

United Nations Mission



August 2009

# In SUDAN

## DEFINING ABYEI

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# DIARY

- **14 July:** The 100th meeting of the Ceasefire Joint Military Committee was held in Juba. The historic occasion was commemorated with an official ceremony attended by members of the Sudan People's Liberation Army, Sudan Armed Forces, the United Nations and governmental officials.
- **15 July:** Secretary-General Ban Ki-moon's Special Envoy for the Lord's Resistance Army (LRA)-affected areas, Joaquim Chissano, gave a last briefing to the Security Council as he stepped down from his position. Mr. Chissano stressed that opportunities for peaceful re-engagement with the LRA should be pursued alongside military action.
- **22 July:** The Hague-based Permanent Court of Arbitration (PCA) decided the Abyei Boundaries Commission experts had exceeded their mandate regarding the eastern and western boundaries as well as the northernmost limit of the Ngok Dinka and Misseriya's "shared rights" area. The case was referred to the Court as part of the June 2008 Abyei Road Map Agreement, signed after deadly clashes in Abyei.
- **22 July:** Secretary-General Ban Ki-moon welcomed the PCA's decision on the final settlement of Abyei's boundaries as a major step towards implementation of the Comprehensive Peace Agreement (CPA) and called on the parties to keep the spirit of cooperation alive.
- **29 July:** An area cleared of mines and unexploded ordnances (UXOs) in rural Kassala by the UN Mine Action Office and partners was handed over during an official ceremony in Kassala to local communities. The clearance released a total of 845, 786 square metres of land to benefit some 150,000 residents. Land cleared in Al Lafa will be used in construction of a road between Kassala and Eritrea.
- **2 August:** According to the Akobo County Commissioner in Jonglei State, at least 185 people from the Lou-Nuer community were killed during an attack. The Secretary-General expressed his extreme concern and directed UNMIS to extend all possible assistance to those affected.
- **5 August:** A new demobilization centre opened in Julud, Southern Kordofan, stepping up operations of the Joint Disarmament, Demobilization and Reintegration Commission in the state. The new centre, the fourth one to go operational in Sudan, aims to cater for some 2,300 ex-combatants from the SPLA. As of 5 August 2009, more than 10,000 ex-combatants had been demobilized in all four centres countrywide.
- **5 August:** The forthcoming elections are among the most complex and challenging on record, UNMIS Chief Electoral Affairs Officer, Ray Kennedy, noted during a press conference in Khartoum. He stressed that the success of these elections will require the combined efforts of the National Elections Commission, the UN system, the international community and the Sudanese people.
- **6 August:** An educational outreach project on dissemination of the culture of peace was launched at secondary schools in Khartoum, sponsored by the Ministry of Education in collaboration with the UNMIS Public Information Office.



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**FRONT COVER:** Residents of Abyei marching to celebrate the Permanent Court of Arbitration's ruling on boundaries of the Abyei Area. Photo: UNMIS/ Tim McKulka.

**BACK COVER:** UNMIS Troops from Zambia patrolling the Abyei Area following the Permanent Court of Arbitration's decision on Abyei's boundaries. Photo: UNMIS/Tim McKulka.



# TRIBAL CONFLICT COULD HURT PEACE, SAYS BAN

Escalating inter-tribal violence in Southern Sudan was threatening to destabilize the entire country and undermine the peace accord, Secretary-General Ban Ki-moon said in his latest report on Sudan.

"Key milestones in the Comprehensive Peace Agreement (CPA), such as elections and the referendums, could easily be affected by growing insecurity," Mr. Ban wrote in the report, issued 16 July.

The Secretary-General noted that the security situation in the south had deteriorated since April, with long-simmering disputes sparking "alarming waves of violence, at times triggering vicious cycles of attack".

At least 200 civilians and dozens of Sudan People's Liberation Army (SPLA) members had been killed in the violence, Mr. Ban said. Particularly disturbing was heavy fighting between the Murle and Lou Nuer in Akobo County, Jonglei State, where villages and civilians rather than cattle camps were targeted.

The report also observed that Joint Integrated Units (JIUs) remained largely untrained or integrated due to lack of funding as well as insufficient political will to strengthen them. "Clashes in Malakal and Abyei indicate that lack of command, control and integration in JIUs has become a source of instability in certain areas."

The Secretary-General noted that no change had been made in personnel and location of the Malakal JIU, as agreed at the senior political level following clashes there in February, and continued to be a risk factor in the area.

"I urge the Joint Defence Board and other authorities concerned to implement agreed measures to ensure that the Joint Integrated Units do not remain a source of instability," Mr. Ban wrote.

He also expressed concern that preparations for elections [in April 2010] remained seriously behind schedule, urging the parties to resolve outstanding issues, including the use of census results. "The conduct of peaceful, transparent and credible elections is fundamental for the process of democratic transformation throughout the Sudan."

Another key provision of the CPA needing immediate attention was north-south border demarcation, the Secretary-General stated. "Uncertainty on the

**"Key milestones in the Comprehensive Peace Agreement, such as elections and the referendums, could easily be affected by growing insecurity"**

issue has an impact on preparations for the referendums, as the border will geographically define Southern Sudan and the southern bounds of the Abyei Area."

The future of the CPA depended largely on the relationship between the Sudan People's Liberation Movement and the National Congress Party, Mr. Ban stated. "Their action or inaction in the coming months will determine whether the outstanding benchmarks of the Comprehensive Peace Agreement can be implemented ... and the spirit of Naivasha – to make unity attractive – can be upheld."

He urged both sides to "take steps to engage in meaningful dialogue and reach agreement on outstanding issues".

The report welcomed the commitment by both sides to accept and peacefully implement the 22 July decision of the Permanent Court of Arbitration in The Hague, Netherlands, on the Abyei area boundaries.

"This commitment would now have to be translated into requisite orders to the security apparatus on the ground and to the local leadership and communities who may feel disenfranchised by the arbitration decision."

Adding that the Abyei area needed a

fully funded and functional civilian administration irrespective of the arbitration result, Mr. Ban urged the parties to take all steps needed to achieve this.

The Secretary-General also praised momentum being made in demobilization of ex-combatants, but pointed to a lack of resources for their reintegration. "I call upon the international community to provide timely and sustained funding for this vital component of the ... operation."

In addition, he lauded recent joint efforts by the Sudanese government, the United Nations and its aid partners to reduce the most critical humanitarian gaps created by the March expulsion of many international non-governmental organizations.

But Mr. Ban added that "current levels of assistance in some areas remain below the necessary standards and the humanitarian community remains watchful of the onset of the rainy season".

On wealth-sharing, the report noted that total oil revenues transferred to the Government of Southern Sudan from 2005 to March 2009 came to \$5.37 billion. All oil arrears for 2008 had been settled, as confirmed by the Government of Southern Sudan in May. ■



Victims of recent inter-tribal violence in Jonglei State receiving treatment at the hospital. Photo: UNMIS/Tim McKulka.

# ZERO TRIBAL FIGHTING

**W**hile the Permanent Court of Arbitration's long-awaited ruling on the disputed boundaries of oil-rich Abyei absorbed the attention of veteran Sudan watchers in recent weeks, another mineral-rich corner of the country generated its own flurry of conflicting ownership claims.

In the 1960s, a district of the greater Bahr El-Ghazal region known as Kafia Kingi was ceded to Darfur. Although Southern Sudanese claim the area as theirs with backing from some international experts, the administrative status of Kafia Kingi is still unresolved.

Lingering resentment over the Kafia Kingi issue flared anew when the National Elections Commission's recent demarcation of legislative constituency boundaries placed the area within the confines of Southern Darfur State.

"Southern Darfur took over ... Kafia Kingi, which is not acceptable," said Gen. Mark Nyipuocho, Governor of Western Bahr El-Ghazal State, which claims the area as its own. "The place had been our district all along."

Governor Nyipuocho and local residents hope that Sudan's border demarcation commission will eventually resolve the status of Kafia Kingi in a lawful and orderly manner.

"We need a peaceful settlement of the problem associated with Kafia Kingi," said Justine Dahia, a 38-year-old resident of neighbouring Raja County in Western Bahr El-Ghazal State. "We don't need to see another Abyei between our border and Southern Darfur."

Making the controversy over Kafia Kingi all the more noteworthy, Bahr El-Ghazal – an Arabic name meaning "river of gazelles" – has been relatively free of border-related squabbles that have plagued other parts of Southern Sudan.

That may reflect the fact that, as recently as the early 1990s, the states of Western Bahr El-Ghazal, Northern Bahr El-Ghazal, Warrap and Lakes were grouped together as Bahr El-Ghazal State.

The four southern states were created in 1994 when the government of President Omar Al-Bashir reshaped the political map of Sudan by splitting up the country's nine existing states into 26 separate entities.

Many of the tribal, cultural and familial ties forged over several decades in that region of Sudan have survived the fighting and upheaval of the country's recent past.

"Our relationship with Western Bahr El-Ghazal, Northern Bahr El-Ghazal and Lakes states is strong," said acting Warrap State Governor Achuil Akoch Magardit.



Tharkuem Bridge, separating Western Bahr El-Ghazal and Warrap states.

"We have strong commonalities among ourselves."

His counterpart in Northern Bahr El-Ghazal echoes that assessment. "We have strong intermarriage and cultural relationships among all ethnic groups in the Bahr El-Ghazal region," said Governor Maj. Gen. Paul Malong Awan. "In our state it is normal to see a Dinka married to a woman from the Luo tribe or vice versa. In terms of tribal fighting, it is zero."

The Northern Bahr El-Ghazal state government organized a series of peace and coexistence conferences last year that brought together some of its constituents with residents of neighbouring states. The governor credits UNMIS for fostering an atmosphere of dialogue and social harmony in the area.

"The presence of UNMIS is quite important," said Governor Awan. "They are doing a wonderful job in terms of promoting peace, stability and mutual understanding among the communities of the region."

The comparatively few problems that do surface across state borders in the greater Bahr El-Ghazal region often involve the most coveted of all commodities in Southern Sudan – cattle.

"Cattle owners used to come from Warrap and Lakes states in search of water and pastures during the dry season," noted Governor Nyipuocho of Western Bahr El-Ghazal. "Some of them bring problems and fight within the state."

Governor Nyipuocho's state also shares an international border with the Central African Republic (CAR). But the lack of any roads to the frontier has hampered his government's ability to prevent incursions by rebels belonging to the Lord's Resistance Army (LRA).

A team of geologists was targeted by 20 heavily armed LRA fighters in the village



General Mark Nyipuocho, Governor of Western Bahr El-Ghazal State.



Achuil Akoch Magardit, Acting Governor of Warrap State.



General Paul Malong Awan, Governor of Northern Bahr El-Ghazal State.

of Mangayat on 19 July. Although the scientists survived, a local police officer and an official from the Government of Southern Sudan's Ministry of Environment, Wildlife Conservation and Tourism died in the attack.

Governor Nyipuocho believes the opening of a road to the CAR border would also promote economic development in that part of Southern Sudan.

"We really wish to have a road link so we can have access to the Central African Republic," he said. "The facilities are not there, and that has been a constraint on our relationships with communities on the other side of the border." ■

*Story and photos:  
Hailemichael Gebrekristos*

# GOLD, GRAZING AND SUGARCANE

While the 2005 Comprehensive Peace Agreement (CPA) ended Sudan's longest civil war, it failed to resolve several outstanding border disputes between various tribes and communities across Southern Sudan.

In the region's southernmost states, for example, several established communities in Western, Central and Eastern Equatoria states were displaced by the fighting. This was sometimes followed by an influx of outsiders who took over abandoned lands and claimed them as their own until peace enabled the original inhabitants to return.

Such has been the experience of Kit in the Central Equatoria State county of Lainya. In the mid-1990s a group of displaced Acholi and Madi tribesmen from Eastern Equatoria moved into the area, which had been traditionally occupied by people belonging to the Bari and Lulubo tribes.

"On settling, the Acholi and Madi started intermarrying and giving their own names to trees, rivers and forests in the area," said area native Jane Juan.

The known presence of gold deposits near Kit enhanced the sense of grievance felt by the Bari and Lulubo communities, who saw the area's mineral wealth as rightfully theirs.

Tensions were mirrored at the state government level, as the governors of Central and Eastern Equatoria both claimed Kit for their respective jurisdictions, even hoisting their own state flags in the *payam* (township) during their visits.

Friction increased in 2007 when a prominent Acholi tribesman built a house on land belonging to a Bari resident. "The Lulubo and the Bari looked at this as land grabbing and demanded that (the Acholi) leave their territory on the spot," explained UNMIS Civil Affairs Officer Anthony Agenta.

In September of last year, the civil affairs division of UNMIS joined the Southern Sudan Peace Commission, the governors of Central and Eastern Equatoria states and local legislators in convening a peace conference that called on the four affected communities to live together until their differences could be settled.

The two governors were told not to fly their respective state flags during future visits to Kit and environs. But the dispute lives on, exacerbated by the recent arrival

of more internally displaced persons and Sudanese refugees who have returned from foreign countries.

Disagreements over borders also plague other parts of the region. "The situation of borders in Sudan is complex," said National Assembly member Anthony Kudus of the Sudanese People's Liberation Movement. "(It) lies in power sharing and the accuracy of border demarcation at every level of the government – state, county, *payam* and *boma*."

The cause of discord can be relatively minor. The Lopit and Pari tribes in Eastern Equatoria have been at loggerheads since the 1990s over the proper name for one of the state's larger towns.

The Lopit are partial to the name Lafon because it means "the place of the Lopit people", while the Pari have proposed Lopa as a substitute because it blends the names of both tribes.

In other instances, conflict has erupted over access to vital resources, with often deadly results.

The Toposa and Didinga tribes have been fighting sporadically throughout the CPA era. The spark is often supplied by the migration of ethnic Toposa and their cattle into Budi County, which the Didinga regard as their home.

In May 2007, over 60 Didinga tribesmen were killed in fighting with the Toposa over grazing rights and gold deposits in the Budi County *payam* of Lauro.

The intervention of bureaucrats and politicians can complicate matters even more.

During the civil war, the Central

Equatoria State *payam* of Mangala, which had belonged to Juba County, was annexed by neighbouring Terekeka County. Mundari and Bari residents of the area clashed over this redrawing of the political map last year, resulting in the deaths of 10 Mundari tribesmen and the uprooting of six communities who were attacked by unknown gunmen.

Economic considerations added more fuel to the fire. "Mangala is a favourable sugarcane growing area, and a factory was opened to process the cane," said Mr. Agenta. "Based on this, Mangala became a bone of contention between the two counties."

In an effort to resolve the dispute, a conflict resolution meeting was organized in Mangala on 5 August by Central Equatoria State Governor Clement Wani in collaboration with the Juba and Terekeka County Commissioners and UNMIS Civil Affairs section.

The meeting resolved to allow the Mundari and Bari to temporarily settle in Mangala *payam* until the conflict was resolved. A special committee on border demarcation would be sent to the area to clearly mark the border between Terekeka and determine where Mangala belonged.

Mangala and Juba *payam* chiefs were asked to register people possessing guns in Mangala, so that incidents could easily be tracked. The meeting also resolved that a flag fixed by the Terekeka commissioner in Mangala *payam* should be immediately removed. ■

James Sokiri





# DEFINING ABYEI

**T**he problem of the long-contested boundaries of oil-rich Abyei was finally put to rest on 22 July, when the Abyei Arbitration Tribunal seated at the Permanent Court of Arbitration (PCA) in The Hague rendered a final decision on delimitation of the area's boundaries.

Under the Comprehensive Peace Agreement (CPA), the Sudanese presidency originally set up the Abyei Boundary Commission to demarcate the area of the nine Dinka Ngok chiefdoms; but the Commission's July 2005 report on Abyei's boundaries was rejected by the National Congress Party (NCP), resulting in deadlock over the area.

Compounding the matter further, fighting broke out in Abyei town in May 2008 between the Sudan People's Liberation Army (SPLA) and Sudan Armed Forces (SAF), destroying the town and forcing over 50,000 people to flee. Following the conflict, the Sudan People's Liberation Movement (SPLM) and NCP signed the Abyei Roadmap Agreement, which referred the boundary dispute to international arbitration.

The PCA ruling was supported by all parties and joyfully celebrated in Abyei

town, where Dinka Ngok people marched through the streets. Chanting "Abyei is our homeland," they voiced acceptance of the PCA award.

Following three years of controversy, the PCA redrew Abyei's eastern and western boundaries, decreasing its land to the east. For the Dinka Ngok, the ruling affirmed the town of Abyei as the heartland of the tribe's nine chiefdoms.

Described as "a bridge between the north and south, linking the people of Sudan", the Abyei area has historically provided a home for agro-pastoralist Ngok Dinka as well as seasonal migration routes for Misseriya and other nomadic cattle herders dependent on the area's rich resources.

The Misseriya and Dinka Ngok have traditionally coexisted in Abyei for centuries. But under the CPA, Abyei residents will vote in a 2011 referendum on whether to become part of North or Southern Sudan. At the same time, Southern Sudan will exercise the right to self-determination to decide whether to remain part of a unified Sudan or become independent.

## A good compromise

On the day of the PCA announcement, some 200 international diplomats, government officials and media gathered around televisions rigged up at the UNMIS compound in Abyei to watch it being read out by the Tribunal Chairman in The Hague.

Welcoming the ruling, Sudanese Minister of Foreign Affairs and SPLM member Deng Alor told reporters, "The decision by the PCA – the Permanent Court of Arbitration – is binding on the parties. The SPLM and the people of this area will respect and implement that decision."

NCP member and Federal State Minister for Humanitarian Affairs Abdelbagi Gailani also announced his satisfaction with the announcement. "Nobody expected to have ... 100 per cent (of what they wanted), but this is a good compromise and ... we are committed to apply it."

Special Representative of the Secretary General Ashraf Qazi said the PCA decision would help pave the way for peaceful implementation of the CPA as a whole. "The rights of both communities have been



guaranteed as a matter of international law."

While officials of both the SPLM and NCP pledged to abide by the court decision, they remained concerned over delays in demarcation of the north-south border. They also wondered about the CPA-stipulated "residents of Abyei", who would be eligible to vote in the 2011 referendum.

In the aftermath of the ruling, feelings around Abyei town were generally positive. Abyei Youth Association member Angelo Paul Ajak noted, "The decision assured that the rights of Misseriya to use grazing lands in the south will remain unaffected. As for oil, it is not owned by Dinka, but belongs to the Government of Sudan."

Teachers of the town's schools expressed satisfaction that the court decision had given them back their land and were hopeful that a level of normalcy would now return to Abyei. The town's children were simply relieved the announcement had heralded no recurrence of the violence they had witnessed between the SPLA and SAF in May 2008.

Feelings were mixed among Misseriya leaders in the northern town of Muglad, where some expressed concern over traditional grazing rights during the coming dry season (October to May), when they migrate with their cattle to the south in search of water and grazing land. But the leaders were quick to state that war was no option, as the verdict was issued by the highest and most reputable international arbitration mechanism, and commitments were made by both parties and the international community to implement it.



Residents of Abyei celebrating the decision of the Permanent Court of Arbitration.

To ensure fair compensation for what they believed was a vast area of land they had lost, Misseriya leaders said they would work with the Government of Sudan. They would ask that model villages equipped with basic services (schools, hospitals, electricity and roads) be constructed for their people.

A celebratory public rally on the decision was held in the southern town of Agok on 26 July, attended by about 250 Dinka Ngok. Addressing the crowd, SPLM Infrastructure Secretary Juac Agok urged people to accept the PCA ruling.

Noting that the SPLM and NCP were willing to accept the decision, Paramount Dinka Chief Emir Kual said, "Given the level of acceptance at the political level,

people should start to think about going back to Abyei to rebuild."

*Shantal Persaud,  
with inputs from  
Ayman Mohamed and Francis Shuei Diu  
Photos: Tim McKulka  
Map courtesy of the Permanent Court of  
Arbitration's web site: [www.pca-cpa.org](http://www.pca-cpa.org)*





# ROAMING ACROSS FRONTIERS

**S**udan boasts the second largest wildlife migration across its eastern border after Serengeti National Park in Tanzania, but ongoing conflicts hamper its huge potential for transboundary parks.

Transboundary conservation areas -- also called peace parks -- aim to bring provinces, regions or states together in drawing up joint management plans to protect biological diversity and thwart poaching.

“Wildlife is not restricted to political borders,” Higher Council of Environmental and Natural Resources consultant Mutasim Nimir said from his Khartoum office. “There is migration and you have to look at the whole ecosystem, and the communities.”

To kick-start cooperation, the Government of Southern Sudan (GoSS) signed a memorandum of understanding with Uganda in 2007 to establish peace parks across the border, including Kidepo Game Reserve on the Sudanese side and Kidepo Valley National Park in Uganda. It has also held talks with Ethiopia, Egypt and the Democratic Republic of the Congo.

Although Sudan and Ethiopia had been working together on the transboundary conservation area of Dinder National Park, which borders three Sudanese states (Blue Nile, Gedaref and Sinnar) and Al Aatesh National Park in Ethiopia, conflict with the local population has hindered the effort, noted freelance consultant Mohamed Younis.

Commissioned by the Nile  
Transboundary Environmental Action  
Project, the consultant found that nomadic  
pastoralist tribes enter Dinder National

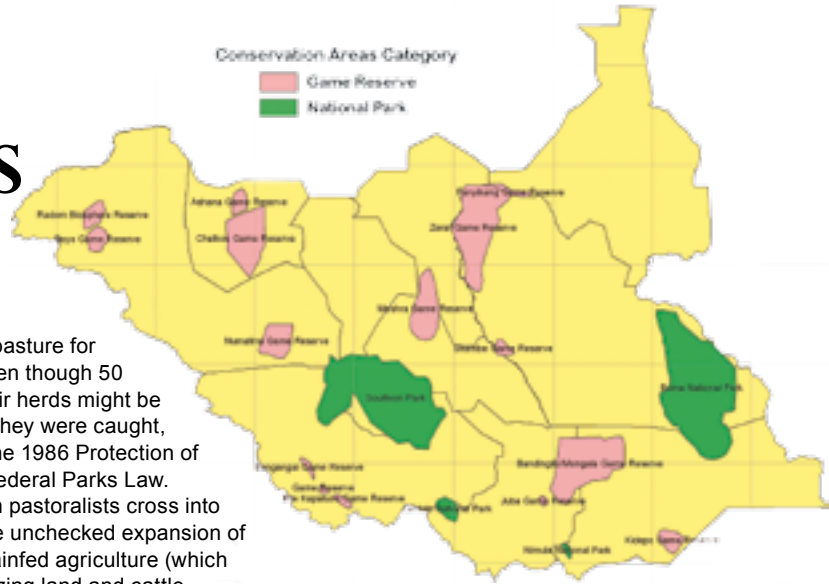
Park seeking pasture for their cattle, even though 50 per cent of their herds might be confiscated if they were caught, according to the 1986 Protection of Hunting and Federal Parks Law.

One reason pastoralists cross into the park is "the unchecked expansion of mechanized rainfed agriculture (which cuts down grazing land and cattle migration routes)," Mr. Younis said. A multidisciplinary approach is needed to tackle the problem, he added, including better water management and demarcation of migration routes.

“There is no clear policy to deal with displaced populations entering Dinder National Park,” said Higher Council consultant Nimir. He noted that members of the Fulani tribe, who traditionally migrate from Niger through Darfur, previously travelled through Southern Sudan in search of grazing land, but were pushed northward into the park during the civil war.

Discussions about cooperation have also started between Boma National Park in Southern Sudan and Gambela National Park across its south-eastern border with Ethiopia, said Minasona Lero Peter, Deputy Director of the Wildlife Management Department, from his Juba office at the GoSS' Wildlife Conservation Administration.

"I couldn't believe my eyes," Mr. Lero said, describing a recent trip to Boma National Park. "I saw the migration of the white-eared kob and Mangala gazelle. If I say they were millions in number, it would not be far from the truth."



### Conservation areas in Southern Sudan.

According to Wildlife Conservation Society aerial surveys, the area is home to about 1.2 million migratory animals, making it the second largest wildlife migration after Serengeti National Park.

Along with lack of funding, unresolved disputes and conflict are the biggest stumbling blocks to cross-boundary conservation efforts. As Mr. Younis put it, “Wildlife is generally neglected, especially in the south, because of the war in the past. Wildlife development is still not a strategic priority even in the north.”

Although there is potential for a jointly managed, vast desert area between Sudan's Wadi Howar and Chad's Ennedi Plateau, ongoing conflict in Darfur is an impediment to a possible transboundary park, alleged Mr. Nimir.

“Some rare animals (such as addax gazelles) that are already extinct in Sudan can still be found on the Chadian side,” said Mr. Nimir, adding, “You cannot be ready to talk about conservation when there is war.” ■

*Eszter Farkas*

White-eared kob herd. Photo: Paul Elkan/Wildlife Conservation Society





# LAND LOST TO OIL

In the remote village of Thar Jath in Bentiu, Unity State, a dusty road leads to the White Nile Petroleum Operating Company (WINPOC), one of the largest consortiums in the area.

The road is well-paved and traffic is constant, with heavy machinery along the road, a testimony to the intense activities of the oil companies.

Oil exploration and production is one of the main economic activities in Unity State. According to a technician with the Greater Nile Petroleum Operating Company, one of the company's wells pumps up to 600 barrels of oil per day.

But the expansion of oil operations in the area has led to the displacement of large indigenous communities from their traditional land.

Four years after the Comprehensive Peace Agreement was signed, most communities have returned home, only to discover they cannot reclaim their land and will remain internally displaced.

According to Col. Mabek Lang Mading, the commissioner of Pariang County (north of Bentiu), over 35,000 displaced persons are squatting in and around Pariang town, living in squalid conditions, as they wait to be compensated for lost land.

"Had it not been for the support the communities receive from World Vision (a charity operating in the area), they would have had no access to basic services," the commissioner said.

William Ruei Lok, Chairman of the Energy, Industry and Mining Committee in the State Legislative Assembly, handling complaints both from local communities and oil companies, confirmed reports of displaced locals, mostly in the north of Rubkona, Leer and Mayom counties.

Some of the victims had been compensated following agreements between the companies and respective county commissioners, although most were still waiting, Mr. Lok said.

The chairman also complained about unregulated waste dumping. Oil companies, he said, had disposed of waste endangering the lives of both people and livestock and causing environmental degradation.

According to Dr. Martin Kenyi, head of CARE International in Unity State and a former employee of Talisman (an



Estates under construction by Chinese construction company as part of contract signed with Unity State  
Photo: UNMIS/ Emmanuel Kenyi.

oil company that has since wound up operations), the biggest concern about toxic waste dumping is its potential long-term effect on the population.

"Long-term effects of water contamination can lead to increased risks of cancer among the local communities," the CARE chief said.

Citing reports of solid waste disposal by a company in Koch County last year, Gatjuet Ruai Wang, Director of Planning and Budgeting in the State Ministry of Health, believed the dumping had led to illnesses among cattle and people, including skin rashes, diarrhoea, nausea and vomiting.

Protests from the local community, supported by international non-governmental organizations, forced the company to remove the waste, although it is unclear where it was finally moved. Attempts were made to contact the oil company, but officials were unavailable for comment.

According to a joint government/oil company report presented to the State Legislative Assembly in May, some companies are now using biological processes to purify liquid waste before releasing it into forests. This approach, which has been used in the Manga project of WINPOC, has recently been completed, but questions still remain about solid waste disposal.

In an effort to focus attention on oil-related issues, a regional conference was held in Bentiu last November, bringing together community leaders and representatives of state, regional and

national governments. Representatives of oil companies were also invited, but did not attend.

Conference participants recommended that committees be formed to deal with emerging issues, including compensation, environmental degradation and corporate social responsibility projects.

The committees, which would comprise representatives of the Government of National Unity (GoNU), Government of Southern Sudan, oil companies and local communities, have yet to be formed, according to Mr. Lok.

Both government and oil companies have a responsibility to regulate the industry and monitor environmental and health hazards posed by oil production, a report commissioned by *Vétérinaires sans Frontières* - Switzerland to survey environmental issues in Unity and Northern Bahr El-Ghazal states noted in May.

Despite the country's comprehensive Sudan Environment Policy Act (2001), there are no by-laws or law enforcement capacities within the Unity State government to implement it, according to the report.

The state also lacks details of contractual agreements between oil companies and the GoNU, which makes it difficult to have companies comply with the local Public Health Act or other regulations enacted by the state government. ■

*Antonette Miday*

# THE BEST INVESTMENT



Jok Madut Jok is an associate professor of history at Loyola Marymount University in Los Angeles as well as the author of three books and numerous articles on Sudan. A native of Warrap State, Jok returned to his village of Marol in May to build three new classrooms for a primary school he founded in 2008. Before departing for the United States for the start of the academic year, he spoke with *In Sudan* about the state of the peace process and other topics. Following are excerpts from this interview.

**In Sudan: In your 2007 book *Sudan: Race, Religion and Violence* you took a skeptical view of the Comprehensive Peace Agreement (CPA). What is your assessment of the peace process today?**

Jok Madut Jok: The main issue that comes forward in discussions of the CPA, whether among students, chiefs, soldiers or traders, is that dividends have not accrued. Health care has not improved and road conditions have not really facilitated the development that was expected. You have structures for schools, but there are no teachers.

People are no more secure now than they were during wartime. Personal security, the security of personal property, the security of communities – none of this is any better, mainly due to all the sectional and tribal conflict. I have noticed an increased rural to urban migration as a result of the peace agreement, so towns are overcrowded with people who have no skills for city life. That amounts to insecurity of another kind, as crime rates increase. These are some of the

disappointments people have expressed about the peace agreement.

**Is the legal system helping to alleviate this sense of insecurity in any way?**

There is confusion between the law dispensed by the constitution on the one hand, and the law based on traditional authority. The constitution spells out issues dealt with by the civil court system and those belonging to the domain of customary law. But that distinction is not clear to most people. Some cases, for example, from the civil law courts' perspective are supposed to be addressed by the civil law courts, but not a single county has a trained judge. So the (traditional) authorities then take over, but they have no ability to address them.

That confusion has not given people a sense of security. For example, some women will be arrested for adultery. Adultery is not illegal. It may be immoral but it's not illegal, so you can't really go to jail for it from the new constitution of Southern Sudan's perspective.

**But that adulterous woman can still be prosecuted under customary law?**

And the man, too. But women go to jail for their daughter's elopement, women go to jail for refusing to marry an older man. These are all being addressed by customary law.

**Has the initial euphoria over the signing of the CPA vanished? When did you start to notice a change in the public mood?**

It became most pronounced at the beginning of 2007. A lot of people will say that the best opportunities Southern Sudan ever had to develop itself were in the first three years after the peace agreement, and they have lost them. That was the time when there was more money, oil prices were very high, but there is very little to show for it by way of infrastructural development.

That leads me to another skepticism people have – a widespread sense that there is corruption. Everybody sees it and nobody says anything about it. Perhaps that has resulted from a widespread sense that cultures have changed. For example, traditionally you lost face if you were known

to have stolen, which is what public officials have done if they have taken public money. But this moral ethos somehow seems to have been lost, so much so that people who are obviously corrupt are not seen to have lost any face at all. On the contrary, people praise them for being savvy and capable of acquiring wealth.

**In May of last year you founded at great personal expense the Marol Academy primary school, which currently has an enrollment of 470 students in grades one through seven. Why have you chosen to emphasize the education of girls, who make up the majority of the school's students?**

For me, girls' education is crucial, not just in offering education to these girls but in aiming for the general welfare of the entire community as well as nation. Educating girls is not just good for girls, it's good for the family, it's good for everyone.

It is girls who bring concepts of hygiene home from school; it is girls who are leading the effort to spread the word about HIV. They become better mothers with education, and in this day and age it's important for mothers to be knowledgeable about vaccination, about hygiene, about food and diet and vitamins and things like this.

**Where do their male peers fit in?**

Education is definitely the best investment one can make, not just in the lives of individuals who are educated, but for the whole community. In the case of the boys, we thought that educating them was actually educating for peace because when young men are invested in their own future, they usually have something to look forward to, they have something to lose. Without that future investment, they are more susceptible to petty crime; they could end up in somebody's militia if war should break out. But they think twice if they have education, if they have something they've made an investment in.

This is my main attempt to contribute in a small way to ideas of reconstruction and rehabilitation. One school is definitely not going to solve the educational woes of the country, but it's a good beginning.



**Where have you raised the money to establish the school?**

Initially it was my money. I sold my home in California, but now we have gotten some funding from my friends. An UNMIS colleague of yours who is in Wau, Fergus Boyle, gave me \$8,000 (from the Scottish charity Shading Tree Tim Atiep). The Baroness Caroline Cox of Britain's House of Lords has also given us upwards of \$20,000. I got some support from the Sudan experts Eric Reeves and Sharon Hutchinson, who have given a combined total of \$40,000.

**What is your opinion of the state of public education in Southern Sudan today?**

Obviously, education is one of the rights that the state owes to the people, according to the constitution. But it is not a right you can enforce by law because it depends on resources availability. So while the government is obligated to provide education, it cannot do so if it doesn't have the money.

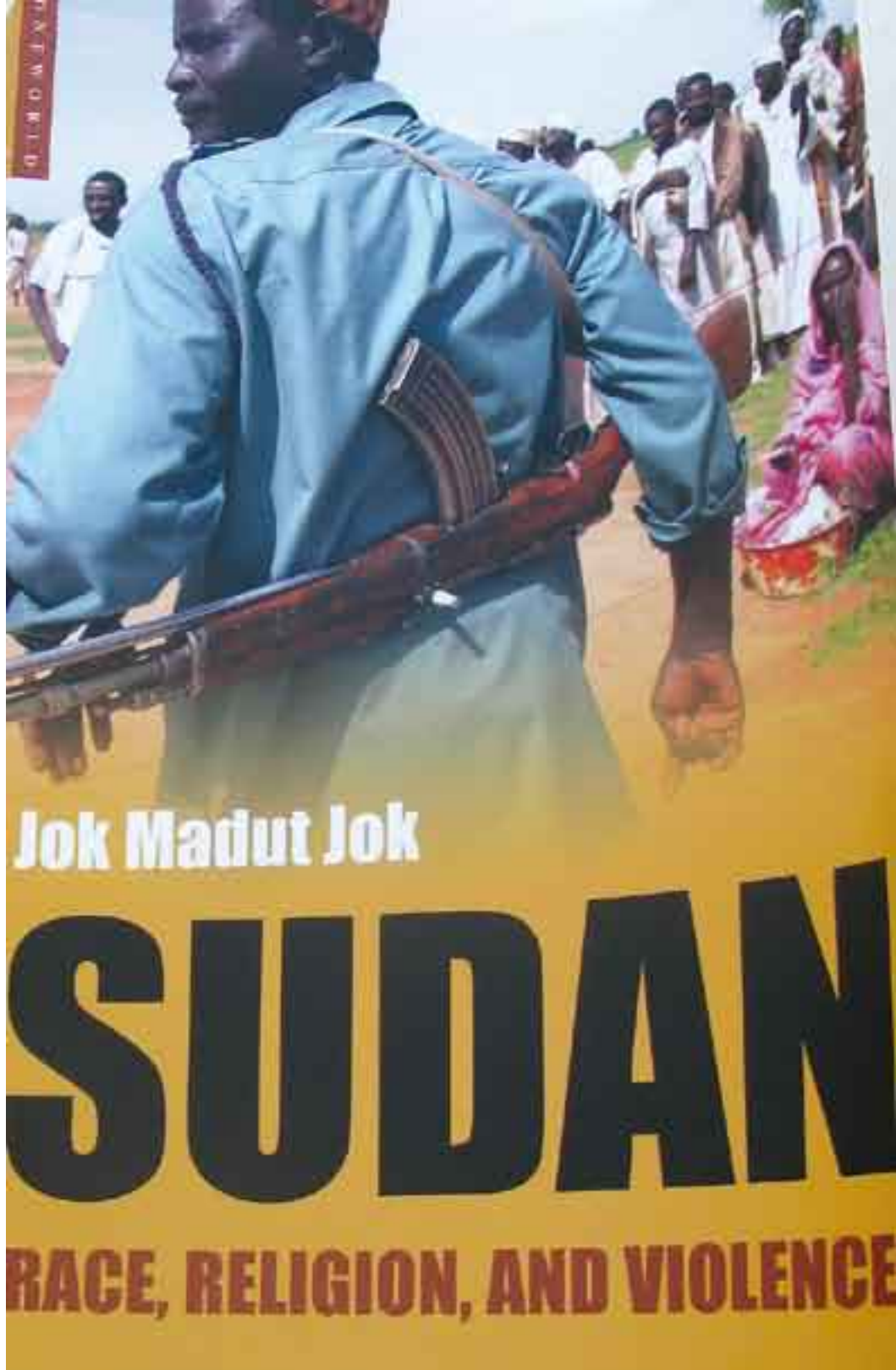
The only thing I'm disappointed about that can be counted as the government's fault is not having come up (more) quickly with a Southern Sudan curriculum. It is out, it's been researched and published, but they don't have enough copies to go to all the different corners of the country.

**Would Southern Sudan be better off without a UN peacekeeping mission?**

No, I think it is symbolically important to have blue helmets. The people of Southern Sudan have taken the presence of foreign aid workers since 1990, and now that of foreign peacekeepers, to mean they are a political entity to be reckoned with. There is a sense of international recognition of their nationhood. If the people have that perception, then it's important for the peace mission to be in Southern Sudan.

**Is there a danger of breeding a culture of dependency in Southern Sudan with such a large community of foreign aid workers and agencies?**

The danger is that if the government of



Southern Sudan begins to develop that mentality -- that foreigners will do the development and provide the services -- then that is the kind of dependency that will be ominous for the whole country. I have no evidence that that is the case, but there is a fear that could happen.

If you count the population of Southern Sudan and count the caloric quantity of food delivered by the World Food Programme, it does not amount to even

10 per cent of what people need to live day to day. So how can people be possibly dependent on that? The criticism that aid breeds dependency has been used for a long time, but it doesn't seem to play out in reality. ■

*Photos:  
Taban Kenyi*

# LIVING ON THE EDGE

**T**he doors of the Ethiopian Union Refugee School were locked up for summer break, but students were waiting under a makeshift shelter in the middle of the small, dusty schoolyard to register for the next year.

Attended by about 600 students each year, the school opened in 2000 in Khartoum's Dim area, where the majority of the Ethiopian refugee community lives, said the institution's director, Chalu Lemme.

According to UN High Commissioner for Refugees (UNHCR) estimates, more than 30,000 refugees and asylum seekers are living in Khartoum, mainly from Ethiopia, Eritrea and Somalia.

Due to Sudan's "encampment" policy, requiring asylum seekers to stay in one of 12 camps across the country, many urban refugees suffer financial problems or face hardships due to limited access to education and medical services.

"Assistance for urban refugees in Khartoum is very limited," said Indu Mohandas, Senior UNHCR Protection Officer. "Only the most vulnerable and needy cases are provided financial assistance, after a case-by-case assessment."

She added that urban asylum seekers

are not able to apply for asylum and relevant documentation in the capital due to the absence of a government asylum procedure in Khartoum.

According to the 1951 UN Refugee Convention and its 1967 protocol, signed by Sudan, the government is responsible for refugee status determination (RSD) and issuing related identity documents, which is carried out by the Office of the Commissioner for Refugees (COR).

However, no registrations or RSDs are currently taking place in Khartoum, according to Ms. Mohandas.

Questioned about the lack of an asylum procedure, COR Deputy Commissioner Abdalla Sulaiman said it should start by early next year, after being launched in big urban centres of east Sudan.

"Only about 10 per cent of refugees receive services in Khartoum," said Mr. Sulaiman, noting that the refugees' plight was heightened because "they compete (for work) with the local population."

At a recent gathering in the barren yard of the Eritrean Refugees' School in Khartoum's Gireif area, as the sounds of afternoon classes escaped the small, gritty classrooms, teachers, parents and school committee members agreed they had financial difficulties.

Parent Tsighereda G. Michael, with a dark blue veil surrounding her face, said 18 Sudanese pounds was not much for monthly elementary tuition, but many of them could ill afford it.

More than 100 out of the about 1,200 students were exempted from tuition each year because they were either orphans or their parents were unable to pay, noted teacher Jemal Abdella.

"Our sisters have to go out and sell tea on the streets," Mr. Abdella added. In many cases, people had no other ways to earn their livelihoods, partly due to Article 23 of Civil Service Act 2007, requiring all posts to be filled by Sudanese nationals if at all possible.

"People are suffering here in Khartoum," said Teshome Kiros, waiting for his friends at the Ethiopian school.

Twenty-five-year-old Teshome was born in Umm Rukuba camp in Gedaref State, where his family made a home after they fled Ethiopia. Comparing life in a camp to a developed town, he said the urban setting had more to offer, even though there were no medical services or formal education there for refugees.

Realizing this, the UN refugee agency provides emergency medical aid as well as legal and social counseling, some of the latter in cooperation with the COR. But many refugees voiced a need for their prospects to be improved and rights clarified.

Sitting with fellow Eritreans at the school and holding a walking aid, member of the Refugee Committee Mesfun Tesfay said he had been living in Khartoum for 27 years, but had enjoyed few services.

"Until now there is no one that would hear our voice," he said.

Jemal Abdella added that he had lived in Khartoum for 25 years, but still had to renew his refugee card every year. "I look like a newcomer," he said.

Hoping for the Sudanese government to improve refugees' prospects, Mr. Abdella said "Either they have to decide to integrate me into Sudanese society, or give me a chance to resettle in another country if I cannot go back to my own."



Students at the Eritrean Refugees' School.

Story and photo:  
Eszter Farkas



# MAKING SENSE OF THE CPA

**F**or millions of Sudanese citizens, high hopes raised by the signing of the Comprehensive Peace Agreement (CPA) in 2005 have yet to translate into the tangible benefits many had expected.

Against a backdrop of rising insecurity and disappointing levels of post-war development in much of the country, a renewed push is underway to promote CPA awareness in a more accessible context for its intended beneficiaries.

To this end, the UNMIS Civil Affairs Division (CAD) and the Public Information Office (PIO) are working with local government officials to offer a better explanation of how various CPA protocols directly affect the lives of Sudanese participants who attend workshops about the peace accords.

“By implication, explaining the CPA means relating each protocol to the different aspects of the country’s developmental needs and concerns,” said UNMIS Civil Affairs Officer Anthony Agyenta.

Past presentations about the CPA have often focused exclusively on big-picture issues like the peace accord’s wealth-sharing protocol, border demarcation and mechanisms for resolving the long-standing dispute in Abyei.

The connection between these high-profile provisions of the CPA and grassroots-level concerns of communities on matters like the hygiene standards of boreholes has been frequently overlooked or even ignored.

To help bridge this gap, CPA awareness workshops have been increasingly targeting specific audiences like farmers, women, students and traditional leaders. UNMIS is working with local government bodies, the UN Development Programme’s (UNDP) Local Government Recovery Programme and non-governmental organizations to train scores of representative councils in all 10 states of Southern Sudan.

Workshops are also adopting a more thematic approach that spotlights topics of public interest like the April 2010 national elections or the peacekeeping mission’s ongoing disarmament, demobilization and reintegration programme.

“The strategic approach will

**“It is high time that each of us as an individual and all of us as government leaders take up our responsibilities to implement this strategy”**

Yei County Commissioner David Lokonga

impact on the population by structuring its tasks and obligations to the different groups in society so that each and every level of the government knows who does what, when, where, how and why,” said Mr. Agyenta.

As an example of the new approach, the CAD Juba office organized a workshop last December entitled “CPA orientation and local governance” for various lawmakers and officeholders in Yei County with the help of the Central Equatoria State Ministry of Local Government and staff members from UNDP and UNMIS PIO.

“It is high time that each of us as an individual and all of us as government leaders take up our responsibilities to implement this strategy,” said Yei County Commissioner David Lokonga during the workshop.

Similar workshops are scheduled to take place in Kajo Keji County and other parts of Central Equatoria before they are held in other states in Southern Sudan.

One key aim is to promote dialogue between communities and state and

county governments that will help citizens understand the role of local officials in the mobilization and use of resources.

Another priority is the clear identification of security forces and their responsibilities at specific levels of government, according to Mr. Agyenta. That is intended to explain how the police serve as the government’s eyes and ears in the investigation and arrest of criminals and how the military is primarily entrusted with the defence of the country against external attack.

UNMIS had organized CPA awareness workshops for nearly 3,800 people as of last April, and PIO officer for outreach Vitale Maya hopes to triple that figure in the coming years. ■

*Story and photo:  
James Sokiri*



Anthony Agyenta, UNMIS compound, Juba.

# THE HIDDEN THREAT

**A**lthough residents of the former war-time garrison town of Malakal have been living in relative peace for over four years, an ever-present legacy of the country's long-running conflict lives on in its landmine victims.

Angelina Nyachuong Opel lost her sight to a mine she unwittingly triggered in 2000 as she was chopping firewood on the edges of town. Newly arrived to the area, the then 23-year-old woman was unaware she had strayed close to the minefield until an explosion threw her to the ground.

"My eyes were bleeding, all my face and my body was bleeding. My body was hot like a cooking pot on fire," Ms. Opel recalled.

Rescued by some Sudan Armed Forces soldiers from a nearby check-point, she was taken to the military hospital, where she eventually recovered from all her wounds except those to her eyes. "I have tried many medicines, but was told that they were beyond treatment."

As her husband has left her, Ms. Opel is now struggling to support her five children and aging mother-in-law, primarily through begging. "The main problem I have at the moment is lack of support. I have to fend for life single-handed, with no sight."

**"My eyes were bleeding, all my face and my body was bleeding. My body was hot like a cooking pot on fire"**



Mine victims Angelina Nyachuong Opel (left) and Yohannes Pagan Deng with artificial leg (right). Photo: UNMIS/ Francis Shuei Diu.

Ms. Opel is one of 11 known victims of anti-personnel mines in Malakal, although figures are likely higher, as the post-conflict area has yet to develop a casualty database.

Teresa Laa Awang, lost both legs to a mine in Fangak while she was collecting building grass in 1998. Also an unsuspecting newcomer to the area, she set one off while cutting grass.

"I took a different route which was never used by people ... I had no idea about the threats posed by mines. There was a landmine along the pathway ... under the grass," said the 33-year-old mother of three.

Teresa's husband went missing in 2006 and she was recently laid off from her government job, so she also begs or depends on assistance from relatives to support her family.

## A continuing hazard

Although the war has now ended, mines continue to threaten residents of eastern Malakal, especially large numbers of returnees to the area, who are settling on the mine-contaminated area and building houses.



To make the area safe for settlement, the British company Mine Tech International, contracted by the UN Mine Action Office (UNMAO), has been clearing the town's eastern flank. The company completed 546,922 square acres and removed 388 mines in 2008, noted UNMAO Quality Assurance Officer Docp du Plessis.

"So far (this year), 300,000 square kilometres have been cleared, which is 41.6 per cent of the remaining area. But the presence of civilians in the contaminated area hampers the clearance," the UNMAO officer said.

To keep returnees out of the dangerous area, awareness campaigns have been organized



Archived photo. Mine awareness symbol. Photo: UNMIS/Fred Noy.

by the non-governmental organization Handicap International in collaboration with the Southern Sudan De-mining Authority for Greater Upper Nile (Jonglei, Unity and Upper Nile states).

Members of the community are also pitching in. Yohannes Deng Pagan, a 28-year-old teacher who lost a leg to a landmine in 1996, has been spreading awareness about mines to his students at Dar El Salaam basic school. "I always tell them to avoid objects they find in the remote areas, for these could be mines or unexploded ordinance (UXO). And I show them what the mine did to me."

Mine victims who have lost limbs like Ms. Awang and Mr. Pagan are assisted by the International Committee for the Red Cross (ICRC), said Maj. Zachariah Monyjiek, Coordinator for the Southern Sudan De-mining Authority in Malakal. Once they have healed from their wounds, the ICRC takes them to Juba for artificial limbs.

But the Authority is unable to support victims incapacitated by their wounds, the major lamented. "We do not have any budget to assist the victims who have become unable to support themselves, and we also lack a budget to make assessments in the greater Upper Nile States. This will remain a challenge to us."

*Francis Shuei Diu*



# NEWS BRIEFS

## Ban condemns attack on Akobo

UN Secretary-General Ban Ki-moon noted with extreme concern in a statement on 3 August the previous day's attack in Akobo, Jonglei State.

He condemned the reported killing of 161 people, including 100 women and children, 50 men and 11 Sudan People's Liberation Army soldiers.

The Secretary-General had directed UNMIS to extend all possible assistance to those affected by this heinous act and work with local authorities to restore calm, the statement said.

Mr. Ban extended his condolences to the Government of Southern Sudan (GoSS) and the bereaved families, calling on GoSS to bring to justice those responsible and take the necessary measures to protect civilians across the south.

## Sudanese women prepare for elections

Sudanese women stressed the importance of women's participation in the upcoming elections scheduled for April 2010 at conferences in Khartoum and Juba in mid-July.

"Women need to support one another and together we need to find the way forward to promote womankind in their political, public or private endeavours," said Agnes Losuba, Government of Southern Sudan Minister of Gender, Social Welfare and Religious Affairs, as she opened the three-day conference at Juba's Star Hotel on 17 July.

Addressing over 450 women from Southern Sudanese political parties as well as representatives from the National Electoral Commission (NEC) and the diplomatic community, she said women's participation corrected imbalances in global policy-making and promoted good governance.

"Women in Sudan should unite in order to press the government to meet their demands ... to win the upcoming elections we must support each other," stressed Ms. Losuba.

To compete favourably with men in the elections, women needed training in public speaking and campaigning techniques, added UN Development Fund for Women Program Manager Lucie Luguga.

Positive discrimination was needed as women do not fully exercise their political rights, Chairman of the Political Parties Affairs Council, Mohammed Bushra Dosa pointed out at the two-day conference organized by the UNMIS Gender Unit with the Women Empowerment for Peace and Development Network in Khartoum from 14 to 15 July.

Participants' recommendations included awareness-raising on the electoral process and support to civil society organizations in effectively conducting electoral activities.



## Sudan's elections face big challenges, says UNMIS

The National Elections Commission (NEC) faced tremendous challenges in organizing Sudan's first multi-party elections in more than 20 years, UNMIS Chief Electoral Affairs Officer Ray Kennedy said on 5 August.

Speaking at a Khartoum press conference, Mr. Kennedy said these challenges included the size and physical landscape of the country as well as weak infrastructure in large parts of it.

He also pointed to the challenges of organizing elections for six offices at the same time as well as time pressures the NEC was under, with the election law being passed two and a half years late and establishment of the NEC itself taking far longer than envisioned.

"The success of these elections will require the combined efforts of the NEC, the United Nations system, and the broader international community, but more importantly, it will rely on the Sudanese people themselves, who in the long run will determine if this is a peaceful and acceptable process."

To support the poll, UNMIS had over 100 staff on the ground, with teams in Khartoum, El Fasher, and each of the 10 states of Southern Sudan, Mr. Kennedy said. "By late September, we plan to have election support teams in each state in the north as well, as we respond to the NEC's request for support in all 25 states."

The mission was advising on the development of operational and logistical plans and procedures for voter registration, nominations, polling, counting, and the tabulation and announcement of results, the election officer said.

Based on a request from NEC to assist with logistics, UNMIS had asked for additional helicopters to help move registration materials, voter education materials, ballots, and ballot boxes around the country. "According to our calculations, we could be asked to assist with the transportation of 7.5 million kilograms of election material," Mr. Kennedy said.

The mission was also working with election observation organizations to ensure that international observers monitored the poll, and with civil society groups to ensure citizens had at least a basic understanding of the complex process.

UNMIS and UNAMID were working with the police to develop and implement training programmes on election security, Mr. Kennedy added. The UN Development Programme was managing funds from donor countries and purchasing materials required for voter registration and the elections.



