



THE SUDD INSTITUTE

RESEARCH FOR A PEACEFUL, JUST AND PROSPEROUS SOUTH SUDAN

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POLICY BRIEF

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Recent Killing in Abyei: Its Implications on the Relations between the two Sudans

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The shocking news of the killing of Abyei's Paramount Chief, Kuol Deng Kuol in cold blood on Saturday, May 4, 2013 allegedly by the Misseirya militiamen confirms the daunting challenge that faces the normalization of relations between South Sudan and Sudan. The fact that this heinous and despicable crime happened only three weeks after Bashir's visit to South Sudan and in less than two months after the two countries adopted implementation modalities for the signed cooperation agreements in March this year – an exercise that was largely hailed as an important step towards the normalization of relations between the two countries, speaks volumes. Unfortunately, this incident serves as yet another glaring reminder that despite the best efforts exerted thus far, the two countries are indeed, still locked in an intractable conflict over the highly contested border area of Abyei. For nearly six months after Juba and Khartoum signed the Cooperation Agreements in September last year in the Ethiopian capital, Addis Ababa, the two sides were practically deadlocked over the implementation of the very agreements they initialed.

At the center of the impasse that effectively blocked the implementation of the agreements was Khartoum's insistence that Juba should first stop its support for SPLM/A-North – a rebel group that is waging fierce battles with the Government of Sudan in Blue Nile and South Kordofan states. Sudan unilaterally decided that the SPLM led Government of South Sudan must fully sever its ties with their former comrades in-arms before any conversation about the implementation of the agreements is tabled. On its part, South Sudan categorically refutes any claim that it is supporting armed resistance in its northern neighbor. Juba accepts that it has a special bond with SPLM/A –North but denies any allegation that it has a hand in the Sudanese war. Given the fact that the current Sudan's insurgents were part and parcel of the southern-based armed struggle during the two decades long Sudanese second civil war, it is only natural that those ties would be healthy and strong, so the argument goes.

Under severe duress, thanks to some internal and external dynamics, Sudan and South Sudan finally relented and adopted the implementation modalities matrix on March 8, 2013. Consequently, this action revives hope that the outstanding issues

between the two countries could soon be resolved. In a sense, talks about the normalization of relations between the two countries gained currency after the two archrivals seemingly decided to try to give the execution of the Cooperation Agreements a priority. For peace loving people, particularly in the two nations and around the world, the news that the parties agreed to give peace a chance was much welcomed as it was seen critical for jolting the moribund Sudans' economies. To travel down the path towards peaceful coexistence badly needed in order to help arrest a myriad of challenges that the independence of the South left in its wake, Juba and Khartoum agreed to withdraw their forces along the borders to predetermined positions as established in the security agreement. Moreover, the parties decided that the production of the South's oil and its flow through the North to Port Sudan should resume immediately. The significance of forces redeployment cannot be emphasized enough because it allows for the resumption of trading activities between these two African neighboring nations. With the re-opening of borders and oil, come the free movement of people and goods, and this is bound to enhance commercial activities or even trust building, hence realization of stronger ties between the two countries. Furthermore, the production of South Sudan's oil stands to make it possible for both countries to infuse direly needed money into their local economies and strengthen their spending capacities.

However, the cloud of optimism that was ostensibly gathering pace about the two countries' determination and commitment to mending their sourly battered fences seems to have once again been terribly eclipsed by the presumable 'good old' dark-hearted action of the Khartoum self-assured masters and their allied Misseiriya militia. The murdering of Kuol, which occurred early this past May casts serious doubt as to whether the ground that is supposed to have been gained in terms of the parties' dedication to resolving their differences peacefully is not dampened. Chief Kuol met his death in the hands of Misseiriya gunmen when he was returning to Abyei town after a consultative visit to Defra. While he was on his way back from there a convoy belonging to the United Nations Interim Security Force for Abyei (UNISFA) in which he was traveling got stopped by these alleged Misseiriya armed elements. For several hours there ensued a standoff between the UNISFA soldiers and the Misseiriya forces. Sadly, this stalemate unnecessarily culminated with the callous taking of the innocent lives.

Up to this point, no clear reason behind the Misseiriya-staged deadly ambush is given. Getting comprehensive information about what exactly happened on that dreadful day is difficult, and one that the newly established 5-member investigative committee is tasked to tackle. This fact-finding body, which is made up of two representatives from the UN, one South Sudanese, one Sudanese, and one from AU has a difficult job to do – uncovering the truth about who the real culprits that masterminded this destructive episode are. In a move to register their stance on the fatal incident as well as deploying some sort of a damage control strategy, the Sudanese ministries of Foreign Affairs and Interior together with Babo Nimir, the

presumptive emir of the Misseiriya community according to the country's embassy website,¹ issued a compartmentalized press release.

In a scripted statement, the Ministry of Interior confirmed the killing of the Ngok Dinka chief, his assistant and UNISFA soldier. The statement from the Ministry of Foreign Affairs promises that the Sudanese government will cooperate and support the investigation that aims to unearth the truth about what underlies this ugly, hurtful confrontation and to bring the culprits to justice. Furthermore, the statement pledges that the Sudanese government is committed to implementing all agreements it has signed with South Sudan. To cement what appears like a tactical maneuver designed to cover up any possible role the government of Sudan might have played in the planning of a seemingly pre-meditated murder, Babo Nimir had two things to say about the occurrence. First, he wrongly blamed what transpired on the UNISFA forces. According to him, the Misseiriya community had warned the UN soldiers not to allow the slain Ngok Dinka leader to go into their heavily inhabited northern part of Abyei and the UN forces did not listen. Second, he short-circuited the truth by simply alleging that the Ngok Dinka had taken some Misseiriya cattle three days earlier, and so the Misseiriya waylaid the convoy partly to demand the return of their animals. While part of this allegation is certainly true, Mr. Nimir avoided narrating a series of events that took place prior to this event as these might help to provide a context in which what happened on May 4, 2013 can be understood.

From the look of things, the chief aim of the statements from the ministries and their Misseiriya ally seems to have been an attempt to defuse tension as they consider the incident an “isolated issue” and appeal for calm. Of course, none of these explanations given above could be taken as a justification for this barbaric action – killing people over plain senseless and dodgy claims. Given the fact that the Misseiriya had lived together with the Ngok Dinka for a very long time, it is difficult to accept that any of these shaky claims the Misseiriya leader advances had to be resolved in such a tragic manner. After all, the Ngok Dinka and Misseiriya are no strangers to one another, and so it is plausible to think that any differences that might have emerged between the two communities for whatever reason could simply have been addressed through the traditional resolution mechanisms.

Who might have plotted and killed Chief Kuol Deng Kuol, and why? For answers to these two questions, there are two obvious suspects. These are the Misseiriya community and some elements within the center of power in Khartoum. Given the fact that both the Misseiriya and agents of the Sudanese security and military elements are present in Abyei, it is possible that what happened might have been a collaborative work between the two or an independent activity that was simply

¹ “Foreign Ministry Condemns Killing of Kuol Deng, Reiterates Commitment to Cooperation Agreement”, website at www.sudanembassy.org (Accessed on May 28, 2013)

conducted by some Misseiriya elements alone. In terms of interests, the Misseiriya community has local and national ones, which overlap with those of the regime in Khartoum, hence the point of convergence to plan and coordinate together such a dirty undertaking.

As Gerard Prunier has chronicled on his personal website², frustration has been building up in Abyei, particularly among the Misseiriya and a number of key events that took place prior to Kuol's killing. The perennial problem of lack of adequate water and pastures in South Kordofan as of late February caused a great deal of anxiety in the nomadic Misseiriya community. As a result, they attempted to enter into South Sudan a few times and were stopped first by the authorities of Unity and Warrap states, and later by UNISFA in the demilitarized zone. Being restless about this situation, the Misseiriya resorted to stealing cattle from the Ngok Dinka, perhaps to provoke the situation. The Ngok Dinka responded in kind to this Misseiriya animal-taking tactic, and it is in this context that Babo Nimir's allegation of cattle theft belongs.

Besides these failed attempts to enter into South Sudan and animal thefts, there are reported ambushes in which unknown number of Ngok Dinka is reportedly murdered on April 15th and 20th this year. Politically, there was no headway between Juba and Khartoum around the negotiating table in terms of the two sides reaching an agreement on the final status of Abyei. Due to mounting pressures, and lack of progress with no end insight, late Kuol Deng is said to have asked both South Sudan and Sudan on April 23, 2013 to retreat and let Abyei negotiations be handled locally under the auspices of Abyei Joint Oversight Committee. No official reaction from either government is known, but given the fact that Khartoum sees itself central to whatever the final resolution of Abyei might be, it is plausible to argue that Kuol's offer might have angered Khartoum, and this might in part, account for any complicity on the part of the Sudanese government in his killing. Coming just four days after the Mazhana Misseiriya threatened on April 19, 2013 to vote in favor of Abyei joining South Sudan comes the plebiscite in October this year, Chief Kuol's call for the Ngok Dinka - Misseiriya negotiations might have worried Khartoum so much.

Frankly, the Misseiriya-mounted ambush could best be understood as something that was not planned and coordinated without the sanction or support of some elements in Khartoum. In all honesty, the target of this sinister ploy is the potentially up coming Abyei referendum, which the Sudanese government is attempting to avoid at all cost. Seen in this light, the Misseiriya connection in the death of the Abyei's chief is just a way to localize the problem with hope that the prospect of holding the plebiscite, which until then looks somewhat certain, could either be delayed or derailed completely. Within some circles in Khartoum, it is a foregone conclusion that the conduct of a free and fair referendum in Abyei should

² Prunier, G. "Sudan: Death in Abyei", www.gerardprunier.com (accessed on May 29, 2013)

be prevented from happening because they stand to lose. To do this, the regime that reigns through terror seems hell-bent to ensure that peace does not prevail in Abyei.

The ambushes that claimed innocent lives there seem to be part of a concerted campaign that focuses on creating panic and state of fear so that organizing the referendum is made impossible. This Khartoum's preoccupation with Abyei - wanting it to remain part of Sudan at all cost is clearly understood in South Sudan, and it is in this context that one can make sense of the South Sudanese reaction to the news of the killing. The reaction from Juba was rather swift and unambiguous. According to Sudan Tribune³, the South Sudanese Ministry of Foreign Affairs and International Cooperation has filed a complaint with the UN Security Council against Sudan accusing the latter of complicity in the matter. The feeling in Juba amongst the government officials as well as the general public is that Khartoum is indeed, behind this killing, a point that some members of the Sudanese opposition delegation that visited Juba recently agree with, according to Sudan Tribune website⁴.

Perhaps, it is too early to know fully what the real impact of this occurrence in Abyei is on the relations between the two countries. One thing that is clear however is the heightened level of mistrust. Negotiations between the two sides over Abyei are stalled. In a meeting recently convened at the sideline of the AU 50th anniversary in Addis Ababa, President Kiir, and his counterpart, Sudan's Bashir, failed to agree on anything concerning the elusive resolution of the final status of Abyei. For Juba, the way forward over the matter is to hold a referendum in October as the AU High Implementation Panel proposed last year. On its part, Khartoum continues to employ delaying tactics and foot-dragging, insisting that an interim administration is formed first. In a nutshell, the two sides seem entrenched in their positions and this stalemate warrants that the international community takes concrete steps immediately to salvage the situation before it gets out of hand.

Since the signing of the CPA, Abyei has been, perhaps one of the leading areas of contestation between the North and South. Its conspicuous notoriety for being a flashpoint is clearly proven by the fact that the two sides already, in a relatively short period, have gone to war twice with each other over this border town. The inhumane killing of Kuol Deng Kuol, if not handled well, could spiral into military encounter between the two countries. Despite many attempts to find a solution, nothing has worked so far. The main factor that enables endless talks that do not resolve the matter is definitely not lack of solution, but rather Sudan's intransigence to accept any deal it does not like. As a party that intends to either get its way or the highway, Sudan needs to be told in no uncertain terms that its game of endless talks are undesirable, and therefore, need to end.

³ "South Sudan lodges complaint against Khartoum at UNSC over killing of Abyei chief", www.sudantribune.com (Accessed on May 29, 2013).

⁴ "Sudanese opposition leaders hold Khartoum responsible for death of Abyei chief", www.sudantribune.com (Accessed on May 30, 2013)

The combination of Khartoum’s manipulative behavior and hyped rhetoric in Juba with statements such as “Abyei will be liberated at all cost” and “independence is not complete without Abyei”, there is a great danger that military confrontation between the two countries is a real possibility. To abate this, it is crucial that the international community, particularly the UN and AU as well as other governments with leverage over the parties, intervene immediately. As for the negotiations, these have been going on for years with less success, and these should not be allowed to continue endlessly. The news of this pre-meditated, senseless taking of innocent lives has been justifiably met with swift and unequivocal condemnation from governments around the world and multilateral organizations such as the UN and AU, among others. The outrage engendered by this wildly unprovoked situation is laudable but the international community needs to do more beyond rhetoric to ensure that Khartoum does not continue to employ its usual stone-walling tactics on the resolution of the final status of Abyei.

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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.

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