

# Making Cooperation Attractive: Post-referendum Relations between Egypt and the Sudan

Peace Research Institute Oslo (PRIO)  
PO Box 9229 Grønland, NO-0134 Oslo, Norway  
Visiting Address: Hausmanns gate 7

Centre for the Study of Civil War (CSCW)  
Peace Research Institute Oslo (PRIO)  
PO Box 9229 Grønland, NO-0134 Oslo, Norway  
Visiting Address: Hausmanns gate 7

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Edited by Jacob Høigilt (Fafo) & Øystein H. Rolandsen (PRIO)



Peace Research Institute Oslo (PRIO)

Hausmanns gate 7

PO Box 9229 Oslo

NO-0134 Oslo, Norway

Tel. +47 22 54 77 00

[www.prio.no](http://www.prio.no)

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# About the authors

**Peter Woodward** (Professor Emeritus), Reading University, UK and former editor of African Affairs. Prof. Woodward is an expert on the Sudan and the Horn of Africa. His books include *Sudan 1898-1989: The Unstable State* (1989) and *US Foreign Policy and the Horn of Africa* (2006).

**Fadwa Abdel Rahman Ali Taha**, (Ph.D.) seconded from Khartoum university to Dammam University, Saudi Arabia. Dr. Taha has written extensively on Nile politics, most recently she contributed the chapter 'The History of the Nile Waters in the Sudan' in Tvedt (ed.), *The River Nile in the Post-Colonial Age* (2010) and the article 'Between past, present and future: The Sudan's role as a middle-stream country' in *International Journal of African Renaissance Studies* (2010).

**Jacob Høigilt** (Ph.D.), Middle East researcher with the Fafo Institute for Applied International Studies, Oslo. His research interests focus on ideological currents and discourses in the Arab world, with special reference to Islamism. Among his recent publications are *Islamist Rhetoric: Language and Culture in Contemporary Egypt* (2010) and 'The Sudan Referendum and Neighbouring Countries: Egypt and Uganda', *Noref Policy Brief* (2010).

**Øystein H. Rolandsen** (Ph.D.), Senior Researcher at the Peace Research Institute Oslo (PRIO, [www.prio.no](http://www.prio.no)). His research interests relate to security, governance and development issues in the Sudan and the Horn of Africa. Recent publications include: 'The Sudan Referendum and Neighbouring Countries: Egypt and Uganda', *PRIO Policy Paper*, (2010); and 'Why is Violence Escalating in Southern Sudan?', *Noref Policy Brief* (2010).

# 1. Introduction

The Sudan has gone through two harrowing civil wars since its independence in 1956. Foreign interference and assistance prolonged these, but external involvement has also been vital in Sudanese peace processes. This was the case with the Comprehensive Peace Agreement (CPA) between the Government of the Sudan and the Sudan People's Liberation Movement/Army (SPLM/A), the main rebel group, which was signed on 9 January 2005. The peace process that culminated in that agreement was led and hosted by the neighbouring countries through the Inter-Governmental Authority on Development (IGAD), with support from further afield, in particular the United States, United Kingdom, South Africa and Norway. These countries have now intensified their involvement in discussions of post-CPA arrangements. The CPA process will have momentous consequences also for Egypt, as thus for Sudanese-Egyptian relations. It is therefore important that Egypt have a clear policy towards, and a constructive engagement in, deliberations over the Sudan's future.

The CPA calls for a referendum on the future status of Southern Sudan but, by addressing the SPLM/A's grievances, was in fact supposed to render Southern Sudanese secession unnecessary: unity was to be made "attractive" to Southerners. But regardless of how the CPA was implemented, the secession process had by 2005 gathered too much momentum to be derailed by the peace agreement: demand for a vote originated more than fifty years ago. Two civil wars and semi-autonomy during the previous peace period (1972-83) have cemented the South as a political entity and stoked the desire for separation from the North. The death of John Garang in July 2005 ended any hope of continued unity. If a referendum is free and fair, secession is the almost certain result.

The many problems and delays in implementation of the CPA have only served to give the SPLM/A reason to conclude that continued unity with the North has not been made attractive during the interim period. Uncertainty over the referendum has therefore demanded efforts to ensure a voting procedure that can be recognised internationally as legitimate, and to avoid sabotage by those wishing to maintain the territorial integrity of the Sudan at any cost. At the time of writing (November 2010) SPLM leaders and key players within the international community, the US first and foremost, appear to have decided that a flawed referendum held on time is preferable to indefinite delay, and negotiations over the terms of secession receive increased attention.

Six years after the CPA was signed, its strengths and weaknesses are easily discernable. The peace agreement has kept its main promise: to stop the war between the Government of Sudan and the SPLM/A. Government-allied militias in Southern Sudan and the North have mostly kept the peace. Ending the war is a great achievement; improved security and communication have remarkably improved the lives of Southern Sudanese. Nevertheless, the peace agreement has been likened to a cease-fire, since a number of difficult issues have been postponed to future negotiations. Local violence has been a growing problem in the South, causing more than 1000 deaths in 2009 alone. Nor has the CPA become a vehicle for democratic transition in the Sudan: national elections in 2010 were a charade. International efforts to assist in recovery have been ineffective, and marred by lack of capacity and inappropriate plans. It appears, however, that the sort of intense political and diplomatic involvement that marked the CPA negotiations is gathering momentum; Egypt in particular has an opportunity to contribute to this process.

As a Nile-valley neighbour to the north, Egypt will inevitably be affected by the Sudan's political transition. Egypt's relationship with the Sudan dates from ancient times. During the 19<sup>th</sup> century

Egypt invaded, colonised and defined what would become the country named “the Sudan”. As junior partner in the Anglo-Egyptian Condominium (1899-1956), it continued to influence developments there. During the period immediately following the Sudan’s independence Egypt was deeply involved in Khartoum politics. That influence waned during the 1980s, particularly during Sadiq al-Mahdi’s period as prime minister (1986-89). The Sudan’s increasing economic strength and the likely secession of Southern Sudan epitomise Egypt’s difficulties in the politics of the Horn of Africa and Nile Basin. Egyptian policy-makers and diplomats struggle with fundamental contradictions in Egypt’s regional status, competing priorities, and the need to stay on good terms with all parties in the Sudan. In order to balance domestic needs, relations with its immediate neighbours and its role as a regional power Egypt must reshape its foreign policy; Egypt’s national interests in the Sudan preclude neutrality in the processes ahead. It can, however, play a key role in a regional and international effort to secure the peaceful secession of Southern Sudan.

The referendum on the future of Southern Sudan is imminent, and policy options for Sudanese-Egyptian relations need urgently to be formulated and discussed. It is important for the development of the whole region that Egypt finds a way to continue constructive interaction with political forces in both Northern and Southern Sudan. The purpose of the one-day policy workshop, “Making Cooperation Attractive: Post-referendum Relations between Egypt and Sudan”, has been to assist Egyptians, Sudanese and others to fashion and debate new perspectives for relations between Egypt and the Sudan (North and South). The workshop took place on 14 October 2010 at the Park Hotel in Oslo and was chaired by Jacob Høigilt from Fafo (video clips of the sessions are available from <http://www.prio.no/Videos/>). It was jointly organised by Fafo and the Peace Research Institute Oslo (PRIO) as part of their project on “Egypt and Self-Determination for Southern Sudan”, which is funded by the Norwegian Peacebuilding Centre (Noref).

A number of invited Sudanese and Egyptian scholars and policy analysts participated in three successive panels:

- Egypt and future scenarios for the Sudan after the CPA interim period comes to an end.
- The security dimension of Sudanese-Egyptian relations.
- Egypt, the Sudan and Nile politics.

In a keynote address, Gunnar Sørnbø of the Chr. Michelsen Institute pressed all parties to take positive but urgent steps with regard to the peace process. He emphasised the importance of successful post-CPA negotiations at both the national and local levels. Endre Stiansen presented the perspectives of the Norwegian Ministry of Foreign Affairs on the referendum process and Egypt’s role in the peace process. He emphasised the importance of regional cooperation and reaffirmed Norway’s commitment to the Sudanese peace process. In closing remarks Kristian Berg Harpviken, the Director of PRIO, summarised the discussions. This report contains three papers prepared for the workshop that discuss key issues of Sudanese-Egyptian relations: post-CPA scenarios, regional security and Nile politics. Written respectively by Øystein H. Rolandsen, Peter Woodward and Fadwa Abdel Rahman Ali Taha, these are followed by a short summary of the main conclusions from the workshop’s deliberations. Selected sessions from the workshop and a presentation by Luka Biong at a separate event on 13 October may be viewed on PRIO’s web site: <http://www.prio.no/Videos/>.

# 2. A Step on the Road to Independence: The 2011 South Sudan Referendum<sup>1</sup>

Øystein H. Rolandsen, Peace Research Institute Oslo (PRIO)

## Introduction

In early January 2011 Southern Sudanese are scheduled to vote over whether Southern Sudan should become independent. The referendum is widely perceived as concluding the process sealed in the 2005 Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement (SPLM). Secession has, however, gathered too much historical and political momentum to be governed by this referendum: Southerners and their leaders will not accept an official result that is inconclusive or favours unity. Realistically, the Sudan confronts two possible futures: Southern secession or renewed North-South war. The ultimate test of the peace process will therefore be negotiations over *the terms* of Southern Sudan's secession. The legacy of twenty-two years of civil war, and continuing tension between the former enemies make unintended escalation of violence and a new war a constant threat to this process. Assistance from neighbouring countries and the wider international community is important for keeping the process on track but ultimately a peaceful outcome depends on the parties themselves and their leaders' ability to demonstrate statesmanship when facing difficult decisions.

## Civil War in Southern Sudan and the Comprehensive Peace Process

The demand for Southern Sudanese self-determination originated more than fifty years ago. Since Sudan's independence in 1956 the South has gone through two harrowing civil wars. The second one started in 1983. The main rebel group, the Sudan People's Liberation Army/Movement (SPLM/A) was led by John Garang, a former career officer and a Ph.D. in agricultural economics, who died in July 2005. Since then the SPLM/A has been under the leadership of Salva Kiir Mayardit, who is also Vice-President of the Sudan and President of the Southern Sudan.

The media often simplistically and erroneously assume that the 'root causes' of conflict in Southern Sudan are religion, ethnicity and an abundance of valuable natural resources. The Sudan's unique history, its weak but authoritarian state structure, and foreign interference are much more important explaining factors and, have indeed provided opportunities for rebellion. The politics of this protracted conflict have, however, made issues related to religion and identity more prominent.

The 2005 peace agreement was correctly termed "comprehensive". It included provisions for security arrangements and the sharing of wealth and power. In addition to promising a referendum for Southern Sudan, the Agreement exempted the South from Sharia law. The rebel army, the SPLA, has remained an autonomous entity. Revenues from oil production in the South were to be shared equally between the parties and the SPLM and National Congress Party (NCP), the ruling party in the North, would jointly lead a Government of National Unity. National elections were to be held halfway through a six-year interim period. The agreement also included

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<sup>1</sup> This is a revised version of the paper presented at the joint PRIO, Fafo and Noref policy workshop, 'Making cooperation attractive: Post-referendum relations between Egypt and Sudan' 14 October 2010, Park Hotel, Oslo. The author would like to thank workshop participants for insightful and stimulating questions and comments. Tamer Azzam and Alfred Lukuji deserve special thank for their engaging and pointed prepared comments.

provisions for three contested areas along the border between North and South: one, the oil-rich area of Abyei, was granted the right to a referendum on whether to be part of the North or the South. The CPA was accompanied by a large UN peacekeeping effort and the promise of a formidable international peace-building and reconstruction effort.

Despite all this, the Agreement has been criticised for wanting in comprehensiveness. Conflicts in other parts of the Sudan, notably Darfur, were not included. Other political forces – in particular Northern opposition parties and the government-allied militias in Southern Sudan – were excluded from the negotiations; the Agreement is basically a political compromise between the NCP and SPLM. The CPA has even been likened to a cease-fire because it is a temporary arrangement that postpones a number of difficult issues for future negotiations. But while the peace agreement did not solve all of the Sudan's political and structural problems, a more extensive and inclusive process would have made the negotiations even more difficult and would probably have resulted in no deal at all.

Now, almost six years after the CPA was signed, its strengths and flaws are easily discernible. The peace agreement has kept its main promise: to stop the war between the Government of Sudan and the SPLM/A. The government-allied militias in Southern Sudan and in the North have mostly kept the peace. Ending the war is a great achievement. Increased security and improved communication have remarkably improved the lives of many Southerners. Still, local violence has been a growing problem in the South, and caused more than one thousand deaths in 2009 alone. And the CPA has not become a vehicle for democratic transition in the Sudan. The national elections in 2010 were a charade, with limited competition and widespread allegations of fraud. International efforts to assist in recovery have been ineffective, marred by a lack of capacity and by inappropriate plans. While the upcoming referendum is cause for excitement, its possible consequences are feared.

## **The Referendum**

The referendum process can be traced to the early 1990s, when representatives of the ruling Islamist party and its northern political opposition both made concessions to Southern rebel groups. The CPA provided for a referendum six years after its signing in 2005. The deadline is therefore 9 January 2011. The CPA implied, that for all practical purposes Southern and Northern Sudan would function as two countries during the interim period of 2005-2011, during which however, the two sides committed to making continued unity attractive to Southerners. The South has its own presidency, legislative assembly, national budget, a semi-autonomous central bank, an army, and foreign representation. The most important remaining link between North and South is oil production and its accompanying revenues. Most of the country's proven oil deposits are in the South, while northern and foreign infrastructure and investment facilitate production and transport of the oil to the coast. The government in Khartoum calculates and transfers to the Government of Southern Sudan (GoSS) its share of the revenue, which constitutes as much as 95% of its budget. Thus political autonomy has been mitigated by economic dependency.

Regardless of how the CPA had been implemented, the idea of secession had by 2005 gathered too much historical and political momentum to be stalled by the peace agreement. Two civil wars – and semi-autonomy during the inter-war period in the 1970s – have solidified the South as a political entity and stoked the desire for separation from the North. Since the death of John Garang in 2005 secession has been the likely result of a free and fair referendum. The many problems and delays in implementing of the CPA have themselves given the SPLM/A a pretext to conclude that continued unity with the North has not been made “attractive” during the interim period. Consequently, uncertainty over the referendum has centred on efforts to ensure a voting procedure that can be recognised internationally as legitimate, and to avoid sabotage by groups wishing to maintain unity at any cost.

Technical and legal preparations for the referendum have been considerably delayed. The Referendum Act was belatedly adopted only in December 2009. It stipulates that at least 60% of registered voters must participate in order to make the referendum's result binding; voters may be registered and vote in Northern Sudan. These criteria give the NCP the ability to influence and possibly manipulate the registration of voters and their participation in the referendum. There is fear that a large number of "voters" will be either northerners, who would vote for unity, or simply non-existent "Southerners" who will not show up.

The votes of actual Southerners living in the north will probably also be subject to undue influence. The threat – real or implied – of property confiscation or even of their expulsion to the South if they vote for secession could intimidate southerners enough to keep them away from the polls or to vote for unity. It is not likely that such strategies would result in a majority for continued Sudanese unity, but they might be sufficient to ensure that the result is contestable or that the necessary 60% level of participation is not reached. Irregularities in the South would of course also open the result to legitimate criticism and dispute. Even if the organisers and others involved do their utmost to ensure a free and fair referendum, delays in the preparations and likely sabotage from pro-unionists mean that execution of the referendum will be flawed.

Ironically opponents of Southern secession have used delays and problems related to the planning of the referendum as a reason to delay it. Delay might allow a better organized referendum, and thus give its result greater legitimacy, but would risk a never-ending series of delays or even cancellation of the vote altogether owing to unforeseen political developments. Postponement of the national elections for almost a year until April 2010 did not ensure their free and fair conduct or undisputed result. Indeed, if these were a dry run for the referendum, considerable irregularities can be expected in January 2011. It appears that SPLM leaders and key players within the international community, the US first and foremost, have decided to carry out the referendum on time, come what may, and to focus their efforts on negotiations over the terms of secession.

### **A Planning Deficiency: How to Make Southern Secession Attractive**

Despite the likely outcome of the referendum, secession has hardly been discussed openly, neither between the political leaders in the Sudan or within the international community. Within the Sudan, talking about Southern secession has been deemed contrary to the spirit of the CPA. The agreement enshrines unity as the preferred outcome of the referendum, and the parties to the agreement are committed to promote this alternative (Machakos Protocol, Part A: Agreed Principles, 1.1.). This has made it difficult for policy-makers and diplomats to raise the issue of possible secession. Other countries such as the US, Uganda and Kenya, have not openly supported establishment of an independent Southern Sudan and they sought to avoid being accused of doing so. In any case, most other countries prefer that the Sudan remains united.

A majority of the small but influential northern Sudanese intelligentsia, within both the NCP and more autonomous segments, have publicly promoted various anti-secessionist positions. Most northern intellectuals avoid discussion of the secession scenario, hoping instead that continued unity would somehow become the default solution. A final fallback position, recently re-introduced by Egypt, has involved a confederative arrangement and delay of the referendum.

Northern Sudanese opposition to Southern secession is rooted in two seemingly incompatible ideologies. Proponents of an Arab-Muslim nationalism imagine that a policy of cultural assimilation and homogenisation will gradually reduce the centrifugal forces on the Sudan's peripheries: when all speak Arabic and have become Muslims, peace and harmony will prevail. Fighting in Darfur between Arabic-speaking Muslims is difficult to reconcile with this theory. Moreover the opposition in Khartoum, together with representatives of the northern peripheries, regard Southerners as powerful allies in the effort to reform the Sudanese state. They want a new

regime in Khartoum based on democracy and on policies more friendly to the regions. The northern opposition fears that Southern secession would postpone national regime change until the distant future. In fact, Southerners' potential threat to the NCP regime has prompted some radical Islamists to argue openly *in favour of* secession, so that Southerners are removed altogether from the political scene in Khartoum.

The SPLM leadership has avoided adopting an openly secessionist agenda. Although first and foremost a Southern movement, the SPLM also counts people of the northern peripheries among its core constituencies. An openly secessionist stand would probably have alienated them. The SPLM has also sought to avoid allegations of violating the CPA by not promoting unity. In any case, some Southern SPLM leaders harbour genuine unionist sentiments.

The result of this stifling of discussion is that the Sudan and the international community are far behind schedule in preparing for secession. Moreover, little effort has been invested in how to make secession palpable for the NCP and Northerners in general. Reluctance to discuss an independent Southern Sudan has been one reason that negotiations over post-CPA arrangements have been delayed. These negotiations have to provide for secession. Vital aspects of the secession process, including the sharing of oil revenues, border demarcation, and the future citizenship status of Southerners in the North will probably not have been agreed upon before the referendum takes place. Lack of clarity over post-referendum arrangements also makes Southern voters in the North more susceptible to intimidation: some perceive Southerners in the North as hostages held for the purpose of avoiding a vote for secession.

Recently a debate on secession has belatedly started both within the Sudan and abroad. A low-profile process on post-CPA arrangements has begun, facilitated by Norway and Ethiopia. In the Sudan, leading politicians within the SPLM have presented carefully formulated statements implicitly favouring secession, and have consequently received severe criticism from the NCP. A high-level UN meeting in New York on 24 September 2010 resulted in strong international support for organising the referendum without delay. Salva Kiir was triumphant when he returned to Juba.

### **Scenario Planning and Role of the Referendum in Deciding the Sudan's Future**

The prospect of a new independent state in Africa has precipitated a tidal wave of policy papers presenting possible scenarios. But it is difficult to predict where the Sudan will be a year from now: Sudanese politics is not transparent, and important decisions are made outside formal state structures. The country is going through a unique transitional period, the result of which will to large degree be decided by negotiations yet to take place. The policies of neighbouring countries and of actors within the international community will also influence the outcome. There is therefore a range of possible outcomes, but some are more likely than others.

The referendum vote will be only one factor in the momentous process of deciding the terms of Southern Sudan's secession. But the outcome of the referendum will affect the relative strength of the two parties in the negotiations to follow: for instance, an internationally recognised majority vote in favour of secession would significantly strengthen the SPLM's position. These negotiations could result in a settlement on secession, but with considerable concessions to the NCP in terms of territory, oil revenue and Southerners' rights in the North.

The political stakes are high for both the NCP and SPLM, both of which have a strong interest in maintaining some kind of peace: an all-out war is (at least in the short-term) a clearly undesirable outcome. Hence, the post-CPA negotiations will involve haggling over the "price" the SPLM has to pay for the South's secession. At the same time, both parties must convince their constituents that they are not selling themselves cheaply. This is a recipe for brinkmanship and gambling on last-minute deals.

If negotiations are unsuccessful, an unintended escalation of conflict cannot be ruled out. Such an escalation might be triggered by skirmishes or proxy wars in a context of a high level of military mobilization. *It is therefore the outcome of the CPA process that should engage planners, not the referendum itself.*

**Realistic Post-CPA Scenarios**

Presented more systematically, two realistic outcomes of the post-CPA negotiation process (secession or war) can be tabulated as worst case and best-case scenarios:

Table 1: Outcomes of the CPA process

	<i>Secession/uneasy peace</i>	<i>War</i>
Best-case Scenario	1. Successful negotiations	3. Limited to the South
Worst-case Scenario	2. Failed negotiations and Southern unilateral declaration of independence	4. Spread to the North and central state disintegration

**1. The parties reach an agreement on post-CPA arrangements**

This is the most optimistic scenario. It becomes more likely if the referendum is organized according to plan and the result is internationally accepted and uncontested by the NCP. In order for it to come about, a combination of considerable facilitation and diplomatic pressure (including both “carrots” and “sticks”) will probably be needed from key countries in the region and further afar. The magnitude and intensity of this involvement must be greater than that so far invested in the Darfur process, and perhaps as comprehensive as the effort mobilized for the CPA negotiations. A promising development in early November was the Obama administration’s indirect promise to remove the Sudan from the list of states sponsoring terrorism if Khartoum let the South secede peacefully. But even this scenario entails considerable danger of internal strife both in the North and in the South, as well as renewed North-South conflict resembling that of Eritrea and Ethiopia in the 1990s. Constant engagement and vigilance will be needed from all parties involved in the process for a long time to come.

**2. The negotiations fail and no agreement is reached**

This is a much more dangerous scenario. If the negotiations fail, the most likely short-term result is the SPLM’s declaring independence unilaterally. The outcome of this action would depend on the policies and reactions of other countries. A flawed referendum process with a disputed result would make it difficult for foreign governments to recognise Southern Sudan as an independent state. This might in turn result in an uneasy peace whereby Southern Sudan became a weak, unrecognised state perhaps resembling the statelet that has emerged from the chaos in Somalia. Renewed war or a high degree of instability in the South would be a likely long-term outcome that might be viewed favourably in Northern Sudan. Some neighbouring countries could possibly also regard a lack of resolution as preferable to the emergence of potentially strong successor states. This scenario runs a high risk of renewed large-scale conflict between North and South.

**3. A limited North-South war**

It is unlikely that any of the parties would opt for war before negotiations over Southern Sudan’s secession ended. It is possible, however, that local actors might force the issue by engaging in skirmishes that locked the parties in a cycle of unintended escalation. The North-South border area is the most likely site for such a development. The late war in the South engulfed Eastern Sudan and northern areas adjacent to the North/South border, and destabilized the Khartoum regime during the 1980s. Moreover, there are indications the SPLM colluded with Darfur rebels

as the early conflict there escalated. If fighting resumes, the only way to hinder its development into nationwide conflict (scenario 4) is to stop it at an early stage. This may therefore be seen as a transitional scenario, wherein the only way to ensure that scenario 4 does not materialise is early international diplomatic intervention.

#### **4. Protracted full-scale war**

This is the absolute worst-case scenario, in which not only the South but also the North is engulfed in war. This is to be avoided at all costs. It might be realised by way of a downward spiral that starts with no resolution during negotiations over secession (scenario 2), then degenerates via limited North-South war (scenario 3) to this final scenario. In the event of renewed North-South conflict, it is difficult to assess the extent to which the SPLM would be able to destabilise the North and threaten NCP hegemony in Khartoum. The SPLM's capacity to take the war to the North would to a great extent depend on its ability to mobilise, train and equip forces in the North. This in turn would depend on the resources the SPLM might mobilise from among its foreign allies. The consequences of massive destabilisation in the North are difficult to predict with any precision. Renewed war might usher in a new transitional government in Khartoum. In the past such governments have been based on a broad coalition of political forces. But use of a full-scale war as a strategy for regime change in the Sudan runs a high risk instead of reaching other undesirable results. An all-out war might be just as likely to end in the Sudan's becoming another Somalia, with no functioning central government and poor prospects of re-establishing one.

#### **Conclusion**

There are only two realistic outcomes of the peace process between the SPLM and the NCP: either the South secedes peacefully after a lengthy bargaining process; or negotiations are inconclusive and uncontrolled outbreaks of violence might escalate into war. Secession leading to an internationally recognised Southern Sudanese state is obviously no guarantee of peace. Although secession would diminish the risk of conflict between the NCP and the Southern Sudanese core of the SPLM/A, other factors, processes and issues might lead to large-scale violence in the Sudan. Developments in the three contested areas on the border between North and South are possibly the greatest threat to stability in the North. It is often forgotten in discussion of the viability of a Southern Sudanese state that the Sudan's existing state structure does not score well by any viability measures (except possibly economic potential owing to oil revenue). The Sudan's government apparatus, which was never particularly strong in the first place, has significantly atrophied in recent decades and there is a strong possibility that it would not withstand a major crisis.

The situation in the Sudan is tense and unpredictable. The overriding concern must be to avoid a new civil war. Fanciful designs for political transitions are unaffordable. To avoid war the Sudanese, neighbouring countries, and the wider international community must come to terms with the South's secession. The NCP must be repeatedly reminded that there is no viable alternative to Southern secession. But in Khartoum's political game, the NCP will for a long time bear responsibility for southern secession. This responsibility will not be a medal of statesmanship, but a stigma and political burden. The NCP must therefore be given sufficient incentives and credible guarantees; many of the peace dividends the NCP was promised for signing the CPA in 2005 did not materialise. The NCP should not be forced to choose between war and political suicide.

# 3. Egypt, North and South Sudan: Security and Stability

Peter Woodward, University of Reading

## **Executive Summary**

Egypt and Sudan have had a "special relationship" since Egypt moved upstream in the nineteenth century to carve out an empire in East Africa that eventually led to the creation of the Sudan. Its claim to the Sudan was to last until the latter chose independence in 1956. This history has shaped subsequent relations between the two countries, with Egypt regarding Sudan as providing "strategic depth", while Sudanese north and south have increasingly asserted their independence. For over a century the central security concern has been water, as both a hydrological and political issue, with the Nile basin states now including seven upstream African countries in addition to well as Egypt and the Sudan themselves. In addition there are other concerns linking Egypt and the Sudan which play a part in relations: resources and trade; social and cultural ties; Islam; and a long-running border dispute. The management of these interests by the former 'imperial' power, Egypt, has formed a distinct part of Egyptian foreign policy since 1956 and will continue to do so if, as expected, South Sudan chooses independence in 2011.

## **Introduction**

The uncertainty of the Sudan's future, with the bookmakers' odds currently on separation for the South, inevitably raises issues for the security of all three parties. The obvious place to start is with the interests the three states (assuming the South's independence) have in relation to one another. All three states will need an awareness of the central role they have played in each other's history, while recognising interests beyond those they share. At the same time any discussion of these interests is subject to developments within as well as between them. Egypt is not immune in this respect, since an ageing ruler and pressure for reform on several fronts make its political future more uncertain than it has been for some considerable time. But it is the Sudan - North and South - that commands most attention with regard to security and stability as the Comprehensive Peace Agreement (CPA) moves towards its intended conclusion with the referendum on Southern independence in January 2011. The prospect of unity's proving attractive to the South, efforts in favour of which the CPA required of both sides, appears to have receded. Speculation about other outcomes has centred on whether there will be a peaceful transition to independence or a return to conflict, possibly destabilising both North and South. All one can do in this regard is to offer some thoughts about the implications for Egypt of the possible directions in which the Sudan may go.

Although many expect a three-state outcome, it is worth remembering that if the Sudan's two most far-reaching transitions of the past sixty years, those of 1953-56 and 2005-11, had gone differently - as they well might have - we could be looking now at the future of one state, not three. When Britain was effectively out-manoeuvred by Egypt in 1952 it looked likely that the Sudanese would choose union with Egypt rather than independence, only for that course to be finally reversed in 1955. In the CPA of 2005 both parties committed to make unity attractive. Yet the three-state outcome likely in 2011 is in large measure the result of a one-state project: Muhammad Ali's thrust up the Nile in the nineteenth century to extend Egypt's power into the upper reaches of the river and

perhaps even as far as the Indian Ocean. Under Turco-Egyptian rule the Sudanese territories were ruled as provinces of Egypt or collectively by an appointed governor-general from the new city of Khartoum. The Mahdist revolt of 1881-85 overthrew the "Turkiyya" (as Sudanese called the regime) and even sent an invading force unsuccessfully down the Nile, but its ambit remained broadly the Sudanese territories its predecessor had ruled.

Britain, having effectively occupied Egypt in 1882, later sent an Anglo-Egyptian force up the Nile in a campaign that culminated in the Battle of Omdurman in 1898, and established a Condominium in the Sudan. That new status was deliberately ambiguous regarding ultimate sovereignty: Egypt, the former colonial master, or Britain by right of conquest? Nevertheless it was clear that Britain had the upper hand in the Sudan. Following the 1924 Sudanese revolt, which British officials attributed to Egyptian influence, Britain's deliberately reactionary policy against the spread of "nationalism" involved an attempt to cordon off the three southern provinces: some historians have seen in this the start of the "Southern problem". It has also been claimed that Britain planned the eventual separation of the South from the Sudan, but that was never more than speculation and was swiftly abandoned as a result of developments in Egypt and the Northern Sudan after World War II.

Like the Condominium itself, Britain's so-called Southern Policy left a legacy of ambiguity, this time in relations between North and South. (When the policy was debated one official in London had minuted prophetically that the attempt to build a 'solid barrier' between North and South was "sweeping and perhaps startling" and that "It is, I think, hardly too much to say that the ultimate destiny of the country may depend to a considerable extent on the decision taken.")<sup>1</sup> Even after independence the relationship with Egypt was occasionally at issue: a union of Egypt, Libya and Sudan was briefly proposed in 1970; in the mid-1970s presidents Sadat and Nimeiri laid plans for long term integration - including the building of the Jonglei Canal in the South primarily for the benefit of the North and Egypt.

History has thus created the likely three-state situation, but that history has always been associated with interests, Egyptian, Northern and Southern interests, as these have been perceived at different times. Muhammad Ali in the nineteenth century had little concern with the Nile waters, now Egypt's top priority: resources and then trade were high among his initial concerns. He wanted first soldiers for his army (Sudanese units of the Egyptian army would later serve as far away as Mexico), and hoped for gold in the eastern hills where the ancient Egyptians had found it. By the middle of the nineteenth century Egyptian penetration had reached deep into what is now the South, initially for ivory and later for slaves - another legacy that would live on in Southern consciousness.

## **The Nile<sup>2</sup>**

Since the earliest times Egypt has sought to control the Nile. Initially that meant the Nile within Egypt, but later, especially after Britain established dominance in Egypt and then Sudan from 1882, it involved a number of hydrological projects from the sources of both the White and Blue Niles. Though these involved Uganda and Ethiopia, the sole beneficiaries in terms of increased availability of water were Egypt and the Sudan. The recent Nile Basin Initiative (NBI) has pitted most of the African countries behind Ethiopia and a new Nile Cooperative Framework Agreement (NCFA). Meanwhile Egypt very publicly and the Sudan more quietly seek to protect their "historic share" of Nile waters, even as developments in the Sudan have altered the bilateral relationship. The Sudan is

building new dams with support from China, a country over which Egypt has little influence. It has been predicted that by the end of 2010 Sudan will be using its entire water allocation under the 1959 treaty, thus disposing of any surplus flowing north to Egypt.

An independent South Sudan re-opens the issue of the Jonglei Canal, which is intended to benefit northern Sudan and Egypt by bypassing the *sudd*; construction was halted during the civil war. John Garang, the late rebel leader, favoured the canal in principle, but it is far from clear that political sentiment in a newly separated South Sudan in 2011 would think likewise. It appears that the immediate situation will be one in which Egypt and North Sudan still stand together in regard to the NCFA, since North Sudan is not likely to benefit under a new agreement. However the way in which South Sudan sees Jonglei is less clear: Egypt has suggested that it could recognise the separation of the South in return for its support of the status quo on the division of the waters, but the South will also have to consider its relations with its African riparian neighbours and their position on the NCFA. However, in addition to the Jonglei Canal itself, there are reports of Egyptian engineers working on smaller scale operations related to improved water management and flow on tributaries of the White Nile, especially the Bahr al-Ghazal.

### **Trade**

Trade has continued to be an issue in Egyptian-Sudanese relations. Trade is reported to have tripled between 2002 and 2008 reaching about \$2.5 billion, helped by the free movement of people and money between the two countries. Much of this has been in commercial goods exported from Egypt. These constitute a relatively small part of the market in the Sudan, which in recent years has been flooded with goods from India and China in particular. In the event of the Sudan's seeking to diversify its trading and financial relations, it is to the West and the Gulf rather than to Egypt that it will look, politics and sanctions permitting. Egypt has nonetheless been investing in the Sudanese agricultural sector, both North and South. In the North, Egyptian and Sudanese agronomists hope to introduce new strains of the cereals Egypt needs, but the sustainability of these has yet to be demonstrated. The Government of South Sudan (GoSS) has so far acquiesced in Egypt's increasing level of activity in the South, but in the event of separation and subsequent deterioration in relations with the North, suspicion will fall on that activity. Southerners remember Egyptian involvement in the Southern Mutiny of 1955, when an attempt was made to reverse the Sudan's drift away from union with Egypt towards independence. The region reacted violently in the 1970s even to rumours that thousands of landless Egyptians were to be sent to farm in the South.

### **Social and Cultural Ties**

Social and cultural ties could be adversely affected by a worsening situation in the Sudan. There may be as many as three million Sudanese in Egypt, but their composition is varied. Nubians from the border area have always looked to Egypt. Wealthy Sudanese regard Cairo as something of a bolthole from insecurity at home, and many hold significant assets there. At the same time Southern refugees have moved to all neighbouring countries, including Egypt, where they live in considerable poverty and sometimes complain of harassment by the authorities. In the event of renewed conflict in the Sudan their numbers could increase and with them the tensions with those authorities. During the Condominium era Egyptian officials and teachers moved to the Sudan in some numbers; many descendants remain there, some with elite connections. In part through them educational and cultural ties grew stronger. A branch of Cairo

University was established in Khartoum. In the 1960s there was no more popular singer in Northern Sudan than Umm Kalthoum, and Nasser was far more popular than any Sudanese politician. Sudan's Islamist government after 1989 tried to cut these links, though never with complete success, and in recent years Egypt has once more been active on the cultural front.

Egypt has also been active in South Sudan. New programmes in the South have included numerous university scholarships for Southerners, as well as support for schools, hospitals and water projects in the region. Indeed some have even remarked that Egypt has done far more "to make unity attractive" for the South than the North has done. In the event of a return to conflict between North and South, however, it is likely that the enhanced prospect of instability - in the North as well as in the South - would lead to renewed restriction of Egyptian influence.

### **Islam**

Reference to the 1990s raises the possibility of a renewal of Islamist ideology in Northern Sudanese politics, which ironically was first inspired by Egypt's Muslim Brotherhood after World War II. While seen as more pragmatic since Hasan al-Turabi's removal from government circles in 1999, the regime retains Islam as its ideological garb, and indeed was prepared if necessary to sacrifice the South by signing the CPA. After the likely separation of North and South, the Khartoum regime could well seek stability around a renewal of the Islamist project, in name if nothing else. But with international Islamist groups becoming more active in Somalia and sending suicide bombers to Kampala, and with arms shipments allegedly intended for Hamas passing through the Sudan in 2009, there must be concern in Egypt about a threat along the lines of that experienced in the 1990s, when an assassination attempt on President Mubarak in Addis Ababa nearly succeeded.<sup>3</sup> As far as Islamism is concerned, Egypt will have an ally in the USA. At present the CIA cooperates with intelligence services in both Egypt and the Sudan. This is likely to prove something of a lever for Egypt as well as a restraint on international Islamist activities in North Sudan since its rulers are essentially a security-focussed cabal.

### **Border Dispute**

Border issues are generally associated with the prospect of a North-South division of the Sudan, but Egypt has a border dispute of its own that remains unresolved after over fifty years. In 1958 Egypt claimed that certain territories administered by the Sudan were rightfully its own. This involves the area of Halayib, where northeastern Sudan meets southeastern Egypt. Halayib became in effect a barometer of relations between Egypt and Sudan: forgotten when relations were good but resurrected at times of tension. One Egyptian response to the challenge of Islamism based in the Sudan in the early 1990s was to send troops to occupy Halayib, where they remain. (President Beshir's call for a popular march to re-claim Halayib proved a fiasco. As recently as during the election campaign of 2010 he complained that Sudanese inhabitants of Halayib should be voting alongside their fellow countrymen, but to no avail.) A worsening situation in Northern Sudan could lead to a re-opening of this old disagreement, especially if mineral exploration in the Red Sea area continues and proves successful.

### **Political Stability**

The extent of the security challenge ahead depends primarily on political stability. In Egypt uncertainty surrounds upcoming elections and succession to Mubarak. But these issues are small in comparison with the potential political challenges in the Sudan, the first of which is that posed by relations between North and South. Most think separation

is likely and will prove difficult. Many tough issues are unresolved. These include the North-South border; the movement of pastoralists across that border; the citizenship of millions of Southerners living in the North and of Northerners in the South; oil revenues; Sudan's large debt burden of US\$ 37bn; and water. Negotiation of these issues may moreover take place in an atmosphere in which Northern negotiators resent a vote for Southern independence while Southerners feel triumphant upon attaining their hard-fought independence. The best that can be said is that the two governments have gone to the brink on more than one occasion since 2005, and faced with the possible consequences of failure have compromised. Given the ambiguity of Egypt's relations with both North and South, and its close relations with the USA, it is likely to fall in behind current American efforts to achieve a soft landing.

The possibility of failure to achieve agreements relating to separation has given rise to speculation about a return to war, especially in light of an arms race since 2005.<sup>4</sup> Such an outbreak would be difficult enough as a border war (as we have seen between Eritrea and Ethiopia, which remains unresolved after twelve years). A wider threat would involve each side seeking to destabilise the other. The North has a clear record in this regard. It supported - if it did not create - anti-SPLM militias in the South during the civil war. It appeared to be at it again in August 2010 when a helicopter bound for the North with officers loyal to General Athor Deng, who had lost a gubernatorial election in April, was intercepted by the GoSS. Khartoum has also supported and used the Lord's Resistance Army (LRA) to fight the SPLA. Now, moreover, the South would be in a position to reciprocate: the SPLM supported Darfur rebels in the past; has been active in the east, where the 2007 peace settlement is still fragile; and many speak of Southerners in the urban areas of the North, especially around the capital, as a Fifth Column. Any such escalation of fighting could destabilise the respective governments, especially if it interfered with the flow of oil, and its revenues, which are so vital. Both governments are at heart military-security cartels, and both could be vulnerable to challenges from within their military-security establishments, as well as to wider opposition. Both parties benefited from the peace process that resulted in the CPA, but both could well be seriously damaged by a failure resulting in war.

The worst-case scenario might not be regime instability in North and South as much as state weakening. The South may appear the more vulnerable; the Democratic Republic of Congo is an example of what can happen in terms not only of internal collapse but also of external penetration to grab resources. And while the North may have a more stable core, its eastern and western regions could further disintegrate; some Darfuris speak of a right of self-determination even as the South prepares to exercise its right and vote for separation. Developments of this kind would probably have less immediate impact on Egypt than on Sudan's African neighbours, but the prospect of further state decay and a situation in the North resembling that in Yemen would create an environment in which the pursuit of Egypt's interests would be ever more challenging.

Egypt likes to present itself as having unique insight into Sudanese politics, a foreign-policy portfolio handled by intelligence personnel in Cairo and in Sudan, both North and South. But its record is less than convincing. Leaving aside the Sudan's choice of independence rather than union in 1956, Egypt's allies in Sudanese society today are weaker than they used to be. The Democratic Unionist Party (DUP) still exists with the backing of the Khatmiyya sect, but its position has declined and its patron, Muhammad Osman al-Mirghani, leader of the Khatmiyya, looks to Saudi Arabia and the Gulf states for support as well as to Egypt. A significant failure of intelligence occurred in 1989, when Egypt hurried to greet the new military rulers who soon turned out to be its Islamist

enemies. Tensions remain. The Sudan's assertive new foreign minister, Ali Karti, recently issued a stern warning against Egyptian involvement in Sudanese affairs.

There may be fears in Khartoum that Egypt would seek to ally itself with an independent South in relations with the North. But Egypt has not in the past been much loved in the South. Old suspicions have already been mentioned. More to the point, Egypt did not support the SPLM during the long years of war in the South, wishing instead to retain the unity of the Sudan by supporting the government side. In 2000 Egypt (with Libya) tried to push its own peace agreement, which made no reference to a referendum on separation; Egypt was horrified when this was included in the CPA. Since 2005, however, it has been trying to woo the South through diplomacy and aid. Doubtless Egypt would also like to see completion of the Jonglei Canal project, though it is aware that this also remains a very contentious issue in the South itself.

## **Conclusion**

The points raised here are all open to debate. The importance of the Nile - the most crucial issue for Egypt - suggests that political cooperation between Egypt and North Sudan is likely to continue, but there is considerable ambiguity regarding the South. Trade is a less significant issue today than in the nineteenth century, and North Sudan will continue to look east, and hopefully west, while South Sudan turns ever more to its African neighbours. The social and cultural ties of the North and Egypt will remain, but those of the South will be open to question. Islamism in northern Sudan is likely to be resuscitated ideologically, just as opposition to it is central to South Sudan's self-identity: Egypt probably expects that with US support it can be contained. The temperature of the border dispute over Halayib will probably reflect relations over other issues. But the hardest security issue of all will be political stability within all three countries.

As for Sudan, North and South, a timeline is very hard to predict, and there is comparatively little that Egypt can do to influence developments beyond working for an international consensus to try to avoid the worst. If there is a Southern referendum vote for separation, the CPA provides for a final transition to independence of only six months. Many observers believe that more time will be needed to complete the various negotiations; a compromise allowing the original timetable to go ahead, as the South will wish, with outstanding matters to be resolved after independence, is possible. (Both sides are aware that the Eritrea and Ethiopia went to war not just over a disputed border but because wider issues, especially financial and trade questions, had not been fully thought through at separation.) With eventual agreement, and especially continuing acceptance that for some years at least the present arrangement on oil - mostly found in the South but exported through the North - must continue in some form, there may not be a significantly worse security situation than at present. In the long term the South's oil might be exported via East Africa, perhaps along with that from new Ugandan fields around Lake Albert; meanwhile the North is hopeful of new finds in the west and east, where exploration is now under way. Generation of more revenue for both governments might ease further economic separation in the future. However neither development is likely in the short term, and there is no guarantee that either will ever happen in the medium to long term especially if one or both new states proves even more unstable in the future.

If, however, a "hard landing" takes place, with an acrimonious separation and serious outstanding issues, conflict could develop sooner rather than later, and with implications for the whole region and not just Egypt. Perhaps the most threatening scenario would

play out if the referendum is delayed or cancelled. Suspicion has grown in the South that the North has prevaricated over preparations for the referendum, while there has been speculation that any problem at all could provoke a unilateral declaration of independence by the South.<sup>5</sup> However, if it goes to form with regard to other issues pertaining to the CPA it may be that this is a further case of brinkmanship; compromise may once more seem preferable to breakdown. Whatever transpires, the hitherto unstable state of the Sudan will never be the same, but whether there is new stability or fresh instability remains to be seen.

In managing the unfolding situation it has to be recognised that there is little love lost in the relations of Egypt, North Sudan and South Sudan, and their mutual suspicions will persist. At the same time they will retain the longstanding resource issues: most crucially for Egypt those relating to water, and for North and South Sudan oil. The situation will be challenging for all three, but while the Sudan is still vital for Egypt, Egypt is now less significant for North and South Sudan than it was when it was central to the making of Sudan.

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<sup>1</sup> Woodward, Peter (1979) *Condominium and Sudanese Nationalism*, London: Hurst, p. 11.

<sup>2</sup> The Nile is treated more extensively in the paper by Dr. Fadwa Taha, where also the hydrological factors are included.

<sup>3</sup> It is said that Mubarak himself flew one of the Egyptian planes that bombed Abba Island in the White Nile south of Khartoum during an uprising by the Mahdists..

<sup>4</sup> For both governments the largest budgetary item by far since 2005 has been the military.

<sup>5</sup> The Anglo-Egyptian Agreement of 1952 stated that Sudan's decision on union with Egypt or independence would be settled by a referendum at the end of a transitional period. However by 1955 the main political parties were in agreement on independence without a referendum. Britain was pleased and Egypt could by then do nothing to stop it.



# 4. The Nile and the Referendum on Southern Sudan's Future

Fadwa Abdel Rahman Ali Taha, University of Dammam

Should they vote to establish a separate sovereign state in Southern Sudan, the Southern Sudanese will not be voting to change the facts of geography, nor the direction of the flow of the Nile River.

President Thabo Mbeki, chair of the African Union Panel on Sudan, 10 July 2010.

## Executive Summary

The aim of this paper is to discuss Nile politics in light of the referendum scheduled for January 2011, on the assumption that Southern Sudanese will opt for independence. The referendum is part of the internationally-sponsored 2005 Comprehensive Peace Agreement that ended more than twenty years of civil war between the North and South. A Southern Sudanese vote for independence could affect the disputed sharing of Nile waters. Hence there are four important issues to be considered: the present situation in the Nile Basin; Egypt's interests in the South; relations between the Sudanese and Egyptian governments; and the South's position regarding Nile waters.

## The Present Situation

At present there is serious disagreement between the Sudan and Egypt on the one hand and other riparian countries on the other over the sharing of Nile waters. The 1929 Anglo-Egyptian Nile Waters Agreement and the 1959 Nile Waters Agreement between the Sudan and Egypt form the basis for this conflict. The preamble of the 1959 agreement provocatively refers to full utilization and full control of the Nile by the Sudan and Egypt, ignoring the interests of other riparian entities. Article 5, however, entitled "General Provisions", states that since riparians other than the two republics claimed shares in the Nile waters, the signatories agreed that they should jointly consider and reach one unified view regarding such claims; if that consideration resulted in allotting Nile water to one or another riparian, the accepted amount would be deducted from the shares of Egypt and the Sudan in equal parts, as calculated at Aswan. A bilateral technical commission, established under terms of the Agreement, would make the necessary arrangements with the respective governments, ensuring that their water consumption would not exceed the amounts agreed upon. This wording gives the impression that the Sudan and Egypt had the exclusive right to allocate the waters of the Nile, even though both are water recipients.<sup>1</sup> Southern Sudan's secession would create a situation unanticipated by article 5: a new riparian state would be established from the territory of one of the signatories. Would the water share of that state be taken from both North Sudan's and Egypt's, or from North Sudan's only? This question arises, of course, only if the 1959 Nile Waters Agreement remains operative.

The Nile Basin Initiative, established in 1999, is a transitional institutional mechanism that includes all riparian states and aims at fighting poverty and promoting economic

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<sup>1</sup> For details see: Taha, Fadwa Rahman Ali (2010) 'Between past, present and future: The Sudan's role as a middle-stream country', *International Journal of African Renaissance Studies - Multi-, Inter- and Transdisciplinarity*, 5: 1, pp. 5-18.

development in the region. The NBI is meant to function only until an all-basin framework agreement is signed. In the Draft Framework Agreement published by the negotiating committee in Entebbe (20 – 24 September 2004), the Sudan and Egypt expressed this reservation: “The principles and framework are without prejudice to existing Agreements”;<sup>2</sup> a position the two countries had upheld throughout this NBI process. The seven upstream States insist that a new agreement should be reached to supersede the already existing agreements, which do not take into consideration the rights and interests of all the riparian nations.<sup>3</sup> In June 2009 at the Kinshasa summit, some of the Nile Basin countries drafted a Cooperative Framework Agreement (CFA) that omits mention of the historic claims of Egypt and the Sudan. On 29 June 2009 the World Bank and donor countries sent a letter to all parties expressing concern over the Kinshasa meeting and the necessity to reach and sign a framework agreement. The meeting ended in failure because the Sudan and Egypt were adamant about preserving their “historical rights”.

At a ministerial meeting held in Alexandria in July, the Sudan and Egypt upheld their united position against the other riparian countries. Egypt threatened to withdraw from the Nile Basin Initiative if they insisted on concluding the framework agreement as drafted. The controversial article 14 in that draft would nullify the 1929 and 1959 agreements: The Nile Basin states, therefore, in a spirit of co-operation, agree:

- a. to work together to ensure that all states achieve and sustain water security
- b. not to significantly affect the water security of any other Nile basin state

Egypt and the Sudan want part b of the article to read: ‘not to adversely affect the water security “and current uses and rights” of any other Nile Basin state.’ The other countries, in order to guarantee a more liberal regime of water use for future economic programs, rejected this proposal. These include large irrigation schemes already planned and awaiting implementation in Ethiopia and Tanzania, for which those countries plan to draw water from the Nile and its feeders, with possible effects on the amount of water flowing to the Sudan and Egypt.<sup>4</sup>

Both in Kinshasa and Alexandria the Sudan appeared to take a role subordinate to Egypt’s. *Al-Sahafa*, a Khartoum newspaper, reported on 26 July that the other riparian countries continued to maintain that the 1929 agreement was invalid because it was signed during the colonial era, when the Sudan was governed by an Anglo-Egyptian condominium and Britain retained a powerful presence in Egypt itself. However, as the *Sudan Tribune* of 29 July reported, the water ministers accepted a proposal by the Sudan for a six-month delay so that a compromise might be reached.

Egypt and the Sudan maintained their contrary position at the meeting of the Council of Ministers of the Nile Basin countries, held on 13–15 April 2010 at the Egyptian resort of Sharm el-Sheikh. The meeting failed to bridge differences between the two sides. On 15 April 2010, *Sudan Tribune* reported that the upstream states had issued an official declaration that they would sign the Framework Agreement on 14 May. The countries signing the Nile River Basin Cooperative Framework at Entebbe were Ethiopia, Rwanda, Tanzania, Uganda, and Kenya; the document will remain open for signature until 13 May 2011, after which it is to take effect. The new agreement did not refer to fixed shares of Nile waters for the Basin countries, but declared null and void the 1929 and 1959 agreements in a way that would permit all riparian states to obtain their needs without

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<sup>2</sup> Draft Agreement on the Nile River Basin Cooperative Framework, Negotiation Committee, Entebbe, 20–24 September 2004 (unofficial document possessed by the author).

<sup>3</sup> Yacob Arsano (2004) *Ethiopia and the Nile: Dilemmas of national and regional hydropolitics*, Ph. D thesis, Zurich, p. 57.

<sup>4</sup> Taha, Fadwa Rahman Ali (2010) ‘Between past, present and future’, pp. 14-15.

harm to each other. According to the Sudanese newspaper *Al-Sahafa* of 30 May 2010, however, a document will be attached to the Framework stating that 18 billion cubic meters will be deducted from the share of both the Sudan and Egypt.

The newly-elected Sudanese President sent delegations to Ethiopia and other riparian countries to lobby against the Framework Agreement. It is notable that the Sudan's first vice president, Salva Kiir, visited Ethiopia for the same purpose.<sup>5</sup> This visit appears to have been a tactical move to ensure the flow of Egyptian assistance to South Sudan. That Ethiopia, however, joined the countries of the Equatorial Plateau is a matter of concern for the Sudan and Egypt. The Egyptian government declared that the Framework would not bind those governments that did not sign it. But this sword cuts both ways, and the upstream countries had a strong argument against the 1929 and 1959 Agreements, to which they were not parties.<sup>6</sup>

The identical positions of the Sudan and Egypt were confirmed in September 2010 following a meeting in Cairo between their ministers of irrigation. The meeting emphasized support for bilateral cooperation and reaffirmed the two countries' determination to protect their historical shares in the Nile waters.<sup>7</sup>

### **Egypt's Interests in the South**

Egypt is particularly worried about the possibility of Southern Sudanese secession, for obvious and legitimate reasons. The importance of the Nile for Egypt cannot be overstated. Ninety-five percent of Egyptians live in the Nile Valley and depend on the river for virtually all their water. Egypt has maintained contacts with the current regional government in the South. On 9 August 2006 Egypt and Southern Sudan signed a memorandum of understanding regarding technical support, assessment of water resources, forecasting flood and drought, and reviewing studies of the Jonglei Canal project.<sup>8</sup> The Egyptian minister of irrigation and water resources visited Southern Sudan in April 2007 to confirm his government's commitment to this agreement. Priorities were set: capacity building and construction of small-scale dams are to come first. The Southern minister of irrigation raised some concerns, such as vegetation in Southern Sudan's rivers and the need for gauging systems in major towns.<sup>9</sup> A joint delegation from the national ministry of irrigation and the Southern Sudanese government also visited Egypt. According to press accounts, that visit resulted in a memorandum of understanding by which the government of Southern Sudan agreed to resumption of work on the Jonglei Canal.<sup>10</sup> To date (September 2010) no such resumption has occurred. Completion of the Jonglei Canal would increase Egypt's share of Nile waters.

Egypt has, in any case, long expressed support for unity. As early as 1952, when negotiating the agreement for self – government and self – determination for the Sudan, Egypt rejected the British attempt to retain a role for the Governor – General in the South where, they stated openly, Egypt had vital interests.<sup>11</sup> Suspicious of vaguely mooted British interest in annexing the South to East Africa, Egyptian negotiators maintained that inclusion in the Self – Government Statute of such words as “South” and “Southerners” would undermine the unity of the Sudan. They stated that the mere

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<sup>5</sup> Abdalla, Ali Abdalla (2010) "The fate of the Nile Basin Initiative after May 14<sup>th</sup> 2010", *Sudan Tribune*, 15 May.

<sup>6</sup> Ikram Mohammed Salih (2010), "The Impact of Secession on the River Nile Waters", Sudan Center for Research and Strategic Studies Web site. Available at: <http://sudacenter.org/ma/modules/smartsection/category.php?categoryid=19>.

<sup>7</sup> *Al-Sahafa*, 28 September 2010.

<sup>8</sup> *Sudan Tribune*, 18 April 2007.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Al-Sudani*, 16 May 2007.

<sup>11</sup> Taha, Fadwa (ed.) (2006) *Alwatha'iq al-Misriyya 'an al-Sudan 13 Fabrayir 1841 ila 12 Fabrayir 1953*, Khartoum: Maktabat al-Sharif al-akadimiyya, p.406.

mention of the word “South” in an official document implied the acceptance of a notion of differentiation on a racial basis and therefore of possible territorial secession.<sup>12</sup>

Egypt has never abandoned its preference for unity. On 9 May 2010, the Egyptian minister of foreign affairs, Ahmed Aboul Gheit, and Omar Suleiman, the Egyptian chief of Intelligence, visited Khartoum and Juba to emphasize Egypt's strategic interest in the security, unity and stability of Sudan. “We will do everything in our power to save the unity of Sudan,” Abul Gheit told reporters in Khartoum after talks with President Beshir.<sup>13</sup> But, as Egyptian academics (and many others) have recognized, Egypt’s foreign-policy behaviour has been and will continue to be intertwined with – if not subordinate to – her need to ensure a smooth and uninterrupted flow of Nile waters.<sup>14</sup> Egyptian foreign policy is defensive, geared towards promotion of Egyptian strategic interests in the region; the Nile will always influence relations with the states of the basin region.<sup>15</sup> Thus the Egyptian foreign minister did not exclude negotiations with the other riparian countries: while the “Sudan and Egypt agree completely on the question of Nile waters”, he said, “We are ready to continue discussions with other countries and to cooperate to build a bridge and reach a final agreement that will satisfy all the Nile Basin Initiative countries.”<sup>16</sup>

While commending unity, however, realistically Egypt cannot exclude the secession option. Egypt has abandoned open opposition to Southern secession and appears resigned to the inevitability of a “Yes” vote for independence in the 2011 Southern Sudanese referendum. Various means are being used to strengthen the Egyptian position in the South in case of secession, including investment in development projects. In July 2010, Egypt announced a \$300 million grant for building potable water complexes, drilling thirty wells, setting up river ports, and upgrading electricity and water networks.<sup>17</sup> The Egyptian ministry of irrigation has announced the choice of a site for the first multi-purpose reservoir in Southern Sudan, which is to be built by Egypt to serve the Southern provinces. Once completed, this reservoir would have the capacity to irrigate forty thousand acres. In an interview published on 2 September 2010 in the Sudanese newspaper *Al-Sahafa* the Egyptian consul in Juba said that relations between his country and the Southern Sudan Government were noticeably improving; Egypt had exerted great effort to provide Southern citizens with their immediate needs. He added that the South was a promising market and in need of investment. A delegation of Egyptian businessmen has visited the South to discuss means of facilitating the operation of Egyptian firms there.

Egyptian initiatives in the South may serve two purposes: to make the – increasingly unlikely – case for unity and to make the case for Egypt in the event of secession. If the South secedes Egypt would work to bring the independent Southern state around to the collective stand of North Sudan and Egypt against other riparian countries. This, however, raises the question of whether an independent South's interests would be better served by cooperation with neighboring riparian countries or by cooperation with Egypt and North Sudan. The Egyptian position would also be affected by relations between the new Southern state and the North: If North-South relations deteriorated, Egypt would need to consider her own interests.

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<sup>12</sup> Public Record Office, F.O. 371/96913, British Embassy, Cairo, to Foreign Office 16 November, 1952.

<sup>13</sup> Sudan Watch (2010) "High Level Egyptian Officials Visit Khartoum and Juba - Egypt urges Sudan unity ahead of referendum", 9 May, <http://sudanwatch.blogspot.com/2010/05/high-level-egyptian-officials-visit.html>.

<sup>14</sup> Hamdy A. Hassan and Ahmad Al Rasheedy, 'The Nile River and Egyptian Foreign Policy Interests', *African Sociological Review* 11, 1, 2007, 25 – 37.

<sup>15</sup> *Ibid.*

<sup>16</sup> Sudan Watch (2010) "High Level Egyptian Officials Visit Khartoum and Juba."

<sup>17</sup> 'Egypt to grant South Sudan \$300 million for water and electricity projects' *Sudan Tribune*, 12 July 2010, <http://www.sudantribune.com/Egypt-to-grant-South-Sudan-300,35639>.

If Southern Sudan opts for secession, Egypt would be the first Arab country to recognize its independence.<sup>18</sup> Egyptian diplomacy reflects the importance that a sovereign Southern state, through which the White Nile flows, would assume. Egypt has legitimate fears, and would work to impress the new state by developing common projects that might alienate other upstream countries. But the South is unlikely to join the Arab League, and would gravitate towards the East African group. In this case Egypt would likely attempt to strengthen her relations with Northern Sudan, which would become a buffer with Southern Sudan.<sup>19</sup> In June 2010 the Egyptian government invited both the National Congress Party (NCP) and Sudan People's Liberation Movement (SPLM) to hold talks in Cairo to reach a framework agreement to preserve good relations between North and South regardless of the outcome of the referendum. These negotiations started in July.

### **Relations between the Egyptian and Sudanese Governments**

Relations between Egypt and the Sudan can be said to be good over water issues but at times tense over other matters. As one expert puts it: "Notwithstanding the ups and downs in other areas of Egyptian-Sudanese relations, the two nations have joined forces in all matters concerning the status quo with regard to the Nile waters."<sup>20</sup> Though historically the Sudan has been widely considered subordinate to Egypt, a situation aggravated by British policy in the Nile valley,<sup>21</sup> Egypt now has no alternative but to maintain good relations with the Sudan. The Sudan, in turn, has much to gain from cooperation with Ethiopia: dams on the Blue Nile would regulate the flow of the river, reduce the danger of floods, and relieve the sedimentation problem in Sudanese reservoirs.<sup>22</sup>

In addition to cooperation through the Permanent Joint Technical Commission(PJTC), which was established under terms of the 1959 Nile Waters Agreement, attempts at political and economic integration between Egypt and the Sudan were made during the Nimeiri regime of 1969-1985.<sup>23</sup> The Egyptians saw integration as a chance to achieve the unity that they had hoped for during the period of Condominium rule, a goal frustrated by the Sudan's choice of independence in 1956. The main reason for the Egyptians' interest in unity is the Nile waters, as manifested in complaints about their minor share in the Sudanese administration under the Condominium.<sup>24</sup> Nimeiri saw in Egypt an ally that would come to his rescue during internal political troubles. An Integration Agreement was signed in February 1974. Until Nimeiri's downfall in April 1985, the Sudan was a close and dependable ally of Egypt.

Lavish and unrealistic economic integration projects were launched without tangible results.<sup>25</sup> Nevertheless attempts at closer cooperation continued. A Four Freedoms agreement signed in 2004 gave Sudanese and Egyptians freedom of movement, residence, work and property ownership in either country. (Some believe that Egypt benefits more from this agreement because of the Sudan's abundant resources.) In any case, the agreement has yet to be implemented, and obstacles remain on both sides.

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<sup>18</sup> *Al-Sahafa*, 22 April 2010.

<sup>19</sup> *Ibid.*

<sup>20</sup> Arsano, Yacoub (2004), *Ethiopia and the Nile*, *op. cit.*

<sup>21</sup> For more details about this policy see: Tvedt, Terje (2004), *The River Nile in the age of the British: Political ecology and the quest for economic power*, London, New York: IB Tauris.

<sup>22</sup> For further details see: Fadwa Taha (2010) "The History of the Nile Waters in the Sudan", in *The River Nile in the Post – Colonial Age, Conflict and Cooperation among the Nile Basin Countries*, Terje Tvedt, ed, London: IB Tauris, pp. 179-216.

<sup>23</sup> For more views about the "Unity of the Nile Valley" see Gabriel R. Warburg, *Historical Discord in the Nile Valley*, London 1992.

<sup>24</sup> For more details see Taha, Fadwa (2006) *The Anglo-Egyptian dispute over the Sudan 1937-1947*, Khartoum: Khartoum University Press.

<sup>25</sup> Sudan News Agency (1979) "Integration between the Sudan and Egypt", pp.41-72.

Meanwhile, according to the Egyptian State Information Service, Egyptian imports from Sudan in 2008 were only USD 31.6 million, as compared to USD 40.3 million in 2007. But Egyptian investments in Sudan reached USD 2.5 billion in 2008 as compared to a mere USD 82 million in 2002. Egypt thus occupies third place on the list of Arab countries investing in Sudan. Sudanese investments in Egypt on the other hand were estimated in 2008 at only USD 197.2 million in a recent report by the Heinrich Böll Foundation.<sup>26</sup>

Whether the referendum results in unity or secession, Sudan, north and south, will according to experts' estimations need an increase in water in the near future, and it is against its interests to adhere to inherited rights. The 1959 Nile Waters Agreement was signed while the Sudan was under military rule (1958 – 1964), despite the fact that an uncompromising stand had been taken throughout negotiations before and after independence. Many memoirists from the generation of the Sudanese nationalist movement regret the haste of the military government in coming to terms.<sup>27</sup> Sudanese political parties had been banned, and the press was unfree to reflect public opinion. But no attempt was made by subsequent parliamentary governments either to repeal or ratify it.<sup>28</sup> Today there is a gradually growing awareness about the issue of the Nile waters in all Sudanese media as well as by irrigation experts and academics. Tied by the 1959 Agreement to a unified Egyptian-Sudanese position, the Sudan is therefore now part of the problem.<sup>29</sup>

### **The South's Position**

The Nile and its many tributaries constitute a major natural feature of the Southern Sudan. About 25% of the Nile waters pass through Southern Sudan to the north and Egypt. Some billion cubic meters more could be extracted from the Southern Sudan, where it is currently lost to evaporation. Yet the CPA does not deal in any detail with the Nile waters. (The power-sharing protocol makes a brief mention.) [In Part V Schedule, paragraph 33 of Schedule A mentions the national government's establishment of a Nile Water Commission to manage the Nile waters, transboundary waters, disputes arising between Northern states, and any dispute between Northern and Southern states.

Despite (or perhaps in part because of) the CPA's neglect of the Nile waters, recent developments have led seven Nile Basin countries to confront the Sudan and Egypt in the Draft Framework of 14 May 2010. This has made it inevitable that Nile water issues would be included in the post-referendum arrangements. Article 67 of the Southern Sudan Referendum Act 2009 commits the parties of the CPA to negotiate an agreement on substantive post-referendum under the auspices of the organizations and countries

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<sup>26</sup> Heinrich Böll Foundation (ed.) (2010), *Sudan – No Easy Ways Ahead*, Publication Series on Democracy, Volume 18.

<sup>27</sup> Both pro-Independents and advocates of union with Egypt describe the Agreement as hasty and unfair. According to Amin El-Tom, a founding member of the Umma Party, "Mohammed Talat Farid has no time to read carefully reports, papers, scientific, technical and economic studies concerned with the Nile Waters Issues". Al-Tom, Amin (1987) *Dhikriyat wa-Mawaqif fi Tariq al-Haraka al-Wataniyya al-Sudaniyya 1914-1969*, Khartoum: Khartoum University Press. A similar view was maintained by Abdel Magid Abu Hasabo, a veteran unionist, and Khidir Hamad, the former minister of irrigation in their memoirs. See Hamad, Khidir (1980) *Mudhakkirat Khidir Hamad: Al-Haraka Al-Wataniyya: Al-Istiqlal wa-ma Ba'dahu*, United Arab Emirates: Maktabat al-Sharq wa-l-Gharb; and Abu Hasabo, Abdel Magid (1987) *Mudhakkirat Abdel Magid Abu Hasabo*, vol.1, Khartoum: Dar Sunub li-l-nashr wa-l-Tawzi'.

<sup>28</sup> See Taha, Fadwa , "The Sudanese Role in Negotiating and Reaching a New Nile Waters Agreement 1949 – 1959", *Adab, The Journal of the Faculty of Arts*, University of Khartoum, 27, 2009, pp. 101 - 27. Once a Sudanese government was formed in January 1954, demands for replacing the 1929 Nile Waters Agreement were presented to Egypt. Negotiations began in September 1954, but with Sudanese misgivings. Neither side would budge, and no progress was made until the overthrow of the parliamentary regime by the military coup of November 1958.

<sup>29</sup> Mustafa A. Mukhtar "Why Sudanese public opinion opposes the Nile Water Agreements?", *Sudan Tribune*, 6 August 2010.

signatory to the CPA. Water is among these issues.<sup>30</sup> Agreement was to be reached before the referendum in January 2011.<sup>31</sup> In June 2010 the NCP and SPLM signed a further Memorandum of Understanding at Mekelle in Ethiopia,<sup>32</sup> which, among other things,<sup>33</sup> divided the post-referendum arrangements into four groups, each with its own working party. These cover citizenship; security; finance, economy and natural resources; and international treaties and legal issues. Egypt invited the representatives of the NCP and SPLM to Cairo for talks on these arrangements.

Another area of concern for South Sudan, North Sudan and Egypt alike will be the resumption of work on the Jonglei Canal. Implementation of the project, which began in 1978, can be divided into two phases: the canal itself and storage projects in the Equatorial Lakes, for which the consent of the concerned riparian states would be needed. After two-thirds of the canal had been dug, a series of SPLA attacks forced suspension of the work in 1984. Emergence of the South as an independent state would have a dramatic effect. The new state would have several options: a) completion of the work in cooperation with Egypt in return for development assistance; b) cooperation with Northern Sudan by exchanging water for oil; c) cooperation between the three states (Egypt, North Sudan and South Sudan) to construct the canal and share the benefits; and d) cooperation between the South and the riparian countries of East and Central Africa. Southern independence would increase regional competition for the waters of the Nile. How would such a situation affect the 1959 Nile Waters Agreement between Egypt and the Sudan? Would the independent South ask for a share of the 18.5b cubic meters of water allotted to the North in that Agreement, or as a new riparian country would it join other riparian states in their collective stand against the old treaties by signing the 14 May 2010 Framework?

The referendum law of 2009 stated that the independent South would enter into negotiations with the North to settle important issues such as international treaties, water and currency. A water crisis may well develop between North and South. Once agricultural projects in the South are rehabilitated, they will need water. Water consumption would also increase with the return of displaced people and refugees.<sup>34</sup> Salva Kiir, during a visit to Europe in November 2009, mentioned that Egypt was doing more than Khartoum in supporting the Government of the South. The Egyptian consul in Juba told the *Al-Sahafa* newspaper of 2 September 2010 that Salva had promised Egypt that all Nile agreements would be honored irrespective of the outcome of the referendum. These statements, intended to reassure Egypt, will be tested after the referendum.

The Southern Government is understandably more concerned now with priority number one: self – determination. Responding to a question about how the Nile Waters issue would be solved in case of secession, Pagan Amum, secretary general of the SPLM, told *Al-sharq al-awsat* that the Nile Basin states should enter negotiations to divide the Nile to everyone's benefit; agree on how to manage water to ensure that all rights are protected; protect the Nile itself from disaster; and support cooperation to attain common interests.<sup>35</sup> About the possibility of Southern Sudan's signing the Framework Agreement in case of secession Amum said: "We support fair distribution of the Nile waters, but we

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<sup>30</sup> Other issues are nationality; currency; public service; Joint Integrated Units; national security and intelligence; international agreements and conventions; assets and debts; oil fields, production, transport and export of oil; oil contracts and environment in the oil fields; and property.

<sup>31</sup> Integrated Regional Information Networks (IRIN), *Analysis: Post-referendum fears for Southern Sudan*, 19 July 2010, available at: <http://www.unhcr.org/refworld/docid/4c480a422c.html>.

<sup>32</sup> Mekelle Memorandum of Understanding between the NCP and SPLM on Post-Referendum Issues and Arrangements, available at [www.cmi.no/sudan/doc/?id=1281](http://www.cmi.no/sudan/doc/?id=1281)

<sup>33</sup> *Sudan Tribune* 30 June 2010.

<sup>34</sup> See op-ed by Salman Mohammed Ahmed Salman, *Al-Sahafa*, 10 March 2010. Salman is a Sudanese expert on international law.

<sup>35</sup> Interview with Pagan Amum, *Al-Sharq al-awsat* (English edition), 9 June 2010.

are not a state yet, and we will decide our position on this agreement should we become a state. This is a question that must wait until 2011.”<sup>36</sup> Meanwhile valuing strong relations with the upstream countries and their support for self-determination, the Southern government has avoided involvement in the dispute between them and the Sudan and Egypt. The Nile issue has been ceded to the Government of National Unity in Khartoum.

### **Conclusion and Recommendations**

Though the Southern Sudanese "will not be voting to change the facts of geography, nor the direction of the flow of the Nile River", their vote will have a tremendous impact on the politics of the Nile and the disputed sharing of Nile waters. North Sudan, Egypt and the group of upstream countries would all work hard to bring the new state into its camp.

Concessions from each player are recommended. The issue of South Sudan secession is a sensitive one to Cairo largely owing to its impact on the Nile Water Agreements and the possible reallocation of shares. But (North) Sudan and Egypt should reconsider their position regarding inclusion of inherited rights in the Framework Agreement. Although the importance of the Nile especially for Egypt cannot be overstated, a fact that must be recognized by the upstream countries, the Sudan and Egypt should cooperate with other Basin states in accordance with international law. Fortunately, the needs of the upstream countries for Nile waters are limited, and cooperation with the new Southern state would make available about 20 billion cubic meters of water now lost in the *sudd*. The new state could assume the role of mediator between the upstream and downstream countries for fair distribution of water and enhancement of basin-wide cooperation rather than collective standing with one side or the other. North Sudan should be more forceful and vocal in binding the Nile basin countries together, creating a friendly environment and enhancing basin-wide co-operation, and assuming the role of an important mid-stream country. Egypt, as her foreign minister recently announced, should “continue discussions with other countries and ... cooperate to build a bridge and reach a final agreement that will satisfy all the Nile Basin Initiative countries”.

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<sup>36</sup> *Ibid.*

# 5. Conclusions and Recommendations

There was agreement among presenters and discussants that the secession of Southern Sudan is inevitable. Egypt shares this view, although Egyptian officials continue strongly to recommend unity between North and South. In line with the analysis presented in Rolandsen's paper during the first session, attention during the discussions was directed to the referendum *process*, and to the likely pitfalls during this process and its aftermath. The two main issues of security and Nile politics are closely related, but the papers and deliberations indicated discrete concerns and recommendations in each area.

## **Regional Security**

Regional security is vital for Egyptians, Northern Sudanese and Southern Sudanese alike. All parties have legitimate fears that demand immediate attention. There is a high probability that the secession process will witness further strain in relations between Southern Sudan and Khartoum. During discussion of the post-CPA process, it was argued convincingly that flawed implementation of the CPA might result in either – or both – of the parties' contesting the results of the referendum. Its outcome will therefore be subject to bargaining. After decades of war the two sides distrust each other, and they differ over issues such as oil revenue and the borders Abyei, Blue Nile and the Nuba Mountains. Although resumption of full-scale war is not seen as likely, local low-intensity violence might break out after the referendum.

Even in the event of a successful referendum process, both the Southern and Northern governments will have staggering internal difficulties to contend with. At the grassroots level in the south there is growing dissatisfaction with the conspicuous consumption of elites, even as public institutions lack basic equipment. Ethnic and political tensions persist in a number of southern areas. In a heavily armed society, the threat of internal instability constantly looms on the horizon. In the north, the prospect of southern secession raises fears of further disintegration, not least while the Darfur conflict remains unresolved. With no peace process or reconciliation project on which to base its claim to popular support, the Khartoum regime might revert to radical Islamism, especially when the Christian minority in the south need no longer to be taken into account. It was made clear during the workshop's deliberations that the regime is frustrated with the international community. In this view, Khartoum's having gone a long way since the 1990s to appease foreigners has all been in vain: sanctions continue and diplomatic pressure remains high. Disillusionment and rejectionism are spreading among NCP policy makers and officials.

In Egypt, these possibilities are all viewed with great concern. Resumption of armed conflict would affect Egypt's border control; migration of Darfur refugees and sub-Saharan Africans to Israel and farther north via Egypt is already a problem. Egyptian officials harbour genuine fears of a radicalised Khartoum regime, and shudder to recall the days of the Sudan Islamist militants. As one analyst commented during the workshop, Egypt already has an Islamist government to its north, in Gaza, and does not need another to its south.

The workshop concluded that a peaceful transition in the Sudan requires that the two main parties, the National Congress Party and Sudan People's Liberation Movement (SPLM), stop thinking of their relations as a zero-sum game, and instead view oil and other natural resources as a common good to be shared and the other as a partner rather than an enemy. But it is unrealistic to think that the Sudan can manage this transition on its own. In this regard, Egypt may play a more active role. While there was disagreement among discussants about the nature and extent of Egypt's involvement in Sudanese politics in recent years, everyone welcomed a constructive Egyptian role in the Sudan's political transition.

Concerned with both its security and its status as a regional power, Egypt faces two challenges. The first is decreased influence in the Sudan, especially the North, even as that country assumes increased strategic importance in Egypt's security calculations. Egypt has been oriented towards the Middle East rather than Africa in recent years and has lost some of the standing it had enjoyed in Sudanese and sub-Saharan circles.

Although its “Four Freedoms” agreement with Khartoum and its technical and economic assistance to Juba have strengthened Egypt’s position, it does not have the leverage it would wish in Sudanese politics.

Second, although Egypt has a clear preference for a united Sudan, it needs to prepare for the likely scenario of Southern secession. This is a difficult balancing act. To avoid estranging the Northern elite Egypt must avoid even the appearance of aligning itself with the SPLM, but actively to hinder secession could alienate the Southern leadership and even increase the likelihood of renewed war. Such a development would hardly be favourable to Egyptian national security, as one workshop participant noted. But remaining aloof from political developments in the Sudan would further weaken Egypt’s regional position; Egypt cannot assume the role of neutral mediator. It can and should, however, build on existing institutions and ties with both North and South in order to make regional cooperation attractive for all. This would require a change in Cairo’s current policy approach. As one discussant argued, Egypt should resist the temptation of brinkmanship and cultivate cordial and fraternal relations with the Sudan.

At the same time, Egyptian participants in the workshop explicitly called for more engagement by the Troika (the term for the USA, UK, and Norway that arose during the CPA negotiations), especially Norway, in the current process. Sympathetic with the demands placed on Egypt in terms of multilateral and compromise-seeking diplomacy, the international community, led by the Troika, should seek increased Egyptian engagement in the transition currently taking place in the region.

## **Nile Politics**

A new riparian state inevitably complicates an already difficult hydro-political picture, and puts existing treaties, in which Egypt and Sudan are favoured, under heavy strain.

As a downstream country, Egypt faces the challenge of cultivating relations with an independent South Sudan without alienating Khartoum in the process. Completion of the Jonglei Canal has been suggested as a means of temporarily delaying the problem of downstream water shortage and contributing to technical and political cooperation among the three countries. Egyptian participants in the workshop mentioned this as a good way of building trust. But a completed canal might result in ecological, environmental and socioeconomic problems. It is not clear yet what Egypt and North Sudan could offer in order to make resumption of the Jonglei project attractive to Juba.

In any event, a new riparian country would inevitably re-orient itself towards the upstream African countries (Uganda, Ethiopia, Kenya, and Tanzania). Despite notable investments and assistance to the Southern Sudan, Egypt cannot expect the new regime there to adopt Egypt’s approach to Nile politics. This necessitates a less confrontational Egyptian policy towards the upstream countries in general.

The Northern Sudan may play an important role in this respect. As a midstream country quickly approaching the limit of its 1959 quota of Nile water, it needs to stay on good terms not only with Egypt but also with upstream states. Fadwa Abdel Rahman Ali Taha’s paper posits Khartoum’s stepping out of Cairo’s shadow and assuming a bridge-building role. Such a move would require a more flexible Egyptian attitude than has hitherto been displayed, as well as more understanding of Egypt’s precarious situation on the part of the upstream countries. Although difficult to achieve, this seems the best way of creating a basin-wide paradigm that fosters cooperation rather than conflict.

# Appendix:

## Workshop Programme, 14 October 2010

- Chair: Dr. Jacob Høigilt, Middle East Researcher, Fafo**
- 08.30-09.00**      **Coffee and registration**
- 09.00-09.30**      **Opening**  
Welcome by Mariano Aguirre, director, Noref
- Opening speech by Dr. Endre Stiansen, Deputy Special Envoy to the Sudan, the Norwegian Ministry of Foreign Affairs
- 09.30-09.45**      **Keynote speech**  
Prof. Gunnar M. Sørbø, Senior Researcher, Chr. Michelsen Institute, Bergen
- 09.45-09.55**      **Coffee break**
- 09.55-12.00**      **Scenarios during and after the referendum**  
Presentation by Øystein H. Rolandsen, senior researcher, PRIO
- Prepared comments by  
- Dr. Alfred Lokuji, University of Juba  
- Tamer M. Azzam, Assessment and Evaluation Commission, Khartoum
- Chair (for all sessions): Jacob Høigilt, Fafo
- 12.00-12.30**      **Regional security issues**  
Presentation by Prof. Emeritus Peter Woodward, University of Reading.
- 12.30-13.30**      **Lunch**
- 13.30-14.30**      **Regional security issues (continued)**
- Prepared comments by  
- Hani Raslan, Head of Sudan Studies Unit, al-Ahram Center for Political and Strategic Studies, Cairo.
- 14.30-14.45**      **Coffee break**
- 14.45-16.00**      **Nile politics**  
Presentation by Dr. Fadwa Taha, University of Dammam.
- Prepared comments by  
- Ambassador Ahmed Haggag, Secretary General, Africa Society Egypt  
- Dr. Mohamed Mahjoub Haroun, Director Peace Research Institute, Uni. of Khartoum
- 16.00-16.30**      **Summing up and Conclusion**  
Dr. Kristian Berg Harpviken, Director, Peace Research Institute Oslo (PRIO)

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# Making Cooperation Attractive: Post-referendum Relations between Egypt and the Sudan

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The referendum on the future of Southern Sudan is imminent, and policy options for Sudanese-Egyptian relations need urgently to be formulated and discussed. The Sudan's increasing economic strength and the likely secession of Southern Sudan epitomise Egypt's difficulties in the politics of the Horn of Africa and Nile Basin. Egypt will inevitably be affected by the Sudan's political transition. Egyptian policy-makers and diplomats struggle with fundamental contradictions in Egypt's regional status, competing priorities, and the need to stay on good terms with all

parties in the Sudan. Egypt can, however, play a key role in a regional and international effort to secure the peaceful secession of Southern Sudan.

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This report is a result of the one-day policy workshop, "Making Cooperation Attractive: Post-referendum Relations between Egypt and Sudan". The purpose of the workshop has been to assist Egyptians, Sudanese and others to fashion and debate new perspectives for relations between Egypt and the Sudan (North and South).

The workshop took place on 14 October 2010 at the Park Hotel in Oslo. Scholars and policy analysts from the Sudan (north and south), Egypt and UK contributed to the three main sessions of the workshop. It was jointly organised by Fafo and the Peace Research Institute Oslo (PRIO) as part of their project on "Egypt and Self-Determination for Southern Sudan", which is funded by the Norwegian Peacebuilding Centre (Noref).



Jacob Høigilt & Øystein H. Rolandsen (eds)

Fafo & PRIO

