CONCLUSIONS

The international agreement that would have its implications in Sudan Federal Governance with reference to the agricultural sector is the International Agreement on Agriculture (AoA). AoA forms an integral part of the multinational trading system since 1995 which is referred to as World Trade Organization (WTO)/Globalization. WTO/Globalization is not concerned only with trading of commodities and services rather its objectives extend to encompass economic, social, cultural and political aspects of human life.

Agriculture is an occupation and source of livelihood, employment and income to the majority population in countries of predominant agrarian economies and to a considerable number of population in other countries. Therefore, the Agreement on Agriculture will affect and will be affected by the multinational trading system.

Agriculture is regarded as one of the most important areas hindering the strengthening of the liberal international trade system because of the large scale subsidies and protectionist measures. These subsidies and protectionist measures are believed to distort world prices of agricultural commodities preventing efficient producers around the world from realizing the benefits of their efforts, innovations and their true competitiveness. The objective behind including agriculture in the multinational trading system in 1995 is to limit those distortions, through a new set of rules apply to the main three pillars of the Agreement namely; market access, domestic support and export subsidies, besides other related agreements (Sanitary and Phytosanitary, Anti Dumping, Trade Related Intellectual Property Rights) through agricultural trade reforms.

Despite the successive intensive negotiations since the Fourth Ministerial Conference held in Doha in 2001, no agreement has been reached with respect to the intended reforms in international agricultural trade. The failure to reach final agreement can be attributed to the fact that WTO member countries are not playing on the same levelled field. There are the industrialized developed countries, the developing countries and
the least developed countries which take different stands based on their perceived gains and losses from liberalization of agricultural trade.

Based on the foresaid complications of international agricultural trade reforms, the Agreement on Agriculture is most likely to have its implications on the performance of agricultural sector in most countries world-wide. Such implications might cause discontents with regard to the international Agreement on Agriculture. In addition, there are the challenges that are facing agriculture in the millennium which will have their implications on access to land, production resources, production and productivity. Moreover, despite the promises and opportunities of globalization/WTO it is argued that it is highly contentious concept. On the one hand, it is viewed as a real process of rapidly increasing integration and interdependence across countries and people in the world. On the other hand, it is regarded as a normative prescription and myth only. The opponents view globalization as a new phase of Western Imperialism and global capitalism that would adversely affect particularly the weaker nations, states and people.

The discontents of globalization/WTO in general and of the Agreement on Agriculture in particular may cast their shadow on the whole nations and the federal states of most developing countries as well. This in turn is most likely to lead to some disputes and conflicts between the central government and the states especially when there are well defined laws and rules vested in the national and state constitution, assigning responsibilities and obligation to each constituents. These disputes and conflicts may stem from resource-base potential and development disparities among the states, national fiscal policies and the pace, sequence and timing of the implementation of WTO and AoA conditions.

That is why an attempt is made in this study to examine the existing and potential implications of Agreement on Agriculture for federal governance in Sudan with reference to the agricultural sector. This is because of the evidence asserted by the reviewed literature on globalization/WTO which affirms that policy makers rarely consider the nature of governance while outlining and finalising the agreements.
Rather, they assume that the agreements will be binding and applied smoothly within the territories of the sovereign signing states irrespective of the nature and working of country’s governance. Besides they undermine the multi-diversities that prevail in many countries with which the assumed co-ordination, co-operation and harmony are difficult to maintain.

In order to assess the likely implications of the international Agreement on Agriculture for federal governance, federalism and the working of the federal system have been highlighted. A common view is held by the theorists of political science that federalism is a system of government of a country under which there exists simultaneously a federal or central governments and several states which are contracted with unitary state. In addition, federal governance is a legal system of government subordinates to other and the political power is divided by the federal government and states in a binding Constitution. For proper working of the federal system, it is found that nation-building is the most important factor that can secure a coherent federal system which ensures and promotes cooperation between federal government and states. This is because federalism besides being treated as a functional category of dividing powers and authorities among different units of a federation, is also treated as a grand design of integrating society and polity in a lasting federal union whose structure embraces entities that retain a certain degree of autonomy and allows for a mixture of autonomy and integration into a large system conducive to optional decisions. Thus, the federal Constitution must take into consideration the social engineering by which a federal balance in society on the one hand and between societies and polity on the other hand is attempted. In line with this, it is found that the federal-state relations are most likely to be affected by three main factors namely: a) state-society relations; b) the working of federal system; and c) the implications of the issues under consideration. To maintain harmony and co-operation between the federal and states, the federal system must have the capacity to weave together the culture discrete groups into a federal polity which retains, protects and articulates the federal qualities of the society and the nation-state must be seen as a
symbiotic institution that co-ordinates social and economic affairs in an integrated manner

The investigation and examination of agriculture sector in Sudan, Sudan's commitment under the AoA of WTO and the federal system in Sudan indicate that Sudan enjoys rich natural resources as well as rich agro-ecological and agro-climatic diversities which qualify it to play a greater role in the international and regional agricultural trade. The investigation and examination also show that although Sudan is still acceding to WTO membership, it has taken the necessary arrangements to comply with AoA rules, principles and provisions regarding its commitments under the three main pillars of the agreement i.e. market access, domestic support and export subsidies. Further, the investigation shows that the federal system in Sudan has four ties: National, Southern Sudan Government, States and Local Governments. The power of the federating units are well defined. The decentralized structure of the federal system takes into consideration the many ethnic, lingual, religious and cultural diversities to retain the identities, autonomy and integrities of social groups with a generalized pattern of governance based on consensus, co-operation and co-ordination. The Constitution provides demarcation of lists on which the federating units can enact laws and also provides provisions with regard to sharing of financial, fiscal, agriculture and other resources of national nature. These measures could help in avoiding disputes and conflicts between federal government and states. The establishment of the Constitutional Court and the Specialized Commissions is the key factor in resolving the disputed issues between federal government and the states.

The diagnoses of AoA, agriculture sector and federal system in Sudan helped greatly in pin-pointing the general and specific implications of the Agreement on Agriculture on Sudan's agricultural sector. The diagnoses reveal that the economic reforms, challenges facing agriculture, restructuring of agricultural sector, cropping pattern and fiscal policies are the sources of general implications. Thus, the general implications seem to stem from the designed policies, mainly the economic and agricultural policies, resource-base potential of the states and their development needs as well as the needs of the federal government. On the other hand, the specific implications stem
from the committed reforms in the three pillars of AoA – market access, domestic support and export subsidies. The main factors that can have their implication on Sudan Federal Governance are identified to be: a) the federal-state-society relations; b) the working of the federal system; and c) the issues under consideration. The investigation shows that the disputes and conflicts between federal government and states can be compromised because of the fairly coherent nation-building and the conducive federal working system for co-ordination and co-operation between federating units. With regard to the factors of issue under consideration, federal/state relations may be affected by some provisions and commitments embodied in the agreement and not the agreement itself as it applies universally to all member countries and its rejection might have a devastating economic and social implications. The disputing issues can be addressed through negotiations provided that an awareness is created among the stake-holders about the agreement and WTO. Likewise, through proper consultation with the states, farmers and other stake-holders the disputes can easily be resolved.

The conclusion that can be drawn from the study is that the international Agreement on Agriculture would have its general and specific implications on Sudan Federal Governance. The existing and potential implications of the agreement can be resolved through compromises or consensus and through the development of sustainable competitive agricultural sector by overcoming its current structural and institutional constraints which would promote and strengthen the states economies. This is because of the fairly coherent nation-building and conducive federal system in Sudan for fruitful co-ordination and co-operation between the federating units of the federal system. In relation to this, proper consultation with the concerned federating units, awareness campaigns and capacity building programmes on WTO and AoA issues could be effective Safe Guard Measures against conflicts and disputes. The establishment of the Constitutional Court and the Specialized Commissions which look into such matters are the key factors for resolving the disputes and conflicts between federal government and the states.
IMPLICATIONS OF AOA OF WTO ON CENTRE-STATE RELATIONS- A case study of India and Sudan

Questionnaire

1. Identification of the Respondent:
   a) Name
   b) Organization
   c) State
   d) Country

2. Are you aware of the new rules of AOA of WTO
   a) Yes
   b) No
   c) Partly aware

3. If the answer is yes, what are the new promises or opportunities created by WTO Agreement on Agriculture (AOA)
   a)
   b)
   c)
   d)

4. What are the problems/challenges faced by farmers in your country/state due to AOA of WTO?
   a)
   b)
   c)
   d)

5. Do you think that production and export subsidies given to agriculture in developed countries affect agricultural exports and growth adversely in your country/state (tick)
   a) Yes
   b) No
   c) Not sure

6. Do you think that reduction of tariff on agricultural commodities has encouraged imports from abroad, thereby domestic prices and livelihood security of farmers in your country/state? (tick)
   a) Yes
   b) No
   c) Not sure

7. Do you think that other clauses such as sanitary and phytosanitary measures (SPS) would affect agricultural growth in your country/state adversely? (tick)
   a) Yes
   b) No
   c) Not sure
8. Do you think that SPS measures would improve the quality of food and availability of safe food in your country/state (tick)
   a) Yes
   b) No
   c) Not sure

9. What are the real or potential dangers from imports of agricultural commodities from outside?
   a)
   b)
   c)
   d)

10. Indicate whether the overall impacts of AOA of WTO have been either positive or negative so far on the following (Tick):
    a) Overall agricultural growth—(i) positive, (ii) negative
    b) Employment—(i) positive, (ii) negative
    c) Rural poverty—(i) positive, (ii) negative
    d) Inequality—(i) positive, (ii) negative
    e) Resource conservation/Ecology and Environment—(i) positive, (ii) negative
    f) Livelihood Security of Landless Labourers—(i) positive, (ii) negative
    g) Livelihood Security of fishermen—(i) positive, (ii) negative
    h) Livelihood Security of Dairy Farmers—(i) positive, (ii) negative
    i) Livelihood Security of Tribal Farmers/Forest Dwellers/Other Indigenous groups
    j) Livelihood Security of Rural Women—(i) positive, (ii) negative
    k) Centre—state Relations—(i) positive, (ii) negative

11. Were the states consulted by the Centre before signing the AOA of WTO? (tick)
    a) Yes
    b) No

12. Which are the states/provinces where the socio-economic condition of farmers have deteriorated after WTO AOA?
    a)
    b)
    c)
    d)

13. Which are the state/provinces where the socio-economic conditions of farmers have improved, (if any) after WTO of AOA?
    a)
    b)
    c)
    d)

14. If improved, what factors led to improvement?
    a)
    b)
    c)
15. How is the relationship of your state with the Central Government? (tick)
  a) Good
  b) Very cordial
  c) Strained and non-co-operative

16. What steps have been taken in your state by the government to create awareness/preparedness among farmers about opportunities and challenges of globalization?

17. Does your state/province have adequate infrastructure and institutions to enable the farmers to benefit from globalization (tick)

  a) 
  b) 

18. If the answer is yes, then what are these infrastructure and institutions that help?
  a) 
  b) 
  c) 
  d) 

19. Does the land tenure system/land policy in your state help encourage private investment in agriculture (tick)
  a) Yes
  b) No

20. Indicate whether private investment in agriculture in your state has increased or declined after AOA of WTO.
  a) Increased
  b) Declined
  c) Remained constant

21. What efforts have been made by the government to achieve equitable and balanced development?
  a) 
  b) 
  c) 
  d) 
  e) 

22. What steps have been taken by the government to improve sustainable use of land, water and forest resources in the state?
  a) 
  b) 
  c) 
  d) 
  e)
23. What are the agricultural commodities in which your state has some comparative advantages and potential for export growth?
   a) 
   b) 
   c) 
   d) 
   e) 

24. What measures have been undertaken by the government to support the farmers to face the challenges of globalization? (Tick)
   a) Yes/No
   b) Increase in export subsidy: (i) Yes, (ii) No
   c) Increase in R&D support: (i) Yes, (ii) No
   d) Increased subsidy for food security: (i) Yes, (ii) No
   e) Awareness building about SPS, food safety etc.: (i) Yes, (ii) No

25. What measures/mechanism would you suggest to resolve disputes/conflicts between either centre and states or between states relating to WTO related matters?
   a) 
   b) 
   c) 
   d) 
   e) 

26. What has been the role of Civil Society Groups in the wake of AOA of WTO? (Describe)
### Schedule (A) - National Powers

1. National Defence, National Security and Protection of the National Borders;
2. Foreign Affairs and International Representation;
3. Nationality and Naturalization;
4. Passports and Visas;
5. Immigration and Aliens;
6. Currency, Coinage and Exchange Control;
7. Constitutional Court and other National Courts;
8. National Police (including Criminal Investigation Department – CID, coordination of international, regional and bilateral criminal matters, and standards and regulations including the standards for training the police in the national capital);
9. The fixing of and providing for salaries and allowances of civil and other officers of the national government;
10. Postal Services;
11. Civil Aviation;
12. Maritime Shipment;
13. Beacons;
14. Navigation and Shipment;
15. National Lands and National Natural Resources;
17. Bills of Exchange and Promissory Notes;
18. Weights, Measures and Standards, Dates and Standards of Time;
19. Meteorology;
20. Establishment and Maintenance of National Prisons;
21. National Institutions as envisaged under the Peace Agreement or as set forth in this Constitution;
22. Customs, Excise and Export Duties;
23. Intellectual Property Rights, including Patents and Copyright;
24. National Flag, National Emblem and National Anthem;
25. Signing of International Treaties on behalf of the Republic of the Sudan;
26. National Debt and Borrowing on Public Credit;
27. National Census, National Surveys and National Statistics;
28. National States of Emergency;
29. International and Inter-State Transport, including Roads, Airports, Waterways, Harbours and Railways;
30. National Public Utilities;
31. National Museums and National Heritage Sites;
32 National Economic Policy and Planning;
33 Nile Water Commission, Management of the Nile Waters, Transboundary Waters and Disputes arising from the Management of Interstate Waters between Northern states and any dispute between Northern and Southern states;
34 National Information, Publications, Telecommunication Regulations;
35 National Taxation and National Revenue Raising;
36 National Budget;
37 Laws providing for National Elections and their Supervision by the National Elections Commission;
38 Issuance of National Identity Card.
Schedule (B) - Powers of the Government of Southern Sudan

1. Adoption and Amendment of the Constitution of the Government of Southern Sudan;
2. Police, Prisons and Wildlife Services;
3. Security and Military Forces during the Interim Period;
4. Legislation relating to the Government of Southern Sudan Structures for the Delivery of Services at all levels of Government of Southern Sudan;
5. Borrowing of Money on the sole Credit of the Government of Southern Sudan within the National Macro-economic Policy;
6. Planning for Southern Sudan Government Services including Health, Education and Welfare, etc;
7. Appointment, Tenure and Payment of Government of Southern Sudan (GOSS) Officers and Civil Servants;
9. The Co-ordination of Southern Sudan Services or the Establishment of Minimum Southern Sudan Standards or the Establishment of Southern Sudan uniform norms in respect of any matter or service referred to in Schedule C or Schedule D, read together with Schedule E, with the exception of Item 1 of Schedule C, including but not limited to, education, health, welfare, police (without prejudice to the National Standards and Regulations), prisons, state public services, such authority over civil and criminal laws and judicial institutions, lands, reformatories, personal law, intra-state business, commerce and trade, tourism, environment, agriculture, disaster intervention, fire and medical emergency services, commercial regulation, provision of electricity, water and waste management services, local Government, control of animal diseases and veterinary services, consumer protection, and any other matters referred to in the above Schedules;
10. Any power that a state or the National Government requests it to exercise on its behalf, subject to the agreement of the Government of Southern Sudan or that for reasons of efficiency the Government of Southern Sudan itself requests to exercise in Southern Sudan and that other level agrees;
11. Referenda in Southern Sudan on matters affecting Southern Sudan within the Competencies of Southern Sudan Government;
12. Taxation and Revenue raising in Southern Sudan;
13. Southern Sudan Budget;
14. Public Utilities of Government of Southern Sudan;
15. Government of Southern Sudan Flag and Emblem;
16. Reconstruction and Development of the Southern Sudan;
17. Government of Southern Sudan Information, Publications, Media and Telecommunication Utilities;
Rehabilitation and Benefits to Disabled War Veterans, Orphans, Widows and Care for the Dependents of Deceased War fallen Heroes;

Any matter relating to an item referred to in schedule D that cannot be dealt with effectively by a single state and requires Government of Southern Sudan legislation or intervention including, but not limited to the following:-

1. Matters relating to businesses, trade licenses and conditions of operation;
2. Natural Resources and Forestry;
3. Town and Rural Planning;
4. Disputes arising from the Management of Interstate Waters within Southern Sudan;
5. Fire Fighting and Ambulance Services;
6. GOSS Reformatory Institutions;
7. Firearms Licenses within Southern Sudan; and

Such matters relating to Taxation, Royalties and Economic Planning as is specified in the Agreement on Wealth Sharing;

Southern Sudan Census and Statistics within the competence of the Southern Sudan Government;

Issuance of identity cards within Southern Sudan, Driving Licenses and any other appropriate Documentation.
## Schedule (C) - Powers of States

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>The Constitution of the state, subject to compliance with the National Constitution, and, as relevant, the Constitution of Southern Sudan;</td>
</tr>
<tr>
<td>2</td>
<td>State Police, Prisons;</td>
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<td>3</td>
<td>Local Government;</td>
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<td>4</td>
<td>State Information, State Publications and State Media;</td>
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<td>5</td>
<td>Social Welfare including State Pensions;</td>
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<td>6</td>
<td>The Civil Service at the state level;</td>
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<td>7</td>
<td>The State Judiciary and Administration of Justice at State level including Maintenance and Organization of State Courts, and subject to National norms and Standards, Civil and Criminal Procedure;</td>
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<td>8</td>
<td>State Land and state Natural Resources;</td>
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<td>9</td>
<td>Cultural matters within the state;</td>
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<td>10</td>
<td>Regulation of Religious matters;</td>
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<td>11</td>
<td>Internal and External borrowing of Money on the sole Credit of the state within the National Macro-economic Framework;</td>
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<td>12</td>
<td>The Establishment, Tenure, Appointment, and Payment of State Officers;</td>
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<td>13</td>
<td>The Management, Lease and Utilization of Lands belonging to the state;</td>
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<td>14</td>
<td>The Establishment, Maintenance and Management of Reformatory Institutions;</td>
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<td>15</td>
<td>The Establishment, Regulation, and Provision of Health Care, including Hospitals and other Health Institutions;</td>
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<td>16</td>
<td>Regulation of Businesses, Trade Licenses, Working Conditions, Hours, and Holidays within the state;</td>
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<td>17</td>
<td>Local Works and Undertakings;</td>
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<td>18</td>
<td>Registration of Marriage, Divorce, Inheritance, Births, Deaths, Adoption and affiliations;</td>
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<td>19</td>
<td>Enforcement of State Laws;</td>
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<td>20</td>
<td>Statutes enacted under the Penal Law power, save for the penalization for the breach of National laws relating to the National competencies;</td>
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<td>21</td>
<td>The Development, Conservation and Management of State Natural Resources and State Forestry Resources;</td>
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<td>22</td>
<td>Primary and Secondary Schools and Education Administration in regard thereto;</td>
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<td>23</td>
<td>Laws in relation to Agriculture within the state;</td>
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<td>24</td>
<td>Airstrips other than International and National Airports within Civil Aviation Regulations;</td>
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<td>25</td>
<td>Intrastate Public Transport and Roads;</td>
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<td>26</td>
<td>Population Policy and Family Planning;</td>
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<td>27</td>
<td>Pollution Control;</td>
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<td>28</td>
<td>State Statistics, and State Surveys;</td>
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<td>29</td>
<td>State Referenda;</td>
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<tr>
<td>30</td>
<td>Charities and Endowment;</td>
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</tbody>
</table>
31 Quarrying Regulations;
32 Town and Rural Planning;
33 State Cultural and Heritage sites, state Libraries, state Museums and other Historical Sites;
34 Traditional and Customary Law;
35 State Finances;
36 State Irrigation and Embankments;
37 State Budget;
38 State Archives, Antiquities, and Monuments;
39 Direct and Indirect Taxation within the state in order to raise Revenue for the state;
40 State Public Utilities;
41 Vehicle Licensing;
42 Fire Fighting and Ambulance Services;
43 Recreation and Sport within the state;
44 Firearms licenses;
45 Flag and Emblem of the state.
Schedule (D) - Concurrent Powers

1. Economic and Social Development in Southern Sudan;
2. Legal and other Professions and their Associations;
3. Tertiary Education, Education Policy and Scientific Research;
4. Health Policy;
5. Urban Development, Planning and Housing;
6. Trade, Commerce, Industry and Industrial Development;
7. Delivery of Public Services;
8. Banking and Insurance;
9. Bankruptcy and Insolvency;
10. Manufacturing Licenses;
11. Airports, only with respect to the Government of Southern Sudan in accordance with Civil Aviation Standards and Regulations;
12. River Transport;
13. Disaster Preparedness, Management and Relief and Epidemics Control;
14. Traffic Regulations;
15. Electricity Generation and Water and Waste Management;
16. Information, Publications, Media, Broadcasting and Telecommunications;
17. Environmental Management, Conservation and Protection;
18. Relief, Repatriation, Resettlement, Rehabilitation and Reconstruction;
19. Without prejudice to the National Regulation, and in the case of Southern states, the regulation of Government of Southern Sudan, the initiation, negotiation and conclusion of International and Regional Agreements on culture, sports, trade, investment, credit, loans, grants and technical assistance with foreign governments and foreign non-governmental organizations;
21. Women’s Empowerment;
22. Gender Policy;
23. Pastures, Veterinary Services, and Animal and Livestock Diseases Control;
24. Consumer Safety and Protection;
25. Residual Powers, subject to schedule E;
26. Mother, Child Protection and Care;
27. Water Resources other than interstate waters;
28. Notwithstanding Schedules A, B and C, such matters relating to Taxation, Royalties and Economic Planning;
29. Southern Sudan and state Courts responsible for Enforcing or applying National laws;
30. Such matters relating to Taxation, Royalties and Economic Planning as a matter or matters in regard to which the Government of Southern Sudan is accorded Concurrent Authority;
31. Human and Animal Drug Quality Control.
32. Regulation of Land Tenure, Usage and Exercise of Rights in Land.


4. Arora, Guljit K., Globalization, Federalism and Decentralization Implications for India, Bookwell, New Delhi


10. Coplant Ian and John Ricarad, 1999. “Comparative Perspectives from India and Australia, Monash University, Melbourne, Manohar, 1999, Published in association with the National Centre for Australian Studies and Centre of South Asian Studies


18. Friedrich, Carl J., Constitutional Government and Democracy: Theory and Practice in Europe and America, New Delhi, 1974


37. Singh, Udai Bhan, Fiscal Federalism in Indian Union, Concept Publishing Company, New Delhi


