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## The 14-Mile Area

On 3 September 2013, Sudanese President Omar al Bashir and South Sudanese President Salva Kiir concluded a summit meeting in Addis Ababa by committing—yet again—to demilitarize the border area between their two countries. Central to the creation of a Safe Demilitarized Border Zone (SDBZ) is the 14-Mile Area, located between Northern Bahr el Ghazal and East Darfur. Almost a month after the summit meeting, the area remains heavily militarized, and political tension is high, with figures in both the East Darfur provincial government and the Rizeigat leadership warning of war if the Sudan People’s Liberation Army (SPLA) does not withdraw their forces from the area.

The 14-Mile Area is principally occupied by the Malual Dinka. The Rizeigat—the largest cattle owning group in East Darfur—annually come south to graze their livestock around the River Kiir. Disputes over grazing land were frequent at the beginning of the 20th century. In 1918, in an attempt to dampen these clashes, Patrick Munro, the British colonial governor of Darfur, created a new grazing boundary for the Rizeigat, some 40 mile south of the Kiir. Following vociferous complaints from the Malual Dinka, in 1924 a compromise was agreed between Munro and Mervyn Wheatley, the governor of Bahr el Ghazal, which created a zone of Rizeigat grazing that extended to a line 14 miles south of the River Kiir. This line is known today as the Munro-Wheatley line, and the zone that it demarcates is referred to as the 14-Mile Area.

In the 27 September 2012 security agreement, signed with much fanfare in Addis Ababa, the 14-Mile Area was a belated addition to a map created by the African Union High-Level Implementation Panel (AUHIP), which laid out the extent of the SDBZ. It was added to the map at the insistence of the Government of Sudan (GoS), which claimed that to not include this area within the SDBZ would be to concede Sudanese territory to South Sudan.

This claim is not in line with the 27 September 2012 borders agreement, which states that the SDBZ is a temporary zone, which has no effect on the ongoing negotiations over the final status of the border. Part of the reason the GoS can make such claims is because the 14-Mile Area contains a range of different types of areas, and so there is widespread confusion as to what a SDBZ entails. The Munro-Wheatley line was intended to mark out an area for Rizeigat grazing, not an absolute territorial border, and even within this zone, there were areas where the Malual Dinka had grazing rights, and areas in which both groups shared usage rights.

Since 2005, and the end of the second civil war, the 14-Mile Area has remained an area of shared grazing rights, but both the Malual Dinka and the Rizeigat also now make maximal claims to the territory. The former argue that their land extends north of the River Kiir, up to Meiram, and that this area should be part of South Sudan. The Rizeigat claim that their territory extends 14 miles south of the River Kiir. Since South Sudanese independence, these claims have intensified, as both groups fear that a national boundary will deprive them of vital grazing land, and so maximize their claims to territory. These claims are largely reflected in the stances of the two

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governments. Since 2005, there has been no progress on the final location of the border, despite a series of negotiations, and there is little chance of an agreement on the final Northern Bahr el Ghazal-East Darfur border in the foreseeable future.

The 14-Mile Area—in addition to being a grazing area and an arena for political claims—is now also supposed to be a demilitarized zone, monitored by a Joint Border Verification and Monitoring Mechanism (JBVMM), to be composed of international observers from the United Nations Interim Security Force for Abyei (UNISFA), and representatives of both countries. Within this area, ‘join tribal mechanisms’ are supposed to resolve disputes.

The Malual Dinka greeted the signing of the agreements with harsh and public criticism, holding protests in Aweil and Juba. This discontent was mirrored at the state level, with an October statement by the governor of Northern Bahr el Ghazal, Paul Malong Awan, thanking the Malual Dinka for refusing to allow the SDBZ to exist in ‘their ancestral land.’

The Malual Dinka feel that the SDBZ will mean abandoning territory that many have lost relatives defending, both during the second civil war and in more recent clashes around Kiir Adem from 2011 to 2013. Following South Sudanese independence, there is also growing nationalism in the border region, and the sentiment that the Malual Dinka should no longer have to share land with Northern pastoralists, some of whom pillaged and burned their way through Northern Bahr el Ghazal during the civil war. The SPLM in Juba has been at pains to point out that the SDBZ does not imply that the community’s claim to the 14-Mile Area needs to be abandoned. However, the Malual Dinka are aware that with no agreement on the final border between the two countries forthcoming in the foreseeable future, an SDBZ would mean the absence of SPLA protection in crucial grazing areas for the community.

In theory, ‘join tribal mechanisms’ should resolve disputes in the 14-Mile Area. However, since the second civil war, inter-group meetings to arrange grazing routes have been steadily displaced by the predominance of the SPLA. Indeed, during the 2011–13 grazing seasons, it was only the intercession of the SPLA and state-level government that allowed Rizeigat grazing to continue, such is the level of antipathy felt towards the northern pastoralists.

Even if ‘joint tribal mechanisms’ managed to deal with grazing routes, it is uncertain how well they would deal with politically motivated settlers, in a situation in which it would be very difficult to distinguish Rizeigat pastoralists from militia members and GoS operatives.

Following a diplomatic intervention by President Salva Kiir, Malual Dinka opposition to the SDBZ became muted in the months following October 2012. However, with clashes elsewhere along the border, little was done to create the SDBZ.

That changed on 8 March 2013, when the two sides signed an implementation matrix in which both countries pledged to withdraw from the 14-Mile Area by 24 March. On 21 March, the SPLA claimed that it withdrew 3,000 troops from both Kiir Adem and

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Warguit, two of the main SPLA bases in the 14-Mile Area. Almost immediately afterwards, on 25 March, Rizeigat forces attacked Malual Dinka settlements inside the area, killing three and stealing 200 head of cattle. The raid confirmed Malual Dinka suspicions about the SDBZ.

The SPLA withdrawal represented something of a coup for the GoS. The SPLA had occupied Kiir Adem in October 2010, and had subsequently reinforced its positions in the 14-Mile Area at Kiir Adem, Warguit, and Sumayah. The Sudan Armed Forces (SAF) has repeatedly used air campaigns to try and dislodge the SPLA, conducting raids in October and November 2010, and subsequently subjecting Warguit to an intensive bombing campaign from 12 April to 28 May 2012. SAF continued to bomb these positions in December 2012.

The strategic value of these targets is considerable, as they control valuable transport routes across the River Kiir and into East Darfur. The GoS believes they also allow the Justice and Equality Movement (JEM) to move supplies into Sudan from South Sudan. While JEM maintained a presence in Northern Bahr el Ghazal in 2011–12, there is no evidence, despite the GoS' claims, that the Government of the Republic of South Sudan (GRSS) is supplying weapons to JEM via Kiir Adem.

Nevertheless, the GoS' primary motivation for signing the 27 September 2012 security agreement, and insisting on a SDBZ that encompassed the 14-Mile Area, is to break supply links between South Sudan and JEM, together with its other coalition partners in the Sudan Revolutionary Front.

The SPLA pullout, however, did not encompass the totality of its troops in the 14-Mile Area. Further, subsequent to the March withdrawals, the SPLA actually augmented its positions within the area. Satellite imagery show expanded military forces around Kiir Adem in April, and extensive defensive positions around Sumayah. This imagery also indicates the presence of tanks. UN sources report that SPLA troops from Aweil's 3<sup>rd</sup> division redeployed in the 14-Mile Area only two weeks after their withdrawal.

Despite this military presence, following reconnaissance flights on 23–26 March 2013, the JBVMM claimed that the SPLA had left Kiir Adem. In a subsequent report to the Joint Political and Security Mechanism — the body responsible for overseeing the security situation along the border — the UNISFA Force Commander acknowledged that without ground patrols, the JBVMM could not verify with certainty that the SDBZ is demilitarized. While one of only two operative JBVMM bases is in Gokk Machar, Northern Bahr el Ghazal, and just a few kilometres from the 14-Mile Area, the JBVMM is waiting on the deployment of peacekeepers to protect its patrols, which could take several more months. In the meantime, the JBVMM cannot verify the SDBZ is demilitarized.

The first real test of the SDBZ should emerge between December 2013 and January 2014. By then, the rains that left 3,000 displaced at the end of August in Northern Bahr el Ghazal will have subsided, the JBVMM and its force protection should have

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deployed, and the Rizeigat will be due to make their annual migration into the territory. This will be a serious test of the ‘joint tribal mechanisms.’

The 2012–13 grazing season was marked by serious inter-tribal tension. In March 2013, some 50,000 pastoralists found themselves trapped after the SPLA blocked their passage into South Sudan. A migration conference held in Aweil on 20–22 March attempted to overcome these problems. The Malual Dinka and Rizeigat agreed that a joint peace committee would be established, and the Rizeigat would graze unarmed in South Sudan. However, as the Small Arms Survey set out in a recent working paper, these agreements have been made, and subsequently violated, every year since 2005. In the last two years, there have also been clashes between the two groups, with at least some element of the Rizeigat entering South Sudan armed, in violation of the grazing agreements.

These tensions have intensified in recent months. On 29 August, Mahmoud Musa Madibo, one of the Rizeigat leaders, said that the Rizeigat would enter Samaha before the end of negotiations over the final border between Sudan and South Sudan, and claimed that the 14-Mile Area is Rizeigat territory. On 11 September, the governor of East Darfur, Mohammed Hamid Fadlalla, warned of war if the SPLA did not withdraw from the 14-Mile Area.

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