

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

Region Africa (excl MENA)

Agreement name Terms of Reference for the Abyei Joint Committee

Date 8 Sep 2011

Agreement status Multiparty signed/agreed

Interim arrangement Yes

Agreement/conflict level Interstate/intrastate conflict(s)

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: Governor Omer Suleiman, Co-Chairman of the Government of Sudan; H.E. Deng Alor Kuol, for Co-Chairman of the Government of South Sudan
Third parties	Witnessed by: Mr. Boitshoko Mokgatlhe, African Union Facilitator to the AJOC; and Lt. Gen. Tadesse Tesfay, Force Commander, United Nations Interim Security Force for Abyei.
Description	An agreement that includes a Joint Press Statement that informs on the launch of the Abyei Joint Oversight Committee (AJOC), as well as the Terms of Reference for AJOC that were agreed upon during the initial AJOC meeting. Annex One provides for the Terms of Reference for the AJOC Secretariat, Annex Two provides for the Terms of Reference for the AJOC Executive Officers, and maps indicating redeployment timelines and plans are attached. Additionally, a Record of Decisions from the initial AJOC meeting is appended at the end of the agreement.

Agreement document [SD_110908_ToR for Abyei Joint Oversight Committee \(AJOC\).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→Substantive
Page 6, Abyei Joint Oversight Committee Terms of Reference
Standing Agenda for AJOC Monthly Meeting:
-Migration and IDPs.

Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions
Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:
3. Management of IDPs and Migrations - Decision: Both parties agreed to engage with the UNISFA Force Commander in line with demilitarization and that return would be synchronized with the 'second planting season' (starts in next 3 weeks) and Misseriya migration; GoSS members stated that funds would be made available for IDP/ Humanitarian issues and encouraged GoS to do the same; GoS Co-Chair agreed to accompany the UNISFA Force Commander to liaise with Misseriya currently outside the Abyei area.
[...]

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 No specific mention.

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 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions
Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:
13. Border Demarcation map to be finalized to define inter - mission operational areas -
Decision: The Members agreed that the existing border demarcation team would be reconstituted with force protection provided by UNISFA and would also work with the demining teams.

**Cross-border
provision** Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions
Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:
10. Agreement on Weapon Policy for migrants and others within Abyei Area - Decision: It was agreed that the Kadugli agreement would remain as the weapons policy for the Abyei area; GoSS agreed to engage the neighboring southern states (Unity, Bahr el Ghazal, Waarap) to adopt a similar policy.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 1, Press Statement
The member of the AJOC agreed, in their work, to keep in mind the interests of the local communities, especially as the planting and migration seasons are due to commence soon.

Traditional/religious leaders No specific mention.

Public administration Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions
Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:
7. Establishment of Civil Institutions - Decision: - Both parties agreed for immediate establishment of the civil administration.

Constitution No specific mention.

Power sharing

Political power sharing

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

Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-The AJOC shall exercise on behalf of the President of Sudan and the President of South Sudan, political and administrative oversight of the Executive Council. The AJOC shall submit a monthly report to the President of Sudan and the President of South Sudan, for as long as the mechanism remains in place.

Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-The AJOC shall provide timely guidance and decisions to facilitate the timely and effective implementation of the various agreements as well as the establishment and sustainment of a stable and secure environment in Abyei.

Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-Decisions made by the AJOC shall be made by consensus.

Page 5, Abyei Joint Oversight Committee Terms of Reference

Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-The AJOC may direct the Executive Council or any official or committee of the Abyei Area to provide it with a report on any matter within its powers. The AJOC may hold meetings with the Executive Council to discuss any matter within its mandate.

Page 17, Abyei Joint Oversight Committee

Instrument to Assign Security-related Functions to Abyei Executive Council

1. Pursuant to articles 6 and 14 of the Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area, 20th June 2011 (the Principal Agreement), the Abyei Joint Oversight Committee ("the Committee") hereby assigns to the Abyei Executive Council ("the Executive Council") certain functions relating to the management of security and stability in the Abyei Area ("the Area").

Page 17, Abyei Joint Oversight Committee

2. The Executive Council shall carry out the following functions on behalf of the Committee:

(a) liaising with the United Nations Interim Security Force for Abyei and other agencies operating within the Area;

(b) assisting with the recruitment of the Abyei Police Service;

(c) making preparations for the establishment of the special migration unit of the Abyei Police Service;

(d) developing of proposals for the management of security and stability aspects of migration;

(e) monitoring of civilian aspects of security and stability within the Area;

(f) making general recommendations and proposals for promoting security and stability in the Area;

(g) developing a work-plan for the fulfilment of the functions set out in this paragraph;

(h) implementation of security-related decisions taken by the Committee; and,

(i) any other matter as shall be determined by the Committee

Page 17, Abyei Joint Oversight Committee

3. The Executive Council shall submit to the Committee regular briefings and progress reports on the functions set out in paragraph 2 above and shall liaise regularly with the Executive Office of the Committee

Territorial power sharing

Power sharing→Territorial power sharing→Autonomous regions

Page 5, Abyei Joint Oversight Committee Terms of Reference

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Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-Decisions made by the AJOC shall be made by consensus.

Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-The Chairpersons shall be responsible for supervising compliance of the various administrative and operational structures, excluding UNISFA, as mandated in the agreements, serve as the final approval, on behalf of the two Presidents, for resolving disputes, making decisions and approving plans.

Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-The AJOC's meeting agenda will be prepared in draft by the AJOC secretariat for approval of the co-Chairs.

Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-The Presidents may jointly direct the AJOC to deal with any matter relating to Abyei, including in the case of a deadlock in the Executive Council.

Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-In the case of a deadlock within the AJOC, the AJOC co-Chairs may refer any question to the Presidents for their guidance. The opinions and recommendations of the non-voting member of the AJOC shall be forwarded along with the referral.

Page 5, Abyei Joint Oversight Committee Terms of Reference

Functions/Execution:

-The AJOC may direct the Executive Council or any official or committee of the Abyei Area to provide it with a report on any matter within its powers. The AJOC may hold meetings with the Executive Council to discuss any matter within its mandate.

Page 17, Abyei Joint Oversight Committee

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Economic power sharing No specific mention.

Military power sharing No specific mention.

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 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions
Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:
6. Infrastructure and Logistic Support shortfalls - Decision: Cost of construction/repair of roads (from Kadugli to Agok) will be shared between parties with additional request for support made from the UN and Oil companies; Other issues of contractors freedom of movement will be resolved by finalization of the SOFA.

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	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 6, Abyei Joint Oversight Committee Terms of Reference</p> <p>Standing Agenda for AJOC Monthly Meeting:</p> <ul style="list-style-type: none">-Briefing from Force Commander on security of Abyei area.-Report from Abyei Executive Council:<ul style="list-style-type: none">o Development/Finance: Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance <p>Page 6, Abyei Joint Oversight Committee Terms of Reference</p> <p>Standing Agenda for AJOC Monthly Meeting:</p> <ul style="list-style-type: none">-Briefing from Force Commander on security of Abyei area.-Report from Abyei Executive Council:<ul style="list-style-type: none">o Humanitarian planning: -Migration and IDPs. <p>Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions</p> <p>Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:</p> <p>3. Management of IDPs and Migrations - Decision: Both parties agreed to engage with the UNISFA Force Commander in line with demilitarization and that return would be synchronized with the 'second planting season' (starts in next 3 weeks) and Misseriya migration; GoSS members stated that funds would be made available for IDP/ Humanitarian issues and encouraged GoS to do the same; GoS Co-Chair agreed to accompany the UNISFA Force Commander to liaise with Misseriya currently outside the Abyei area.</p> <p>[...]</p> <p>Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction</p> <p>Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions</p> <p>Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:</p> <p>6. Infrastructure and Logistic Support shortfalls - Decision: Cost of construction/repair of roads (from Kadugli to Agok) will be shared between parties with additional request for support made from the UN and Oil companies; Other issues of contractors freedom of movement will be resolved by finalization of the SOFA.</p>
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Other land rights
Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions
Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:
9. Agreement on temporary acquisition of land for establishment of company operating bases - Decision: It was agreed that the SOFA would cover high-level policy on land use by UNISFA, individual locations covered by a Land acquisition agreement would be negotiated with the Abyei Administration (when formed) until such time AJOC would make decisions, and agreed that UNISFA can occupy required locations.

**Pastoralist/
nomadism rights** Page 17, Abyei Joint Oversight Committee
2. The Executive Council shall carry out the following functions on behalf of the Committee: [...]
(c) making preparations for the establishment of the special migration unit of the Abyei Police Service;
(d) developing of proposals for the management of security and stability aspects of migration;

Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions
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[...]

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

Security Guarantees

No specific mention.

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 10, Redeployment Plans for all Authorized Forces within Abyei

Timings of redeployment

1. Timelines: 11-17 September 2011 - Partial Redeployment of both SAF and SPLA

2. Timelines: 18-24 September - Partial Redeployment of SAF, SPLA Redeployment completed

3. Timelines: 25-30 September - Complete Redeployment from Abyei Area of both SAF and SPLA

Page 11, Redeployment Plans for all Authorized Forces within Abyei

[Summary: Phase 1 (SAF) - map displays timings, redeployment line, tasks, and monitoring and verification duties by JMOTs]

Page 13, Redeployment Plans for all Authorized Forces within Abyei

[Summary: Phase 2 (SAF) - map displays timings, redeployment line, tasks, and monitoring and verification duties by JMOTs]

Page 15, Redeployment Plans for all Authorized Forces within Abyei

[Summary: Phase 3 (SAF) - map displays timings, redeployment line, tasks, and monitoring and verification duties by JMOTs]

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Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:

12. Release of 14 Civilians under custody of SAF in Abyei - Decision: Members agreed that the prisoners would be released at the beginning of the redeployment (11th September 2011).

Police

Page 17, Abyei Joint Oversight Committee

2. The Executive Council shall carry out the following functions on behalf of the Committee: [...]

(b) assisting with the recruitment of the Abyei Police Service;

Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions

Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:

11. Immediate establishment of Abyei Police Services - Decision: AJOC would develop policy on the size, tasks and method of training for the Abyei police service which will operate under UNISFA.

Armed forces

No specific mention.

DDR	<p>Security sector→DDR→Demilitarisation provisions</p> <p>Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions</p> <p>Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:</p> <p>8. Declaration of Mined Areas by both SAF and SPLA - Decision: It was agreed that SPLA and SAF Military Intelligence would meet under the supervision of with UNISFA to exchange maps and would engage UNMO on immediate plan for demining; It was agreed that the meeting would take place on 12th September 2011, with a view to conduction demining between 11-30th September 2011.</p>
Intelligence services	<p>Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions</p> <p>Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:</p> <p>8. Declaration of Mined Areas by both SAF and SPLA - Decision: It was agreed that SPLA and SAF Military Intelligence would meet under the supervision of with UNISFA to exchange maps and would engage UNMO on immediate plan for demining; It was agreed that the meeting would take place on 12th September 2011, with a view to conduction demining between 11-30th September 2011.</p>
Parastatal/rebel and opposition group forces	<p>Page 10, Redeployment Plans for all Authorized Forces within Abyei</p> <p>Timings of redeployment</p> <ol style="list-style-type: none"> 1. Timelines: 11-17 September 2011 - Partial Redeployment of both SAF and SPLA 2. Timelines: 18-24 September - Partial Redeployment of SAF, SPLA Redeployment completed 3. Timelines: 25-30 September - Complete Redeployment from Abyei Area of both SAF and SPLA <p>Page 12, Redeployment Plans for all Authorized Forces within Abyei [Summary: Phase 1 SPLA - map displays timings, redeployment line, tasks, and monitoring and verification duties by JMOTs]</p> <p>Page 14, Redeployment Plans for all Authorized Forces within Abyei [Summary: Phase 1 SPLA - map displays timings, redeployment line, tasks, and monitoring and verification duties by JMOTs]</p>
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 Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions
Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:
12. Release of 14 Civilians under custody of SAF in Abyei - Decision: Members agreed that the prisoners would be released at the beginning of the redeployment (11th September 2011).

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation Page 6, Abyei Joint Oversight Committee Terms of Reference
Standing Agenda for AJOC Monthly Meeting:
-Report from Abyei Executive Council:
o Reconciliation:

Implementation

UN signatory Witnessed by: Lt. Gen. Tadesse Tesfay, Force Commander, United Nations Interim Security Force for Abyei.

Other international signatory Witnessed by: Mr. Boitshoko Mokgathe, African Union Facilitator to the AJOC; and Lt. Gen. Tadesse Tesfay, Force Commander, United Nations Interim Security Force for Abyei.

Referendum for agreement No specific mention.

International mission/force/similar

Page 17, Abyei Joint Oversight Committee

2. The Executive Council shall carry out the following functions on behalf of the Committee:

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Agenda Item 6. Force Commander's Challenges/Priorities in Priority Order:

1. Demilitarization - Decision: Redployment of Forces is to commence on the 11 of September 2011 and be complete by 30 September, beginning with redeployment from Abyei town (the agreed schedule of redeployment is enclosed).

Page 19, Abyei Joint Oversight Committee (AJOC) Meeting 8th September 2011 Addis Ababa Ethiopia Record of Decisions

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[...]

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Enforcement mechanism No specific mention.

Related cases No specific mention.

Source Peacemaker.un.org,. 2015. 'UN Peacemaker'. <http://peacemaker.un.org>.
