

# Contested Borders: Continuing Tensions over the Sudan–South Sudan Border

*By Joshua Craze*



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Published in Switzerland by the Small Arms Survey

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First published in November 2014

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Printed by nbmedia in Geneva, Switzerland

ISBN 978-2-940548-06-4

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# List of abbreviations

<b>AARC</b>	Abyei Area Referendum Commission
<b>AJOC</b>	Abyei Joint Oversight Committee
<b>AU</b>	African Union
<b>AUBP-TT</b>	African Union Border Program Technical Team
<b>AUHIP</b>	African Union High-Level Implementation Panel on Sudan
<b>CPA</b>	Comprehensive Peace Agreement
<b>GoS</b>	Government of Sudan
<b>GRSS</b>	Government of the Republic of South Sudan
<b>IGAD</b>	Intergovernmental Authority on Development
<b>JBVMM</b>	Joint Border Verification and Monitoring Mechanism
<b>JEM</b>	Justice and Equality Movement
<b>JPSM</b>	Joint Political and Security Mechanism
<b>NCP</b>	National Congress Party
<b>PSC</b>	African Union Peace and Security Council
<b>SAF</b>	Sudan Armed Forces
<b>SDBZ</b>	Safe Demilitarized Border Zone
<b>SPLA</b>	Sudan People's Liberation Army
<b>SPLA-IO</b>	Sudan People's Liberation Army in Opposition
<b>SPLM</b>	Sudan People's Liberation Movement
<b>SPLM/A</b>	Sudan People's Liberation Movement/Army
<b>SRF</b>	Sudan Revolutionary Front
<b>SSP</b>	South Sudanese pound
<b>TBC</b>	Technical Border Committee
<b>UNAMID</b>	United Nations/African Union Mission in Darfur
<b>UNISFA</b>	United Nations Interim Security Force for Abyei
<b>UNMIS</b>	United Nations Mission in Sudan
<b>UNMISS</b>	United Nations Mission in South Sudan

# I. Introduction and key findings

It is now more than three years since South Sudan seceded from Sudan and there is still no agreement over the 2,010-km border that divides the two countries. Equally, despite the fact that both countries have repeatedly committed themselves to the establishment of a Safe Demilitarized Border Zone (SDBZ), the border remains militarized and trade disrupted, and the northern pastoralists who seasonally migrate into South Sudan continue to be harassed on both sides of the border.

Since the beginning of the conflict in South Sudan in December 2013 the border zone has become the site where two civil wars intersect.<sup>1</sup> The Sudan People's Liberation Army in Opposition (SPLA-IO)—the principal rebel movement in South Sudan—has used militia members recruited from northern pastoralist groups and has received support from the Sudanese government. This is a resumption of the conflict dynamics of the second civil war in which the Sudanese government destabilized the Sudan People's Liberation Movement/Army (SPLM/A) by creating division among the rebels and then denied its involvement in subsequent clashes.<sup>2</sup> The Justice and Equality Movement (JEM) has fought alongside the Sudan People's Liberation Army (SPLA) in clashes with the SPLA-IO in South Sudan, despite the rebel group's frequent claims to the contrary.<sup>3</sup> JEM is part of the Sudan Revolutionary Front (SRF), an umbrella organization for the military factions fighting against the Sudan Armed Forces (SAF) in Sudan's own civil war. These alliances indicate the extent to which the current rebellions in Sudan and South Sudan are part of a complicated set of dynamics in the border zone that only contingently occupy the framework of state politics.

The groups that live in the border zone strategically change their alliances with a variety of military factions as part of a complicated political process that affects the relationship between the two states.<sup>4</sup> There is a great deal at stake for both countries in negotiations over the border that makes these allegiances even more consequent for Sudan and South Sudan. First, the border zone contains

oil reserves and agricultural land.<sup>5</sup> Second, it contains essential grazing resources for pastoralist groups on both sides of the border, many of which are important political constituencies for the increasingly embattled governments in Juba and Khartoum. Clashes in 2013–14 in South Kordofan and Blue Nile states in Sudan and in Unity and Upper Nile states in South Sudan mean that it is extremely unlikely that either country will make the compromises needed for an agreement on delimiting the border, because internal security considerations are paramount for both sides and neither wishes to antagonize armed border communities that see a delimited border as a threat to their access to seasonal grazing land.

The question of where the border between the two countries should be is made even more complicated by negotiations over what *type* of border is needed. The border zone is populated by a bewildering number of pastoralist groups that travel between the two countries along flexible grazing routes that bear little relationship to national borders (even if they were clearly defined). Since 2011 both Sudan and South Sudan have faced the extremely difficult task of creating a border sufficiently fixed to absolutely delimit the territory of the two states and sufficiently flexible to allow migratory groups to maintain their way of life. After decades of war an agreement on the North–South border is not simply about the territorial extent of the two countries, but about what type of relationship they will have in the future—a question of great importance to the peoples of the border zone. These peoples, whom the Sudanese state used for decades as part of paramilitary forces, now fear that their erstwhile benefactor will abandon them.

Since July 2011 and South Sudan's formal declaration of independence, the border has been marked by clashes, as both the Sudan People's Liberation Movement (SPLM) and the National Congress Party (NCP) have attempted to gain territorial advantages on the battlefield that can later be translated into gains at the negotiating table. Discussions over both the final location of the border and its temporary status are centrally framed by the internal security concerns of both countries. Since the founding of the SRF in November 2011 its impressive military gains in North and South Kordofan have focused the attention of the Government of Sudan (GoS) on links between the SPLA and SRF, which run across the North–South border. The GoS's central motivation for establishing the SDBZ is to cut SRF supply lines from South Sudan.

The Government of the Republic of South Sudan (GRSS) has correctly claimed that SAF continued to sponsor rebels operating in South Sudan as late as October 2013.<sup>6</sup> The security situation in the border zone is thus also a source of concern to the GRSS. Internal conflict in both Unity and Upper Nile states beginning in December 2013 roughly reflects divisions in the SPLA that hark back to the second civil war. These clashes threaten GRSS control of important oil fields in both states and have created a border zone once again divided into a shifting patchwork of competing military actors.<sup>7</sup>

Over the last four years the progress of negotiations over the border has closely followed developments in the internal security situation in both countries. At times when the relationship between the two states was amicable, the GoS removed its border blockades and trade increased; periods of deterioration in the relationship between the two states saw the GoS imposing border blockades, with serious consequences for South Sudanese communities in the border zone, which rely on trade with Sudan. The border zone is also the space in which both countries have used military forces and militias to destabilize each other. It is thus impossible to separate negotiations over the border zone from the security situation both between and—just as importantly—inside both states, and there is little prospect of establishing a stable border zone with a delimited and demarcated border until the security situation in both countries is resolved.

The high military and political stakes of the negotiations over the Sudanese border zone are part of the reason that there has been no progress in negotiations over the final border between Sudan and South Sudan since 2011. Instead, these negotiations are mired in proceduralism as both countries attempt to gain short-term tactical advantage by contesting the details of agreements. Since 2012 there has been little discussion over the final border between the two countries and the focus of negotiations has instead shifted to the establishment of a temporary SDBZ. Negotiations over this zone have also been stymied by continuing clashes and militarization in the border region. Neither party is particularly committed to establishing the SDBZ and instead treats the negotiations as a way to gain a political advantage over its opponent. Agreements about the SDBZ reached in Addis Ababa affect the situation in the border zone, but rarely in the way implied by the agreements. Negotiations instead open up spaces of



political opportunity such that an agreement over demilitarization might actually result in increased militarization.

This Working Paper focuses on developments in the border zone from July 2013 to September 2014.<sup>8</sup> Among its findings:

- The negotiations over the final location of the border, stalled since early 2013, are unlikely to resume in the near future; in fact, both countries have a vested interest in *not agreeing* on a final border. To date, the parties have used the negotiations over the border as weapons in other negotiations.
- Since mid-2013 the focus of diplomatic negotiations has shifted from the final location of the border to the establishment and location of a 'temporary' SDBZ. However, despite both sides repeatedly committing to the establishment of a demilitarized zone, the border remains militarized (see Small Arms Survey, 2014b).
- As of September 2014 the full implementation of the Joint Border Verification and Monitoring Mechanism (JBVMM) that is supposed to verify the demilitarization of the border is 15 months behind schedule. The limited force that has been put in place thus far has no capacity to carry out ground patrols, while only two of its four planned bases are under construction. To date it has not been able to determine the extent of militarization in the border zone.
- Even if it should achieve full operating capacity, the JBVMM would have insufficient troops to monitor the border. The mechanism's requirement that patrols provide advance warning to both armies and that they obtain prior approval before undertaking aerial reconnaissance also undermines its potential effectiveness.
- Given armed conflict in the Sudanese states of South Kordofan, Blue Nile, and Darfur, and in the South Sudanese states of Unity and Upper Nile, neither country is willing to withdraw troops from strategically crucial positions in the border zone.
- In Abyei the assassination of the Ngok Dinka paramount chief, Kuol Deng Kuol, in May 2013 destroyed the already fragile relationship between the Missiriya Arabs and the Ngok Dinka. Subsequently, the Ngok Dinka community has refused to discuss the formation of a joint administration in the territory if it includes members of the Missiriya or Sudanese political appointees.

- The Ngok Dinka's unilateral referendum in Abyei in October 2013 has not altered the political dynamic in the territory and has failed to obtain national, regional, or international support. Together with the issue of the border zone, Abyei has taken a back seat to the military and political crises in Sudan and South Sudan.
- Despite the presence of forces from both countries in the border zone, the Rizeigat's 2013–14 migration into Northern Bahr el Ghazal was the most successful of all the northern migrations into the border zone. In an exception to the general trend, cross-border trade between East Darfur and Northern Bahr el Ghazal continues.
- Many border crossing points between the two countries remain closed, damaging the economies of affected states on both sides of the border, especially the South Sudanese states that have long relied on trade with Sudan.<sup>9</sup> The GoS opens and closes border crossing points as part of a negotiating strategy with the GRSS.
- Cross-border pastoralist migration between Sudan and South Sudan continues to be disrupted by SPLA and SAF harassment, GoS border closures, conflict over scarce resources, and long-held enmities that originated in the second civil war.

One of the central findings of Craze (2013a) was that the political landscape of the border largely reflected political and economic divisions that characterized the second civil war. As of September 2014 the SPLA-IO controls much of Unity and Upper Nile states, re-creating divisions in the SPLA that structured the violent dynamics of the 1980s and 1990s, while the SRF continues to clash with SAF in South Kordofan in a conflict that is a direct result of issues left unresolved at the end of the second civil war. The CPA promised to transform the lives of the people of the Sudan–South Sudan border zone. In 2014, almost a decade later, the political struggles and economic insecurity of the civil war era persist and have once again developed into full-scale conflict on both sides of the border. 📌

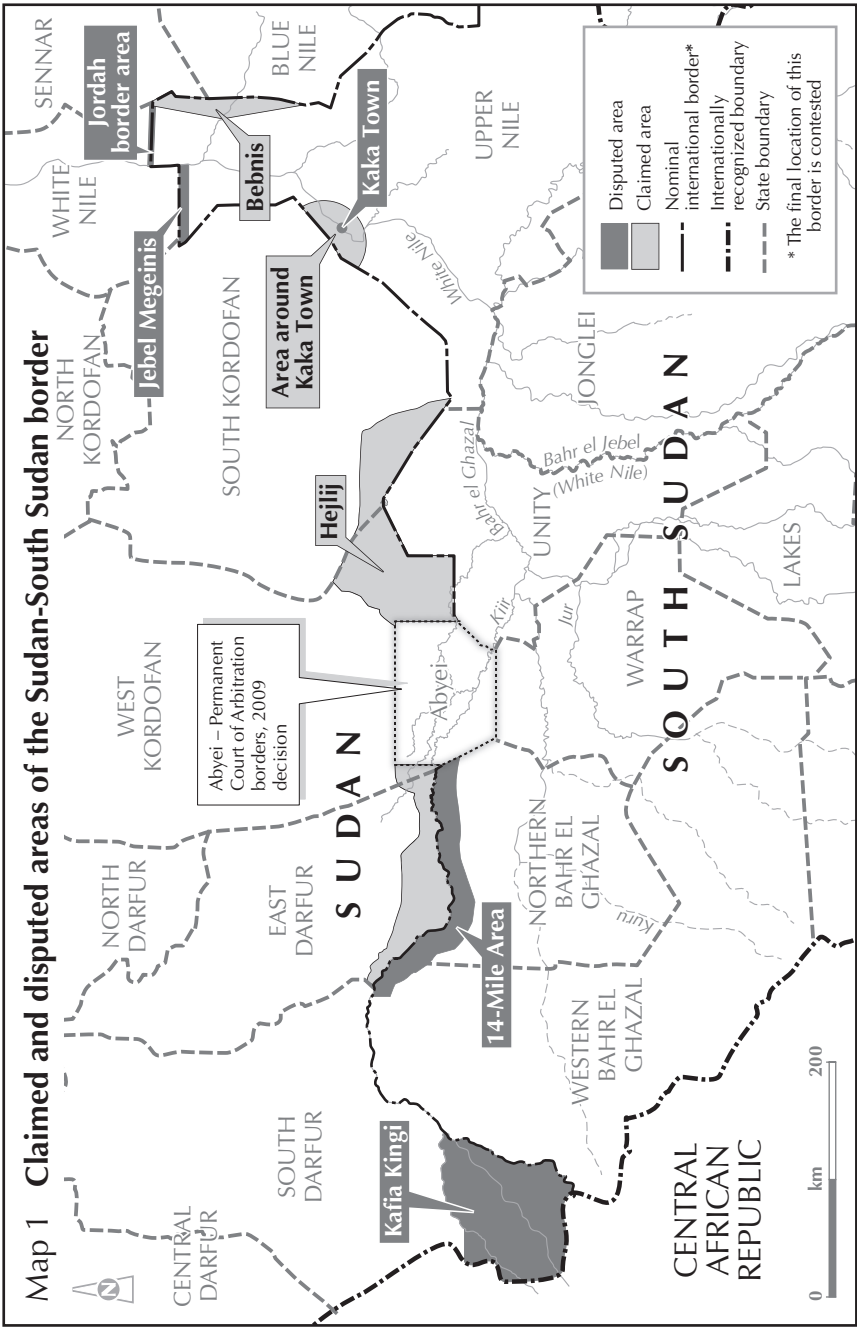
## II. Negotiations over the border

### The 1956 border

During negotiations prior to the signing of the CPA the SPLM insisted that, if South Sudan were to secede, the criterion for determining the border between the two countries should be the provincial boundary of the southern provinces as it existed on 1 January 1956, the date of Sudan's independence from the Anglo-Egyptian Condominium government.<sup>10</sup> This proposal continues a precedent set by the 1972 Addis Ababa Agreement, which defined the southern region in the same way. In general, negotiations between the two countries since South Sudanese independence in 2011 have moved away from using the CPA as the central point of reference;<sup>11</sup> the exception to this is in negotiations over the final border. The most important recent relevant agreement is the borders agreement that was signed on 27 September 2012 in Addis Ababa (hereafter referred to as the '27 September borders agreement'), which was one of a series of measures that were agreed to much fanfare and which were intended to provide a framework for the resolution of the remaining post-independence issues between the two countries. The 27 September borders agreement reaffirms that the 'definition of the agreed border in accordance with the physical description and delimitation, and corresponding recommendations of the Technical Committee for the 1/1/1956 Border Line demarcation Between North and South Sudan [shall be adhered to]' (Sudan and South Sudan, 2012).

The 1956 border remains the decisive referent in negotiations because it indicates the southern provinces of Sudan under British colonial rule and thus provides a putatively objective historical standard for establishing the border. The CPA appeals to the 1956 border because in theory it allows the border between the two countries to be established by using a standard unrelated to the two sides' political interests.

Unfortunately, however, the provincial boundaries in 1956 were not well recorded and at independence much of the border zone had not been surveyed; historical maps of the period therefore cannot establish the 1956 line with any



certainty.<sup>12</sup> The CPA mandated that the Technical Border Committee (TBC) determine the 1956 border. However, the committee was established later than planned and immediately became mired in disagreements (ICG, 2010, p. 4). It failed to agree either on the border or on who was to demarcate it on the ground. The TBC's central problem was that a highly charged political question was placed in the hands of a technocratic committee that was not authorized to make the decisions required of it and could not acknowledge the political significance of its work.

## Claims and counter-claims

From 2010 to 2012 little progress was made on agreeing a border, and negotiations alternated with military clashes in the border zone. On 11 May 2012 the GRSS published a map of the border region that indicated the extent of the disagreements between the two sides. The TBC's terms of reference covered five disputed areas: Kafia Kingi (Western Bahr el Ghazal/South Darfur), the 14-Mile Area (Northern Bahr el Ghazal/East Darfur), Jebel Megeinis (Upper Nile/South Kordofan), Kaka town (Upper Nile/South Kordofan), and Renk county (Upper Nile/White Nile).<sup>13</sup> The GRSS map revealed a further series of territories that it disputed, including the Hejlj oil field, which was the site of fierce clashes in March 2012 (Small Arms Survey, 2012).

However, the GoS refers to these areas as 'claimed areas' rather than 'disputed areas', because it does not accept that the GRSS had the right to lay claim to them and so refuses to include them in negotiations. The official GoS line during the September 2012 Addis Ababa negotiations was that the five disputed areas (plus Abyei) should be seen as a closed list, because they derived from a process that began in the CPA, and thus adding new claims would be neither legal nor legitimate. Such an understanding is not an accurate reading of the agreements made by the two sides and differs markedly from the position of the African Union High-Level Implementation Panel on Sudan (AUHIP), which contends that the two states must address 'all [the] territorial claims' made by the two countries (AUPSC, 2012a, p. 13). In subsequent negotiations, in what largely seems like a tit-for-tat measure, the GoS expanded its claims beyond the five 'disputed territories'. The GRSS retorted that the GoS's claim to the area

around Kaka in Upper Nile (as opposed to its claim to Kaka town) was also not discussed at the TBC and so is effectively also a 'claimed area'. The GRSS has said that the two countries will need an additional agreement, which would allow the two parties to resolve the disagreements over both the 'claimed areas' and the 'disputed areas' (RoSS Negotiating Team, 2012).

## International arbitration

The 27 September borders agreement does not resolve any of these disputes. Since that agreement there has been little substantive discussion of the final border, and the focus of negotiations has shifted to establishing an SDBZ between the two countries. In the months following the 27 September borders agreement the GRSS's position was to call for international arbitration of the dispute over the final border. At South Sudan's urging (Nhial Deng Nhial, 2012), and following further impasses in negotiations in Addis Ababa, in October 2012 the African Union (AU) Peace and Security Council (PSC) established a team of international experts to investigate the disputed areas of the border and issue a closed-door and non-binding report. Despite the conclusion of the committee's work, 2013 saw no progress in delimiting the border between the two countries. The team of international experts repeated the problem of the TBC—it was an attempt to resolve a political problem by delegating the matter to a technocratic body that would determine a historical area but had no means of enforcing its findings.

It is unlikely that the dispute will go to international arbitration. In 2012 the PSC issued a statement that said:

*in the event that the Parties fail to reach agreement on the process for the resolution of the Five Disputed Areas as well as the Claimed Border Areas, the AUHIP will present a proposal to Council [the PSC], which will then make a final and binding determination and seek the endorsement of the UN Security Council of the same (AUPSC, 2012a, para. 14).*

If implemented, such a proposal would have raised the prospect of an international arbitration. However, strong GoS lobbying of the Russian Federation

and China, together with PSC recalcitrance, saw the issue disappear from subsequent PSC statements and, even if a move to arbitration were formulated as a UN Security Council motion, the Russian Federation and China would block it (AUPSC, 2012b; *Sudan Tribune*, 2012).

Even if an international arbitration did occur, it would be unlikely to be able to effectively resolve the two countries' disagreements over their border. The arbitration over the territorial extent of Abyei at the Permanent Court of Arbitration in The Hague during 2009 constitutes a clear (non-legal) precedent in this regard.<sup>14</sup> Despite both countries agreeing to be bound by the court's decision, five years later Abyei's borders are still undemarcated and the Missiriya continue to occasionally make proposals to further demarcate the territory. Without substantive post-arbitration agreement by the GRSS and GoS and the agreement of the communities that live in the border zone, an international arbitration is unlikely to produce a durable agreement on the Sudan–South Sudan border.

## The current state of border negotiations

At present there is little prospect of the border communities agreeing to the imposition of an international frontier along the 1956 line. During consultations for the TBC communities like the Abialang Dinka of Renk county, for example, complained that they were being sidelined by negotiations to define the border.<sup>15</sup> These communities feel marginalized because their interests and concerns are not being taken into account. Where communities actually lived in 1956—never mind where they live at present—is legally beside the point: neither the extensive dislocations of the civil war period nor current tensions over grazing and agricultural land are formally recognized as relevant to the determination of the final border between the two countries, leading to resentment of and opposition to negotiations on the border among the communities that live in the disputed areas.

Any agreement on a Sudan–South Sudan border will require the GoS and GRSS to make substantial compromises. It seems likely that, if the 1956 border is adhered to, Sudan will lose Kafia Kingi and South Sudan will lose the 14-Mile Area.<sup>16</sup> Such losses risk upsetting communities that constitute powerful

political constituencies for the NCP and SPLM, respectively. In this context, both sides have every reason *not* to agree on a final border, which allows them to placate groups whose support they can ill afford to lose at a time when both political parties are under tremendous internal strain.

This is especially the case for the GRSS. During the run-up to the outbreak of violence in South Sudan in December 2013, Riek Machar made frequent statements in support of the Ngok Dinka position regarding Abyei in an attempt to undermine Ngok Dinka support for the SPLA. The tension over Abyei produced considerable friction within the SPLM, and the belief that President Salva Kiir was ready to abandon Abyei was part of the reason he was challenged by several Ngok Dinka politicians, such as Deng Alor, who were subsequently imprisoned. It is equally noticeable that the Malual Dinka of Northern Bahr el Ghazal have largely remained loyal to Kiir's SPLM/A, despite being implacably opposed to an SPLA withdrawal from the 14-Mile Area, as is mandated by the SDBZ (see Small Arms Survey, 2013a). Part of the reason that the SPLM decision to implement the SDBZ has not affected Malual Dinka support for the party is that under Paul Malong Awan, the governor of Northern Bahr el Ghazal until his appointment as SPLA chief of staff in April 2013, the Malual Dinka were a strong enough constituency to disregard decisions taken in Juba.

These complexities indicate further reasons why the GRSS might not want to agree on a final border. Even before the outbreak of civil war in South Sudan at the beginning of 2014, the SPLA, while appearing to be a unitary entity, was actually a series of competing groups that were often rooted in local economies of extraction and predation (see de Waal, 2014; Pinaud, 2014). Regardless of whether the SPLM in Juba agrees on the delimitation of a final border between Sudan and South Sudan, it does not control the border zone and thus the demarcation of such a border would be at the behest of the groups with substantive authority over it. Many of these groups—such as the Malual Dinka of Northern Bahr el Ghazal—have little incentive to concede territory such as the 14-Mile Area. Thus, if it is not accompanied by a substantive demarcation of the border, an SPLM agreement over a final and delimited border between the two countries would also mean exposing and publicly acknowledging Juba's lack of control over the SPLA.



The GoS also has little reason to make the painful compromises—such as over Kafia Kingi—that would be necessary to establish a delimited border (see Tubiana, 2013). The AUHIP’s SDBZ map places most of the currently contested territories of the border zone either under SAF control or in the putative SDBZ. In such a situation there is no incentive for the GoS to agree to a delimited border, given that it currently has either de facto control of the most valuable areas of the border, or—for those areas in the demilitarized zone—can use the SDBZ as a political weapon during negotiations in an attempt to compel the SPLA’s withdrawal from places like the 14-Mile Area.<sup>17</sup> Finally, the GoS has a number of important political constituencies, such as the Missiriya, that are reliant on cross-border movement into South Sudan and which would become angry if the NCP established a border between the two countries. Since 2011 the experience of northern pastoralist groups in South Sudan has been that greater GRSS involvement in organizing cross-border movement has curtailed their capacity to access grazing land in the south. For groups like the Missiriya, *any* national border that cuts through their grazing land threatens their interests, regardless of its location.

In such a situation it seems unlikely there will be an agreement on the border between the two countries in the near future. Despite the fact that Sudan and South Sudan have signed numerous agreements that commit them to establishing a border, the current confusion is productive for both countries: it appeases important political constituencies and allows each country to destabilize its neighbour politically and militarily. In recognition of this impasse, since 2012 negotiations have been focused on establishing a temporary demilitarized border. However, as the next section shows, more recent discussions have met with as little success as negotiations over the final border. 🗨️

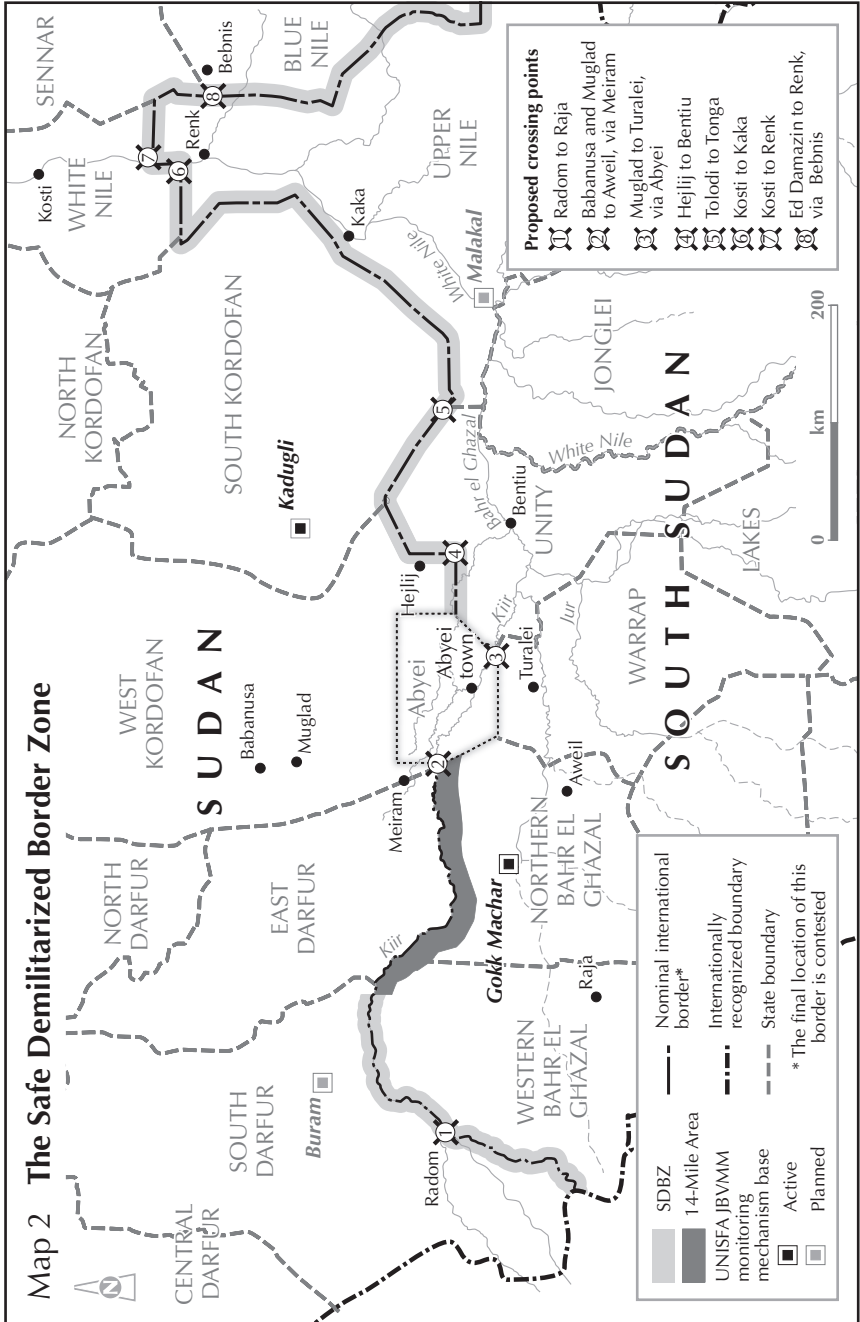
### III. The SDBZ

Discussions regarding an SDBZ began in the run-up to South Sudan's formal declaration of independence on 9 July 2011 and intensified following the 27 September Addis Ababa Agreements.<sup>18</sup> An SDBZ was designed to be an interim arrangement until the remaining post-independence issues—such as the political future of Abyei and the final delimitation of the border between the two countries—were resolved. Its implementation is currently stalled, however, due to the continued presence of military forces in the demilitarized zone, a lack of political will to implement the SDBZ, and an ineffective monitoring force that cannot verify the zone's demilitarization.

#### Background

Initial discussions over the viability of an SDBZ began on 30 May 2011 and led to a Joint Position Paper on Border Security (known as the 'Kuriftu' paper, after the Ethiopian resort south of Addis Ababa where it was negotiated). The SPLM and GoS proposed to create a demilitarized zone that would extend 10 km either side of a centre line cutting through the border zone. However, negotiations were undermined by a disagreement: the SPLM wanted the UN Mission in Sudan (UNMIS) to supervise the SDBZ, while the GoS insisted that joint SAF-SPLA patrols would be sufficient. In 2011 both sides made further commitments towards the establishment of an SDBZ as part of the 20 June Addis Ababa Agreement and at a meeting on border security held in the Ethiopian capital on 29 June. However, no substantive moves were made to establish such a zone.

An important change came on 27 June 2011, when UN Security Council Resolution 1990 established the UN Interim Security Force for Abyei (UNISFA), an Ethiopian peacekeeping contingent mandated to monitor the demilitarization of Abyei. The GoS found UNISFA a more palatable option than UNMIS, which it perceived as being biased towards South Sudan. An agreement between the



two countries signed on 30 July 2011 asked the Security Council to mandate UNISFA to provide observers for the SDBZ and force protection for these observers. The Security Council finally did so on 14 December 2011 in Resolution 2024.

The 30 July agreement also set out the structure of the JBVMM, which was to verify the demilitarization of the SDBZ and be composed of military observers from both countries and from UNISFA. The agreement also established the Joint Political and Security Mechanism (JPSM), which comprises members from Sudan and South Sudan and is supposed to address security concerns along the border. The JPSM held its first meeting in Khartoum on 18 September 2011, while a meeting in Kadugli on 8 August led to both sides committing to the creation of a series of bases for the JBVMM.

However, from September 2011 until May 2012 negotiations between the two countries remained at an impasse and there was no progress in implementing the SDBZ. Instead, a series of clashes occurred in the border area and the GRSS decided to shut down oil production. A temporary improvement to the situation came on 30 May 2012, when SAF finally withdrew its forces from Abyei following a year-long occupation. However, a familiar pattern of low-intensity border skirmishes and stagnant negotiations soon re-established itself.

This situation only changed on 27 September 2012, when the two countries signed a series of nine agreements in Addis Ababa.<sup>19</sup> It was the security agreement that proved the most controversial, and this became the reference point for the establishment of the SDBZ. In this agreement both countries undertook to stop harbouring rebel groups active in the other country's territory and open ten border crossing points, while also assuming responsibility—yet again—for establishing an SDBZ.

The SDBZ is to extend 10 km either side of a centre line delimited by an administrative map created by the AUHIP. There are two exceptions to the delimitation of this border zone. The territory of Abyei was determined in reference to a 1905 territorial transfer. It is not included in the SDBZ, although it is demilitarized under the terms of the 20 June 2011 Addis Ababa Agreement, and a 4,000-strong UNISFA force oversees its demilitarization.<sup>20</sup> The second exception to the extent of the SDBZ is the 14-Mile Area on the Northern Bahr el Ghazal–East Darfur border, where the SDBZ should extend 14 miles south of a border that is located just north of the River Kiir.<sup>21</sup>

The addition of the 14-Mile Area to the SDBZ was due to a late appeal by the GoS, which claimed that an SDBZ that extended north of the Kiir would mean conceding territory to South Sudan. Despite the GoS's claim, which has no basis in the agreements made by the two countries, it is important to emphasize that under the 27 September security agreement both countries agreed that the location of the SDBZ has no relationship to the final delimitation of the border between the two countries.

The GoS's demand that the 14-Mile Area should be demilitarized is more likely intended to try and limit SPLA military activity around Kiir Adem, a strategic bridge on the River Kiir that was bitterly fought over from 2010 to 2012 and which is a crucial transportation link between Northern Bahr el Ghazal and East Darfur. The GoS's insistence on the demilitarization of this area illuminates one of its initial motivations for agreeing to establish an SDBZ. Following the formation of the SRF in November 2011 and with this coalition making often-impressive military gains in South and North Kordofan, the GoS's primary political focus was—and is—on internal security, and its primary motivation for establishing an SDBZ is to cut SRF supply lines from South Sudan.

Even if it is fully implemented, it is unlikely that an SDBZ could ensure that SRF supply lines would be cut. In 2013 UN sources reported that the SPLA was providing some assistance to the SRF. While non-military in nature, this support did not necessarily involve the higher echelons of the SPLM, making state-level agreements incapable of severing the supply lines.<sup>22</sup> In any event, the SRF now operates almost entirely autonomously from the SPLA, and thus the SDBZ, even if it were effective, would be unlikely to undermine the SRF's military capacity, leaving the GoS with little incentive to comply with its commitments under the 27 September security agreement.<sup>23</sup>

In South Sudan, the security agreement was extremely unpopular and led to protests in Juba and Northern Bahr el Ghazal over a proposed SPLA withdrawal from territory that many South Sudanese consider theirs. Even if the SPLM correctly pointed out that the SDBZ does not mean the permanent territorial loss of the demilitarized zone—a frequent misunderstanding of the 27 September security agreement on both sides of the border—its claim hides a more substantive uncertainty. There is little prospect of an agreement on the final border between the two countries in the near future, and this means that

the SDBZ—if implemented—could be in place for years to come and would mean that South Sudanese communities who graze cattle in the zone would be denied SPLA protection. Given border communities' all-too-recent memories of raids and dispossession at the hands of GoS-backed militias, they have good reason to be suspicious of the proposed demilitarized zone.

These tensions were part of the reason that, from the signing of the security agreement on 27 September 2012 until March 2013, no progress was made in establishing the SDBZ. Instead, as is frequently the case in recent Sudanese history, the terms of the peace agreements themselves became an object of negotiation, with the GoS claiming that the 27 September security agreement meant that the SPLA should disarm the SPLM-North—a condition that, the GRSS correctly argued, was not part of the agreement and that would in any event also be impossible to achieve.

On 7–8 March 2013, following pressure from the Intergovernmental Authority on Development (IGAD) and a lessening in tension between the two countries, a timetable for the implementation of the SDBZ was finally agreed after a meeting of the JPSM in Addis Ababa.<sup>24</sup> This timetable, which is known as the implementation matrix, set an ambitious 'D-Day' for implementation of 10 March, with the full withdrawal of both militaries from the SDBZ to be achieved seven days after D-Day, except in the case of the 14-Mile Area, where the deadline was extended by a further week. The matrix also stated that both countries would provide 90 monitors to the JBVMM, which would become operational on 10 March. A further meeting of the JPSM on 19 March saw the establishment of the Joint Security Committee (JSC), which was mandated to deal with 'security-related complaints within 50 km of the Border Zone centreline, excluding the Border Zone itself' and is directly answerable to the JPSM.

In March–April 2013 both sides withdrew some troops from the border area. On 21 March the GRSS announced that 3,000 troops had left Jaw on the Unity state–South Kordofan border, and there were similarly large withdrawals from around Warguit and Kiir Adem in the 14-Mile Area. Satellite imagery from the beginning of May also confirmed SPLA withdrawals from around Tishwin on the Unity state–South Kordofan border. On 26 March the GoS claimed that it had fully withdrawn its forces from the SDBZ, a claim echoed by the GRSS slightly later on 11 April.

Substantive moves were also made to establish the JBVMM. Its central headquarters moved to South Kordofan's capital, Kadugli, and a series of other bases were planned. Both countries also sent monitors to the central Kadugli headquarters. A group of 26 Sudanese observers joined 24 South Sudanese and 32 UN monitors to form the force that constituted the initial JBVMM monitoring capacity.

This force then began verifying the SDBZ. Due to the absence of force protection for ground inspections, the JBVMM used aerial reconnaissance, principally carrying out verification missions by helicopter. Following patrols on 23–26 March 2013, the JBVMM claimed that the SPLA had left Tishwin, Kiir Adem, Wunthou, and Siri Malaga, while patrols on 1–3 April led to the JBVMM claiming that the SAF had left Radom, Kwek, Al Falah, and Kilo 4. These patrols, however, were not able to definitively assess the presence of military forces in the SDBZ and failed to detect the presence of military forces in all the locations that the JBVMM claimed were demilitarized (see *Satellite Sentinel Project*, 2013a; *Small Arms Survey*, 2013b). The JBVMM's inability to accurately verify the demilitarized zone set up a pattern in the SDBZ that continues through September 2014: both sides move military forces in and out of the zone while decrying the other side's violations of the security agreement; meanwhile, the JBVMM makes no criticism of either side and is largely ineffective.

## The JBVMM

Following the initial JBVMM aerial reconnaissance patrols during March and April 2013 referred to above, the UNISFA force commander made a report to the JPSM in which he stated that the JBVMM would be unable to reach definitive conclusions on the two countries' compliance with the SDBZ until ground patrols could verify the situation (UNISFA, 2013).

This uncertainty undermines the conclusions of subsequent JBVMM aerial monitoring missions in 2013 over Megeinis (24 October), the 14-Mile Area (27 October and 4 November), and on the Upper Nile–White Nile border and Unity state–South Kordofan border. Apart from an SPLA presence discovered in the east of the 14-Mile Area, close to the border with Abyei, the JBVMM certified that all these areas were demilitarized, despite evidence to the contrary,

which will be discussed in greater depth later in the subsection dealing with military forces in the border zone. The substantive inability of the JBVMM to determine if the SDBZ is demilitarized also affects the patrols that it has undertaken since June 2014.

The inability of the JBVMM to accurately assess the situation on the ground through aerial reconnaissance is due to a series of serious limitations:

1. **Flights are vulnerable to external disruption.** After the SRF inadvertently shelled the UNISFA headquarters in Kadugli on 14 June 2013, all JBVMM monitoring flights were suspended until 21 July, leaving the mission totally unable to monitor the SDBZ (Radio Dabanga, 2013). Further clashes in South Kordofan have the same potential to disrupt JBVMM operating capacity. This shelling also opens up the possibility that similar shelling could be used in the future to strategically disrupt JBVMM patrols and thus conceal forces in the SDBZ.
2. **Aerial reconnaissance patrols are unable to accurately discern the situation on the ground.** On 21 December 2012 the SPLA inadvertently shot down a UN helicopter in Jonglei. Since then, UN sources report that UN helicopters no longer fly as close to the ground as they once did, reducing their ability to observe military deployments.<sup>25</sup> On 26 August 2014 a UN helicopter crashed while on its way from Western Bahr el Ghazal to Unity state (*Sudan Tribune*, 2014). Preliminary UN Mission in South Sudan (UNMISS) statements suggest that it believes the helicopter was shot down. Such incidents make it understandably less likely that JBVMM aerial reconnaissance flights will be willing to fly close enough to the ground to accurately verify the situation, especially as Peter Gadet, the SPLA-IO commander for Unity state, has claimed—without supporting evidence—that UNMISS flights are being used to transport SPLA troops and will be shot down on sight (Radio Tamazuj, 2014).

This problem is exacerbated by both armies' attempts to hide their deployments in the SDBZ. Satellite imagery from May and September 2013 shows the SPLA attempting to conceal the presence of tanks by hiding them under trees (Satellite Sentinel Project, 2013b). The JBVMM's inability to accurately perceive the situation on the ground is especially problematic along a border that sees frequent pastoralist movement, often by armed herders, who can be indistinguishable from military forces when viewed from the air: without



information from the ground, in an aerial photograph Missiriya pastoralists and militia fighters can often look alike.

3. **The findings of the JBVMM aerial patrols are dependent on mutual agreement between the UNISFA monitors and the JBVMM representatives of both sides on what has been observed.** This leaves open the possibility that one side might simply deny having seen its own troops in the SDBZ. This has occurred at least twice since the JBVMM started aerial reconnaissance flights. Following patrols over Tishwin on the Unity state–South Kordofan border in the period 23–26 March 2013, the SPLA’s JBVMM representatives insisted that the SPLA troops that the patrol observed were not in the SDBZ—a position that relies on disagreement over the SDBZ’s centre line that is detailed later in this section. On 4 November 2013 the JBVMM observed SPLA forces in the east of the 14-Mile Area, on the border with Abyei, but the SPLA representatives in the JBVMM refused to sign a report attesting their presence that had been authored and signed by UNISFA monitors and SAF JBVMM representatives. This consensus-based approach to the facts on the ground makes the JBVMM’s reports a political process rather than an objective report on the military situation on the border and prevents the accurate monitoring of the demilitarized zone.
4. **UNISFA gives both countries advanced notice before monitoring flights occur.** It claims it does this to ensure that there are no bureaucratic delays caused by the need to obtain flight approval. However, this enables both armies to know in advance when monitoring missions will occur and what areas the patrols will cover, making it easier for the armies to hide their activities in the SDBZ.

Accurate verification of the SDBZ will require ground patrols to verify the findings of aerial reconnaissance missions. However, UNISFA and the JBVMM are currently hamstrung by the absence of troops able to protect monitoring patrols. The need for these troops is acute. On 13 July 2013 seven members of the UN/AU Mission in Darfur (UNAMID) were killed while on patrol. UNISFA also lost one of its own peacekeepers in Abyei on 4 May 2013, when a convoy escorting the Ngok Dinka paramount chief, Kuol Deng Kuol, came under attack. JBVMM monitors are justifiably unwilling to carry out ground patrols without force protection.

In an effort to resolve this impasse, on 29 May 2013 the UN Security Council passed Resolution 2104 increasing UNISFA's mandated force from 4,200 to 5,326 personnel, with the additional 1,126 troops tasked with providing force protection for the JBVM. This force is supposed to be split into four companies of 267, accompanied by additional service personnel. These companies were supposed to deploy to the four postulated JBVM bases: the headquarters at Kadugli in South Kordofan, and further bases at Buram, South Darfur; Gokk Machar, Northern Bahr el Ghazal state; and Malakal, Upper Nile state.

An advanced party of 120 troops was supposed to deploy in August 2013; 117 troops finally arrived in Kadugli on 29 September. As of September 2014 the force is not yet active. Even if it were, such a small force would not provide sufficient force protection for ground verification missions to be undertaken. The remainder of the UNISFA force was expected to deploy in November–December 2013. However, this deployment was interrupted by the outbreak of conflict in South Sudan and massive delays in constructing the bases needed for the troops that were supposed to provide force protection to the JBVM. As of September 2014 this force has yet to deploy, leaving the JBVM functionally inoperable.

In addition, as of September 2014 only two of the four JBVM bases are operational. According to the 8 March 2013 implementation matrix, the GRSS and the GoS were to give UNISFA land for these bases by 10 April and the bases were to be established by 8 June. In Kadugli UNISFA had already established a central headquarters in 2011 as a base for its peacekeepers in Abyei. In 2013 this base was adversely affected by clashes between the SRF and SAF in North and South Kordofan. From September to December 2013, for instance, the delivery of rations and supplies from El Obeid to Kadugli was repeatedly disrupted, leading to the UNISFA troops experiencing serious shortages. In the first half of 2014 UNISFA continued work on the Kadugli base and expanded it so that it could accommodate a company-sized force. As of 1 September 2014 there are 25 UNISFA, 34 SAF, and 30 SPLA JBVM monitors at the headquarters in Kadugli, in addition to 79 of the 117 force protection troops that formed the advance guard.

The JBVM base at Gokk Machar is also partially operational, although the mission is still not conducting ground patrols. Land for this base was provided

on 26 March 2013 and an advanced party of UNISFA monitors arrived on 17 April. Work continued on the base in the first half of 2014 to allow it to accommodate a company-sized force. Following the completion of some of this construction, on 25–27 June 2014 UNISFA moved 38 troops of the force protection team from Kadugli to Gokk Machar. UNISFA sources claim that the base is now operational. However, a tender for ground preparation in Gokk Machar launched on 5 August 2014 required that ‘the contractor shall prepare the site clean, cut trees, roots, any hard materials, rocks and level to start the work’, indicating that the base is far from being completed (UN Secretariat, 2014).

The other bases face continuing difficulties. The GoS only gave UNISFA permission to build a base in Buram on 30 June 2013. This process was further delayed after the GoS refused to give UNISFA security clearance to carry out an aerial reconnaissance mission to identify viable sites for the JBVMM base. At the beginning of December 2013, however, an area of land for the base had finally been selected next to an existing UNAMID base. However, for the next ten months construction stalled. As of September 2014 work has yet to begin on the base in Buram and no monitors or force protection personnel have deployed to Darfur.

UNISFA faced initial challenges in Malakal, Upper Nile, after UNMISS refused to allocate it land in its compound. UN sources report that this refusal was part of a struggle between the two organizations over access to the SDBZ.<sup>26</sup> Privately, UNMISS officers complained that UNISFA will not have a mandate to protect civilians in the SDBZ (although it has such a mandate in Abyei), and thus will not be able to protect people that come under attack in the demilitarized zone. Underlying this critique of UNISFA is UNMISS’s desire to maintain access to the SDBZ, which UNISFA seeks to limit. At Malakal UNISFA finally chose a site next to the existing UNMISS base. However, this coincided with the outbreak of clashes inside South Sudan in December 2013 and thus work on the base was not begun. As of September 2014, with Malakal a ghost town and heavy fighting continuing in the state, it seems unlikely there will be a JBVMM presence in Upper Nile state in the foreseeable future.

Without bases, UNISFA will be unable to deploy its four companies. Without these companies there can be no ground patrols, and thus the JBVMM will be reliant on aerial patrols that cannot accurately verify the situation on the ground

and are susceptible to interruption. The extent of the conflict in the border zone at present is such that it seems unlikely that the UNISFA companies will be able to deploy in the near future.

However, even if the JBVMM bases are constructed and the four UNISFA companies deploy to provide force protection to the monitors, it remains highly unlikely that the JBVMM will be able to accurately verify that the SDBZ is demilitarized. The Sudan–South Sudan border is 2,010 km long and four companies of 267 soldiers and 90 UNISFA military observers will struggle to patrol regularly enough and cover sufficient territory to ensure that the SDBZ is demilitarized.

The paucity of troop numbers is compounded by the fact that the border zone is often extremely difficult to access and—given uncertain state control over the border zone and the absence of border checkpoints—is extremely porous. When these difficulties are combined with the prior notice that UNISFA is currently giving to both sides before carrying out patrols, it is highly unlikely that the JBVMM will be able to effectively verify the demilitarized zone, whether force protection is provided or not.

## The centre line

In November 2013 a series of even more fundamental political problems with the SDBZ were revealed. On 22 November UNISFA received a letter from the SPLA stating that South Sudan was temporarily suspending its participation in JBVMM patrols because there was no agreement about the precise extent of the SDBZ. The letter further complained that patrols were only being carried out in South Sudanese territory, although this did not reflect the pattern of JBVMM aerial reconnaissance during the second half of 2013. The JBVMM as a whole was suspended following the GRSS's decision.

The argument over the extent of the SDBZ dates back to its initial implementation. On 22 April, just as the JPSM was committing itself to opening a series of border crossing points, the GoS claimed that the SPLA had entered the SDBZ, notably at Kiir Adem. The GRSS prevaricated in response to the GoS claim and argued that its forces were outside the SDBZ, in accordance with the AUHIP map. This response relies on an ambiguity in this map.

The map showing the SDBZ's centre line—from which the demilitarized zone would extend 10 km on either side—is not sufficiently detailed or clear to be useful in verifying the precise extent of the SDBZ on the ground. Due to this lack of detail, both sides can claim that their troops are outside the SDBZ while decrying the other side for violating the demilitarized area. After both sides failed to agree on a centre line during a series of meetings from April to June 2013, AUHIP chairperson Thabo Mbeki proposed in a letter of 9 June that the AU Border Program establish an ad-hoc committee—the AU Border Program Technical Team (AUBP-TT)—that would delimit the centre line on a map at a scale sufficiently detailed for it to be used to determine violations on the ground and would also demarcate border crossing points in the SDBZ. On 30–31 July, at the second meeting of the JSC in Juba, both sides agreed to redeploy their forces in line with the AUBP-TT map.

While the AUBP-TT was mandated to finish its work by the end of July, it did not begin its investigation until it visited Kadugli on 29 July 2013. It subsequently visited the Unity state–South Kordofan and Upper Nile–White Nile borders. Its work proved difficult. It was on the Unity state–South Kordofan border when the SPLA clashed with SAF around Hejlil on 5 August. The GoS and GRSS could not agree on the SDBZ centre line on the Unity state–South Kordofan border: a difference of a few kilometres here determines whether important military bases at Jaw (for South Sudan) and Hejlil and Kilo 24 (for Sudan) would need to be demilitarized, and in such a context there is little likelihood that either side would agree on the centre line without external mediation.

The committee then arrived in Renk, Upper Nile, on 14 August to determine the centre line on the Upper Nile–White Nile border, but again the GRSS and GoS members of the AUBP-TT could not agree on the location of the line at either the Jordah crossing point or Wuthou. Additionally, many of the communities around Renk resisted the committee's work, with Guot Akuei, the commissioner of Renk county, reporting that the community in Al Furkhar was concerned that the demarcation of a centre line in the middle of its land would exacerbate local tensions.<sup>27</sup>

The committee returned to Addis Ababa on 16 August. While the AUBP-TT wrote a final report, it indicated that the two countries were unable to agree on the SDBZ centre line. The next four months saw a series of meetings designed

to overcome the political impasse over the SDBZ. On 24–26 September 2013 the JSC met and again agreed to implement the SDBZ, despite no substantive progress in the negotiations. On 13 November the AU held a planning workshop in Juba for representatives from both countries in an effort to resolve the dispute. A fifth meeting of the JSC held in Khartoum on 26–27 November failed to agree on a centre line. Following pressure from the PSC, a JSC meeting on the SDBZ, among other topics, was pushed forward from mid-January 2014 to December 2013, but was pushed back again following the death of former South African president Nelson Mandela. It was postponed following the outbreak of conflict in South Sudan and finally took place in Khartoum on 22 March 2014. However, the meeting led to the same set of formal commitments and the same substantive lack of implementation that had characterized previous meetings. As of September 2014 the 22 March 2014 meeting was the last held by the JSC. However, on 27 May the GRSS told UNISFA that it would resume its participation in the JBVMM. One month later, on 28 June, the GRSS further claimed that the reason it withdrew from the JBVMM was not due to a disagreement about the centre line—which is what it had claimed in its November letter to UNISFA—but because the centre line was to be used to demarcate border crossing points, and this would delimit a de facto border.

Neither explanation is credible. The initial GRSS withdrawal from the JBVMM occurred just after aerial patrols had detected an SPLA presence in the east of the 14-Mile Area, leading to a report that the SPLA monitors—as outlined earlier—refused to sign. The withdrawal prevented further international focus on SPLA violations of the SDBZ. Equally, the GRSS's May announcement that it would again participate in the JBVMM is not unrelated to its claims in April 2014 that SPLA-IO troops involved in a successful assault on Bentiu, Unity state, were based in South Kordofan. A resumption of JBVMM patrols might increase the focus on links between the GoS and SPLA-IO and the latter's movements across the Sudan–South Sudan border.

Since the GRSS announcement there has been minimal aerial reconnaissance, with flights on 16 June taking off from Kadugli and finding no evidence of military activity in the SDBZ—a conclusion that, for the reasons given above, should not be taken as definitive. There has, however, been no agreement on the SDBZ's centre line. On 20 August Sudanese defence minister Abdel Rahim

Hussein complained to the AUHIP that the GRSS was not implementing the 27 September security agreement. Without an agreement, the JBVMM aerial reconnaissance flights have little impact because, even if they were to discover troops, either side could claim such troops are actually outside the SDBZ.

Two principal problems have to be overcome if an SDBZ centre line is to be properly implemented and the demilitarized zone put into effect. First, there is a great deal of local opposition to the SDBZ. In part, this is due to a widely held belief that the SDBZ is to be the final border between Sudan and South Sudan, although in reality it is an interim measure. In an effort to rectify this situation South Sudanese president Salva Kiir announced on 7 September 2013 that he would send politicians from Upper Nile and Unity states to explain the situation to communities in the border zone. However, even if misunderstandings about the SDBZ are cleared up, substantive reasons remain why villages would not want to be included in the SDBZ. In both Upper Nile and Unity states demilitarization would mean the withdrawal of SPLA protection from areas that experienced heavy raiding by GoS-backed militias during the second civil war, an experience that left a lingering distrust that continues to this day.<sup>28</sup>

The second, more fundamental problem is that neither side has much to gain by delimiting a centre line and thus creating an operative JBVMM. Both sides have extant military forces at various positions in the border zone, notably SAF forces at Radom, Hejlj, and Kwek and SPLA forces around Kiir Adem, Jaw, and Wunthou. The continuing uncertainty about the location of the SDBZ allows both sides to maintain these forces while criticizing the other side for maintaining a military presence in the SDBZ. The timing and location of patrols and the diplomatic interventions of the AUHIP become the terrain for a seemingly endless political game in which troop movements and negotiations in Ethiopia both play a role.

These problems are exacerbated by current tension in both countries. A demilitarized zone between Sudan and South Sudan only makes sense if the two countries are in control of their own territory and militaries. At present insurrection in South Kordofan, Blue Nile, and Darfur in Sudan, as well as Unity and Upper Nile states in South Sudan, means that neither country can enforce a demilitarized zone because both are not in control of their own borders and have security concerns that make worries about the SDBZ secondary issues.

Indeed, since conflict began in South Sudan in December 2013 both sides have found it advantageous to violate the SDBZ in order to obtain military advantage in their respective civil wars. On 7 April 2014 Sudanese-modified Antonov transport planes and MiG jets flew over the north of Unity state and bombed the village of Neem in an effort to disrupt JEM supply lines. On 8 April the deputy governor of Unity state, Stephen Mabek Lang, said that SAF had recently moved closer to the Sudan–South Sudan border. South Sudanese officials have repeatedly expressed concern that the GoS might attempt to take advantage of the SPLM’s current travails to occupy the contested border.

This seems unlikely: SAF’s current focus is on fighting the SRF in South Kordofan, and the northern army’s encroachment into Unity state must be seen in light of this. The SRF has important non-military supply lines and bases in both Northern Bahr el Ghazal and Unity states. JEM is reliant on the Bentiu–Pariang–Jaw supply route, which stretches north from Unity’s capital into South Kordofan and past the SPLA’s most northerly military base at Jaw, which probably lies in the SDBZ, depending on the final delimitation of the demilitarized zone. SAF attacks in Unity state and troop movements near the border are aimed at disrupting these supply lines. As long as conflict continues in South Kordofan an SDBZ remains a remote possibility, because SAF will not demilitarize a border it needs to secure. In any event, given JEM’s presence in South Kordofan and Unity, it remains impossible for either government to demilitarize the border, because neither is in full control of it.

SAF accuses the SPLA of using JEM in South Sudan’s internal conflicts. The SPLA denies this, but on 25 April 2014 JEM clashed with the SPLA-IO at the village of Manga on the Bentiu–Pariang supply route, while eyewitness reports indicate the presence of JEM troops in the SPLA forces that recaptured Bentiu on 4 May. Not only is the SPLA’s support of JEM in violation of the 27 September security agreement, but it also indicates one of the reasons why an SDBZ remains a remote probability. As long as the SPLA is reliant on JEM it will not close off the border region to JEM military movements into South Kordofan, given that the two forces are fighting together against the SPLA-IO.

The SPLM counters that the GoS is supporting the SPLA-IO and that the rebel forces are using bases inside South Kordofan in the SDBZ. The GRSS claimed that SPLA-IO troops involved in the attack on Bentiu on 13–14 April 2014 were previously based near Hejlj, South Kordofan. On 9 April the GRSS also claimed



that the SPLA-IO forces who attacked Kaka town, Upper Nile, and the counties of Baliet and Adong at the beginning of April were based in Galachel, South Kordofan. Both countries thus accuse each other of supporting rebels across the border, in violation of the 27 September security agreement.

Neither the ongoing clashes between SAF and the SRF nor the current conflict in South Sudan is simply internal. Both are linked to older second civil war dynamics that stretch across the Sudan–South Sudan border: the SRF’s struggles against the GoS are partly a product of the CPA’s vague resolutions regarding South Kordofan and Blue Nile, while the South Sudanese civil war reactivates divisions between the SPLA and the GoS-backed South Sudan Defence Forces that largely controlled the Greater Upper Nile region during the second civil war. That South Sudan is now an independent country and that there is a national border running along its northern extent (whose precise delimitation is still contested) matter less to the logic of these conflicts in either country than these civil war continuities. Given the involvement of each country in the other’s internal conflicts, neither government has much vested interest in the establishment of an SDBZ, despite frequent diplomatic protestations to the contrary.

## The economy of the border zone

One of the areas where the political chess game over the border is most noticeable is the economy of the border zone. In 2010, during the run-up to the South Sudanese referendum on secession, the GoS began shutting down border trade into South Sudan, punishing South Sudanese border communities reliant on trade with Sudan. For many of South Sudan’s border states transport links to Juba remain uncertain and difficult, and the majority of the goods they need have customarily come from Sudan. It is thus these border states that are most affected by the shutting down of the cross-border trade.

In theory, the 27 September security agreement should have led to a series of border crossing points opening between the two countries. Shortly after the 8 March 2013 implementation matrix was signed a meeting of the Joint Technical Border Corridors Committee on 20–21 April announced that eight crossing points would immediately be opened in the border region. These crossing points were:

- Kosti–Renk (White Nile to Upper Nile);
- Hejlij–Bentiu (South Kordofan to Unity state);
- Muglad to Aweil via Meiram (West Kordofan to Northern Bahr el Ghazal);
- Babanusa to Aweil (West Kordofan to Northern Bahr el Ghazal);
- Radom to Raja (South Darfur to Western Bahr el Ghazal);
- Kosti to Kaka (White Nile to Upper Nile); and
- Ed Damazin to Renk, via Bud and Bebnis (Blue Nile to Upper Nile).

Two further crossing points (Muglad to Turalei via Abyei linking West Kordofan to Warrap, and from Tolodi to Tonga linking South Kordofan to Upper Nile) were also to be opened following improvements in the security situation along the border.

As of September 2014 none of these border crossing points has fully opened. More generally, the crossing points listed above have been opened and closed multiple times by the GoS during the last year.

Analytically, one can distinguish four dynamics that determine the flow of cross-border trade, and its use in political negotiations.

1. **The frequent GoS announcements that the border will be opened are part of a facade of political pronouncements designed to curry favour with the international community.** Sometimes these pronouncements have real effects. On 23 April 2013, just after the announcement of the proposed crossing points listed above, the border with Northern Bahr el Ghazal was indeed opened. By May, however, the GoS had closed it again following a deterioration in relations with the GRSS. Other measures announced in diplomatic negotiations have no substantive basis. For instance, a 22 October 2013 presidential summit led—yet again—to both parties committing to open border crossing points that were not subsequently opened. Ibrahim Mahmoud, the Sudanese interior minister, later announced that work would also begin on tarmac roads between Pariang and Hejlij on the Unity state–South Kordofan border, and on the Upper Nile–White Nile border. An even grander pronouncement came on 18 November, when Sudan’s High Council for Investment announced that it would establish duty-free shops along the border. These pronouncements are designed for public consumption and are not substantive policy commitments.

2. **The GoS frequently closes the border in response to security threats.** It shut the Upper Nile–White Nile border after 11 Sudanese traders were killed on 3 May 2013 by unknown attackers as they were travelling near Renk.
3. **The GoS also closes the border as part of a negotiating strategy.** For instance, pronouncements it made in August and September 2013 suggested that the borders would only be fully opened once the security situation between the two countries is resolved and the SPLA had fully withdrawn from the SDBZ. Under the 27 September security agreement, opening the border crossing points is not conditional on the implementation of the security agreement, but the GoS has frequently claimed this to be the case so as to put pressure on the SPLM during negotiations.
4. **Despite the fact that the Sudan–South Sudan border is frequently closed, cross-border smuggling continues and the challenges posed by the rainy season are at least as important in slowing cross-border trade as state-level decisions.**

During 2013 much of the border remained closed. In October Sudanese traders who had brought goods into Manyo county, Upper Nile, explained that routes into South Sudan remain dangerous, because the GoS frequently confiscated goods and arrested merchants, most of whom also reported harassment by the SPLA.<sup>29</sup> The fragile nature of the border trade was underlined on 11–17 November when at least eight Sudanese merchants were killed in three separate attacks in Abiemnom county, Unity state. Peter Dak, then the commissioner of Mayom county, reported that the attacks were carried out by a resident of Abyei who was angry about agreements made between South Sudanese communities in Mayom and Missiriya groups.<sup>30</sup>

These attacks indicate the delicate calculus that mutually links grazing agreements, cross-border trade, and extant political tensions at the local and state level. Like the attacks of 3 May 2013, the killings of 11–17 November led to the closure of the Sudan–South Sudan border and caused massively increased prices for consumer goods and fuel in Unity state. Such attacks are also indicative of the problems of the ‘soft border’ approach for which many international actors have been arguing. Neither Sudan nor South Sudan is in total command of its own borders, even before the clashes of December 2013 in the latter country.

Single attacks, often by non-state actors, can quickly harden the border, leading to massive disruptions to the economies of the border states and adversely affecting the movement of pastoralists into South Sudan.

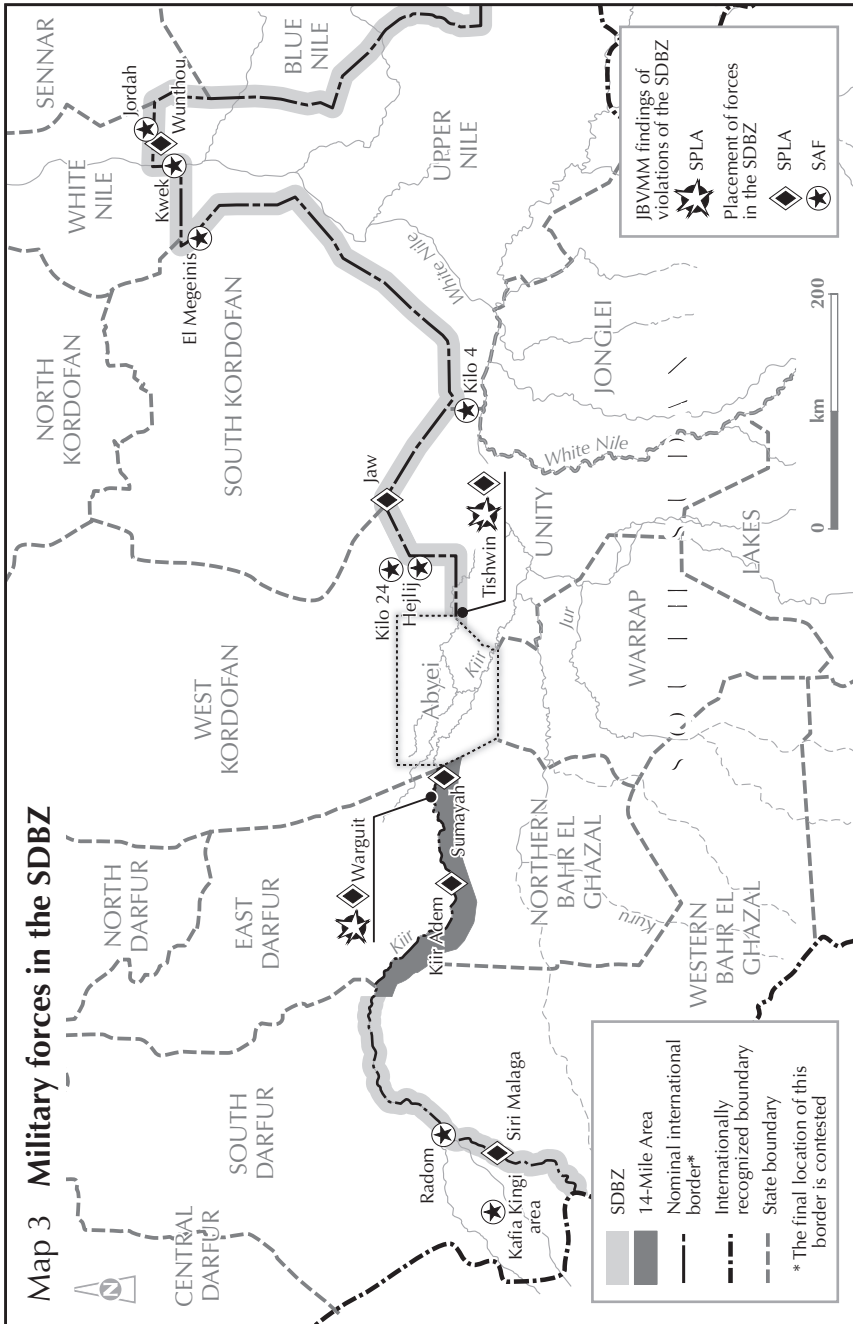
With such attacks a continual possibility and an ongoing political incentive for the GoS to turn border trade on and off, the economy of the border zone will be disrupted by political pressure for the foreseeable future. The future challenge for the economy of the border is to address what has become a fundamental asymmetry. Prior to the signing of the CPA, traders and pastoralists would come into southern Sudan, while southern Sudanese would travel north to work in Khartoum and Sudan's other large cities. Following South Sudan's independence, border trade has decreased—a problem that the South Sudanese frequently blame on northern pastoralists—and northward migration for work has effectively stopped. Thus there is an emergent asymmetric relationship, with pastoralists trying to come into South Sudan, but little trade coming with them, and few South Sudanese going north, leaving the Southern Sudanese increasingly detached from their northern neighbours.<sup>31</sup>

## Military positions

Despite frequent claims to the contrary, both countries maintain a military presence in the SDBZ. The current SPLA occupation of the 14-Mile Area is the clearest case of a military violation of the demilitarized zone. After the signing of the 8 March 2013 implementation matrix the SPLA announced major troop withdrawals from Warguit and Kiir Adem. However, these withdrawals did not include all SPLA forces in the 14-Mile Area, and UN sources report that troops from the SPLA's 3<sup>rd</sup> Division moved back into the 14-Mile Area just two weeks after the withdrawal.<sup>32</sup> The SPLA later expanded its presence in the 14-Mile Area, occupying defensive infantry positions south of Sumayah and expanding its defensive positions south of Kiir Adem.<sup>33</sup>

Initial JBVMM air reconnaissance failed to detect the presence of these troops. On 22 April, just as the JPSM committed to opening a series of border crossing points, the GoS also claimed that the SPLA had re-entered the SDBZ, notably at Kiir Adem. The GRSS prevaricated in response to the GoS claim and argued that its forces were outside the SDBZ in accordance with the AUHIP map, a claim that exploits the lack of detail in the AUHIP proposal.

Map 3 Military forces in the SDBZ



The SPLA maintained these positions in the 14-Mile Area during the second half of 2013 and first half of 2014. It has positions at Kiir Adem, at the bridge over the River Kiir, and defensive positions south of the village. It also maintains three infantry positions around Warguit and further positions to the east, near the border with Abyei. These positions allow the SPLA to control two of the most important transport links between Northern Bahr el Ghazal and East Darfur, and thus keep open trade routes and supply lines for the SRF. On 27 October 2013 the JBVMM conducted an aerial reconnaissance patrol in the west of the 14-Mile Area without finding any military forces, despite satellite imagery and witness reports indicating their presence.<sup>34</sup> However, on 3 November an aerial patrol discovered military forces in the east of the 14-Mile Area around Warguit. While the UNISFA and Sudanese monitors signed the report to this effect, the South Sudanese members of the JBVMM patrol refused to sign it. Because the 14-Mile Area—unlike the rest of the SDBZ—is a part of the demilitarized border that extends into territory held by the SPLA since 2010, there are no SAF violations of the area.

The situation is different elsewhere in the SDBZ. The most contentious border area and the one that is most likely to produce clashes is the Unity state–South Kordofan border, the scene of some of the heaviest fighting between the two countries in 2011–12. After the signing of the implementation matrix the SPLA made a much-heralded withdrawal from Jaw—filmed by Al Jazeera—its northernmost operating site and a base for both it and the SPLM-North.

Subsequent to this withdrawal, the SPLA redeployed to Jaw, which was the scene of clashes in 2013. On 3 July SAF bombed SPLA positions at Jaw, injuring seven (Radio Tamazuj, 2013). On 5 August further clashes occurred on the Unity state border, when SPLA troops entered the SDBZ around Tishwin and encountered SAF troops (Small Arms Survey, 2013b). In the subsequent exchange of fire one SAF soldier was killed. Following this clash the SPLA reported increased SAF movement around Tishwin. Further SAF bombing raids on Jaw occurred in September 2013 (*Sudan Tribune*, 2013). These clashes indicate the extent to which negotiations over the SDBZ and military assaults during 2013 should not be seen as being opposed to each other, but as part of a continuum of options for both sides as they jostle for control of the border zone.

In the second half of 2013 the SPLA maintained three defensive positions at Jaw, and also kept troops at Tishwin, just south of the contested Hejlj oil field. Satellite Sentinel Project's digital imagery shows that six tanks attached to an infantry position here were removed in April 2013 subsequent to the signing of the implementation matrix, only to be redeployed by September (Satellite Sentinel Project, 2013b).

SAF also maintain military positions in the SDBZ on the Unity state–South Kordofan border primarily centred on the contested Hejlj oil field, around which SAF maintains infantry, artillery, and tank positions. Its southernmost positions—depending on the final agreement over the SDBZ—are most likely located in the SDBZ and include company-sized infantry units and the presence of at least three tanks.

Both armies also maintain positions elsewhere in the SDBZ. The SPLA continues to maintain troops at Kwek and Wunthou on the Upper Nile–White Nile border, while SAF maintains positions at El Megeinis and on the Western Bahr el Ghazal–South Darfur border, including in the disputed Kafia Kingi enclave.

## Future prospects of the SDBZ

The SDBZ is currently hamstrung by the fact that the JBVMM is not operational and that, even if it became operational, it is unlikely—for the reasons set out above—to be able to accurately verify the demilitarization of the border zone. Politically there is little incentive for either side to implement the SDBZ. Most fundamentally, both sides maintain military positions in the SDBZ that are important for internal struggles—against the SRF in the case of the GoS and against the SPLA-IO in the case of the SPLA. With internal security currently overriding all other concerns, neither side is likely to demilitarize. The SDBZ is also likely to slip further off the agenda of the international community as the struggles *in* both countries—and especially in South Sudan—become more important than the struggle *between* the two neighbouring states. The SDBZ is likely to become the latest of a series of unimplemented agreements between Sudan and South Sudan that are expensively subsidized by the UN and supported by a UN peacekeeping force, but without any efficacy on the ground. 🗑️

## IV. Abyei

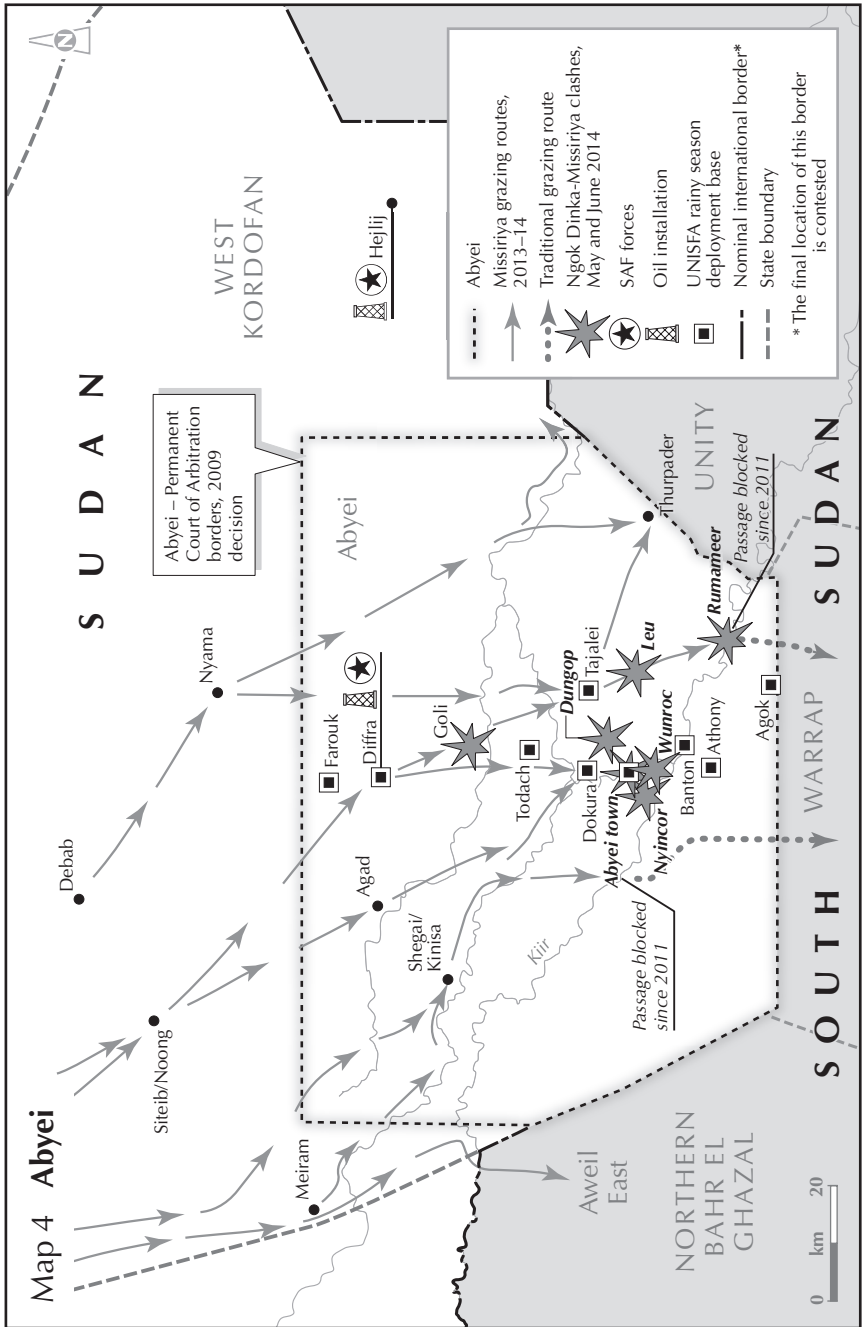
### Background

Abyei was the only one of the three areas that was promised a referendum in the CPA.<sup>35</sup> Supposed to run concurrently with the Southern Sudanese referendum on secession, the referendum in Abyei was to allow the people of the area the right to choose whether to remain in what was once called Kordofan—and into which Abyei had been moved in 1905—or join what would be (if South Sudan voted to secede, as indeed it did) Africa’s newest nation. The CPA’s formulation of the referendum in the Abyei Protocol was an echo of an earlier commitment made in the 1972 Addis Ababa Agreement that entitled the Ngok Dinka—Abyei’s principal residents—to a referendum on whether they wanted to join an autonomous southern region. Abyei’s proposed referendum for 2011 never occurred due to a disagreement over how residency in Abyei was to be defined, a criterion that would determine who was eligible to vote.

The SPLM and the Abyei Area Administration claimed that residency must refer to the permanent occupancy of land, and thus other than the Ngok Dinka community—who are explicitly guaranteed the right to vote under the Abyei Protocol—the only people eligible to vote should be the Sudanese merchants residing in Abyei town. Such a criterion would exclude the Missiriya pastoralists who annually migrate into the territory from participating in the referendum. Underlying this claim was the fear that, if the Missiriya were given the right to vote, the NCP would push all the Missiriya into Abyei and thus ensure a vote to remain in Sudan.<sup>36</sup> The Missiriya and NCP feared that a referendum without their participation would mean that Abyei joined the south. The Missiriya feared this would limit their access to crucial grazing land in Abyei.

From 2011 to 2012 negotiations stagnated as SAF occupied Abyei, and negotiations over an administration in the area remained at an impasse due to disagreements about the composition of the Abyei Area Council. In September 2012 the AUHIP attempted to resurrect the idea of a referendum in Abyei and put forward a proposal for a referendum on the area’s political future to be held in





October 2013. Unlike prior formulations of the referendum, the AUHIP proposal attempted to overcome disagreements over voting eligibility by defining it more narrowly. Unlike the CPA's Abyei Protocol, which also claimed that 'other Sudanese residing' in Abyei should be allowed to vote, but left open the criteria by which residency should be established, the AUHIP proposal defined residency in terms of 'having a permanent abode within the Abyei Area'. It further mandated the creation of an Abyei Area Referendum Commission (AARC) and an Abyei Referendum Facilitation Panel, both with international representation. The proposal was an attempt to move determination of voter eligibility away from its earlier bilateral impasse and towards an AU decision on the issue.

The proposal was supported by South Sudan and the United States, but the GoS rejected it outright, complaining that the way the proposal formulated residency was 'singling out the Miss[i]riya nomads whose lifestyle is inimical to the concept of permanent abode'. After the GoS rejected the proposal, South Sudan appealed to international mediation. A 24 October 2012 statement by the PSC indicated that this was a possibility. It stated that the parties should

*engage each other with the facilitation of the AUHIP, on the basis of the AUHIP's Proposal on the Final Status of Abyei Area of 21 September 2012, seeking to reach consensus on the Final Status of the Abyei Area, within a period of six weeks from the date of the adoption of this communiqué. Council further requests the AUHIP to report to it on the results of this engagement, immediately upon the expiration of the six-week period mentioned above (AUPSC, 2012a, clause 9).*

The PSC communiqué (clause 10) also warned that, if the parties failed to agree on Abyei's political future, the PSC would endorse the AUHIP proposal 'as final and binding, and would seek the endorsement by the UNSC [UN Security Council] of the same'. However, following intensive Sudanese lobbying efforts in the Russian Federation, the PSC's claim disappeared from subsequent announcements and statements from the UN Security Council merely asked both sides to engage constructively in the mediation process.

During the first four months of 2013 the situation in Abyei remained at an impasse: UNISFA supervised a largely peaceful Missiriya migration, while no moves were made to establish a local administration and no progress occurred

in negotiations on the political future of the territory. On 4 May a UNISFA convoy accompanied a small group of the Ngok Dinka political leadership who, subsequent to a meeting of the Abyei Joint Oversight Committee (AJOC)—the body with political and administrative oversight for the territory—decided they wanted to visit the north of the territory. As the convoy returned from Diffra to Abyei town it was blocked by a group of Missiriya and a stand-off ensued. After five hours of negotiations a Missiriya assailant shot and killed the UNISFA soldier guarding the vehicle of the Ngok Dinka paramount chief, Kuol Deng Kuol, before shooting the paramount chief himself. This assassination largely destroyed the already fragile ties that existed between the Ngok Dinka and the Missiriya.

Following the assassination, negotiations between the GoS and the GRSS stagnated. Despite frequent affirmations to the contrary and repeated international exhortations, negotiations over the establishment of a temporary local administration are at an impasse. The situation in Abyei thus resembles the debates over the border as a whole: impasses in negotiations over the final status of the territory are reproduced in impasses in negotiations over the temporary institutions that should govern the border zone until the political crisis over the area's final status is overcome. Under an agreement signed on 20 June 2011, following the SAF invasion of the territory, a new local administration was to be established. As of September 2014—more than three years after the original agreement—there is still disagreement over the composition of the administration. The two sides are divided: Sudan insists that it should have 50 per cent of the seats on the Abyei Legislative Council, a demand that South Sudan claims breaks a gentleman's agreement between the two countries that accorded 60 per cent of the council seats to the South. The Abyei Police Service has also not been established due to disagreements over its composition—which has meant that UNISFA has had to double as a police force in the territory, which its Ethiopian soldiers are ill equipped to handle.

Neither side has much interest in establishing a local administration. In a situation of uncertainty the GoS maintains control of Diffra, Abyei's sole oil field, using a police force that remains in the territory in violation of several UN Security Council resolutions. Making the establishment of the administration as a precondition for any negotiations on Abyei's final status—and then

also blocking the establishment of such an administration—allows the GoS to indefinitely defer discussion over Abyei’s political future. This enables it to try to manage Missiriya discontent over the prospect of Abyei joining South Sudan. While the NCP has instrumentalized and fed this discontent for years, it now finds itself in a bind. Having promised Abyei to the Missiriya for 20 years, it cannot now abandon them without causing a great deal of anger, a prospect that is extremely unpalatable for the NCP, given recent SRF—and in particular JEM—success in recruiting among the Missiriya (Craze, 2013a, pp. 98–100).

The establishment of a joint local administration, despite claims by the GRSS to the contrary, is now unacceptable to the Ngok Dinka. Given that the Ngok Dinka political leadership have established *de facto* control of Abyei—except for Diffra—and many of the civil servants of the previous administrations have now returned, there is little incentive to continue negotiations to establish a joint administration that would further disenchant the Ngok Dinka and threaten the informal administration’s control of the territory.

## The 2013 Ngok Dinka referendum

In the second half of 2013, with negotiations over Abyei deadlocked, preparations began for a unilateral referendum in the territory. The Ngok Dinka community felt abandoned by the international community, which continued to insist on bilateral negotiations between the GRSS and GoS. It also felt increasingly abandoned by South Sudan, following the latter’s secession. South Sudanese support for Abyei was increasingly called into question in 2013, after President Salva Kiir removed a number of top officials hailing from Abyei as part of his attempts to consolidate power at the top levels of the SPLM.

Preparations for a unilateral referendum in Abyei began in earnest in August. The political leadership in the territory initially feared that a referendum would alienate the GRSS and suggested that a declaration of intent to join South Sudan would be sufficient. However, the Ngok Dinka community felt that, with negotiations with Sudan at a standstill and with the international community committed to bilateral negotiations between the two states, a referendum was the only thing the community could do for itself, and local feeling forced the hand of the political elite.

The GRSS initially supported a referendum and, together with the Ngok Dinka political leadership, conducted a high-profile political and media campaign to pressure the international community to force the GoS to accept the AUHIP's September 2012 proposal (see *Small Arms Survey*, 2013c). Despite this campaign, at a meeting on 23 September 2013 the PSC urged both countries to establish the AARC, but emphasized that no unilateral steps should be taken and that any referendum would be contingent on the agreement of both countries.

Frustrated by the lack of support, on 15 September Deng Alor Kuol, the former South Sudanese minister of foreign affairs and at that time the chair of the Abyei Referendum High National Committee—one of the referendum's organizing bodies—insisted that the referendum would go ahead regardless of GRSS support. Preparations intensified at the beginning of October, with Deng arriving in the territory on 8 October, shortly followed by Luka Biong Deng, the former South Sudanese co-chair of the AJOC, on 13 October. The Ngok Dinka community returned to the territory in increasing numbers in September and October, leading to an 18 October Abyei Community Conference that mandated an Abyei Referendum High Commission to hold a unilateral referendum on behalf of the community.

The referendum was organized according to the AUHIP proposal. Those eligible to vote were the Ngok Dinka and those with permanent abodes in the Abyei area as set out by the 2009 decision of the Permanent Court of Arbitration in The Hague. The referendum itself passed without significant problems. A total of 29 voting centres were set up around the Abyei area and much of the voting occurred during the first two days of the referendum (27–28 October). While neither the UN nor the AU sent official observers, UNISFA, the international media, and independent observers watching the poll reported few irregularities (Cross and Flatman, 2013). A total of 64,775 people registered to vote, of whom 64,433 voted, with nearly 99 per cent of the vote in favour of Abyei joining South Sudan.

The results of the referendum were celebrated in Abyei town on 31 October. However, the Ngok Dinka political leadership are under no illusions as to its substantive results.<sup>37</sup> In part, it was designed for internal consumption, and to restore hope and self-respect to a frustrated Ngok Dinka community that has

no say in the bilateral negotiations between the NCP and SPLM. The referendum also places the negotiations over Abyei on a new footing. The political leadership hope that, rather than the question of the establishment of a joint administration dominating negotiations, they can push for international recognition of the referendum or increase pressure on both governments and the international community to hold a recognized referendum in line with the AUHIP proposal, which would result in Abyei voting to join South Sudan.

The Missiriya were implacably opposed to the referendum. Beforehand, several political leaders connected to the NCP promised war if it went ahead. Following the announcement of the results, some Missiriya threatened to hold a rival referendum, but these threats were soon abandoned and the Missiriya strategy has largely been to downplay the significance of the Ngok Dinka referendum. There is little chance of the Missiriya accepting the AUHIP proposal, for while it guarantees Missiriya grazing inside Abyei and the Ngok Dinka political leadership have been at pains to point out that the referendum will not effect Missiriya rights, the northern pastoralists have experienced extensive harassment in South Sudan since 2005 and many of their grazing routes have been blocked by the SPLA and the state-level government. They are justifiably worried about the future of their livelihoods if Abyei were to join South Sudan.

The international community did not recognize the results of the referendum and is firmly committed to bilateral negotiations. At the beginning of November the PSC visited Abyei, after the GoS blocked a visit that was planned for 26–27 October, because it did not want the council's trip to coincide with the referendum. On 6 November the Equatorial Guinean politician leading the PSC team, Enrique Nuse Anguesomo, addressed the Ngok Dinka community in a speech in Abyei town. He expressed his disagreement with the referendum and emphasized that a solution to the crisis in Abyei could only come about through negotiations between Sudan and South Sudan. Protests then broke out at the main UNISFA compound in Abyei, because the Ngok Dinka community felt that the PSC failed to recognize that the unilateral referendum was carried out according to the AUHIP proposal and was an expression of the community's desire for self-determination.

A statement released by the PSC following the visit is indicative of the difficult position in which the international community finds itself. The statement

recognized the ‘inalienable right of the people of Abyei to self-determination’, but refused to recognize the referendum (AUPSC, 2013). The PSC’s position is that, while it privately recognizes that the people of Abyei wish to join South Sudan, this cannot occur without Sudan’s authorization. A report from the UN Secretary-General released on 27 November was equally sceptical, noting that the ‘unilateral referendum organized by the Ngok Dinka community served only to heighten tensions between the local communities and has the potential to seriously undermine the modest progress by the Governments of Sudan and South Sudan’ (UN Security Council, 2013, p. 8).

On 1 November the Ethiopian prime minister, Hailemariam Desalegn, also said that his country—which provides the troops for UNISFA—would not recognize the results of the referendum. Underlying all these pronouncements is the sentiment that, while a referendum held according to the AUHIP proposal would be desirable, it can only come about in the context of negotiations between Sudan and South Sudan, and that it is the two states and not the people of Abyei that must ultimately determine the territory’s political future.

The GoS has downplayed the referendum. Al Khair Al Fahim, the (Missiriya) Sudanese co-chair of the AJOC, stated that the referendum was invalid and would have no influence on negotiations between the two countries. The GoS strategy is to avoid speaking about the referendum in an attempt to minimize its importance.

Following the international community’s rejection of the referendum, the focus of the Ngok Dinka leadership turned to getting it recognized by the GRSS. In the run-up to the referendum the SPLM first supported it, and then, as it increasingly became a reality and the strength of international opposition to the project became known, issued strong statements distancing itself from what was happening in Abyei, with the South Sudanese minister for information, Michael Makuei Lueth, stating on 30 October that the GRSS had no role in the referendum. However, such statements are partly designed for international consumption: given the UN and AU criticism of the referendum, openly supporting the process would be politically dangerous. Informal support was forthcoming, however. The GRSS has long claimed that Abyei is a part of South Sudan, the state-level government assisted the Ngok Dinka who returned to Abyei in preparation for the referendum, and several South Sudanese ministers

attended the celebrations in Abyei town on 31 October. However, it is unlikely that the referendum will change the GRSS negotiating strategy. Ever since the GoS's rejection of the AUHIP proposal, the GRSS has repeatedly called on the AU and UN Security Council to take a more prominent role in resolving the crisis in Abyei; the referendum result is likely to simply become one more tool to support this strategy.

While the GRSS cannot formally endorse the referendum, it supports the de facto Ngok Dinka administration in Abyei. President Salva Kiir donated 12 vehicles to the Ngok Dinka leadership in July 2014 and the GRSS transferred SSP 24 million (USD 5.3 million) to the Abyei administration to pay civil servants in the territory. On 18 August 2014 the South Sudanese Ministry of Health committed to rebuilding Abyei's hospital and training the area's medical staff. Together with this economic support, the GRSS continues to insist that Abyei belongs to the Ngok Dinka. On 24 July the South Sudanese Ministry of Foreign Affairs issued a statement demanding that the Missiriya leave Abyei and claiming that the area belongs to the Ngok Dinka. Given current political tensions in South Sudan, the GRSS cannot risk alienating the Ngok Dinka, many of whom hold important positions in the SPLM hierarchy.

More assertive GRSS support for the Ngok Dinka is unlikely, however. The GoS is anxious about the number of Missiriya joining the SPLM-North and JEM, and will not risk further alienating the northern pastoralists by compromising on Abyei; negotiations are thus likely to remain at a standstill. Equally, while since December 2013 SAF has given only modest assistance to the SPLA-IO, the GRSS recognizes that, if relations between the GoS and itself were to worsen due to SPLM support for the Ngok Dinka's referendum, it may result in further SAF support to the rebel forces. Equally, the GRSS recognizes that, even if it were to accept the result of the October referendum, without the agreement of the GoS and the Missiriya Abyei would not be able to join South Sudan without military conflict between SAF and the SPLA.

With both the AU and UN committed to bilateral negotiations, and the GoS committed to the establishment of a joint administration—which is totally rejected by the Ngok Dinka community—as a prior condition to negotiations on Abyei's political future, it seems unlikely that the referendum will be recognized or that the crisis in Abyei will be resolved in the foreseeable future. This



is especially the case given the current upheaval in South Sudan, which is occupying the attention of the international community and the GRSS, making it unlikely that there will be a push to resolve the situation in Abyei while this internal conflict continues.

As of the beginning of September 2014 this leaves a newly empowered Ngok Dinka leadership in de facto control of much of Abyei, but without the international recognition or police force that would allow it to obtain adequate aid or act as a functioning administration. UNISFA is currently acting as the territory's police force. On 29 May 2014 the UN Security Council renewed UNISFA's mandate until 15 October. As of the end of August the force had 4,088 soldiers in the territory. Following the October referendum UNISFA had to supervise a frequently violent Missiriya migratory season.

## Clashes between the Missiriya and Ngok Dinka

Clashes between the Ngok Dinka and the Missiriya were particularly intense in May and June 2014. As is traditional, the end of the grazing season has seen a number of Missiriya cattle raids on Ngok Dinka livestock, as the northern pastoralists seek to increase their herds. These raids were more fractious than in recent years due to the total breakdown in relations between the Missiriya and the Ngok Dinka. The Missiriya now only graze in Abyei under UNISFA escort. Missiriya grazing does not depend on Ngok Dinka assent, as in previous years, which lessens the Missiriya's need to maintain good relations with Ngok Dinka host communities. On 18 May two Ngok Dinka were killed in Leu (21 km east of Abyei town) during a feud over raiding. On 25 May Missiriya raiders stole 158 goats and sheep from around Dungop. UNISFA subsequently recovered most of the livestock from around Goli in northern Abyei. On 4 June 300 head of livestock were stolen from near Rumameer; UNISFA again recovered the majority of this livestock. On 14 June Missiriya raiders killed four Ngok Dinka and stole 52 head of livestock from outside Abyei town. The difficult rainy season conditions meant that UNISFA were unable to recover the livestock or locate the raiders. On 16 July Missiriya raiders killed five civilians and stole some 800 head of livestock near Wunroc, about 4 km to the south-west of Abyei town. A UNISFA patrol that responded to the raid came under fire from

the Missiriya near Nyincor. Around 150 head of livestock were retrieved, but the raiders could not be found.

The Ngok Dinka claim that SAF backs these raids. Bulabek Deng Kuol, the paramount chief of the Ngok Dinka, claimed that the 14 June raid was carried out by fighters wearing SAF uniforms. Deng Biong Mijak, the SPLM representative responsible for Abyei, claimed that the 16 July attack was carried out by a combination of the Missiriya and Thomas Thiel's Southern Sudan Unity Movement. Thiel, who is much hated in Abyei, is a Twic Dinka who fought with SAF in South Kordofan during the second civil war and was responsible for some of the violence in Abyei in 2008, when an altercation between SAF and the SPLA led to the destruction of Abyei town.

UNISFA has not confirmed SAF involvement in the attacks. SAF has armed and sponsored Missiriya forces on many occasions over the last decade, but the extent of its involvement in recent clashes cannot be established. However, the Missiriya raided locations south of Abyei town during a period of the migratory season in which the vast majority of pastoralists were around Goli in the north of Abyei or were already in West Kordofan, suggesting that these were not simply end-of-grazing-season raids, but planned attempts to destabilize Abyei. At the very least, they demonstrated the total deterioration in relations between the Missiriya and the Ngok Dinka. Given the ongoing conflicts in Sudan and South Sudan, this total breakdown and the reduced diplomatic and international focus on Abyei mean there is unlikely to be a change in the area's political status in the foreseeable future. ☹

## V. 14-Mile Area

### Background

The Malual Dinka are the principal residents of the 14-Mile Area, a contested stretch of land extending 14 miles south of the Kiir/Bahr al Arab river, between Northern Bahr el Ghazal and East Darfur. The Rizeigat Arabs seasonally migrate into the area during the dry season to graze their livestock south of the Kiir. Following grazing disputes between the two groups in 1918, the British governor of Darfur tried to impose a new grazing boundary and created a Rizeigat area that extended 40 miles south of the Kiir.<sup>38</sup> The Malual Dinka complained vociferously and in 1924 a compromise was agreed: the Munro-Wheatley line (named after Patrick Munro, the governor of Darfur, and Major Mervyn Wheatley, the governor of Bahr el Ghazal) was created running 14 miles south of the River Kiir and thus creating the coordinates for the contemporary territory known as the 14-Mile Area.

The 14-Mile Area was a belated addition to the AUHIP map of the SDBZ. It was added at the insistence of the GoS, which claimed that not to include the whole area (not just its northern part) in the SDBZ would be to concede territory to South Sudan. This claim is not consonant with the 27 September security agreement. As discussed earlier, the GoS's motivation for adding the 14-Mile Area to the SDBZ is more credibly motivated by its desire to cut SRF supply lines from Northern Bahr el Ghazal and force an SPLA withdrawal from its positions along the River Kiir.

The 14-Mile Area is an example of some of the challenges posed by the Sudan-South Sudan border. The Munro-Wheatley line, which may well become a line of absolute national sovereignty dividing Sudan and South Sudan, was originally intended to mark out an area of Rizeigat grazing. Even in this area there were spaces where the Malual Dinka had grazing rights and places where both groups shared such rights. Since 2005 the 14-Mile Area has remained an area of shared grazing rights, but both groups now also make maximal territorial claims. The Malual Dinka argue that their land extends far north of the River

Map 5 The 14-Mile Area



Kiir, up to Meiram, and that this area should be part of South Sudan, while the Rizeigat lay claim to the 14-Mile Area south of the Kiir. Following South Sudan's secession, these claims intensified, because both sides feared that a national border would undercut traditional grazing routes and deprive them of essential grazing land.

The claims of the Rizeigat and Malual Dinka largely mirror the negotiating positions of the GRSS and GoS, although their stances are differently motivated. The villages along the River Kiir in the 14-Mile Area constitute important strategic and military sites for both governments' armies, as well as vital transport corridors between the two states. The GoS also believes that SPLA control of these villages allows the SRF to move supplies into Sudan from South Sudan. While the SRF maintained a presence in Northern Bahr el Ghazal in 2011–12, there is no evidence that the GRSS is supplying weapons to JEM via Kiir Adem, despite GoS claims.

Given these resources, entrenched questions of internal security, and the importance of the Malual Dinka and Rizeigat as political constituencies for the SPLM and NCP, respectively, there is little prospect of an agreement on the final Northern Bahr el Ghazal–East Darfur border in the foreseeable future.

In addition to being the site of complicated inter-group grazing zones and an arena for political negotiation, the 14-Mile Area is now also part of the SDBZ. When the 27 September security agreement was announced, the Malual Dinka protested vociferously in both Aweil and Juba. This discontent was reflected in the position of Paul Malong Awan, then the governor of Northern Bahr el Ghazal, who thanked the people of the state for refusing to allow the SDBZ to exist in 'their ancestral land'.

Following pressure from the SPLM, the government of Northern Bahr el Ghazal withdrew its opposition to the SDBZ; however, the structural reasons for such opposition remain. The Malual Dinka feel that the SDBZ will mean retreating from land from which they were displaced during the second civil war and in the defence of which they have lost relatives—both during the civil war and in more recent clashes around the village of Kiir Adem. Furthermore, following South Sudanese independence, nationalist sentiment is growing all along the South Sudanese side of the border and the Malual Dinka believe that they should no longer have to share their land with the Rizeigat.<sup>39</sup> While the

SPLM has pointed out that the SDBZ does not mean that the community's claims to the 14-Mile Area need to be abandoned, the Malual Dinka are aware that, with no agreement on the final border between the two countries forthcoming, the establishment of the SDBZ would mean the absence of SPLA protection in crucial grazing areas.

## A constantly shifting status quo

According to the 27 September security agreement 'joint tribal mechanisms' should resolve disputes in the 14-Mile Area. However, since the second civil war SPLA intervention has steadily displaced Rizeigat–Malual Dinka meetings as the foremost frontier institution governing grazing. During the 2011–12 grazing season only the intercession of the SPLA and the government of Northern Bahr el Ghazal allowed the Rizeigat to graze in the 14-Mile Area, such was the level of antipathy felt towards the northern pastoralists.

The Malual Dinka had their anxieties about the 14-Mile Area substantially confirmed shortly after the SPLA withdrew its forces from Kiir Adem and Warguit—two of its main bases in the area—in March, when Rizeigat forces attacked Malual Dinka settlements on 25 March 2013, killing three people and stealing 200 head of cattle. The SPLA withdrawal represented something of a coup for the GoS. The SPLA occupied Kiir Adem in October 2010 and subsequently reinforced its positions in the 14-Mile Area at Warguit, Sumayah, and Kiir Adem. SAF repeatedly used air campaigns to try and displace the SPLA, conducting air raids in October and November 2010, and again in April–May 2012 and December 2012.

The SPLA, however, did not pull out of the entire 14-Mile Area, as detailed in the section on military positions in this Working Paper, above. Despite the continued presence of SPLA forces in the 14-Mile Area, after reconnaissance flights on 23–26 March 2013 the JBVMM claimed that the SPLA had left its positions around Kiir Adem. Subsequent JBVMM flights have also led to reports that the area is demilitarized, aside from SPLA bases in the east of the area, despite satellite imagery and witness reports to the contrary. One of two operative JBVMM bases is in Gokk Machar, Northern Bahr el Ghazal, just a few kilometres south of the 14-Mile Area. However, the JBVMM is still awaiting the

deployment of UNISFA peacekeepers to protect ground patrols, which could be many months away. In the meantime the JBVMM cannot accurately verify that the SDBZ is demilitarized.

As elsewhere along the border, continued commerce between the two countries has been made a function of the security arrangements between them. On 22 October 2013, following a presidential summit between Salva Kiir and Omar al-Bashir, a series of border crossing points should have opened, including one between Aweil and Babanusa. In reality, these crossings remain closed. On 6 November Paul Malong Awan, then the governor of Northern Bahr el Ghazal, announced that the border crossing points would remain closed until all outstanding security issues between the two countries are resolved.

As of September 2014 the crossing points remain closed and Sudanese traders complain of harassment, despite trade agreements made between the Malual Dinka and Rizeigat during the first half of 2014. Since December 2013 there have been no further substantive discussions over the East Darfur–Northern Bahr el Ghazal border, because political attention has been focused on the South Sudanese civil war. Until May 2014 Northern Bahr el Ghazal state was relatively peaceful. This calm reflected the strength of Paul Malong Awan’s control of the state and its relatively settled ethnic makeup. The ferocious conflict in Unity and Upper Nile states in the first half of 2014 reflects divisions that date back to the second civil war between the SPLA and militia forces that were only imperfectly integrated into the SPLA after the signing of the CPA. In Northern Bahr el Ghazal, in contrast, no large rebel forces were present during the second civil war apart from the SPLA.

The SPLA 3<sup>rd</sup> Division, which is based in Northern Bahr el Ghazal, was active in Unity state and Upper Nile in early 2014, with Paul Malong Awan playing a key role in the recapture of Malakal on 19 March. On 24 April, in response to SPLA discontent with the way the civil war was being run, President Salva Kiir dismissed the SPLA chief of staff, James Hoth Mai, the sole remaining high-ranking Nuer member of his administration, and appointed Awan to the post. Kuel Aguer Kuel became the caretaker governor of Northern Bahr el Ghazal state. Kuel was a key political ally of Awan during the 2010 elections and is widely seen as a loyal supporter of the former governor, who remains the central figure in the Northern Bahr el Ghazal political scene.

Awan's absence, however, emboldened Dau Aturjong Nyuol, a former SPLA general who had fought an unsuccessful electoral campaign against Awan in 2010. Nyuol, who is a Malual Dinka from Aweil North county, Northern Bahr el Ghazal, announced his defection to the SPLA-IO in May 2014. However, unlike some of the forces in Unity and Upper Nile state, who are motivated by genuine grievances over the killings of Nuer civilians in Juba in December 2013, Aturjong's defection should be seen largely as opportunistic and as a means to turn military threat into greater influence in the state: with conflict ongoing in Unity and Upper Nile states the SPLM can ill afford to open up a new front in Northern Bahr el Ghazal. Kiir reportedly immediately made entreaties to Nyuol to reverse his decision, but they were refused.

However, as of September 2014, Aturjong's forces have not been militarily active in the state. Clashes in Gokk Machar on 14 July were between the SPLA and defectors who left Western Bahr el Ghazal after deserting in April, following the non-payment of their salaries. Soldiers from the SPLA's 3<sup>rd</sup> Division also deserted their positions in Upper Nile in June 2014 and returned to Aweil North, where they were disarmed. Earlier that month more than a thousand soldiers deserted in Jonglei. Over the period 1–5 August 500 heavily armed SPLA deserters entered East Darfur after crossing through the 14-Mile Area. The Rizeigat fear that these desertions will undermine the peace agreements they have signed with the Malual Dinka.

Such desertions also indicate one of the challenges facing the SPLA in the current conflict. With greatly reduced oil revenues, the GRSS is struggling to pay its troops. At best, this can lead to desertions and the prolonging of a conflict that neither side is able to win. At worst, as during the second civil war, soldiers turn to theft and pillage to sustain themselves, and thus create war economies that mean that soldiers have a good deal to gain from continuing to fight. While the troops that deserted from Northern and Western Bahr el Ghazal are not connected to Aturjong's rebel forces, they are an example of a similar phenomenon at different scales of wealth and power. For the deserters, the absence of SPLA wages means they must turn elsewhere to assure their livelihoods, or else join the rebel movement and hope that the threat of fighting against the SPLA is enough to make it pay them. Marginalized in Northern Bahr el Ghazal and in straitened political circumstances, Aturjong also deserted,



although to form a rebel force of his own, in the hope of being reabsorbed into the SPLA with more influence—a strategy that has a long and successful history in South Sudanese military politics.

The desertions have created an atmosphere of uncertainty in Northern Bahr el Ghazal and have disrupted trade in the state. Roadblocks have been set up and Sudanese traders complain of higher taxes in Majok and Warawar, two of the largest trading towns for merchants from the north. There are also reports of roadblocks collecting ‘Zaka’ taxes from Muslim traders.

However, while trade is disrupted and the border crossings between the two countries remain closed, commerce between Northern Bahr el Ghazal and East Darfur flourishes more than anywhere else on the Sudan–South Sudan border, with active border markets around Warawar, Gokk Machar, Kiir Adem, and Majok. These markets inherit a tradition of successful SPLA garrison markets (‘peace markets’) that existed during the second civil war and brought together Missiriya, Rizeigat, and Dinka traders. Smuggling flourishes in the 14-Mile Area, bringing much-needed supplies into Northern Bahr el Ghazal. The rainy season continues to be a more important determinant of trade than military movements in the border zone. On 3 August 2014 merchants in Warwar reported that flour, sugar, and sorghum have all massively increased in price, partly due to roadblocks, but primarily due to heavy rains on the route from Meiram.

In such a situation it remarkable that the Rizeigat migration into Northern Bahr el Ghazal state was so successful. The period 2013–14 saw the first migratory season since the implementation of the 14-Mile Area. According to the 27 September 2012 security agreement ‘joint tribal mechanisms’ should have resolved any disputes. Before the grazing season began such mechanisms seemed unlikely to assure the safe passage of the migrants. As we have seen, in recent years meetings of the Malual Dinka, Missiriya, and Rizeigat have been steadily superseded by SPLA control over grazing. Since 2005 a number of grazing agreements have been signed between the Rizeigat and Malual Dinka, with only limited success (see Craze, 2013a, pp. 50–58).

The 2012–13 grazing season, for instance, was marked by serious tension. In March 2013 some 50,000 pastoralists found their passage into South Sudan blocked by the SPLA. A migration conference held in Aweil on 20–22 March attempted to overcome these problems. The Malual Dinka and Rizeigat agreed

that a joint peace committee would be established and that the Rizeigat would not carry weapons into South Sudan. Such agreements have been made and subsequently violated every year since 2005. There was also increasing tension over the territorial future of the 14-Mile Area. On 29 August Mahmoud Musa Madibo, one of the Rizeigat leaders, threatened to enter Samaha (a village and market on the northern bank of the River Kiir facing Kiir Adem) in the near future and claimed the 14-Mile Area as Rizeigat territory. On 11 September the governor of East Darfur, Mohammed Hamid Fadlalla, warned of war if the SPLA did not withdraw from the 14-Mile Area.

However, with the beginning of the grazing season a number of agreements were made. On 11 November 2013 the Malual Dinka and Rizeigat attempted to standardize the often wildly fluctuating tax rates imposed on northern pastoralists by a plethora of South Sudanese actors. One of the Rizeigat's most frequent complaints during the previous grazing season was that pastoralists were taxed multiple times, often onerously, making it difficult for herders to afford to graze their livestock inside South Sudan.

Both the Rizeigat and Malual Dinka largely adhered to these agreements. During a post-migration conference in Gokk Machar on 26–27 May 2014 the two sides committed to the next migration season and agreed to pay compensation for the infractions that occurred during the 2013–14 season. While seven Dinka civilians were killed during the migratory season and 41 Rizeigat livestock were stolen by the Malual Dinka, the success of this grazing season and the continuity of relations between the Rizeigat and Malual Dinka contrast starkly with the almost total breakdown of relations between northern pastoralists and southern host communities elsewhere along the border. These continuities are possible thanks to both a long history of continuous grazing agreements, which continued during the second civil war, and a changing political landscape in East Darfur, in which GoS power is increasingly strained and the Rizeigat are making new alliances and joining the SRF to ensure their communities' future. 📍

## VI. Conclusion

This Working Paper has reviewed developments in the Sudan–South Sudan border zone from July 2013 to the beginning of September 2014. In one sense, little has changed. The internal conflicts in both countries have focused both national and international attention on these struggles, resulting in negotiations over the border and a temporary SDBZ being sidelined. There is little prospect of substantive political developments in negotiations in the near future. From 2005 to 2011 negotiations over the border were largely a function of the two states' jockeying for position in a struggle in which diplomatic deliberations alternated with military altercations. These negotiations excluded border communities, resulting in marginalized groups maximizing their mutually exclusive claims to territory and leading to a resolution of the claims and counter-claims becoming increasingly unlikely. What the events of this period underline is the impossibility of a sustainable agreement on a demarcated border without taking into account the actuality of the people and forces that will have to live along it. As of September 2014 this process now has to include the SPLA-IO and SRF.

One of the striking elements of the continued deliberations over the SDBZ is the extent to which these negotiations exist as an object of diplomatic deliberations between Sudan and South Sudan that bear little relation to what happens on the ground. Neither state can guarantee the demilitarization of its own border zone, even if it wished to do so, because it is not in control of it. In some respects the SDBZ is a distraction from the genuine issues: an argument about a temporary zone whose enforcement mechanism are woefully undermanned and inefficient, which distracts from the genuine challenge of working out a livable border zone for the people of Sudan and South Sudan who live in it.

This challenge can only be answered when the internal civil wars in Sudan and South Sudan are resolved. The whole border region is affected by these conflicts, which are in many respects a continuation of the second civil war. The SRF's struggle against the GoS finds its origins in the inadequacies of the CPA. Equally, for JEM fighters supporting the SPLA in Unity state, this conflict

is a continuation of the last war: a struggle of the peripheries against an extractive centre in Khartoum that for pragmatic reasons now involves them in a struggle against the SPLA-IO. For the GoS, Sudan's internal conflict takes precedence over everything else: its priority during border negotiations is to cut off South Sudanese support for the SRF. Troop movements along the border, trade blockades, and bombing campaigns are all driven by this goal. Inside South Sudan the current conflict has intensified latent tensions that were not resolved by the integration of the South Sudan Defence Forces into the SPLA in 2006. These conflicts may yet see further alliances between the SPLA-IO and SAF. Such alliances would cross international borders, but the differences between the Nuer forces in southern Upper Nile state and the Dinka troops controlling Malakal are almost as great as those dividing Sudan from South Sudan today. A sustainable border will only emerge through the resolution of these differences and not in spite of them. 🗨️

# Endnotes

- 1 For the Sudan People's Liberation Army-in-Opposition's use of Sudanese territory, see Small Arms Survey (2014a). For the role of Sudanese rebel forces in the internal conflict in South Sudan and further background on their involvement, see Small Arms Survey (2014a) and Gramizzi and Tubiana (2013).
- 2 For an account of Sudan's sponsorship of southern militias during the second civil war, see Craze (2013b).
- 3 For an account of JEM's involvement in Unity state until April 2014, see HRW (2014, p. 8).
- 4 The Missiriya are a good example of this. Long deployed as militia fighters by the Government of Sudan, since 2011 they have increasingly joined the SPLA-North, the SPLA, and JEM. More recently, there are reports that they have also fought together with the SPLA-IO. These transformations do not represent ideological shifts, but rather the Missiriya's attempt to find allies in an effort to maintain their way of life. See, among others, Gramizzi and Tubiana (2013).
- 5 An account of the border zone, the transformations under way there, and the issues at stake in the area for Sudan and South Sudan can be found in Johnson (2010a).
- 6 For details of South Sudanese militias and their relationship to the GoS prior to December 2013, see Small Arms Survey (2013d). For information on SPLA-SRF relations, see Gramizzi and Tubiana (2012).
- 7 Gagnon and Ryle (2001) wrote an account of Unity state during the second civil war that remains one of the most vivid depictions of the uncertainties and divisions of the period.
- 8 Craze (2013a) provides an assessment of insecurity in the border zone prior to early 2013.
- 9 Author telephone interviews with traders in Unity and Northern Bahr el Ghazal states, November 2013, and with traders in Northern Bahr el Ghazal, June 2014.
- 10 For a more detailed account of negotiations up until January 2013, see Craze (2013a, pp. 22–42).
- 11 For instance, the nine 27 September 2012 Addis Ababa agreements only mention the CPA once—in relation to the final determination of the border between the two countries—and instead take as their point of reference a series of security agreements signed between 2011 and 2012 (see Craze, 2013a, pp. 31–37). The Abyei Protocol of the CPA, however, remains a central frame of reference in negotiations over the territory.
- 12 Johnson (2010b, p. 15) notes that 'much of the border was unsurveyed [at the time of independence]. Even the most detailed maps do not record significant topological features along the boundary lines'.
- 13 Craze (2013a) details the substance of these disputes.
- 14 For further details of this arbitration, see Craze (2011, pp. 16–18; 2013b).
- 15 For further details of the situation in Renk county, see Craze (2013a, pp. 148–58).
- 16 Fuller analysis of the historical situation in these two territories can be found in Johnson (2010b) and Craze (2013a).
- 17 This was a point correctly noted by the GRSS negotiating team in 2012 (RoSS Negotiating Team, 2012).

- 18 A more detailed account of the initial diplomatic debates about the SDBZ, which ties its development to the state of negotiations between Sudan and South Sudan, is available in Craze (2013a, pp. 27–37).
- 19 For a detailed account of these agreements, see Craze (2013a, pp. 31–37).
- 20 While the SDBZ is also to be demilitarized, its demilitarization is to be *verified* by the JBVMM; the force *ensuring* the demilitarization of Abyei is much larger (for a much smaller area).
- 21 This river is called the Bahr al Arab or Jurf in Arabic and the Kiir in Dinka. For ease of reference, this Working Paper refers to it as the Kiir.
- 22 Author telephone interviews with UN Mission in South Sudan (UNMISS) official, 22 September 2013.
- 23 For more details on SRF activity in South Sudan, see Gramizzi and Tubiana (2012; 2013) and ICG (2014).
- 24 IGAD is a regional forum that was involved in the negotiations over the CPA and since December 2013 has been attempting to mediate South Sudan’s internal conflict.
- 25 Author telephone interviews with UNMISS officials, September–November 2013.
- 26 Author telephone interviews with UNMISS officials, August–October 2013.
- 27 Author telephone interviews with residents of Renk county, August 2013.
- 28 For further historical background, see Craze (2013a, pp. 103–47).
- 29 Author telephone interviews with Sudanese traders, Manyo county, Upper Nile state, October 2013.
- 30 Author telephone interviews with Sudanese traders, Mayom county, Unity state, November 2013.
- 31 For some astute reflections on this economic asymmetry see Rolandsen (2013).
- 32 Author telephone interviews with UNMISS officials, September–October 2013.
- 33 Author telephone interviews with UNMISS officials, September–October 2013, and Northern Bahr el Ghazal, October–November 2013.
- 34 Author interviews with UNMISS officials and witnesses (names withheld), Northern Bahr el Ghazal, November 2013.
- 35 For a much more detailed account of Abyei prior to 2013, see Craze (2011).
- 36 Only a few sections of the Missiriya actually graze their herds in Abyei; the vast majority live in South Kordofan.
- 37 Author telephone interviews with Abyei politicians, November 2013.
- 38 For a superb analysis of the debates on the Rizeigat–Malual Dinka border in this period, see Vaughan (2013).
- 39 For a detailed account of Northern Bahr el Ghazal since 2011 and the effect of South Sudan’s independence, see Craze (2013a, pp. 43–69).

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