



## Cross-Border Relations Beyond the Referendum Challenges and Opportunities

State Workshop Report, Damazin, Blue Nile State, Sudan, 31 July-2 August 2010

### Building Consensus in Blue Nile State

This three day meeting brought together traditional authorities, government officials and representatives of civil society such as leaders of youth and women associations and religious leaders. Participants came from Damazin, Roseires and Kurmuk municipality. The workshop was an opportunity for border communities and authorities to articulate principles and proposals to help inform the management of the border and cross-border relations; and help ensure that border governance works in the interests of a sustainable Sudanese peace over the long term.

### Project Aims:

- ◇ Build trust and understanding between border communities within and across border states;
- ◇ Develop consensus on principles for how the border should be managed peacefully;
- ◇ Develop proposals for development initiatives to support peaceful coexistence at the border;
- ◇ Introduce principles and proposals to relevant national and local peace processes, such as negotiations on post-2011 arrangements, and to inform donor policy to reflect local needs.

### Visions and Aspirations

The participants said that they would like to see peaceful coexistence between tribes in the borderland achieved through the development of a common political vision. In order to achieve this, participants said that political parties need to refrain from intervening when local populations are able to manage the situation. The native administration should, they said, be strengthened and able to promote stability, security and peace among the different communities living in the border. Participants expressed an aspiration that unity can and will be made attractive through the recognition and respect of religious, social and cultural differences and by fair distribution of power and wealth and emphasised that border demarcation should accurately reflect the 1956 line.

### Opportunities and Challenges

Identified opportunities are: 1) Respecting neighbours and cultural diversity; 2) Fairness in legal rights and obligations; 3) Comprehensive development in border regions; 4) Boosting security management in border areas; 5) Setting up joint administrative councils which work towards developing social relations and resolving disputes in accordance with accepted laws and norms.

Identified challenges are: 1) The border demarcation process; 2) Lack of security and political conflicts; 3) The Popular Consultation which could promote stability or generate instability; 4) Lack of implementation of the CPA security arrangements; 5) Lack of access to rural areas; 6) Economic instability; 7) Perceived marginalisation of the region by national economic and political actors; 8) Lack of accountability.

### Scenarios and Expectations

In the event of secession after the referendum in 2011, participants expect that the region may witness some conflicts because of the presence of natural resources. Participants also expected that the economy could be hard hit in either scenario. Participants said that border communities will be more peaceful and secure in the case of a unity outcome.

### Principles and Proposals

Participants agreed a number of recommendations, relevant in either referendum scenario. Their conclusions are summarised overleaf and detailed in the full event report.

#### CROSS-BORDER RELATIONS PROJECT

Concordis International is working in Sudan in partnership with the Centre for Peace and Development Studies (CPDS) of the University of Juba to facilitate a research-based dialogue project aiming to inform local and national peace and development processes, supporting cooperative, secure and economically viable relations across Sudan's North-South border beyond 2011.

#### APPROXIMATE TIME FRAME:

**December 2009-February 2010**

Initial engagements in border states and development of methodology

#### March-August 2010

State workshops in Unity, Upper Nile, Abyei, Southern Kordofan, White Nile, and Blue Nile.

#### September-October 2010

Regional workshops bringing together communities from both sides of the border.

#### July-November 2010

Policy briefings and national level conferences.

## General Recommendations of Principles and Proposals to Inform Policy Making on Cross-Border Relations, Border Governance, and Post-2011 Arrangements for Sudan, as agreed by participants:

The following recommendations will support development and peaceful coexistence along the North-South border region. They will be beneficial in both referendum scenarios, i.e. whether Sudan remains united or if the south opts for secession.

### On Security

- ◇ Security provision in the state is currently weak and not serving the public interest. Security forces commonly interfere in or obstruct the movement of populations.
- ◇ The police force, not the army, should be responsible for protecting the rights and property of the population. Police stations need to be established in all areas to ensure the security of the population, the authority of the government and the rule of law.
- ◇ In the border localities, there should be joint cross-border policing measures in place. The police should coordinate with the police from the other side of the border when addressing security issues affecting both states in their border areas.
- ◇ A joint cross-border security committee should define the formation of the joint police operations and specify their mandate and the extent to which they are authorised to carry arms or use force. Ultimate responsibility for joint policing and security arrangements in the border areas should come from the governments in Juba and Khartoum.
- ◇ The Native Administration should coordinate with the police, as they can enhance their sensitivity to local customs and their capacity to manage local conflicts.
- ◇ The Army should not interfere in public security issues or justice. Members of the armed forces, the police and all other security agencies should be accountable to the rule of law. Arrests should not be conducted by army, rather by local police with accompaniment from Native Administration, who have acceptance from the local communities.
- ◇ The media should play a constructive role in promoting understanding, brotherhood and peaceful relations in the border areas, and supporting people in their right to access information.

### On Justice

- ◇ Not all of the courts which exist in Blue Nile are fully functioning. There is a need for the establishment or enhancement of many courts in the state.
- ◇ There is a need for common judicial arrangements across the border between the states, in order to manage crimes

and legal issues which occur at the border or effect both sides of the border. Cross-border judicial arrangements should be managed at two levels: the level of the state government (at the county or locality) and the level of the Native Administration.

- ◇ Cross-border justice at the state level should be the joint responsibility of the state governments in the state capitals. The state judiciary requires an inspector general and public attorney to carry out investigations and prosecutions. It also requires official state courts, which should be functioning in the capitals of the localities.
- ◇ Joint cross-border courts managed by the Native Administration should also be established to address social issues and issues related to traditional justice, which should be identified and agreed between border populations. The Native Administration should have all available means to perform their duties, including means of transport to access the populations who require their services. The Native Administration needs to be strengthened to perform its duties, this can include training and capacity building.
- ◇ Such cross-border judicial processes should maintain peace, resolve conflicts, protect peoples and support security in the border areas.

### On Movement, Rights, Citizenship

- ◇ Local populations should be able to move across the border freely and in safety.
- ◇ A joint mechanism should be established between neighbouring states to put in place laws necessary to support freedom of movement.
- ◇ This mechanism should be managed from the capitals of the localities adjacent to the border.
- ◇ Official procedures regulating movement across the border should be simple and not time consuming, so as to ensure a soft border relationship.
- ◇ State governments should issue identity cards for their populations, proving that they originate from the state, to enable cross border movement. Identity documents should be easily accessible and free of charge.
- ◇ The Native Administration can assist state governments in the design of these procedures and in the identification of local residents.

## **General Recommendations Continued**

### **On Trade and Economy**

- ◇ Cross border trade should be facilitated. Easily accessible trade licenses should be issued by the state for those who conduct cross border trade.
- ◇ Current practices of double or multiple taxation should be stopped. Responsible authorities and rules for tax collection should be identified and jointly agreed between border states.
- ◇ Markets and commercial centres should be established at points along the border, on both sides of the border, to support cross-border trade and to coordinate the cross border economy.
- ◇ Cattle herders need free access to move across borders with the support of local government.
- ◇ The existing great potential of the land and animal resources of Blue Nile state should be maximised. The land is fertile and animals are numerous but currently many resources go to waste. Factories could be established to intensify agricultural production, such as mango farming, or to modernise and increase the efficiency of other practices, such as honey production. Also, pastoralists should consider how to maximise the economic potential of their herds, for example how to make greater use of potential milk production. Scrap metal can be used to produce tools for use in local small scale agriculture.
- ◇ Adequate banks and financial services have not been established in the state because of the lack of capacity of the police and judiciary. Bank branches should be opened to increase local access to finance and foreign currency.
- ◇ Mining projects should be managed in a way which benefits the local population and which leads to the establishment of additional development projects.
- ◇ Common investment projects between border states should be established to raise the standards of living for border communities, increase local income generation opportunities, build common ties across the border and reduce the frustration of local populations. A joint mechanism should be established between the neighbouring states to design and administer such projects. Resources for investment will need to be provided by the governments in Khartoum and Juba who should also support inception studies, identifying which investment projects would be most appropriate in local conditions.
- ◇ Currently there exist agricultural projects in Blue Nile State which are managed by the authorities of Upper Nile. Records should be made available and collected from all agricultural projects in the border areas, especially those which

have been administered by the Upper Nile authorities, so that there is clarity over which activities are being undertaken in the area under whose authority.

### **On Infrastructure and Services**

- ◇ Roads and bridges are necessary to connect populations, ease freedom of movement and facilitate economic activity both within the state and across the border.
- ◇ Basic veterinary and public health services need to be established, and supplied with medicines plus trained qualified personnel. Mobile health and veterinary services are needed by nomadic populations, and these should be accessible to them on both sides of the border.
- ◇ Drinking water resources for people and animals need to be developed and food security should be enhanced. The agricultural, industrial and service sectors of the state economy all need development.
- ◇ Renewable energy use should be encouraged.
- ◇ Housing should be improved.
- ◇ The Fire Service must urgently be developed in the state.
- ◇ Specific capacity building and development projects should be made available for women to build upon their potential and increase their welfare and role in society.
- ◇ Primary and secondary schools need to be built and teachers' conditions need to be improved. Accommodation and meals should be provided for teachers. The education curriculum should be harmonised and stabilised, and ultimately students should have access to IT, internet and email.
- ◇ Vocational training centres should be established in the capitals of the localities in order to provide opportunities for school drop outs and former combatants.
- ◇ The Blue Nile University should be enhanced and develop colleges in different subject areas relevant to the area, including nursing and medicine, agricultural development, peace and development, and the documentation of local cultures and local languages. Research should be relevant to local needs and sensitive of the local context. This will enable the Blue Nile to develop its own specialist knowledge and practice to meet the needs of its population.
- ◇ Participatory planning is necessary in order to involve local communities in development planning processes, to take into consideration their needs and views and also to raise local awareness of development initiatives.

***A full report with further details on the participants' recommendations will soon be available from the Concordis website.***