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Can Darfur Survive the CPA?

Abdullahi El-Tom and Mahmoud Abbaker Suleiman

A Submission from JEM/NRF:

Achievements of the CPA

The CPA is certainly a landmark in the democratic history of the Sudan . This basic fact seems to have been either overlooked by a substantial sector of Sudan 's civic activists or elsewhere handled in a way that is emotive and devoid of a mature and flexible sense of realism. This divide applies to both, members of the SPLM and others alike.

It was certainly true that the twin Darfur Movements received the launching of Naivasha/CPA with hope and optimism. The SLM has been regarded by many to this day as no more than a quasi offshoot of the SPML. Their sympathy with the CPA is taken for granted. As for JEM, it was the first to call for inclusion of the SPLM delegation into Abuja Inter-Sudanese Talks. Allowing the SLM to speak for itself, the relationship between JEM and the SPLM dates back to the year 2002, a year before Darfur uprising. In a lengthy meeting in Holland , Khalil Ibrahim intimated to the late leader Garang two points regarding Darfur . The first was that, and unlike the Boulad era, Darfur was ripe for an uprising. The second point was centred in requesting Garang to help JEM to start an armed struggle. Dr Garang took the first point on board and ignored the second. The rest is an unfortunate history.

The CPA has achieved certain gains that are in the heart of Darfur Movements and are central to demands of all Sudan 's marginalised sectors. These gains have been guaranteed in the CPA document. Unfortunately, converting these concessions into reality is a separate matter and the Abeye case stands testimony to this very fact.

In the interest of briefness, let us move on in this document and retain elaborate analysis for another space.

Areas of confluence between Darfur Movements and the CPA:

The CPA is by all means an impressive document. However, the power of the CPA is contingent to the manner in which it is implemented. Implementation of the CPA can lead the document either ways. It can make it retain its value but it can equally empty it of it altogether. The choice is ours and the responsibility is collective. A fundamental value of the CPA is that it contains within it dreams of all Sudanese democrats including those within the Darfur Movements. Here they are:

- A declaration of principles and a citizen charter that appeal to all marginalised in the country. Indeed the citizen charter can serve as a model for many other countries in Africa , the Arab world and beyond.
- A call for an inclusive system that allows participation of all in the country and in an equal footing irrespective of religious, ethnic, regional, linguistic or racial background.

- Effective representation of all citizens in the political, administrative and security management of the country.
- Rule of law and respect of human rights in line with all international conventions
- Equalisation of culture and heritage to be enjoyed by all Sudanese people.
- Adoption of democracy as a sole system of governance in the country
- Equitable division of wealth and fair sharing of development opportunities

While not entirely exhaustive, these are the fundamentals of the CPA and on which all Sudanese democrats concur. Had these fundamentals been secured in the Sudan, they would have been no Darfur uprising. Much more, continuation of war in Darfur depends on the degree of achievement of these principles.

Points of Divergence:

Perhaps due to shortsightedness rather than otherwise, the CPA is based on certain catastrophic and erroneous premises. Firstly, the CPA is formed on the premise that Sudan divides into two parts: a predominantly hegemonic Islamic north and a predominantly Christian and albeit oppressed south. The problem then boils down to how to accommodate the two opposing sides within a seemingly harmonious whole.

Secondly, the CPA is constructed on the on the assumption that Albashir's Congress Party can fairly represent the entire north of Sudan while the SPLM can adequately operate on behalf of the collective south. Abstaining from speaking on behalf of the south, we can categorically state that Albashir's CP can never represent Darfur. Much worse and as subsequent events proved beyond reasonable doubt, the CP is a prime cause of Darfur crisis and can never be otherwise; full stop.

Thirdly, the CPA opts for a conflict resolution approach that is founded on a "forgive and march on conflict resolution approach". According to this precept, entire ethnic groups like Abeye population who were annihilated to make room for oil exploration, if not to create a new population reality, were simply written off. It is here that Darfur people object. Indeed it is dubious that the international community simply connived to ignore atrocities that had claimed lives of no less than 2 million people, twice the count of the Rwandan genocide.

Does Darfur Matter for the South?

Right from the start, Darfur Movements naively thought that success of the south would be on their side. It is on that premise that the Movements called for immediate representation of the SPLM at the Abuja Talks. The arrival of SPLM delegation to the Talks turned out into an outright fiasco. Right from the start, the SPLM delegation channelled their energy into no more than a limited number of priorities: to prove that they were members of a government of national unity; that rebellion in Sudan had been brought to an eternal terminal end by the signing the CPA; and that the CPA was a sacred and scratch-proof cow that was not amenable to any change. And there was no shortage of international support, particularly for the last preposition. The venue of the Abuja Peace Talks was dominated by those do-gooders who were flown to Abuja to act as Naivasha/CPC fanatics and whose primary purpose was to bully everybody to stay clear of the holy agreement.

Some members of the SPLM delegation to the Talks achieved notoriety in pushing the protection of the sacred cow (CPA) to the extreme. One of them declared in a Plenary meeting that Darfur had no case to fight for: "Darfur is either fairly represented or over represented in the Sudanese civil service", a premise that was already conceded by Khartoum government in the already signed Darfur Declaration of Principles.

In the Abuja Talks, the acronym "TTD" became a catch term among members of the Darfur Movements. The acronym referred to SPLM Delegate Timothy Tute's dictum and hence TTD that reads: "No statistics, no quotas and no proportional representation". Surprisingly, statistics, quotas and proportional representation are central to the CPA and are equally enshrined in the Darfur Declaration of Principles signed long before the SPLM had joined the talks. In a twist of irony, SPLM delegation worked hard to deny Darfur what they took as their legitimate right during their negotiations with Khartoum. Alkhalifa delegation sat back and enjoyed the SPLM doing their dirty work; a tactic that they have been employing for so long.

But the worse was much to come. Responding to Darfur call for having a post of Vice President, a member of the SPLM protested the demand in a rather vulgar way and I quote “the position of the Vice President is as untouchable as a lion’s sphincter (ginneetal assad). No comments.

Darfur people are yet to understand the importance of their case to the SPLM. Sadly speaking, Darfur is way down the agenda of the SPLM. To this date, Vice President Kiir has not been able to find time to see Darfur .

I can certainly go on but the point is already made. To sum up this piece of work, let us see what can easily be accommodated in our dialogue with the south and equally with the Government of National Unity.

What it takes to make an acceptable agreement:

- Darfur to be restored to its entity as single region, complete with a full government
- Darfur to be fairly represented at the summit of power including a position of a Vice President
- Darfur must be adequately represented in the national civil service – already alluded to in the CPA
- Darfur displaced people must be repatriated with fair compensation
- Darfur must be guaranteed fair share of the national revenue in accordance with its population weight.
- Perpetrators of genocides/ethnic cleansing/war crimes, on both sides must be brought to justice and in a manner that complies with international standards

None of these demands destroys the CPA but can only be accommodated if flexibility is shown. They may however determine whether there will be a CPA or not. Again the choice is ours and we must muster courage to shoulder the responsibility.

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