



## **THE SUCCESSES OR FAILURES OF CONFIDENCE BUILDING MEASURES: GEOPOLITICAL DYNAMICS IN SUDAN-SOUTH SUDAN**

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### **Abstrak**

Competition between Sudan and South Sudan for valuable resources, particularly oil, has been the main cause of their protracted conflict. The conflict over these, has contributed to the already unstable relations between the two nations, resulting in prolonged conflicts over the control of these resources. The pursuit of economic and geopolitical supremacy, specifically in relation to valuable oil reserves, has consistently fueled animosity between the two nations. The secession of South Sudan from Sudan has exacerbated conflicts, particularly regarding the resource-rich Abyei region, posing a significant obstacle. The objective of this study is to analyze the effectiveness of confidence-building measures (CBMs) in resolving conflicts resulting from resource competition between two countries. This research utilizes a qualitative methodology and relies on secondary data acquired from diverse sources, such as books, journals, and online platforms. The data selection was predicated on its relevance to the research objectives. The study presents insights into confidence-building measures implemented in Sudan and South Sudan, exploring the factors contributing to the success or failure of these measures. Additionally, it delves into the geopolitical dynamics that influence the effectiveness of CBMs between two countries.

**Kata Kunci:** confidence-building measures (CBM), geopolitical, Sudan and South Sudan.

### **INTRODUCTION**

Humanitarian crises, political upheaval, and violence are all essential elements of the protracted and complex conflict between South Sudan and Sudan.

The status of the disputed Abyei region, border delineation, and the distribution of oil revenue are the main concerns in this conflict. Sudan and South Sudan signed the Comprehensive Peace

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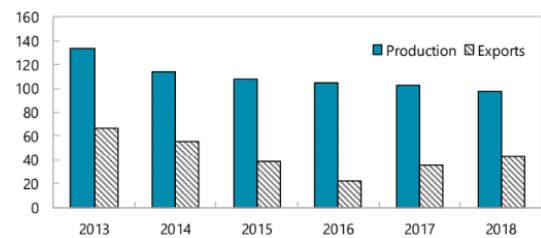
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Agreement (CPA) in 2005, following years of civil conflict (Wilson, 2014). Due to this important agreement, South Sudan seceded and became an independent country in 2011. The deal ended Sudan's second civil war, which had been raging between the Sudan the SPLM/A and the GOS for 21 years, having started in 1983 (Srinivasan & Nouwen, 2020). In 2012, border-related violence and diplomatic relations worsened even after the African Union High-Level Implementation Panel (AUHIP) was established to mediate negotiations. Moreover, as the conflict has intensified, both nations are experiencing economic hardships as a result of oil shutdowns.

In collaboration with Sudan's national oil company, Sudapet, state-owned enterprises from China and Malaysia founded two joint operating companies in the latter part of the 1990s, the Greater Nile Petroleum Operating Company (GNPOC) and the Petrodar Operating Company (PDOC) (Patey, 2010). As a result, the rate of oil production kept rising. The expenditures undertaken by GNPOC and PDOC led to a considerable expansion in infrastructure, production, and oil exports starting in 1999. In the early 2000s, these three fields produced 76,600 barrels of oil per day (bpd) total, or about 25% of Sudan's total oil production (Hamilton, 2010). But over time, these fields' production rates declined dramatically, from 76,600 bpd in 2004 to 28,300 bpd in 2009 (Sansculotte-Greenidge, 2011). Due to the discovery of new oil resources and the high price of oil globally, Sudan's oil wealth increased. When oil output reached a peak of 483,000 barrels per day (bpd) in 2007 and stayed around 460,000 bpd until 2010, it became the third-largest oil exporter in Africa after Nigeria and Angola (International Monetary Fund, Middle East and Central Asia Dept., 2020). But after South Sudan broke away, the oil reserves were almost

completely depleted. Sudan's ability to produce oil has dramatically decreased since its secession because the majority of its oil blocks are located on South Sudanese territory. In addition, the output of crude oil is decreasing from roughly 130,000 barrels per day in 2013 to roughly 72,000 barrels per day in 2019 due to the depletion of current oil fields.



**Sudan: Crude Oil Production and Exports (Thousand Barrels per day)**

(Source: U.S. Energy Information Administration, 2022.)

Previously, Chevron operated the "Unity oil field," which GNPOC oversaw. China National Petroleum Corporation (CNPC) held 40% of the company's shares, followed by Malaysia's Nasional Berhad (Petronas) at 30% and Sudan's state-owned company Sudapet at 5% (U.S. Energy Information Administration, Independent Statistics and Analysis, 2022). Arakis, Talisman, and India's Oil and National Gas Corporation Limited (ONGC Videsh), starting in 2003, initially held 25% of the shares.

Consortium/Subsidiary	Shareholders	Share (%)	Country of Origin
Greater Nile Petroleum Operating Company (GNPOC)	CNPC	40	China
	Petronas	30	Malaysia
	ONGC	25	India
	Sudapet	5	Sudan
Petro Energy E&P (PEOC)	CNPC	95	China
	Sudapet	5	Sudan
Petrodar Operating Company	CNPC	41	China
	Petronas	40	Malaysia
	Sudapet	8	Sudan
	SINOPEC	6	China
	Tri-Ocean Energy	5	Egypt
Petrolines for Crude Oil Ltd (PETCO)		100	Sudan

**Main Oil Companies in Sudan**

(Source: U.S Energy Information Administration, and company websites, 2022)

GNPOC was able to secure the funding required to develop the

infrastructure needed for large-scale oil production by partnering with Asian state-owned companies. Nile Blend, a premium crude oil that is easily traded on global markets, is extracted from the Unity oilfield/Block 1, the Heglig oilfield/Block 2, and Blocks 4 and 5A, all of which are located in Unity State (Patey, 2010). Completed in 1999, GNPOC built the Greater Nile Oil Pipeline, which links the Red Sea coast's Port Sudan with the Heglig and Unity oilfields. China National Petroleum Corporation (CNPC) (41%), Petronas (40%), China Petroleum and Chemical Corporation Limited (Sinopec, 6%), Al Thani Corporation from the United Arab Emirates (5%), and Sudapet, Sudan's state-owned company, comprised Petrodar Operating Company (PDO), which was founded in accordance with the laws of the British Virgin Islands (Independent Statistic and Analysis, U.S. Energy Information Administration, 2022). Late in 2011, PDO changed its name to Dar Petroleum Operating Company (DPOC), and Sudapet's shares were transferred to Nilepet, a South Sudanese government-owned company. The national government-owned oil companies China National Petroleum Corporation (CNPC), Petronas, and Nilepet continue to be the major shareholders of DPOC.

The Ministry of Energy and Mining of Sudan (MEM) and China National Petroleum Corporation (CNPC), each holding a 50% stake, jointly own the Khartoum Refinery Company (KRC). The refinery began production on May 16, 2000, with the first phase of construction starting on May 26, 1998, according to the China National Petroleum Corporation (CNPC) Business Development Report in Sudan. KRC's capacity to process crude was raised to 5 MT/a on June 30, 2006, following the completion of an expansion project. The KRC increased the refinery's capacity to 100,000 bpd by using state-of-the-art

technology to handle heavy Fula oil (International Monetary Fund, Middle East and Central Asia Dept., 2020). Although Sudan had a number of smaller refineries, only El-Obeid was still in production. Pipelines were built from the southern oil fields to the northern port in order to transport oil for export. The transportation of Nile Blend crude oil is handled by the Greater Nile oil pipeline, which was built in 1999 and spans more than 1600 kilometers (International Monetary Fund, Middle East and Central Asia Dept., 2020).



**Block Distribution in Sudan and South Sudan**  
(Source: European Coalition on Oil in Sudan (ECOS), 2007)

As seen in the map, oil is currently extracted from three distinct areas in South Sudan (Shankleman, 2011). The fields within these regions have different production paths and yield two types of crude oil with different values. Blocks 1, 2, and 4 comprise the first area, which is 48,388 square kilometers in size and includes the disputed Abyei region as well as the border region between South Sudan and Sudan (Sanders, 2012). Although Nile Blend crude oil is produced in this region, natural declines in the oil fields have caused its output to decline, from a peak

of nearly 290,000 bpd in 2004 to about 120,000 bpd in 2011 (Sanders, 2012). High-grade crude with similar qualities to Minas Blend, a Malaysian crude, is traded internationally at prices similar to those of Nile Blend (Shankleman, 2011).

The second region, Block 5A, is largely inside South Sudan and produces Nile Blend crude on a smaller scale. The fields produced about 15,000 barrels of Nile Blend per day in 2011. The oil was exported to Unity Field via a 110-mile pipeline, and then it was shipped north to Port Sudan via the GNPOC pipeline (Sanders, 2012). Blocks 3 and 7 comprise the third major producing area, which spans 72,400 square miles in northeastern South Sudan. Blocks 3 and 7 contain the oil fields Fal, Adar Yale, and Palogue, which together produced about 230,000 barrels of Dar blend in 2011 (Sanders, 2012). Production from this area is increasing, but it includes the lower-value Dar Blend, which is having trouble finding a market because of its acidic and waxy qualities. There are limitations on the amount of Dar Blend that can be sold, including prohibitions on doing business with American refineries that can handle it. As a result, Dar Blend is offered on the market at a significant discount.

## **THEORETICAL FRAMEWORK**

### **Confidence Building Measures**

Confidence-building measures are intended to improve international trust, transparency, and mutual understanding (Center For Strategic and International Studies (CSIS), n.d.). The goal of CBMs is to address both objective threats and subjective feelings of insecurity in order to facilitate the discussion of contentious issues. The idea is to gradually lessen fear and distrust in order to foster mutual understanding and trust amongst states. Conventional arms control agreements can be based on CBMs, or they can be used as a substitute when negotiating

traditional agreements becomes difficult due to technological advancements (Asada, 1988). They cover a broad range of activities, including information sharing, cooperative training exercises, and military exchanges, with the goal of lowering the possibility of miscommunication, errors in judgment, and possible hostilities (Maiese, n.d.). These measures' efficacy is closely tied to the geopolitical environment in which they are deployed. The specific circumstances in each state and the region must inform the development of appropriate confidence-building measures in the security and military domains. The most frequent domestic causes of domestic conflicts and unrest are issues with state boundaries and national cohesiveness, development issues, authoritarianism, and political instability. These issues can have a negative effect on neighboring States (Mahiga & Nji, 1987).

## **RESEARCH METHODS**

This study used qualitative methods to examine the Successes or Failures of Confidence Building Measures: Geopolitical Dynamics in Sudan-South Sudan. The analysis was conducted using the theoretical framework of confidence-building measures. The data collected were secondary data, specifically from books, journals, and official websites. The data were chosen based on their relevance to the research. Analyzing and reviewing various data sources served as the method of data collection.

## **RESULTS AND DISCUSSION**

### **Confidence building measures in Sudan-South Sudan**

Confidence-building measures usually support diplomatic, economic, or military interventions (Katumba, 2020). Their objective is to facilitate the process of rebuilding trust among parties, usually involving a range of actors including

political leaders, businesses, and community groups. Diverse organizations have endeavored to convene the opposing factions for negotiations in order to tackle border-related concerns, including the issue of Abyei (Chanie, 2021). The United Nations convened a formal assembly to recognize the accord reached between the governments of Sudan and South Sudan concerning border security and the establishment of collaborative political and security mechanisms. The countries of South Sudan and Sudan reached a consensus in Addis Ababa on September 27, 2012, which is commonly referred to as the Cooperation Agreement. As a reaction, the UN Interim Security Force for Abyei (UNISFA) and a Joint Border Verification and Monitoring Mechanism (JBVMM) were sent to the area (Osterrieder et al., 2015). The agreement resulted in the creation of a Joint Border Verification and Monitoring Mission (JBVMM) and a Safe Demilitarized Border Zone (SDBZ) (Chanie, 2021). The agreement entailed the obligation to establish a secure demilitarized border area and sought the assistance of the United Nations in overseeing and confirming compliance within this area. The "Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area" was signed in Addis Ababa on June 20, 2012. It was subsequently incorporated into the Cooperation Agreement on September 27, 2012, with the assistance of AUHIP (Chanie, 2021). As a result, a Safe Demilitarized Border Zone (SDBZ) was established. The objective of this arrangement was to avert any conflicts between the two parties until the ultimate resolution of Abyei's status and the demarcation of the border. Unfortunately, despite nearly ten years elapsing since the agreement was established, there has been minimal substantial advancement in addressing

the border disputes, including the Abyei situation.

The Security Council, during its 8774th session on November 12, 2020, urged the governments of Sudan and South Sudan to implement measures that facilitate and enhance confidence-building efforts in the Abyei Area (The United Nations Security Council, 2020). The Security Council, in its 8774th meeting, has decided to prolong UNISFA's mandate modification as outlined in resolution 2024 (2011) and paragraph 1 of resolution 2075 (2012) until May 15, 2021. This extension allows UNISFA to continue providing assistance to the Joint Border Verification and Monitoring Mechanism (JBVMM). The Security Council also states that this will be the last extension unless the parties involved take specific actions (The United Nations Security Council, 2020). The agreement to establish the Safe Demilitarized Border Zone (SDBZ), the Joint Border Verification and Monitoring Mechanism (JBVMM), and the Border Monitoring Support Mission was reached in June and July 2011. However, it was not fully implemented until 2013 (Osterrieder et al., 2015). The unresolved nature of the Abyei situation has significantly increased the likelihood of a persistent conflict. Currently, this issue remains unresolved and lacks a mutually agreed-upon solution. Sudan and South Sudan were unable to come to an agreement on the "centerline" and the demarcation of their border (Osterrieder et al., 2015). Following the disagreement, a fresh set of negotiations ensued, culminating in the signing of a comprehensive implementation matrix by both parties in March 2013 (Chanie, 2021).

In December 2013, the borders between Sudan and South Sudan were not officially demarcated. The border region is characterized by a lack of precision and definition, rendering it

unfeasible to ascertain the precise demarcation line between the two nations. The border dispute remains unresolved due to a primary factor: the decision to approach it solely as a technical matter, disregarding the strategic, economic, and political interests of both countries involved in the region. The negotiation process has primarily focused on legal and technical matters, disregarding the involvement and ownership of local individuals, who possess their own distinct interests. The presence of armed groups and militias in the area makes it particularly advantageous to have support and involvement from the local populace. Despite the employment of border experts, local communities perceive a sense of exclusion from the process of defining the border. The political transformations in Sudan and South Sudan have significant implications for border negotiations and the overall bilateral relationship between the two nations.

#### **The Factors of Success or Failure: Confidence Building measures between Sudan and South Sudan**

The Addis Ababa Agreement in 1972, the Machakos Protocol in 2002, the Comprehensive Peace Agreement (CPA) in 2005, and the Permanent Court of Arbitration (PCA) ruling in 2009 are important landmarks in the peace talks between Sudan and South Sudan (Sansculotte-Greenidge, 2011). The objective of these endeavors is to bolster trust by means of diplomatic agreements and legal rulings. These agreements and rulings played a vital role in establishing the political and territorial aspects of both nations, providing the foundation for peace, self-rule, and the settlement of long-lasting conflicts. Although there may be various approaches to achieving a peaceful resolution to the Abyei conflict, it is crucial to maintain a

consistent overarching goal (Sansculotte-Greenidge, 2011). The confidence-building measure theory is evident in these agreements' efforts to address previous conflicts and cultivate trust among the involved parties. The Addis Ababa Agreement, signed in 1972, aimed to terminate a civil war (Beswick, 1991). The main objectives of the peace negotiations between Sudan and South Sudan center on their influence in shaping political and territorial issues, as well as laying the foundation for peace and resolution. While the initial civil war reached a successful conclusion, there are still unresolved matters, such as the Abyei issue.

However, the failure of the Addis Ababa Agreement (Wakoson, 1990) can be attributed to the three guiding principles of the northern Islamic-Arabicized political elite rather than specific policies that directly affect the welfare of the southern region:

1. The rigid viewpoint that the northern political elite holds regarding south-north relations is distinguishable from the country's larger concerns.
2. Their pursuit of peace and political stability is dependent on certain conditions and in accordance with their own terms.
3. They uphold the "horizontal democracy" principle, which forbids residents of the southern region from taking part in the formulation of national policies because they think that majority rule determines what constitutes "democracy".

Any peace agreement in Sudan and South Sudan that fails to address these three issues is certain to collapse inevitably. In addition, the economic aspects were also impacted. The

disparity in economic development between Sudan and South Sudan was a significant factor in the collapse of the Addis Ababa Agreement (Tekle, 2015). The rationale for self-determination was established in the Machakos Protocol, which was signed in July 2002 and served as the foundation for the Comprehensive Peace Agreement (Johnson, D. H., 2008). The protocol affirmed the entitlement of South Sudan to exercise self-determination, which encompasses the possibility of secession via a referendum to ascertain their future status. The Machakos Protocol considered the inclinations of both factions by instituting secular law in the southern region and Sharia law in the northern region (Dagne, 2003). Following the signing of the protocol, the central government pledged to conduct a referendum, allowing the Southerners to determine whether they wanted to secede. The referendum in Sudan was a significant turning point in the mediation process, as stated in Article 1.3 of the Protocol. This article recognizes the fundamental right of the southern Sudanese people to determine their own fate through a referendum (Musikali & Musikali, 2013). The Machakos Protocol successfully affirmed the inherent entitlement of southern Sudan to exercise self-determination. However, it had certain limitations, particularly in regards to addressing the situation of Christians or animists residing in the North and Muslims residing in the South. Notwithstanding these limitations, the Machakos Protocol established the foundation for empowering the South Sudanese population by including provisions for a referendum.

The Comprehensive Peace Agreement (CPA), which was signed on January 9, 2005, was made possible in large part by the July 20, 2002, signing of the Machakos Protocol (Rolandsen, 2011). the SPLM/A and the GOS were the

main parties to the Comprehensive Peace Agreement of 2005 (Iyekolo & Muchie, 2011). the SPLM/A and the GOS have a way to communicate due to the Machakos Protocol, which was agreed before the CPA. By starting this early conversation, trust was built, and it made it easier for other agreements to follow. Despite implementation challenges, the CPA was remarkably resilient, maintaining a tenuous state of stability for the duration of the six-year transitioning period. A referendum in January 2011 firmly supported southern Sudan's secession. In addition to its historical significance in Sudan, the CPA served as the foundation for the continent's first voluntarily agreed-upon secession (Rolandsen, 2011).

In addition, the CPA of 2005 comprises six protocols and two annexes, collectively forming the Comprehensive Peace Agreement document, include (Iyekolo & Muchie, 2011):

1. The Machakos Protocol (July 20, 2002),
2. The Power-Sharing Protocol (May 26, 2004),
3. The Wealth-Sharing Protocol (January 7, 2004),
4. The Protocol on the Resolution of the Abyei Conflict (May 26, 2004),
5. The Protocol on the Resolution of the Conflict in Southern Kordofan and the Blue Nile States (May 26, 2004), And
6. The Agreement on Security Arrangements (September 25, 2003).

The annexes consist of:

1. Permanent Ceasefire and Security Arrangements Implementation Modalities and Appendices (October 30, 2004) and,

## 2. Implementation Modalities and Global Implementation Matrix and Appendices (December 31, 2004).

The six protocols and two annexes of the CPA represent a detailed transparency measure, outlining specific commitments and procedures for both sides. This clarity reduced ambiguity and suspicion. The CPA can be seen as a series of interconnected CBMs that gradually built trust and reduced the likelihood of conflict. Each measure reinforced the others, creating a virtuous cycle of cooperation and peace. The success of the CPA in maintaining an uneasy peace for six years and ultimately facilitating a peaceful secession demonstrates the effectiveness of well-designed and implemented CBMs.

### **Geopolitical dynamics in Sudan-South Sudan**

Geopolitics has a significant role in determining the dynamics between countries in the complex world of international relations and arouses a range of emotions, including ideas of war, imperialism, and diplomacy. It describes the aggressive behavior of states that are in a territorial struggle with one another. But geopolitics is more than just competition over territory and the reasons for it. It provides a framework for thinking about the globe that goes beyond traditional geopolitical disputes. It covers a variety of "situations" where territorial conflicts go beyond what the state permits (Gilblom, 2012). Moreover, the definition of geopolitics is first introduced in the Foundations to encompass the various aspects of a state's territory, including its configuration, composition, and natural resources (Hagan, 1942).

Geopolitics in Sudan and South Sudan is characterized by a complex of historical problems, resource competitiveness, and regional rivalries.

Due to the region's geopolitical location, wealth of natural resources, and ethnic and political divisions, a number of external entities, each with various goals and plans, have shown interest in it. Since the conflict worsened after Sudan gained independence, about 75% of its oil is produced below the border that currently separates the two countries, leaving Sudan with significantly lower revenues (Ottaway & El-Sadany, 2012). Many complex issues will require time to resolve. Access to pipelines through the North and the cost of transportation are significant post-referendum concerns to address, as South Sudan is landlocked and produces 80–90% of its own oil (Khabure, 2013).

The 4,075-square-mile Abyei area is rich in oil (Obi-Okoye, 2016). A separate agreement between the ruling party in Sudan and the SPLM/A led to the dissolution of West Kordofan State in August 2005 and the division of its territory between the North and South Kordofan States. The historical homeland of the Arab-originated Misseriya pastoralists is West Kordofan. In addition, it has a number of oilfields, some of which were once located in Abyei prior to an important arbitration decision (Sudan Tribune, 2012). The Abyei Protocol of 2004 granted the Abyei Area—which includes Abyei Town and the surrounding areas—a unique administrative status. This international accord was formally known as the "Protocol on the Resolution of the Abyei Conflict." The 2005 Comprehensive Peace Agreement (CPA) officially integrated this international accord, bringing an end to the 22-year civil conflict between two countries. The accord required both governments to abstain from asserting control over the region until a public referendum, led by the actual inhabitants, determined which government should assume power following the vote for Southern Sudan's independence.



## CONCLUSION

Based on this research, it can be concluded that confidence-building measures (CBMs) have the potential to be effective instruments in reducing conflicts arising from resource competition. Nonetheless, the implementation of CBMs in Sudan-South Sudan shows significant challenges in achieving conflict mitigation goals.

First, CBMs frequently come after diplomatic, economic, and military efforts in relation to confidence-building measures in Sudan-South Sudan. However, the agreements that have been made, such as those relating to Abyei, face obstacles in resolving border issues. Despite UNISFA's support, there are significant shortcomings in achieving substantial progress. There is an unequal participation of local communities in the process of defining borders, which is important given the presence of armed groups in the region. Political changes in Sudan and South Sudan have also affected border negotiations as well as general relations between the two countries.

Secondly, the success or failure of CBMs between Sudan and South Sudan is reflected in the history of peace negotiations, including the 1972 Addis Ababa Agreement, the 2002 Machakos Protocol, the 2005 Comprehensive Peace Accord (CPA), and the 2009 decision of the Permanent Arbitration Court (PCA). The 2005 CPA, consisting of six protocols and two annexes, successfully detailed commitments and procedures that reduce ambiguity and suspicion. The success of the CPA in maintaining peace for six years and eventually facilitating peaceful separation shows the effectiveness of well-designed and implemented CBMs.

Thirdly, the geopolitical dynamics in Sudan and South Sudan have greatly affected interstate relations, with a combination of regional competition,

resource competition, and historical revenge. These factors create a complex environment involving external actors with their respective interests and agendas. Therefore, CBMs need to be continuously strengthened and developed in accordance with the specific conflict context in the region.

In order to enhance the effectiveness of CBMs, further research needs to be done to identify factors contributing to their success. Moreover, increased awareness and commitment by the parties in conflict to the implementation of CBMs are key to achieving more positive results in the conflict resolution efforts in Sudan and South Sudan.

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