

International Crisis Group Negotiating Sudan's North-South Future 23 November 2010 *This briefing on the situation of Sudan highlights the final stages of the preparations for the referenda, including progress on voter registration. The report reflects on the lingering disagreements that have plagued negotiations on post-referendum issues such as "citizenship and nationality, natural resource management (oil and water), currency, assets and liabilities, security and international treaties".*

Overview

Sudan's fragile Comprehensive Peace Agreement (CPA) is entering its final phase, and a critical vote on Southern self-determination looms, but foundations for a constructive post referendum relationship are yet to be laid. (...) Many in Sudan and abroad are focused on ensuring the referendum exercise takes place on 9 January as planned. But simultaneously pursuing agreement on the broader post- referendum agenda is not only critical for a peaceful transition and long-term regional stability, but may also serve the more immediate objective of clearing the path for a mutually accepted referendum (...)

(...) Details of all the post-referendum arrangements cannot, and need not, be negotiated before the vote. But the absence of a basic blueprint for the post- 2011 relationship between North and South contributes to uncertainties about the political and economic future of each, risks the referendum being viewed as a zero-sum game and thus sustains fears about the smooth conduct of the exercise and acceptance of its result (...)

(...) [E]fforts have intensified to achieve a framework agreement that addresses, in concrete terms, those post- referendum issues that will have an immediate impact on the population. Such an agreement should also ensure that a mechanism is firmly in place so that negotiations can continue beyond January – up to (and possibly beyond) July 2011, the date on which both the CPA expires, and the South might expect to attain independence, if it votes for secession, as expected (...)

(...) Given the political brinkmanship that has long characterised Sudan's North-

South politics, it is conceivable that the parties might continue to circle fruitlessly before attempting to strike a grand bargain at the last moment. Such high-stakes gambling risks instability in Sudan and the region, and should be discouraged.

As voter registration for the referendum is now underway, the chances for spoilers to derail the exercise are diminishing fast. Some National Congress Party (NCP) officials have shown signs that they may be increasingly resigned to the reality of partition, but the ruling party could still contest the results on technical grounds or withhold its recognition of an independent South (...)

Southern Sudan's right to self-determination is guaranteed by the CPA, and efforts must continue to ensure smooth conduct of the 9 January poll. But progress now toward a series of win-win arrangements could also remove obstacles to the referendum and temper the potential impact of its result.

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