



# LOST IN THE MIDDLE OF PEACE

AN EXPLORATION OF CITIZEN OPINION ON THE  
IMPLEMENTATION OF THE CPA IN THE THREE AREAS  
OF ABYEI, SOUTHERN KORDOFAN AND BLUE NILE

Findings from Focus Groups with  
Men and Women In the Three Areas

Conducted April 26 - July 2, 2006

By Traci D. Cook

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<sup>1</sup> BN=Blue Nile; SK = Southern Kordofan State

## NATIONAL DEMOCRATIC INSTITUTE

The National Democratic Institute (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. NDI works with democrats in every region of the world to build political and civic organizations, safeguard elections and promote citizen participation, openness and accountability in government.

Democracy depends on legislatures that represent citizens and oversee the executive, independent judiciaries that safeguard the rule of law, political parties that are open and accountable, and elections in which voters freely choose their representatives in government. Acting as a catalyst for democratic development, NDI bolsters the institutions and processes that allow democracy to flourish.

***Build Political and Civic Organizations:*** NDI helps build the stable, broad-based and well-organized institutions that form the foundation of a strong civic culture. Democracy depends on these mediating institutions—the voice of an informed citizenry, which link citizens to their government and to one another by providing avenues for participation in public policy.

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International cooperation is key to promoting democracy effectively and efficiently. It also conveys a deeper message to new and emerging democracies that while autocracies are inherently isolated and fearful of the outside world, democracies can count on international allies and an active support system. Headquartered in Washington, D.C., with field offices in every region of the world, NDI complements the skills of its staff by enlisting volunteer experts from around the world, many of whom are veterans of democratic struggles in their own countries and share valuable perspectives on democratic development.



## PREFACE

Over the course of several years, the Government of Sudan and the Sudan People's Liberation Movement (SPLM) painstakingly negotiated the security, wealth-sharing and power-sharing provisions of the Comprehensive Peace Agreement (CPA) to resolve the major issues of the 21-year conflict between northern Sudan and southern Sudan. However, the two sides felt compelled to go beyond the basic provisions of the CPA to more-specifically address the areas of Abyei, Blue Nile and Southern Kordofan in separate protocols. This illustrates the unique nature of what are known collectively as the Three Areas<sup>2</sup>.

Geographically, the Three Areas lie along the divide between the North and the South. This made the Areas the site of concentrated fighting during the conflict - with parts of the Areas changing hands frequently - and resulted in massive displacement of the Areas' population. Contributing to the Three Areas' complexity is its vast mineral wealth. The removal of gold, oil and gum Arabic without compensation to local peoples was a key driver of the conflict, and these resources are of continued importance to both sides. The Areas also function as a kind of buffer zone between the North and South. Below the Areas, cultures are almost exclusively 'black African'<sup>3</sup>; above the Areas, cultures are primarily 'Arab' and non-'black African.' Thus, in many ways, issues of discrimination and oppression based on ethnicity are most acutely felt in the Three Areas. Add to all of these issues the fact that the Southern Kordofan and Blue Nile lie above the official border between the North and South and the history of Abyei's transfer to Kordofan in 1905, and the necessity of negotiators forging individual agreements for the Three Areas is not surprising.

The cultural, religious and historical differences between the Three Areas resulted in different solutions to the peace, with one protocol in the CPA for Abyei and one for Blue Nile and Southern Kordofan. Abyei is defined by the CPA as "the area of the nine Ngok Dinka chiefdoms transferred to Kordofan in 1905," and so the Ngok residents in that Area have strong cultural ties to Dinka populations in Bahr el Ghazal and other parts of Southern Sudan. Ngok residents in Abyei are also not, generally speaking, Muslims. As a result, the resolution to the Abyei conflict outlined in the CPA resembles that prescribed for the South as a whole: Abyei residents will vote in a referendum that will allow them to retain special administrative status in the North or become part of the Bahr el Ghazal/Warrap state in Southern Sudan. This fact has made the demarcation of boundaries in Abyei a contentious issue.

In Blue Nile and Southern Kordofan, people who supported the SPLM during the conflict define themselves as 'black Africans,' but they are not as closely linked to the South by culture as the Ngok Dinka residents of Abyei. In addition, many are Muslims unlike most of the population of the South, and although there was fighting above the border during the conflict, leaders of the SPLM do not dispute that all of Blue Nile and Southern Kordofan states are appropriately considered part of the North per the historical January 1, 1956 North-South border. Thus, the Blue Nile and Southern Kordofan Protocol in the CPA outlines a resolution to the conflict very different from that of Abyei. Citizens will have input into the final resolution of the conflict through a concept known as 'popular consultation'<sup>4</sup> and will benefit from the CPA's prescription for direct and democratic elections for the offices of state governor and members of the state legislature. Citizens in Blue Nile and Southern Kordofan are not, however, given the right of self-determination, and so if the 2011 referendum in Southern Sudan results in a vote to secede from Sudan, Blue Nile and Southern Kordofan will remain permanently in the North. (See Appendix E for the text of the Abyei and Blue Nile and Southern Kordofan Protocols.)

Location, resource wealth, cultural complexity and protocols unique to each Area combine to make implementation of the CPA more challenging in the Three Areas than perhaps anywhere else. In addition, the CPA gives Southern Sudan semi-autonomous status, resulting in it being largely left on its own to develop government structures. In the Three Areas, however, the northern National Congress Party (NCP) and the SPLM must work and rule together, and 'black African' and 'Arab' cultures must reside side-by-side. All these reasons make peace more fragile and the potential for conflict

<sup>2</sup> During negotiations of the Comprehensive Peace Agreements, the border areas were referred to as the "Three Transitional Areas."

<sup>3</sup> 'Black African' is a term used by many participants in this study to differentiate themselves from what they call 'Arabs.' The term 'Arab' is used here throughout as a general designation because it is a reflection of how participants describe non-'black African' populations. In reality, there are many different ethnicities in the northern Sudan and some of these are not Arab, though the 'black African' participants in this study identify them as such.

<sup>4</sup> 'Popular consultation' is defined by the CPA as the mechanism through which the views of the people of Southern Kordofan and Blue Nile on the CPA will be ascertained. 'Popular consultation' allows the CPA to be subjected to the will of the people through their democratically elected legislatures, which will have the right to review the CPA and enter into negotiations with the National Government over any shortcomings.

greater in the Three Areas. To explore the effectiveness of the CPA - and specifically the Abyei and Blue Nile and Southern Kordofan Protocols - in addressing these issues and in resolving key causes of the conflict in the Three Areas, NDI conducted a series of 41 focus groups in 16 locations across the Three Areas between April 26 and July 2, 2006. In total, 447 residents, representing five major ethnic groupings, of the Three Areas participated in this research.

**Focus Group Results and Usage.** Focus groups are semi-structured group discussions directed by a moderator and following a pre-set guideline. Unless otherwise noted, the conclusions presented here represent views commonly, and repeatedly, cited during the groups. The interaction between participants in a focus group setting provides insight into how citizens think and feel and is an even more powerful means of understanding why these attitudes exist. Information gathered in this way takes into consideration citizen values and needs and is critical to helping decision-makers test their assumptions and incorporate the will of the people into policy-making.

**A Snapshot of Public Opinion.** Any research, including focus groups, is only a snapshot of public opinion at the moment it is undertaken. Public opinion is dynamic and evolves as people experience and react to major events, particularly in an environment as fragile as the Three Areas. Therefore, the conclusions reached in this report can only be said to represent opinions in April-July 2006. NDI is conducting focus groups in Southern Sudan and/or the Three Areas approximately once every six months, and so focus group research will continue to capture any change in attitudes and measure that change against baseline information from previous research.

**A Qualitative Research Tool.** Focus groups are a qualitative, not a quantitative, research tool. Although focus groups are a superior research method in teasing out the meanings behind commonly-held attitudes, the total number of participants in focus group research is always relatively small and thus, it is not statistically representative of the larger population. This report reflects the opinions of the 447 citizens in the Three Areas who participated in the focus groups. General terms, such as "people," and "citizens" may be used on occasion in this report as a convenience to represent the attitudes of these participants; however, the Focus Group Participant Demographics chart as well as the Methodology Notes appearing at the end of the report should be consulted by all readers to understand the sub-set of Sudanese interviewed for this research.

**Location of Groups.** The focus groups outlined in this report were conducted in locations in Abyei, Southern Kordofan and Blue Nile, which are referred to collectively in this report as the Three Areas. Forty-one of these group discussions were carried out across 16 locations in the Three Areas. (See Appendix A for a list of focus group locations.) One group was conducted among recent returnees, but no groups were conducted in areas known as IDP camps.

**Composition of Groups.** Focus groups are organized to be as homogeneous as possible to ensure that participants are comfortable in expressing their opinions and to determine whether perspectives differ based on the type of participant in the group. The focus groups in this report were stratified by gender, ethnicity, age and education. Single ethnicity groups were convened among Dinka Ngok, Funj, Nuba, Uduk and ethnic Arabs. In more populous areas where Arab and non-Arab populations live in close proximity and interact with each other frequently, several mixed groups were conducted, though most were predominantly Arab. In Abyei, a few groups combined Dinka Ngok and other Dinka sections and one group consisted of various Dinka sections and two Misseriya. (See Appendix A for a further information on participant demographics.) Due to logistical constraints, no Misseriya-only groups were conducted and thus the views of Misseriya in the Abyei Area and those that reside seasonally in Abyei are not part of this report. Participants who are quoted are identified by ethnicity and location, except when the quote is from a mixed ethnicity group. In that case, the participant is identified as being from a group that contained the listed ethnicities. Location is noted as well.

**Ethnic Locations and Designations.** Groups that include Funj and Uduk participants were all conducted in Blue Nile state, and groups that include Nuba participants were all conducted in Southern Kordofan state, with the exception of two groups in Roseries in Blue Nile state that included Nuba who had lived in the area for many years. All groups containing Dinka and the small number of Misseriya participants were conducted in Abyei. In Blue Nile and Southern Kordofan, the term 'Arab' is used to define focus groups that contain primarily non-Funj, non-Uduk or non-Nuba participants. The 'Arab' designation for these participants is consistent with how 'black African' participants view them, but may not reflect a pure ethnic Arab origin and may not necessarily be how these 'Arab' participants would identify themselves. In addition, a group's identification as 'Arab' or predominantly 'Arab' should not be interpreted as always equivalent to support for the National Congress Party (NCP) or opposition to the SPLM. 'Arab' participants express complex views that sometimes diverged from their 'black African' counterparts but also many times were in agreement.



**Participant Perceptions vs. Political Realities.** The perceptions of participants in these focus groups (and indeed in any research anywhere in the world) do not necessarily reflect the reality of any given situation. In the Sudan context, for example, the perceptions of participants on progress in the implementation of the CPA in their areas may lag behind the reality of significant strides forward in the political realm. The reasons for this are many. Communication is difficult in Sudan and thus current information is not always available. Also, ordinary citizens will most often judge progress based on the change it brings in their daily lives, so larger political gains (although important in the greater context) are not always immediately viewed as progress by the average person. Participants in this research sometimes get their facts wrong and often form their opinions based on inaccurate or semi-accurate readings of the world around them. This study does not purport to represent any true reading of the reality of what is happening in the Three Areas. Even if not reality, however, there is power in people's perceptions. Ordinary citizens will make political decisions based on their perceptions, and, without the knowledge of what these perceptions are, political leaders will not have the information necessary to address them. Thus, the goal of this research is to report the perceptions and opinions of participants (regardless of their degree of accuracy) to political and diplomatic leaders so they may better understand and respond to the concerns of the general populace.

NDI's ongoing citizen participation program in Southern Sudan and the Three Areas is funded by the U.S. Agency for International Development (USAID) through a multi-year grant. The inclusion of regular focus group research in NDI's wider Sudan initiative is intended to help policy-makers better understand the views of citizens, as they make important decisions that will shape the future of the region. NDI would like to acknowledge USAID officials in Nairobi, Juba and Khartoum who provided substantive and critical assistance to the focus group study by offering guidance on appropriate subjects and sharing their intimate knowledge of the Three Areas.

NDI normally employs the assistance of the Southern Sudan Centre for Census, Statistics and Evaluation (SSCCSE) in the focus group work in Southern Sudan. Because this research was limited to the Three Areas, NDI undertook much of the work itself, although senior staff at SSCCSE provided valuable input and guidance on appropriate research locations and subject matter. Several NDI staff contributed to the focus group research and this report. NDI Sudan Country Director Kym McCarty directed all planning and preparation for the groups and oversaw the development and approval of the moderator guideline. NDI Sudan Program Officer Mary Kagunyi recruited moderators from the Nairobi Diaspora, led logistical preparations and supervised focus group moderators in Abyei and parts of Southern Kordofan. NDI Sudan Program Assistant Michael Rifer supervised focus groups in two areas of Southern Kordofan. NDI Sudan Field Manager Awatif Idriss and NDI Sudan Field Coordinators Barnabas Kuku, Bakri Abdelbasitand and Kuol Deng Biang organized and conducted many of the focus groups in the field. Traci Cook, an experienced opinion researcher, designed the research framework, drafted the focus group guideline, trained the focus group moderators, supervised the research in the field and authored this report. NDI also owes a debt of gratitude to the local and international NGOs that assisted with staffing, accommodation and transportation in each location. Without the hospitality offered by these groups, this research would not have been possible.

This is the fourth in a series of bi-annual focus groups NDI will conduct over the next two years. The first Southern Sudan focus groups conducted in late 2004 investigated citizen attitudes toward peace and governance, the second round in early 2005 focused on citizen input into constitutional principles and protections, and the third in late 2005 explored the real-life experience of Southern Sudanese with the implementation of the CPA. This report narrows our focus to the Three Areas.

Focusing exclusively on the Three Areas allows us to explore in-depth the feelings of 'frontline' citizens who may hold the key to permanent peace between the North and South. The overwhelming message citizens send through this research is that many critical issues remain unresolved. Thus far, the CPA has not provided tenable solutions for these issues and so, as one participant said, many feel 'lost in the middle'<sup>5</sup> of peace. NDI is pleased to have this opportunity to contribute in a small way to better understanding the people of the Three Areas, and the concerns that undermine their confidence in a long-term peace.

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<sup>5</sup> Quote is from a male university student in an Arab-Funj group in Damazine.

## THE VOICE OF THE PEOPLE

Located along the border between northern and southern Sudan, the people of the Three Areas are vocal about the precarious nature of their existence on the 'frontline' and about their concerns over whether the Comprehensive Peace Agreement can guarantee a permanent peace. Below is a sampling of quotes from this focus group exercise:

- *Since the signing of the CPA, a wind of peace never blew in Abyei.*
- *We don't understand this peace because this peace was made in order to bring development in the areas, but up to this moment we did not see anything taking place.*
- *We should be preparing ourselves because NCP is preparing for war...What is just left now is the destruction of Abyei.*
- *This CPA will not bring permanent peace in Southern Blue Nile instead [there will be] war because there is no implementation going on since it was signed.*
- *Ngok can have a good life without Misseriya because we don't get anything from them. It is the Misseriya who need us. So if we cut our relations with them now, we can have a good life without them.*
- *The SPLM is good but they do not have the power to do things [in Southern Kordofan]...They were not given anything from the government to do any of the development.*
- *Elections are okay, but excluding the Arabs. If the election is free and fair and is won by the NCP [in Blue Nile], we will go back to war or secession as an alternative rather than be ruled by them again.*
- *If they are not Ngok, they cannot vote. It is only Ngok who are eligible to vote. There are now many people in Abyei who are not Ngok. They cannot vote.*
- *If there is no referendum that allows the people of Southern Kordofan to choose where they want to be, we'll go back to war.*
- *They [international monitors in Abyei] are just like a picture; they are doing nothing. They should be removed from the area because they are doing nothing.*
- *I am not convinced by the [ABC] experts' report, but because the SPLM accepted it, we also accepted it.*
- *It [the Goz shared rights zone] is a good decision so that the Misseriya don't come to our land. They will be coming up to the Goz and go back to their areas.*

## EXECUTIVE SUMMARY

1. **Frustration is high among Funj, Uduk and Nuba populations of Blue Nile and Southern Kordofan states that disparity in development has not been addressed by the implementation of the CPA. Conversely, 'Arab' populations of Blue Nile and Southern Kordofan appear to accept peace itself as an appropriate reward.** Funj, Uduk and Nuba participants express extreme disappointment over what they describe as a lack of change (and perhaps even a worsening) in their lives and communities since the signing of the peace agreement. They see a one-to-one relationship between development and peace - the *raison d'être* for peace is to bring development. A peace without the realization of the dividends that people believe are due them in the CPA is simply not an acceptable one for most. In contrast, participants in the solely and predominantly 'Arab' groups are generally positive about changes in their lives and communities since the signing of the CPA. For them, peace is simply an end to conflict and is not linked to expectations about righting past wrongs. Participants in the 'Arab' groups look at the same situation as participants in the 'black African'<sup>6</sup> groups but see something completely different - a bright future and even the beginnings of development.

2. **Continuing insecurity and delay in the formation of an Abyei Administration lead most Dinka participants to reject the idea that the CPA has brought peace to the area.** The Dinka in Abyei voice a great desire and hunger for peace. Yet, while 'black African' participants in Blue Nile and Southern Kordofan question the value of the peace, most Dinka participants in Abyei reject the idea that peace itself exists. A key reason for this feeling is the disarray in the governing structure in Abyei. Multiple authority structures controlled by competing groups and delay in the formation of an Abyei Administration as defined in the CPA are, to participants, proof that peace has not reached the area. Contributing to Dinka participants' belief that peace does not exist in Abyei is a perception of chronic insecurity in the area and their interpretation of delay in the formation of an Abyei government as a rejection by the ruling National Congress Party (NCP) of any possibility of a peaceful solution to the Abyei issue.

3. **Violent acts attributed to 'Arabs' and 'government'<sup>7</sup> actions interpreted as deliberate provocation lead to a fatalistic view among Dinka participants that Abyei is inescapably headed toward renewed conflict.** Participants paint a grim picture of the current atmosphere in Abyei and of the potential for a lasting peace. Tensions between the Ngok Dinka population and what participants refer to as 'the Arabs' are extremely high, and almost all describe a situation that is progressively deteriorating. There are ubiquitous reports of threats, harassment, and killings attributed to 'Arabs,' and certain government actions, such as the restriction of international monitor movement and the continuing presence of Sudanese Armed Forces (SAF) troops in disputed areas, are viewed as equally ominous. Whether official or unofficial, all of these acts are interpreted by the Dinka participants as deliberate and organized provocation by the northern elements in the national government. The result is a pervasive fatalism present throughout the groups with Dinka participants, most of whom believe war to be on the horizon<sup>8</sup>.

4. **With little knowledge about the CPA, participants in Blue Nile and Southern Kordofan<sup>9</sup> judge implementation of the agreement to be almost non-existent and profess to have lost faith in the agreement as a solution for lasting peace. As a result, most believe their states are close to a return to conflict.** Participants in Blue Nile and Southern Kordofan, including those in predominantly 'Arab' groups, display very little knowledge of the CPA. In the absence of information, the CPA is, for almost all Funj, Uduk and Nuba participants, about only two things: equality and development. Implementation of the CPA, then, is judged solely on this basis, and on this score participants say the CPA is a failure thus far. Most Funj, Uduk and Nuba participants place implementation of the CPA since its signing in January 2005 in the range of 0-20 percent. Participants in the predominantly 'Arab' groups rate the implementation of the CPA somewhat higher, but still express disappointment at its low level primarily due to the slow progress in development. The desire for more development among 'Arab' participants does not cause any questioning of the value of the CPA, primarily

<sup>6</sup> 'Black African' is a term used by many participants in this study to differentiate themselves from what they call 'Arabs.' The term 'Arab' is used here throughout as a general designation because it is a reflection of how participants describe non-'black African' populations. In reality, there are many different ethnicities in the northern Sudan and some of these are not Arab, though the 'black African' participants in this study identify them as such.

<sup>7</sup> Participants use the terms 'Arabs,' 'government,' 'Khartoum government' and 'Sudanese government' in reference to the National Congress Party. While there is now a Government of National Unity with significant Southern Sudanese participation, people in the focus groups were clearly referring only to what they would say is the 'northern' or 'Arab' part of the government.

<sup>8</sup> Although not mentioned by participants, it is known that local efforts by traditional authorities from the Ngok and Misseriya have resulted in the formation of a peace committee to address conflict between the two communities. In addition, there are some reports that some Misseriya have accepted the ABC report and are more inclined that previously to cooperate with the Ngok.

<sup>9</sup> See appendix E for the full text of the CPA protocols relevant to Southern Kordofan, Blue Nile, and Abyei.

because, for them, the main benefit of the CPA - peace - has been achieved. However, the delay in the implementation of the CPA is causing a loss of faith in the peace agreement itself among 'black African' participants who are now much more likely to say unequivocally that the CPA is a bad agreement and to predict a return to war.

5. **Abyei participants are well-informed about the provisions of the CPA, and, although there is anger at delays in implementation, participants continue to have a positive opinion of the agreement because the NCP is blamed for those delays.** In contrast to the findings in Blue Nile and Southern Kordofan, participants in Abyei demonstrate detailed knowledge of the CPA and more specifically of the Abyei Protocol. Because of the failure to enact certain provisions of the Abyei Protocol, such as the establishment of an Abyei Administration, most participants in Abyei estimate that only between 0-20 percent of the CPA has been implemented, similar to the findings in Blue Nile and Southern Kordofan. Unlike participants in those states, however, the vast majority of Abyei participants retain a positive opinion of the CPA. The reason for this appears to be the Abyei participants' greater knowledge of the CPA and specifically the Abyei Protocol. Since participants generally support the provisions in the CPA as they understand them, they instead focus on its slow implementation, the blame for which they place solely on the NCP.

6. **Abyei participants interpret the language on residency in the Abyei Protocol to mean that only Ngok Dinka can serve in the local administration and only Ngok will vote in Abyei elections. In fact, the Abyei Protocol provides a process for determining the legal criteria for residency, but does not define residency itself.** Many aspects of the Abyei Protocol are correctly interpreted by participants. However, on two key aspects of the Abyei Protocol, a significant number of participants attribute more precision to the Protocol than it provides. First, it is not uncommon for Ngok Dinka participants to speak about the Protocol supporting an interim government made up exclusively of Ngok. The Protocol, though, says only that members of the administration will be appointed by the Presidency pending elections and that the Administration should be "representative and inclusive of residents of the area." In addition, a number of participants believe the Protocol ensures Ngok-only participation in Abyei elections. Both of these issues hinge on the definition of residency. The Protocol definitively states that "members of the Ngok Dinka community and other Sudanese residing in the area," but goes on to say that residency criteria "shall be worked out by the Abyei Referendum Commission." However, it is likely that participants' beliefs about residency are based not only in their interpretation of the Protocol but also their experience with customary laws that define administrative structures and residency based on territory. The Protocol defines the territory of Abyei as the "nine Ngok Dinka chiefdoms transferred to Kordofan in 1905" and, with such a definition combined with current practices and customary law, some participants see the residency issue as already resolved.

7. **According to participants, the CPA has yet to provide a resolution for key causes - discrimination, representation and development - of the conflict in Blue Nile and Southern Kordofan, leading many to predict that without intervention to address these issues a return to conflict is likely.** During the groups, participants were asked to identify the primary causes for the conflict in Blue Nile and Southern Kordofan. By a large margin, participants say discrimination, lack of representation in government and lack of development - roughly in that order - are responsible for igniting the conflict in those two states. In the view of 'black African' participants, the CPA has not helped resolve the primary causes of the conflict. The lack of knowledge of the CPA and its implementation likely contributes to this perception (see #4 above). Most participant suggestions for resolution of these issues are centered on a change in behavior by the 'Khartoum government,' although the SPLM and the international community are also called upon to intervene. Regardless of whose responsibility it is to act, participants believe that resolution of the key issues that caused the war is necessary to prevent a return to conflict.

8. **In certain parts of Blue Nile and Southern Kordofan, participants cite the uncompensated seizure of land and resources and friction with nomadic populations as key conflict causes and say they remain potential flashpoints.** Certain conflict issues are location-specific. These issues, though not cited as keys to the conflict by most participants, are critical ones in certain parts of Blue Nile and Southern Kordofan. Participants in those areas say that the taking of resources and land without compensation is not only a key factor in past conflict, but remains a hot button issue because there has been little or no improvement since the signing of the CPA. Because they are often seen as the instruments used to take land and resources and to cause insecurity, nomadic populations and their relations with Funj, Uduk and Nuba are also highlighted as a potential source of conflict. Even though the taking of land and resources and relations with nomads are not as relevant in other parts Blue Nile and Southern Kordofan, Nuba and Funj participants throughout the two states understand these issues and have great sympathy for their counterparts in those areas. Thus, these issues, though of seemingly isolated importance, could serve as conflict flashpoints for the two states as a whole if left unresolved.



9. According to Dinka participants, the history of relations between the Ngok and Misseriya in Abyei began as one of cooperation but progressively deteriorated with peace agreement violations and an escalation of fighting attributed to the national government's arming of the Misseriya. Resolution of the conflict, Ngok say, can only be achieved through a separation of the two peoples and a self-rule government. Dinka participants report that they first had contact with the Misseriya when providing them refuge as they escaped conflict with other Arab tribes. In the beginning, clashes between the two groups were relatively contained and resolved through traditional peace committees, although the Ngok memory is that the agreements were repeatedly broken by the Misseriya. The Ngok also detail efforts by successive national governments over the years to aid the Misseriya with arms and material support to chase Ngok from their home areas. This outside interference resulted in an escalation of the conflict that could not be solved by traditional means. The history of near-continuous conflict between the two groups and a belief that Misseriya will continue to be used by 'the Arab government' against the Ngok lead most to conclude that separation is the only solution.<sup>10</sup> This desire for separation from the Misseriya informs participants' judgment that two essential actions must be taken before peace can come to Abyei: the demarcation of boundaries with the Misseriya and the creation of a self-rule Abyei Administration exclusive of Misseriya.

10. The SPLM remains popular with Funj, Uduk and Nuba populations - despite widespread dissatisfaction about the pace of change - largely because of a perception that the party is powerless in Blue Nile and Southern Kordofan. In contrast, Abyei participants view the SPLM as an effective advocate for their cause and place their 'full trust' in the SPLM to represent their interests. Funj, Uduk and Nuba participants hold generally high opinions of the SPLM and continue to profess allegiance to the party, even while they express bitterness about the lack of change since the signing of the CPA. The SPLM escapes blame for the current situation in Blue Nile and Southern Kordofan because many see it as powerless to act in the two states in the face of the NCP and 'Khartoum government.' In Abyei, participants credit the SPLM for important achievements, including the negotiation of the Abyei Protocol and the increase in security in Abyei town. In addition, the SPLM has a reputation for working hard in the interests of the people, and blame for any shortcomings is placed squarely on the shoulders of the northern elements in the government, who are seen as working to thwart the SPLM's every move.

11. The rate of return is increasing in Blue Nile, Southern Kordofan and Abyei, but participants say the lack of basic services still prevents most IDPs and refugees from making the journey home. Even in small numbers, returnees are placing stress on already limited local resources and creating concern in Blue Nile and Southern Kordofan about what will happen when those numbers increase. In Abyei, participants are less worried about stress placed on resources than about increasing the Ngok population in the area as a bulwark against 'the Arabs.' While participants report that returnees are coming back to their communities in larger numbers, this is clearly only a small portion of the returnees they ultimately expect. Interest to return is high - participants say, 'everyone has an interest to come back' - but shortages of food and water and the lack of schools and health facilities stop most from coming. In addition, the stress placed on limited resources in the community by even the relatively small number of IDPs and refugees that have returned thus far has caused some returnees to leave again and has prompted host communities in Blue Nile and Southern Kordofan to worry about the consequences of even larger numbers returning to their communities. Although there is frequent mention of limited resources in the Abyei groups, those participants appear to have less concern than ones in Blue Nile and Southern Kordofan about the impact of returnees on those resources. The priority for Abyei participants now is to increase their numbers whatever the cost so they can be an effective force, particularly in the voting booth, against 'the Arabs.'

12. Free and fair elections are welcomed as a solution to the problems of Blue Nile and Southern Kordofan, but Funj, Uduk and Nuba participants are unprepared to accept an outcome in their states in which the NCP or the 'government' are victorious. In that scenario, renewed conflict remains an option, according to some participants. In the abstract, Funj, Uduk and Nuba participants in Blue Nile and Southern Kordofan embrace the concept of free and fair elections and view elections as the appropriate way to choose leaders that will, for the first time, be responsive to their needs. However, most participants' support for free and fair elections is based on the assumption that the outcome would produce victories for leaders from their own populations. They have little awareness that either demographics or any number of other factors could result in a fair election won by people - 'Arabs,' the NCP, the 'Khartoum government' - they consider aligned against their interests. Based on past experience, participants have little hope that an NCP government, even an elected one, would rule fairly. Given those beliefs, some participants say they see little choice but to return to conflict if 'Arabs,' the NCP or the 'government' wins an election - regardless of whether it is free and fair - in Blue Nile or Southern Kordofan state.

<sup>10</sup> Although there are local efforts by traditional authorities from the Ngok and Misseriya to address conflict between the two communities, NDI staff currently on the ground in Abyei report these have not significantly altered, at least thus far, the desire among ordinary people for separation from the Misseriya.

13. **Abyei participants embrace elections as a long-awaited right, though they express significant concern about potential fraud and want all Ngok to return to the area prior to the vote. In addition, participants expect the outcome of any election in Abyei to result in victory for Ngok candidates only.** In Abyei, participants are enthusiastic about the planned 2009 elections, seeing the exercise as a clear break from their past experience and as bringing them a step closer to the self-determination referendum. Much like participants in Blue Nile and Southern Kordofan, however, Abyei participants expect the outcome of any election in Abyei would be a victory for one of their own. Any other result would call into question the fairness of the election. Participants in Abyei are also much more likely than others to be concerned that fraud will impact the elections. In particular, they fear that 'Arabs' will attempt to buy votes. For this reason, Abyei participants often speak of the need to have international monitors involved in the elections and to have Ngok residing in other areas return home, thereby increasing the number of potential Ngok votes and lessening the opportunity for 'Arabs' to divide and conquer.

14. **Many Funj, Uduk and Nuba participants mistakenly believe they will be given an opportunity to vote in a referendum on self-determination, and even those who know otherwise often speak of creating an autonomous or independent state. Abyei participants understand correctly that they will vote in a self-determination referendum, the result of which all predict will be a decision to join Bahr El Ghazal/Warrap State.** Confusion over the details of the self-determination referendum described in the CPA is commonplace in Blue Nile and Southern Kordofan. Many Funj, Uduk and Nuba participants assume that, like their 'brothers in the South,' they will be voting in a referendum that allows them to define their political future. Those who are aware that a referendum will not be held in Blue Nile or Southern Kordofan appear, nevertheless, to hold out hope that they will be able to create an independent country or autonomous state within Sudan. Abyei participants are thankful they will be deciding their own political fate through a referendum similar to that in Southern Sudan. All say there is no doubt about the verdict that will be delivered by the people during that vote - Abyei will opt to join Bahr El Ghazal/Warrap State rather than maintain its special administrative status in the North.

15. **International monitors in Abyei are viewed as incapable of protecting citizens and ineffective at documenting peace agreement violations by 'Arabs.' Some participants believe that certain actions by UN agencies are confirmation of their support for 'Arabs.'** The presence of international monitors in Abyei has not lessened tensions in the area, according to participants. Largely seen as weak and powerless, the monitors are criticized for failing to improve insecurity or arrest those who have caused it. The major concern about monitors, however, centers on the geographic limitation of their coverage. The monitors are reported to have been repeatedly prohibited from traveling to northern Abyei, and participants view their monitoring of only southern Abyei as unfair, one-sided and damaging to the spirit of the CPA.<sup>11</sup> In addition, some participants believe that UN agencies in Abyei have a bias toward 'the Arabs.' Some say that employees of the agencies are primarily 'Arabs'. Others blame the UN's tendency to require the participation of both Ngok and Misseriya in its programs, even though these programs are in Ngok areas. What these participants say they find most troubling, however, is the UN agencies' aiding and abetting of the Misseriya in their effort to settle in Ngok areas.

16. **Many participants point to the presence of multiple armed forces in Abyei as damaging to the long-term prospects for peace and as a clear violation of the CPA.** Within the Abyei area, there are four major armed groups: the SPLA (Sudan People's Liberation Army), the SAF, the SSUM (Southern Sudan Unity Movement)<sup>12</sup> and the *Shahama*.<sup>13</sup> There is also a Joint Integrated Unit (JIU) comprised of forces from both the SPLA and the SAF. Abyei participants describe the SAF presence as yet another violation of the CPA and say that its continued presence is a sign that northern elements in the national government are not serious about peace. Even the JIU that participants recognize as a rightful armed force in Abyei is derided as not living up to the spirit of the CPA because it is not a truly joint effort. Of most concern to participants, though, is the existence of the SSUM and *Shahama* militias, which all believe to be supported by and, some say, under the command of government forces. The view of many is that the government is keeping the militias armed and trained in preparation for renewed conflict.

<sup>11</sup> Information from NDI staff on the ground in Abyei indicates that, at various times, a ban on the movement of the UN Verification and Monitoring force has been imposed by both sides, restricting movement both north and south of Abyei town. However, the ban on moving south has only been an occasional restriction, unlike that reported for moving north.

<sup>12</sup> The SSUM is reported to be a local militia composed of Southern Sudanese and some Misseriya.

<sup>13</sup> *Shahama* is reported to be a local militia composed of Misseriya.



17. **Though they disagree with the placement of the Ngok-Misseriya border, most Ngok participants say they will abide by the boundaries defined in the Abyei Boundaries Commission (ABC) report. Creation of a shared rights zone, called the Goz, is misinterpreted by some as a prohibition on Misseriya moving and grazing their cattle seasonally in Abyei.** The ABC placed the border between Misseriya and Ngok in the middle of the Goz, an area where the Commission declared that both groups share secondary (seasonal) rights to the land but neither has dominant (permanent) rights.<sup>14</sup> Despite their disappointment at the loss of territory believed to be theirs, Ngok participants say the recommended Ngok-Misseriya boundary will be honored in recognition that negotiation requires compromise and in appreciation of the SPLM's efforts. The ABC's decision to create the area of shared rights between the Ngok and the Misseriya in the Goz is generally viewed as a good one. Some participants, however, believe the creation of this zone will prevent Misseriya entering Ngok land at all, a belief that is incorrect according to both the Abyei Protocol and the ABC report. Participants who hold onto their mistaken beliefs about the seasonal movement of Misseriya in Ngok territory predict there will be problems if Misseriya violate the Goz border. Other participants understand that Misseriya retain their seasonal rights to move and graze their cattle in Abyei. They too, though, predict problems if there are not agreements relating to all routes, timeframes and grazing locations for Misseriya movement across Ngok land.

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<sup>14</sup> Abyei Boundaries Commission Report, Part 1, pp. 21-22.

## PRINCIPAL FINDINGS

Much of the border area between northern Sudan and southern Sudan was the site of intense fighting during the 21-year conflict but not simply because it was the geographic boundary between the two regions. Popularly known as the Three Areas<sup>15</sup>, Abyei, Nuba Mountains and Southern Blue Nile<sup>16</sup> are also resource-rich regions, and where the predominantly ethnic 'Arab' cultures and the predominantly ethnic 'black African' cultures of the Sudan meet. Because of their unique role as geographic, social, and political lynchpins in any sustained peace, separate protocols were agreed to for Abyei and for Southern Kordofan and Blue Nile during the Comprehensive Peace Agreement (CPA) negotiations. Many observers believe the Three Areas are a bellwether for the health of the CPA and its ability to bring permanent peace between the North and South. If the CPA fails in the Areas, the chances for it succeeding overall are greatly reduced. For this reason, NDI conducted a series of 41 focus groups in 16 locations across the Three Areas from April 26 through July 2, 2006 to determine whether the CPA is addressing, and resolving, the core causes of the conflict in those areas.

1. **Frustration is high among Funj, Uduk and Nuba populations of Blue Nile and Southern Kordofan states that one of the primary causes of the conflict - disparity in development - has not been addressed by the implementation of the CPA, although the 'small changes' brought by peace are not discounted. Conversely, while there is a small amount of disappointment in the pace of development, 'Arab' populations of Blue Nile and Southern Kordofan are more likely to perceive the current situation positively and appear to accept peace itself as an appropriate reward.**

Funj, Uduk and Nuba participants express extreme disappointment over what they describe as a lack of change (and in some cases even a worsening) in their lives and communities since the signing of the peace agreement. Disparity in development is highlighted as one of the primary causes for the conflict (see #7 below), and so participants expect the solution to that conflict to address this disparity. In fact, they see a one-to-one relationship between development and peace - the *raison d'être* for peace is to bring development. A peace without the realization of the dividends people believe are owed to them in the CPA is simply not an acceptable one for most. Further, the perceived lack of progress in development resurrects memories of past mistreatment and greatly diminishes hope that a permanent solution to the conflict has been found.

*Up to now, nothing has changed anywhere at all.* (Funj Man, Diem Monsour)

*There is nothing new here. We are still in the same way as we were during the war.* (Nuba Male Youth, Murta)

*We don't understand this peace because this peace was made in order to bring development in the areas, but up to this moment we did not see anything taking place.* (Funj Woman, Roseries)

*It [the current situation] is not okay because there are shortages of water, food, no roads. Yet all these things are supposed be made available to the people of Southern Blue Nile.* (Uduk Male Youth, Kurmuk)

*We were having hope, but now our hope is not there because nothing is done for the development.*  
(Older Nuba Man, Tima)

The cessation of the conflict, in and of itself, has demonstrably altered people's daily lives for the better, and Funj, Uduk and Nuba participants readily point to key changes, citing more freedom, increased security and greater movement as particularly cherished gains.<sup>17</sup> Participants living near larger towns such as Kurmuk and Kadugli also appreciate the opening and expansion of markets, which has increased access to, and some cases lowered the prices of, critical goods. However, the improvements cited by participants in these areas are most often spoken of as 'small changes,' and discussion of these positive aspects of peace often ends with the declaration, "but there is no development."

<sup>15</sup> During negotiations of the Comprehensive Peace Agreements, the Areas were referred to as the "Three Transitional Areas."

<sup>16</sup> Per the CPA, Nuba Mountains is part of Southern Kordofan state and Southern Blue Nile is part of Blue Nile state.

<sup>17</sup> The exception to this was among some groups in Tima in Southern Kordofan. There appears to be an insecurity issue specific to that area. Participants in these groups spoke of Janjawiid, armed nomads and unexplained killings as adversely impacting freedom, security and movement.

*We are free since the peace had been signed.* (Funj Woman, Diem Monsour)

*Now things are changed because these days we don't hear the gun shots, and we are moving freely, visiting our brothers and sisters in different places unlike that time of war.* (Uduk Woman, Damazine)

*There is not much change, only small changes...only that arms are put down and people are moving from place to other unlike before during war time.* (Nuba Man, Tima)

*Things are going well because the fighting is over, but there is no development anywhere at all.* (Funj Woman, Kurmuk)

In contrast to Nuba, Funj and Uduk participants in Blue Nile and Southern Kordofan, participants in the solely and predominantly 'Arab' groups in those states are generally positive about changes in their lives and communities since the signing of the CPA. Many of the same improvements in daily life - free movement, an end to killing, improved security, expansion of markets - cited by 'black African' populations are echoed in the predominantly 'Arab' groups, but clearly 'Arab' participants interpret these improvements differently and place far greater value on them. Indeed, 'Arab' populations appear to view an end to hostilities as the expected dividend of peace. For them, peace is simply an end to conflict and is not linked to expectations about righting past wrongs. Participants in the 'Arab' groups look at the same situation as participants in the 'black African' groups but see something completely different - a bright future and even a bit of development.

*The CPA agreement is in fact moving to the fulfillment of [our] dreams.*  
(Male University Student from Arab-Funj Group, Damazine)

*Things are moving in the right direction. There is peace. No more killings. People can now move freely.*  
(SK<sup>18</sup> Arab Woman, Lagawa)

*There are changes especially in the security, whereby everybody moves from place to another freely. We are also seeing things coming up like schools.* (SK Nomadic Arab Man, Lagawa)

*There is some development...There is a bit of justice. We have farms...The roads, water, schools, and hospitals are improving.* (Three SK Arab Women, Um Serdiba)

*There are NGOs which are working [building classrooms], and they are helping in the side of education. There is some kind of assistance in terms of teachers from the side of the government. Also, grain mills have come and the government has drilled three boreholes in the Kurmuk and Bowa areas.* (Woman from an Arab-Funj Group, Gassam)

Nuba, Funj and Uduk participants express a strong sense of betrayal over the lack of development. While participants in the predominantly 'Arab' groups do not share these feelings, they are disappointed by the low level of development since the CPA. Everyone - both 'Arab' and 'black African' participants - feels that development is a critical need, but the difference is that, for 'Arabs', the development issue is not tied to past grievances and so it does not have the emotional weight it does for 'black African' participants.

*Things are moving in the right direction, though it is too low, but at least we are moving towards the bright future.*  
(SK Arab Man, Lagawa)

*I myself I am supporting the government of Sudan, but I am not happy about what they are doing. I prefer to change the leaders because there is no development.* (Older Man from Arab-Nuba Group, Roseries)

*Things are going on in the right direction, only we need development in the area.* (SK Nomadic Arab Man, Lagawa)

*This peace is okay. At the moment we want organizations to offer some development so people will feel this CPA brought some changes.* (Woman from Arab-Funj Group, Gassam)

<sup>18</sup> SK is an abbreviation for Southern Kordofan.

2. **Continuing insecurity and delay in the formation of an Abyei Administration lead most Dinka participants to reject the idea that the CPA has brought peace to the area.**

Abyei's position on the border between northern and southern Sudan, its potential for oil production and its designation as the only one of the Three Areas with a self-determination option raises the stakes for peace higher there (at least in the short term) than anywhere else in the South or the Three Areas. Thus, the Dinka in Abyei voice a great desire and hunger for peace. As one participant says, "We welcomed peace because we are at the frontline, at the mouth of death."<sup>19</sup> Yet, while 'black African' participants in Blue Nile and Southern Kordofan complain that nothing has changed and question the value of the peace, most Dinka participants in Abyei reject the idea that peace itself exists. A key reason for this feeling is the disarray in the government structure in Abyei. Multiple authority structures controlled by competing groups and the delay in the formation of an Abyei Administration as defined in the CPA are, to participants, proof that peace has not reached the area. This conclusion is reinforced by the progress participants see in the establishment and functioning of governments in the Southern Sudan, Blue Nile and Southern Kordofan and by the participants' perception that the ruling NCP is actively working to derail a peaceful resolution to the Abyei issue.

*Since the signing of the CPA, a wind of peace never blew in Abyei.* (Dinka Ngok Chief, Abyei)

*If the Abyei Chief Administrator was appointed, we would feel there is peace. But this situation will take us back to war.* (Man from Dinka-Misseriya Group, Today)

*You cannot have three governments in one area, a small area with three governments. There are SAF, SPLA, SSUM and Shahama, so they are four. Can you talk of peace in such an area? There is no peace in the area.* (Older Dinka Ngok Man, Agok)

*Other regions of Southern Sudan (Equatoria, Upper Nile and Bahr El Ghazal) and the two areas of Southern Blue Nile and the Nuba Mountains have formed their government, but the Abyei government has not been set up yet and we are approaching two years since the CPA was signed. So this is what is making us doubt if real peace has come to Abyei.* (Dinka Man, Awolnam)

*We feel that the members of the NCP in the North don't want the Ngok people of Abyei. We feel that the northern government has rejected us. If they liked us, they would form the government of Abyei and place it under Presidency in Khartoum. The fact that they refused to form the Abyei Administration shows they don't want us Ngok people of Abyei; they only want the land.* (Dinka Ngok Chief, Abyei)

Contributing to Dinka participants' belief that peace does not exist in Abyei is a perception of chronic insecurity in the area. Participants in Blue Nile and Southern Kordofan often point to security and stability as the greatest benefit of the peace thus far. The majority of Dinka participants in Abyei say they have yet to enjoy even this most basic of peace dividends and so question how, without security, it can be said that there is peace. The issue of security is also linked with the delay in the formation of the Abyei Administration, with many indicating that they believe an Abyei government - as prescribed in the CPA - would resolve the insecurity issue.

*There is insecurity in Abyei. People are still being murdered in the forests. We wonder that peace has been signed and our people are still dying.* (Dinka Man, Awolnam)

*People are still being killed on the way, and they say there is peace. Women are still being raped, and they say there is peace.* (Man from Dinka-Misseriya Group, Today)

*Our people are being murdered and murderers are not being questioned. How can we guarantee peace in such a situation?* (Dinka Ngok Woman, Agok)

*We have seen stability in other areas but not in Abyei. And it is the lack of an Abyei Administration that is causing this entire problem.* (Dinka Ngok Chief, Abyei)

*These extra armed groups that are said not to be part of the SPLA nor SAF are threatening our life. If the Abyei Administration was in place they would have been removed away from the Abyei Area.* (Dinka Ngok Woman, Abyei)

<sup>19</sup> Quote is from a Dinka woman in Awolnam.

The few participants who are willing to consider the existence of peace in Abyei speak of it in conditional terms as a 'relative peace.' Even for these, continuing insecurity means that, at best, the peace is an uneasy one.

*Though peace has been signed, we should not relax. We need to be on alert and vigilant all the time. It is true there is a relative peace, but there is still fear.* (Dinka Ngok Woman, Agok)

*Before the signing [of the CPA], people were being killed openly, but after the signing the killing of the people openly got stopped, though death is still going on.* (Dinka Woman, Today)

*We are back to our villages - but we hardly go to Abyei town [due to insecurity] - because we are enjoying this relative peace that was brought by Dr. John Garang.* (Dinka Man, Awolnam)

Without a government they view as legitimate or significant improvements in security, Dinka participants in Abyei feel they have yet to reap any benefits from the signing of the CPA. This lies in stark contrast to Southern Sudan, Blue Nile and Southern Kordofan, which they believe are taking significant strides forward with the formation of governments, a greatly improved security situation and the initiation of development. The comparison between what is happening in Abyei versus other areas covered by the CPA makes participants feel marginalized.

*The Ngok never rested since Anyanya 1 up to now. Ngok are still suffering. Ngok are still being killed. They got stranded in the middle - between the North and the South. We still don't have a governor. South Sudan, Southern Blue Nile and Nuba Mountains have settled - are we not part of the agreement? We are part of Sudan's CPA!*  
(Dinka Ngok Chief, Abyei)

**3. Violent acts attributed to 'Arabs' and 'government'<sup>20</sup> actions interpreted as deliberate provocation, including alleged collaboration with local militias, lead to a fatalistic view among Dinka participants that Abyei is inescapably headed toward renewed conflict.**

Participants paint a grim picture of the current atmosphere in Abyei and of the potential for a lasting peace. Tensions between the Ngok Dinka population and those who participants refer to as 'the Arabs' are extremely high, and almost all describe a situation that is progressively deteriorating. There are ubiquitous reports of threats, harassment, and killings attributed to 'Arabs,' and certain government actions - such as the restrictions placed on the movements of international monitors and the continued presence of Sudanese Armed Forces (SAF) troops in Abyei - are viewed as equally ominous. Whether official or unofficial, all of these acts are interpreted by the Dinka participants as deliberate and organized provocation by the northern elements in the national government. It is widely believed that these forces are trying goad the Dinka population into war. Participants say the only thing that is keeping them from returning to fighting is self-restraint based on the knowledge that they would be giving the 'Arabs' what they want.

*Why are we saying the situation is deteriorating in the Abyei area? It is because the international monitors are not allowed by SAF to go to northern Abyei. The fact that they are being prevented from going to northern Abyei is an indication that there is something fishy going on there.* (Dinka Ngok Woman, Abyei)

*Our people are still in fear in the villages because sometimes Arabs come and ask them, 'Why do you build houses [when] you will not stay?'* (Older Dinka Ngok Man, Agok)

*After the signing of CPA, we felt that real peace has come, and the coming of the SPLM delegation to open a SPLM office in Abyei was proof. But now the situation is worsening because the government is using militias against us.*  
(Dinka Male Teacher, Abyei)

*Recently, we lost nine people in the Abyei Area. It is the Arabs who hired some Southerners to kill them. Arabs are provoking us to go back to war, so that the Ngok people will be blamed for taking people back to war...We are only restraining ourselves; otherwise, we should fight them again.* (Two Dinka Ngok Men, Agok)

<sup>20</sup> Participants use the terms 'Arabs,' 'government' and 'Sudanese government' in reference to the National Congress Party. While there is now a Government of National Unity with significant Southern Sudanese participation, people in the focus groups were clearly referring only to what they would say is the 'northern' or 'Arab' part of the government.



A pervasive fatalism is present throughout the groups with Dinka participants. Most believe war to be on the horizon. Comparisons to Darfur and the actions described above lead most to conclude that northern elements in the national government do not want peace in Abyei. Even more disturbing is the continued presence of SAF troops and what Dinkas describe as SAF collaboration with local militias - actions that lead participants to believe that the government is actively preparing for war. This leaves few with hope for a peaceful resolution to the Abyei issue. This is demonstrated in the chart below in which only one group of participants indicates that Abyei is closer to permanent peace than it is to a return to conflict.<sup>21</sup>

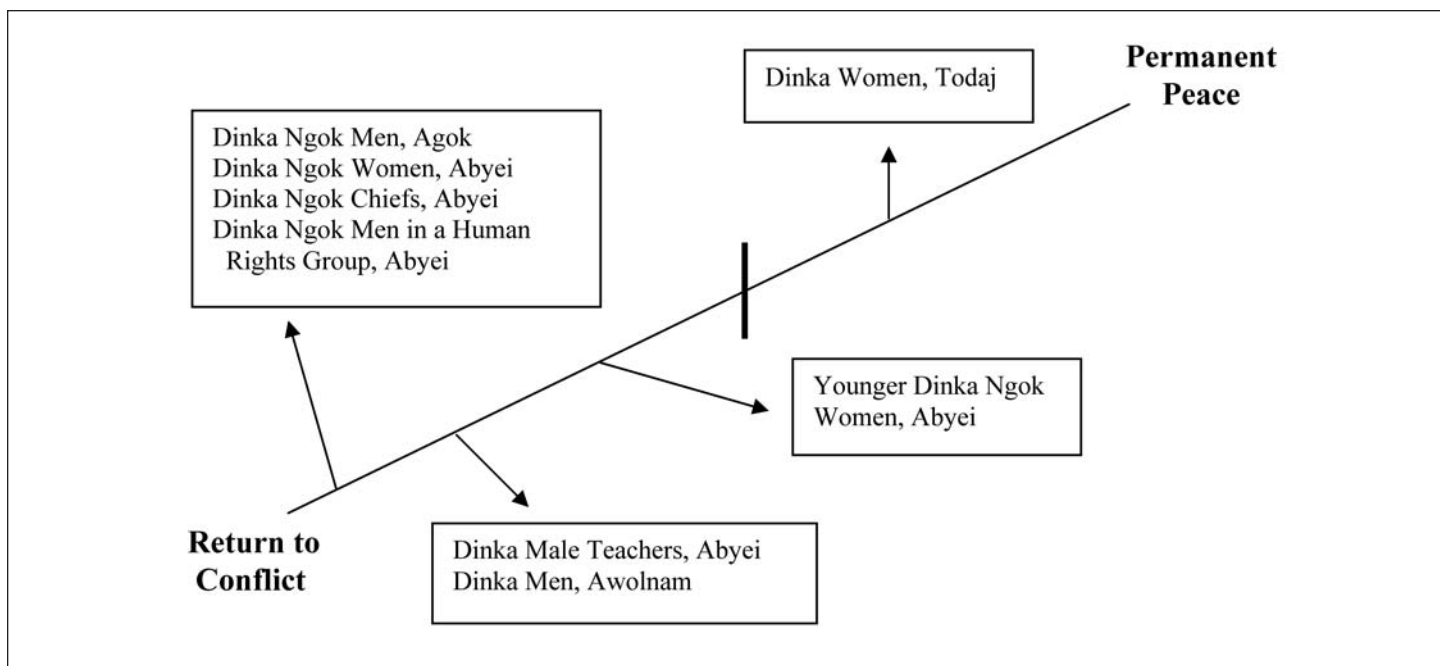
*The issue of Abyei now is similar to what is happening in Darfur. The Sudanese government does not want peace in Sudan. If it does want peace in Sudan the issue of Darfur would not have been like that... so our situation in Abyei is very bad.* (Older Dinka Ngok Man, Agok)

*Arabs want war, and we the civilians know that war is imminent. We should be preparing ourselves because NCP is preparing for war...What is just left now is the destruction of Abyei. Arabs are going to destroy it.* (Two Dinka Ngok Chiefs, Abyei)

*We expect an attack one day from Arabs who are in northern Abyei.* (Dinka Male Teacher, Abyei)

*Sooner or later war is going to break out in Abyei. We will start fighting with these armed groups...It is because there are incidents of killings in Abyei on almost a daily basis; that is why we say there will not be a permanent peace in Abyei.* (Dinka Ngok Woman, Agok)

*What will happen is going back to war in Abyei...If the Abyei government has not been formed then nothing has been done. What can we do? If they don't care, then we will spoil this peace. Our people cannot just be systematically killed and we are just watching and our administration is not coming.* (Dinka Ngok Man, Agok)



4. With little knowledge about the CPA, participants in Blue Nile and Southern Kordofan<sup>22</sup> judge implementation of the agreement to be almost non-existent and profess to have lost faith in the agreement as a solution for lasting peace. In assessing their current situation, therefore, most Funj, Uduk and Nuba participants indicate their states are close to a return to conflict.

Participants in Blue Nile and Southern Kordofan, including those in predominantly 'Arab' groups, display very little knowledge of the CPA. When asked about the CPA protocols covering the two states, only a handful of participants are

<sup>21</sup> In this exercise, each participant was asked to make a mark on the line based on their opinion of how close or far Abyei was to permanent peace or a return to conflict. The chart in this report is an approximation of each group's opinion based on where all of the participants made their marks.

<sup>22</sup> See appendix E for the full text of the CPA protocols that are relevant to Southern Kordofan, Blue Nile, and Abyei.



able to provide any specific information. A few better-educated participants in or near larger towns can speak of aspects such as power-sharing but even then the knowledge is thin, usually limited to the sharing of the governorship between the SPLM and the NCP.

In the absence of information, the CPA is, for almost all Funj, Uduk and Nuba participants, about only two things: equality and development. Judged solely on this basis, participants say the CPA is a failure thus far. Most Funj, Uduk and Nuba participants place progress in the implementation of the CPA since its signing in January 2005 in the range of 0-20 percent. Participants in the predominantly 'Arab' groups rate the implementation of the CPA somewhat higher than 'black African' groups, but still express disappointment at its low level primarily due to the slow progress in development.

*What does the CPA say about Blue Nile state? We don't know what it says. Since that time, there [has been] no information about the CPA or briefing from our leaders. (Funj Man, Jarot)*

*All what we know is that it [the CPA] is development...It is new schools, hospitals, good houses. (Two Nuba Women, Lado)*

*It [implementation of the CPA in Southern Kordofan] is at just 5% because we only put down our guns and there is no more fighting. (Older Nuba Man, Tima)*

*The CPA was an agreement on many issues, but these seem to have remained on the paper only because we can see nothing it has done anywhere. (Funj Man, Damazine)*

*The CPA has not been implemented fairly in Southern Kordofan because there is still discrimination and no development. (Nuba Woman, Murta)*

Previous research<sup>23</sup> revealed that people in the Three Areas were unhappy with the pace of implementation of the CPA and beginning to question the agreement's ability to bring lasting peace to the region. That opinion now seems to have solidified in Blue Nile and Southern Kordofan, where the delay in the implementation of the CPA - which is defined by participants primarily in terms of a lack of progress in development - is causing most to see the CPA as flawed. During an exercise in this study, participants were asked to choose one of three statements: (1) the CPA is a good agreement that will lead to lasting peace [in this state]; (2) the CPA is a bad agreement that will eventually fall apart and lead back to conflict [in this state]; or (3) The CPA is an agreement that has both good and bad parts but is our best chance to maintain the peace [in this state]. Notably, the majority of 'black African' participants disregard the middle ground third choice and instead state unequivocally that the CPA is a bad agreement that will lead to conflict. In contrast, 'Arab' participants' faith in the CPA appears relatively solid, with most saying the CPA can bring long-term peace. For this population, the desire for more development does not cause any questioning of the value of the CPA because, for them, the main benefit of the CPA - peace - has been achieved.

*The CPA will not last because the implementation is not locked into place. It is useless. (Funj Man, Damazine)*

*This peace [CPA] will lead us to war. Everything was stated in the CPA agreement for the citizens to get what they wanted, but now we are seeing that nobody can give us our rights apart from our guns. (Nuba Man, Lado)*

*This is a bad agreement. Nothing is being done. (Funj Woman, Kurmuk)*

*This peace was forced, and it is not real peace. It will lead to war. (Nuba Returnee Man, Tima)*

*We agree it [the CPA] is flawed, and it is the problem because it has not solved our problems. We are still suffering. Things are becoming difficult. (Nuba Woman, Lado)*

*[The CPA is a good agreement] because we are trying to keep the peace in the country and move on with the development. (SK Arab Man, Lagawa)*

The delay in the implementation of the CPA (as defined by participants) combined with the loss of faith in the CPA as a permanent solution for peace, drives 'black African' participants in Blue Nile and Southern Kordofan to think about the consequences of the failure of the CPA. Most often these thoughts are expressed in some form of a prediction for a return to war. Currently, the majority of participants qualify their statements by saying "if" the CPA is not implemented

<sup>23</sup> See the NDI report *Searching for a Path to Peace: Reaction to the Death of John Garang and One Year of the CPA*.

there will be war. Nevertheless, it is noteworthy that in the charts below a large majority of 'black African' groups indicate they are much closer to a return to conflict than they are peace. This is particularly striking when compared to the chart from Abyei, where violence is not uncommon and day-to-day tensions are much higher. In Southern Kordofan, all the groups place the state very close to a return to conflict except for 'Arab' groups and three Nuba groups that were conducted near a large town (Kadugli). In Blue Nile, all of the groups except one indicate the state is closer to a return to conflict than to peace and that group's participants were a mix of 'Arab' and Funj.

*What I can say is that if there is no development and implementation of the CPA, I am sure that we will go back to war, and this CPA will not be a lasting peace in the region and in Sudan as a country.*

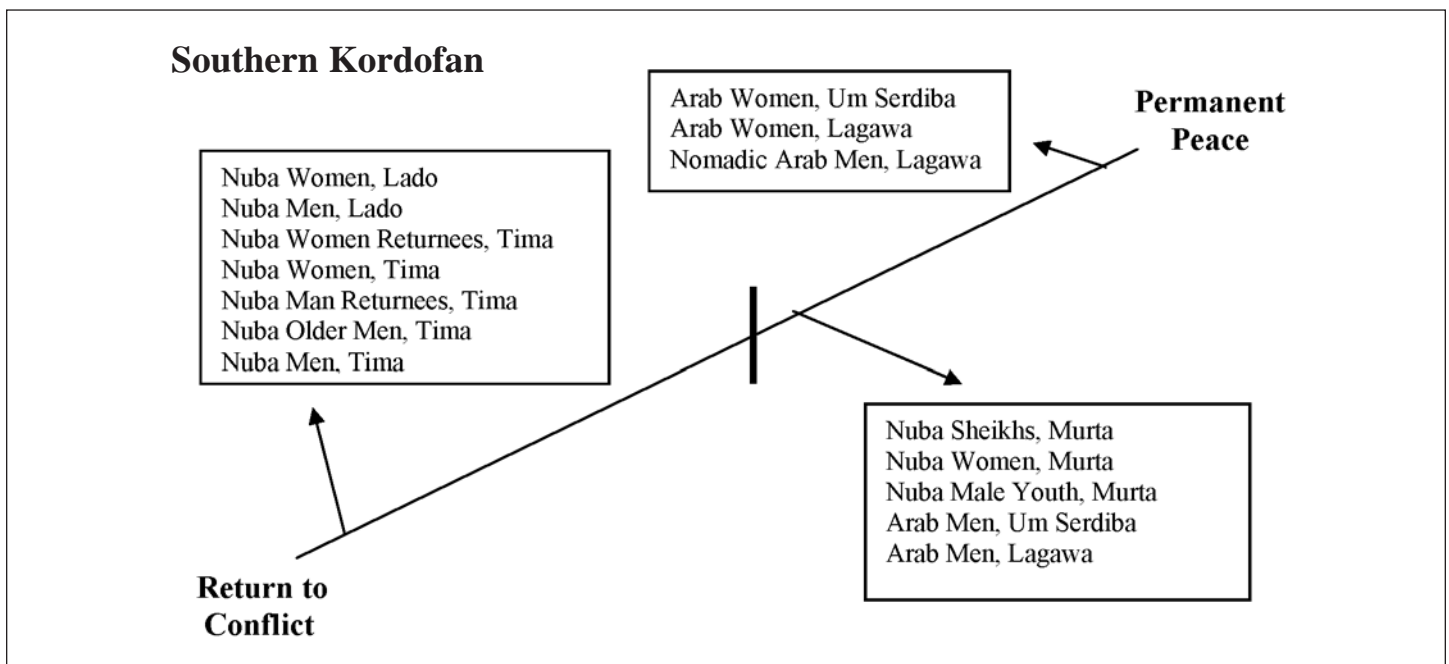
(Male University Student from Arab-Funj Group, Damazine)

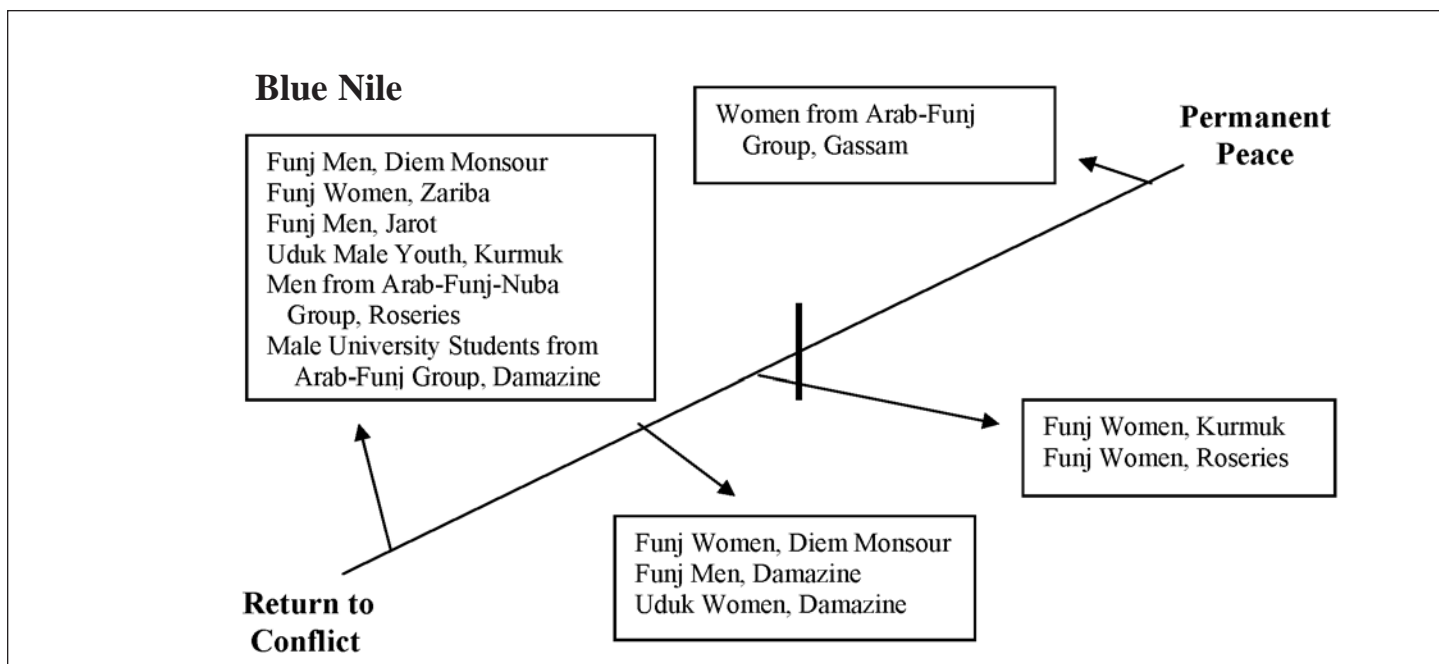
*If the CPA is implemented, there will be no problem, but if not, fighting will continue.* (Funj Man, Jarot)

*People will fight if the CPA is not implemented. Unless people see what the CPA had talked about there will be nothing other than war.* (Funj Woman, Kurmuk)

*There has been no development since the signing of the CPA. This is the thing that made us to carry guns and fight.* (Older Nuba Man, Tima)

*This CPA will not bring permanent peace in Southern Blue Nile instead [there will be] war because there is no implementation going on since it was signed.* (Funj Man, Diem Monsour)





5. Abyei participants are well-informed about the provisions of the CPA, and, although there is anger at delays in implementation, participants continue to have a positive opinion of the agreement because the NCP, and not the agreement itself, is blamed for those delays.

In contrast to the findings in Blue Nile and Southern Kordofan, participants in Abyei demonstrate detailed knowledge of the CPA and more specifically of the Abyei Protocol. There appears to have been a more organized effort in Abyei to disseminate information on the CPA than in the other two Areas. Most participants have at least some knowledge of almost every part of the Protocol, from dual citizenship provisions, to oil revenue sharing, to the Abyei Boundaries Commission. The most well-known aspect of the Protocol is, not surprisingly, the right to self-determination through a referendum.

*The Abyei Protocol was explained by the Ngok educated people to all Ngok, and it is clear now to all Ngok, even the uneducated Ngok have understood it. (Dinka Ngok Chief, Abyei)*

*The CPA says Ngok will have dual citizenship of [Southern] Kordofan and Bahr El Ghazal. After that, there will be an Abyei Referendum whereby Ngok people will vote to decide the future of their area. (Dinka Ngok Female Youth, Abyei)*

*According to the Abyei Protocol, Ngok will be represented in Southern Sudan and Southern Kordofan. It also gives us 2% from Abyei oil revenue. (Dinka Ngok Chief, Abyei)*

*The Abyei protocol says that Abyei is the homeland of the nine Ngok Dinka chiefdoms and talks about the Abyei Boundaries Commission (ABC), which has defined the Ngok-Misseriya boundaries. We, the Ngok people, recognize all what has been agreed upon, though it has not been implemented. (Dinka Ngok Woman, Abyei)*

*[In the CPA,] Abyei has two choices: either Abyei remains in the North or it goes back to the South. (Dinka Ngok Man from a Human Rights Group, Abyei)*

Because of the failure to enact certain provisions of the Abyei Protocol, such as the establishment of an Abyei Administration, it is acknowledged that implementation of the CPA has fallen behind in the Area. Thus, most participants in Abyei say that the progress that has been made in the implementation of the CPA is in the range of 0-20 percent, similar to the findings in Blue Nile and Southern Kordofan. Unlike participants in those states, however, the vast majority of Abyei participants retain a positive opinion of the CPA, saying either that they believe it is a good agreement or that, although an imperfect document, it still represents the best chance for peace.

This finding - the apparent discord between Abyei and the other states in how the CPA is perceived - is a perplexing one; after all, the shortfalls in the implementation of the peace agreement are more clearly discernable in Abyei than in either Blue Nile or Southern Kordofan. The reason for this discrepancy appears to be the greater knowledge Abyei participants

have of the CPA and specifically the Abyei Protocol. Since participants generally support the provisions in the CPA as they know them, they instead focus on its slow implementation, for which they blame the 'Arabs' and the NCP.

*Its [the CPA's] problem is the lack of implementation especially in Abyei. (Dinka Ngok Female Youth, Abyei)*

*The CPA is just like a book of compassion for the whole of Sudan. It has given everybody their rights. But this CPA is almost being polluted...Arabs are making these delaying tactics deliberately. They don't want to implement the Abyei Protocol. (Two Dinka Ngok Men from a Human Rights Group, Abyei)*

*The agreement [the CPA] is good; it has benefits for us. But NCP does not want our people to get the benefits that are stipulated in the CPA. (Dinka Ngok Chief, Abyei)*

**6. Abyei participants interpret the language on residency in the Abyei Protocol to mean that only Ngok Dinka can serve in the local administration and only Ngok will vote in Abyei elections. In fact, the Abyei Protocol provides a process for determining the legal criteria for residency, but does not define residency itself.**

Many aspects of the Abyei Protocol are correctly interpreted by participants. Participants properly recite the definition of Abyei as "the area of the nine Ngok Dinka chiefdoms transferred to Kordofan in 1905," and accurately depict the Protocol's provisions on Abyei's special administrative status, dual citizenship and wealth-sharing. (Abyei Protocol of the CPA, 1.1.2, 1.2, 1.2.1 and 3.16 respectively)

However, on two key aspects of the Abyei Protocol, a significant number of participants attribute more precision to the Protocol than it provides. First, it is not uncommon for Ngok Dinka participants to speak about the Protocol supporting an interim Abyei government made up exclusively of Ngok. The Protocol addresses the interim government issue by stating only that members of the administration will be appointed by the Presidency pending elections and that the administration should be "representative and inclusive of residents of the area." (Abyei Protocol, 2.2 and 2.3). In addition, a number of participants believe the Protocol ensures Ngok-only participation in Abyei elections.

Both of these issues hinge on the definition of residency. The Protocol states that "members of the Ngok Dinka community and other Sudanese residing in the area" are residents, but goes on to say that residency criteria "shall be worked out by the Abyei Referendum Commission" (Abyei Protocol, 6.1 (a) and 6.1 (b) ). However, it is likely that participants' beliefs about residency are based not only in their interpretation of the Protocol but also their experience with customary laws that define administrative structures and residency based on territory. The Protocol defines the territory of Abyei as the "nine Ngok Dinka chiefdoms transferred to Kordofan in 1905" and, with such a definition combined with current practices and customary law, some participants see the residency issue as already resolved.

*The Abyei Protocol says that Abyei is the homeland of the nine Ngok Dinka chiefdoms...It says Abyei will have a self-rule government and will be ruled by the nine Ngok chiefdoms only...There are other residents. These other residents do not have a right to participate in the Abyei Administration. (Two Dinka Ngok Women, Abyei)*

*We were told that it has been agreed in Naivasha that the Ngok Dinka of Abyei would rule themselves for six years of the interim period...In the Abyei Protocol there was no mention of a partnership in the formation of the Abyei Administration between the SPLM and NCP. It was not written like that. (Dinka Ngok Chief, Abyei)*

*In the peace agreement, it is only the Ngok sons or daughters who can participate in the Abyei government. He or she can be a member of the NCP, but the participation of an Arab is not possible. We cannot accept that. (Dinka Ngok Man, Agok)*

*If they are not Ngok, they cannot vote. It is only Ngok who are eligible to vote. There are now many people in Abyei who are not Ngok. They cannot vote. (Dinka Ngok Female Youth, Abyei)*

Similar to the residency issue, Ngok participants have definitive ideas about the requirements of citizenship in the Abyei area. The only qualification for citizenship accepted by most is a connection by birth to one of the nine Ngok chiefdoms<sup>24</sup>. Some participants would also grant citizenship to non-Ngok who have lived in the area a long time and have been accepted by one of the Ngok chiefdoms, but this applies almost exclusively to other Dinka not to Misseriya. All other people in the area who do not meet these criteria are deemed by participants to be merely residents who, as such, do not

<sup>24</sup> Note that in the April 12, 2005 decision setting out the mandate of the Abyei Boundaries Commission states that "Regardless of the outcome of the exercise of defining and demarcating the boundaries, the local communities will share the benefits of the land, including oil and pasture, be citizens of both the north and south and live in peace and harmony." [Emphasis added.] Abyei Boundaries Commission Report, Part 2, p. 23.

possess the same rights as citizens. According to the Ngok, non-citizen residents can access basic services, such as health care and schools, but do not have the right to own land, vote or participate in government.

*Residents of Abyei are the non-Ngok who come from areas out of Abyei, such as Dinka Twic, Dinka Rek, Dinka Malual and the Misseriya. Whether they stay for a short or a long period, they cannot be considered citizens of Abyei.*  
(Dinka Woman, Today)

*We go to hospitals [in Khartoum] for treatment, and we have limited rights. The same with the Baggara<sup>25</sup> in Ngok land. Their children can go to our schools and hospitals here in Abyei, but they should know that it is not their land. Our 'Ngokness' is in our blood, and Abyei is ours.* (Dinka Ngok Woman, Agok)

*It is already defined in the CPA that Abyei is the homeland of the nine Ngok Dinka chiefdoms; therefore, they are citizens of the Abyei areas. The rest who are non-Ngok are residents.* (Dinka Male Teacher, Abyei)

*Misseriya are residents and their rights are the basic social services, such as health care, schools and water. Citizens can possess land and can have permanent privileges in the area.* (Dinka Ngok Man, Agok)

*It is only Ngok who are citizens of Abyei. Therefore, it is only Ngok who will vote when the time of the Abyei referendum comes.* (Dinka Woman, Awolnam)

**7. According to participants, the CPA has yet to provide a resolution for key causes - discrimination, representation and development - of the conflict in Blue Nile and Southern Kordofan, leading many to predict that without intervention to address these issues a return to conflict is likely.**

During the groups, participants were asked to identify the primary causes for the conflict in Blue Nile and Southern Kordofan. Group members were first allowed to name any cause for the conflict they wished, before being asked to choose and rank causes from the following list (also see Appendix D for pictorial representations):

- Lack of development;
- Forced Islam & Shari'a;
- Lack of representation in government;
- Taking of customary land for mechanized farming;
- Arabization of the education system;
- Discrimination; and
- Taking of resources without compensation.

In the open-ended question, participants mostly list causes that are among these seven. 'Slavery' is the only cause added to the list by more than one participant. When, as a next step, participants weigh the importance of each cause of conflict from the list,<sup>26</sup> three causes emerge as the key factors in the conflict. By a large margin, participants say 'discrimination,' 'lack of representation in government,' and 'lack of development' - roughly in that order - are responsible for igniting the conflict in Blue Nile and Southern Kordofan.

*Discrimination [caused the conflict.] Why am I not to be president in Sudan? Why don't we have good houses? Why don't we have clean water? Why don't we have development? There are no schools and if there is, it is in Arabic.*  
(Older Nuba Man, Tima)

*The initiation of discrimination against the black Sudanese has played the great role in causing the civil war in Southern Blue Nile. Social services like schools were available to the children of Arabs only.*  
(Older Man from Arab-Nuba Group, Roseries)

*The complete absence of development in Blue Nile state led to the war.* (Funj Man, Diem Monsour)

*The war was also started in Southern Blue Nile because we were not represented in the government. All people who were in the government of Sudan were Arabs only and none were from the people of Southern Blue Nile.*  
(Uduk Male Youth, Kurmuk)

<sup>25</sup> Ngok use the term 'Baggara' interchangeably with 'Misseriya.'

<sup>26</sup> In this exercise, participants were given beads and asked to place those beads on the issues (depicted both in words and pictorially) they felt were most responsible for the conflict. The instructions were to place the greatest number of beads on the most important cause of the conflict, the second greatest number of beads on the second most important cause and so on until all beads were used.



*Lack of representation in the government, discrimination and lack of development were the major causes of the war.*  
(Nuba Sheikh, Murta)

In the view of 'black African' participants, the CPA has not helped resolve the primary causes of the conflict. (See Principal Finding #4 regarding the lack of knowledge of the CPA, which likely contributes to this perception.) A handful of participants begrudgingly note some minor improvements in certain issues, such as the taking of land and resources and forced Islamicization, but the vast majority insist that the CPA has been inadequate in addressing the key causes - discrimination, representation and development - of the conflict. Most participant suggestions for resolution of these issues are centered on a change in behavior by the 'Khartoum government,' although the SPLM and the international community are also called upon to intervene. Regardless of whose responsibility it is to act, participants believe that resolution of the key issues that caused the war is necessary to prevent a return to conflict.

*Nothing the CPA has put forward is the solution to the causes of the war.* (Funj Woman, Kurmuk)

*CPA did nothing about these [causes of the conflict]. The Khartoum government is not talking about these problems.*  
(Nuba Man, Tima)

*To have permanent peace in Blue Nile there needs to be a comprehensive plan for development to elevate people from poverty, fair representation in the government leadership and avoidance of discrimination against the poor black African Sudanese. If all of these are in place, then we will maintain our peace.* (Man from Arab-Funj-Nuba Group, Roseries)

*All [conflict issues] are important but if lack of representation in government, development and equality and justice are resolved it will bring peace in Southern Kordofan.* (Nuba Man, Lado)

*The Khartoum government should respect the CPA. The Khartoum government should give us our rights since we put down guns for these issues to be resolved peacefully, but if not we will resort to arms again.* (Nuba Man, Tima)

*No improvement in any of the issues [that caused the conflict]. That is why I am saying the fighting should start now because we put down our arms but nothing is done...Arabs will never solve anything easily, the gun can do that.*  
(Two Older Nuba Men, Tima)

*We don't want to fight, but if those things [causes of conflict] are not tackled, for sure, people will fight again.*  
(Funj Woman, Zariba)

**8. In certain parts of Blue Nile and Southern Kordofan, participants cite the uncompensated seizure of land and resources and friction with nomadic populations as key conflict causes and say they remain potential flashpoints.**

The conflict causes exercise reveals that certain issues are location-specific. These issues, though not cited as keys to the conflict by most participants, are critical ones in certain parts of Blue Nile and Southern Kordofan. Participants in those areas say that the taking of resources and land without compensation is not only a key factor in past conflict, but remains a hot button issue, having seen little or no improvement since the signing of the CPA. Because they are often seen as the instruments used to take land and resources and a cause of insecurity, nomadic populations and their relations with Funj, Uduk and Nuba are also highlighted as a potential source of conflict. Even though the taking of land and resources and relations with nomads are not as relevant in other parts Blue Nile and Southern Kordofan, Nuba and Funj participants throughout the two states understand these issues and have great sympathy for their counterparts in those areas. Thus, these issues, though of seemingly isolated importance, could serve as conflict flashpoints for the two states as a whole if not resolved.

*The taking of resources, such gum Arabic and gold, without compensation to the people [is a major cause of the conflict].*  
(Uduk Male Youth, Kurmuk)

*We are angry here in Nuba because Arabs are taking away our gum Arabic, which was supposed to be called Nuba Gum and are taking our land to be their own.* (Nuba Man, Tima)

*[For permanent peace,] they need to give back our land.* (Nuba Woman, Tima)

*They always come with their cattle without respecting the crop of people and when they are asked why have they done it, they fight with people. Recently, more than 17 people were killed and there was no action taken.*  
(Funj Woman, Kurmuk)



*The situation is bad with the nomads. It is bad because the nomads are killing people with the support of Khartoum government. Nomads are the very people taking our gum Arabic by force. They are the source of problems here.* (Nuba Man, Tima)

*Our children and women are getting killed by nomads, so we will have to stand and fight with them till they get out of our land.* (Nuba Man, Lado)

9. **According to Dinka participants, the history of relations between the Ngok and Misseriya in Abyei began as one of cooperation but progressively deteriorated with violations of local peace agreements and an escalation of fighting attributed to the national government's arming of the Misseriya. Resolution of the conflict, Ngok say, can only be achieved through a separation of the two peoples and a self-rule government, though few have faith that the 'Khartoum government' will allow peace to prevail in Abyei.**

Dinka participants report that they first had contact with the Misseriya when providing them refuge as they escaped conflict with other Arab tribes. Thereafter, Misseriya made dry-season trips into Ngok land to take advantage of abundant water and grass for their cattle. The first incident of conflict participants speak of is a story about Misseriya cutting off the hands of a Dinka Rek man and using them as drumsticks. Conflict between the two groups has continued on and off since that time. In the beginning, clashes between the two groups were relatively contained and resolved through traditional peace committees, although the Ngok memory is that the agreements were repeatedly broken by the Misseriya, which in turn led to a deterioration of relations. The Ngok also detail efforts by successive national governments over the years to aid the Misseriya with arms and material support in order to chase Ngok from their home areas. This outside interference resulted in an escalation of the conflict that could not be solved by traditional means.

*It started as cooperation with the Arab fugitives who were running away from their Arab brothers and sought help from Ngok Dinka.* (Dinka Ngok Chief, Abyei)

*According to what we heard from our fathers and grandfathers, the relation was based on cooperation. Misseriya would bring their cattle during summer for grazing and when the rains started, they would go back to their land.* (Dinka Ngok Female Youth, Abyei)

*The conflict between the two communities started, according to elders, when the Misseriya cut the hands of a person from Dinka Rek and used them as drumsticks.* (Dinka Ngok Man from a Human Rights Group, Abyei)

*Reconciliation between Misseriya and Ngok never lasted. It was always violated by the Misseriya. They violate peace when they come with their cattle to our farms and destroy them.* (Dinka Ngok Woman, Agok)

*During the Deng Majok era, the Misseriya used to bring their cattle for grazing and if any clash occurred, people would sit down and discuss the issue. But the problem is that the government does not want peace...the Sudanese government mobilizes the Misseriya to create a problem...Any insurgency by the Misseriya was with the involvement of the government.* (Two Dinka Ngok Men, Agok)

*Our relations started with the Baggara a long time ago. We used to stay and eat together and our cattle used to graze with theirs, but when successive governments in Khartoum backed them up, they became arrogant. Our good relations started to change when the Baggara started to occupy our land.* (Dinka Man, Awolnam)

*When they [Misseriya] found out they would be backed up by the Sudan government, they decided to occupy the Ngok land. The Sudan government started to supply them with weapons, and they invaded the Ngok homeland and took it by force.* (Dinka Woman, Awolnam)

Ngok participants do not foresee a time when they could return to a relationship of cooperation with the Misseriya.<sup>27</sup> The history of near-continuous conflict between the two groups and a belief that Misseriya will continue to be used by 'the Arab government' against the Ngok lead most to conclude that separation is the only solution. Ngok consider their past and current relationship with Misseriya to be one-sided - the Misseriya benefit but the Ngok get nothing in return - and so they see no downside to terminating the interaction between the two groups permanently.

<sup>27</sup> Local efforts by traditional authorities from the Ngok and Misseriya have resulted in the formation of a peace committee to address conflict between the two communities. In addition, there are reports that some Misseriya have accepted the ABC report and are more inclined than previously to cooperate with the Ngok. However, NDI staff currently on the ground in Abyei report that neither of these have significantly altered, at least thus far, the desire among ordinary people for separation from the Misseriya.

This desire for separation from the Misseriya informs participants' judgment that two essential actions must be taken before peace can come to Abyei: the demarcation of boundaries with the Misseriya and the creation of an Abyei Administration exclusive of Misseriya. While these would answer Dinka concerns, participants doubt the Khartoum government's commitment to resolving the Abyei issue. The delay in the implementation of the CPA in Abyei is proof, they say, of the government's intent to derail peace and ultimately gain control of their land and its resources.

*The problem is that they [the Misseriya] allowed themselves to be used by the Arab government in Khartoum against us. Now they are being used against us because of the oil. Therefore, from now onward, we don't want to have any relations with them.* (Dinka Ngok Man from a Human Rights Group, Abyei)

*Ngok can have a good life without Misseriya because we don't get anything from them. It is the Misseriya who need us. So if we cut our relations with them now, we can have a good life without them.* (Dinka Ngok Male Youth, Abyei)

*There can be a lasting peace in Abyei if the Baggara are kept away from Ngokland...Ngok people will never have peace as long as the Baggara are still there.* (Two Dinka Women, Awolnam)

*The demarcation of our boundaries with the Baggara is really very important so that they stay in their area...we need to be separated from the Baggara so that they keep in their area and us in Ngok in our area, Abyei.* (Dinka Man, Awolnam).

*The government does not want to solve this problem in Abyei because it knows that area is wealthy. Oil is in Abyei, so the NCP knows that if the Ngok vote and return to the South, it will not get this oil wealth again.* (Dinka Ngok Man, Agok)

*The CPA has not resolved these problems [of Abyei] because the Sudanese government does not want to resolve them. It wants to wipe out the Ngok Dinka from Abyei.* (Dinka Ngok Chief, Abyei)

- 10. The SPLM remains popular with Funj, Uduk and Nuba populations - despite widespread dissatisfaction about the pace of change - largely because of a perception that the party is powerless in Blue Nile and Southern Kordofan. In contrast, Abyei participants view the SPLM as an effective advocate for their cause and place their 'full trust' in the SPLM to represent their interests.**

Funj, Uduk and Nuba participants hold generally high opinions of the SPLM and continue to profess allegiance to the party. The SPLM is revered for fighting for the rights of the people of Southern Blue Nile and Nuba Mountains and for ultimately bringing peace. Participants often speak of the SPLM<sup>28</sup> as "our government" in contrast to NCP officials in the two states. The SPLM has maintained this high status even while participants express bitterness about the lack of change since the signing of the CPA and judge their own situation to be dire. The loyalty gained during the conflict is certainly one reason for the SPLM's continued popularity, but the party also escapes blame for the current situation in Blue Nile and Southern Kordofan because many see it as powerless to act against a dominant NCP and a 'Khartoum government' that will not share power fairly. While the SPLM's solid support doesn't appear to be in danger among Funj, Uduk and Nuba populations, some participants have begun to question whether they have been forgotten by leaders who are focused on the South.

*The SPLM is good. They brought us peace.* (Nuba Woman, Lado)

*In Blue Nile, the SPLM is the light of the people because it had fought for our rights and is not forcing anybody into religion.* (Funj Woman, Kurmuk)

*The SPLM is good but they do not have the power to do things...They were not given anything from the government to do any of the development.* (Two Nuba Men, Lado)

*The SPLM cannot do anything unless it has money...If the SPLM's share is given, then I am sure it will do something good for its people, but now it does not have the power to do it.* (Older Nuba Man, Tima)

<sup>28</sup> For the most part, participants do not appear to differentiate between the SPLM and the Government of Southern Sudan (GOSS). The question asked during the groups was about the SPLM, but participants in their discussion often ventured into areas that are now the purview of the GOSS as a government and not the SPLM as a party.

*Do those who came after John Garang not know what the CPA is all about? Now we don't even know who is to resolve our problems. We see the Khartoum government is very far away from us as well as Southern Sudan. We [Blue Nile] are left in the middle with Nuba Mountains, and we don't know who will address our problems.*  
(Male University Student from Arab-Funj Group, Damazine)

*They [the SPLM] are sitting in the South forgetting us.* (Nuba Woman, Lado)

Participants credit the SPLM for important achievements in the Abyei area, including the negotiation of the Abyei Protocol and the increase in security in Abyei town. Based on its past performance, the Ngok are confident in the SPLM's abilities and say that their trust in the SPLM has kept them patient in the face of numerous delays in the implementation of the Protocol. In Abyei, the SPLM has a reputation for working hard in the interests of the people, and the blame for any shortcomings is placed squarely on the shoulders of northern elements in the national government, who are seen as working to thwart the SPLM's every move.

*SPLM leaders, the freedom fighters who brought the Abyei Protocol, are highly trusted by the Ngok people of Abyei.*  
(Dinka Ngok Male Youth, Abyei)

*The SPLM is working hard. It is because of its presence in Abyei town that we are no longer killed openly...SPLM is the cause of stability in our homeland. We are able to cultivate this year, and it is because of the SPLM that we are now breathing.* (Two Dinka Men, Awolnam)

*We have full trust in the SPLM. If we didn't have it, we would have taken action concerning the Abyei Administration. We would have fought the Baggara, but we put the matter into SPLM hands...The problem is from the government side because it wants to provide protection to the Misseriya.* (Two Dinka Ngok Men, Agok)

*We got peace of mind as a result of the presence of SPLM leaders in Abyei. So far, the SPLM leaders here have done a great job...What is missing now is the work of the Abyei Administration because the SPLM cannot face the Sudan Government in the absence of an Abyei Administration.* (Two Dinka Ngok Chiefs, Abyei)

11. **The rate of return is increasing in Blue Nile, Southern Kordofan and Abyei, but participants say the lack of basic services, such as schools and hospitals, still prevents most IDPs and refugees from making the journey home. Even in small numbers, returnees are placing stress on already limited local resources and creating concern in Blue Nile and Southern Kordofan about what will happen when those numbers increase. In Abyei, participants add insecurity and the continued absence of an Abyei Administration to the factors limiting return, but are less worried about the stress placed on resources than about increasing the Ngok population in the area as a bulwark against 'the Arabs.'**

As in past research,<sup>29</sup> participants in Blue Nile and Southern Kordofan welcome the return of IDPs and refugees back to their communities and hope that, one day, everyone will be able to return home. While they report that returnees are coming back to their communities in larger numbers, this is clearly only a small portion of the returnees they ultimately expect. Participants say that interest in returning is high - 'everyone has an interest to come back' - but that shortages of food and water and the lack of schools and health facilities stop most from coming. In addition, the stress placed on limited resources in the community by even the relatively small number of IDPs and refugees that have returned thus far has caused some returnees to leave again. Participants do not express any bitterness toward returnees over problems caused due to their presence, but they do worry about the consequences of even larger numbers returning to their communities.

*Yes, we hope that many people will come back because this is where their land is. If there is a permanent peace, people will come.* (Funj Woman, Diem Monsour)

*There are so many [returnees] who are coming...Every day people are coming. People are coming everyday.*  
(Nuba Man, Tima)

*Everybody has an interest to come back. The only thing making people not come is lack of school facilities, hospitals and many others.* (Funj Man, Jarot)

<sup>29</sup> See the NDI report, *Searching for a Path to Peace: Reaction to the Death of John Garang and One Year of the CPA*.

*Some [returnees] came and then went back to Khartoum. Why? No money, water, employment and schools for their children. (Nuba Woman, Lado)*

*[Problems due to returnees include] less food, less water, fewer drugs in hospitals and pupils are congested in the few schools. (Nuba Woma, Tima)*

*There are so many people coming back that this will be a big problem. If the government can't provide services to the small group which has returned, how can it be able to provide for the many groups who are coming? (Male University Student from Arab-Funj Group, Damazine)*

While Blue Nile and Southern Kordofan participants primarily mention lack of development as the reason some people have yet to return to those areas, Abyei participants give equal weight to lack of development, continuing insecurity and delay in the establishment of the Abyei Administration in explaining the decision of some Ngok to postpone their return home. There is frequent mention of limited resources in the Abyei groups, but those participants appear to have less concern than ones in Blue Nile and Southern Kordofan about the impact of returnees on those resources. The priority for Abyei participants now is to increase their numbers so they can be an effective force, particularly in the voting booth, against 'the Arabs.'

*Many people came back from the North to Abyei and some came from Twic. We still expect many more people to come back. (Dinka Ngok Man, Agok)*

*Fear of insecurity in the area [is inhibiting return of IDPs]. If security is provided, our Ngok people will come. (Dinka Woman, Today)*

*There are many factors preventing Ngok people from coming back, such as lack of shelter, food, schools and universities. (Dinka Ngok Female Youth, Abyei)*

*If they form the Abyei Administration, I am sure many people will come back. (Man from Dinka-Misseriya Group, Today)*

*Ngok should all come back to Abyei before the elections...Ngok should come back and start building in northern Abyei, such as Ngol, so that Arabs don't go into our areas again. (Dinka Ngok Woman, Abyei)*

*It would be good if all our people could come back now because if Arabs see us in big numbers, this will frighten them. (Dinka Ngok Male Youth, Abyei)*

12. **Free and fair elections are welcomed as a solution to the problems of Blue Nile and Southern Kordofan, but not without caveats. Lingering bitterness over past treatment, a desire to rule themselves, and the ineffectiveness of the current state governments, have left Funj, Uduk and Nuba participants unprepared to accept an outcome in their states in which the NCP or the 'national government' are victorious. In that scenario, renewed conflict would remain an option, according to some participants.**

In the abstract, Funj, Uduk and Nuba participants in Blue Nile and Southern Kordofan embrace the concept of free and fair elections and view elections as the appropriate way to choose leaders that will, for the first time, be responsive to their needs. However, most participants' support for free and fair elections is based on the assumption that the outcome would produce victories for leaders from their own populations. They have little awareness that either demographics or any number of other factors could result in a fair election won by people - 'Arabs,' the NCP, the 'Khartoum government' - they consider aligned against their interests.

There are multiple reasons that participants would find such an outcome unacceptable. First, they do not believe that the current arrangement of an integrated NCP-SPLM government has been implemented or at least implemented in an equitable fashion. For example, participants say that, although the SPLM was to have 45 percent of the representation in the state governments' executive and state legislature,<sup>30</sup> this commitment has not come to pass. Second, the lack of access to power in the past has created a great desire for their own leaders to rule, and third, due to the past mistreatment of their people, 'black African' participants have absolutely no faith that any non-Funj or non-Nuba government would act in their interests. Consequently, there is little confidence that an NCP government - even an elected one - would rule fairly. Given those beliefs, some participants say they see little choice to but return to conflict if 'Arabs,' the NCP

<sup>30</sup> Southern Kordofan and Blue Nile Protocol of the CPA, 11.1.1. (a) and (b).



or the 'national government' wins an election, even one that is considered free and fair.

*It will be good to elect our governor rather than to have someone put there by others because it will give us the right to choose someone who we like.* (Funj Woman, Diem Monsour)

*If elections are free and fair, it will solve our problems.* (Uduk Woman, Damazine)

*The one in power now is from the government side, and he is not doing anything for the people of Southern Blue Nile.* (Uduk Male Youth, Kurmuk)

*The 55% and 45% which was supposed to be implemented has not taken at all.* (Woman from Arab-Funj Group, Gassam)

*We have seen no effort to integrate SPLM and NCP [into one government].* (Nuba Woman, Murta)

*We want all the leaders [of Southern Kordofan] to be from the Nuba people.* (Older Nuba Man, Tima)

*It [alternating the governorship] is not good because we want all our leaders to be from Nuba. We want the Governor and all members of the state legislature to be from Nuba. In this way, we will know that our rights are granted.* (Nuba Returnee Man, Tima)

*Discrimination and slavery will continue when NCP is Governor. To me this will not work and will cause more conflict if a non-Nuba rules. The Arabs should go away from here and leave.* (Nuba Woman, Lado)

*Elections are okay, but excluding the Arabs. If the election is free and fair and is won by the NCP, we will go back to war or secession as an alternative rather than be ruled by them again.* (Funj Man, Diem Monsour)

*If the elections [for governor] are won by the government of Sudan, we will fight because it is the same government that has been ruling Sudan since independence day, but it has done more harm to Southern Blue Nile than good.* (Man from Arab-Funj-Nuba Group, Roseries)

13. **Abyei participants embrace elections as a long-awaited right, though they express significant concern about potential fraud and want all Ngok to return to the area prior to the vote. In addition, participants expect the outcome of any election in Abyei to result in victory for Ngok candidates only.**

In Abyei, participants are enthusiastic about the planned 2009 elections, seeing the exercise as a clear break from their past experience and as an important step towards the self-determination referendum. Much like participants in Blue Nile and Southern Kordofan, however, Abyei participants expect that the outcome of any election in Abyei would be victory for one of their own. Any other result would call into question the fairness of the election. Participants in Abyei are also much more likely than others to be concerned that fraud will impact the elections. In particular, they fear that 'Arabs' will attempt to buy votes. For this reason, Abyei participants often speak of the need to have international monitors involved in the elections and a desire for Ngok residing in other areas to return home, thereby increasing the number of potential Ngok votes and limiting the opportunity for 'Arabs' to divide and conquer.

*It is a good right to have elections so that people can choose their leaders. We have been under dictators all these years. Election is our democratic right. So we appreciate that chance.* (Dinka Ngok Man from a Human Rights Group, Abyei)

*Elections are a good thing. We don't have any problems with the person who will be [elected] Abyei Chief Administrator as long as [that person] is a son or daughter of the nine Ngok Chiefdoms.* (Dinka Ngok Woman, Agok)

*Elections are something good for a civilian because it gives him a right to express his opinion after long years of dictatorship in Sudan. But we are afraid of fraud during the elections.* (Dinka Ngok Chief, Abyei)

*Our concern will be the return of people from Northern Sudan because Arabs will divide our Ngok people. That is our expectation if people don't come to one side [the Abyei Area]. We want all our Ngok people who are in the North to come back home to the Abyei area, so that we unite ourselves before general elections.* (Dinka Ngok Man, Agok)

*My main concern is that there must be international monitoring in the general elections.* (Dinka Ngok Male Youth, Abyei)

14. Many Funj, Uduk and Nuba participants mistakenly believe they will be given an opportunity to vote in a referendum on self-determination, and even those who know otherwise often speak of creating an autonomous or independent state. Abyei participants understand correctly that they will vote in a self-determination referendum, the result of which all predict will be a decision to join Bahr El Ghazal/Warrap State.

Confusion over the details of the self-determination referendum described in the CPA is commonplace in Blue Nile and Southern Kordofan. Many Funj, Uduk and Nuba participants assume that, like their 'brothers in the South,' they will be voting in a referendum that allows them to define their political future. Some participants think they will be voting in the same referendum as Southerners, while others believe it will be a separate vote. Some participants believe they will be given two choices - joining the South or remaining in the North - while others add third or even fourth choices, including autonomy within Sudan and/or independence from both North and South.

Participants who expect such a vote are bitter when told they will not be voting in a self-determination referendum and predict a return to conflict if such an option is not offered. Those who are aware that a referendum will not be held in Blue Nile or Southern Kordofan appear, nevertheless, to hold out hope that they will be able to create an independent country or autonomous state within Sudan. Of the 28 groups conducted in the two states, only one had heard the term 'popular consultation,' which is the guarantee that Funj, Uduk and Nuba people in Blue Nile and Southern Kordofan will have a voice, through their democratically elected legislatures, in the how the CPA applies to their states.

*The system of referendum is very good, and that is what we are looking for. If the South chooses to separate from the North, we will go with the South because it is from the South that we have gotten peace and freedom.*  
(Funj Woman, Kurmuk)

*We will vote for separation from both [North and South]. We will be on our own as the country of Southern Kordofan.*  
(Nuba Sheikhs, Murta)

*If there is no referendum that allows the people of Southern Kordofan to choose where they want to be, we'll go back to war.* (Nuba Woman, Lado)

*We know that we fought because of the dictatorship of the GOS. If there is no election [referendum], we will fight again.*  
(Uduk Male Youth, Kurmuk)

*We will not vote [in the referendum], and we will not be with them. We will demand our rights...I will demand my country, and it will be called the country of Nuba Mountains.* (Two Nuba Men, Lado)

*We want to be alone as a separate country because we don't want to be with either party [NCP or SPLM], and if necessary, we will go back to war. We have gold and natural resources; we can manage the country.*  
(Uduk Woman, Damazine)

Abyei participants are thankful they will be deciding their own political fate through a referendum similar to that in Southern Sudan. All say there is no doubt about the verdict that will be delivered by the people during that vote - Abyei will opt to join Bahr El Ghazal/Warrap State rather than maintain its special administrative status in the North. Past mistreatment at the hands of 'Arabs' and a desire to join people with a similar culture are the reasons most often cited for this preferred outcome. Beyond the self-determination referendum, some participants note that the expectations of the people in Abyei will be to become an eleventh state within Southern Sudan, instead of being annexed into Warrap State. Others say that is an issue that can be decided at a later time.

*The right of self-determination is good for us Ngok, so that we decide our own fate by ourselves.*  
(Dinka Male Teacher, Abyei)

*I will vote so that Abyei goes back to Southern Sudan because I too am a Southerner...I will vote for Abyei to return to the South because my language is different than Arabic...I will vote for the South because our traditions and customs are the same as the Southerners.* (Three Dinka Ngok Female Youth, Abyei)

*After this long and painful suffering of Ngok Dinka under the Arab government in Khartoum, no Ngok person wants to remain in the North.* (Dinka Woman, Awolnam)



*[After the referendum] we will then demand to make Abyei state number eleven of Southern Sudan. Abyei is in the middle between North and South, therefore it deserves to be a state on its own. (Man from Dinka-Misseriya Group, Today)*

*The most important thing is our return to the South. Whether we remain as part of Warrap State or form a new one is another thing. We just want first to go back to the South. (Dinka Ngok Chief, Abyei)*

**15. International monitors in Abyei are viewed as incapable of protecting citizens and ineffective at documenting peace agreement violations by 'Arabs.' Some participants believe that certain actions by UN agencies are confirmation of their support for 'Arabs.'**

The presence of international monitors in Abyei has not lessened tensions in the area, according to participants. Largely seen as weak and powerless, the monitors are criticized for failing to improve insecurity or arrest those who have caused it. This calls into question the usefulness of monitors who can offer no protection to civilians. The major concern about monitors, however, centers on the geographic limitation of their coverage. The monitors are reported to have been repeatedly prohibited from traveling to northern Abyei, and participants view their monitoring of only southern Abyei as unfair, one-sided and damaging to the spirit of the CPA.<sup>31</sup> Overall, expectations were high among the Ngok that international monitors would be able to enforce the CPA and, at minimum, protect civilian lives. Failure to do either has led to great disappointment and a perception that international monitors are not fulfilling their mission. Only a handful of participants understand that a limited mandate could affect monitors' ability to act in a manner consistent with people's expectations.

*They [international monitors] are just like a picture; they are doing nothing. They should be removed from the area because they are doing nothing. (Dinka Ngok Man, Agok)*

*Why do they [international monitors] allow militias to move around Abyei town with weapons? They don't arrest them. We doubt the international monitors' capacities. They are not doing the work they have been assigned to do. Ten SPLA men were killed by one of these militias, and they did not arrest those who killed them up to now. (Dinka Woman, Awolnam)*

*Our understanding of international monitors is that they came to protect the civil population by taking action, but if they are not able to protect civilians, then what is the benefit of their presence? If international monitors are not defending the civil population, then they are protecting nothing. (Dink Male Teacher, Abyei)*

*International monitors are supposed to monitor the two parties. According to us Ngok, the international monitors who are in Abyei are not effective. They are not allowed by SAF to go to northern Abyei... They should not accept to be prevented by SAF from going to northern Abyei. They have a right to go anywhere. (Dinka Ngok Male Youth, Abyei)*

*International monitors in Abyei should arrest, imprison or even shoot any soldier or officer of Brigade 31 who is harassing the civil population in Abyei. We request the international monitors in Abyei be given a stronger mandate like the one in Iraq that could allow them to arrest the president of a country. (Dinka Ngok Chief, Abyei)*

During the focus groups, the moderators asked participants their general opinion of the United Nations (UN) in Abyei. Even though no specific question about the make-up of UN agencies' staff or of programs involving Misseriya populations were asked, a significant number of participants (though they represent a minority of all participants) volunteered their opinion. These participants believe that UN agencies in Abyei have a bias toward the North, or as it is more commonly put, 'the Arabs.' There are a number of factors these participants cite as evidence for this claim: some say that employees of the agencies are primarily Arabs; others blame the UN's tendency to require the participation of both Ngok and Misseriya in its programs, even though these programs are in Ngok areas. What these participants say they find most troubling, however, is the UN agencies' aiding and abetting of the Misseriya in their effort to settle in Ngok areas.

*UN agencies are being occupied by the Arabs, so they don't provide us with the relief. They take food to the Misseriya Arabs. (Dinka Man, Awolnam)*

<sup>31</sup> Information from NDI staff on the ground in Abyei indicates that, at various times, a ban on the movement of the UN Verification and Monitoring force has been imposed by both sides, restricting movement both north and south of Abyei town. However, the ban on moving south has only been an occasional restriction, unlike that reported for moving north.

WFP is working and is bringing food, but the problem is that it is resettling Arabs in our villages. UNDP is also working. It is building schools, but the problem is they work according to the Arabs' policies...We feel that these UN NGOs are working according to the will of the Sudan Government. NCP does not want the return of our people to their old villages. That is why it [the UN] does not provide basic services, such as shelter, water and food.  
(Two Dinka Ngok Chiefs, Abyei)

UN agencies are afraid of the Arabs. That is why they avail services in northern areas of Abyei where Arabs are, but they don't do the same thing in south of Abyei. (Dinka Ngok Male Youth, Abyei)

These UN agencies dug boreholes in the Ngok areas [where Arabs] are occupying and gave them Arab names. They made these boreholes so that Misseriya can settle in Ngok land, so they are serving Arabs' interests.  
(Dinka Male Teacher, Abyei)

**16. Many participants point to the presence of multiple armed forces in Abyei as damaging to the long-term prospects for peace and a clear violation of the CPA.**

Within the Abyei area, there are at four major armed groups: the SPLA, the SAF, the SSUM and the Shahama. There is also a Joint Integrated Unit (JIU) comprised of forces from both the SPLA and the SAF. Abyei participants describe the SAF presence as yet another violation of the CPA and say that its continued presence is a sign that northern elements in the national government are not serious about peace.<sup>32</sup> Even the JIU that participants recognize as a rightful armed force in Abyei is derided as not living up to the spirit of the CPA because it is not a truly joint effort. Of most concern to participants, though, is the existence of the SSUM and Shahama militias, which all believe to be supported by and, some say, under the command of government forces. There is an awareness among practically all participants that any support for other armed groups is a clear violation of the Security Arrangements Protocol of the CPA.<sup>33</sup> The view of many is that the government is keeping the militias armed and trained in preparation for renewed conflict. As such, participants see both the existence of the militias as well as their harassment of the civilian population as significant threats to peace.

What was done in Juba concerning the withdrawal of the SAF army should have also happened here. Instead, it is Brigade 31 of the SAF that is controlling Abyei. It is the one which fought the war and tortured and plotted against the Ngok. We request the removal of Brigade 31 and all the militias from Abyei so that the area remains only under the control of the Joint Integrated Unit (JIU) according to the agreement. (Dinka Ngok Chief, Abyei)

The joint unit [JIU] has not been mixed; each stays separate. The Sudan army is still in the old barracks. Nothing has been implemented in the Abyei Protocol; the security arrangements are still like before. (Dinka Ngok Man, Agok)

The presence of SSUM and Shahama militias in the Abyei area do not give a chance for permanent peace...According to the agreement, we were supposed to have two armies only in Abyei: the SPLA and the SAF. But this army in the middle is terrorizing civilians. (Dinka Ngok Man from a Human Rights Group, Abyei)

These militias kill people on the way; they are threatening peace. It is the Sudanese government that empowers these militias. That is why it is keeping them separate, so that when they commit a crime the Arab government of President Omar al-Bashir will deny it is responsible. (Dinka Woman, Awolnam)

**17. Though they disagree with the placement of the Ngok-Misseriya border, most Ngok participants say they accept the Abyei Boundaries Commission (ABC) report and will abide, if somewhat reluctantly, by the boundaries defined in it. Creation of a shared rights zone, called the Goz, is misinterpreted by some as a prohibition on Misseriya moving and grazing their cattle seasonally in Abyei.**

As did their SPLM representatives on the ABC, Ngok participants argue strongly that Ngok territory in Abyei extends well north into Muglad and beyond. Some participants deny the existence of an historical border with the Misseriya at all, instead insisting the Ngok only had a border with the Humr.<sup>34</sup> However, these arguments were dismissed by the ABC, which placed the border between Misseriya and Ngok further south in the middle of the Goz, an area where the Commission declared that both groups share secondary (seasonal) rights to the land but neither has dominant

<sup>32</sup> Security Arrangement Protocol, 18.7.

<sup>33</sup> See the Security Arrangement Protocol, 7 (a).

<sup>34</sup> According to the ABC report, the Misseriya, formerly known as Zurg, and Humr are closely related. After 1942, all Humr and Zurg were referred to with the umbrella term, 'Misseriya.' The focus groups demonstrate, however, that some Ngok participants maintain the division, seeing Humr and Misseriya as two separate peoples.

(permanent) rights.<sup>35</sup> Despite their disappointment at the loss of territory believed to be theirs, Ngok participants say the recommended Ngok-Misseriya boundary will be honored in recognition that negotiation requires compromise and in appreciation of the SPLM's efforts.

*With the boundaries that have been defined, it is us Ngok who did a favor to the Baggara by giving up some of our areas...We are satisfied with the decision of the experts [of the ABC]. What we got is enough.*  
(Two Dinka Men, Awolnam)

*I am not convinced by the [ABC] experts' report, but because the SPLM accepted it, we also accepted it. Our border with the Misseriya is far; the Abyei boundaries that were done by the experts of [the ABC] is not far...If it was our opinion, we would have said our border is El Obeid.* (Two Dinka Ngok Men, Agok)

*We, the Ngok people, have accepted the report of the experts [of the ABC] so that the Ngok can settle. In reality, the report did not meet the aspirations of Ngok. We appreciate the efforts of the Ngok children in the SPLM to stop the war and that is why Ngok people accepted the report, not because the experts' report satisfied Ngok.*  
(Dinka Ngok Male Youth, Abyei)

*I am not satisfied with the results of the experts because they cut some Ngok areas to the Misseriya. However, it is a principle in a peace negotiation that you concede, so you make a compromise. That is why we Ngok people accepted the result of the experts [of the ABC].* (Dinka Male Teacher, Abyei)

The ABC's decision to create an area of shared rights between the Ngok and the Misseriya known as the 'Goz' is generally viewed as a good one. Some participants, however, believe the creation of this zone will prevent Misseriya entering Ngok land for grazing purposes at all, a belief that is incorrect according to both the Abyei Protocol and the ABC report. Although it was not expressly stated, it is possible these participants see the creation of the Goz as superseding traditional grazing agreements. The Protocol addresses this issue directly stating, "The Misseriya and other nomadic peoples retain their traditional rights to graze cattle and move across the territory of Abyei."<sup>36</sup> The authors of the ABC noted that they encountered "considerable misunderstanding" about this issue during their meetings in Abyei and so reiterated that "The decision [on boundaries] should have no practical effect on the traditional grazing patterns of the two communities."<sup>37</sup> Participants who hold onto their mistaken beliefs about the seasonal movement of Misseriya in Ngok territory predict there will be problems if Misseriya "violate" the Goz border. Other participants understand that Misseriya retain their seasonal rights to move and graze their cattle in Abyei and that customary agreements remain unaltered by the ABC report. They too, though, predict problems if there are not agreements relating to all routes, timeframes and grazing locations for Misseriya movement across Ngok land.

*The decision of the Commission to make the Goz a joint grazing area for both the Misseriya and Ngok is good...If Arabs go beyond the Goz and come to our area, this will still create a problem.* (Dinka Ngok Female Youth, Abyei)

*It [the Goz shared rights zone] is a good decision so that the Misseriya don't come to our land. They will be coming up to the Goz and go back to their areas.* (Dinka Male Teacher, Abyei)

*Misseriya will leave the Goz behind and come deeply into Ngok land. Since they were given a right by the agreement, they will be coming to the Goz with their cattle and have a chance to come to all Ngok areas because if you give a person salt, they will ask for chili. So this is a loophole in the Abyei Protocol.* (Dinka Ngok Woman, Agok)

*It is important for the Misseriya to have specific routes and locations for grazing...any continuous coming of Baggara with their cattle to the Ngokland will still create a problem.* (Dinka Man, Awolnam)

*We have to define certain routes for the Misseriya when they come with their cattle...They must have a certain time to come and certain routes to follow. They must not come at anytime they want and they must not go anywhere they wish.*  
(Dinka Ngok Male Youth, Abyei)

<sup>35</sup> Abyei Boundaries Commission Report, Part 1, pp. 21-22.

<sup>36</sup> Abyei Protocol, 1.1.3.

<sup>37</sup> Abyei Boundaries Commission Report, Part 1, p. 9.

## CONCLUSION

Participants in this study repeatedly highlight the precarious state of peace in the Three Areas. Whether through its provisions or its implementation, the CPA, to this point, clearly has not addressed the causes of the conflict to the satisfaction of people in Abyei, Southern Kordofan and Blue Nile. In Blue Nile and Southern Kordofan, the lack of progress in development and an unacceptable solution to the representation of Funj, Uduk and Nuba populations in government leave participants questioning the value of the CPA. In Abyei, persistent insecurity, delay in the formation of an Abyei Administration and failure to gain agreement on the area's boundaries lead most to declare that, despite the CPA, there is no peace. As a result, the general feeling in the Three Areas is one of being 'lost in the middle,'<sup>38</sup> while others in Sudan enjoy the peace the CPA has brought.

As discussed in the findings section of this report, a lack of knowledge of the CPA provisions and the progress made in its implementation contribute to this attitude among the population. Regardless of the origin of dissatisfaction with the CPA, however, the result is a generally fatalistic view among people that the Three Areas that is tilting toward renewed fighting. Of course, this does not mean war is imminent - large scale conflict would require, among other things, the participation of the SPLA or another armed group - but a mindset that accepts the inevitability of future conflict is not conducive to the pursuit of peaceful resolution of local issues.

As noted previously, the conclusions set forth in this report represent a snapshot of public opinion in April, May, June, and July 2006. The findings of this research demonstrate that the political situation in the Three Areas is fragile and fluid. As such, any event, even a relatively small one, has the power to rapidly shift public opinion on the issues covered in this report. Until that time, however, the opinions and attitudes of our 447 Three Area focus group participants can serve as a guide for all who are interested in maintaining peace along the geographic divide between northern and southern Sudan. For those, the findings of this research suggest the following actions:

**Use Development as a Guarantor of Peace.** The Funj, Uduk and Nuba people of Blue Nile and Southern Kordofan states feel strongly that they fought to bring equity in development to their area. In their minds, that makes the equation for peace a simple one: without development in their areas, there is no reason to keep the peace; with development, there is no reason for conflict. Thus, demonstrating progress on development would be the single most effective action the Government of National Unity or the state governments could undertake to ensure the permanence of peace. It would also be the quickest way to re-establish faith in the CPA in those areas. Development is a slow process, and so it is also recommended that appropriate officials engage in a discussion of the concept of and commitment to equity in development, even though concrete actions may not be immediately possible. Progress in development would also undeniably ease tensions in Abyei, but it would not resolve the boundary and residency issues that are paramount in that area.

**Communicate the Achievements of the CPA in Blue Nile and Southern Kordofan States.** The provisions of the CPA and how they impact Blue Nile and Southern Kordofan states are largely unknown to the Funj, Uduk and Nuba population. This is responsible, in part, for a significant loss of faith in the CPA to bring a permanent peace. In Abyei, where knowledge of the CPA is much higher, faith in the CPA is also much higher. The Government of National Unity, the Government of Southern Sudan and others interested in supporting the CPA can significantly bolster public opinion by communicating about the provisions and the implementation of the agreement as they relate to these two states. In particular, communications should focus on the achievements of the CPA thus far and the protections the CPA and the Interim National Constitution offers all citizens. Focusing on achievements will encourage pride in the progress made thus far and build confidence that more successes are on the horizon.

**Promote the Power-Sharing Provisions of the CPA and Increase Knowledge of Political Protections for Previously Excluded Groups.** One of the primary causes of the conflict in Southern Kordofan and Blue Nile was lack of representation in government. The CPA was meant to rectify that during the pre-election period by allocating 45 percent of state executive and legislative positions to the SPLM and after that time, through direct elections. However, people either don't know about the pre-election power-sharing arrangement or don't believe the SPLM representatives in the state government have real power.<sup>39</sup> Further, the solution offered by the CPA to the problem of representation - free and

<sup>38</sup> Quote is from a male university student in from an Arab-Funj group in Damazine.

<sup>39</sup> Participants speak of the NCP creating parallel positions when offices are assigned to an SPLM representative and/or stripping high-ranking SPLM officials of their power and giving it to the NCP deputy.



fair elections - is not acceptable to Funj, Uduk and Nuba peoples if the outcome is a return of NCP to power. An intensive education campaign is needed to increase people's understanding of legal and political protections for previously excluded populations and to explain how these groups can retain an effective voice for their people within a democratically elected government. This could help previously excluded groups in Blue Nile and Southern Kordofan accept election outcomes they may otherwise view as adverse. The goal of such a campaign would be to have all ethnic populations accept that elections in Southern Kordofan and Blue Nile are not an all-or-nothing game, and that a loss of the governorship or of a majority in the state legislature does not mean that previously excluded populations will be without a voice. Of course, the promise of genuine inclusion in the government has to be made believable to Funj, Uduk and Nuba populations who are highly skeptical based on past experiences. Prior to the elections, this promise can be bolstered by demonstrating to the 'black African' groups that their current SPLM representatives are empowered to bring real change to their areas.

**Clarify the Referendum Issue and Explain 'Popular Consultation.'** Many residents of the formerly SPLM-controlled areas of Southern Kordofan and Blue Nile think they will vote in a self-determination referendum. Others assume that, though they will not be voting, they can still create an autonomous area for their people. Allowing these beliefs to exist creates false expectations that have the potential to damage prospects for long-term peace. When the Funj, Uduk and Nuba peoples realize, as they inevitably will, that their expectations are not realistic, the result will be disappointment and disenchantment with the peace process. Although they will not be happy to hear the truth, the blow can be softened by ensuring that Funj, Uduk and Nuba understand how their voice can be heard within the context of the state's political system. One way to do that is to explain how citizens can have input into the CPA process through their democratically elected representatives (i.e., through 'popular consultation').

**Limit Insecurity, Address Acts by Other Armed Groups<sup>40</sup> and Communicate the Mandate of International Monitors in Abyei.** The establishment and composition of the Abyei Administration and the definition of boundaries are the two most contentious issues in Abyei. The resolution of these will require hard work and good faith on the part of the CPA's signatories. However, the current atmosphere in Abyei could be dramatically improved simply by addressing the security situation in the area. With murders a relatively common occurrence, people cannot accept that there is peace or any hope for peace. Similarly, when the perceived perpetrators (other armed groups) of those acts go unpunished, people believe that there is no justice or any hope for justice. This prevailing sense of insecurity damages public confidence in the international monitoring effort established in Abyei. Simply put, the monitoring effort has failed to meet the Ngok population's expectation that the force would promote peace and justice and protect civilians in the area, in part because the population does not fully understand the mandate of the monitoring group. Limiting insecurity, promoting a better understanding of the role of international monitors and punishing those responsible for violent acts - particularly if they are affiliated with other armed groups - will, in and of itself, contribute greatly to the furtherance of peace in Abyei. Improved security could be the foundation upon which the issues at the root of the conflict can be resolved.

**Define Abyei Residency Requirements and Educate Ngok on the Outcome.** The Abyei Protocol says that the "the criteria of residence [in Abyei] shall be worked out by Abyei Referendum Commission."<sup>41</sup> In the absence of a definition of residency, Ngok populations in Abyei assume that only Ngok can participate in the Abyei Administration and only Ngok can vote in Abyei elections. As soon as is practicable, residency criteria should be defined with as much precision as possible. If the definition of resident allows for people other than Ngok to have voting rights or to participate in the Abyei Administration, care will need to be taken to educate the Ngok - who are likely to take such a ruling as an assault on their self-determination prospects - on who qualifies for resident status and how this impacts the political situation in Abyei.

**Designate Grazing Routes and Timeframes and Delineate Resource Rights.** Nomads are viewed with great distrust by 'black African' populations in certain parts of the Three Areas. Insecurity, resource theft (such as the taking of gum Arabic without compensation) and regular destruction of crops and property are all, to some degree, blamed on nomadic populations. To prevent future conflict between the nomadic and sedentary populations of the Three Areas, agreements must be forged that define specific routes and timeframes for nomadic migration, and rules must be agreed to for the use and harvesting of local resources. While nomadic and sedentary populations only come into contact with each other in parts of the Three Areas, even a small conflict between the two groups could easily spread and so attention to this issue is critical to ensuring permanent peace.

<sup>40</sup> Other Armed Groups are defined by the CPA as any armed group outside of the SPLA or the SAF.

<sup>41</sup> Abyei Protocol, 6.1 (b)

**Increase Basic Services to Boost the Return of IDPs and Refugees.** The lack of basic services, such as schools and hospitals, prevents many IDPs and refugees from returning to their home areas, despite a great desire to do so and welcoming host communities. Governments or other groups who have an interest in return must address and correct the basic services issue at the local level. Otherwise, it cannot be expected that large numbers of IDPs and refugees will return to the Three Areas.

**Address Concerns About UN Agency Programs in Abyei.** Ngok confidence in the work of UN agencies in Abyei is undermined by the belief of some that a bias towards the Misseriya exists. Agencies working with Misseriya populations should consider clarifying the goals of their programs in order to prevent confusion and to avoid creating further resentment among the Ngok toward Misseriya.



## APPENDIX A - FOCUS GROUP PARTICIPANT DEMOGRAPHICS

THREE AREA FOCUS GROUPS - APRIL-JULY 2006

Date	Group Size	Gender	Area	Location	Ethnicity <sup>42</sup>	Religion	Age Group	Education
04/26/06	17	Male	So. Kordofan	Tima	Nuba <sup>44</sup>	Muslim	Mixed	None-Primary
04/27/06	9	Male	So. Kordofan	Tima	Nuba	Muslim	Older <sup>45</sup>	None
04/27/06	13	Female	So. Kordofan	Tima	Nuba	Muslim	Middle	Primary
04/28/06	10 <sup>46</sup>	Male	So. Kordofan	Tima	Nuba	Muslim	Older <sup>47</sup>	None
04/28/06	9 <sup>48</sup>	Female	So. Kordofan	Tima	Nuba	Muslim	Middle	Primary
04/30/06	10	Male	So. Kordofan	Lado	Nuba	Christian	Middle <sup>49</sup>	Primary
05/01/06	10	Female	So. Kordofan	Lado	Nuba	Christian	Middle <sup>50</sup>	Primary
05/02/06	15	Female	Blue Nile	Kurmuk	Funj <sup>51</sup>	Muslim	Mixed <sup>52</sup>	None-Secondary
05/03/06	12	Male	Blue Nile	Jarot	Funj	Muslim	Younger <sup>53</sup>	Primary
05/04/06	10	Male	Blue Nile	Kurmuk	Uduk	Christian	Younger <sup>54</sup>	Late Primary

<sup>42</sup> Names of ethnic groups and/or tribes are listed as recorded by the Sudanese moderators, but the spellings may be incorrect or alternate spellings may exist.

<sup>43</sup> Younger refers to participants up to age 25; middle refers to participants age 26-40; older refers to participants more than 40 years old.

<sup>44</sup> Nuba is an umbrella ethnic designation for a group of tribes.

<sup>45</sup> One participant was younger at age 30.

<sup>46</sup> Participants were recent returnees to the area.

<sup>47</sup> One participant was 22, but all others were age 49 and above. The young participant was the only one who had any education, saying he had spent some time in primary school.

<sup>48</sup> Participants were recent returnees to the area.

<sup>49</sup> Three participants were older at ages 45, 50 and 55.

<sup>50</sup> Two participants were slightly younger at age 25.

<sup>51</sup> Funj is an umbrella ethnic designation for a group of tribes.

<sup>52</sup> There was a wide range of ages in this group; participants cited their ages as: 45, 45, 22, 24, 28, 50s, 22, 28, 17, 18, 31, 45, 20, 22, and 33.

<sup>53</sup> Two participants, at ages 26 and 27, were slightly older.

<sup>54</sup> Four participants, two at ages 26 and two at ages 27, were slightly older.

## Participant Demographics -- Continued

Date	Group Size	Gender	Area	Location	Ethnicity	Religion	Age Group	Education
05/04/06	12 <sup>55</sup>	Male	So. Kordofan	Murta	Nuba	Muslim	Older	Primary
05/06/06	12	Female	So. Kordofan	Murta	Nuba	Muslim	Middle <sup>56</sup>	None-Secondary
05/06/06	14	Male	Blue Nile	Diem Monsour	Funj	Muslim	Younger <sup>57</sup>	Mid-Late Primary
05/07/06	12	Female	Blue Nile	Diem Monsour	Funj	Muslim	Mixed <sup>58</sup>	None-Primary <sup>59</sup>
05/07/06	9	Male	So. Kordofan	Um Serdiba	Arab <sup>60</sup>	Muslim	Older <sup>61</sup>	None-Secondary <sup>62</sup>
05/07/06	12	Female	So. Kordofan	Um Serdiba	Arab	Muslim	Middle <sup>63</sup>	None
05/09/06	14	Female	Blue Nile	Zariba	Funj	Muslim	Mixed <sup>64</sup>	None-Early Pri
05/10/06	8 <sup>65</sup>	Male	So. Kordofan	Lagawa	Arab	Muslim	Mixed <sup>66</sup>	None-Secondary
05/11/06	12	Male	So. Kordofan	Lagawa	Arab	Muslim	Middle	Sec-University
05/11/06	8	Female	So. Kordofan	Lagawa	Arab	Muslim	Middle <sup>67</sup>	Pri-Secondary
05/12/06	9	Male	So. Kordofan	Murta	Nuba	Muslim	Mixed <sup>68</sup>	Primary-Univ

<sup>55</sup> Participants were sheikhs.

<sup>56</sup> Three participants were younger at ages 21, 22 and 21; one participant was older at age 47.

<sup>57</sup> Four participants were older at ages 30, 26, 40 and 30.

<sup>58</sup> There was a wide range of ages in this group; participants cited their ages as: 60, 40, 40, 35, 25, 29, 31, 30, 50, 60, 20 and 18.

<sup>59</sup> All but two participants had no education.

<sup>60</sup> This is a generic designation referring to non-Nuba, non-Funj, and non-Uduk populations in Blue Nile and Southern Kordofan.

<sup>61</sup> One participant was younger at age 37.

<sup>62</sup> Only one participant had a secondary level education.

<sup>63</sup> Two participants were older at age 45 and four participants were slightly younger at age 25.

<sup>64</sup> There was a wide range of ages in this group; participants cited their ages as: 35, 60, 60, 50, 50, 50, 18, 17, 35, 26, 26, 30, 50 and 22.

<sup>65</sup> Participants were nomads.

<sup>66</sup> There was a wide range of ages in this group; participants cited their ages as: 71, 65, 60, 45, 32, 33, 25 and 33.

<sup>67</sup> One participant was slightly older at age 41, one participant was slightly younger at age 25 and one participant was older at age 56.

<sup>68</sup> There was a wide range of ages in this group; participants cited their ages as: 38, 24, 49, 34, 54, 43, 50, 20 and 30.

## Participant Demographics -- Continued

Date	Group Size	Gender	Area	Location	Ethnicity	Religion	Age Group	Education
05/14/06	6	Male	Blue Nile	Damazine	Funj	Muslim	Middle <sup>69</sup>	Late Pri-Sec
05/14/06	9 <sup>70</sup>	Male	Blue Nile	Damazine	Predominantly Arab <sup>71</sup>	Muslim	Younger-Middle <sup>72</sup>	University
05/15/06	11	Female	Blue Nile	Gassam	Predominantly Arab <sup>73</sup>	Muslim	Middle <sup>74</sup>	Late Pri-Univ
05/16/06	7 <sup>75</sup>	Female	Blue Nile	Damazine	Uduk	Christian	Mixed <sup>76</sup>	Pri-Secondary
05/17/06	13	Male	Blue Nile	Roseries	Predominantly Arab <sup>77</sup>	Muslim	Mixed <sup>78</sup>	Sec-University
05/18/06	11	Male	Blue Nile	Roseries	Predominantly Arab <sup>79</sup>	Muslim	Older	[Not Recorded]
05/20/06	6	Female	Blue Nile	Roseries	Funj	Muslim	Mixed <sup>80</sup>	Pri-Univ
06/23/06	7	Male	Abyei	Agok	Dinka Ngok	Christian +1 Muslim	Mixed <sup>81</sup>	[Information Incomplete] <sup>82</sup>

<sup>69</sup> One participant was slightly older at 42 and one was 52.

<sup>70</sup> Participants were university students.

<sup>71</sup> Two participants were Funj and one participant was also from a tribe originally from Chad, the Borogo.

<sup>72</sup> Participant ages ranged from 23-30, but all were currently enrolled in university.

<sup>73</sup> Two participants were Funj.

<sup>74</sup> One participant was slightly younger at age 25 and one older at age 45.

<sup>75</sup> Participants were Uduk who had been displaced during the conflict.

<sup>76</sup> There was a wide range of ages in this group; participants cited their ages as: 29, 25, 30, 29, 18, 28 and 52.

<sup>77</sup> Nine participants were 'Arab', two were Funj and two were Nuba.

<sup>78</sup> There was a wide range of ages in this group; participants cited their ages as: 63, 30, 40, 31, 50s, 50s, 40s, 20, 39, 21, 20, 27 and 39.

<sup>79</sup> Eight participants were 'Arab' and two were Nuba who had lived in Roseries for the last twenty years.

<sup>80</sup> There was a wide range of ages in this group; participants cited their ages as: 36, 45, 43, 50, 30 and 16.

<sup>81</sup> There was a wide range of ages in this group; participants cited their ages as: 42, 45, 41, 22, 33, 36 and 26.

<sup>82</sup> Education levels for three participants were listed as Senior 4, secondary and university, but was missing for other participants.

## Participant Demographics -- Continued

Date	Group Size	Gender	Area	Location	Ethnicity	Religion	Age Group	Education
06/23/06	9	Female	Abyei	Agok	Dinka Ngok	Christian	Older <sup>83</sup>	None-Secondary <sup>84</sup>
06/24/06	13	Male	Abyei	Agok	Dinka Ngok <sup>85</sup>	Christian + 1 Muslim	Older <sup>86</sup>	Intermediate- University
06/27/06	11	Male	Abyei	Abyei Town	Dinka Ngok	Christian	Younger	Primary-Univ
06/28/06	13 <sup>87</sup>	Male	Abyei	Abyei Town	Dinka Ngok + 1 Dinka Twic	Christian	Middle <sup>88</sup>	Sec-University
06/28/06	9	Female	Abyei	Abyei Town	Dinka Ngok	Christian	Mixed <sup>89</sup>	Pri-Secondary
06/29/06	10 <sup>90</sup>	Male	Abyei	Abyei Town	Dinka Ngok	Christian + 4 Muslim	Older	None-Secondary
06/30/06	14	Female	Abyei	Abyei Town	Dinka Ngok	Christian	Younger	Pri-Secondary
06/30/06	15	Male	Abyei	Today	Mixed <sup>91</sup>	Mixed <sup>92</sup>	Mixed <sup>93</sup>	None-Sec <sup>94</sup>
06/30/06	14	Female	Abyei	Today	Dinka Mixed <sup>95</sup>	Christian	Mixed <sup>96</sup>	Pri-Secondary and Adult Education
07/01/06	8	Male	Abyei	Awolnam	Dinka Ngok + 2 Dinka Twic	Christian	Middle- Older <sup>97</sup>	None-Primary
07/01/06	14	Female	Abyei	Awolnam	[Dinka] <sup>98</sup>	Missing	Missing	Missing
07/02/06	10	Male	Abyei	Abyei Town	Dinka Ngok + 1 Misseriya	Christian + 1 Muslim	Middle- Older <sup>99</sup>	Sec-University

<sup>83</sup> One participant was slightly younger at age 39 and two were younger at ages 24 and 28.

<sup>84</sup> Only one participant had a secondary level education; all other participants had no education.

<sup>85</sup> One participant was Dinka Twic.

<sup>86</sup> One participant was younger at age 34.

<sup>87</sup> All participants were teachers.

<sup>88</sup> Three participants were slightly younger at age 24; one participant was age 23.

<sup>89</sup> There was a wide range of ages in this group; participants cited their ages as: 45, 21, 29, 20, 23, 20, 25, 37 and 35.

<sup>90</sup> All participants were chiefs and elders.

<sup>91</sup> Six participants were Dinka Rek, 3 participants were Dinka Ngok, 3 participants were Dinka Aweil, 2 were Misseriya and 1 was Dinka Twic.

<sup>92</sup> Seven participants were Muslim, 4 participants were Christian and 4 participants practiced traditional beliefs.

<sup>93</sup> There was a wide range of ages in this group; participants cited their ages as: 35, 40, 38, 50, 45, 35, 77, 45, 80, 38, 25, 42, 62, 60 and 70.

<sup>94</sup> One participant had a primary education and one had a secondary education, but the remaining participants had no education.

<sup>95</sup> Eight participants were Dinka Ngok, five were Dinka Twic and one was Dinka Malual.

<sup>96</sup> There was a wide range of ages in this group; participants cited their ages as: 50, 26, 35, 32, 28, 18, 26, 20, 15, 28, 30, 25, 23 and 43.

<sup>97</sup> Participants cited their ages as: 76, 40, 35, 31, 50, 44, 40 and 64.

<sup>98</sup> Information detailing participant demographics was recorded but subsequently lost during transport. However, it is known that all the participants in this group were Dinka.

<sup>99</sup> Participants cited their ages as: 40, 43, 35, 45, 35, 27, 40, 26, 50 and 41.

## APPENDIX B - METHODOLOGY NOTES

**Focus Group Research:** Focus groups are open-ended group interviews directed by a moderator and following a pre-set guideline. The purpose of focus group research is to understand the attitudes, opinions and experiences of participants who are recruited for the exercise. Focus groups are particularly useful in gaining a deeper appreciation for the motivations, feelings and values behind participants' reactions. In addition, the group format enables respondents to participate in an exchange of ideas - thus revealing a more in-depth understanding of why opinions are held - that may not emerge in individual in-depth interviews or quantitative surveys.

Focus group discussions are comprised of a small number of participants, typically 8-10 per group. However, depending on the specific situation, groups may be slightly smaller or larger than the ideal. In the Three Areas context, a chiefs' group, for example, may work better with a smaller number because chiefs are generally well-informed and have strongly held opinions. A women's group in a more isolated area may benefit from being larger because it is likely that one or more of the participants will refuse to speak at length even if pressed.

Focus groups are recruited to be homogeneous - so, for example, men's and women's groups are conducted separately - to enhance the comfort level of the participants and to clarify the views of a particular sub-group. The number of groups conducted varies widely based on the goals of the research, but the total number of participants is always relatively small and cannot be considered statistically representative of the larger population. It is important to always be aware that focus groups are a qualitative, not a quantitative, research tool.

**Group Composition:** The focus groups in this report were stratified by gender, ethnicity, age and education. Single ethnicity groups were convened among Dinka Ngok, Funj, Nuba, Uduk and 'Arabs'. In more populous areas where 'black African' and non-'black African' populations live in close proximity and interact with each other frequently, several mixed groups were conducted, though most were predominantly Arab. In Abyei, a few groups combined Dinka Ngok and other Dinka sections and one group consisted of various Dinka sections and two Misseriya. (See Appendix A for a further information on participant demographics.)

**Age:** Based on past research experience in Sudan, the age categories used are broadly defined as "younger," "middle" or "older." Younger refers to participants up to age 25, middle refers to participants age 26-40 and older refers to participants over age 40. Given the difficulty of gathering participants in largely rural areas and since people in some areas inside Three Areas do not know their ages, the categories are used as a general guideline rather than strictly enforced criteria. Appendix A details the general age category of each group conducted as well as notes when a participant fell outside the targeted age range.

**Religion:** The majority of focus groups were conducted among Muslims because that is the dominant religion in Blue Nile and Southern Kordofan. Groups held in Abyei were predominantly Christian, although four groups contained at least one Muslim and one group was composed of Muslims, Christians and adherents of traditional beliefs.

**Education:** Participants sampled in the groups had widely varying degrees of education, ranging from none through university. As much as possible, the groups were stratified to include participants with relatively similar education backgrounds. We did not attempt to stratify by education when we were recruiting special groups, such as chiefs, since in that case the category of participant was the more important criterion.

**Ethnic Locations and Designations.** Groups that include Funj and Uduk participants were all conducted in Blue Nile state, and groups that include Nuba participants were all conducted in Southern Kordofan state, with the exception of two groups in Roseries in Blue Nile state that included Nuba who had lived in the area for many years. All groups containing Dinka and Misseriya participants were conducted in Abyei. In Blue Nile and Southern Kordofan, the term 'Arab' is used to define focus groups that contain primarily non-Funj, non-Uduk or non-Nuba participants. The 'Arab' designation for these participants is consistent with how 'black African' participants view them, but may not reflect a pure ethnic Arab origin and may not necessarily be how these 'Arab' participants would identify themselves. In addition, a group's identification as Arab or predominantly Arab should not be interpreted as always equivalent to support for the National Congress Party (NCP) or opposition to the Sudan People's Liberation Movement (SPLM). 'Arab' participants express complex views that sometimes diverged from their 'black African' counterparts, but also many times were in agreement. The few Misseriya participants included in some of the Abyei groups are 'black' Misseriya. According to our



Sudanese moderators, 'black' Misseriya are those that live among the Dinka and are considered, to a large degree, a part of the community.

**Participatory Exercises:** Participatory exercises can help to energize focus groups and lead to greater participation during the discussion. Several of these exercises were tried for the first time during this research. Some presented challenges, such as needing to represent an abstract concept visually due to illiteracy and adapting to unfamiliarity among some participants with the use of pens and paper. Overall, however, these exercises added another dimension to the focus group data. For example, a scoring exercise helped illuminate the differing weight participants gave to specific causes of the conflict and an exercise we entitled 'hilltop' allowed a more refined comprehension of the state of peace in the different areas.

**Logistics:** The logistical challenges of conducting research in Three Areas are immense. Travel to and sometimes within the Three Areas is only possible through the air, yet flights are highly dependent upon scheduling and seating availability of the United Nations air service and various charter companies. Pre-planning for the groups is difficult and requires labor-intensive coordination to organize transport and accommodation in each location. These difficulties occasionally impact the number and type of groups that can be conducted.

**Staffing:** It is very difficult to find moderators in the Three Areas who are fluent in English because of poor or non-existent education facilities and the dominance of Arabic in certain areas. To combat this problem, NDI recruited and trained natives of the Three Areas who are currently among the Diaspora in Nairobi to travel with the research team and act as moderators for the groups. Due to the lack of competent moderators, a few of the women's groups were conducted by a male moderator and vice versa.

**Group Locations:** The forty-one focus groups outlined in this report were conducted in 16 locations throughout the Three Areas of Abyei, Blue Nile and Southern Kordofan. (See Appendix A for a list of focus group locations.) Two groups were conducted among recent returnees, but no current IDPs were interviewed for this research.

**Facilities:** In more rural areas, there are few structures appropriate for focus group research. As a result, groups were sometimes conducted in open-air settings, although this reduces the privacy of the group.

**Remote Areas:** Due to the lack of available local transportation, this research is limited to areas accessible by air or via major roads. Rains that began unexpectedly during this research further limited the areas accessible by vehicle. As a result, more remote peoples were not reached.

**Outside Influence:** In some cases, local authorities are informed of the research activities before they start. However, every effort is made to ensure there is no undue influence exerted on the participants in the groups. In the majority of instances, the participants are gathered in some random fashion. During this research, there were only two times when this was not possible. There was no case in which the findings from one or more groups differed radically from findings in the groups overall, which suggests that undue local influence was not a major factor in this research.

## APPENDIX C - MODERATOR'S GUIDELINE

Three Area Focus Groups  
April-July 2006

Blue Nile State<sup>100</sup> - Non-Arab:

### I. INTRODUCTION

Hello, my name is \_\_\_\_\_, and I am trying to learn more about what citizens of Blue Nile State think about the important issues in the area. I am the facilitator for today's discussion.

- There are no right or wrong answers.
- Everyone's opinion is equally important. We want everyone to speak.
- If you disagree with someone, that is okay.
- This discussion is only between those of us here.
- I have this recorder to help me when I write the report. Your name will not be used in the report.  
The report will only say a [woman/man] from [location] said this or that.
- The person here is taking notes to help with the report.
- Please speak loudly so the recorder can pick up your voice.

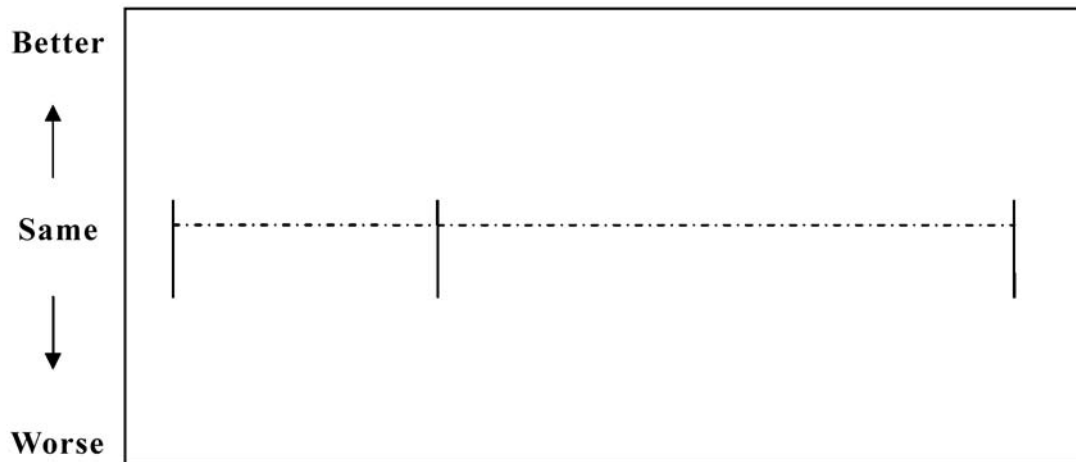
Thank you. Now let us begin.

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<sup>100</sup> A similar guideline was used for 'black African' groups in Southern Kordofan. A slightly different guideline was used for the 'Arab' and predominantly 'Arab' groups in Blue Nile and Southern Kordofan. The guideline for the Abyei groups contained most of the same questions, though additional questions about the Abyei Administration and Abyei Boundaries Commission, among others, were added.

## II. STATE DIRECTION

1. How are things going in Blue Nile State these days? Are they going in the right direction or wrong direction?
2. The Comprehensive Peace Agreement (CPA) was signed on January 9, 2005. Since that time how has the situation in Blue Nile State changed? Draw a line indicating how the situation has gotten better, worse or stayed the same at various times in the year and four months since the CPA was signed. [MODERATOR CREATES THE DRAWING AFTER LEADING A DISCUSSION WITH THE GROUP.]



3. What caused the situation to change [for the better or the worse] at the times you have indicated?
  - 3a. [IF APPLICABLE] During the times you indicate the situation was getting better, what specifically made you feel that things were getting better? Please provide examples.
  - 3b. [IF SITUATION IS SAID TO HAVE GOTTEN WORSE AFTER GARANG'S DEATH] What specifically has changed after the death of John Garang? Please provide examples.
  - 3c. [IF APPLICABLE] What, specifically, makes you feel that things are getting worse? Please provide as many examples as possible.

## III. COMPREHENSIVE PEACE AGREEMENT

1. What is your opinion of the CPA?
2. Which of the following statements best reflects how you feel about the CPA and why do you feel this way? [RECORD NUMBER OF PEOPLE VOTING FOR EACH STATEMENT]
  - The CPA is a good agreement that will lead to a lasting peace in Blue Nile State
  - The CPA is a bad agreement that will eventually fall apart and lead back to conflict in Blue Nile State
  - The CPA is an agreement that has both good and bad parts but is our best chance to maintain the peace in Blue Nile State
  - 2a. [FOR THOSE CHOOSING THE SECOND AND THIRD STATEMENTS:] Which of the following would you most agree with and why:
    - the agreement itself is flawed and that is the problem
    - the problem with the agreement is more the implementation of the agreement than the agreement itself
3. What does the CPA say specifically about Blue Nile State? Please provide as many details about what the CPA says about Blue Nile State as possible.

4. Has the CPA been implemented fairly in Blue Nile State? Why or why not?

4a. Fourteen months have passed since the signing of the CPA. How much progress in implementation of the CPA, based on a scale of 0%-100%, have you seen thus far?

IV. CONFLICT ISSUES

1. When the conflict started in Blue Nile State in the mid-1980s, what were the main reasons for this conflict?

2. Using the items provided, indicate how much each of the following issues contributed to causing the conflict by placing the number of items you feel appropriate beside the corresponding picture.

- Taking of Customary Land for Mechanized Farming Schemes
- Forced Islamicization/Sharia
- Arabization of the Education System
- Taking of Resources (gold, Gum Arabic, etc.) Without Compensation
- Lack of Development
- Lack of Representation in the Government
- Discrimination

3. Of these issues, which ones are the most important to resolve in order to bring permanent peace to Blue Nile State?

3a. Of these issues pick the top two only that you think must be resolved before there can be a permanent peace in Blue Nile State. How can they be resolved?

4. Did the CPA provide a solution for these issues that caused conflict in Blue Nile State? Why or why not?

4a. Are there some of these issues that the CPA addressed better than others?

5. For each of the following, please indicate how much you feel the issue has improved since the signing of the CPA and why you hold this opinion.

- Taking of Customary Land for Mechanized Farming Schemes

**Improved:**    A lot                  Some                  A little    None at All

- Forced Islamicization/Sharia

**Improved:**    A lot                  Some                  A little    None at All

- Arabization of the Education System

**Improved:**    A lot                  Some                  A little    None at All

- Taking of Resources (gold, Gum Arabic) Without Compensation

**Improved:**    A lot                  Some                  A little    None at All

- Lack of Development

**Improved:**    A lot                  Some                  A little    None at All

- Lack of Representation in the Government

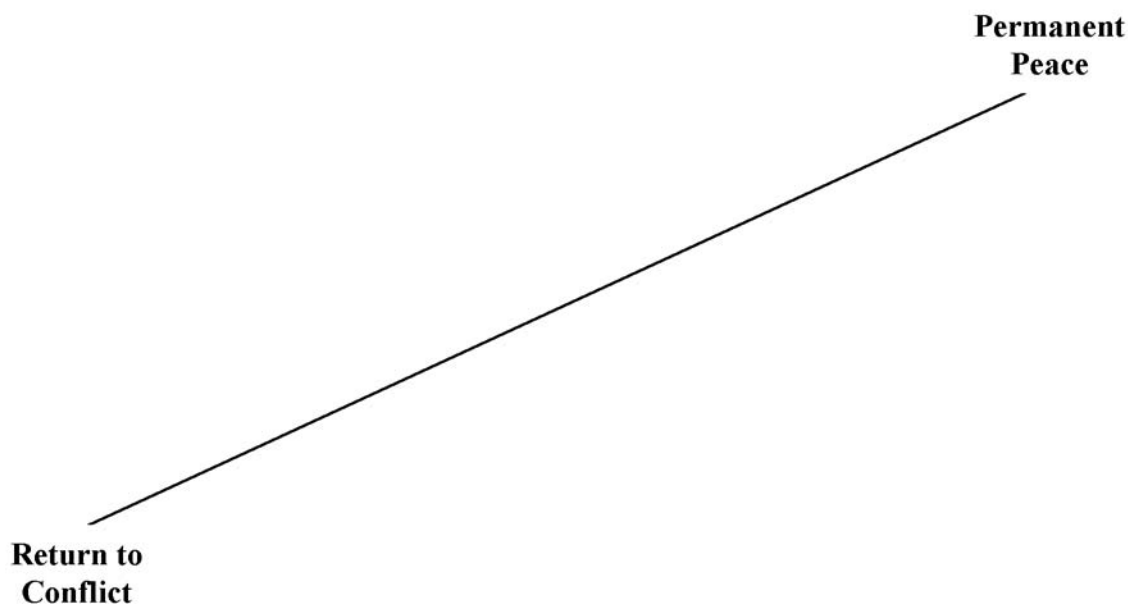
**Improved:**    A lot                  Some                  A little    None at All

- Discrimination

**Improved:**    A lot                    Some                    A little    None at All

6. Do you think peace will last in Blue Nile State? Why or why not?

7. Please place a mark on this graph that indicates how close or far away you feel Blue Nile State is to achieving a permanent peace. After placing your mark, explain why you made the mark you did.



8. What is the current situation with nomads in Blue Nile State?

- 8a. Are there any problems created by the movement of nomads in Blue Nile State?
- 8b. How does this affect the security situation in Blue Nile State?
- 8c. How are these problems resolved?

## V. DEVELOPMENT

1. Has there been any improvement in development in this area since the signing of the CPA in January 2005? Please provide examples.
2. How has development in this area compared to development that has taken place in other parts of Blue Nile State since the signing of the CPA? Please provide examples.
3. What are the top three problems facing this area?
  - 3a. Do you know of any efforts by the government to address these problems?

## VI. SPLM, NCP & THE THREE AREAS

1. What is your opinion of the SPLM?
2. How well do you think of the SPLM is doing regarding issues that affect Blue Nile State? Why?



3. What do you think of the local SPLM leaders here in Blue Nile State?
4. What do you think of the local NCP leaders here in Blue Nile State?
  - 4a. What are the other political forces/actors here in Blue Nile State and what do you think of them?

## VII. IDPs & REFUGEES

1. How many refugees and IDPs would you say have returned to Blue Nile State since the signing of the CPA - a lot OR some OR a few?
  - 1a. Do you expect many more people to return? [IF YES] When?
  - 1b. [IF YES] Where will these people be coming from and what routes will they take back to Blue Nile State?
2. What are the factors that are keeping people from returning to their homes in Blue Nile State? Please provide specific examples.
  - 2a. What is the one thing that could happen that would encourage people to return to their homes in Blue Nile State?
3. Have you experienced any problems in this community due to the return of IDPs and refugees?
  - 3a. Have you experienced any problems with (1) land; (2) services like schools and clinics; OR (3) shortage of resources (like water and food) due to the return of IDPs & refugees?

## VIII. STATE GOVERNMENT

1. Do you know anything about the Blue Nile State Constitution? [IF YES] What do you know and what is your opinion of it?
2. In general, how is the effort to integrate the SPLM and the NCP into the Blue Nile State government going?
3. According to the CPA, the Blue Nile State governorship will rotate between the NCP and the SPLM with each party holding the post for half the time until the 2009 elections. In addition, whichever party holds the governorship, the other party holds the Deputy Governor post. What do you think of this arrangement and how is it working in practice?
  - 3a. What is your opinion of the NCP Governor?
4. According to the CPA, the state legislature is to be split between representatives of the NCP, which gets 55% of the seats in the legislature, and the SPLM, which gets 45% of the seats in the legislature, until the 2009 elections. What do you think of this arrangement and how is it working in practice?
  - 4a. [IF NOT ANSWERED ALREADY] What is your opinion of the NCP members of the legislature and [IF NOT ANSWERED ALREADY] what is your opinion of the SPLM members of the legislature?
5. Have you heard of the term 'popular consultation'? [IF YES:] What does it mean and how does it apply to Blue Nile State?
6. Please consider the following scenario and provide your thoughts on how you think it would or would not work for the people of Blue Nile State:
  - The people of Blue Nile State democratically elect representatives to a state legislature/parliament. Those members of that legislature can then either accept the CPA or negotiate with the national government to change the way the CPA is implemented in Blue Nile State. Once accepted by the legislature, the CPA will become the final solution to the conflict in Blue Nile State.

## IX. LAND

1. What do you know about the Land Commission for Blue Nile State?
2. [IF NOT ANSWERED IN PREVIOUS QUESTIONS] What are issues relating to land in Blue Nile and how can they be solved?
3. [IN FORMER SPLM AREAS ONLY] Do you know anything about work that has been undertaken to map/mark boundaries for community lands in this area?

## VIII. ARMS, ARMIES, POLICE &amp; MILITIAS

1. What is your opinion of the two armies - the SPLA and the SAF - in Blue Nile State?
  - 1a. What is the relationship between the two armies?
2. What do you know about the Joint Integrated Units (JIUs) that are called for in the CPA and are comprised of soldiers from both the SPLA and the SAF?
  - 2a. [IF YES] Are they functioning well in Blue Nile State OR not?
3. What is your opinion of the police in Blue Nile State?
4. What is your opinion of the national security branch in Blue Nile State?
5. What are there other armed groups [militias] in Blue Nile State other than the SAF and the SPLM and who is supporting them?
6. In this area, has there been an increase, a decrease OR has there been no change in the number of weapons in civilian hands since the signing of the peace agreement?
  - 6a. How has this affected security in this area?
  - 6b. [IF 'INCREASE':] Does this pose a threat to peace? [IF YES:] In what way?

## IX. REFERENDUM &amp; ELECTIONS

1. In 2009, the whole of Blue Nile State will vote for a governor and for people to represent them in the state legislature. Is this a good thing OR not a good thing?
  - 1a. Do you think if the elections are free and fair and the people of Blue Nile State get to vote for whomever they wish, this will resolve the problems that caused the conflict in Blue Nile State?
2. Will there be any other elections in Blue Nile State other than the one to pick a governor and representatives for the state legislature?
3. The CPA says that southerners will vote in a referendum where they will choose whether or not to stay united with the North. Which of the following reflects what the CPA says about the people living in Blue Nile State? *Please note that your answer should be based on what you believe the CPA says, not what you wish or hope to happen.*
  - The people of Blue Nile State will vote in the same referendum as southerners and will choose along with southerners whether to stay with the North or go with the South, if the South chooses to separate.
  - The people of Blue Nile State will vote in a separate referendum where they will choose whether to stay with the North, go with the South if it chooses to separate or become independent of both North and South.
  - The people of Blue Nile State will not be voting in a referendum and will become part of the North if the South votes for separation.

4. [ASK ONLY OF THOSE WHO CHOOSE #1 OR #2] What will happen if there is **not** a vote that allows the people of Blue Nile State to choose whether to go with North, go with the South or be independent?
  
5. When you talk of Blue Nile State being independent of both North and South, what do you mean?
  - 5a. Are you talking of being a separate country OR do you only mean that Blue Nile State would govern its own affairs but still remain part of Sudan?

APPENDIX D - CAUSES OF CONFLICT REPRESENTATIONS



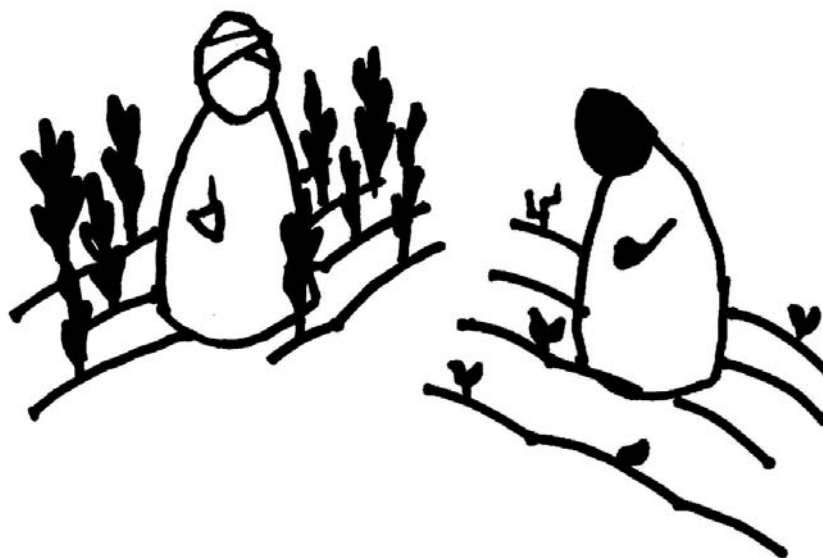
Lack of Development



Forced Islam and *Shari'a*

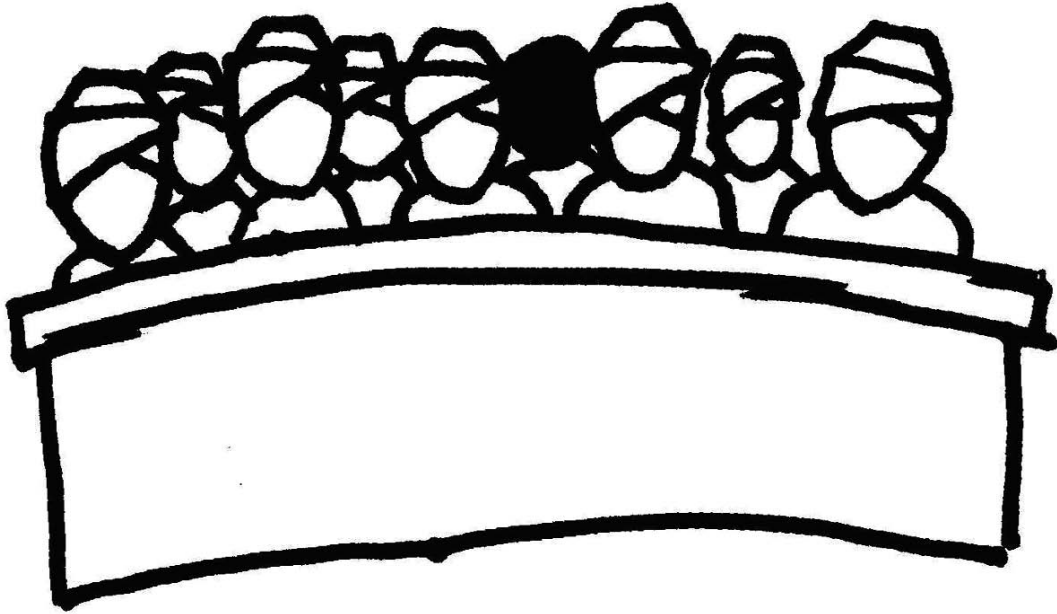


### Arabization of the Education System



### The Taking of Customary Lands for Mechanized Farming Schemes





Lack of Representation in Government



The Taking of Resources without Compensation



Discrimination

## APPENDIX E – TEXT OF THREE AREAS PROTOCOLS

**PROTOCOL**  
**Between**  
**THE GOVERNMENT OF THE SUDAN (GOS)**  
**And**  
**THE SUDAN PEOPLE'S LIBERATION MOVEMENT/ARMY (SPLM/A)**  
**On**  
**THE RESOLUTION OF ABYEI CONFLICT**

Naivasha, Kenya May 26th, 2004

**1. Principles of Agreement on Abyei \*****1.1 In General**

- 1.1.1 Abyei is a bridge between the north and the south, linking the people of Sudan;
- 1.1.2 The territory is defined as the area of the nine Ngok Dinka chiefdoms transferred to Kordofan in 1905;
- 1.1.3 The Misseriya and other nomadic peoples retain their traditional rights to graze cattle and move across the territory of Abyei.

**1.2 Interim Period:**

Upon signing the peace agreement, Abyei will be accorded special administrative status, in which:

- 1.2.1 Residents of Abyei will be citizens of both Western Kordofan and Bahr el Ghazal, with representation in the legislatures of both states;
- 1.2.2 Abyei will be administered by a local Executive Council, elected by the residents of Abyei. Pending the election of the Executive Council, its initial members will be appointed by the Presidency;
- 1.2.3 Net oil revenues from Abyei will be divided six ways during the Interim Period: the National Government (50 percent); the Government of Southern Sudan (42 percent); Bahr el Ghazal region (2 percent); Western Kordofan (2 percent); locally with the Ngok Dinka (2 percent); and locally with the Misseriya people (2 percent);
- 1.2.4 The National Government will provide Abyei with assistance to improve the lives of the peoples of Abyei, including urbanization and development projects;
- 1.2.5 International monitors will be deployed to Abyei to ensure full implementation of these agreements.

**1.3 End of Interim Period:**

Simultaneously with the referendum for southern Sudan, the residents of Abyei will cast a separate ballot. The proposition voted on in the separate ballot will present the residents of Abyei with the following choices, irrespective of the results of the southern referendum:

- a. That Abyei retain its special administrative status in the north;
- b. That Abyei be part of Bahr el Ghazal.

- 1.4 The January 1, 1956 line between north and south will be inviolate, except as agreed above.

**2. Administrative Structure:**

- 2.1 Upon signing the Peace Agreement, Abyei Area shall be accorded special administrative status under the institution of the Presidency.
- 2.2 Abyei area shall be administered by a local Executive Council, elected by the residents of Abyei. Pending the election of the Executive Council, its initial members shall be appointed by the Presidency.

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\* This is the full text of the proposal entitled "Principles of Agreement on Abyei," presented by US Special Envoy Senator John Danforth to H.E. First Vice President Ali Osman Mohamed Taha and SPLM/A Chairman Dr. John Garang on the 19th March, 2004. The Parties hereby declare to adopt these Principles as the basis for the resolution of Abyei Conflict.

- 2.3 The administration of the Abyei Area shall be representative and inclusive of all the residents of the area.
- 2.4 The Executive Council shall be composed of the Chief Administrator, his/her Deputy and not more than five heads of departments. Prior to elections, the Chief Administrator and his/her Deputy shall be appointed by the Presidency. The Chief Administrator shall make recommendations to the Presidency regarding the appointments of the heads of departments.
- 2.5 The Executive Council, in exercise of its executive powers, shall:
- 2.5.1 render necessary services;
  - 2.5.2 supervise and promote security and stability in the area;
  - 2.5.3 Propose development and urbanization projects for the area to both the Abyei Area Council and to the Presidency;
  - 2.5.4 Present to the National Government proposals regarding the provision of assistance to improve the lives of the peoples of Abyei, including urbanization and development;
- 2.6 The Presidency, upon the recommendation of the Executive Council, shall determine the executive, legislative and financial powers and competencies of the special status of Abyei Area, having regard to this protocol, other protocols, agreements, and the Comprehensive Peace Agreement.
- 2.7 In view of the special status of Abyei Area, the Presidency shall apply to the Judiciary to establish courts for Abyei Area as deemed appropriate.

### **3. Financial Resources:**

- 3.1 Without prejudice to the provisions of the Wealth Sharing Agreement, the net-oil revenue from the oil produced in Abyei Area shall be shared during the Interim Period as follows:
- 3.1.1 Fifty Percent (50%) to the National Government;
  - 3.1.2 Forty Two Percent (42%) to the Government of Southern Sudan;
  - 3.1.3 Two Percent (2%) to Bahr el Ghazal Region;
  - 3.1.4 Two Percent (2%) to Western Kordofan;
  - 3.1.5 Two Percent (2%) locally with the Ngok Dinka;
  - 3.1.6 Two Percent (2%) locally with the Misseriya people.
- 3.2 In addition to the above financial resources, Abyei Area shall be entitled to:
- 3.2.1 The area share of the national revenue as per the Wealth Sharing Agreement;
  - 3.2.2 The revenues raised in the Abyei Area from Income Tax and other taxes and levies;
  - 3.2.3 The share of the Area in the National Reconstruction and Development Fund;
  - 3.2.4 An equitable share of Southern Sudan Development and Reconstruction Fund;
  - 3.2.5 Allocations from the National Government to cover the cost of establishment of the new administration, its running and provision of services;
  - 3.2.6 Donations and grants.
- 3.3 There shall be established, under the Executive Council, Abyei Resettlement, Construction and Development Fund to handle relief, repatriation, resettlement, reintegration, rehabilitation and reconstruction programmes in the Area. The Fund may establish specialized agencies.
- 3.4 The National Government shall appeal to the international and donor community to facilitate the return and resettlement of the residents of Abyei Area.
- 3.5 The financial resources due to Abyei Area as provided in section 3 herein shall be deposited in special accounts, acceptable to the Presidency, from which the administration of the Area shall make withdrawals.

### **4. Public Participation:**

- 4.1 There shall be established Abyei Area Council comprised of not more than twenty members.
- 4.2 Prior to elections, the Presidency shall appoint the members of the Abyei Area Council.
- 4.3 The Abyei Area Council shall:
- 4.3.1 Issue local enactments within the powers of local government and on customary matters;
  - 4.3.2 Approve the budget of the Area;

- 4.3.3 Adopt reconstruction, development and urbanization plans for the Area;
- 4.3.4 If necessary, recommend to the Presidency the relief of the Chief Administrator or his/her Deputy;
- 4.3.5 Participate in the promotion of reconciliation efforts in the Area.

#### **5. Determination of Geographic Boundaries:**

- 5.1 There shall be established by the Presidency, Abyei Boundaries Commission (ABC) to define and demarcate the area of the nine Ngok Dinka Chiefdoms transferred to Kordofan in 1905, referred to herein as Abyei Area.
- 5.2 The composition and timeframe of the Abyei Boundaries Commission (ABC) shall be determined by the Presidency. However, the Commission shall include, inter alia, experts, representatives of the local communities and the local administration. The Commission shall finish its work within the first two years of the Interim Period.
- 5.3 The Abyei Boundaries Commission (ABC) shall present its final report to the Presidency as soon as it is ready. Upon presentation of the final report, the Presidency shall take necessary action to put the special administrative status of Abyei Area into immediate effect.

#### **6. Residents of the Area:**

- 6.1 The residents of Abyei Area shall be:
  - (a) The Members of Ngok Dinka community and other Sudanese residing in the area;
  - (b) The criteria of residence shall be worked out by the Abyei Referendum Commission.
- 6.2 Residents of Abyei shall be citizens of both Western Kordofan and Bahr el Ghazal with representation in the legislatures of both States as determined by the National Electoral Commission. However, prior to elections, the Presidency shall determine such representation.

#### **7. Security Arrangements:**

- 7.1 There shall be established Abyei Area Security Committee, chaired by the Chief Administrator, and shall comprise of the Deputy Chief Administrator, the Army Commander, the Police Chief, and the representative of the Security Organ.
- 7.2 Without prejudice to the Agreement on Security Arrangements, the two Parties shall, through the Interim Period form and deploy one joint battalion in the Area.
- 7.3 International monitors, as shall be agreed in the comprehensive Cease-fire Agreement shall also be deployed in the Area through the Interim Period.
- 7.4 International monitors shall be deployed to Abyei to ensure full implementation of these Agreements.

#### **8. Abyei Referendum Commission:**

- 8.1 There shall be established by the Presidency an Abyei Referendum Commission to conduct Abyei referendum simultaneously with the referendum of Southern Sudan. The composition of the Commission shall be determined by the Presidency.
- 8.2 The residents of Abyei shall cast a separate ballot. The proposition voted on in the separate ballot shall present residents of Abyei with the following choices; irrespective of the results of the Southern referendum:
  - a. That Abyei retain its special administrative status in the north;
  - b. That Abyei be part of Bahr el Ghazal.
- 8.3 The January 1, 1956 line between north and south shall be inviolate, except as agreed above.

#### **9. Reconciliation Process:**

Upon signing the Comprehensive Peace Agreement, the Presidency shall, as a matter of urgency, start peace and reconciliation process for Abyei that shall work for harmony and peaceful co-existence in the Area.

**PROTOCOL**  
**Between**  
**THE GOVERNMENT OF SUDAN (GOS)**  
**And**  
**THE SUDAN PEOPLE'S LIBERATION MOVEMENT (SPLM)**  
**On**  
**THE RESOLUTION OF CONFLICT IN**  
**SOUTHERN KORDOFAN/NUBA MOUNTAINS**  
**AND BLUE NILE STATES**

Naivasha, Kenya, 26TH May, 2004

**PREAMBLE:**

RECOGNIZING that the conclusion of the comprehensive peace settlement that the Sudanese people are longing for requires solving the problems in Southern Kordofan/Nuba Mountains<sup>1</sup> and Blue Nile States as a model for solving problems throughout the country; and

REAFFIRMING that citizenship shall be the basis for equal rights and duties for all Sudanese citizens regardless of their ethnicity or religion; and

UNDERLINING the importance of recognizing the cultural and social diversity of the Sudan as a source of strength and unity; and

EMPHASIZING equality, fairness, economic development, social welfare and stability as overarching goals of the Sudanese people in general and the population of the conflict affected areas in particular;

NOW THEREFORE, the Parties hereby agree as follows:-

**1. General Principles:**

The Parties agree on the following, as the basis for political, administrative, economic and social solution to the conflict in Southern Kordofan/Nuba Mountains and Blue Nile:

- 1.1. Human rights and fundamental freedoms shall be guaranteed to all individuals in the State as prescribed in the Interim National Constitution;
- 1.2. The diverse cultural heritage and local languages of the population of the State shall be developed and protected;
- 1.3. Development of human resources and infrastructure shall be the main goal of the State. It shall be conducted to meet human needs in accordance with the best-known practices of sustainable development within a transparent and accountable framework.

**2. Definition of the Two Areas:**

- 2.1. The boundaries of Southern Kordofan/Nuba Mountains State shall be the same boundaries of former Southern Kordofan Province when Greater Kordofan was sub-divided into two provinces.
- 2.2. For the purpose of this Protocol, Blue Nile State shall be understood as referring to the presently existing Blue Nile State.

**3. Popular Consultation:**

The Government of Sudan and the Sudan People's Liberation Movement (the Parties), committed to reaching a just, fair and comprehensive peace agreement to end the war in Southern Kordofan/Nuba Mountains and Blue Nile States, agree

<sup>1</sup> The name of the State shall be settled before the conclusion of the Peace Agreement by a committee representing the State formed by the two Parties.



on the following:-

- 3.1. Popular consultation is 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 reached by the Government of Sudan and the Sudan People's Liberation Movement.
- 3.2. That this comprehensive agreement shall be subjected to the will of the people of the two States through their respective democratically elected legislatures.
- 3.3. That the legislatures of the two States shall each establish a Parliamentary Assessment and Evaluation Commission to assess and evaluate the implementation of the agreement in each State. The two Commissions shall submit their reports to the legislatures of the two States by the fourth year of the signing of the comprehensive Peace Agreement.
- 3.4. An independent Commission shall be established by the Presidency to assess and evaluate the implementation of the comprehensive Peace Agreement in each of the two States. The Commission shall submit its reports to the National Government and the Governments of the two States who shall use the reports to rectify any procedure that needs to be rectified to ensure faithful implementation of the Agreement.
- 3.5. Once this agreement is endorsed by the people through the legislature of any of the two States as meeting their aspirations, then the agreement becomes the final settlement of the political conflict in that State.
- 3.6. 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.

#### **4. Structure of the State Government:**

- 4.1. The State shall have the following structure:-
- 4.2. The State Executive, which shall comprise of:-
  - 4.2.1 The State Governor;
  - 4.2.2 The State Council of Ministers; and
  - 4.2.3 Local Governments.
- 4.3. The State Legislature (SL).
- 4.4. The State Judiciary.

#### **5. The State Executive:**

- 5.1. The Governor of the State shall be directly elected by the registered voters of the State in a public adult suffrage.
- 5.2. The Governor shall appoint the ministers and the commissioners of the state in accordance with the State Interim Constitution. The State Council of Ministers shall be representative.
- 5.3. The Governor shall, together with the State Council of Ministers, exercise the Executive Powers of the State which shall be in respect of the functional areas listed in Schedules A and B, read together with Schedule C, attached hereto, and in accordance with the State Interim Constitution.
- 5.4. The State Council of Ministers shall be accountable to the Governor and the State Legislature in the performance of their duties.
- 5.5. The State shall have commissioners and elected local councils. The organization and proper functioning of the Local Governments shall be the responsibility of the Government of the State.
- 5.6. There shall be State Security Committee to be chaired by the Governor of the State. The Committee shall include, among others, the Military Commander of the area, his Deputy, the Director of the State Police and Director of the State National Security Branch.

- 5.7 Without prejudice to the provisions of paragraph 5.6 above, the Governor of the State may demand the transfer of the Director of the National Security Branch from the State.
- 5.8 The State Police Service shall adhere to the National standards and regulations as set forth by National Police Service.
- 5.9 Police, Prisons, Wildlife and Fire Brigade Officers shall be recruited by the State Service according to the National standards, trained and commissioned nationally and returned to the State for service. The other ranks shall be locally recruited to serve within the State. Recruitment and training regulations shall be designed and standardized by the National Police Service.
- 5.10 Without prejudice to the provisions of paragraph 5.9 above, the National Authority may agree with the State Authority to transfer any number of police officers from the State police to the National Police Service whenever necessary.
- 5.11 The State Authority may request the National Authority to transfer to the State any number of police officers to fill any vacancies in the State.

#### **6. The State Legislature:**

- 6.1. Members of the State Legislature (SL) shall be elected by the registered voters of the State in accordance with the State Law and in conformity with the general guidelines as set forth by electoral provisions as set forth by the National Electoral Commission.
- 6.2. The State Legislature shall prepare and adopt the State Constitution, provided that it shall conform to the Interim National Constitution.
- 6.3. The Governor of the State shall sign any law duly approved by the State Legislature, failing which, after thirty (30) days it shall be deemed to have been signed into law, unless the Governor has submitted the law to the Constitutional Court for a ruling on its constitutionality. If the Constitutional Court finds the law constitutional, the Governor shall immediately sign such law.
- 6.4. The State Legislature shall legislate for the state within its legislative powers as stipulated in schedule (A) attached herewith.
- 6.5. State laws currently applicable in the State shall continue until new legislation is duly enacted by the SL within its competence.
- 6.6. The State Legislature shall decide its own rules, procedures, and committees, and elect its Speaker and other officers.
- 6.7. The State Legislature may relieve the Governor of the State of his/her functions by a motion supported by two-thirds of its membership.
- 6.8. Members of the State Legislature and the State Executive shall have such immunities as are provided by law.

#### **7. The State Courts:**

- 7.1. The structures and powers of the courts of the States shall be subject to the Interim National Constitution.
- 7.2. The State Constitution shall provide for the establishment of such state courts as are necessary.
- 7.3. The State Legislature shall provide for the appointment and dismissal of state appointed judges, subject to the State Constitution and the approval of the National Judicial Service Commission.
- 7.4. The State legislations shall provide for guarantees for the independence and impartiality of the State judiciary and ensures that state judges shall not be subject to political or other interference.
- 7.5. The state courts shall have civil and criminal jurisdiction in respect of State and National Laws, save that a right of appeal shall lie to the National Courts in respect of matters brought before or heard under National laws.

7.6 The National Legislature shall determine the civil and criminal procedures to be followed in respect of litigation or prosecution under National laws in accordance with the Interim National Constitution.

**8. The State Share in the National Wealth:**

- 8.1. The National wealth shall be shared equitably between different levels of Government so as to allow enough resources for each level of Government to exercise its constitutional competencies.
- 8.2. The States shall raise and collect taxes and revenues as listed in Schedule (D), annexed herewith.
- 8.3. Oil producing state is entitled to two percent (2%) of the oil produced in that state, as specified in the Wealth Sharing Agreement.
- 8.4. The state shall be represented in the Fiscal and Financial Allocation and Monitoring Commission, which shall ensure transparency and fairness in regard to allocation of the share due to the state from the Nationally collected revenues and ensure that allocations due to the state are not withheld.
- 8.5. The general objective of the National Reconstruction and Development Fund (NRDF) is to develop the war affected areas and least developed areas in the Sudan with the aim of bringing these areas to the national average standards and level of development.
- 8.6. In allocating the funds to the war-affected areas and least developed areas, NRDF shall use the effects of war and level of development as the main criteria. The Parties agree to allocate seventy-five percent (75%) of the total fund to the war-affected areas, particularly to Southern Kordofan/Nuba Mountains and Blue Nile States, while the remaining balance shall be earmarked to the least developed areas.
- 8.7. The allocation of funds among the areas affected shall be determined during the Pre-Interim Period by the Joint National Transition Team (JNTT) that shall be established as agreed to in the Wealth Sharing Agreement, within the agreed percentages as in the above paragraph, taking into consideration the actual needs based on the results of Joint Assessment Mission.
- 8.8. The Fiscal and Financial Allocation and Monitoring Commission (FFAMC), as agreed to in the Wealth Sharing Agreement, shall allocate current transfers to Southern Kordofan/Nuba Mountains, Blue Nile and other war-affected areas and least developed areas according to the following criteria:-
- 8.8.1. Population;
  - 8.8.2. Minimum expenditure responsibilities;
  - 8.8.3. Human Development Index / Social Indicators (social development factor);
  - 8.8.4. Geographical area (cost disability factor);
  - 8.8.5. Fiscal effort (internal revenue effort); and
  - 8.8.6. The effect of war factor.
- 8.9. In addition to the budgetary allocations and the two states' share in the NRDF, the President shall allocate an amount of money to each of the two states.
- 8.10. The Parties agree to appeal to the donor community to provide technical assistance to the FFAMC to develop comprehensive equalization criteria.
- 8.11. The states shall hold all income and revenue received in audited public accounts and shall comply with the regulations and auditing standards set by the Chamber of the Auditor General, who may audit the state's accounts.
- 8.12. There shall be no impediment to interstate commerce or the flow of goods and services, capital, or labour to and from the state.
- 8.13. Any debts/liabilities incurred by any level of government shall be the responsibility of that level of government.
- 8.14. There shall be a fair and equitable division of government assets. An asset shall in the first instance be allocated to the level of government responsible for the function in respect of which the asset is related (e.g., school buildings to the level of government responsible for education). In the event of a dispute, the Parties agree that such dispute shall be referred to a committee comprising a representative of each of the Parties involved in the dispute and a mutually agreed expert.

- 8.15 There shall be at the State's level accounting standards, procedures and fiscal accountability institutions operating in accordance with generally accepted accounting standards and procedures to ensure that funds are distributed according to the agreed Government budget and properly expended having regard to value for money.

#### **9. State Land Commission:**

- 9.1. The regulation of the land tenure, usage and exercise of rights in land shall be a concurrent competency exercised by the National and State Governments.
- 9.2. Rights in land owned by the National Government within the State shall be exercised through the appropriate or designated level of government.
- 9.3. There shall be established a State Land Commission in the State of Southern Kordofan/Nuba Mountains and Blue Nile, respectively.
- 9.4. The State Land Commission shall be composed of persons from the State concerned.
- 9.5. The State Land Commission shall exercise all the powers of the National Land Commission at the State level.
- 9.6. The State Land Commission shall be competent to review existing land leases and contracts and examine the criteria for the present land allocations and recommend to the State authority the introduction of such necessary changes, including restitution of land rights or compensation.
- 9.7. The National Land Commission and the State Land Commission shall cooperate and coordinate their activities so as to use their resources efficiently. Without limiting the matters of coordination, the National Land Commission and the State Land Commission may agree as follows:-
- 9.7.1. To exchange information and decisions of each Commission;
  - 9.7.2. That certain functions of the National Land Commission, including collection of data and research, may be carried out through the State Land Commission; and
  - 9.7.3. On the way in which any conflict between the findings or recommendations of each Commission may be resolved.
- 9.8. In case of conflict between the findings and recommendations of the National Land Commission and the State Land Commission which cannot be resolved by agreement, the two Commissions shall reconcile their positions. Failure to reconcile, the matter shall be referred to the Constitutional Court for adjudication.

#### **10. Security Arrangements:**

- 10.1 Without prejudice to the Agreement on the Security Arrangements and the right of Sudan Armed Forces (SAF) Command to deploy forces all over North Sudan as it deems fit, SAF troop levels in Southern Kordofan/Nuba Mountains and Blue Nile during the Interim Period shall be determined by the Presidency.

#### **11. Pre-Election Arrangements:**

- 11.1. As part of pre-election arrangements, the Parties agree on the following:-
- 11.1.1. The Executive and Legislature in the two states shall be allocated as follows:-
    - (a) Fifty-five Percent (55%) to the National Congress Party;
    - (b) Forty-five Percent (45%) to the SPLM.
  - 11.1.2. There shall be rotational governorship in the two states with each Party holding the Office of Governor for half of the pre-election period in each of the two states.
  - 11.1.3. No one Party is to hold the Governorship in both states at the same time.
  - 11.1.4. The office of Deputy Governor is to be allocated to the Party that is not presently occupying the Office of Governor.
  - 11.1.5. The Parties are to decide upon the signature of the Comprehensive Peace Agreement the time and order in which each party assumes the Governorship in each state.
- 11.2. Pending general elections, and as part of affirmative action, the Parties agree that Southern Kordofan/Nuba Mountains and Blue Nile States shall be adequately represented in National Institutions targeting a percentage not less than the ratio of their population size.

## APPENDIX F - ABOUT THE AUTHOR

**Traci D. Cook** is a Senior Advisor for the National Democratic Institute's Sudan program. An experienced opinion researcher who has done similar work elsewhere in Africa and the Caribbean, she previously served as the senior director for strategic and corporate communications at the Women's National Basketball Association and as vice president of marketing communications at Shepardson Stern + Kaminsky in New York, where she supervised and analyzed focus group research for Fortune 500 companies. As country program director for NDI in Malawi between 1993 and 1996, she also designed and conducted a series of focus groups on democracy and governance. Complementing her work in the field of international development and in the private sector is her experience as the political director for the Mississippi Democratic Party, legislative work on Capitol Hill, and research work for various U.S. House and Senate races. This is Ms. Cook's fifth study of citizen opinions and attitudes in Sudan.





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