

Country/entity	Sudan
Region	Africa (excl MENA)
Agreement name	Final Communique of the Reconciliation Conference between the Misseriyya Tribes; the Awlad Hayban and Awlad Serur and al-Metanin
Date	1 Mar 2013
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/local conflict

Sudan Conflicts (1955 -)

Agreements relate to several distinct dyads, and also the negotiated independence of South Sudan, and subsequent internal conflict in South Sudan. Sudan-South Sudan. The long-standing conflict between the north and the south of the country dates back to colonial times, where the British introduced a so-called 'Southern Policy', severely hampering population movements between these big regions. Immediately after gaining independence in 1956, southern movements started to fight for independence; this fight became professionalised in 1983 with the foundation of the soon internationally supported Sudan People's Liberation Army (SPLA). When the Islamic Front government introduced strict sharia laws in the south after it took over power in 1988 the war intensified. A decade later, the military situation reached a stalemate, enabling internationally facilitated peace negotiations to begin in 1997. After more fighting, a final negotiation push began in 2002, leading to the signing of the Comprehensive Peace Agreement (CPA) in January 2005.

Sudan-South Sudan post referendum. South Sudan became independent in July 2011; since then, relations between the two countries are complicated and violent conflict led by the SPLM (North) in the Sudanese Nuba mountains region has since intensified.

Darfur. Other long-standing violent conflicts are in the east and the west of the country. In the east, the Beja Congress, established in 1957, is the spearhead of a currently 'peaceful' opposition movement. In the west, the violent conflict in Darfur intensified in the early 2000s and rapidly gained international attention, even resulting in genocide charges against leading figures of the Sudanese government. The situation on the ground is complex, with over a dozen organisations (most notably the Sudanese Liberation Movement and the Justice and Equality Movement) fighting the Sudanese government and allied groups like the Janjaweed – although all parties have switched sides on numerous occasions. Several mediation attempts have not been successful, due to the shaky commitment of the Sudanese central government and the distrust among the armed opposition.

South Sudan - internal

In December 2013, after president Salva Kiir accused opposition leader Riek Machar of attempting a coup, violent conflict broke out between government forces of the SPLM/A and anti-governmental groups. In addition, several other political militias as well as communal militias have joined the conflict. In 2015 the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) was signed. Due to unsuccessful implementation the agreement was revitalized in 2018. In September 2019, Kiir and Machar agreed to establish a power-sharing government after struggles on forming a unity transitional government.

Close

Sudan Conflicts (1955 -)

Stage Framework/substantive - partial

Conflict nature Inter-group

Peace process	Kordofan - Blue Nile - Abyei process
Parties	<ol style="list-style-type: none"> 1. Amir Abd al-Moneim Musi El Shwayn, Amir of Amirs for the al-Matenin 2. Amir Ismail Besharah El Safy, Amir of Amirs for the Awlad Hayban 3. Amir El Tijany Mohamed Ahmed, Amir of Amirs for the Awlad Serur
Third parties	<p>Witnesses:</p> <p>Minister of Decentralized Government, Hasbu Muhammad Abd al-Rahman Acting Governor of East Darfur, Ahmed Kubar Jibril Governor of South Kordofan, Maulana Ahmed Muhammad Hurun Chairman of the Good Offices Committee, Dr Abd al-Hamid Musi Kasha Chairman of the Preparatory Committee, Amir Mukhtar Babu Namr Chairman of the Legal Department of East Darfur State Chairman of the Legal Department of South Kordofan State Vice President of the Republic, Dr al-Haj Adam Yusuf</p> <p>Other participants [not signatures] Dr. Nafie Ali Nafie, Assistant President of the Republic A number of ministers, ministers of state, governor of South Kordofan and acting governor of East Darfur, a number of members of the governments of South Kordofan and East Darfur, and dignitaries of the civil administration in South Kordofan and East Darfur, and a party [representing] the people of South Kordofan and East Darfur</p>
Description	<p>Reconciliation agreement between the Awlad Serur/al-Matenin and the Awlad Hayban - all sub-clans of the Misseriyya - in South Kordofan, following clashes in al-Fulah, South Kordofan. Agreement makes recommendations for reconciliation including the payment of blood money, delineating areas of settlement for the two tribes. The agreement also outlines punishments for transgressing the agreement and a mechanism for re-negotiation. Conference members also recommended the strengthening of the civil service in these regions. non-proliferation of arms, as well as a reconfiguring of the oil compensation policy.</p>

Agreement document	SD_130310_Awlad Hayban, Awlad Serur and Matanin_EN.pdf (opens in new tab) Download PDF
Agreement document (original language)	SD_130310_Awlad Hayban, Awlad Serur and Matanin_AR.pdf (opens in new tab)

Groups

Children/youth	Groups→Children/youth→Rhetorical Page 3, First 4. The parties shall abide by this settlement for the killing, injury and losses among the parties, in accordance with prevailing tribal customs, taking into account the rights of widows and orphans, the elimination of injustice and reparation. Groups→Children/youth→Other Page 8, Conclusions, We thank the brothers in the Chambers of Commerce of Da'in, the Workers and Trade Union, the Youth, Student's, Women's Unions, the Security Services, Police of South Kordofan and East Darfur, popular media (Poets and Hakamas).
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	Groups→Racial/ethnic/national group→Substantive [Summary] Agreement is between the Misseriyya sub-tribes of the Awlad Hayban vs. the Awlad Serur and Matenin, and therefore entire agreement provides for inter-group relations. Groups→Racial/ethnic/national group→Other Page 8, Conclusion, ... extend all thanks to the Rizeigat [community], Said Mahmoud Musi Madbu, and the brothers from the Misseriyya tribes and the tribes of South Kordofan. Thanks most to the brothers and members of the Committee of Good Offices who paved the way for the conference ... and the delegation of Habbanis from the Bram locality.
Religious groups	Groups→Religious groups→Other [Summary] Agreement makes several references to Allah and utilizes Qu'ranic references for the purpose of reconciliation. Agreement ends with a prayer.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender

Page 3, First

4. The parties shall abide by this settlement for the killing, injury and losses among the parties, in accordance with prevailing tribal customs, taking into account the rights of widows and orphans, the elimination of injustice and reparation.

Page 3, Second: In regards to Diah [Blood Money]

3. (a) Debts to be paid by the Awlad Serur and Metanin to the Awlad Hayban.

... 3 women x 30 cattle = 90

... (b) Debts to be paid by the Awlad Hayban to the Awlad Serur,

... 1 women x 30 regular cattle = 30 cattle

Page 8, Conclusions,

We thank the brothers in the Chambers of Commerce of Da'in, the Workers and Trade Union, the Youth, Student's, Women's Unions, the Security Services, Police of South Kordofan and East Darfur, popular media (Poets and Hakamas).

Men and boys

No specific mention.

LGBTI

No specific mention.

Family

No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 2, untitled preamble, ... and a party [representing] the people of South Kordofan and East Darfur ...

Traditional/religious leaders No specific mention.

Public administration	<p>Page 7-8, Seventh: Recommendations</p> <p>... 3. The conference confirms the impartiality of the civil service and calls for respect of its [continued] neutrality, and for addressing the state of workers for state agencies that left the city of al-Fulah due to the events.</p> <p>Page 7-8, Seventh: Recommendations</p> <p>8. The conference recommends that the authorities of South Kordofan assist and empower the civil administration of the state, by strengthening their system allowing them to play their full role.</p>
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	<p>Power sharing→Economic power sharing→Fiscal federalism</p> <p>Page 7-8, Seventh: Recommendations</p> <p>... 4. The conference recommends a re-consideration of the oil compensation policy.</p> <p>5. The conference recommends that the central and state authorities work to enact appropriate legislation regarding oil compensation for the sake of achieving security and stability in the whole country.</p>
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication Rights related issues→Media and communication→Other
Page 8, Conclusions
... [thanks to] the federal and local media, Radio Sudanese, Sudan TV and the satellite channels, and UNAMID. ... We thank the brothers in the Chambers of Commerce of Da'in, the Workers and Trade Union, the Youth, Student's, Women's Unions, the Security Services, Police of South Kordofan and East Darfur, popular media (Poets and Hakamas).

Mobility/access Page 6, Fourth: arrangement
1. The Awlad Serur and al-Matenin are described as [being] 25km west of Baylah.
2. The Awlad Hayban are described as [being] 25km east of Baylah.
3. The period of arrangement shall be 10 years from March 2013 until the end of February 2023.

Page 6, Fifth: Resettlement [Translation note: 'resettlement' is the closest translation, but not entirely accurate. Refers more to delimitation of tribal areas]

(1) Resettlement of al-Matenin and Awlad Serur

Shall begin from the west of al-Fulah to the west of al-Dabalayn passing through Beneem to Abu al-Lakri.

(2) The resettlement of the Awlad Hayban starts from the Malah Dam passing through Filaatiyya and Ilku to Ma'da al-Hajayr.

Village Matrix:

Villages of al-Matenin and Awlad Serur:

Balaylah Village, Bir 'Umar Village, Naym Village, al-Dabalayn Village

Villages of Awlad Hayban:

Umm Qaloudah Village, al-Faradus Village, Karnaqu Village, Kadarki, Sherba Village, al-Raq al-Azraq Village

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law Justice sector reform→Criminal justice and emergency law→Reform to specific laws
Page 7, Sixth: Outstanding Penalties

1. One year's imprisonment for anyone who works to stir up sedition and fuel the spirit of contradiction, and talk about the problems from these rulings, ..., [through] statements or writings in the press.
2. Any person who contravenes the decisions of the resettlement shall be fined 50,000 guinea.
3. Any event after this conference shall be deemed to be a lone-standing event in which the perpetrators shall be prosecuted and punished by law.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws Page 3, First

4. The parties shall abide by this settlement for the killing, injury and losses among the parties, in accordance with prevailing tribal customs, taking into account the rights of widows and orphans, the elimination of injustice and reparation.

Page 5, Second: In regards to Diyah [Blood Money]

... (7) Ailments are dealt with through the mechanism of implementing the decisions of the conference and after the completion of the remedies, a recovery period and medical reports, according to the customs prevailing in Misseriyya lands

Page 5-6, Third: Losses

... 2/ 50% of total losses were approved according to prevailing custom.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources Page 7-8, Seventh: Recommendations
... 4. The conference recommends a re-consideration of the oil compensation policy.
5. The conference recommends that the central and state authorities work to enact appropriate legislation regarding oil compensation for the sake of achieving security and stability in the whole country.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights	<p>Land, property and environment→Land reform/rights→Land reform and management Page 3, First ... 5. The conference affirms that the land belongs to the State and that the tribes have the right to its use on their fronts, and that there are no delimitations of the land within one tribe.</p> <p>Land, property and environment→Land reform/rights→Other land rights Page 6, Fourth: arrangement 1. The Awlad Serur and al-Matenin are described as [being] 25km west of Baylah. 2. The Awlad Hayban are described as [being] 25km east of Baylah. 3. The period of arrangement shall be 10 years from March 2013 until the end of February 2023.</p> <p>Page 6, Fifth: Resettlement [Translation note: 'resettlement' is the closest translation, but not entirely accurate. Refers more to delimitation of tribal areas] (1) Resettlement of al-Matenin and Awlad Serur Shall begin from the west of al-Fulah to the west of al-Dabalayn passing through Beneem to Abu al-Lakri. (2) The resettlement of the Awlad Hayban starts from the Malah Dam passing through Filaatiyya and Ilku to Ma'da al-Hajayr.</p> <p>Village Matrix: Villages of al-Matenin and Awlad Serur: Balaylah Village, Bir 'Umar Village, Naym Village, al-Dabalayn Village Villages of Awlad Hayban: Umm Qaloudah Village, al-Faradus Village, Karnaqu Village, Kadarki, Sherba Village, al-Raq al-Azraq Village</p> <p>Page 7, Seventh: Recommendations ... 7. The conference recommends that the government of the state of South Kordofan expedite the establishment of model villages to accommodate those affected by the decisions of resettlement.</p>
Pastoralist/nomadism rights	<p>Page 3, First ... 5. The conference affirms that the land belongs to the State and that the tribes have the right to its use on their fronts, and that there are no delimitations of the land within one tribe.</p>
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	Page 7-8, Seventh: Recommendations ... 6. The conference recommends the need to find an effective means of reducing weapons proliferation among citizens and to deal with the issue of unlicensed motorcycles, as well as prohibiting the use of military uniforms for non-regular forces.
Ceasefire	No specific mention.
Police	Page 5-6, Third: Losses 1/ Losses of the Awlad Hayban in the villages of: Umm Qaloudah – Karniqu – Umm Barid – Kadraka – al-Raq al-Azraq To deal with this issue, the al-Ajaweed Committee adopted the Federal Investigation Commission report, composed by the Minister of Justice. The [al-Ajaweed] Committee removed the statements of loss not found in police records or the FIC report. Page 8, Conclusions, We thank the brothers in the Chambers of Commerce of Da'in, the Workers and Trade Union, the Youth, Student's, Women's Unions, the Security Services, Police of South Kordofan and East Darfur, popular media (Poets and Hakamas).
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice Page 7-8, Seventh: Recommendations

general

... 2. The conference recommends the need to address and reconcile the situation of academic students in the faculties of the conflict areas of Babnoush and al-Fulah who were effected by events taking into account the sanctity and nationality of cities.

Amnesty/pardon

Transitional justice→Amnesty/pardon→Amnesty/pardon proper

Page 2, First:

1. The members of Awlad Hayban grant the Awlad Serur and al-Metanin a full pardon.
2. The members of the Awlad Serur and al-Metanin grant the Awlad Hayban a full pardon.

Courts

No specific mention.

Mechanism

No specific mention.

Prisoner release

No specific mention.

Vetting

No specific mention.

Victims

No specific mention.

Missing persons

No specific mention.

Reparations

Transitional justice→Reparations→Material reparations

Page 3, First

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Page 3, Second: In regards to Diyah [Blood Money]

1. The al-Ajaweed Committee decides that the rate of diyah is 60 cattle per individual killed.

2. The al-Ajaweed Committee decides those that killed from Awlad Hayban pay death diyah for those killed while burying the dead cattle a number of 120 cattle (beefy cattle) for each individual killed, and they number 61.

3. The diyat are paid according to the years recognized in Misseriyya land and may be evaluated in accordance with an agreement between the parties and the approval of the al-Ajaweed Committee.

(a) Debts to be paid by the Awlad Serur and Metanin to the Awlad Hayban.

75 dead x 60 normal cattle = 4500 cattle

61 dead x 120 beefy cattle = 7320

3 women x 30 cattle = 90

Sum of debt to be paid by the Awlad Serur and Matenin to Awlad Hayban = 11,910 cattle (Eleven thousand nine hundred and ten heads of cattle)

(b) Debts to be paid by the Awlad Hayban to the Awlad Serur,

13 x 60 regular cattle = 780 cattle

1 women x 30 regular cattle = 30 cattle

Sum of debt to be paid by Awlad Hayban to the Awlad Serur = 810 cattle (Only eight hundred and ten heads of cattle).

Page 4, Second: In regards to Diyah [Blood Money]

(3)

(c) Debt to be paid by Awlad Hayban to the al-Matenin

43 killed x 60 regular cattle = 2580 cattle

Sum of debt to be paid by Awlad Hayban to the al-Matenin is 2,580 cattle (Only two thousand five hundred and eighty heads of cattle)

(d) Deaths among other tribes during the events around the city of al-Fulah.

4 killed x 60 regular cattle = 240 cattle

(Only two hundred and forty heads of cattle are to be paid in the first instalment.)

From the committee with the Governor of South Kordofan:

(4) Debts are to be paid in four instalments.

(5) The payment of the first instalment occurs in first three months after the signing of this reconciliation document.

(6) The remaining instalments shall be paid at five-month intervals.

(i) Instalments to be paid by the Awlad Serur and al-Matenin to the Awlad Hayban

01/06/2013, 2978 cattle

01/11/2013, 2978 cattle

01/04/2014, 2977 cattle

01/09/2014, 2977 cattle

Page 4-5, Second: In regards to Diyah [Blood Money]

(4)

(ii) Instalments to be paid by the Awlad Hayban to the Awlad Serur

01/06/2013, 203 cattle

01/11/2013, 203 cattle

01/04/2014, 202 cattle

01/09/2014, 202 cattle

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 5, Second: In regards to Diyah [Blood Money]
... (7) Ailments are dealt with through the mechanism of implementing the decisions of the conference and after the completion of the remedies, a recovery period and medical reports, according to the customs prevailing in Misseriyya lands

Page 8, Seventh: Recommendations
9. The conference recommends the establishment of a mechanism for the implementation and follow-up of the decisions for reconciliation.

Related cases No specific mention.

Source al-Rakoba.net, Complete Text of the Reconciliation Document between the Children of the Misseriyya Tribes, 10 March 2013, <https://www.alrakoba.net/news-action-show-id-90021.htm>
