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Report of the 9th Meeting of the Joint Security Cluster

Post Referendum Negotiations

Juba 6th – 7th December 2010

Within the framework of exploring and discussing Security arrangements with n the secession scenario, the cluster met in Juba on 6th – 7th December 2010, chaired by NCP Co – Chair Sayed Ali Ahmed Hamid. Where the parties discussed all necessary arrangements for the implementation of what have been stipulated in the CPA with the objective of peace, security and stability between the two states (in case of secession) the cluster resolved the following. Attached is the full text of the document.

The Joint Position Paper on Security Arrangements of Post Referendum Period

Scenario 2: Based on Secession

1. Status of the Armies

1.1. Status of JIUs

JIUs are to dissolve, and their component parts shall be integrated into their respective forces. (Chapter VI, security arrangement article 4).

1.1.1. The parties agree to take note of the CPA article 4 pg. 88. "There shall be formed Joint Integrated units consisting of equal numbers from the Sudanese Armed Forces (SAF) and the Sudan People's Liberation Army (SPLA) during the interim period. The Joint Integrated Units shall constitute the nucleus of a post referendum army of Sudan, should the results of the referendum confirm unity, otherwise they would be dissolved and the component parts integrated into their respective forces."

1.1.2. The parties agree to the maintenance and monitoring of the current ceasefire up to the end of the post referendum period as stipulated in the CPA, and beyond for a duration as shall be agreed upon by the two parties.

1.1.3. The parties agree to a peaceful dissolution of JIUs.

1.1.4. The parties agree for delegation of the current Joint Defense Board (JDB) to form a joint technical committee as a mechanism for coordination and implementation of the disengagement and

redeployment processes between the Joint Integrated Units (JIUs) to the north and south within a period of three months (D-Day + 90 days) as per the attached agreed time frame.

1.1.5. The parties agree that as per paragraph 1.1.4 above, the Sudan Armed Forces (SAF) shall redeploy its JIUs component from the southern Sudan to the north of the north – south border line of 01/01/1956 within the agreed time frame (D –Day +90). And the parties further agreed that SAF shall address the issue of those who are not willing to redeploy through disarmament, demobilization and dismissal and solving their due service benefits according to the military law.

1.1.6. The parties agreed that the JIUs in Abyei to remain in their current status till the announcement of the results of Abyei referendum as stipulated in the CPA article 8.2 pages 69.

1.1.7. The parties agree on establishment of corridors of legal and peaceful movement of people, goods, animals and services across the north – south border and provided they do not carry arms or illicit substances

1.1.8. The parties agree on non aggression and cooperation pact to maintain security within each other's territory, and coordinate and solve any trans-borders violations between the two states and the region at large.

1.1.9. The parties agree in principle to work out a framework agreement not to harbor or support insurgents in each other's territory.

1.3.1 The parties agree as a matter of principle to promote national, regional and international peace and stability.

1.3.2 Redeployment of the Joint Integrated Units (JIUs)

The parties agree in principle, stages of disengagement and redeployment processes as follows:

A. The hierarchy of the JIUs command and control should be as follows:

- 1) Joint Defense Board (JDB)
- 2) JDB technical committee
- 3) Joint Integrated Units (JIUs) command
- 4) JIUs Divisions command (5 Division)
- 5) JIUs Brigade command including Khartoum independent Brigade
- 6) JIUs Battalion command including Abyei Independent Battalion

B. In order to control the JIUs forces during the disengagement and redeployment period it is necessary for the command at each level to supervise and implement the various necessary operations for these processes which are:

- 1) Disengagement of the forces
- 2) Control and maintenance of the forces at the agreed assembly areas
- 3) Redeployment of the forces north and south as per the agreed time frame.
- 4) Solutions to the issues of those officers and other ranks who are not willing to redeploy from the two parties should involve

coordination and exchanging or sending their details to either state.

- C. As came in 'A' and 'B' above, it appears logical time frame of disengagement and redeployment of the forces from, the lower echelon (Battalion) to higher echelon (JDB). It is necessary to observe that the level of commands as came in A and B above to remain until the completion of the redeployment of the forces at the various levels.
- D. The committee observed that there are some social problems, debts and judicial matters, which may be raised during the disengagement and redeployment processes. These matters need to be addressed earlier and resolved by the JIUs command at all levels as the reliable bodies to tackle these issues; hence, the committee recommends that the following steps be followed:
- i. Early identification, verification and screening of those problems/matters at all levels of JIUs command in case of both scenarios (unity or secession) and forward them to the JIUs high echelon.
 - ii. Immediate resolution of the identified issues at each level of command's jurisdiction.
 - iii. Continuous sensitization of JIUs officers and other ranks in regards to those matters and other similar issues identified
- E. The JIU forces at their current locations as stipulated in the CPA shall be disengaged and redeployed north and south of border line of 01/01/1996 according to the attached agreed time frame.

F. Assembly areas for the forces.

- 1) The assembly areas of the forces at various levels are considered as areas for concentration and verification and the forces are not allowed to carry out any operational activities apart from normal administrative duties.
- 2) Attached is the agreed tables for the assembly forces (SPLA/SAF) at all phases

G. Monitoring and verification. The current CPA monitoring and verification mechanism shall continue to monitor and verify the process of disengagement and redeployment of the JIUs till the completion of the process (D – Day + 90).

1.3.3 Military cooperation

- a) The parties agree that the armed forces, other organized forces and the security organs in each state should not interfere in the internal affairs of either state.
- b) The parties agreed in principle not to support any insurgence (political and military) in each other's territory with the intention of destabilization of the national security and stability of either state.
- c) The parties agreed in principles to quick exchange information about people and groups with intention to conduct terrorist and criminal activities against the security and stability of either party.
- d) The parties agree in principle to the exchange of information of security nature that will affect the national interests of either party

through the security mechanisms and channels that shall be agreed upon in the following aspects.

- i. Trans-border arms and drugs trafficking
- ii. Organized armed criminal activities against people and looting of their properties in either state along the joint border.
- iii. Subversive activities by organized armed groups in a territory in either state as a spring board against the other state.
- iv. The parties agree not to hide or harbor rebels in each other's territory against the other through:
 - No settlement and harboring of rebels in each other territory and not to render any kind of support (formal or informal) and with agreement of expelling them from either territory
 - Conduct disarmament operations of illegal armament and illicit substances along the joint border.
 - The parties agreed for the establishment of necessary mechanisms and channels to support cooperation between them and to provide sustainable peace and security along the joint border
 - The parties recommend to task the ministry of defense of each party and JDB as a higher defense and security body with the support of members from the police and security organs to lay a foundation of future coordination between the two armies in the two states, promote cooperation between them and to be

responsible for the implementation and monitoring of the defense and security matters of the two states in the future (Annex 2).

POINTS OF DISAGREEMENTS SECESSION SCENARIO

1.1.10.

- a. NCP proposes UNMIS mandate ends as stipulated in the CPA 9th July 2011. (NCP Position)
- b. The SPLM proposes in principle to recommend for the extension of duration 12 months the mandate of UNMIS support mission to maintain the impact of the option. (SPLM Position)

1.1.11.

- a. The NCP proposes that as per paragraph 1.1.4 above, the Sudan People's Liberation Army (SPLA) shall redeploy its JIUs component from the South Khordofan, Blue Nile State and Khartoum to south border line of 01/01/1956 within the agreed time frame (D – Day +90). And the NCP further proposes that the SPLA shall address the issues of those who are not willing to redeploy through disarmament, demobilization and dismissal and solving their due service benefits according to the military law. (NCP Position)
- b. The SPLM proposes that the JIUs in two states of Southern Kordofan and Blue Nile shall continue to be under the

direct command of JDB. Pending the conduct and outcome of the popular Consultation which shall determine and address the future of these components. While the SPLA JIU component in Khartoum shall redeploy to the south border line 1/1/1956 within the agreed time frame (D - Day +90). And the SPLM further proposes that the SPLA shall address the issues of those who are not willing to redeploy through disarmament, demobilization and dismissal and solving their due service benefits. (SPLM Position)

1.1.12.

- a. The NCP proposes the time line for terminations of the JDB mandate shall be determined according to CPA as stipulated. (NCP Position)
- b. The SPLM proposes the extension of the mandate of the (JDB) for 12 months and further tasked it as per paragraph 1.1.4 delegation with the formation of a joint technical committee as a mechanism to coordinate and implement the disengagement and redeployment processes between the Joint Integrated Units. (SPLM Position)

1.2. Sub-titles:

- a) Security along north - south border line 1/1/1956 (NCP).
For confidence building and normality of life and movement of people and goods through the border and to guarantee peace and security for the two nations, the NCP proposes

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that both parties deploy their forces (5 – 10 Kilometers) far from the joint border 1/1/1956 and only maintain the required elements and joint national monitoring mechanism to monitor peace and stability along the joint border. (NCP Position).

b) Creation of Buffer zone North – South border line 1/1/ 1956 (SPLM Position).

The SPLM proposes the creation of 60 kilometers buffer zone (30 Kms north of the border and 30 Kms south of the border) along the South – North border line of 1/1/1956. And the SPLM further proposes for the deployment of the international peace keeping, UNMIS Police and military observers besides presence of the national monitors from the two states in the zone to monitor for the following reasons:

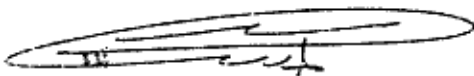
- Confidence building and normality of life.
- Movement of people and goods through the border.
- To guarantee peace and security of the two nations.

Military Cooperation

(a) The NCP proposes that in principle not to organize, train, nor arm, or instigate tribal conflicts across north-south border against one another with intention of destabilizing the other

(b) The SPLM proposes in principle not to organize, train, nor arm, or instigate tribal conflicts and in particular nomadic pastoralist people across north-south border against one another with intention of destabilizing the other (SPLM Position).

Signed on 07th December 2010 in Juba



Ali Ahmed Hamid

NCP



Lt. Gen. Salva Mathok Gengdit

SPLM

ANNEXES – (ATTACHED)

ANNEX - 1

Redeployment and time frame work

1. SAF assembly areas

a) JIUs 1st Division - Equatoria

Particulars	Sector	Phase one	Phase two	Phase three	Remarks
(a)	(b)	(c)	(d)	(e)	(f)
(1)	Maridi brigade	Maridi	Maridi	Juba	Available means of transport (Air, Land and river)
(2)	Torit Brigade	Torit/Jebor	Torit/Yei	Juba	
(3)	Juba Brigade	Juba	Juba	Juba	

b) JIUs 2nd Division - Upper Nile

Particulars	Sector	Assembly Areas at Various Levels			Remarks
		Phase one	Phase two	Phase three	
(a)	(b)	(c)	(d)	(e)	(f)
(1)	Malakal Brigade	Malakal/Nasir/Bouny/Melut	Malakal/Melut	Malakal/Melut	Use of available means of transport
(2)	Nasir Brigade	Bentiu/Pariang/Bor	Bentiu/Malakal	Bentiu/Malakal	

c) JIUs 3rd Division - Bahr el Gazal

Particulars	Sector	Assembly Areas at Various Levels			Remarks
		Phase one	Phase two	Phase Three	
(a)	(b)	(c)	(d)	(e)	(f)
(1)	Wau Brigade	Wau/Shambe	Wau	Wau	Use of available means of transport
(2)	Aweil Brigade	Aweil/Raja/Gogorial	Aweil/Wau/Gogorial	Aweil	

d) JIUs Abyei Independent Battalion – Abyei Area (In case Abyei) as per CPA Option 'B' (That Abyei be part of Bahr el Gazal).

Particulars	Sector	Assembly Areas at Various Levels			Remarks
		Phase one	Phase two	Phase Three	
(a)	(b)	(c)	(d)	(e)	(f)
(1)	Abyei Independent Battalion	Abyei/Agok/Dafra	Abyei	Dafra	Use of available means of transport

2. SPLA Assembly Areas

a) JIUs 4th Division – Southern Blue Nile

Particulars	Sector	Assembly Areas at Various Levels			Remarks
		Phase one	Phase two	Phase Three	
(a)	(b)	(c)	(d)	(e)	(f)
(1)	Dindiro Brigade	Dindiro/Kurmuk/Geizan/Ulu	Kurmuk/Geizan	Kurmuk	Use of available means of transport
(2)	Takamul Brigade	Damazin/Umdurfa/Menza	Umdurfa/Menza	Kurmuk	Use of available means of transport

b) JIUs 5th Division – Nuba Mountains

Particulars	Sector	Assembly Areas at Various Levels			Remarks
		Phase one	Phase two	Phase Three	
(a)	(b)	(c)	(d)	(e)	(f)
(1)	Kadugli Brigade	Hiban/Albraum/Taludi/Kadugli	Albraum/Taludi	Buherat al Abiyad	Use of available means of transport
(2)	Delaing	Delaing/Jebel Arid			Use of available means of transport

c) JIUs Khartoum Independent Brigade – Khartoum

Particulars (a)	Sector (b)	Assembly Areas at Various Levels			Remarks (f)
		Phase one (c)	Phase two (d)	Phase Three (e)	
(1)	Khartoum Independent Brigade	Khartoum	Khartoum	Khartoum	Use of available means of transport

a) Abyei Independent Battalion – Abyei Area (incase Abyei) as per CPA Option 'A' (That Abyei Retain its special Administrative status in the north).

Particulars (a)	Sector (b)	Assembly Areas at Various Levels			Remarks (f)
		Phase one (c)	Phase two (d)	Phase Three (e)	
(1)	Abyei Independent Battalion	Abyei/Agok	Abyei/Agok	Agok	Use of available means of transport

3. Timings for the Redeployment of the JIUs

Particulars (a)	Phases (b)	Activities (c)	Proposed time and Date (end of the phase) (d)	Responsible Authorities (e)
(1)	Phase One	Verification of the situation and conformity of continuous cease fire – disengagement of the forces at the specified assembly areas	D – Day + 30 Days	The two parties/Joint Monitoring and verification mechanism
(2)	Phase Two	Completion of phase one activities and movement of forces to phase two assembly areas	D – Day + 60 days	The two parties/Joint Monitoring and verification mechanism

		areas and reduction of the forces to north and south		
(3)	Phase Three	Completion of the redeployment of the forces north and south	D - Day + 90 days	The two parties/Joint Monitoring and verification mechanism

The Joint Political and Security Mechanism (JPSM)

1. This JPSM will be answerable to the two presidents of the two states.
2. It shall be a political decision making body composed of
 - 2.1. The two ministers of defense of the two states.
 - 2.2. The two Chiefs of General Staff of the two states.
 - 2.3. The two Directors General of NISS in the two states
 - 2.4. The Commissioner of Police of republic of Sudan and the Inspector General of Police of South Sudan.
 - 2.5. The two Chiefs of Military Intelligence of the two armies in the two states.
 - 2.6. The two high ranking legal advisors of the two states.
 - 2.7. One senior officer each from SAF and SPLA.
 - 2.8. Two senior Police officers from each state.
 - 2.9. Two senior National Security Officers from the two states
3. The JPSM chair shall be rotational between the states.
4. The JPSM shall reach its decisions by consensus of the parties.
5. The mandate and functions of the JPSM shall be as follows:-
 - 5.1. Supervise, monitor and oversee the implementation of this agreement.
 - 5.2. Complete negotiation any operational details which shall support cooperation, peace and stability in the two states as shall be necessary.
 - 5.3. Urge the parties to rise to their obligations in this agreement.

- 5.4. Settle dead locks arising out from the implementation of this agreement as reported by the Joint Field Committee and refer the unresolved issues ones to the President of the states.
- 5.5. Provide a political defense and security forum to coordinate the cooperation between the two states.
- 5.6. Foster confidence building between the two states.
- 5.7. Propose amendment in the agreement to the two Presidents.
- 5.8. The JPSM shall meet quarterly but they can call extra ordinary meeting when any problem occur and the first meeting shall convene on D – Day + 15 days.

6. The Joint Field Committee (JFC)

6.1. The JFC shall be answerable to the JPSM.

6.2. The JFC shall be a decision making body and shall be composed of:-

6.2.1. Three officers from each, SAF and SPLA with the ranks not less than Colonel.

6.2.2. The Police officers from each side with ranks not less than Colonel.

6.2.3. The NISS Officers from each party with ranks not less than Colonel

6.2.4. Senior Legal Advisor from each party.

6.3. The JFC shall reach its decisions by consensus of the parties and shall establish its internal regulations.

6.4. The JFC shall have the following functions:

6.4.1. Oversee complaints of the parties to their obligations under this agreement.

- 6.4.2. Coordinate planning, monitoring and verification of the implementation of this agreement.
- 6.4.3. Receiving, verifying and resolve violations, disputes and complaints and rule on them.
- 6.4.4. Decisions reached by the JFC shall be communicated down through the individual chain of command and report up to the JPSM.
- 6.4.5. Facilitate liaison between the parties.
- 6.4.6. The JFC shall be entitled to move freely through the areas of complaints and violations.
- 6.4.7. The JFC shall compile necessary chart graphical and mapping references which once agreed to be the border between the two states, shall be used for the purpose of the monitoring the implementation of this agreement.
- 6.4.8. The members of the armed forces, civil police and national security of each party in the JFC shall be facilitated. Liaison between their mother units in the two states and they have to meet separately to discuss the relevant issues which shall contradict with the JFC meetings.
- 6.4.9. The JFC shall meet on monthly regular basis or in any other location which shall be agreed upon and the JFC can also meet on emergency basis when the situation requires.
- 6.4.10. The JFC first meeting shall be on the D - Day + 21 days