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PROGRAMME

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## Conflict Research Programme

# Local Peace Agreement in Abyei: Achievements, Challenges and Opportunities

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# About the Author

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# About the Conflict Research Programme

The Conflict Research Programme is a four-year research programme managed by the Conflict and Civil Society Research Unit at the LSE and funded by the UK Department for International Development. Our goal is to understand and analyse the nature of contemporary conflict and to identify international interventions that 'work' in the sense of reducing violence or contributing more broadly to the security of individuals and communities who experience conflict.

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## Acronyms

AAA	Abyei Administrative Area
ABC	Abyei Boundary Commission
AJOC	Abyei Joint Oversight Committee
AU	African Union
AUHIP	African Union High-Level Implementation Panel
CPC	Community Police Committee
CPA	Comprehensive Peace Agreement
CRP	Conflict Research Programme
DFID	Department for International Development
FAO	Food and Agricultural Organisation
GoS	Government of Sudan
IOM	International Organisation for Migration
JC	Joint Court
JCPC	Joint Community Peace Committee
LPA	Local Peace Agreement
NCP	National Congress Party
NGO	Non-Governmental Organisation
PCA	Permanent Court of Arbitration
PPP	People-to-People Peace Process
QIP	Quick Impact Project
SAF	Sudan Armed Forces
SOFA	Status of Force Agreement
SPLM/A	Sudan People's Liberation Movement/Army
UN	United Nations
UNISFA	United Nations Interim Security Force in Abyei
WFP	World Food Programme

## Executive Summary

In February 2016, after a series of meetings between Ngok Dinka and Misseriya chiefs, a peace agreement was signed in Noong (west of Abyei). The local mediation was initiated in 2015 by Chief Nyuon Pagot, after a lack of cooperation between the two communities since the 2011 Abyei conflict. During this period, Concordis, an international non-governmental organisation (NGO), became involved to provide logistical support, and to help facilitate the meetings. They drew on their peacebuilding experience in Northern Bahr el Ghazal where they had mediated peace in Aweil between Dinka Malual and Misseriya Rezeigaat in 2015. The process involved meetings, but also a prolonged commitment to trust building and truth telling. Concordis had to leave their work in Abyei after 2016 because of funding restraints, but peace meetings continued, supported by United Nations Interim Security Forces in Abyei (UNISFA) and other actors such as the World Food Programme (WFP), International Organisation for Migration (IOM), and Food and Agricultural Organisation (FAO). The continuation of these peace meetings after Concordis' departure highlights their necessity, as well as the need for further continuity.

The main implementation mechanism for the 2016 agreement was the formation of the Joint Community Peace Committee (JCPC) comprised of 10 Ngok Dinka and 10 Misseriya. This governing body's functions included coordinating with UNISFA, organising migration conferences, supporting conflict resolution, ruling on compensation, and overseeing the work of its sub-committees, including the community police committee, a court, and a committee on trade. There is also a detention centre (two containers) provided by UNISFA. The agreement and JCPC have been lauded for reducing the number of killings and incidences of violence conflict. Peaceful pastoralist migrations into the Abyei area are now taking place. The Amiet Market is one of the biggest achievements

of the agreement. Not only is the market a meeting place, but it stabilised the flow of goods to and from Sudan and South Sudan. However, the market itself is not without contestation; it constructs social hierarchies as much as mingling communities. For example, the traders and shop owners are consistently Misseriya, with Ngok Dinka only working as porters or owning tea shops. Revenues are seen to be flowing north, and social distinctions reinforced. The rapid growth of the market has also made it difficult to govern.

A weakness of the local peace agreement (LPA) is that it relies heavily on external support from national and international bodies to be meaningful. UNISFA has been crucial in providing backing for the JCPC. However, the political and economic interests of Sudan and South Sudan are very visible in the Abyei region. This has made it seemingly impossible for local peace to avoid being entangled with national politics.

## Research Introduction and Background

Abyei sits on the contemporary border between Sudan and South Sudan and has been a site of contestation between these neighbouring countries, as well as between local figures of authority whose daily lives or annual migrations include Abyei. This contestation has been characterised by violence, particularly after the 2005 Comprehensive Peace Agreement (CPA) signed between the Sudan People's Liberation Movement/Army (SPLM/A) and the Government of Sudan (GoS), in the lead to and aftermath of the referendum and the independence of South Sudan. Defined as the territory of nine Ngok Dinka chiefdoms, Abyei was transferred by Administrative Act in 1905<sup>1</sup> by colonial authority to Western Kordofan. But Abyei fought the two South-North wars (1955-1972) and (1983-2005) alongside Southern Liberation Movements. Their consistent attempts to rejoin Southern Sudan have always been resisted by the GoS. For example, the referendum provided for in the 1972 Addis Ababa peace agreement was not conducted.<sup>2</sup>

The 2005 CPA created a road map for the independence of South Sudan and, therefore, the creation of a national border in the Abyei region. People in Abyei were to be given the opportunity to vote in a referendum concurrently with the people of Southern Sudan at the end of the interim period of the CPA in 2011, on whether the region would be part of South Sudan. The Abyei Boundary Commission (ABC)<sup>3</sup> was established by the CPA to define the Abyei area. The July 2005 ABC's report was rejected by the GoS and the Misseriya on the basis that the

Commission had exceeded its mandate.<sup>4</sup> The ruling of the Permanent Court of Arbitration (PCA) at the Hague to which the case was transferred, was initially accepted by both National Congress Party (NCP) and SPLM, but the former has been reluctant to implement it.<sup>5</sup>

The African Union High-Level Implementation Panel (AUHIP)<sup>6</sup> drafted the Abyei Final Status document and discussed several ideas about the Northern part of the Abyei area to ascertain possibilities for that territory to be controlled by the Misseriya. AUHIP's two options on the Abyei Final Status presented to the presidency were: administrative transfer to Southern Sudan with Misseriya rights (Option 1), or administrative partition of Abyei and a soft border (Option 2). Both proposals were rejected. Unhappy with leasing the northern part of Abyei, Ngok argued that the PCA award has already given a large portion of Abyei to the Misseriya. The Misseriya, on the other hand, insisted that no part of Sudan should be given away.<sup>7</sup> It seems the expectations of both sides were that if Abyei became part of South Sudan, the border would be a hard one and would be difficult for people to cross, yet the Misseriya seasonally move their location. The failure to conduct the Abyei referendum was over how to interpret clauses in the Abyei Protocol on Residency and eligibility to vote in the referendum. Thus, international efforts at peacemaking did not make any meaningful progress. Additionally, peace efforts were regularly undermined by conflict including the Abyei wars of 2008 and 2011, which twice destroyed Abyei Town and resulted in massive displacement of people.

1 Concordis Peace Assessment Confidential Draft Report, 2014: Strengthening Civil Society Organizations to Adopt Nonviolence as a Strategy for Peacebuilding and Promoting Social Cohesion in Sudan.

2 Johnson, D. H. (2011) *The Root Causes of Sudan's Civil Wars: Peace or Truce*. Revised, edition. Kampala Uganda: Fountain Publishers-Page 44.

3 Abyei Boundary Commission's Report Part I.

4 Douglas Johnson Why Abyei Matters: The Breaking Point of Sudan's Comprehensive Peace Agreement; *African Affairs*, Volume 107, Issue 426, January 2008, Pages 1-19.

5 Report of International Arbitral Award: [https://legal.un.org/riaa/cases/vol\\_XXX/417-487.pdf](https://legal.un.org/riaa/cases/vol_XXX/417-487.pdf).

6 World Peace Foundation, Sudan Peace Archive, Abyei Final Status Proposals dl 121110, Abyei Final Status Proposals.

7 Conversation with Alex De Waal, former advisor to AUHIP's Chair, President Thabo Mbeki and drafter of the Abyei Final Status proposals, July 2018.

In 2016, the Ngok Dinka and Misseriya signed a peace agreement which provided space for interactions between the two communities. The purpose of this research was to understand how that local peace agreement reduced violence and interacted with state and international dynamics across that international border; what did and did not work, and what lessons could be learned. The study is part of the broader Conflict Research Programme (CRP).

The overall goal of CRP is to provide an evidence-based strategic re-orientation of international engagement in places afflicted by the world's most intractably violent conflicts, such as that of South Sudan. "A key objective of the CRP, and a key contribution to the 'Better Delivery' agenda within the Department for International Development (DFID), is to make policies better targeted, more nuanced, and rooted in a clear understanding of the social condition that undergirds persistent contemporary conflict."<sup>8</sup> This study was conducted before the Sudanese Revolution which resulted in a coup d'état that deposed former President Omar al Bashir on 11 April 2019. This change might affect both the LPA and the Abyei Final Status. The relationships between the Sudanese and the South Sudanese governments have since been cordial.

The study answered the questions: How have local mediations in the Abyei area reduced violence and interacted with state and international dynamics across South Sudan and the Sudan border? What did and did not work in these mediations and why? What lessons can be learnt?

## Methodology and Theoretical Framework

The methodology combined desk review and field research. A critical review and analysis of a wide range of relevant literature was conducted. Data was collected from Abyei and elsewhere between January-April 2019 through in-depth open-ended interviews. Participants included traditional authorities (chiefs and elders), community and religious leaders, Abyei Administrative Area (AAA) officials, civil society, women, and youth. Staff of UNISFA, African Union (AU), Sudan/South Sudan Liaison office at the AU, and Abyei people living outside of Abyei were also interviewed. The analysis was grounded on identity politics and theories of ethnic conflicts as the theoretical framework. This concentrated on a socio-political mapping of the structural drivers of conflict and the groups involved in political mobilisation and coercion. Identity politics is a counterpart of the political marketplace, both of which flourish in conditions of persistent uncertainty, conflict, and trauma.

## Local Mediation and Role of Concordis

After five years of lack of cooperation between Ngok and Misseriya, as a result of the 2008 and 2011 Sudan and South Sudan wars in Abyei, exacerbated by the killing of the Ngok paramount chief Kuol Deng Kuol in May 2013,<sup>9</sup> Ngok Chief Nyoul Pagot initiated contact with Misseriya Chiefs in 2015. The impact of the 2013 eruption of conflict in South Sudan on Ngok and the 2015 drought on Misseriya were key motivations. Routes were closed and there were shortages of food and other commodities in Abyei after 2013. The Misseriya, for their part, were desperate after the 2015 drought to gain access to water and pasture, as their cattle were dying. In a sustained identity conflict where both sides appear determined for confrontation, there may be some individual

<sup>8</sup> Conflict Research Programme Synthesis Paper-South Sudan: Presented by Alex De Waal at the South Sudan CRP Panel Meeting in Arusha, Tanzania July 2018.

<sup>9</sup> Concordis Peace Assessment Confidential Draft Report, 2014: Strengthening Civil Society Organizations to Adopt Nonviolence as a Strategy for Peacebuilding and Promoting Social Cohesion in Sudan

and institutional expression of civiness as a logic of public authority, in this case (customary authority), or a form of behaviour or a political position that promotes dialogue or peaceful means of conflict settlement.

The role played by local actors created some understanding between the two communities amidst political interference from provincial and state levels. These actors set the agenda and facilitated discussions. Meetings were chaired by tribal chiefs: Chief Bakat of Manyar Ngok Dinka section chaired the first meeting in Noong.<sup>10</sup> Issues discussed reflect communal needs and concerns: livelihoods, security, and economic activities. Concordis facilitated logistics and drew on its 2015 peacebuilding experience in Northern Bahr el Ghazal where it mediated peace in Aweil between Dinka Malual and Misseriya Rezeigaat.<sup>11</sup> The similarities of issues faced by Northern Bahr el Ghazal and Abyei people, both nomads, made it easier for Concordis to support the Abyei local mediation.

## Mediation Methods

The mediation followed a model developed in Sudan in the 1990s: the people-to-people peace process (PPP), which takes the form of peace meetings and conferences. This is like the community peace and reconciliation conferences in Greater Darfur and Kordofan, known as *Judiya*, managed by native administration under local governance.<sup>12</sup> This inclusive peace and reconciliation initiative, which emerged in Sudan during the height of the SPLM/A civil war in the 1990s, was meant to address conflict among communities in the SPLA-liberated areas, especially the impact of the 1991 split within the liberation movement on local communities. The process includes: trust building, storytelling, traditional peace-building techniques, reconciliation,

symbolism, and imagery.<sup>13</sup> The Abyei community peace initiative followed similar models: meetings and conferences to hear stories of the conflict, building trust and confidence, and soliciting proposals to promote consensus and the way forward. These hybrid models integrate traditional values, and modern peace-building techniques, as seen in Wunlit. After several meetings, a peace agreement was signed on 25 February 2016 in Noong, about 14 kilometres West of Abyei.<sup>14</sup>

## Terms of Agreement and Implementation Mechanisms

The agreement was meant to address grievances and drivers of inter-communal tensions. These included provisions for the secession of violence and hostilities, setting security conditions and protective measures, commitment to peaceful coexistence, returning abductees, opening of routes, Misseriya access to water and pasture, conflict resolution mechanisms, and the establishment of a peace market. High-level mediation and peace agreements tend to focus on power and elite interests, but LPAs focus on day-to-day conflict dynamics and community needs such as livelihood, security, and economic activities. The main implementation mechanism for the agreement was the formation of the JCPC comprised of 10 Ngok Dinka and 10 Misseriya. This governing body's functions included coordinating with UNISFA, organising migration conferences, supporting conflict resolution, ruling on compensation and overseeing the work of its sub-committees, including the community police committee (CPC), a joint court (JC), and a committee on trade. There is also a detention centre (two containers) provided by UNISFA.

<sup>10</sup> Interview with chief Bakat of Manuar Ngok Dinka section.....

<sup>11</sup> Concordis Final Progress Report: Strengthening Civil Society Organizations to Adopt Nonviolence as a Strategy for Peacebuilding and Promoting Social Cohesion in Sudan

<sup>12</sup> Abdul-Jalil, M., Mohammed, A. A. and Yousuf, A. (2007) Native Administration and Local Governance in Darfur: Past and Future. In De Waal, A. (editor) *War in Darfur and The Search For Peace*. USA: Global Equity Initiative, Harvard University. 39-67.

<sup>13</sup> Ashworth, J. (2014) *The Voice of the Voiceless: The Role of the Church in the Sudanese Civil war 1983-2005*. Nairobi, Kenya: Paulines Publications Africa.

<sup>14</sup> Concordis Final Progress Report: Strengthening Civil Society Organizations to Adopt Nonviolence as a Strategy for Peacebuilding and Promoting Social Cohesion in Sudan.



### Joint Community Peace Committee

The JCPC resolves conflict and manages potential violent issues such as cattle theft and raids. Their responsibilities also include management of revenge killings and compensation. The primary means of demonstrating accountability between tribes is the payment of blood money (*puk* and *diya*), and/or the return of stolen goods, normally cattle. Blood payment for homicide is 31 cows. Those who do not have cows, pay in cash an amount of 10,000 SSP per cow, roughly 40 USD. The offender pays for treatment of those they have injured. This ensures different forms of accountability for offences committed, such as payment of blood price, fines, community service, and apologies are based on restorative justice procedures. Blood price is defined by the groups that are liable for payment. Therefore, once identified as a mechanism for resolving a dispute, it defines that dispute as involving

the corresponding group *diya* or *puk* paying group.

### JCPC Sub-committees

The JCPC also oversees the work of its sub-committees. The CPC is composed of 17 members from each community that monitor events taking place in the market. They are not armed but can be identified by official badges. Criminals are handled by CPC in each community. The JC handles issues of theft, looting, and some disagreements. The JC membership comprises of four experienced chiefs from each community who handle cases arising from the market. Customary law is applied to civil as well as criminal cases. UNISFA has provided two containers for custody and committed to constructing a permanent facility. These sub-committees report to the JCPC which coordinates with UNISFA on security matters.

**Image 1**

Members of the Joint Community Peace Committee (JCPC)



**Image 2**

Members of the Joint Court (JC)



**Image 3**  
Old detention  
centre



**Image 4**  
New detention centre  
under construction



### **Amiet Peace Market: A Success Story?**

The peace market is situated in Amiet area, about 16 kilometres north of Abyei Town, opened on 10 August 2016. It is an outcome of one of the resolutions of the joint meetings between representatives of Ngok Dinka and Misseriya in February 2016.<sup>15</sup> Daily interactions take place between Ngok and Misseriya in Amiet Market. Several respondents emphasised that the market is one of the biggest achievements of the agreement. The reopening of trade routes between Sudan and South Sudan allowed for free flow of goods. Food supplies and other commodities are also transported to South Sudan. Economic gain is brought to both communities. One of the participants said: “economic activity is an important peace dividend because it makes people interact,

promote relationships, and sustain the different constituencies.”<sup>16</sup> With the opening of trade routes, South Sudanese travel with ease to Khartoum and other towns. A key influence in the success of the Peace Market is the JCPC’s commitment, supported by the IOM, FAO, and UNISFA.

The market is dominated by the Misseriya who employ Ngok youth as porters and helpers. Some shops are shared between Misseriya traders and Ngok Dinka, but this is an unequal partnership as Ngok traders are mostly tea sellers. Ngok mainly benefit from revenue from leased land to Misseriya traders and from access to commodities in the market.

<sup>15</sup> Conversation with the Parish Priest of Abyei Catholic Parish (26/3/2019).

<sup>16</sup> Interview 3 with a FAO staff in Abyei (22/3/2019).

**Image 5***Amiet Peace Market***Image 6***Misseriya Shop in Amiet Market*

### **Challenges in the common market**

One of the main challenges highlighted by the JCPC and other participants in the Amiet area is capacity to manage the rapidly growing market. The market has expanded beyond its initially imagined size and has attracted people from the neighbouring states of South Sudan as well as different parts of Sudan. There is also a high rate of theft and criminality.<sup>17</sup> The lack of formal functioning government institutions makes it difficult to enforce law and order. There is therefore a need for reliable security as the market continues to expand.

Disputes in the market often lead to violent confrontations which can result in homicide as many people are armed. Failure to pay compensation for lives lost in such

confrontations occasionally raises tensions between the two communities and provokes revenge attacks. Key conflict drivers in and around the market include cattle raids, transactional disputes, grazing areas, and access to water for cattle. There are many street children and commercial sex workers in Amiet shanty towns. Many children do not attend school and instead beg at the market. The area lacks basic services such as health facilities, schools, water sources, veterinary services, and roads. These needs are associated with the expansion of the market.

<sup>17</sup> Interview 5 with a Misseriya trader (24/3/2019).

## Impact of the Agreement:

### Achievements

The peace process' main aim was to reduce violence and build relationship between Ngok and Misseriya. Conflict between the two communities has reduced, and peaceful pastoral migration of Misseriya in the AAA's locations has continued since the peace agreement was signed in 2016. The reopening of trade routes between Sudan and South Sudan has allowed for the free flow of goods. Food supplies and commodities are also transported to other areas of South Sudan. South Sudanese travel with ease to Khartoum and other Sudanese towns for various needs. Relationships between the Ngok and Misseriya are gradually rebuilding through daily interactions in the peace market. A Ngok respondent stressed that "the coming of the two communities to interact and trade in Amiet market is the best that has happened in Abyei area."<sup>18</sup> The JCPC and its sub-committees serve as the nucleus for wider peaceful coexistence and continue to manage, resolve, and prevent conflicts in and around the market. Ngok Dinka displaced by the Abyei wars of 2008 and 2011 have returned to Abyei in large numbers and there is free movement between Abyei and Agok. The inclusive process, with good access to the negotiating parties, is a strength of LPA. Most high-level negotiations on the Abyei conflict have taken place outside the area. Addressing issues at the local level, as the LPA has strived to do, builds trust, confidence, and leads to changes in perception through daily interaction.

While acknowledging the effectiveness of the Abyei local agreement, it is equally important to highlight the role of external actors. Concordis has been applauded for facilitating the peace process. A

respondent said "because of the excellent work of Concordis, there is now interaction unlike a few years ago when contact was only through the Abyei Joint Oversight Committee (AJOC)."<sup>19</sup> Another respondent asserted "what Concordis has done, the two governments and international mediation failed to do since 2005."<sup>20</sup> Random killings have decreased, and there is accountability when murder does occur. Concordis facilitated the peace process, but the support of UNISFA and the AU was equally significant. After 2016, Concordis left work in Abyei because of funding restraints, but peace meetings continued, facilitated by UNISFA and other actors such as WFP, IOM, and FAO.

### Limitations of Local Peace Agreements

One of the major weaknesses of the LPA is its dependency on local government and external actors' support for the implementation of resolutions. The government's role is important not only in guaranteeing security and facilitating the process, but also in its implementation. Where the government is absent or lax in its responsibilities, full implementation of a popular agreement is impossible.<sup>21</sup> In the case of Abyei, a large amount of this role has been played by UNISFA. Again, a lack of logistical and financial support could jeopardise local peace efforts. Thus, the participation of external agencies, whether churches, national and international NGOs, or international governmental agencies, has been important to this model of peace-making.

The Abyei LPA has been praised as a success story but criticised for its lack of inclusivity. Women were not directly involved in the talks, and only played a peripheral

18 Interview 12 with a Ngok woman in Agok (20/3/2019).

19 Interview 2 with a Ngok Journalist in Agok (17/3/2019).

20 Interview 6 with Abyei women representative (18/3/2019).

21 Johnson, D. H. (2014b) South Sudan's Experience at Peacemaking: The 22nd Annual Gandhi Peace Festival. In *Bertrand Russel Peace Lecture: Symposium on Conflict and Peacebuilding in South Sudan*. MacMaster, University, Hamilton, Ontario, Canada. Page 7.

role. But conflict affects men and women differently; getting the insights of women in negotiations is vital, as women can introduce views and concerns that male tribal leaders often fail to consider. A key example is the physical, economic, and psychosocial impact of sexual violence and abductions suffered by women.

### The Role of UNISFA Since 2011

UNISFA was established by Security Council Resolution 1990 of 27 June 2011, in response to the Abyei situation characterised by violence, escalating tensions, and population displacement. This followed the agreement signed between the GoS and the SPLM in Addis Ababa, to demilitarise Abyei and have Ethiopian troops monitor the area.<sup>22</sup> The operation has been tasked with monitoring the flashpoint border, facilitating the delivery of humanitarian aid, and is authorised to use force in protecting civilians and humanitarian workers in Abyei. Since then, UNISFA has been protecting civilians, securing access for humanitarian assistance, mediating migration-based conflicts, facilitating the return of displaced persons, and demilitarising the border region.

UNISFA's mandate includes "security within the Abyei Area," "support and capacity building to Abyei Police Service," and "protection of civilians under imminent threat" (Article 27).<sup>23</sup> It provides capacity to the JCPC to support apprehension of serious criminals. But UNISFA does not have the authority to try suspects or detain them for extended periods.<sup>24</sup> The Mission is to brief and report to the AJOC, which then reports to the Presidents of Sudan and South Sudan. In the absence of formal government and law enforcement in Abyei, UNISFA found itself acting as a police force to arrest criminals, and in the

absence of prisons, detaining and providing for prisoners. UNISFA has been repairing roads and creating airstrips. Because of the absence of peacebuilding mechanisms in Abyei, UNISFA sometimes gets involved in peace-making and peacebuilding activities.

But research participants hold mixed views about UNISFA's role in Abyei. The Mission is seen to have failed to secure the entire Abyei area. More than half (12) of the Ngok participants held an opinion that UNISFA may be under the influence of the GoS. The rationale is that despite Abyei being a contested area, Sudan claims full sovereignty by issuing visas to UNISFA staff. The staff must enter Abyei through Khartoum and are charged USD 100 each time they enter and re-enter. However, the Status of Force Agreement (SOFA), signed by both governments and UN, UNISFA, and other international staff could enter Abyei from Juba or Khartoum. Alleged pressure from the Khartoum government under former President Al-Bashir also restricts UNISFA from rendering services to the people of Abyei. A Ngok participant asserted: "The road project between Abyei and Agok promised since 2014 for example is not yet done because Khartoum considers the road a security risk to Sudan."<sup>25</sup>

Conversely, some claims made above are contradicted by other participants. One respondent said that without UNISFA, Abyei would not be what it is today, especially regarding the provision of security and protection.<sup>26</sup> UNISFA facilitated the return and resettlement of displaced people from Agok. The Mission provides water, boreholes, repairs schools, health and detention centres, and construction of women and youth centres in Abyei, Todash, and Diffra under its Quick Impact Projects (QIP). More than half of participants confirmed that UNISFA is the main service provider in

22 <https://peacekeeping.un.org/en/mission/unisfa> (Accessed on 6 February 2019).

23 <https://www.un.org/press/en/2018/sc13578.doc.htm> (Accessed on 10 December 2019).

24 Concordis confidential paper: Development in Abyei arising out of the growth of Amiet market.

25 Interview 2 with a Ngok Journalist in Agok (17/3/2019).

26 Interview 21 with a Misseriya member of Joint Court (22/3/2019).

Abyei. A UN respondent explained: “Abyei is a contested area, you can’t resolve conflict in the state of emptiness. With the absence of standard government assistance, the people are without development, we must fill the gaps.”<sup>27</sup> Another respondent noted that the budget of the AAA is for salary only, not for security and development.<sup>28</sup> UNISFA has also constructed an airstrip in Atoi, west of the River Kiiir, to lessen the burden of transporting forces through Khartoum. But as UNISFA has no civilian head of mission, the Force Commander combines political and military responsibilities. Participants expressed the need for the appointment of a Civilian Head of Mission.

### **Interactions with State and International Dynamics**

The LPA influences broader conflict dynamics because there is always interaction between local mediation and high-level politics. The Abyei conflict consists of two aspects: a local, involving pastoralists from Sudan who move into Abyei to access water and pasture; and a national, due to contestation of the area for reasons connected with national politics and resources.<sup>29</sup> The presence of oil along that international border has added another layer to the conflict, such that it also reflects the economic interests of Sudan and South Sudan. This has required local mediation to interact with state and international mechanisms such as the AJOC and UNISFA. AJOC meetings in Addis Ababa discuss issues related to interactions between the two communities. UNISFA provides security in Abyei to allow free movement and trains members of the CPC. UN Agencies such as WFP, IOM, FAO have played key roles in supporting community projects.

Interactions between the two communities are likely to have governmental support. Constituting JCPC members from both communities means that both governments have sanctioned their functions. Moreover, issues discussed in the seasonal migration conferences have touched on high-level national and international politics that have characterised the longstanding tensions between the two communities. In the pre-migration conference that took place in Todash between 22-23 March 2019, the issue of land rights and ownership featured prominently. Part of the core problem has been the passing of UN resolution 2445 which acknowledges the administration headquarters of Ngok Dinka in Abyei Town and of Misseriya in Muglad.<sup>30</sup> The Misseriya and GoS were angered by their apparent exclusion from rights over Abyei. In late January 2019, the Misseriya rejected a letter<sup>31</sup> of the UN Secretary General which called for a referendum according to an AUHIP proposal, and claimed that all the Misseriya within Sudan have the right to enter and settle in Abyei area.<sup>32</sup>

The conference title, “pre-migration,” also caused tension. Misseriya said they are not migrating from anywhere but moving their cattle within the area. They argued that the word migration means that someone is coming from somewhere, and so demanded removal of the word from the document. The Ngok on their part said Abyei is defined as the area of the nine Ngok Dinka chiefdoms, therefore, to remove the word ‘migration’ means accepting that Misseriya have land rights in the area. Ngok further argued that if Abyei is a shared area, why did Sudan Armed Forces (SAF) destroy it and Misseriya loot property in 2008 and 2011, before killing the Paramount chief in 2013? These international politics dominated the

27 Interview 9 with a FAO official in Abyei (18/3/2019).

28 Interview 11 with an official of AAA (20/3/2019).

29 <https://www.bond.org.uk/news/2016/10/conflict-resolution-through-dialogue-south-sudan> (Accessed on 17 October 2019).

30 [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2445.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2445.pdf) (Accessed 22 June 2019).

31 Interview 11 with a journalist in Agok (21 April/ 2019).

32 Interview 19 with a civil society member (27/April/ 2019).

meeting's agenda and prevented meaningful resolution of more pressing local issues pertaining to pastoral migrations. Wider political issues tended to derail the entire functionality of the JCPC and efforts at local peace-making. The focus of the PPP conference should be peaceful coexistence and resolving issues that arise from shared use of resources.

### **Implications for the Abyei Final Status**

The agreement has several implications for the Abyei final status. Ngok Dinka are concerned about Misseriya and GoS attempts to consider Amiet as a border between Sudan and South Sudan. Amiet market is within the Abyei area as defined by the PCA, but has attracted many Misseriya who settled within the area. These settlers are well armed, and there are frequent cases of killings in the area. Ngok claimed that the GoS has a strategic plan to push them further South. The continued settlement of Misseriya within the Abyei area would have significant implications if a referendum on Abyei was ever held, and something that could spark renewed conflict. On the other hand, the Ngok's call for recognition of their unilateral referendum's result of 31 October 2013 by the GoS and the international community could equally spark a new round of conflict. Thus, while good for the community, the LPA may shift the landscape and dynamics of conflict.

Part of the difficulties in arriving at the Abyei Final Status seem linked to politicians from both areas. Provincial elites often take hard lines, and it is not clear whether they are pursuing their own narrow interests, or responding to demands from their own local constituents. Locals are flexible on local issues, but do not seem to have significant leverage at higher levels. This has created a situation that continues to defy modern mediation and any efforts of addressing the Abyei issue. But there are linkages between local and national interests in the conflict.

The LPA has a significant contribution to mediating the local aspects of the conflict, but the broader issue of the final status of Abyei will only come when the problems between Sudan and South Sudan are resolved at the government level.

### **Policy Recommendations**

To resolve the Abyei local issues, parties should focus on a settlement which addresses the specific aspirations of both Ngok Dinka and Misseriya communities in a balanced manner. Agreements around common interests need to be emphasised, rather than focusing on areas of difference. These include migration movements, security, economic activities, and development. There is a need for coordination of efforts at all levels, from grassroots to the existing structures in Abyei, and to the different institutions that are involved in supporting those maintaining peace and security, including the peace market. Amiet Market is an excellent place for promoting and consolidating peace, but mechanisms need to be put in place for regulating and monitoring criminality, so the market does not become another source of problems and/or spoiler to the agreement. There is a need to train and strengthen the JCPC on policy issues to effectively exercise their central role in conflict mitigation and addressing conflict drivers in the community, to train and empower personnel on the ground, volunteers, and those who are working as police personnel. They are to be recognised and possibly put in uniform so that they are respected as people working on peace and security in the market. Abyei area is a demilitarised zone, so no organised forces should be allowed to enter the area with their guns. Similarly, no party should be allowed to enter the area if they are armed. AJOC Sudan has its representative in Diffra inside the Abyei area. If the community peace is to be sustained, AJOC Sudan, SAF, and Misseriya armed men should withdraw from the area.

## Conclusion

The LPA is not meant to resolve the broader conflict but to reduce violence and contribute to solutions. The Abyei conflict is nested within national and inter-state conflict. A lasting solution to the problem is dependent on the resolution of issues between Khartoum and Juba. The larger question is how to reconcile the interests of these four key groups in the conflict: the Ngok Dinka and the Misseriya, and the Sudan and South Sudan governments. For any resolution to be acceptable to the majority on both sides, their perceptions about how their interests can be satisfied will have to change. It is important for parties and communities to recognise and respect the reality that the fundamental objective of the Abyei Protocol was to address the aspirations and interests of the Ngok Dinka and the Misseriya in a balanced and mutually beneficial manner, as reflected, for instance, in the administrative and other arrangements during the CPA interim period. The establishment of local committees such as the JCPC that focus on inter-communal relations is a short-term solution, which may contribute to a lasting solution.





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