

AFRICAN UNION

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PEACE AND SECURITY COUNCIL
310TH MEETING
ADDIS ABABA, ETHIOPIA
14 FEBRUARY 2012

PSC/PR/COMM(CCCX)

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The Peace and Security Council of the African Union (AU), at its 310th meeting held on 14 February 2012, adopted the following decision on the status of negotiations between the Republic of Sudan and the Republic of South Sudan on their post-secession relations:

Council,

1. **Takes note** of the Report of the Chairperson of the Commission on the status of the negotiations between the Republic of Sudan and the Republic of South Sudan on the pending aspects of their post-secession relations [PSC/PR/2.(CCCX)] introduced by the Commissioner for Peace and Security, as well as the briefings by the Chairperson of the AU High-Level Implementation Panel (AUHIP), former President Thabo Mbeki, and the UN Special Envoy Haile Menkerios. Council **also takes note** of the statements made by the representatives of the Government of the Republic of the Sudan and the Government of the Republic of South Sudan, as well as by the representations of the following organisations and countries: European Union, United Nations, Norway, United Kingdom and United States of America;
2. **Commends** the AUHIP and its members, former Presidents Thabo Mbeki, Abdulsalami Abubakar and Pierre Buyoya, as well their support team, for their tireless efforts in facilitating the negotiations between the Republic of Sudan and the Republic of South Sudan on their post-secession relations, and in supporting the achievement of lasting peace, security and stability in both states;
3. **Notes** the progress that has been made in the negotiations on certain outstanding matters relating to the relations between the two independent states. At the same time, Council **notes** that key issues remain outstanding. In this respect, Council **reiterates** that the leadership of Sudan and South Sudan hold the primary responsibility for resolving all outstanding issues, and **calls on them** to do so swiftly, in line with the agreed overriding principle of mutual viability;
4. **Stresses AU's deep concern** at the unilateral actions taken by both states in regard to the issue of oil and petroleum matters. In this regard, Council **appeals** to both sides to remain committed to the negotiations on economic matters, with a view to reaching a fair agreement. Council **reiterates its pressing call** to the two Parties to refrain from any act and/or statement which would be likely to further undermine trust and confidence between them;
5. **Commends** the Parties for the adoption, during the extraordinary meeting of the Joint Political and Security Mechanism (JPSM), held in Addis Ababa, on 10 February 2012, of the Memorandum of Understanding (MoU) on Non-Aggression and Cooperation. Council **also welcomes** the decisions taken immediately to activate the Joint Border Verification and Monitoring Mission (JBVMM) and **calls on** the two states, working closely with the Force Commander of the United Nations Interim Security Force for Abyei (UNISFA), to begin deploying the JBVMM with immediate effect. Council **expresses concern**, even after the signing of the MoU, at the continued allegations and counter-allegations of incidents, bombardments and troop movements along the border, and **expresses the hope** that the

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launching of the mechanism provided for to handle such allegations and counter-allegations will address this issue;

6. **Appeals** to the President of the Republic of Sudan and the President of the Republic of South Sudan to take the lead in ensuring that all elements of the agreements reached are scrupulously and faithfully implemented without delay;

7. **Notes with satisfaction** that UNISFA is almost fully deployed in Abyei, and **calls on** the two states to complete the full withdrawal of all their forces from the area. Council **expresses its appreciation** to UNISFA and its Force Commander for their role in enhancing security in the Abyei Area, including creating conditions for the return of people displaced from the area in May 2011. Council **calls on** the international community to extend the required humanitarian assistance to the needy populations. Council **also commends** the Abyei Joint Oversight Committee (AJOC), including the AU representative, for its work in enhancing security and building confidence between the two states;

8. **Expresses concern** that the two states have not yet finalized matters relating to the demarcation of their border and the resolution of the disputed areas, given the potential that this issue can have in escalating tensions. In this regard, Council **calls on** the two Parties to finalize negotiations on this matter, with the help of the AUHIP and the AU Border Programme;

9. Council **urges** the two states to speedily conclude the ongoing discussions on nationality and related matters, with particular reference to the transition period agreed to, including its possible extension;

10. **Welcomes** the steps being taken by the Commission, in cooperation with the League of Arab States and the United Nations, to address the issue of humanitarian access in Blue Nile and South Kordofan, and **requests** the Parties, namely the Government of Sudan and the Sudan People's Liberation Movement-North (SPLM-North), to speedily and positively respond to the proposals made jointly by the AU, the League of Arab States and the UN. Council **requests** the AUHIP to pursue the efforts initiated towards finding a political solution to the conflict in these two areas;

11. **Calls on** the international community, including the Security Council, to continue to extend full support to the AUHIP in its efforts to facilitate the resolution of the outstanding issues in the post-secession relations between the two countries, the promotion of peace, justice and reconciliation in Darfur, the resolution of the conflict in the two areas, and the promotion of democracy in both Sudan and South Sudan;

12. **Requests** the Chairperson of the Commission to submit to it, in due course, a progress report on the status of the negotiations;

13. **Decides** to remain actively seized of the matter.