

Helpdesk Research Report: Stability and Development in Sudan - Three Areas

Date: 27/11/07

Query: Identify literature on the current dynamics and challenges affecting stability and development in the Three Areas, Sudan.

Enquirer: DFID Sudan

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1. Overview

While there has been progress in the Three Areas (relative peace and stability; economic recovery in agriculture; the return of skilled and educated refugees and IDPs), the region remains volatile. There are many areas of concern – many of which exacerbate one another. Security is still an issue – with militarised communities, thefts against refugees and IDPs while returning home, and land mines. The presence of land mines also hinders recovery and development. The Three Areas is one of the least developed regions in the South, which is a grievance shared by other underdeveloped regions against the centre. Distrust of central government has persisted, exacerbated by slow implementation of the Comprehensive Peace Agreement (CPA); continued lack of attention and funds given to recovery and development in the Three Areas; and central monopolisation of oil revenues from Abyei and Misseriya areas.

The inadequate state of social services (in particular, health and education) and infrastructure is becoming increasingly problematic with ongoing refugee and IDP returns. There is also increased competition over food and livelihoods – and connected to this, mounting tensions over access to land and land rights. In addition, the nature of livelihoods has changed in rural areas because of technological developments and differing skills obtained by returnees in the prior areas of displacement. Governance structures are weak and there are no institutions to regulate land, recovery and development. If left unmanaged, this could lead to entrenched poverty and further environmental degradation. Access to land is especially difficult for women, who have no such rights under customary law.

Local governance structures are necessary for service delivery, land regulation and environmental protection; as well as revenue sharing with the centre. Both small and large-scale development interventions are urgently needed – irrespective of refugee, IDP, resident or

host community status, in order to demonstrate widespread peace dividends and reduce competition among the groups. Ethnic identities, manufactured and hardened during the war, also need to be de-politicised with a new emphasis on shared community.

2. Key documents

General

- Jooma, M., 2005, 'Feeding the Peace: Challenges Facing Human Security in Post-Garang South Sudan', Situation Report, Institute for Security Studies, South Africa: <http://www.iss.co.za/Af/current/2005/050823Sudan.pdf>

This report focuses on the reconstruction and development priorities for Sudan, particularly the South. The findings are relevant to the Three Areas. Key challenges and areas for immediate attention include:

- Security: security is threatened by the presence of land mines, militias and the proliferation of small arms. Human rights abuses by militias have been documented against civilians with the purpose of clearing certain areas for oil exploration.
 - Refugee and IDP reintegration: there is an urgent need for socio-economic reintegration of these individuals. The danger of "political jockeying" around IDP movements persists as they will be seen as potential swing votes for the referendum.
 - Identity reformulation: it is imperative to counter government tactics of divide and rule and the manipulation and politicisation of identity. This can be fostered through development initiatives that promote reconciliation.
 - Oil and revenue-sharing: oil revenues monopolised by central government may increase localised tensions.
 - Land and water rights: access to these natural resources is a critical area as it affects the livelihoods of the rural population; yet it has been ignored in the peace deal. Unequal access is a big challenge to peace.
 - Services: health and education indicators are among the worst in the world; and women and girls are most affected by this.
- United Nations, 2007, 'UN and Partners 2008 Work Plan for Sudan', Volume I (14 October)

This detailed work plan for Sudan includes situation assessments of Abyei (pp.24-26), the Blue Nile State (pp. 34-36) and Southern Kordofan (pp. 82-83):

- Abyei: the economy and social services are weak, which has hindered return. However, government expenditure on recovery or development activities has been non-existent because of continued uncertainty - given National Congress Party (NCP) and Misseriya resistance to the Abyei Boundary Commission recommendations. Livelihood recovery has pushed people into different areas, where livestock holdings and commercial investment are increasing. The assessment warns though that should such economic strategies be poorly managed – there is likely to be increased competition over resources.
- Blue Nile state: social services are also weak here; and political and civil services administration have not normalised. There are no Ministries of Health, Education, and Water and Sanitation in the southern areas of the State (Kurmuk and surrounding areas), where basic services are most needed. The presence of mines is a key security issue; which also hinders development by limiting the use of roads, movement of populations and agricultural activities.
- Southern Kordofan: the assessment finds that implementation of the CPA and the constitution in Southern Kordofan State is going relatively well. Areas needing attention include the slow pace of adult DDR; the insufficient supply of services, despite improvements; and the need for micro-credit and agri-business schemes to complement the moderate expansion in the agricultural sector and the presence of new skills from the returnee population.

- Pact Sudan and USAID, 2007, 'Conflict Threats and Peace Assessment', Enhancing People to People Indigenous Capacities Program (EPPIC)

This assessment, by Pact-Sudan, was conducted in Juba, Malakal, Aweil, Southern Kordofan and Abyei – a part of the five-year USAID-funded EPPIC programme (2006-2011). It provides an overview of the Three Areas (pp. 48-52) and a separate conflict and peace assessment of Abyei (pp. 70-80). The rejection of the Abyei Boundary Commission by the NCP and the failure to set up an Abyei executive committee has resulted in a vacuum and power struggles over control in the area. In addition militarised communities exacerbate tensions, especially in polarised areas, such as Abyei town – where ethnic politics dominate. There are also tensions between returnees and those who did not flee; heightened by competition over land and natural resources; and inequitable development.

Recovery and Refugee and IDP Reintegration

- Pantuliano, S., Buchanan-Smith, M., and Murphy, P., 2007, 'The Long Road Home: Opportunities and Obstacles to the Reintegration of IDPs and Refugees Returning to Southern Sudan and the Three Areas', Report of Phase One, Humanitarian Policy Group, Overseas Development Institute, London:

http://www.odi.org.uk/HPG/papers/hpgcommissioned_dfidreintegration.pdf

This report, commissioned by DFID, discusses return and sustainable reintegration in Southern Kordofan and Northern Bahr el Ghazal. Section two focuses on Southern Kordofan, where return has been spontaneous, involving mostly the poorest individuals and families. Return to rural villages has put pressure on resources, especially food and shelter. Other key challenges and recommendations for sustainable reintegration include:

- Land: the arrival of returnees has exacerbated long-running tensions between different land users. Addressing ownership of and access to land is urgent: "Killings and injuries related to land conflict are the single largest risk to returnees as well as to local communities, yet this does not seem to have been given adequate attention" (p.10). It is important to facilitate registration of rural land and the formation of modernised customary land administration institutions.
- Economic reintegration: a lack of livestock and infrastructure has made it difficult to earn a living. There must be small community-level livelihood interventions.
- Services: inadequate water, health and education can increase tensions between the resident community and returnees, which can lead to conflict. Service delivery interventions are needed to counter this.
- Youth and social reintegration: it has been most difficult for young people, who have become accustomed to city life, to reintegrate. Sports facilities; vocational training and credit to start businesses are important.
- Leadership institutions: participation in local governance is also important for reintegration; however, there are difficulties as the SPLM has appointed a second set of traditional leaders alongside government appointed traditional leaders. Legislation is needed to resolve this.

- Malik, S., 2006, 'Return and Reintegration of Refugees and IDPs in Post Conflict Sudan', Case Study for IGAD Regional Conference on Refugees, Returnees, and Internally Displaced Persons, 14-17 February, Nairobi: <http://www.unhcr.org/cgi-bin/texis/vtx/home/openssl.pdf?tbl=SUBSITES&id=443672752>

This case study provides an overview of the challenges of return in Sudan and lessons learned. It emphasises that receiving communities are destitute with extremely limited access to basic social services. In addition, those returning spontaneously face theft and insecurity en route. Upon return, social and economic reintegration is difficult as many refugees and IDPs have learned different livelihood skills from those traditionally used in their place of return; and different curricula – including a different language (many had an education in Arabic). There are also land and property issues. Return in the Southern Blue Nile State (SBNS) is profiled on pages 10-11 – and many of the general findings above are applicable there, particularly scarce employment opportunities and social services; and an absence of a land policy. In addition, the

study notes that there is an urgent need to reinforce human rights, rule of law and governance institutions in the SBNS. The study stresses further that there is an overall need to also direct recovery and development programmes to those who were not able to flee and to those who hosted displaced populations, such that there is more widespread demonstration of the peace dividends.

Security and (In)stability

- International Crisis Group, 2007, 'A Strategy for Comprehensive Peace in Sudan', Africa Report, no. 130, ICG, Nairobi/Brussels:
<http://www.crisisgroup.org/home/index.cfm?id=4961>

This report assesses the current situation in Sudan and stresses that the failure of the CPA could produce a return to war. Attention is needed in Kordofan, where armed groups – unhappy with CPA implementation – threaten new conflict, possibly linking up with insurgents in Darfur. In Southern Kordofan, there is concern over a rise in clashes between Nuba and nomadic groups. Also, the Misseriya, who feel they lost out from agreements on Southern Kordofan and Abyei, are increasingly frustrated with their treatment by the NCP and several thousand have joined the Sudan Peoples Liberation Army (SPLA). Further, extensive oil exploration in Misseriya areas has damaged the environment without benefiting the communities (the 2 percent of oil revenue promised to them in the Abyei agreement has not been delivered). Renewed conflict in either the Blue Nile state or Southern Kordofan would likely spread to the other since they have shared grievances (which were at the root of the war): poor governance and distrust in the central government, which is not seen to address the interests of these areas. The report notes that while local solutions are needed, the CPA must still be a key focus – as the implementation of provisions directed at reforming the national government will help.

Economic and Social Development

- World Bank, 2007, 'South Kordofan Growth Diagnostic', Synthesis Report, World Bank, Washington, DC

This report examines development prospects in the Three Areas, where agriculture and natural resources are the backbone of the economy; and cropping, livestock and forestry the main livelihoods. On the positive side, the report notes that there has been relative peace and stability; there are signs of economic recovery in agriculture; and the return of educated IDPs provides a source of human capital that can contribute to reconstruction and development. However, there are also many problems. There is an absence of public investment, weak infrastructure and limited access to services - and connected to this, there is a low local revenue base and insufficient federal support payments and external assistance. Further, there are disparities in access to services and infrastructure, with urban dwellers and areas held by the government during the war better off. In addition, the private sector is relatively underdeveloped and the investment climate is weak. The governance structure is also weak and does not address natural resources and access to productive assets. The report recommends efforts to support land dispute resolution and clarification of land rights; infrastructure; access to micro-credit; intergovernmental transfers and pro-poor public investment in development.

Food Security and Livelihoods

- Matus, J., 2007, 'The Future of Food Security in the Three Areas of Sudan', Disasters, vol. 31, no. 1, pp. S91-S103: <http://www.blackwell-synergy.com/doi/abs/10.1111/j.1467-7717.2007.00351.x>

This article discusses the volatile situation in the Three Areas. The majority of displaced people came from these areas and they are now returning to impoverished and food insecure areas. The Three Areas are among the least developed in the South and contain significant imbalances in development, specifically in infrastructure and services. The peace agreement for Southern Kordofan and the Blue Nile state defer resolution of many core grievances to the new integrated state and national government; to commissions, the constitution and legislation; and ultimately to popular consultation after the elections. In addition, slow implementation of the CPA means that recovery is occurring without new supporting laws, policies and institutions in place. Matus warns that if recovery is rapid, unplanned and differentiated, there will be

increased geographic and socio-economic disparities, increased urbanisation, environmental degradation and increased resources-based conflict. All of this could entrench chronic poverty, undermine the CPA and renew conflict. He stresses the need to prioritise the poorest communities – providing them with food and cash income, services, infrastructure and capacity; and to address changes in the livelihood system (given the new skills and aspirations of returnees who have been in urban areas and abroad; and technological changes etc.). The article also has a section on using the CPA to guide food security programmes during recovery, which includes reform of laws and policies relating to rights and access to land.

- Pantuliano, S., 2005, 'Changes and Potential Resilience of Food Systems in the Nuba Mountains Conflict', Paper prepared for the Agricultural and Development Economics Division and Food and Agricultural Organisation of the United Nations:
<http://www.fao.org/docrep/008/af141e/af141e00.htm>

This study examines the Nuba Mountains Programme Addressing Conflict Transformation (NMPACT), which seeks to address the root causes of crisis as opposed to treating the provision of food, shelter, healthcare and livelihoods as purely a humanitarian issue. It provides a background to the conflict and looks at the impact that conflict has had – including a big decline in available services (particularly, health and education); changes in food security; variations in livestock holdings; and the exacerbation of economic and social disparities between government controlled areas and those of the Sudan Peoples Liberation Movement/Army (SPLM/A). The study emphasises the need for capacity building; increased access to land and a regulatory body to govern land use; sustainable agriculture and revitalisation of the market and local economy – alongside conflict transformation and peacebuilding.

Environment

- United Nations Environmental Programme, 2007, 'Sudan: Post-Conflict Environmental Assessment', UNEP, Nairobi: http://sudanreport.unep.ch/UNEP_Sudan.pdf

This in-depth report looks at various environmental issues, including aspects that contributed to conflict, that are the outcome of conflict, and that are continuing risk factors; as well as the impacts of returnees and the environmental sustainability of rural returns. The assessment covers national-scale issues (e.g. potential conflicts over oil, Nile waters and hardwood timber) as well as circumstances more specific to the Three Areas (e.g. competition over agricultural and grazing land in Kordofan; land degradation, resource competition and migration of pastoralists into the Nuba mountains). It notes as well that lack of stable governance and rule of law translate into an absence of environmental protection. There are also limited development and livelihood options in rural areas to counter the agricultural crises.

Oil and Revenue Sharing

- International Crisis Group, 2007, 'Sudan: Breaking the Abyei Deadlock', Africa Policy Briefing, no. 47, ICG, Nairobi/Brussels:
<http://www.crisisgroup.org/home/index.cfm?id=5122>

This briefing discusses past developments and the current situation in the Abyei region, which holds a significant amount of Sudan's oil reserves. The ruling NCP has refused to accept the Abyei Boundary Commission – in contravention of the CPA; and there is widespread unhappiness among the Misseriya, who had limited participation in prior negotiations; and who are exposed to negative environmental impact of oil developments in their areas without any community benefits (even menial labour is brought from outside). The report stresses that it is necessary to de-escalate tension in and around Abyei by:

- facilitating independent dialogue between Messeriya and Ngok Dinka concerning Misseriya grazing rights in Abyei;
- increasing development projects in Dinka and Misseriya areas;
- establishing a demilitarised zone;

- reforming the non-transparent oil sector, currently controlled by the NCP - acknowledging the role of oil, having open dialogue and developing plans for a revenue sharing agreement between the North and South.

Rule of Law

- Gouraud, S., 2006, 'Rule of Law in Sudan's Three Areas', Forced Migration Review, Issue 26 (August), pp. 58-59: <http://www.fmreview.org/FMRpdfs/FMR26/FMR2633.pdf>

This short article looks at the situation in the Three Areas and notes that tensions are high – largely from the presence of militia; oil interests; lack of trust in state institutions; and the ongoing return process to areas with a lack of absorption capacity. This shortfall is a threat to human security and sustainable reintegration. Return has exacerbated the continuing conflict over land, property and natural resources – and increased land and property claims. However, formal registration or documented ownership schemes are largely absent. Further, under customary law, women do not have any rights to land. The author argues that engendering customary and statutory rule of law institutions and mechanisms in the Three Areas is one of the biggest challenges to justice reform. The article also looks at the UNDP's Access to Justice initiative, aimed at increasing legal awareness, increasing the number of legal professionals in the Three Areas, and supporting public interest litigation.

Identity and Community

- Manger, L., 2006, 'Understanding the Ethnic Situation in the Nuba Mountains in the Sudan. How to Handle Processes of Group-Making, Meaning Production and Metaphorization in a Situation of Post-Conflict Reconstruction', Paper presented at the "1st. International Colloquium of the Commission on Ethnic Relations" (COER) for the International Union of Anthropological and Ethnological Sciences (IUAES), 7-9 July, Florence: see attached 'Manger'.

This paper explores Nuba identity politics as part of a larger examination of marginalised groups in Sudan. It stresses that identity is fluid and that there are many processes at play in the Nuba Mountains that affect identity, including ethnicity, race, nationalism, collective memory, migration and assimilation. Any identity labels given are more ways of seeing things and ways of interpretation as opposed to "fact". Manger argues that it is the war and conflict that created rigid identities; and cultural representations and fears of the "other". War and conflict also destroyed the habit of sharing – and now settled and nomadic populations are competing for resources, exacerbated by return of IDPs. These hardened identities must be dealt with in the process of nation-building; it is necessary to define and redefine what culture and ethnicity are about – and to develop a new narrative, new solidarities and a new sense of community.

Nuba Mountains

- Nuba Survival Foundation, 2005, 'Nuba Marginalized by Naivasha Peace Process', Press Statement, 4 March, Nuba Survival Foundation, Middlesex, UK
- Nuba Mountains Democratic Forum, 2007, 'A Brighter Future for the Nuba Mountains', February, Nuba Mountains Democratic Forum, London

These two short briefings, written by Nuba organisations in the UK, discuss the dissatisfaction among the Nuba with the Naivasha peace processes (CPA). There was no political settlement for them; instead there was a move away from Nuba self-governance, despite the sacrifices made by the Nuba people during the war. Nor is there any clear and comprehensive plan for development in the devastated region. There are demands for a fair share of wealth and power; and protection of the varied culture and distinctive heritage of the Nuba – which has been marginalized by the central government's discriminatory policies.

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Websites visited

Amnesty International, Conciliation Resources, ECOS, Google, Google Scholar, GSDRC, Human Rights Watch, ICG, Ingenta journals, Norwegian Refugee Council, Nuba Moutnains, Nuba Survival Foundation, ODI, University of Bremen – UWIM, UNDP, UNHCR, UNMIS, USAID, World Bank.

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