

Country/entity South Sudan
Sudan
Southern Kordofan - Blue Nile - Abyei

Region Africa (excl MENA)

Agreement name Roadmap for Return of IDPs and Implementation of Abyei Protocol

Date 8 Jun 2008

Agreement status Multiparty signed/agreed

Interim arrangement Yes

Agreement/conflict level Intrastate/intrastate conflict

Sudan Conflicts (1955 -)

Agreements relate to several distinct dyads, and also the negotiated independence of South Sudan, and subsequent internal conflict in South Sudan. Sudan-South Sudan. The long-standing conflict between the north and the south of the country dates back to colonial times, where the British introduced a so-called 'Southern Policy', severely hampering population movements between these big regions. Immediately after gaining independence in 1956, southern movements started to fight for independence; this fight became professionalised in 1983 with the foundation of the soon internationally supported Sudan People's Liberation Army (SPLA). When the Islamic Front government introduced strict sharia laws in the south after it took over power in 1988 the war intensified. A decade later, the military situation reached a stalemate, enabling internationally facilitated peace negotiations to begin in 1997. After more fighting, a final negotiation push began in 2002, leading to the signing of the Comprehensive Peace Agreement (CPA) in January 2005.

Sudan-South Sudan post referendum. South Sudan became independent in July 2011; since then, relations between the two countries are complicated and violent conflict led by the SPLM (North) in the Sudanese Nuba mountains region has since intensified.

Darfur. Other long-standing violent conflicts are in the east and the west of the country. In the east, the Beja Congress, established in 1957, is the spearhead of a currently 'peaceful' opposition movement. In the west, the violent conflict in Darfur intensified in the early 2000s and rapidly gained international attention, even resulting in genocide charges against leading figures of the Sudanese government. The situation on the ground is complex, with over a dozen organisations (most notably the Sudanese Liberation Movement and the Justice and Equality Movement) fighting the Sudanese government and allied groups like the Janjaweed – although all parties have switched sides on numerous occasions. Several mediation attempts have not been successful, due to the shaky commitment of the Sudanese central government and the distrust among the armed opposition.

South Sudan - internal

In December 2013, after president Salva Kiir accused opposition leader Riek Machar of attempting a coup, violent conflict broke out between government forces of the SPLM/A and anti-governmental groups. In addition, several other political militias as well as communal militias have joined the conflict. In 2015 the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) was signed. Due to unsuccessful implementation the agreement was revitalized in 2018. In September 2019, Kiir and Machar agreed to establish a power-sharing government after struggles on forming a unity transitional government.

Close

Sudan Conflicts (1955 -)

Stage Implementation/renegotiation

Conflict nature Government/territory

| | |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Peace process | Kordofan - Blue Nile - Abyei process |
| Parties | Signed by: Mr. Dirdeiry Mohamed Ahmed, National Congress Party; Mr. Deng Alor Kuol, Sudan People's Liberation Movement |
| Third parties | Endorsed by the Presidency: Vice President of the Republic; Vice President of the Republic; First Vice President of the Republic; President of the Republic of the Sudan |
| Description | An Agreement by the presidents on the implementation of the Abyei Protocol, including security arrangements, return of IDPs, interim arrangements for Abyei Administration, and arrangements on the arbitration of Abyei boundaries, in accordance with the findings of the Abyei Boundaries Commission. |

| | |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Agreement document | SD_080608_Roadmap for Return of IDPs and Implementation of Abyei Protocol.pdf (opens in new tab) Download PDF |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Rhetorical
Page 2, 2. Return of IDPs:
2.1. The civil population shall return to their former homesteads on completion of the above mentioned security arrangements [See Security Sector], which are expected to finish before the end of June 2008.
2.2. The GoNU shall take all arrangements for availing the resources for the return programme of the civil population and with the involvement of the relevant international agencies and organizations, which shall be implemented through the Abyei Area Administration.

Social class No specific mention.

Gender

**Women, girls and
gender** No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration Page 2, 3. Interim Arrangements for Abyei Administration:
Without prejudice to the outcome of arbitration as per the provisions of section 4 below, the Parties agree on the following:
3.1. The Presidency shall set up Abyei Area Administration as per the provisions of the CPA within two weeks from the date of the adoption of these resolutions.

Page 2, 3. Interim Arrangements for Abyei Administration:
3.3. The administration of Abyei Area shall be accorded special administrative status and perform its functions as per the provisions of the Abyei Protocol.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation Page 2, 3. Interim Arrangements for Abyei Administration:
Without prejudice to the outcome of arbitration as per the provisions of section 4 below, the Parties agree on the following:

3.2. The interim boundaries of the administration of Abyei Area shall be as per the attached the attached map. [No map included in uploaded document]

Page 3, 3. Interim Arrangements for Abyei Administration:

3.9. Without prejudice to the wealth sharing formula agreed upon in the CPA and pending the final demarcation of the Abyei area in accordance with the arbitration award and subject to its outcome, the oil revenue from the oilfields in the areas under arbitration shall be allocated in accordance with the wealth sharing arrangements in Abyei Protocol.

Page 4, 4. Arrangements for Final Settlement:

Without prejudice to the position of either party on the findings of the Abyei Boundaries Commission (ABC) Report, the Parties Agree on the following:

4.1. The two parties shall resort to a professional and specialized arbitration tribunal to be agreed upon by the Parties to settle their dispute over the finding of the Abyei Boundaries Commission (ABC).

Page 4, 4. Arrangements for Final Settlement:

4.1. The two parties shall work out the terms of reference (compromis) for the arbitration which shall include nomination of professional arbitration tribunal, selection process of the arbitrators, referred issues for decision by the arbitration, procedure of arbitration, decision making process and the enforcement of the ward of the arbitration tribunal.

Page 4, 4. Arrangements for Final Settlement:

4.3. The parties commit themselves to abide by and implement the award of the arbitration tribunal.

Page 4, 4. Arrangements for Final Settlement:

4.4. The entire arbitration process including the issuance of the final award shall be done within a period not exceeding six months from the date of the formation of the arbitration tribunal, and subject to an extension for a period not exceeding three months.

Page 4, 4. Arrangements for Final Settlement:

4.5. In case the two Parties failed within one month to reach agreement on the arbitration tribunal or compromis or other terms of reference and rules of procedure for the arbitral process, the Secretary General of the permanent Court of Arbitration (PCA), the Hauge, shall within fifteen days, designate an institution and finalize the rules of procedures and terms of reference in accordance with the PCA Rules and applicable international practices.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→Temporary new institutions

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3.3. The administration of Abyei Area shall be accorded special administrative status and perform its functions as per the provisions of the Abyei Protocol.

Page 2, 3. Interim Arrangements for Abyei Administration:

3.4. The Presidency shall appoint Chief Administrator as nominee of the Sudan People's Liberation Movement (SPLM) and Deputy Chief Administrator as nominee of the National Congress Party (NCP) from among the residents of Abyei area as per provisions of the CPA. The Parties shall observe in their nominations considerations of amity, reconciliation and accord.

Page 3, 3. Interim Arrangements for Abyei Administration:

3.5. The Chief Administrator, in consultation with Deputy Chief Administrator, shall make recommendations to the Presidency for the appointment of the heads of departments and members of Abyei Council from among the residents of Abyei area as per the provisions of the CPA.

Page 3, 3. Interim Arrangements for Abyei Administration:

3.6. The Presidency to avail the necessary funds to the Abyei Area Administration for delivery in accordance with the provisions of the CPA.

Page 3, 3. Interim Arrangements for Abyei Administration:

3.7. The Presidency shall initiate the peace and reconciliation in the area in collaboration with the administration of the area and the surrounding communities.

Elections

No specific mention.

Electoral commission

No specific mention.

Political parties reform

No specific mention.

Civil society

Page 2, 2. Return of IDPs:

2.2. The GoNU shall take all arrangements for availing the resources for the return programme of the civil population and with the involvement of the relevant international agencies and organizations, which shall be implemented through the Abyei Area Administration.

Traditional/religious leaders

No specific mention.

**Public
administration**

No specific mention.

Constitution

No specific mention.

Power sharing

Political power sharing

Power sharing→Political power sharing→General
Sub-state level

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Power sharing→Political power sharing→Other
Sub-state level

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Territorial power sharing

Power sharing→Territorial power sharing→Autonomous regions

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Power sharing→Territorial power sharing→Other

Page 4, 4. Arrangements for Final Settlement:

Without prejudice to the position of either party on the findings of the Abyei Boundaries Commission (ABC) Report, the Parties Agree on the following:

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4.5. In case the two Parties failed within one month to reach agreement on the arbitration tribunal or compromise or other terms of reference and rules of procedure for the arbitral process, the Secretary General of the permanent Court of Arbitration (PCA), the Hague, shall within fifteen days, designate an institution and finalize the rules of procedures and terms of reference in accordance with the PCA Rules and applicable

Economic power sharing Power sharing→Economic power sharing→Sharing of resources
Page 3, 3. Interim Arrangements for Abyei Administration:
3.9. Without prejudice to the wealth sharing formula agreed upon in the CPA and pending the final demarcation of the Abyei area in accordance with the arbitration award and subject to its outcome, the oil revenue from the oilfields in the areas under arbitration shall be allocated in accordance with the wealth sharing arrangements in Abyei Protocol.

Page 3, 3. Interim Arrangements for Abyei Administration:
3.10. The Government of National Unity and Government of Southern Sudan shall contribute fifty percent (50%) and twenty-five percent (5) respectively from their oil revenue share from oilfields in the areas under arbitration to a fund to be established by the Presidency for the development of the areas along the North-South border and financing the joint projects presented to the Third Sudan Consortium in Oslo, Norway, May 2008.

Military power sharing Power sharing→Military power sharing→Merger of forces
Page 1, 1. Security Arrangements
1.1. The JDB shall deploy a new JIU battalion within a maximum of ten days from the date of adoption of these resolutions by the Presidency; the new JIUs battalion shall be constituted from new elements other than those elements of the former Abyei JIUs battalion as per the resolution of the CPC issues on 27/5/2008. The Parties urge the JDB to learn the lessons from the experience with the former Abyei JIUs battalion and expedite training and integration process to make this new battalion a model unit and more effective.

Page 1, 1. Security Arrangements
1.4. With the deployment of the new JIU battalion and police force in the area and resumption of their duties, SAF and SPLA troops shall be redeployed beyond the Abyei administrative area as per the attached map.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

| | |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Citizenship | No specific mention. |
| Democracy | No specific mention. |
| Detention procedures | No specific mention. |
| Media and communication | No specific mention. |
| Mobility/access | Page 1, 1. Security Arrangements 1.3. UNMIS force in Abyei area shall have free movement and access to the north and south of Abyei area to carry out its mandate as specified in the CPA. |
| Protection measures | No specific mention. |
| Other | No specific mention. |

Rights institutions

| | |
|------------------------------------------------------------|----------------------|
| NHRI | No specific mention. |
| Regional or international human rights institutions | No specific mention. |

Justice sector reform

| | |
|-------------------------------------------|----------------------|
| Criminal justice and emergency law | No specific mention. |
| State of emergency provisions | No specific mention. |
| Judiciary and courts | No specific mention. |
| Prisons and detention | No specific mention. |
| Traditional Laws | No specific mention. |

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources Page 3, 3. Interim Arrangements for Abyei Administration:
3.9. Without prejudice to the wealth sharing formula agreed upon in the CPA and pending the final demarcation of the Abyei area in accordance with the arbitration award and subject to its outcome, the oil revenue from the oilfields in the areas under arbitration shall be allocated in accordance with the wealth sharing arrangements in Abyei Protocol.

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International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees

Page 1, 1. Security Arrangements

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Page 1, 1. Security Arrangements

1.4. With the deployment of the new JIU battalion and police force in the area and resumption of their duties, SAF and SPLA troops shall be redeployed beyond the Abyei administrative area as per the attached map.

Page 1, 1. Security Arrangements

1.5. The Parties condemn the incidents that took place recently in Abyei, and confirm the CPC resolution to immediately investigate the incidents by CJMC plus additional members as shall be agreed upon by the Parties.

Page 2, 2. Return of IDPs:

2.1. The civil population shall return to their former homesteads on completion of the above mentioned security arrangements, which are expected to finish before the end of June 2008.

Ceasefire

No specific mention.

Police

Page 1, 1. Security Arrangements

1.2. Police shall be deployed in the area after consultation between the National Minister of Interior and Minister of Internal Affairs of Government of Southern Sudan within two weeks from the date of adoption of these resolutions.

Page 1, 1. Security Arrangements

1.4. With the deployment of the new JIU battalion and police force in the area and resumption of their duties, SAF and SPLA troops shall be redeployed beyond the Abyei administrative area as per the attached map.

Armed forces

No specific mention.

DDR

Security sector→DDR→Demilitarisation provisions

Page 1, 1. Security Arrangements

1.4. With the deployment of the new JIU battalion and police force in the area and resumption of their duties, SAF and SPLA troops shall be redeployed beyond the Abyei administrative area as per the attached map.

Intelligence services

No specific mention.

| | |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parastatal/rebel and opposition group forces | Page 1, 1. Security Arrangements 1.4. With the deployment of the new JIU battalion and police force in the area and resumption of their duties, SAF and SPLA troops shall be redeployed beyond the Abyei administrative area as per the attached map. [Map not included] |
| Withdrawal of foreign forces | No specific mention. |
| Corruption | No specific mention. |
| Crime/organised crime | No specific mention. |
| Drugs | No specific mention. |
| Terrorism | No specific mention. |

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation Page 2, 3. Interim Arrangements for Abyei Administration:
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Page 3, 3. Interim Arrangements for Abyei Administration:
3.7. The Presidency shall initiate the peace and reconciliation in the area in collaboration with the administration of the area and the surrounding communities.

Page 3, 3. Interim Arrangements for Abyei Administration:
3.8. The Presidency shall work at making Abyei area a model of national reconciliation and peace building.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

| | |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| International mission/force/similar | Page 1, 1. Security Arrangements 1.3. UNMIS force in Abyei area shall have free movement and access to the north and south of Abyei area to carry out its mandate as specified in the CPA. |
| Enforcement mechanism | No specific mention. |
| Related cases | No specific mention. |
| Source | Peacemaker.un.org,. 2015. 'UN Peacemaker'. http://peacemaker.un.org . |
