

No Lasting Peace Without Border Solution

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During recent high-profile visits by South African president Thabo Mbeki and United States Deputy Secretary of State John Negroponte to Khartoum, the international community has increased the pressure on the Sudanese government to accept United Nations troops in Darfur or else face tough sanctions.

The strategy may have worked. Sudanese foreign minister Lam Akol announced on April 16 that more than 3,000 UN troops, still much fewer than the UN wants, equipped with helicopters and armoured personnel carriers, would be allowed into Darfur to support the struggling African Union contingent of 7,000 soldiers.

However, pressure groups are calling on the international community to re-engage with southern Sudan, too. They insist that this region's continuing troubled relationship with the central Khartoum government should not be overshadowed by the crisis in Darfur.

Although southern Sudan won autonomous status and a measure of self-government in the landmark 2005 peace deal and the region has largely been at peace since then, unresolved differences between north and south hold out the prospect of further instability.

One of the principal obstacles to a lasting peace is the question of where the border should run between north and south Sudan. This is a potentially explosive issue given the oil resources and competing claims of populations in disputed areas like Abyei - and not least if the south seeks full independence from the rest of Sudan in a referendum set for 2011.

Such unresolved issues carry the risk that the north-south civil war could restart. But the troubled process of securing peace in the south is also of direct significance for the Darfur crisis, first because it highlights the pitfalls that will face any peace arrangements there, and second because it has an impact on Khartoum's thinking on the western region. The Sudanese government fears the spread of secessionism in Darfur and cannot afford to lose the region's votes in the 2011 referendum and parliamentary and presidential elections set for 2009.

Campaigners like Florence Andrew from South Sudan are adamant that Darfur cannot be discussed without talking about what has happened in the south.

Andrew, now living in The Netherlands and running the Southern Sudanese Women's Association and the Sudanese Orphans' Support Trust, told IWPR that the Khartoum government has used "every trick in the book to play southerners against each other and cause divisions".

If outstanding disputes relating to southern Sudan are not addressed because of the focus on Darfur, she warned, it could lead to the most destructive phase of conflict yet.

Southern and northern Sudan were administered by Britain as separate regions until 1946, and after that as a single colony until the country gained independence a decade later. On independence, southerners

did not get as large a slice of power and decision making in the newly established government as they had hoped for, and fighting broke out soon afterwards between southern militias and the government in Khartoum.

This first civil war lasted until 1972, when a ceasefire agreement was signed in Addis Ababa, promising more autonomy for the south. However, after the discovery of oil in Bentiu in the south in 1978, the then Sudanese president Gaafar Numeiry decreed a change to the administrative borders that had been drawn in 1956, and reneged on the terms of the Addis Ababa Peace Agreement.

Southern soldiers formed the Sudan People's Liberation Army, SPLA, in May 1983, after Numeiry dissolved the regional government and imposed Islamic shariah law nationwide.

After the National Islamic Front, NIF, took power in Khartoum in 1989, central government adopted a strong Islamic orientation, so that religion became even more of a factor in the conflict between Muslim soldiers from the north and the mainly Christian and animist south.

As well as regular troops, the NIF recruited militias from the north such as the People's Defence Forces to fight in the south, and also exploited infighting in the SPLA to win over splinter groups to its side.

A tentative peace agreement was signed between the NIF and the Sudan People's Liberation Army/Movement, SPLA/M, in October 2002, with a disarmament arrangement agreed for the Nuba mountains region just over a year later.

The Comprehensive Peace Agreement, CPA, was signed in January 2005, after prolonged negotiations over the south's desire for more autonomy and the north's reluctance to relinquish power.

As part of the CPA, a devolved government of South Sudan was set up in December that year, dominated by SPLA/M politicians. Southern Sudanese were also given some posts in a new government of national unity in Khartoum, though that continued to be dominated by the ruling National Congress Party, NCP - the political wing of the NIF.

Approximately two million people died and four million were displaced as a result of the Sudanese conflict, and some experts say these are conservative estimates.

Many crimes against humanity were committed, from ethnic cleansing and man-made famines to what the advocacy group Africa Justice has called genocide in the Nuba mountains.

Most analysts argue that the gravest crimes were committed by the northern government and its allies, but SPLA forces and rebel militias with shifting loyalties in the south are also held culpable. Reports are now surfacing about atrocities committed against civilians by the SPLA, especially by groups beyond the control of its political wing, the Sudan People's Liberation Movement, SPLM.

Since a number of high-ranking southern politicians could be implicated in any investigation into past human rights abuses, the government of southern Sudan may prefer to avoid addressing justice issues.

The CPA set out the principles of governance for the south and its right to self-determination, and contained separate protocols on wealth- and power-sharing in southern Kordofan, Nuba mountains, the Blue Nile states and Abyei – areas claimed by the south but, according to Sudan’s current administrative divisions, part of the northern provinces.

The CPA envisages the creation of commissions to deal, inter alia, with border disputes covering areas like Abyei. As stipulated, Sudan’s presidency established the Abyei Border Commission in 2004, chaired by a former US ambassador to Sudan, and consisting of international border specialists and representatives of the NCP and SPLA/M.

The commission concluded in July 2006 that the border lay further south than the NCP wanted, and further north than the SPLM had hoped. The NCP said the commission’s findings were no more than recommendations, whereas the SPLM took them as binding. This difference, which has caused a stalemate over governance in the disputed regions, arose as a result of one ambiguous phrase in the CPA’s Abyei protocol, saying, “Upon presentation of the final report, the Presidency shall take necessary action to put the special administrative status of Abyei Area into immediate effect.”

Another area of ambiguity is the criteria for deciding who counts as a genuine resident of Abyei – crucial to deciding who is eligible to vote in the 2011 referendum on whether Abyei belongs in the north or in the south.

According to the CPA protocol, these criteria should have been designed by the Abyei Referendum Commission, but it has yet to be established. In 2006, the International Crisis Group recommended that the UN facilitate the process of defining residency in Abyei, as there has been much demographic change due war, nomadic grazing, and refugee movement.

Abyei is home to the Ngok Dinka, whose ties are with the south, but also to the Baggara, an Arab tribe whose roots are in the north but who seasonally migrate through Abyei to the south. Even without the effects of conflict, the ethnic mix changes constantly in the course of a year.

Sudan will conduct a nationwide census in November this year, and the results – showing how different communities are distributed across the various states and between north and south – will be important as a precursor to the 2011 referendum on southern independence.

Abyei is rich in oil reserves, and as in other disputed border areas such as the Western Upper Nile, this suggests the question of control will more heated in the next few years as petroleum production rises and the independence referendum draws closer. In turn, the volatile nature of Abyei coupled with its undefined status presents dangers to oil production and transport.

Even if Abyei had no oil, the SPLA/M would be loath to relinquish its claim to it because many of the movement’s leading figures are ethnic Dinka from Abyei.

The problems affecting Abyei could have severe repercussions for other disputed border areas, the 2007 census, and the referendum on independence.

Asim Turkawi, a Sudanese national working for Anti-Slavery International, said Khartoum - especially the NCP - lacks the political will to implement the CPA fully.

If the NCP, SPLA/M and the international community fail to kick-start the process of implementing the CPA - particularly provisions concerning Abyei and similar areas - it could jeopardise the peace between north and south.

Ignoring South Sudan now would be a painful irony, since when peace negotiations were under way there in 2004, it was Darfur that certain US and British diplomats tried to keep off the agenda so as not to endanger the process.

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