

Agreement

Between

The Government of the Republic of Sudan

and

The Sudan People's Liberation Movement

On

Temporary Arrangements for the
Administration and Security of the Abyei Area

Addis Ababa, Ethiopia

20 June 2011



Introduction

1. This Agreement between the Government of Sudan (GoS) and the Sudan People's Liberation Movement (SPLM) (hereinafter, the Parties) provides for temporary administrative arrangements for Abyei Area and for the redeployment of Sudanese military forces (Sudan Armed Forces and Sudan People's Liberation Army) from Abyei Area, immediately consequent on the deployment of an Interim Security Force for Abyei (ISFA) composed of Ethiopian troops.
2. The provisions of this Agreement shall not prejudice the final status of Abyei Area whose borders have been defined by the Permanent Court of Arbitration. Except as modified by the terms herein, this Agreement respects the provisions of the Protocol on the Resolution of the Abyei Conflict (the Abyei Protocol). The 1 January 1956 line between the north and the south will be inviolate, unless changed as a result of the outcome of the referendum foreseen in the Abyei Protocol or other decision of the Parties on the final status of Abyei.
3. The Parties request the African Union and the United Nations to support this Agreement and its implementation.

(I) Abyei Area Administration

4. The Abyei Area Administration shall consist of a Chief Administrator, a Deputy Chief Administrator and five heads of department.
5. The Chief Administrator shall be a nominee of the SPLM, agreed by the GoS. The Deputy Chief Administrator shall be a nominee of the GoS, agreed by the SPLM. In each instance, the nominating Party shall make three nominations for each position, from which the other Party must agree one. Of the five heads of department, three shall be nominees of the SPLM, and two shall be nominees of the GoS.



6. The Abyei Area Administration shall exercise those powers contained in the Abyei Protocol paragraph 2.5, with the exception of subparagraph 2.5.2, (“supervise and promote security and stability in the area”) which shall be deleted, with the powers transferred to the Abyei Joint Oversight Committee (AJOC) see (II) below.
7. Decisions of the Executive Council shall be made by consensus. A quorum of the Executive Council shall be five members present.
8. The Abyei Area Council shall continue to be composed of twenty members consistent with the Abyei Protocol. The Chairperson of the Council shall be elected by the members of the Council from a list of three (3) persons nominated by the GoS.
9. The Parties shall constitute a committee to nominate and agree on the Abyei Area Administration including the Chief Administrator and Deputy Chief Administrator, by 22nd June 2011. The Parties shall exchange their respective nominations by no later than the 21st.

(II) Abyei Joint Oversight Committee

10. There shall be established an Abyei Joint Oversight Committee (AJOC) which shall be composed of four members. Each Party shall appoint two members to the committee. Two members of the committee shall serve as joint chairs, one nominated by each Party.
11. The African Union Commission Chairperson shall appoint a non-voting member as a facilitator to assist the work of the AJOC.
12. The ISFA Force Commander shall attend the AJOC as a non-voting member when security matters are under discussion.



13. The AJOC shall exercise, on behalf of the President of Sudan and the President of South Sudan, political and administrative oversight of the Executive Council, and shall submit a monthly report to the President of Sudan and the President of South Sudan, for as long as this mechanism remains in place.
14. The AJOC shall, in accordance with paragraph 6 of this Agreement, assume those powers allocated to the Abyei Executive Council in subparagraph 2.5.2 of the Abyei Protocol.
15. The Presidents may jointly direct the AJOC to deal with any matter relating to Abyei, including in the case of deadlock in the Executive Council.
16. In the event of deadlock within the AJOC, the AJOC Co-Chairs may refer any question to the Presidents for their guidance. The opinions and recommendations of the non-voting member of the AJOC shall be forwarded along with the referral.
17. The Executive Council shall submit a weekly report to the AJOC, giving an overall picture of the situation in the Abyei Area, including security-related matters.
18. The AJOC may direct the Executive Council or any official or committee of the Abyei Area to provide it with a report on any matters within its powers. The AJOC may hold meetings with the Executive Council to discuss any matter within its mandate.

(III) Finance

19. The Abyei Area Executive Council shall draw up a budget for review and approval by the Abyei Area Council. The GoS and GoSS shall jointly finance that budget.



(IV) Security Arrangements

20. With the exception of ISFA, the Abyei Area shall be demilitarized. Any SAF and SPLA forces shall redeploy out of the Area. Henceforth, all other forces, apart from the ISFA shall remain outside of the boundaries of Abyei Area, as defined by the Permanent Court of Arbitration.
21. As soon as authorised by the United Nations, the ISFA shall deploy in the Abyei Area.
22. A Joint Military Observer Committee (JMOC), consisting of an equal number of observers from the two Parties shall be stationed in Abyei. The Force Commander of ISFA shall chair the JMOC. The JMOC shall liaise with ISFA in carrying out its functions.
23. The military observers shall form Joint Military Observer Teams. The military observers shall be unarmed. They shall be protected by the ISFA.
24. The JMOC will submit reports to the AJOC.
25. An Abyei Police Service shall be established. The AJOC shall determine its size and composition.
26. A special unit of the Abyei Police Service shall deal with the particular issues arising from nomadic migration including accompanying nomads within the Abyei Area on their annual migrations.



(V) Interim Security Force for Abyei (ISFA)

27. The ISFA shall be established to undertake the following roles:

- a. Monitoring and verification;
- b. Protection of monitoring teams;
- c. Security within Abyei area;
- d. Protection of the borders of Abyei from incursions by unauthorised elements;
- e. Support and capacity building to Abyei Police Service;
- f. Facilitation and protection of humanitarian assistance;
- g. Protection of civilians under imminent threat.

28. The Government of Sudan, the SPLM and the UN shall constitute a joint committee with the Government of Ethiopia to draft the mandate for ISFA, based upon the roles specified in paragraph 27 of this Agreement. The draft shall be submitted to the UN Security Council. The committee shall complete its work no later than 21st June 2011.

29. The Government of Sudan and the SPLM will request the UN Security Council to approve the deployment and mandate of the ISFA, with the understanding that the mandate referred to in paragraph 27 of this Agreement shall not be changed without the agreement of the GoS, the SPLM and the Government of Ethiopia.

30. The ISFA shall consist of one brigade (armoured) provided by the Ethiopian National Defence Force. The Force Commander shall be an Ethiopian officer of the rank of Brigadier General or above.

31. The ISFA shall be deployed and financed by the UN on the basis of the above mandate.



32. The ISFA shall work to implement this mandate in collaboration with the Parties, Abyei Area Administration and AJOC. It shall be led by a Force Commander who shall report to the UN.
33. The ISFA Force Commander shall brief the AJOC regularly on the situation pertinent to his responsibility.
34. Immediately on the authorisation from the UN Security Council, an ISFA advance team shall be despatched to the Abyei Area to finalize detailed deployment plans, the plans for the establishment of the Joint Military Observation Committee, and the details for the demilitarization of the Area.
35. The ISFA will be deployed according to the schedule contained in Annex A.

(VI) Humanitarian Activities

36. All displaced former residents of Abyei have the right to return to their former places of residence. The Parties shall facilitate the rapid return of IDPs.
37. The Parties shall ensure that humanitarian assistance reaches those in need and shall facilitate the work of the United Nations and other humanitarian agencies.
38. The Parties shall make a joint appeal for assistance for return and rehabilitation of people displaced or otherwise affected by the conflict, including assistance to those who have lost livelihoods, income or assets.

(VII) Pastoralist Migration

39. Consistent with the Abyei Protocol, pastoral nomads shall enjoy rights of migration and access to pasture and water in accordance with traditional migration routes in the Abyei Area.



(VIII) Process for Resolution of the Final Status of Abyei

40. The Parties reiterate their commitment to resolve peacefully the final status of Abyei, and shall therefore consider, in good faith, proposals that the African Union High Level Implementation Panel shall make to resolve this matter. The Panel shall be advised by the President of Sudan and the President of the Government of Southern Sudan, on the timeframe within which to present its proposals.
41. This Agreement and the Abyei Protocol (except as modified by the terms herein) shall continue to apply until such time as the final status of Abyei has been resolved.
42. Any question regarding the interpretation of this Agreement shall be determined by the AJOC. In the event that the AJOC fails to agree on an interpretation, the Co-Chairs may refer the question to the Presidents for their joint resolution.

(IX) Effective Date

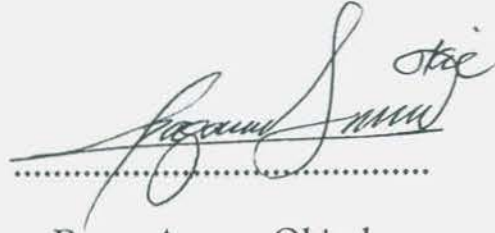
43. This Agreement shall come into force upon signature, and shall be implemented in accordance with the timelines indicated in Annex A herein.



Signed on 20th June 2011



.....
Idriss Abdel Gadir
Government of Sudan



.....
Pagan Amum Okiech
Sudan People's
Liberation Movement

Witnessed by



.....
Thabo Mvuyelwa Mbeki
African Union High Level Implementation Panel

Annex A: Timeline of Activities

- D-Day: United Nations Security Council authorisation
- D+1: Deployment of Advance Party (Advon1) to Abyei
- D+3: Completion of Rules of Engagement and Status of Force Agreement
- D+5: Deployment Advon2
- D+9: Deployment of main body
- D+10-13: Relief in place (redeployment and handover of responsibility)

