

Sudan's Spreading Conflict (I): War in South Kordofan

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Table of Contents

| | |
|--|-----|
| Executive Summary..... | i |
| Recommendations..... | iii |
| I. Introduction | 1 |
| II. The Roots of Persistent Conflict..... | 3 |
| A. Continued Marginalisation..... | 4 |
| B. Changing Ethnic Dynamics | 8 |
| III. Failure of the CPA..... | 11 |
| IV. Outbreak of Fighting and the Still-born Framework Agreement | 17 |
| V. All-Out Conflict | 20 |
| VI. The Humanitarian Crisis..... | 27 |
| VII. Regional and Wider International Reaction | 32 |
| VIII. Proposed Framework for Peace | 41 |
| IX. Conclusion | 47 |
| APPENDICES | |
| A. Map of Sudan..... | 48 |
| B. Map of South Kordofan | 49 |
| C. Glossary of Personalities | 50 |
| D. Glossary of Main Parties, Organisations, Armed Movements and Militias and Agreements..... | 51 |
| E. About the International Crisis Group | 53 |
| F. Crisis Group Reports and Briefings on Africa since 2010..... | 54 |
| G. Crisis Group Board of Trustees | 56 |

Executive Summary

The war in South Kordofan shows no sign of ending anytime soon. There are echoes of the 1984-2002 civil war, but the dynamics are quite different. The insurgents, the Sudan People's Liberation Movement-North (SPLM-N) based in the Nuba Mountains, are much better armed, and the state's ethnic cleavages are much less pronounced. The SPLM-N is also part of an alliance with Darfur rebels, the Sudan Revolutionary Front (SRF), that is working to include disenchanted armed groups from other regions as well. Arab tribes that previously supplied militias that did much of the fighting no longer support the government wholeheartedly; significant numbers have joined groups fighting Khartoum. The conflict shows every sign of strategic stalemate, with each side hoping pressure from elsewhere will change its foe's calculations. Yet, it is exacting an horrendous toll, principally among civilians. Unless the government and the SRF engage each other and, with international help, negotiate a comprehensive solution to Sudan's multiple conflicts, there will be no stop to endless wars that plague the country.

The root causes of the conflict – political marginalisation, land dispossession and unimplemented promises, remain the same. But ethnic dynamics have changed in important ways. The Misseriya Arabs, the government's main local supporters during the first war, have grown increasingly frustrated with Khartoum, in particular its 2005 decision to abolish the West Kordofan state that represented the tribe's ethnically homogenous homeland. They no longer heed the government's calls to remobilise, and many young Misseriya are joining the SPLM-N or other groups in the SRF. The other major Arab tribe in the state, the Hawazma, is also starting to switch sides.

The SPLM-N is far different from the Nuba fighters who bravely but barely resisted Khartoum's jihad in the 1990s. It is much stronger, with as many as 30,000 soldiers, better weapons and a large stockpile of arms. It also controls much more territory than the Nuba force ever did and is part of – and central to – the SRF alliance that is pressuring the central government on multiple fronts. The government also has more troops in South Kordofan, ranging between 40,000 and 70,000, and more sophisticated equipment. All indications suggest the conflict has settled into a vicious deadlock in which Khartoum is unable to dislodge the rebels ensconced in the Nuba Mountains, and the SPLM-N and its allies are incapable of holding much territory in the lowlands.

Government forces have fallen back on their familiar pattern of striking at communities suspected of supporting the rebels, so as to prevent the SPLM-N from living off the surrounding civilian population. Unable to farm, and with the government preventing humanitarian access to insurgency-controlled areas, many civilians have been forced to flee. According to credible sources, more than 700,000 of them are affected by the conflict, including 436,000 displaced within the rebel areas and some 66,000 as refugees in South Sudan (Unity state).

Neither side is strong enough to win militarily. A negotiated solution is the only viable solution. The war restarted because key provisions of the 2005 Comprehensive Peace Agreement (CPA), in particular the promised popular consultations to address long-held grievances, were not implemented. A last ditch attempt to stop the spiralling conflict, the 28 June 2011 Framework Agreement that included political and security arrangements, was unacceptable to hardliners.

Since then, negotiations between Khartoum and the SPLM-N have largely stalled, with division over the scope of the conflict being a major part of the impasse. While the rebels have increasingly asserted a national agenda, the government, as well as local political leaders, prefer focusing on the local dimensions of the war. In asking for negotiations with a national scope and a more inclusive participation, the SPLM-N is not only trying to raise the stakes; it is also respecting agreement with its SRF partners. Likewise, it is coordinating more closely with the official opposition. On 5 January 2013 in Kampala, Uganda, the SRF signed a “New Dawn Charter” with the National Consensus Forces (NCF), the coalition of all Sudan’s main opposition parties and some civil society groups. Like the SRF program, it advocates an inclusive transition, obtained through coordinated violent and non-violent actions. From the SRF’s point of view, the charter also addresses the armed opposition’s biggest deficit, its lack of support at the centre.

The SRF’s creation is perhaps forcing the international community to address Sudan’s crises as a whole, instead of pursuing localised quick (and often still-born) fixes. Piecemeal power-sharing arrangements, negotiated at different times with divided rebel factions, often encourage further rebellion with the sole aim of obtaining more advantageous concessions from Khartoum. If negotiations only partially address the political marginalisation of peripheries, calls for self-determination, still limited in Darfur and Blue Nile but vocal in South Kordofan, will increase. Government hardliners tend to believe that concessions on federalism and greater autonomy could lead to separatism, but they should realise that it has been the centre’s inflexibility that created and has sustained those very demands for secession they so fear.

This report is the first in a series looking at the spreading conflict in Sudan’s peripheries. Since a comprehensive solution, including broader governance reform and meaningful national dialogue, is necessary to end the multiple conflicts and build a durable peace, many of the recommendations in Crisis Group’s most recent Sudan report, *Major Reform or More War* (29 November 2012), are relevant for solving chronic conflict in South Kordofan. The SRF’s inclusion in the processes outlined therein would force it to evolve from a purely military alliance to a more representative and articulate political movement – from an instrument for war to a vehicle for peace. Instead of engaging with SRF components, including the SPLM-N, individually, international actors, especially the UN Security Council, AU Peace and Security Council and Council of the League of Arab States, should engage with them as a whole and encourage their attempts to present a common political position on the future of Sudan.

Recommendations

To save lives and cope with massive displacement

To the Government of Sudan:

1. Allow international humanitarian organisations full access to both government- and SPLM-N-controlled areas of South Kordofan, including from across the border with South Sudan; and consider guaranteeing the neutrality of such humanitarian operations by facilitating their monitoring by independent international observers.

To the Sudan People's Liberation Movement-North (SPLM-N):

2. Ensure, within its capabilities, that all humanitarian aid goes to its intended civilian population and that combatants are separated from civilians and not based in refugee camps.

To initiate a meaningful national dialogue and transition

To the Government of Sudan:

3. Bring the long-time ruling National Congress Party (NCP), the SRF, other opposition forces and civil society groups together in an arrangement to manage government for a limited period with well-defined parameters (based on agreed principles reiterated in multiple agreements over decades) that is intended to lead first and foremost to a comprehensive ceasefire and humanitarian access to conflict areas; and allow the political forces to flesh out a roadmap for a durable peace process, perhaps taking the 28 June 2011 framework agreement and the September 2012 African Union High-Level Implementation Panel for Sudan (AUHIP) draft agreement as a basis for discussion of a national transition that includes:
 - a) debate and agreement on a system of governance that can end the conflicts between the "centre-Khartoum" and Darfur, South Kordofan and Blue Nile, as well as the East and North; and
 - b) drafting of a permanent constitution.

To the Sudan Revolutionary Front (SRF):

4. Develop and articulate detailed political platforms and visions that can form the framework for the transition process.
5. Work to broaden the opposition's grassroots support and popular backing for a transitional framework.

To assist in ending conflict and building sustainable peace and reform

To All Parties:

6. Urge the SRF and other opposition forces to recognise that a managed transition is much preferable to a coup or violent regime change and their likely attendant chaos.

To the Republic of South Sudan Government:

7. Support the SRF's efforts to negotiate directly with the Government of Sudan.

To Members of the UN Security Council, AU Peace and Security Council, Council of the League of Arab States and Inter-Governmental Authority on Development (IGAD), and the Government of Ethiopia:

8. Demand and work for a single, comprehensive solution to Sudan's multiple conflicts in a process that runs parallel to the negotiations between Sudan and South Sudan but is not conditioned on them; coordinate effectively between the two tracks so as to prevent obstacles in one from delaying or derailing the other.
9. Support through training and capacity building during the transitional period the establishment and growth of issue-based parties that can represent and articulate the demands of marginalised constituencies, including the peripheries, youth, women, nomads and urban and rural poor.

Nairobi/Brussels, 14 February 2013

Sudan's Spreading Conflict (I): War in South Kordofan

I. Introduction

The conflict in South Kordofan (as well as in the Blue Nile) has returned Sudan to square one. It is part of a spreading war zone, often called the “new South”, extending from the border with Chad in the west to that with Ethiopia in the east. Its roots are in the failure of multiple local peace agreements to end chronic warfare: the 2005 Comprehensive Peace Agreement (CPA); Cairo Agreement; East Sudan Peace Agreement; Darfur Peace Agreement; and Doha Document for Peace in Darfur.¹

The main cause of wars between the peripheries and the centre has been the former's continuous economic, political and cultural “marginalisation”.² The discrepancies in development and services are striking, and inhabitants of the peripheries often complain about the expropriation of their wealth, notably by taxes as well as exploitation of their land and resources (oil, water), without a legitimate share of the national budget being redistributed to their region in return.³ Politically, regardless of the regime, people from the peripheries have been under-represented in the leadership and administration. Finally, the centre has also tried to impose on them the northern Nile Valley's “Arab” culture as a national model.⁴

Unable to achieve change through a peaceful political process, the peripheries have turned to insurrection to press their demands. The government's response has been resort to the tactic of divide and rule: attempting to cut a deal that cedes some power and resources to one or two armed groups, while otherwise perpetuating the status quo.

¹ For general background, see Crisis Group Africa Reports N°194, *Sudan: Major Reform or More War*, 29 November 2012; N°174, *Divisions in Sudan's Ruling Party and the Threat to the Country's Stability*, 4 May 2011; N°130, *A Strategy for a Comprehensive Peace in Sudan*, 6 July 2007; and Briefing N°68, *Sudan: Preventing Implosion*, 17 December 2009; 21 October 2008. For background specifically on conflicts in the peripheries, see Crisis Group Africa Reports N°145, *Sudan's Southern Kordofan Problem: The Next Darfur?*, 21 October 2008; N°102, *Sudan: Saving Peace in the East*, 5 January 2006; and N°76, *Darfur Rising: Sudan's New Crisis*, 25 March 2004.

² Sudan's extreme centralisation is well known. Even before independence, Anglo-Egyptian colonisation had concentrated power and wealth, first in the capital; secondly in the “useful Sudan” – the Gezira cotton farms (the world's largest irrigated scheme) between the White and Blue Nile Rivers south of Khartoum; and thirdly to an extent in the regions north of Khartoum from where most Arabised elites originate. This persisted despite repeated changes of regime and ideological orientation. Some researchers have noted that Sudan also has pronounced “vertical” social inequalities, in addition to well-known regional “horizontal” ones. Frances Stewart, “Horizontal Inequalities as a Cause of Conflict: A Review of CRISE Findings”, World Bank, 2011.

³ This pattern is known as *zulm* (oppression). James Morton, “How to Govern Darfur”, Sir William Luce Publication Series no. 12, Durham University, 2011.

⁴ Sometimes, as in Darfur in the 1960s, this process was largely led by newly educated elites from the peripheries; sometimes it was forced upon people by the central government in the name of the “modern Sudan” or of a “civilisation project”. Crisis Group Report, *Divisions in Sudan's Ruling Party*, op. cit., p. 3; Briefing, *Sudan: Preventing Implosion*, op. cit., p. 8.

As Crisis Group recently argued, the continuing crisis is ultimately due to Sudanese elites' decades-long failure to achieve a national consensus on how the country should be governed and to build an inclusive and peaceful nation-state. As Sudan prepares to write a new permanent constitution, a truly comprehensive national mechanism is needed that addresses the core questions of its identity, system of rule, wealth and power sharing, and its relationship with South Sudan. Otherwise, it is likely to enter a new cycle of wide-scale violence threatening the entire country's stability and integrity.⁵

This report is the first in a series that is to analyse the spreading civil war in Sudan's peripheries. Extensive field research was conducted in areas of South Kordofan controlled by the insurgent Sudan People's Liberation Movement-North (SPLM-N) and in South Sudan. Crisis Group could not obtain access to government-controlled areas in Sudan but has tried to reflect the government's views as much as possible, including by interviewing officials in other locations.

⁵ Crisis Group Report, *Sudan: Major Reform or More War*, op. cit.

II. The Roots of Persistent Conflict

The roots of conflict in South Kordofan are political, geographic, environmental and ethnic. Although it is one of Sudan's most marginalised, the region was paradoxically its geographical centre until South Sudan's independence in July 2011. Since then, South Kordofan has become perhaps the most strategic borderland. The disputed region of Abyei lies at its south-western tip. Further north, Juba is disputing claims over oil-rich Hejlj (called Panthou by South Sudan) and Kharasana at the southern end of what used to be West Kordofan state. South Sudanese maps also appear to claim the Nuba Mountains' southern end and the localities of Jaw, Troji and Tolodi.⁶

Part of the "savannah belt", South Kordofan's lowlands are mostly *goz* (sandy grasslands), rich rainy-season areas for agriculture and excellent pastures for post-rainy-season herding.⁷ The *goz*, together with clay lowlands to the south, cover roughly two thirds of the 120,000 sq km state, the rest being the 48,000 sq km Nuba Mountains – not one range but a chaotic archipelago of four main granitic massifs and many isolated rocky hills.⁸

The people called "Nuba" by in particular Arabic-speaking outsiders are composed of more than 80 distinct communities speaking perhaps 100 languages classified in ten groups (Sudanese Arabic is the lingua franca).⁹ Over the centuries many converted to Islam; others embraced Christianity, while traditional beliefs still survive. The Nuba Mountains are known for their religious tolerance, with believers from the three faiths coexisting in the same communities and even families, as well as syncretic practices.¹⁰

⁶ Maps on file with Crisis Group. Though the oil-rich area is frequently written as "Heglig", this report uses the spelling "Hejlj" to reflect the common local pronunciation.

⁷ The "savannah belt" is also often called the "*Baggara* [cattle-herders] belt" after the pastoralists, from different Arab tribes and the originally West African Pula group (Fellata in Sudanese Arabic) that roam the area. See Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 1.

⁸ Ibid; Guma Kunda Komey, "The denied land rights of the indigenous peoples and their endangered livelihood and survival: the case of the Nuba of the Sudan", *Ethnic and Racial Studies*, vol. 31, no. 5 (2007), pp. 991-1008. The Nuba Mountains are one of several such areas scattered along or just south of the Sahel that have historically served as refuge for settled populations fleeing nomadic pastoralist encroachment, slave raiders and the spread of Islam.

⁹ The people of the Nuba Mountains originally did not have a common name, but many now identify themselves as Nuba. The ten languages groups represent two of Africa's five major linguistic families: Niger-Congo and Nilo-Saharan. James C. Faris, "Nuba", in R. V. Weekes (ed.), *Muslim Peoples* (Westport, 1984), pp. 554-559. Some are related to Nubian dialects spoken in Nubia, the region straddling northern Sudan and southern Egypt, suggesting some Nuba communities originated from there or share a common origin with Nubians. Ahmed Abdel Rahman Saeed, "The Nuba", in Suleiman Musa Rahhal (ed.), *The right to be Nuba* (Trenton, 2001), pp. 6-20. The belief of ancient Nubia origin is widely spread among Nuba people and has been used by the SPLM/A to popularise the Nuba struggle. SPLA-Nuba names, speeches or songs often refer to ancient or mythic kingdoms such as Merowe or Kush, eg, the "New Kush" battalion led by Yusif Kuwa in the late 1980s.

¹⁰ Although the Nuba are farmers and share a non-Arab culture, their unity is largely shaped by shared experience of exploitation. James C. Faris, op. cit. This grew after the war started in the 1980s and continues to deepen with the resumed conflict. Not all supported the Sudan Peoples Liberation Movement (SPLM) or its military wing, the Sudan Peoples Liberation Army (SPLA), and many were and still are recruited into Khartoum's army or militias. Those often converted to a radical form of Islam. The most famous is *amir* (prince, an Arabic title assigned by the regime to reward its allies) Kafi Tayara, the chief of the Shatt tribe, who is not from a chief's dynasty but nevertheless was appointed both an *amir* in the official "native administration" and an *amir al-mujahidin* (prince of the mujahidin), leader of a government-sponsored militia. Others opposed the SPLM for

The Baggara (cattle-herding) Arabs are the other major identity group, with two major tribes: the Misseriya in the west and the Hawazma in the east.¹¹ Smaller groups include the Borgo (people from the Wadday sultanate in eastern Chad) and Darfurians, such as the Masalit.¹² Most of the migrants are on the government's side, but not all. Abdelaziz al-Hilu (Abdelaziz), SPLM-N deputy chairman and paramount leader in South Kordofan, is Masalit, while the governor, Ahmed Mohammed Haroun, is Borgo.¹³

A. *Continued Marginalisation*

In 1968, the government started to develop large-scale mechanised farming schemes in South Kordofan with the World Bank's support.¹⁴ Private investors, often from northern Sudan, were allocated substantial plots of land. This was facilitated by the Unregistered Land Act of Marshal Jaafar Nimeiri's administration that made undocumented land government property. The act was particularly devastating in the Nuba Mountains, where collective and individual land ownership was based on custom rather than official records, and most people engaged in subsistence farming.¹⁵ The

being more committed to the South than to their cause. However, the SPLM-N increasingly appears to represent a common Nuba identity. Crisis Group interviews, South Kordofan intellectuals, January 2013. See Julie Flint, "The Nuba Mountains: Central to Sudan's Stability", CPA Alert no. 3, IKV Pax Christi, January 2011, p. 16.

¹¹ The Misseriya is an important Arab community, mostly in western Kordofan but also with autonomous sub-groups scattered in southern and western Darfur and Chad.

¹² Another important identity group is the "Jellaba", originally merchants but now all people from Arab or Arabised tribes from the northern Nile Valley. (Because power in Khartoum is concentrated in individuals from those tribes, "Jellaba" is a common shorthand in the peripheries for both the army and the central government.) There are also communities from West Africa, such as the Fellata or Pula (Fellata is Arabic for the Pula but can also be used for other West African communities, such as the Hausa and Bornu). Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 1; Claudio Gramizzi and Jérôme Tubiana, "Forgotten Darfur: Old Tactics, New Players", Small Arms Survey Paper no. 28, p. 80.

¹³ Some Borgo reportedly joined the rebel Justice and Equality Movement (JEM). The Borgo tribal association has distanced itself from Ahmed Haroun, indicted by the International Criminal Court (ICC) for war crimes and crimes against humanity in Darfur in 2003–2004, when minister of state at the interior ministry. Its 15 February 2012 statement, seen by Crisis Group, said, "Ahmed Haroun is no longer a Borgo until he goes to the ICC".

¹⁴ Guma Kunda Komey, "The denied land rights", op. cit., p. 1001; Suleiman Musa Rahhal, "Focus on Crisis in the Nuba Mountains", in Suleiman Musa Rahhal (ed.), op. cit., pp. 36-55.

¹⁵ According to Guma Kunda Komey, a leading expert on the issue and a Nuba, land in the Nuba Mountains is "vaguely owned communally". Successive arrivals of newcomers have obliged the Nuba to pay more attention to land allocation, notably through traditional chiefs, although this can also be done by individual landowners without their chief's consent. After the first war, the land issue was increasingly tied to Nuba identity, as well as more local tribal affiliations, and land ownership became more communal than it probably was historically. Crisis Group interviews, South Kordofan, May 2012; Guma Kunda Komey, January 2013. See also Guma Kunda Komey, "The denied land rights", op. cit., p. 996. The new law also had a devastating impact in Darfur, where it broke a traditional land tenure system based not so much on collective ownership as on cautious land management by the "native administration" or traditional chieftaincies dating back to the Darfur Sultanate (seventeenth century-1916). Jérôme Tubiana, "Darfur: A Conflict for Land?", in Alex de Waal (ed.), *War in Darfur and the Search for Peace* (Cambridge, 2007), pp. 68-91. At the same time, the Nimeiri regime passed an act abolishing the native administration; in the Nuba Mountains, this was not really implemented, and the *mek* (traditional chiefs) remained respected. The following decades saw a multiplication of new, more politicised, traditional leaders, with further devastating effect on

environmental impact was no better, with commercial farming rapidly eroding the thin soil.¹⁶ Agricultural schemes also worsened the impact of frequent droughts throughout the 1970s and 1980s that forced Arab pastoralists from northern Kordofan south into Nuba farming land already made scarce by the commercial farming, triggering violent conflicts.¹⁷

Despite the consequences, commercial farming projects expanded from less than half a million hectares in 1968 to five million by 1986, when Nuba began to join the insurgent Sudan Peoples' Liberation Movement/Army (SPLM/A). The war did not stop the process, and in the late 1980s and 1990s, local government allies such as militia leaders were rewarded in land, mostly for commercial farming. Displaced and impoverished Nuba became wage labourers in those projects.¹⁸

By the early 1980s, land dispossession, conflict with Arab pastoralists and grievances with marginalisation had pushed educated Nuba to form political parties as well as unarmed clandestine movements, such as Komolo.¹⁹ SPLM/A leader Dr John Garang's "New Sudan" vision of a united, democratic country was particularly appealing to young intellectuals from the northern peripheries, most notably the Nuba.²⁰ In 1984, as Nuba civilians were attacked by armed Misseriya pastoralists, Komolo leader Yusif Kuwa, from the Miri tribe, joined the SPLM/A,²¹ allowing Garang to declare in a seminal speech, that the SPLA had "torn into pieces the North-South polarisation It is why patriots from what used to be called 'the North' have joined the Movement ... like brother Yusuf Kuo [Yusif Kuwa]".²²

The next year, the SPLA started to recruit in the Nuba Mountains. The then "democratic" government of Sadiq al-Mahdi began targeting Nuba officials and recruited Misseriya Arab militias (the *murahilin*²³) to target Nuba villages. The policy was counter-productive, increasing support for the SPLA.

the ability of the native administration to solve tribal or land conflicts. The first war divided some Nuba communities, allowing both the government and the SPLM to appoint their own "traditional chiefs". This continued after the 2002 ceasefire, so that some tribes still have one *mek* in SPLM-N areas and another in government-controlled areas (or even in Khartoum). Crisis Group interviews, Nuba traditional leaders, South Kordofan, May 2012; Guma Kunda Komey, January 2013.

¹⁶ Suleiman Musa Rahhal, op. cit., p. 46; Guma Kunda Komey, "The denied land rights", op. cit., p. 1003; also, African Rights, *Facing Genocide: The Nuba of Sudan* (London, 1995), pp. 38-50; Sara Pantuliano, "The land question: Sudan's peace nemesis", Overseas Development Institute (ODI) Humanitarian Policy Group Working Paper, December 2007, p. 15.

¹⁷ The conflicts were made more deadly by the introduction of modern small arms. Suleiman Musa Rahhal, op. cit., p. 46; and Guma Kunda Komey, "The autochthonous claim of land rights by the sedentary Nuba and its persistent contest by the nomadic Baggara of South Kordofan/Nuba Mountains, Sudan", in Richard Rottenburg (ed.), *Nomadic-sedentary relations and failing state institutions in Darfur and Kordofan (Sudan)* (Halle, 2008), pp. 101-127.

¹⁸ Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 9; "Suleiman Musa Rahhal, op. cit., p. 46. The land rewards were another process repeated in Darfur, Jérôme Tubiana, op. cit. See also "Soil and Oil: Dirty Business in Sudan", Coalition for International Justice, February 2006, p. 61.

¹⁹ Komolo was founded by University of Khartoum students from the Nuba Mountains, such as Yusif Kuwa Mekki and Abdelaziz al-Hilu. Yusif Kuwa Mekki, "Things Were No Longer the Same", in Suleiman Musa Rahhal (ed.), op. cit., pp. 25-35.

²⁰ The SPLM/A resumed the North-South war in 1983, with the support of Ethiopia. Confronted by its own separatist movements, in particular the Derg in Eritrea, the military regime of Colonel Mengistu Haile Mariam that ruled Ethiopia from 1974 to 1991 opposed Southern separatism and supported Garang's unity stance.

²¹ Yusif Kuwa Mekki, op. cit., p. 25.

²² *John Garang Speaks* (London, 1987), p. 29.

²³ From *murhal*, plural *marahil* (pastoralists' migratory route in Arabic).

The violence escalated after the 1989 National Islamic Front (NIF) coup, in particular after the government declared jihad in 1992, legitimising the killing of not only Christian and animist Nuba, but also Muslim SPLA sympathisers labelled “apostates”.²⁴ Many Nuba were forced into “peace-camps” in government-controlled areas, and large tracts of emptied land were rapidly incorporated into new commercial agricultural schemes. In 1998, a local ceasefire in Bahr el-Ghazal allowed the government to redeploy troops and intensify the offensive, while also blocking much needed humanitarian aid.²⁵ The Nuba Mountains were largely emptied of their population by 2002, when a humanitarian ceasefire brokered by Switzerland allowed the return of some 1.5 million displaced.²⁶

The ceasefire was a reprieve for the local SPLA, which was then on its knees, but it also allowed the government and mediators to separate the Nuba issue from the North-South conflict. The 2002 negotiations in Machakos, Kenya, focused on the South. There were internal SPLM/A divisions about whether the Nuba Mountains were part of the South and should be granted self-determination. Already in 1994, the peace process led by the East African regional organisation, the Inter-Governmental Authority on Development (IGAD), had recognised the “right of self-determination of South Sudan” but left ambiguous whether the Nuba Mountains were part of the South. The same year, the SPLM/A unambiguously called for self-determination for what came to be known as “the three areas”: the Nuba Mountains, Blue Nile and Abyei.

In 1998, the IGAD-led peace process re-affirmed the right of self-determination for the South, but this time defined it clearly as the states that in 2011 became the Republic of South Sudan (notwithstanding the still disputed borderlands). SPLM/A leaders in the Nuba Mountains (Yusif Kuwa) and Blue Nile (Malik Agar), claimed they were also part of the South, but decided not to stand in the way of South Sudan’s quest – thus opening the way for separate negotiations.²⁷

After the Machakos Protocol, recognising the right of self-determination for the people of South Sudan, was signed on 20 July 2002, the SPLM/A re-introduced the three areas, as well as the question of Sudan’s national identity, into the negotiations.²⁸ But for many Southerners, this was primarily to increase their leverage.²⁹ On 26 May 2004, the government and SPLM/A signed a protocol on Abyei (providing

²⁴ African Rights, *op. cit.*, pp. 288-292.

²⁵ “The Drift back to War: Insecurity and Militarization in the Nuba Mountains”, Small Arms Survey Issue Brief no. 12, August 2008, pp. 2-3.

²⁶ Crisis Group Report, *Sudan’s Southern Kordofan Problem*, *op. cit.*, p. 7; Julie Flint, *op. cit.*, p. 22. Crisis Group interview, Western humanitarian source who worked in the Nuba Mountains during the first war, Juba, May 2012.

²⁷ Though IGAD’s mandate focused more than ever on the South, the U.S. special envoy, Senator John Danforth, made the humanitarian crisis in the Nuba Mountains one of his priorities. The Christian right in the U.S. was a main supporter of the SPLM/A’s struggle (in spite of its historic Marxist affiliation). Khartoum was surprised by U.S. pressure but saw it as another opportunity for a separate ceasefire, allowing it to focus on the South.

²⁸ In January 2003, Khartoum agreed to separate negotiations on the three areas under sole Kenyan mediation. In September, as direct negotiations began between John Garang and Vice President Ali Osman Mohammed Taha, the three areas were included in the IGAD peace process. The complete CPA was signed in January 2005.

²⁹ According to Guma Kunda Komey, “the two areas were, in fact, nothing more than objects of bargaining between the negotiating parties and the mediators”. Guma Kunda Komey, “Back to War in Sudan: Bad Governance or Incomprehensiveness of the CPA?”, article made available to Crisis Group before publication.

for a local referendum on the status of the area) and a much weaker protocol on the “two areas” of South Kordofan and Blue Nile that replaced the call for referendums desired by the local SPLM/A with the more ambiguous goal of holding “popular consultations”.³⁰ Those were to be controlled by the states’ parliaments and have the vague aim of correcting, revising or renegotiating the CPA that was signed in January 2005, as well as issues left unaddressed or unresolved by that agreement, such as land ownership.³¹

Many Nuba were disappointed by the deal and felt they had been abandoned by the southerners.³² Abdelaziz al-Hilu, who succeeded the late Yusif Kuwa, reportedly only agreed to the protocol under pressure from Garang and international backers, in particular the U.S.³³

Another source of dissatisfaction and concern was that SPLM negotiators had accepted new administrative boundaries for Kordofan, pushed by the government, that eliminated Misseriya-dominated West Kordofan state, merging it into South Kordo-

³⁰ Arguably, Khartoum agreed to the Abyei referendum because the SPLM withdrew similar demands for South Kordofan and Blue Nile. The protocol on the two areas was incorporated into the CPA as Chapter V, “Resolution of the Conflict in the Two States of Southern Kordofan and Blue Nile”, pp. 71-83. It defines the popular consultations as “a democratic right and mechanism to ascertain the views of the people of Southern Kordofan/Nuba Mountains and Blue Nile States on the comprehensive agreement” (Article 3.1, p. 74), so that “this comprehensive agreement shall be subjected to the will of the people of the two States through their respective democratically elected legislatures” (Article 3.2, p. 74). See Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 3. The Abyei referendum, scheduled for 9 January 2011, has not been held.

³¹ “Should any of the legislatures of the two States, after reviewing the Agreement, decide to rectify, within the framework of the Agreement, any shortcomings in the constitutional, political and administrative arrangements of the Agreement, then such legislature shall engage in negotiations with the National Government with the view of rectifying these shortcomings”. CPA, Chapter V, Article 3.6., p. 74. Other unresolved issues included the right to self-determination and even the state’s name, the SPLM/A favouring “Nuba Mountains”, the government “South Kordofan”, in order to satisfy its non-Nuba supporters. “Many people in Southern Kordofan and southern Blue Nile still believe (and advocate) that popular consultation includes an option for secession with the South or outright independence”, although it is clearly “not a referendum for independence or an opportunity to secede and join the south”. Jason Gluck, “Why Sudan’s Popular Consultation Matters”, United States Institute of Peace, November 2010, p. 2. See also Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 3.

³² Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. ii.

³³ Yusif Kuwa, who died of cancer in March 2001, designated his old comrade from Komolo as his successor. Abdelaziz, whose original Masalit name was Kunji Hala Tallo Tucha, is from a Masalit community that settled in the Nuba Mountains in the early twentieth century and was integrated into the Nuba tribes. His non-Nuba, non-Arab origin was seen as a guarantee of much needed neutrality at the time of the ceasefire. Before Yusif Kuwa’s death, he had been active in other areas of northern Sudan, in particular leading the “New Sudan brigade”, 1997-2001, in the East – a region heavily populated by Masalit migrants. Earlier he had participated in failed SPLA attempts to expand operations to Darfur, notably in 1991-1992 together with Daud Yahya Bawlal, an ex-Muslim Brother from the Fur tribe who had convinced John Garang he could open a new front. The expedition failed to secure support among the Fur and was repeatedly attacked by Arab militias. Bawlal was captured and Abdelaziz retreated with most of the troops to the South. Unhappy with the CPA, he reportedly refused in 2005 to become the first SPLM governor of South Kordofan and went to the U.S. for studies. Crisis Group interviews, Abdelaziz al-Hilu, South Kordofan, May 2012, Addis Ababa, December 2012; Westerner close to him, Juba, May 2012. See also Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 4; Julie Flint and Alex de Waal, *Darfur: A New History of a Long War* (London, 2008), p. 24; Gramizzi and Tubiana, op. cit., pp. 78-79.

fan and North Kordofan.³⁴ Because of this, the Nuba were no longer the majority tribe South Kordofan, but were balanced by the Misseriya, who historically supported the government.

B. *Changing Ethnic Dynamics*

A major consequence of the first war was the displacement of Nuba people from Arab-dominated areas, as well as of Arabs from the Nuba heartlands – thus simplifying what had been South Kordofan's more mixed ethnic map.³⁵ The ethnic conflict dynamics have changed as well.

During the first war, the Misseriya were the government's main local supporters, providing recruits for the *Murahilin* and Popular Defence Forces (PDF), the primary paramilitary fighters used against the SPLA and Nuba civilians. They have increasingly grown frustrated with Khartoum, most notably due to the 2005 decision to abolish the West Kordofan state they viewed as their own, in spite of a significant Hamar Arab tribe presence in its northern part;³⁶ and the lack of development and services, which was especially frustrating since most if not all northern oil comes from their traditional area.³⁷

Few Misseriya were part of the SPLM/A in the first war.³⁸ But following the CPA, the SPLM/A attracted many Misseriya by insisting Kordofan Arabs were as marginalised by Khartoum as the Nuba, and had been manipulated by the government,

³⁴ Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 3.

³⁵ Crisis Group interviews, South Kordofan intellectuals, January 2013.

³⁶ The government repeatedly promised to restore West Kordofan state, most recently in December 2012, when Vice President Ali Osman Taha announced it would happen in January 2013 but was postponed by President Omar al-Bashir. Restoration was opposed by the Arab Hamar tribe, from north-western Kordofan, that would only accept it if their main city, an-Nahud, was chosen as the capital, or if their traditional area was excluded from the state. The government began paying more attention to the Hamar after JEM rebels crossed their territory during their 2008 raid on Khartoum. The West Kordofan state map released after Taha's announcement and seen by Crisis Group included only the southern (Misseriya) part of the former state; the northern (Hamar) part remained in North Kordofan. The government's plan would now be to appoint a Misseriya governor in West Kordofan, a Nuba in South Kordofan and move Ahmed Haroun to his North Kordofan homeland or to a key security position in Khartoum. There are also discussions about creating an East Kordofan state, with Rashad or al-Abbasiya as its capital. This corresponds with a trend in other parts of the country, in particular Darfur, where three states were divided into five in January 2012, three of which are ethnic-based. Dividing South Kordofan into three separate states would isolate the SPLM-N-dominated Nuba Mountains from the current state's western and eastern parts, which from the government's perspective could be useful to contain the rebels and limit their ambitions during future negotiations. "Sudan to repartition South Kordofan into two states", *Sudan Tribune*, 21 December 2012; "Sudanese tribes demand creation of a new state in home town", *Al-Sahafah*, 23 December 2012; "Basher retreated from the announcement of the state of West Kordofan", www.sudaneseonline.com; "Announcement concerning the re-establishment of the state of West Kordofan", SPLM-N, 27 December 2012; and Crisis Group interviews, South and North Kordofan intellectuals, September, November 2012, and January 2013.

³⁷ According to an Arab SPLM-N politician, "all the oil of the North is in Misseriya land, but where is the effect of the oil? There are no schools, no roads, no water in Dar Misseriya". Crisis Group interview, Juba, May 2012.

³⁸ The first were a group of some 35 combatants, including notably Bokora Mohammed Fadel, a Misseriya from al-Dibab in the south of then West Kordofan, who joined the SPLA in 1989 when the National Islamic Front took power. Crisis Group interview, Bokora Mohammed Fadel, other SPLM-N leaders, Bentiu and South Kordofan, May 2012.

which used them as a cheap military force without providing promised development and services in return. In 2006-2007 the SPLA recruited a mostly Misseriya 2,500-strong brigade in the al-Dibab area of south-western Kordofan.³⁹ Budget and salary tensions led to a reduction of this force to a battalion of but a few hundred by early 2011.⁴⁰ Upon the resumption of the conflict in South Kordofan in June of that year, however, the SPLM-N again began recruiting Misseriya, with the aim of opening a new front in the Misseriya area of western Kordofan. SPLM-N Misseriya leaders say the force grew by May 2012 to a 1,000-man brigade divided into four battalions and under the command of Misseriya Brigadier General Yasin al-Mullah.⁴¹

During the same period, the government also tried to remobilise the Misseriya but faced unusual resistance. In July 2011, it organised a conference in the North Kordofan capital, al-Obeid, to ask the Misseriya native administration (traditional leaders) to mobilise militias, as they had usually done in the past. The chiefs objected, noting that there were now Misseriya on the SPLA side, and they wanted to avoid intra-tribal fighting.⁴²

Further government attempts to remobilise Misseriya also failed, during the occupation of the Hejlj oilfields by the SPLA and the Justice and Equality Movement (JEM) in April 2012. Even though the Misseriya consider this area part of their traditional homeland, they were not ready to fight the anti-Khartoum coalition, since both the JEM and SPLM-N contingents active in the area were largely composed of and led by kinsmen.⁴³ Disgruntled Misseriya joined not only the SPLM-N, but also

³⁹ SPLM-N Arab leaders claimed the "al-Dibab force" was initially as many as 14,000 men, but because South Sudan did not have money for such a large force, it was reduced to 2,500. Some excess recruits reportedly joined JEM, which was already active in Misseriya areas. The al-Dibab force was first commanded by Hasan Hamid, who left it after internal differences to join another Darfur rebel group, the Sudan Liberation Army (SLA) faction led by Abdelwahid Mohammed Ahmed Nur, known as SLA-AW. Crisis Group interviews, SPLM-N Arab leaders, South Kordofan and South Sudan, May 2012.

⁴⁰ The demobilised troops mostly returned to civilian life but reportedly still are sympathetic to the SPLM-N. Since Hasan Hamid left, the force is commanded by Bokora Mohammed Fadel (see above). Crisis Group interviews, SPLM-N Misseriya leaders, South Kordofan and Bentiu, May 2012.

⁴¹ In June 2012, this number grew again because of Misseriya PDF defections (see below, Section V) and recruitment of several hundred Misseriya Zurug troops trained in Julud, north west of Kadugli. The Misseriya are divided into two main groups, Humur ("red" in Arabic) and Zurug ("black"). The SPLM-N had initially been more successful with the Humur. Crisis Group interviews, SPLM-N Misseriya and Nuba leaders, South Kordofan and South Sudan, May 2012; Khartoum-based Misseriya intellectual, June 2012.

⁴² Hamar Arab tribal chiefs from Northern Kordofan were reportedly also present. Presidential assistant Nafie Ali Nafie reportedly requested the Misseriya to provide 2,000 men for the PDF. The leaders reportedly said they would only if the same number were recruited in northern Sudan (the home area of the main NCP leaders) and sent to the front-lines. Crisis Group interviews, SPLM-N Misseriya and Nuba leaders, South Kordofan and South Sudan, May 2012; Khartoum-based Hamar intellectual, September 2012.

⁴³ During the Hejlj occupation, the government reportedly sent two powerful Misseriya NCP politicians, Issa Bashari Mohammed, the federal science and technology minister, and Hasan Subahi, a federal parliamentarian, to the Belila oil hub north of Hejlj to mobilise Misseriya PDF to retake the area. They reportedly brought with them some 2,000 assault rifles and 500 motorbikes. The militias refused, complaining that 3,000 comrades who had died in the first war were not recognised as "martyrs", and their families did not receive financial compensation. Misseriya civilians, possibly including some new militia recruits, also reportedly looted several weapons stores. Some of these arms were sold on the black market, others kept by the looters. SPLM-N and JEM leaders acknowledged that some looters were "sleeping members". Armed Misseriya civilians also allegedly took

JEM, which saw the Misseriya as central to its strategy of expanding out of Darfur and toward Khartoum.⁴⁴ JEM, according to both JEM and SPLM-N sources, had been successful in recruiting some 300 to 400 Misseriya combatants, including from the SPLA.⁴⁵

The other major Arab tribe in the state, the Hawazma, also seems to be starting to switch sides. While very few fought with the SPLA during the first war, members began to join during the interim period, and even more have done so since the outbreak of the new war in June 2011. According to a Hawazma politician, 300 to 400 Hawazma, including defectors from the army, have joined the rebel ranks. Hawazma PDF commanders from the first war are said to have a hard time remobilising their constituencies. "During the first war, we Hawazma were the government's right hand, but now our tribe is opposing the government's attempts to do [mobilise us] once again".⁴⁶ Traditional leaders play an important role in brokering informal coexistence deals between communities: for instance, Khamis Soba, a Nuba traditional chief (*mek*) based in an SPLM-N-controlled area, made such an agreement with a Hawazma chief from a government area in April 2012.⁴⁷

JEM has also recruited a small number of Hawazma, including Colonel Fadlallah Issa Abdallah, from the Nuba Mountains. During attacks against the Tess garrison in July 2012, he led, alongside the SPLM-N, a group of six technicals – pick-up trucks usually mounting a heavy machine gun – with men from the Nuba and other tribes. (The first attack failed; the second succeeded). Fadlallah was wounded and the command of JEM's Nuba Mountains section passed to Colonel Mohammed Sherif Adam Shatta, a Borgo from South Kordofan. In November 2012, Fadlallah defected and formed the JEM-Joint Command.⁴⁸

some 200 cars of withdrawing SAF, other security forces in charge of protecting the oilfields and private companies close to the government. They claimed this was because they had not been given oil jobs in their territory. Misseriya PDF, among the first to enter Hejlj after the SPLA left, were also reportedly involved in pillaging. In early June 2012, several thousand Misseriya PDF and PDF recruits (1,000 would have been already armed but were still being processed) reportedly defected to the SPLM-N after meeting with rebel delegates in Kharasana, north of Hejlj. Since then, Ahmed Haroun has been reportedly unsuccessfully attempting to disarm Misseriya PDF. Crisis Group interviews, Misseriya SPLM-N leaders, South Kordofan and South Sudan; JEM official, Juba, May 2012; Khartoum-based Misseriya intellectual, June 2012; Khartoum-based observer, September 2012; and Abdelaziz al-Hilu, Addis Ababa, December 2012.

⁴⁴ JEM had already been active in western Kordofan before the CPA was signed.

⁴⁵ JEM's Misseriya force is led by Fadel Mohammed Rahoma, second deputy to the commander, an ex-SPLA commander from the "al-Dibab force" and nephew of veteran SPLA Misseriya commander Bokora Mohammed Fadel. Recruits include ex-sympathisers of the regime's former Islamist mentor Hassan al-Turabi's Popular Congress Party, some dissatisfied with the SPLA and even more young men not much motivated by ideology but finding in JEM greater chance for higher positions and ability to fight in the lowlands. JEM also recruited Nuba, including from the SPLM-N. Crisis Group interviews, SPLM-N and JEM leaders, Juba and South Kordofan, May 2012. Jérôme Tubiana, "Renouncing the Rebels: Local and Regional Dimensions of Chad-Sudan Rapprochement", Small Arms Survey Working Paper no. 25, 2011, p. 61; Gramizzi and Tubiana, op. cit., pp. 72-73, 76.

⁴⁶ Crisis Group interview, September 2012. It seems each main Hawazma sub-group has at least one PDF coordinator.

⁴⁷ Crisis Group interview, Nuba traditional leader, Kaoda, May 2012. Relations in the SPLM-N between Nuba old-timers and Arab newcomers are strained by first-war grievances. "We don't trust Arabs more than 5 per cent, but the fact is they don't want us to attack them". Crisis Group interview, SPLM-N Nuba officer, South Kordofan, May 2012.

⁴⁸ "West Kordofan insurgents split from JEM", Radio Tamazuj (online), 7 November 2012.

III. Failure of the CPA

Conflict restarted in South Kordofan because key CPA provisions were not implemented.⁴⁹ A chief reason was SPLM leader John Garang's death in July 2005, three weeks after he was appointed Sudan's vice president. Between 2002 and 2005, Nuba Mountains support for the SPLM was largely based on Garang's personality, stance for unity and promises he would not abandon the Nuba in exchange for South Sudan's independence.⁵⁰ His death left Nuba fearful the new SPLM leadership would not honour his promises, that without a strong guarantor such as Garang the CPA was too weak an agreement for them to get self-determination, and that the protocol might not even be implemented.⁵¹ This is largely what happened.

After Garang's death, Abdelaziz al-Hilu left to study in the U.S.⁵² South Kordofan's first peacetime governor was Ismail Khamis Jallab, a Nuba SPLA officer, with, as the CPA required, an NCP deputy. The CPA's power-sharing arrangements (55 per cent of legislative and executive powers to the NCP and 45 per cent to the SPLM) were implemented slowly, with long delays at the senior level. Thus, Jallab was largely unable to govern, because of systematic NCP obstruction.⁵³ With no real integration, SPLM/A-controlled areas were governed as autonomous entities, maintaining specific policies inherited from the war, for example on land. The paralysis continued in 2007, when NCP Governor Omar Suleiman and SPLM Deputy Governor Daniel Kodi took over (according to the CPA's required rotation). This led to increasing Nuba dissatisfaction with the CPA and the SPLM old guard, in particular among the youth.⁵⁴

⁴⁹ Julie Flint, *op. cit.*, p. 9. Among key provisions left unimplemented was establishment of the State Land Commission, supposed to address the crucial ownership issue left by the CPA. Another was security. Per the CPA, SAF forces in the state should have been reduced to pre-war numbers – no more than a brigade, according to the SPLM/A, which accused Khartoum of militarising the state during the interim period by bringing in additional forces, including from divisions once based in South Sudan. The SPLA said it temporarily withdrew its Nuba forces from South Kordofan to the South Sudanese part of the Jaw area at the border with Unity State – except for its part of the Joint Integrated Units (JIUs). Crisis Group interview, SPLM-N official, Juba, May 2012. “The Drift back to War”, *op. cit.*, p. 3.

⁵⁰ Julie Flint, *op. cit.*, p. 11. In December 2002, Nuba delegates gathered in Kaoda, the SPLA Nuba Mountains stronghold, and mandated John Garang to negotiate in Naivasha on condition that self-determination and equal distribution of power and wealth were assured. Garang, whose aim was to sideline rival political parties and civil society organisations, promised the SPLM “will not let you down. Whatever agreement we reach ... we'll include you”. In a 2007 speech, SPLM Blue Nile Governor Malik Agar recalled the importance of Sudan's unity for the two areas: “We wish that there is no separation for the south. But should the South separate, then there will be no Sudan”. Crisis Group interview, Western source present in South Kordofan during the first conflict, June 2012.

⁵¹ See Julie Flint, *op. cit.*, p. 3.

⁵² Garang reportedly wanted Abdelaziz al-Hilu to lead CPA implementation in the two areas. See Crisis Group Report, *Sudan's Southern Kordofan Problem*, *op. cit.*, p. 4.

⁵³ Appointed in September 2005 for eighteen months, Jallab could only form an executive council in March 2006, because the NCP refused to nominate candidates. *Ibid.*, p. 5; Crisis Group interviews, SPLM-N officials, Juba, May 2012; Julie Flint, *op. cit.*, p. 13.

⁵⁴ Crisis Group Report, *Sudan's Southern Kordofan Problem*, *op. cit.*, p. 6. Among the main dissidents was veteran SPLA commander Telefon Kuku, a Nuba from Buram who in 2001 unsuccessfully challenged Abdelaziz al-Hilu to succeed Yusif Kuwa and since then had adopted a radical anti-CPA and tribal Nuba stance. According to the SPLM, this did not prevent him from seeking and receiving government support. The SPLM arrested him, and he reportedly is under house arrest in Juba.

Things changed slightly in April 2009, when Abdelaziz al-Hilu agreed to become deputy governor, working with NCP Governor Ahmed Haroun.⁵⁵ International observers, in particular from the U.S. and UN, were publicly impressed by the relative efficiency of their partnership.⁵⁶ Haroun cooperated with the SPLM and allowed delivery of services and development to SPLM/A-controlled areas. To integrate the state, he built roads, an airfield in the SPLM/A's capital, Kaoda, and made Kaoda and al-Fula alternative capitals to Kadugli, with the council of ministers rotating its meetings between the three.⁵⁷ Haroun and Abdelaziz also created a *mejlis al-hukama* (council of the wise) to address local conflicts, but agreed to postpone the land commission so as to defuse tensions and preserve their partnership.⁵⁸ Nevertheless, the "partners" were also opposing gubernatorial candidates in the 2010 election that both sides considered a "must-win" contest for which they were already preparing for a possibly violent confrontation.

The elections were critical because the CPA had left the resolution of core issues (such as self-determination) to the popular consultation, and that was to be largely in the hands of the new state legislative assembly, which was supposed to forward to Khartoum the conclusions drawn from the public meetings. Preparations for the elections, such as the census, were critical as well. Time was short, since the popular consultation had to be concluded before 9 July 2011, the end of the CPA's interim period.⁵⁹

The stakes were very high for the NCP. Were the census, elections and finally popular consultation fair and representative, analysts believe the legislative assembly would have agreed to ask for more autonomy and a greater share of both the federal budget and revenue produced by the state's resources, including oil. During the interim period, the government tried its best to avoid any process that could lead to more autonomy, fearing it could be an example for other northern peripheries, particularly Darfur.⁶⁰

The 2008 national census, which was supposed to be the basis for the general elections scheduled for April 2010, reported South Kordofan had a population of

Aly Verjee, "Unfinished Business: The May 2011 State Elections in South Kordofan", *Sudan Tribune*, 31 March 2011.

⁵⁵ In April 2007, the ICC issued an arrest warrant against Ahmed Haroun charging him with crimes against humanity and war crimes in Darfur between April 2003 and September 2005, when as minister of state at the interior ministry he was in charge of security in Darfur. He was promoted to minister of state in the humanitarian affairs ministry, then in May 2009 to South Kordofan governor. See "Warrant of Arrest for Ahmad Harun", at www.icc-cpi.int.

⁵⁶ In principle the two men, a veteran Darfur-origin SPLM/A political and military leader and an ICC-indicted NCP apparatchik, should not have gotten along. When asked about his dealings with Haroun, Abdelaziz said relations were very distrustful, but he exerted more pressure on his NCP partners than his predecessor. He acknowledged that Haroun had allocated money for development to SPLM areas. Crisis Group interviews, South Kordofan, May 2012; Addis Ababa, December 2012.

⁵⁷ Nuba politicians say there might have been a less benign intent to the road and airport construction, since it facilitates army operations against the insurgents. Crisis Group interview, January 2013.

⁵⁸ Crisis Group interview, Western observer, January 2013.

⁵⁹ Khartoum had allowed only limited preparation for the popular consultation in South Kordofan. Crisis Group email correspondence, Western observer present in South Kordofan in 2011. Jason Gluck, *op. cit.*, p. 2.

⁶⁰ The core questions of the interim period were summarised as: "Will Khartoum view reform as a means of resolving conflicts between the central government and the states? Or, having possibly endured southern secession, will it view devolution as a prelude to even more disintegration?" Jason Gluck, *op. cit.*, p. 6.

1,406,404. The numbers were disputed in several states, most notably South Kordofan, by the SPLM, which pointed out that most displaced Nuba had not yet returned.⁶¹ It demanded and received a new census (conducted in June 2010) that counted 2,508,268 persons – a more plausible figure that the SPLM still disputed as too low.⁶²

With the census delayed, the elections for governor and legislative assembly were pushed back to May 2011 – after South Sudan's self-determination referendum and when it was already known that the South would separate from the North two months later.⁶³ The campaign was short, but both sides conducted it aggressively. SPLM-N officials said they started to worry about a possible return to war after an April 2011 speech by President Omar al-Bashir in al-Muglad, in the west, in which he reportedly declared the NCP would take the state, “either by ballot boxes or by bullet boxes”, and if needed chase the SPLM-N “*jebel-jebel, karkur-karkur*” (mountain by mountain, cave by cave) – an explicit reference to Qadhafi's battle-cry, “*zanga-zanga*” (alley by alley), against the Libyan rebels.⁶⁴ According to defectors from the Sudanese Armed Forces (SAF), similar speeches were delivered to SAF troops by their officers.⁶⁵

Ahmed Haroun won the gubernatorial vote by 6,500 votes (46.08 per cent to 44.6 per cent). In the legislative assembly, the NCP obtained 33 seats, leaving only 21 to the SPLM, even though the SPLM garnered more votes.⁶⁶ While it criticised electoral preparations, the official results were judged credible by the U.S.-based Carter Center, the only international body to observe the process. However, the center's conclusions were criticised by an ex-Carter Center country expert, who noted Ahmed Haroun's margin was considerably less than the more than 31,600 ballots discarded as invalid and concluded that “Ahmed Haroun's victory cannot, therefore, be definitively established statistically”, and the elections “measured by their success in maintaining peace and achieving democratic transformation, were a failure”.⁶⁷

⁶¹ The census thus, according to the SPLM, advantaged the Arab population. Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 7.

⁶² The voter registry, which predated the last census, was also disputed. See Julie Flint, op. cit., p. 7. According to an electoral expert, “the credibility of the new census or the current voter registry has not been established and may provide new grounds for disputing the [elections] result”. The two censuses did not include such sensitive data as ethnicity. Demarcation of the geographic constituencies was also disputed by the SPLM, which threatened to boycott the elections in January 2010. Aly Verjee, “Unfinished Business”, op. cit., p. 1.

⁶³ Crisis Group Africa Briefing N°72, *Rigged Elections in Darfur and the Consequences of a Probable NCP Victory in Sudan*, 30 March 2010, p. 3; Julie Flint, op. cit., p. 13.

⁶⁴ Crisis Group interviews, SPLM-N officers, South Kordofan, May 2011. Since then, expressions such as “*karkur-karkur*” and “*zanga-zanga*” seem to have become common battle-cries for government forces in South Kordofan. Video of PDF attacking a Nuba area in South Kordofan, seen by Crisis Group.

⁶⁵ Crisis Group interview, SAF defector, South Kordofan, May 2012.

⁶⁶ The SPLM won 43.9 per cent of the votes for the legislature versus 41.88 per cent for the NCP, due to very high tallies in the Nuba Mountains, which retrospectively validated its concerns about constituency demarcation. Aly Verjee, “Disputed Votes, Deficient Observation: The 2011 Election in South Kordofan, Sudan”, Rift Valley Institute, August 2011, p. 2. According to Guma Kunda Komey, the Election Commission created constituencies with above average populations in SPLM areas and many fewer people in government supporting locations. “Back to War in Sudan”, op. cit. NCP gerrymandering of electoral districts was a major concern of opposition parties during the elections as well. Crisis Group Briefing, *Rigged Elections*, op. cit.

⁶⁷ Aly Verjee, “Disputed Votes”, op. cit., pp. 1-2. The third (independent) candidate, SPLM dissident Telefon Kuku, whom the SPLM accused of NCP support, took some 9,130 votes – more than

Members of the African Union High-Level Implementation Panel (AUHIP) for Sudan, led by former South Africa President Thabo Mbeki, also found the elections credible, attributing Haroun's victory to his record in delivering development and the fact that the whole "NCP machinery" campaigned for him.⁶⁸ In April 2011, in the midst of the brief electoral campaign, the AUHIP had tried to prevent the expected war by opening negotiations in Kuriftu, Ethiopia, focusing on new security arrangements, the lack of which was rightly foreseen as a trigger of violence.⁶⁹ It also proposed a new Haroun and Abdelaziz power-sharing agreement, whatever the electoral results.

In several meetings in early 2011, Haroun, rightly fearing the elections would lead to war, had reportedly proposed to Abdelaziz not to hold the vote but instead to continue the CPA's power-sharing formula: Haroun governor, Abdelaziz his deputy, 55 per cent of the legislative assembly for the NCP and 45 per cent for the SPLM. But Abdelaziz refused.⁷⁰ After the elections, Haroun, reportedly trying to avoid war, declared in the Kadugli mosque that he was prepared to continue the same partnership with an SPLM deputy. (Afterward, the governor reportedly was summoned to Khartoum, which led many in South Kordofan to believe that the decision to go to war was imposed by NCP hardliners.) Abdelaziz rejected the offer, because he preferred the role of peaceful opposition until the next elections.⁷¹ However, both sides were preparing for war.⁷²

Haroun's margin of victory. Aly Verjee also noted "the SPLM lost the gubernatorial race, but it actually won the most votes overall", and "in the Carter Center's report on the South Kordofan election the impact of problems in voter registration and constituency demarcation is played down". Ibid.⁶⁸ The AUHIP was largely focused on the North-South referendum and Abyei (the main actors on South Kordofan and Blue Nile were the UN, U.S. and the Netherlands), but it started to worry that the South Kordofan electoral process would, whatever the results, lead to war. It privately acknowledged irregularities but asserted the SPLM had rigged more than the NCP. Crisis Group interview, AUHIP members, Addis Ababa, June 2012, and Western observer, September 2012.

⁶⁹ Kuriftu is a small lake with a luxury resort and spa in Debre Zeit, one hour south of Addis Ababa, where some of the negotiations between Khartoum and the SPLM took place in 2011. Crisis Group interview, AUHIP member, Addis Ababa, June 2012.

⁷⁰ According to Abdelaziz al-Hilu, "Haroun said, let's not go to elections, it will cause war and stop our development efforts. I said, it's not only of bread that humans live. My constituency wants me as governor". There are, however, reports that in a meeting in Port Sudan the two agreed that whoever won, the loser would become his deputy. Abdelaziz denied this. Crisis Group interviews, South Kordofan government official and Khartoum-based observer, September 2012; Abdelaziz al-Hilu, Addis Ababa, December 2012.

⁷¹ "We refused to participate in any government and said we are going to wait for the next elections", Abdelaziz al-Hilu explained. Crisis Group interviews, South Kordofan, May 2012; Addis Ababa, December 2012; other SPLM-N officials, South Kordofan and Juba, May 2012; South Kordofan government official, September 2012; AUHIP member, Addis Ababa, June 2012; Western source close to Abdelaziz al-Hilu, Juba, May 2012; Nuba intellectual, January 2013. See also "Conflict in Southern Kordofan/Nuba Mountains", Small Arms Survey, updated 18 November 2011, p. 2.

⁷² According to sources close to the SPLM-N, they had started preparing for war long before. The SPLM candidate for Sudan's presidency, Yasir Arman, withdrew his candidature under pressure from Salva Kiir in early 2010. President Bashir reportedly brokered an informal deal with Kiir: he would not oppose South Sudan's referendum on independence in exchange for Yasir's withdrawal. Earlier friction between SPLM members from the North and South had surfaced over the lack of financing for the campaign in the North. It led Yasir to tender a resignation letter to Salva which was initially rejected, but then reportedly later used to make him withdraw. This episode convinced Abdelaziz al-Hilu and Blue Nile governor Malik Agar to prepare for war, though Malik reportedly

According to the CPA, during the interim period, SPLA forces in North Sudan (respectively the 9th Division in South Kordofan and the 10th Division in Blue Nile) were to redeploy south of the North-South boundary (the 1956 line), except for those that were part of the Joint Integrated Units (JIUs), composed of equal numbers from the SPLA and the Sudanese Armed Forces (SAF).

The redeployment was initially scheduled to be completed by July 2007 but in fact only started then.⁷³ In January 2008, the SPLA claimed the 9th Division (17,000 to 30,000 men according to various SPLM/A officials) had completed its redeployment to Jaw, at the northern tip of Unity state (South Sudan) on the border with South Kordofan.⁷⁴ In May 2008, the UN Mission in Sudan (UNMIS) was only able to verify the redeployment of some 10 per cent of the SPLA forces in South Kordofan and Blue Nile, although some of its observers believed the core of the troops had moved to Jaw.⁷⁵ In February 2009, the SAF estimated 8,000 SPLA troops were based in Jaw, where they were suffering from lack of food and pay. This improved in 2010, when salaries were paid more regularly.⁷⁶ In March 2011, there were still 5,000 to 6,000 SPLA soldiers from South Kordofan in Jaw, according to a Khartoum-based military observer.⁷⁷

In addition to some 3,300 SPLA troops attached to JIU units, several thousand more remained in the Nuba Mountains after 2008, in violation of the CPA.⁷⁸ More than 10,000 Nuba were still part of the SPLA in South Sudan.⁷⁹

On 4 April 2011, in Kuriftu, the AUHIP tried, albeit late, to tackle the perilous issue. It proposed the 9th Division relocate from Jaw to the Nuba Mountains, thus separating it from the SPLA 4th Division that had increased its presence in Jaw in the tense months preceding the 2010 referendum and putting it under a joint SAF-SPLA command before integration into the SAF.⁸⁰ The SAF demanded the division's immediate disarmament, while the SPLM-N wanted the integration process to start only after the popular consultation.⁸¹ The disagreement was worse concerning SPLA soldiers from South Kordofan and Blue Nile stationed in South Sudan: in Kuriftu the

was much more reluctant, thus less prepared. Crisis Group interview, SPLM-N chairman Malik Agar, Addis Ababa, June 2012; Western source close to SPLM-N, Juba, May 2012.

⁷³ "The drift back to war", op. cit., p. 1.

⁷⁴ Ibid; Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 11; Crisis Group interviews, SPLM-N officials, South Kordofan and Juba, May 2012. Jaw is the name given by Southern Sudanese to a lake and area marking in principle the 1956 boundary between Unity State and South Kordofan. In Arabic the lake is Buhayrat Abyod (white lake). It is one of the disputed border areas between Sudan and South Sudan.

⁷⁵ "The drift back to war", op. cit., p. 10; "Armed Entities in South Kordofan", Small Arms Survey, updated 4 June 2011, p. 8.

⁷⁶ Nuba were historically the largest Northern component of the SPLA. "Armed entities", op. cit., p. 8.

⁷⁷ Crisis Group interview, September 2012.

⁷⁸ Possibly between 3,000 and 5,000; Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 11; Aly Verjee, "Unfinished Business", op. cit., p. 2. Crisis Group interview, SPLM-N official, Juba, May 2012.

⁷⁹ Crisis Group Report, *Sudan's Southern Kordofan Problem*, op. cit., p. 11.

⁸⁰ See "Framework Agreement between Government of Sudan and Sudan People's Liberation Movement (North) on Political Partnership between NCP and SPLMN, and Political and Security Arrangements in Blue Nile and Southern Kordofan State", Addis Ababa, 28 June 2011. Crisis Group interview, AUHIP member, Addis Ababa, June 2012.

⁸¹ According to a military expert close to the SPLA, the SPLM-N then viewed integration as "a complete absurdity". Crisis Group interviews, Nairobi, May 2012; AUHIP member, Addis Ababa, June 2012.

SPLM-N asked that the troops be transferred to the two areas and be included in the integration process, but Khartoum refused.⁸²

An agreement stipulating the JIU's SPLA component was to withdraw to South Sudan by 9 April 2011 (earlier than planned by the CPA, which had scheduled JIU dissolution in January 2012) was signed between the government and Daniel Kodi, former South Kordofan deputy governor, representing the SPLM-N, during the same Kuriftu talks.⁸³ According to Abdelaziz al-Hilu, Kodi signed without consulting him or Malik Agar, and the SPLM-N quickly reneged.⁸⁴ Abdelaziz al-Hilu reportedly did not want to sign anything before the elections.⁸⁵

During the same month, the SPLA-N started unilaterally relocating its troops, so that by the May elections Jaw had been largely emptied of its forces.⁸⁶ In mid-May, the SAF blocked the road from Jaw, reportedly disarming and arresting more than 100 SPLA soldiers and, according to the SPLM-N, summarily executing some.⁸⁷ During the same period, government forces also reportedly attempted to disarm Nuba civilians holding small arms, offering money in exchange for guns.⁸⁸ In addition, in May and June, Khartoum reinforced its troops in South Kordofan, in particular with Central Reserve Police (CRP) units.⁸⁹ According to a SAF defector, additional ammunition was delivered to the army in that period.⁹⁰

On 23 May, Lieutenant General Ismat Abderahman Zain ab-Din, the SAF chief of staff and chairman of the SAF-SPLA Joint Defence Board, wrote to his SPLA counterpart, Chief of Staff Lieutenant General James Hoth Mai, requesting he withdraw his JIU component south of the 1956 border (even though these troops were not from South Sudan but from South Kordofan) by 1 June.⁹¹ This letter dramatically increased tension.⁹² Writing on 1 June to UNMIS, Abdelaziz al-Hilu complained it was a "declaration of war on the SPLA JIUs".⁹³ "We started to think the war is going to start", said Major General Jagod Mukwar Marada, SPLM-N chief of staff in South Kordofan.⁹⁴

⁸² Crisis Group interview, Malik Agar, Addis Ababa, December 2012.

⁸³ See Comprehensive Peace Agreement, "Annex I: Permanent Ceasefire and Security Arrangements Implementation Modalities and Appendices", Article 7.1.4, p. 97.

⁸⁴ Crisis Group interview, Addis Ababa, December 2012.

⁸⁵ Crisis Group interview, AUHIP member, Addis Ababa, June 2012.

⁸⁶ Ibid.

⁸⁷ The SAF also blocked fuel and food for SPLM-N areas. Crisis Group interviews, SPLM-N officers, South Kordofan, May 2012.

⁸⁸ According to a Nuba SAF defector, Nuba troops with heavier weapons such as mortars or 12.7 mm machine guns were also disarmed. Crisis Group interviews, also SPLM-N officer, South Kordofan, May 2012.

⁸⁹ *Ithihati al-Merkazi* (Central Reserve), known locally by their nickname "Abu Tera" (those of the bird, due to their insignia). They have been particularly active in Darfur. Those deployed in South Kordofan reportedly came from North Kordofan, Darfur and Khartoum. Crisis Group interviews, SPLM-N officials, South Kordofan, Juba, May 2012.

⁹⁰ Crisis Group interview, South Kordofan, May 2012.

⁹¹ Document seen by Crisis Group. Crisis Group interviews, SPLM-N officials, South Kordofan and Juba, May 2012.

⁹² Crisis Group interviews, SPLM-N officials, Kaoda and Juba, May 2012.

⁹³ Document seen by Crisis Group.

⁹⁴ Crisis Group interview, South Kordofan, May 2012.

IV. Outbreak of Fighting and the Still-born Framework Agreement

At the same time as tensions were rising in South Kordofan, the SAF re-occupied all of disputed Abyei. This sent the SPLM-N a message and confirmed the already widespread view that, while accepting the South's separation, Khartoum would not make further concessions on the "three areas" (Abyei, South Kordofan and Blue Nile).

Both sides blame each other for starting the war in South Kordofan. The implementation of General Ismail's ultimatum, with Khartoum forces starting to forcefully disarm the SPLA troops in the JIUs on 1 June 2011, was an important trigger.⁹⁵ From the government's perspective, the purpose was to dismantle a large armed force, closely linked to the army of the soon to be independent South Sudan.⁹⁶ It maintained the SPLM/A should not be allowed to keep armed combatants in Sudan.

On 1 and 2 June, Khartoum's National Intelligence and Security Service (NISS) and CRP forces deployed in Kadugli and reportedly fired on the market, provoking panic. On 3 June, guns and ammunition were distributed in Kadugli to some 500, mostly Hawazma, PDF.⁹⁷ On 4 and 5 June, the SAF moved nine or ten tanks from al-Obeid to Kadugli and three others to Dilling, according to sources close to the SPLM-N.⁹⁸ Tanks were positioned, and the PDF deployed again in Kadugli market, where troops reportedly shot in the air, shouting "kill the Nyanya!" (one of the SPLA's nicknames during the first war) and "*Allahu akbar!*" (God is Great), again provoking panic.⁹⁹

On 5 June, the first shots were reportedly fired between SAF and SPLA JIU members, when an SPLA soldier refused to be disarmed, in Um Durein, south east of Kadugli.¹⁰⁰ According to an SPLM-N officer, local Nuba civilians aggravated the situation by killing withdrawing government soldiers.¹⁰¹ After this incident, troops in South Kordofan were told by Khartoum that they should prepare to defend themselves or to attack the SPLA – "we were aware that the war is going to start", an SAF defector said.¹⁰² Later that day, the PDF and CRP attacked SPLA members of the JIU in Tolodi.¹⁰³

Abdelaziz al-Hilu gave SPLM-N forces and officials instructions to pull out of Kadugli and take refuge first in the mountains immediately to the south and east and later to other SPLA-controlled mountain strongholds, including Buram and Kaoda. In the evening of 6 June, government forces attacked his house, where some SPLA-JIUs resisting disarmament had taken refuge with their commander, Brigadier General Mahanna Beshir.¹⁰⁴ Government forces (including the SAF, PDF, police and

⁹⁵ "Conflict in South Kordofan/Nuba Mountains", Small Arms Survey, updated 5 July 2012, p. 1.

⁹⁶ As noted above, the CPA required all SPLA forces (except for those in the JIUs) to withdraw south of the border.

⁹⁷ Crisis Group interview, witness, South Kordofan, May 2012.

⁹⁸ Crisis Group interviews, SPLM-N officials, South Kordofan and Juba, May 2012.

⁹⁹ Crisis Group interview, witness, South Kordofan, May 2012.

¹⁰⁰ "Conflict in South Kordofan", op. cit., p. 1.

¹⁰¹ Crisis Group interview, SPLM-N officer, South Kordofan, May 2012.

¹⁰² Crisis Group interview, SAF defector, South Kordofan, May 2012.

¹⁰³ Crisis Group interview, SPLM-N Chief of Staff Jagod Mukwar, South Kordofan, May 2012. The same day two trucks brought additional ammunition to SAF and PDF units in Abu Jibeha, east of the Nuba Mountains. Crisis Group interview, SAF defector, South Kordofan, May 2012.

¹⁰⁴ The compound also served as SPLM state headquarters; a few military vehicles and troops were usually stationed there. It had been watched since May. Crisis Group interviews, SPLM-N official

NISS) started to systematically arrest SPLM members or sympathisers who had remained in town, as well as many Nuba civilians suspected of supporting the movement. Some were apparently executed, and the houses of suspected SPLM supporters were burned.¹⁰⁵ Many reportedly fled to the immediate perimeter around the UNMIS camp in Kadugli, where some were nonetheless arrested or executed. More than 2,000 civilians sought refuge near the camp, before Sudanese security forces dispersed them at the end of June.¹⁰⁶

The fighting spread to rural areas, where Nuba civilians were targeted. On 6 June 2011, CRP reinforcements travelling from Kadugli to Um Durein were reportedly attacked by the SPLM-N and forced to retreat. A civilian witness said some 500 Hawazma PDF from the al-Hamra area, following the CRP on foot, then attacked a Nuba village, al-Kutang.¹⁰⁷ According to witnesses, the PDF were accompanied by Hawazma women, with their *tobs* (loincloths) tied to their belts (a sign of war), and “some were *hakkamat* [singers] and were singing ‘kill the slaves’ to encourage the men”.¹⁰⁸

On 7 and 8 June, the fighting also spread to many of the main towns, including Dilling, Heban, Buram, Troji, Tolodi, KhorDileb, Kawalib and Julud.¹⁰⁹ The SPLM-N then recalled its remaining troops from Jaw.

According to some in the SPLM-N leadership, Abdelaziz al-Hilu had a gentleman's agreement with its chairman and Blue Nile governor, Malik Agar, that if one of them had to fight, the other would join, obliging Khartoum to fight on two fronts (or three with Darfur).¹¹⁰ Malik tried to find a negotiated solution in Addis Ababa. War, he said, was not on his mind: “I was maybe naive but still believed I could stop war through negotiations”.¹¹¹ He was torn between brothers-in-arms pressing him to fight and the AUHIP and Khartoum trying to use him to calm Abdelaziz, or, at least in the government's case, hoping to make a separate deal with Malik.¹¹²

On 28 June 2011 in Addis Ababa, Malik Agar and Nafie Ali Nafie, NCP co-deputy chairman and presidential assistant, signed a framework agreement on “Political

and witness to the 6 June Kadugli events, Juba, May 2012; AUHIP member, Addis Ababa, June 2012. “Conflict in South Kordofan”, op. cit., p. 1.

¹⁰⁵ According to the SPLM-N leadership, more than 3,000 Nuba disappeared in Kadugli between June 6 and 15. Crisis Group interviews, Abdelaziz al-Hilu, South Kordofan, May 2012; SPLM-N official and witness of the 6 June events in Kadugli, Juba, May 2012.

¹⁰⁶ According to sources close to the SPLM-N, at least 50 civilians, including UN local staff, were executed around the UNMIS compound. UNMIS Egyptian troops were blamed for failing to protect those civilians and possibly being complicit. Crisis Group interview, humanitarian worker close to the SPLM-N, Kaoda, May 2012.

¹⁰⁷ The village is close to Arab areas near Kadugli.

¹⁰⁸ Crisis Group interview, displaced witness from al-Kutang, South Kordofan, May 2012. In November 2011, the same troops reportedly came back and burned the village.

¹⁰⁹ Crisis Group interviews, SPLM-N Chief of Staff Jagod Mukwar and other officers, South Kordofan, May 2012.

¹¹⁰ Both Abdelaziz al-Hilu and Malik Agar, however, denied that this meant the latter had to go to war immediately in June 2011. Crisis Group interviews, Abdelaziz al-Hilu, South Kordofan, May 2012 and Addis Ababa, December 2012; SPLM-N official, Juba, May 2012; Malik Agar, Addis Ababa, June and December 2012.

¹¹¹ Crisis Group interview, Addis Ababa, June 2012.

¹¹² Crisis Group interview, AUHIP member, Addis Ababa, June 2012; Western source close to SPLM/A, Nairobi, May 2012. Abdelaziz al-Hilu explained: “Mbeki was trying to divide us, to isolate the Nuba and to take Malik to negotiations. But we managed to convince Malik he had to fight as well”. Crisis Group interview, South Kordofan, May 2012.

Partnership between NCP and SPLM-N, and Political and Security Arrangements in Blue Nile and South Kordofan State” to indicate their commitment to reach an “Agreement on Cessation of Hostilities in South Kordofan”.¹¹³ It was not a ceasefire, but a deal to continue negotiations to reach one quickly.

Politically, on one side it promoted implementation of the CPA provisions, no matter that the newly elected legislative assembly supposed to lead the process was dominated by the NCP; on the other side, it suggested some form of renewed power-sharing (“establishment of political partnership and governance arrangements for Blue Nile and South Kordofan”), reasserted “the right of the SPLM-N to continue as a legal political party” in Khartoum and implied a primary SPLM-N role in Sudan’s next constitutional review (“the Parties shall work together towards an inclusive national process in the Republic of Sudan, aimed at constitutional reform”).

Militarily, it addressed the fighting’s immediate trigger, asserting that “SPLA members from South Kordofan and Blue Nile are citizens of the Republic of the Sudan and their future lies in the Republic of the Sudan”. This implied they might be integrated into the SAF or civil service, or benefit from a disarmament, demobilisation and reintegration (DDR) program.¹¹⁴

Hardliners in both the NCP and the SAF, still believing in a quick military victory, opposed the framework agreement.¹¹⁵ A few days after it was signed, President Bashir publicly disavowed it, directed the armed forces to continue their operations in South Kordofan “until a cleansing of the region is over” and called Abdelaziz al-Hilu “an outlaw”.¹¹⁶ He also closed the door to further outside mediation, knowing the SPLM-N was not keen on direct negotiations.

Ethiopian Prime Minister Meles Zenawi, host and co-mediator of the talks, had played a decisive role, thanks to his good relations with both parties, as well as with the AUHIP (and his ability to pressure Malik Agar, whose Blue Nile stronghold borders Ethiopia). He did not give up, and after meeting Abdelaziz al-Hilu and Malik Agar in Addis Ababa on 21 August, flew the same day with the latter to Khartoum, but only to hear from President Bashir that he would not change his position on the accord. Finally, on 2 September 2011, some ten days after Malik Agar and Meles Zenawi went to Khartoum, war broke out in the Blue Nile as well. Khartoum banned the SPLM-N (which until then had remained a legal opposition political party) and dismissed Malik Agar as Blue Nile governor.¹¹⁷

¹¹³ Framework Agreement, *op. cit.*; Crisis Group Conflict Risk Alert, “Stopping the Spread of Sudan’s New Civil War”, 26 September 2011.

¹¹⁴ It also attempted to resuscitate the AUHIP’s April proposal for a joint command mechanism. *Ibid.*

¹¹⁵ Crisis Group interview, observer, Addis Ababa, September 2012; Crisis Group Conflict Risk Alert, *op. cit.*

¹¹⁶ “Bashir says army to continue campaign in oil state”, Reuters, 1 July 2011.

¹¹⁷ Crisis Group Conflict Risk Alert, *op. cit.*

V. All-Out Conflict

The current war in many ways seems like a repeat of the 1984-2002 conflict, but it is also a new war, with armed actors the same in name only. The SPLM-N in South Kordofan is far different from the Nuba fighters who barely resisted the jihad of the 1990s: it is a much stronger army than the SPLA's Nuba force ever was, with as many as 30,000 soldiers.¹¹⁸ It also controls much more territory than the Nuba rebels did during the first war. And it is much better equipped, having started the conflict with the equipment of the SPLA's 9th Division – including five tanks.¹¹⁹ Since the fighting erupted, it has captured large quantities of SAF arms and ammunition, including eleven additional tanks.¹²⁰ The SPLM-N might have been surprised when the fighting broke out, but it was not unprepared. Abdelaziz al-Hilu admitted: “This war is much easier for us than the first war. This time, we were prepared, we were armed, and we had the guns at hand”.¹²¹

The government also has more troops and more sophisticated equipment than during the first war. Its numbers range from 40,000 to 70,000, including the SAF and paramilitary forces such as the PDF and the Central Reserve Police (CRP) deployed in May-June 2011.¹²² According to the SPLM-N, there were some 12,000 SAF troops in South Kordofan when the war broke out in June 2011.¹²³ The supposedly disbanded PDF also seem to be an important part of the count, with figures above 20,000.¹²⁴ The PDF in South Kordofan have recruited, as during the first war, among all tribes, including Misseriya and Hawazma Arabs, non-Arabs such as Fellata and

¹¹⁸ The official figure at the start of the conflict was 22,000, including 3,300 in the JIUs and 1,500 in the joint integrated police; some claims are as high as 55,000. The increase is due not only to local recruitment, but also to the return of Northerners in the SPLA, mostly Nuba, who have been encouraged by Juba to join the SPLM-N or other SRF movements, reportedly since the January 2011 referendum on South Sudan's independence (contrary to CPA provisions). “Conflict in South Kordofan”, op. cit., p. 1; “Armed entities”, op. cit., p. 1; Gramizzi and Tubiana, op. cit., pp. 80-81. Crisis Group interviews, Abdelaziz al-Hilu and SPLM-N Chief of Staff Jagod Mukwar, South Kordofan, May 2012; SPLM-N and JEM leaders, Juba, May 2012; Western military expert close to SPLA, Nairobi, May 2012; Khartoum-based military observer, September 2012; SPLA officers, Juba, November 2012.

¹¹⁹ It appears the supply of vehicles and equipment was limited after South Sudan's independence, while SPLM-N military salaries reportedly continued to be paid by Juba. Some SPLM-N officers claimed this stopped in October 2011 under international pressure; others assert a “transition period” was granted that partially continued at least for commanders and ex-JIU, because Juba still has some responsibilities for those troops. Different Western military observers, close to Juba or Khartoum, agree that in December 2011, money transfers from Juba to the SPLM-N still took place, though they seem to have decreased further since. Crisis Group observations in South Kordofan, Blue Nile and South Sudan; interviews, SPLM-N officials, South Kordofan and South Sudan, May 2012 and November 2012; Western analysts, May to November 2012; JEM official, July 2012. “Conflict in South Kordofan”, op. cit., pp. 1-2.

¹²⁰ The SPLM-N also lost some tanks (either their own or captured). In January 2012, it claimed to have twelve functioning tanks in South Kordofan. A Small Arms Survey expert estimated it also captured considerable ammunition. Crisis Group email correspondence; “Conflict in South Kordofan”, op. cit.; Jérôme Tubiana, “Who is arming Sudan?”, *London Review of Books* (blog), 2 October 2012.

¹²¹ Crisis Group interview, South Kordofan, May 2012.

¹²² Crisis Group interviews, SAF defectors, South Kordofan, May 2012. “Conflict in South Kordofan”, op. cit., p. 3.

¹²³ Crisis Group interviews, Juba, May 2012.

¹²⁴ The PDF were to be disbanded, according to the CPA. Some estimates suggest there were as many as 47,000. “Armed entities”, op. cit., p. 4; Julie Flint, op. cit., p. 15.

even Nuba. It is unclear whether large numbers of Nuba and Misseriya are still being enrolled, given the government's general distrust toward these tribes, especially since many reportedly defected from the army and the PDF and joined the SPLM-N.¹²⁵ According to a SAF Nuba defector, "SAF totally lost confidence in the Nuba, but they kept recruiting Nuba soldiers by force".¹²⁶

Another increasingly important force is JEM, which is trying to balance its originally narrow ethnic Zaghawa base with a national regime-change agenda. It has been active in South Kordofan since the Darfur conflict began, seeking rear bases closer to targets in the centre.¹²⁷ It recruits in particular among Misseriya Arabs, but also increasingly since June 2011 among Nuba, including SPLM-N troops. In mid-2012, it claimed to have some 120 technicals and 700 to 1,000 soldiers (close to half its estimated total 250-300 technicals and 2,000 combatants) in South Kordofan – including 300 to 400 Misseriya and possibly several hundred Nuba; the rest were mostly Darfurians.¹²⁸

When the new conflict started, it increased its contacts with SPLM-N, and on 1 July 2011, a small JEM Nuba section led by Nuba Islamist leader At-Tom Hamid Tutu fought its first joint battle beside the SPLM-N in Tess, south of Kadugli, during which At-Tom was captured.¹²⁹ JEM and the SPLM-N afterwards often fought more successfully, in both the Nuba Mountains and south-western Kordofan.

According to some of its members, another Darfur rebel movement, SLA-Minni Minawi (SLA-MM), has had few troops in south-western Kordofan since 2010-2011. They include both local Misseriya Arabs and Darfurians and have fought on three occasions between July and September 2012, once jointly with JEM.¹³⁰

SPLM-N, JEM and SLA-MM are the three largest forces of the Sudan Revolutionary Front (SRF), the rebel umbrella organisation formed in November 2011 after long negotiations, mostly in SPLM-controlled Kaoda, in the Nuba Mountains.¹³¹ For the Darfur movements that had lost their main regional allies since the 2009-2010 Chad-Sudan rapprochement and the 2011 regime change in Libya, the alliance with the SPLM-N, which improved their relations with Juba, secured some access to an-

¹²⁵ Nuba PDF led by Kafi Tayara (see above), which may number some 1,000, are said to be still active. In addition, there may be another 1,000 troops loyal to SPLA dissident Telefon Kuku (see above), whom the SPLM-N accused of government backing. Other militia forces, numbers unknown, include mujahidin, who, unlike the PDF, come from any part of northern Sudan and are specifically mobilised through jihad rhetoric. The terms can be confusing. Mujahidin can be integrated into PDF and other security forces, and sometimes PDF or SAF troops are called mujahidin as well. Crisis Group interviews, SPLM-N commanders and soldiers, including SAF, NISS and PDF defectors, South Kordofan and South Sudan, May 2012; South Kordofan intellectuals, January 2013; "Armed entities", *op. cit.*, p. 4; Julie Flint, *op. cit.*, p. 16.

¹²⁶ This defector claimed to have witnessed forced recruitment, particularly of students, in Abu Jibeha in mid-2011. He said the recruits were mixed with SAF troops and sometimes sent to the "front-line". Crisis Group interview, South Kordofan, May 2012.

¹²⁷ JEM has not hidden ambition to repeat its spectacular failed 2008 raid on Khartoum.

¹²⁸ Crisis Group interview, JEM leader, July 2012; Gramizzi and Tubiana, *op. cit.*, pp. 69-76.

¹²⁹ He was subsequently replaced by Fadlallah Issa Abdallah, then Mohammed Sherif Adam Shatta (see above, Section II). At-Tom had been deputy secretary of Hassan al-Turabi's Popular Congress Party in South Kordofan. Crisis Group interviews, JEM members, South Kordofan-South Sudan border, May 2012.

¹³⁰ Crisis Group interviews, Juba, November 2012; email correspondence, Sudan analyst.

¹³¹ The alliance also includes two other main Darfur movements, the Sudan Liberation Army (SLA) factions led by Abdelwahid Mohamed Ahmed Nur (SLA-AW) and Minni Arku Minawi (SLA-MM), which concentrate their military activities in Darfur.

other of Sudan's borders. It was also a push toward a national agenda, justifying their refusal to join a peace process limited to Darfur (facilitated by Qatar and the African Union-UN joint mediation). In October 2012, more than a year after the first SPLM-N and JEM joint operations, the SRF managed to agree on a detailed national political platform.¹³²

The SRF advocates formation of a new transitional "government of national unity" that includes the other political parties and civil society organisations. Ending "marginalisation" of the peripheries is the key demand in its document calling for a federal, decentralised system in which the devolution of power and wealth to the regions would be based on their population, in addition to positive discrimination favouring "the war-affected and the most underdeveloped regions". Importantly as well, it agrees on a secular constitution, a concession by JEM, known for the Islamist background of its founders. Many proposals in the platform reflect Darfur priorities, such as the stress on land and traditional land rights (also important for the Nuba), and the recommendation to remove illegal settlers. Pastoralists' problems are not forgotten either, with measures aiming at mitigating their conflicts with farmers (such as providing water resources in pasture areas and demarcating migratory routes).¹³³

On 5 January 2013 in Kampala, Uganda, the SRF signed a "New Dawn Charter" with the National Consensus Forces (NCF), the coalition of Sudan's main opposition parties and some civil society groups. Like the SRF program, the charter advocates an inclusive transition that should be obtained through a coordinated combination of peaceful and armed actions.¹³⁴ But while the SRF program advocates a transition government including "the other political forces", the charter mentions only its "signatories", thus excluding the NCP. From the SRF's point of view, the charter aims also to address the armed opposition's biggest deficit: its lack of support in the centre. Some of the NCF political parties in Khartoum (including the National Umma Party, the Popular Congress Party and the Communist Party), facing strong criticism from the government, publicly expressed reservations about the document and disavowed their representatives who had signed it.¹³⁵

Politically, the SRF is dominated by the SPLM-N, with Malik Agar its chairman and Abdelaziz al-Hilu its deputy chairman. The latter is also head of the joint military command, an acknowledgement of the Nuba Mountains' importance for its military strategy.¹³⁶ Indeed the Nuba Mountains are the largest rebel-controlled area in Sudan. The SPLM-N controls a large part of the rural areas there and is attempting to control major roads (in particular the vital route to Jaw and South Sudan and, with less success, the axis between Kadugli and al-Obeid) and to confine government troops

¹³² "The Document of Restructuring the Sudanese State", (official translation), October 2012.

¹³³ Ibid.

¹³⁴ "Sudanese opposition & rebel groups agree to topple Bashir's regime", *Sudan Tribune*, 5 January 2012. On the NCF, see Crisis Group Report, *Sudan: Major Reform or More War*, op. cit., pp. 17-18.

¹³⁵ "Sudan's Umma party distances itself from new opposition charter", *Sudan Tribune*, 7 January 2013; "Sudan's PCP insists on Islamic constitution as ruling NCP steps up rhetoric against opposition charter", *Sudan Tribune*, 8 January 2013.

¹³⁶ Initially the SPLM-N, arguing it had more troops than the Darfur movements, wanted the military command and was ready to leave the chairmanship to its partners. After nineteen days of discussion, the Darfur movements could not agree on who would hold the chairmanship and asked the SPLM-N to fill that as well for the first year (a one-year rotating position, it is supposed to switch to a Darfur movement in March 2013). Crisis Group interviews, SRF leaders, November-December 2012.

to the main towns, in particular Kadugli. This contrasts with the situation in Blue Nile, where less prepared SPLM-N forces fighting on flat land quickly lost the principal town of Kurmuk, on the Ethiopian border, and since then have been limited to guerrilla warfare.¹³⁷

The war's first year was marked by failed SAF attempts to push the SPLM-N further from Kadugli (leading to battles in Tess, al-Hamra and al-Ihemir south-east of Kadugli), and to cut the road between South Kordofan and South Sudan. These were the war's most difficult moment, said SPLM-N chief of staff Major General Jagod Mukwar Marada.¹³⁸ In July-August 2011, the SAF expelled the SPLM-N from some key towns, eg, Delami and Um Heitan in the northern mountains, but were unable to push the rebels from enclaves around Julud and north of Rashad.¹³⁹ In November SAF forces, including militias from South Kordofan and South Sudan, captured Troji, a key town on the road from Jaw, South Sudan, and positioned forces in Jaw north of the lake, a few kilometres from SPLA (4th Division) and SPLM-N (9th Division) bases east and south of the lake.¹⁴⁰ The SAF were expelled from those positions and neighbouring Ad-Dar village in February 2012 and again failed to capture Angolo, 7km north east of Troji, on 20 May.¹⁴¹

Between February and April 2012, the SPLM-N failed several times to capture the garrison town of Tolodi.¹⁴² Fighting was fierce because the town is a strategic position on what could become an alternate route from rebel-held areas to South Sudan – specifically to Malakal in Upper Nile and from there to the second SPLM-N front in Blue Nile.¹⁴³

The fighting to control the road to South Sudan led to a perilous expansion of the conflict to Jaw, a disputed area between Sudan and South Sudan. It serves as a base for both SPLA and SPLM-N soldiers, who openly mix and sometimes share equipment, although in principle they are separated by a checkpoint supposedly marking the 1956 line (the basis for the new international border). This allowed Khartoum to portray the SPLM-N as a South Sudanese proxy force and to justify repeated attacks, in particular aerial bombings, on the Jaw area, some clearly south of the border. The most serious took place on 12 February, when a Sukhoi-25 ground attack fighter fired more than twenty S8 rockets on SPLA bases and a checkpoint to the south, in violation of the "Memorandum of Understanding on Non-Aggression and Cooperation" signed by Sudan and South Sudan in Ethiopia, just two days before.¹⁴⁴

¹³⁷ Crisis Group observations, SPLM-controlled areas, Blue Nile, November-December 2012.

¹³⁸ Crisis Group interview, South Kordofan, May 2012.

¹³⁹ These were areas where the SPLA had not been active in the first war. The SPLM-N was not able to take control of towns neighbouring those enclaves, in particular Khor Dileb in October 2011, and Rashad. Crisis Group interviews, SPLM-N official, South Kordofan, May 2012; Sudan government official, September 2012.

¹⁴⁰ After South Sudan's independence, the SPLA's 9th and 10th Divisions were renamed the 1st and 2nd Divisions of the SPLM-N, but the name "9th Division" remained the one mostly used in South Kordofan. Crisis Group interviews, Jagod Mukwar, South Kordofan; SPLM-N commanders and soldiers and civilian witnesses of the attacks, Troji, Jaw and Yida refugee camp (South Sudan), May 2012.

¹⁴¹ Crisis Group interviews, SPLM-N commanders, Tabanya, Troji and Yida, 19-20 May 2012.

¹⁴² Crisis Group interview, Jagod Mukwar, South Kordofan, May 2012.

¹⁴³ "Conflict in South Kordofan", *op. cit.*, p. 2.

¹⁴⁴ Normally aerial attacks are by inaccurate Antonov cargo planes indiscriminately dropping crude bombs made with metal drums. According to the Small Arms Survey, S8 rockets observed and photographed in Jaw are typically fired by Sukhoi-25 jets. Twenty of those jets were delivered to Sudan

On the ground, SPLM-N troops tried several times to take the SAF position in Jaw, but only succeeded in a joint operation that included JEM and SPLA elements, on 26 February. After the reportedly well-coordinated forces expelled the SAF, the SPLM-N went on alone to capture Troji, along with many vehicles and arms.¹⁴⁵

Most likely in response to their defeat in Jaw, and using as a justification that northern rebels had been aided by the South's army, the SAF in March 2012 expanded their aerial campaign into Unity State, bombing its oilfields and Bentiu town, as well (unsuccessfully) as the strategic bridge between Bentiu and SPLA Division 4's garrison in Rubkona.¹⁴⁶

The most serious escalation started at the end of March further west in Panakuach and Teshwin, where SAF and SPLA troops were based very close to each other, in principle each on its side of the 1956 line. The fighting there was triggered, according to the SPLA, by an incursion of South Sudanese Nuer militias backed by Khartoum, and, according to AU officials, by an altercation between officers from both sides.¹⁴⁷ Reportedly local SPLA forces spontaneously retaliated by moving into territory currently under Khartoum's administration, but they eventually withdrew without entering the Hejlij oilfields.¹⁴⁸ Khartoum denied having started the incident, Second Vice President al-Haj Adam Yusif accusing Juba of "plotting to control Hejlij from the very beginning to prevent Sudan from using the oil wells". Khartoum reacted by cancelling President Bashir's visit to Juba.¹⁴⁹

On 10 April, the SPLA launched a second incursion, according to its officers in response to another northern attack, this time involving SAF, Misseriya PDF, mujahidin and, importantly, southern Sudanese Nuer militias under the command of James Gai Yoak, Matthew Pul Jang Top and Baping Montuil Wijang.¹⁵⁰ It was also motivated by the aerial bombing targeting northern Unity state.¹⁵¹ The SPLA pushed all the way into Hejlij – a major embarrassment for the government, which had up to 7,000 SAF troops and 28 tanks in the area.¹⁵² The SPLA stayed until 20 April, when it withdrew under major international pressure, notably from the U.S. This was generally reported as a South Sudan incursion into an area over which it has (legitimate or not) territorial claims. But it was more complex. Between 26 March and 20 April, the

by Belarus between 2008 and 2010. Crisis Group analyst's observations in another capacity, Jaw, 12 February 2012; Gramizzi and Tubiana, *op. cit.*, p. 47.

¹⁴⁵ Crisis Group interviews, SPLM-N commanders and soldiers, as well as civilian witnesses of the attacks, Troji, Jaw and Yida refugee camp (South Sudan), May 2012; JEM leader, July 2012. See also Gramizzi and Tubiana, *op. cit.*, p. 74.

¹⁴⁶ The bridge is also a vital link between Bentiu and areas to the north. Crisis Group observations, Bentiu, May 2012. "Sudan's air force bombs oilfields in Unity State", *Sudan Tribune*, 26 March 2012.

¹⁴⁷ Crisis Group interviews, SPLA officials, Bentiu, May 2012; AUHIP member, Addis Ababa, June 2012.

¹⁴⁸ Crisis Group interviews, SPLM-N and JEM officials, Juba, May 2012; AUHIP member, Addis Ababa, June 2012. On 29 March, another South Sudan incursion toward Hejlij occurred in reaction to an SAF attack on SPLA positions in Laloba area.

¹⁴⁹ "Sudan's air forces bombs oilfields in Unity State", *Sudan Tribune*, 26 March 2012.

¹⁵⁰ These are separate militias but united under the South Sudan Liberation Army (SSLA) umbrella. Fighting reportedly took place in August 2012 between the Gai Yoak militia and those of Montuil and Pul Jang. Crisis Group interviews, South Sudan government, SPLA, SPLM-N and JEM officials, Juba and Bentiu, May 2012. See "Southern Dissident Militias", Small Arms Survey, updated 8 November 2012.

¹⁵¹ Crisis Group interview, JEM official, Juba, May 2012.

¹⁵² Crisis Group interview, Sudan government official, July 2012.

SPLA was not fighting alone: both a JEM contingent and a smaller Misseriya force (whose members officially joined the SPLM-N shortly afterwards) were involved.¹⁵³

Abdelaziz al-Hilu denied any SPLM-N involvement: "If some SPLA Misseriya went to Hejlj, it is not as SPLM-N, as they did not get the order from me and [the chief of staff] Jagod to do so". He also underlined that the SPLA's Misseriya troops active in the area had not yet officially joined the SPLM-N and were still part of SPLA Division 4, based in Unity state.¹⁵⁴ According to Abdelaziz, "since the South claimed Hejlj belongs to them, it was our decision not to participate, because we didn't want to be seen as mercenaries of South Sudan".¹⁵⁵ In line with this, Juba asked the SRF groups not to publicly discuss their role in the operation, in a vain attempt to avoid them being painted by Khartoum as the South's proxies.¹⁵⁶

Before and even more after Hejlj, Khartoum's condemnation of the SRF as Southern proxies (and of the SPLM-N as still the "northern sector" of the SPLM/A), was an efficient tactic, both internally to rally support, and externally to divert international pressure. Some in the regime, however, privately acknowledged "know[ing] the SPLM-N is, at the end of the day, a Northern problem".¹⁵⁷ It would be inaccurate to interpret the rebels' role as one of proxies, even during the Hejlj episode. First, it appears the separate forces, coming from different directions, were only loosely coordinated.¹⁵⁸ Secondly, they had different military and political goals.¹⁵⁹ For South

¹⁵³ JEM's role apparently was key. It claims its earlier 9 April lightning raid had already expelled most SAF from Hejlj, so that when the SPLA infantry arrived, it faced little resistance. JEM had deployed 75 technicals in the operation. Publicly Khartoum blamed Juba, but President Bashir reportedly acknowledged both the unprecedented defeat and JEM's role in a council of ministers meeting. Defence Minister Abderahim Mohammed Husein reportedly offered to resign, but the president refused. Crisis Group interviews, Sudan government official, July 2012; JEM official, Juba, May 2012; SPLM-N officers, South Kordofan, May 2012. See also Alan Boswell, "The War Between the Sudans: No Longer Any Pretense of Peace", *Time*, 18 April 2012.

¹⁵⁴ "It is only after [the] Hejlj battle, in late April and May, that we brought Bokora [Mohammed Fadel] and his men to South Kordofan for training". According to a South Kordofan intellectual, Misseriya recruits preferred during the CPA period to be under Southern rather than Nuba leadership, because their interest was to reconcile with the South and secure their migratory routes. This also sheds light on the complexity of the issue of the "disengagement" of Northern soldiers in the SPLA. Crisis Group interviews, Abdelaziz al-Hilu, Addis Ababa, December 2012; South Kordofan intellectual, January 2013.

¹⁵⁵ Crisis Group interview, Abdelaziz al-Hilu, Addis Ababa, December 2012. This was also asserted by SPLM-N Chairman Malik Agar. Crisis Group interview, Addis Ababa, December 2012.

¹⁵⁶ Some JEM and SPLM-N members regretted this. They thought Juba's claim on Hejlj more than anything made the SRF appear to Northerners as Juba's proxies. This allowed Khartoum to claim foreign aggression and rally nationalist support. Both JEM and SPLM-N forces in the Hejlj area were led by Misseriya commanders (respectively Fadel Mohammed Rahoma and Bokora Mohammed Fadel, see above) and were largely composed of Misseriya, who consider the area part of their homeland and resent the government extracting oil there without providing jobs, development and services in return. Crisis Group interviews, SPLM-N and JEM officials, including Misseriya, South Kordofan and South Sudan, May 2012.

¹⁵⁷ Crisis Group interview, Sudan government official, October 2012. While there are close links, it is probably more accurate to consider the SPLM-N an ally rather than a proxy of the South.

¹⁵⁸ JEM, for instance, explains the SPLA did not warn of its withdrawal on 20 April. According to JEM leaders, its troops had continued to push north and were close to taking Kharasana, the next locality. The sudden SPLA withdrawal obliged it to abandon the advance. According to Sudanese officials, the U.S. president did President Bashir a favour by demanding the SPLA withdraw from Hejlj. Crisis Group interview, Sudan government official, July 2012; JEM leader, July 2012.

¹⁵⁹ According to Sudan government sources, between 300 and 700 vehicles, military and civilian, were seized during the operation. Crisis Group interview, July 2012.

Sudan, the goal, which proved successful, was to attract international attention to other, more important, SAF-occupied disputed areas of the North-South border, in particular Abyei.¹⁶⁰ For JEM, the aim was primarily to eliminate a base in its area of operations and inflict major damage to the main northern oil production site.¹⁶¹

JEM also hoped to engage, with SPLA and SPLM-N backing, in a series of trademark lightning raids toward the North (Kharasana, Kadugli, etc.), using Toyota pick-up trucks mounted with heavy guns, so as to demonstrate that Darfurian lightning attacks could be more effective than SPLA infantry tactics in producing regime change in Khartoum.¹⁶² When on 20 April, the SPLA received the order to withdraw, it had already moved north of Hejlij to briefly occupy the location called “23” (*talata wa ashirin* in local Arabic) or “Kilo 23”, reportedly a camp for Khartoum-backed Nuer and Shilluk militias.¹⁶³ It had again been preceded by JEM forces that continued on to the outskirts of Kharasana, before withdrawing as well.¹⁶⁴

In November 2012, after the usual rainy season break, attacks against villages and a mass arrest of Nuba civilians were reported in South Kordofan.¹⁶⁵ On 11 December, after several SPLM-N mortar attacks on Kadugli, SAF, with ten tanks, unsuccessfully attempted to dislodge the rebels from Deldeko and Ruseris, two areas north east of the state capital. The SPLM-N said it captured five functioning tanks and a number of other vehicles, some mounted with heavy artillery and missile launchers.¹⁶⁶ On the same date, SPLM-N forces claimed also to have shot down an Antonov aircraft.¹⁶⁷

¹⁶⁰ From Juba's point of view, the SPLA's departure from Hejlij should have generated more international pressure on Khartoum to withdraw its troops from Abyei. It did not, and Abyei remained the main stumbling block during the major round of talks in Addis Ababa in September 2012. Even “moderates” in Khartoum's delegation seemed careful not to make concessions that would be unacceptable for hardline constituencies. Crisis Group interviews, Sudan government sources, July and September 2012; AUHIP member, Addis Ababa, September 2012.

¹⁶¹ Crisis Group interview, Sudan government source, July 2012; JEM leader, July 2012; international expert, Addis Ababa, June 2012.

¹⁶² Different military tactics, more than ideological disagreements, are a major obstacle to full SRF military coordination. Gramizzi and Tubiana, *op. cit.*, p. 72. Crisis Group interviews, JEM leaders, May, July 2012; SPLM-N officials, South Kordofan, May 2012.

¹⁶³ Crisis Group interviews, SPLA commanders leading the attacks, Bentiu, May 2012; JEM officials, Juba, May 2012; SPLM-N officers, South Kordofan, May 2012; Khartoum-based observer, September 2012.

¹⁶⁴ Crisis Group interviews, JEM leaders, July and August 2012; SPLM-N officers, South Kordofan, May 2012.

¹⁶⁵ Crisis Group interviews and email correspondence, SPLM-N official, Juba, November-December 2012; “Scorched Earth Near al Abassiya”, Satellite Sentinel Project, 30 November 2012; “Sudan's civilians in crisis: Indiscriminate attacks and arbitrary arrests pervade southern Kordofan”, Amnesty International statement, 11 December 2012.

¹⁶⁶ Crisis Group interview, Abdelaziz al-Hilu, Addis Ababa, December 2012; email correspondence, SPLM-N officer, December 2012. “Sudanese rebels say repulsed government attack on South Kordofan village”, *Sudan Tribune*, 11 December 2012.

¹⁶⁷ Crisis Group interview, Abdelaziz al-Hilu, Addis Ababa, December 2012; and email correspondence, SPLM-N officer, December 2012. “Sudanese rebels down military Antonov in s. Kordofan”, Radio Dabanga, 17 December 2012.

VI. The Humanitarian Crisis

In fighting the SPLM-N, government forces have fallen back on their familiar “counterinsurgency on the cheap” tactic, striking at communities suspected of supporting the rebels, so that the SPLM-N is unable to live off the surrounding civilian population and thus can no longer operate.¹⁶⁸ The government is targeting not only Nuba communities, but also others, as well as individuals considered pro-SPLM-N. The May 2011 elections gave both sides a precise idea of each community’s political affiliation, so victims of government attacks believe they are targeted because they voted for the SPLM-N.¹⁶⁹ In addition, once civilians are driven out of rebel-controlled areas, Khartoum can further squeeze the flow of supplies to the insurgency. Both local sources and Khartoum-based observers contend one aim of Antonov bombing south of the Nuba Mountains may be to push civilians to move north to government-controlled areas.¹⁷⁰

In South Kordofan, the SAF are relying heavily on Antonov cargo planes as bombers, as well as Sukhoi and Mig jet fighters and MI-26 attack helicopters. The SPLM-N claims some 1,700 bombs were dropped on rebel-controlled areas of South Kordofan, killing around 130 civilians and injuring 231, between June 2011 and November 2012. A peak was reportedly reached in November, when Antonovs dropped 405 bombs. The SPLM-N estimated that in the same period an additional 264 shells fell on areas it controls, with a peak of 119 in October 2012.¹⁷¹ This included long-range rockets fired by a multiple-launch system.¹⁷² Although these appear to have caused only limited casualties (ten to twenty civilians were wounded, according to medical personnel based in SPLM-N controlled-areas), they have an important psychological impact, because of their size and range, on the civilian population and, to some extent, SPLM-N troops.¹⁷³

Widespread and regular bombing raids have an even more significant impact on civilians. According to the register of the Mother of Mercy Hospital in Gidel (close to Kaoda), one of the very few health facilities in rebel areas, 101 patients – military and civilian alike – were treated for bombing injuries out of some 900 patients overall between June 2011 and May 2012.¹⁷⁴ The most significant consequence is fear that has displaced hundreds of thousands, many to seek shelter in mountain caves.¹⁷⁵

¹⁶⁸ See Crisis Group Africa Report N° 54, *Ending Starvation as a Weapon of War in Sudan*, 14 November 2002; Alex de Waal, ‘Counter-insurgency on the cheap’, *London Review of Books*, vol. 26, no. 15, 5 August 2004.

¹⁶⁹ Crisis Group interviews, South Kordofan, May 2012.

¹⁷⁰ Crisis Group interviews, May 2012 and September 2012. However, Khartoum also appears to be blocking creation of large Internally Displaced Persons (IDP) camps, to avoid repeating the 2003-2004 Darfur humanitarian crisis that obliged it to allow a massive international aid operation and created several IDP camps of some 100,000 people.

¹⁷¹ “The Humanitarian and Human Rights Situation of the IDPs and War Affected Civilians in the SPLM/A-North Controlled Areas of Southern Kordofan and Blue Nile States”, Sudan Relief and Rehabilitation Agency (SRRA, the SPLM-N’s humanitarian arm), December 2012. Crisis Group interviews, SPLM-N humanitarian official, Addis Ababa, June 2012, and Juba, November 2012.

¹⁷² They are reportedly Chinese 302mm Weishi long-range rockets fitted with a warhead filled with steel ball bearings. According to a Khartoum-based military observer, they were moved to South Kordofan just after the war’s start, in June 2011. Crisis Group interview, September 2012. “SAF weapons documented in South Kordofan”, Small Arms Survey, April 2012.

¹⁷³ Crisis Group observations and interviews, South Kordofan, May 2012.

¹⁷⁴ Document seen by Crisis Group in Gidel, May 2012.

¹⁷⁵ Crisis Group observations and interviews, IDPs, South Kordofan, May 2012.

This fear has also prevented many from growing food, in particular at the beginning of the war in June 2011, which coincided with the planting season.¹⁷⁶ With only limited stocks from the last harvest and little access to markets, hundreds of thousands had to depend on wild plants (fruits, leaves, etc.) to survive until the following planting season. Field information in June 2012 suggested a substantial increase in farming in comparison to 2011. But there is a lag, and before the harvest, Nuba civilians had to face their most difficult food shortage since the first war.¹⁷⁷

A nutrition assessment carried out in August 2012 described the prevalence of malnutrition among children as “serious verging on critical”.¹⁷⁸ Since April, there have been reports of civilians dying of hunger, and many have fled across the border or to government-controlled areas. According to field observation and testimony from the affected communities, those who died were mostly old people from villages attacked by SAF; those attacks sometimes involved the destruction of food stocks, as in Abu Hashim, south east of Kadugli, in December 2011.¹⁷⁹

Food aid distribution (and humanitarian aid in general) remains very limited, mostly due to Khartoum’s persistent restrictions on humanitarian access to both government and rebel-controlled areas. SPLM areas still only receive support from a handful of international NGOs that provide indirect assistance from South Sudan.¹⁸⁰ Cross-border humanitarian activities remain limited, with food aid and seeds for planting distributed irregularly and only to a small portion of the affected population. In government-controlled areas, humanitarian access had slightly improved by August 2012, at least for government humanitarian actors and Sudanese NGOs: according to the UN, they were able to deliver “a significant amount of assistance”. But access remains restricted for international humanitarian organisations, which seem largely limited to supporting “national partners”.¹⁸¹

The lack of access also means data on the humanitarian crisis is limited; in SPLM-N areas, independent quantitative data are not available; what there is comes

¹⁷⁶ Crisis Group interview, Yaqub Kolkola, head of South Kordofan Relief and Refugee Commission (SKRRC), Juba, May 2012.

¹⁷⁷ In October 2012 (the harvest season), SPLM-N affiliated sources revised the June assessment and reported that people were expecting “to harvest substantially less than what they planted”. “Update on humanitarian needs in South Kordofan and Blue Nile States, Sudan, South Kordofan and Blue Nile”, Coordination Unit, 23 October 2012. The rainy season is traditionally the time of the “hunger gap”, when food stocks dwindle, and the harvest is not yet in.

¹⁷⁸ 14.9 per cent of children from six to 59 months suffer global acute malnutrition, and 3.6 per cent severe acute malnutrition. This assessment was carried out by an international NGO crossing the border from South Sudan. “Rapid Food Security and Nutrition Assessment, South Kordofan”, Enough Project, October 2012.

¹⁷⁹ According to displaced civilians from Abu Hashim, government forces emptied food sacks on the ground and urinated and defecated on their content. Crisis Group interviews, IDPs from Abu Hashim, Hijerat (South Kordofan), May 2012. In November 2012, a humanitarian source reported “more than 70 people died of starvation” in South Kordofan SPLM-N areas. Crisis Group interview, Juba, November 2012. “Conflict in South Kordofan”, *op. cit.*, p. 3.

¹⁸⁰ Some NGOs have chosen to be transparent with Khartoum about their cross-border activities, so one can assume the government tolerates them. However most humanitarian organisations do not risk cross-border aid, some for fear they would be expelled from Sudan, where they have other activities. Until late 2012, flights from Nairobi were able to deliver relief to SPLM-N-controlled airstrips, but these stopped after a plane was rerouted back to South Sudan by two Sudanese jets, and Kaoda airstrip was bombed.

¹⁸¹ See “Humanitarian Bulletin Sudan”, Issue 40, 8-14 October 2012, UN Office for the Coordination of Humanitarian Affairs (OCHA).

from SPLM-affiliated bodies that indicated there were some 736,000 “vulnerable” civilians in need of assistance within the rebel areas in December 2012, including 436,000 displaced.¹⁸² Since January 2012, there have also been reports of smaller displacements from rebel- to government-controlled areas, where food and markets are more accessible.¹⁸³ By July 2012, figures for the “affected” population in the government-controlled areas ranged from 178,693 according to the UN (World Food Programme), to 207,350, according to the government, half of them displaced from rebel areas.¹⁸⁴ As during the first war, Nuba civilians have also sought refuge in cities, in particular al-Obeid and Khartoum.¹⁸⁵

The refugee population in South Sudan has increased dramatically since the beginning of the rainy season and the corresponding “hunger gap” in May 2012. According to the UN High Commissioner for Refugees (UNHCR), the population of the Yida refugee camp, near the border south of Jaw, where almost all South Kordofan refugees in South Sudan are living, grew from 31,000 in May to more than 65,000 in October (in May the capacity of the camp was estimated to be between 40,000 and 60,000).¹⁸⁶

The Yida camp population and leadership seem to be very close to the SPLM-N, and many armed SPLM-N and JEM soldiers and commanders stay there for various periods (they often have family in the camp). Because of this visible militarisation and its location near the border, UNHCR and the South Sudan authorities tried to close the camp, but most refugees refused to move to alternative sites, since they are flooded during the rainy season. Recently pressure intensified to relocate Yida refugees, with donors such as the European Union (EU) threatening to stop airdrops that

¹⁸² This is the latest re-evaluation of a mid-2012 figure of some 400,000 “affected” civilians. But already then SPLM-N-affiliated sources claimed the entire population in rebel-controlled areas, estimated at 995,000 in November-December 2012 by SPLM-N administrative and humanitarian sources as well as some international NGOs, was affected, and the 400,000 were only those “directly in need”. The government has a much lower figure, 42,150 affected people, though it has no access to SPLM-N-controlled areas. OCHA talks about “displaced or severely affected”, taking into account that both international and local humanitarian actors use the terms rather loosely. Crisis Group interviews, Juba, May and November 2012; Addis Ababa, June and September 2012; and emails, October 2012. See “The Humanitarian and Human Rights Situation”, SRRA, *op. cit.*, “Humanitarian Bulletin Sudan”, Issue 40, *op. cit.*

¹⁸³ “Update on humanitarian needs in South Kordofan and Blue Nile States, Sudan, 15th June-15th July 2012”, South Kordofan and Blue Nile Coordination Unit, 15 July 2012.

¹⁸⁴ See “Humanitarian Bulletin Sudan”, Issue 40, *op. cit.*

¹⁸⁵ “Conflict in South Kordofan”, *op. cit.*, p. 3.

¹⁸⁶ “Update on humanitarian needs”, *op. cit.* The figures given by UNHCR, international NGOs based in the camp, the South Sudan Relief and Refugees Commission (SSRRC) and sources affiliated with the SPLM-N have been converging since May 2012, when the camp population numbered some 31,000 refugees. Claims by SPLM-N affiliated sources of daily arrivals (around 1,000 a day in May) are still to be taken with some caution as they do not match with the global count. Crisis Group interviews, international NGOs based in Yida and Juba, February and May 2012; sources close to the SPLM-N, including Yaqub Kolkola and the Yida camp leadership, Yida and Juba, February and May 2012, Addis Ababa, June 2012, and telephone interview, July 2012. “Update on humanitarian needs”, *op. cit.*

are the only way to deliver food aid during the rainy season.¹⁸⁷ In January 2013, a site acceptable to the refugees, seemed to have been identified south east of Yida.¹⁸⁸

In addition to eating wild food, people in SPLM-N-controlled areas have resumed another practice from the first war: opening informal, clandestine markets (*suq sumbuk*) in the buffer zone or no man's land between government- and rebel-held areas.¹⁸⁹ Traders from government areas belong to Arab tribes (Hawazma and Misseriya) but also are Nuba from the lowlands. They bring in goods, for instance onions, not available in the rebel areas, or that cannot come by the road from South Sudan (it is closed for several months during the rainy season). For security reasons, such markets have no fixed date and location – these are decided at the previous one.

Traders risk arrest and possibly execution. According to Hawazma organisers of markets, a special force of 400 PDF, equipped with eight technicals and heavy guns, was formed in July 2011 under the command of Mohammed Ibrahim, allegedly a military intelligence officer coordinating Hawazma PDF, to prevent these markets. Since then some traders and civilians going to markets have been arrested and several reportedly executed. On occasion, Hawazma traders have resisted arrest and fought government forces.¹⁹⁰

In April 2012, immediately after the attack of Hejlj, Vice President Ali Osman Mohammed Taha ordered SAF soldiers to “shoot to kill” northern traders selling commodities to South Sudan (and by extension in the clandestine markets).¹⁹¹ Prices in those markets subsequently increased – for instance, primary necessity goods, such as sorghum, sugar and cooking oil, went up 50 to 100 per cent.¹⁹² Commodities such as flour and fuel have become rarer or disappeared altogether.¹⁹³ Beyond bringing supplies to SPLM-N areas, the clandestine markets are important for maintaining coexistence, based on negotiated agreements, between the Nuba Mountains

¹⁸⁷ Crisis Group interviews, Western diplomat and SPLM-N humanitarian official, Juba, November 2012. See “UNHCR takes preparatory steps to relocate refugees from South Sudan's Yida settlement”, UNHCR, 2 November 2012.

¹⁸⁸ Crisis Group interview, EU official, January 2013. Refugees also reportedly suggested an alternative in Upper Nile state, farther from the border.

¹⁸⁹ At the Sudan-South Sudan border, similar markets are called *suq al-salam* (peace markets). There are different explanations for the *suq sumbuk* name in the Nuba Mountains, the most common being the Arab *sambuk* sailing boats on the Red Sea, also associated with the idea of smuggling slaves during the colonial times and, more recently, migrants and goods. According to a Hawazma organiser, “going to these markets is just like navigating a *sambuk*: you don't know whether you'll come back or not”. Crisis Group interviews, Hawazma organisers, *suq sumbuk* traders and humanitarian sources, South Kordofan, May 2012; Khartoum-based South Kordofan intellectuals, June 2012, January 2013.

¹⁹⁰ Crisis Group interviews, Hawazma organisers, South Kordofan, May 2012.

¹⁹¹ Ali Osman Taha said on Republic of Sudan Radio, 24 April 2012, “we will not allow anyone after today to even provide an enemy with a date. And orders are now given to the regular organs and forces that will be chosen to fight this smuggling ... shoot to kill. The whole [border] area is an emergency one. The emergency law will be implemented so that we do not fight the enemy with one hand and provide it with supplies and aid on the other hand”. Quoted in “Sudan Domestic Media Monitoring – Special Report”, Montreal Institute for Genocide and Human Rights Studies, 26 March–24 April 2012.

¹⁹² Crisis Group observations and interviews, *suq sumbuk* traders and organisers, South Kordofan, May 2012.

¹⁹³ Ibid, notably from the Hawazma tribe; SPLM-N officials, including Misseriya, South Kordofan and Bentiu, May 2012; Khartoum-based Misseriya intellectual, June 2012.

tribes, and in particular between Arab tribes, Nuba civilians living in the rebel areas and the SPLM-N itself.¹⁹⁴

Finally, there have also been reports, similar to the first war but on a smaller scale, of SAF using the lack of food to force people to move from rebel- to government-controlled areas. In particular, in the village of Tess (south of Kadugli), the site of several battles, government troops promised food to civilians hiding in the mountains if they followed them to their garrison and later to a government area.¹⁹⁵ According to the SPLM-N, this prompted 260 civilians to leave. Civilian sources estimated 200 civilians from Tess hiding in the mountains (mainly women and children, as well as some elders) were arrested and forced to move to Kadugli as well. The remaining population said it has no news of these people.¹⁹⁶ Similar arrests and forced displacements happened during the SAF occupation of Troji, between late December 2011 and late February 2012; according to the remaining population, some 200 to 250 civilians were then taken to the garrison towns of Tolodi and Kharasana.¹⁹⁷

¹⁹⁴ See above. For instance, in December 2011, in Um Durein county, Hawazma in the government area signed an agreement with an SPLM-N committee led by Abu Hamna Mohammed Dahab, a Hawazma rebel leader, including commitments to peaceful coexistence; an end of livestock looting and a joint mechanism to recover looted livestock; and open *sumbuk* markets. The Hawazma are also to inform the SPLM-N of government attacks coming through their territory and should not join government forces. The agreement cited a 1997 one between Hawazma and Nuba, during the first war. Beyond markets, Arab pastoralists are also interested in access to pastures in SPLM-N-controlled areas – this is already happening in the buffer zones. Crisis Group interviews, Hawazma leaders, including Abu Hamna Mohammed Dahab, South Kordofan, May 2012.

¹⁹⁵ Crisis Group interview, human rights activist close to the SPLM-N, Kaoda, May 2012.

¹⁹⁶ The Tess population does not distinguish between the two groups and maintains all the approximately 450 civilians were forcefully displaced. Crisis Group interviews, civilian witnesses from Tess, Tess (South Kordofan) and Yida refugee camp (South Sudan); human rights activist close to the SPLM-N, Kaoda, May 2012.

¹⁹⁷ Some suspected SPLM-N members were reportedly tortured in Troji prison, executed or abandoned without water to die on the way to Kharasana. Crisis Group interviews, civilians and traditional Troji leader, Troji (South Kordofan), May 2012; human rights activist close to the SPLM-N, Kaoda, May 2012. There are similar allegations of summary executions in Tess, and reports of rapes, including in groups and public, of girls and women accused of being “SPLA wives” in Tess, Troji and Jaw. In Jaw, survivors indicated Khartoum-backed Southern militias prevented some rapes by Arab militias. Crisis Group interviews, civilian witnesses, Tess, Troji and Yida refugee camp, May 2012.

VII. Regional and Wider International Reaction

The humanitarian crisis was a key factor in the regional and wider international reaction to the conflict. Some, like the U.S., were reacting almost automatically to already mobilised constituencies; others saw humanitarian access as the only way to exert pressure on Khartoum, given its position that Darfur and other northern peripheries were internal issues that should be handled without international intervention.

On 9 February 2012, the African Union (AU), the League of Arab States and the UN made a “Joint Proposal for access to provide and deliver humanitarian assistance to war-affected civilians in South Kordofan and Blue Nile States”, better known as the “tripartite proposal”.¹⁹⁸ The SPLM-N quickly accepted it, but until 3 August (the day after the Security Council deadline for Khartoum and Juba to agree on their key outstanding issues), Khartoum rejected it, on the ground that the humanitarian assistance would go to the SPLM-N. Without meeting, the SPLM-N and Khartoum then signed separate, slightly distinct memorandums with the tripartite partners, respectively on 4 and 5 August.¹⁹⁹ When the three-month memorandum signed by Khartoum expired on 5 November, none of the planned measures had been implemented, including a plan of action and an assessment meant to lead to the delivery of humanitarian aid from government to rebel-controlled areas. Khartoum’s Humanitarian Affairs Commission made clear it was unwilling to renew the deal, stating that the humanitarian situation in SPLM-N areas was “at the natural level”.²⁰⁰

Many of those involved saw the issue of humanitarian access mostly as a political tool, a path to a ceasefire and a start or restart of political negotiations.²⁰¹ The SPLM-N made humanitarian access a priority and tried to involve the AUHIP, hoping it could also open a parallel political negotiation track with the government. The AUHIP kept the lead on the issue, in particular from June 2012, when former South African President Mbeki guaranteed the SPLM-N he would push hard for humanitarian access. He also benefited from a renewed AU and UN commitment following the attack on Hejlij that obliged international players to refocus on South Kordofan, albeit still marginally and through a North-South prism.

¹⁹⁸ www.sudantribune.com/African-Union-League-of-Arab,41907, 9 February 2012.

¹⁹⁹ The government kept posing as a condition a supervising role for its Humanitarian Affairs Commission (HAC), a role it has had in Darfur since 2004. That fed SPLM-N concerns that access was dependent on government consent. The SPLM-N has long urged an alternate route through South Sudan, but except for a few already doing limited cross-border aid, most international actors are reluctant. Crisis Group interviews, representatives of parties and of internationals, Addis Ababa, September 2012. “Sudan, rebels sign humanitarian deal for South Kordofan and Blue Nile”, *Sudan Tribune*, 5 August 2012.

²⁰⁰ “Tripartite partners voice concern over Sudan’s rejection to renew humanitarian deal”, *Sudan Tribune*, 7 November 2012. South Kordofan members of the government delegation in Addis Ababa had shown reluctance to implement the memorandum, one arguing that during the interim period, Western NGOs delivered weapons to the SPLA. Crisis Group interviews, Addis Ababa, September 2012. “Who is arming Sudan?”, *op. cit.*

²⁰¹ This was notably the case for the UN Special Envoy, Haile Menkerios, who, with no specific mandate but a support role, hoped the AUHIP’s greater focus on the North-South conflict would allow him to find more space in future North-North negotiations. In late July 2012, when humanitarian talks stalled, AUHIP and the tripartite group also attempted to shift to political talks, without much success. Crisis Group analyst’s interviews in another capacity, UN officials, Juba, December 2011; Crisis Group interviews, Addis Ababa, June and September 2012.

On 24 April 2012, four days after the SPLA withdrew from Hejlij, the AU Peace and Security Council adopted a “decision on the situation between the Republic of Sudan and the Republic of South Sudan”, including a roadmap that started with an “immediate cessation of all hostilities” and an “unconditional withdrawal of all of their armed forces to their side of the border” (Khartoum considers this includes SPLM-N forces, which it regards as divisions of South Sudan’s army) and from the Abyei area; the creation of a demilitarised border zone; and “cessation of harbouring of, or support to, rebel groups against the other state”.²⁰²

Except for this latter part, and indirectly demilitarisation of the border area, this decision largely focused on the North-South issue. However, it did give the AUHIP and the late Meles Zenawi (as IGAD chair rather than Ethiopian prime minister) the possibility of resuming talks between Khartoum and the SPLM-N on the basis of the June 2011 framework agreement that President Bashir had disavowed.²⁰³ Finally, the AU asked the Security Council to endorse the roadmap under Chapter VII of the UN Charter.²⁰⁴

On 2 May, Security Council Resolution 2046 endorsed the full AU Peace and Security Council decision, including the roadmap.²⁰⁵ The Sudanese government quickly pointed out that this went farther than the AU’s request, and that South Kordofan and Blue Nile should not be this resolution’s concern. This objection, notably supported by Russia,²⁰⁶ was not a good sign for future negotiations on South Kordofan and Blue Nile. Khartoum also showed reluctance to revive the framework agreement and noted the resolution’s lack of a timeframe for the demand to cease “harbouring of, or support to, rebel groups against the other State” made it “impracticable”.²⁰⁷ (Khartoum’s focus remained on Juba’s links with the SPLM-N.)

Finally, Sudan and its two traditional permanent member friends on the Security Council, China and Russia, criticised the threat to use sanctions for non-compliance with the resolution (“to take appropriate additional measures under Article 41 of the Charter as necessary”) as not having been requested by the AU. Although the resolution was adopted unanimously, those reservations showed differences that have long prevented strong decisions on Sudan, in particular Darfur, persist, so that stronger pressure with respect to South Kordofan and Blue Nile, and the use of sanctions, are

²⁰² AU Peace and Security Council, 319th ministerial meeting communiqué, 24 April 2012.

²⁰³ The AU Peace and Security Council “requests the Government of Sudan and the SPLM-North to extend full cooperation to the AUHIP and the Chair of IGAD, to reach a negotiated settlement on the basis of the Framework Agreement on Political Partnership between NCP and SPLM-N and Political and Security Arrangements in Blue Nile and Southern Kordofan States”. The decision also called on the government to accept the tripartite proposal. Ibid.

²⁰⁴ Chapter VII allows the Security Council to “determine the existence of any threat to the peace, breach of the peace, or act of aggression” and to take military and nonmilitary action to “restore international peace and security”. The decisions it takes under Chapter VII are binding on UN member states.

²⁰⁵ “Security Council Calls for Immediate Halt to Fighting Between Sudan, South Sudan, Resumption of Negotiations, Unanimously Adopting Resolution 2046 (2012)”, UN press release, 2 May 2012. It also mentioned the SPLM-N for the first time.

²⁰⁶ Russia’s representative “maintained, in addition, that the situation in Sudan’s Blue Nile and South Kordofan States should not be placed under the framework of the resolution, saying that armed groups, supported from outside, were fomenting destabilization in Sudan”. Ibid.

²⁰⁷ Ibid.

unlikely. Sudan has frequently violated UN sanctions without much consequence.²⁰⁸ In addition, the targeted sanctions – imposed on just four individuals, for their role in Darfur – have been violated not only by Sudan but also by the UN itself, without much consequence.²⁰⁹

Resolution 2046's main achievement has been to pave the way for the set of nine agreements Sudan and South Sudan signed on 27 September 2012 in Addis Ababa. Those agreements are a partial solution that left many key issues to be addressed in future talks or, possibly, by other mechanisms. For example, on the disputed border, one of the most sensitive issues, the parties could agree with difficulty only to create a demilitarised zone. Khartoum asserts this should prevent SRF forces from operating in the area and from moving back and forth across the border. Many doubt this can be implemented without addressing the conflicts in the North.²¹⁰ But from Khartoum's perspective, holding Juba responsible for halting SRF operations in the borderlands and beyond had the advantage of providing some room not to implement its part of the agreement.

Since September 2012, President Bashir, facing serious challenges in the NCP and the Islamic movement, has delayed the deal's implementation – notably reopening of the oil pipeline – by demanding major new concessions, including that Juba disarm the SPLM-N forces and hand them over to Khartoum.²¹¹ In November 2012, South Sudan President Salva Kiir said oil production did not resume:

... because the government of Sudan decided to make new additional security demands They want us to disarm their rebel groups who are fighting them inside Sudan. And because this is not in the security arrangement of the September agreement, we said "no". So they decided unilaterally to block resumption of the oil production which we agreed in Addis Ababa, Ethiopia.²¹²

Khartoum also reportedly proposed that Juba hand over the three main SPLM-N leaders (Malik Agar, Abdelaziz al-Hilu and Yasir Arman) in exchange for Khartoum-based dissidents Lam Akol and David Yau-Yau, the latter leader of a powerful Murle militia based in Jonglei.²¹³ In October 2012, in an attempt to demonstrate both its good-will and its interpretation of the September agreement, the government arrest-

²⁰⁸ It has consistently violated the arms embargo and prohibition of "aggressive overflights" imposed on Darfur since 2005. Gramizzi and Tubiana, *op. cit.*, pp. 41-43. See also reports of the Panel of Experts Established Pursuant to Resolution 1591 (2005) concerning Sudan, and the Report of the Secretary-General on the African Union–United Nations Hybrid Operation in Darfur, 8 June 2011.

²⁰⁹ Colum Lynch, "What's the point of U.N. sanctions in Darfur when even the U.N. flouts them?", <http://turtlebay.foreignpolicy.com>, 30 April 2012; Jérôme Tubiana, "The diary of a former sanctions buster", www.opendemocracy.net, 2 October 2012. It is unclear what role the sanctions threat had on the Sudan-South Sudan oil deal on 4 August 2012, two days after the UN deadline expired, and on broader cooperation agreements brokered on 27 September. While Juba was sensitive to the threat, it seems Khartoum's compromises owed more to its economic crisis. Crisis Groups interviews, various participants in the talks, Addis Ababa, September 2012.

²¹⁰ Crisis Group interviews, Addis Ababa, September 2012.

²¹¹ Crisis Group interviews, South Sudan negotiators and international observers, Juba, November-December 2012; Addis Ababa, December 2012-January 2013. Crisis Group Report, *Sudan: Major Reform or More War*, *op. cit.*

²¹² "Sudan's 'impossible demands' blocking resumption of oil production – minister", *Sudan Tribune*, 22 November 2012.

²¹³ Crisis Group interviews, South Sudan negotiators and international observers, Juba, November 2012.

ed James Gai Yoak, the leader of a Nuer militia reportedly based in the Hejlj area, in his house in Khartoum.²¹⁴ However, this did not lead to a similar gesture by Juba against the SPLM-N.

In December 2012 and January 2013, the AUHIP was finally able to pressure Khartoum to withdraw its additional demands, including sequencing the implementation so that the security arrangements would be dealt with before the reopening of the oil pipeline.²¹⁵ But in late January 2013, the two countries still disagreed on the power-sharing arrangements for Abyei administration and the delimitation of the disputed “Mile 14” area at the border between East Darfur and Northern Bahr-el-Ghazal, from which the SPLA is supposed to withdraw.²¹⁶

From Khartoum's perspective, new demands (some more realistic than others) and sequencing the different parts of the agreement are efficient tactics to delay its implementation and the process as a whole. Creating a micro-crisis within the negotiations prevents the AU mediation team and other international players from moving to the more substantive issues on which Khartoum would likely have greater difficulties making concessions, such as the Abyei referendum, some of the disputed areas at the border and the conflict in “the two areas” of South Kordofan and Blue Nile.²¹⁷

The issue of those two areas was indirectly present in the border talks. Since the SPLM-N is based on and claims to “control” 40 per cent of the border, Juba proposed to include them in the security talks, but Khartoum refused.²¹⁸ SPLM-N representatives had been invited to negotiate in Addis Ababa parallel to the North-South talks but were left out of both the September and December 2012 rounds. They met with the AUHIP but did not hold direct talks with the government delegation – with the exception of informal discussions between SPLM-N Secretary General Yasir Arman and Governor Ahmed Haroun on 23-24 September.²¹⁹ NCP hardliners reportedly criticised those contacts.²²⁰

With the direct talks stalled since late July 2012, the AUHIP presented a draft agreement on the two areas to the parties on 17 September 2012. It reaffirmed that future talks should use the June 2011 framework agreement as a basis and stated that a settlement requires “a comprehensive national agreement”. Merging local and national dimensions, CPA commitments and new processes, it suggested the popular consultations should be completed and feed into Sudan's constitutional review process, in which the NCP, SPLM-N and other political parties should participate.

The draft agreement also reaffirmed the SPLM-N's right to “operate as a political party”, and its Sudanese character – thus opening the door to its “integration into SAF, other security institutions, and the civil service, or DDR”, and implying also

²¹⁴ “Southern Dissident Militias”, *op. cit.*

²¹⁵ Crisis Group interviews, Addis Ababa, December 2012-January 2012. “Report on the outcomes of the summit meeting between the presidents of the Sudan and South Sudan”, AUHIP, 5 January 2013.

²¹⁶ “South Sudan-Sudan talks fail, African Union exhorts urgent action”, *The Niles*, 5 February 2013.

²¹⁷ Crisis Group interviews, international observers, Addis Ababa, January 2013.

²¹⁸ “Resumption of South Sudan oil production ‘rescheduled’ over security issues”, *Sudan Tribune*, 19 November 2012.

²¹⁹ Haroun reportedly was more open to SPLM-N positions on humanitarian access than other delegation members. Crisis Group interviews, SPLM-N leaders and international observers, Addis Ababa, September, December 2012.

²²⁰ Crisis Group interview, Khartoum-based observer, December 2012.

that it should be “verifiably disengaged politically and militarily from the Republic of South Sudan” and stop “cross-border military activities”. It further urged the parties to conclude a ceasefire, to be monitored by the UN Interim Security Force in Abyei (UNISFA).²²¹

On 20 September, the SPLM-N offered its own draft, ostensibly aimed not at challenging the AUHIP proposal, but merely at posing two conditions for resuming talks – that, as the AUHIP proposed, negotiations should have the June 2011 framework agreement as a basis, and that international humanitarian actors should immediately be given full access to all of the two areas.²²² Those conditions were not acceptable to Khartoum’s delegation, and the positions remained irreconcilable.²²³ On 24 October, the AU Peace and Security Council adopted a new “decision”, calling on the government and the SPLM-N to hold direct talks, again on the basis of the June 2011 framework agreement. Except for this reference, it failed to follow the AUHIP’s proposition “that a successful resolution of the conflict in Blue Nile and Southern Kordofan should be closely linked to a national process of consultation and constitutional reform”. The AU’s 10 November deadline passed without direct negotiations resuming.²²⁴

The 25 January 2013 AUHIP report to the AU Peace and Security Council, presented during the twentieth AU summit, did not make strong recommendations on North-South issues or propose new time-bound milestones, but it adopted tougher language on the conflict in South Kordofan and Blue Nile and on Sudan in general.²²⁵ On humanitarian access, the panel noted that if either of the parties persists in denying assistance, the AU should not “discourage any other mechanisms for humanitarian assistance that are not necessarily in full conformity with the preferred principles of impartiality and transparency” – an implicit endorsement of cross-border assistance in such circumstances to rebel-held areas from South Sudan.

The AUHIP also reiterated more strongly that resolving the conflicts in South Kordofan and Blue Nile as well as Darfur requires an “inclusive national” process of “democratic transformation”.²²⁶ As incentives, the panel recommended lifting economic sanctions on Sudan as well as debt relief. Khartoum is frustrated it did not obtain these measures in exchange for not opposing South Sudan’s independence, and the AUHIP and other international players rightly see economic incentives as a key for obtaining the regime’s agreement to engage in a national dialogue.²²⁷ The same day, the AU Peace and Security Council requested Khartoum and the SPLM-N to resume direct negotiations before 15 February.

²²¹ “Draft Agreement between the Government of Sudan and the Sudan’s People Liberation Movement-North for the Resolution of the Conflict in Blue Nile and Southern Kordofan States and Related Issues”, AUHIP, 17 September 2012.

²²² “Agreement between the Government of Sudan and Sudan People’s Liberation Movement-North (SPLM-N) on the resumption of direct negotiations”, SPLM-N, 20 September 2012.

²²³ Crisis Group interviews, Sudan government and SPLM-N negotiators, as well as international observers, Addis Ababa, September 2012.

²²⁴ AU Peace and Security Council, 339th meeting communiqué, 24 October 2012; and AUHIP Interim Report, 24 October 2012.

²²⁵ AUHIP Report to the AU Peace and Security Council, 25 January 2013.

²²⁶ *Ibid.* The AUHIP report referred again to the June 2011 framework agreement rejected by President Bashir, but noted it is “willing to entertain new ideas”.

²²⁷ Washington offered debt relief and lifting of sanctions but linked those steps also to progress in Darfur.

The AUHIP hopes to hold a first meeting between the parties in the second half of February. It submitted a three-step agenda: a “humanitarian ceasefire” allowing aid agency access; then direct talks based on the June 2011 agreement; and, ultimately, a national dialogue. Also included would be discussion of a third-party role for monitoring the ceasefire and facilitating a political process.

Successive AU decisions and Security Council Resolution 2046 gave stronger international backing for the AUHIP and Ethiopia to remain the main international players on the conflicts in South Kordofan and Blue Nile. The AUHIP has been closely following the situation since the elections in South Kordofan, when it rightly feared an explosion. Other actors, even if many are critical of Thabo Mbeki and his team, did not dare challenge openly a body supported by the AU and accepted de facto by Khartoum, Juba and the SPLM-N (although it is more popular in Khartoum than in the South or the Nuba Mountains).

The AUHIP was, and will likely remain, more focused on North-South relations.²²⁸ Its interventions on the two areas, in particular during the first year of the conflict, were mostly one-off and in reaction to military events, with the aims of preventing the conflict from derailing the North-South negotiations and of avoiding a larger war.²²⁹ Behind the focus on North-South issues, has been the belief among mediators that an oil deal satisfactory to both governments would solve other issues, including South Kordofan. This is based on two illusions: that if satisfied on oil the South would be willing or able to cut its links with the SPLM-N, and that without these links there would be no more South Kordofan conflict.²³⁰

The unwillingness, notwithstanding repeated public statements, to adopt a more comprehensive approach has been a major failure of most international players (including the UN and U.S.) for many years. This is paradoxical for the AUHIP, given that when it began as the African Union High-Level Panel on Darfur (AUPD), it made its reputation with a strong stance on the need for an holistic pan-Sudanese approach to solve that crisis – defining it as “Sudan’s crisis in Darfur”.²³¹ This allowed

²²⁸ Crisis Group interviews, AUHIP members, observers, Addis Ababa, September 2012.

²²⁹ In the weeks leading up to war in South Kordofan, the AUHIP pushed Abdelaziz al-Hilu to broker a power-sharing deal with Ahmed Haroun. Later, June-September 2011, it tried, with strong Ethiopian backing, to prevent Malik Agar from joining Abdelaziz and pushed him to hold his own negotiations with Khartoum (Section IV above). Some AUHIP officials tried to convince the SPLM-N not to join Darfur rebels in the SRF.

²³⁰ The September 2012 Khartoum-Juba agreements and the delays in their implementation, are not contributing to dissipate those illusions.

²³¹ “The Sudanese nation faces a crisis in Darfur. Rather than characterising this as ‘the Darfur crisis’, which would restrict causes and responses to Darfur itself, the Panel defines it as ‘Sudan’s crisis in Darfur’. This points to the fact that important roots of the conflict lie in the historical legacy of Sudan’s inequitable governance, and the reality that a solution to the crisis requires decisive contributions by the Sudanese Government of National Unity. Meanwhile, those critics and adversaries of the Sudan Government, who identify Khartoum as the problem, must by the same token recognise that a large part of the solution can only come from Khartoum”. “Report of the AUPD”, 29 October 2009, p. 9, para 36. In 2008-2009, the AUPD’s mandate was limited to Darfur. In October 2009, it became the AUHIP, and its mandate expanded to North-South issues. In 2011, AUHIP officials argued that what they mostly meant by the motto “Sudan’s crisis in Darfur” was that the Darfur crisis should be solved inside Sudan. AUHIP plans for Darfur were limited to the Darfur Political Process – a series of consultations gathering “civil society”, as well as elected officials, inside Darfur but not rebel movements. This did not happen, mostly due to competition with AU-UN Joint Mediation that produced the still-born Doha Document for Peace in Darfur (DDPD), signed on 14 July 2011 by the government and the Liberation and Justice Movement (LJM), an artificial umbrella grouping,

the panel to enlarge its mandate to North-South issues and become the AUHIP.²³² In its 25 January report, the panel revived its 2009 Darfur report recommendation for a national process. A few days before, the AUHIP chief of staff Abdul Mohamed pointedly stated that “the Panel’s commitment to its [Darfur] report is intact Unfortunately, the AUPD report was unattended to. It must be attended to, either by the current regime or the next one”.²³³

To date the AUHIP has not pursued a comprehensive approach mostly for pragmatic reasons. For years it has largely based its proposals and strategy on a cautious assessment of Khartoum’s willingness to compromise, and an assumption that the SPLM and SPLM-N were much more flexible (a view supported by President Bashir’s rejection of the 28 June 2011 framework agreement). Khartoum has consistently pushed the perspective that the conflicts in its peripheries are local, so should be managed separately. Mediators such as the AUHIP have often appeared to be aligned with this view, which explains SPLM and SPLM-N criticism that the AUHIP is not working for a comprehensive solution and is biased in favour of Khartoum.

This dissatisfaction with the AUHIP has pushed the SPLM, SPLM-N and other Sudanese and international actors to ask for different mediators, or at the least an enlarged set of mediators. The SPLM and SPLM-N in particular want a greater role for IGAD. However, while Ethiopia, the current chair of that body, is acceptable to all parties, Khartoum views other IGAD members, such as Uganda and Kenya, as biased in favour of Juba.²³⁴

Ethiopia, especially under the late Prime Minister Meles Zenawi, has been a key player in both the North-South and two-areas negotiations. Parties and mediators alike were worried that Meles’s death in August 2012 would have a negative impact on the September round of talks. He was often described as the only person having equally good relations with, and able to exert pressure on, both Sudan and South Sudan, as well as with other regional governments and the SPLM-N. Ethiopia’s commitment to the Sudan peace process was very much seen as his own work. According to an Ethiopian official, “Meles’s death is a major loss for the Sudan talks, because President Bashir trusted him to some extent”. The new prime minister, Hailemariam

backed by international players, but of only the weakest Darfur splinter factions. The AUHIP’s change of stance on Darfur and later decision to abandon the file are largely due to this rivalry, as well as a more pragmatic analysis of government intransigence. “Report of the AUPD”, *op. cit.*; Crisis Group interviews, AUHIP officials, Addis Ababa, April 2012.

²³² In October 2012, the AUHIP “for Sudan” was renamed “for Sudan and South Sudan”. AU Peace and Security Council, 339th ministerial meeting communiqué, *op. cit.*

²³³ Abdul Mohamed blamed the Doha peace process co-mediators, Qatar and the AU-UN Joint Mediation, for this failure: “What happened to the AUPD report tells you a great deal about outside intervention. [AU-UN Joint Chief Mediator Jibril] Bassolé’s approach was dramatically opposed to the Panel’s. The Qataris intervened and said our report was controversial and unimplementable. They started a parallel process, which made possible for people not wishing to implement our report not to implement it. But our job isn’t finished Change is inevitable in the Sudan. The AU [Panel] work will serve the Sudanese, now or later”. Statement at “Civil Society Forum on Sudan and South Sudan”, Addis Ababa, 21 January 2013. Some observers doubt Mbeki is ready to engage Khartoum again on reviving the AUPD report. Crisis Group interviews, January 2013.

²³⁴ Asked whether IGAD could be more active on Sudan, Commander Abebe Muluneh Beyene, head of its Security Sector Program, stated that because “decision is only by consensus, IGAD can only be involved if Sudan [itself a member of the organisation] calls for it”. Statement at “Civil Society Forum on Sudan and South Sudan”, Addis Ababa, 22 January 2013.

Desalegn, cannot be expected to have the same influence, because “he has no emotional attachment to Khartoum and doesn’t owe anything to Sudan like Meles did”.²³⁵

Hailemariam was not a member of the Tigray People’s Liberation Front (TPLF) rebellion that was supported by Khartoum and seized power in Addis Ababa in 1991. Because he is an evangelical Christian from southern Ethiopia, Khartoum initially saw him as biased in favour of Juba and the U.S. President Bashir, reportedly worried that the new Ethiopian government would hand him over to the International Criminal Court, which has charges pending against him, was reluctant to come to the September 2012 talks in Addis Ababa. The former foreign minister and TPLF veteran Seyoum Mesfin had to travel to Khartoum to convince Bashir that Ethiopia’s Sudan policy would remain unchanged.²³⁶ Later, Hailemariam reportedly became more strongly involved, together with Mbeki, in talks that led to the 5 January Bashir-Kiir summit.

The SPLM-N also had strong personal ties to Meles, but by September 2012 its negotiators were said to have already established good contacts with Hailemariam and other officials, such as the security, foreign affairs and defence ministers, who reportedly reassured them of Ethiopia’s continued involvement.²³⁷

Ethiopia’s old foe, Eritrea, tried to benefit from Meles’s absence to join the peace process. In early August 2012, President Isaias Afewerki invited Khartoum, Juba and the SPLM-N to Asmara with the aim, according to Juba, of intervening on both the North-South border and the two areas. Over a month, Khartoum sent three delegations, respectively headed by Defence Minister Abderahim Mohammed Husein, presidential adviser Ghazi Salahuddin and South Kordofan Governor Ahmed Haroun; because the SPLM-N’s Malik Agar and Yasir Arman also reportedly went, there were rumours of bilateral talks. Both Sudan and the SPLM-N, keen to remain on good terms with Ethiopia, denied them; the latter and Juba accused Khartoum of “shopping” for a parallel forum. Sudanese government sources said they were just having normal bilateral talks on the North-South process and the situation in eastern Sudan, on the border with Eritrea, where there were reports of a possible resumed conflict.²³⁸

More generally, there are clear demands in Sudan and abroad for increased re-engagement of the CPA mediators and guarantors, in particular the “Troika”: the U.S., UK and Norway.²³⁹ As for the UN, Resolution 2046, passed at the AU’s request, created momentum, but subsequent Russian reservations make unlikely a similar consensus in the near future. This is a chief reason further AU decisions have not noted that Sudan and South Sudan have failed to comply with the resolution and have not referred the situation to the UN Security Council again.

Bilateral dynamics should also be taken into account, as they can sometimes lead to progress when mediation is stuck. Sudan-South Sudan talks continued after the South’s independence. For instance, in March 2012, Juba’s chief negotiator, Pagan Amum, went to Khartoum for bilateral meetings under the motto “New Spirit”, but the process was torpedoed by the Hejljij incident. The 14 July 2012 Bashir-Kiir presi-

²³⁵ Crisis Group interview, Ethiopian official, November 2012.

²³⁶ Ibid.

²³⁷ Crisis Group interviews, SPLM-N leaders, Addis Ababa, September 2012.

²³⁸ Crisis Group interviews, Ethiopia, Sudan, South Sudan and SPLM-N officials, Addis Ababa, September, and Juba, November 2012. In parallel, Asmara tried to strengthen ties to Juba, proposing in October that South Sudan mediate between Ethiopia and Eritrea. “Sudan’s NCP welcomes Eritrean initiative with SPLM-N rebels”, *Sudan Tribune*, 31 August 2012.

²³⁹ Crisis Group interview, Khartoum-based intellectual, June 2012.

dential summit in Addis Ababa, which was a step forward, was reportedly the product of “Sudanese-made” direct negotiations. According to the *Sudan Tribune*, “sources might go further in their rapprochement and reach a deal ... without the African Union mediation”.²⁴⁰ Although the September 2012 agreement was the product of significant international involvement and pressure, bilateral dynamics will likely be the key to its implementation. They are, however, more difficult between the NCP and the SPLM-N, the latter of which prefers to have international mediators as witnesses and guarantors.

Spoilers exist, in particular Sudanese hardliners, who rejected the 28 June 2011 framework agreement and in early August 2012 mobilised religious leaders against the talks with the SPLM-N.²⁴¹ In addition, neither the Sudan nor South Sudan military is under firm civilian control; both may provoke cross-border incidents (including by supporting rebels on the other side) in order to alter the course of peace talks.²⁴²

²⁴⁰ “Sudans’ Presidential Summit: Salva Kiir offers money and Kordofan conflict resolution”, *Sudan Tribune*, 18 July 2012.

²⁴¹ “Sudan’s government accuses SPLM-N of stalling talks”, *Sudan Tribune*, 5 August 2012.

²⁴² For instance, South Sudan government officials said the aim of the SAF and allied attacks on Panakuach and Teshwin area (Unity State) triggering the SPLA’s April 2012 Hejljij raid might have been to sabotage the North-South talk in Addis Ababa. Crisis Group interviews, Unity State, Juba, May 2012. The SRF also could easily spoil the oil agreement by again attacking oil installations; Khartoum could continue to use SRF cross-border movements as reason to renege on all or parts of the September 2012 deal.

VIII. Proposed Framework for Peace

A major impasse in the negotiations between Khartoum and the SPLM-N is the divide over the conflict's scope.²⁴³ While the rebels have increasingly claimed a national agenda, the government, as well as local political leaders, prefer focusing on the local dimensions of the war in South Kordofan and Blue Nile. This approach prompted attempts to solve the conflict internally, notably through a "Together for Peace Conference" held in Kadugli in October 2012.²⁴⁴ International actors have disparate views on the issue: some want to focus only on the two states; others argue for a more comprehensive solution to Sudan's many conflicts. This is one of the reasons why revival of the June 2011 framework agreement (with its acknowledgement of the conflict's national dimension), as sought by the UN and the AU, is now deadlocked between the SPLM-N, which makes it a condition for future talks, and the government.²⁴⁵

In asking for negotiations with a national scope and more inclusive participation, the SPLM-N is not only trying to raise the stakes; it is also respecting its agreement with its SRF partners.²⁴⁶ The SRF's creation is challenging the international players' inability (or reluctance) to address Sudan's crises as a whole. Most diplomats continue to pursue piecemeal, localised, quick (and often still-born) fixes. Unfortunately, the SRF's emergence was not taken into account by the April 2012 AU decision; similarly, the subsequent Security Council Resolution 2046 did not mention the SRF, only the SPLM-N. Malik Agar noted in June 2012:

We as SPLM-N can negotiate with the government, but we cannot stop the war in Sudan as SPLM-N alone. If the goal is to bring peace in Sudan, the Security Council resolution missed the point. Even if we sign a deal on our own, the Darfur movements, for instance, will continue fighting with or without the SPLM-N.²⁴⁷

The SRF makes isolated talks on issues such as South Kordofan or Blue Nile more difficult and the security agreements between Sudan and South Sudan more fragile.

²⁴³ The suspension of the talks after a few days in late July 2012 was reportedly caused by Khartoum's and AUHIP's rejections of an SPLM-N paper demanding more inclusive negotiations focusing on all Sudan, including in particular crises in Darfur and the East.

²⁴⁴ Crisis Group interviews, supporters of the initiative, Addis Ababa, September 2012. The conference gathered over 1,000 participants from the government, unarmed opposition, civil society and native administration. It called for the SPLM-N to join the process, urged an immediate ceasefire and called for a DDR process and opening of pastoralists' migratory routes. It was supported by the UN Development Programme. SPLM-N forces shelled Kadugli during the talks. See "Humanitarian Bulletin Sudan", Issue 40, op. cit.

²⁴⁵ This also challenges the agreement's initial rejection by President Bashir, in a context of increasing divisions within the ruling NCP. Many parts of the framework agreement, as well as of the AUHIP draft, could be recycled and consolidated in future talks, in particular on renewed NCP/SPLM-N "political partnership and governance arrangements", locally in South Kordofan, as well as "in an inclusive national process ... aimed at constitutional reform". See Framework Agreement, op. cit. A government source said only "some in the NCP have a problem with the framework agreement". According to another government source, Nafie Ali Nafie believes there is no other option than to return to the framework agreement, arguing it would be better than having to negotiate with the whole SRF. That Nafie seems to have been strengthened by the November 2012 internal crisis and the arrest of his old rival Salah Abdallah "Gosh" could help revive the agreement, though likely not without face-saving formal changes. Crisis Group interviews, October, December 2012. Crisis Group Report, *Sudan: Major Reform or More War*, op. cit., p. 12.

²⁴⁶ "Sudan's NCP welcomes Eritrean initiative with SPLM-N rebels", op. cit.

²⁴⁷ Crisis Group interview, Malik Agar, Addis Ababa, June 2012.

As a main negotiating partner of the government, however, it could provide a great opportunity to broaden local negotiations to the national level and finally address the root causes of Sudan's conflicts.

For Khartoum, the SRF would arguably be a better partner than the SPLM-N in seeking a durable peace. In particular, power-sharing arrangements would address demands for key positions and government reform of all the major armed opposition groups – the SPLM-N and other SRF components alike – at both local and national level. From at least a part of the regime's perspective, "power sharing", or the co-optation of individuals or groups (armed or unarmed) into positions without real authority could help fragment the opposition further, isolating it from its original constituencies and preventing it from developing a national agenda.²⁴⁸ Power-sharing arrangements have often been the first and only part of peace agreements to be implemented.

However piecemeal arrangements, negotiated at different times with divided rebel factions, often encourage further rebellion with the sole aim of obtaining more advantageous concessions from Khartoum. By July 2011, Sudan had committed to multiple local agreements, including the CPA (and its distinct protocols for Abyei and the two areas), the Eastern Sudan agreement and the Darfur Peace Agreement (superseded by the Doha Document for Peace in Darfur). While the agreements have allowed the regime to prevent more serious challenges to its power in the centre in the short term, they are also aggravating national divisions; major regions of the country now abide by those often short-lived local arrangements more than they accept the rule of the central government. A comprehensive agreement with the SRF, as well as with the unarmed opposition, would have the value of being accepted by all SRF components and by a wider segment of the population.

At the local level, such an arrangement could reinstate Malik Agar as Blue Nile governor (a major SPLM-N demand) and recreate a mixed NCP-SPLM government in South Kordofan. At the national level, it could lead to the creation of a transitional government incorporating all opposition forces, including the SRF, and able to lead a truly national and inclusive dialogue to draft a permanent constitution addressing the root causes of Sudan's chronic conflicts.²⁴⁹ However, a government source said, a major "psychological obstacle" must be overcome for NCP hardliners to accept reinstating SPLM-N leaders, including Malik Agar, in government posts.²⁵⁰ Many within

²⁴⁸ For example, after signing the 2006 Darfur Peace Agreement (DPA), Minni Minawi became senior assistant to President Bashir but had little power. At the end of 2010, he declared the DPA dead and that he was resuming his rebellion.

²⁴⁹ There are various ways to explore powersharing in South Kordofan. One of the most interesting may be a 2011 U.S. State Department proposal to recreate West Kordofan state, with Ahmed Haroun as governor, and to make Abdelaziz al-Hilu governor of the remaining South Kordofan. It would match well with the 2011 ballot results – Haroun won more votes in western Kordofan and Abdelaziz a majority in the Nuba Mountains – so would have the advantage, unlike other power-sharing formulas, of not delegitimising the election. The proposal was rejected by Khartoum in November 2011, but the restoration of West Kordofan state announced in December 2012 (see above, Section II.A) is quite similar to the U.S. proposal. Such a plan would be accepted by the government's local allies, in particular the Misseriya. More generally addressing Misseriya grievances over lack of benefits from oil extracted from their area, eg, by allocating a specific share of royalties, would be key to solving the conflict in South Kordofan. See also "Sudan rebuffs US proposal on South Kordofan", *Sudan Tribune*, 8 November 2011.

²⁵⁰ According to the source, "we might agree for some political accommodation, not a partnership again". He also thought the search for a military solution likely to prevail for some time, with both

the NCP thought the SPLM-N, with Malik Agar having been elected governor, had secured sufficient gains and had no justification to fight.

If negotiations only partially address political marginalisation of the peripheries, calls for self-determination may well increase, including in South Kordofan.²⁵¹ Government hardliners tend to believe that concessions on federalism and greater autonomy could lead to separatism – that has been the motivation for their strong opposition to the re-unification of Darfur as a single region – but they should realise that it has been the centre's inflexibility that historically has led to secession demands.²⁵² While Sudan's armed opposition groups sometimes use separatist calls as a bargaining chip, only a minority supports separatism, and the SRF's political agenda is federalism and government reform.

The CPA failed to address those issues. In the current environment, resurrecting the CPA's popular consultations mechanism would likely only lead to further confrontation, since the process would still be based on disputed election results. It would appear more productive, therefore, to address governance reform for South Kordofan and other peripheries, at the national level, in an effort to revive the opportunity for "making unity attractive" to them that was missed during the CPA.²⁵³ Such a solution might not satisfy NCP hardliners, who are pursuing short-term tactics to stay in power, but could appeal to those convinced that including more representatives from both the peripheries and opposition is needed to prevent further fragmentation of the Sudanese state.²⁵⁴

For Khartoum, there would be multiple benefits to engaging in a national process. Separately, none is probably sufficient, but jointly they would constitute a strong incentive. Beyond economic incentives such as debt relief, peace in South Kordofan and Blue Nile would itself provide important economic benefits. Most significantly, it could allow Khartoum to reallocate to development resources now devoted to defence and security (75 per cent of the national budget),²⁵⁵ as well as to exploit natural resources in areas now out of reach because of the war.²⁵⁶

military and political hardliners believing they can defeat the SPLM-N in Blue Nile and weaken it significantly in South Kordofan, in order to "negotiate under our conditions". Crisis Group interview, October 2012.

²⁵¹ Crisis Group interviews, SRF combatants and South Kordofan civilians, South Kordofan and South Sudan, May 2012; Addis Ababa, June 2012. "Either we transform Khartoum, or we also go for independence", Abdelaziz al-Hilu said. Crisis Group interview, South Kordofan, May 2012.

²⁵² The government argued that creating a single region for Darfur would set a precedent that would ignite a chaotic chain reaction, inspiring other northern regions to demand the same, and leading to a spiral of negotiations with different actors. "There is a fear in Khartoum that devolution is only the first step toward secession. Some believe that the greater autonomy of Darfur, South Kordofan, or Blue Nile re-creates – though not identically – the trajectory of southern Sudan". Jon Temin and Theodore Murphy, "Toward a New Republic of Sudan", United States Institute of Peace, June 2011, p. 11.

²⁵³ This was advocated by Temin and Murphy in June 2011, before the SRF was established. Ibid. The AUHIP suggested linking the popular consultations and the national process, but the mechanism remains unclear.

²⁵⁴ See Crisis Group Report, *Sudan: Major Reform or More War*, op. cit.

²⁵⁵ Ibid, p. 8.

²⁵⁶ Owners of mechanised agricultural schemes in south-eastern Kordofan reportedly complained to the government of the losses incurred by the abandonment of their farms. Crisis Group interview, South Kordofan intellectual, January 2013. Indirectly, implementation of the September 2012 Sudan-South Sudan agreements would also bring substantial benefits to Sudan, through oil transfer fees as well as cross-border trade.

Discussions on broader governance reform, including what type of state Sudan should have, the nature of centre-peripheries relations and the constitution, are the only way to obtain a durable peace.²⁵⁷ The SRF's inclusion in such a process would force it to evolve from essentially a military alliance (fighting primarily for regime change) to a more representative and articulate political movement.

Instead of engaging with SRF components individually, which encourages division, international actors should engage with them as a whole and support their attempts to present a common opposition stance on the future of Sudan. They should also encourage the SRF and the unarmed opposition to continue to harmonise their positions on some contested points – in particular relations between Sudan and South Sudan regarding such important issues as oil, the North-South border and Abyei – where the Northern opposition's views might differ from those of both Khartoum and Juba.²⁵⁸

Even if there are obvious links between possible resumption of North-South conflict and war in South Kordofan and Blue Nile, the negotiations should not be linked. But effective coordination between parallel processes within the North and between North and South would avoid parties using obstacles in one to delay implementation or refuse compromises on the other. For instance, conditioning an oil deal with unambiguous prohibitions on both sides against harbouring and supporting the other's rebels would undermine attempts to negotiate lasting peace both between North and South and in the two areas. Similarly, a demilitarised border zone and deployment of more international forces there would likely make SRF cross-border movements more difficult but not stop them. Separation of forces at the border should focus on national forces, not cross-border rebel activity; otherwise, it would likely fail quickly, with relatively small incidents involving rebels possibly leading to an escalating crisis between governments.

It is clear that even a firmer commitment from Juba would not be sufficient to sever the longstanding and close connections between South Sudan officers and politicians and their former brothers-in-arms from South Kordofan, Blue Nile and elsewhere. As SPLM-N officials asked Crisis Group, "how could the South stop supporting us? SPLM-N, in particular the Nuba, were the ones to liberate their country ...".²⁵⁹ Furthermore, after more than a year of war, the SPLM-N's capture of extensive swaths of Nuba Mountains territory, as well as large stockpiles of SAF arms and equipment, makes rear bases in South Sudan and military support from Juba less necessary. That said, were the Nuba rebels to face difficulties, there is no doubt that they would obtain some help in South Sudan.

Between 2005 and 2009, similar links between Chadian officers and officials and Darfur rebels pushed Sudan into a costly proxy war with N'Djamena. It was only when some Sudanese officials understood that there was no way Chad could fully control the rebels that a *détente* was reached that made the insurgency's movements more difficult but did not end the war.²⁶⁰ Dr Ghazi Salahuddin Attabani, the influential

²⁵⁷ See Crisis Group Report, *Sudan: Major Reform or More War*, op. cit.

²⁵⁸ The SRF program touches the issue briefly in one sentence, suggesting "establishing strategic and integral relationships with the Republic of Southern Sudan", SRF, op. cit. The New Dawn Charter goes a little further in committing to peaceful relations with South Sudan with the ultimate aim of re-unifying the two countries. "Charter of the New Dawn" (Crisis Group translation from Arabic).

²⁵⁹ Crisis Group interviews, SPLM-N officials, Juba, May 2012.

²⁶⁰ Jérôme Tubiana, "Renouncing the Rebels", op. cit.

chair of the NCP caucus in Khartoum's National Assembly and crafter of the Chad-Sudan deal, is said to advocate a similar rapprochement with South Sudan.²⁶¹

Khartoum's attempts, in November-December 2012, to condition the September agreement's implementation and reopening of the oil pipeline on Juba severing ties with the SPLM-N was inspired by this analysis. Key to the Chadian deal's durable success, however, was that Khartoum did not set the stakes too high. Sudan could and did disarm and hand over Chadian rebels, but Chad was unable to fulfil its part of the deal and did not disarm and hand over Darfur rebels, in particular JEM. A rapprochement between Sudan and South Sudan would only work if both Khartoum and international actors did not expect too much of a contribution from Juba to the solution of Sudan's multiple domestic conflicts.²⁶²

Notwithstanding the need to fold South Kordofan and the SRF into broader political processes, smaller more local agreements could still be promoted to address major immediate concerns, notably on humanitarian and security issues. With respect to the growing humanitarian crisis, the government's signature of the August 2012 memorandum with the "tripartite group" was supposed to allow access to the SPLM-N-controlled areas and eventually lead to a cessation of hostilities. Because this has not yet occurred, international actors need to resume negotiations in order to persuade both sides to respect their engagements and allow "cross-line" access.

International humanitarian actors should remain vigilant and remember lessons from Darfur: in 2004, after a year of what was then qualified as "the world's worst humanitarian crisis", Khartoum consented to unprecedented humanitarian access, which became the world's largest humanitarian operation.²⁶³ Since then, however, humanitarian space has gradually shrunk, particularly in rebel-controlled areas where there is almost no access, without provoking much international reaction.²⁶⁴ The best way to avoid a repetition, in which access to civilians in rebel-held areas is dependent on government consent, would be to press Khartoum to agree, in parallel to "cross-line" access from within Sudan, to "cross-border" access from South Sudan, thus allowing a major increase in the aid already being supplied without its consent.²⁶⁵ To guarantee humanitarian aid reaches its intended recipients (the government has complained about risk of rebel diversion), independent international observers might monitor operations.

²⁶¹ Crisis Group interview, Khartoum-based analyst, November 2012. Under the guidance of Dr Ghazi and other pragmatic NCP members, Sudan improved relations with Chad and the Central African Republic, while maintaining good ties with Ethiopia and Eritrea and benefiting from the "Arab Spring", which put more friendly regimes in power in Libya and Egypt. According to Dr Ghazi, even "if it is fair to say that Southern Sudan, with its ideological outlook, does not fit into this scheme", a good neighbour policy should now "not be based on nationalist or irredentist ideals", but "on a common economic and security strategy", and "provide some compensation for the separation of Southern Sudan". Dr Ghazi Salahuddin Attabani, "Post-Secession Sudan: Challenges and Opportunities", presentation at School of Oriental and African Studies, London, 17 December 2011.

²⁶² However, both the SPLM-N and Juba could do better to separate their forces in Jaw. In many areas, including Yida refugee camp, the SPLM-N could also make an effort to separate its troops from civilians.

²⁶³ Fabrice Weissman, "Humanitarian Dilemmas in Darfur", Médecins Sans Frontières-France, 2008.

²⁶⁴ Much of this is due to the reluctance of the UN-African Union Mission in Darfur (UNAMID) to blame Khartoum for its lack of access to Darfur rebel areas.

²⁶⁵ Khartoum's consent could also allow relief by air to SPLM-N-controlled areas.

The humanitarian access issue has often served as a cover for international players to discuss a ceasefire and other security and political topics, but it should not be held hostage to agreements on political matters; as much as possible, the issues should be separated into two tracks.

The extensive use of aerial bombing should be discussed, since it is a key driver of the humanitarian crisis, but international actors should remember that measures such as prohibiting aggressive overflights, imposed in Darfur by the Security Council, have proved ineffective. More coercive measures that have been discussed for Darfur, such as a “no-fly zone”, would likely not be accepted by the Security Council.

As for the broader issue of protection of the civilian population and of humanitarian actors, the SPLM-N would favour deploying international peacekeeping forces in South Kordofan and Blue Nile, whether by expanding UNISFA, as suggested in the AUHIP draft agreement, or through a specific AU-UN force. But the Darfur example should provide a warning about placing too much faith, money, and energy in peacekeeping. The long-awaited 26,000-strong UNAMID, was delayed because of Khartoum's reluctance to have foreign troops on its territory and costs approximately \$1.5 billion a year but has failed to stop the fighting, protect civilians and preserve humanitarian access.²⁶⁶ It would be more efficient to recreate the Joint Integrated Units through the AUHIP's April 2011 proposal of a joint command mechanism; that could also eventually lead to integration of SPLM-N forces into the SAF.²⁶⁷

²⁶⁶ A mission modelled on the Joint Monitoring Mission/Joint Military Commission (JMM/JMC) that monitored the 2002 Nuba Mountains ceasefire between the SPLA and government forces might be an attractive alternative. See Crisis Group Africa Briefing N°75, *Sudan: Defining the North-South Border*, 2 September 2010, pp. 16-18; Paula Souverijn-Eisenberg, “Lessons Learned from the Joint Military Commission”, UN Peacekeeping Best Practices Department, August 2005.

²⁶⁷ This was also suggested in the 28 June 2011 framework agreement.

IX. Conclusion

The war in South Kordofan shows every sign of having settled into a strategic stalemate in which the government is unable to dislodge the rebels entrenched in the Nuba Mountains, and the SPLM-N and its allies are incapable of holding much territory in the lowlands. Each side hopes pressure from elsewhere will somehow change the calculations of its enemy, while the international community largely focuses on North-South negotiations. The fighting is exacting an horrendous humanitarian toll, principally on civilians. To fight the insurgency, government forces have fallen back on their familiar pattern of striking at communities suspected of supporting it, in order to make it impossible for the SPLM-N to live off the surrounding civilian population and therefore to operate in the area. Unable to farm, and with the government preventing humanitarian access to SPLM-N-controlled territory, many have been forced to flee.

There is no military solution, since neither side is strong enough to impose one. A negotiated solution is the only feasible option. However, the international community should not fall into the familiar trap of pursuing localised quick (and often still-born) fixes. Such piecemeal power-sharing arrangements often merely stimulate further rebellion with the aim of winning more concessions from Khartoum. If negotiations do not fully address political marginalisation of the peripheries, calls for self-determination will increase, including in South Kordofan. Unless the government and the international community engage with both the armed and unarmed opposition and achieve a comprehensive solution to Sudan's multiple conflicts, there will be no end to the warfare that plagues the country.

Nairobi/Brussels, 14 February 2013

Appendix A: Map of Sudan

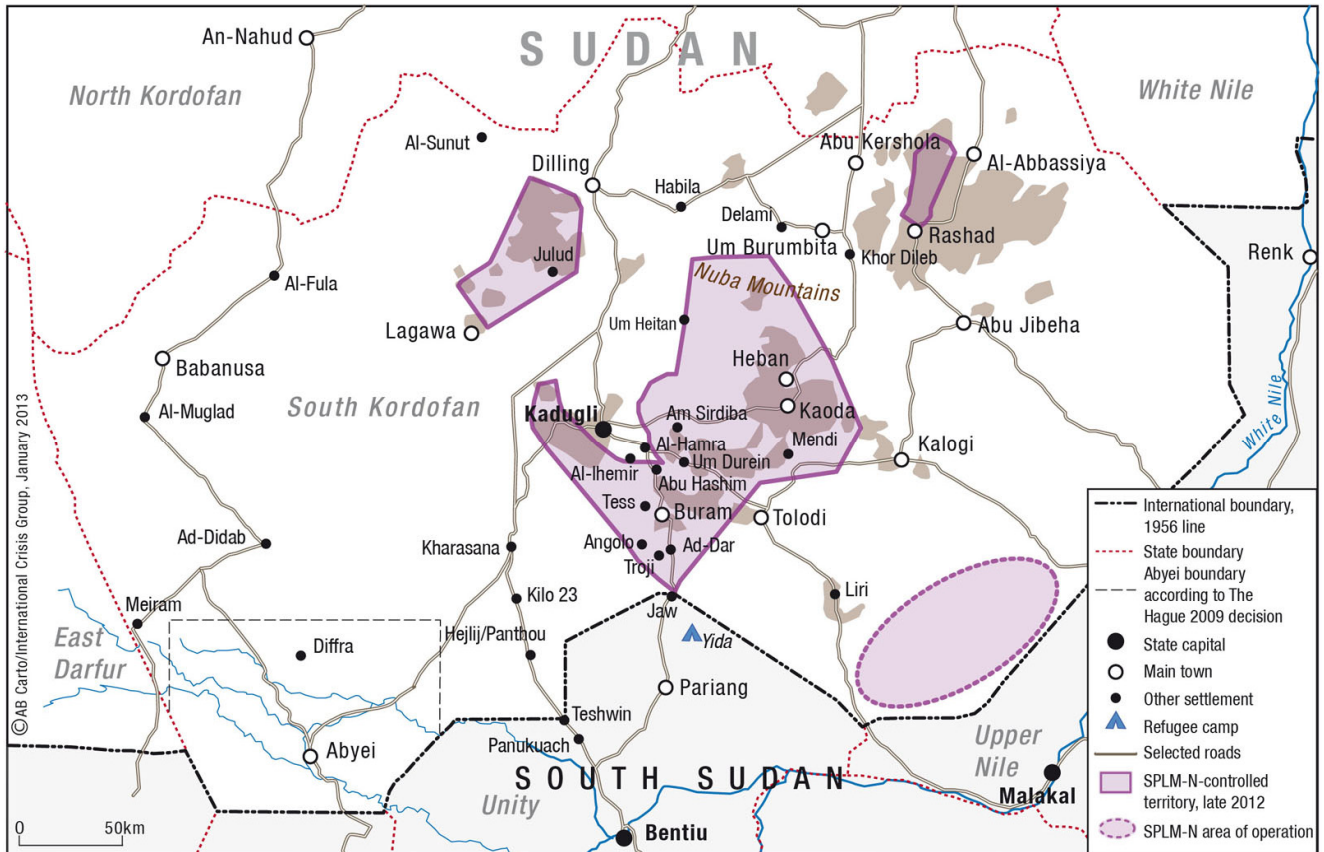


Map No. 4458 Rev.2 UNITED NATIONS
 March 2012

Department of Field Support
 Cartographic Section

This map does not present the five recently created Darfur states (from the three depicted).

Appendix B: Map of South Kordofan



Source: Crisis Group observations, Small Arms Survey

Appendix C: Glossary of Personalities

Malik Agar Eyre

SPLM-N and SRF chairman, former governor of his native Blue Nile State. On 28 June 2011, signed a framework agreement with NCP co-deputy chairman and presidential assistant Nafie Ali Nafie.

Ghazi Salahuddin Attabani

A key NCP member, presidential adviser, leader of the NCP caucus in the National Assembly and a member of the party's Leadership Bureau. He led the government delegation that negotiated the Machakos Agreement with the SPLM in 2002 and was appointed presidential adviser after the signing of the CPA in 2005. He was the government's chief negotiator in the 2007 Darfur peace talks and continued to hold the Darfur portfolio until 2011.

Omar al-Bashir

President of Sudan and head of the NCP. A military officer, he seized power in 1989. After the restoration of civilian rule, he remained president and has continued to centralise power in Khartoum. The International Criminal Court (ICC) indicted Bashir for crimes against humanity, war crimes and genocide in Darfur and has issued two arrest warrants. Bashir has said he will not stand for re-election after his term ends in 2015 and will also step down as head of the NCP.

Abdelaziz al-Hilu

SPLM-N and SRF deputy chairman and paramount SPLM-N leader in South Kordofan. Worked with NCP Governor Ahmed Haroun as deputy governor between 2009 and 2011, before he lost to Haroun in the 2011 elections.

John Garang

Former SPLM/A paramount leader, known for his stance for a united, multi-ethnic and secular "New Sudan". Was influential in gaining support in the Nuba Mountains. In 2005 signed the CPA and was appointed Sudan's vice president, but died in a plane crash three weeks later. His death left the SPLM/A without a strong leader to push through CPA implementation.

Ahmed Mohammed Haroun

NCP governor of South Kordofan, defeated Abdelaziz al-Hilu in the 2011 elections. Indicted by the ICC for war crimes and crimes against humanity committed in Darfur when he was minister of state at the interior ministry.

Salva Kiir

First vice president in the Government of National Unity between 2005 and 2011, now president of the Government of South Sudan and chairman of the SPLM.

Yusif Kuwa Mekki

Former SPLM/A leader in the Nuba Mountains, died in 2001.

Minni Minawi

Chair of the SLA faction (SLA-MM) that signed the DPA. As a reward, he was made a senior assistant to President Bashir and chairman of the Transitional Darfur Regional Authority (TDRA). Returned to rebellion in 2010. Deputy chairman of the SRF.

Nafie Ali Nafie

Co-deputy NCP chairman and a presidential assistant, was in charge of the state security apparatus in the early years of the National Islamic Front regime. He signed a framework agreement with SPLM-N Blue Nile Governor Malik Agar in 2011 that was rejected by President Bashir.

Ali Osman Mo-hammed Taha

Vice president of Sudan. He negotiated and signed the CPA with John Garang in 2005.

At-Tom Hamid Tutu

Former JEM leader who was captured fighting in the Nuba Mountains. Had previously been deputy secretary of the Popular Congress Party in South Kordofan.

Appendix D: Glossary of Main Parties, Organisations, Armed Movements and Militias and Agreements

AUHIP

African Union High-Level Implementation Panel for Sudan and South Sudan, led by former South Africa President Thabo Mbeki, the main mediating body in the post-CPA talks between Sudan and South Sudan.

CRP

Central Reserve Police (Ihtihati al-Merkazi in Arabic), known locally by their nickname "Abu Tera" (those of the bird, due to their insignia). A paramilitary force that has been particularly active in Darfur and since 2011 in South Kordofan.

CPA

The 2005 Comprehensive Peace Agreement ended the civil war with the South and aimed for democratic transformation of the state. It guaranteed Southern Sudanese a right to self-determination at the end of a six-year interim period; the agreement came to an end with the independence of South Sudan on 9 July 2011.

DPA

Darfur Peace Agreement. The failed peace agreement was signed under African Union (AU) auspices on 5 May 2006 in Abuja, Nigeria, between the Sudanese government and the Minni Arku Minawi faction of the Sudan Liberation Army (SLA-MM). Two other parties to the negotiations – the SLA faction of Abdelwahid Mohammed Ahmed Nur (SLA-AW) and JEM – refused to sign.

IGAD

Inter Governmental Authority on Development, an East African regional organisation co-mediating the North-South Sudan peace process. Its current chair is Ethiopia Prime Minister Hailemariam Desalegn, who since January 2013 also chairs the African Union.

JEM

Justice and Equality Movement, a Darfur rebel group founded by Dr Khalil Ibrahim Mohammed. JEM refused to sign the DPA in May 2006. It entered into an agreement with Khartoum on 20 February 2010 in N'Djamena, Chad, on a preliminary framework that includes a temporary ceasefire and subsequently engaged in the Darfur peace process in Doha. JEM has continued attacks in South Kordofan. It recently joined the SRF. Since Khalil Ibrahim's death in a government bombing raid in North Kordofan in December 2011, JEM has been chaired by his brother, Dr Jibril Ibrahim.

JIUs

Joint Integrated Units, military units created by the CPA and composed of equal numbers of troops from the SPLA and the SAF. They no longer exist.

Machakos Protocol

Agreement between the Sudan government and the SPLM/A after negotiations in Machakos, Kenya, in 2002 under the auspices of IGAD.

NCP

National Congress Party, the ruling party in Sudan, headed by President Omar al-Bashir. It is the successor of the National Islamic Front (NIF), which seized power in a coup in 1989.

NIF

National Islamic Front. Based on the Muslim Brotherhood and the culmination of the Sudanese Islamic Movement's political work led originally by Hassan al-Turabi, it was committed to an Islamic state and overthrew the democratically elected government in 1989.

NISS

National Intelligence and Security Service, the major security and intelligence institution, headed by Mohammed Atta al-Moula. Formerly known as "Internal Security" (al-amn a-dakhili), it became a powerful security institution after the split between President Bashir and Hassan al-Turabi in 2000. Former director generals include Salah Abdallah "Gosh", Nafie Ali Nafie and Ibrahim al-Sanousi. After the split, the NISS cooperated with the U.S. CIA and exchanged information on terrorist groups and individuals in the region.

PCP

PCP Popular Congress Party, founded by Hassan al-Turabi in 2000. Espousing pluralistic and democratic values, it is a leading opponent of the NCP.

PDF

Popular Defence Forces, expanded in January 1991 by the Islamists' revolutionary council to help fight the war in the South and the two areas. The PDF was to have been dismantled under the CPA. They still play a major military role in Darfur, South Kordofan and Blue Nile.

SAF

Sudan Armed Forces – the national army. The majority of senior staff are committed Islamists. Very few are from the peripheries. The current defence minister, Abderahim Mohammed Hussein, is the president's personal friend.

SLA

Sudan Liberation Army, originally the main Darfur rebel group, it splintered into a number of factions; the main ones are SLA-MM led by Minni Minawi and SLA-AW led by Abdelwahid Mohammed Nur.

SPLM/A

Sudan People's Liberation Movement/Army, the Juba-based Southern rebel movement turned political party that signed the CPA in 2005; it is now the ruling party and army in South Sudan; the SPLM is headed by Salva Kiir.

SPLM-N

Sudan People's Liberation Movement – North, formerly the northern branch of the SPLM/A; it is currently active in fighting against Khartoum troops in South Kordofan and Blue Nile. In 2011, SPLM-N joined with JEM and other rebel groups under the umbrella organisation SRF.

SRF

Sudan Revolutionary Front, an alliance declared in November 2011 between the SPLM-N, JEM, SLA-MM and SLA-AW.

The "three areas"

Abyei, Blue Nile and South Kordofan, which were given special protocols in the CPA. Blue Nile and South Kordofan are now known as the "two areas", given the current unrest in the two states.

The "two areas"

The Blue Nile and South Kordofan states, two of the "three areas" given special status in the CPA and which are currently experiencing fighting between the SPLM-N and the SAF.

Tripartite Proposal

On 9 February 2012, the UN, AU and the League of Arab States made a "Joint Proposal for access to provide and deliver humanitarian assistance to war-affected civilians in South Kordofan and Blue Nile States", commonly known as the "tripartite proposal". Eventually signed by the SPLM-N and Khartoum in August 2012, but was allowed to expire by Khartoum in November.

Umma, or National Umma Party (NUP)

A large traditional party in Khartoum, led by Sadiq al-Mahdi. It has historically drawn its support from the Ansar sect and had large constituencies in Darfur and Kordofan. Al-Mahdi is also the religious leader of the Ansar. During the NCP regime, many leaders split from the main Umma party (NUP) and formed their own versions of the Umma; the majority joined the NCP-led government.

UNMIS

The UN Mission in Sudan, a peacekeeping operation authorised by the Security Council on 24 March 2005 (Resolution 1590). Its primary mandate was to support and monitor implementation of the CPA. At the independence of South Sudan in July 2011, it was dismantled in Sudan, while in South Sudan it became the UN Mission in South Sudan (UNMISS).

UN Security Council Resolution 2046

Unanimously adopted on 2 May 2012, after the occupation of Hejjij by the SPLA, it calls for the "immediate halt to fighting between Sudan and South Sudan, and resumption of Negotiations". On 27 September 2012, Sudan and South Sudan signed nine agreements, but they are yet to be implemented, and they left aside some of the most conflictual issues, such as Abyei and the disputed border.

Appendix E: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 150 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is chaired by former U.S. Undersecretary of State and Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters is in Brussels, and the organisation has offices or representation in 34 locations: Abuja, Bangkok, Beijing, Beirut, Bishkek, Bogotá, Bujumbura, Cairo, Dakar, Damascus, Dubai, Gaza, Guatemala City, Islamabad, Istanbul, Jakarta, Jerusalem, Johannesburg, Kabul, Kathmandu, London, Moscow, Nairobi, New York, Pristina, Rabat, Sanaa, Sarajevo, Seoul, Tbilisi, Tripoli, Tunis and Washington DC. Crisis Group currently covers some 70 areas of actual or potential conflict across four continents. In Africa, this includes, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Sierra Leone, Somalia, South Sudan, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Malaysia, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, North Caucasus, Serbia and Turkey; in the Middle East and North Africa, Algeria, Bahrain, Egypt, Iran, Iraq, Israel-Palestine, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia, Western Sahara and Yemen; and in Latin America and the Caribbean, Colombia, Guatemala and Venezuela.

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Appendix F: Reports and Briefings on Africa since 2010

Central Africa

CAR: Keeping the Dialogue Alive, Africa Briefing N°69, 12 January 2010 (also available in French).

Burundi: Ensuring Credible Elections, Africa Report N°155, 12 February 2010 (also available in French).

Libya/Chad: Beyond Political Influence, Africa Briefing N°71, 23 March 2010 (only available in French and Arabic).

Congo: A Stalled Democratic Agenda, Africa Briefing N°73, 8 April 2010 (also available in French).

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