



## **Conflict in South Kordofan/Nuba Mountains**

On 5 June 2011 fighting broke out in Sudan's South Kordofan state, centering on the Nuba Mountains area. The conflict sets the Nuba Mountains section of the Sudan People's Liberation Movement-North (SPLM-N)<sup>1</sup> against the Sudan Armed Forces (SAF) and its aligned militias. The conflict has drawn international attention over allegations that the Sudanese army has engaged in grave human rights abuses, such as the mass killings of civilians.

### **Background to the conflict**

The conflict in the Nuba Mountains dates back to the 1980s; its genesis was closely tied to the growing SPLM/Army-led rebellion that began in 1983. Local discontent at political marginalization drove many Nuba to sympathize with the southern rebels, even though many of the conflict drivers were local. The scores of Nuba tribes that populate the Nuba Mountains have a culture and dozens of unique languages distinct from South Sudan's Nilotic and Bantu peoples. Although many Nuba are Muslim converts, many others subscribe to Christianity or traditional beliefs. Beginning near the end of President Jafaar Nimeiri's rule (1969–85), the Nuba's fierce cultural independence increasingly clashed with the government's Arabist policies and its conservative brand of political Islam.

Although the 2002 Nuba Mountains Ceasefire—an effort spearheaded by United States (US) special envoy John Danforth—led to the Naivasha talks and eventually the 2005 Comprehensive Peace Agreement (CPA), the final agreement failed to resolve the conflict in the Nuba Mountains. The CPA called for a vague 'popular consultation' process in South Kordofan, leading to negotiations between the state and the national government over the state's post-CPA status. After the death of SPLM leader John Garang in June 2005, the situation in the so-called Three Areas—Abyei, South Kordofan, and Blue Nile—became ever more contentious, as South Sudan's secession grew increasingly inevitable.

The implementation of the CPA floundered in South Kordofan, especially in the area of improving security arrangements. One of the great weaknesses of the CPA was its failure to provide a sustainable role for the indigenous Nuba who had fought as part of the SPLA during the war. Some Nuba troops were integrated into the CPA-mandated Joint Integrated Units (JIUs), thereby providing them with a salary and official status, but the old SPLA–SAF fault lines remained. Security at the local level was often provided by unofficial Sudan People's Liberation Army (SPLA) forces in SPLM-controlled areas.

On the political front, tensions rose as state elections in South Kordofan were repeatedly delayed, even beyond the already delayed April 2010 national elections. The state elections eventually took place May 2011, just two months before South Sudan's scheduled secession and the end of the six-year CPA period. Elections were a crucial part of CPA implementation, because the elected state government was to lead the popular consultations.



### **Disputed polls**

The South Kordofan gubernatorial race set Governor Ahmed Haroun (National Congress Party, NCP), earlier indicted for war crimes in Darfur, against Deputy Governor Abdul Aziz al Hilu (SPLM-N), who was close to Garang. Although Haroun and Abdul Aziz appeared to enjoy a surprisingly effective partnership since they were each appointed to their posts in 2009, trust was shallow and the bond between them weak, as Abdul Aziz made clear in an April 2011 statement. Campaign rhetoric turned heated in the already tense atmosphere. When an Arab militia attacked Abdul Aziz's home village of Al Feid on 13 April, he publicly accused Haroun of being behind the attack in an effort to destabilize the vote. Although the SPLM had gained support among the non-Nuba populations in South Kordofan, such as the pastoralist Missiriya in the western part of the state, Haroun and the NCP publicly turned on Abdul Aziz and called the SPLM a South Sudan-aligned Nuba separatist group that was anti-Islam and anti-Arab.

The vote, which began on 2 May, started relatively peacefully. But during the tabulation process SPLM-N accused the NCP and the state electoral commission of fraud. In the final tally, Abdul Aziz lost to Haroun by a margin of just 6,000 votes, or less than 1 per cent of the total vote. Despite commanding an overall majority of votes in the parliamentary elections, because the SPLM-N's support was limited to its strongholds, it won only 10 seats to the NCP's 22 in the state legislature.

The only international monitoring mission to observe the state electoral process, the Carter Center, declared the final vote flawed, but 'peaceful and credible'.<sup>2</sup> According to a member of the Carter Center monitoring team, SPLM-N failed to provide observers with concrete evidence for the alleged cases of fraud. The Center urged SPLM-N to take its complaints to court, even though the Sudanese judicial system is not considered independent from NCP control. Privately, diplomats questioned the legitimacy of the poll, but no major government or international institution challenged it. A former senior staff member in the Carter Center's Sudan team has since criticized the South Kordofan evaluation, arguing that—given the small margin of Haroun's victory—the final report did not give adequate weight to the irregularities during the entire electoral process.<sup>3</sup>

### **Outbreak of violence**

After the elections, Abdul Aziz refused to negotiate another power-sharing arrangement with a government that did not accept him as governor. Both sides prepared for armed conflict.

On 23 May the SAF chairman of the CPA-mandated Joint Defence Board delivered a letter to SPLA headquarters in Juba demanding that the SPLA JIU forces north of the soon-to-be North–South border in South Kordofan and Blue Nile withdraw south of the border by 1 June. The SPLM in Sudan under Blue Nile governor Malik Agar and Abdul Aziz rejected the ultimatum, as its JIU cadres in these two territories were local, not South Sudanese.

On 5 June fighting erupted in Kadugli, the state capital. According to eyewitnesses from the town, SAF appeared to orchestrate the outbreak by attempting to disarm an



SPLA JIU, which resisted, leading to a firefight. Khartoum accused the SPLA of sparking the clashes by attacking a police post. Both sides were already mobilized in Kadugli and SAF-aligned Popular Defence Forces (PDF) units joined in the fight.

The SPLA in the rural Nuba Mountains areas quickly mobilized and consolidated control over its areas. If they had not already done so, most members of the SPLA's 9th Division—predominantly composed of Nuba and based in Jau below Lake Abiad on the border between South Kordofan and South Sudan's Unity state—then entered South Kordofan. At this point, SPLA headquarters in Juba publicly distanced itself from the fighting. SPLA spokesman Philip Aguer said that those who had left the Jau base to fight were 'deserters' acting on their own, but also called them 'freedom fighters'.<sup>4</sup>

### **Military forces**

The number of forces now fighting in South Kordofan is unknown. In the run-up to the May elections, Abdul Aziz declined to say how many Nuba troops there were in the 9th Division base at Jau. Similarly, after the fighting started, SPLM-N has not disclosed the size of its army. One SPLM-N official estimated the number fighting in South Kordofan at no more than 20,000, including the 3,000 SPLA JIU troops, the units from Jau, and new recruits. Some media reports have put the number at up to twice this size.

The number of SAF engaged is also unclear. Combined with the PDF and the Central Reserve Police, the same SPLM-N official claimed that the government's force fluctuates between 50,000 and 70,000 troops. The exact numbers are fluid due to SAF movements back and forth across state lines and because PDF militias enjoy considerable freedom of movement. There is no independent confirmation of these estimates.

The PDF, which was originally created under Prime Minister Sadiq al Mahdi in the 1980s, was supposed to be disbanded under the CPA, but never was. Although there were significant Nuba components of the PDF during the civil war, many were disarmed and marginalized during the CPA period.<sup>5</sup> Missiriya, who are angry at the NCP for abolishing West Kordofan state where they were in the majority (now part of North and South Kordofan), are also less involved in PDF activities than before. Nevertheless, the PDF remains highly active among the Hawazma Arab communities and the Missiriya who have settled in the Nuba Mountains area. According to an SPLM-N official, the NCP is actively recruiting more Nuba into the PDF to fight SPLM-N, largely through Kafi Tayara, a Nuba PDF commander from the Shatt tribe in Boram who lives in Kadugli.

The PDF is an inexpensive tactical complement to SAF units. Its members originate from local areas, know the terrain and community actors, and assist in security provision (such as at checkpoints) and intelligence gathering (by infiltrating communities and identifying SPLM supporters). They also often fight as the front guards in battle. PDF fighters are not paid regular salaries, although sometimes commanders are given a lump sum for their men. They are compensated partly through a licence to loot civilian property.



The SAF has a significant tactical advantage in its complete control of the area's airspace. According to eyewitness accounts gathered firsthand on the ground, the government air force is using Antonov aircraft (used as crude high-altitude bombers and for reconnaissance), MiG fighter jets (used for quick air-missile strikes), and helicopter gunships (for close-range missile and machine gun attacks). All of these are being used regularly in South Kordofan. Although air attacks have diminished since the outbreak of fighting in Blue Nile in early September 2011, they still continue on a near-daily basis.

Other government-aligned militia forces play a minor role. Telefon Kuku, a former Nuba SPLA commander who is imprisoned in Juba, ran in absentia against Abdul Aziz in the elections and maintains a small political following. If he still has a militia group, however, it is not currently active, according to SPLM-N officials. Arab militia leader al Balula Hamid is also recruiting in the eastern areas and possibly has a link with Telefon Kuku, according to an SPLM-N official. The atrocities and havoc caused by Hamid's rampages in Rashad could have triggered an SPLM-N offensive in that area. Further research needs to be undertaken to identify other active militias.

On the other side of the fence, the Justice and Equality Movement (JEM)—the strongest of the Darfur armed opposition groups—fought alongside SPLM-N in some battles in July. The JEM fighters were mostly Nuba members of the JEM-Kordofan branch.

### **Military lines**

SPLM-N quickly won gains in territory after the outbreak of violence, thus turning the military momentum in its favour. As of the end of October 2011 it controls all of the Heiban, Boram, and Um Durein localities; parts of the Habila locality; part of the Kadugli locality (but not Kadugli town); large parts of the Talodi locality (but not Talodi town); and a small part of the Rashad locality. It also controls a smaller pocket to the west that includes parts of the Laghawa, Al Sunut, Dilling, Habila, and Reif Ashargi localities.

Vitality, SAF continues to control the road leading south from North Kordofan through Dilling and into Kadugli. This road is SAF's main supply and redeployment route. SPLA-N's main area of control is contiguous with South Sudan. The road leading from South Sudan and into SPLM-N territory through Jau at the northern tip of Unity state is secure, although passage is difficult during the rains. SPLM-N's western pocket is supplied by air and land. Its main areas of control use the new South Sudanese pound, which has been flown up in bulk by air.

Altogether, SPLM-N now controls more territory than the SPLA ever did during the civil war—twice as much or more, according to one senior SPLM-N official. These substantial gains explain the military confidence of SPLM-N leaders, particularly Abdul Aziz, since the fighting began, and account for some of the political pressures on the NCP since June.



Near the beginning of the conflict, the heaviest military engagements were in Kadugli and its environs, including an especially bloody battle at Al Hamra. As of the beginning of September 2011 the western fronts had cooled down as the government consolidated its control of Kadugli town and its immediate surroundings. As of the end of October the most active military front was the battle for Talodi town, which has been under siege for months by SPLM-N forces. SPLM-N hopes to capture Talodi and then secure control over the road leading south from Talodi to Malakal in South Sudan's Upper Nile state. Upper Nile state connects directly by road to Blue Nile, SPLM-N's other separate war front led by Malik Agar.

On 23 August President Omar al Bashir declared a unilateral two-week ceasefire in South Kordofan. SPLM-N immediately denounced it as a deception. Reports from local humanitarian agencies operating in SPLM-N-controlled areas say that aerial bombings continued the same day. In the following week 15 bombing incidents and two ground attacks were reportedly carried out by SAF-aligned forces.

Armed conflict in South Kordofan has since decreased due to the region's rainy months, which usually extend to mid-October or later. Typically, ground fighting escalates in the dry season, which can begin in November or December, when ground movement becomes easier. As of mid-November 2011, the rains had yet to stop. Heavy fighting was occurring only over the town of Talodi.

### **Alleged atrocities**

Immediately after the initial fighting broke out, reports began streaming out of South Kordofan that Nuba were being targeted for arrest and/or execution. Reports of incidents came mostly from Kadugli, although other government-held towns or localities also seemed to be affected. Eyewitnesses described door-to-door searches carried out by the PDF, often using lists. Many Nuba civilians were also targeted in Kadugli's streets while trying to flee and were killed by throat slitting or gunfire, say eyewitnesses. Others who escaped from the city by vehicle were stopped at checkpoints. Nuba eyewitnesses say that the PDF and SAF forces targeted anyone who was 'black', which included South Sudanese living in Kadugli. Church groups and others alleged 'ethnic cleansing'.

Eyewitness accounts from politically engaged Nuba SPLM-N supporters paint a more complex picture. They say PDF militiamen carried execution lists of SPLM-N supporters in their area. These lists were drawn up in advance of the fighting (another indication that the 5 June clashes were not spontaneous), and the roundups began as soon as hostilities broke out. As the military situation escalated and SPLM-N began a strong counter-offensive, these targeted killings seemed to degenerate at times into indiscriminate killings of any Nuba civilians perceived as SPLM-N supporters. Other eyewitnesses said helicopter gunships strafed fleeing civilians.

In June, more than 10,000 civilians took refuge outside the UN Mission in Sudan base on the outskirts of Kadugli. Government agents continued the hunt for known SPLM-N supporters there by infiltrating the camp, with some Nuba being taken into custody or executed. Nuba eyewitnesses say members of the Egyptian UN peacekeeping force were at times complicit in government forces' actions. Government intelligence

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agents coercively dispersed Nuba in the camp in late June. Leaked UN reports said that these agents had posed as Sudanese Red Crescent workers, although the UN has since backed away from this claim.

Unconfirmed reports have been made of mass graves, especially in the vicinity of Kadugli. The Sudan Sentinel Project (SSP) identified eight sites of turned earth in the Kadugli area that appear to match the locations of eyewitness descriptions of mass burial sites.<sup>6</sup> The SSP cites eyewitness accounts of Sudanese Red Crescent workers burying white body bags at some of the sites. Greater investigation is needed into these allegations, but Kadugli remains inaccessible to outside actors.

The situation in most government-held areas has stabilized since late June. Most of the surviving vulnerable Nuba SPLM-N supporters have fled into SPLM-N-controlled areas, north to El Obeid or Khartoum, or south to the Yida refugee camp in Unity state, where 23,000 had gathered by early November.

### **Humanitarian situation**

Assessments conducted by local aid agencies in the Nuba Mountains estimate that more than 200,000 South Kordofan civilians have been displaced in the area since the fighting broke out. The Sudanese government continues to block humanitarian assistance from reaching SPLM-N-controlled areas.

As of the end of October the displaced had largely been absorbed into host communities, but food supplies have mostly run out. The 700 metric tons of World Food Programme food that were in stock at the beginning of the conflict in June 2011 are now gone, according to a Nuba humanitarian official. Markets are mostly empty. Aid agencies warn about rising malnutrition levels among children and many expect a food crisis before the end of the year. Aid workers project a poor harvest, since many fled their homes and others planted fewer crops or did not plant at all for fear of aerial bombings. SPLM-N fears that the government may use food access as a weapon of war in the coming months to try to force Nuba into government-controlled areas.

Despite some diplomatic rebukes, international donors or aid partners have yet to place significant pressure on the Sudanese government to allow humanitarian access to SPLM-N areas. Some aid workers recall to Operation Lifeline Sudan, a UN relief operation to SPLM-controlled areas during the civil war, as proof that diplomatic pressure could persuade the government to allow in relief.

A senior Nuba humanitarian official said he is pushing international donors to stock food at Yida in northern Unity state, which could then be transported by road north into South Kordofan by the Nuba once the road becomes passable after the cessation of the rains. One foreign aid official working in Juba said that plan is still legally dubious, however, and has not yet been agreed to by major aid groups.

The Yida refugee camp has also become a politicized issue, due to its proximity to the new Sudan–South Sudan border and the ease with which SPLM-N can access it. The UN High Commissioner for Refugees and the Unity state government want to move the camp to Nhil, which is 100 km south of the border. Refugee community leaders



are refusing to move, however, citing concerns that include poor geography and few natural resources at Nhil. Some of the refugee leaders say that they would rather return to South Kordofan than relocate to Nhil. Complicating matters, on 10 November suspected Sudanese aircraft dropped four bombs on Yida camp. No casualties were reported.

### **Overarching political context and international response**

On 28 June 2011, under the mediation of the African Union High-level Implementation Panel in Addis Ababa, Blue Nile governor Malik Agar (SPLM-N) and the NCP's Nafie Ali Nafie signed a framework agreement<sup>7</sup> that was to lead to a ceasefire in South Kordofan. The agreement recognized SPLM-N's right to continue as a legal party and called for the eventual integration of SPLM-N forces into SAF. In views expressed in Kauda, a base of SPLM-N support in the Nuba Mountains, SPLM-N rank-and-file members and party officials denounced the agreement as being unrepresentative of their views and a futile attempt at peacemaking. NCP hardliners did not like it either, as the deal created the perception of capitulation to SPLM-N, which many in the capital perceive as a South Sudanese proxy force.

A few days after the agreement was signed President Bashir reneged on the accord and rejected outside mediation. SPLM-N said it would only negotiate further through an outside third party and on the basis of the Addis Ababa agreement. Ethiopian president Meles Zenawi met President Bashir and Governor Malik in Khartoum for several hours on 21 August to attempt to stop the conflict from spreading to Blue Nile. The meeting failed to produce any breakthroughs.

There are few foreseeable paths towards a short-term peaceful solution to the South Kordofan conflict. Prospects for a negotiated political settlement withered after war broke out in Blue Nile—SPLM-N's other stronghold—on 2 September. Blue Nile governor Malik, who is also the chairman of SPLM-N, had acted as liaison between Abdul Aziz and President Bashir. After the fighting began in Blue Nile, Bashir sacked Malik and replaced him with a military governor. The Khartoum government then banned SPLM-N as a political party, arresting its members across the country and raiding its offices. SPLM-N is now on a full war footing, with Malik named the commander-in-chief and Abdul Aziz chief of staff of the new breakaway SPLA-North.

President Bashir's declaration of a unilateral two-week ceasefire on 23 August was met with ridicule by SPLM-N. Despite the government's political rhetoric, many Nuba are wary of a ceasefire, given SPLM-N's military gains and momentum, and believe that the government will not honour whatever deal might be struck. In a public statement, a US State Department spokesperson called Bashir's ceasefire action 'positive' and called on SPLM-N to 'show the same leadership'.<sup>8</sup> This drew the ire of SPLM-N-aligned US advocacy groups who believe the ceasefire to be disingenuous.

In early November Sudanese press reports indicated that the NCP had rejected a State Department peace proposal that would have divided South Kordofan, giving Haroun



the governorship of a resurrected West Kordofan state and Abdul Aziz the governorship of the shrunken Nuba-dominated remainder.

Even though the conflict remains highly localized contextually, the South Kordofan war could slide into a proxy fight between Sudan and South Sudan. The Sudanese government has lodged two complaints with the UN Security Council accusing the South Sudanese government of supporting SPLM-N forces. South Sudan denies the claim. Strong ties remain between the SPLM/A in Juba and the SPLM-N. Some Darfur rebel leaders use Juba as a hub, and South Sudan continues to allow the passage of supplies by road and air from its territory into SPLM-N areas. Privately, SPLM-N officials admit receiving some support from friends in Juba, but say that their rebellion has been mostly self-sustaining thanks to the large number of weapons captured by SPLM-N from SAF. Meanwhile, South Sudan continues to accuse the NCP of supporting rebel militias in the South, a claim that is supported by concrete evidence. If relations between Khartoum and Juba continue to disintegrate in the absence of any breakthrough on oil-related issues and Abyei, the prospect of an escalating proxy war is very real.

In October, an SPLM-N official said that there were plans for coordinated military offensives by Darfur and SPLM-N rebels during the dry season. He also said that JEM leader Khalil Ibrahim had returned from Libya strengthened with hundreds of vehicles and many weapons. On 11 November SPLM-N, JEM, and the Sudan Liberation Movement/Army factions under both Abdul Wahid al Nur and Minni Minawi signed a joint pact forming an alliance dubbed the Sudan Revolutionary Front. Talks had been ongoing for months between SPLM-N and the Darfur rebel groups about forging a broad military and political coalition in an attempt to stretch SAF forces across several fronts and increase pressure on President Bashir. Those talks had initially stumbled over the issue of religion in public life, with JEM rejecting calls for a secular state, and this disagreement appears unresolved. Despite this, the 11 November communiqué established high-level political and military committees, and stated that a future meeting with the four groups' leaderships would decide political and military structures. There do not appear to be any immediate plans for joint offensives, however.

The international community continues to be engaged on the South Kordofan conflict only marginally, despite its earlier role in brokering the 2002 ceasefire. President Bashir now rejects even the mediation of the African Union under former South African president Thabo Mbeki. The US response has been limited to muted public rebukes. The US special envoy to Sudan, Princeton Lyman, said that the US cannot proceed on its roadmap to a normalization of ties with Sudan until the conflicts in South Kordofan and Blue Nile are resolved. This provides only limited leverage, however, as the ascendant hardliners in the NCP do not trust the US to fulfil its normalization pledges. Much like its response to Darfur, the NCP has blamed reports of war crimes and atrocities in South Kordofan on a Western propaganda campaign aimed at discrediting the government.

Overall, Western diplomatic activity in Sudan has decreased significantly since the flurry of high-level visits prior to the January 2011 referendum on South Sudan's

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secession. There is substantial diplomatic fatigue among Western nations, given the unending stream of Sudanese crises, which now include Darfur, the acrimonious relations and negotiations between Sudan and South Sudan, and the conflicts in Abyei, South Kordofan and Blue Nile. There is little appetite for substantial engagement with additional internal Sudanese issues and little space for such engagement, given President Bashir's hostile relations with the West. In short, the war in South Kordofan is almost certain to continue until either the political or military situations fundamentally change.

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<sup>1</sup> SPLM-N is the political party formed by the Northern members of the SPLM, South Sudan's ruling party and former Sudanese rebel group, after South Sudan voted for secession in January 2011. SPLM-N's military (rebel) forces are referred to as the Sudan People's Liberation Army-North. The political and military high command in the SPLM/A-N significantly overlaps, and the political and military goals of the organization can be viewed as one, since it is now an armed opposition movement in Sudan. For the sake of consistency, SPLM-N will be used in this paper to encompass all elements that could be considered SPLA-N as well. Early in the conflict, media reports and statements referred to SPLM-N in South Kordofan as simply 'SPLM'. Although the political and military ties between the SPLM/A in South Sudan and SPLM/A-N have not been fully severed, the two are now separate entities with distinct leaderships.

<sup>2</sup> See <<http://www.cartercenter.org/news/pr/sudan-051811.html>>.

<sup>3</sup> See Aly Verjee, 'Disputed Votes, Deficient Observation: The 2011 Election in South Kordofan, Sudan', Rift Valley Institute, August 2011, <<http://www.riftvalley.net/?view=publications>>.

<sup>4</sup> From this point forward, it is fair to refer to the (former) SPLA units there as SPLM-N.

<sup>5</sup> For a detailed account of the origins and development of the PDF, see <<http://www.smallarmssurveysudan.org/pdfs/HSBA-SWP-10-Paramilitary-Revolution.pdf>>.

<sup>6</sup> See <<http://www.satsentinel.org/press-release/satellites-confirm-sudanese-red-crescent-burial-body-bags-mass-graves>>.

<sup>7</sup> See <<http://www.smallarmssurveysudan.org/pdfs/facts-figures/armed-groups/three-areas/Two-Areas-Agreement-signed.pdf>>.

<sup>8</sup> See <<http://www.state.gov/r/pa/prs/ps/2011/08/171058.htm>>.

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