

# STAND | digest

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**PEACE AND NEGOTIATION PROCESS** ■ The Darfur rebel movement, the Justice and Equality Movement (JEM), was recently involved in violence in the region of West Kordofan, where the movement's leader Khalil Ibrahim was killed in an airstrike conducted by the Sudan Armed Forces (SAF). According to the SAF, JEM was on its way to South Sudan when Ibrahim was killed. The NCP has suggested that the reaction of the SPLM to JEM's presence will reflect the future progress of relations between Sudan and South Sudan. In recent months, a new South Sudanese rebel movement was established that favours a united Sudan. Meanwhile, violence has once again erupted in the Jonglei State.

**STAND NATIONAL POLICY UPDATE** ■ STAND Canada's Deputy Advocacy Director comments on the organization's decision to release its first ever policy recommendation regarding Canada's involvement in the Democratic Republic of Congo.

**DRC: CONTEXTUALIZING THE CONFLICT** ■ A chronological update on events following elections in the DRC.



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## POLICY RECOMMENDATIONS //

### 1 North Sudan

Since June 2011, there has been a dramatic spike in violence in the border regions of Abyei, South Kordofan and the Blue Nile state along the border of North and South Sudan. The United Nations estimates approximately 200,000 people have fled South Kordofan and thousands more are fleeing the Blue Nile State. Although both rebels in South Kordofan and the Khartoum-based Northern government are engaged in military conflict, the North has largely been responsible for most of the deaths, using aerial bombardments and ground forces to launch attacks and deny access to humanitarian organizations.

1. The Canadian Government should dispatch researchers to the Sudan border regions and Ethiopia to investigate, document, and statistically verify the occurrence of mass atrocities from refugees who have escaped the violence.
2. Canada should demand the North allow humanitarian organizations access to populations in need in the border regions where the fighting is taking place.
3. Canada should speak out at the UN against the escalating conflict and talk to its international partners to apply pressure on both parties to stop attacks and begin a troop withdrawal.
4. Canada's Foreign Minister should create a bilateral dialogue with his international counterparts to direct their attention to the grave nature of the situation.

### 2 South Sudan

In the wake of South Sudan's secession, the new country is faced with many critical development issues that could threaten its progress and re-ignite conflict in the region. In order to help South Sudan from becoming a failed state, Canada can aid South Sudan in the following areas:

1. As requested by the Government of South Sudan, Canada should chose one of the following areas of development to better streamline and manage the development process: a) general security b) food security c) health-care d) education e) democratization.
2. Canada should use its influence at the World Bank, the International Monetary Fund, and the UN to broker an agreement between North and South Sudan to reduce the national debt of the two countries only if they both work out a reasonable debt sharing arrangement together.
3. Canada should consider providing direct bilateral assistance to the Government of South Sudan (GoSS), now that it has the opportunity to negotiate directly with the Southern government without interference from the North.

### 3 Democratic Republic of the Congo

According to the Secretary General, the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO) is lacking critical resources such as military observers, transport and tactical helicopters. Although Canada has been playing a role in the DRC since 1999, due to the end of the combat mission in Afghanistan, it now has the capacity to provide more resources that are desperately needed. STAND calls on the government to:

1. Increase the number of military observers: Canada's mandate is to provide 12 observers and currently there are only nine stationed in the DRC. The UN mission in total is currently lacking another 29 observers.

2. Provide up to three transport helicopters and five tactical helicopters: six transport, six tactical and three observation helicopters are still required for the UN mission.

### 4 Domestic Policies on Genocide Prevention

In order to effectively prevent, monitor and address grave human rights abuses and mass atrocities, the Parliament of Canada should create a Sub-Committee for the Prevention of Genocide and Other Crimes Against Humanity which should be attached to the Standing Committee on Foreign Affairs and International Development. This would allow Parliament to conduct:

- **MONITORING:** keep MPs informed about the onset of genocide and crimes against humanity, including the identifiable stages of these crimes
- **PREVENTION:** become proactive in its response to such crises, allowing MPs to act early and utilize a wider set of policy mechanisms
- **COORDINATION:** centralize Canada's institutional approach to the issue of mass atrocities by giving one central committee the mandate to comprehensively monitor, study and recommend courses of actions.

## DEVELOPMENTS IN SOUTH SUDAN // JESICA DUFFY

On 28 November, Sudan stated in an open letter that it has decided to halt South Sudan's oil exports until a transit fee is agreed upon.

Since it seceded on 9 July, South Sudan has taken with it three quarters of the formerly united country's approximately 500,000 barrels per day (bpd) of oil production. However, landlocked South Sudan relies on a pipeline running through Sudan to a Red Sea port in order to export crude oil, and the nations have failed to agree on how much the new nation should pay to send its oil through Sudan.

Yet just two days after announcing that South Sudanese oil exports had been halted, Sudan revealed that no exports had actually been halted; rather, Sudan confiscated South Sudanese shipments of oil as payment for fees Khartoum claims Juba owes it for months of using Sudan's pipeline without paying for them. An anonymous senior oil official in Khartoum told Reuters that Sudan planned to take 23 percent of South Sudan's oil exports as payment in kind until a final deal was made.

Both countries noted that Sudan was proposing a fee of \$36 per barrel, which South Sudan has rejected as too high. South Sudan said it had proposed two alternative financial packages to Sudan, one of which involves South Sudan paying a transit fee of up to \$0.75 per barrel.

Discussions about this – and other outstanding post-secession issues – were taking place in Addis Ababa, Ethiopia, but talks broke down after Sudan began interfering with South Sudanese oil exports.

Both nations' economies are heavily dependent on oil production: in South Sudan's case, it accounts for about 98 percent of government revenue.

Despite gaining control of most Sudanese oil resources after partition, the world's newest nation is still desperately poor, lacking basic infrastructure such as paved roads, schools and hospitals. The UN estimates that around 2.7 million people in South Sudan will require food aid in 2012. In December, Washington hosted a US-backed development conference aimed at facilitating economic development. There is said to be significant interest among the private sector in investing in South Sudan, particularly in the oil industry. Since secession, an influx of adventurous entrepreneurs has

already helped stimulate a small business boom.

On 7 December, there was a rare, direct confrontation between the armies of Sudan and South Sudan in the disputed border region of Jau, which both nations claim as part of their territory. Casualties from the hostilities are unknown, but the fighting drove "several hundred" civilians from the area.

The UN expressed concern about possible further clashes between the two armies, and is attempting to relocate some 20,000 refugees from the Yida refugee settlement in the volatile border region of South Sudan's Unity State. The UN estimates that around 650 refugees cross the border into South Sudan each day, fleeing fighting and insecurity in Sudan's Blue Nile and Southern Kordofan states, with more than 50,000 having made the journey in recent months.

## PEACE AND NEGOTIATIONS PROCESS // CHELSEA SAUVÉ

Recently, the Darfur rebel movement, the Justice and Equality Movement (JEM), was involved in violence in the region of West Kordofan, where the movement's leader, Khalil Ibrahim, was killed in an airstrike conducted by the Sudan Armed Forces (SAF). According to the SAF, JEM was on its way to South Sudan when Ibrahim was killed. Under Ibrahim's leadership, JEM was regarded as the most organized and heavily armed Darfur rebel group; now, in the aftermath of his death, it is likely the organization will face a short-term challenge with regards to its leadership. Ibrahim's death has caused conflict in Sudan's capital city of Khartoum, namely at Sudan University. At least twelve students were injured when violent clashes erupted between vocal student supporters of JEM, and supporters of the ruling NCP. According to witnesses, the confrontation began when JEM supporters held a gathering dedicated to denouncing the Sudanese authorities for using force to disperse a mourning pavilion setup by the slain leader's family in southern Khartoum.

Omar al-Bashir's National Congress Party (NCP) has put forth a complaint to a number of international organizations, including the United Nations Security Council (UNSC), concerning JEM and its migration into the Republic of South Sudan. This is the third time Sudan has put forth a complaint to the UN about South Sudan since the country first seceded in July 2011. The two previous complaints accused South Sudan of supporting the Sudan People's Liberation Movement North (SPLM-N), which is currently engaged in ongoing fighting with the Sudanese government in South Kordofan and Blue Nile, states that border the South. Such complaints have also been extended to Darfur rebels, particularly because the SPLM-N and JEM, along with two other rebel factions from Darfur, forged an alliance in November and pledged to hold joint military operations in order to topple the government of Khartoum.

The NCP has made long-standing accusations against the government of South Sudan, claiming that it, as led by the Sudan People's Liberation Movement (SPLM), has supported and provided sanctuary for Darfur rebel groups. South Sudan has denied such charges. Meanwhile, the NCP has asked the UNSC to help pressure the SPLM to withhold any form of assistance to JEM forces. In fact, the NCP has requested that the SPLM disarm JEM and extradite the JEM members wanted by the Sudanese government back to Sudan. The NCP has implied that the SPLM reaction to JEM's presence will reflect the future progress of relations between Sudan and South Sudan.

In other news, Ethiopia and Sudan have reached an agreement to open consular offices in one another's major cities. This agreement was established during the second Ethiopia-Sudan joint political committee, which took place in Khartoum from December 22-25, 2011. It is hoped that this agreement will help to further facilitate trade between the two countries. Ethiopia has also agreed to oppose the International Criminal Court's charges against Bashir.

Recently, Sudan also engaged in bilateral talks with Hamas, the Palestinian group that rules over Gaza. Omar al-Bashir met with a visiting delegation from Hamas, including leader Khaled Meshaal and Gaza leader Ismail Haniyeh. This visit to Sudan was part of Haniyeh's first official regional tour since Hamas seized power in Gaza in 2007. According to Sudanese officials, Bashir discussed recent developments in Hamas' ongoing reconciliation with the Palestinian Liberation Organization (PLO). In this meeting, Meshaal expressed the gratitude of the Palestinian people for the support extended by Bashir to the Palestinian cause, particularly with regard to the issue of Jerusalem. Some reports have suggested that Hamas is considering relocating its headquarters from Damascus to Khartoum. Last week, PLO chief Mahmood Abbas met with Hamas leaders in Cairo, and it was agreed that a committee will be formed to prepare for the inclusion of Hamas in the PLO. The committee will now prepare for an internal election of the PLO parliament.

Sudanese General, Mohammad Ahmed Mustafa al-Dabi, has been selected as the leader of a mission tasked with monitoring the human rights atrocities committed by Bashar al-Assad's Syrian regime in Homms. Dabi was selected despite allegations of his own involvement in committing human rights violations against citizens of Sudan. Dabi is believed to have been instrumental in the founding of the Janjaweed – the accused government sponsored militia group charged with the ethnic cleansing of many Sudanese living in Sudan's most western region of Darfur. On account of Dabi's involvement with the Janjaweed, his appointment to the AL position has received widespread condemnation from human rights organisations. It has been speculated that Dabi was selected by the AL as reward for Sudan's support of Qatar's opposition to the Gaddafi regime during the Arab Spring.

On Tuesday, December 27th, Sudanese President Omar al-Bashir established the Darfur Regional Authority (DRA), exactly five months after signing a peace deal with former rebel group, the Liberation

and Justice Movement (LJM). The membership of the DRA consists of seven people, three of which are representatives of the LJM. In accordance with the Doha Document for Peace in Darfur (DDPD), the DRA is tasked mainly with the implementation of any future peace accords, and must coordinate all post-conflict development projects with the federal government and the various states that comprise Darfur. The DRA is responsible for achieving reconciliation amongst all involved parties, and consolidating security and social peace in order to create suitable conditions for the return of displaced people and refugees. Both the NCP and various international institutions will provide funding for the DRA. The DRA will replace the Darfur Transitional Authority that was established by the Abuja agreement, signed in May 2006. The new authority includes an external consultative organ that has yet to be established. It is rumored that the DRA will soon announce the creation of two new states within Darfur: East Darfur and Central Darfur.

In recent months, a new South Sudanese rebel movement has been established. Named the South Sudan People Liberation Army/Movement (SSPLA/M), this rebel movement advances the notion that South Sudan be governed from Khartoum, rather than its capital city of Juba. The SSPLA manifesto calls for the establishment of a united Sudan with its capital in Khartoum under a federal system. The SSPLA have claimed that the secession of South Sudan is non-viable and insecure. This would essentially entail a return to Sudan as it was prior to South Sudan's secession on July 9th, 2011.

Chairman of SSPLM/SSPLA, Tong Lual Ayat, is a former member of the SPLA rebels, the political wing of which the Sudan People's Liberation Movement (SPLM) now rules South Sudan. Ayat has suggested that the SSPLA has 5,000 soldiers and will reach 10,000 within a month. With this mass group of soldiers, the SSPLA intends to conduct operation Rescue South Sudan from Oppressors – a cooperative military offensive completed in collaboration with other South Sudan rebel groups. Other South

Sudanese rebel movements, such as the South Sudan Liberation Army/Movement (SSLA/M), also oppose the government in South Sudan; however these groups have not demanded that Juba secede power back to Khartoum. Ayat has called upon all rebel groups to coordinate and work together to choose central command under one rebel leader, assisted by secretaries, in order to change the Juba regime; however, it is unknown how these potentially conflicting agendas within a union of rebellions will be resolved.

While 98 percent of South Sudanese people voted in favour of secession, the SSPLA claim that rule from Khartoum would not be objected to by the citizens of South Sudan because it will foster a more vibrant economy in the long run, and avoid the corruption of the ruling SPLM. In fact, the new rebel leader insists that many citizens now regret voting in favour of separation.

South Sudan's army has dismissed reports claiming that it participated in a tribal clash involving two rival ethnic communities in Jonglei State. The United Nations Mission in South Sudan (UNMISS) has confirmed a sighting of air patrols in the area, allegedly preparing to attack communities of the Murle tribe near Likuangle in Jonglei. These air patrols are comprised of Luo Nuer youth. South Sudan's Vice President, Riek Machar, Minister of Justice, John Luk Jok, and local MPs have visited the area in an attempt to diffuse tensions and persuade the Luo Nuer youth not to attack the Murle. The Luo Nuer have suggested that they intend to commit ethnic cleansing against the Murle tribe in order to end the ongoing cattle theft that occurs between the two tribes. Despite a 2005 peace accord ending two decades of civil war in Sudan, cattle raiding between rival groups continue to kill thousands of people each year. The ruling SPLM of South Sudan have accused Khartoum of supporting and arming rebel and tribal groups in order to destabilize South Sudan. The NCP has, of course, denied such allegations. The UN has commended SPLM efforts to calm the Luo Nuer and Murle communities and ensure the safety of vulnerable

community members.

## STAND NATIONAL POLICY UPDATE // COL-LIN POTTAR-BONAR

Over the past weeks and months, STAND Canada has been working to broaden its mandate to place a greater emphasis on the ongoing conflict that has plagued the Democratic Republic of Congo (DRC) and its people for decades. To ring in the New Year, we have decided to launch new DRC-oriented policy recommendations that demand that the Canadian Government increase its presence in the strife-ridden country. While Canada has been actively engaged in the conflict since 1999, the government has failed to meet its commitments to the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO) – a mission in dire need of additional resources, including helicopters, transports and military observers. Canada can do more to stand with the Congolese, and as you stand with us, we will ensure that Canada increases its presence in the DRC and fulfils its UN mandated responsibilities.

At present, Canada has nine military observers in the Democratic Republic of Congo, which represents only 75% of its MONUSCO mandated twelve military observers. Canada's failure to live up to its mandate has only exacerbated MONUSCO's existing shortages. According to STAND Canada's researchers, MONUSCO presently requires 29 military observers, six transports, six tactical and three observation helicopters. Indeed, as Canada's military engagement in Afghanistan has come to an end, the Canadian Government may well find that it has the resources to devote not only to fulfilling its DRC mandate, but also to account for the existing MONUSCO shortages. While a number of Parliamentarians from every major political party have worked to better understand the conflict in the DRC, we firmly hold that the ongoing, systemic violence in the DRC demands greater Canadian investment and engagement.

The Canadian Government should work with MONUSCO to improve the plight of the Congolese because the conflict there is so severe and has been occurring for so long that it has bred what some might term a 'culture of conflict.' After the Berlin Conference of 1884, the Democratic Republic of Congo was relegated to the Belgian monarchy. Under King Leopold's reign, the use of slave labour became commonplace in a colony called the Congo Free State (CFS). It is said that Leopold administered "the only colony to run a profit from its inception" and as a result, millions of Congolese perished under his regime. The exploitative practices continued as the Belgian Government secured administrative rights to the DRC (then referred to as the Belgian Congo) from King Leopold in 1908. Indeed, "[w]hile Leopold had set a precedent for conflict promoting activities through large scale looting, the Belgian state administration practiced exploitation in more regulated forms." The tension, strife and war that arose after the DRC obtained its independence in 1960 must be framed within this colonial context.

The violence has continued, and over the last ten years, strife has been fuelled by (among other things) the exploration and sale of conflict minerals. This war has taken a tremendous toll: between the five-year period ranging from 1998 to the war's 'official ending' in 2003, an estimated 5.4 million people have died, and the conflict has grown so substantially that its death toll takes second seat only to World War II.

By 2009, civilians were estimated to be dying at a rate of 45,000 people per month. Typically, one might expect that a peace wrought in 2003 would decrease conflict, reduce violence and diminish suffering. This has not been the case in the DRC. Even despite free elections in 2006, and efforts at nation-building thereafter, the violence and the death rate has remained constant.

At STAND Canada, we firmly believe that while the Canadian Government has been actively engaged in MONUSCO and the Democratic Republic of

Congo since 1999, we can and should do more. Moreover, we are confident that Canada has the resources to surpass its UN mandate and lead the international community in facilitating peace in a country that has seen violence on an unimaginable scale.

Please take a moment to read our policy recommendations (above), and join us in demanding that the Canadian Government meet its UN mandates for the Democratic Republic of Congo.

## DRC: CONTEXTUALIZING THE CONFLICT // NISHA GUPTA

Wednesday, December 7, 2011

Instalments of election results were still being distributed nine days after the second democratic vote in Democratic Republic of Congo's (DRC) 51-year history, and the first to be organised by Congolese authorities rather than the international community. Approximately 17 million people cast their ballots, representing just under 60% of eligible voters. The election commissioner declared that 89.29% of total votes had been counted, with Kabila in the lead with over eight million votes and Tshisekedi trailing behind with nearly six million votes. With only two million votes left to count, it was "virtually impossible" for Tshisekedi to win. The preliminary analysis of the votes showed that Kabila gained support in the West of the country, while suffering a stark reduction in support in the East. The Supreme Court confirmed the final results on Saturday, December 17, which left only eight days for the defeated party to sue in court.

Demonstrations against pro-Kabila supporters took place worldwide in Brussels, Johannesburg, Paris, London, and Toronto by the Congolese diaspora. Their frustrations lie in the failed efforts of the Congolese government to allow them to vote. In Brussels, anti-Kabila demonstrators took to the streets to display their anger: dozens of cars were destroyed, store windows were smashed, and garbage was set ablaze. Two hundred protestors were

arrested.

Luis Moreno-Ocampo, chief prosecutor at the International Criminal Court, released a statement with regards to developments in DRC to quell possible violence and unrest: "I urge leaders, commanders, and politicians on all sides to calm your supporters," he said in a statement. "Electoral violence is no longer a ticket to power, I assure you. It is a ticket to The Hague."

Friday, December 9, 2011

On Friday afternoon, black smoke from burning tires rose in parts of the capital as the incumbent president, Joseph Kabila, was proclaimed the official winner of Congo's troubled presidential elections, obtaining 49% of the votes. His nearest rival, Etienne Tshisekedi, finished a distant second, with 32%. The streets of Kinshasa were lined with grim-faced supporters of the veteran opposition leader. "You can see for yourself how people are in this neighbourhood. Mr. Kabila has been imposed by Western governments and was not supported by the Congolese. This trickery and cheating, that comes from you, the whites," noted Simon Mbaya, a glum citizen and supporter of Tshisekedi. A Congo expert at the Royal Museum for Central Africa, Théodore Trefon added, "He [Kabila] may have won from a legal standpoint, but he certainly did not win it legitimately."

It did not take Mr. Tshisekedi long to reject the preliminary results, stating the election was fraudulent with countless irregularities. Late Friday, Mr. Tshisekedi's chief of staff, Albert Moleka, said that the opposition leader declared himself the rightful winner and the elected president of the DRC.

Monday, December 12, 2011

Many Congolese rejected the results. Isolated protests, punctuated by gunfire, permeated the vast country. Tshisekedi announced a large opposition demonstration in the capital and several other cities for December 13. Some Congolese and foreign observers shared a common perspective, finding the results hard to believe. On Saturday, the Atlan-

ta-based Carter Centre published a report stating that the results "lack credibility." Similar conclusions were drawn by the report published by the European Union.

Tuesday, December 13, 2011

December 13 marked the last day for the opposition to contest the election results officially; otherwise, the Supreme Court would declare Joseph Kabila the winner on Saturday. However, just weeks leading up to the elections, 18 new judges were appointed – in addition to the eight previous members – to the Supreme Court, many of whom favour Kabila, leaving little faith in the court to act as an opposition. Nevertheless, another presidential candidate, Kamerhe, officially challenged the results at the Supreme Court in the name of the entire opposition, requesting the cancellation of the polls and a new vote. The Supreme Court had to pass judgement within four days.

Thursday, December 15, 2011

The US Senate held a hearing on elections in the DRC. Assistant Secretary of State for Africa, Jonnie Carson, submitted and read a statement about the elections. He noted, "We continue to advocate that all Congolese political leaders and their supporters act responsibly, renounce violence, and resolve any disagreements through peaceful constructive dialogue and existing legal remedies. We believe that a rapid technical review of the electoral process by the Congolese authorities may shed light on the cause of the irregularities, suggest ways in which governance could be structured to give better effect to the will of the Congolese people, and provide guidance for future elections."

The same day, the Supreme Court rejected Kamerhe's lawsuit and contention that the vote should be annulled because of fraud, which undoubtedly confirmed Mr. Kabila as president. Jason Stearns, a Congo specialist, wrote in his blog, "The 'existing legal remedies have been exhausted. As far as I can tell, this statement means the United States is not calling for anything but a technical review to 'provide guidance for future elections,' not to provide

redress for this vote."

Tuesday, December 20, 2011

Joseph Kabila was sworn in for a new term as president, despite the disputed election that was marred by widespread irregularities and deadly violence. At the inauguration ceremony on Tuesday, held in a heavily guarded compound in Kinshasa, Kabila, the incumbent, "promised to improve the country's business climate and rebuild infrastructure."

Wednesday, December 21, 2011

Human Rights Watch reported that Congolese security forces have killed at least 24 people and detained dozens more in attacks since Kabila was announced winner of the disputed elections on December 9, 2011. The government was attacking and arbitrarily arresting opposition supporters and local residents to quell protests of the disputed election results. Human Rights Watch found that those killed included opposition supporters as well as people on the street, and even in their homes. Senior Africa researcher at Human Rights Watch, Anneke Van Woudenberg, said, "These bloody tactics further undermine the electoral process and leave the impression that the government will do whatever it takes to stay in power."

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