



The Republic of South Sudan

Press Release

Addis Ababa, 28 June 2012: The Republic of South Sudan (RSS) has formally communicated to the African Union High Level Implementation Panel (AUHIP), the African Union Peace and Security Council and the United Nations Security Council that RSS unconditionally accepts the November 2011 AUHIP map as a basis for the establishment of the Safe Demilitarized Border Zone (SDBZ) as requested in the African Union Peace & Security Council Communiqué of 24 April 2012 and the United Nations Security Council Resolution 2046 (UNSC Res. 2046).

Notwithstanding the unconditional acceptance, the RSS has conveyed to the AUHIP, the AUPSC and the UNSC its continuing concerns regarding the establishment of the SDBZ based on the AUHIP map, most notably the following:

- (i) The SDBZ based on the AUHIP Map leaves most of the disputed and claimed areas still under occupation of SAF and militarized, including but not limited to the areas of Heglig and Kafia Kingi/Hofrat el Nahas --- all of which have seen heavy fighting in the past months. RSS believes that full demilitarization of the disputed areas, in addition to establishing the SDBZ, would reduce the threat of a return to conflict and as such, we will continue to advocate for an agreement on the same.
- (ii) The implementation of the AUHIP Map also causes a significant shift of administrative control in Kafia Kingi/Hofra el Nahas. This may prompt massive exodus of the population fleeing southward. For this reason, RSS has asked AUHIP to request OCHA and other humanitarian agencies to monitor the effect on the affected populations and mitigate the adverse impacts.
- (iii) The AUHIP Map also places the majority of the disputed and claimed areas within the Sudan, thereby resulting in Sudan exercising administrative control over those areas. Together with continued SAF occupation, this affirmation of administrative control is likely to remove the incentive for Sudan to seek a prompt settlement of the final status of these areas, preferring delays and prolonged negotiations, which may create a *de facto* border of the status quo instead. For this reason, as long as an agreement to refer to final and binding international arbitration is not in place in the event that the AUHIP hosted negotiations fail to resolve all the disputed and claimed by 2 August 2012, the uncertainty of the status of the border will likely produce continued insecurity which may persist indefinitely. Our people deserve better, and for this reason RSS will continue to seek an agreement on arbitration and only negotiate the border disputes and claims under the auspices of the AUHIP until 2 August. The RSS calls upon the



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international community to support the certainty of a time bound arbitral process, over an open-ended negotiation process, which has not provided a solution to this matter for over 7 years.

Furthermore, the Republic of South Sudan is in full compliance with the UNSC resolution and AUHIP communiqué, and continues to implement the security arrangements: (i) South Sudan has submitted its members for the Joint Border Verification and Monitoring Mechanism (JBVMM) and to the Ad-Hoc Committee; (ii) South Sudan drafted and the Parties agreed to a final Terms of Reference for the ad hoc Committee; and (iii) The Parties agreed upon the definition of "ceasefire" that shall govern implementation of their declared commitment to a cessation of hostilities.

Unfortunately Sudan has thus far not accepted the AUHIP map and Sudan's failure to accept this map is now the *only* reason that delays the establishment of the Safe Demilitarized Border Zone and the full operationalization of the security mechanisms.

The Resolution and communiqué also calls the parties to immediately and unconditionally resume negotiations on all outstanding issues such as (1) oil and related payments (2) the resolution of the disputed and claimed areas and demarcation of the border (3) the status of nationals of the other State, and (4) the final status of Abyei. At the last round of negotiations the Parties agreed on a Plan of Action asking for the AUHIP to provide the Parties with a schedule for negotiations for these issues. The RSS has conveyed its concern to the AUHIP that these negotiations have not yet been scheduled and we have been assured that they will soon engage the Parties' Lead Negotiation Panels on this matter.

The RSS has pro-actively reached out to Sudan and engaged in closed door negotiations on all issues and discussed a possibility of engaging strategically to resolve all the outstanding issues in a comprehensive way. The RSS delegation is ceased of the urgency to continue these negotiations and conclude a comprehensive agreement. The Sudan delegation has requested to return to Khartoum for internal consultations before proceeding. The South Sudan delegation has agreed and is returning to Juba also for consultation with the leadership. While concerned with the delay, given the 2nd August timeframe, RSS sincerely hopes that these consultations in Khartoum will prove fruitful and that the Parties can return to the negotiation table to negotiate without preconditions and to conclude a comprehensive peace deal – ensuring two mutually viable states – living side by side in peace and prosperity.

Pagan Amum – RSS Lead negotiator