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## ***Elections in Sudan: Sudanese and African Perspectives***

### **Irit Back**

Sudan's first democratic elections in 24 years ended with President Omar al-Bashir's declaration of victory on 26 April. According to official results, Bashir, the head of the ruling National Congress Party (NCP), won 68.24% of the votes. No less significant was the overwhelming victory (92.99%) of Salva Kiir Mayardit, for the post of president of the country's southern region. Kiir, who holds the post of First Vice President of the Sudanese republic, was the candidate of the secessionist-minded Sudan People's Liberation Movement (SPLM). The election results have direct consequences for the upcoming referendum in South Sudan, in which the population will vote on whether or not to secede from the North and establish an independent state. More generally, they point the spotlight on unresolved issues which remain relevant for Africa as a whole, including the principle of the inviolability of state sovereignty versus the rights of various segments of society to self-determination, peace and security.

Despite the fact that the election campaign itself was not characterized by excessive violence, the process and the results revealed the deep cleavages in Sudanese society - regional, ideological, religious and tribal. Over the course of the campaign, many of the opposition parties withdrew from the race, due partly to violence and intimidation by supporters of the ruling party, and partly to a lack of cohesion and inability to create meaningful coalitions within the opposition camp. As for the voting tabulation itself, the Carter Presidential Center reported that it was highly chaotic, non-transparent and vulnerable to manipulation, especially in several states. Other observers reported that irregularities were extremely apparent, including the phenomena of "stolen votes". The problematic nature of the electoral process was clearly evident in the country's western region. Although the pro-government press reported that thousands of people from Northern Darfur celebrated in the streets after the results were announced, others reported on an overall atmosphere of violence and fraud, rendering free elections impossible. However, the issue of Darfur took a backseat during the campaign to the issue of the forthcoming referendum in the South.

Scheduled for January 2011, the referendum is supposed to be the final step in the implementation of The Comprehensive Peace Agreement (CPA), also known as the [Naivasha](#) Agreement that was signed in January 2005 between the SPLM and the [Government of Sudan](#). In his recent inaugural address, President Bashir promised to fulfill his government's commitment to the South to conduct the referendum and to accept the results, while expressing confidence that the South will choose the unity of Sudan option.

The path to holding the recent national elections was opened a year ago, when Bashir officially approved the results of the 2008 census, which determined that 21% of the country's 39 million persons live in the South.

However, the SPLM contests the census findings. According to it, Southern Sudan's population is one-third of the total population of the country, but large numbers of Southerners living in the North were not counted. The contrasting positions regarding the proper proportions of the population serves as one of many possible obstacles facing the upcoming referendum. Another is the issue of boundaries. The borders of the oil-rich Abyei's region, for instance, were left undefined by the 2005 CPA, and the region's oil fields have remained under control of central government authorities in the north. To be sure, the peace accord allocates 50 percent of the South's oil revenues to the southern regional government, revenues which are crucial for the reconstruction of the Southern economy, following 21 years of civil war that left the region almost completely lacking in infrastructure and development projects. However, there are clear indications that these revenues are not being distributed equally. Moreover, clashes occur regularly in this area. Last month, for example, South Sudanese ex-rebels clashed with Sudanese army units in the town of Abyei. The fighting devastated the market area, destroyed houses and resulted in the death of 60 persons and serious looting.

Of course, the primary question is whether or not South Sudan will separate from the rest of the country or remain part of it, and if so, in what form. The issue dominates the political discourse in Sudan, cutting across identities and alliances. Two of the main opposition parties, the Sudanese Democratic Unionist Party (DUP), led by Muhammad Othman al-Mirghani, and the Umma Party (UP) led by [al-Sadiq al-Hadi al-Mahdi](#), favor the option of unity over separation. Opposition leaders in the South expressed their fears regarding the proximity of First Vice President Salva Kiir to the central government's leaders and attitudes. As supporting evidence to this concern, Lam Akol Ajawin, the Chairman of the Sudan People's Liberation Movement-Democratic Change (SPLM-DC), which split off from the SPLM

in 2009, claimed that "a candidate [Salva Kiir] getting 93% of the vote is never heard of in a democratic process." Others claimed that the Northern regime is encouraging internal fissures and rivalries within the South, and is even indirectly involved in distributing arm supplies to various groups, in order to influence the referendum results.

From the broader African perspective, the events in Sudan mark a watershed in the continent's post-colonial history. The second and third clauses of the convention of the Organization of African Unity (OAU), established in 1963, emphasize the principles of respecting the sovereignty and territorial integrity of each state, and non-intervention in the internal affairs of independent states. Regarding the former, the possibility of the secession of South Sudan from the Sudanese state and its colonially-inherited boundaries would be a crucial precedent for the continent. To be sure, it would not be the first time that a new nation would be born in post-colonial Africa. Yet, the case of Eritrea splitting off from Ethiopia was quite different, as Ethiopia was not occupied by the colonial powers during the process of Africa's partition at the end of the nineteenth century. As such, the breakup of Sudan into two sovereign states could be considered as the first direct challenge to the sanctity of the sovereignty and territorial integrity of each member state.

As for the matter of non-intervention in each other's internal affairs, since the 1960s the commitment of sovereign African states to this principle resulted in their blatant disregard of grave human rights violations in various intrastate conflicts. Yet, since the beginning of the 21st century, there has been a weakening of this formerly sacrosanct commitment, particularly following the establishment of the African Union (AU) in 2002. Thus, following the outbreak of violent conflict in Darfur, the AU decided to send a military peacekeeping force to Darfur. In May 2004, the AMIS (African Mission in Sudan) force was established, and in June of that year its first

contingents arrived in Darfur. For the first time in Africa's post-colonial era, a continent-wide decision had been taken to directly intervene in an internal conflict that involved a massive violation of human rights. During 2007, the AMIS was transformed into a hybrid AU-UN force (UNAMID), which is still present there. Currently, the force consists of 21,993 uniformed military and police personnel from 21 African states.

To be sure, many have justifiably criticized the AU's inability to actually protect the people of Darfur, not to mention the support that most African leaders provided to al-Bashir after the International Criminal Court arrest warrant against him was publicized in March 2009. Nonetheless, one may note that the AU was at least actively involved in seeking to resolve Sudan's internal conflict, as opposed to ignoring it altogether, as had been the case in previous intrastate conflicts (e.g. Rwanda in 1994). The upcoming referendum on the future of South Sudan promises to put to the test the opposing commitments of African leaders: their traditional respect for the sanctity of state sovereignty and regime legitimacy, and their newer concern with democratization and self-determination.

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