

The Nuba of Sudan: From Ethnic War to Insurgent Civil Conflict



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Acronyms

AU – African Union	OIC – Organisation of Islamic Cooperation
AUHIP – African Union High Level Implementation Panel	OHCHR – Office of the High Commissioner for Human Rights
AU-PSC – African Union Peace and Security Council	PRST – Presidential Statement
BN – Blue Nile State	SDBZ – Safe Demilitarized Border Zone
EU – European Union	SK – South Kordofan
GoS – Government of Sudan	SPLA – Sudan People’s Liberation Army
GoSS – Government of South Sudan	SPLM-N – Sudan People’s Liberation Movement-North
ICC – International Criminal Court	SAF – Sudanese Armed Forces
ICRC – International Committee of the Red Cross	UN – United Nations
IDP – Internally Displaced Person	UNAMID – United Nations/African Union Hybrid Operation in Darfur
IGAD – Inter-Governmental Authority on Development	UNISFA – United Nations Interim Security Force for Abyei
IOM – International Organization for Migration	UNHCR – United Nations High Commissioner for Refugees
JBVMM – Joint Border Verification and Monitoring Mission	UNSC – United Nations Security Council
JPSM – Joint Political Security Mechanism	UNMISS- United Nations Mission in South Sudan
LAS – League of Arab States	USG – United States Government
MoU – Memorandum of Understanding of Non-Aggression and Cooperation	WFP – World Food Programme
OCHA – Office for the Coordination of Humanitarian Affairs	

Executive Summary

Following the partition of Sudan in July 2011, the breakdown of the CPA process on transitional governance has led the Nuba Mountain Region to a state of crisis, stemming from fragmented tribes with ethno-political allegiances to President al-Bashir's National Congress Party (NCP), or the Nuba-backed SPLM-N. Furthermore, GoS initiated aerial bombardments combined with sweeping ground attacks by SAF forces against the SPLM-N and supporters has created a regional humanitarian crisis, with more than 150,000 IDPs fleeing to South Sudan and Ethiopia. In the face of an emerging alliance between Sudan Revolutionary Front (SRF) opposition and insurgent groups with the intention of regime change, the al-Bashir regime has denied the entry of aid organizations and international observers to the region, and has continued military incursions and attacks on South Sudan and autonomous regions in its plight to control disputed oil-rich territory. These are clear violations of UNSC resolution 2046 and undermine AU-mediated negotiations pushing a 3-month timeline for negotiations between the GoS and the GoSS to resolve disputed border areas, install a Safe Demilitarized Border Zone with an agreement on border demarcation, oil revenue sharing, and a resolution to the administration of the Abyei territory. Policy recommendations that prioritize an end to violence in South Kordofan, Blue Nile and Abyei regions, oil transit fee settlements, and alleviating the humanitarian crisis are addressed to the international community and the Government of Canada. These recommendations also address the obstructive and pre-emptive tactics by the al-Bashir regime to avoid a recurrent civil war fueled by the insurgency of the SRF amidst an emerging political crisis in Khartoum.

Background: The Nuba in Context

Demographic and Historical Factors: The Nuba are the indigenous inhabitants of approximately 80 hill communities in the Nuba Mountain Region, officially South Kordofan State (of Sudan), and are predominantly sedentary groups that practice traditional rain-fed agriculture as their main means of livelihood.¹ They are a conglomerate of 50 "black" "African" ethnic subgroups classified by language, and are among the oldest inhabitants of Sudan with distinct and little racial intermixture, whose ethnology has been traced over thousands of years.² The Nuba are grouped into nine main tribal groupings: the Moro, Ajanj, Kawaleib, Tira, Atora, Nymanj, Miro, Kamda and Tegale.³ Total Nuba population is estimated at approximately 1.1 million, this represents about 70% of the total South Kordofan population.⁴ Other major sub-ethnic group of the Nuba Mountains region include the Baggara, pastoral nomadic peoples of Arab origin, and the Jellaba, traders from northern Sudan.⁵ It is believed that the "Nuba" today were once widespread in the Sudan, but over the past two centuries, have been forced by migrating Arabs to retreat to the mountain areas which supply adequate water and defense. The Nuba are also religiously diverse, with followers of Islam, Christianity, and traditional indigenous religions. They are culturally bound by their common history of oppression, geographic location, traditional religious beliefs, and unique agricultural methods.⁶

Implications of the 2nd Sudanese Civil War (1983-2005): During the civil war, a "Nuba identity" coalesced in response to pressures from Khartoum to Islamicize or Arabicize the Nuba region. Long regarded as second-class citizens by the elite-Arab class of Sudan, the Nuba were discriminated against in the provision of education and development and victimized by land seizure. In response, during the mid 1980's, the Nuba joined the Southern-led SPLA in search of protection and to join the opposition movement.⁷ Al-Bashir's newly installed GoS reacted violently. In 1992, the GoS declared a *jihad* on the Nuba, resulting in attacks on Nuba villages and the installation of "peace camps" that were used for Islamic conversion, rape, and ethnic cleansing.⁸ By the end of 1998, the government had forcibly moved about half the population of the Nuba Mountains into these camps, while approximately 250,000 Nuba continued to live in areas under SPLM/A control.⁹ As the war intensified, the co-existence of the Nuba with the Baggara, Jellaba, and other ethnic groups in the region ceased to exist. The Nuba Mountains territory was divided into two geo-political divisions: areas administered by the GOS with Baggara installed leadership, and areas controlled and administered by the Nuba-led SPLM/A.¹⁰ By this time, the SPLM had been established for over two decades as a national movement for a "New Sudan", a secular state that asserts the right to self-determination for the people of South Sudan. This attracted stalwart support and leadership drawn from marginalized communities, such as the Nuba. This war dynamic intensified intergroup along ethno-political lines, and stimulated the articulation of ethnic identities in the struggle for land and territory as a source for socio-political and economic survival. These underlying causes of conflict were identified and negotiated into the 2005 Comprehensive Peace Agreement.¹¹

Current Conflict & Timeline

During the 6-year transition period of the CPA leading to the January 2011 referendum, polarization and politicization among Nuba, Baggara and Jellaba groups of South Kordofan became more acute, and 'popular consultation' peace processes for community governance, power and wealth sharing agreements, were dysfunctional and eventually terminated.¹² The intensification of these divisions through peace process breakdown further fragmented communities and tribes according to allegiances to al-Bashir's NCP, the Nuba-supported SPLM, and associated militias (refer to Appendix-1 for map of geopolitical/ethnic division).¹³ Additionally, states with contested autonomous status under the

CPA, including South Kordofan, Abyei and Blue Nile, whose combined southern frontiers comprise the majority of the 1956 demarcated border of North-South Sudan, are currently disputed by the GoS in attempts to gain oil reserves in the region.¹⁴ These disputes, and the recent termination of the CPA governance transition process between the NCP and SPLM-N are the predominant factors that are driving Sudan from a consolidated peace in 2005 to a return to civil war.¹⁵

Conflict Management Processes Breakdown

- *January 2011* – following the referendum in South Sudan that won over 98% support for secession, the SPLM-North division was established in South Kordofan and Blue Nile states; made up of “northerners” and Nuba tribes.¹⁶
- *April 2011* - Dissolution of the interim Joint-Integrated Military Units among SAF and SPLA-N soldiers in Southern Kordofan and Blue Nile increase confrontational **violence** and security tensions since majority of the SPLM-N army members are northerners and originate in the states concerned¹⁷; subsequently, the military equation changes significantly in November 2011 with the establishment of a SRF alliance that brings together a number of rebel forces fighting for a ‘viable democratic alternative’ to the government in Khartoum, including the SPLA-N, the Justice and Equality Movement (JEM); and the Sudan Liberation Movement factions, and later, the FAES splinter of the Eastern Front.¹⁸
- *May 2011*- Subsequent campaigns for governor and state legislature elections in May 2011, as per the CPA, are marred by ethnic **violence** and “scorched earth” ‘cleansing’ tactics¹⁹ instigated by the GoS on SPLM-N supporters²⁰; election results report equally balanced strength among SPLM-N and NCP contenders (the vote was decided by < 1% in favor of NCP candidate, Ahmed Haroun); the only international monitoring mission to observe the state electoral process, the Carter Center, declared the final vote flawed but ‘peaceful and credible’.²¹
- *June 2011* - Complete breakdown of the “Framework Agreement” on political partnership between NCP and SPLM-N for political and security arrangements in Blue Nile and Southern Kordofan States represents the most serious breakdown in the CPA system since the CPA was signed; it carries the risk of prolonged conflict if political accommodation and renewed partnership is avoided, as looting, **violence**, and food shortages escalate²²; the SPLM-N was subsequently banned as a political party by the GoS.²³
- *June 2011* - Aerial bombardments of civilian areas are being coupled with targeted ground assaults and extra-judicial killings of supporters of the SPLM-N within the Nuba region²⁴; More than 31 bomb-attacks have been documented since the assaults began and have been confirmed through satellite imagery tracking systems²⁵; SPLM-N report > 1000 Antonov bombing incidents.²⁶
- *July 2011*- Al-Bashir bans international humanitarian aid organizations and observers in South Kordofan and Blue Nile States²⁷; UNSC calls on Secretary-General to consult with AU and other partners and present options for new security arrangements in South Kordofan, following closure of UNMIS peacekeeping in Sudan.²⁸

Humanitarian and Geopolitical Crisis Emerges

- *August 2011*- UN agencies lead international call-to-action, allege crimes against humanity and war crimes occurred in Southern Kordofan State in June, demand access to region for humanitarian organizations and observers²⁹; subsequently, more than 150,000 refugees have fled South Kordofan or Blue Nile to either Ethiopia or South Sudan.³⁰
- *August to December 2011* - SRF announces official status, GoS and GoSS **proxy support** and **violence** attenuates along border region; the SPLM-N is banned as a political party by the GoS³¹
- *January 2012* – Oil production and Transit Fee dispute escalates; South Sudan shutdown oil production.³²
- *February 2012* – GoS refuses AU, UN, LAS Tri-Partite Proposal for Access to Provide and Deliver Humanitarian Assistance to War-Affected Civilians in South Kordofan and Blue Nile States.³³
- *March 2012*- Emergency levels of **food insecurity** in South Kordofan; the GoS does not acknowledge the humanitarian crisis because it is occurring within SPLM-N territory³⁴; Regionally, the FAO reports a deteriorating situation, with 4.2 million people in the surrounding region of South Kordofan in need of food assistance (including about 2 million IDPs in Darfur) due to very low 2011 cereal production, civil insecurity (mainly in South Kordofan, Blue Nile and Darfur) and high food prices.³⁵
- *April to May 2012* – **Intensifying violence** met with increased pressure by international community (UN, UNSC IOM, EU, ICRC, USG) for end to hostilities, negotiations among belligerents culminates with commitments to the AU “Peace and Security Council Roadmap” for Sudan and South Sudan, sets 3-month timeline for negotiation process on outstanding issues, namely: oil transit fees, rights of citizenship, borders and the administrative status of the Abyei territory³⁶; in response to continued GoS-GoSS cross border attacks, negotiation breakdown, and worsening humanitarian situation, UNSC Resolution 2046 endorses the AU Roadmap and calls for the activation of the AU-mediated JBVMM and JPSM to create a to install a Safe Demilitarized Border Zone, the resolution of disputed border areas, border demarcation, and mapping of the border zone, and a resolution to the administration of Abyei territory; negotiations under the auspices of the AUHIP and correspond to the 3-month ‘roadmap’ timeline. In the event of non-compliance by Sudan, South Sudan or the SPLM-N the UNSC will take additional measures under Article 41 of the Charter as necessary.³⁷

- *May 2012* – Incursions and bombings **initiated by the GoS** in Abyei and in South Sudan for territorial control continue, violating the AU roadmap agreement, while the GoSS has complied with military withdrawal demands by the UNSC and are growing increasingly frustrated by lack of progress in negotiations.³⁸

Regional and International Dimensions

- Since January 2012, GoSS has shutdown oil production because of GoS oil theft, pipeline rerouting and piracy tactics; in addition to transit fee bargaining gaps, where GoS is demanding \$36 per barrel (1/3 the market price), Sudan has consistently refused transit fee concessions and comprehensive proposals by the South on border recognition and autonomous territory, which have been endorsed as ‘fair’ by the AU and IMF; comparatively, the Ukraine receives \$1.10 - \$1.36 per barrel of oil in transit fees from Russia.³⁹
- The SPLM/A receives stalwart support from the GoSS/SPLM, which provides arms and logistical support rooted in civil war-era political alliances, with regional allies including Ethiopia, Uganda, and Kenya, acting as conduits for arms supplies from and their own stocks, or acquired on the international arms market from major suppliers that include the Ukraine.⁴⁰
- Despite the continued UNSC arms embargo in Sudan, antagonistic assistance to the GoS from China, Iran, Eritrea, and Russia to North Sudan has allowed the domestic creation of the Military Industry Corporation (MIC), a manufacturer of small arms, artillery and armored vehicles.⁴¹
- The escalation of violence has prompted return of Nuba leaders of influence after 20 years of exile and are now involved in regional conferences to expedite negotiations and a ceasefire⁴²; there is also increased reliance on Nuba kinship support, mostly cash transfers via cell phones, a very important source of income.⁴³
- In November 2011, the USG implemented a one-year extension on sanctions against the al-Bashir regime and decreasing the dividends to al-Bashir for secession compliance, while no current sanctions are imposed on GoSS.⁴⁴

Analysis: Causes, Consequences and Impact

According to Gurr’s (1993) typology of communal groups with the state, the Nuba are clearly categorized as “indigenous peoples” vying for 1) control of land and resources, and 2) political and cultural autonomy. This is supported by CPA specifications on South Kordofan, including a 2% share of regional oil-revenue and *land commissions* to incorporate customary land rights into federal and state legislation.⁴⁵ But as outlined, the Nuba have suffered considerable grievances under the al-Bashir’s rule in recent decades, including atrocities of ethnic cleansing during the last civil war (comparable to contemporary Darfur), and where reconciliatory measures were not addressed under the CPA. They’ve also suffered equivalent historical grievances of inequality as the South Sudanese, powerfully significant insofar that during the last civil war, they joined forces with the ethno-nationalist/militant SPLM/A, now the ruling party of the newly seceded state of South Sudan (refer to Appendix 2 for regional North-South distributions of ethnic groups, religion, primary education, health indicators, and oil deposits).

Primary Conflict Drivers & Scale of Crisis: Clearly, the breakdown of the CPA and the GoS-GoSS/Nuba negotiation process is supported by what Downes (2004) terms as the breakdown of trust between groups, identity politics, and the legacies of ethnic polarization.⁴⁶ Currently, with the Nuba allied under the SPLM-N, the legacy of South Sudan’s militant ethno-nationalist movement, is now shaping a new political orientation among the remaining ethnic minorities in the newly formed Sudan. It is clear they are preparing to mount an opposing force that may lead to a new civil conflict. The SRF alliance of the JEM, SLM, FAES (Eastern Front) and the Nuba-supported SPLM-N, have declared themselves as ‘viable democratic alternative’ to the government in Khartoum, and this provides evidence of a newly emerging ethno-nationalist movement from the Southern and Western “Black African” regions in search of remedy for political autonomy and a new political orientation of united ethnic minorities.⁴⁷ This emerging phenomena in the post-secession Sudan confirms what Fearon (2004) terms as the incentive effects of partition, and the consequential reaction of remaining ethnic groups to mobilize in search of deprivation remedies.⁴⁸ Such political reorientation has also occurred from Arab-minorities, such as Eastern-Sudan Arab opposition groups that have joined the SRF, and student and women’s rights groups hosting civil protests in Khartoum, indicating that Arab *ethnoclasses* expressing grievances of civil rights and equal opportunity are also confronting the oppressive and austere tactics of the al-Bashir regime.⁴⁹

Assessment and Policy Recommendations

These indicators are characteristic of a mounting insurgent civil conflict in Sudan as the result of ethnic and political grievances. The most recent plight of the Nuba and the mounting SRF insurgency to overthrow the al-Bashir regime, outlined in the timeline in the previous section, is the result of the complete default of the GoS on its obligations to negotiate post-secession agreements for territory, governance, and revenue sharing under the CPA. In South Kordofan, this is supported by governor Haroun’s suspension of the CPA process following his contested election, the pre-emptive recruitment and arming of Baggara (non-Nuba) and Patriotic Defense Forces (former al-Mahdi forces), the ban on SPLM-N political status, and the pre-emptive indiscriminate aerial bombardment of SPLM-N territory with cluster ammunitions that have continued to date since the weeks preceding partition in July 2011.⁵⁰

Such hard-lined positioning of the al-Bashir regime, which has revived their intention to cleanse the South of the Nuba and non-Arabs (as in Darfur and the pre-CPA era)⁵¹, is explained by Kaufmann's (2001) myth-symbol complex of the pursuit of ethnic dominance, where ethnic chauvinism combined with the defense and domination of a "homeland" justifies hostility towards a coalition-bound opposition.⁵² This is supported by al-Bashir's public declarations that "Sudan was now 98% Arab and Muslim" in the weeks following secession, sending a strong message to political and social reformists for cultural and ethnic plurality in Sudan.⁵³ Such an 'extreme' and ideological vision for Sudan has been characteristic of Bashir's reign ever since he ousted the al-Mahdi government in 1989, and he is currently the only standing head of state to be indicted by the ICC, along with seven other member of his regime including Governor Haroun, all accused of genocide, war crimes, and crimes against humanity.⁵⁴ Since secession, al Bashir's authority and capacity have been increasingly waning, as Sudan's economy has been grappling with soaring inflation and a depreciating currency since the country lost over 80% of its oil production to South Sudan upon partition under the CPA (40% of its annual budget⁵⁵), while recent GoS austerity measures have fueled violent riots and protests in Khartoum, which have become increasingly more frequent in 2012.⁵⁶

The following policy recommendations stem from the preceding analysis and address the priorities of transforming the relationship between the GoS and GoSS from one of confrontation, to one of reconciliation and development. Although this focuses primarily on an end to violence in South Kordofan, Blue Nile and Abyei regions and alleviating the humanitarian crisis, these recommendations also address the obstructive and pre-emptive tactics by the al-Bashir regime and facilitating the AU 'roadmap' negotiations to avoid a recurrent civil war fueled by the insurgency of the SRF amidst an emerging political crisis in Khartoum.

Policy Recommendations to the International Community

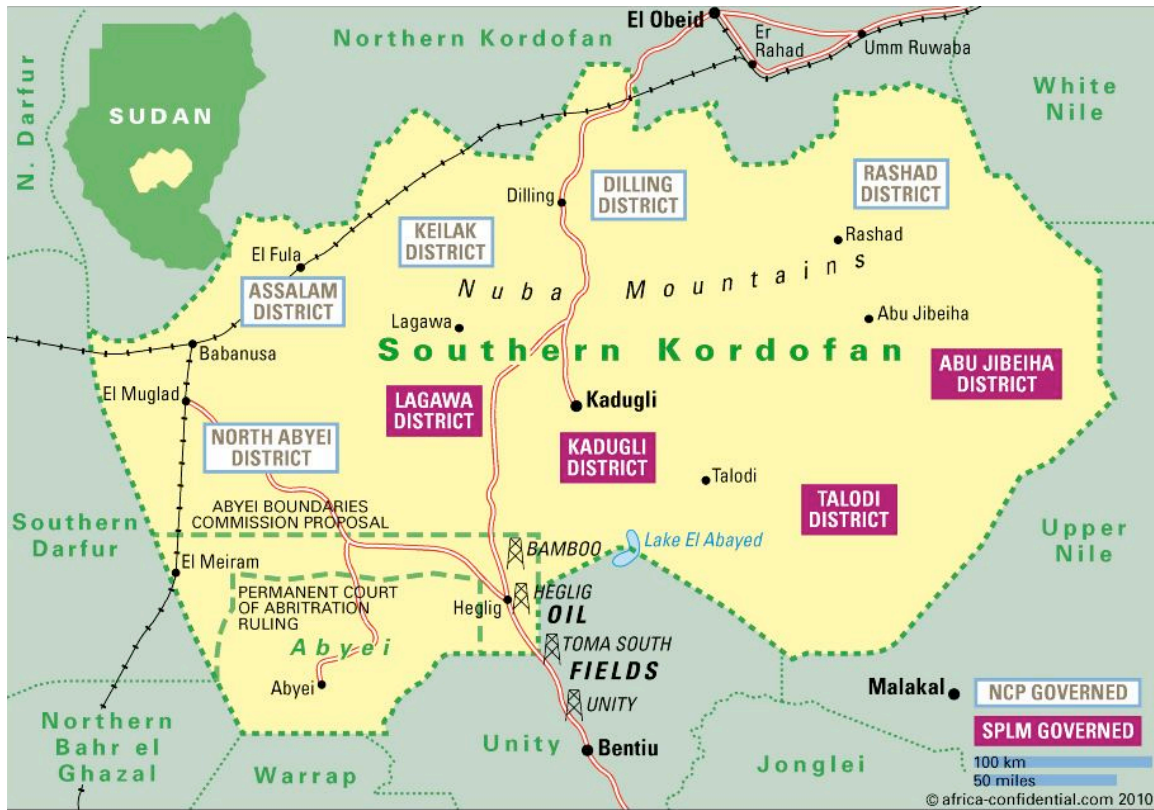
- Regarding an AU "**roadmap**" and **Ceasefire negotiations** : If the 3-month timeline does not result in a ceasefire and negotiation outcomes, the UNSC should swiftly apply Article 41 of the UN charter to increase pressure and isolation of the al-Bashir regime citing current obstructions and incursions of the GoS against the Nuba & GoSS. Additionally, the negotiation of corridors to Ethiopia and South Sudan to provide humanitarian and emergency relief and the deployment of UN observers/fact finding missions are priorities .
- Regarding **Oil Revenue Negotiations**: Apply a framework of previous "pipeline transit fee" settlements and formulas to current negotiations; enforce a durable settlement by placing oil revenues in an internationally managed trust account where Juba could leverage these funds for economic development while Khartoum would receive payments when specified conditional of ceasefire arrangements being met and CPA governance processes reinstated.
- Regarding the **Safe Demilitarized Border Zone**: Since UNISFA, UNMISS or UNAMID are already deployed in the region, reorient these peacekeeping missions (or create a new mission) to prevent border incursions and monitor transitional "border normalization" efforts by supporting the JBVMM/JPSM.
- Regarding the **3 Autonomous Areas**: Within the framework of CPA, the AU must recognize the failure of "popular consultation" and broker a method of referendum among the three autonomous territories of Abyei, South Kordofan and Blue Nile, modeled on the *Darfur Peace Agreement*, to determine the 'permanent status' of these territories within Sudan as a united state, or under status quo status, and to resolve state governance arrangements.⁵⁷
- Regarding **Ethnic Divides and Conflict in South Kordofan**: Following a cease fire agreement, the international NGO community should facilitate intertribal reconciliation between Nuba and non-Arab groups, similar to DDR and R/reconciliation programs that have occurred in Darfur.⁵⁸
- Regarding the **Sudan's Fiscal and Economic Pressures**: To compensate for oil revenue losses, the international community should negotiate trade proposals and the lifting of sanctions with the GoS in exchange for upholding ceasefires, divestment in the military expenditures, and pressure arms suppliers to Sudan, such as China and Russia, since a rising insurgency could escalate into a civil conflict very much resembling the current Syria scenario.

Policy Recommendations to the Government of Canada

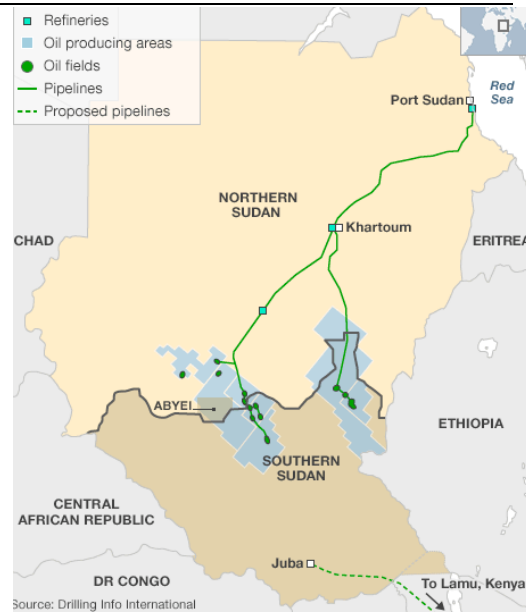
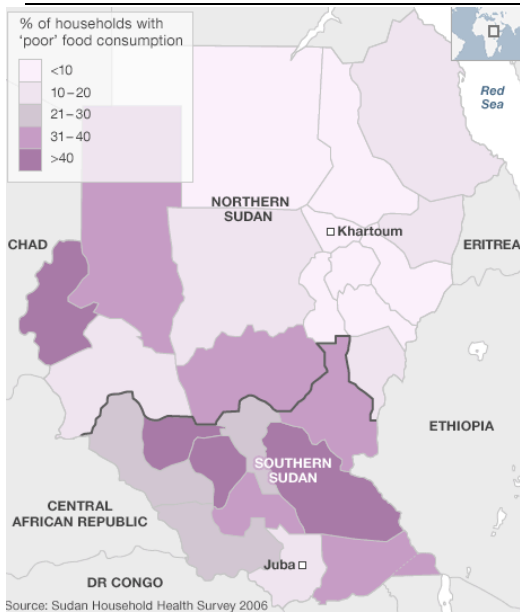
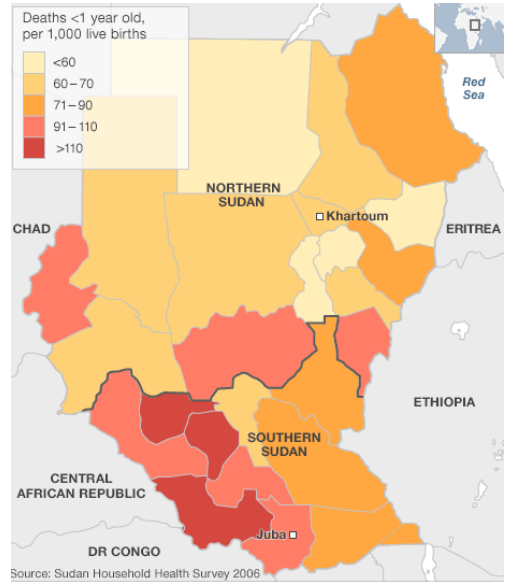
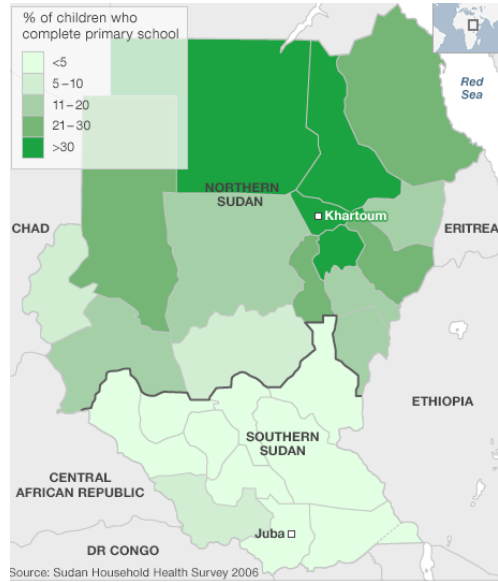
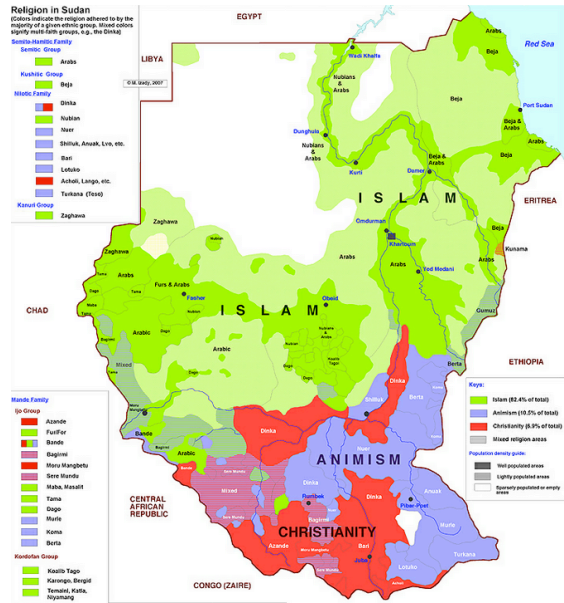
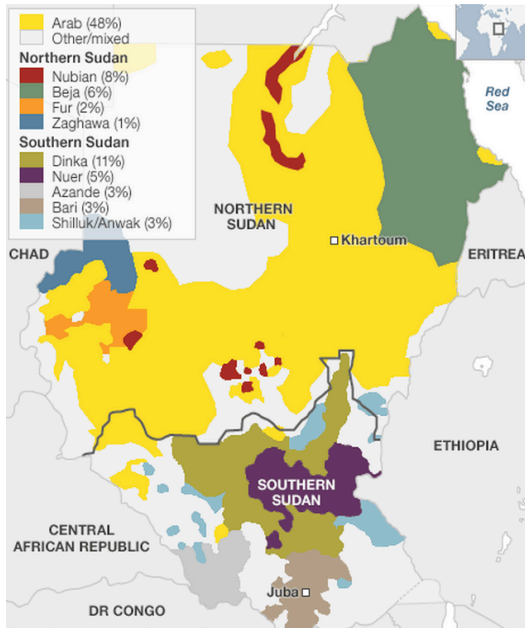
The Sudan Task Force, within DFAIT, is responsible for coordinating the implementation of Canada's strategy in support of peace in the Sudan. Although this unit was heavily involved in the 2011 referendum, Canada relies heavily on USG and U.N. first-mover authority in the current conflict. The following policy actions are recommended:

- Continue to condemn violence in the three autonomous areas and further expand unilateral sanctions against Sudan under the Special Economic Measures Act, as the combined effect of escalated sanctions by the West should thwart the balance of power within the al-Bashir regime and build the opposition's momentum toward regime change.
- Continue participation on Joint Donor Teams and Humanitarian Aid Coalitions to respond to the humanitarian and food security needs of IDP flows into South Sudan.
- Consult with the AU and UN representatives to ensure pressure is applied for a ceasefire so that the Stabilization and Reconstruction Taskforce (START) and RCMP deployments in Sudan and South Sudan are supporting the work JBVMM/JPSM in formalizing a secure border region between Sudan and South Sudan.

Appendix 1: Geopolitical Divisions of South Kordofan State⁵⁹



Appendix 2: Measures of Heterogeneity & Inequality between Sudan and South Sudan⁶⁰



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