

Le Président du Conseil de sécurité présente ses compliments aux membres du Conseil et a l'honneur de porter à leur attention le **texte ci-joint d'une lettre datée du 25 septembre 2008, adressée au Président du Conseil de sécurité par le Secrétaire général**, ainsi que les pièces qui y sont jointes.

Le 25 septembre 2008

The President of the Security Council presents his compliments to the members of the Council and has the honour to transmit herewith, for their attention, copies of a **letter dated 25 September 2008 from the Secretary-General addressed to the President of the Security Council**, and its enclosures.

25 September 2008



THE SECRETARY-GENERAL

25 September 2008

Dear Mr. President,

On 19 September 2008, I received from the Chairperson of the African Union Commission, His Excellency Mr. Jean Ping, a copy of the progress report by the Government of National Unity of the Sudan to the African Union Commission.

This progress report was submitted pursuant to the communiqué of 21 July 2008 of the African Union Peace and Security Council, which I also transmitted to the Security Council on 31 July 2008.

Chairperson Ping requested that I forward the report to the Security Council. In this regard, I have the honour to transmit herewith a copy of the document.

I would be grateful if you could bring this document to the attention of the members of the Security Council.

Please accept, Mr. President, the assurances of my highest consideration.

A handwritten signature in black ink that reads "Ban Ki-moon". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

BAN Ki-moon

His Excellency
Mr. Michel Kafando
President of the Security Council
New York

Permanent Observer Mission of the
AFRICAN UNION to the
United Nations

الاتحاد الأفريقي

to SA
on 19/09
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19 September 2008

Mr. Secretary General,

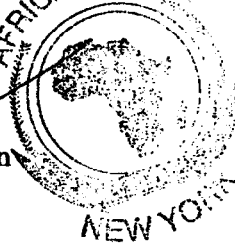
I have the honor to attach, here-with, the Progress Report by the Government of National Unity of the Sudan (GoNU) to the Commission of the African Union, and to request your Excellency to kindly have it circulated as an official document of the United Nations Security Council.

This Report has been duly submitted by GoNU, in compliance with its commitments further to the Communiqué of the 142nd Meeting of the Peace and Security Council of the African Union held on 21st July 2008 in Addis Ababa. It details the efforts and progress realized by GoNU on eight crucial aspects, namely the Political Process in General; the implementation of the Darfur Peace Agreement (DPA); implementation of the Comprehensive Peace Agreement (CPA); the deployment of the African Union-United Nations Mission in Darfur (UNAMID); the Humanitarian Situation; the Human Rights situation; Chad and Sudan Relations; and on Combating Impunity.

The significant progress so far achieved by GoNU demonstrates its commitment to continued cooperation, without reservation, with the collective efforts of the African Union, the United Nations and international community, to achieve lasting peace and security in the Darfur. We further believe these positive trends merit the full encouragement of the international community. We therefore urge Your Excellency join our efforts in working with the Security Council for the application of Article 16 of the Rome Statutes, as requested by the African Union, the League of Arab States, the Organization of the Islamic Conference, the Non-aligned Movement, as well as other international partners, regarding the charges brought by the ICC Prosecutor against H.E. President El Bashir, so that we can continue to build on the current momentum, towards lasting peace, justice and security in Darfur, and in the Sudan as a whole.

Please accept, Excellency, the assurances of my highest consideration.

Jean Ping
Chairperson, AU Commission



H.E. Mr. Ban Ki-moon
United Nations Secretary-General
Room S-3800
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**A PROGRESS REPORT BY
THE GOVERNMENT OF NATIONAL
UNITY OF THE REPUBLIC OF
THE SUDAN "GoNU"
TO THE AFRICAN UNION COMMISSION**

(In compliance with the African Union Peace and Security Council
Communiqué of its 142nd Meeting of 21st July 2008)

Addis Ababa 17th Sep 2008



1. THE POLITICAL PROCESS, IN GENERAL:

1.1 The Government of National Unity (GoNU) cooperated without reservation with the AU, UN, and the international community at large in their collective efforts to achieve peace and stability in Darfur. GoNU is still firmly committed to the road map outlined in the outcome of the Addis Ababa High-level consultative meeting held on 16th Nov. 2006.

1.2 During the course of 2008, GoNU agreed to the Joint Mediation Support Team (JMST) initiative of holding an informal security meeting in order to reach an understanding on cessation of hostilities prior to the upcoming round of peace negotiations. However the non-signatory movements declined at the last moment.

1.3 The GoNU has always maintained flexible position regarding the issue of venue and dates of the resumed talks.

1.4 The GoNU will continue undertaking its responsibilities in the region of Darfur, in order to protect civilians, government and personal properties, and the humanitarian activities to the best of its ability, and facilitate the smooth and effective deployment of UNAMID.

1.5 The GoNU welcomed the appointment of Honourable Djibril Bassole the Joint Chief Mediator (JCM) by both the UN and the AU. The JCM has been well received by the GoNU officials during his contacts with them.

1.6 The GoNU commits itself to the peaceful settlement of the Darfur problem. In order that sustainable peace is achieved the following steps have to be taken:

- Unity of factions or a common position by all factions.
- Tribal reconciliation and maintenance of the social fabric.
- Development and reconstruction of what has been destroyed by war.
- Involvement of Darfurians in the political solution of the problem.
- National consensus should be reached with all political organizations.
- Dialogue should be the basis for solving the problem and armed movements should be pressurized by the international community in order to accept it.



- Supporting the DPA, which should be implemented on the ground.

1.7 Before appointment of the JCM, the President of the Republic of the Sudan, H. E. Omer Al Bashir launched the People of Sudan Initiative for Darfur in which all the Sudanese political parties and civil society partners are participating. The initiative stresses on the active participation of Darfur citizens. Six committees have been established as mechanism for the initiative. The committees are:

- Political Affairs Committee.
- Humanitarian Affairs Committee.
- Development and Service Committee.
- International Committee.
- Reconciliation Committee.
- Social Fabric Preservation Committee.

The Declaration of Principles of the initiative will soon be announced.

1.8 The GoNU welcomed the Arab League Initiative pronounced in Cairo in September 2008, and ratified the establishment of the Ministerial Committee on Darfur which is placed under the Chairmanship of H.E. The Prime Minister and the Minister of Foreign Affairs of the State of Qatar, and included in its membership the Secretary General of the Arab League and the Chairperson of the African Union Commission. The Committee will carry its mandate in close cooperation with the Joint Chief Mediator.

1.9 The GoNU also remains committed to the peaceful settlement of the Darfur problem. In this regard it has participated in the last round of peace negotiations convened in Sirte Libya, in October 2007. The GoNU delegation had been fully authorized to reach agreement. To further consolidate its peaceful efforts the GONU declared a unilateral cease-fire in all Darfur States prior to the said peace talks.

1.10 Talks with non-signatories of DPA resumed in Sirte, Libya on 27th October 2007. However, the resumed talks did not proceed further due to the reluctance of JEM and SLA/Abdel Wahid, and other smaller groups to join the political process. Some of them have also set preconditions for the resumed talks to kick off.

1.11 The international community failed to coach or force the rebelling non-signatory factions of Darfur to join the negotiations process. As a result, the political process is now stagnant.

1.12 It is indispensable, for the political process to kick off again that the international community takes effective measures along the lines of the Security Council Presidential Statement, issued one day prior to the



resumed talks in Sirte. In this statement the Council underlined its willingness to take action against any party that seeks to undermine the peace process, including by failing to respect cessation of hostilities or by impeding the talks, peacekeeping, or humanitarian aid.

1.13 Should the resumed talks kick off, GoNU is prepared to consider the concerns of the Darfurians within the frame-work of the CPA and in accordance with the provisions of the DPA.

1.14 The Darfur- Darfur Dialogue Conference "DDDC" is a process complementary to the political process of negotiations between GoNU and the rebel factions of Darfur. It is a democratic process that is necessary to broaden support and acceptability to the outcome of the political process.

1.15 The humanitarian process is parallel to the political process; it cannot be deferred or adjourned. GoNU is committed firmly to the communiqué of 28th March 2007. However it is equally important for the communiqué and other commitments to bear fruit, that the fighting factions in Darfur must, *pari passu*, commit themselves to fully respect the need for a smooth flow of humanitarian aid. The international community is called upon to take effective measures as well.

2. THE DPA IMPLEMENTATION:

2.1 In the aspect of Power Sharing, the following political appointments have taken place in the course of implementing the DPA:

- Senior Assistant to the President.
- Two State Ministers in the federal council of ministers
- A Minister in Khartoum State Council of Ministers.
- Two Ministers in each of the three States of Darfur among them is a Deputy Governor.
- Twelve Members in the National Assembly.
- The Chairman of Darfur Fund for Reconstruction and Development (DRRC).
- The chairman of Darfur Land commission (DLC).
- The chairman of the Darfur Rehabilitation and Reconstruction Fund (DRDF).
- The Governor of West Darfur State.
- 20 members to the South Darfur State Legislative Council.
- 17 members to the North Darfur State Legislative Council.



- 17 members to the West Darfur State Legislative Council.

2.2 In the field of education, the following has been implemented:

- Exemption of Darfur students in the six National Universities in the National Capital for (5) years from tuition fees.
- Admission of 2025 students over and above those admitted in the first round of admission to raise the percentage of Darfurian students to that stipulated in the DPA (15%).

2.3 A Border Commission was established to demarcate the borders of North Darfur State and the Northern State as of 1956. The Commission made numerous visits to the states mentioned and conducted several meetings with the officials of both states and collected the necessary documents and it is preparing to submit its final report on the borders. Demarcation will take place soon after completion of the paper work.

2.4 In the area of Wealth Sharing, the following had been accomplished:

- Establishment of the Darfur Reconstruction and Development Fund (DRDF).
- Establishment of the Darfur Rehabilitation and Resettlement Commission (DRRC).
- Establishment of Darfur Land Commission (DLC).
- The Darfur Joint Assessment Mission (D-JAM) has almost completed its survey of Darfur needs and consolidated report is being prepared.

2.5 In the area of Security Arrangements:

2.5.1 The GoNU strongly supports all efforts to unify the non- signatory factions. In this regard, the GoNU facilitated movement of the non- signatory factions inside government-controlled areas in the Sudan.

2.5.2 The GoNU has already drawn a plan for implementing the security arrangements stipulated in the DPA. After signing the DPA, the GoNU adhered firmly to the cease-fire arrangements with the signatory factions and joint committees were formed in order to expedite implementation of the security arrangements.

2.5.3 The GoNU continued to provide financial and logistical support to signatory factions, due to failure of the international community to meet its commitments in this regard.

2.5.4 The following had taken place:

- Immediately following signing of the agreement, orders issued for ceasefire.



- Several government committees and joint committees formed for implementation.
- The GoNU submitted required plans and Information in area of security arrangements regarding the positions and elements of government forces together with the necessary maps.
- Steps and plans for integration are being discussed with movements. Numerous joint meetings held to discuss government plans for reintegration.
- Non-military logistic support provided to the movements by government.

2.6 As regards the activities and achievements of the DDR Commission, it carried out several activities within its mandate regarding information and awareness rising about its activities in the area of DDR. The achievements to date are important and they included the opening of three offices in the three Darfur states and the creation of partnerships with several parties with a view to expediting work on the Commission's programs in Darfur.

3. IMPLEMENTATION OF THE CPA:

3.1 In the field of power sharing, the main pillars of the government's new decentralized system including the Presidency, the Government of National Unity (GoNU), the Government of Southern Sudan (GOSS) and their respective institutions at state level have been put in place. The National Legislature, consisting of the National Assembly and the Council of States, is operational.

3.2 A number of independent commissions have been formed pursuant to the Power Sharing Protocol. They included; the Fiscal and Financial Monitoring and Allocation Commission, the National Civil Service Commission, the National Judicial Service Commission and the Commission of the rights of Non- Muslims in the National Capital.

3.3 The Southern Sudan Legislative Assembly has been established. The *state-constitutions* of the Northern and Southern states have all been adopted. The Legislative, executive and Judicial institutions in all 25 states of the Sudan have been established and governors appointed.

3.4 The Fifth National Population Census was successfully held during the period 22 April to 5 May 2008.



3.5 The Elections Act was adopted by the National Assembly of the Sudan on 7th July 2008, as a crucial move towards the holding of general elections.

3.6 On June 8, 2008 the President of the Republic signed a roadmap agreement stating the establishment of an Interim Administration in Abyei and the return of the population displaced following the fighting between the northern and southern forces in Abyei.

3.7 The agreement reached by a joint committee from the two partners of the CPA included four points dealing with security arrangements, the return of the displaced persons, the interim administration and international arbitration on the status of Abyei. On the issue of international arbitration it was agreed that: "the parties resort to a professional specialized arbitration body agreed upon by the parties to resolve the conflict over the findings of the experts of Abyei Boundary Commission."

3.8 On July 12, 2008 the two signatories of the 2005 peace deal formally referred their dispute over the findings of Abyei Boundary Commission to the Permanent Court of Arbitration in The Hague. The arbitration tribunal has to determine whether or not the Abyei Boundaries Commission (ABC) experts exceeded their mandate and "to define and demarcate the area of the Nine Ngok Dinka Chiefdoms transferred from Bahr el Ghazal to Kordofan in 1905, as per the Abyei Protocol."

3.9 On wealth sharing, oil and non-oil revenues are being regularly transferred by the GoNU to the south. The allocation of revenue by the GoNU to the south for the calendar year 2007 amounted to 2.798 billion Sudanese pounds (about US \$1.4.billion). A system to monitor the daily production of oil in all The GoNU has been established. The two parties have also agreed on a mechanism to monitor the Oil Revenue Stabilization Account and have agreed on the annual benchmark account. The transfer of two percent of net oil revenue to the producing states is being done on a continuing basis, as outlined in the CPA.

3.10 The National Petroleum Commission was established in 2005 and its internal regulations were adopted on 19th April 2007. The Joint Technical Committee on Oil Revenue has been formed and is functioning. The National Revenue Fund has been established managed by the National Ministry of Finance. The two sides have formed several committees to carry out the task of assessing and allocating assets between the various levels of government.



3.11 A National Reconstruction and Development Fund have been established by the Federal Ministry of Finance. The GOSS has established a South Sudan Reconstruction and Development Fund.

3.12 On the security sphere, the Joint Integrated Units have been established and significant progress has been made in the redeployment, integration and disarmament of other armed groups.

Significant steps have also been taken on disarmament, demobilization and reintegration (DDR). The institutional ceasefire and monitoring arrangements have been established and are functioning well. The joint military teams have been established to provide feedback to each of the six Area Joint Military Committees (CJMCs).

3.13 The UN verified figures for the deployment of the Sudan Armed Forces (SAF) on either side of the current borderline; in April 2008 was over 97 per cent. Given standard variations in categories such as deserters, and those on leave, this figure represents complete redeployment of SAF. The official figure for Sudan People's Liberation Army (SPLA) redeployment stood in April 2008 at less than 11 per cent.

Good progress has been made in setting up the joint integrated units (JIUs). Over 85 percent of the total number of individual soldiers authorized under the CPA to join the JIUs has now been deployed to their designated units.

4. THE DEPLOYMENT OF UNAMID:

4.1 The GoNU is committed to the UN Security Council Resolution 1769 and is now cooperating with UNAMID.

4.2 A Central Organ for the Management of Peacekeeping Operations in the Sudan has been established by a Decree of the President of the Republic. The organ has two levels of operation i.e. political and technical. The establishment of this organ aims at the effective and smooth implementation of the UNSC Resolution 1769.

4.3 An agreement was reached between GoNU, the UN and the AU on the establishment of a bilateral mechanism to supervise the smooth implementation of the Hybrid Operation.

4.4 A Status of Forces Agreement between GoNU, the UN and the AU, which represents the legal framework of the operation of UNAMID in Darfur, was successfully concluded.

