

A Proposed Framework for Abyei.

It is becoming increasingly recognized that the proposal of Thabo Mbeki's African Union High Level Implementation Panel on Abyei has reached an impasse because of irreconcilable positions of the parties. There is therefore a pressing need to think creatively outside the box. However, the people of Abyei and South Sudan generally have invested a great deal in the original proposal of the Panel that any new ideas outside the box will be viewed with great suspicion and resistance. And we need to bring on board the political elite of Abyei to ensure the sustainable success of any arrangement. After all, the Ngok Dinka are the most aggrieved in the conflict over Abyei. The top priority should therefore be to come out with proposals that effectively address the genuine grievances of the Ngok Dinka. One thing that mediators must guard against is falling into the trap of the assumption that Ngok Dinka territory is jointly shared with the Missiriya. The Missiriya go to the area only during the dry season in seasonal search for water and grazing in much the same way other herders from the South go to the area seasonally to escape floods and in search for pastures. There used to be individual Misseriya traders residing in the Abyei area, but all have now left because of the conflict and insecurity in the area. It must be borne in mind that the Misseriya have their own home area centered around its headquarters in Muglad, where they cultivate annually, with their own local government, without any involvement from the Ngok Dinka. One of the things the British administration in the country ensured was the autonomy of the Ngok Dinka in the Abyei area, without any interference by the nomadic Arab seasonal migrants in the Affairs of the Ngok Dinka. Abyei was the only area in the North that was, by special order from the Governor General, administered under the Chiefs Courts Ordinance that operated in South Sudan, instead of the Native Courts Ordinance that applied to the North. Babo Nimir, Paramount Chief of the Misseriya, used to tell his people that once they entered Ngok Dinka territory in their seasonal migration, their Chief was Deng Majok, the Paramount Chief of the Ngok Dinka, who treated the Arabs with affirmative safeguards to their interests. It is my firm belief that the pillars of any

solution that will assure the Ngok Dinka of their rights and lay a foundation for rebuilding trust that is now lost between the two communities should include the following:

1- Provide effective security for the Ngok Dinka over the entire territory recognized by the Hague Arbitration Award, whether through UNISFA or through any other formation of security forces to be agreed upon by the parties.

2-Make Abyei of the Ngok Dinka a fully self-governing State, with all the branches of government, executive, legislative, and judicial, and without interference from the Missiriya, in the same way the Missiriya also enjoy self-governance in their own area, without any involvement by the Ngok Dinka;

3- Assure the Missiriya their seasonal access to water and grazing in the Ngok Dinka areas, through migration routes and camping sites by conventions agreed upon by their respective traditional leaders and accord them the same protection provided by UNISFA or any alternative formation of the UN security mission in the area.

4-Establish an inter-communal Misseriya Arab - Ngok Dinka Mechanism for regulating the bilateral relations between the two communities, including preventing, managing, and resolving conflicts between them.

5-Create Abyei National Guard, which, together with the area police, will ensure law and order in the area and guard against any external criminal activities in the area.

6- Allow freedom of movement, residence, Work and Invest by individuals citizens from Sudan, and South Sudan into, and through, the Ngok area, in accordance with the laws, rules and regulations prescribed by the authorities of the area.

7- Create an international mechanism to oversee peace, security, and development in the Abyei area and guarantee the territorial integrity of the

area from external threats.

8-Operationalize the provisions of the CPA Abyei Protocol that grant the residents of Abyei dual citizenship of both Sudan and South Sudan.

9-Grant the residents of Abyei the right to the travel documents, including passports, from both Sudan and South Sudan, and entitle Abyei Administration to hoist the flags of both Sudan and South Sudan; and

10-Persuade the parties to endorse and commit to respecting and protecting the plan as a win-win interim arrangement, with international safeguards, for a specified period, after which a final solution, based on mutual agreement, granting the people of Abyei a choice from three options: remain under the administration of Sudan, join South Sudan, or retain the self governing special status between the two, will be determined by popular vote of the Ngok Dinka and other normal residents of the area through a plebiscite or referendum.

It is predictable that South Sudan will support any solution that is in the interest of their fellow Ngok Dinka of Abyei. Sudan and the Missiriya on the other hand will most likely resist any solution which they see as losing Abyei to South Sudan. In the case of the Missiriya, this means an international border between them and the Ngok Dinka lands upon which they have been grazing their cattle for a long time as fellow Sudanese moving in their country. For Sudan, this would mean losing additional valuable land to South Sudan. This proposed arrangement would give the people of Abyei some form of independence between the two countries, which would mean that there is no winner or loser. This would free up the energies of all parties to promote peaceful coexistence and cooperation between the neighboring communities and countries.

These are some initial thoughts that I hope can be helpful to the search for a final solution to the status of Abyei between the two Sudan.

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