

IMPLEMENTING PEACE IN SUDAN: LESSONS FOR THE EU COMMON FOREIGN AND SECURITY POLICY

The Comprehensive Peace Agreement that ended the 22-year civil war, between the North and South Sudan, had its fifth anniversary on January 9. The peace agreement did not solve all of the structural problems, yet it paved the way for a more peaceful and democratic Sudan. The next 12 months will be crucial in determining Sudan's political future. A number of unresolved issues threaten the fragile peace while the elections in April 2010 or the secession referendum in January 2011 could trigger another war. In this light the EU needs to adjust its approach and presence in Sudan both institutionally and politically.

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Few issues in the past decade have caught the attention of Europe as has the crisis in Darfur. While the situation in Darfur has quieted down over the last couple of years, the larger problem of Sudan's survival as a state is becoming an emergency. The next 12 months may be the most important in Sudan's modern history with elections and referendum results possibly determining its political future. The Sudan is in danger of losing a fragile peace and progress achieved over the past five years. The Comprehensive Peace Agreement signed in 2005 ended a civil war that lasted over 20 years and initiated a number of processes that will eventually lead to a referendum for self-determination in January 2011 for South Sudan.

A number of EU member states –UK, the Netherlands, Sweden and Italy–, the European Commission and the Council of the EU¹ contributed to the peace process. In spite of being one of the major supporters of development and humanitarian aid in Sudan,² the EU still lacks real leverage and political influence. Having established a CFSP mission under the leadership of the EUSR has not paid dividends so far. Very often member states' policies, complex institutional arrangements and an illogical distinction between security and development diminish the EU's effectiveness. In the following pages an attempt will be made to deconstruct the crisis management involvement of the EU in Sudan with the aim to provide an analysis of the mission aims and results achieved thus far.

The CPA Endgame

Sudan's Comprehensive Peace Agreement (CPA) was signed in 2005, ending two decades of war between Sudan's central government and the Southern-based Sudan People's Liberation Movement. The CPA envisages wealth and power-sharing between Sudan's powerful North and the newly autonomous South. The first elections in over two decades are to take place in April 2010 while the South will hold a referendum on self-determination in 2011. The three main parts of the agreement cover the central government, the Southern Sudan institutions and the transitional areas. A number of structures were put in place to monitor the implementation process. The United Nations Mission in Sudan (UNMIS) monitors the ceasefire while the Assessment and Evaluation Commission monitors the implementation of the CPA provisions and produces mid-term progress

¹ Later through the EU Special Representative.

² If added together, member states and the commission are the second largest donor to Sudan.

reports.³ The introduction of the CPA calls on the organizations and states that witnessed the agreement to support the implementation.⁴ In reality UNMIS has a much more far-reaching role and over time might be the key institution to direct state building and security sector reforms in the South.

The provisions dealing with South Sudan have seen the highest level of implementation. The autonomous Government of South Sudan (GoSS) has been established and the SPLA is the sole military force in South Sudan. Still for the majority of the population in the South no tangible peace dividends were delivered up to date. National reconciliation did not occur and no progress on the ambitious New Sudan vision was made. Delays in implementing preconditions for the elections, such as a census, demarcation of the North-South border and ensuring the fundamental freedoms have log-jammed complex processes one year before the referendum.⁵

Additionally, 2009 presented numerous existential threats to the South. On top of an economic crisis triggered by low oil prices, a food crisis caused by droughts and poor planning, intertribal fighting and the LRA killed thousands and drove hundreds of thousands out of their homes in South Sudan. These structural deficiencies of the South are not addressed by the CPA. While the South enjoyed one of the highest per capita budgets in all of Africa in 2008, about 50 percent of revenues went to salaries; and 90 percent of the salaries along with 67 percent of development expenditures went to the central government in Juba. In the 2008 and 2009 GoSS budgets, the military consumed approximately one-third of the budget, yet insecurities increased. Widespread allegations of systemic corruption and the lack of instruments to prosecute abuse further destabilized the institutions and weakened the trust of the citizens in the GoSS.

Overall the GoSS remains overwhelmed by the task of constructing state institutions and providing security for its citizens. Managerial systems and procedures are not in place and the scarcity of qualified government personnel is severe.⁶ Finally GoSS has not yet found a good recipe for civilian disarmament, with

³ The AEC is a consensus assessment body and has no executive mandate.

⁴ These states and organizations are: IGAD, AU, EU, League of Arab States, UN, Egypt, Italy, Netherlands, Norway, UK and U.S.

⁵ Edward Thomas, "Against the Gathering Storm," *Chatham House Papers*, 2009, p. 6.

⁶ Bruce Baker; Eric Scheye, "Access to Justice in a Post-conflict State: Donor-supported Multidimensional Peacekeeping in Southern Sudan," *International Peacekeeping*, Vol. 16, No.2, p. 181.

arms continuing to flow into the South as both the North and South appear to be rearming ahead of the 2011 referendum. Whether and how much force is applied in these disarmament campaigns could be a barometer of civilian trust in the GoSS and SPLA and a preview of events that would follow the independence referendum.⁷

On the other hand, the national level provisions remain mostly unimplemented.⁸ In order to prevent the secession of the South, a number of provisions to make unity attractive should have been implemented. Just a year away from a decisive secession referendum the two parties (NCP and SPLM) continue to disagree over the power-sharing provisions, the results of the fifth housing and population census, the demarcation of the North-South border and the adoption of the referendum law, media law, National Intelligence and Security Services laws. Additionally, the national and state civil service commissions are not functioning and the human rights commission is yet to be established. Elections to be held in April 2010 should include sidelined groups, but poor election planning and restrictions on individual freedoms limit the expectations. With the current level of CPA implementation, both elections and the referendum are unlikely to be free or fair according to European standards.⁹

Still the achievements of the CPA are many. It addressed the problems of mis-managed diversity and unequal development, providing the political framework for a ceasefire between the North and South Sudan. It created an autonomous Government of Southern Sudan (GoSS) with a Southern constitution based on customary laws and values and not on Shari'a law. A Government of National Unity divided military, political and economic power between the SPLM and the NCP, and gave the Southern Sudanese representation in state institutions in proportion to the size of Southern Sudan's population. Elections will give state institutions a mandate from citizens; and Sudan's constitution and citizenship are reframed around international standards of human rights. Sudan's vast oil resources now account for over half of the central governments revenues. According to the CPA, oil revenues are shared between the North and South.

⁷ Jon Temin, "Six Critical Points for Sudan and Its Future," USIPEACE Briefing, Washington (September 2009) p. 7.

⁸ "Post-2011 scenarios in Sudan: What role for the EU," *EUISS*, 2009, p. 10.

⁹ "Post-2011 scenarios in Sudan: What role for the EU," *EUISS*, 2009, p. 20.

¹⁰ Adebahr Cornelius, "Learning and Change in European Foreign Policy," Berlin: DGAP, 2008, p. 21.

The post-referendum outlook very much depends on successful negotiations between the SPLM and NCP and an effective institution building process in South Sudan. In particular, the ability to provide security and assert a monopoly on use of force in the South will be key to a stable development. The upsurge of ethnic violence in Jonglei and Lakes states in 2009 reflect SPLA's failure to succeed in disarming the civil population. While the UN and other international actors will continue monitoring the implementation, an adjusted, ideally executive mandate will need to address the potential security risks.

Sudan also plays an important role in the regional context with a number of neighbors directly involved in the conflict. Due to linguistic, ethnic and religious ties, Egypt is a strong supporter of Khartoum, while Ethiopia, Eritrea, Uganda and Kenya have a history of support for the SPLM. Another alignment of Muslim versus non-Muslim forces, and oil-producers versus non-oil producers could be triggered. Integrating regional powers like Egypt into a post-secession agreement will therefore be a priority. Sudan's collapse would trigger a humanitarian, security and economic disaster, destabilizing most of its neighbors. Masses of refugees would stream over the borders and dangerous groups could be drawn back into Sudan.

The EU as a Crisis Management Actor in Sudan

For the past two decades the EU has been redefining and adjusting its international role through the instrument of EU Special Representatives. The Maastricht Treaty of 1993 created a European "foreign policy" without the necessary instruments to pursue strategic aims or intervene in conflicts that threatened the stability of the continent.¹⁰ This lack of power to implement led to the failure to deal with the challenge of the break-up of Yugoslavia. But it was not the Balkans that effected a fundamental change in European foreign policy.¹¹ The first "EU Special Envoy" was nominated for the Great Lakes region in March 1996¹² based on a joint action on the basis of Article J.8.5 of the Maastricht Treaty. A rather weak mandate formulated in a simple and open way left enough room for the initiatives of the envoy. The objective was assisting regional countries in resolving the crisis and complementing existing international initiatives.¹³ This new engagement in foreign policy and conflict resolution did put the EU on the

¹¹ Ibid., p. 22.

¹² Council Joint Action 96/250/CFSP of 25 March 1996.

¹³ Such as those of the UN, AU.

map, yet it was not in a better position to stop the fighting than the other international actors, African and non-African.¹⁴

In the late 1990s, conflict prevention and conflict management then became core priorities of the EU's policy towards Africa. At several Council of Ministers meetings, security issues were discussed and declarations adopted stating the EU's concern for the lack of stability in many African countries. At the European Council meeting in 1997, a "Common Position" was issued, making it clear that conflict prevention was an EU priority.¹⁵ The promotion of peace and stability became a crucial element of the Common Foreign and Security Policy (CFSP) and European Security and Defense Policy (ESDP) aimed at Africa. The EU-Africa summit in Lisbon in December 2007 made it clear that ensuring peace and security is a key dimension of the new EU-Africa joint strategy.¹⁶ European interests in Africa are closely related to the identity of the EU, yet because the CFSP/ESDP conflict management is guided by the principle of intergovernmentalism, the interests of the member states and in particular the interests of the former colonial powers, France and the UK, are dominating the common European policies.¹⁷

The recognition of a close connection between development on the one hand and peace and stability on the other was reflected in the European Africa Strategy adopted in late 2005: "Without peace, there can be no lasting development...it is now universally recognized that there can be no sustainable development without peace and security. Peace and security are therefore the first essential prerequisites for sustainable development."¹⁸ The most recent step in this process came in late 2007 with the second European-Africa summit in Lisbon, with peace, security, immigration, trade, human rights, development and climate change being the priorities.¹⁹ These policy guidelines remain mostly unimplemented in the field.

Nearly ten years after the deployment of the first EUSR to Africa, in the summer

¹⁴ Alexandra Krause and Peter Schlotter, "The Commission as a Political Actor," Baden-Baden: Nomos, pp.353-377.

¹⁵ Landgraf Martin, "Peacebuilding and Conflict Prevention in Africa: A view from the European Commission," in Ulf Engel and Andreas Mehler, *The Prevention of Violent Conflicts in Africa* (Hamburg, Institute for Africa-Studies, 1998), p.110.

¹⁶ Adopted at the Second EU-Africa Summit, Lisbon, 9 December 2007.

¹⁷ Gorm Rye Olsen, "The EU and Military Conflict Management in Africa," *International Peacekeeping*, Vol. 16, No. 2, April 2009, p. 246.

¹⁸ European Communities, *European Union Strategy for Africa*, Brussels 2005, pp. 10 and 26.

¹⁹ Second EU-Africa Summit, Lisbon, 9 December 2007.

of 2005, the EU engaged more intensely in Sudan, both to assist the implementation of the Comprehensive Peace Agreement and to assist conflict resolution in the Darfur region. In Darfur, the EU supported the ceasefire commission monitoring the situation there as well as the African Union Mission in Sudan (AMIS). In response to a joint AU/EU/UN assessment mission in early 2005, the AU launched AMIS II with more than 7,000 police and military personnel, while the EU dispatched civilian-military support to this mission.

In 2005, the Council of the EU issued the mandate for the first EUSR to Sudan, Pekka Haavisto.²⁰ Discussions about the mandate centered on the questions of how robust the civil-military supporting action should be and whether the EUSR should focus on Sudan or on the AU as a whole. As was the case in many other settings (BiH, Afghanistan), lighter options prevailed. The EUSR was envisaged to politically support the international mediation efforts for Darfur and the implementation of the CPA while on the operational level, he was integrated into the chain of command of the AMIS II support mission. The head of the military component also served as the EUSR military advisor²¹ and the head of the EU Police Team acted as his police advisor.²² An active role in the Darfur negotiations, in coordination with other member states' envoys, led to a peace deal in May 2006, while a close coordination with the EUSR for the Great Lakes led to a monitoring responsibility at Sudan's border with Uganda.²³ The politically proactive and independent Haavisto failed to acknowledge the limits of his mandate and was replaced by a Danish diplomat Torben Brylle who respected the limitations set by leading member states. As a result, the current EUSR has to focus on shuttle diplomacy and representational aspects of the job, while policy proposals are met with suspicion.

The current one year EUSR mandate running until the end of February 2010 is legally based on the Treaty on European Union, in particular Articles 14 and 18(5) and 23(2). The mandate of the EUSR is shaped around the EU's policy objectives in Sudan within the context of the international community's efforts to achieve a political settlement of the conflict in Darfur and the implementation of the Darfur Peace Agreement (DPA), facilitating the implementation of the Comprehensive Peace Agreement (CPA) and promoting South-South dialogue,

²⁰ Council Joint Action 2005/557/CFSP of 18 July 2005.

²¹ PSC Decision Darfur/1/2005 (2005/653/CFSP) of 29 July 2005.

²² Ibid.

²³ Grevi Giovanni, "Pioneering Foreign Policy: the EU Special Representatives," *EUISS*, 2007, p. 105.

as well as facilitating the implementation of the Eastern Sudan Peace Agreement (ESPA). The EUSR is mandated to maintain an overview of all activities of the European Union, ensuring close coordination and coherence of the activities of the European Union and support for the political process and activities relating to the implementation of the CPA and the DPA and the ESPA. The EUSR is also following up and reporting on compliance of the Sudanese parties with the relevant UNSC Resolutions.²⁴

In addition to the CFSP mission to Sudan, the European Commission established itself as one of the major development and humanitarian aid actors. Between 1990 and the signing of the CPA in 2005 more than 500 million Euros were made available to Sudan in the form of direct relief assistance, including more than 315 million Euros of the European Commission Humanitarian Office (ECHO) funding and close to 200 Million Euros in food aid. With the signing of the CPA in 2005 the Country Strategy Paper was signed, and a comprehensive aid and development package worth 400 million Euros for the period 2005-2007 was agreed. The General Affairs and External Relations Council thus linked the progressive disbursement of funds to the effective implementation of the CPA in its conclusions from 23 February 23 2005. The current EC approach to Sudan is linked to relief, recovery and development. Under the 9th EDF, a total of 318 million Euros in programmable aid has been allocated to Sudan. An additional 63 million Euros has been allocated to cover unforeseen needs, including humanitarian emergency interventions. If one adds the individual member states' contributions as well, the EU is the second largest donor to Sudan over the past two decades – a fact not reflected in the various forums dealing with peace in Sudan. While the governments in Khartoum and Juba primarily saw the EU as an unconditional donor, the EU actors (EUSR, EC and member states) failed to coordinate their policies and apply conditionality on development aid based on progress reached by the local partners. Furthermore, the Government of Sudan chose not to ratify the revised Cotonou Agreement preventing the EC from implementing bilateral development cooperation in Sudan worth 300 Million Euros. Thus the inflexibility of the EC to find an alternative arrangement for the South punished primarily those who were in need of development the most.

The EU thus far managed to get foreign policy visibility yet failed to effectively

²⁴ Notably 1556(2004), 1564(2004), 1591(2005), 1593(2005), 1672(2006), 1679 (2006), 1706 (2006), 1769 (2007) and 1778 (2007)

synchronize and utilize its power in Sudan. Reasons are political and institutional. While presenting itself as a global player defending democratic values and human rights, the EU and some of its members have invariably implemented realistic national foreign policies in Sudan.²⁵ Policy ambiguities fuel criticism from African leaders who are less and less willing to accept European lectures on human rights, governance and the rule of law.²⁶ In 2008 and 2009, the controversy regarding Belgian-DRC relations, the election crisis in Zimbabwe, and the ICC Prosecutor's indictment of Sudan's President were examples of tense relations between African leaders and European powers. The EU thus needs to continue applying subsidiarity wherever possible and let African organizations, states or institutions play their roles and act as a complementary player as much as possible.²⁷

NCP leaders fear that the EU and US are out to depose them and facilitate Sudan's breakup. The hybrid UN-AU peacekeeping force in Darfur is seen as an instrument of this strategy while the EU peacekeeping force deployed along Chad's border with Sudan was seen as a vanguard of an invasion.²⁸ Thus disturbances in EU-Africa relations and in particular dealings with the regime in Khartoum must be avoided over the next couple of years to preserve the peace in Sudan. In order to win the NCP over for peace, a number of positive incentives should be introduced and sanctions dropped. Its leaders might be willing to improve cooperation for guarantees that its leaders will not be tried for war crimes before the ICC. The CPA does not entail provisions about war crimes, and a trade off with a truth and reconciliation commission for full implementation of the CPA should be considered.²⁹

The lack of coordination with member states present in Sudan and the local EU representative provide concrete barriers that as yet remain to be overcome. A more regular forum and policy coordination are necessary. Both the Council secretariat and member states see policy formulation as their prerogative and duty. In Brussels the EUSR is told to keep the Commission out of his area of competence, just like the Head of the Delegation is instructed by the Commission officials to be assertive towards the EUSR. This approach then logically carries on to the lower levels.

²⁵ Damien Helly, "Africa, the EU and R2P," IPG I/2009, p. 53.

²⁶ *Ibid.*, p.53

²⁷ *Ibid.*, p.54

²⁸ Andrew S. Natsios, "Beyond Darfur, Sudan's Slide towards Civil War," *Foreign Affairs*, May/June 2008, p. 28.

²⁹ *Ibid.*, p. 33.

The lack of political support for a coordinated approach by member states in Sudan is another weak point. Member states interested in maintaining a national approach to the CPA and Darfur³⁰ do not prefer a stronger coordination by the EUSR. Haavisto tried to coordinate the EU mechanisms and provide more policy guidance, disregarding the limits set by the member states. This led to discontent by a number of member states who, before long, replaced him with a more suitable successor. This lack of support for a more proactive and unified approach weakened the mission and kept the EU from becoming a real actor.

Additionally, bilateral ambassadors are less accustomed to the EU's overall appearance, attempting to uphold and represent national policies. The appointment of a EUSR did not lead to fewer member states activities as one would assume. In Sudan, member states still dispatched their own envoys which pursued primarily national policies.³¹

The practice of international coordination brought about the Abuja Process for the South Sudan and Joint Commission for Darfur. While the EUSR participates in these fora, the cohesion of the EU's external representation is regularly undermined by bilateral talks and agreements between member states.

In the past, the Commission has become a real obstacle to a well coordinated and comprehensive approach of the EU in Sudan as well. While the Council approves the mandate of the EUSR, in practice the Commission can put certain conditions on whether an envoy is dispatched, and how. The Commission insisted that the EUSR Sudan has to work from the premises of the Commission delegation in Khartoum and until this agreement was reached, a Council presence in the field was denied. Consequently, a situation of political inferiority was created for the EUSR, resulting in the decision to maintain the main office in Brussels instead of Khartoum. Thus, the Heads of the local EC delegation offices in Khartoum and Juba remain the main interlocutors and most recognizable political representatives of the EU.

The difficulty explaining and projecting the differences of approach between the member states, the EC delegation and the Council to the local interlocutors adds to the weakness of the EU presence. A more proactive press and media strategy

³⁰ Primarily the UK and Netherlands.

³¹ UK, Germany, France, Austria and the Nordic countries all dispatched their own special envoys.

with an outreach to the local political interlocutors explaining the added value of a political/diplomatic interlocutor from the EU should be considered.

The lack of strategic guidance and absence of a mission implementation plan add to uncertainties about the mandate and mission objectives. Additionally, the lack of a firm structure in the field and of procedural guidance and training for the staff contribute to overall ineffectiveness. For staff working in the field, Brussels may appear as providing only bureaucratic processes, red tape and no direction. The lack of preparatory seminars or inductions for POLADs adds to long phases of adjustment to the difficult working environment.

The deficiency in the High Representative's capacities also contributes to scarce guidance for the EUSR's. Apart from the annual meetings with all EUSR's, supervision is delegated to the Policy Unit. The imperfect support structures of the CFSP system are therefore individually based and unreliable.³² No institutionalized lessons learned mechanism has been established for the particular mission in Sudan or at the more general level in Brussels.

The fact that EUSR's cannot dispose of their budget and hire their staff, but have to rely on member states secondments additionally weakens their missions. Ultimately, staff members remain loyal to the seconding structures that pay their salaries and not to the EUSR. The reliance on short-term (6-12 months) secondments further effectively prevents the establishment of institutional memory. Regardless of the regional specifics of the mission, an unwritten rule specifies that the budgets for all EUSRs should be equal. Bureaucratic thinking, therefore, overrules political necessities.

Conclusions and Recommendations

The EU commitment to the CPA and Sudan needs a policy and institutional adjustment. Only substantial progress on the agreement's impetus on fairer division of power and wealth in the remaining 12 months of the interim period will ensure a stable development. A failure to deliver could lead to a scenario seen in Darfur over the last decade. The new EUSR Sudan mandate and the operational set-up (if there is a new mandate) of the future EU mission in Sudan should re-

³² Adebahr Cornelius, "Learning and Change in European Foreign Policy," *DGAP Schriften zur Internationale Politik* [Papers on International Politics], (Berlin, 2009), p. 168.

flect the crisis potential. Sudan is part of the EU's strategic neighborhood and a new outbreak of war would further destabilize the Horn of Africa, while all the progress made over the last five years would be lost.

The biggest danger comes from the inability to define borders and reach an agreement on the distribution of oil revenues. In a number of scenarios the North could easily cut off revenues to the South and a violent contest over the oil fields could lead to wide-spread violence along the North-South border. Unresolved disputes over land would further radicalize ethnic groups along the future 2000 km border.

Risks are many and a failure of the CPA would overwhelm the country and the region. It is therefore imperative to hold on to its many achievements and build upon its ideas for wealth and power sharing. Changing political and economic structures is a long lasting process and in Sudan everything takes time. Still the end of CPA's interim period is less than a year away and while the internationally and EU supported solution for Sudan may be partition and self-determination, careful scrutiny of the conditions for conflict should be used to determine policies.

The EUSR team should work closely with the international supporters of the CPA in order to promote and facilitate a dialogue between the parties and ensure a free and fair referendum process.³³ The EUSR could jointly with the Troika members (U.S, UK and Norway), China, the AU and IGAD initiate negotiations between the NCP and SPLM to reach a follow up agreement to the CPA. This post-CPA agreement should define co-existence arrangements, covering agreements on the distribution of oil revenues, sovereignty transfers in the security and political fields and deals on a range of economic issues such as water, state property and debt.

With a number of intra-South Sudan disputes unresolved and ethnic violence on the rise, the would-be state does not seem to be ready for independence. A closer cooperation with the AU, based on the Africa-EU partnership for peace and security, should deal with the security challenges. It is further necessary that the EUSR closely coordinates security issues with the U.S. Special Envoy and President Mbeki.³⁴ A similar high level involvement with Arab states is desir-

³³ "Post-2011 scenarios in Sudan: What role for the EU," *EUISS*, 2009, p. 19.

able. Technical assistance to the GoSS institutions, in particular to the security sector should be enhanced in the short to mid-term.

Given the new institutional situation following the ratification of the Lisbon Treaty, a number of questions regarding the future EU mission in Sudan arise. Is there a need for an EUSR in Sudan in the first place? A newly reshaped EU mission could cover both development and political/diplomatic tasks. In the case that the EC and EUSR offices are merged, a senior high level diplomat with substantial experience at the Horn of Africa from an influential member state should be appointed to head the delegation. Based on the long term experiences of both the EUSR and EC offices in Sudan, a unification of both instruments promises to increase the effectiveness and authority of the EU. Not only would development and humanitarian funds provide the EU delegation with more political clout, it would also enable a more coordinated and targeted approach. Ultimately, the barriers between the first- and second-pillar structures will remain until a double-hatted superior is created. On the other hand, with a number of adjustments, the EUSR Sudan could continue to serve in the new EU Foreign Service. The existing coordination mechanisms with the Commission and member states would need to be adjusted,³⁵ while the mandate should envisage a proactive role and considerable policy input. The Council should also consider appointing a deputy seated in Khartoum or moving the EUSR office from Brussels to Khartoum in order to achieve greater visibility and effectiveness. Optionally, the member states could appoint their national envoys to the EUSR office in order to empower the new mission.³⁶

When it comes to conflict management, the EU should continue supporting African solutions for African problems, placing responsibility for conflict management on the African Union.³⁷ In case the UNMIS cannot cope with the violence, a bridging ESDP mission should be considered with the explicit assumption that the European troops hand over responsibility as soon as possible to the UN and AU.³⁸

³⁴ "Post-2011 scenarios in Sudan: What role for the EU," *EUISS*, 2009, p. 67.

³⁵ Adebahr Cornelius, "Learning and Change in European Foreign Policy," *DGAP Schriften zur Internationale Politik* [Papers on International Politics], (Berlin, 2009), p. 230.

³⁶ "Post-2011 scenarios in Sudan: What role for the EU," *EUISS*, 2009, p. 68.

³⁷ The AU deploys African troops in crisis and conflict situations around the continent and the EU finances most of the costs.

³⁸ Gorm Rye Olsen, "The EU and Military Conflict Management in Africa," *International Peacekeeping*, Vol. 16, No. 2, (April 2009), p. 257.

The EU should continue providing funds for and observe the elections and independence referendum with full-fledged observation missions in South Sudan. The EU, as a top donor and guarantor of the CPA, has the right to demand certain standards and to condition the recognition of a future South Sudan. Only once a post-referendum process defined by deadlines and benchmarks has been accepted by the GoSS should the prospect of EU recognition be offered.

Sudan will, over the next couple of years, remain one of the major test-cases of the CFSP/ESDP structure. In order to be an effective global player, the EU will have to move beyond the concepts of a civil, normative or peace power and provide effective political leadership. The EU will need to learn the lessons from its previous engagements and ensure that member states' policies are integrated into a joint approach, institutional deficiencies removed and all instruments available put into use of a common foreign and security policy approach in Sudan. While currently EUSRs are instruments rather than makers of policy, they are helpful in bringing together the EU's comprehensive approach to crisis management. Theoretically they should analyze the situation on the ground, identify policy positions of the member states and propose adequate unified policies. The practical implications for the EU engagement ultimately remain for the time being a matter for the member states and the Commission to decide.