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HUMANITARIAN AFFAIRS AND SECURITY ■ The contested region of Abyei has had their vote stalled as the northern and southern governments have been unable to agree over whether to include the Misseriya tribe, a group of pastoral farmers who migrate into Abyei during the dry season.

NEGOTIATIONS AND PEACE PROCESS ■ As the referendum date draws nearer, tensions between the ruling National Congress Party (NCP) of the North and the Sudan People's Liberation Movement (SPLM) of the South continue to heighten. Recently, a member of Sudan's ruling NCP, appealed to the ruling party of Southern Sudan- the SPLM- to give the central government time to implement the CPA properly, before rushing into a vote of secession. However, growing violence in Darfur and political instability in Khartoum may complicate the implementation of a number of steps in the post referendum period and jeopardize the whole CPA process.

DEVELOPMENT IN SOUTHERN SUDAN ■ A pivotal development this past January was the successful execution of a relatively peaceful and orderly referendum. This referendum was the culmination of the Comprehensive Peace Agreement signed in 2005 between both North and South Sudan, signifying the end of a civil war that spanned decades. Despite the logistical shortcomings plaguing the vote preparations, polling stations catering to South Sudanese in South Sudan and in other regions that hold members of the exiled diaspora were capable of effectively processing the votes. While it is clear the South will secede from the North, what remains to be seen is how the two parties will handle a number of critical yet unaddressed issues. These issues include the division of oil wealth, border demarcation and the division of the Abyei region.

DARFUR AND CANADIAN POLITICS ■ With Sudan's January referendum now over, Canada's Minister of Foreign Affairs expressed Canada's disappointment in the Government of Sudan's decision to suspend its participation in the Darfur peace process in Doha. Meanwhile, Liberal MP Glen Pearson remarked on the problem of Canadian aid intended for Sudan being funnelled through capital cities rather than the border regions which need it most, and Senator Romeo Dallaire emphasizes the importance of voting in Canadian elections in order to ensure Canada gets back on the world stage.

DRC: A FRESH START? ■ In the first days of 2011, the DRC witnessed more sexual crimes committed by its own army in the country's troubled eastern region. Yet despite this dispiriting start to the year, some positive developments took place. On January 25th, Callixte Mbarushimana, a leader of one of the DRC's prominent non-state armed groups, the FDLR, was transferred to the International Criminal Court (ICC) in The Hague for the start of his trial for alleged crimes against humanity and war crimes against the civilian population in the East. Yet despite the arrest of several members of its high leadership in 2009 and 2010, the FDLR fought on, killing five Congolese soldiers and three rangers in Virunga National Park in late January.



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POLICY RECOMMENDATIONS //

- 1** The people of South Sudan have voted overwhelmingly for independence. With less than 6 months away from the Comprehensive Peace Agreement coming to a close, there is still much work to be done. In order to avoid future conflicts, the Canadian government needs to focus on facilitating a dialogue between both parties in order to resolve the following outstanding issues (among others):
 1. Border demarcation
 2. Nationality and citizenship
 3. Oil revenue sharing
 4. The future Abyei
 5. Sudan's external debts

- 2** In December 2010, the Standing Committee on Foreign Affairs and International Development (FAAE) issued a report on the referendum in Sudan, wherein one of the key recommendations reads:

Canada should send a high-level delegation that includes Ministers and parliamentarians to both North and South Sudan immediately following the referendum in order to communicate its continuing interest in a peaceful future for the Sudanese people, including in Darfur. The delegation should assess, with civil society, needs on the ground and establish with governments the most effective types of assistance Canada can contribute toward optimal outcomes.

To signal Canada's continuing commitment to the region and because this recommendation was arrived through a bipartisan committee process, Stand calls for the government to implement this recommendation as soon as the official referendum results have been announced in South Sudan.

- 3** In order to effectively prevent, monitor and address grave human rights abuses and mass atrocities, the Government 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.

- 4** On the 30 December 2010, National Congress Party (NCP) withdrew from the Darfur peace negotiations in Doha. Key rebel groups have decided to participate, notably the Justice and Equality Movement (JEM), the Justice Liberation Movement (JLM) and there are signs that the Sudan Liberation Movement (SLA) is preparing to join the process. It is critical for the NCP to return to the negotiating table because without the central actor, negotiations cannot continue. Canada, in concert with international partners needs to apply pressure on the Khartoum government to re-enter the Doha peace process in order to achieve a comprehensive peace agreement for Darfur.

NEGOTIATIONS AND PEACE PROCESS //

BY CHELSEA SAUVÉ

Following the conclusion of the CPA-driven referendum, preliminary reports suggest that the nearly 4 million registered voters have chosen separation of the South instead of a united Sudan. U.S. president Barack Obama on Sunday praised the conclusion of the referendum process for Southern Sudan deeming it an "inspiration to the world". The South Sudan Referendum Commission (SSRC) has confirmed early indications that the referendum which peacefully concluded last week will lead to an overwhelming vote in favor of secession. This overwhelming vote in favour of secession indicates that Africa's 54th nation may soon be created.

According to the law, for the south to secede in a valid referendum, there must be an absolute majority of a minimum of 50 percent for independence plus one vote, and 60 percent of those eligible must also have cast their ballots. Thus far, the SSRC has reported that out of the 3,932,588 Southern Sudanese nationals that registered for voting both inside and outside the country, 3,138,803 have chosen secession while only 44,518 voted in favor of unity. These figures are based on processing 100% of the votes in North Sudan and abroad as well as 83.4% of the votes in the South. Final results are expected in early February, and if the result is in favour of secession, it is likely that the South will secede in July 2011.

In its leadership meeting this week headed by the second vice president Ali Osman Taha, the National Congress Party (NCP) has stated that they will recognize the outcome of the referendum. Western nations have demanded that the NCP accept the outcome of the referendum so that they may normalize ties and lift sanctions. Despite this seeming acceptance, should secession be chosen, the North and South must still agree on issues such as citizenship, oil sharing, water, national debt, borders and the contentious dispute over Abyei- all of which are contentious issues that will require much compromise. President Omer Hassan Al-Bashir has promised to resolve these items before the end of the interim

period on July 9th, 2011.

Given the likelihood that secession will occur, senior presidential advisor Joseph Lagu has advised that the southern government initiate term limits to effectively determine the duration of officers serving in public interest so as to avoid future instability. He furthered the importance of stability in suggesting that tribal leaders be chosen on the bases of good leadership and democratic beliefs. It has also been suggested that if one day North Sudan were to change their ways, it should be known that Sudan may once again become united. As such, Lagu suggested that South Sudan's policies should leave an open-door to a possible future reunification- much like what happened in Germany when East and West merged in 1989.

The President of the Government of Southern Sudan (GoSS) of the ruling party, Sudan's People's Liberation Movement (SPLM), Salva Kiir Mayardit, has issued a Presidential decree forming a Constitutional Review Committee which is to consist of 24 people and will be chaired by the minister of Legal Affairs and Constitutional Development, John Luk Jok. This committee has been given the task of reviewing the current constitution of Southern Sudan in order to ensure that an independent South Sudan will have a stable base as it moves into statehood. This stability is dependent upon the implementation of resolutions and recommendations of the Southern Sudan political parties conference, which brought together almost all of parties in the south. One of the main resolutions of the conference, as well as fresh elections after independence, called for a constitutional conference after the referendum.

Negotiations on the topic of Darfur, a region still plagued by violence, have worsened over the past few weeks. The Sudanese government delegation for the Doha peace process refuses to return to the negotiating table to discuss pending issues with the rebel Liberation and Justice Movement (LJM) following their disengagement from the talks on December 31st 2010. Leader of the Sudanese government negotiating team Amin Hassan Omer is currently in discussion with Doha mediators in an attempt to finalize

an acceptable solution to overcome the deadlock over the power sharing file. According to the propositions a regional authority is to be established in Darfur and a vice-president is to be named from the region. The mediators suggested the creation of a regional body to coordinate between the three states of Darfur and said the head of the regional authority, who will be named vice-president will link the region with the central government. However, the NCP delegation rejected the package of proposal. The LJM rebels endorsed the compromise proposed by the mediation and said ready to sign a peace agreement with the government. Having rejected the position of the rebel groups and the compromise proposed by the mediation, NCP officials seek to make progress on the ground with the implementation of a "new strategy" which seeks to ensure the return of IDPs and promote development in the region.

HUMANITARIAN AFFAIRS AND SECURITY //

BY PRESTON TAYLOR

As the results of the referendum are tallied, there is yet another vote that needs to be held. The contested region of Abyei has had their vote stalled as the northern and southern governments have been unable to agree over whether to include the Misseriya tribe, a group of pastoral farmers who migrate into Abyei during the dry season. As the wait to vote continues there are growing concerns that the settled Dinka agriculturalists will take unilateral action on the vote¹. This has led to ongoing skirmishes that have resulted in at least 36 dead.

Abyei's chief administrator, Deng Arop Kuol has stated that although there is relative peace in southern Sudan, the Dinka people are still under threat by not just the Misseriya but also the government. Their decision to act unilaterally and hold their own plebiscite has caused a threat of retaliation by the heavily armed pastoralists². The major concern is that any conflict within the Abyei region could result in north or south troops being sent in, breaking the Comprehen-

sive Peace Agreement and restarting the war.

There were also clashes between the SPLA and rebel forces on January 8 in the oil-rich region of Unity. At least 6 rebels were killed and an unknown number of SPLA soldiers as well. Although Sudanese President Omar al-Bashir has taken on a more respectful tone, he is still warning of the impossibility of a functional, further conflict, particularly in the Abyei region, remains possible.

DARFUR AND CANADIAN POLITICS // BY JOHN MATCHIM

Darfur has been dealt several more blows, with a recent escalation of violence and the Government of Sudan's decision to suspend its participation in the Darfur peace process in Doha. Lawrence Cannon, Minister of Foreign Affairs, expressed Canada's disappointment in the decision, and stated that Canada believes that a negotiated agreement offers the only chance to achieve long-term peace and stability in Darfur.

These unfortunate developments have been overshadowed by the excitement surrounding Sudan's January referendum. Voter registration to participate in the referendum was significantly lower than expected in Canada, with only around 2,200 of Canada's estimated 40,000-50,000 Sudanese registering to vote. Possible reasons for the low turnout include bad weather, the logistics of travelling to the centres, and short notice for organisers to inform Canada's Sudanese community. There is also thought to be a significant number of eligible voters who chose not to participate, as there were reports of an organised boycott of the referendum.

Calgary journalist Mading Ngor claimed that concern originated from a campaign in Canada which questioned the credibility of the organisation in charge of operating the vote in Canada, the International Organisation for Migration. Some Sudanese-Canadians were reportedly worried the organisation was influenced by the government in Khartoum, which is opposed to independence. Ngor said this notion had been dispelled, and was a "conspiracy theory".

With the official referendum results not being announced until early February, it has been reported that in Canada, 2,183 voted for secession, while only 23 voted for unity. While the referendum passed peacefully, there is still the possibility of it resulting in a humanitarian crisis. Existing conflict in Sudan is expected to be exacerbated if, as feared, as many as 2.5 million displaced persons flood across the border into the south.

Liberal MP Glen Pearson says it's necessary for Canada to maintain a strong military presence in South Sudan should conflict arise, as he says South Sudan is ill-equipped to deal with the potential surge of new permanent residents. He also remarked on the problem of Canadian aid intended for Sudan being funnelled through capital cities - Khartoum in the North and Juba in the South - rather than the border regions which need it most. He said that Canadian government agencies are beginning to recognise the problem, but are yet to formulate a plan to address it.

During an interview, Senator Romeo Dallaire was asked for his thoughts on how Canada can get back on the world stage and become involved in southern Sudan. "Vote," was his response. "You can quote me on that." He said that it was especially important for those under 30, who have a poor record of voting, to make themselves heard. "They're the ones whose future is right now in their face and they're the ones who are going to be first affected by the political decisions that are ongoing. So in these incredibly complex times there is no more sitting out and seeing what the adults do. That time is over."

DRC: A FRESH START?//

BY SARAH KATZ-LAVIGNE

2011 in the DRC began with another horrific crime, all too reminiscent of similar large scale crimes committed in the country during the past year. On New Year's Day, in Fizi town in South Kivu, eastern DRC, a number of women were raped, reportedly by members of the Congolese army, the Forces armées de la République démocratique du Congo (FARDC). According to United Nations human rights investigators, the soldiers reportedly raped at least 67 Congolese

women. In response to the attack in Fizi, the UN Stabilization Mission in the Democratic Republic of Congo (MONUSCO) set up a mobile operating base in the town on January 7th; the following day, a joint protection team was dispatched. Office of the UN High Commissioner for Human Rights spokesperson Rupert Colville also reported that in the village of Bushani, also in South Kivu, at least 32 women were raped by FARDC soldiers on New Year's Eve. The rapes were not the only crimes allegedly committed by these soldiers in the two incidents: in Fizi, 11 people were arbitrarily arrested and 14 shops looted and in Bushani, 12 people were arrested, approximately 50 houses looted, and several villagers subjected to "inhuman and degrading treatment." Following the Bushani attack, the soldiers moved along to Kalambaire village, where they looted a number of houses, as well as the local clinic.

Yet despite the violence with which the year began, a positive development took place in late January, when the Congolese government reported the arrest of commander Lieutenant-Colonel Kibibi Mutwara, a senior figure in the Congolese army, for allegedly giving his men the order to rape the women in Fizi. An additional 11 soldiers and three majors have also been detained in Uvira, South Kivu, where they await trial for involvement in the incident. An internal report produced by investigators with MONUSCO quoted local representatives and police officers who claimed that Lt. Colonel Mutwara had ordered the sexual attack. The commander, who was arrested in the region where the rapes took place, has denied the allegations, arguing that the soldiers involved had actually disobeyed their orders.

The period from late December to late January also brought significant developments in international justice. On 17 December, prosecutors in Germany made the announcement that two leaders of the armed group the Forces démocratiques pour la libération du Rwanda (FDLR), President Ignace Murwanashyaka and his deputy Straton Musoni (arrested in late 2009) had had indictments issued for their role in alleged war crimes and crimes against humanity committed during the period from January 2008

to July 2009. On January 25th, suspected war criminal Callixte Mbarushimana was transferred from France to the International Criminal Court in The Hague, where he will be tried on charges of war crimes and crimes against humanity. Mbarushimana was initially arrested in October 2010, in Paris, on the grounds of his criminal responsibility for war crimes and crimes against humanity committed against civilians in North and South Kivu, from January to September 2009, by the FDLR. Mbarushimana took on the role of Executive Secretary of the group in July 2007. Moreover, it is believed that following the November 2009 arrest of the movement's president, Mbarushimana took on some of his responsibilities. The crimes for which Mbarushimana will be tried at the ICC include attacks against civilians; murder; rape; torture; and destruction of property.

In the period from December 29th to January 7th, MONUSCO and the FARDC cooperated in a joint operation, Hatua Yamana, against the FDLR in the FDLR-controlled area of Kimua-Ngenge. Yet an attack that took place in Virunga National Park in eastern Congo on January 25th, in which three wildlife officials and five Congolese government soldiers were killed, suggests that the FDLR has not been crippled by the arrests of its high leadership. The park director, Emmanuel de Merode, reported that approximately 50 FDLR rebels had attacked the soldiers and park rangers with rocket launchers when the soldiers were conducting a patrol. According to Merode, the attack was the most serious to take place within the park within the past year.

The latest political developments in the DRC are often overlooked in the media, which generally prefers to concentrate on the latest dramatic attacks and rapes. On January 11th and 13th, the Congolese National Assembly and Senate "adopted a motion to introduce proposed constitutional amendments, including changing the voting system for the presidential elections from a two-round to a one-round system." Other amendments under consideration would make it possible for the Congolese President to dissolve parliaments and governments at the provincial level, as well as to propose amendments to the

constitution without having secured the agreement of the two chambers of parliament. The proposed amendments, although constitutional, were opposed by representatives from the opposition and from civil society; as a result, some deputies with the opposition chose to withdraw from the voting in parliament.

As January turns into February it is to be hoped that MONUSCO's increasingly civilian-focused strategy will lead to a drop in the number of horrific, large-scale rapes in eastern DRC. Though the year began on a tragic note, the fact that justice may be brought to bear on at least some of those involved in the crimes committed in Fizi is a hopeful sign for the new year.

DEVELOPMENTS IN SOUTHERN SUDAN // BY STEVEN CHUA

Several developments occurred in the days leading up to the South Sudanese referendum. Many South Sudanese living in the North moved back to take part in the referendum due to a fear of possible vote tampering in Northern polling stations, and of reprisal upon the secession of the South. This explosion in population has put a severe strain upon basic services and infrastructure in the area. Aid groups present in the area have voiced the need to increase aid to the region to offset the needs of the rapidly growing populace.

On an optimistic note, youth from both North and South Sudan rallied together in the days leading up to the referendum to present an assertive but hopeful message: the refusal to fight. The youth who comprised these demonstrations came from various backgrounds and differing political views (e.g. pro-unity versus secession) yet demonstrated together to publicize that the youth of Sudan will refuse to fight in any war regardless of the referendum's outcome.

Predictably, the number of press restrictions, arbitrary arrests, and arbitrary detentions increased before the vote. However, Sudanese President Omar al-Bashir's rhetoric became noticeably more conciliatory as the referendum drew nearer. In perhaps his most accommodating gesture, he stated that should South Sudan secede, the

North would take the South's share of the national debt.

During the referendum, millions of South Sudanese both in and out of the region voted overwhelmingly in favour of seceding from the North. The most recent figures suggest 99 percent voted in favour of secession. Several violent ambushes were documented in the Abyei region between the Misseriya and Dinka tribes during this time, leaving an estimated 36 people dead. With regard to the rest of Sudan, the referendum was carried out in a calm and orderly manner. Several international observer groups, such as the Carter Center and the European Union gave the occasion their stamp of approval, claiming that the irregularities present in the system had not undermined the credibility of the vote. Perhaps even more importantly, the Northern government's ruling party, the National Congress Party, has stated that the referendum was "broadly fair."

From this point onward, the most important issues at hand will undoubtedly be deciding upon the division of North-South borders, the sharing of oil revenue, and the division of the oil-rich Abyei region. It is predicted that the oil revenues of North Sudan will be threatened, seeing that South Sudan possesses over three-quarters of the oil fields present in the country. However, both will have to cooperate, given the fact that the North has almost exclusive ownership of the pipelines and facilities used for processing and transporting the resource. Information regarding oil revenue sharing is still incomplete and requires transparency; especially given that the last time the Sudanese government published detailed figures regarding oil revenue was June 2009.

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