

Promoting Strategic Coordination and Leadership

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A peace agreement would be nothing more than ink on paper unless a robust implementation mechanism is engraved on it. One level of implementation coordination is between the parties *inter se*. The second level is between the parties and the international community.

Unfortunately for us, we are deliberating before the peace process disposes the agenda on power sharing, implementation mechanisms and cease fire. We shall therefore have to confine ourselves today to what has so far been agreed upon and to the expression of intent on the part of the parties and the international community.

One of the reasons for the slow progress in the talks is the SPLM's insistence on detail. We would like to minimize the risk of resumption of hostilities by specifying our commitments as meticulously as possible. The government on the other hand prefers as much gray area as possible, which triggers suspicion on our part.

In the three sections of the peace agreement that have already been concluded, the following coordination and implementation mechanisms were provided.

Machakos Protocol

Section 2.4. An independent Assessment and Evaluation Commission shall be established during the pre interim period to monitor the implementation of the peace agreement...

2.4.1 The composition of the Assessment and Evaluation Commission shall consist of equal representation from the GOS and the SPLM and not more than two representatives respectively from each of the following countries:

- Member states of the IGAD subcommittee on Sudan [Djibouti, Eritrea, Ethiopia, Kenya, and Uganda];
- Observer states [Italy, Norway, UK, and USA];
- Other countries or region or international organization to be agreed upon...

3.1.2 A representative National Constitutional Review Commission shall be established during the pre interim period which shall have as its first task the drafting of a legal and constitutional framework to govern the interim period and which incorporates the peace agreement.

[3.1.1.] This constitution shall regulate the relations and allocate powers and functions between the different levels of government...

Security Arrangements

5. The parties agree to establish a Joint Defence Board under the presidency, ...
It shall take its decisions by consensus...
6. The parties shall develop a common military doctrine as a basis for the Joint Integrated Units...

Wealth Sharing

2.6 Without prejudice to the jurisdiction of the courts, there shall be established a national Land Commission...

2.7 In accordance with this agreement and without prejudice to the jurisdiction of the courts, there shall be established a Southern Sudan Land Commission...

2.8 The National Land Commission and the Southern Sudan Land Commission shall cooperate and coordinate their activities...

3.2 The parties agree that an independent National Petroleum Commission shall be established during the pre interim period and its decisions shall be by consensus.

8.1 To ensure transparency and fairness...a Fiscal and Financial Allocation and Monitoring Commission shall be established.

12.1 All levels of government shall comply with generally accepted accounting standards and procedures...

12.2 ...there shall be independent national and Southern Sudan Audit Chambers...

14.1 The parties agree...to have a dual banking system in Sudan during the interim period. An Islamic banking system shall operate in northern Sudan and a conventional banking system shall operate in Southern Sudan.

14.2 The parties ... agree to establish ...the bank of Southern Sudan [BOSS] as a branch of Central Bank of Sudan [CBOS]...

14.8 The parties agree to establish [with respect to 14.1 and 14.2 above] an independent Board of Directors [BOD]. Decisions of the BOD on matters that may adversely affect the interest of either party to this agreement shall be by consensus.

15.5 The parties recognize the need to establish two Multi Donor Trust Funds, one for the National Government and one for the Government of Southern Sudan...

15.6 15.8 All Trust Funds shall report the flow of funds to the CBOS.

The provision on Multi Donor Trust Funds is a reflection of the Southern Sudan's desire for fiscal independence. The autonomous government of the south established under the Addis Ababa Agreement was crippled by its total dependence on the good will of central government institutions and individuals.

I expect the SPLM delegation at IGAD to demand a direct relationship with the international agencies that have programs in the South. Again, the experience of the 1970s is responsible for this caution.

More recently, the South was grossly short-changed under the OLS¹ program because the Khartoum authorities routinely vetoed the most necessary and urgent interventions in food and medical aid to civilians in the South.

Even as recently as 2003, we signed a Joint Planning Mechanism [JPM] Agreement. The objectives included the harmonization of our plans for:

- repatriation and, resettlement of IDPs² and refugees;
- rehabilitation of quick impact social programs,
- delivery of immediate services,
- construction of economic infrastructure;
- human resources development or capacity building.

In the two meetings that we held, one in Kenya and the other in Washington, it was clear to us that the regime wanted to use the JPM to control socio-economic activities in Southern Sudan, contrary to the letter and spirit of the Machakos Protocol.

We have also experienced bad faith on the part of the regime with respect to recently signed instruments like the Civilian Protection and Monitoring Agreement and the Joint Monitoring and Verification agreement on the cessation of hostilities.

Conclusion

A lot of time is required for trust to develop between the two parties. But the agreement should go into action immediately on signing or ratification. The most successful programs will most likely be the ones that require minimal coordination between the government of Southern Sudan and the National Government.

We must not also forget that the National Government will be dominated by a civil service that may not be particularly IGAD friendly. The power sharing agreement will reduce their influence in the government.

¹ United Nations Operation Lifeline Sudan.

² Internally Displaced Persons.

**Sudan at the Crossroads at The Fletcher School
Presentation on March 12, 2004
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Moreover, they have no direct stakes in the rehabilitation of the South. Worse still, they do not have to account to the Southern public.

In the short and intermediate term therefore, to the extent that the agreement is silent, it would be prudent to let the South try its hand on managing its affairs and learn how to work with the world out there. Recall that the Southern delegates to the 1947 Juba Conference argued that they were too ignorant to join the north in the pre-independence transitional government.

Over time, the memories of our worst nightmares will fade. New opportunities in the north and south for ordinary citizens and professionals will increase. Commerce will bring people together again. Objectives will begin to converge. The load and burden of responsibility will automatically necessitate the coordination of a wide range of policies and programs to achieve common goals.

The country stands a better chance of building meaningful national unity if that unity developed naturally as people experience the benefits of sticking together. There has to be a departure from the traditional emphasis on territorial integrity and focus more on creating a just society of equal opportunity and responsibility for all citizens regardless of race, ethnicity, color, religion or gender.

I conclude with great appreciation of the dedication of the students and faculty who have made this great conference possible. You have brought together a wide range of participants including the parties to the Sudan conflict, members of IGAD, representatives of the governments of Egypt, Norway and the United States, civil society organizations and academic authorities. I commend you for a job really well done.

I also thank my fellow panelists and other participants for the seriousness with which they have played their role in the deliberations and the preceding preparations.

Thank you!

=====SPLM-SPLA=====