



European Commission

Cross-Border Relations Beyond the Referendum Challenges and Opportunities

Workshop Report, El-Muglad, Sudan, 5-7 July 2010



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Participants and facilitators

1. Introduction

The security situation along the border between Northern and Southern Sudan is extremely tense. Local and national security actors are in frequent confrontation. Further and greater conflicts are brewing, but may yet be prevented. How should communities, policy makers, and development practitioners ensure that the North-South border is managed in a way that contributes to a sustainable peace?

There are two distinct parts to any possible answer. First, where is the border going to be? (This relates to delimitation and demarcation.) Second, what will the border be? How will it be managed? (This relates to governance). The first question is always raised when borders are discussed. Rightly so, the answer can spell the difference between peace and war. Competing land claims and the presence of resources combined with multiple interests makes delimitation and demarcation of borders hugely complex.

Yet a hard-won agreement on demarcation may not guarantee peace and security. It also matters what the line means for border communities and national elites, as well those in-between. This 'what is the border?' question also determines the impact of a border on communities, and helps inform economic, political and security incentives and disincentives, which

can influence whether or not violence breaks out in the border areas.

The nature of the border regime will impact on inter alia the economy and trade, movement of peoples, access to services, rights, and security.

Whether unity or secession is the result of the 2011 referendum on Southern Sudanese self-determination, and wherever the border is drawn, communities will live on either side. None are likely to disappear; all have needs and aspirations. Agreements on how the border is governed should reflect the interests of these communities. Furthermore, the border regime must also work for state elites and state institutions. If either condition fails, sources of violence and instability may outweigh those of peace and cooperation.

The workshop on 'Cross-Border Relations beyond the Referendum: Challenges and Opportunities' held in El-Muglad from 5-7 July 2010 was one part of an incremental process aiming to support border communities to develop principles and proposals to help inform what the border becomes; and help ensure that it works in the interests of a sustainable Sudanese peace.

This report documents the discussions and conclusions of the Misseriya communities who attended that meeting.

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Furthermore, the views and information contained in this report do not reflect positions or views of Concordis International or the Centre for Peace and Development Studies. The contents of the report reflect as closely as possible consensus generated at the workshop as expressed by participants. Attempts have been made to reflect in the text any disagreements expressed. Historical references are presented as recorded in the meeting. Some of the information presented in text box 3 and 6 has been supplemented with information recorded by Concordis staff in interviews with participants which took place outside of workshop activities.

Text Box 1: About the Cross-Border Relations Project

The *Cross-Border Relations Project (CBRP)* is a partnership between Concordis International and the Centre for Peace and Development Studies (CPDS) at the University of Juba (based in Juba and Khartoum). Four CPDS researchers bring expertise to the project, each specializing in a different region or set of dynamics along the North-South border. The team engaged in the project also includes experts advisors the African Union Border Programme as well as individuals with direct experience of supporting cross-border cooperation in Africa at the inter-governmental and grass-roots level.

Workshops and research facilitated by Concordis and CPDS represent an opportunity for border populations to deepen and promote peace by building consensus on principles and proposals regarding North-South border arrangements and development initiatives in the post-referendum period.

Aims and Objectives of El-Muglad Workshop

- A strategic aim of the El-Muglad workshop was to *build trust and understanding between the communities on issues pertaining to the Abyei Area*. This is a necessary condition to ensure that forthcoming cross-border workshops be constructive and fruitful.
- The El-Muglad workshop aimed to *develop consensus on principles for how the borders be governed and managed*. These will inform discussions in forthcoming workshops, which will bring together communities from either side of the border.
- The El-Muglad workshop aimed to *develop proposals for development initiatives* which could improve the economic, social, and security situation of populations along the North-South border. Concordis aims to mobilize interest and resources from Sudanese institutions and international donors to support the implementation of such proposals.

Incremental Process

The El-Muglad workshop is one part of a broader, incremental process. Concordis and CPDS have implemented such workshops in seven locations along the North-South border (Bentiu, Kadugli, Agok, Renk, Kosti, Damazin, El-Muglad).

Participants from these States will meet together in a second series of workshops, bringing communities from adjacent states together. These consultations aim to see communities from both sides of the border develop consensus on principles and proposals to inform post-referendum arrangements and development policies.

Following the cross-border brokering exercise, and after a period of consolidation, conferences will bring participants from along and across the border together with policy makers and donors. The conferences should increase the visibility of the principles and proposals generated through the project and provide opportunities for national and international policy makers to engage with border communities and project experts.

2. Opening Remarks

The El-Muglad workshop brought together traditional authorities, administrators, executive directors, and representatives of civil society including leaders of women and youth associations, religious leaders, representatives of the farmers' commissions, and chairmen of the trade unions, all from the Misseriya tribe in the Locality of Abyei, Southern Kordofan.

The first workshop in this series was held in Unity State and the workshop format has been replicated in other States along Sudan's North-South border. This process aims to play a role in ensuring that mechanisms are developed for governing the border and developing the border areas which reflect the needs of border communities and work in the interest of peace across Sudan. Statements of participants and official guests made during the meeting's opening session are summarized here:

The Centre for Peace and Development Studies (CPDS) from Juba University and Concordis International are here to support peace processes by listening to and learning from the participants before working with participants to communicate their ideas to formal peace processes. CPDS and Concordis believe that the views of the participants will help support lasting and

sustainable peace across the whole of Sudan.

Participants appreciated the idea of using the workshop to examine the position of border communities within the context of the upcoming Referendum. Accordingly, guests suggested that the contribution of participants should concentrate on the situation after the referendum: either Sudan will turn into two neighbouring countries or stay one country.

Participants have their own opinions around critical issues. They said they are fully aware of their problems and the concerns of people in the region. Accordingly, their views will be useful to policy makers and it is crucial that decisive resolutions will be based on them to achieve peace in the region.

However, participants stated that without adopting the borders of 1/1/1956, achieving peace will be not possible in the region. They reject the decision of the Permanent Court of Arbitration in The Hague despite the fact that the court has granted pasture rights to the Misseriya tribe.

The participants acknowledged that the Dinka Ngok also have rights, as they used to be called 'Tall Misseriya'.

During the session for opening remarks foreign organizations were accused of not offering any services and of operating with a hidden agenda. These suspicions are caused by a lack of basic livelihood needs in the region. For instance, the Rugab (pools of water which persist after the rivers flood) do not have sufficient water to meet the needs of Misseriya in the northern part of the North-South border. Nomads are consequently forced to move further South to seek pasture and water which can bring them into resource conflict with other groups.

One speaker demanded that Concordis recognises the 1/1/1956 borders as the safe and secure borders between the Misseriya and Dinka Ngok tribes. He expressed his hopes that good relations between border communities and tribes will develop in order for the people of Abyei to be able to settle and live in El-Muglad and vice versa for the people of El-Muglad in Abyei.



Working group

3. Visions and Aspirations

Participants expressed their visions and aspirations for how they would like the North-South border region to look in the post-referendum period. They also identified a number of needs that need to be met before their visions for the future can come true. This section summarizes the aspirations and needs as expressed by the participants:

3.1. On Demarcation

Aspiration: To return to the 1/1/1956 borders. These borders are the only borders the participants are willing to accept. They do not accept the 'new' borders of Abyei as they say they were not consulted on the demarcation process. One participant explains how historically Abyei has been administered from El-Muglad. The Hague Arbitration interfered even in the boundaries

3.2. On Unity and Separation

Aspiration: To remain one country. The participants expressed their hope for Sudan to stay united. However, if secession occurs, they will still be neighbours. Their forefathers used to tell them that the Dinka Ngok and the Misseriya tribes used to have good relations with each other. The two tribes used to coexist in peace before colonialism. Therefore new links between the two tribes should be rooted in the strong relationships from the past.

Aspiration: To maintain positive local relationships even if secession occurs. Participants identified that relations with the Dinka tribe used to be good. They lived together in peace before the policies of the State divided and separated them from each other. If the state were to provide services for the people rather than inciting conflicts, the current situation would be very different.

3.3. On Security

Aspiration: To achieve stability in the region. The participants believe that stability can be achieved by implementing the recommendations that come out of this workshop. However, the participants added that many doubts and suspicions surround organisations, because their actions are not always perceived as transparent or fair. The Concordis staff members were also accused to be spies, because they think Concordis represent the British Govern-

ment. The matter was dealt with through open discussion.

Aspiration: To keep the Native Administration from being politicised. The participants expressed their concern about politicisation of the traditional leadership. They view it as one of the causes of the conflict in the Abyei area.

Aspiration: To maintain security between the two neighbouring countries in the event of separation. In order to achieve a safe and secure future the two countries/regions should respect each other, but also international and regional conventions.

3.3 On Border Issues and Border Relations

Aspiration: To treat each other and their neighbours with mutual respect. The participants aspire to cooperate more in the areas of economy and security with their neighbouring states whether there will be secession or unity. They want to exchange expertise when it comes to oil, water, border security, pasture and other mutual interests.

Aspiration: To conduct relations according to a Joint Protocol. Participants envisage they will develop a joint protocol together with their neighbouring tribes that will govern all aspects of life, official and popular. The popular consultation is a huge political challenge but also an opportunity to develop models for moving forwards.

Text Box 2: Summary of Needs

The Perceived Needs of Misseriya participants

- Basic services such as medical centres, water filters and lifts (cranes for pulling water i.e. *dawaanki*) and water holes, roads, electricity networks, and schools;
- Development of pastoral schemes, improvement of cattle breeds, and provision of quarantine and veterinary centres;
- Construction of dams in the border area between North and South Sudan – on Misseriya land –based on scientific research;
- Treatment of the environment in areas where oil is being extracted as the results of oil drilling are extremely harmful to both people and animals in the region;
- Increasing of the Misseriya share in the oil revenues;
- Compensation for damages due to oil extraction in the area;
- Access to media in the Misseriya area and vice versa: for the media to have access to news about the Misseriya tribe in the Abyei Area and Locality.



Working group presentations

Text Box 3: Summary Report from 2009 Concordis Consultation

Systems for Effective Regional Relations: Ensuring Stability Around the Abyei Area

Nairobi, Kenya, 15-17 July 2009

This conference was facilitated by Concordis International as part of the Sudan Peace-Building Initiative financed by the European Commission, focusing on conflict mitigation for Sudan's Abyei area. Confidence building and conflict prevention initiatives for Abyei needed to take place in advance of the decision on the demarcation of the Abyei boundary, which is to be announced in mid to late July of this year by the International Court of Arbitration in the Hague. Both the Abyei Area Administrator and his Deputy were made aware of the planned work and have expressed that it would be a constructive and timely exercise, which could complement their own initiatives to build peace in the area. Concordis engaged in preparations for the event in coordination with the team of the Civil Affairs department of the United Nations Mission In Sudan (UNMIS) on the ground in Abyei, as well as with the Sudanese Government's Presidential Assessment and Evaluation Commission for Southern Kordofan State (PAEC SKS), and the Strategic Advisor for the Three Areas Donor Steering Group. The United States Agency for International Development's Office of Transitional Initiatives (USAID OTI) played a role in supporting the logistical costs associated with the planned initiative.

Concordis brought together 33 influential local leaders and members of civil society from the Dinka Ngok and Misseriya tribes in order to consider possible systems for managing effective, peaceful relationships across the Abyei border. Concordis provided the participants with a space and opportunity to consider not where the border should be, but rather what kind of border and which kind of relationships across that border would enable them to realise their livelihoods and be secure. Presentations were given by a number of consultants sharing different ways of understanding borders and examples of systems for governing border relationships as well as discussing some examples of successful cross-border cooperation initiatives from other contexts. The consultants stressed how borders represent opportunities with the potential both for exacerbating conflict or encouraging peace and development and encouraged the participants to strive to make the best of the opportunity facing Abyei.

Participants were given the opportunity to discuss both their fears and hopes regarding the International Court of Arbitration's upcoming decision about the demarcation of the Abyei boundary. They highlighted a variety of opportunities facing Abyei, and hoped that Abyei could develop into a model region for unity in Sudan. Participants shared how the Misseriya and the Dinka lived peacefully together for many centuries and noted the regret they felt concerning the events that have happened in the past. They highlighted how the recommendations that were made after previous conferences were not followed up by the responsible organisations and therefore the suggestion was made to not only come up with recommendations, but also to form alliances in order to make every party sensitive to their role in peaceful coexistence. Two main causes of the issues between the Misseriya and the Dinka were identified, namely lack of development, and politicisation of the conflict. The necessity of the participation of women in the process toward peaceful coexistence was also stressed, because they have an important role in the local communities.

4. Challenges and Opportunities

During the course of the workshop, participants discussed the challenges they face in their daily life. They also considered how these challenges can be presented as opportunities to improve their living circumstances. Additionally they were asked to define the obstacles to achieving the visions and aspirations mentioned in the previous section and how they as individuals and communities can play a role in achieving their visions for the future. Their responses are summarised below:

4.1. Political/Security Challenges

In recent years, there has been a **loss of trust** between the citizens of Northern and Southern Sudan due to the civil wars. This is a very difficult challenge negatively impacting everyone's lives. Additionally, racial and tribal tendencies have developed that divide people and cause continuous resentment.

The border demarcation process is considered a great challenge by the participants. They feel the border is not being demarcated correctly. The 1956 borders are the accurate dividing lines. Thus these borders are also the ones to be adhered to whether the South will secede or Sudan remains one.

The intervention of the Government of National Unity and the Government of Southern Sudan in local matters between communities in the North and communities in the

South are seen as a difficult challenge. Participants do not want the two governments to interfere with the process of peaceful coexistence at local level between the Misseriya and the Dinka Ngok tribes.

Security arrangements, as described in the CPA, should be implemented in the region. A safe and secure future is only achieved through upholding these security arrangements between the two neighbouring states/countries and when there is respect of international and regional conventions without inference from governments in domestic affairs.

A major political challenge is the popular consultation. At a conference that took place in 2009 to discuss the circumstances of the Misseriya participants have decided not to participate in the Referendum . However, the facilitator mentioned that organisations will only fund development projects if there is peace in the region. The popular consultation is an opportunity to sustain the peace but also a potentially divisive process.

4.2. Economic/Development Challenges

The current state of the economy is a challenge for the populations. Therefore development opportunities need to be created and appropriate funding for development projects needs to be provided. However, this will be difficult to set up if those responsible for funding opportunities are not aware of the challenges the communities in the Abyei area face.

The participants are very worried about the apparent lack of fairness in the distribution of basic services. Services such as the provision of clean drinking water, schools and health clinics should be distributed fairly in the different regions around Abyei. These basic services – water, education, health, roads – need to be provided in order to attain peace.

Land owned by the Misseriya tribe is currently being usurped by military camps of the SPLA, said participants. The participants would like to see these camps removed, so they can have access to their land again.

4.3. Political/Security Opportunities

The participants identified several ways that communities can promote peaceful coexistence. These included organising conferences and disarmament of civilians in their own languages.

It is perceived as necessary to convene conferences that will bring together tribes of the region – mainly the Misseriya and the Dinka Ngok – to re-establish pacts and alliances and to draw a road map for the future. The conferences should aim at the development of peaceful coexistence between the two tribes. They should be held under domestic auspices and involve all segments of society.

One of the identified opportunities with regards to disarmament of civilians in the region is the use of local dialect. If disarmament conducted in a manner which is under-

stood and acceptable to local populations, it will disseminate a culture of peace.

4.4. Economic/Development Opportunities

The participants of the workshop identified several opportunities that can help to bring about peaceful change in the Abyei area such as agricultural and other development prospects.

The population needs to be enticed through sustainable and effective development to live together in peace. Development opportunities will help them to help them to settle.

Throughout the workshop, participants mentioned the Misseriya have nine million heads of cattle. These represent a huge resource which can be used and employed to set up centres. These centres can execute mechanisms – which will be discussed in Chapter 7 – to mediate the situation in and around Abyei.

4.5. Social Opportunities

The Misseriya participants explained the history of the relationship between the Dinka Ngok and the Misseriya. They said the Dinka Ngok came as guests of the Misseriya to the area 125 years ago. The Misseriya treated them well and inter-marriages took place. Moreover, the Misseriya had good relationships with their other neighbours in those days. Neighbours included the Dinka Hijair, Dinka Ngok, Nuer and Doweese .

TEXT BOX 4: Violence in Abyei: 2008 and the future

The combination of conflict drivers in Abyei came to a head during 2008, when an initially small-scale confrontation escalated into 5 days' fighting between Sudan Armed Forces and SPLA troops. The massive subsequent population displacement (up to 80% of Abyei town's population fled) was destabilising and led to yet more people living in IDP camps around Abyei town. Although that situation is gradually resolving, it seems that the political and economic tensions outlined above could bring Abyei to the brink of war once more. Recent statements by Misseriya political leaders have insisted on being allowed to participate in the plebiscite on Abyei's future which will be held at the same time as the referendum on southern secession. The threatened use of force if these demands are not met represent a genuine threat to Abyei's peace and stability as the Misseriya include a relatively high proportion of armed and frustrated young men, some of whom are alienated from both Khartoum and Juba, who as former soldiers with the PDF could launch a serious campaign of violence to enforce their perceived right to vote in the plebiscite. By refusing to accept the judgement of the Permanent Court of Arbitration on what constitutes Abyei's boundaries and through their subsequent announcements some Misseriya have demonstrated a determination to achieve their goals using any means necessary



Workshop venue, former Chevron offices, El-Muglad

An example of a successful inter-marriage is Ali Aljullaa – the ‘arch-nazir’ (chief) of the Misseriya who married a Dinka woman.

Additionally the two tribes should work together in order to establish social peace as it was during the time of their ancestors. This includes returning to old customs and traditions such as the relations that prevailed between Nazir Babu Nimir and Chief Deng.

The participants mentioned how the media could be used to communicate the problems and issues concerning the region. Creating transparency would for instance help to solve the concerns over unequal distribution of services in the area of Abyei. Other participants added that all means, and all relations and contacts should be employed to generate awareness of social realities rather than prejudices and misinformations.

Text Box 5: Summary of Challenges and Opportunities

The perceived challenges of Misseriya participants

- To equally share wealth and power in the administration of Abyei;
- The entitlement of the Misseriya to the rights of voting, first-class citizenship and land for pasture;
- To hold on to their rights whether Abyei is going to be part of the north or the south;
- To remain a border tribe in case of secession;
- The regulations and standards for citizenship should be set according to the Abyei Protocol;
- To extend the networks of underground wells on Misseriya land;
- To find funding tools to raise the standard of living of populations of the region;
- To set up clubs and venues for social bonding;
- To have international guarantees sponsored by a joint administration composed of both the Government of National Unity and the Government of Southern Sudan to secure the right of pasture;
- To set up an international mechanism to care for and/or adopt families of missing people and other casualties of the war;
- To expand agricultural activities;
- To allow nomads to cross the inner border without complicated rules.

Suggested Opportunities by Misseriya participants

- The implementation of an international convention or act to protect and govern cases concerning pastoralists and pasture;
- Building model villages along the border strip stretching from east to west;
- Setting up developed agricultural schemes so the Misseriya can settle peacefully;
- Involving the media in communication about the problems and issues of the area:

TEXT BOX 6: Migration and Misseriya Perceptions of Marginalisation

Migration and disarmament

The Misseriya's traditionally nomadic lifestyle has used three main grazing routes (eastern, central, and western) to move between the former West Kordofan and the Abyei Area, Unity, Warrap, and Bahr al Ghazal States. Despite this being common practice for centuries, tensions have risen again in recent years as pastoral landowners complain about the damage caused to their herds, land and crops by the movement of the nomads and their livestock and due to the influence of national political struggles in the area. The conflict cycle is exacerbated by the current weakness of traditional dispute resolution mechanisms damaged by decades of war. Furthermore, the Misseriya are often armed and say this is necessary in order to protect themselves from bandits in the area, a partially disarmed southern population, and due to the inability of the southern State to guarantee their security. Much of their weaponry originates from the period when many Misseriya fought in the PDF, and have since been demobilised but never properly disarmed or reintegrated into their society. While the SPLM/A insists on the Misseriya not being allowed to bring firearms into Southern Sudan, the abundance of light arms and dispute over their validity is the cause of further tension and potential violence. Moving towards the abandonment of weapons and violence in the South has proven difficult for all parties. While the Misseriya feel threatened by the presence of armed forces from their former enemies in the SPLA, as well as bandits and cattle-raiders, there is a general expectation from local authorities that nomads entering southern states (Unity, Warrap, and Southern Khordofan) should not carry weapons. A conference was held in Bentiu in March 2010 to try to resolve tensions over this issue, but the agreements reached have not been implemented.

Pressure on resources and perceived marginalisation

The Misseriya have an increasingly strong sense of political marginalisation, and of being unable to gain genuine attention in national political processes. The erosion of traditional forms of local governance and leadership structures have been worsened by a similar degradation of methods of dispute resolution both amongst themselves and with other tribes. While those disputes have often centred around the Messiriya's right to traverse pastoral land, they are being intensified by an ever-increasing squeeze on the availability of the natural resources the Messiriya have traditionally used.

The expansion of the oil industry and mechanised farming have both encroached onto and sometimes contaminated traditionally common land and water sources, while other areas have been effectively nationalised by a series of land reform laws in the last three decades. The re-drawing of administrative boundaries in the border regions as part of the 2005 Comprehensive Peace Agreement has also had a significant impact on the Misseriya. Western Khordofan, historically perceived as a Misseriya heartland has been subsumed into modern Southern Khordofan, seeming to deprive the Misseriya of political and economic self control. While the Misseriya fear being unable to move freely into their traditional southern grazing lands should an SPLM-led South secede, they also feel that their contribution to the government's military operations are not being recognised as their livelihoods become more challenging. A further example of this is the contrast between the referendum offered to the Dinka-Ngok of Abyei on whether to join Southern Sudan, and the exclusion of the Misseriya from the political process and their inability to express their opposing point of view. These developments have made the Misseriya's difficult existence, based on following scarce and localised rainfall, even more precarious to the extent that they are moving into settled lifestyles in increasingly large numbers, further undermining the sustainability and practi-

5. Scenarios and Expectations

In distinction to their aspirations, workshop participants were asked what scenarios they expected to actually transpire, especially after the Referendum in 2011. Their responses are recorded here:

5.1. Political/Security Scenario

In the case of secession, pastoral conflicts will take place that will then lead to problems. Participants expect these problems will combine to generate a cycle of accelerating conflict drivers such as revenge and retaliation activities between Misseriya and Dinka.

Participants are worried by the expansionist aspirations of the South to spread out northwards to gain access to oil areas.

Other expected problems in the case of secession have to do with nationality, currency, oil contracts and its impact on the environment, security and policing.

5.2. Economic/Development Scenario

In the case of secession, participants expect problems with the following issues: Debts – who is to shoulder the burden – and assets such as railways and public service.

The participants are looking forward to a future in which peace and security prevail,

because then they can be free. In this scenario they expect to be treated as first class citizens. They will then also take control of their local resources in forests and underground.

6. Mechanisms to Mediate the Situation: Principles and Proposals

The following section sets out the resolutions and proposals, reached by the participants at the conclusion of the workshop, for how they would like to see their cross-border relations managed in future:

6.1. Security

Identified struggles concerning issues of security are non-commitment to the implementation of the security arrangements provided for in the CPA, the spreading of weapons, lack of implementation of the Disarmament Demobilization and Reintegration (DDR) Programme, and the ineffectiveness of the Joint Integration Forces.

The participants came up with the following principles to mediate these problems: 1) Empowering the DDR Committee to carry out its role; 2) Strengthening the position of the joint forces and its presence in the border regions; 3) Authorise the native administration with to prevent tribal security excesses.

Additional suggestions are the deployment of integrated security forces at the bor-

-der to maintain peace and prevent disputes between border communities, but also the implementation of the international laws with regards to the right of pasture and nomadic movement, especially along the border strip of northern and southern Sudan.

6.2. Citizenship and Movement

The border strip should be officially defined. The participants suggested the following region: it starts at Hofrat al-Nahas in Southern Darfur and passes through Bahr-al-Arab and Unity State up to Nuba Mountains and East past the Upper Nile Pick to Blue Nile.

Freedom of Movement, Freedom of Residence, Freedom of Entry and Employment, and the Freedom to Own Property should be made law to positively impact border communities. The rights of movement, citizenship, ownership of assets, and employment should be guaranteed by an agreement.

6.3. Justice

There are not enough courts in the locality of Abyei. Also, the participants mentioned how the accused are maltreated in the SPLM courts and prisons. Therefore joint popular courts which observe local and religious cultures should be set up. Additionally, it is necessary to have committees or administering justice.

Traditional leadership should be empowered to extend their competence in this border region and on both sides. It is also necessary to have a civil and military judicial system along this border strip.

6.4. Communication

Several struggles in the area of communication have been identified by the participants. Lack of communication and transparency has caused loss of mutual trust, because many lives have been lost. Provocations made by politicians and feelings of inferiority are also experienced as serious issues by the participants.

To mediate these issues, tribal conferences should be facilitated to bring the two sides – Misseriya and Dinka Ngok – together and to contain the tension and re-establish alliances. The participants would also like to put a stop to the political provocations through these kinds of conferences. Additionally, inter-marriages between the two tribes should be highlighted and encouraged.

6.5. Commerce and Agriculture

There is no administrative presence in joint border markets. Therefore, administrative officers should be employed to manage these markets.

Currently there is no official agreement and permission in place to trade between the two sides of the border. Additionally, protection of trade routes is absent. Hence, the exchange of goods should be officially permitted through a trade agreement. The presence of security should be offered to protect the traders.

An additional mechanism to infuse commerce is the exemption of border communities from taxes and customs to facilitate the exchange of trade,

Currently, the land for pasture and the land for farming overlap. Thus, areas designed for pasture should be demarcated and need to be separated from farms.

6.6. Infrastructure

The Locality of Abyei lacks proper infrastructure. This has several consequences, one of which is the late arrival of security forces at scenes of conflict. Tarmac roads should be built to facilitate traffic and help development of the area. Then northern and southern Sudan will be linked and security incidents such as robberies will be overcome.

Tarmac roads are to connect all Misseriya administrative departments and their different municipalities. Proposed routes are Lagawa – Alfoola, Babanoosa – Alfoola – El-Muglad, Lakaawa – Kailik, Kailik – Hijleej, Nama – Ad-Dabab – El-Muglad, and As-

Setieb, Al-Mayram – Nama – Abyei.

6.7. Services

There are many services lacking in the area of Abyei: there is a scarcity of water, a spread of fatal diseases that threaten man and animal, a lack of electricity networks, and a lack of schools and health centres.

To meet the need for water, water filters should be provided, water holes should be drilled, and dams need to be erected along the North-South border. Water networks should be built in the main cities. The participants also suggested constructing a waterway from Sobaat river to several wells.

There is a great need for education in the area of Abyei, including the nomads. Therefore schools with boarding facilities should be set up to educate nomads. Additionally pre-schools are requested to educate children about Islam and teach the Koran in all local Misseriya authorities. Primary and secondary schools should be set up with boarding facilities for students and teachers. Technical colleges, vocational training centres and universities should be founded, including teacher training colleges. These should be located in the following places : Almayram, As-Sateib, Kailak, Lagawa Alfoola, Babanoosa and El-Muglad. Additionally, Moreover, Misseriya youth should get the opportunity to study abroad through scholarships.

With regard to health issues, the participants thought of the following proposals: 1) To build hospitals especially aimed at women and paediatric health clinics; 2) To build teaching hospitals; 3) To train midwives throughout the whole Misseriya area; 4) To provide ambulances; 5) To give free access to medical treatment; 6) To build veterinary hospitals and clinics. The veterinary hospitals and laboratories should be set up in : Lagawa, Alfoola, Babanoosa and El-Muglad. Rural veterinary centres should be established in Ad-Debab, Al-Mayram, and As-Seteib.



El Muglad street scene

6: General Recommendations

General Recommendations of Principles and Proposals to Inform Policy Making on Cross-Border Relations, Border Governance, and Post-2011 Arrangements for Sudan, as agreed by participants:

The following recommendations will support development and peaceful coexistence in Abyei and along the border between Northern and Southern Sudan. They will be beneficial in both referendum scenarios, i.e. whether Sudan remains united or if the south opts for secession:

- They have not been consulted in the development of the official agreements on Abyei namely the Abyei Protocol in the CPA and the Abyei Road Map Agreement of 2008. They need to be consulted in political processes which impact upon them.
- They reject the ruling on the Abyei Boundary from the Court of Arbitration in The Hague. Their position is that the 1956 border should stand for Abyei.
- The Misseriya feel underrepresented in media, and in peace and development processes. They intend for their situation to be broadly understood and their position to be known within Sudan and across the international community.

They make the following recommendations to build peace and development in the border area:

Security

Challenges

- CPA security arrangements are not being followed;
 - Proliferation of small arms and light weapons;
 - Joint Inspection Units (JIU) are ineffective and DDR as well;
 - Security organs are not accountable under the judicial system;
 - Security organs inaccessible when needed by the local population;
- Feelings of insecurity when required to travel across the border without weapons.

Solutions

- Follow the CPA security arrangements;
 - Activate the Disarmament, Demobilisation and Reintegration programme (DDR);
 - Enhance the JIU, and joint cross-border security organs, improve their role in local security provision, including protection of migrating pastoralists when they are in the south;
 - Strengthen Native Administration to resolve conflicts;
 - Improve the role of the DDR Commission in the area;
- Security organs should be locally accountable according to the law.

Social Challenges related to insecurity

- Poverty;
- Social segregation between tribes;
- Lack of trust between tribes;
- Feelings of frustration and marginalisation;

- Feeling that the other tribes are looking to take the land of the Misseriya;
- Lack of demarcation between farmland and grazing land.

Solutions

- Inter-tribal conferences to address these problems;
- Need to communicate the necessity of preventing return to war;
- Efforts to anticipate and prevent political violence;
- Education and workshops to maintain migration routes according to agreed routes.

Justice

Challenges

- Contradictions between legal systems in the north and south;
- Inhuman treatment in courts.

Solutions

- Establishing joint public cross-border courts with jurisdiction over areas on both sides of the border, with representation from the various tribes in the area, taking into consideration the diversity of religious beliefs and local customs.

Trade and Economy

Challenges

- Lack of cross-border administrative agencies or mechanisms;
- Blockages to the movement of goods across borders;
- Insecurity and lack of protection to markets and traders in the border areas;
- Multiple taxation in border areas which impacts trade and grazing.

Solutions

- Joint administrative offices and/or protocols to regulate and coordinate cross-border trade;
- Facilitation of free movement of goods across the border;
- Protection of traders from insecurity
- Commercial agreements across the border, facilitating trade and preventing multiple taxation, Joint markets at the border.

Infrastructure and development

Challenges

- Scarcity of water;
- Uneducated population and lack of education institutions;
- Prevalence of diseases and ill health both for humans and for livestock, high infant mortality rate, diseases related to pollution from oil extraction;
- Underdeveloped agricultural sector;
- Lack of roads connecting the different Misseriya areas;
- Disproportionate lack of NGO service provision in the area;
- Perceived lack of donor interest

Solutions

- Develop water resources and infrastructure;
- Development of canals for irrigation;
- Building of schools and hostels including Koranic schools and vocational institutes; agricultural training centres, provide scholarships for students from the area;
- Development of medical and veterinary services, including clinics and hospitals, training of midwives;
- Building of roads between different Misseriya areas;
- Agricultural development schemes.

7. Borders: Definitions and Experiences

The workshop was supported by presentations and general discussions about the nature of borders and experiences in other countries. A summary of the presentations and the following discussion by the participants can be found here:

7.1. Several Border Definitions

The participants were asked several questions to guide them in their consideration of the nature of borders:

- 1) What does it mean that there is a border here?
- 2) What actually is a border?
- 3) What are its functions?
- 4) Why is it there?
- 5) What is it for?
- 6) How does the arrangement between governments impact the border populations?
- 7) How are the relations between the local populations significant for the governments?

Importantly, we should ask, what would be the characteristics of a stable and effective border relationship between Northern and Southern Sudan. Such characteristics might be the same whether or not the border is internal or international, i.e. whether there is unity or secession and wherever the border is drawn.

Borders are often seen as setting limits of ownership and authority, and safety. They can also define differences between groups and determine criteria for inclusion and exclusion

International/state borders tend to be seen as fixed. They have legal and political significance. They tend to demarcate sovereignty and they set limits of authority and ownership. State borders regulate relationships and there need to be principles in place regarding how those relationships should best be managed.

Borderlands are areas on either side of a border. The populations in these areas have to deal with the system by which the border is regulated. There is a possibility that communities living in these borderlands can be involved in designing the systems.

Borders can be understood as sets of arrangements and institutions as well as relationships. Something to consider is how arrangements between governments affect arrangements between communities. Do they complement or contradict each other?

One way of conceiving borders is as “hard” or “soft”. Hard borders can be associated with: obstruction, barriers, restriction of movement, separation, militarisation, tension, fear and perceptions of threat.

Soft borders on the other hand may facilitate mobility and interaction and be associated

with perceptions of safety, opportunity, trust, and common interest. **7.3. Somalia**

It is worth considering what kind of border system you want, what kind of cross-border relations and how you will achieve them.

(Some of the concepts in this section were drawn from a lecture given by the Senior Lecturer in Development Practice at the University of London, School of Oriental and African Studies.

7.2. The Value of Comparative Examples

Comparative examples of border experiences were shared at the workshop, to assist participants in considering their own situation and questions with regard to the Sudanese border.

Different states and communities around the world have experience of facing extremely difficult border situations. Different ideas and models of border governance have been implemented with varying degrees of success.

Participants in the workshop raised many issues related to *where* the border should be, *who* should cross the border, and *who* should live where along the border. From doing so, it became clear that the interests of communities and the interests of States can differ.

Somalia is in east Africa. Somalis are Muslim as are the people in Northern Sudan. They speak one language and have one religion. Like the Southern White Nile communities, they are Bedouins and camel herders. But, the Somali state has gone through many crises and divisions since its independence. Nowadays a proportion of the Somali People live in Kenya, others in Djibouti, and others in Ethiopia. These are all regions cut off from what once used to be a complete Somalia. All that remains now, is the present Somali state and its failures.

Regarding the Somali-Bedouin dynamic, these people's livelihood depends on camels and although water is plentiful in Somalia, the grazing land for these animals is in Ethiopia and Kenya. Somalia has international borders in the west with Ethiopia and in the south with Kenya, but the relation with these countries is not always stable. Some of our Bedouin relatives live amongst the Shilluk people and others live amongst the Dinka on the Eastern Bank of the Nile. It is the same in Somalia, where camels move from grazing lands in Kenya and Ethiopia to water in Somalia. Sometimes the borders are closed between Ethiopia and Somalia and sometimes between Kenya and Somalia. When the border relations are bad, it is the animal resources that suffer because of not being able to access grazing. This situation has caused overgrazing in Somalia which in turn has resulted in environmental problems and

desertification. Somalia is living in a state of crisis and the consequence of a rigid border policy is a key issue in this crisis.

This workshop is an early warning to remind the participants to keep their cross-border relations healthy. One Somali leader said ‘our neighbours are not our neighbours. They are from us, but a division has been created between us.’ So in the event of an international border between North and South Sudan everyone must remember that we are all brothers and relatives.

7.4. Egyptian-Sudanese Relations

An agreement between Sudan and Egypt provides **Four Freedoms** that their populations are entitled to enjoy in both countries: The Freedom of Movement; the Freedom of Residence; the Freedom of Entry and Employment; and the Freedom to Ownership of property. If Sudan can create the same flexibility in relation to the border between the south and the north, then there is a possibility for peaceful transition.

7.5. The European Union and ECOWAS

A citizen of the United Kingdom is also a citizen of the European Union. EU citizens have the right to live and/or work in any of the EU member countries. There are 27 countries and there are no tariffs on the movement of goods between these countries.. Also, many

of these countries have agreed to share a common currency, the Euro.

The EU emerged after a series of wars in Europe, the Franco-Prussian war in the late 19th century, the Great War of 1914 to 1918 and the Second World War 1939 to 1945, after which there was a real effort to prevent this level of destruction from happening again (at least in Europe). One of the first initiatives that led to the formation of the EU was the joint management of steel and coal resources, contestation over which had been a significant underlying cause of fighting in Europe. Gradually more and more treaties were signed to create greater cooperation in more areas and more countries joined. Currently there is even an EU parliament and an attempt to develop a common foreign and security policy.

EU citizens feel the positive impact of the EU in their ability to travel. There are no customs checks between member states and there is genuine economic integration. This freedom of travel is exclusive to citizens of the EU so not everyone benefits, but people from member countries have real opportunities as a result of this cooperation. The EU countries have had to give up some of their sovereignty in decision making over some areas where European institutions make decisions, although each country is still independent. The idea of war between these countries now seems impossible, because of this deeply entrenched interdependence and cooperation.

A similar example is in West Africa: the Economic Community of West African States (ECOWAS) is based on agreements between countries in this region that allow for the freedom of movement of people and goods.

In addition to inter-governmental arrangements, initiatives have also been pioneered in ECOWAS where local populations have cooperated across the border to manage issues together. For example, local cross-border security initiatives, peace conferences, coordination of markets and trade in local commodities, cross border radio stations and cross border health initiatives.

Cross border cooperation can take place within a single country as well as between countries. One initiative which took place in Nigeria was to establish a commission responsible for development in the borderlands straddling the country's internal borders between federal states. It was recognised that these areas were less developed, remote from state capitals, had distinctive needs and characteristics and could benefit from coordinated investment. Similar initiatives might be appropriate along the border between Northern and Southern Sudan, whatever is ultimately decided in the Referendum.

One recent idea has been to enable local authorities from either side of an international border to communicate directly with each other, in a sense devolving diplomatic relations to local authorities on

some issues. It is important to think about how different levels of authority can cooperate with each other. Another issue to question are the arrangements between higher levels. Are they making the relations between lower levels workable? These are ideas to help the participants think about how to manage their own border relations in Sudan in a way that is relevant to their circumstances.



Working group presentation

Text Box 7: A note on Methodology

A combination of Open Space Technology and more traditional pedagogic techniques were employed throughout the workshop. The workshop proceeded on the basis that participants best understand the challenges which they are facing and are best able to prioritize between different issues. However, lack of existing debate on border governance and the implication of the referendum for border communities also mandated the use of targeted inputs. These took the form of presentations of key concepts and ways about thinking about borders as well as key relevant – or potentially relevant – lessons and experiences from the comparative perspective.

Open Invitation and Working Groups

The workshop offered an open invitation to discuss challenges and opportunities related to cross-border relations. It used a combination of plenary sessions and smaller working groups to refine the agenda and facilitate focus discussions.

The use of working groups reflected the nature of the participants and issues, which can be summarized as:

- A high level of complexity, such that no single participant or small group could fully understand or solve the issue.
- A high level of diversity, in terms of the skills and experience present (administrators and state authorities, traditional authorities, and community representatives and faith leaders).
- The presence of conflict and therefore a genuine motivation among participants to engage with issues.
- A high level of urgency. Time is short to develop arrangements for a post-referendum period.

Working groups took the form of focus group discussions. Participants formed three groups made up of: 1) administrators and state officials; 2) traditional authorities (chiefs); and 3) civil leaders (primarily women, youth and faith groups). Plenary sessions offered an opportunity for presentation of working group discussions, and exchange and dialogue across groups.

Targeted inputs

Concordis International and the Center for Peace and Development Studies (CPDS) offered key inputs to plenary sessions in the form of concepts and lessons from comparative perspectives.

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