

Abyei: Africa's Conundrum

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Introduction

The Sudans have had a long record of conflict. Of the two principal ethnic inhabitants of the region, the Southern Dinka/Nuer Christians have a history of neglect and colonial subjugation by the Arab Muslims in the North. This led to a prolonged armed freedom struggle culminating in UN intervention and a referendum for separating the South from the North. As a result of the referendum, South Sudan came into being on 9th July 2011. The border between the two states is as yet un-demarcated. Pockets and areas of conflict and disagreement exist all along the border, most important of them being the Abyei dispute. The Abyei issue is emotive and has the potential to shape the relations between the two countries. It may be termed as Africa's Conundrum.

History of the Conflict

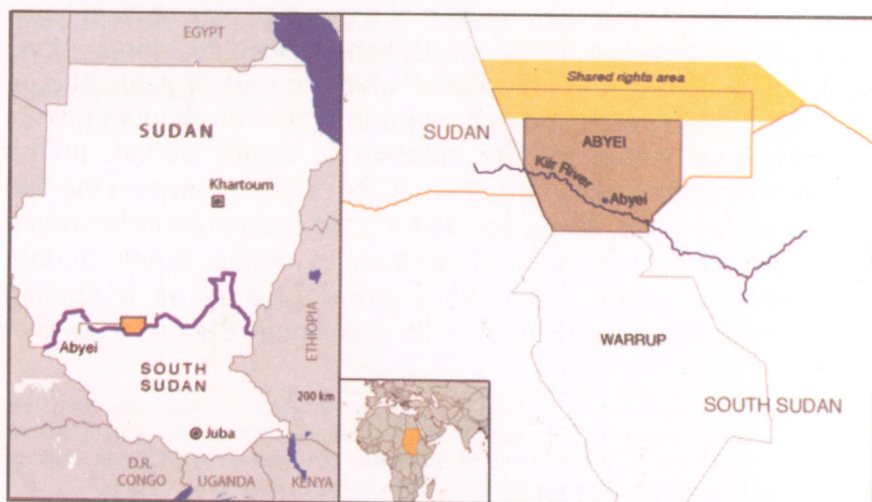
Abyei is located along the provisional border between Sudan and South Sudan, straddling the UN monitored Safe Demilitarised Border Zone (SDBZ) between the two states. There are two communities in Abyei, the Misseriya who owe allegiance to Sudan, and the Ngok Dinka who owe allegiance to South Sudan. The traditional Abyei area is composed of a group of nine ancient Ngok Dinka Chiefdoms.¹ In 1905, the British decided to merge Abyei with the Southern Kordofan state, which is part of Arab Sudan. Abyei people therefore did not take part in the referendum held in the Southern states for the creation of South Sudan. In the Comprehensive Peace Agreement (CPA) signed between the two parties in Jan 2005, it was decided to hold a separate referendum for Abyei along with the referendum to create South Sudan. Residents of Abyei would vote either to stay as a special administrative area in Sudan or to join South Sudan.² However

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due to disputes on voter eligibility, the referendum is yet to take place.

The boundaries of the Abyei Administrative Area (AAA) have undergone a series of changes, successively whittling down its size, finally reaching its current contours in July 2009 enclosing an area of 10,546 sq km, known as the Permanent Court of Arbitration (PCA) boundary.³ This boundary has been accepted by both parties.

Abyei has oil resources and produces about 1 per cent of the total oil production in Sudan.⁴ However the dispute over Abyei is not centred around oil. The PCA boundary leaves just one oil field inside AAA at Diffra. The villages to the north of the AAA, bordering Sudan, are inhabited by the Misseriya and that to the south bordering South Sudan are inhabited by the Ngok Dinka. Abyei town is a Dinka area, with a few Misseriya traders in its Market.⁵ While a formal census has not been held, it is evident that the majority resident population in Abyei is Ngok Dinka. In addition to the resident Misseriya, there are the nomadic Misseriya who reside in Sudan who need to migrate south to Abyei during the dry season, in the months of Oct to Apr, in search of pasture and water. The scale of this migration is large and amounts to movement of almost 100,000 migrants with about 1.5 million plus cattle.⁶ At the core of the dispute is the localised conflict between these two pastoral communities who traditionally compete for resources in the area.



Map showing the location of Abyei and the current contours of AAA

As and when this migration reaches the Ngok Dinka areas in the South of Abyei, there is potential for conflict as these mutually distrustful and inimical communities compete for resources. Even small incidents have the potential to flare up into large scale communal violence.

This migration process is not restricted to Abyei area alone and is an activity that regularly happens all along the North-South border during the dry season. Earlier, when the Sudans were not bifurcated, the migration could proceed along various migratory corridors from North to South. The issue has now been complicated by an international boundary replacing state borders.

In the event of Abyei opting to join South Sudan in a referendum, the annual migration of Misseriya nomads is likely to be affected, leading to an existential crisis for them. Sudan has insisted that the Misseriya be eligible to vote in the referendum process, a view contested by South Sudan. The CPA calls for a referendum including all residents of Abyei. Sudan claims that the Misseriya migrants are resident in Abyei for six months and hence be part of the referendum, a view not accepted by many. Due to these conflicting views, the proposed referendum has been delayed inordinately.

Abyei has been attacked and destroyed by Sudan/Sudanese backed militia twice, in May 2008 and May 2011⁷. After the attack on Abyei in May 2011, about 120,000 Ngok Dinka were internally displaced, to areas to the South of AAA and to the border states of South Sudan, where many of them continue to this day.⁸ After the destruction of Abyei in May 2011, the United Nations adopted resolution 1990 (2011) and deployed United Nations Interim Security Force for Abyei (UNISFA) comprising of 4200 Ethiopian troops, with a mandate to provide security to the local population.

Current Situation

The deployment of UNISFA troops in Abyei in the aftermath of the May 2011 attack, helped stabilise the region and resulted in the gradual return of Ngok Dinka IDPs to the region. However, humanitarian assistance to rebuild the destroyed town and its essential services including schools have not kept pace with the return of IDPs.⁹ The Misseriya migration has been impeded after the return of Ngok Dinka IDPs to Abyei. The mutual distrust between

the communities has worsened and has resulted in the Ngok Dinka refusing Misseriya migrant's entry to prime pasture land and water resources in the areas in South Abyei dominated by them. The Misseriya migrants are heavily armed with small arms including AK 47s and RPGs and in the normal course would have continued their migration till the Kiir river South of Abyei.¹⁰ The Ngok Dinka are however embittered by the destruction of their town and emboldened by the presence of UNISFA troops, to deny this movement.

Both the Misseriya and the Ngok Dinka have been preventing entry of each other's leaders into areas inhabited by them. During the migration season of 2012, a group of Misseriya leaders visiting UNISFA HQ and Abyei town were stoned by angry Dinka youth forcing these leaders to seek refuge in UNISFA camp. A group of armed Misseriya migrants waylaid the Paramount Chief of Ngok Dinka during an escorted visit to the Northern Abyei in May 2013 and assassinated him.¹¹ The mosque and the Misseriya dominated market in Abyei town were destroyed by the Dinka in retaliation.

While at the national level, reconciliatory statements have been made by both presidents Kiir and Bashir, they themselves are leaders struggling to maintain their turf. At the local level, positions have been hardened and with each passing day, reconciliation and a permanent solution to the Abyei issue appear distant.¹² This has led to understandable frustration among the people of Abyei, who remain stateless without governmental or administrative institutions including police. The UN force is purely a security force without governance or policing mandate. The AAA administrative institutions which were supposed to be established by consensus have not yet been agreed upon due to seemingly irreconcilable differences, leaving an administrative vacuum.

Against this backdrop, the Ngok Dinka of Abyei carried out an unofficial referendum in Nov 2013, which has been condemned by both Sudan and South Sudan.¹³ It is however likely that South Sudan tacitly supported the exercise, while publicly distancing itself from it. Around 60,000 Ngok Dinka participated and overwhelmingly voted to join South Sudan.¹⁴ The aim apparently was to pressurise both governments through the international community for an early settlement of the issue. The Misseriya have threatened to hold their own referendum in retaliation.

Way Forward

As time passes, positions will further harden and it will be near impossible to orchestrate a universally accepted and peaceful referendum. The Ngok Dinka are likely to prevent Misseriya migration into their areas during the forthcoming migration season, which is likely to further escalate tensions between the communities and thus make a final solution even more difficult. Both communities are in the process of settling their people in AAA in order to influence the outcome of the referendum. As of now, it is difficult to foresee a situation where Abyei will vote to join Sudan. In case the vote is to join South Sudan, it is again improbable that the Misseriya living in the Northern regions of Abyei will accept such a merger. It is possible that the Sudan Armed Forces (SAF) will then deploy in the Northern regions of Abyei for their protection, leading to a face-off between the two countries leading to a 'Line of Control' like scenario.

There have been proposals that a future solution should include migration rights for the Misseriya.¹⁵ History has shown that tenability of such agreements is suspect. Fearing a negative vote, Sudan will continue to insist on Misseriya being included in the referendum, knowing that it will not be accepted, thereby interminably delaying the process. Status quo will help Sudan. Since UNISFA has managed to provide security to the population of Abyei, except for isolated incidents, their presence gives breathing space to both countries and makes the necessity of a final solution less expedient.

A permanent solution will have to be found by the two countries, supported by the UN and the African Union. The South has rejected informal proposals to divide Abyei based on ethnicity, or in other words formalising the existing status quo.¹⁶ However, as time passes, this may be the only possible solution. At the forefront is the unfortunate plight of the stateless people of Abyei and the existential crisis for Misseriya denied their migration rights. The potential of the issue to destabilise the entire region, should spur the international community and both governments to find an early solution, even if it means letting go of hardened positions.

Endnotes

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2. Ibid, article 8.
3. Government of Sudan / Sudan People's Liberation Movement (Abyei Arbitration) by the Permanent Court of Arbitration, Hague, pp 36-37.
4. <http://www.csmonitor.com/World/Africa/Africa-Monitor/2010/1102/Oil-rich-Abyei-Time-to-update-the-shorthand-for-Sudan-s-flashpoint-border-town> accessed on 22 Nov 13.
5. Abyei Area of Return – Tracking Report by IOM, Jan 2013 , pp 14.
6. Report of the Secretary General of the UN to the Security Council on the Situation in Abyei, May 2013, pp 2, Para 5.
7. Al Jazeera English , “Many Dead in Sudan Clashes” 16 May 2008.
8. Abyei Area of Return – Tracking Report by IOM, Jan 2013 , pp 2.
9. Ibid, pp 16.
10. Report of the Secretary General of the UN to the Security Council on the Situation in Abyei, May 2013, pp 3.
11. Ibid.
12. The defining moment for Abyei's Ngok Dinka, The Sudan Tribune 31 Oct 2013.
13. Thousands vote in Abyei referendum, 28 Oct 2013, IOL News, <http://www.iol.co.za/news/africa/thousands-vote-in-abyei-referendum>, accessed on 22 Nov 13.
14. Abyei opts to join South Sudan in unofficial referendum, BBC News Africa, 31 Oct 2013, <http://www.bbc.co.uk/news/world-africa> accessed on 20 Nov 13.
15. Resolving the Abyei Crisis, Preventing Violence and Promoting Peace Renata Rendón and Amanda Hsiao January 17, 2013, <http://www.enoughproject.org> accessed on 21 Nov 13.
16. “South Sudan objects to Sudan's proposal to divide Abyei”, The Sudan Tribune 2 Sep 12.