

The 2020 Juba Agreement for Peace in Sudan and Prospects for Peacebuilding in Darfur

INTRODUCTION: A COMPREHENSIVE PATH TO PEACE IN SUDAN

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Sudan has a long history of conflict and peace negotiation endeavors. The Peace Agreements Database compiled by the University of Edinburgh lists more than 60 peace accords concluded only under the rule of Omar al-Bashir (1989-2019), the former President, whose ouster during the 2018-2019 Sudanese Revolution ushered the country's ongoing political transition. This averages two agreements per year, making Sudan a perfect laboratory for a scientific inquiry on peace agreements. This high frequency mirrors the large number of conflicts that have afflicted Sudan's vast territory since independence in 1956. It also reflects Bashir's dubious strategy of favoring agreements with splinter groups in order to fragment armed oppositions to his regime. The primary reason for what appears to be a never-ending peace process, however, lies with the difficulty (and often failure) to implement the agreements. This fueled a continuous resurgence of hostilities and, in the case of South Sudan, a secession. Why should the fate of the latest in this series of peacemaking efforts be any different?

The Juba Agreement for Peace in Sudan (JPA), signed on October 3, 2020, between the Transitional Government and most of the country's rebel groups, is the most ambitious peace accord ever reached in Sudan. It marks a twin transition from both armed conflict and authoritarian rule, which explains its complex nature and the manifold innovations that the agreement purports to bring. It is to this end that the negotiators designed a comprehensive peace process, involving all the regions of Sudan and nearly all its armed opposition groups. It is also for this reason that the agreement goes beyond power-sharing, development, wealth-sharing and transitional justice, to redress the marginalization of peripheral regions that has bred resentment and conflict for decades. Consequently, the agreement has raised hopes both locally and internationally for a definitive end to civil wars in Sudan.

Against this backdrop, it seems imperative to undertake an exhaustive scientific analysis of the JPA, with special attention to peacebuilding in Darfur, a region that has suffered a long and deadly conflict whose effective termination will serve as a benchmark for evaluating the success of the agreement. In pursuing this goal, the experience of the Sant'Anna School of Advanced Studies in Pisa (Italy), which for many decades has been involved in research and training in the field of peacebuilding, peacekeeping, and conflict management was fundamental. More precisely, the Sant'Anna School has contributed recently to peacebuilding in Sudan, both before and after the beginning of the current transition, delivering several training programs for Sudanese magistrates on the rule of law and human rights protection, in collaboration with the Ministry of Foreign Affairs of Sudan. Since June 2020, the Sant'Anna School has led a two-pronged research and training project on "Promoting Community Stabilization and Peacebuilding in South Darfur," in

partnership with the United Nations Development Programme (UNDP), with funding from the Italian Agency for Development Cooperation (AICS). The Project aimed at building local capacity to foster the implementation of the JPA. The desire to further advance and sustain these efforts inspired the creation in Nyala of the Community Stabilization and peacebuilding Research Laboratory (COSTARELA), a joint effort of the Law and Politics Institute (DIRPOLIS) at the Sant'Anna School in Pisa and the Centre for Peace (CfP) at the University of Nyala, South Darfur.

This special issue of the *African Conflict and Peacebuilding Review*, devoted entirely to the 2020 Juba Agreement for Peace in Sudan and the prospects for peacebuilding in Darfur, builds on that experience and brings together a diverse group of scholars and practitioners with extensive knowledge of Sudan and the Darfur conflict, from Africa and other parts of the world. Their contributions provide an interdisciplinary reading of the JPA that combines political, legal, economic, environmental, and sociological perspectives and considers both the theoretical and empirical dimensions of conflict resolution and peacebuilding in Africa and Sudan. The authors acknowledge the agreement's achievements as well as its current and foreseeable challenges, shedding light on some of the many open-ended questions concerning the JPA: the negotiation of the agreement, its legal status, the complex transitional justice architecture, the provisions on reparations for victims of human rights violations, the role of women in the peace process, the daunting question of refugee and IDP protection, land and environmental issues. The contributions examine future prospects for the conduct of democratic elections, wealth-sharing and development endeavors, the functioning of the (too many?) implementation bodies, the role of local, national, and international actors in the implementation of the agreement, the maintenance of security in conflict-affected areas, and the expected impact of the JPA on the drafting of a permanent constitution.

Our hope is that the 13 papers that make up this special issue will serve as a compendium for decision-makers in Sudan and for the wider academic community, to read the JPA with a critical eye and uncover its many innovative provisions, stimulating further research on one of the most complex peace agreements signed in recent years.

Whether the JPA will become an example of a successful peace agreement will depend on its effective implementation and, therefore, on the political will of Sudanese stakeholders and the contingencies of the constantly evolving political context. The military coup of October 25, 2021, which dissolved the transitional institutions, shows that the balance of power in the country is still unstable and puts a lien on the success of the transition. However, the continuous commitment to the implementation of the JPA expressed by the military leadership, safeguards optimism for the return to a civilian-led path to democracy. We hope that our research can contribute to this outcome.

ANNEX 1: LIST OF LEGAL SOURCES

Addis Ababa Agreement, Transitional Government of Sudan—Sudan People's Liberation Movement-North al-Hilu faction, Sept. 3, 2020.

Comprehensive Peace Agreement (CPA), Government of the Republic of the Sudan—Sudan People's Liberation Movement/Army, Jan. 9, 2005.

Constitutional Charter for the Transitional Period (TCC), Aug. 4, 2019 (Sudan), translated into English by International IDEA and prepared for distribution on www.constituteproject.org.

Darfur Peace Agreement (DPA), Government of Sudan—Sudan Liberation Movement/Army and Justice and Equality Movement, May 5, 2006.

Declaration of Principles, Transitional Government of Sudan—Sudan People’s Liberation Movement-North al-Hilu, Mar. 28, 2021.

Doha Document for Peace in Darfur (DDPD), Government of Sudan—Movements parties to the Doha Peace Process, May 31, 2011.

Interim National Constitution of the Republic of the Sudan, July 6, 2005.

Juba Agreement for Peace in Sudan (JPA), Transitional Government of Sudan—Parties to the Peace Process, Oct. 3, 2020, official English version verified by the Public International Law & Policy Group (PILPG).

Juba Declaration for Trust-Building Measures and Pre-Negotiation Principles, Sept. 11, 2019, Juba Agreement for Peace in Sudan—Annex A.

Political Agreement on establishing the structures and institutions of the transitional period, Transitional Military Council—Declaration of Freedom and Change Forces, July 17, 2019