



PRINCIPLES
for PEACE

A new path to lasting peace



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Acronyms

AU	African Union
CPA	Comprehensive Peace Agreement
FFC	Forces for Freedom and Change
IDP	Internally Displaced Persons
IGAD	Intergovernmental Authority on Development
JEM	Justice and Equality Movement
NCP	National Congress Party
RSF	Rapid Support Forces
SAF	Sudan Armed Forces
SC	Sovereign Council
SLA-AW	Sudan Liberation Army-Abdel Wahid
SLM-AW	Sudan Liberation Movement/Abdel Wahid
SLM/M-M	Sudan Liberation Movement/Mini Minawi
SML/A	Sudan Liberation Movement/Army
SPLM	Sudan People's Liberation Movement
SPLM-N/AH	Sudan People's Liberation Movement/Al Hilu
SPLM-N/M-A	Sudan People's Liberation Movement-North-Malik Agar
SRF	Sudan Revolutionary Front
TMC	Transitional Military Council
UNAMID	United Nations-African Union Mission in Darfur
US	United States

Key Messages

This report forms part of a series of country case studies by the Principles for Peace Initiative (P4P). This Interpeace initiative is designed to re-think the way peace processes are conceived and structured in light of evidence that conflict tends to re-onset on average within 7-12 years after a peace agreement is signed. This has been the case for all of Sudan's peace agreements.

The Key Messages section is designed to draw out the themes and lessons learned from an analysis of the Juba Peace Process in Sudan between 2019 – 2020, in order to inform the exercise of drafting new principles to guide the structure of future peace processes. The conclusion summarises findings against the seven interrelated and fundamental problems with the way peace processes are structured, that the Principles for Peace Initiative has proposed.

Political Will

It seems **fundamental to the success of any process that there is the political will to pursue and implement peace.** Sudan's peace processes, including the Juba Process, all merit from an examination of the particular circumstances in which the process takes place, the political economy of the context, and an analysis of the actors themselves. The four processes negotiated under the Bashir regime were not negotiated in good faith.¹ **Their lack of meaningful implementation would support that proposition.**²

The Juba Process is the first to be negotiated with a transitional government, as opposed to an incumbent leader keen to secure their position. This should be a strength. The range of signatories is a credible attempt to bring peace-actors together on one platform. However, **it also points to tendencies to fragment.** There was evidence amongst contributors to this report of divisions along ethnic, ideological and political lines. Now power-sharing arrangements have been agreed, **the real test of political will to pursue sustainable peace, will be in implementation.** The signatories who now share power have a stake in a dubious prize.³ Sudan's economy is at breaking point, and a guarantor of the peace plan

is yet to emerge. Sudan is rich in resources and thus opportunities for extraction. These attract significant interest from regional powers. The Transition's "strongman", Vice President of the Sovereign Council, RSF Leader Hamdan Dagalo (Hemetti) is being backed internationally in the hope he will hold access to these resources in his gift. The latest rapprochement between the Gulf nations will have ramifications for the next phase of Sudan's peace process.⁴

On the other hand, many of the actors in this process have cut their teeth over the last twenty years of conflict, opposition politics and peace-making. It is possible the perspective gained from this experience, alongside the fact that the space for this negotiation was created by the popular overthrow of the regime many fought against, strengthens genuine political will for sustainable peace. In this case, it would be a great loss if a peace brokered under such circumstances were not to win international financial support to implement.

1 The Comprehensive Peace Agreement (2005), the Darfur Peace Agreement (2006), the Eastern Sudan Peace Agreement (2006), and the Doha Document for Peace (2011) were all negotiated by Omer al Bashir's government with little effort at genuinely sharing power or implementing the agreements. See for example Jok Madut Jok, (2015), John Young (2007), J. Brosché & A. Duursma (2017)

2 See section 3.3 Broken Patterns of Peace-Making. Seen through the lens of De Waal's market place analysis, these processes played to the hand of the leading NCP allowing it to gain credibility internationally in signing an agreement, while simultaneously buy-off opponents, without relinquishing any real power. See De Waal (2009).

3 Jan Pospisil (2020). See section 4.6 The Political Economy of Peace Making

4 <https://www.reuters.com/article/us-gulf-qatar-usa/breakthrough-reached-in-gulf-dispute-with-qatar-senior-trump-official-idUSKBN29924S> accessed 14.01.2021

Ownership and Inclusivity

The **level of ownership flows from the degree to which a peace process has been inclusive.** Those included in the process tend to feel a sense of ownership and this was very clear when comparing the perspectives of contributors to this report who had and had not been included.⁵

The level of local ownership of the Juba Peace Process was mentioned as a point of pride by many contributors. They cited the degree to which the direction of negotiations were set by those around the table. There were no international government delegations imposing their agendas, although it was acknowledged international influence was still present through allegiances with those in the room.⁶ International technical support was provided to mediators and in drafting the document, and facilities were funded by Gulf nations. Technical mediation support was appreciated as being professional, practical and was perceived as politically neutral.

Who needs to feel ownership? Who needs to be included? Future principles for structuring peace processes might provide practical guidance on these questions. **There is a strong argument for ownership to be required nationally at all levels.** In Sudan, those who felt they were not represented, not included, or who felt the agreement did not cover their interests could act as **spoilers** in the future, as they have in the past.⁷

Whilst it is clear not everyone can have a seat at the table, stronger strategies to engage communities around tracks 2 and 3 could strengthen inclusion and its link to a sense of ownership.

Groups in Eastern Sudan steadfastly reject the Juba Agreement. Groups in the West have done the same, and two armed groups have so far declined to sign-up. **If the peace process is to succeed then the “comprehensive ideal”**

should be strived for, while recognising that the ideal will never be achieved. Those who remain outside negotiations do so as they feel it better represents their interests. This maintains the fractured and transactional nature of the political market-place in Sudan and makes the simultaneous pursuit of democracy and institution strengthening a far harder task.

International support that helps parties overcome the limitations of resources and weak institutions to strengthen engagement in tracks 2 and 3 could go a considerable way to supporting inclusion. UNAMID engagement of Darfuri women in the Juba Process is a good example of this.⁸ They could have gone even further to engage other parts of the UN to support tracks 2 and 3 in other parts of the country. That said, efforts at inclusivity will be empty if peace-making lacks genuine political will and remains transactional within a power-sharing paradigm.

The flip side of high national ownership is low international ownership. While this was unanimously viewed as a “pro” amongst Sudanese contributors to this report, in a fragile context like Sudan with an economy broken by decades of extractive economic management, this leaves no answer to the looming funding question: who will foot the bill? The international community was poorly informed about the content of the agreement not having been engaged in its genesis, and therefore “buy-in” may take time, if it comes at all.⁹

This is where ownership and inclusivity connect to transparency.

If the peace process is to succeed then the “comprehensive ideal” should be strived for, while recognising that the ideal will never be achieved.

5 Interviews for this report

6 Many analyses of past peace processes in Sudan cite international influence and lack of deep understanding of the context as a reason for the failure of previous Sudanese peace agreements, particularly those built around the Comprehensive Peace Agreement of 2005. See for example, J. Brosché & Allard Duursma (2018), P. Wright (2017) and J. Young (2005)

7 See section 3.3 Broken Patterns of Peace-Making

8 See section 4.1 A Most Inclusive Process

9 The removal of Sudan from the US State Sponsors of Terrorism List on December 14th 2020, allows for US support of debt relief at the international monetary fund and World bank, a debt relief agreement being one of several conditions before access to financial support from international financial institutions can be granted.

Transparency

Many contributors to this report who held sceptical or critical views of the Juba Peace Process, also mentioned its **lack of transparency**. Specifically, their lack of awareness of how the process was structured, who was included and how. On the other hand, the riposte given most frequently to criticisms that the process was shallow, co-opted by military interests, or failed to address the call for “*freedom, peace and justice*”, was that critics were misinformed or had not read the weighty tome of over 100 pages.

Whilst it is understood much of the negotiations must remain confidential due to their sensitive nature, **a means of appropriately updating two key constituencies: the population and the international community, could have been found**. Accurate, timely and appropriate communication is often a challenge in fragile contexts where styles of governance have not historically preferred transparency.

Sudan’s is not just a peace-building process, but the dual process of peace and nation building. **Transparency is critical to establish trust between the population and its government. There is space here for strategic technical communications support from the international community**, should the negotiating parties agree. That agreement may be tricky to secure in geographies where there are few examples of successful national public information or consultative processes to point to, or there is a restrictive media environment.

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Negative and Positive Peace

While setting a goal to realise the “comprehensive ideal” sets ambitions high, pragmatic choices will need to be made along the way to keep the process intact. **Preventing a relapse into conflict – or negative peace – will rightly be prioritised. A success of the Juba Process is the continuation of discussions despite conflict events, and the agreement to assess and renew the ceasefire despite relapses.**

In the Sudan case, the Juba peace process has resulted in agreements on security arrangements and power-sharing, with the complexities of governance, transitional justice, accountability and development shifted to the implementation phase. The degree to which “positive” peace will be achieved is yet to be determined.

The process will not be linear with discrete clearly distinguishable phases. Negotiations in the Juba process stayed on track despite violence continuing and even increasing in some parts of the country, often directly linked to disputes with the process. There is evidence that insecurity is greater now than prior to the revolution in December 2018.¹⁰

Nevertheless, sequencing and prioritising of the implementation process and continuing negotiations with those outside it remains important. Firstly, the implementation process is a chance to make gains on inclusion and ownership; secondly, this phase requires deep analysis and broad engagement in order to effectively address root causes of conflict. These extend back decades and will take concerted time and effort to address. They involve addressing deep cultural biases, tackling firmly held attitudes and restructuring the institutions of power. Ideally, processes will find a way of engaging the population in the restructure of its constitution, and the debate around what constitutes the national identity. Only a participatory process would effectively gain the trust of the population in this level of change. Thirdly and simultaneously, peace-making must continue with all those constituencies that lie outside the agreement, until it becomes truly national. Lastly, it’s worth noting that in Sudan, the pursuit of sustainable peace is accompanied by the pursuit of democracy. Weak institutions are not able to provide justice, protect rights, distribute services fairly. This greatly complicates matters.

10 ACLED (2020) <https://acleddata.com/2020/08/27/riders-on-the-storm-rebels-soldiers-and-paramilitaries-in-sudans-margins/> Accessed 12.12.2020

1. Introduction

What has become known as the **Juba Process** began in October 2019, two months after a joint civilian-military transitional government signed a new constitution in August of the same year. This just four months after a popular uprising toppled the regime of Omar al Bashir which dominated the country for almost 30 years. For the purposes of this research, the Juba Peace Process is considered as a peace process with clear links to the many peace processes which preceded it. Conflict has been a feature of Sudan's post-independence history, aside from a brief interlude of a mere 11 years following the Addis Ababa agreement in 1972 until the second civil war in 1983. Regional powers have shifted, but Sudan remains a strategically important country for its neighbours and gulf countries

"Sudan's example is a serious indictment against the presumption that negotiated peace agreements are the only way to end wars."

Jok Madut Jok, 2015

who continue to play an important influence as the country attempts to transition out of both armed conflict to peace, and from authoritarianism to democracy. This dual-project is infinitely more complicated than the "mere" pursuit of sustainable peace.

This report forms part of a series of country case studies by the Principles for peace Initiative (P4P), an

initiative of Interpeace to re-think the way peace processes are conceived and structured in light of evidence that conflict tends to re-onset on average within 7-12 years after a peace agreement. This has been the case for all of Sudan's peace agreements. P4P has identified seven interrelated and fundamental problems with the way peace processes are structured including: (i) *an overfocus on conflict resolution than sustainable peace; (ii) fixation on 'at-the-table' negotiations; (iii) a lack of real inclusivity and local ownership; (iv) a lack of implementation and long-term oversight; (v) a strategic deficit in international peace and security interventions; (vi) the failure to address historical root causes and past grievances, and; (vii) the failure to understand and address the political economy of conflict.*"

The objectives of this study are firstly **to test the aforementioned assumptions in the case of the Juba Process in Sudan** and secondly, to **provide a holistic analysis of this ongoing peace process**, in particular to identify factors that influence its success or otherwise.

1.1. Methodology

The methodology comprised a review of the literature of the causes of conflict in Sudan, and its peace processes between 1972 and 2020, including media coverage and early analysis of the 2019 Juba Peace Process. Informed by the literature review, ten key informants were interviewed, drawn from civil society, armed movements, women's groups and academia. Additionally, and in order to corroborate and fact-check, over 20 further contacts were made with different contributors from the United Nations (UN), Forces for Freedom and Change (FFC), youth and women's groups and journalists.

This research will be limited to an examination of processes around peace-making rather than peace-building, given the Juba Peace Agreement was signed on October 3rd 2020. The timeframe of this research leaves insufficient time to provide a meaningful examination of some P4P hypotheses. Namely, the proposal that there is an over-emphasis on at-the-table negotiations assumes a comparative timeframe; the quality of implementation and long-term oversight will not be examined. Likewise, problems of local ownership, historical grievances, root causes, and the political economy of conflict will not be examined extensively as they relate to the post-agreement implementation phase which has barely passed three months at time of writing. Further analysis at a later stage could do this.

11 See Annex 1: Description of the fundamental flaws proposed by the Principles for peace Initiative.

2. Background

This section provides an overview of the conflict in Sudan, its dynamics, root causes and trajectories as well as a description of key elements of the Juba Process. It provides the context in which to examine if and how root causes were addressed during negotiations in Juba, and how inclusive and relevant the process was to the conflict dynamics.

2.1. Legacies of a Violent History: Root Causes of Conflict

Sudan has been fraught by conflict since it celebrated its independence from Britain in 1956. The conflicts of contemporary Sudan trace their roots back to this moment of the creation of a nation and even earlier.

The **vast inequalities between centre and the periphery** were entrenched through a history of slave trading. Khartoum itself grew as an established marketplace for slaves and Sudan was one of the most active slave-raiding areas in Africa. Slaves were transported from south to north Sudan, and onwards to Egypt, the Middle East and Mediterranean regions.

Inequalities of development during the colonial period always **favoured the north**. The colonial administration trained and promoted northern riverine communities who still form today's elite, and who have concentrated their wealth in Khartoum and its environs. This structural preference for the centre was audaciously formalised in policy by former Minister of Finance, Abdul Rahim Hamdi, who defined clear zones for economic development in Khartoum, Northern State and Port Sudan which became known as the *Hamdi Triangle*. The peripheries of Sudan are wealthy in natural resources and labour but are subject to both direct and indirect state violence, social injustice and deprivation.

The arrival in the late 19th century of **militant Islam mitigated against the emergence of a secular state**, in favour of a brand of nationalism that sought to create an Arab, Islamic based state, that subjugated those who did not fit its strictures. This doubled down on the **prejudice and structural racism against non-Arab and non-Muslim groups sewn through slavery**.

British withdrawal from Sudan in 1956 took place **without any viable development plan, and a failure to find a national consensus, or consult with the population** on issues essential to their concept of nationhood: **national identity, systems of governance, including the question of federalism and the legacy of slavery**.¹² According to Douglas Johnson, "*Sudanese independence was thrust upon the Sudan by a colonial power eager to extricate itself from its residual responsibilities; it was not achieved by national consensus expressed through constitutional means*".¹³

South Sudanese scholar Jok Madut Jok summarises the legacy of this violent history whereby the "*marginalisation of the peripheries, state violence, religious and racial biases that relegated a large part of the citizenry to a position of second class citizenship, all of which had sparked multiple regional rebellions against Khartoum, were all rooted in the failure of the Sudanese state to become a nation that encompasses all of its citizens.*"

Jok Madut Jok, 2015

¹² Interviews for this report.

¹³ D. Johnson, (2003): pg. 24.

Nigeria. This shortly collapsed, and was followed by the Doha Agreement signed in July 2011. Formally known as the Doha Document for Peace in Darfur, the document was signed between Khartoum and the Liberation and Justice Movement, an alliance of ten small Darfuri rebel groups. It established a compensation fund for victims, a new Darfur Regional Authority to govern the territory until the region's status could be determined through a referendum, and a set of power-sharing agreements.

What have become known as **the Two Areas, Blue Nile state and South Kordofan** are the legacy of the CPA and its subsequent succession of the South. The CPA quickly led to a splintering of the SPLM into the new SPLM-North faction, led by Malik Agar, in order to avoid calls to disband or merge into the SAF under the terms of the CPA.¹⁷ Those who had been left out of this “comprehensive” agreement effectively became its spoilers. These liberation movements have mobilized local populations and continue to exert control over much of the territory in Blue Nile and South Kordofan.

Conflict in the East, in the states of Kassala, Al Qadarif and the Red Sea are often obscured by the conflicts in Darfur and against the South. The

marginalisation and resentment that fuelled those rebellions were also present here, in a region rich in resources (fertile agricultural zones, grazing areas, and minerals like gold, oil, and natural gas), and woeful humanitarian needs and food insecurity.¹⁸ Resources tend to serve elites in Khartoum rather than the indigenous Beja and Rashaida tribes.¹⁹ Armed struggle began in the 1990s, led by the Beja Congress, but had largely disintegrated by late 2005, having lost the support of the SPLM/A who signed their Comprehensive Peace Agreement. The Beja Congress changed tack and formed the Eastern Front – an alliance of smaller groups including the Rashaida Free Lions – based on a regional rather than ethnic logic to government opposition.²⁰ Its military achievements were limited however, and after becoming increasingly dependent upon Eritrea, the Eastern Front joined the Eritrean mediated Eastern Sudan Peace Process whose agreement ended the conflict in 2006.

These regional peace agreements, each of which were based on the CPA model, collapsed in short succession. Few made much headway in terms of implementation, and all failed to realise an end to the marginalisation that had rallied the opposition movements.²¹

2.3. Broken Patterns of Peace-Making

Sudan has brokered five peace agreements between 1972-2011. Three of these – the Comprehensive Peace Agreement in 2005, and the Darfur Peace Agreement, Abuja and the Eastern Sudan Peace Agreement in 2006 - were signed within one year of each other. The structure and pattern of the CPA dictated the format of the subsequent agreements. There was heavy engagement of regional and western governments throughout negotiation and implementation.

Mediators took similar approaches centred on a power and wealth sharing paradigm placing the government of Sudan and armed movements in pivotal positions.²² **There were few efforts at genuine and diverse inclusion.**²³

Prof Abdul Jalil summarised the lessons learned from these agreements in an analysis designed to inform understanding of Juba Peace Process. He highlights the need to break with old patterns of **“transactional peace deals among competing elites to real, comprehensive peace engaging all stakeholders and in particular those victimized by violent conflict.”**²⁴ The multiple platforms of the past have only incentivised fragmentation of rebel movements, and made more difficult the chances of reaching a comprehensive peace. The **paradigm of power and wealth sharing** adopted in all Sudan's previous peace agreements ultimately resulted in dividing up jobs and incentives and made rent-seekers of rebel leaders who prioritised short-term interests to the detriment of long-term sustainable solutions.

17 J. Madut Jok (2015)

18 Red Sea state is consistently rated at crisis levels of food insecurity (phase 3) according to Integrated food security phase classification (IPC) ratings. <http://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1152718/?iso3=SDN>. Red is one of the poorest states, with 51% of people living on less than \$1.25/day according to the Humanitarian Needs Overview, 2020.

19 M. Ottoway & M. El Sadany (2012)

20 J. Young, (2007)

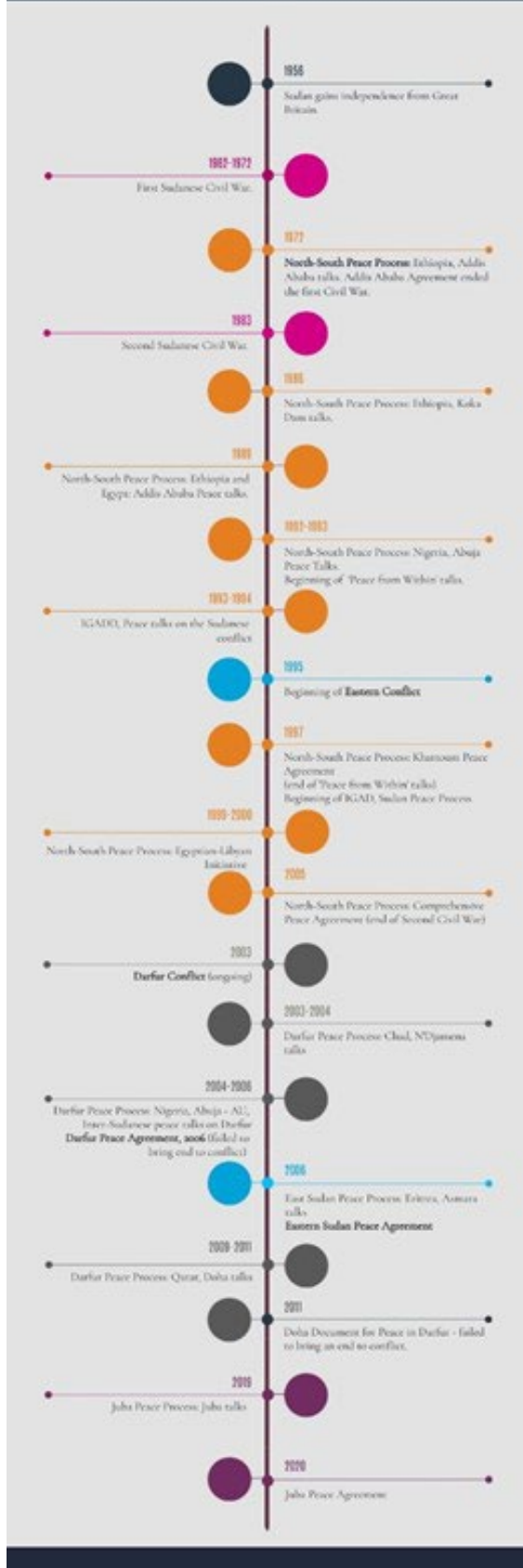
21 ibid

22 Peace Research Institute, University of Khartoum. Draft paper, (2020)

23 ibid

24 ibid

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The author goes on to recommend that future peace agreements must address not just the **physical insecurity** but **ontological insecurity of the groups divided by vicious dichotomies of “us” and “them”**. Security underpins the **legitimacy of peace-making** efforts allowing parties to negotiate in **good faith towards a permanent solution to the “security dilemma”**. Implementation of all the aforementioned agreements was woeful, and could have been strengthened by penalties for violation, capacity building, development programming, and clear governance architecture to facilitate coordination between different level of government.

Many authors have examined the role of international actors in Sudan’s peace agreements, **highlighting the influence of unresolved external factors in hampering a resolution to civil war.**²⁵

25 See for example Jok Madut Jok, (2015), John Young (2007), J. Brosché & A. Duursma (2017)

2.4. Actors

Understanding the cast of actors who assembled in Juba to negotiate, and their attendant groups and allegiances, is essential to any analysis of the process. A table describing key actors is included in Annex 4: Prominent Actors at the Juba Peace Process.

Opposition to Omer Al Bashir's National Congress Party was both political and armed. Political parties like the Umma National Party led by the Mahdi family, the Sudan Communist Party, the Baath Party and Democratic Unionist Party Groups have a long history of opposition. Despite historical election success and strengths in public mobilisation, the leadership and internal governance of these parties is at odds with a revolution that prominently featured the voices of youth and women.²⁶ For instance, Sadig al Mahdi led his Umma Party for longer than Bashir led the country: an uncomfortable parallel that undermines its ability to represent those who took to the streets in the December Revolution.²⁷

Sudan's armed movements are represented by a complex collection of acronyms that change as allegiances shift and the fortunes of leaders fluctuate. The main groups participating at the negotiations in Juba were:

1. **Sudan Revolutionary Front (SRF)**²⁸, led by El-Hadi Idris
2. **Justice and Equality Movement (JEM)**, led by Jibreel Ibrahim
3. **Sudan Liberation Movement/Mini Minawi (SLM/M-M)**, led by Mini Arcua-Minawi
4. **Sudan People's Liberation Movement-North-Malik Agar (SPLM-N/M-A)**, led by Malik Agar
5. **Beja Congress**²⁹, led by Osama Saeed

Notably, leaders from the only two armed groups controlling significant Sudanese territory have not signed up to the agreement. In the case of Abdel-Wahid of the Sudan Liberation Movement/

Abdel Wahid (SLM-AW), there is little indication he will do so. SLM-AW maintains a stronghold in the Jebel Marra region of Darfur, that covers an area at the border between Central, North and South Darfur states, alongside a small presence in Libya.³⁰ In Darfur, the movement finances itself through extortion of taxes from those resident in the areas it controls, including IDP camps, alongside taxes from gold mines in its territory.³¹ The movement also maintains relations in Libya and Chad, with Libya remaining the main source of financing for Darfuri armed groups.³² The movement has been fraught with leadership struggles, played out in fierce competition for control of IDP camps.³³ Abdel-Wahid is known as a serial naysayer. In June 2019 he signed a statement with Sudan Liberation Forces Alliance rejecting the transitional council **"as an elite pact at the expense of protesters and marginalised areas of the Sudan."**³⁴

The second leader holding out is Abdel-Aziz al Hilu of the SPLM-North (Al-Hilu) who by contrast did go to Juba and began negotiating. He withdrew almost immediately in October 2019 after the Rapid Support Forces (RSF) detained 16 people in South Kordofan on the grounds that the military had violated the terms of the ceasefire. From that point on, negotiations with Al Hilu remained outside the main negotiations, and he officially withdrew in August 2020 citing the *"lack of neutrality"* of Hemetti who chairs the government delegation.³⁵ Hemetti is also Commander-in-Chief of the RSF, and implicated in the genocide in Darfur and more recently the deadly crackdown on the sit-in outside the military headquarters on June 3rd 2019.³⁶

Al-Hilu controls an area in the Nuba Mountains around Kauda, South Kordofan having taking the majority of forces with him when the movement split in 2017 with weapons including armoured vehicles, tanks and long-range artillery. It looks unlikely his position on the right to self-determination can be reconciled with that of SPLM-N led by Malik Agar and Yasir Arman.

26 The National Umma Party won largest majority in 1966 and 1986 elections.

27 Party leadership has now passed to Sadig's daughter Mariam, following his death in November 2020. The restriction of leadership to within one family is also a characteristic of the Democratic Unionist Party Groups.

28 SRF includes the SPLM-N/M-A, SLM-MM, JEM and other smaller groups.

29 The Beja Congress is a political group comprising several ethnic groups, which has since splintered. Saeed signed the Eastern Sudan Track on behalf of two Beja Congress splinter groups (United People's Front for Liberation and Justice and the Beja Congress in opposition)

30 UN Security Council, (2020);

31 *ibid*

32 *ibid*

33 *ibid*

34 *ibid*

35 <https://www.dabangasudan.org/en/all-news/article/sudan-peace-talks-7-protocols-signed-in-juba> Accessed 10.11.2020

36 <https://www.hrw.org/news/2020/06/02/sudan-justice-june-3-crackdown-delayed> Accessed 18.11.2020

Those armed movements participating in the Juba negotiations draw their support along ethnic lines and from IDP camps. They control little if any territory in the Sudan, and primarily engage in mercenary activity in South Sudan and Libya. JEM maintains regional links with Qatar and Turkey and has support from the Islamist movement and Zaghawa IDPs and refugees.³⁷ SLM-MM also maintains regional links with the Emirates and Egypt.³⁸ SPLM-N/M-A has ethnic support amongst the Ingessana in Blue Nile state and links with South Sudan, Emirates and South Africa. Each movement therefore shared an interest in reaching a swift deal with a share in power.

The practice of coalition building across armed and civilian groups grew in the latter years of Bashir's rule, and reached its zenith in the Forces for Freedom and Change (FFC). The FFC is the political constituency of Prime Minister Hamdok, however it is a fragile coalition. In 2014, an alliance of the Umma National Party, the Sudanese Congress Party and Sudan Revolutionary Front (itself an alliance of several armed groups) formed to call for the dissolution of one-party rule and the establishment of a transitional government under the Sudan Call banner. This alliance formed an influential bloc within the FFC, until the Umma Party ultimately withdrew its membership. Many observers believe Sadig Al Mahdi's intention had been to negotiate a means of controlling the largest political coalition in the history of Sudan.³⁹ Issues around the separation of religion and state, equitable share of development opportunity and resources, ethnic representation all act as potential dividers within this fragile coalition. For instance,

the call for a secular state by Abdel Wahid and Al Hilu will be irreconcilable with the ideals of the Umma Party whose interest lies in marginal change bearing in mind their historic links with the NCP.⁴⁰

There are already signs that the era of coalition building is tipping back into familiar patterns of fragmentation. Mini-Minawi has elected to leave the Sudan Revolutionary Forces alliance.⁴¹ Groups in the East have splintered as they fail to reach consensus and align to different interests abroad. There are accounts of ethnic groups in areas outside the tracks, organising themselves into groups in order to be represented. The assumption being that unless you have a "movement" your voice won't be heard and, on the contrary, you may lose what you already have.⁴² Fragmentation across the political and armed blocs is reminiscent of historical trends in Sudan's peace processes that were all based on the paradigm of power and wealth sharing.

In addition to pressure from armed movements, **civil unrest and popular uprising has a strong track record of deposing governments in Sudan.**⁴³ Many of the early protests of the December 2018 revolution were in non-conflict affected states, including in areas along the Nile in the north where many of the elite come from. **The triggers were rising bread prices, fuel shortages, power shortages, water cuts and the spiralling cost-of-living, all set in a context of developmental neglect.** These trigger factors have not been resolved and public patience with the new transitional government is finite.

2.5. Timeline of the Process

Talks between civilian, military and armed groups began almost immediately as Bashir fell. Unable to convert the victory of the revolution into civilian led leadership, the **military quickly filled the power vacuum with the formation of a Transitional Military Council (TMC).** A ceasefire was announced by armed movements on April 17, 2019. **Talks between the civilians, led by the FFC, and armed groups exposed rifts between the two sides who opposed the former regime and yet did not easily align.** Civilian and armed struggles had quite different experiences of opposition. Both

sides also bear the hallmark of ethnic dividers. The fall of the dictator did not leave in its wake a clear path in which these divided groups could fulfil their expectations of government. Talks between the military and armed movements were also announced days after the formation of the TMC. This split negotiation between civilians and armed movements played to the advantage of the military.

The African Union (AU) gave the new TMC an ultimatum with a 3-month timeframe in which to

37 Partners for Development Services, (2020). Draft paper.

38 UN Security Council, (2020). *ibid*

39 Partners for Development Services, (2020). Draft paper.

40 *ibid*

41 SLM-Minnawi is not considered as SRF faction in Sudan peace process: mediator <https://sudantribune.com/spip.php?article69369=>

42 Interviews for this report

43 Peaceful civil disobedience in Sudan brought down military regimes in 1964 and 1985

hand over power to a civilian led authority or face expulsion. In August, an agreement was reached between the FFC and the military to share power and a Transitional Government was formed under a new draft constitution.

Over the ensuing months of talks in Addis Ababa, Cairo and Juba, involving armed groups and civilians, a declaration of principles was reached upon which to agree the basis of peace negotiations with the Sudan Revolutionary Front, and separately with Abdel Aziz Al Hilu, (SPLM-N/AH) who declined to join the coalition.⁴⁴

In December 2019 the process was resumed, with a team of 52 members drawn from civil society, armed movements and the transitional government. The final agreement was reached in August 31st and on October 3rd the formal signing took place.

Negotiations were threatened at many points. Of note is the massacre at the sit-in on June 3rd 2019 at which over 100 people were killed.⁴⁵ Yasir Arman, deputy for SPLM-N Agar and a signatory to several tracks, was in Khartoum at the time - despite a death warrant remaining in place - and was arrested on 5th June.⁴⁶ Fighting occurred in Darfur and Red Sea states. In Darfur, talks were suspended until a cessation of violence, and in the case of Red Sea, groups directly linked dissatisfaction to lack of representation in the Juba Peace Process.⁴⁷

Fuel, power and water shortages remained a feature of everyday life, bread prices increased – all of which were triggers for the uprising. **Reasons for optimism on the economy remain elusive: an international “Partners for Sudan” conference pledged \$1.8 billion – barely enough to keep the country afloat, and removal from the US’s State Sponsors of Terrorism list which would allow the country to access international finance has taken time to materialise.** This leaves the country beholden to immediate cash hand-outs from Saudi Arabia and UAE, who prefer to channel their support to favoured strongmen **Hemetti and Burhan.** To add to the challenges, the Covid-19 global pandemic put additional pressure on government and added challenges to convening, alongside the country experiencing the worst flooding in decades.

Despite this, negotiators continued to meet and overcome challenges as they presented themselves, which contributors said testified to the political will on all sides. Pressure from below remains palpable as many of the reasons for dissatisfaction with the previous regime remain to be addressed and public demonstrations continued throughout 2019 and 2020. The Juba Process presents a unique opportunity to renegotiate the terms of government in Sudan and the pressure of public expectation is immense. Disappointment could be dangerous.

2.6. Description of the Agreement

The **Juba Agreement includes ten different chapters.** The first is an agreement on national issues. Six chapters consist of bilateral agreements between the Government of Sudan and different armed groups.⁴⁸ These different chapters cover a wide range of issues, including power sharing, revenue sharing, transitional justice and transitional security arrangements. Remaining chapters focus on security arrangements and an ambitious implementation matrix.

There is an added level of complexity that stems

from the fact that each of the bilateral agreements has national level implications. The drafters made an effort to consolidate provisions relating to some areas in the same sections in some of the individual agreements, but this was not done systematically, which makes the agreement more difficult to read and understand.⁴⁹

Virtually all of the agreements make reference to the 2019 Constitutional Charter.⁵⁰ Many reconfirm the relevant signatories’ commitment to the Charter’s section on rights and freedoms. At the

44 Table outlining key actors, names of groups and geographical areas of operation to be added. The Sudan Revolutionary Front is a coalition of the Sudan People’s Liberation Movement-North faction led by Malik Agar in Blue Nile state (SPLM-N Agar), the Sudan Liberation Movement faction headed by Minni Minawi (SLM-MM), and the Justice and Equality Movement (JEM), includes SPLM-N Agar

45 Physicians for Human Rights (2020); Human Rights Watch (2019)

46 Interviews for this report

47 Dabanga <https://www.dabangasudan.org/en/all-news/article/beja-nazirs-hold-vigil-in-khartoum> <https://www.dabangasudan.org/en/all-news/article/eastern-sudan-nazirs-blame-peace-track-for-violent-clashes>

48 A Matrix of the different chapters can be found in Annex 4

49 IDEA (2020)

50 A Constitutional Charter was signed on August 4th 2019 between the Forces for Freedom and Change (FFC) and the Transitional Military Council (TMC). Included is provision for a national constitutional conference to be held before the end of the transitional period.

same time, some of the individual documents go further and purport to substantially amend the Constitutional Charter's contents. In brief, key outcomes of the agreement include:

- ▶ Thousands of **fighters from armed movements to be incorporated into the military**;
- ▶ **Support for millions of displaced people** to return home;
- ▶ More **power for local administrations** through a **reworked federal system**;
- ▶ **Land reform** and courts to **bring war crimes suspects to justice**, and;
- ▶ Establishment of a **Legislative Council and the appointment of civilian state governors**.

Governors have proved a contentious issue particularly in conflict affected areas where they

can either exacerbate or contain polarisation along ethnic lines. The distribution of seats in the Legislative Council will be based on census indicators, taking into account the representation of all communities in Sudan, meaning the region of Darfur could see over 20% of seats.

Some analysts have noted that prescriptions of this agreement are reminiscent of previous peace agreements in Sudan (discussed in section 2.3).⁵¹ The agreement describes agreements on the powers of specific regions within the tracks, there is little on the structure of the national government or on the powers of regions outside the tracks.⁵² This was also a weakness of the past. Prof. Abdul Jalil asserted in contributing to this report, the complexities of vertical coordination across locality, region and centre should not be underestimated.⁵³ These issues will have to be resolved during or before the constitutional process.

51 Interviews for this report

52 IDEA (2020)

53 Interviews for this report

3. Analysis

This section examines the Juba Peace Process described in the previous section against the evidence for P4P's seven hypothetical flaws that undermine efforts towards creation of sustainable peace.

3.1. A Most Inclusive Process

There are different narratives on the extent to which deliberation in Juba was informed by consultation with key constituencies on the ground. Although **it is widely agreed that the Juba Peace Process is exemplified by being the most inclusive process in Sudan's history of peace processes, that is a low base to start from.**

Women, youth and IDPs were poorly represented within the delegates. Engagement with women's groups in Darfur provides an example of the nature of the interaction between Track 2 groups and the negotiating team. The Darfur Women's group took the initiative to reach consensus on a set of demands, drafted a paper and presented these to different institutions of government in Khartoum in December 2019. On the back of this they secured an invitation to Juba for 3 days in March to attend the IDP session which they attended with logistical support from UNAMID.

The **Darfur Women's group** was one of the better organised, even so, their **engagement was limited to a lobbyist role for a matter of days which restricted their ability to influence conversations** around the table for the duration of the negotiations, which may in turn have influenced the level of emphasis on human security, protection, conflict resolution and other issues prioritised by the women's delegation. **Women from other parts of Sudan were even less well represented.** The poor representation of women during negotiations was widely recognised by the mainly male negotiators, who referred to the constant references made to UN Security Council Resolution 1325 (*on women, peace and security*), and the fact that the structures of the Juba Process fell so clearly short of those principles. It was "*embarrassing*" according to one.⁵⁴

That said, **the degree of inclusivity of different interest groups was widely recognised to be better than any time in Sudan's history of peace processes.** Armed movements had women well represented in their delegation who vouch their participation was meaningful and genuine, even if the arrangements of talks were not gender sensitive. One delegate said she didn't see her son for almost a year during negotiations; another spoke of a "**first-come, first-served**" approach to sitting each day, whereas if you weren't on time your seat could be taken by someone else.⁵⁵ The women collaborated to do their best to ensure they were dispersed amongst committees. One contributor noted it was the first time they had seen an IDP group sitting together at the table, facing armed movements and the government.⁵⁶ These were IDPs invited from the camps. In previous peace negotiations, the former ruling National Congress Party (NCP) had the habit of recruiting "IDPs" from Khartoum and coercing them into a position which supported them, for the appearances of inclusivity. **The Juba Process has come a long way from here.**

54 Chatham House's presentation on "Sudan's Juba Peace Agreement: Ensuring implementation and prospects for increasing inclusivity"

55 Interviews for this report

56 Interviews for this report

3.2. In Pursuit of Comprehensive Peace

The Juba Peace Process is not comprehensive.

Two significant armed leaders remain outside the Juba platform. **Abdel Wahid**, leading SLA-AW and **Abdel-Aziz Al Hilu**, leading SPLM-N, **have both elected not to join the alliance of armed movements to negotiate.**⁵⁷ This partly reflects splits amongst the groups themselves: both these leaders have grievances with members of armed movements who *have* joined negotiations. It also reflects principles the leaders demand of those in power. For **Abdel Wahid this is a national, all inclusive dialogue around the key issues of state, for which there is already some provision in the agreement.** Abdel-Aziz Al Hilu and negotiators have failed to reach agreement around the genuine **separation of religion and state and the right of self-determination for South Kordofan.**⁵⁸ Efforts are ongoing to try and engage both. Abdel-Aziz al Hilu met Prime Minister Hamdok in Addis Ababa in September, 2020 where they signed a joint agreement on principles of engagement including a clause on separation of religion and state, alongside the right of residents in Blue Nile to determine their own fate.⁵⁹ In November, 2020, Abdel-Aziz Al Hilu also joined a workshop in Juba with Hamdok to debate issues around the separation of state and religion. Lead negotiator of the Juba Process, military member of the Sovereign Council and hailing from Nuba mountain himself, **Shems al-Din Kabashi refused to sign the declaration that was the product of this workshop**, and stated the Prime Minister had reached beyond his mandate to sign the joint-agreement with Al Hilu.⁶⁰ The ensuing debate marked the first public disagreement between the Prime Minister and a member of the military on the peace process. It also indicates **a lack of willingness to engage in coherent efforts to include those remaining outside the Juba Agreement.**

Also in November 2020, Abdel Wahid visited South Sudan, however despite rumours that he was to join negotiations, he merely presented his position on a national all-inclusive dialogue to President Salva Kiir. Abdel Wahid's movement is committed to a united Sudan and is not seeking independence. The question remains as to how much space there is for these actors to negotiate into an agreement that has already been signed.

The risk of these two groups remaining outside negotiations is real. **Armed groups left out of agreements have shown a tendency to return to conflict in Sudan.** Negotiators are well aware of the risks of failing to bring these actors into the fold. The Comprehensive Peace Agreement saw an increase in violence by Darfuri armed movements directly as a consequence of being left out of negotiations.⁶¹

Perhaps the greatest concern against leaving the Al Hilu and Abdel Wahid's movements as outliers to the process, is their ability attract support from those – national and international – unhappy with the settlement or who no longer feel their interests lie in negotiation. Following De Waal's analysis of the patrimonial political marketplace, the only semi-stable outcome is an *"inclusive buy-in of all elites by the best-resourced actor in the marketplace"*.⁶² If De Waal's theory is correct, these outliers could resort to violence to force a re-negotiation, becoming spoilers.

Comprehensive peace will only be achieved once all parties are in. In its favour, the Juba Process provides for a single platform and a single negotiating team. So far, this team have demonstrated the political will to overcome challenges and reach an agreement. This contrasts with previous agreements (*CPA, Abuja, Doha, Eastern Agreement*) where different wars had different platforms, allowing those left outside to become spoilers.

57 SLA-AW has large constituencies amongst the Fur tribes and IDPs in Darfur particularly around the Jebel Marra area, SPLM-N controls much of the area in the Nuba Mountains around Kauda, South Kordofan

58 <https://www.dabangasudan.org/en/all-news/article/juba-talks-between-sudan-govt-and-armed-movements-adjourned>

59 <https://www.dabangasudan.org/en/all-news/article/sudan-govt-splm-n-el-hilu-agreement-in-addis-ababa-rebels-to-retain-arms> accessed 9/12/2020

60 Sudan Tribune (2020) Sudan's Premier rejects claims that he has no mandate to sign joint agreement with SPLM-N <https://sudantribune.com/spip.php?article70157>

61 Young (2017); J. Madut Jok (2015)

62 De Waal (2009) p102

3.3. A Track-based Approach

Although ostensibly the regional track approach is an attempt to address the complexity of issues by the specific context of each geography, there are criticisms of this approach both within these geographical tracks as well as from those left outside them.

Taking the East as an example, Hadendawa leaders have rejected the outcome of the agreement in the east on the grounds that the **negotiators did not represent them**. Those in the delegation were of Beni Amer ethnicity, a group that straddles the Sudan-Eritrean border, with a history rooted in Islamic fundamentalism dating back to the 1980s.⁶³ On 15th November 2020, when traditional leaders were welcomed from across Sudan to a grand ceremony in Khartoum to celebrate the Juba agreement and welcome the signatories to the capital, roads were blocked and many took to the streets of Port Sudan and Suakin to reject the agreement.⁶⁴ Weeks later a delegation of High Council of Beja Nazirs and Independent Chieftains travelled to Khartoum where they presented a memorandum to the Council of Ministers **declaring their “categorical rejection” of the eastern track in the Juba Peace Agreement**, including the consultative conference on eastern Sudan stipulated in the agreement.⁶⁵ This has been their position since the track was concluded in February this year. The Nazirs explicitly linked the negotiations to a rise in violence in the area.

In Darfur there is also evidence that a failure to comprehensively include different stakeholders and issues is causing tension. In November, 2020 a delegation of Arab nomads travelled to Khartoum and met Burhan, Hemetti and Hamdok to reject the proposal in the Darfur track that Darfur return to a single state.⁶⁶ Arab nomads in Darfur are affected by the developmental neglect of the region like any other ethnic group. However, since the 2003–4 conflict they have benefitted from protection and benefits offered by Hemetti’s Rapid Support Forces. This has included access to opportunities to fight in Yemen for a bounty, and the ability to continue to occupy land and use resources captured during the Darfur conflict with impunity. An agreement

that could, for example, see Governors from armed movements placed in their region (which is seen as threatening).

While the Juba Agreement contains terms on many of the root causes and issues of concern, they were negotiated without adequate representation from IDPs, women, youth and war affected communities. Moreover, much of the detail of how these issues will be addressed is relegated to the role of commissions and other mechanisms which will be established at implementation phase leaving much still to be negotiated and the onus very much on implementation. **While the advantage of this “political unsettlement” is that it will buy much needed time for complex negotiations to continue to be discussed, the disadvantage is the weight of public expectation may not allow this luxury.**⁶⁷ Implementation will also very much rest on continued political will, and the ability to positively manage potential spoilers. **Sudan, so far, has a deplorable record on implementation of peace agreements.**

Despite notching up an impressive number of peace agreements, there has never been a permanent constitution, informed by an inclusive debate of issues of national importance to the nation: identity, religion, governance structures, resource management, relationships between centre and periphery. This goes back to the establishment of the state in 1956. The Sudanese have not addressed what is that makes them a nation state. **Increases in inter-communal violence over the course of peace negotiations 2020 – while exacerbated by harsh humanitarian and economic conditions – point to the continued lack of resolution of the roots causes of conflict.**⁶⁸

The people remain in a crisis of identity, built on a history of mistrust, of tribalism and ethnic division, the contentions of Arab Islamism remain, as do unresolved issues of historical slavery. Contributors argued that inclusivity of these issues is crucial, such that *“even if not all the people are around the table, if there was a debate about these concerns there could be a real breakthrough.”*⁶⁹

63 when Iaisas Afwerki ejected many from Eritrea into the welcoming arms of Omer Al Bashir’s National Congress Party, at that time dominated by hardline Islamists.

64 Personal experience

65 <https://www.dabangasudan.org/en/all-news/article/beja-nazirs-hold-vigil-in-khartoum> accessed 9/12/2020

66 Interviews for this report

67 C. Bell and J. Pospisil (2017)

68 OCHA reported a two-fold increase in inter-communal violence in Darfur in the second half of 2020 compared to the previous year <https://reports.unocha.org/en/country/sudan/>

69 Interviews for this report

3.4. Ownership: An Agreement by Sudanese for the Sudanese?

The Juba agreement distinguishes itself for being largely Sudanese led, less international engagement than previously and no international guarantors. As one contributor put it, “*there was no strong international involvement, in terms of mediation, or in terms of pressure: stick and carrots*”.⁷⁰ That said, international engagement was still present but at a different magnitude than historically. A US firm provided technical support to the negotiating team and was appreciated as being professional, practical and was perceived as politically neutral.⁷¹ The Gulf nations, IGAD and the European Union provided various support to the South Sudanese mediators. Engagement by various international actors was noted by interviewees for this report, but not named or quantified.

In contrast to the “deadline diplomacy” that featured so disastrously in the Darfur Peace Agreement, the pressure at the Juba peace process was from within. The slogan of the revolution “*hurriya, salam wa adala*” (*freedom, peace, justice*), is still visibly graffitied on the walls of the country’s towns and villages. This was an agenda that came from below.

South Sudan was a strategic, if paradoxical, choice as mediator given the two countries had less than a decade ago ended years of civil war with succession and the creation of a new nation. Although economically and democratically weak, **South Sudan provided a location with fewer dividers and greater common ground: a shared understanding of the root causes of conflict and of the underlying issues at stake, a shared culture of negotiation, an understanding of the ideological perspectives of the various groups.**⁷² Their mediation was light touch, and by all accounts the result was a congenial and culturally familiar atmosphere in which to negotiate in a shared language. Several contributors compared it to making *judiya* (the traditional way of managing conflict within the indigenous leadership structures).⁷³

There are competing narratives as to who owns the peace process, although the unfolding of events after the ceremonial signing on October 3rd put the military elements of the Sovereign Council

into favourable positions regarding the executive powers of government.

There were two opposing schools of thought during early negotiations: (i) **that the Peace Commission should be established by its own law as a constitutional body**, and thereby be mandated as the body to lead peace negotiations, and; (ii) that the option of **pressing on with peace-making as a matter of urgency by establishing a High Council for Peace** to lead negotiations. The latter won out and the timing was telling. While Prime Minister Hamdok was in Addis Ababa an administrative order was passed by the **Sovereign Council establishing the High Council for Peace, appointing a Peace Commissioner without a commission**. The High Council for Peace is chaired by Lt Gen Abdelfattah El Burhan, and comprises all members of the Sovereign Council, the Prime Minister, the Minister of Cabinet Affairs, the Minister of Justice and the Minister of Federal Government as well as three experts.⁷⁴ The latter were added subsequently, presumably in a bid to shore up political support.

This was a turning point. The High Council for Peace took ownership of the peace process out of the hands of the civilian side of government, with a Peace Commission led by a technocrat, rendering that institution impotent. According to sources, the initial thinking of the Prime Minister was that the negotiating team should include delegates from the Prime Minister’s Office, from the Sovereign Council, representatives from the FFC, national experts and representatives from IDP, youth and women’s groups. The composition of the delegation under the High Council for Peace is not transparent. According to one testimony, “*if you ask Sudanese who is on the team, they will say Hemetti, Kabashi and Taishi*”.⁷⁵

By some accounts, the ministerial members of the High Peace Council are not playing a significant role in the process.⁷⁶ Nor is the Prime Minister’s Office heavily engaged, indeed the Peace Advisor only joined in July 2020 weeks before signing.

70 Interviews for this report

71 Interviews for this report

72 Interviews for this report

73 Interviews for this report

74 Dabanga Sudan, Peace talks between Sudan govt and armed movements to resume in Juba; Oct 14th 2019 accessed 8 Dec 2020

75 Interviews for this report

76 Interviews for this report

3.5. A Focus on Conflict-Resolution

Ownership has travelled far from the people who came out on the streets to topple their government. **Social media often refers to negotiators as “people who are away, not involved”.**⁷⁷ The Juba platform is structured in a traditional way, as if mediated between belligerent parties, and so not designed to feel inclusive to the general public. Those who are not from war affected areas and therefore do not have a Track devoted to them feel left out. They want to have a say on the new governance arrangements which will also affect their lives. For many the **negotiations focussed too much on security arrangements and issues of importance to the heavy-weights from a military background, and not the problems at the heart of the revolution.**⁷⁸

There are also smaller groups in the war affected areas who feel unrepresented due to the ethnic domination amongst armed groups. On social media, **some argue that there was no need for the peace agreement to be negotiated outside Sudan:** if the armed movements were indeed fighting the previous regime, then the present transitional government should share

common ground with them and the process should be a **dialogue rather than negotiation.** This underestimates the political economy of the armed movements themselves and of the national and international forces that influence them and the patterns of patrimonial markets.

With the lack of transparency, popular concern is focussed around what’s happening in Khartoum rather than what’s happening in Juba. On how the government is handling the transition, how it will address challenges on security, economy, healthcare – in the midst of a global pandemic – and education, which has been disrupted for almost two academic years. The process has lacked transparency and clear and accessible media coverage. For example, it is not clear who the 52 members of the negotiating team were as lists are not forthcoming. Nor is the consultation strategy clear, with competing narratives of how the process itself began, which documents and people informed it along the way, and a lack of clearly communicated strategy and system of engagement.

3.6. The Political Economy of Peace Making

International influence has played an important role in Sudan’s peace agreements. The country is situated at the periphery of the Arab world, and where Arabised north Africa meets sub-Saharan Africa and where these different cultures, routes and interests meet and are contested.

This can be seen clearly in East Sudan, where neighbouring nations are actively reshaping their relations with the region by securing influence within population groups. Turkey is investing in the rehabilitation of Suakin; Russia has just announced a naval base to be established for 25 years; China has built a new port for export of livestock to Saudi Arabia that languishes empty amid Covid-19 sanctions; Egypt and the UAE also have interests in the region. Allegiances built within the local communities rarely align with the needs of those communities and result in what appears to be inter-ethnic strife that merely exacerbates ethnic divisions. This is recognised by communities themselves and in November 2019, the Eastern Sudan Lawyers’ Association called for

the formation of an independent investigation committee and the establishment of special courts in Red Sea state, Kassala, and El Gedaref to deal with community violence in the region which they asserted was caused by political disputes rather than ethnic differences.⁷⁹ Groups in the east have consistently rejected the Juba Peace Process due to the composition of the delegation present at negotiations, maintaining they were not representative of communities in the east. Delegates from the East were drawn from ethnic Beni Amer groups, an ethnic group that straddles the border with Eritrea, and with historic links to hard-line Islamists of the former regime and the military. Some mentioned the reluctance of certain groups to supersede the Eastern Agreement (2006) and its distribution of power.⁸⁰

International influence is also exerted through individual allegiances across all “blocs” amongst the negotiators in Juba. UAE and Saudi Arabia have well documented relationships with Burhan and Hemetti with whom they have a history of

77 Interviews for this report

78 Interviews for this report

79 <https://www.dabangasudan.org/en/all-news/article/eastern-sudanese-lawyers-clashes-are-political-not-tribal> accessed 12/12/2020

80 Interviews for this report

collaboration extending back to the war in Yemen. The **gulf nations have tended to preference tangible investments in infrastructure (schools, clinics etc.), as opposed to soft investments in governance structures or increasing transparency and participation.** This reflects their domestic approach to governance which disregards participation and transparency. Their approach to foreign policy has strategically been to support a “strong man” through whom they exert their influence. An agreement which preferences a bricks and mortar approach to development could be indicative of gulf influence. Similarly, the FFC is facing challenges related to the nature of their establishment along regional, ethnic and ideological divides, the latter of which form part of regional alliances. The FFC is already showing cracks characteristic of the divide-and-rule approach of the patrimonial marketplace.⁸¹ Leaders of the armed movements also hold regional alliances, sometimes through ideological sympathies, that can be traced back through relationships in previous peace processes, such as the Qatar sponsored Doha Agreement.

According to Prof Guma, “one of our problems now in this transition, is the challenge of maintaining Sudan out of regional alliances and competition. I don’t think we are away from this. Sudan now is strongly polarised along regional alliances. Especially within the context of the Middle East and the Arab world.”

Whatever their allegiances, all sides agreed to South Sudan as mediator. The leadership in South Sudan is well versed in the extractive logics of traditional Sudanese peace-making, and have their own vested interests in the outcome of the Juba process and in the outcome of their own domestic crisis. Critics of the process point to the dominance of military actors, including the appointment of Tut Kew Gatluak, security advisor to South Sudanese president Salva Kiir, as Chief Mediator. Tut is a friend and collaborator of the ousted Sudanese president Bashir and also an ally of Hemetti, whose focus is on safeguarding his business interests in the Darfur track.⁸² The way in which South Sudan exercised its responsibility as host is telling, with reports that unpaid bills were racked up at Juba hotels and the most influential players were accommodated at

Tut’s own villa, the scene for many negotiations.⁸³ The South Sudanese government does not have huge economic resources with which to influence outcomes, but instead has a vested interest in reaching an agreement with the North so as to realise the economic benefit of national resources, including the oil under its own soil. These interests are understood by stakeholders tracking the process from the sidelines: Neimat Ahmadi, Chairperson of the Darfur Women’s Action Group, criticised the choice of South Sudan on the grounds that it **“suffers from multiple problems and does not have the capacity to become a forum for peace negotiations”**. She went on to reference their **“interests in Sudan, which negatively affect the peace process”**.⁸⁴

The country also has strong alliances between the SPLM in the south and the armed movements in the north, Sudan’s new government would be strategic to secure the backing of a neighbour with such close ties to armed movements within their own borders. Residents of Southern Blue Nile, the Nuba Mountains and Abyei, whose regions administratively fell in the geographical north at the signing of the CPA harbour resentment to South Sudan, after their demands were sacrificed in order to get an agreement that ended the war at their expense.⁸⁵

UAE and other gulf nations are providing unknown funds to support the process. The rest of the international community’s contribution to guarantee the implementation of the agreement is woeful. A Partners for Sudan conference held in June 2020 resulted in pledges of \$1.8 billion a fraction of which has been delivered, and which is insufficient in itself. As one contributor to this report put it, beyond the gulf, **“all the other actors are just showing good intentions. While there may be a collective interest in seeing Sudan stable, each actor wants it to be stable with their own partners in the driving seat... Everyone has a different perception of what stability they need.”**

The jostling for ownership of the peace process between the military component of the sovereign council and the civilian side of government, resulted in the creation of the Juba Process under the leadership of Hemetti and Kabashi. According to critics, the military elements of the SC backed by the UAE-Saudi alliance **“practically hi-jacked the**

81 The “patrimonial marketplace” being a term coined by De Waal to refer to the theory where business and political life are governed by socio-cultural rules as opposed to legislation or systematic rules. In the Sudan patrimonial ties are in the long-term interests of family first and ethnic allegiances second. See De Waal, 2009 Mission without End Peacekeeping in the African Political Marketplace

82 J. Pospisil (2020)

83 Interviews for this report

84 <https://www.dabangasudan.org/en/all-news/article/sudan-rebels-suspend-juba-peace-talks-after-militia-ambush-on-south-kordofan-highway>

85 J. Madut Jok (2015)

process, at a time when the Prime Ministers Office was not ready".⁸⁶ The same negotiation between civil and military elements of the transitional government was replayed in December 2020 discussions around the composition of a new Transitional Council which would effectively reconstitute the structures of governance set out in the amended constitutional document, including an additional seat for the military reserved for Abdelrahim Hamdan Dagalo, Deputy Commander of the paramilitary RSF and brother of Hemetti.⁸⁷ This nepotistic approach by the widely regarded "strong-man" in contemporary Sudan would be in line with the Gulf approach to Sudan's transition.⁸⁸ According to Sovereign Council member Siddig Tawir, "**any interpretation of the Constitutional Document that takes away powers from the Council of Ministers is not valid because the revolution broke out in order to establish a civilian**

government and to put an end to the situation that the president has all the power".⁸⁹ An outcome of this can be seen in the current debate around the Transitional Partners Council, which threatens to transform the shape of the transitional government agreed in the constitution. As one contributor put it, "**this is a new political regime... Many youth, women, see this as a military coup, directly. That's why they resist any amendment to the constitutional document.**"⁹⁰

One of the challenges to the process is what one contributor calls the old disease of the political class in Sudan about "**trying to figure out their benefits from any new programme or event or agreement, so you already see political parties lining up, not because of the provisions of the agreement itself, but because of how it's serving or not serving their ends.**"⁹¹

86 Interviews for this report

87 <https://www.dabangasudan.org/en/all-news/article/el-burhan-responds-to-criticism-against-the-transitional-partners-council> accessed 9/12/2020

88 J. Pospisil (2019)

89 <https://www.dabangasudan.org/en/all-news/article/opposition-against-sudan-s-transitional-partners-council-grows> accessed 9/12/2020

90 Interviews for this report

91 Interviews for this report

4. Conclusions

Although Sudan's Juba Peace Process is still early in its stages, there is evidence that some of the P4P proposed flaws are in play, although the picture is nuanced. These are described against each flaw below:

Short-term milestones vs. sustainable peace

- ▶ Domination of the process by the military side of the government, alongside weaknesses in genuine inclusivity mean that **security arrangements and power-sharing have dominated negotiations to date.**
- ▶ **The complexities of governance, transitional justice, accountability and development shifted to the implementation phase.**

Fixation on at the table negotiations

- ▶ Negotiations around the table along track 1 have received greater attention than tracks 2 and 3.
- ▶ There was no clear strategy for engagements along tracks 2 and 3, although attempts were made to engage with communities in the east and in Darfur in particular.
- ▶ Now the agreement is signed, engagement efforts have increased. Preparations are underway in the implementation phase to create a Youth Council, and similar initiatives are underway for other groups.

Lack of inclusivity and local ownership

- ▶ The **Juba Process was better at inclusion than at any other time in Sudan's history, but fell well short of comprehensive, genuine inclusion and representation of women, youth and marginalised groups.**
- ▶ Perhaps this is a more serious failing given that this is a peace process made possible by popular revolution.
- ▶ It is perhaps understandable that a country with weak institutions and a crippled economy struggles to carry out extensive participatory exercises across its scattered rural populations in order to inform peace negotiations.
- ▶ Funding is not forthcoming to run the country never mind support participatory peace processes.
- ▶ The international community may have played a more supportive role financially, if its interests lie in supporting a transition to sustainable peace that addresses the needs of the population.
- ▶ The implementation phase will provide opportunity for those in charge to redouble their efforts on inclusion, and for the international community to support those efforts.
- ▶ **Civil society had a clear and influential place at the table** given their role in the revolution. However, from the evidence presented here, it is clear that **this is insufficient for many to feel included or represented in the process.**

Lack of implementation and long-term oversight

- ▶ The **proof will be in the implementation**. Sudan is embarking on a dual process of peace-building with the signatories to the agreement, and peace-making with those yet to reach an agreement.
- ▶ **Much work remains to review the agreement for consistency within itself and with the constitutional document.**
- ▶ There is a large financing gap to address: the actual cost of implementation is yet to be addressed.
- ▶ There is opportunity to improve on the short-comings of negotiations and **increase engagement of women, youth, war-affected communities and marginalised groups in participatory processes to inform the various mechanisms due to be set up to address root causes.**
- ▶ Enduring political will and popular pressure will be important in ensuring these commitments are implemented.

Strategic deficit of international peace and security interventions

- ▶ The international community had less involvement in leading this peace process. International organisations provided technical assistance to mediators, and gulf countries provided funds for the negotiations.
- ▶ The lack of communication and engagement with the international community and the UN in particular has led to a hiatus following signature. Potential guarantors need time to digest, understand, and “buy-in” to the agreement, as well as build the relationships that enable effective coordination. This will inevitably delay implementation.

Historical grievances and drivers of conflict

- ▶ The capacity of the Juba document to address root causes and historical grievances is shallow, being restricted to the set-up of mechanisms that will deal with these in more detail.
- ▶ For a document negotiated over little more than a year to address grievances that date back over a century, this is not surprising.
- ▶ While the set up of mechanisms dedicated to issues such as IDPs, Transitional Justice, land and accountability, could be a real opportunity for a participatory and inclusive approach, some remain sceptical that these will remain on paper only.
- ▶ **Sudan has a woeful record of implementation of peace processes. Political will and popular pressure will be critical** ensuring implementation.

Political economy of conflict

- ▶ **A key strength was the local ownership along a single unified platform in Juba.** Sudanese actors were negotiating amongst each other, with very little outside interference, at least publicly.
- ▶ That said, **these actors remain channels for regional influence that follow well established patterns of extractive logic**, following De Waal's political market place analysis.⁹²
- ▶ This could have substantial influence on the shape of the implementation plan, and the extent it goes to addressing governance issues, accountability and transitional justice in particular.
- ▶ Applying the lens of the political market place, the current peace process could be seen as a process whereby individuals, in positions of authority due to the happenstance of history, divide up a cake which hasn't yet materialised.⁹³
- ▶ Sudan is resource rich, but also problem rich. **Realising the economic benefits of power may well require better governance, better coordination and communication with the international community, and certainly an abundance of cooperation between the disparate parties now sharing power.**
- ▶ Spoilers, such as the ability of one or two actors to accrue substantially more benefits than others, could tip the political unsettlement back into conflict.

Other issues at play

- ▶ The Juba Process is distinguished by the weight of public expectation. The December revolution toppled a dictator. The Sudanese people want their freedom, peace and justice, from the space *they* have created to negotiate.
- ▶ **Political will is a necessary but not sufficient condition to the success of this process. As a necessary condition**, it has huge influence on the ability of each of the aforementioned problems to be overcome.
- ▶ **Political will be tempered by resource poverty.** Even if parties are willing to implement, capacity and finances are in short supply, drained by an economic crisis, a global pandemic, huge humanitarian need.
- ▶ **As a result, the onus will be on civil society and grassroots groups to coalesce around a unified approach and organise their own advocacy efforts.**
- ▶ **Financing the implementation could leave Sudan vulnerable to exploitation of regional interests**, if a concerted and collaborative effort by the international community to pool resources behind the agreement is not in place.

92 De Waal, 2009 Mission without end? Peacekeeping in the African political marketplace

93 <https://psrpdev.law.ed.ac.uk/psrpx/2019/09/02/sudans-interim-constitutional-arrangement-the-risk-of-sharing-a-non-existent-cake/>

5. Annexes

Annex 1: Description of the fundamental flaws proposed by the Principles for peace Initiative.

1. **Too many processes overfocus on conflict resolution rather than establishing sustainable peace.** Many peace processes are driven by short-term milestones (usually aimed at negative peace) rather than the overall objective of supporting societies to build capacities to deal with conflicts in non-violent ways. While these milestones are important, they are often based on exclusionary power-sharing arrangements that can have unintended consequences that lead to negative path dependency in the following post conflict phase.
2. **Fixation on negotiations 'at-the table' by international actors.** While evidently 'reaching an agreement at a table' is important, international actors working on peace processes often have a fixation on these negotiations, thereby ignoring that they constitute only one stage or part of the larger objective and system of interventions that ought to guide peace processes. The primacy given to negotiation and mediation processes can crowd out meaningful attention required to other multitrack 2 and 3 processes that are often necessary to support a viable track 1 processes. In effect there is too often a failure to realise there is not just one table but thousands of different 'tables'.
3. **Lack of real inclusivity and local ownership.** Peace processes are often externally driven – whether by UN or non-UN actors. They often fail to engage all relevant elite actors and almost always fail to adequately engage women, youth, and other often marginalized parts of the society. Despite current emphasis on inclusion in peace processes, there is often no strategic and/or meaningful participation of civil society, women, youth and unarmed constituencies. Yet these actors possess different forms of power and influence and are often involved in various mechanisms to solve problems and disputes peacefully. Instead of including these important attributes and skills, international actors are too often unable to fit them into their strategies and put them in real leadership positions. While progress is being made on the normative importance of inclusion, international actors can have unintended consequences by advancing tokenistic forms of inclusion or forms of inclusion that inadvertently place undue pressure on civil society, women, youth and unarmed constituencies that undermines their standing in their own constituencies. More strategic forms of inclusion based on considerations about who is relevant to which processes at what time is needed as well as more local leadership in the deliberation of those processes.
4. **Lack of implementation and long-term oversight.** Partly as a consequence of the fixation on mediation and negotiations, too many peace processes either essentially end with the cessation of conflict and the signing of an agreement or the agreements are not implemented at all. For instance, a persistent large number - 35 percent - of all peace agreements are not implemented. Additionally, moving political dynamics can change the commitments towards the implementation of agreements underlining the fact peace processes are not merely a 'moment in time' but requiring an ongoing set of interrelated processes that seek to transform the conflict dynamics of a given community or society.
5. **Strategic deficit in international peace and security interventions.** The international 'toolbox' of peace and security interventions, e.g. peacekeeping, mediation, DDR and SSR, tend to be mandate-driven interventions and not problem-driven. Hence, they are often not tailored to a particular context. Furthermore, the politically determined nature of UN mandates, e.g. mandating elections within a given timeframe, often set up international interventions to fail. This underlines the fact that there is a disconnect between the

understanding of what a peace process is, and ought to be and how it is approached in practice. Too often, international actors approach and implement a peace process based on Track 1 (government officials and other high-level decision makers) mediation initiatives thereby leaving no or limited space for the involvement of senior civil society leaders (Track 2) as well as community and grassroots level actors (Track 3). This approach towards peace processes has changed little since the 1990s. There is a need to broaden the implementation of a peace process beyond this narrow lens of Track 1 mediation initiatives. In fact, building peace is based on multiple processes happening at the same time and involving various actors.

6. **Failure to address historical roots and past grievances.** Many of the conflicts we are witnessing today are transmutations of 'old' conflicts. Peace processes that leave historical

roots or past grievances unaddressed and are instead focused on 'quick fixes' often lead to recurring conflict. Interventions by international actors are too often based upon superficial understandings of conflicts rather than informed in-depth analysis. Without dealing with historical roots and past grievances lasting peace cannot be achieved.

7. **Failure to understand and address the political economy of conflict.** There are vested interests by various actors in upholding instability and conflict that are often not addressed during peace processes, making a relapse into violence more likely. Interventions by international actors are often not based upon a locally situated understanding of the conflict dynamics resulting in conflict insensitive approaches that not only do not understand the conflict dynamic but all too often result in actions that exacerbate those dynamics.

Annex 2: List of Contributors

Name	Title
Dr Guma Kunda Komey	Advisor to the Prime Minister for Peace Affairs
Dr Shams aldin Dawal Beit	Delegate to the Peace Process for Forces of Freedom and Change
Prof Musa Adam Abdul Jalil	Professor of Anthropology, Peace Research Institute, Khartoum University
Safaa' Al Agib	Head of the Darfur Women's Forum
Dr Ahmed Abu Sin	CEO Partners for Development Services
Kamal El Sadig	Editor, Dabanga (news services for Sudan based in Holland)
Samar Tageldin	AMNA, member of women's advocacy group
Mohammed Hassan Al Taishi	Civilian Representative on the Sovereign Council
Ahmad Mohammed Togud	Justice and Equality Movement, in charge of Peace Portfolio and Chief Negotiator in Darfur Peace Process
Kara Johnston-Molina	Senior Peace Building Officer in UNITAMS

Annex 3: Outline of the Juba Agreement by Chapter⁹⁴

Title	Geographic Scope	Scope
Chapter 1 The Agreement on National Issues	National	Power sharing, administration of the national capital, national commissions, the constitutional conference, the conference on system of government, judicial reform, elections, other issues (environment, faith and religion, anti-racism legislation)
Chapter 2 Darfur Peace Agreement	National North Darfur, South Darfur, West Darfur, East Darfur, Central Darfur	Power sharing, revenue sharing, permanent ceasefire, transitional security arrangements, transitional justice, compensation
Chapter 3 Two Areas Peace Agreement	National Blue Nile, South and West Kordofan	Allocation of responsibilities, financial resources, civil service reform, reconstruction and development, environment
Chapter 4 Eastern Path Peace Agreement	National Eastern region (Red Sea, Gedaref, and Kassala States)	General Principles Basic rights and transitional justice, power sharing, Social, health and economic issues
Chapter 5 North Path Peace Agreement	National Northern region (Northern State and River Nile State)	General principles, system of government, disputed territories, Cultural, economic and health issues
Chapter 6 Central Path Peace Agreement	National Central Region (Khartoum, Jazeera, While Nile and Sinar states)	Agriculture and economic issues, National fund for development
Chapter 7 Agreement on security arrangements between Sudan's transitional government and the third front – Tamazeg (the Third Front Security Arrangement)	National "All parts of the country where the Tamazeg are located"	Permanent ceasefire command and control, Reintegration Police reform Intelligence service Demilitarisation
Chapter 8 Final provisions	National	Status of the parties and of the agreements; binding nature of the agreement; status of the new parties; dispute resolution

Annex 4: Prominent Actors at the Juba Peace Process

Summary of key stakeholders in the Juba Peace Process

Name	Title	Role in the Juba Peace Process	Military / Civilian / Armed Movement	Affiliation	Comments
Abdel Fattah al-Burhan	Chair of the Sovereign Council	Chair of the High Peace Council ⁹⁵ (Signatory)	Military	SAF	<ul style="list-style-type: none"> ▶ High Peace Council led the peace negotiations in Juba ▶ Good relations with Saudi Arabia and UAE ▶ Alleged involvement in June 3rd massacre
Mohamed Hamdan Dagalo (Hemetti)	Vice-Chair of the Sovereign Council	Member of the High Peace Council (Signatory)	Military	RSF	<ul style="list-style-type: none"> ▶ Deputy head of the TMC, created the RSF ▶ Good relations with Saudi Arabia and UAE, worked alongside Burhan to support Saudi war in Yemen ▶ Interests in gold resources in Darfur ▶ Alleged involvement in June 3rd massacre
Lt Gen Shams al-Din Khabbashi	Spokesman of the Sovereign Council	Member of the High Peace Council (Signatory)	Military	SAF	<ul style="list-style-type: none"> ▶ Formerly spokesperson of the Transitional Military Council ▶ Deputy commander of Sudanese ground forces.
Tut Galuak	Security Advisor to the President of South Sudan	Chief Mediator	Military	SPLM	<ul style="list-style-type: none"> ▶ Appointed by President Salva Kiir as Chief Mediator
Salva Kiir Mayardit	President of South Sudan	Host	Military	SPLM	<ul style="list-style-type: none"> ▶ Host of Juba platform ▶ Commander in Chief of the SPLM ▶ Former leader of the Umma Party^w
Mohammed Hassan al-Ta'ishi	Member of the Sovereign Council	Member of the High Peace Council	Civilian	Umma Party	<ul style="list-style-type: none"> ▶ Leader of the Khartoum University Students Union. ▶ Returned from exile in the UK ▶ Spokesperson on the civilian side

⁹⁵ High peace Council is chaired by Lt Gen Abdelfattah El Burhan, and comprises all members of the Sovereign Council, the Prime Minister, the Minister of Cabinet Affairs, the Minister of Justice, and the Minister of Federal Government, as well as three experts.

Name	Title	Role in the Juba Peace Process	Military / Civilian / Armed Movement	Affiliation	Comments
Suliman Arcua Minnawi	Chair of SLM/A Minnawi	SRF ⁹⁶	Armed Movement		<ul style="list-style-type: none"> ▶ Sudanese Politician, educator, former secretary to the SLA leader al-Nur ▶ Operate in West Darfur ▶ Appointed as top Sudanese official in the Darfur region in 2006
Malik Agar	Chair of SPLM-N Agar	SRF	Armed Movement		<p>Present in Blue Nile state</p> <p>Split from SPLM-N following disagreement with Al Hilu to form two factions</p> <p>Secretary General of the SPLM-N,</p> <p>Senior politician</p> <p>Joined the Sudanese Communist Party as a student</p> <p>Member of SPLM delegation and signatory to CPA</p>
Yasir Arman	Deputy Chair of SPLM-N Agar	Political Committee of the SRF	Armed Movement		
El-Hadi Idris	Sudan Liberation Movement, Transitional Council	Chair of the SRF (Signatory)	Armed Movement		
Jibril Ibrahim	Chair of Justice and Equality Movement (JEM)	SRF	Armed Movement		<p>Economic advisor in Dubai, JEM's Secretary of Foreign Affairs, University Professor</p> <p>MSc and PhD in economics,</p> <p>Prominent role in Doha negotiations</p> <p>Islamist, visited family of Hasan Al Turabi Nov 2020</p>
Abdelaziz Adam al-Hilo	Chairperson of the SPLM/Al Hilu	Non-signatory; Negotiating outside the Juba Platform	Armed Movement		<p>Sudanese Politician</p> <p>Born and raised in the Nuba Mountain</p>
Abdul Wahid al-Nur	Leader of the SLM/A al-Nur	Non-signatory; not negotiating	Armed Movement		<p>Fought the South Sudanese government alongside Minnawi</p> <p>Rejected the 2019 Peace Process</p>

96 Sudanese Revolutionary Front is a coalition of armed movements

Name	Title	Role in the Juba Peace Process	Military / Civilian / Armed Movement	Affiliation	Comments
Prof Guma Kunda	Peace Advisor to the Prime Ministers Office	Non-signatory	Civilian		Peace expert, from Nuba Mountain, wrtten extensively on conflict in Sudan Joined Prime Minister's Office in July 2020
<i>Suleiman El Debeilo</i>	Peace Commissioner	Non-signatory	Civilian		Rapporteur to the High Peace Council
Dahab Ibrahim	Kush Movement ⁹⁷	Signatory			
El Tom Hajo	Deputing Head of the SRF	Signatory			Head of negotiation team for central Sudan track

97 Kush Movement includes an alliance of the Sudan People's Liberation Movement-North Abdelaziz El Hilu faction, the Corrective Beja Congress headed by Zeinab Kabbashi, and the Sudan Liberation Forces Alliance.