



Looming Crisis

Open Wounds in Abyei Increase Risk of New War

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Introduction

In Abyei, a small but strategically important disputed area on the border between Sudan and South Sudan, rising inter-communal tensions have resulted in a marked escalation in conflict in recent weeks. At this extremely sensitive moment in the nomadic Misseriya community's seasonal migration across the Ngok Dinka homeland, these new dynamics could spark another war between Sudan and South Sudan, unless the international community acts immediately to enforce the pledge to demilitarize the area and arrest this trend.

Armed youth and dissatisfied cadres within the South Sudanese army in the area seem to be interested in provoking a confrontation, both with the Misseriya community and the Sudanese government. Unaddressed anger around the South Sudan's lukewarm response to the October 2013 referendum vote and the Ngok Dinka paramount chief's killing has emboldened local armed actors. Armed groups aligned with South Sudan are increasingly moving to the northern parts of the area, actively confronting nomads and challenging the seasonal migration of the Misseriya community. In response to dramatically shifting realities on the ground as a result of South Sudan's internal war, some in Abyei may be interested in instigating violence to attract international attention to the area's unresolved status. For their part, the Misseriya are desperate to move their cattle further south in search of water and grazing pastures. Any threat to these pastoral routes raises the stakes of violence and the likelihood of bloodshed. This game of brinkmanship is putting both local communities and the broader region at great risk of war.

The African Union, United Nations, and broader international community must pressure the governments of Sudan and South Sudan to honor the provisions of the agreements they signed on the Abyei area. Both governments must fulfill their pledges to demilitarize the area by removing their armies and police forces. The United Nations Interim Security Force for Abyei, or UNISFA, must carry out its mandate to protect civilians while also supporting disarmament, especially of non-state armed actors. For real reconciliation between the communities to begin, the Commission of Inquiry report into the paramount chief's death must be made public, and restorative justice must be pursued. Traditional communal mechanisms for dispute resolution and communication should be strengthened through interventions by external actors at the grassroots level. However, none of these steps will be sufficient to resolve Abyei's underlying problem: its unresolved final status. Abyei's people have been promised an opportunity to exercise their right to self-determination for decades; it is time to take steps to fulfill those promises.¹

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Defiant Armed Actors Clash in a Demilitarized Zone

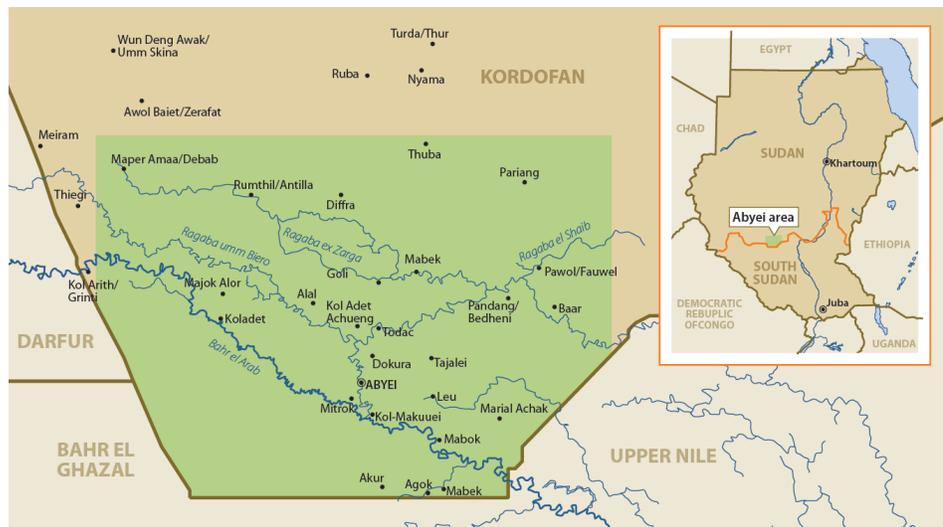
Several military confrontations between armed forces have been reported within Abyei in recent weeks, despite the fact that the area is officially a demilitarized zone. In June 2011, Sudan and South Sudan committed to withdrawing their armed forces from Abyei.² As a result of escalating violence, hundreds of civilians are evacuating Abyei town and other villages north of the River Kiir to Agok town due to fears of increasing attacks.³ The Enough Project spoke to displaced persons in Agok, who confirmed that scores of Ngok Dinka were killed in the recent violence.⁴

Sources from the ground in Abyei reported deadly military attacks on March 1 and 3, 2014, in Makir and Dungop. On March 1, Misseriya militias attacked Makir and nearby areas reportedly resulting in at least 50 deaths.⁵ Two days later, the Ngok Dinka community in Dungop suffered an attack by Misseriya militias resulting in the death of at least one person.⁶ Confirming these reports, the Enough Project spoke to observers who confirmed that fighters used AK-47 rifles, mortars, and rocket-propelled grenades in a recent round of clashes.⁷

The March clashes were perpetrated by armed Misseriya militias. However, elements aligned with the South Sudanese army carried out a series of offensive raids into the northern part of Abyei between December 2013 and February 2014.⁸ Specifically, a February 3, 2014, attack by South Sudanese government armed forces and police in the north of Abyei drew harsh criticism from the U.N. Security Council later that month.⁹

When situated in context, the recent clashes stem from the presence of increasingly defiant armed actors within the Abyei area. The UNISFA peacekeeping mission for Abyei has authorized 4,250 military and police personnel to maintain security and protect civilians.¹⁰ The Council has repeatedly called on both sides to withdraw their forces from the region. Still, almost three years after the pledge by Sudan and South Sudan to demilitarize the zone, the area remains awash in weapons, raising the risk of a return to large-scale conflict at any time.

In their recent report, UNISFA noted the presence of around 660 military elements of the Sudan People's Liberation Army (SPLA) and the South Sudan National Police Service, including more than 300 in Maker Abior, 100 in Noong, 75 in Leu, 70 in Dungop, 69 in Marial Achak, and 50 in Tejalei, all of which lie along the Misseriya migration corridor.¹¹ Because the mission has observed trenches in these areas,



analysts suggest that this military presence is organized, rather than spontaneous. The U.N. Secretary General's report on Abyei to the Security Council states that SPLA and South Sudan National Police elements informed UNISFA that they were deployed to the area following the completion of the unilateral referendum.¹² However, Kuol Monyluak, a senior official on the Abyei Joint Oversight Committee (AJOC), denied these reports, stating "we do not have any group in the area. We withdrew our forces in Abyei region in 2011 and never returned."¹³

Despite numerous U.N. Security Council resolutions calling on them to withdraw their forces, the Sudanese government has maintained a military presence of at least 150 oil police in Diffra/Kec in the northern part of the Abyei region. In June 2013, the pipeline near Diffra suffered an attack by unknown assailants in Ajaj.¹⁴ The damaged pipeline serves as the key link between the Diffra oil field in Abyei and the processing plant in Heglig.¹⁵ Additionally, armed Darfuri rebels aligned with the Justice and Equality Movement (JEM) and loosely organized South Sudanese militias called "SSUM" also operate within the area.¹⁶ Sudan's government points to these threats as a justification for the continued presence of its police force in the area.¹⁷

New Realities for Migration

Abyei lies at the crossroads of seasonal migration routes that straddle Sudan and South Sudan's hotly contested border. Every year, Misseriya nomads move southward during the dry season to access water sources and pasture their herds in Abyei and other parts of South Sudan. According to UNISFA, as of February 7, 2014, about 55,000 Misseriya, along with approximately 700,000 assorted livestock, had moved southward through Abyei, with the largest concentration in Diffra, Mekeines, Al Rhadiya, Farouk, Goli, Um Khariet, Dumboloya, and Alal.¹⁸ The Ngok Dinka community argues that seasonal migration has been further complicated by the fact that paramilitary forces known as Popular Defence Forces (PDF) travel with Misseriya communities, ostensibly as protection.¹⁹

Traditionally, the Misseriya community's movement begins around November and December and ends in May or June, depending on when the rainy season commences.²⁰ Now, as a result of the ongoing conflict in South Sudan's Unity state, which resulted in a contraction of grazing space, more Misseriya communities are being diverted toward the Abyei region. Some speculate that the Awlad Omran clan, which typically migrates toward Unity state, could shift their migration route towards Abyei. As a result, more cattle belonging to Misseriya groups will be arriving in the area, and they are likely to be forced to move more deeply into areas populated by Ngok Dinka people. Historically, in places where the communities come into contact with one another, youth from both groups engage in reprisal bouts of cattle rustling.²¹

For the past few years, UNISFA has attempted to create a buffer between Ngok Dinka populations and Misseriya nomads in order to avoid confrontations between the two communities. At the same time, the two communities have quietly managed to avoid major incidents of confrontation that would risk disrupting the seasonal movements of the nomads through communal dispute resolution mechanisms. On a number of occasions, the UNISFA peacekeepers promptly intervened to prevent isolated

incidents from developing into major confrontations and risking an international border war.²²

However, by creating independent zones of control for each group, the UNISFA buffer zones have limited both groups' access to the land, water, and migration routes that they need to maintain their livelihoods. The separation has also widened the rift between both communities, as each group has remained suspicious of the plans and intentions of the other.

This year, the larger volume of pastoralists and the new patterns of deeper southward movement will increase tensions between Misseriya and Ngok Dinka communities who are embittered by past violence. Even last year, Misseriya and Ngok Dinka communities traded blame for a series of killings and cattle raid incidents around Abyei area.²³ However, this year, inter-communal clashes have already taken on a particularly deadly dynamic due to open wounds and unresolved frustration in both communities.

Factors of Escalation: A Forgotten Referendum Vote and the Paramount Chief's Death

Both the forgotten referendum vote and the unresolved tensions around the Ngok Dinka paramount chief's death serve as new factors for escalating the already fraught situation in Abyei. Volatile internal and external dynamics have heightened sensitivities to levels not seen since May 2011.

Between October 27 and 29, 2013, 64,775 Ngok Dinka participated in an informal referendum on the Abyei area's final status.²⁴ The referendum resulted in 99.98 percent of voters choosing to rejoin South Sudan.²⁵ Neither the referendum nor its results were recognized by the international community. Both the governments of Sudan and South Sudan distanced themselves from the results. The African Union and the U.N. warned that such actions would only increase tensions. The nomadic Misseriya groups argued that any political endeavor that did not include them would not be respected. Practically, due to the demographic composition of the areas where the self-referendum was conducted, no Misseriya communities were included in the vote. Nonetheless, the Ngok Dinka community is determined to push the issue forward for national and international recognition of the results. In the months following the referendum, influential Ngok Dinka politicians urged President Kiir to affirm South Sudan's sovereignty over Abyei despite Khartoum's opposition. However, as a result of the recent inter-South Sudan violence, the Abyei issue has largely fallen off the South Sudanese political agenda.



Ngok Dinka returnees being re-displaced as a result of new violence

Additionally, the killing of the Ngok Dinka community's traditional leader has created deep, lasting grievances and mistrust. On May 4, 2013, the Ngok Dinka Paramount Chief, Kuol Deng Kuol, was killed by armed Misseriya youth when their convoy was stopped on the route between Goli and Abyei town. Reprisal violence led to the flight of all Misseriya traders from Abyei town. Since the Ngok Dinka community never received a formal apology for the killing of the chief, these tensions have only grown worse over time. In the past, communal dispute resolution mechanisms were able to avert conflict between the two groups. However, due to the lack of open channels of communication, many worry that they will not be able to do so this year.

Humanitarian Consequences of South Sudan's War

South Sudan's recent internal conflict adds a new dimension to the humanitarian and security situation in Abyei. Since December 2013, 2,860 people have been displaced from Unity state toward Abyei, following clashes between South Sudanese government and opposition forces.²⁶

As the conflict continues to rage in Unity state, more people will cross into Abyei, increasing pressure on the area's limited resources. In May 2008 and May 2011, approximately a hundred thousand civilians were displaced from Abyei as a result of confrontations between armies of Sudan and South Sudan. During these confrontations, the area was bombed indiscriminately by the Sudan Armed Forces



Ngok Dinka families moving their luggage, in fear of attacks

(SAF), and scores of civilians were killed by invading SAF soldiers and its allied militias. Property and dwellings were either looted or burned to ashes. Today, the majority of the 113,000 persons displaced from Abyei in May 2011²⁷ are still based in areas around Agok town, 38 kilometers south of Abyei town.

The large volume of newly displaced people from South Sudan will further challenge humanitarian efforts in the region. Agok has already been strained by the long-term presence of internally displaced people who fled violence in 2008 and 2011. Now, it is home to another wave of displaced persons, this time coming from South Sudan's Unity and Warrap states.

Conclusion

In the past three months, violence has escalated dramatically in areas adjoining Abyei, and tensions within the small area have grown as well. Talks between Juba and Khartoum over the final status of Abyei have shown little progress. In the wake of renewed violence, the international community must take serious steps to pressure Juba and Khartoum to find a lasting solution to the conflict in Abyei.

Scores have died, hundreds of civilians have been displaced, and many are seeking shelter in Agok. These dynamics are further complicated by increased competition over access to grazing routes, water points, and pastures, which are not affected by the violence from South Sudan's internal conflict. The Sudanese government's assault on Abyei in May 2008 and again in May 2011 vividly evidences the way that either side can use isolated incidents to spark violence on a wider scale. Now, South Sudanese aligned armed groups' willingness to provoke clashes with the nomadic Misseriya community could spark much broader violence. The people of the region, already embroiled in conflict, cannot afford another Sudan – South Sudan war.

Recommendations

- Sudan and South Sudan must ensure their forces are fully redeployed outside of the boundaries established by the 2009 PCA Award on Abyei.²⁸ The U.N. Security Council has repeatedly noted that only UNISFA is authorized to carry weapons in the area. Leaders in both Sudan and South Sudan must work through their command and control structures to ensure that orders to withdraw their forces from the area are followed.
- Since most armed attacks have been perpetrated by militias in civilian attire, the U.N. Security Council should underscore UNISFA's duty to engage in activities to disarm non-state armed groups and individuals, in line with its revised and robust mandate passed in November 2013. During the last reporting period, the UNISFA reported that it disarmed just seven individuals. A much more robust disarmament will prevent attempts by both Sudan and South Sudan to use proxies to destabilize the security situation in the area.
- The Abyei Area Joint Investigation and Inquiry Commission report into the Ngok Dinka community's paramount chief's death must be made public in order to begin the process of restorative justice. The Commission should facilitate a meeting to discuss the report and encourage leaders from the Misseriya community to formally apologize for the killing of the paramount chief to help the two communities reconcile.
- Traditional communal mechanisms for dispute resolution and communication should be strengthened through grassroots interventions. UNISFA facilitated joint security committees throughout the area could help open channels for dialogue, but non-security cooperation will be essential to build bridges.
- The African Union Peace and Security Council must begin establishing the modalities for a referendum vote based on the AUHIP's proposal on the final status of Abyei to determine the political status of the area.
- Implement creative reconciliation programs to help mitigate conflict, and strengthen ties between the Ngok Dinka and Misseriya communities.
- Facilitate the return and resettlement of displaced Ngok Dinka through

increased humanitarian assistance and expanded development programming, including infrastructure redevelopment such as schools, clinics, water points, roads, bridges, and public buildings.

Endnotes

¹ The people of Abyei were originally promised a self-determination vote under the terms of the 1972 Addis Ababa Agreement that ended Sudan's first civil war. The country's second civil war was sparked, in part, by President Jaafar Nimeiri's refusal to allow Abyei its referendum. The community was promised a chance to vote again under the 2005 Comprehensive Peace Agreement. For more on Abyei's history, explore our interactive timeline, available at <http://www.enoughproject.org/multimedia/dreams-deferred-abyei>.

² Agreement between the Government of the Republic of Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area, Addis Ababa, Ethiopia, June 20, 2011, available at http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_1449.pdf.

³ Observer in Abyei, interview with author, March 4, 2014. Phone.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Observer in Abyei, interview with author, March 4, 2014. Phone; U.N. Security Council, "Report of the Secretary-General on the situation in Abyei," S/2014/126, para. 7, February 25, 2014, available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/126.

⁸ U.N. Security Council, "Report of the Secretary-General on the situation in Abyei," S/2014/126, para. 10, February 25, 2014, available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/126.

⁹ U.N. Security Council President Raimonda Murrókaitė (Lithuania), "Security Council Press Statement on Sudan, South Sudan," Press release, February 14, 2014, available at <http://www.un.org/News/Press/docs/2014/sc11282.doc.htm>.

¹⁰ U.N. Security Council, Resolution 1990 (2011), art. 3(f), June 27, 2011, available at http://www.un.org/docs/sc/unsc_resolutions11.htm.

¹¹ U.N. Security Council, "Report of the Secretary-General on the situation in Abyei," S/2014/126, para. 7, February 25, 2014, available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/126.

¹² U.N. Security Council, "Report of the Secretary-General on the situation in Abyei," S/2014/126, para. 8, February 25, 2014, available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/126.

¹³ "Juba regrets UN report on presence of armed forces in Abyei," *Sudan Tribune*, March 7, 2014, available at <http://www.sudantribune.com/spip.php?article50217>.

¹⁴ "Sudan accuses South and Darfur rebels over Abyei oil blast", *BBC*, June 14, 2013, available at <http://www.bbc.com/news/world-africa-22902164>.

¹⁵ Steven Spittaels and Yannick Weyns, "Mapping Conflict Motives: the Sudan - South Sudan border" (Antwerp: International Peace Information Service, 2014), available at http://www.ipisresearch.be/publications_detail.php?id=440&lang=en.

¹⁶ Ibid.

¹⁷ U.N. Office for the Coordination of Humanitarian Affairs, or OCHA, "Abyei: Scaling up aid as displaced people return" February 21, 2014, available at <http://www.unocha.org/south-sudan/top-stories/abyei-scaling-aid-displaced-people-return>.

¹⁸ U.N. Security Council, "Report of the Secretary-General on the situation in Abyei," S/2014/126, para.5, February 25, 2014, available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/126.

¹⁹ Observer in Abyei, interview with author, March 4, 2014. Phone.

²⁰ Steven Spittaels and Yannick Weyns, "Mapping Conflict Motives: the Sudan - South Sudan border" (Antwerp: International Peace Information Service, 2014), available at http://www.ipisresearch.be/publications_detail.php?id=440&lang=en.

²¹ Small Arms Survey, "The Crisis in Abyei – update" (2013), para. 18, available at <http://reliefweb.int/report/sudan/crisis-abyei-update>.

²² U.N. Security Council, "Report of the Secretary-General on the situation in Abyei," S/2014/126, February 25, 2014, available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/126.

²³ Ibid.

²⁴ Akshaya Kumar and Tim May, "What Happens to a Dream Deferred" (Washington: Enough Project, 2013), <http://www.enoughproject.org/files/What-Happens-to-a-Dream-Deferred.pdf>.

²⁵ Ibid.

²⁶ U.N. OCHA, “South Sudan Crisis: Situation Report No. 25,” March 6, 2014, available at http://reliefweb.int/sites/reliefweb.int/files/resources/South_Sudan_Crisis_SitRep_25_6March2014.pdf.

²⁷ U.N. OCHA, “Abyei Crisis Situation Report No. 13,” June 16, 2011, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA%20Situation%20Report%20%2313%20on%20Abyei%20Crisis%2016%20June%202011.pdf>.

²⁸ Permanent Court of Arbitration, Government of Sudan and Sudan People's Liberation Movement/Army, “Final Award,” July 22, 2009, Chapter V, pp. 267-268, available at http://www.pca-cpa.org/showpage.asp?pag_id=1306.

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