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## The Dialogue Brief

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### Abyei Dialogue: Bottom Up and Top Down

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#### Summary

*This report on the case of the Ngok Dinka of Abyei provides a model for the National Dialogue that substantiates the Bottom-Up-Top-Down approach, which the President has stipulated in his various statements, and in his Concept Note. The experience documented in this report is particularly remarkable in that it started as a personal problem between leading individuals, extended to regional relations between neighboring communities, became incrementally connected to the responsibility of the national government for addressing the Abyei crisis, and ended with the challenges facing Sudan and South Sudan over the case of Abyei.*

*The starting point is a conflict that persisted for years between Bona Malual and leading Ngok Dinka individuals in the SPLM/A and the Government of South Sudan. As is well known, Bona Malual's leadership extends from his base in the Twic Dinka community, to the Greater Bahr el Ghazal region, on to the level of South Sudan, with connections to the leaders of the Sudan, and outreach extending to the international community. The Ngok leaders with whom Bona Malual has been in conflict are individuals who contributed enormously to the South Sudanese struggle and continue to play crucial roles in the post-independence Government of South Sudan.*

*Considering Bona Malual's influence at the leadership levels of both South Sudan and Sudan, his adversity toward Ngok Dinka leaders inevitably impacted negatively on his approach to the case of Abyei. It not only deprived the area of the constructive role he could have played in the search for a solution to the Abyei crisis, but also reflected a negative attitude to the area by association. Reconciling Bona Malual with Ngok Leaders, therefore, became an urgent imperative.*

*Years of efforts by the author eventually achieved the reconciliation and the unification of cooperative efforts between Bona Malual and his Ngok Dinka adversaries, followed by the unification of efforts to address the Abyei problem. Throughout reconciliation talks, the leadership of South Sudan was kept informed and in full support of the process.*

*Following the reconciliation, Bona Malual and the author proceeded to Khartoum to dialogue with the leaders of the Sudan. On their return, they visited Abyei to brief the community and solicit local support for their efforts. That occasion demonstrated that the reconciliation had extended to the neighboring Twic community whose Chiefs and elders attended the Abyei gathering and discussions. The Governors of Twic*

and Gogrial States also attended. All demonstrated their solidarity with the Ngok Dinka people.

*The challenge now is how to sustain this spirit of reconciliation and the unified approach to the Abyei problem. This will entail addressing the crises at all levels, including the urgent need for the stabilization of the area which requires providing security, encouraging the return of the displaced populations to their areas of origin, delivering essential services, generating socio-economic development projects, fostering peaceful and cooperative relations with neighbors to the North and South, and intensifying the dialogue with the Sudan to expedite the search for a final solution to the Abyei problem. Provided is a detailed menu of recommendations for pursuing this goal.*

- 1. Undertake a serious review of the case of Abyei in light of the impasse that has stalled progress in the search for a final solution of the status of Abyei problem and consider seriously the options now available for a practical approach to the problem, the time frame for realizing these options, the security and development needs of the people of Abyei, how they can be met during the interim period, pending a final solution to the Abyei problem, and availing the percentage of the oil revenues allocated to the area by the Abyei Protocol, including settling the arrears;*
- 2. Explore ways of promoting peaceful and cooperative relations between and among the Sudanese and South Sudanese neighbors at the borders, to reassure the nomadic tribes, especially the Missiriya Arab, of their seasonal access to grazing lands and sources of water, and to strengthen the current joint peace and development committees for managing inter-communal relations, building on the customary arrangements that managed seasonal migrations in the past;*
- 3. Engage Khartoum in an earnest and sincere dialogue on possible approaches to the Abyei issue with the objective of serving the mutual interest of the communities at the borders of Sudan and South Sudan, as well as the national interests of both countries, such as through cross border infrastructure and expansion of regional trade;*
- 4. Engage the international community, in particular the United States, which championed the Comprehensive Peace Agreement and its Abyei Protocol, the African Union and the United Nations in reactivating mediation between Sudan and South Sudan over the Abyei issue, and supporting security and socio-economic development arrangements and activities as urgent components of the interim stabilization of the area, including a renewed commitment to UNISFA's role in securing the entire "box" (i.e. map) determined by the Permanent Court of Arbitration (PCA).*

## **1 The Concept**

**T**he National Dialogue, which President Salva Kiir Mayardit first announced in December 2016, and which continues to be a subject of on-going debate, should be seen as creating a conceptual framework for a multi-faceted process of preventing and managing differences that could generate conflicts of a varying magnitude. In that sense, the Dialogue should be viewed as a pervasive feature of human interaction and relations. While this process can be more formalized in aggravated specific situations, it is in fact an aspect of everyday life, which I have underscored in two publications, a book entitled 'Talking It Out: Stories in Negotiating Human Relations', and an article that has received considerable attention, 'What Is Not Said Is What Divides'. It is in this

context that I share a recent experience in a personal and inter-communal dialogue pertaining to Abyei of the Ngok Dinka that has implications nationally within South Sudan and internationally in the relations between Sudan and South Sudan.

## **1.1 The Problem**

For years now, I have been very much concerned by a conflict between my good friend and colleague, Bona Malual, and several members of the Abyei Ngok Dinka leadership in the Sudan People's Liberation Movement and Army, SPLM/A, and in the Government of South Sudan, all of whom happen to be my close relatives. As is well known, Bona Malual is not only a prominent figure in South Sudan and Sudan, but is also well connected to the leadership in both countries. He is a leading member of the Twic Dinka, which neighbors the Ngok Dinka of Abyei, and is also a leader of Greater Bahr el Ghazal.

What appeared to be a personal conflict between Bona Malual and individual Ngok Dinka leaders incrementally evolved into an inter-communal conflict between significant elements of the Ngok and the Twic, affecting indeed the relations between the two communities in the region. Given Bona Malual's connection to the leadership of both Sudan and South Sudan, this otherwise personal and inter-communal conflict was adversely affecting the political cause of the Ngok Dinka at the national level in both countries.

## **1.2 The Context**

The cause of the Ngok Dinka concerns the status of their area, Abyei, between Sudan and South Sudan. The Ngok Dinka and the neighboring Twic and Ruweng Dinka were annexed to the then Kordofan Province in Northern Sudan in 1905 by the British colonial administration for administrative convenience and to enhance their protection against slave raiders from the North. The Twic and the Ruweng were later returned to their original Southern provinces of Bahr el Ghazal and Upper Nile, respectively, while the Ngok remained in Kordofan. The British subsequently gave the Ngok Dinka the option to join the South, but their leaders opted to remain in the North for a variety of reasons, foremost among which was to safeguard their land from predictable Arab occupational claims to the land, should the Ngok Dinka join the South.

It should be recalled that even before colonial intervention, the Ngok Dinka had established close ties with the neighboring nomadic Missiriya Arab tribes to the North who enter the area seasonally with their herds in search of water and pastures. Their respective leaders had indeed concluded friendship pacts that reinforced cordial and cooperative relations between their peoples. Being members of the same administration reinforced ties of good neighborliness. Joining the South would have made the Missiriya feel insecure about their seasonal access to sources of water and grazing lands and turned them from appreciative guests to invaders and possible usurpers of the land.

The British colonial rulers and their evenhanded policies and administrative practices reinforced the cordial relations between the Ngok Dinka and the Missiriya Arabs.

Independence and the dominance of the Arab North tilted the balance in favor of the Missiriya against the Ngok Dinka. The Ngok Dinka increasingly began to identify themselves with their Southern kith and kin rather than with the Northerners. Abyei became part and parcel of Southern political consciousness and eventual rebellion against the Arab Islamic domination of the North. The youth of the area, most of whom had been educated in the South, joined the South in the two liberation wars, the first from 1955 to 1972 under the leadership of Southern Sudan Liberation Movement and its military wing, the Anya-Nya, which ended in the Addis Ababa Agreement of 1972, and the second from 1983 to 2005, championed by the Sudan People's Liberation Movement and its Army, SPLM/A, which was ended by the Comprehensive Peace Agreement, CPA, in 2005.

## **2 The Issues**

The 1972 Addis Ababa Agreement that ended the first war granted the South regional autonomy and gave Abyei the right to decide through a plebiscite whether to remain in the North or join the South. President Jaafar Mohamed Nimeiri, who made the Addis Ababa Agreement possible, refused to implement the provision on Abyei. Following my appointment as Ambassador shortly after the Addis Ababa Agreement, I became convinced that Nimeiri would not implement the provision on Abyei and that the South was no longer prepared to go to war with the North over Abyei. I therefore proposed an alternative approach in a concept note that sought to turn Abyei from a contested area to a model of peace and unity by granting the Ngok Dinka 'mini autonomy' to be self-governing and be provided with services and socio-economic development. The people of the area would then see their position at the border as beneficial and play a bridging role between the North and the South as a peaceful meeting ground and a model for national unity and integration.

I first shared the proposal with Bona Malual in the United States. We had just been appointed in Nimeiri's Government, he as Minister of Information and Culture and I as Ambassador to the Nordic Countries of Denmark, Finland, Norway and Sweden. Bona agreed that under the circumstances, that was the best thing to do. I then presented the proposal to President Nimeiri and key members of his Government, including Abel Alier, President of the Regional Government of South Sudan, Dr. Mansour Khalid, the Minister of Foreign Affairs, and Dr. Jaafar Mohamed Ali Bakheit, the Minister of Local Government. The proposal was enthusiastically endorsed by the Government both at the center and in the Southern Region. I secured funding from USAID and invited the Harvard Institute for International Development, HIID, to assist with its implementation. After I was transferred as Ambassador to Washington and later promoted as Minister of State for Foreign Affairs, I continued to monitor and promote the implementation of the project. We secured the transfer of Ngok Dinka government officials from both the center and the South to go to Abyei and serve in the administration, education, police and other civil service positions in the area.

The Project, however, proved quite controversial. Many among the educated Ngok Dinka saw it as compromising the cause of the people of Abyei in favor of joining the

South. In fact, when Nimeiri first went to Abyei to introduce the Project to the people, accompanied by Bona Malual, although he was popularly very well received, he was confronted with such an extremely hostile demand for joining the South that he decided not to announce the Project and chose not to deliver the benefits he had taken to start its implementation. Indeed, he was about to leave Abyei abruptly when Bona intervened to persuade him to calm down and honor the hospitality that had been prepared for them. Unfortunately, I was just opening the embassy in Stockholm and was not able to prepare the ground by explaining the thinking behind the proposal that generated the Project. Bona had arranged for an advance team to go to Abyei to prepare for the President's visit, but they had not seen my proposal and did not fully understand the objective of the visit. It would take considerable amount of time to regain Nimeiri's support and put the Project back on course. Persuaded by Dr. Mansour Khalid and myself, Nimeiri later delivered a statement at the Unity Day celebration in Kadugli which included a passage I had prepared in which he strongly endorsed the Project. In the statement, he added a reference to Abyei as a meeting ground for what he called 'the great Dinka and Missiriya tribes' and pledged to oversee the implementation of the Project himself. Abyei would, therefore, be autonomously administered under the Presidency.

The Project, however, remained controversial and was particularly opposed by the Missiriya and the authorities of Kordofan. The Missiriya saw it as favoring the Ngok Dinka and a ploy to make Abyei incrementally join the South. The authorities of Kordofan saw it as an imposition by the center without the approval of the Provincial Government. So, the relative success in the implementation of the Project, which the Central Government strongly supported and even formed a Ministerial Committee for its implementation, was persistently undermined by the Kordofan authorities, who continued their repressive practices in Abyei.

The unresolved situation in Abyei and the resulting agitation of the politicized youth of the area eventually resulted in a local rebellion that triggered the return to North-South violence, escalating into a full scale war in 1983. The Abyei Protocol of the 2005 Comprehensive Peace Agreement, CPA, which granted the South the right of self-determination, exercised in favor of independence on July 9, 2011, gave the Ngok Dinka the right to decide by a referendum whether to remain in the Sudan or join South Sudan. The Abyei referendum was obstructed by the Sudan and numerous efforts to resolve the impasse were to no avail. It was indeed a case of history repeating itself.

Again I came up with a proposal for the interim stabilization of Abyei under the international protection provided by the United Nations Interim Security Force for Abyei, UNISFA. The proposal aimed at establishing an autonomous self-administration of the area, delivering essential services, generating socio-economic development, and promoting peace and reconciliation with the neighboring tribes, especially the Missiriya Arabs of the North. It was in many ways a repeat of our 1972 proposal on the development of Abyei as model of peace, unity and integration in the country. I presented the proposal in two documents, a paper entitled 'Abyei as a Gulf or a Bridge' and 'Proposals for the Interim Stabilization of the Crisis Situation in Abyei Area', which I

submitted to the Security Council on May,19 2014, when I was the Permanent Representative of South Sudan to the United Nations.

The proposal was well received by the people of Abyei generally, but suspected and even openly opposed by elements of the political elite, some of whom saw it as a return to the old policies of unity with the North associated with our father as the Paramount chief, and with our family generally. Others genuinely saw it as undermining the cause of joining South Sudan. Again, as was the case with my proposal in response to the stalled implementation of the provision on Abyei in the Addis Ababa accord, Bona agreed with my proposal, although he later adjusted his position in favor of prioritizing the implementation of the Abyei Protocol, fearing that Khartoum might use the interim stabilization of the area as a ground for not moving forward with the implementation of the Protocol. Bona's support for the cause of Abyei was however impacted negatively by his conflict with individual leaders from the area. He even withdrew from actively engaging with the issue of Abyei, one of the reasons I persisted in my efforts to end the conflict.

### **3 The Conflict**

Bona Malual's grievance with Ngok Dinka leaders in the SPLM/A focused on three individuals, Deng Alor, Pieng Deng and Luka Biong Deng. Deng Alor is my cousin, while Pieng and Luka are my brothers from the same father. All three played a prominent role in the Southern liberation struggle and became leading members of the SPLM/A and the post-independence Government of South Sudan. Bona Malual not only had personal grievances against them, but also accused them of having fostered a militant attitude toward the Sudan Government in the Government and Army of South, which he said was adversely affecting the cause of their Ngok Dinka people.

Bona Malual is a close friend and ally of President Salva Kiir Mayardit and in addition to having been a cabinet Minister in the Government of President Nimeiri, was Advisor to President Omar Hassan el Bashir of the Sudan during the interim period leading to the independence of South Sudan. He has therefore been in a pivotal position to influence both leaders in their approach to the issue of Abyei. While President Kiir has been a staunch supporter of the cause of the Ngok Dinka, recent developments indicate a rift between him and key Ngok leaders in his Government and the Army. This led to the increasing marginalization of the Ngok Dinka in the Government of South Sudan, in which Bona has been implicated as having played a role.

Both for personal and political reasons, Bona's animosity with key members of my family who are leaders of our people became untenable for me. Bona has been a very close friend and a partner in both personal and political matters. In addition to having both served as ministers in Nimeiri's Government, we cooperated over the years in promoting the cause of South Sudan at home and abroad and played a prominent role in the peace processes leading to both the Addis Ababa Agreement of 1972 and the 2005 CPA.

#### **3.1 Bona's Antagonists**

As noted earlier, the three individuals with whom Bona was in conflict are both close relatives and leaders of the Ngok community, with a striking commitment to the cause of both Abyei and South Sudan.

Deng Alor, after graduating from Cairo University, was recruited in the Ministry of Foreign Affairs, and was serving at the Headquarters when he joined the struggle. For many years, he was the manager of the office of the SPLM/A leader, Dr. John Garang de Mabior. He was later appointed the Governor of Bahr el Ghazal during the struggle. He then assumed the position of Minister of Regional Cooperation during the Interim Period, after which he became Minister of Cabinet Affairs, and currently Minister of Foreign Affairs in the Government of National Unity. Deng Alor not only played a crucial role in promoting the cause of South Sudan in Africa and around the world, but was also a key member of the SPLM negotiating team in all the talks that led to the CPA. As Minister of Foreign Affairs, he occupies a position allotted the Former Detainees (FDs) by the 2015 Peace Agreement on the Resolution of the Conflict in the Republic of South Sudan. Since some of the FDs are still active members of the opposition outside the country, this makes him vulnerable to critics, including Bona Malual, who see him as an ambivalent member of the opposition inside the Government.

Pieng, after graduating from the prestigious Hantoub Secondary School at the top of his class, joined the Faculty of Engineering of the University of Khartoum where he also led his class. He was in his third year when he joined the struggle and soon rose to important commands. After independence, having risen to the rank of General, he became Deputy Chief of Staff for Operations in the SPLA and then Inspector General of Police, from which he was relieved three years later. Over the years, I have heard of Pieng's popularity within the SPLA, both during and long after the war and even after his release as Inspector General of Police. When I was Permanent Representative of South Sudan to the United Nations, I heard raving praise for Pieng's performance as Inspector General of Police from visitors to the country who did not know my relationship with him. His sudden removal from that post for mysterious reasons is widely believed to be part of the trend to remove the Ngok Dinka from positions of responsibility in the Government of South Sudan, which Bona Malual is alleged to have influenced and, judging from his later book on Abyei, seems plausible.

Luka Biong graduated with a degree in economics from the University of Khartoum, where he was first in his class. He was appointed on the Faculty of Economics of Gezira University and then sent abroad for post graduate studies. He was doing a Ph.D. course in economics in Brussels, Belgium, when he decided to join the struggle. He later obtained his Ph.D. degree from the University of Sussex in the United Kingdom. Luka held a number of senior positions in the struggle and played a key role in the peace talks and constitution drafting for both the interim government of national unity and the government of South Sudan. He established the South Sudanese Center for Documentation and Statistics, now the National Bureau of Statistics, which became a major state institution in independent South Sudan. Luka held the position of Minister in the Office of the President of South Sudan and Minister for Cabinet Affairs of the

Government of National Unity in Khartoum. After leaving the Government, he was appointed Professor of Economics at Juba University, where he became the Center for Peace and Development Studies Director, until he was abruptly compelled to leave the country by political intrigues, again believed to be part of the increasing marginalization of the Ngok Dinka in the institutions of the Government of South Sudan.

### **3.2 Bona's Grievances**

Bona's grievances against these three Ngok Dinka leaders focused on a number of allegations. He claimed that Deng Alor, as Governor of Bahr el Ghazal Province, and Pieng Deng, as SPLA Commander in the area, plotted to assassinate him on the expressed or tacit instructions of Dr. John Garang de Mabior, with whom Bona had serious political differences. He also alleged that Pieng rigged the 2010 elections in the Twic constituency, which he had always won, in favor of the SPLM candidate. Bona also alleged that Luka accused him of having sold the cause of the Ngok Dinka to the North for political favors, having been allegedly promised the position of the first South Sudanese to be Prime Minister of the Sudan, if he made sure that Abyei remained in the North.

It is ironic that although Bona Malual's conflict with these Ngok Dinka leaders impacted negatively on the relations between the Ngok and his people from the Kuac branch of the Twic Dinka, his father, Madut Ring, the Chief of Kuac, and our father, Deng Majok, Paramount Chief of the Ngok Dinka, were very close friends. Indeed, the Kuac and the Ngok are not only very close and were both annexed to the North until the Kuac were later returned to the South, but were considered initially one people. Our father's ambition throughout his leadership as Paramount Chief was to restore the unity of the Ngok and the Kuac. Bona Malual himself was close to our father and in his last days, he advised us to maintain close relations and cooperation with Bona Malual. So, trying to resolve the conflict between my friend Bona and my relatives was not only a matter of personal interest for me, but was also a fulfillment of what our father had ordained and therefore a sacred obligation.

## **4 The Dialogue Initiative**

For a number of years, I strove to fulfill this obligation and even convened a number of informal meetings toward that end. But, despite courteous response to my overtures, there was considerable resistance on both sides to attain a sustainable reconciliation. Eventually, I began to sense a more serious desire on both sides to end the feud. Although pride and the need for face saving remained obstacles in the way forward, encouraging indications led to a tentative agreement on fixing a date for talks. Bona and I agreed to converge in Juba around the first week of January, 2017. It was not easy to find a mutually convenient date for such busy individuals, but we eventually agreed to convene on January 27, 2017. Bona's brother, Wundit Madut, the Chief of their Twic tribe, came with numerous members of his community. The Ngok Dinka were also well represented. And prominent South Sudanese personalities were invited to play a mediating role. Overall, the attendance was impressive.

Both Bona and I kept President Salva Kiir Mayardit and First Vice President Taban Deng Gai and other national figures in the picture about our plans and they were all very supportive. Everyone seemed to agree that Bona's conflict with Ngok leaders was not only harmful to the cause of Abyei, but was also not in anybody's interest.

Just before the meeting convened, Bona gave me a copy of his latest book, 'Abyei of the Ngok Dinka: Not Yet South Sudan'. I knew that he was writing a book on Abyei and that he did not want to share the manuscript with me because he did not want me to influence what he wanted to say. And, indeed, had he shared the manuscript with me, I would have advised against his publishing it as it was. The book had just come out of the press and the copy he shared with me was, according to him, the first, given to him at the airport as he was leaving for Juba. I could not find the time to read it before the meeting, but I browsed through it and found it extremely provocative. I did not want the targeted individuals to read it as that would certainly jeopardize the reconciliation talks. But I did not also want them to be in the dark about the contents of the book, as that would imply that I had connived with Bona and misled them into reconciling with a man whose book still reflected uncompromising enmity.

I chose to balance the conflicting considerations by giving them the gist of what the book contained, including specific examples of Bona's allegations against them. That was the first conclusive evidence that our people had resolved to end the conflict, for while some of the allegations obviously offended them, they decided to transcend them in favor of reconciliation. I also knew that unless some unexpected developments dictated otherwise, Bona was intent on ending the conflict if his antagonists apologetically admitted that they wronged him. While I suspected that they would not go that far, I was confident that they would be constructive in their engagement with Bona. But, of course, nothing could be taken for granted on either side. After all, it was possible that they were only being courteous to me and that the talks might trigger a disruptive provocation on either side, in which case we would be even worse off than before the attempted reconciliation. But the risk was certainly worth taking.

#### **4.1 The Talks**

The venue of the meeting was a subject of some controversy. Bona favored having it in my own premises, which meant the hotel. But given the expected size of the meeting, and the need for hospitality, that was not a convenient option. The house of General Pieng, which was spacious and more suitable, was also not an appropriate option, since Pieng was a party to the conflict. The house of General Kwol Deng Abot, also known as Kwol bi Ting, though a cousin, was also spacious and suitable. When I told Bona about this option, he was not happy, since he identified Kwol with his adversaries, but he was willing to go along, since I had already made the arrangements. That venue proved very suitable. The physical arrangements were thoughtfully structured, with the leadership of the two sides and their affiliates seated in comfortable sofas and chairs facing one another, Bona and I were seated in a sofa in front of the gathering, and a large group of community members and spectators sat at the back between the two groups.

General Kwol Deim, another cousin, conducted the discussions with impressive efficiency. After Christian and Muslim prayers by a bishop and an Islamic functionary, I was called upon to make the opening statement. I began by giving the essential background to the meeting: my personal relationship with Bona, the close ties between our respective families and communities, the conflict between Bona and key members of our family and community, the adverse effect the conflict not only had on the relations between our respective communities, but also on the cause of our area of Abyei, and my efforts to mediate a resolution of the conflict and to unify our struggle behind the cause of our area. I then called on Bona to state his case to which the concerned individuals from our side would then respond.

Characteristic of Bona, he presented his case very frankly and forcefully, reflecting in almost exact words the allegations he made more extensively and forcefully in his book. He simply made his case without any indication that he wanted to reconcile, except perhaps for the mere fact that he had accepted the reconciliation talks that were underway. He did however distinguish between his conflict with individual members and his commitment to the cause of the Ngok Dinka.

Deng Alor and Pieng responded with equal candor, not accepting or apologizing for the allegations, but giving detailed explanations that refuted the allegations and indicated that there was in fact no personal grudge against Bona. In some cases, some of the alleged behavior, such as Pieng's conduct in the 2010 elections, or Deng Alor's political stance with Dr. John Garang in his differences with Bona, were explained as reflecting adherence to the policy of the movement and not personal prejudice against Bona. Overall, the differences that existed were therefore political between conflicting parties and positions, and not personal animosity.

Luka Biong was not there to respond, but he was fully in the picture about the talks and had given his acceptance and blessing. He also sent his response to the anticipated and indeed well-known allegations by Bona against him in a message that was read by Justice Deng Biong, another cousin and file holder on the case of Abyei in the Government of South Sudan. Luka's response was also an explanation, with the added tone of apology that it had not been his intention to offend Bona. In fact, he called Bona later and offered a more explicit apology for his allegation against Bona having sold the cause of Abyei to the North. He said that his angry utterance only reflected his disappointment on the expectation that, Bona, as a leader for our people, should unambiguously support their cause for joining South Sudan. It was in no way intended as disrespect for Bona.

Bona's brother, Wundit, the Chief of his tribe, responded to explain the view point of his community, specifically their resentment of the negative campaign he said was waged against Bona as their leader. He also addressed the way the conflict was affecting relations between Ngok and Twic communities back home. His tone was somewhat antagonistic and generated a strong response from one of the mediators and even from Bona himself. But it also indicated the extent to which Bona's personal conflict with individual Ngok leaders had become a conflict between their respective communities.

After a seemingly exhaustive exchange of views, the talks adjourned for lunch and the atmosphere was already friendly enough for both sides to share the food. But Bona surprisingly refused, insisting that he would not eat because, as he put it, " We are not yet reconciled". People tried to persuade him, but he would not budge. I worried somewhat that perhaps the positive trend in the talks might be misleading, and that there was still more hidden persistence to the conflict than was apparent.

After lunch a number of the attending national figures spoke in a way that reinforced the trend toward reconciliation and the need for unity behind the common cause of Abyei. The speeches were powerful and effective in bridging the differences and reconciling the parties. I felt relaxed and assured that our efforts were succeeding.

Bona gave the concluding remarks that sealed the deal. The conflict had ended; he was fully reconciled with his former antagonists. Enthusiastic applause followed. Bona embraced Deng Alor and Pieng Deng. Women ululated. The atmosphere was suddenly very jubilant. Traditional rituals of reconciliation were conducted. Dinka hymns were sung as we were escorted to stand around a lamb that was to be sacrificed. Traditional prayers were said by elders calling on God and the ancestors to bless the reconciliation. The assembled group chanted the traditional response to the prayers. At the end, we were sprayed with consecrated water as the lamb was slaughtered. Blood sprayed onto the pants of my safari suit, which the elder who was conducting the prayers told me was a blessing and that I should treasure the suit as sacred. We stepped over the lamb in accordance with tradition. All these rituals imply that the reconciliation was complete and binding and that anyone who would violate the oath of reconciliation risked a dangerous curse that could manifest itself in serious harm, amounting to illness and perhaps death.

## **5 United Approach**

The following day, Bona and I met with his former adversaries and other Ngok Dinka elders to discuss a joint strategy for pursuing the cause of Abyei. The reconciliation the day before was reaffirmed and discussions of a joint approach continued in earnest. Although Bona had been in favor of my approach for the interim stabilization of the Abyei situation, he was now more inclined to support the position of the Ngok leaders which prioritized the implementation of the Abyei Protocol of the CPA and was less supportive of my stabilization proposal which, though urgently needed, he feared might weaken the pressure on Khartoum in favor of immediate implementing of the Protocol. Despite some persistent differences on emphasis, we all agreed that our respective positions are indeed complementary.

It was now quite clear that the parties were unwaveringly committed to the reconciliation agreement. People particularly appreciated the fact that Bona, the initially aggrieved party, consistently demonstrated his commitment in all that he said and did. We continued to hold strategy meetings with the core leaders of the Abyei community in which the new unity of purpose was consistently reaffirmed.

Perhaps the most significant point in the agreed approach, one with which Bona was particularly concerned and with which I also strongly concurred, is that no solution is possible on Abyei without the cooperation of the two governments. In fact, all the resolutions of the Security Council on Abyei call for such cooperation. The belief that a solution can be imposed on the Sudan by the African Union or the United Nations is wishful thinking, and indeed naive. Of course, the international community can use various methods of persuasion, including positive and negative pressure, but in the end, the best method is to explore common ground in the mutual interest of the concerned parties toward a win-win solution.

In pursuit of that objective, it was agreed that Bona and I should proceed to Khartoum to engage the leadership on the way forward on both the implementation of the Abyei Protocol and the urgent need for interim stabilization. After the visit to Khartoum, we would then go to Abyei to brief the community on the reconciliation agreement and the result of our visit to Khartoum.

Throughout the process, we briefed President Salva Kiir and First Vice President Taban Deng on the result of the reconciliation talks and discussed with them our plans for the visit to Khartoum. They continued to be very supportive and offered ideas on what to discuss with the leadership in Khartoum.

The issue of Bona's book continued to be a matter of concern for me personally. As yet, I was the only person from our community who had read the book. But the book was out and comments were being made in the social media. Comments from the Ngok Dinka in the social media were particularly angry. I still feared that negative reaction might impact on the important achievement we had made. In particular, I was concerned that the Ngok leaders might conclude that I had misled them into reconciling with someone whom I knew had written a very hostile book against them, one that could also harm the cause of our people. I decided to keep them informed about the contents of the book as I was reading it.

Remarkably, they all demonstrated a very sober and mature response to the book. They said that they would eventually respond to the book, but objectively and constructively, and not in a way that would endanger the reconciliation that had been achieved. I reported that to Bona and emphasized that I expected their response to be constructive and that I would myself write my own response that I hoped would set the tone and create the framework for such a constructive response from the others.

Bona's reaction was very positive and reassuring. He said he would encourage and welcome any response, even if it was not constructive. He however hoped that people would bear in mind that the book was written before the reconciliation and that they would consider that people had now reconciled as they respond. He particularly stressed that nothing anyone would say in response would change his position on reconciliation. I asked him whether he would be prepared to put that down in a couple of paragraphs that could be used as a preface to any responses that might be written. He said he would first

wait for any responses that might be written and then write his response to the responses along the lines he had just shared with me.

Although I did not tell Bona at the time, I began writing my own response to the book as soon as I finished reading it. And whenever Bona came to see me in my hotel room, or where I was residing in Khartoum, he must have seen his book lying on the table and must have realized that I was probably writing a response, although we never spoke about that. Interestingly enough, when copies of his book arrived to him while we were still in Juba, Bona gave autographed copies to Deng Alor, Pieng Deng, and our cousin Kwol Alor, the Chief Administrator in Abyei. He also gave copies to a number of eminent persons in Juba in my presence and I always remarked, "This is an explosive book; read it with caution". Bona always responded to my comment with laughter and sometimes quoted my response. On receiving the book from Bona and reading the title, Abel Alier asked whether I had read it, and before I responded both Bona and I laughed as we both realized that I would give my usual warning. I can only hope that my written response and any other responses that Abyei leaders might write will be appropriately received by Bona as part of an on-going dialogue that should not harm our unity, solidarity, and unified pursuit of the cause of our people.

One thing is unquestionable. Bona's commitment to the reconciliation and the cause of the Ngok Dinka remains unshakeable and was very well reflected in our discussion with the leaders of the Sudan during our visit to Khartoum.

## **6 Mission to Khartoum**

Although we informed the Sudanese Ambassador in Juba of our decision to visit Khartoum, we arranged our plans and appointments for meetings quite independently. The visit turned out to be quite challenging. Apart from a number of pleasant social events with old friends and colleagues, and with the help of Bona's personal contacts, we met with President Omar el Bashir, First Vice President and Prime Minister, Bakri Hassan Saleh, Foreign Minister, Professor Ibrahim Ahmed Ghandour, and other Government officials.

The meeting with President Bashir set the tone for the official position. Bona began by stating the purpose of our visit, associated with the need to implement all the remaining provisions of the CPA, with a special emphasis on the Abyei Protocol, to allow the Ngok Dinka to exercise the right granted them by the agreement to decide whether to join South Sudan or remain in the Sudan. Meanwhile, there was also an urgent need to provide the area with essential services. My statement reinforced what Bona said with emphasis on the urgent need for interim stabilization of the area, including Khartoum's endorsement of an autonomous self-administration of the Ngok Dinka, the delivery of social services, the generation of development, and the promotion of reconciliation and cooperation between the Ngok Dinka and their Missiriya Arab neighbors.

Bashir's response was quite animated. He recounted the way he had supported the wishes of the people of South Sudan for independence against the public opinion in the North,

how he had expected an independent South Sudan to be a friendly neighbor with which Sudan would have the closest ties, but how he had been deeply disappointed by the hostile attitude of South Sudan toward the Sudan, how agreements reached on the withdrawal of troops from the borders had not been honored, that South Sudan was continuing to support Sudan's rebels, and that even the continued use of the name Sudan People's Liberation Movement and Army indicated a hostile attitude toward the Sudan. He said he was no longer inclined to cooperate with South Sudan, including on the issue of Abyei. In fact, it was clear that he was shifting toward confrontation.

On Abyei, he claimed that the Missiriya spend nine months a year in the area and were therefore entitled to vote in the referendum and participate fully in the interim administration of the area. He, however, stated that he was prepared to have Abyei be a state whose members would participate in all the organs of both Sudan and South Sudan, executive, legislative, and, by implication, judicial, and in the end, choose whether to be in the Sudan, in South Sudan, or retain their special status between the two countries.

I responded with equal fervor to explain that as we grew up, we knew that there was Dar el Denka, Land of the Dinka, Dar el Missiriya, Land of the Missiriya, that the Missiriya would come to Dinkaland during the dry season to water and graze their herds and sell their commodities, particularly their millet, which the Dinka craved, and return to their area with the early rains to cultivate. I also argued that the Missiriya and the Dinka each governed themselves and only shared arrangements for managing their bilateral relations. I added that during the period the Missiriya spent in Dinkaland, their Paramount Chief, Babo Nimir, told them that once they entered Dinkaland, their Chief was Deng Majok. There was absolutely no justification for suggesting that the Arabs administer themselves without Dinka involvement and then share the administration of the Ngok Dinka. Each should be autonomous and then both can agree on institutions, committees or councils, to deal with matters of mutual concern. I told him that I was, however, interested in his third option, which, if endorsed by the parties and credibly implemented, I would personally vote for in a referendum.

Although President Bashir punctuated his statements with smiles, jokes and laughter, it was obvious that he was a very angry man. Bona, who had shuttled between Bashir and Kiir over the issue of border withdrawal, told President Bashir that he understood and appreciated his anger, but that as a leader who bore responsibility for both countries, his decisions should not be based on anger. He said that we would, of course, convey his concerns to President Kiir but hoped that a basis for cooperation on addressing the pending issues, especially the Abyei problem, could be found and that we hoped to be back to continue the dialogue.

Although the tone and demeanor of First Vice President/Prime Minister Bakri Hassan Saleh was different, his message was essentially the same. In particular, he said that the time for people selecting what was good for them and disregarding what they thought not so good was over, that there would be no more room for selectivity. He, however, spoke warmly about our initiative and encouraged us to continue our efforts.

Foreign Minister Ghandour was much more cordial, perhaps diplomatic, in our discussion with him. He even appeared receptive to my plea for the interim stabilization of Abyei and welcomed my offer to prepare and send him a note on the proposal, which we agreed would be treated confidentially and not made public at this stage of the discussions.

All in all, although there were significant differences in our perspectives, the visit to Khartoum was a relative success. The fact that the visit was welcome by the authorities in Khartoum with full knowledge of what it was about was itself positive. The door for dialogue was clearly open. And the discussion on issues also confirmed a willingness to engage in a dialogue. Indeed, we were encouraged by all those with whom we met to continue our initiative with expressions of confidence that we could deliver. What all that meant, however, was that Khartoum was now linking any progress on Abyei to developments on addressing the issues pending between Sudan and South Sudan.

As expected, the response of the leadership in Juba to our report on the visit indicated that there were indeed two sides to the story and that South Sudan too had complaints about Sudan's attitude, including support for its rebels. The situation was less clear on the alleged agreements on the withdrawal of troops from the borders that Bona had brokered and the extent to which those parties honored or violated those agreements.

Since the successful reconciliation talks, we kept the Ngok leadership in Juba fully informed of our activities. They too were very supportive of our moves. They even judged our visit to Khartoum a success as it broke the silence that had ensued over Abyei. Before the visit there had been a lull in the engagement between the two countries on Abyei. Nor had there been any public debate on the issues involved. The visit had opened doors and initiated a discussion that should now be pursued and sustained.

## **7 Visit to Abyei**

We then arranged with the United Nations Interim Force for Abyei, UNISFA, to visit the area. Initially, because of sensitivity about Khartoum's possible objection, UNISFA was inclined to make it a personal visit by me to my home area. But on learning more about the background, they recognized it as an official mission and did all the necessary logistical and security arrangements. Traveling on UN flight to Wau, spending the night in the impressive VIP quarters of the UN Mission in South Sudan, UNMISS, we proceeded the next day by UN helicopter to Abyei.

The reception in Abyei was overwhelming. I had of course visited Abyei on many occasions before, in both personal and official capacities, and had always been very well received. On one occasion, visiting in my official capacity as Special Representative of the UN Secretary-General for Internally Displaced Persons, IDPs, the USAID Assistant Administrator for Africa, Roger Winter, who accompanied me, described the reception as a 'coronation', while the UN pilot who had flown us to Abyei remarked that he had never seen so many happy people in one place as he witnessed then.

This last visit was however exceptional. The reception at landing, though controlled and limited by the UN security forces, was congested with officials of the local administration, traditional authorities, and community leaders. On landing and at several spots the first day, bulls were slaughtered in sacrifice and over which we jumped in the ritual way of welcoming and honoring distinguished visitors. Uncle Alor Jok, the only surviving son of our Grandfather, Chief Kwol Arop, said very moving prayers in the Dinka spiritual tradition. Over the two days of our visit, five bulls were sacrificed at various stopping points. Seven to eight UNISFA vehicles were always in the convoy that escorted us wherever we went.

The public rally we held the day of our arrival shortly after checking into our accommodation at the UNISFA compound appeared to have been attended by virtually the entire town, men, women, and children. The Governors of the neighboring Twic and Gogrial states, and their tribal Chiefs and Representative elders, attended. In the traditional display, which I had not witnessed for a long time, the age sets of the nine sections each entered the dance field booming with their war songs and performing a variety of dances, some of which were quite acrobatic. They would then move on to leave the scene for members of the next age set to enter the scene, booming with their own songs and dance. After all the nine sections had performed, speech making began.

The formalities began with a Christian prayer and the chanting of Koranic verses. After a welcoming statement by the Chief Administrator of Abyei and the Paramount Chief, I was called upon to speak. I made a brief statement giving the background to the reconciliation we had concluded and our visit to Khartoum, after which I called on Bona to give a more detailed account of the reconciliation and what we had done since then. I then resumed my speech to elaborate on all that I had tried to do over the years for the cause of Abyei and my current proposal for the interim stabilization of the area. More speeches by the Governors and the traditional leaders followed. This went on until night fall when we returned to our accommodation at the very comfortable VIP quarters of UNISFA.

The next day, our program began with a tour of the town and the surrounding areas. The scene was both impressive and depressing. Since my last visit, Abyei appeared to have been transformed by an impressive infrastructural planning, with wide streets, lined up with modern buildings, including a hospital, schools and other structures, all of which indicated significant progress in the development of the town. The depressing aspect was that most of these structures had been destroyed by the invasion of the Sudanese army and were left as empty shells.

We then stopped at the grave site of my father, where several other leading members of the family are also buried. Another bull was sacrificed and Uncle Alor Jok sang ancient hymns and said traditional prayers invoking all the known ancestors in our long line of Ngok Dinka leaders. We then went to the local government headquarters, where we met with a large gathering in which the Chiefs of the nine sections of the Ngok Dinka, each with ten representatives, the Governors of the two neighboring states and their Chiefs, and other local officials and community leaders attended. Apart from Christian and

Muslim prayers, the meeting opened with impressive war songs from each of the nine sections. Each of the nine Chiefs, with one additional representative from each section, spoke. The visiting Governors and their Chiefs also spoke.

There was overwhelming appreciation of our initiative and a strong endorsement of my Stabilization Proposal, even by those who were known to consistently oppose any ideas emanating from anyone from our family.

The evening before our departure from Abyei, UNISFA Force Commander hosted a working dinner over which we discussed the mandate and operations of the Mission and conveyed the appreciation of the community for the work of the Mission and some of the concerns that needed attention. It was a cordial end to what had been by all criteria a very successful visit.

## **8 Dialogue in Perspective**

One of the issues most debated about the National Dialogue decreed by President Salva Kiir Mayardit is whether it is to be bottom up or top down. A remarkable feature of our initiative and the ensuing dialogue on Abyei is that it was both. Since the initial idea was to resolve the conflict between Bona Malual and individual Ngok leaders, the initiative was essentially microscopic. But as the individuals concerned represented the wider Ngok and Twic Dinka communities, the involved circles were inherently expansive. Since the ultimate objective was to unify the front in pursuit of the political cause of the Abyei area, the process had to extend not only to the national level within South Sudan, but also bilaterally to the Sudan. As the issue of Abyei is part of the Abyei Protocol of the Comprehensive Peace Agreement that was internationally brokered and guaranteed, the implications of the process inevitably extended to the international level.

Obviously, we had no means of enforcing whatever was proposed and agreed by the parties. Our only mechanism of enforcement was the commitment of the individuals to the reconciliation and the cooperation of the higher authorities who are parties to the Abyei Protocol and the CPA, in particular the leaders of the two Governments, Sudan and South Sudan.

This also implies that the dialogue involved is a continuing process. Apart from the objective of reaching an agreement, the implementation itself would require on-going dialogue and negotiation. Beyond that, continued interaction and relationships among the parties concerned is inherently a process of negotiation and dialogue.

In that sense, what the President has initiated is a concept that requires forging a normative framework and culture of peaceful interaction and negotiation or dialogue. There is no problem that cannot be resolved through peaceful means. Indeed, the traditional approach to resolving conflicts is that a solution is there to be found through exhaustive search and discussion. This is why traditional African conflict resolution method involves lengthy time consuming debates, unlike the Western approach where rights and wrongs are determined through fact finding and strict application of the laws

involved. The parties leave with one winning and the other losing. They go their separate ways, perhaps never to meet again.

The African approach is based on the assumption that the individuals in conflict are members of a community who must go back to live together. This is why the resolution of a conflict ideally involves rituals of atonement and reconciliation in which spiritual powers are invoked to bless and guarantee the deal just concluded.

It is our hope that as the Abyei dialogue initially involved individuals and specific issues concerning one community that extended to other communities and eventually two countries, it might offer some insights that are relevant to the National Dialogue decreed by the President. Apart from the interconnected levels from the bottom up and the top down, there is the additional fact that Dialogue need not resolve all the problems facing the country at once. Addressing problems one at a time may cumulatively reduce the crises and incrementally lessen the tensions in the interconnected contexts of the conflict.

Addressing the problems of Abyei can have a pacifying effect in the neighboring communities to the North and the South, specifically the Missiriya Arabs and the Twic Dinka. It could also lessen the tensions between Sudan and South Sudan and perhaps improve the prospects for cooperation. That is at least our optimistic view about the implication of what we tried to do in the Abyei Dialogue. Provided is a detailed menu of recommendations for pursuing this goal.

1. Undertake a serious review of the case of Abyei in light of the impasse that has stalled progress in the search for a final solution of the status of Abyei problem and consider seriously the options now available for a practical approach to the problem, the time frame for realizing these options, the security and development needs of the people of Abyei, how they can be met during the interim period, pending a final solution to the Abyei problem, and availing the percentage of the oil revenues allocated to the area by the Abyei Protocol, including settling the arrears;
2. Explore ways of promoting peaceful and cooperative relations between and among the Sudanese and South Sudanese neighbors at the borders, to reassure the nomadic tribes, especially the Missiriya Arab, of their seasonal access to grazing lands and sources of water, and to strengthen the current joint peace and development committees, for managing inter-communal relations, building on the customary arrangements that managed seasonal migrations in the past;
3. Engage Khartoum in an earnest and sincere dialogue on possible approaches to the Abyei issue with the objective of serving the mutual interest of the communities at the borders of Sudan and South Sudan, as well as the national interests of both countries, such as through cross border infrastructure and expansion of regional trade;
4. Engage the international community, in particular the United States, which championed the Comprehensive Peace Agreement and its Abyei Protocol, the

African Union and the United Nations in reactivating mediation between Sudan and South Sudan over the Abyei issue, and supporting security and socio-economic development arrangements and activities as urgent components of the interim stabilization of the area, including a renewed commitment to UNISFA's role in securing the entire "box" (i.e. map) determined by the Permanent Court of Arbitration (PCA).

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### **About Sudd Institute**

*The Sudd Institute* is an independent research organization that conducts and facilitates policy relevant research and training to inform public policy and practice, to create opportunities for discussion and debate, and to improve analytical capacity in South Sudan. The Sudd Institute's intention is to significantly improve the quality, impact, and accountability of local, national, and international policy- and decision-making in South Sudan in order to promote a more peaceful, just and prosperous society.

### **Author's Biography**

*Francis M. Deng* has recently been assigned the position of South Sudan's Roving Ambassador after having been the country's first Permanent Representative to the United Nations. Prior to that, he served for five years as the United Nations Secretary-General's Special Advisor on the Prevention of Genocide at the level of Under-Secretary-General. From 1992 to 2004, he served as Representative of the Secretary-General on Internally Displaced Persons. His first position in the United Nations was that of Human Rights Officer in the Secretariat from 1967 to 1972 when he was appointed Sudan's Ambassador to the Nordic Countries. He was also Sudan's Ambassador to Canada and the United States of America and was also Minister of State for Foreign Affairs for five years. After leaving his Government's service, he held a series of positions in leading think tanks and universities in the United States. Dr. Deng graduated with an LLB (honors) from the University of Khartoum to which he was appointed member of the Law Faculty and then sent abroad for post-graduate studies. He holds an LLM and a JSD from Yale University Law School. Dr. Deng has authored and edited over thirty books in a wide variety of fields and has written two novels on the crisis of national identity in the Sudan.