



## Security Council

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### Report of the Secretary-General on the situation in Abyei

#### I. Introduction

1. The present report is submitted pursuant to paragraph 13 of Security Council resolution 2032 (2011), by which the Council requested the Secretary-General to continue to inform it of progress in implementing the mandate of the United Nations Interim Security Force for Abyei (UNISFA) in 60-day intervals and to continue to bring to its attention any serious violations of the Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area (S/2011/384, annex), signed on 20 June 2011 in Addis Ababa. In the present report, reference is also made to paragraph 5 of Council resolution 2024 (2011), by which the Council requested the Secretary-General to keep it informed of progress in implementing the additional tasks listed in paragraph 1 of the resolution. The report provides an update on the situation in Abyei and on the deployment and operations of UNISFA since the previous report on the matter, of 27 November 2011 (S/2011/741).

#### II. Security situation

2. During the reporting period, the security situation in the Abyei Area remained tense and volatile owing to the continued presence of security forces, the large-scale migration of Misseriya nomads and the beginning of the return of displaced Ngok Dinka, 3,000 of whom have returned to the Abyei Area over the past two months. As at 23 January 2012, the armed forces and police of the Government of the Sudan remained present in the area north of the Kiir/Bahr el-Arab River, especially in Abyei town, Goli, Baloom and the Diffra area. The Government of the Sudan continued to link the redeployment of its forces to the establishment of the Abyei Area Administration.

3. The South Sudan Police Service maintained its presence in the entire area south of the Kiir/Bahr el-Arab River, concentrating mainly on the Agok, Majbon, Awang and Mabok area. The Sudan People's Liberation Army (SPLA) continued to maintain its brigade headquarters in Mijan Kol, approximately 3 km south of Agok and the Abyei Area boundary, as established on 9 November 2011. While urging both parties to adhere to the 20 June Agreement and withdraw from the Abyei Area, the Head of Mission, Lieutenant-General Tadesse Werde Tesfay, continued to engage the high command of the Sudanese Armed Forces and SPLA to secure their



commitment to refrain from any hostile or provocative posture likely to disrupt the return of displaced Ngok Dinka and the migration of Misseriya nomads.

4. During the reporting period, no intercommunal conflict was reported. UNISFA continued to conduct proactive day-and-night patrols throughout the area of operations to deter any potential security threats and establish confidence by the Head of Mission between the two communities. The patrols focused in particular on sensitive areas that were receiving both returnees and nomads, such as Marial Achak in Sector South, Noong, Tejalei and Leu in Sector Centre and Alal, Goli, Mekines, Diffra, Um Khariet, Todach and Thurpader in Sector North. In order to ensure security and better protect returnees and migrants, UNISFA requested the local command of the Sudanese Armed Forces to confine all Forces to their camps and restrict their movements by obliging them to use only the main road and only during the day. In Abyei town, UNISFA continued to man checkpoints to control all movements.

5. The annual southward migration of Misseriya nomads through the Abyei Area continued during the reporting period to Dokura, Dumboloya, Tejalei, Alal, Todach, Noong, Thurpader, north of Tejalei and Khachkhach. While initially only men with the cattle were observed, UNISFA reported an increasing number of entire families moving with the herds. The mission estimated that, as at 19 January, about 75,000 nomads and more than 960,000 cattle were in the Abyei Area. It was reported that the largest concentration of nomads was in the western corridor through Alal and Raigork and the eastern corridor through Um Khariet and Thurpader.

6. Efforts by UNISFA to enhance security in the Abyei Area were further improved by the deployment of members of the United Nations Mine Action Service to the mission. The arrival of a team of 30 road verification and clearance personnel enabled UNISFA to give priority to expanding the mission's military access. In this regard, using mine-protected vehicles, the team cleared the routes connecting Abyei town, Leu and Marial Achak; Abyei town, Wanchuk, Tejalei, Kuthakou, Um Khariet and Dumboloya; Um Khariet and Thurpader; Abyei town, Noong, Alal, Saheib, Ed Dahlob and Shigai; and Ed Dahlob, Amam, El Shamam and Goli. As at 23 January, a tactical survey of 212 km of roads for military operations was completed. The United Nations Mine Action Service was preparing to deploy additional road proving teams in support of the border management mechanism mandated by the Security Council in its resolution 2024 (2011).

7. In addition, an Ethiopian demining platoon was tasked with taking action in six dangerous areas contaminated with unexploded ordnance in Noong and Alal. An unexploded 60-mm mortar shell unearthed during construction work at the UNISFA headquarters camp was safely destroyed. Work started on enlarging the road connecting Banton, Rumamier, Marial Achak, Leu, Wanchuk and Dokura so that it could become an 8-m-wide corridor for humanitarian actors to access an area of high priority for returnees. Two additional multitasking teams were deployed in that area and began survey and clearance operations.

### **III. Political developments**

8. During the period under review, the effective implementation of the 20 June Agreement on the Abyei Area continued to be severely hampered by serious differences between the parties on the practical and technical modalities for the establishment of the Abyei Area Administration. The Government of South Sudan

maintained its position that the formation of the Legislative Council was contingent upon the nomination by the Government of the Sudan of a Ngok Dinka to the position of Speaker, but the Government of the Sudan continued to claim it was not bound by any such agreement.

9. However, encouraging prospects for breaking the political impasse emerged from the second meeting of the Abyei Joint Oversight Committee, held in Abyei on 12 and 13 December 2011. Although the meeting did not result in concrete measures on the main issues (the composition of the Administration and the withdrawal of troops), it allowed for a useful opportunity for the parties to engage in direct dialogue in Abyei for the first time since the conflict of May 2011. Recognizing the urgent need to facilitate the delivery of humanitarian assistance to all affected communities in the Abyei Area, the two parties agreed to determine, in close coordination with UNISFA and relevant humanitarian agencies of the United Nations, practical modalities for free and unhindered access by humanitarian agencies to all affected communities in the Abyei Area. UNISFA has since worked with the authorities to enable this access, including by increasing demining efforts and engaging directly with the communities.

10. The third meeting of the Abyei Joint Oversight Committee, held in Abyei on 18 and 19 January 2012, resulted in the adoption of a joint appeal for sustainable return and the restoration of livelihoods and in a series of decisions meant to facilitate the effective implementation of the 20 June Agreement. Significant in this regard were the decisions on humanitarian assistance, the return of displaced persons and nomads without weapons, the establishment and operationalization of the Committee's secretariat in Abyei, the setting up of a follow-up mechanism for the implementation of Committee decisions and the composition of the Joint Military Observers Committee and of the joint military observer teams. Of equal importance were the decisions on the initial steps required for the formation of the Abyei Police Service and the convening of "coexistence conferences" between the communities. The other agreed points, which were designed to facilitate the work of UNISFA, were the acknowledgement of the instructions of the Government of the Sudan for the signing of the status-of-forces agreement, the support of the Abyei Joint Oversight Committee for the continued engagement of UNISFA with the Ngok Dinka and Misseriya communities and the arrangement for allocating land to UNISFA.

11. During the first meeting of the Joint Political and Security Mechanism, held on 17 September 2011, the parties agreed to establish border crossings and recommitted themselves to implementing the security agreements, pending the creation of a reference map of the safe demilitarized border zone. Despite efforts made during the previous round of negotiations (21-30 November 2011), the parties had yet to agree to the map proposed by the African Union High-level Implementation Panel, thus precluding the holding of another meeting of the Mechanism. The fundamental issues between the parties remained the proposal for a timeline for demarcation and the use of arbitration as a mechanism for resolving disputes over contested areas. In addition, no clear agreement was reached regarding the demarcation of the undisputed part of the border (80 per cent) or the delineation and demarcation of the disputed part of the border (20 per cent).

12. In the meantime, UNISFA was making all the arrangements necessary to prepare for the additional tasks it was mandated to carry out by Security Council resolution

2024 (2011), while awaiting further clarity on the joint border verification and monitoring mechanism, including its formal establishment, a time frame for its implementation and the locations of the joint border verification and monitoring sectors and the joint border monitoring teams. A meeting of the Joint Political and Security Mechanism that had been scheduled to be held in Addis Ababa on 21 January to address the outstanding issues relative to the joint border verification and monitoring mechanism was postponed to 26 January due to the inadequate level of representation of the delegations.

13. No discussions are currently taking place on the final status of Abyei. Both Presidents have asked the African Union High-level Implementation Panel to propose a final status arrangement, as the parties have been unable to reach an acceptable compromise. To date, the Panel has focused its efforts on the full implementation of the 20 June Agreement, not on other proposals.

#### **IV. Humanitarian situation**

14. Humanitarian organizations continued to provide relief assistance to the displaced in the Agok area, Warrap State and other areas in South Sudan. Food and non-food assistance continued to be provided and services to the displaced population were improved, including with regard to health, education and water, sanitation and hygiene.

15. However, the continuous delay in the movement of food supplies for South Sudan blocked in the Sudan put significant strains on the capacity to deliver food rations to displaced persons. Humanitarian organizations from South Sudan started assisting small groups of returnees north of the Kiir/Bahr el-Arab River in areas south-east of Abyei town with food distribution and supplementary feeding programmes and by providing measles vaccinations, vitamin A and soap to children aged between 6 and 59 months in accessible areas.

16. During the reporting period, there was an increase in the number of people returning to areas north of the Kiir/Bahr el-Arab River: a total of 3,000 returnees were reported by UNISFA in Rumamier, Marial Achak, Leu and Mading Achueng. However, due to the security situation, the humanitarian community was unable to track possible returnees north of the Kiir/Bahr el-Arab River. In addition, the number of people crossing the Banton Bridge on a daily basis to clean the areas of their former houses increased. Currently, approximately 61,500 displaced persons remain south of the Kiir/Bahr el-Arab River and around Agok and in Warrap State, an estimated 7,300 displaced persons are in Western Bahr el Ghazal State, 26,000 displaced persons are in Warrap State and 5,000 displaced persons are in Northern Western Bahr el Ghazal State.

17. Most United Nations agencies, funds and programmes, as well as non-governmental organizations, were unable to access these areas of return because they had not yet been cleared by the United Nations Mine Action Service for humanitarian access. It is expected that most of the areas of return will be cleared of mines by the end of January 2012, enabling humanitarian access to the affected population. Meanwhile, some humanitarian partners are providing essential health and nutritional support to returnees in Rumamier and Majak, particularly through mobile clinics.

18. An inter-agency mission with participation from the humanitarian country teams from Khartoum and Juba (including representatives from the United Nations Children's Fund, the World Health Organization, the Food and Agriculture Organization of the United Nations, the International Organization for Migration, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees and the World Food Programme) visited Abyei on 15 and 16 December 2011 and discussed the need to increase humanitarian assistance to displaced persons and returnees, including by allowing all United Nations agencies, funds and programmes to return to the Abyei Area.

19. As at 20 January, seven agencies, funds and programmes had re-established a presence in Abyei town. UNDP was in the process of completing the common premises of the United Nations, which will accommodate up to 10 staff members of the United Nations agencies that are supporting displaced persons and returnees. Nine international non-governmental organizations continued their activities in the Abyei Area, focusing on activities south of the Kiir/Bahr el-Arab River. The humanitarian community continued to carry out livelihood activities for the people of Abyei, in South Sudan, in and around Agok, as well as water, sanitation and hygiene, child protection, education, health and nutrition activities in Agok.

20. As they continued to migrate southward, Misseriya nomads remained north of Abyei town and north of the Kiir/Bahr el-Arab River. FAO and partners started assessing the health, nutrition and animal vaccination needs of the Misseriya community.

## **V. Protection of civilians**

21. During the reporting period there were no significant threats to the civilian population in the Abyei Area. Pending the establishment and effective functioning of the Abyei Area Administration, UNISFA put in place a multifaceted protection response mechanism that included monitoring and early-warning assessments, air and long-range patrols, the promotion of dialogue with the Misseriya and Ngok Dinka communities and regular interaction with the relevant Government officials on both sides on issues of common interest and concern.

22. To prevent conflict between the two communities on the issue of the migration of Misseriya nomads and the return of displaced persons, the Head of Mission repeatedly engaged with Ngok Dinka traditional chiefs and Misseriya community leaders to secure their commitment and collaboration in implementing the UNISFA mandate, especially with regard to providing security, protecting civilians and ensuring the peaceful and orderly return of displaced persons and migration of nomads. UNISFA developed a conflict mitigation strategy to minimize the risk of confrontation between the two communities during the migration season.

23. A series of consultations was held with both communities to seek their views on the strategy, refine the concept from an operational standpoint and agree on a way forward. Both communities appreciated the proactive efforts of the mission and fine-tuned the proposal with the UNISFA Head of Mission during the course of several meetings held over the past few weeks. A memorandum of understanding containing those commitments and the acceptance by both communities to fully

disarm and rely only on UNISFA for protection is being negotiated with the leaders of the two communities.

24. On 11 January 2012, contrary to the preliminary arrangements made by UNISFA to establish safe passageways for Misseriya migrants to access water and grazing land, a group of nomads carrying guns arrived in Leu, which is predominantly inhabited by Ngok Dinka returnees, with about 6,000 cattle. This unexpected development generated fear and panic in the local community and even led some newly arrived returnees to go back to neighbouring villages. With reinforcements from mission headquarters, the UNISFA company deployed at Leu managed to control the situation and convince the Misseriya migrants, after several hours of discussions, to vacate the village. The nomads left on 12 January for Dokura and Thurpader. Subsequently, a delegation of 20 Ngok Dinka travelled with the Head of Mission to Leu to reassure the community about the determination and readiness of UNISFA to secure the return of both the displaced and the Misseriya nomads. After the incident, the Head of Mission met with Misseriya traditional leaders and secured their commitment to work closely with UNISFA on access to water and grazing land. The Misseriya leadership also agreed to the UNISFA proposal to establish a three-member joint security committee comprising two UNISFA officers (one United Nations military observer and the company commander) and the community leader. It was further agreed that UNISFA would make the arrangements necessary to disarm all nomads and displaced persons carrying weapons and that it would take full responsibility for security. Similar joint security committees are to be established for all areas of migration and return.

25. On 16 January 2012, UNISFA reached an agreement with Ngok Dinka traditional leaders on a two-phased return of displaced persons. The agreement outlined the security conditions (all displaced persons must be unarmed) and the logistical and humanitarian arrangements required to facilitate return and settlement. The first phase of the organized return will commence in Tejalei, Dungop and Leu. Upon successful conclusion of that phase, the second phase of the operation will involve Todach, Alal and surrounding villages.

26. Further to the previous report (S/2011/741), in which I elaborated on my efforts to implement the provision on the monitoring of human rights contained in paragraph 10 of Security Council resolution 1990 (2011), the United Nations High Commissioner for Human Rights wrote to the Governments of the Sudan and South Sudan to seek support for the establishment of a human rights monitoring presence in Abyei. No response has yet been received from either Government.

## **VI. Deployment of the United Nations Interim Security Force for Abyei**

27. As at 23 January, the military component of UNISFA comprised 3,798 of the 4,200 troops that had been authorized. Those forces were deployed to different operating bases to respond to potential threats or destabilizing situations. In Sector North, the second battalion deployed in company strength to operating bases in Todach, Wutgok, Diffra, Um Khariet and Thurpader, and with one platoon in Dungop (see the UNISFA deployment map). In Sector Centre, the first battalion was deployed in company strength to operating bases in Abyei town, Tejalei and Leu, and at platoon level in Noong and Alal. In Sector South, the third battalion was

deployed in company strength to operating bases in Agok, Banton, Marial Achak and Athony, and at platoon level in Majak and Agany Achung. Sector North was reinforced with one tank company and Sector Centre with one field artillery battery. All three battalions were fully operational with the arrival of the contingent-owned equipment in the mission area on 4 January 2012.

28. UNISFA covered most of the Abyei Area and conducted extensive day-and-night patrols, using tanks and armoured personnel carriers to deter any security threats, become more visible and facilitate the safe and smooth return of displaced persons and the migration of Misseriya nomads. During the reporting period, no restriction on freedom of movement was reported and both parties, the armed forces/police of the Sudan and the South Sudan Police Service, were friendly towards UNISFA.

29. To increase its visibility and improve its credibility and deterrence effect, UNISFA aims to have two tactical helicopters deployed from Ethiopia as soon as possible. Negotiations with the Government of Ethiopia regarding the deployment of the helicopters is currently under way.

30. Long delays in the issuance of visas by the Government of the Sudan continue to hamper the deployment of international staff officers. UNISFA is currently supported by two officers from the Office of Military Affairs of the Department of Peacekeeping Operations staff support team and is waiting for the visas of 40 staff officers and 65 military observers. Of those people, 29 staff officers and 20 military observers are ready for deployment to Abyei.

31. The deployment of the 50 international police officers authorized by the Security Council in its resolution 1990 (2011) to support the Abyei Police Service has not progressed due to delays in the establishment of the Abyei Area Administration. However, two police advisers from the standing police capacity have been deployed to UNISFA to support the Head of Mission in planning, interacting with the communities and carrying out community safety initiatives in the Abyei Area.

## **VII. Mission support**

32. The dry season provided better conditions for the implementation of important mission support activities, especially with regard to the third wave of deployment, in December, of Ethiopian troops and contingent-owned equipment, which was conducted by road using civilian buses contracted by the United Nations. That deployment comprised the members of the third infantry battalion and individuals replacing injured and deceased Ethiopian soldiers.

33. The third battalion was deployed from the Abyei Area into company operating bases and temporary operating bases and was accommodated in tents and supported logistically by organic administrative elements and assets of the Mission Support Division. Most UNISFA force elements will remain in tents (except in Abyei town, Diffra and Agok) until selected United Nations engineering specialists are granted visas by the Government of the Sudan and are able to carry out the needed construction work. Meanwhile, a contractor was hired to construct the camps using some of the hardwall accommodation received during the process of liquidating the United Nations Mission in the Sudan (UNMIS).

34. Spot repairs commenced on priority roads in the area of operations linking villages and humanitarian lines of communications. In addition, minor repair work was carried out to maintain existing camp infrastructure and facilities in Abyei, Diffra, Agok and Kadugli camp. Basic work such as land clearing and levelling will be conducted at each of the new deployment sites intended for use as company operating bases pending the drawing up of formal land use agreements.

35. In November 2011, UNISFA inherited the Kadugli logistic base, its infrastructure and equipment from UNMIS. Following negotiations with the local authorities, the return of the surplus area of the Kadugli base remains to be completed.

36. UNISFA continued to recruit staff for its Regional Service Centre at Entebbe, Uganda, which should reach full strength by the end of the financial year. Dedicated services were provided to the mission while close liaison and coordination activities were undertaken by management at the Regional Service Centre at Entebbe.

37. As at 23 January 2012, only 23 visas had been granted by the Government of the Sudan for civilian staff and contractors supporting the mission, which represents only 15 per cent of the authorized strength for civilian mission support. A total of 33 visa requests for civilian staff (to carry out mission support, security and substantive work) and 71 visa requests for contractors presented to the Government of the Sudan remain outstanding as at 23 January, making it very difficult to provide adequate support and substantive advice to UNISFA, which reached 91 per cent of its authorized troop strength on 19 December 2011. To ensure continued support to the troops, some UNISFA staff were deployed to Wau, in South Sudan, pending receipt of their visas.

38. To enhance cooperation with officials of the Government of the Sudan and to facilitate the handling of all administrative, logistical and legal requirements directly linked to the deployment and operations of UNISFA, the mission established a liaison office in Khartoum headed by a senior military officer. UNISFA finalized a memorandum of understanding with the African Union-United Nations Hybrid Operation in Darfur to leverage local support services for the effective functioning of the liaison office. Arrangements for the establishment of two additional liaison offices, in Juba and Muglad, were under way.

## **VIII. Financial aspects**

39. The General Assembly, by its resolution 66/241, appropriated the amount of \$175,500,000 for the maintenance of UNISFA for the period from 1 July 2011 to 30 June 2012. Should the Security Council decide to extend the mandate of UNISFA beyond 27 May 2012, the cost of maintaining the mission until 30 June 2012 would be limited to the amount approved by the Assembly.

40. The cost of troops has been reimbursed to the contributing Government for the period up to 31 August 2011, in accordance with the quarterly payment schedule.



## IX. Observations

41. The near completion of the deployment of UNISFA troops is a welcome development as it will enhance the mission's operational capabilities to implement its mandate effectively. I therefore wish to express my deep appreciation to the Government of Ethiopia for its prompt action in facilitating the arrival of the third battalion, thus allowing the mission to reconfigure the coverage of its expanded operational area.

42. The recent decision of the Security Council, contained in its resolution 2024 (2011), to assign to UNISFA additional tasks to support the border monitoring mechanism, within authorized capabilities but covering an expanded operational area, poses new challenges for the mission. In this regard, I commend the Head of Mission for the preliminary steps he has taken, in close coordination with the Governments of the Sudan and South Sudan, regarding the organizational structure and staffing of the border monitoring mechanism. For the successful implementation of the mission's revised mandate, it is essential that the two parties extend their fullest cooperation to UNISFA, especially by reaching an agreement soon on the maps and geographical references for the safe demilitarized border zone, as well as on a suitable location to host the joint border verification and monitoring mechanism. Similarly, the Government of the Sudan should expedite the issuance of visas for United Nations personnel assigned to UNISFA to perform tasks that are critical for the smooth and effective functioning of the mission, in support of the implementation of the 20 June Agreement, as well as the Agreement on Border Security and the Joint Political and Security Mechanism, signed on 29 June 2011, and the Agreement on the Border Monitoring Support Mission between the Government of the Sudan and the Government of South Sudan, signed on 30 July 2011 (S/2011/510, annex).

43. The holding, in Abyei on 18 and 19 January 2012, of the third meeting of the Abyei Joint Oversight Committee was an encouraging development, as it provided a useful opportunity to develop a better understanding of the main concerns for both sides. The decisions taken at the meeting represent an encouraging step towards the implementation of the 20 June Agreement. The acknowledgement and reaffirmation by the Committee of the urgent need to facilitate the delivery of humanitarian assistance to all affected communities in the Abyei Area was reflected in the adoption of a joint appeal for humanitarian assistance on the establishment of a forum for constant interaction between the Committee and the United Nations country teams in the Sudan and South Sudan, as well as an intergovernmental task force on humanitarian assistance.

44. Providing adequate and prompt humanitarian assistance is key to the return of displaced persons and the migration of nomads, as well as to the prevention of clashes between communities. In this connection, I would like to express my appreciation to United Nations humanitarian agencies and their implementing partners for their relentless efforts to deliver assistance to all affected communities in a principled manner, abiding by the core principles of humanity, impartiality and neutrality. I encourage them to continue to work closely with the Governments of the Sudan and South Sudan, as well as with UNISFA, towards improving the provision of assistance to the affected population.

45. I remain deeply concerned about the continued presence of the armed forces and police of the Government of the Sudan and of the South Sudan Police Service in the Abyei Area, which is at variance with earlier commitments made by the two parties in the 20 June Agreement. This remains a major obstacle to the safe return of displaced persons and the migration of nomads. I therefore reiterate my appeal to the two Governments to withdraw their forces from the Abyei Area, to work more closely with the head of the African Union High-level Implementation Panel, former President Thabo Mbeki, my Special Envoy for the Sudan and South Sudan, Haile Menkerios, and the UNISFA Head of Mission, Lieutenant-General Tadesse Werede Tesfay, to find a mutually acceptable solution to all the issues that still stand in the way of the implementation of the agreements of 20 June, 29 June and 30 July.

46. The effective implementation of the various agreements signed by the Governments of the Sudan and South Sudan also hinges on building trust and confidence between the two parties. This includes developing good-neighbourly relations. The ongoing fighting in the Southern Kordofan and Blue Nile States cannot serve those purposes. Therefore, I urge both Governments to exercise maximum restraint and refrain from any provocative posture that could trigger direct confrontation.

47. Finally, I would like to express my appreciation to the Prime Minister of Ethiopia, Meles Zenawi, for his continued personal engagement and the commitment of his Government to facilitating the work of UNISFA. I also commend the African Union High-level Implementation Panel led by Thabo Mbeki for its relentless efforts to assist the two parties in resolving their outstanding differences. Moreover, I extend my gratitude to Head of Mission, Lieutenant-General Tadesse Werede Tesfay, and the staff of UNISFA for their continued efforts, often under very difficult conditions, to facilitate the peaceful and orderly return of displaced persons and the migration of nomads and create a more secure environment for the resumption of normal civilian activities in the Abyei Area.

