisations, in the short- and long-term priority setting, planning, implementing, monitoring and evaluation process.
12. In addition, we recommend that gender advisors with sufficient mandate and resources are integrated in the Special Representative's office and in the EC delegation to make sure that the special needs and role of women are fully integrated in EU and EC strategies and actions in line with the UNSCR 1325.
13. Although capacity building for local NGOs and CSOs constitutes an integral part of most of the aid programmes, in reality many of the local civil society actors feel sidelined. The European Commission should reform its financing mechanism for local as well as European NGO's in two fundamental aspects:
 - a) It should rethink its practice of issuing calls for proposals for programmes identified by the Commission itself. Obviously, such a system entails the danger that Sudanese partners are obliged to follow agendas which are set by outsiders, thereby reducing local civil society actors to the role of service delivery and undermining their capacity for sustainable peace, stability and tailor made interventions.

b) We furthermore recommend the EU to review its subsidy framework for European NGO's, since this framework indirectly sidelines local NGO's. In order to access funds, European NGO's are obliged to have an office in the country considered. This results in an overwhelming presence of non-Sudanese NGO's, which disturbs local capacities for peace and stability.

14. While the EU is concentrating on its relationship with the government in Khartoum, it neglects to consider a clear strategy on how to support the implementation of the concept of "one country – two systems" as enshrined in the Comprehensive Peace Agreement. It is highly desirable for the EU to considerably strengthen its presence and its staff in South Sudan, to intensify its interaction with the authorities of the Government of South Sudan (GOSS), and to make this presence much more visible. It would also be good to create, within such a strengthened office, a special 'entry point' for Sudanese civil society. An upgraded presence of the EU in South Sudan could be very useful for efforts directed towards conflict prevention and resolution. The SCPRC could be a helpful channel through which the EU can define and implement its strategy for the Sudan. Enhanced visibility of the EU could also contribute to reducing hostility towards the Union. It is important that the EU is seen as promoting accountable governance and a Sudanese-owned process towards peace with justice.
15. The EU and other actors in the region, have far-reaching ambitions and plans to deal with the issues at stake in South Sudan. However, during the first two years of the interim period, the implementation process has encountered many difficulties. This is due to unclear structures and competences, a lack of transparency and coordination among key players, and a severe lack of capacity on the side of GOSS. Recently, the situation of the GOSS has improved and it is now in a slightly better position to spell out its own policies and strategies. Therefore, it is now high time for increased interaction, transparency and coordination. In addition, capacity building programmes, aimed at improving governance, could make an important contribution to enhancing security and preventing further conflicts.
16. Such a strategy should take account of the two different scenarios which will be put to a vote in the referendum planned for 2011, i.e. unity or separation. As yet, there seems to be no adequate preparation for either of these two scenarios. What will/should happen if people vote for unity given the fact that, at present, there are two totally uncoordinated systems in Sudan (GoNU/GOSS)? What kind of relationship should exist between the South and the remaining part of the Sudan in case people vote for splitting up the country? Besides all the urgent day-to-day business needing attention, the longer term issues must also be addressed by all those involved.
17. So far, the security concept of the GOSS and the SPLM is based on a very narrow, military-centred understanding of security. Both bodies urgently need to broaden their understanding and include their primary responsibility to protect civilians, both conceptually and in their policies. In particular, the EU Special Representative's office and the delegation in Sudan should provide the political support needed to implement the UNSCR 1325 on women, peace and security by prioritising a political dialogue with governmental bodies in Sudan to develop an action plan to implement UNSCR 1325 and to monitor its implementation.

18. Special emphasis needs to be put, by all actors concerned, on primary and secondary education as a crucial element in the process of building a new society in South Sudan. This education needs to include life skills such as:
 - a. Trauma awareness. Most young people in South Sudan were born during the war, and, consequently, suffer from deep psychological scars. They will never be able to develop their full human potential unless they receive help to address these traumas.
 - b. Peace building. This includes valuing diversity, practising tolerance, promoting a culture of non-violence and effective communication; and
 - c. Responsible citizenship. This includes civic education, gender equity, political awareness and international relations.

19. APRODEV and its members should urge the EU to improve its relations with local Civil Society Organisations with the objective to support and strengthen their autonomous role in the process of building a new society in the Sudan where every person can live in peace and with dignity.

20. APRODEV members, as well as other players, should themselves review whether their policies and strategies in dealing with the civil society in the Sudan are strengthening the capacity of the local population to play a constructive role in building a peaceful society. While capacity building is viewed as a key priority and peace building and reconciliation workshops are many, often they suffer from a lack of practical follow-up that delivers tangible results and contributes to building sustainable relationships within the Sudanese civil society.

It is high time that the “piece meal approaches” concerning the situation in Sudan are ended. They have already failed several times. A thorough “whole of Sudan” analysis and approach is urgently needed. It must be an informed and well coordinated strategy implemented by the EU and its Member States in collaboration with Sudanese political representatives as well as Sudanese civil society actors. Real, sustainable change in the country can only be brought about by Sudanese women and men themselves. The Sudanese people and their organisations and parties should be at the centre of all efforts to promote peace and life in dignity in their tormented country. External actors such as the EU can support the Sudanese actors by refocusing programmes on transformation and democratisation processes as originally envisaged in the CPA.

Acronyms

ACP	Africa, Caribbean, Pacific
ACT	Action by Churches Together
AEC	(CPA) Assessment and Evaluation Commission
AMIS	African Union Mission Sudan
AU	African Union
AWEPA	Association of European Parliamentarians for Africa
CA	Christian Aid
CFSP	Common Foreign and Security Policy (PESC)
CIVCOM	Committee for Civilian Aspects of Crisis Management
COAFR	Council Working Group on Africa
CODEV	Committee on Development
COREPER	Committee of Permanent Representatives
CPA	Comprehensive Peace Agreement
CPP	Conflict Prevention Partnership
CRP	Crisis Response Programme
CSO	Civil Society Organisation
CSP	Country Strategy Paper
DC	Donor Conference
DCA	Dan Church Aid
DDR	Disarmament, Demobilisation and Reintegration
DG DEV	Development Directorate General
DG Relex	External Relations Directorate General
DFID	Department for International Development
DPA	Darfur Peace Agreement
EC	European Commission
ECHO	Directorate General for Humanitarian Aid
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECOS	European Coalition on Oil in Sudan
EDF	European Development Fund
EIDHR	European Initiative for Democracy and Human Rights (now European Instrument for Democracy and Human Rights)
EP	European Parliament
EPA	European Partnership Agreement
EPLO	European Peace building Liaison Office
ESDP	European Security and Defence Policy
ESPA	East Sudan Peace Agreement
ESS	European Security Strategy
EU	European Union
EUMS	European Union Military Staff
EUPM	European Union Police Mission
EUSR	European Union Special Representative
FO	Foreign Office
GAERC	General Affairs and External Relations Council
GoNU	Government of National Unity
GOSS	Government of Southern Sudan
HoA	Horn of Africa
IC	International Community
IFS	Instrument for Stability
IGAD	Intergovernmental Authority for Development
IMF	International Monetary Fund
INC	Interim National Constitution

IPF	IGAD Partners Forum
JAM	Joint Assessment Mission
JDO	Joint Donor Office
JDT	Joint Donor Team
JMU	Joint Military Unit
LRA	Lord's Resistance Army
LRRD	Linking Relief, Rehabilitation and Development
MDG	Millennium Development Goals
MDTF-S	Multi Donors Trust Fund in the Southern Sudan
MDTF-N	Multi Donor Trust Fund in the Northern Sudan
MoU	Memorandum of Understanding
MTDF	Multi Donor Trust Fund
NATO	North Atlantic Treaty Organisation
NCA	Norwegian Church AID
NCP	National Congress Party
NGO	Non Governmental Organisation
NSA	Non State Actor
(N)SCC	(New) Sudan Council of Churches
ODC	Oslo Donor Conference
OECD	Organisation for Economic Co-operation and Development
OSCE	Organisation for Security and Co- operation in Europe
PPA	Post Peace Agreement Area
PSC	Political and Security Commission
RECONCILE	Resource Centre for Civil Leadership
RRM	Rapid Reaction Mechanism
RRP	Rapid Response Programme
RSP	Regional Strategy Paper
SPCRP	Sudan Production Capacity Recovery Programme
SAF	Sudanese Armed Forces
SEF	Sudan Ecumenical Forum
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SR	Special Representative
SSR	Security Sector Reform
TA	Technical Assistant
UN	United Nations
UNDP	United Nations Development Programme
UNJLS	United Nations Joint Logistics Sudan
UNAMID	United Nations AU Joint Mission Darfur ("hybrid forces")
UNMIS	United Nations Mission Sudan
UNPBC	United Nations Peace Building Commission
UNSC	United Nation Security Council
UNSG	United Nations Secretary General
USAID	United States Agency for International Development
WB	World Bank
WCC	World Council of Churches

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Annex 1: GoSS Structure

