

Opinion – The Sudanese Conflict and the Abyei Dispute

Written by Ben Jackson

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BEN JACKSON, JUL 18 2023

Despite the arbitrary nature of the colonial carving up of Africa, the borders of African states have rarely changed over the preceding decades. Since African states began to gain their independence, they have operated with the hand that was dealt them. Rarely has a secessionist movement been successful, such as Biafra in Nigeria and Cabinda in Angola. The Sudanese civil war was one of the rare conflicts that ended in the creation of a new African state. While the borders between South Sudan and Sudan were agreed, one region was left unallocated. Abyei has remained a disputed territory for well over a decade, with the recent war in Sudan having halted any progress that was being made to finding a resolution.

The Abyei area is just over 10,000km² in size and sits between Sudan and South Sudan, almost exactly in the middle of the border. Since South Sudan gained independence in 2011, the two countries have long disputed over who controls the territory. One of the reasons for the dispute is that the region possesses oil in the Deffra fields, making it a lucrative area for either side to control. Furthermore, there is a historic ethnic divide between the nomadic Misseriya tribe and the Ngok Dinka tribe. During the country's civil war that led to partition, members of the Misseriya community fought in pro-Khartoum militias, while the Ngok Dinka community mainly supported southern rebels. As the two countries split, the initial belief was that the Misseriya would favour remaining as part of Sudan, while the Ngok Dinka would be looking to join the then newly formed South Sudan.

While South Sudan was having its independence referendum, Abyei residents were meant to have their own vote count as well. However, the 9 January 2011 vote never took place, with voter eligibility being a point of disagreement between Sudan and South Sudan. Despite a ruling by the Permanent Court of Arbitration (PCA) case number 2008-07 stating that those residing permanently in Abyei for a period of three years may be eligible to vote, Al Bashir's Sudan did not comply. Being nomadic and only residing in Abyei depending on the season, the Misseriya tribe would have been denied the chance to vote. The Ngok Dinka General Conference did then carry out their own 'People's referendum' in 2013 which, unsurprisingly, resulted in a 99.9% vote to join with South Sudan. Yet, both countries, alongside the African Union, rejected the results of the improvised referendum.

After 12 years, Abyei is still a disputed territory. This certainly has not been helped by the recent conflict in Sudan between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF). It was of little surprise to many Sudanese analysts that the RSF and SAF would jostle for position once Al Bashir had departed as head of state. With the power vacuum that this uncertainty has created, gains that had been made in finding a solution have stalled, with fears that they could then reverse.

Back in May, the United Nations Security Council (UNSC) met to discuss the progress made on Abyei. Martha Ama Akyaa Pobee, the Assistant Secretary-General for Africa, had highlighted where progress had been made in Abyei. She noted that while trust between the Ngok Dinka and the Misseriya continued to operate at a deficit, overall violence between the groups had declined. However, violence between Dinka groups is now the main issue, and could be attributed to the inter-communal violence that has plagued South Sudan for over a decade.

While the UN mission to South Sudan, UMISS (United Nations Mission in South Sudan), has stepped in to try and reduce inter-Dinka conflict, the situation in Abyei remains in the hands of the United Nations Interim Security Force for Abyei (UNISFA). Both Sudan and South Sudan had agreed, in a deal brokered by former South African President

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Thabo Mbeki, that a third party was needed to monitor the region. Since UNSC Resolution 1990 passed on the 27 June 2011, UNISFA has been working with the fledgling Abyei Police Service (APS) to try and hold the fort until a decision is made. Concerns are that, given the current situation in Sudan, there could be an influx of refugees fleeing the conflict. As of 8 May 2023, 535 Sudanese had been recorded as having entered the region as refugees.

Furthermore, UNISFA is currently setting itself up as a multinational peacekeeping force, but this process is constantly delayed. Fighting in Sudan has disrupted deployment routes and impacted the mission's logistics. As of May, 3,078 of the 3,250 military personnel had been deployed. While this is lower than the 4,200 that were to be deployed in 2011, the amount of police personnel has been increased from 50 in 2011 to 640. Given the continued conflict in Sudan, how long UNISFA will have to remain deployed in Abyei is unknown. Unlike the situation recently seen in Mali, the UNSC session on Abyei showed that nation states remain committed to UNISFA's deployment and to finding a solution to the situation.

The establishment of a regime representative of the people of Sudan is the best hope for the final realisation of the Abyei status referendum. Yet, this also involves finding a solution to the voter eligibility question. Clearly, the ruling of the PCA was not one that those in Sudan could accept at the time. While the Misseriya do not occupy Abyei permanently, their seasonal grazing means they are part of the regions yearly cycle. Furthermore, it brings into question how the nature of nomadic groupings fit into ideas of statehood and citizenship. Any solution will have to provide a means by which the Misseriya are able to access their grazing lands, regardless of whether the region belongs to Sudan or South Sudan.

With the conflict in Sudan, and the ongoing instability in South Sudan, Abyei remains stuck in an uncertain situation between two states in their own forms of uncertainty.

About the author:

Ben Jackson holds a BA in International Relations from Leeds University and an MSc from SOAS University in African Politics. He has worked on human rights issues in the Central African Republic, Sudan and other African countries for a human rights NGO. He currently works as a Senior Project Support Officer at the Institute of Development Studies and has contributed to working papers and journal articles for the institute.