

The Great Oil Divide: The Security Situation Between the Sudans

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Since the 2011 secession, the governments of Sudan and South Sudan have yet to agree on a solution to determine a permanent border, and it has continued to be a major contention between the two nations (BMI Research). Both states are focused on combatting their own domestic insurgencies, with the conflict in South Sudan progressively threatening the security status of Sudan (BMI Research). While the civil war ended in 2005 with the Comprehensive Peace Agreement (CPA) between the Sudan People's Liberation Army (SPLA) and the Sudanese Armed Forces (SAF) of the capital Khartoum, the Sudan People's Liberation Movement – North (SPLM-N) has continually deployed an insurgency to the southern border states of South Kordofan and Blue Nile since South Sudan's secession in 2011 (BMI Research).

Efforts to implement the Safe Demilitarized Border Zone (SDBZ) between the two states are currently suspended (BMI Research). The SDBZ would constitute a 10 kilometer wide buffer zone on both sides of the border, however, both countries have not been able to come to a final agreement on the demarcation of the border (Libson). This has left a dispute over at least 20% of the undefined border (Libson). The Joint Border Verification and Monitoring Mechanism (JBVMM), where the African Union High-level Implementation Panel (AUHIP) developed the current map, has also been suspended (BMI Research). Accusations by Sudan and South Sudan that both parties are supporting cross-border rebel groups have increased difficulties with bilateral negotiations (BMI Research).

Talks between Presidents Salva Kiir Mayardit of South Sudan and Omar al-Bashir of Sudan resumed this past June (BMI Research). However, with the current strains in both countries and the increase of South Sudan's dire crises, a resolution is not expected any time soon (BMI Research). The dispute over oil flow – an important resource for both states (BMI Research) – is further complicating the border contentions. Oil was the greatest resource when Sudan was a unified country (Ottaway and El-Sadany). "Dependence on oil [...] represents salvation for poor nations, making oil the most immediate source of conflict" between North and South Sudan (Ottaway and El-Sadany).

Due to the severity of the ongoing situation between the two countries, it is highly recommended that focus be put on diplomatic strategies and security

sector reforms (SSR). Tensions have risen over the handling of oil transports, ethnic conflict and lack of national identity, leading to a critical border crisis that currently cannot be managed by its own leaders. In order to begin to cease contentions and what has now developed into a genocide, the international community must take action by applying severe pressure to the governments and intervene militarily and by working with civil societies.

OIL

During the referendum in 2011, "oil accounted for 60 to 70% of government revenue in the North and 98% in the South. About 75% of Sudan's oil is produced below the old colonial line that divided North and South and became the border between the two countries after the split" (Ottaway and El-Sadany). Because the oil fields are located across the dividing line, there are high risks that either side will attempt a takeover (Ottaway and El-Sadany).

The CPA regulated the distribution of oil between the two states before South Sudan gained independence. Yet, South was never content with the method; it discontinued sharing revenue once it seceded (Ottaway and El-Sadany). Since 2011, Khartoum and Juba have fought over the price of barrel in transit fees for oil that is shipped through pipelines from the South to Port Sudan in the North (Ottaway and El-Sadany).

Between January 2015 and March 2016, oil prices have dropped to nearly \$30 a barrel, a decrease of over 70% (Sudan Tribune). "The oil transportation fees (\$9.10 for the oil produced in the Upper Nile or \$11 for the oil of Unity state) [...] are meant to the repayment of a \$3 billion compensatory package that Juba agreed to pay Khartoum" (Sudan Tribune). A complicated pattern has emerged for years where the North charges transit fees that the South does not comply with and the South often responds with threatening or completely halting its oil production (Ottaway and El-Sadany). Shipping the oil south to the Kenyan coast is currently not a good investment as a new pipeline would be extremely expensive and take years to complete (Ottaway and El-Sadany).

South Sudan's oil production has declined due to its internal conflict but is still able to produce 160,000 barrels a day (Sudan Tribune). However, it currently "receives less than \$5 per barrel when transit charges

paid to Sudan are deduced and oil exploration companies are paid” (Sudan Tribune). The least-developed area of Sudan has always been the South and the North has remarked it as a “useless country” (Ottaway and El-Sadany). Since 98% of South Sudan’s annual budget comes from oil revenue, this has further plummeted the country’s status (Sudan Tribune).

BORDER POLITICS

South Sudan’s borders are generally more important than other locations due to the country’s definition of itself, national identity and government legitimacy (Frahm). The South has a more profound sense of tribal rather than national belonging and consists of over 60 cultural and linguistic groups (Frahm). What has somewhat unified the country has been the history of oppression and opposition by the North (Frahm). Because of this, “legal citizenship in South Sudan is actually defined both by ethnic belonging and territorial residence” (Frahm).

South Sudan’s government has failed to territorialize, which has negatively impacted the country’s ability to unify and form a national identity (Frahm). Because people have more allegiance to their own tribes than to the nation as a whole, conflict among tribes is arguably progressing to a “full-blown genocide”

However, Juba has been supporting the SPLM-N across the border (Frahm). It is suggested that a deal between Khartoum and Juba could decrease the areas occupied by the SPLM-N, which would lead to “new border security arrangements” (Copeland). While President Kiir announced in November 2016 that his government pulled troops from the border, it appears he has lost control over his own army as they did not withdraw as instructed (Sudan Tribune, South Sudan withdraws troops from border with Sudan).

Al-Bashir has also created further grievances as he announced an “indefinite halt to peace talks with rebel groups” (Amin). He stated that the government will “never talk to them” and refused to integrate them in the national army (Amin). Bashir also gave a warning to South Sudan regarding their support of the SPLM-N, stating the following: “our message to our brothers in South Sudan is that if they want peace we are ready; otherwise we are also ready” (Amin).

A recent UN Special Investigation reported “a lack of leadership from senior United Nations Mission in the Republic of South Sudan (UNMISS) personnel and poor performance by troops and police in the mission” because they did not respond to calls where multiple rapes occurred (Security Council, December 2016

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(Sengupta). South Sudanese have been fleeing across the border in order to escape conflict and starvation (Security Council, Sudan and South Sudan August 2016 Monthly Forecast), leading to 1.05 million refugees and 1.73 million internally displaced persons (IDPs) (Security Council, December 2016 Monthly Forecast South Sudan).

In order to promote trade and stability, the North and South signed an agreement four years ago to end the support of rebels in each other’s territory (Tanza).

Monthly Forecast South Sudan). It has been decided by the Security Council to renew UNMISS by adding 196 police officers, produce more human rights reports, condemn ceasefire violations and demand the South Sudanese government to condemn hate speech to avoid outbreaks of violence (Security Council, December 2016 Monthly Forecast South Sudan).

In addition to the renewal of UNMISS, the Security Council adopted Resolution 2304 in August 2016, condemning violence and demanding that all parties immediately cease fighting (Security Council). They

decided “to increase the force levels of UNMISS up to a ceiling of 17,000 troops, including 4,000 for the Regional Protection Force” (Security Council). The resolution also decided to implement an arms embargo on South Sudan by all UN member states for a one year period and to respond to any violations or non-compliance by sanctions (Security Council).

RECOMMENDATIONS

- Implementation of the JBVMM
- Regulation of oil transit fees
- Actions by international communities to address ethnic tensions
- SSR reform and the increase of PMSCs

In order to secure their border, North and South Sudan must make it a priority to work towards an agreement and implement the JBVMM. While it’s understandable that they would be distracted by their own domestic crises, they need to refocus on efforts to address border security and humanitarian issues in South Kordofan and Blue Nile.

Since oil is the most immediate source of conflict, Sudan needs to regulate its oil transit fees to reinforce its economy and deter price contentions and shutdowns by South Sudan (Copeland). Unfortunately, this seems increasingly unlikely to evolve due to both sides being unwilling to compromise and the developing crises and genocide in South Sudan. “Both sides, perhaps overwhelmed by the magnitude of the problems they face, seem to have sought refuge in something which they have a long experience – namely war” (Ottaway and El-Sadany). North and South Sudan appear to believe that by fighting they can gain an advantage over each other. Since Kiir and al-Bashir have proven themselves incapable of negotiations, and al-Bashir’s remark calling South Sudan “poisonous insects” (Michael and Onyiego), military intervention must be led by outside actors, either by the UN or by private military and security companies (PMSCs).

The international community must take immediate action to address the security situation developing in South Sudan regarding human rights atrocities from ethnic conflicts. International NGOs, UN entities and civil society groups must create and maintain a presence in South Sudan to combat hate speech that has contributed to ethnic violence in the country. “Significant efforts will be needed to promote healing,

reconciliation and the creation of a stronger sense of national identity among the country’s 64 ethnic groups” (Security Council, December 2016 Monthly Forecast South Sudan).

The United States may not currently see South Sudan as a national security priority, but it could become one if China is to step in and build the pipeline to Kenya or if non-state extremist actors continue to grow in the region. Al Qaeda has gained new territory throughout the continent and continues to grow (Searcey and Schmitt). In sub-Saharan Africa, ISIS has lost territories in Africa to Al Qaeda, whose expansion since 2001 has been recognized for its speed and scope (Hansen). In this context, the United States’ involvement with Africa seems insufficient – Al Qaeda grows stronger and ISIS has won allegiance of Boko Haram – events that should alarm the security sector (Hansen). A military intervention is needed to avoid a genocide and rampant development of terrorism in the region.

South Sudan “has licensed only two PMSCs to operate with arms in the country” (Portada III and Riley). UNMISS and the international community have encouraged the modernization of the state’s security services (Portada III and Riley). According to a report by Dr. Robert Portada, security sector reform has paid little attention to how PMSCs may assist in long-term SSR planning. Since the SPLA is trying to transform itself from a poorly trained rebel group into a national army (Portada III and Riley), the increase of more PMSCs in the country is necessary to implement robust SSR tactics. The civil war in South Sudan is rapidly escalating out of control and without effective intervention will increase insecurity in neighboring countries with IDPs, refugees and violence bleeding over its borders.

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