

## **Engendering Post Referendum Arrangement (PRA) Negotiations: draft proposals on the way forward**

It is to be recalled that the AUHIP Political/Gender Officer submitted a preliminary gender assessment report on Southern Sudan, which set recommendation to the Panel following a field visit to Juba in September 2010. The political and gender officer also attended relevant meetings and closely followed discussions pertinent to gender and peace processes in Sudan. The Women and Referendum Conference that was held in Juba and Khartoum in October and November 2010 respectively was chief among the meetings attended. Both the preliminary report submitted to the Panel and the current meetings and discussions highlight the growing concern of women in Southern Sudanese, who constitute majority of the population<sup>1</sup>. The concern rests in their exclusion in the vital process to achieving the plebiscite, the key plank of the CPA, and the ongoing Post Referendum Arrangement (PRA) negotiations.

The strikingly low number of women's representation in the SPLM and NCP negotiation teams<sup>2</sup> as well as the lack of discussions of any social issues including gender concerns in the current negotiation clusters further add to the growing concern of the gender blindness of this process. There is neither a channel to bring women's issues and concerns to the PRA negotiation table.

Further, the proportions of women participating in current PRA talks is below international standards and by no means in compliance with the 25 percent quota enshrined in either the Interim Constitution of Southern Sudan or the Elections Act of the Government of National Unity, which applies in all state legislatures and the national assembly. In recognition to the absence of women in this process, Dr. Rebecca Nyandeng de Mabior, Presidential Adviser on Gender and Human Rights, who is also the wife of late Sudanese hero Dr. John Garang intimated that there was little consultation with her in discussions leading to the political appointments, implying that her contributions were stifled.<sup>3</sup> This and other actions of the signatories of the CPA, SPLM and NCP, demonstrates that its either lack of political will or a deliberate lack of efforts to bring women to the negotiating table on their own right.

Nevertheless, commendable efforts have been taken by UN Women in conjunction with the SSRC to make the Referendum process gender sensitive. A gender unit, comprised of eight women gender experts has been set up within the Southern Sudan Referendum Commission (SSRC) since the end of October 2010. The major aim of establishing this gender unit is to engender the referendum process ensures the protection of women during the registration and voting process.

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<sup>1</sup> According to anecdotal sources, women constitute 60% of the population in the South. The number of women voters also totaled 58% in the southern Sudan referendum that took place in January 2011.

<sup>2</sup> Of the nine members of the Referendum Commission, only one is a woman. The same holds true for the Southern Sudan Referendum Bureau which is represented by only one woman out of the nine members. Moreover, out of approximately 54 members of the SPLM's South Sudan Referendum Task Force, only five are women. There are also only a handful of women currently nominated to the post-referendum negotiation teams on both SPLM and NCP sides.

<sup>3</sup> The Political/Gender Officer Preliminary Gender Assessment Report, September 2010.

However, the challenge remains in transferring the ongoing grassroots women peace initiatives, cross community dialogues and women first-hand experience of the war and post conflict social challenges and needs on the negotiating table. This will provide information on the social issues<sup>4</sup> that will be necessary for the PRA discussions. The possibility of mapping new agenda and bringing new issue, such as of gender, in the ongoing talks could add to the length of the negotiation. But despite the importance the new item may face the danger of receiving limited, if not no, attention in the PRA negotiations.

Given the AUHIP's mandate of officially mediating the CPA Parties in resolving key CPA outstanding issues as well as facilitating PRA negotiations, among others, the Panel has a unique access to influence those shaping the future of Sudan. In light of this, the Panel shoulders the responsibility to demonstrate its support to the Sudanese women as well. Previous missteps and the lessons learned on the significance of women's inclusion in peace processes should be taken into account while engaging women in this process.

The followings are some proposed entry points:

1. The Panel, primarily, should speak to the CPA Parties, the NCP and the SPLM and express its concern on the negative effect of women's exclusion in the PRA talks. While this addresses the issue of women's representation, it will not guarantee the issue of addressing gender concerns in the PRA talks.
2. Alternatively, the Panel should advocate for the creation of gender expert groups that will provide regular advice to the negotiation team to ensure the mainstreaming of gender concerns in the PRA talks.
3. The Panel should encourage the CPA Parties to form a separate sub cluster group that will specifically address gender issues of the negotiating clusters including over citizenship, border, international treaties and legal issues etc
4. The Panel should speak to women leaders particularly in the South for first-hand information on their concern and proposed ways forward in the PRA process.
5. Last but not least, ensuring the involvement of women and the gender sensitivity of current key political processes such as constitutional review, both in the north and south, Popular Consultation and the state negotiation process with the central government as well as the Darfur Political Process are among the issues that deserve the Panel's attention.

Proposed (ongoing) activities of the Political/gender officer in this particular aspect include:

1. A workshop to be held outside Sudan [venue to be decided] on engendering the PRA negotiations for women organizations and gender expert support team. The objective of

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<sup>4</sup> This could include issues of citizenship and nationality, border institutions and the concept of soft border, security, which discussion has not trickled down from a human security perspective, and international treaties all has a gender implication if a proper gender analysis is carried out.

the workshop will be to develop recommendations on gender guidelines/key recommendations for the PRA discussions<sup>5</sup>.

2. To develop guidelines/key recommendations for integrating gender concerns on the existing cluster of the PRA talks. This will be done in collaboration with UNIFEM. [UNIFEM has already indicated its readiness to financially support such an exercise]
3. To carry out North-South Women dialogue periodically to follow up and monitor the progress of gender mainstreaming in the PRA talks, inter alia.
4. To continue identify key allies and discuss other possible entry points for advocating gender integration in the overall negotiation process.
5. Finalize and sign an MOU with UNIFEM for the implementation of the aforementioned three activities.
6. Continue discussion with the constitutional review committee of the north and south on possible representation of the AU to contribute for the gender sensitivity of the process.
7. Liaise and closely work with the AU Women, Gender and Development department to solicit possible support.

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<sup>5</sup> The political/gender officer will be facilitating a Gender and PRA negotiation workshop in Juba from February 16-18. If the same output (gender analysis of each negotiating cluster) is achieved, the intended workshop will be replaced by another activity.