



Security Council

Sixty-third year

5840th meeting

Tuesday, 19 February 2008, 10 a.m.

New York

Provisional

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| <i>President:</i> | Mr. Suescum | (Panama) |
| <i>Members:</i> | Belgium | Mr. Verbeke |
| | Burkina Faso | Mr. Kafando |
| | China | Mr. Wang Guangya |
| | Costa Rica | Mr. Urbina |
| | Croatia | Mr. Muharemi |
| | France | Mr. Ripert |
| | Indonesia | Mr. Natalegawa |
| | Italy | Mr. Mantovani |
| | Libyan Arab Jamahiriya | Mr. Ettalhi |
| | Russian Federation | Mr. Dolgov |
| | South Africa | Mr. Kumalo |
| | United Kingdom of Great Britain and Northern Ireland | Sir. John Sawers |
| | United States of America | Mr. Wolff |
| | Viet Nam | Mr. Le Luong Minh |

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the Sudan (S/2008/64)

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The meeting was called to order at 10.30 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the Sudan (S/2008/64)

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for the Sudan.

It is so decided.

I invite Mr. Qazi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2008/64, which contains the report of the Secretary-General on the Sudan.

At this meeting, the Security Council will hear a briefing by Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for the Sudan. I now give the floor to Mr. Qazi.

Mr. Qazi: I have the pleasure to introduce the Secretary-General's latest report (S/2008/64) on the Sudan. I am grateful for the opportunity to brief the Council for the first time on the situation on the ground in the Sudan.

The implementation of the Comprehensive Peace Agreement (CPA), although behind schedule, remains on track. When I assumed responsibilities as the Special Representative of the Secretary General, in October of last year, the CPA was facing a serious crisis because one of its partners, the Sudan People's Liberation Movement (SPLM), had suspended its participation in the Government of National Unity at the Cabinet level due to differences over the implementation of key outstanding issues of the CPA. Two months later, the impasse was overcome through

dialogue between the leadership of the two CPA partners. SPLM ministers have resumed their functions in the federal Cabinet. The parties have also set up high-level committees to resolve unresolved issues that had led to the impasse. While the leaderships of the National Congress Party (NCP) and the SPLM have reiterated their commitment to implementing the CPA and have pledged never to return to conflict, the level of mutual trust between them is still low and the foundation for a durable peace remains fragile.

The overall security situation in the ceasefire zone remains relatively stable, although tensions between the SPLA and the Sudanese Armed Forces (SAF) increased along the current border line. Nevertheless, there were no clashes between the two armed forces. However, inter-ethnic clashes between farmers and herdsmen along migratory routes and access to water, grazing lands and pastures in southern Sudan have resulted in considerable loss of life and property. That has had a corrosive effect on the security situation in Southern Sudan.

The Government of Southern Sudan has announced plans for the disarmament of armed tribesmen and the demobilization of former militia. The situation in the Abyei area has not changed materially since the last update, and the area remains a potential flashpoint. In December 2007 and January 2008, violent clashes erupted in the area between SPLA units and Misiriya tribesmen. Those encounters resulted in the reported deaths of over 75 persons, while several more were wounded. However, First Vice-President Salva Kiir made a timely intervention by directing all governors of southern states to ensure the free movement of traditional pastoral tribes into Southern Sudan.

The peace process has reached the halfway mark, and a number of critical benchmarks are now fast approaching. While the working relationship between the two partners is relatively cordial, it suffers from a significant lack of mutual trust and confidence. The mutual perception that the other side is following its own agenda has made our mandate of making unity attractive a challenging one. The NCP sees the SPLM as committed to secession through the referendum that is scheduled for 2011, no matter what concessions are offered. That perception acts as a constraint on reaching compromise. The SPLM, on the other hand, sees the NCP as unwilling to make essential compromises, and is accordingly resigned to writing

off the prospect of preserving the unity of the Sudan. That is the perception from the other side.

There is also the northern perception of persistent and motivated external interference, which precludes compromise solutions. Modifying those perceptions in order to facilitate progress towards non-zero outcomes will be the fundamental challenge for the United Nations Mission in the Sudan (UNMIS) as it assists both parties in the implementation of the CPA.

In that regard, I have received assurances of support from both President Al-Bashir and First Vice-President Kiir. The CPA provides a framework for the aspirations of both parties to be fulfilled within a context of political reconciliation. It also guarantees the right of self-determination to the people of southern Sudan through the exercise of a free and informed choice in 2011.

The people of the Abyei area have been denied the dividends of peace since the signing of the CPA. They have been deprived of an administrative structure, and thus of basic services related to the provision of security, education, health and employment. The issue of Abyei has emerged as the biggest stumbling block between the two partners. The SPLM's position is that the report of the Abyei Boundary Commission is final and binding according to the CPA and should therefore be fully implemented. The NCP has rejected the Commission's report, saying that the Commission exceeded its mandate by basing its findings on the 1965 border instead of identifying the 1905 boundaries of the Dinka chiefdoms, which was the mandate specifically given to it. However, both sides have recognized the urgent need to work together towards a mutually acceptable compromise.

We have advised the parties to consider a two-pronged approach. One is to provide basic services to the people of Abyei and to encourage reconciliation on the ground, and the other is for the CPA partners to resolve their differences at the national level on a number of issues, especially the sharing of oil revenues from the area. The United Nations and partners are also working in a coordinated manner with UNMIS to scale up the delivery of basic services on the ground. As for now, we have received positive indications that the parties may be close to agreement on setting up an interim administration within temporary borders, without prejudice to a final settlement of the Abyei issue. UNMIS has encouraged both parties to pursue a

final settlement in the same spirit of dialogue and compromise. We will continue to make such efforts.

The demarcation of the 1 January 1956 border will have an impact on many other critical benchmarks, such as the national census, elections, the sharing of oil revenues and the redeployment of forces. Unfortunately, that process remains considerably behind schedule. Accordingly, those other benchmarks may have to be pursued on the basis of the current border line.

On 17 December 2007, the presidency announced that the Technical Ad Hoc Border Committee would soon begin delineating the border on its maps. The Committee is expected to present its report to the presidency in the first quarter of 2008. The presidency, which is made up of the President and the two Vice-Presidents, would then need to approve the recommendations before actual demarcation can begin on the ground. The SPLM has already indicated that it is likely to contest the anticipated report in several locations along the current border line. That could further delay the process.

We are encouraging the parties to start the demarcation of the border in uncontested areas as soon as possible. Early demarcation of uncontested areas should kick-start the process and assure local communities that the demarcated border will not act as a barrier to their traditional movements and lifestyles. However, it is still not clear how much of the current border line is contested.

The conduct of the national census is another important benchmark. The census has implications for elections and wealth-sharing. One positive development has been the recent presidential decree announcing the conduct of the census from 15 to 30 April. However, that leaves a very tight time frame for the delivery of questionnaires. But UNMIS and the United Nations Population Fund are liaising closely with the Government of Southern Sudan to ensure operational and logistical support. The main issue concerning the census questionnaires was the inclusion of questions relating to religion and ethnicity. Although an agreement was reached at the level of the presidency, the SPLM continues to express concern over the exclusion of those specific questions.

In addition, the conduct of the national census in Darfur remains a challenge. Both the security situation and the reluctance of the movements and the internally

displaced persons make the simultaneous conduct of the census in Darfur problematic. If that leads to an incomplete census, it is likely to have political ramifications for the Sudan.

Another important milestone of the CPA is the conduct of national elections, which are expected to lead to the democratic transformation of the Sudan. Interaction with other political parties by both the NCP and the SPLM in that context has been a positive development. According to the CPA, the elections are mandated to take place in 2009. However, the parliament has yet to pass the electoral law, following which the national election commission would be established and its commissioners appointed. I have urged the Government to expedite the passage of the electoral law, and the establishment of an independent and fully financed national election commission, which would be our main interlocutor in the electoral process, including the coordination of international assistance. In the meantime, I would also request that the donor community, pending the formation of the national election commission, concentrate all its efforts on building the capacity of the Government of Southern Sudan for the conduct of elections. Once again, the conduct of elections in Darfur in a deteriorating security environment and in the absence of a peace agreement remains problematic.

The redeployment of forces remains incomplete, although the parties have made significant progress on the issue. The parties have once again missed the proposed deadline of 9 January 2008. Nevertheless, there appears to be political will on both sides to resolve this issue. According to verified UNMIS figures, 88 per cent of the SAF have redeployed to the north from the south and about 9 per cent of the SPLA forces have redeployed to the south. Problems have arisen where forces have redeployed to contentious areas, which the other side does not recognize as redeployment. In the absence of a clearly demarcated 1 January 1956 border, we have repeatedly urged the parties to redeploy to uncontested areas to avoid tensions on the ground. Despite those challenges, the Ceasefire Joint Military Committee, which is ably chaired by the UNMIS Force Commander, has been the most effective CPA institution. It has played a decisive role in defusing tensions and maintaining the redeployment process, which is expected to be completed shortly.

In addition to the redeployment of forces, security sector reform is critical to sustainable peace. The Joint Integrated Units (JIUs) are expected to fill the gap created by the disengagement of the two forces in the interim period and to provide a basis for a new national army, should the referendum in 2011 be in favour of the continued unity of the Sudan. The Government of the Sudan has welcomed the renewed role of UNMIS, prescribed by Security Council resolution 1784 (2007), of coordinating assistance for the training and deployment of JIUs. We have established a JIU support cell, which has already met three times with representatives of the donor community. I urge the international community to provide the requisite assistance for the training and deployment of the Join Integrated Units.

Little progress has been made on the issue of disarmament, demobilization and reintegration (DDR) since the signing of the CPA, largely owing to the prevailing atmosphere of political mistrust, which provides few incentives for the parties to downsize their armed forces. Lack of capacity of national bodies responsible for DDR has been another impediment. I have raised the issue at the highest level with government officials both in the north and in the south, and I am grateful to be able to report that the engagement of the parties on DDR has improved in recent months. UNMIS has been working closely with the DDR Commissions in the north and the south to devise a framework for United Nations support for the DDR process. We have also secured the agreement of the Government for the establishment of a high-level mechanism to coordinate support with donor countries.

However, a complicating factor is the lack of an agreed framework for DDR implementation in the transitional areas, where the bulk of the north caseload is located. If we are unable to facilitate DDR in that region, our ability to bring about proportional DDR in the south will be constrained. The presidency is currently seized of that issue, and we hope that progress will be made.

The UNMIS police component has successfully established a close relationship with the police services in the north and the south of Sudan. Significant progress has been made in terms of the training and operational capability of both police services.

The Assessment and Evaluation Commission is one of the most important CPA institutions. A

presidential decree appointing a new Chairman has just been issued. We hope that the Commission will now be able to operate with more autonomy and freedom than it has been able to do in the past. Working closely with the Commission will be a high priority for UNMIS.

On the humanitarian, recovery and development side, Southern Sudan and the transitional areas continue to progress towards early recovery, although many humanitarian challenges remain. The forthcoming census and elections, scheduled for 2008 and 2009 respectively, have increased the pressure on the Government of Southern Sudan to deliver peace dividends to the population. The strategic focus of the Government of Southern Sudan is to support the implementation of decentralized development, and it includes policies and programmes designed to consolidate peace and deliver tangible benefits — that is, peace dividends — to the population as a whole.

The need to support that strategic focus by shifting to early recovery and development programming in Southern Sudan is thus an imperative. Resources from the international community for recovery and development have been slow to arrive for various reasons, including the time required for the Multi-Donor Trust Fund to become operational. The Multi-Donor Trust Fund is now supporting longer-term recovery and development projects, but there is an urgent need for delivery in the short to medium term of visible peace dividends, in particular basic services, infrastructure, reintegration support and community-based security initiatives. The Government of Southern Sudan insists that the delivery of peace dividends needs to be expedited through the implementation of a Southern Sudan transition strategy, supported by the Southern Sudan recovery fund, which is the second window for the Southern Sudan Multi-Donor Trust Fund. The United Nations and partners are working closely with the Government of Southern Sudan to develop that strategy, which will include a focus on shifting from annual funding to multi-year predictable funding, and from bilateral funding to direct budget support. It is hoped that key decisions will be made in that regard at the meeting of the Sudan Consortium in April. We hope that the donor community will respond in a timely manner to the urgent early recovery and development needs of the Government of Southern Sudan.

The Council, in its resolution 1784 (2007), requested an assessment regarding whether any

changes to the mandate of UNMIS were needed to enhance the Mission's ability to assist the parties in the implementation of the CPA. We have undertaken a strategic assessment and structural review of the mandate and the configuration of the Mission. The process will be completed by a technical assessment mission, which is being undertaken as we speak. Recommendations in that regard will be submitted through the Secretary-General's report in April.

In conclusion, I would like to emphasize that the Sudan is one country with two systems for the duration of the CPA. The United Nations has one integrated mission and one hybrid mission with the African Union; it also has a Joint Mediation Support Team for Darfur. That inevitably presents political and organizational challenges. Nevertheless, the predominant fact remains that peace in the Sudan is indivisible. Should the CPA unravel, the prospects for a peaceful outcome in Darfur would largely disappear. On the other hand, should the implementation of the CPA succeed in bringing about a democratic transformation and in making unity attractive to the people of Southern Sudan, the prospects for an end to the humanitarian crisis and a peaceful resolution of the conflict in Darfur would brighten.

I say this because the perception that the overwhelming concentration on Darfur has distracted attention from the CPA is especially real among the Southern Sudanese. Accordingly, we must change that perception through a better focus on recovery and development in the rest of the Sudan, so that its people can experience the fact that peace brings prosperity and that international assistance is not just a function of conflict.

We must also recognize the need for better and more effective engagement with the Government of National Unity. The experience of the past three years strongly suggests the need for a policy of engagement, rather than sanctions. While our Charter and mandate obligations, as well as the several delays in CPA implementation commitments, often leave us with little choice but to give public voice to our concerns, it remains just as essential to retain the confidence of both of our main interlocutors if we are to successfully assist the parties in implementing the CPA, with the ultimate aim of facilitating the development of a democratic and rights-based system of governance in the Sudan.

The President (*spoke in Spanish*): I thank Mr. Qazi for the information that he has provided.

There are no further speakers inscribed on my list. In accordance with the understanding reached in

the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.55 a.m.