

Creating Facts on the Ground: Conflict Dynamics in Abyei

By Joshua Craze



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List of abbreviations

ABC	Abyei Boundaries Commission
ARC	Abyei Referendum Commission
AU	African Union
AUHIP	African Union High-level Implementation Panel
CPA	Comprehensive Peace Agreement
CRP	Central Reserve Police
GoS	Government of Sudan
GoSS	Government of South Sudan
JDB	Joint Defence Board
JEM	Justice and Equality Movement
JIU	Joint Integrated Unit
NCP	National Congress Party
PCA	Permanent Court of Arbitration
PDF	Popular Defence Forces
RPG	Rocket-propelled grenade (launcher)
SAF	Sudan Armed Forces
SDG	Sudanese pound
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SSP	Satellite Sentinel Project
SSUM	Southern Sudan Unity Movement
UNMIS	United Nations Mission in Sudan
USD	United States dollar

Executive summary

The first five months of 2011 saw the worst violence in Abyei since the end of the second Sudanese civil war. As of 23 May 2011 Abyei town was in flames as armed militias looted and burned property following the occupation of the entire Abyei region by the Sudan Armed Forces (SAF). Between January and March 2011 the National Congress Party (NCP), the ruling party in Sudan, supported and armed militia forces that attacked police positions throughout the middle of Abyei, leaving more than 150 dead. In May, strident political rhetoric increased on both sides and units put in place to protect the territory clashed. Following an incident on 19 May, SAF launched a full-scale invasion of Abyei accompanied by a concerted aerial bombing campaign. By 22 May all the civilians in the territory had fled to South Sudan and Abyei town was in SAF hands.

These attacks have negatively impacted both the Ngok Dinka and the groups of Missiriya that annually migrate through the territory between November and April. The Ngok, who are part of the wider Dinka people of South Sudan, and the permanent inhabitants of Abyei, have fled from the area, and their villages and property have been burned.

The Missiriya are also affected. Due to the clashes and a hardening of attitudes on all sides, the 2010–11 grazing season was the first in living memory that Missiriya herders did not reach the river Kiir,¹ just south of Abyei town. The Missiriya report shortages of water and grazing land for their cattle.

The attacks have inflamed the political rhetoric of both the NCP and the Sudan People's Liberation Movement (SPLM), the ruling party in South Sudan, and made a solution to the Abyei crisis appear more distant than ever.

Abyei has been the object of numerous peace agreements and attempts at international mediation over the last 40 years. Transferred to Kordofan province in 1905,² Abyei was promised a referendum on its future in 1972 as part of the Addis Ababa Agreement that ended the first civil war. The Comprehensive Peace Agreement (CPA) of 2005 again called for a referendum on Abyei's future, as well as the demarcation of the precise borders of the territory. Six years later, neither has taken place.

Since 2005 the NCP has continually blocked attempts to demarcate Abyei, and negotiations about a referendum have reached an impasse over the question of who should be counted as a resident of the territory and thus who should be allowed to vote. In the meantime, the north of Abyei has been under de facto occupation by SAF and its allied Missiriya militias.

This working paper analyses the dynamics of the conflict in Abyei and looks at the implications of these clashes for the Abyei referendum, the demarcation of the territory's borders, and the North–South peace process more generally. It focuses on the 2011 escalation of the conflict, setting it in the context of historical patterns of violence in the territory. It concerns itself primarily with events through 23 May 2011, focusing in detail on the February–March conflict that set the stage for the SAF invasion.

The working paper's key findings are the following:

- The SAF invasion of Abyei is unlikely to lead to all-out war between the North and South. Unless SAF crosses the river Kiir, the SPLM will not jeopardize the formal declaration of South Sudan's independence on 9 July 2011 by responding militarily to the invasion. The NCP has little interest in starting another war and every interest in using Abyei as a bargaining tool in delicate post-referendum and post-independence negotiations with the SPLM.
- Attempts by the international community to intervene in the Abyei crisis in the first six months of 2011 have not improved the situation but have actually worsened it.
- The security arrangements put in place after the clashes in January 2011, which were designed to improve the security situation in Abyei, did the opposite and partially enabled the SAF military attack on Abyei.
- The 2011 attacks and the failure of local agreements represent the worst breakdown in Missiriya–Ngok Dinka relations to date. The involvement of the NCP and SPLM has only exacerbated the conflict.
- There is conclusive evidence that SAF soldiers took part in the attacks of February and March 2011, and that the Sudanese government was both arming Missiriya militias and directing at least some of those attacks.
- Unlike some other post-CPA arrangements, the Abyei crisis cannot be resolved solely by closed-door agreements between NCP and SPLM elites. Any negotiations must include the active involvement of the Missiriya and

Ngok Dinka, and the consent of their leaders. But no possible scenarios would appear to satisfy both local and national stakeholders.

- Given the gap between the political positions of the NCP and the SPLM, and the SAF occupation of Abyei in May 2011, any resolution satisfactory to all parties is highly unlikely in the near future. With tensions within the SPLM over whether to fight for Abyei and the formal declaration of the South's independence on 9 July foremost in their minds, it is unlikely the party will be willing to compromise a successful secession by insisting on prior resolution of the Abyei crisis. Without serious international pressure, the present crisis threatens to continue past July.
- On 20 June 2011 both parties signed an agreement to end the SAF occupation of Abyei and allow the deployment of Ethiopian peacekeepers under a UN mandate. An evaluation of the UN role during the first five months of 2011 suggests that any peacekeeping force will struggle to prevent further outbreaks of violence in the territory.

Research for this working paper was carried out in Juba and Abyei between January and March 2011, followed by supplementary interviews between March and June 2011. The paper also relies on earlier research carried out by the author during the oral pleadings of the Abyei case at the Permanent Court of Arbitration in The Hague during April 2009. Due to difficulties of access, the vast majority of the interviews carried out for this paper took place with Ngok Dinka residents of Abyei, rather than members of the Missiriya in South Kordofan. 📍

I. Abyei prior to 2005

Abyei is currently located between the South Sudanese states of Unity, Warrap, and Northern Bahr al Ghazal, and the North Sudanese states of South Kordofan and South Darfur. The majority of the area's inhabitants are Ngok Dinka, a transhumant group that is a branch of the Padang Dinka and part of South Sudan's larger Dinka people. To its north and east live the Missiriya, whose territory stretches through South Darfur and what is now South Kordofan. Several sections of the Missiriya pass through Abyei annually (November through April) in search of dry-season grazing for their cattle.³

The first major set of disturbances to Ngok Dinka–Missiriya relations occurred during the Turkiya, the period when Sudan was under Turkish rule (1820–55). By the middle of the century, large slave- and ivory-trading firms were active in Bahr al Ghazal and South Kordofan, and formed alliances with the Humr Missiriya, one of the two main branches of the Missiriya and the branch principally active in Abyei. They regularly raided the Ngok Dinka for slaves. Under the leadership of Arop Biong, the Ngok Dinka attempted to resist these attacks, but also formed close relationships with elements of the Humr. These close alliances protected the Ngok Dinka from the worst of the raiding (Johnson, 2008, pp. 3–5).

The Humr split during this period, with some parts refusing to join Khalifa Adbullahi in Omdurman after the Mahdi took Khartoum in 1885. Some elements of the Humr then took refuge with the Ngok Dinka (Johnson, 2008, pp. 3–5). Other elements, however, principally Humr returning from the Madhiya, started raiding the Ngok Dinka. Ngok Dinka complaints about this raiding led the Anglo-Egyptian Condominium government to transfer the territory of the Ngok Dinka and part of that of the Twic Dinka from Bahr al Ghazal to Kordofan province in 1905. It was colonial policy during this period to keep feuding groups within the same administrative territory so that colonial officers could deal with disputes more easily.

What was transferred to Kordofan in 1905 would become an issue of major importance just over a hundred years later. In 1905 there was a great deal of

confusion about the area that was transferred. It continues to be unclear whether it was a definitive territorial area that was transferred or the nine Ngok Dinka chiefdoms as a political group. One hundred years later, the Abyei Boundaries Commission (ABC) was forced to revisit what was known about the Ngok Dinka's territory during this period.

Unfortunately, contemporary maps were inadequate guides to resolving the question; colonial officials only travelled in the territory in dry season, when the Missiriya moved south (and thus these officials had a distorted, or at least incomplete, view of land use), and the nomenclature of the rivers that run through Abyei was inconsistent. Officially, the boundary between Kordofan and Bahr al Ghazal was held to be the river Kiir, referred to on colonial maps as the Bahr al Arab. But those maps confused the river Kiir with the river Ngol,⁴ making it unclear which river colonial officials are referring to in their field reports. Neither the Dinka nor the Missiriya called the river the Bahr al Arab, but the Kiir and the Jurf, respectively. For the ABC, one of the central challenges in determining the boundaries of Abyei was the uncertain and fragmentary documentary record (ABC, 2005, p. 4).

Abyei remained in Kordofan through Sudanese independence. Just before independence, in 1953, the Condominium government offered Deng Majok, the paramount chief of the Ngok Dinka, the opportunity to rejoin Bahr al Ghazal, but he refused. Many of the chiefs of the Ngok Dinka opposed his refusal, which was based on tensions with Twic Dinka in the southern provinces. This refusal remains one of the historical sources of the Abyei Administration's current alienation from the Ngok Dinka. The administration is dominated by relatives by relatives of Deng Majok and the current paramount chief of the Ngok Dinka, Kuol Deng Kuol.

The first civil war and the Addis Ababa Agreement

The first civil war (1955–72) saw the beginning of deepening divisions between the Missiriya and the Ngok Dinka, as the Missiriya were increasingly recruited into government militias and the Ngok Dinka joined their Dinka compatriots in the Anyanya rebel movement, a precursor to the SPLM. These divisions increased in 1965, when 72 Ngok Dinka civilians were burned alive in Babanusa (Deng, 1995, p. 292). This incident continues to resonate deeply today.⁵

As the war proceeded, Ngok Dinka and Missiriya clashed in grazing areas in Abyei and civilians fled from the north of the territory, leaving it depopulated.⁶ One year after the Babanusa massacre, the Missiriya claimed parts of Abyei as an exclusively Missiriya territory for the first time, arguing that they possessed the region up to the river Ngol. A commission headed by the leading sheikh of the Humr of North Kordofan, Muneim Mansour, rejected this suggestion.⁷

The Addis Ababa Agreement, which brought the first civil war to a close in 1972, contained a provision entitling the Ngok Dinka to a referendum on whether they wanted to be incorporated into the new Southern Region. In the meantime, it accorded Abyei a special administrative status under the office of the president. The agreement specified that areas that were ‘culturally and geographically’ part of what was to become South Sudan could hold a referendum on joining the Southern Region (Addis Ababa Agreement, 1972, cl. 3(c)).

This agreement greatly troubled the Missiriya, who were beginning to feel the effects of long-term social, environmental, and economic pressures. Changes in rainfall patterns began to alter traditional grazing areas, and the expansion of large-scale agricultural schemes in contemporary South Kordofan squeezed Missiriya grazing land, putting additional pressure on their southern dry-season pastures. They were also increasingly marginalized by national political dynamics (Keen, 1994, pp. 60–62). Because Abyei had a special administrative status under the Addis Ababa Agreement and the administration was largely drawn from the local Ngok Dinka, the Missiriya also felt marginalized in Abyei and were worried that a referendum among the Ngok Dinka that resulted in Abyei joining the Southern Region might mean a permanent loss of grazing land.

In 1977, before the start of the second civil war, the Missiriya organized themselves into *murahaliin* militias⁸ and attacked Ngok Dinka settlements in Abyei. These attacks departed from traditional raids, which typically occurred at the end of the dry season as the Missiriya returned north for rainy season grazing and attempted to capture Ngok Dinka cattle to take with them. The new attacks targeted settlements and the civilian population. This pattern would be repeated during the second civil war and in post-CPA attacks. The goal of these attacks was to secure Abyei as a territory for exclusive Missiriya use (de Waal, 1993).

The second civil war

Missiriya attacks increased in strength and intensity during the second civil war (1983–2005). Contemporary residents of Abyei still recall fleeing as militias razed homes and killed people in the north of the territory.⁹ Current Ngok Dinka plans to resettle these areas once the future political status of the Abyei area is resolved are based on these powerful memories.¹⁰

While the attacks maintained the same basic structure as in the pre-civil war period, the political and economic context changed. Most significantly, the Northern government backed the militias. Following the discovery of oil in Abyei in the late 1970s, the militias were used in the north of the territory to remove Ngok Dinka inhabitants and open up a path to the exploitation of oil reserves. This kind of demographic warfare would find an echo in the post-CPA period, as militia attacks caused Ngok Dinka civilians to flee, creating ‘facts on the ground’ that could be used to support claims for a future division of Abyei. In the 1980s international aid agencies inadvertently assisted the national government’s strategy by helping to settle Missiriya on former Ngok Dinka territory (Johnson, 2010b, p. 36). Omar al Bashir, the president of Sudan, formalized the militias as a legal entity known as the Popular Defence Forces (PDF) in November 1989 (Salmon, 2007, p. 12).

Attacks in the 1990s intensified this campaign, deliberately targeting cattle in an attempt to destroy the principal source of livelihood for the Ngok Dinka (Deng, 2010, pp. 231–50). The severity of the attacks on Ngok Dinka settlements and cattle during the second civil war is confirmed by both contemporary accounts and more recent interviews.¹¹

Meanwhile, the Ngok Dinka became increasingly alienated and angry when the promised Abyei referendum did not materialize. Many Ngok Dinka formed units in the Anyanya II rebel movement,¹² which was central to the formation of the SPLM in 1983. There is still a strong Ngok Dinka presence in the upper echelons of the SPLM and a broadly shared sense that the Ngok Dinka took part in the struggle for independence with the rest of the South. This is one of the principal reasons why today it is unlikely that the Southern government will agree to any ‘solution’ to the Abyei crisis that would mean that Abyei remains in Northern Sudan. 📌

II. The CPA interim period

During the negotiations leading up to the CPA, discussions on Abyei were fraught. The reasons for the impasse were strikingly similar to the reasons for the conflict in early 2011. The NCP was determined not to lose control over oil deposits in the territory and wanted to retain the loyalty of the Missiriya, who were worried about Abyei rejoining the South. The SPLM, however, wanted to ensure that Abyei would rejoin the South. Due to these differences, no agreement could be reached over Abyei's political future.

The eventual CPA protocol on Abyei was not drafted by the two parties to the agreement—the Government of Sudan (GoS) and the SPLM/Sudan People's Liberation Army (SPLA)—but by the US negotiating team. The US envoy, Senator John C. Danforth, presented the draft text to the parties in an effort to break the impasse. The Abyei Protocol promised a referendum for Abyei, to run concurrently with the referendum on Southern self-determination, and appointed the ABC to demarcate the borders of the territory. In the interim period the presidency would appoint an executive council, pending local elections. The Abyei Protocol further prohibited all but three military forces from the territory: the Joint Integrated Units (JIUs) composed of both SAF and SPLA forces, Abyei Police units, and international monitors.

Abyei Boundaries Commission

The ABC was composed of five members from the NCP, five members from the SPLM, and five international experts. Their task was to determine the area of territory, 'defined as the area of the nine Ngok Dinka chiefdoms transferred to Kordofan in 1905' (Abyei Protocol, 2005, cl. 1.1.2). Given the distance between the positions of the two CPA parties, the international experts became the deciding group.

Their task was not an easy one. The claims of the parties consulted diverged considerably. The Missiriya said that their land extended south of the Kiir; the

Ngok Dinka claimed that their territory extended as far north as al Odayya, and that the boundary between the Ngok Dinka and Missiriya should run just below Muglad (ABC, 2005, proposition 1, p. 12).

The Missiriya position was not necessarily consistent with that of the NCP. During the ABC consultations, the government's position was that the Kiir was the provincial boundary between Kordofan and Bahr al Ghazal in 1905, while many Missiriya suggested that the boundary was in fact *south* of the Kiir,¹³ increasing the extent of the claims that the Missiriya first made after the Babanusa massacre. The distance between the two positions was greater than that which existed between the SPLM and the Ngok Dinka, and laid the grounds for future discord. Many Missiriya refused to recognize the ABC, because they felt they had not been properly consulted and their views had been ignored by the NCP. The ABC consultations intensified the Missiriya's feeling that they had been marginalized by the NCP. The process clearly showed that the NCP's primary goal was control of the oil fields, which the Missiriya cattle herders themselves have little interest in.¹⁴

The incomplete documentary record, confusions over nomenclature, and other challenges of the historical record made the ABC decision-making process almost impossible. When the ABC report was released, it divided up the Goz—the area of stabilized sand dunes that lies between the two populations—equally between the two sides, claiming: "The two parties lay equal claim to the shared areas and accordingly it is reasonable and equitable to divide the Goz between them" (ABC, 2005, part I, proposition 19, p. 22). This decision to be equitable, known as an *ex aequo et bono* decision, was one of the central contested points at the Permanent Court of Arbitration (PCA) in The Hague.

Both the Missiriya and the NCP immediately rejected the ABC report on its release but for different reasons. The NCP claimed the ABC had exceeded its mandate and had not demarcated the historical boundaries of Abyei as it was solely mandated to do. Underlying the NCP's objections was the fact that the ABC had found that Heglig and Diffra, two relatively large oil fields, were located within Abyei.

The Missiriya saw the ABC's decision as the latest in a series of events that had diminished their power and territory. Furthermore, despite having helped the NCP 'clear the land' for oil installations, the community had seen little of

the oil revenues. Oil installations, large-scale agriculture, and desertification had further affected Missiriya grazing land. Following an NCP disinformation campaign after the release of the ABC report, the Missiriya thought that the report meant they would now lose their dry-season grazing to the Ngok Dinka, despite the fact that the report recognized their right to graze in Abyei.

The Abyei conflict in 2008

Following the NCP's rejection of the ABC decision, no progress was made in demarcating the Abyei area and tensions continued to rise. In May 2008 altercations between the SPLA and SAF contingents of the JIU stationed in Abyei town sparked a wider conflagration in which more than 60,000 inhabitants fled and much of the town was burned.¹⁵

Subsequent to the violence, in June 2008 the NCP and SPLM drew up the Abyei Roadmap, a document designed to address the crisis. While the agreement created a security framework for the territory, it remained silent on a number of issues many Ngok Dinka considered central to the Abyei Protocol. For example, the Abyei Roadmap directs the presidency to appoint the Abyei Administration, while the Abyei Protocol calls for a temporary executive council to be put in place, followed by elections (Abyei Roadmap, 2008, s. 3.4).¹⁶ These elections have never occurred, and the lack of democratic representation has left many Ngok Dinka feeling like they have no say in the ongoing political negotiations.

The Abyei Roadmap (2008, part I, p. 1) called for the JIU that had been involved in the May 2008 clashes to be disbanded and a new JIU battalion to be deployed to Abyei that would 'learn the lessons from the experience of the former Abyei JIUs battalion'.¹⁷ The Abyei Roadmap (2008, part I, p. 2) also requires police units to be deployed to Abyei, although it does not say they have to be joint units composed of Northern and Southern forces, but simply that they shall deploy after 'consultation between the National Minister of the Interior and Minister of Internal Affairs of the Government of Southern Sudan'.

In the case that parties dispute the ABC's findings, the Abyei Roadmap instructs them to refer the case to the PCA in The Hague.

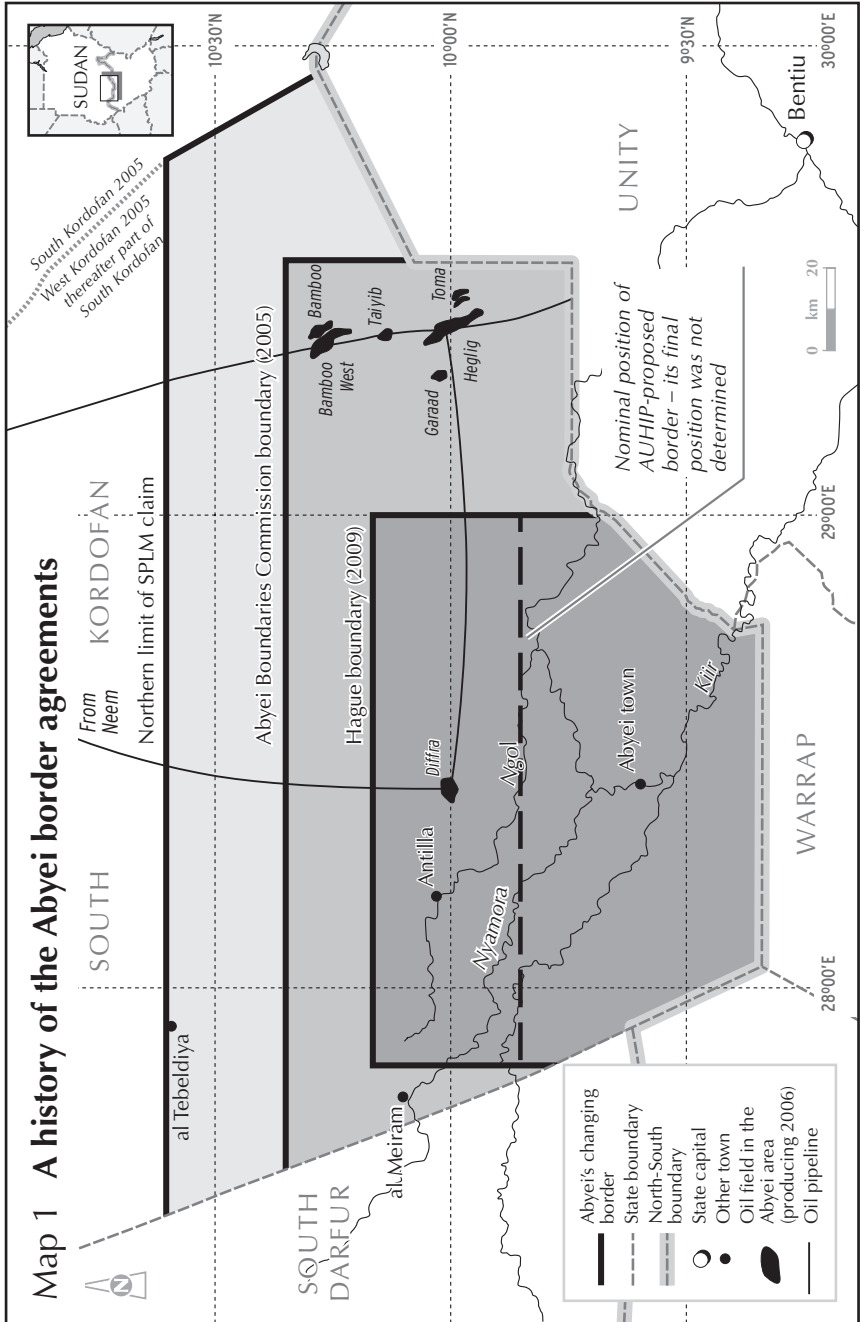
The Permanent Court of Arbitration decision

Following an acrimonious arbitration in The Hague, the PCA determined on 22 July 2009 that the ABC had exceeded its mandate and modified the commission's delimitation of Abyei, reducing the overall size of the territory and focusing it on the areas of present Ngok Dinka settlement (see Map 1). In what was widely seen as a political decision designed to placate the NCP, the oil-producing areas of the north-east were determined to be outside Abyei, in South Kordofan (PCA, 2009, pp. 207–08). While both the NCP and the SPLM originally agreed to be bound by the PCA ruling, the Missiriya immediately rejected it, claiming that they were not properly consulted and that Abyei was their historical territory. There is some truth to the first part of the Missiriya claim. The SPLM and GoS were the only two parties represented at the PCA, and the NCP had dominated earlier oral hearings held among the Missiriya during the ABC consultative process. NCP officials threatened leading members of the Missiriya with dismissal from their administrative positions if they opposed the government's claims.¹⁸

These problems mirrored those encountered by the international community more generally with respect to Abyei. While the two political parties disputed the arbitration, the two communities whose lives and territory were most at stake—the Ngok Dinka and the Missiriya—had no formal representation in the proceedings. The absence of a genuinely consultative approach encompassing not only the political parties but also the local communities is one of the central reasons that the NCP has been able to monopolize proceedings in the CPA's six-year interim period.

While both the NCP and the SPLM appeared to accept the PCA ruling—or at least did not openly reject it—a Missiriya congress¹⁹ publicly rejected it on 5 October 2009, stating it would use all available means to prevent demarcation of the territory. The congress proposed instead that the borders of Abyei be demarcated in accordance with the 1956 border, i.e. as it was at independence. It is this border that the CPA says should determine the frontier between North and South Sudan following secession everywhere except in Abyei. Further, in a meeting held in al Seteib in April 2010, another Missiriya congress resolved that anyone attempting to demarcate the borders according to the PCA decision would be attacked.

Map 1 A history of the Abyei border agreements



Sources: Abyei: Public Law and International Policy Group; Oil fields: IHS Energy, 2006

Although demarcation was supposed to be completed by 10 December 2009, as of June 2011 only four of the planned 26 beacons indicating the area of Abyei have been erected, and these are all in the south of the territory. The border demarcation team abandoned its work after receiving threats from Missiriya militias. The increased tension and unresolved claims have also prevented the formation of the PCA-mandated oversight committee and council of elders composed jointly of Missiriya and Dinka representatives. The Ngok Dinka grew increasingly angry at the lack of political progress.

Under these conditions, the security situation deteriorated significantly in 2010. Three people were killed in clashes between Missiriya and Ngok Dinka in Marial Achak, as well as another person in Maker and eight in Tajalei on 5 July. The Abyei Administration responded to the latter attack by transferring 300 police officers from Juba to Abyei, which brought the total police presence in the territory to 641.

Stakeholder positions on Abyei's borders

Following the PCA ruling, the issue of Abyei's borders has become entangled with the broader question of the territory's political future. The PCA borders, while in theory accepted by both the SPLM and NCP, in reality have had their implementation blocked by the NCP, which wants to make any decision about Abyei's borders conditional on the political future of the territory. In the CPA, the two issues are quite distinct: the PCA borders should be the borders of Abyei whether or not Abyei decides to join South Sudan.

The NCP publicly accepted the PCA ruling shortly after its release. Since then, various NCP members have explicitly endorsed the ruling, while others have undermined it and said it is untenable. The delays and the obstacles placed in the path of the technical demarcation committee's work are consistent with an intentional NCP campaign to delay and obfuscate the implementation of the PCA decision while a more favourable arrangement is worked out de facto on the ground.

The SPLM-dominated Abyei Administration, in contrast, sees the history of the past five years of negotiations over the borders of Abyei as a series of compromises on its part; it feels that the NCP and the Missiriya have made

no compromises at all. In interviews conducted in February and March 2011, Abyei Administration politicians noted that the original territorial claims of the Ngok Dinka were reduced in the final ABC report, which were in turn reduced by the PCA decision.

In an interview in December 2010, Deng Alor Kuol, the minister for regional cooperation in the Government of Southern Sudan (GoSS), expressed a similar frustration:

When the experts came up with their decision and presented it in July 2005, President Bashir rejected the decision by the experts. That was the first violation of the Comprehensive Peace Agreement. Later, in 2008, they attacked the area, destroyed the area, burned the town of Abyei. As a result, SPLM and the National Congress went into a very long discussion. At the end, the National Congress suggested that the Dinka were given a bigger land, more than they really deserved, and they said we had to go for international arbitration.

The SPLM accepted to go for international arbitration. We went to The Hague; we spent almost one year. And in the end, the ruling the tribunal came up with, both of us accepted. The ruling was supposed to be, again, final and binding on the parties. Both of us celebrated, and we were going back home. Three or four months later the National Congress started to renege on The Hague ruling. This is where we are now. Now they are coming again and saying, 'You have to give us the northern part of Abiyei [sic]' . . . We lost almost sixteen thousand square kilometers as the result of The Hague ruling. Now they want us to give them, again, something like 4,000 square kilometers (allAfrica.com, 2010).

Deng Alor refers to a new proposal supported by the NCP. During negotiations in Addis Ababa in October and November 2010, as it became increasingly clear that Abyei's referendum would not go ahead, the African Union High-level Implementation Panel (AUHIP) put forward a number of compromise proposals to end the crisis. The African Union (AU) mediators seemed principally concerned with making sure that the Southern referendum passed off smoothly. Worried about the stalemate over Abyei, they tried to change the terms of the discussion.

One of the proposals was a further division of Abyei, with the northern half (and Diffra,²⁰ the sole remaining oil field in the territory of Abyei) going to the North and the southern half going to South Sudan. This proposal received the support of the then-US special envoy for Sudan, Scott Gration, which angered the Ngok Dinka community.²¹

The Ngok Dinka refused to even consider the proposal. In their view, because the PCA decision was agreed by both parties to be final and binding, the AUHIP proposals were outside stated commitments, a deviation that, as Johnson (2011a, p. 5) notes, undermines the role of international mediation and the legitimacy of the PCA decision. The Ngok Dinka also saw any further division of Abyei as an entrenchment of the land grab that occurred during the second civil war in which Missiriya militias forcibly displaced the Dinka population in the north of Abyei. It is, in their view, a compromise of a compromise—and, for them, one compromise too many.

More recent statements by the NCP suggest it does not accept the PCA ruling and insists that Abyei belongs to the North. Both Ibrahim Ghandour, the secretary for political affairs in the NCP, and Salah Gosh, the presidential advisor, have both gone on record as claiming that Abyei belongs to the North because it is north of the 1956 border line²²—the line that the CPA holds will determine the North–South border in all areas *except* in Abyei (VOA, 2010).

These claims, frequently retracted, are in part negotiating ploys. By beginning its negotiating position with the non-recognition of the PCA, the NCP encourages the circulation of the types of compromises that the AUHIP put forward. The recent NCP embrace of this compromise, which splits Abyei in two, is itself a political strategy. It allows the NCP to present itself as the side that *does* want to negotiate, while selecting a negotiating position it knows in advance will be refused by the SPLM, making the latter seem intransigent.

Broader implications for North–South border negotiations

As Johnson (2010a) has noted, the creation of a North–South border has the capacity to transform historical land use across the border zone. In many areas, what were once zones of shared use are now being claimed as zones of exclusive rights. However, in many places the situation is considerably more hopeful

than in Abyei. In Northern Bahr al Ghazal, for instance, meetings between the Malwal Dinka and the Rizeigat have led to the creation of a promising common ground for future negotiations. But the total impasse in Abyei is a worrying indicator of what could happen elsewhere along the border if negotiations between local communities become as intertwined with national political interests as they have in Abyei.

The process in Abyei also has worrying implications for the popular consultations in Blue Nile and South Kordofan. Both Northern states were heavily involved in the civil war, and in the CPA both are promised, in vague terms, popular consultations.²³ Given the lack of political will demonstrated by the NCP in implementing the CPA in Abyei, it remains uncertain whether the concluded Blue Nile popular consultation or the consultation scheduled to occur in South Kordofan sometime after the May state elections there will produce a stable and sustainable political arrangement.

Unlike the rest of the North–South border, the border struggles of Abyei relate to the drawing of a new border, not a redrawing of a border or a transfer of territory—the two conditions that pertain to the 1956 border between Northern and Southern states.

In Abyei, a proposed national border that cuts through shared grazing land has resulted in the unhappy marriage of two incompatible frameworks—the absolute demands of national sovereignty, where one entity claims exclusive jurisdiction over a territory as a definition of its existence, and fluctuating transhumant movements in a zone of shared rights. This has resulted in shared rights areas (such as along the Kiir) being used by the Missiriya as the basis for an exclusive claim. While a new border is not being created in other disputed zones along the North–South border, there is the same danger of shared and secondary use areas being translated into claims about national or ethnic exclusivity.

The second principal lesson to be drawn from the debates over Abyei's borders is the powerful way in which national politics can prevent the settlement of local grievances. Payment of compensation for deaths in the previous grazing season, for instance, has been interrupted by militia attacks in 2011, halting the mechanisms that enable Ngok Dinka–Missiriya coexistence.

The goal of the NCP's sponsorship of Missiriya militias in the first half of 2011, discussed below, is not primarily to advance Missiriya interests, but rather

to destabilize North–South post-referendum negotiations and to consolidate the NCP’s grip on Abyei’s northern oil field. However, the militia attacks are presented as being autonomous Missiriya responding to SPLA violence against herders. In this way, local grievances become a mask for national political interests,²⁴ a situation that, as Johnson (2010b, pp. 56–63) has noted, could be repeated in Unity state, where oil reserves are also located in the disputed areas of the North–South border.

There does not appear to be a workable solution to the present crisis in Abyei. The PCA ruling notes that ‘the transfer of sovereignty in the context of boundary delimitation should not be construed to extinguish traditional rights to the use of land’ (PCA, 2009, p. 90). While this is admirable in theory, in practice it is very difficult to separate ‘traditional rights’ from national politics. Even before the implementation of a national border, the Missiriya have complained of SPLA harassment. It is difficult to foresee any improvement if a ‘hard border’, replete with military checkpoints, is set up in Abyei. Similarly, a demilitarized zone that would allow transhumant groups to cross freely—such as the one proposed by the AUHIP in November 2010—relies on the good faith of the two governments not to send proxy militias across the zone. Given the NCP’s extensive history of using such proxy militias in the area (de Waal, 1993), it is hard to see such soft borders being sustainable if they were used as cover for militia fighters. 📍

III. The Abyei referendum impasse

The absence of progress on the demarcation of Abyei's boundaries was mirrored in the political impasse over the implementation of a CPA-mandated referendum in Abyei. In the Abyei Protocol (2005, cl. 6.1), voting rights in the referendum are to be given to the residents of Abyei, who are defined as: 'The Members of Ngok Dinka community and other Sudanese residing in the area.' But, as discussed below, no agreement could be found on who should be considered a resident of Abyei.²⁵

According to the protocol, the Abyei Referendum Commission (ARC) should make this decision. The Abyei Referendum Act, passed into law in December 2009, should have led to the creation of this commission. However, there has been no agreement on the composition of the ARC, with the NCP vetoing all the nominees for the head of ARC put forward by the SPLM. As detailed in the next section, at issue were differing understandings of who should count as a resident.

Positions on the Abyei referendum

Negotiations over Abyei's referendum had stalled by mid-October 2010. At the centre of the dispute was an ambiguity in the language of the CPA: who should count as a resident of Abyei. For the Abyei Administration and the SPLM, 'residence' refers to permanent occupancy, and thus only refers to the Ngok Dinka (already guaranteed the right to vote in the CPA) and other permanent residents of Abyei, principally the northern and Darfurian market traders in Abyei town. 'The Missiriya', an SPLM spokesperson claimed, 'have the right to graze cows here, but no right to vote.'²⁶ Deng Arop Kuol, chief administrator of the Abyei Administration, claimed that the Missiriya were already permanent residents in South Kordofan and could not be considered permanent residents in two places simultaneously.²⁷

There is a logical consistency to this claim. It would make little sense for the CPA to guarantee the Missiriya's grazing rights if they are to be counted as permanent residents. The NCP's insistence on the Missiriya being given the right to vote is also inconsistent with the precedent of the Southern Referendum Act, which, as Johnson (2010b, p. 7) has noted, 'did not give seasonal migrants to the South voting rights in the Southern referendum'.

Underlying the claims of the Abyei Administration and the SPLM was a well-grounded fear that if the Missiriya were given voting rights in the referendum, the NCP would flood the north of the territory with pro-North Missiriya in order to tip the referendum in favour of unification with South Kordofan. The Abyei Administration claims that the NCP has been settling Missiriya in the northern part of Abyei for precisely this purpose. Deng Arop Kuol told Agence France-Presse in August 2010 that 25,000 new settlers were already in the north of Abyei and that this number would soon reach 75,000 (AFP, 2010). Given these fears, there is no way the Abyei Administration or the SPLM will permit a referendum to go forward in which the Missiriya will be allowed to vote.

In turn, the Missiriya correctly fear that a referendum without their participation will mean that Abyei rejoins the South. In the perception of many Missiriya, this would mean losing their grazing territories in Abyei, something they say they will go to war to prevent. The core of their claim to the right to vote is that they spend at least six months of the year in Abyei—and some of them spend even longer, although it is unclear why this should make them legal residents.

The NCP holds a similar position for different reasons. On 31 March Bashir told the press in Doha that 'there will be no referendum on Abyei without the Missiriya. The Abyei protocol states clearly that the inhabitants of the region, the Ngok Dinka and the other citizens, have the right to participate in the referendum' (Middle East Online, 2011). In many respects, the NCP strategy in relation to the referendum is similar to its position on the PCA borders. As *Africa Confidential* (2010) correctly argues, '[w]hat international mediators . . . never mention publicly is that only the NCP is trying to block the Abyei referendum and has done [so] since it rejected the Abyei Boundaries Commission findings and referred Abyei to the Permanent Court of Arbitration'. Just as the NCP claims that it is open to negotiation on Abyei's borders and that

the borders should be redrawn in line with the AUHIP proposal to divide Abyei in two again, so the party demands that the Missiriya should take part in the referendum, which the NCP knows in advance the SPLM and the Abyei Administration will refuse. This allows the party to position itself as open to the process of a referendum on whether Abyei joins the South while in reality ruling it out as a political possibility.

By the end of October 2010 it had become increasingly evident that the referendum would not take place as scheduled. The SPLM suggested that there could not be a delay and that the residents of Abyei might be forced to take matters into their own hands. As an alternative, on 27 October Luka Biong, the head of the Council of Ministers in the GoSS, announced that, following an AUHIP proposal, the best solution to the Abyei impasse would be a presidential decree annexing Abyei to the South, with some form of compensation to the North and full citizenship rights for the Missiriya. The NCP rejected the proposal and took up another AUHIP suggestion—that of splitting Abyei in half.²⁸ The presidential decree proposal also received a lukewarm welcome from the Missiriya, despite giving them full citizenship rights and thus in theory ensuring their right to graze in Abyei and take full advantage of any services provided in the territory.

Unilateral declaration?

While the ultimately inconclusive negotiations continued in Addis Ababa in October and November 2010, the Ngok Dinka community grew increasingly worried about what would happen if South Sudan voted to secede and the Abyei referendum did not go ahead.

On 29 December al Dirdeiri Mohamed Ahmed, the Sudanese ambassador without portfolio and one of the principal NCP actors during the PCA oral pleadings in The Hague, accused the SPLM of having contacted the Public International Law and Policy Group, which had advised the SPLM during the PCA arbitration, to work out a plan for a referendum that would only include the Ngok Dinka.

At the time, the SPLM and the Abyei Administration denied these accusations. But at a rally held in Mading Achueng at the end of February 2011,²⁹

Charles Abyei Jok, the speaker of the Abyei Legislative Assembly, confirmed to the Ngok Dinka community present that consultations had occurred—although he did not say with whom—looking at the possibility of holding a referendum in Abyei concurrently with that of the South, without NCP and Missiriya approval. Underlying these consultations was the fear that while a referendum could occur before the formal declaration of the South’s independence on 9 July 2011, after the South’s secession a referendum would impact the North’s sovereignty and so would be legally uncertain at best.³⁰

As part of these consultations, all the Ngok Dinka chiefdoms held public meetings and voted on whether they wanted to rejoin Bahr al Ghazal. Without exception, all the chiefdoms voted to join what they hoped would be a newly independent South Sudan nation. A final declaration of this intention, however, did not take place. On 11 January, SPLM secretary-general Pagan Amum Okiech, Deng Alor Kuol, and UNMIS chief Haile Menkerios travelled to Abyei to convince Ngok leaders not to make the declaration. They implied that the Ngok would need an army to defend them if they did so—and, by implication, that the SPLA might not come to their assistance (*Africa Confidential*, 2011a). The SPLM’s priority was successful secession and it feared that an independent referendum in Abyei could derail the whole process.

Not surprisingly, the NCP also applied rhetorical pressure. In a televised interview with Al Jazeera just days before the beginning of the Southern referendum, Bashir threatened war if Abyei held an independent referendum (Al Jazeera, 2011a).

It is not entirely accurate to say that the referendum is now completely off the table. Bashir referred to it in a speech at the end of March 2011, if only to insist that the Missiriya must be a part of it, and international commentators still insist that it is the responsibility of the Abyei Protocol implementing parties to implement the referendum as pledged. Indeed, the international community has an obligation here as well: the Abyei Protocol (2005, cl. 1.2.5) stipulates that ‘[i]nternational monitors will be deployed to Abyei to ensure full implementation of these agreements’.

But the possibility of a referendum is now extremely remote. The Missiriya will not allow a referendum that does not include them and will go to war if such a referendum occurs. The Ngok Dinka and the SPLM will not allow a

referendum that includes the Missiriya—an eventuality that looks less likely following the occupation of Abyei by Missiriya militias after the SAF invasion in May 2011.

This stalemate may serve NCP interests; postponing a decision about Abyei until *after* the South's secession gives them the opportunity to argue that with the CPA process over, a new legal framework will be needed. At present, the referendum is the formal basis for negotiations, but it is a basis that has no political viability.

The recent morass of new proposals has only muddied the waters further. The AUHIP proposals have unnecessarily conjoined the questions of Abyei's boundaries and the referendum, obscuring the fact that both parties have committed themselves to the implementation of the referendum *and* to the demarcation of the PCA-delimited borders. That negotiations now include both issues strengthens the NCP's hand and makes a stalemate more likely, as the precise steps needed to implement the referendum and the PCA-delimited borders get lost in the political rhetoric. 🗣️

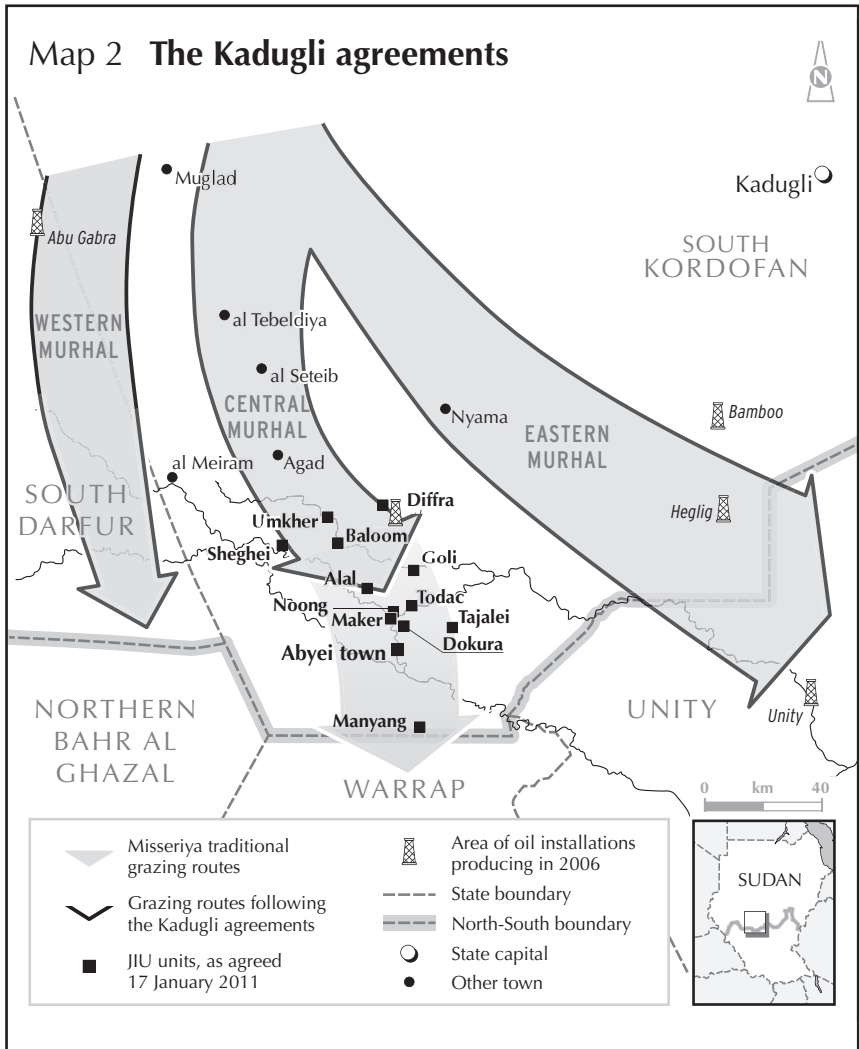
IV. Violence in early 2011 and attempts at reconciliation

The approach of the Southern referendum on 9 January 2011 added further tension to the impasse over Abyei. During the months leading up to the vote, hundreds of thousands of people returned to the South, many after spending the majority of their adult lives in the North. They were encouraged to do so by the SPLM, which worried that they would either not be able to vote freely for secession while living in the North or that they would register to vote and then be prevented from doing so, imperilling the South's ability to get the 60 per cent turnout needed for a vote for secession to be valid. Following NCP threats against the rights of Southerners in the North should the South secede, many Southerners returned out of fear for their personal security. As a result of the influx from the North, Abyei town swelled with 40,000 new arrivals. Many more passed through the territory on their way further south.

Attacks began on 7 January 2011, just two days before the beginning of the referendum. Missiriya militias armed with heavy machine guns attacked police positions at Maker, a village some 15 km to the north-west of Abyei town.³¹ These attacks were the beginning of three days of clashes that left dozens of people dead and established a pattern that was largely repeated during the heavier clashes of February and March.

The attacks were downplayed at the time. SPLM officials interviewed in Juba³² made it clear that the priority at that moment was having a smooth referendum, and a war of words over Abyei would be distracting. The NCP denied any role in the clashes, which seemed designed to undermine the vote for Southern secession.

Separately, in the north of Abyei, unknown assailants attacked convoys headed south through Abyei from the North to Aweil on 21 and 24 January, killing several people. Southern returnees also reported being sexually assaulted.³³ Missiriya militias were likely responsible for this violence as well.



Internal UNMIS reports claimed that Missiriya militias attacked convoys going to South Sudan in several places south of Kadugli, South Kordofan between 7 and 17 January. SAF troops charged with protecting the convoys showed little interest and did not interfere (*African Confidential*, 2011b). In Abyei town, the attacks strengthened the popular sentiment that the Missiriya would do everything in their power to prevent the Abyei referendum.

Kadugli agreement I (13 January 2011)

Following the attacks of 7–9 January, two separate meetings were organized in an attempt to improve a rapidly deteriorating security situation. The first, held on 13 January in Kadugli, was designed to address the concerns of both the Ngok Dinka and Missiriya communities, and dealt with the safe passage of returnees, grazing rights, and compensation for deaths caused in 2010. A number of Ngok chiefs were in attendance, as well as the commissioners of several districts in Abyei; commissioners from Western Bahr al Ghazal, Unity, and Warrap states (states the Missiriya traditionally pass through); and several Missiriya chiefs and South Kordofan officials.

The attendees agreed that compensation would be paid for deaths in 2010: SDG 400 (USD 168) for each cow and 40 cows for each person. They also agreed that the Ngok had lost ten people in the clashes of 2010, and the Missiriya leaders committed themselves to paying compensation within 15 days.³⁴ There was also a tentative agreement about the path of the Missiriya grazing routes through Abyei. It was further agreed that the Missiriya could carry weapons on their annual (November–April) route: 5 rifles for each 1,500 head of cattle and 3 rifles for everything below that.³⁵ By the end of the meeting it was concluded that the Missiriya could go along the traditional eastern route (Nama–Domboloya–Unity state) and the western route (Mugadama–Mayram–Northern Bahr al Ghazal state), but not through the centre of Abyei, thus avoiding friction with returnees resettling in the areas just north of Abyei town (see Map 2). The exact routes were to be worked out at a later date.

The meetings that were supposed to specify the exact grazing routes quickly ran into difficulties. Accounts differ on what happened at the first follow-up meeting on 22 February. The Abyei Administration³⁶ claims that the Missiriya delegation at the meeting was made up of low-ranking figures who were unable to make decisions. The delegation also offered compensation for only half of the deaths that occurred in 2010 and did not want to discuss grazing rights. Members of the Missiriya claim that the Abyei Administration refused their offers of compensation.³⁷

Additional meetings were cancelled or postponed. The final cancellation occurred on 25 February, two days before new clashes that prevented the re-scheduled meeting from taking place.³⁸ It was reported that Missiriya herders,

who by 24 February had moved their cattle up to the river Nyamora,³⁹ where they were witnessed grazing,⁴⁰ pulled their cattle back to positions further north on 25 and 26 February, prompting Ngok Dinka accusations that they were complicit in the subsequent attacks.⁴¹

Even if the follow-up meeting had gone ahead it is unlikely that it would have resolved the security situation in the territory. There was little support for the 13 January meeting among the Ngok Dinka. Of the nine chiefdoms, only five chiefs went to Kadugli,⁴² and some of those who did not go explicitly refused to acknowledge any agreement made there.⁴³ Many Ngok Dinka objected to negotiating while they were still being attacked, and some thought the compensation agreed was far too low, claiming—correctly—that the market rate for a cow was about SDG 1,000 (USD 420).⁴⁴

There were also political objections. At the Abyei Ngok Dinka Consultative Conference in Juba (15–16 November), the community had decided that the Missiriya should not be allowed to enter Abyei unless they agreed to implement the PCA-determined borders of Abyei and allowed the Abyei referendum to proceed. Civil society figures such as Rau Manyiel felt that accepting the Kadugli agreement violated these earlier commitments. He also said that the Ngok Dinka chiefs at the meeting did not accurately represent local sentiments.⁴⁵

Thus, even if the meetings had fixed Missiriya migratory routes through Abyei, they would have been unlikely to lead to safe passage for the Missiriya among Ngok Dinka who did not recognize the authority of the agreement. In fact, the 13 January agreement further inflamed popular sentiment that the Ngok Dinka paramount chief, Kuol Deng Kuol, was not a representative leader.

The GoSS was adamant that the Missiriya could only move into South Sudan *without* weapons (Bubna, 2011a). The Missiriya would never have complied with such a requirement. Over the last two years, Missiriya herders report being continually harassed by the SPLA, being forced to pay to cross borders, and being attacked (Pantuliano et al., 2009, p. 25).

Despite a lack of agreement on specific grazing routes, the Missiriya had by the third week of February begun grazing their cattle on the river Nyamora, although Ngok Dinka residents in Maker complained that they had come with many more weapons than allowed in the 13 January agreement. Tension was so great in Abyei, however, that it was not surprising that the Missiriya would have exceeded the modest arms allowances permitted by the agreement.

At the 20 February rally held in Mading Acheung, Charles Abyei Jok, the speaker of the Abyei Legislative Assembly, told the crowd that the Kadugli agreement was about security, not politics.⁴⁶ The failure of the 13 January talks emphasizes the impossibility of dividing the two issues. No agreement on Missiriya grazing routes is likely to be adhered to by the Ngok Dinka unless there is a political settlement, for it is the Missiriya who are partly held responsible for blocking any progress on Abyei's political future. Equally, until there is a political settlement and some sign of good faith by the Abyei Police and SPLA, it is difficult to foresee the Missiriya having enough confidence in the security situation to adhere to limitations on the number of weapons they can carry while grazing their cattle.

Kadugli agreement II (17 January 2011)

While the 13 January agreement was intended to deal with the relationship between the Ngok Dinka and the Missiriya, a number of stakeholders convened a second meeting in Kadugli on 17 January to address the security situation in the territory.⁴⁷ It was agreed that SAF would open the road leading south to Abyei; returnees would be escorted by SAF up to the border of Abyei, then by the JIUs until the 1956 border. From there the SPLA would return them to their home states within South Sudan. In order to prevent further outbreaks of violence, the NCP agreed to withdraw the Juba Police to Abyei town and to replace them with two new JIU battalions.⁴⁸ The parties further agreed to open a grazing corridor for the Missiriya, and to disarm Missiriya and Ngok Dinka civilians.

The Ngok Dinka community reacted with anger to this development, objecting to a meeting with the NCP occurring while attacks on Ngok Dinka villages were continuing. Furthermore, the fact that UNMIS flew Ahmed Haroun, under International Criminal Court indictment for war crimes and crimes against humanity in Darfur, to the meeting in a UN helicopter to mediate between the parties—a fact that was widely publicized—eliminated any remaining trust the Ngok Dinka had in UNMIS as an impartial arbitrator. Abyei residents were also angered that the Juba Police were to be withdrawn; amid the endless negotiations and continuing violence, many felt that the police units were the one force protecting Abyei.

While the police were pulled back, other elements of the 17 January Kadugli agreement were not enacted. As of May, the roads north remained closed, roadblocks stayed in place,⁴⁹ and no attempt to disarm civilians occurred. The agreement provided no specific modalities to implement disarmament, nor any oversight mechanisms. In a situation of high tension it remains extremely doubtful whether either group would have let themselves be disarmed without political progress and improved security. The disarmament of Ngok Dinka civilians during a time of clashes, especially when the police, the sole force protecting them, were to be withdrawn, was a dubious idea and was in fact never intended to be implemented.⁵⁰

Getting the JIU units to Abyei proved extremely difficult.⁵¹ The SAF 3rd Division, which was to be deployed in eastern Abyei, should have been taken from Wau. However, many SAF soldiers based at Wau did not want to go to Abyei, apparently fearing conflict, and so the SAF component of the JIU was augmented by soldiers from the SAF 31st Battalion,⁵² based in Kadugli, which was widely thought to be responsible for the violence in Abyei in 2008. The Abyei Administration lodged an immediate complaint with the Joint Defence Board (JDB), but no action was taken. There were further complaints from the Ngok Dinka that forces that SAF suggested for the JIUs included former Southern Sudan Unity Movement (SSUM) fighters under the leadership of Thomas Thiel, a much-hated Twic Dinka, who was then part of SAF in South Kordofan, whom many hold responsible for some of the violence that broke out in Abyei in 2008.⁵³ These forces were eventually rejected by the Abyei Administration and not allowed to join the JIU.

Further challenges occurred in setting up the JIU positions in Abyei. The Abyei Administration feared SAF contingents would take up positions from where they could directly attack Abyei town.⁵⁴ Problems also occurred further north, where militias around Diffra blocked the deployment of a JIU battalion.⁵⁵ In the end, a small contingent of SAF was established in the area; it is likely that the Missiriya militias tried to disrupt the JIU deployment around Diffra because of the threat to militia control that the establishment of an SPLA force in the area would pose.

Political tensions exacerbated the problems with JIU deployment. Following the NCP proposal that Abyei should be divided again, the Abyei Administration

feared that the JIUs would take up positions in the middle of the territory and create a de facto occupation of the north, with a supply line running to Muglad in South Kordofan.⁵⁶ Here, as elsewhere in the events surrounding Abyei, the political situation constantly undermines attempts to deal with the security situation. In fact, it is impossible to deal effectively with security without a serious political settlement.

Despite difficult negotiations over their placement, the JIUs were finally deployed to locations throughout Abyei.⁵⁷ But their deployment increased, rather than decreased, insecurity. Rumours about the presence of members of the 31st Battalion in Abyei finally boiled over on 12 February. A soldier from the SAF contingent of the JIU stationed just north of Abyei town attempted to



enter the town market with a weapon and was refused entry by the police. After a disagreement with his comrades, who arrived later to join him, the disgruntled soldier walked away, firing his gun in the air. This led to widespread panic, with hundreds fleeing the market, fearing a repeat of the violence of 2008. In the upheaval, Ngok Dinka residents looted northern merchants shops, one merchant was shot dead, and two were beaten to death. Some 300 northern and Darfuri traders fled, and were allowed to shelter in the UNMIS compound.⁵⁸

As of the third week of February, JIU deployment had hardened Ngok Dinka attitudes that outside interference had done nothing to help them and massively increased the feeling of instability within Abyei.

The conflict in February and March 2011

February and March 2011 saw the worst violence in Abyei since 2008, as 154 people died during clashes, mainly between Missiriya militias and Abyei Police forces, in the villages of Todac, Tajalei, Maker, Wungok, and Dungop, which left the first four of these villages partially or totally burned down.

The attacks began very early on Sunday 27 February, when Missiriya militias attacked a police position just north of Todac, north-east of Abyei town, leaving seven policemen dead (see Map 3). The attack continued that afternoon, leaving ten dead on both sides, leaving a total of 17 casualties for the day. On 28 February, the attacks intensified and the police post was overrun. Todac village was partially burned and 90 people killed. After one day of respite, clashes erupted again on 2 March at Maker, the village that had been at the centre of January's clashes. Missiriya militias attacked a police position just outside of town after fighters slipped along the river and surprised the police.⁵⁹ They killed all the police officers on duty and then crossed the Nyamora, razing the village of Wungok.⁶⁰ Forty-one people died in these attacks.⁶¹ Beginning with the 2 March attack, tens of thousands of people fled Abyei town for villages further south, fearing an attack on the town itself.⁶²

Clashes continued throughout March at reduced levels. On 5 March, just one day after an emergency security meeting designed to address the deteriorating situation in Abyei and attended by high-ranking members of the SPLM, NCP, and Abyei Administration, the village of Tajalei was burned down; all

the residents had already fled. On 7 March, as police were moving back into position at Todac, they encountered Missiriya militia fighters and a skirmish began in which one militia fighter died. Finally, on 21 March, five civilians in the village of Dungop were killed; witnesses who survived the attack corroborated the version of events given by the Abyei Administration, which claimed that Missiriya militia members killed these civilians.⁶³ By the beginning of April, the territory north of Abyei town was in the hands of militias and almost totally deserted by civilians.

The attackers and their motivations

In late February the identity of the attackers remained largely unknown. Sadiq Babu Nimr, a Missiriya leader, originally claimed that the clashes began when SPLA units disguised as police attacked a grazing camp (BBC, 2011a). As the attacks progressed in intensity, the NCP blamed them on errant Missiriya militias, insisting that it had no authority over them (SUNA, 2011). On 9 March the Abyei Administration claimed that the Missiriya militias were armed with 12.7 mm machine guns, 60 mm mortars, rocket-propelled grenades (RPGs), and small arms, which they had acquired from SAF.⁶⁴

Sources in the Abyei Administration took the use of SAF vehicles in the attacks and the military helicopters that evacuated casualties from the attack at Maker as evidence of SAF backing the militias.⁶⁵ Members of the administration also claimed that the Awlad Umran, Awlad Kamil, and Mezaghna sections of the Missiriya were responsible for the attacks, at the insistence of powerful patrons in the NCP, notably presidential advisor Salah Gosh and Issa Bushra, the minister of science and technology.⁶⁶ The latter claim remains unsubstantiated.

However, several aspects of the account by the Abyei Administration can be confirmed. Multiple witnesses⁶⁷ to the attacks on Maker confirm the presence of heavy machine guns, RPGs, and small arms. Civilian witnesses reported individuals dressed in the uniform of the Central Reserve Police (CRP), the gendarmerie originally set up by the Interior Ministry for riot control, which was massively expanded in Kordofan after the signing of the CPA. Witnesses also reported seeing individuals wearing SAF uniforms and Missiriya traditional dress. UNMIS officials privately confirmed the use of helicopters.⁶⁸ It

appears clear that there was at least some SAF involvement in the February–March attacks.

As both SAF and NCP officials deny having any hand in the clashes, arguments about the nature of their motivation remain hypothetical. Nonetheless, based on the structure of the attacks and an analysis of the historical evidence, three possibilities present themselves:

Depopulation. The attacks on Tajalei, Todac, Maker, and Dungop were directed at villages; property was destroyed, and in at least the first two cases, the attacks directly targeted not just *tukuls* (typical huts of the region: conical constructions of elephant grass and sticks), but administrative buildings like schools. Such attacks seemed designed not simply to inflict a lasting military defeat on the police of the Abyei Administration, but to depopulate Abyei and drive people further south. Even attacks that are unsuccessful militarily can succeed in these goals. Civilians left Tajalei, Todac, Maker,⁶⁹ and the surrounding villages before or soon after the fighting began.

Razing villages and attacking civilians to depopulate areas is a tactic with a long history in Abyei. Attacks by *murahaliin* militias during the second civil war destroyed houses and cattle byres in Abyei in an attempt to force people to flee their homes. Following such attacks, '[t]he displaced Dinka population in the Abyei Area were often replaced by Humr Missiriya resettled in former Dinka settlements' (Johnson, 2010b, p. 36). On 15 March Abyei civil society figures expressed deep concern about continued Missiriya settlement in the northern-most regions of Abyei (*Sudan Tribune*, 2011d).

Bargaining power. Not only do the attacks create new facts on the ground, they also create further instability, forcing the SPLM to negotiate for stability. A member of the NCP proposed this theory to the author: 'NCP has formed these militias for the sake of the political negotiations going on in Ethiopia. If everything is more difficult, maybe they can get some advantage from this all.'⁷⁰

Instability in Abyei also has the capacity to alarm the AU and US negotiating teams, leading them to put further pressure on the parties to find a solution to the crisis. It is possible that the NCP hopes for a repetition of the situation in October and November 2010, when the NCP backed an AUHIP proposal to

split up Abyei yet again—a solution that Deng Alor Kuol, the GoSS minister for regional cooperation, dismissed out of hand, but that was backed by both Scott Gration and Thabo Mbeki, who were evidently alarmed at the prospect of further violence in Abyei.⁷¹

Appeasing the Missiriya. The third theory concerns the NCP's need to appease the Missiriya. The complex dynamics of the relationship between the NCP and the Missiriya are discussed below.

Relations between the NCP and the Missiriya

It would be incorrect to assume that the NCP has total control over the militias who carried out the attacks in February and March 2011. On 5 March, just after the 4 March security meeting at UNMIS resulted in a renewed commitment from the NCP to implement the Kadugli agreement of 17 January, militias burned down Tajalei. While it is possible that this was part of a calculated effort to discredit the peace talks of the previous day, it seems more likely that it was the work of militias acting independently.

The relationship between the NCP and the Missiriya has been growing increasingly tense over the last few years as the Missiriya leadership has been increasingly fragmented.⁷² While historically the Missiriya had three *nazirs* (paramount chiefs), after the NCP took power it divided up the Missiriya into 16 paramount chieftainships (ICG, 2010, p. 13). These younger, less experienced leaders were more open to manipulation by the NCP and undermined support for the traditional leaders, who were close to the Umma Party.⁷³ This has led to a feeling of disconnection between the Missiriya and their leadership, who the Missiriya no longer see as representative. Resentment of the Sudanese government is widespread and the Missiriya feel sold out by the CPA, which they claim will only benefit the Ngok Dinka.⁷⁴ Since the signing of the CPA, a number of local grassroots organizations have sprung up demanding action from the central government to improve the Missiriya's situation and threatening to take matters into their own hands.⁷⁵

The situation intensified following the Southern referendum. Indeed, it may have been the fear of a unilateral declaration by the Ngok Dinka of unification

with the South that led to the January 2011 clashes. Because the Missiriya feel increasingly threatened by the possibility of losing grazing rights in the South and feel abandoned by the NCP, the Northern government may have condoned the attacks as a means of placating the Missiriya.⁷⁶

The relationship between the NCP and the Missiriya is one of the most problematic elements of the Abyei situation. President Bashir was stationed in Muglad as a brigadier between 1988 and 1989, and directly supervised the Missiriya militias during this period. After he came to power in a coup in 1989, he was responsible for promulgating the Popular Defence Force Act and making the Missiriya *murahaliin* the core of these new forces.⁷⁷ After having spent two decades telling the Missiriya that Abyei belongs to them, the NCP finds itself in a double bind. Using the Missiriya militias as a destabilizing force has political utility, especially if they are self-motivated, as the NCP can claim not to be responsible for their actions. However, Missiriya discontent with the government is running high, and after years of telling the Missiriya that Abyei belongs to them, the NCP fears losing their support if it makes any concessions on the political future of Abyei that would make the Missiriya feel their grazing land was at risk. Losing Missiriya support could have serious consequences. The Darfur armed opposition group the Justice and Equality Movement (JEM) has been increasingly active in recruiting from among the Missiriya and appointed a Missiriya man to lead its delegation to the peace talks in Doha in February 2010. The Missiriya are also a vital part of NCP plans to ensure control of South Kordofan state. In light of this, the NCP must not only compete for their support, but also counter the possibility of a broader opposition running from Darfur, through South Kordofan and the Nuba Mountains, to Blue Nile. For these reasons, any move by the NCP to concede and implement the PCA borders, or to even consider a future in which Abyei is part of South Sudan, would create unacceptable problems for it with the Missiriya.

The assault on Abyei

In April 2011 a disconnect was growing between official pronouncements and the reality on the ground. On 13 April the SPLM and NCP met and agreed yet

again to implement the Kadugli agreement of 17 January and withdraw all unauthorized soldiers from Abyei. In reality, these repeated commitments to an unworkable security arrangement were a mask behind which both sides could continue to build up troops. Satellite imagery produced by the Satellite Sentinel Project (SSP) on 22 March showed battle tanks consistent with T-55s deployed by SAF to Muglad,⁷⁸ and PDF militias at Alal and Goli.⁷⁹ The NCP also accused the SPLM of building up forces just outside Abyei. Speaking on 14 March, Farhan Haq, the deputy spokesperson for UN Secretary-General Ban Ki-Moon, confirmed that ‘UNMIS has verified that both sides have reinforced their positions within the Abyei Area, including the confirmed presence of SAF and SPLA troops not affiliated with the Abyei Joint Integrated Units’ (UN, 2011).

This troop build-up led to clashes on 1 May, after Abyei Police forces intercepted SAF elements of the JIU delivering weapons to SAF troops at a roadblock near Todac. Fighting between the SAF elements of a JIU and Abyei Police forces following this standoff left 14 dead. It was the same type of incident that sparked the 2008 clashes in Abyei and further underlined the instability of the divided JIUs, who do not barrack together or operate under a unified command structure. Despite international observers worrying that this attack could trigger a military escalation of the conflict, there was no military response from either side.⁸⁰

Just after this incident, a controversial gubernatorial election in South Kordofan was finally held on 2–4 May. While preliminary results indicated SPLM candidate Abdul al Aziz al Hilo was winning comfortably by 3,825 votes, the results were delayed and, under NCP pressure to declare a result for its candidate, Ahmed Haroun, the head of the Electoral Commission in South Kordofan took refuge at the UNMIS compound in Kadugli. Amid accusations made by the SPLM and international observers about invented polling stations, on 12 May, Haroun was declared to have won the governorship. The SPLM refused to recognize the decision. Haroun’s confirmation in South Kordofan may have allowed the NCP to focus on Abyei and cement its position with the Missiriya.

On 11 May UNMIS soldiers came under fire from Missiriya militias near Goli, 25 km north of Abyei town, and four Zambian peacekeepers were shot.

At the time, the attack appeared largely accidental, but given subsequent events, it may have been orchestrated to ensure that UNMIS held back during the attack that followed. According to the SPLA, Missiriya militias then attacked the SPLA contingent of a JIU near Goli on 15 May, killing four SPLA soldiers. Yet while attacks continued both sides paid lip service to demilitarization. On 8 May, at a meeting of the Abyei Joint Technical Committee, both sides recommitted themselves to withdrawing all unauthorized forces from Abyei and to the deployment of the JIU forces specified in the 17 January Kadugli agreement by 17 May (*Sudan Tribune*, 2011d; 2011f).

On Thursday, 19 May an incident provided the spark that SAF needed to launch a full-scale assault on Abyei. All sides agreed that, following the attack of 15 May, the SAF JIU positions should be moved further north and the SPLA JIU positions further south. As part of this reorganization, a SAF JIU with an UNMIS escort was involved in fighting near Dokura. The Sudanese government claimed that the SPLA attacked the convoy using RPGs; it initially claimed that 22 SAF soldiers were killed (*Sudan Tribune*, 2011g). More recently, it claimed almost 200 dead or missing, but the UN spokesperson in New York, Martin Nesirky, said the real casualty numbers were far lower, although the UN still has to conclude its investigation before it will release official casualty figures.

The SPLA, in contrast, claims that there was an argument between members of an SPLA JIU about whether it should give an escort to the SAF contingent beyond Dokura, given the attack of 15 May. During this disagreement, a shot was fired in the air. The SPLA then claim that SAF overreacted and assumed it was under attack. A SAF soldier then fired an RPG at a car and the SAF soldiers got out of their trucks. In the ensuing clash, the SPLA claims both SAF soldiers and Ngok Dinka civilians were killed, although it does not have casualty numbers.⁸¹

Whatever the real number of victims, it seems unlikely that the SPLA contingent of a JIU would attack SAF troops when they were being escorted by UNMIS; an accidental RPG attack leading to sporadic fighting is more likely. SAF spokesperson al Sawarmi Khalid Sa'ad made it clear that SAF reserved the right to respond to this attack. It did so to a disproportionate degree the following day, 20 May, using Antonov transport planes to bomb Todac, Alal, and Mabok and attacking four different villages with ground troops, heavy

artillery, and tanks. The attacks resumed on 21 May, quickly overrunning the Abyei Police positions and the SPLA contingents of the JIUs, which had separated from their units. Thousands fled Abyei, many of whom had only just returned after the February and March clashes.

By 10.30 p.m. on Saturday, 21 May 2011 UNMIS reported that there were 15 SAF tanks in Abyei. Simultaneously, President Bashir issued two decrees that he claimed dissolved the Abyei Administration and fired all its members.⁸²

Early on 22 May Missiriya militias and NCP-backed PDF militia forces moved from Goli, Alal, and surrounding areas into Abyei town with SAF consent. They then began to loot and raze houses within the area, and kill the remaining residents, while the SAF forces in position stood by.⁸³

By Tuesday 24 May SAF had advanced up to the river Kiir south of Abyei town and there were no SPLA forces left in Abyei. Minor clashes continued in the villages around Abyei town.

Despite the intensity of the military operation, on 22 May Amin Hassan Omar, a minister of state for presidential affairs, told Al Jazeera that this was a limited military operation designed to remove 'illegal military forces' from within the territory (Al Jazeera, 2011b). The SPLM immediately condemned the invasion as a flagrant violation of the CPA and an act of war. However, Barnaba Marial Benjamin, the South Sudanese minister of information, said that the GoSS would not respond militarily. Both the UN and the United States followed the SPLM in condemning the invasion and calling for a withdrawal of SAF forces from Abyei.

Perspectives on the assault on Abyei

The full-scale SAF assault on Abyei was notable in several respects. While SAF denied any responsibility for the previous attacks on Abyei and tried to depict them as the work of Missiriya herders responding to SPLA aggression, it now claimed that the full-scale military assault of 20–21 May was a security intervention designed to rid the territory of illegal forces. The attack also massively exceeded the scope of previous attacks. But given the military build-up in the months leading up to the assault, the full-scale invasion was clearly planned. The SPLA attack on 19 May gave the NCP just enough cover to claim the attack was designed to restore order and improve security in Abyei.

Despite differences between the full-scale invasion of May and the sporadic violence of February and March, both were carried out by largely the same actors and for largely the same purpose. The depopulation of areas of Ngok Dinka settlement that began—at the latest—with the attacks on villages like Maker in February and March that scattered Ngok Dinka civilians further south finds its completion in the SAF invasion of May, which pushed all the residents of Abyei out of the territory. This pattern of settlement burning, killing civilians, and looting is consistent with the tactics of NCP-backed Missiriya militias during the second civil war.

The invasion was also another chapter in the NCP's use of violence as a tool of political negotiation. On 25 May the NCP announced that SAF will only leave Abyei when there is a political settlement (VOA, 2011). Ultimately, this makes SAF the final arbiter in Abyei and a SAF withdrawal now appears as something that the SPLM will have to make concessions to achieve.

Following the invasion, as this working paper was being finalized, the NCP continued its customary policy of issuing highly contradictory statements and manipulating the disorder that follows. Just after the occupation of Abyei, the AUHIP announced there had been 'highly productive' meetings between Bashir and Salva Kiir. Yet on the same day, Bashir announced that Abyei would always be a part of the North (Reuters, 2011b). This discrepancy highlights the gap between an intensely political public rhetoric and the reality of the concessions the parties are considering at the negotiation table. It is also an indication of the AUHIP's willingness to make concessions that ultimately pander to the NCP.

It is likely that the May invasion enabled the NCP to reassure the Missiriya that they would not abandon them and hand Abyei over to the South. Now that Missiriya militias occupy Abyei, however, it would be incautious to assume that the NCP has total control over them. The Missiriya attacks on UN helicopters on 24 May suggest this (BBC, 2011b).

While the build-up of weapons, the subsequent deployment of militia forces, and the looting and burning that followed⁸⁴ indicate that the campaign was not a 'limited' military operation in the sense intended by Amin Hassan Omar, it does not appear to have been intended to be a step on the road to war. The military occupation completes the militia attacks and gives the NCP total de facto control of Abyei as a basis for negotiations.

The goal of the last sequences of attacks in Abyei has now largely been achieved. There are no civilians in Abyei, and SAF and Missiriya militias are in control of the entire area. (Future scenarios for Abyei are discussed in the final section of this report.)

Ultimately, the NCP attacked because it thought it could get away with it. Its political calculation was that the SPLM was too concerned with the declaration of Southern independence to respond militarily to the invasion and that the international community would do little more than condemn it or suspend various incentives.⁸⁵ Thus far this calculation has proved accurate. 📌

V. Armed actors on the ground

Sudan Armed Forces

SAF now occupies the entire territory of Abyei. The precise size of the military force inside the territory is unknown. UNMIS has reported 15 tanks inside Abyei town itself, consistent with the build-up of 13 armoured T-55-type vehicles outside Abyei in the months prior to the assault. The SSP (2011c) reports that there are, as of 25 May 2011, six fixed-wing aircraft at El Obeid, including two consistent with Nanchang A-5 ground attack aircraft and two consistent with Antonov transport aircraft, some of which were probably used in the bombing campaign in Abyei in May. A battalion-sized SAF unit is now reported to be operating in Abyei.

While SAF denied having any role in the February and March attacks, the evidence against it—eyewitness accounts of soldiers wearing SAF uniforms, SAF vehicles covered in mud, the use of military helicopters—suggests that at least some SAF elements took part in the clashes. Waur Majake, an SPLM spokesperson for Abyei, claimed that SAF troops were directly involved, having arrived from Nyama and Goli, and that they gave the militias guns and jeeps.⁸⁶ Without further evidence from members of the militia forces, it is impossible to further clarify the extent of SAF involvement in the attacks.

The presence of any SAF troops inside Abyei, other than those units within the JIUs, is a violation of the CPA.⁸⁷ SPLM officials claim that four battalions of SAF are in position around the last oil field in Abyei, at Diffra, in violation of a 6 December 2010 agreement between SAF and the SPLA that all oil installations would be protected by JIU units (*Sudan Tribune*, 2010b). While a small JIU force is positioned there, there is also the continued presence of the ‘oil police’, an armed force that was established by presidential decree to protect the oil fields. Officially, there are supposed to be 100 oil police. At the beginning of 2011, JDB meetings over Abyei broke down over the withdrawal of the oil police.

Some corroborating evidence for the presence of SAF around the oil fields comes from the SSP. In its report of 22 March 2011 the SSP (2011c) claims there

is a fortified military installation approximately 15 km north of Diffra capable of holding a battalion-strength unit. UNMIS confirms that there is a strong military presence around Diffra. SPLA claims of four training camps around Diffra have not been confirmed, but would be consistent with the number of combatants deployed during the attack on Abyei town.

Further evidence of a SAF presence inside Abyei before May 2011, aside from the forces at Diffra, is inconclusive. On 30 March 2011 Maj. Gen. Moses Obi, the commander of the UN peacekeeping force in Sudan, confirmed military build-ups on both sides. 'We have evidence that both sides have militarised Abyei', he told the press. 'We've seen all sorts of armed elements in Abyei that ordinarily are not supposed to be there' (Reuters, 2011a). In particular, he claimed that both SAF and the SPLA were bringing vehicle-mounted machine guns, RPGs, and multi-barrelled rocket launchers into the territory. He did not provide specific locations for this build-up.

On 20 March Deng Arop Kuol accused SAF of positioning 1,500 police officers in Goli, Bongo, and Diffra. Al Sawarmi Khalid Sa'ad, the SAF spokesperson, denied these accusations, as did General Imam Ahmed Tuhami, spokesperson for the police in Sudan (*Sudan Tribune*, 2011e).

On 10 March the SSP (2011b) released a report claiming that it had 'identified a fortified camp consistent with either a Missiriya militia or SAF installation inside the Abyei region at Bongo—approximately 15 kilometers from Maker Abior [i.e. Maker]'. In its report of 22 March the SSP (2011c) further claim that:

... this camp appears to have grown by approximately 25 per cent. The addition of 15–20 tents provides the capacity to house a unit of at least company and possibly battalion size at this outpost. Imagery collected as of 9 March showed fortifications consistent with foxholes constructed in a horseshoe formation; as of 19 March the perimeter of apparent foxholes was completed to encircle the compound.

In the latter report, the SSP states that a camp capable of holding at least a company-size unit was established at Goli and confirms that there is a visible camp north of Diffra. This report would seem to confirm Deng Arop's claims of ten days later.

On 14 March Farhan Haq, the deputy spokesperson for UN Secretary-General Ban Ki-Moon, stated that SAF and SPLA troops were present in Abyei (see above), concluding: 'The exact size and type of reinforcements is difficult to determine due to continuing denial of freedom of movement for UNMIS forces' (UN, 2011).

A continuing build-up of SAF forces is taking place in the areas of South Kordofan close to Abyei. There are officially two SAF divisions in the state, with a total of 20,000 troops (Small Arms Survey, 2011). The SPLA claims that the numbers are much higher and that there are more like 55,000 troops in the state. In 2009 SAF in South Kordofan was reorganized and the number of divisions reduced to the 14th Division in Kadugli and the 15th Division in Muglad. SAF also has the 53rd Brigade in Abu Jebaha, the 54th Brigade in Dilling, the 55th Brigade in Babanusa, and the 56th Brigade in Heglig.

On 16 March 2011, at a meeting with the AUHIP chaired by Thabo Mbeki, the SPLM claimed SAF had large numbers of troops massing in a number of locations in South Kordofan, including south of Kadugli, and were preparing for an invasion of Abyei. These allegations followed the publication by the SPLM of supposed Northern military documents purporting to demonstrate that Khartoum was arming Southern militias. A Small Arms Survey publication in March, which examined armed entities in South Kordofan, concluded: 'The documents contained errors of fact, including the names of government departments, and were dismissed as forgeries by the Khartoum government and some independent observers' (Small Arms Survey, 2011).

Nevertheless, several UNMIS sources confirmed that there was a lot of military movement along the South Kordofan–Abyei border,⁸⁸ as well as military movement near Kadugli and in former West Kordofan. The Small Arms Survey publication noted satellite imagery showing trucks depositing four tanks at Kharasana, east of Abyei, at the beginning of March, and a dozen more tanks on flatbeds moving south towards Dilling a few days later (Small Arms Survey, 2011). SSP satellite imagery shows improvements being made to the airstrip at Muglad, and this might mean that the airstrip is intended to provide logistical support to SAF troops in the event of a confrontation in Abyei (SSP, 2011a). Due to SAF restrictions and the way the UNMIS mandate is interpreted at the political level, UNMIS has not been able to evaluate these claims;

at the time of writing, approximately 40 per cent of South Kordofan is off limits to UNMIS troops (Small Arms Survey, 2011).

The SAF forces in South Kordofan are heavily armed. SPLA sources claim that SAF troops possess artillery, 120 mm mortars, D-30s (122 mm howitzers), T-55 tanks, anti-tank guns mounted on Land Cruisers, and RPGs. SSP satellite imagery has confirmed the presence of both artillery and tanks. The Small Arms Survey also acquired an internal Sudanese government document dated 15 January 2009 calling for the transfer of even heavier weapons to SAF in South Kordofan:

Marked 'Strictly Confidential', it requests the following items for the Kadugli division: 2,000 40-barrel rocket launchers; 1,000 12-barrel rocket launchers; 1,000 howitzer shells; 1,000 D-30 shells; 1,000 artillery shells (100 mm); 600 artillery shells (130 mm); and 50 SA-7 shoulder-fired surface-to-air missiles. A separate document of the same date confirms dispatch of the seven types of weapons and ammunition. Other accompanying ammunition includes 4,000 12.7 mm rounds, 2,000 RPG shells, and 400 hand grenades (Small Arms Survey, 2011).

These weapons would be consistent with the heavy artillery reportedly used in the assault on Abyei in May.

Central Reserve Police

The CRP initially began as a gendarmerie under the Interior Ministry. Since the signing of the CPA, it has increased massively in size in South Kordofan. According to a 2009 document obtained by the Small Arms Survey, from a few hundred men in Kadugli in 2005, the CRP has grown to more than 7,000 members. SPLA monitors at UNMIS claim that the CRP are armed with 82 mm mortars, RPGs, 12.7 mm machine guns, light machine guns, Fagot anti-tank guided missiles, and artillery (Small Arms Survey, 2011). Several civilian witnesses to the 2 March attack on Maker report seeing troops from the CRP taking an active role in attacks.⁸⁹ The Small Arms Survey has not received any other confirmation of the CRP's presence in Abyei.

Missiriya militias

As of the end of May 2011, Missiriya militias are occupying Abyei town. SSP satellite imagery indicates that as of 24 May, the suspected Missiriya militia encampment at Goli has been disbanded, consistent with a militia movement into the south of the territory. To understand the depths of the militias' involvement with SAF, one must analyse the January–March attacks.

The militias' attacks in the first three months of this year were very well organized. They were coordinated among multiple units and were carried out by trained fighters. Achuil Akol, secretary for finance in the Abyei Administration, claimed that the militias used 12.7 mm machine guns mounted on Land Cruisers, 60 mm mortars, RPGs, and small arms; these claims corresponded with what the author was told by civilian and military eyewitnesses to the attacks.⁹⁰ Eyewitnesses claim that the militias used motorbikes, and that a Land Cruiser from the Abyei town JIU was seen heading towards Maker on 2 March, and then vanished. Waur Majake, an SPLM spokesperson in Abyei, claimed phosphorus was also used in the attacks, which accounted for reported burn marks on corpses.⁹¹ Claims of the use of phosphorous and other chemical weapons, although widespread, have not been confirmed.

The Abyei Administration estimates that a total of 1,500 people were involved in the attacks, with 700 involved in the attacks on Maker. Witnesses and fighters in the attacks were not able to give estimates of how many militia fighters were involved.⁹² The numbers given by the Abyei Administration for the attack on Maker are not out of keeping with records of previous arms shipments to the Missiriya; but the total figure given is probably slightly high— if these shipments are any indication of the total number of Missiriya in the militias, then if the numbers the Abyei Administration gives are correct, it would suggest an almost total mobilization.

Determining precisely who is involved in the militias is extremely difficult. The first armed groups to emerge in Abyei following the signing of the CPA are presently inactive, and the line between organized PDF fighters and armed irregular forces is very thin. Achuil Akol, secretary of finance in the Abyei Administration, claimed that Ahmed Dudu, the head of the Mezaghna, ordered herders to pull their cattle back from their most southerly positions and then led heavily armed militia forces in the attack on Todac on 27 February. Hasan

Musa, a Missiriya leader, confirmed that the Mezaghna were involved in the clashes in Todac, although he gave a very different account of what happened:

Yes, I have just been told by Amir Ahmed Dudu now that armed Dinka Ngok supported by the SPLA camouflaged [as] police in Dira, Goli, Todac, Difra and in the surrounding areas have since last week started putting unnecessary check points and stopping herders from taking their cattle further south (Sudan Tribune, 2011c).

His account of the clashes is inconsistent with eyewitness reports but it does indirectly confirm the participation of the Mezaghna. The Mezaghna *omodiya* have historically taken a central route through Abyei and have done their dry season grazing in Abyei itself, some 12 miles east of Abyei town. Ian Cunnison, the ethnographer of the Missiriya, gave a witness statement as part of the PCA that ‘the Mezaghna *omodiya* spent more time, and more continuous time, in the Bahr (142 days) than in any other of the four main areas of Dar Humr’ (GoSS Memorial at the PCA, 2009, p. 190). They have the most to lose if the Missiriya are blocked from grazing in Abyei and appear to have taken a leading role in the current militias. Achuil Akol also claimed that the Awlad Umran, led by Hasan Musa, also played a role in the attacks. The Awlad Umran’s historic grazing route takes them from Muglad through Abyei to Mayom and Abiemnom counties in Unity state. Earlier last year, SPLM officers in South Kordofan claimed that the NCP was arming the Missiriya, channelling 12.7 mm anti-aircraft guns and anti-tank weapons through a leader of the Awlad Umran.⁹³ There have, however, been no definitive reports linking the Awlad Umran with the attacks.

Separating Missiriya militias from PDF fighters is challenging; and, given the large numbers of former PDF fighters in South Kordofan⁹⁴ and the general militarization of the civilian population, it is almost impossible to accurately estimate the size of the militias. During a security meeting in 2009, figures for the whole of South Kordofan varied between 27,000 and 47,000. Waur Majake claimed that in the run-up to the referendum, over 2,000 PDF fighters were mobilized to settle in the north of Abyei.⁹⁵

Missiriya leaders claim that NCP officials have been actively recruiting among the Missiriya since mid-2010. In July 2010 they opened two training camps above Abyei town in Dedab and al Meiram. According to the Small Arms Survey (2011):

In charge of the recruitment campaign, with a budget claimed to be SDG 1 million (USD 840,000), is the PDF chief in Muglad, identified by Missiriya sources as Issa Abdul Mola. A western observer reports almost a dozen militia camps now established along Abyei's northern border, with new recruits reportedly receiving around SDG 50 (USD 21) per month.

Missiriya elders claim that Khartoum is motivating the new recruits by telling them that Abyei is Missiriya territory (Small Arms Survey, 2011).

Since the signing of the CPA, the SPLM claims that the PDF has been reorganized and equipped with SAF trucks, motorcycles, 12.7 mm machine guns, 82 mm mortars, and small arms—weapons consistent with what eyewitnesses report being used during the February–March clashes. The Small Arms Survey has also previously received confidential military documents confirming that Missiriya militias are receiving weapons from the central government. One document, dated October–November 2008, lists weapons delivered to the Missiriya Humr as follows: six hundred AK-47s, twenty-seven 7.62 mm machine guns, and six 66 mm and 75 mm mortars to Muhammad Omar al Ansari, a member of the small Dar Omashaiba section, a sub-section of the Awlad Kamil, and then-leader of the now-defunct Abyei Liberation Front (Small Arms Survey, 2010; 2011).⁹⁶ These armaments are consonant with what was used in the February–March clashes in Abyei.

Abyei Police/Sudan People's Liberation Army

Officially, the Missiriya militias and SAF attacked forces in January–May that may have been entirely composed of police units. The police units are armed with jeep-mounted 12.7 mm heavy machine guns, small arms, and mortars. The police positions at Todac and Maker were overrun during the February–March clashes. However, when the author visited Tajalei, Todac, and Maker shortly after 4 March, the police had returned to their original positions and were digging foxholes. SSP imagery confirms that extensive foxholes were dug at each of these locations (SSP, 2011b). Ring Deng Kuol, secretary-general of the Abyei Administration, confirmed that prior to the May attacks the police had returned to their previous positions,⁹⁷ in all cases just behind the JIU forces.

Given the ineffectiveness of the JIUs during the recent clashes, the positioning of the police units indicated the 'real' line of defence. As of 25 May 2011, however, all the Abyei Police units have been routed and all remaining officers are south of the river Kiir.

According to the Abyei Roadmap, Abyei Police units are structured slightly differently to JIUs. While the JIUs are to be composed of SAF and SPLA soldiers, the police units are simply 'to be deployed in the area after consultation between the National Minister of Interior and Minister of Internal affairs of [the] Government of South Sudan' (Abyei Roadmap, 2008, cl. 1.2). In practice, the police units are almost entirely composed of Southerners. When pressed on this, administration officials claimed that the Northerners who were part of the police force kept running away,⁹⁸ which is quite possibly true, but begs the question of what they were running away from. A concerted consolidation of the Abyei Police as a force loyal to the Abyei Administration is a strong likelihood.

After the violence in 2008, what has become known as the 'Juba Police' arrived in Abyei. Officially, this is a force of 300 men designed to supplement the Abyei Police and ensure security in the area. The NCP has consistently claimed that these police are in fact SPLA troops in police uniform. One of the key conditions of the Kadugli agreements was that these forces were to be withdrawn to Abyei town from the forward operating positions that they occupied. It was the Juba Police who had inflicted heavy losses on the militias during the January attacks.

Following the Kadugli agreements, the Juba Police were in fact withdrawn to Abyei town, at least partially. Among the Ngok Dinka, this element of the Kadugli agreements is now seen as a trick employed by the NCP to get the administration to remove its best troops before militias attack; that attacks were made just after the administration partially removed the Juba Police tends to confirm these suspicions. Following the attacks, with the Kadugli agreements 'dead in the water',⁹⁹ the Juba Police moved back into forward operating positions.

On 14 March 2011 the NCP publicly called for the Juba Police to move out of Abyei or else it could not promise there would not be further skirmishes. Differentiating the Juba Police from Abyei Police units is not easy. All the police officers this author spoke to were from the South, many had recently arrived in

Abyei, and almost all (approximately 90 per cent) were Dinka; principally from Abyei, but also from Twic and Bor. Confidential conversations with the Abyei Administration during the February–March clashes confirmed that reinforcements were arriving from the South¹⁰⁰ and it is to be expected that, as UNMIS confirmed, SPLA reinforcements were moving into position during April and May.

The precise number of police officers present in Abyei before the May assault on Abyei is unknown. During visits to Tajalei, Todac, and Maker, at least 300 were present in each location—a total well above the 300 Juba Police who supposedly reinforced the police following the violence in 2008—with an additional 300 present in Abyei town. Each of the three villages that were the site of violence in February and March had at least two jeeps with mounted heavy machine guns present, with an additional two jeeps with machine guns just behind these positions.

UNMIS officials privately confirmed that these police units are ‘SPLA in police uniforms’.¹⁰¹ On 22 March a statement by Martin Nesirky, the spokesperson for UN Secretary-General Ban Ki-Moon, confirmed the deployment of southern ‘Juba’ police south of Abyei (Nesirky, 2011). While almost all police in South Sudan are former SPLA members, there is some anecdotal evidence that the Juba Police are still active (paid) SPLA members.

Missiriya herders are vocal in complaining about harassment from and roadblocks set up by the police. One Missiriya man at Goli told the Enough Project that ‘they [the police] shot our cows and ate them. So we have set up roadblocks. Until the police are pulled back, we will not lift the roadblocks’ (Bubna, 2011b). Reports in 2009 also indicate harassment of the Missiriya by SPLA forces within Abyei.¹⁰²

But if pulling back the ‘SPLA in police uniforms’ was a key demand of both the NCP and the Missiriya, following the wave of attacks in the first months of the year, it was also a sticking point for the Abyei Administration. The administration feared that pulling back the police units would have left the area open to attack and further alienated a population already angered by the pull-back of police units following the Kadugli agreements. Besides those forces ‘disguised’ as police, there is no evidence of SPLA members in Abyei as of late May 2011.

Joint Integrated Units

The Abyei Roadmap initially called for 624 JIU troops to be present in the territory. The additional two battalions of JIUs established in Abyei after the 17 January Kadugli agreement brought the total number of JIU troops inside the territory to roughly 1,500.¹⁰³ While these troops were supposed to be the principal force for security within the territory, during the February–March clashes they were inactive and actually worsened the security situation inside Abyei town, as noted above.

The JIUs were ineffective during the February–March clashes for three principal reasons. First, there was no consensus between the respective SAF and SPLA commanders about their mandate. In a meeting on 28 February the SPLA JIU commander claimed that the JIU was supposed to fight against attacking forces that initiate clashes inside the territory. The SAF commander responded that the JIU was there simply to monitor the situation and keep order, not to intervene in clashes.¹⁰⁴

Underlying this unwillingness to intervene was uncertainty about on whose side the JIUs should intervene. Memories of 2008, when the JIU promptly separated into SAF and SPLA contingents and began fighting, remained fresh. The fear is that intervention in any clash would only exacerbate the situation by leading to a conflict within the JIU contingents.

Second, despite the large number of troops present in the JIUs, the Abyei Administration contends that they are not as well equipped as the militias and fewer in number, implying that they could not intervene effectively in the fighting even if there was the political will to do so. On 1 and 19 May precisely what was feared occurred, with SPLA and SAF components of the JIUs firing on each other and providing the spark that prompted the SAF invasion of Abyei.

Following the 4 March security arrangement at UNMIS-Abyei, JIUs finally fully deployed in Abyei. As of 8 March JIUs were deployed in Alal, Noong, Todac, Tajalei, Loloteu, Dumboloya, and Kuol Alal. Uncertainty continued over the composition of the JIU at Goli. This unit was deployed after the 17 January Kadugli agreement; however, during the clashes, the SPLA contingent of the JIU pulled back to Todac following the onset of fighting there. In March and April tensions arose between Missiriya herders and the JIU at Goli.¹⁰⁵

The JIUs in Abyei were not integrated. They barracked separately, stored their weapons separately, and had little contact with one another. The SAF and SPLA contingents were each answerable to their respective commanders and not to a unified scheme of command.¹⁰⁶

Following their deployment, frequent disturbances were connected to the JIUs. On 14 March 2011 SAF soldiers from a JIU went missing. Shooting was heard from JIUs north of Abyei on 15 March and 21 March.¹⁰⁷ As discussed above, it was tension between JIU units in May that precipitated the invasion. On 15 May Missiriya militia forces ambushed SPLA JIU troops, leaving four soldiers dead. Following this attack, it was agreed that the SAF JIU would station itself near Goli in the north of Abyei, while an SPLA JIU would be stationed in Dokura. It was during these redeployments that the incidents of 19 May occurred.

The Kadugli security agreements, which relied on the presence of JIUs to prevent the outbreak of violence, instead proved its catalyst.

UN Mission in Sudan

UNMIS-Abyei had four companies on the ground during the clashes of February–March 2011. The mandate for UNMIS under UN Security Council Resolution 1590 states that ‘UNMIS is authorized to take the necessary action, in the areas of deployment of its forces and as it deems within its capabilities . . . and, without prejudice to the responsibilities of the Government of Sudan, to protect civilians under imminent threat of physical violence’ (UNSC, 2005, para. 16(i)).

During the February–March clashes, when the GoS claimed that it had nothing to do with the militias carrying out the attacks, it would have seemed uncontroversial to use military force, especially in response to attacks, such as at Dungop, which were clearly carried out against civilian targets. For three reasons, UNMIS was inactive during the recent clashes: insufficient manpower and weaponry, a lack of political will, and divisions within UNMIS-Abyei.

UNMIS officials explained that while they have a mandate to provide civilian protection (a Chapter VII mandate),¹⁰⁸ they are only provided with weapons appropriate to a Chapter VI mandate. One UNMIS-Abyei official said: ‘The

problem with the UN here is that we have a Chapter VI mandate, and yet we are asked to provide civilian protection: you cannot protect civilians under such a mandate. Chapter VI only allows us to return fire in self-defence, and even then we can only return fire selectively.’¹⁰⁹

This was the problem in 2008. During the fighting in Abyei town, the some 200 UNMIS soldiers was inadequate in terms of both manpower and equipment to intervene in the fighting, and could not adequately protect civilians (HRW, 2008, p. 27). Since 2008 the UNMIS forces in Abyei have been augmented, but they are still not sufficient to intervene decisively in combat situations. On 6 March 2011 UNMIS announced that an extra 100 troops would go to Abyei, bringing the total number to some 500 (*Sudan Vision Daily*, 2011). This is still insufficient to intervene to protect civilians in situations of actual combat. The same was true in May 2011, when the numbers of UNMIS troops were insufficient to protect Abyei town. During the SAF invasion of Abyei, the Zambian peacekeepers mandated to protect civilians hid in their barracks, in a performance that one UN diplomat called ‘pathetic’ (*Guardian*, 2011). Following the invasion, a battalion of 125 Indian soldiers has augmented the Zambian peacekeepers. This addition is still insufficient to be able to actively protect civilians and follows the same pattern of UNMIS troop augmentations in 2008 and March 2011: too little, too late.

Even if UNMIS-Abyei had sufficient troops and weaponry to intervene effectively, internal command and control within UNMIS is problematic: UNMIS officials reported that the respective countries comprising UNMIS-Abyei are largely in charge of their own units and, especially in the case of the Egyptian contingent, do not answer to the UNMIS chain of command.¹¹⁰ In any event, the countries comprising UNMIS-Abyei are generally unwilling to allow their contingents to intervene in conflict situations.

UNMIS-Abyei is sometimes even unwilling or unable to act effectively to protect itself. On 13 January a Zambian convoy was bringing supplies from Kadugli to Abyei. One of the vehicles, which had a slight technical problem, lagged behind the others and was surrounded by Missiriya militia fighters. The fighters then disarmed the Zambian peacekeepers, even though UNMIS has a mandate to ‘to use all necessary means as it deemed within its capabilities . . . to protect United Nations personnel’.¹¹¹ There were further reports of

UNMIS peacekeepers being physically assaulted by militia members around Diffra and on their next patrol being laughed at by residents.¹¹² This reached its climax with the attack on 11 May that left four Zambian peacekeepers shot and wounded.

These incidents completely stripped UNMIS of respect among local communities in Abyei, which in turn impacts its ability to monitor CPA implementation. Prior to the May invasion, police routinely blocked or turned back UNMIS patrols from key areas of Abyei. The author visited Tajalei and Todac after police denied UNMIS entry to these sites. The police explained that the peacekeeping force had no credibility and had abdicated its duty to protect civilians. They also objected to the presence of an Egyptian contingent within UNMIS-Abyei, which is perceived by the local population to have been co-opted by the NCP.¹¹³ 🗨️

VI. Stakeholder views as of 23 May 2011

The Missiriya

One of the few constants of the CPA period has been the commitment to transhumant freedom of movement made by the NCP, SPLM, and international community. For instance, the Abyei Protocol (2005, cl. 1.1.3) holds that '[t]he Missiriya and other nomadic peoples retain their traditional rights to graze cattle and move across the territory of Abyei'. Equally, the final decision of the PCA says:

The exercise of established traditional rights within or in the vicinity of the Abyei Area, particularly the right (guaranteed by Section 1.1.3 of the Abyei Protocol) of the Missiriya and other nomadic peoples to graze cattle and move across the Abyei Area (as defined in this Award), remains unaffected (PCA, 2009, ch. 5, p. 268).

One of the central problems with these formulations is that they introduce a division between political settlements and grazing rights. Organizing grazing rights is assumed to be something that communities can do 'as it has always been', without parallel political decisions about the border affecting them.

This division is unsustainable. The Missiriya have consistently claimed that their grazing rights would be affected if Abyei goes to South Sudan, and they are correct. Even if future mechanisms could be found that would enable negotiations among the NCP, SPLM, Ngok Dinka, and Missiriya, given the history of grazing over the last five years, the Missiriya are rightly suspicious of claims that their grazing rights will be unaffected by future political decisions.

The CPA has radically changed Missiriya grazing activities (Pantuliano et al., 2009, p. 25). In 2007 the Missiriya had to pay SPLA soldiers one to two calves per herd to access the Southern provinces. Missiriya crossing Bahr al Arab in Unity state reported having to pay the SPLA SDG 15,000 (USD 6,300). In 2008 the majority of the Missiriya's cattle stayed north of the Kiir and suffered a shortage of both grazing and water.

Ongoing discussions on the future North–South border significantly affect the Missiriya position on grazing. One suggestion is a soft border, freely passable by the pastoralist groups living in the border areas.¹¹⁴ Given the considerable mistrust between the Northern and Southern governments, this option appears idealistic. Interviews with SPLM politicians in Juba suggest that if Abyei joins South Sudan, any future border will require military checkpoints, and the institutions and regalia of a national boundary.¹¹⁵ If that occurs, the Missiriya suspicion that Southern independence will seem much like the post-CPA period and lead to a circumscribed set of grazing routes is most likely correct.

The failure of the 13 January Kadugli agreement bodes ill for future possibilities for Ngok–Missiriya rapprochement on grazing routes. The traditional power structures of the two communities have been radically eroded by the war and the lack of political progress in the post-CPA period. The fragmentation of authority among the Missiriya following the NCP’s change of leadership (ICG, 2008) and the Ngok Dinka’s rejection of Paramount Chief Kuol Deng Kuol’s leadership mean the communities can no longer be expected to go along with decisions made by their leaders. This was evident in the rejection of the Kadugli agreements by the Ngok Dinka community and the lack of interest shown by the Missiriya in arranging grazing routes through Abyei.

The Missiriya’s current situation is dire. Northern land policy over the last 40 years has increasingly restricted them, and the oil industry and agricultural expansion have reduced grazing land further. The CPA has had a powerful, destructive effect on their pastoral economy, not just by limiting traditional grazing land, but also supplementary economic practices—like honey collection and game hunting—in the Missiriya’s dry season grazing pastures in the South.

Given the Missiriya’s current economic precariousness, which will only be exacerbated by their extremely limited migration in 2011, joining the PDF will be increasingly attractive.¹¹⁶ The SAF occupation will not change the constraints caused by the absence of annual grazing in 2011. By 21 May 2011 the rainy season had begun and the Missiriya herders were already back in South Kordofan.

However, the SAF occupation of Abyei will cause a major transformation in Missiriya politics. Officially, Missiriya leaders insist that the assault on Abyei

was a question of a battle between two armies. In response to questions about the presence of Missiriya militias in Abyei town, Sadiq Babu Nimr, a Missiriya leader, insisted that '[t]here are no Missiriya tribesmen in Abyei for the simple reason that it is rainy season and Missiriya do not bring their cattle to Abyei before October' (Sudan.net, 2011). This is true: the Missiriya in Abyei are militia fighters, not ordinary people.

In many respects, the SAF occupation of Abyei is a promised fulfilled by the NCP, which has been telling the Missiriya for the past 20 years that Abyei is their territory. They are likely to be amenable to being moved into Abyei as temporary settlers. Furthermore, now that Abyei is effectively Missiriya territory, they will be highly unlikely to accept any political settlement that allows the return of an SPLM-dominated government.

The SAF occupation of Abyei will also likely quell some of the criticism of the NCP among the Missiriya. With the NCP, at least temporarily, consolidating its control of South Kordofan and Abyei, the risk that the Missiriya will join the SPLM or JEM in large numbers is lessened. However, the occupation of Abyei does nothing to resolve the serious crisis of the Missiriya in South Kordofan: they will continue to be squeezed by oil and agriculture, and how long the occupation of Abyei manages to silence their discontent with their material conditions in South Kordofan remains to be seen.

The Ngok Dinka

The events of 2011 have increased the Ngok Dinka's feelings of abandonment by the SPLM and GoSS. The promised referendum did not materialize and looks increasingly unreachable; and now their home area is occupied and their community dispersed. Médecins Sans Frontières report that even Agok, south of Abyei town and within South Sudan proper, is now deserted (AFP, 2011). Many Ngok Dinka returned to Abyei after years of exile in Khartoum, only to flee at the beginning of March, and then returning in April, before fleeing again in May. A lack of popular will for further negotiation increases with every attack.

The Ngok Dinka view on current negotiations must be seen in historical perspective. In their view, the concessions on their land did not begin with the ABC ruling, which positioned Ngok Dinka territory south of their claims, but

earlier. The list of grievances stretches back to the decision not to return to Bahr al Ghazal in 1953; the referendum promised in the Addis Ababa Agreement but not held; the seizure and dispossession of Ngok land during the second civil war; the loss of territory in the decisions of the ABC and PCA; and, finally, the failure to hold a referendum in the post-CPA period. All of these add up to a historical narrative of dispossession and mistreatment at the hands of Sudan and the guarantors of the peace agreements.

For many in the Ngok Dinka community, reoccupying the northern areas has become a vital task. They talk—accurately or not—of their fathers’ fields near Diffra and the bones of relatives buried in areas of Abyei which they can no longer reach. The Abyei Administration is complicit in encouraging this sentiment. Before the February clashes, the administration began holding a series of rallies to inform the population about recent developments. The first rally was held in the village of Mading Achueng on 20 February. During the rally, Deng Arop Kuol, the chief administrator, called on the people to go and settle in the north. The occupation of the PCA-bordered Abyei is presented—by both the community and the administration—as an urgent historical task. There is unlikely to be any support in the community for further compromises on either the borders of Abyei or the role of the Missiriya in any future Abyei Administration. While the administration might be able to compromise on a future settlement of the borders of Abyei (see below), this would be unlikely to lead to a stable situation on the ground, given the sentiments of the local community.

The Ngok Dinka, especially the Bongo chiefdom, are also increasingly alienated from the Abyei Administration. Prior to the May attacks, there was a show of cohesion in a very difficult situation—explicit criticism of the administration was muted. In the teashops in Abyei town, Ngok Dinka criticized the Kadugli agreements, but insisted this is a criticism of the agreements and not of the administration that signed them. The Ngok Dinka would not be abandoned by South Sudan, they believed, whatever happened. The SPLM encouraged this perception. The anger of the 4 March protests was defused by speeches from Deng Alor Kuol and Nhial Deng Nhial, the GoSS defence minister, which assured the community that even in the case of war, the South would not abandon them. This sentiment has been sorely tested by SPLA inaction following the SAF occupation of Abyei.

Prior to the assault in May, the Ngok Dinka reverted to insisting that the Juba Protocol be honoured and that no Missiriya move through the territory unless they accept the PCA boundary—a position that some in the administration have supported.¹¹⁷ The occupation has mooted this position, however, and the fact is that the Ngok Dinka remain the most marginalized of the actors in the Abyei crisis. The terms of any future political settlement will be dictated by the SPLM, the NCP, and, to some degree, the Missiriya—now the de facto residents of Abyei.

National Congress Party

2011 has been an incredibly successful year for the NCP in Abyei. The referendum did not take place and, even more, it successfully manoeuvred to delink the territory from the question of the South's secession. In order to undermine the Abyei referendum, the NCP exploited the SPLM's desire for secession, knowing that the SPLM would put Abyei on the backburner until Southern independence. Working to the NCP's advantage, international mediation effectively merged the questions of Abyei's borders and the referendum at the end of 2010, allowing Sudan's obligations to implement both the referendum and Abyei's borders as decided by the PCA to be submerged within a broader political debate on the future of Abyei. This debate rapidly became an impasse that proved useful to the NCP, which used the time to consolidate a de facto occupation of Abyei on the ground. Militia attacks between January and March emptied Abyei of Ngok Dinka civilians above Abyei town. The SAF military assault in May consolidated NCP control of the whole of Abyei. The movement of Missiriya militias into Abyei following the occupation creates the facts on the ground upon which the NCP can now negotiate.

The SAF framed its occupation of Abyei as a security intervention designed to prevent SPLA abuses of the CPA. In this context, the occupation is intended to continue until a political solution is reached, as Ibrahim Ghandour, the head of media affairs and information for the NCP, underlined on 25 May (VOA, 2011).

There is little reason to think that SAF will escalate this conflict, as it now holds the upper hand, although it would no doubt respond to SPLA attacks on its troops in Abyei. All-out war would threaten oil production at a time

when Sudan is experiencing straitened economic circumstances and the NCP is dealing with internal dissent. Instead, the occupation is primarily designed to strengthen the NCP's bargaining hand in negotiations on Abyei and the remaining post-referendum issues. It also serves to quell dissent among the Missiriya and distract from problems in North Sudan.

Despite some media reports, the occupation of Abyei is not *primarily* about oil—it is uncertain how much oil is left under the surface of Abyei (Meldrum, 2011). The International Crisis Group claims that revenues from Diffra, the one remaining oil field in Abyei, have declined sharply since 2007 (ICG, 2007). While oil revenue figures are notoriously difficult to verify in Sudan and large reserves may still be under the surface, in all probability oil reserves are declining and this may be a factor in the NCP's attempt to prolong the negotiation period over Abyei.¹¹⁸ As SAF effectively controls Diffra and it is extremely unclear just how much oil it produces, the longer the Northern government retains control, the longer it can continue to extract revenue from a diminishing resource.

Although the NCP previously endorsed the AUHIP suggestion of dividing Abyei in two, it may seem distinctly less attractive now that it controls the entire territory. The NCP has secured control of Abyei, placated the Missiriya, guaranteed control of Diffra in the near future, and further undermined the SPLM.

Sudan People's Liberation Movement

The draft GoSS constitution states:

The territory of the Republic of South Sudan comprises all lands and air space that constituted the three former Southern Provinces of Bahr al Ghazal, Equatoria and Upper Nile in their boundaries as they stood on January 1, 1956, and the Abyei Area, the territory of the nine Ngok Dinka chiefdoms transferred from Bahr al Ghazal Province to Kordofan Province in 1905 as defined by the Abyei Arbitration Tribunal Award of July 2009 (Republic of South Sudan, 2011, cl. 1(2)).

It was a controversial move to include Abyei so openly in the constitution, although members of the SPLM respond that this was merely a response to the inclusion of the territory of Abyei in the (North) Sudanese interim constitution.

Following this clause's inclusion, 15 opposition parties in South Sudan complained. Even within the SPLM, the issue of Abyei was so controversial during its second party convention that the meeting had to be suspended in order for discussions to continue behind closed doors.¹¹⁹ Many SPLM members are not willing to make great sacrifices for Abyei. However, many high-level SPLM members are either Ngok Dinka or closely associated with Abyei's independence struggle, and the SPLM as a whole cannot simply leave Abyei to the North. As is clear from the interim constitution, neither will it accept any territorial compromise on the area of Abyei.

What is unclear is what compromises the SPLM might be willing to make. The organization's focus remains on independence. Immediately following the SAF occupation of Abyei, the minister of information in South Sudan, Barnaba Marial Benjamin, confirmed that the SPLA would not attack and attempt to retake Abyei.¹²⁰ Counterattacking would allow the GoS to accuse South Sudan of violating the CPA, lead to Sudan refusing to recognize the new nation, and cause a split between those nations who recognized South Sudan and those who refused to do so.

With insurrections under way in Jonglei, Upper Nile, Unity, and Warrap states, and internal dissension over the issue of Abyei, there is little appetite for a long, indecisive war, especially when it will put formal secession in question. Following independence, there may be more appetite for a military struggle within the SPLM hierarchy.

Despite the SPLM having allowed the Ngok Dinka to be routed from the territory, the group has a strong presence within the SPLM and it is highly unlikely they will accept a solution that compromises Abyei's territorial integrity—as evidenced by their rejection of the AUHIP proposal to split Abyei in 2010–11. The SPLM's aversion to a referendum in which the Missiriya are allowed to vote has only deepened since the SAF occupation of Abyei and the de facto settlement of the area by Missiriya militias. ■

VII. Looking ahead

As this report was being finalized, the situation in Abyei continued to change, with a sadly familiar pattern of political negotiations alternating with violent clashes. On 20 June both parties announced a new agreement that would see the end of the SAF occupation of Abyei and the deployment of Ethiopian forces under UNMIS. Yet only three days before the agreement was announced, SAF forces shelled the town of Agok, just south of the river Kiir. It is unclear how sustainable the new agreement will be: it is presently unclear what mandate the Ethiopian troops would operate under, and the history of UNMIS in Abyei suggests that peacekeeping forces will struggle to prevent future attacks. Worse, if the Missiriya militias that currently occupy Abyei town do not leave with SAF, then the Ngok Dinka population is highly unlikely to return and the peacekeepers may find themselves protecting an occupying force. Even if the militias leave the territory, there is so little faith in UNMIS among the Ngok Dinka that it is uncertain whether the population would return.

It is highly unlikely there will be a political agreement on Abyei's future before 9 July. The SPLM remains fixated on secession. Delays in reaching an agreement work in the NCP's favour: the longer SAF occupy the territory, the more the Missiriya militias can entrench themselves. Given the enormous international pressure that will be put on both sides to find a solution to the crisis, the NCP can also use Abyei as an important bargaining tool in broader post-CPA negotiations on issues like oil revenue sharing and the national debt. Finally, the NCP is facing internal discord in the North and the continuation of its military adventures provides a welcome distraction.

Even after 9 July, it is by no means assured there will be a solution to the Abyei crisis. As long as the NCP continues to occupy the north of the territory it can continue to extract oil from Diffra, Abyei's sole remaining—and rapidly waning—oil field. It is also, paradoxically, a plausible—though unwanted—scenario for the SPLM leadership, for it means they will not have to make the type of unwieldy and unpopular concession to the NCP that would be, at present, the sole way in which a solution to the Abyei crisis could be found.

After 9 July, however, the situation changes somewhat. The NCP will no doubt claim that following the secession of South Sudan, the issue of Abyei must be renegotiated from scratch, as moving Abyei to the South would now involve changing the borders of a sovereign country. This would mean the PCA borders and CPA referendum could both be mooted. In future negotiations, the SPLM will be newly emboldened and more able to press on the issue of Abyei.

Both parties are tightly bound to their constituencies. The SPLM cannot entertain a solution that gives Abyei to the North and the NCP cannot afford to give Abyei to the South, as long as the Missiriya consider this as a betrayal. With ongoing violence in South Kordofan and increasing internal dissent, the Missiriya are a vital NCP constituency, and after having told them that Abyei was theirs for 20 years, the party finds itself trapped by the claim.

The key actors, then, are the Missiriya: if a solution can be found that lets them believe they will be able to graze in Abyei, a political solution is possible. That possibility is remote, however. In the absence of a concerted military campaign from the SPLA, SAF will thus probably aim to consolidate its hold on Abyei, while negotiations on the future of the territory hold little likelihood of progress. 🇸🇩

Endnotes

- 1 This river is known as the Kiir in Dinka and the Bahr al Arab or Jurf in Arabic. Unless otherwise noted, this working paper refers to it as the river Kiir.
- 2 In 1905 the territory of the Ngok Dinka was transferred to Kordofan province from what was then Bahr al Ghazal by the Anglo-Egyptian Condominium government. The boundaries of these areas have shifted repeatedly over subsequent decades. As of 2011, if Abyei were to join a newly independent South Sudan, it would join Warrap state; if it were to remain in Sudan, it would become part of South Kordofan state.
- 3 The Missiriya are organized into two main sub-groups, the Humr and the Zuruq. It is the Humr who are centrally concerned with Abyei and the annual migration through the territory. The Humr are divided into two main sections, which are referred to as *gabily*: the Ajaira and the Felaita. The Ajaira and Felaita are also then split into units, which are also referred to by the Humr as *gabily*, although they are also called *omodiya*—an administrative term referring to a group under one *'omda*. The Ajaira are composed of the Fayyarin, Awlad Kamil, Mezaghna, Fadliya, Menama, and 'Addal, while the Felaita are composed of the Metanin, Ziyud, Awlad Serur, Jubarat, and Salamat. For further information on Missiriya organization, see Cunnison (1966, pp. 8–13).
- 4 This river is called the Ngol in Dinka and the Ragaba es Zarga in Arabic. This working paper will refer to it as the river Ngol unless expressly indicated otherwise.
- 5 During demonstrations on 4 March 2011 outside the compound of the United Nations Mission in Sudan (UNMIS) in Abyei town, the author witnessed Ngok Dinka protesters chanting slogans about the Babanusa massacre.
- 6 For further information about Abyei during the first civil war, see Deng (1972; 1973; and 1986).
- 7 This claim was extended during the consultations for the ABC report, when some Missiriya claimed their land extended all the way to the Bahr al Arab. The latter claim was also repeated at the Permanent Court of Arbitration (PCA) in The Hague, which ruled on the ABC report. See ABC (2005, part 2, appendices, pp. 187–90).
- 8 The *murahaliin* were originally cattle guards formed during the first civil war to protect cattle from attacks.
- 9 Author interviews, Abyei town, 8, 14, and 15 March 2011.
- 10 Author interviews with members of the Abyei Administration, Abyei town, 17 February–17 March 2011. In a series of rallies held in February 2011, the Abyei Administration emphasized that it was a historical obligation for the Ngok Dinka to resettle the northern areas of the territory. On 20 February 2011 chief administrator Deng Arop Kuol said, 'Go and settle in Alal [15 km north-west of Abyei town], and then we will see about you dancing with the girls.'
- 11 Author telephone interview with former PDF fighter, Juba, 21 March 2011. See also Ryle (1989).

- 12 Anyanya II is distinct from the Anyanya movement mentioned above, although both preceded the formation of the SPLM.
- 13 See ABC (2005, proposition 2, p. 13).
- 14 However, some of the members of the Missiriya leadership in Khartoum are increasingly divorced from the concerns of the herders and back the NCP position. At the same time, Missiriya in South Kordofan are divided on Abyei and loyalty to the NCP, as recent Missiriya recruitment among the SPLM/A and the Justice and Equality Movement (JEM) makes evident. See the last section of this report for a discussion of the consequences of these divisions for conflict dynamics.
- 15 For a detailed account of the violence, see HRW (2008).
- 16 Author interview with the chairperson of the Abyei Civil Societies Forum, Abyei town, 1 March 2011.
- 17 No indication was given of how these lessons were to be learned, and three years later the same problems were tragically repeated.
- 18 See Johnson (2008, p. 10).
- 19 The congress brought together some, but not all of the Missiriya leaders; furthermore, its rejection of the PCA ruling is not necessarily reflective of all the constituents represented by the leaders at the congress.
- 20 Diffra, the sole remaining oil field within the PCA-delimited territory of Abyei, is also referred to as Kej.
- 21 Interview with Rau Manyiel, civil society figure, Abyei town, 1 March 2011.
- 22 Of course, the claim that Abyei is part of (North) Sudan does not deviate from the PCA ruling, which merely demarcates the borders of the territory, without any prejudice as to which part of Sudan it belongs—a choice to be determined by the CPA-mandated referendum. It is the claim that it is *because* Abyei is north of the 1956 border that it belongs to North Sudan that deviates from the PCA ruling.
- 23 Article 3.1 of the CPA (2005, p. 74) reads: ‘Popular Consultation is a democratic right and mechanism to ascertain the views of the people of South Kordofan/Nuba Mountains and Blue Nile States on the comprehensive agreement reached by the Government of Sudan and the Sudan People’s Liberation Movement.’
- 24 This process works both ways. While the NCP has used the Missiriya to advance national political interests, NCP interests are now very much intertwined with the Missiriya, on whom the party relies as an important constituency. One of the important results of the SAF occupation of Abyei may be to reassure the Missiriya that they will not be abandoned by the NCP and that the latter’s promise to ensure that Abyei remains in the North is a credible one.
- 25 During the April 2010 elections the National Election Commission split Abyei into two voting blocks, with the north of the territory added to a constituency in South Kordofan and the southern part added to one in Warrap state. According to the CPA, all the residents of Abyei should have been allowed to vote in both parliament and gubernatorial elections in both states. This sort of division—i.e. a political division of Abyei—was obviously unsustainable during a referendum to determine the future of Abyei itself.

- 26 Author interview with David Kiir, SPLM spokesperson, Abyei town, 3 March 2011.
- 27 At other times, Deng Arop put forth a more radical claim: the Missiriya were nomads and could not be considered residents anywhere (AFP, 2010).
- 28 There was a third US proposal, which suggested that Missiriya who spent eight months in Abyei each year (a time period then reduced to 200 days and then to six months during the negotiations) would qualify to vote in the referendum. The SPLM rejected the proposal as susceptible to abuse.
- 29 Rally in Mading Achueng attended by the author, 20 February 2011.
- 30 Prior to the 9 July secession, a ‘unilateral’ referendum would only mean an internal boundary change within a single country.
- 31 Author telephone interview with police officers present during the fighting, Juba, 18 March 2011.
- 32 Author interviews with SPLM officials, Juba, 10–30 January 2011.
- 33 Author interviews with returnees, Abyei town, 15 March 2011; author telephone interview with returnees, 21 March 2011.
- 34 The following two paragraphs are based on author interviews with (among others) David Aweil Bagwat, commissioner for the north-eastern district in the Abyei Administration, Abyei town, 26 February 2011; Monyluak Kuol, director-general of finance, Abyei Administration, Abyei town, 6 March 2011.
- 35 Author interview with SPLM officials, Abyei town, 3 March 2011.
- 36 Author meeting with members of the Abyei Administration, Abyei town, 23 February 2011.
- 37 See *Sudan Tribune* (2011c).
- 38 The rescheduled meeting would have occurred on 28 February (author interview with Ring Deng Kuol, secretary-general of the Abyei Administration, Abyei town, 3 March 2011).
- 39 The Ragaba umm Biero in Arabic.
- 40 Author interviews with Abyior and Bongo elders, Abyei town, 7 March 2011.
- 41 Author interview with Achuil Akol, secretary of finance, Abyei Administration, Abyei town, 3 March 2011.
- 42 The chiefs of the Abyior, Manyuar, Mareng, Anyiel, and Alei were all in attendance, as well as Kuol Deng Kuol, the paramount chief, and several area commissioners.
- 43 Nuol Bagwat, chief of the Bongo, was explicit on this point.
- 44 Author interview with civil society figures, 1 March 2011; author interview with members of the Bongo chiefdom, Abyei town, 7 March 2011.
- 45 Author interview with Rau Manyiel, civil society figure, Abyei town, 1 March 2011.
- 46 Speech by Charles Abyei Jok, speaker of the Abyei Legislative Assembly, Mading Achueng, 20 February 2011.
- 47 In attendance were Ahmed Haroun, governor of South Kordofan; Deng Arop Kuol, chief administrator of the Abyei Administration; GoSS minister of the interior Gier Aluong; the governors of Northern Bahr al Ghazal and Unity states; Lt Gen. James Hoth Mai, SPLA chief of general staff; a representative from UNMIS; and a SAF commander.
- 48 Author interview with Achuil Akol, secretary of finance, Abyei town, 9 March 2011.
- 49 Author interview with Darfuri merchants, Abyei town, 4 March 2011; author telephone interviews with Abyei residents, 16 May 2011.

- 50 Author interview with a member of the Abyei Administration, Abyei town, 6 March 2011.
- 51 Author interviews with SPLM officials, Abyei town, 6 March 2011.
- 52 Author interviews with members of the Abyei Administration, Abyei town, 28 February–10 March 2011.
- 53 Author interview with David Aweil Bagwat, commissioner for the north-eastern district in the Abyei Administration, Abyei town, 26 February 2011. The SSUM is the former militia of the SPLA renegade general Kerubino Kwanyun Bol. The Northern government armed the SSUM to fight the SPLA during the second civil war. After the signing of the CPA, many members joined SAF following the Juba Declaration. For further details, see *Africa Confidential* (2008) and Young (2006).
- 54 Author interview with David Aweil Bagwat, commissioner for the north-eastern district in the Abyei Administration, Abyei town, 26 February 2011.
- 55 Author interview with UNMIS official, Abyei town, 23 February 2011.
- 56 Author interviews with Achuil Akol, secretary of finance, Abyei town, 9 March 2011; Monyluak Kuol, director-general of finance, Abyei town, 6 March 2011.
- 57 A full list of the 8 February JIU deployments is as follows (some of these deployments, such as the one at Tajalei, proceeded rather later than the official 8 February date, due to the disagreements indicated in the text). The first battalion (640 troops), which was originally deployed in Abyei, was located at Abyei town (the battalion headquarters), Manyang, Goli, Diffra, and Baloom. The second battalion was located as Noong, also known as Namang (the battalion headquarters), Maker, Umkher, Alal, and Sheghei. The third battalion, which was to deploy in the eastern area of Abyei, was based at Tajalei and also deployed at Domboloya, Umkrai, Dokura, and Denjur (UNMIS email distributed to all humanitarian agencies in the region).
- 58 Author interview with UNMIS officials, Abyei town, 23 February 2011. According to Darfuri merchants interviewed in Abyei town on 4 March, many merchants left Abyei before the SAF occupation at the end of May.
- 59 Author telephone interview with a police officer present during the attack on Maker, Juba, 18 March 2011.
- 60 During these attacks, at least four civilians were fighting alongside the Abyei Police (author interview with civilian present at the defence of the Yirol bridge in Maker, Abyei town, 15 March 2011).
- 61 Author interview with Achuil Akol, secretary of finance, Abyei town, 9 March 2011.
- 62 Author interviews with those who fled, Wunrok, 12 March 2011. Médecins Sans Frontières estimated that tens of thousands of people fled (AFP, 2011). While I was walking through Abyei town on 3 March, it appeared to be about 70 per cent deserted.
- 63 Author telephone interview with residents of Dungop, Juba, 25 March 2011. For the administration's position, see *Sudan Tribune* (2011b).
- 64 Author interview with Achuil Akol, secretary of finance, Abyei town, 9 March 2011.
- 65 Author interview with Monyluak Kuol, director-general of finance, Abyei town, 6 March 2011.
- 66 Among others, Achuil Akol and Charles Abyei Jok.
- 67 The following paragraph is based on author interviews with civilians and police officers present at Maker, Abyei town, 14 and 15 March 2011.

68 Author interview with UNMIS official, Abyei town, 6 March 2011.

69 The police instructed all the civilians to leave Maker early in the morning of 2 March, before the attacks began (author interview with a civilian present at Maker during the fighting, Abyei town, 9 March 2011).

70 Author interview with NCP member Ayom Matet, secretary for social services in the Abyei Administration, Abyei town, 7 March 2011.

71 See Johnson (2011b); allAfrica.com (2010).

72 For further information on this, see the sub-section entitled 'The Missiriya' in s. VI, below.

73 The Umma Party was one of the main opposition parties in North Sudan. Founded in 1945, it was run by Sadiq al Mahdi, a descendant of the Mahdi, for much of the last 50 years, although recently it has splintered into factions.

74 See Pantuliano et al. (2009, p. 25).

75 While these groups now appear to have been disbanded or absorbed into the PDF, the feelings that gave rise to them are very much present. For more details on the groups, see ICG (2010, pp. 15–17).

76 For a greater sense of the nature of Missiriya discontent, see Juba Briefing (2010).

77 See Johnson (2010b, pp. 35–36).

78 See, among others, SSP (2011b). The full list of the groups collaborating on the Satellite Sentinel Project is: Not on Our Watch; the Enough Project; Google; the United Nations UNITAR Operational Satellite Applications Programme (UNOSAT); Digital Globe; the Harvard Humanitarian Initiative; and Trelon, LLC. See SSP (n.d.).

79 Goli is also known as Longar.

80 It was, of course, a similar attack that triggered the full-scale invasion just over two weeks later. See *New York Times* (2011b).

81 This account of the SPLA position is based on Rebecca Hamilton's (2011) interview with the SPLA general army chief of staff, Lt Gen. James Hoth Mai, Juba, 27 May 2011.

82 The Abyei Roadmap stipulates that such decisions should be taken in consultation with Salva Kiir, the head of GoSS and the vice-president in the Government of National Unity.

83 See, among others, SSP (2011d); *New York Times* (2011b); on 25 May 2011 UNMIS spokesperson Hua Jiang said: 'Militia that appear to be Misseriya are moving southwards. Abyei town is deserted of civilians' (Dawn.com, 2011).

84 At a minimum, the villages of Todac and Dungop have also been razed since the beginning of the SAF assault on 20 May 2011.

85 In response to US threats to suspend the process that would remove Sudan from the list of official sponsors of terrorism, Bashir made a speech dismissive of US incentives. See Global-Post (2011).

86 Interview with Waur Majake, SPLM spokesperson for Abyei, 6 March 2011.

87 The Abyei Roadmap (2008, cl. 1.4) states: 'With the deployment of the new JIU battalion and police force in the area, and resumption of their duties, SAF and SPLA troops shall be redeployed beyond the Abyei administrative area as per the attached map.'

88 Author interviews with UNMIS sources, Juba, 18 March 2011.

- 89 Author interviews with civilian witnesses of the attacks, Abyei town, 10, 11, and 17 March 2011.
- 90 Author interview with Achuil Akol, secretary of finance, Abyei town, 9 March 2011; author interviews with witnesses of the attacks, Abyei town, 10 and 11 March 2011.
- 91 Author interviews with Abyei Police officers, Abyei town, 6 March 2011.
- 92 Author interview with Achuil Akol, secretary of finance, Abyei town, 9 March 2011.
- 93 See Small Arms Survey (2010).
- 94 See Pantuliano et al. (2009).
- 95 Author interview with Waur Majake, SPLM spokesperson for Abyei, 6 March 2011.
- 96 Military activity among the Missiriya now seems to have split into fighters connected to the PDF and anti-government movements now connected to JEM.
- 97 Author interview with Ring Deng Kuol, secretary-general of the Abyei Administration, Abyei town, 8 March 2011.
- 98 Author interviews with Ring Deng Kuol, secretary-general of the Abyei Administration, Abyei town, 8 March 2011; Achuil Akol, secretary of finance, Abyei town, 9 March 2011.
- 99 Author interviews with members of the Abyei Administration, Abyei town, 8 and 9 March 2011.
- 100 Author conversations with members of the Abyei Administration, Abyei town, 27 February–7 March 2011.
- 101 Author interview with UNMIS official, Abyei town, 23 February 2011.
- 102 See Pantuliano et al. (2009).
- 103 A battalion is normally 600 soldiers, but estimates from members of the NCP place the total number of JIU soldiers present inside Abyei at 1,300, of which 600 are SAF. Author interviews with JIU commanders put the total number of new troops in the two supplementary battalions called up to Abyei town at 960 (author interview with NCP member Ayom Matet, secretary for social services in the Abyei Administration, Abyei town, 7 March 2011; author telephone interview with JIU members, Juba, 24 March 2011).
- 104 Interview with Achuil Akol, secretary of finance, Abyei town, 9 March 2011.
- 105 Author interviews with officials in the Abyei Administration, Abyei town, 12 March 2011; author interviews with residents of Abyei town, Abyei town, 13 April 2011.
- 106 Author interviews with officials in the Abyei Administration, Abyei town, 8 and 9 March 2011.
- 107 Interviews with Abyei town residents, Abyei town, 16 and (telephonically) 22 March 2011.
- 108 A Chapter VII mandate allows UN forces to use military action to, in this case, ‘protect civilians under imminent threat of physical violence’, something UNMIS manifestly failed to do in Abyei.
- 109 Author interview with UNMIS official, Abyei town, 27 February 2011.
- 110 Author interviews with UNMIS officials, Abyei town, 27 February 2011; Juba, 18 March 2011.
- 111 Author interviews with UNMIS officials, Abyei town, 27 February 2011; Juba, 18 March 2011. See also *Africa Confidential* (2011).
- 112 Author interviews with UNMIS officials, Abyei town, 27 February 2011.
- 113 Author interview with Abyei Police members, Todac, 12 March 2011.
- 114 Made by the AUHIP panel.
- 115 Author interviews with Dr Chol Deng, Juba, 15 February 2011; Dr Biong Deng, Juba, 5 February 2011.

- 116 The PDF was a prominent source of income for many Missiriya youth during the second civil war.
- 117 Interview with members of the Abyei Administration, Abyei town, 18 February 2011.
- 118 See allAfrica.com (2010) for GoSS minister of regional cooperation Deng Alor Kuol's comments on the question of oil reserves.
- 119 SPLM Second National Convention, Juba 15–20 May 2008; author interview with UNMIS officials, 18 March 2011.
- 120 See, for example, Deutsche Welle (2011).

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