

## **SUDAN'S TRYST WITH DEMOCRACY**

By

**Ms. Sreya Maitra**

Sudan has been at the centre of international attention, concern and speculation in the recent past. For years now, it has remained a hotbed of contesting claims and conflicts involving the state and contending rebel factions demanding greater autonomy and control over the rich resource bases. Extensive coverage by the media and expert reflections have resulted in detailed analyses of the problems between the Khartoum government and the rebels in the South, the trouble in Darfur and the conflict brewing in South Kordofan state. But solutions are yet to be reached and the steps proposed through international and national negotiations are yet to be adopted. Amidst the painful intractability, the vehemently defensive response of President Omar al- Bashir against the International Criminal Court's decision to indict him for atrocity crimes, have rudely highlighted the limited scope of externally imposed solutions. It is indeed imperative that the answers to the ongoing problems are found from within the country itself such that sustainable methods of conflict-resolution can be implemented. The forthcoming national elections of 2010 offer one such unique opportunity to the people of this resource rich country. But conducting a successful election Sudan must be precluded by: (a) confronting existing political challenges as faced in implementing the Comprehensive Peace Agreement and seeking peace in Darfur, and (b) adopting necessary electoral measures. The present paper attempts to focus on these dual aspects of political preparation which are imperative for improving conditions in Sudan.

## **Confronting Challenges**

The obstacles confronted in implementing the Comprehensive Peace Agreement and the deteriorating humanitarian situation in Darfur can prove to be the two most pressing challenges to swift elections in Sudan.

***The Comprehensive Peace Agreement:*** The Comprehensive Peace Agreement (CPA) of 2005 ended more than two decades of North-South civil war in Sudan by integrating the rebel group, The South People's Liberation Movement (SPLM) into a Government of National Unity (GNU). The CPA had contained detailed provisions and schedule for governmental reforms and a democratisation process, prescribing national elections in 2009 and referendum in South Sudan in 2011 with the option of the people in the South to secede. This was conceived to be the building block for peace-making in the troubled zones. But this roadmap for peace could not be implemented due to the unwillingness of both the old Khartoum government to embrace genuine power-sharing and elections and the lack of capacity of the insurgent SPLM in the South to establish and empower basic structures of governance. The death of SPLM's Chairman Dr. John Garang in July 2005 aggravated the problem as thereafter, the SPLA failed to assert itself in the GNU.

The CPA has the potential to help transform the political system into a more open, transparent, inclusive and democratic one. However, the reasons impeding its effective implementation still persist. Prolonged authoritarian rule with overtly discriminatory policies against non-Arab ethnic groups, even within the framework of a democracy gives credence to the assumption that the Khartoum government resists the implementation of the CPA as a threat to its regime survival.

Thus, it continues to delay key legal reforms essential for democratic transformation such as the National Security Act and maintains tight media restrictions. Also, the NCP has undermined implementation affecting the North-South border, delayed funding to the ad-hoc North-South Boundary Commission and the national census, refused the final and binding Abeyei Boundaries Commission Report and prevented oil sector transparency leading to

suspicious about fair revenue sharing with the government of Sudan. Consequently, the disenfranchised peripheral communities in Darfur, Eastern Sudan, Kordofan and the Far North are continuing to take up arms and organise themselves into insurgent movements against a Central government that is unfairly controlling the state's power and wealth. The decision by the International Criminal Court's Pre-Trial Chamber on 4<sup>th</sup> March 2009 to issue an arrest warrant for President Bashir for atrocity crimes has made the situation even more precarious as Khartoum expelled 13 international aid organisations including Oxfam and Care. The fear of a rapid deterioration of humanitarian situation and security is palpable. The United Nations (UN) estimates that up to 1.5 million are at risk of losing water, shelter, food, while tensions in the capital continue to rise as the government moves to brutally repress signs of pro-ICC support.<sup>i</sup>

**Situation in Darfur:** Scholars opine that the situation in Darfur represents the latest example of the use of *Arabization* by Khartoum to perpetuate its hegemony. The security situation continues to deteriorate with prolonged attacks on civilians. The United Nations says more than 2.7 million have fled their homes and now live in camps near Darfur's main towns. Some 200,000 people have also sought safety in neighbouring Chad, but many of these are camped along a 600km (372 mile) stretch of the border and remain vulnerable to attacks from the Sudan side.<sup>ii</sup>

Recent initiatives for peace in Darfur have met with little success. In May 2006, seven rounds of peace talks had been conducted which led to the signing of a peace agreement between the government and one faction of the Sudanese Liberation Movement. But the weakness of the agreement and the lack of support for it on the ground in Darfur restricted its ability to secure peace for the people. In the second half of 2006 attacks on civilians and NGO workers increased dramatically in Darfur and security dropped to its lowest level since the beginning of the conflict. Currently, the Justice and Equality Movement (JEM) is the most significant fighting rebel force in Darfur. In February 2009, the Khartoum and the JEM signed a '*declaration of intent*' in Doha for paving the way for broader peace talks sponsored by Qatar, the United Nations, the African Union and the Arab League. But the imprisonment of some JEM rebels by Khartoum in April 2009 has jeopardised the initiative and JEM is now refusing to return to the peace talks, accusing Khartoum of not honouring confidence-building accords.

## **Preparatory Steps for Elections**

Under the present circumstances, it is crucial that the people of Sudan are given a chance to take part in political decision-making by exercising franchise. Roots of the conflicts and grievances would need sustained and specific political and legal measures but reviving the spirit of electoral democracy in the country can prove to be a landmark for progress. Hence, Sudan needs to effectively prepare for the elections even amidst daunting challenges of conflict. In extending the UN Mission in Sudan (UNMIS), UN Security Council Resolution 1755 (2007b) notes “that urgent action is needed to accelerate preparations for elections.”<sup>iii</sup>

The vote in February 2010 will be the first democratic national election in more than 20 years in Sudan. It will entail elections at the national level (Presidential and Parliamentary), at the level of the South Sudanese Presidency, State Governors, the Southern Parliament and State Assemblies. A Sudanese official has recently reported that elections would be also held in 99% of Darfur and it would be conducted at a later date in those parts where it would not be possible at the prescribed date and time.

**Tasks Ahead:** At the moment, the important tasks which lie ahead of the people in the run-up for the elections seem to be the following:

- **Demarcation of boundary:** Observers note that the most crucial step to be urgently taken is the demarcation of boundaries between the North and the South and the oil-rich territory of Abyei. Well-defined boundaries will help ascertain the distribution of oil revenues and aid in identifying citizens who can vote in the North and the South in the Presidential and Parliamentary elections. Also, establishing borders is likely to have an impact on “creating or eradicating constituencies” for the 2011 referendum.<sup>iv</sup> Therefore, it is logical and necessary that the boundaries be decided prior to the census or, in a worst case scenario, prior to the elections. The *Technical Ad Hoc Border Committee* was established by the Khartoum Presidency on 19 November 2005 to precisely demarcate the 1/1/ 1956 North/South border. Due to a shortage of funds from the central government, the committee only began work in March 2007.

- Census: Since her independence, Sudan has conducted censuses in 1955/56, 1973, 1983, and 1993. The data from the most recent census, according to the UN Population Fund<sup>v</sup> “is neither useful for planning and development purposes nor for any kind of indicators due to the changing nature of socioeconomic and demographic characteristics of the population.” A census as mandated by the CPA is thus, essential both to fairly allocate government seats according to population distribution and to provide a basis on which to distribute government services equitably. The Population Census Council (PCC) is designated by the CPA as the body under the Presidency to plan for the census. The CPA sets the standards and criteria for the Central Bureau of Statistics (CBS), which is based in Khartoum and has the mandate to follow up on preparations leading to the census and to oversee the actual operation.
- Election Commission: The competent composition of the National Electoral Commission (NEC) is crucial as it would enact the national electoral law, which would be an important indicator of the Government’s commitment to free and fair elections, as its members are directly chosen by the President, with the consent of the First Vice-President.<sup>vi</sup> The *United Nations Mission in Sudan* is in the process of setting up an Electoral Unit to provide technical and political support for the elections as well as coordinate international monitoring activities.
- Political pluralism: Despite the apparent domination of NCP and SPLM, other national as well as local parties are gearing up for contestation in Sudan. This includes the Umma Party, the Democratic Unionist Party (DUP), some parties from the North and the South like the People Congress Party (PCP), the United Democratic Salvation Front (UDSF) and the Communist Party (CP)<sup>vii</sup> If sustained, then this political pluralism shall facilitate organised political competition and a more systematic and democratic change-over of state power.

Apart from these measures, a strong civil society would be imperative in pressurising the government on necessary legislation, commissions, accountability, and transparency, as well as providing civic education. As Robert Dahl points out, if ‘ordinary citizens’ cannot exert a relatively high degree of control over its leaders, then a minimal threshold of democracy has not been reached. The media must play a responsible role through credible reporting. A meeting of journalists on 2 May 2007 highlighted their responsibility to be public watchdogs

by providing balanced information to a cross-section of society.<sup>viii</sup> An American NGO, National Democratic Institute (NDI 2007) has partnered with the Sudan Radio Service on a civic education programme, aiming to raise awareness among citizens about their role in a democracy.

The scope and role of civil society organisations and non-governmental organisations in Sudan are limited as they have a long history of being ‘persecuted’.<sup>ix</sup> Since every NGO must be registered with the Non-Governmental Organizations Board (Government of Sudan 2003), concern has been raised that CSOs and NGOs can be rejected if they are critical of the Government.<sup>x</sup> Still, the numbers of CSOs have grown exponentially since the signing of the CPA. In 2002, there were an estimated 89 NGOs and CSOs working on conflict transformation and peace building. As of June 2007, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA) there were 1,874 international and 427 Sudanese NGOs operating in Sudan.

As Sudan awaits its tryst with electoral democracy, it is clear that any deterioration of the volatile situation will lead to disintegration and destabilise Sudan’s neighbours- including oil-rich Chad and Libya, Egypt and Ethiopia, by sending masses of refugees beyond its borders and drawing in dangerous groups. The economic consequences of such collapse would also be precarious for the oil interests of countries like India, China and Malaysia. It is of vital importance therefore, that Sudan witnesses a successful democratic elections and the progressive implementation of the CPA to return to political normalcy.

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## Endnotes:

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- <sup>i</sup> International Crisis Group, Crisis Watch (N 68) April 1 2009, accessed electronically at [http://www.crisisgroup.org/library/documents/crisiswatch/cw\\_2009/cw68.pdf](http://www.crisisgroup.org/library/documents/crisiswatch/cw_2009/cw68.pdf) on April 20, 2009.
- <sup>ii</sup> BBC News Website, accessed electronically at <http://news.bbc.co.uk/2/hi/africa/8019343.stm> on April 26, 2009
- <sup>iii</sup> Emily Schroeder, *Elections in Sudan 2008/9: A Complex Challenge in Need of Urgent Donor Attention*, accessed electronically at <http://www.ploughshares.ca/libraries/Briefings/brf072a.pdf> on 11<sup>th</sup> April 2009.
- <sup>iv</sup> Jooma, Mariam Bibi. 'Dual realities: Peace and war in the Sudan – An update on the implementation of the CPA,' *Situation Report*, Pretoria: Institute for Security Studies, Pretoria, May 16, 2007. As cited in Emily Schroeder, *Elections in Sudan 2008/9: A Complex Challenge in Need of Urgent Donor Attention*, accessed electronically at <http://www.ploughshares.ca/libraries/Briefings/brf072a.pdf>
- <sup>v</sup> UN Population Fund (UNFPA), *Briefing Note on the Fifth Population Census of Sudan for Meeting of Donors in South Sudan*, August 25, 2006, accessed electronically at [http://siteresources.worldbank.org/INTAFRMDTF/Resources/IOC\\_Minutes\\_S\\_Sep\\_01\\_Annex\\_09.pdf](http://siteresources.worldbank.org/INTAFRMDTF/Resources/IOC_Minutes_S_Sep_01_Annex_09.pdf) , as cited in Emily Schroeder, *ibid*.
- <sup>vi</sup> Jooma, Mariam Bibi. *op. cit.*, p 9.
- <sup>vii</sup> International IDEA, *Political Party Strengthening Programme in Sudan*, Project Background, 2007, accessed electronically at [http://www.idea.int/africa/sudan\\_strengthening\\_pp.cfm](http://www.idea.int/africa/sudan_strengthening_pp.cfm), on April 20, 2009.
- <sup>viii</sup> Vuni, Isaac, "Church leader exhorts for South Sudan separation. *Sudan Tribune*, Khartoum, April 27, 2007, accessed electronically at <http://www.sudantribune.com/spip.php?article21591>, on April 20, 2009.
- <sup>ix</sup> Human Rights First 2006, accessed electronically at [http://www.humanrightsfirst.org/international\\_justice/darfur/table/ngo-table.aspx](http://www.humanrightsfirst.org/international_justice/darfur/table/ngo-table.aspx), on April 20, 2009.
- <sup>x</sup> *Ibid*