



The CPA Monitor

Monthly Report on the Implementation of the CPA

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HIGHLIGHTS

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On 11 October, the SPLM suspended its participation in the Government of National Unity (GNU), citing lack of progress in the implementation of CPA as well as delay in implementing a recommended reshuffle of SPLM Ministers. President Bashir announced a reshuffle of SPLM positions in the GNU on 16 October; however SPLM Ministers are yet to assume duties. The Parties engaged in consultations at the highest level and reported some progress; however the stand-off between them remained unresolved at the end of the month. [Section 1.1-8] In a separate development, GoSS President Salva Kiir also carried out a minor Cabinet reshuffle. [Sec.1.1-13/71]

The National Assembly convened for its 5th Session. Eight members from the Eastern Front were sworn in accordance with the Eastern Sudan Peace Agreement. [Sec. 1.1-20/30] The National Police Bill was tabled in the National Assembly. [1.1-30]

The Assessment and Evaluation Commission (AEC) endorsed its two-year CPA implementation report. [Sec.1.1-43]

Cumulative voluntary repatriation from Sudan's five neighbouring countries reached 160,015. Suspension of SPLM from participation in the Government of National Unity created delays in obtaining ministerial-level government endorsement for proposed changes in return policy. [Sec.1.1-56]

New developments are in blue text, boxed and dated (10/07)

Annexes are available online at:
<http://www.unmis.org/english/cpaMonitor-annexes.htm>, or by following the links in the document. The CPA Monitor can be downloaded at
<http://www.unmis.org/english/cpaMonitor.htm>.

STATUS OF THE IMPLEMENTATION OF THE COMPREHENSIVE PEACE AGREEMENT (CPA)

1 Power-Sharing Agreement

1.1 THE NATIONAL LEVEL

A) National Constitution

1. President Omar Hassan Ahmed Al-Bashir signed the **Interim National Constitution (INC)** into law on 9 July 2005 ([Annex 1](#)). The INC, which is based on the Comprehensive Peace Agreement and the 1998 Sudan Constitution, is the supreme law of the land during the Interim Period. It was prepared by the National Constitutional Review Commission (NCRC), a creation of the CPA, with 31 members from the NCP, 17 from SPLM, 8 from Northern political parties and 4 from Southern political forces. The National Assembly and the SPLM National Liberation Council adopted the INC on 6 July 2005.

B) The National Executive

2. The three-member **Presidency** was inaugurated on 9 July 2005. Omar Hassan Ahmed Al-Bashir was sworn in as President, John Garang de Mabior as First Vice President and Ali Osman Mohamed Taha as Vice President. Lt. General Salva Kiir Mayardit was sworn in as the First Vice President on 11 August 2005 following the death of John Garang on 30 July 2005 in a helicopter crash.
3. President Al-Bashir issued four decrees on 20 September 2005 establishing the **Government of National Unity**, largely in accordance with the CPA power-sharing formula. Members of the GNU were sworn in on 22 September 2005. On 27 November 2005, President Al-Bashir issued two decrees filling the ministerial seats left vacant for the opposition umbrella group, the National Democratic Alliance (NDA).
4. A number of opposition parties, including the Umma Party (Mainstream) led by Sadiq Al-Mahdi and Popular National Congress led by Hassan Al-Turabi, declined to participate in the GNU. However, they indicated that they will participate in elections midway through the Interim Period.
5. Additional appointments to the GNU were made in October 2006 to reflect commitments made under the **Darfur Peace Agreement (DPA)**. Minni Minnawi of the SLA/MM was appointed Senior Assistant to the President and Mr Mustafa Mohamed Ahmed Tirab as a State Minister without portfolio. (10/06)

6. Further appointments to the GNU were made on 29 May 2007 to reflect commitments made under the **Eastern Sudan Peace Agreement (ESPA)** signed on 14 October 2006. Eastern Front Chairman Musa Mohamed Ahmed was appointed Assistant to the President, Dr. Amna Dirar as Presidential Advisor and 'Free Lions' leader Mabrouk Mubarak Salim as State Minister in the Ministry of Transport and Roads (5/07). A list of current members of the GNU is at [Annex 14](#). (10/07)
7. In March 2007, the **NCP-SPLM Joint Leadership Committee** held its first annual meeting, chaired by President Al-Bashir and FVP Salva Kiir. The meeting established a new high-level sub-committee, the **NCP-SPLM Joint High Political Committee**, to address contentious issues related to CPA implementation. A second NCP-SPLM Joint Leadership Committee Meeting scheduled for the end of May 2007 was postponed to give more time for preparatory negotiations on Abyei and oil contracts.
8. On 11 October 2007, the Sudan People's Liberation Movement (SPLM) announced the suspension of its participation in the Government of National Unity, citing the lack of progress on the issues of Abyei, border demarcation, redeployment, transparency of oil revenues and preparations for the census and elections. It recalled its ministers, state ministers and presidential advisers from the GNU, and indicated that they would resume participation in the central government only after these issues had been resolved.
9. In reaction, the National Congress Party (NCP) termed the suspension unjustified and argued that the joint mechanisms already in place could address all the outstanding issues. It also released several documents, stating that the SPLM and the Government of Southern Sudan had violated and delayed implementations of the CPA, including by delaying redeployment of its forces. President Al-Bashir rejected SPLM calls for outside help to end the crisis, stating that it amounted to a rejection of the CPA. In his address in the National Assembly, he urged SPLM to rescind its decision, arguing that the Movement's participation in the government was the "strongest guarantee for the implementation of the peace agreement."
10. The development drew international concern. The Secretary-General of the UN called on both parties to resolve the situation in a manner that preserved the integrity of the CPA. He expressed UN's readiness to assist the parties in the resolution of the crisis. UNMIS leadership called on NCP and government officials, including GoSS President Salva Kiir, to underscore the critical need for successful implementation of CPA for sustained peace in the country, and encouraged them to engage into dialogue within the CPA framework.
11. President Al-Bashir and First Vice President Kiir have met a number of times since the SPLM decision, and both have reiterated the commitment of their party to CPA

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implementation. FVP Kiir has also assured the nation that there is no return to war between the two parties.

12. The GNU continued to function during the standoff, but without SPLM members. The Parties continued to cooperate in the ceasefire monitoring institutions and various other CPA bodies and commissions. (10/07)
13. On 17 October, President Al-Bashir issued a decree reshuffling the cabinet. The reshuffle concerned two Presidential Advisors, six Cabinet Ministers and six Ministers of State in the GNU. SPLM, however, rejected the decree on the ground that the reshuffling did not reflect the recommendations it had submitted to the Presidency, adding that President Al-Bashir was requested not to undertake the reshuffle until after his meeting with FVP Kiir. (10/07)

C) The National Legislature

14. The **National Legislature** (the Council of States and the National Assembly) was formed on 31 August 2005. Ahmed Ibrahim El Tahir (NCP) was elected Speaker for the National Assembly and Atim Garang Deng (SPLM) Deputy Speaker. Ali Yahia (NCP) was elected Speaker and Remo Olair (SPLM) Deputy Speaker of the Council of States.
15. The **Council of States** has two members from each of the 25 States, currently appointed by the Presidency after consultation with state institutions. Apart from a handful of national figures, the current members of the Council of States are drawn from either the NCP or the SPLM.
16. The **National Assembly** has 450 members. Membership is allocated according to the CPA's power-sharing formula, with modifications to take account of the Darfur Peace Agreement (DPA) and Eastern Sudan Peace Agreement (ESPA) (see below). The original division was as follows: NCP: 234 seats; SPLM: 126 seats; Northern political forces: 55 seats (20 for the NDA, seven for the Registered Democratic Unionist Party, three for Umma Party Reform and Renewal, three for Federal Umma Party, three for Umma Party Collective Leadership, three for Ansar Al-Suna, three for the Muslim Brotherhood and five for Parties' Forum); Southern political forces: 27 seats (ten for Union of Sudan African Parties, five for United Democratic Salvation Front, three for United Democratic Front, five for Sudanese African National Union and four for the Southern Sudan Democratic Forum); national personalities: eight seats. Of the 55 seats allocated to the Northern political forces, 8 were allocated to the Umma Party (Mainstream) and the Popular National Congress, but both declined to participate.
17. On 29 November 2005, the National Assembly approved the chairs of its 19 standing **specialized committees**. The chairs were allocated according to the power-sharing

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formula, with the NCP chairing ten committees, SPLM five, other Northern political forces three and other Southern political forces one. In December 2006, the Assembly created the Assembly and Members Affairs Committee, bringing the total number of standing committees in the National Assembly to 20. (12/06) A list of the chairs of standing specialised committees is at [Annex 21](#) (10/07)

18. In April 2007, twelve representatives of the **Darfur Peace Agreement signatory parties** were sworn in as members of the National Assembly. Nine of the seats they assumed were already vacant; the remaining three were made available by the NCP from its own allocation. (4/07)
19. In June 2007, eight representative of the Eastern Front were appointed to the National Assembly as per the terms of the **Eastern Sudan Peace Agreement**. Eight NCP parliamentarians from Eastern Sudan vacated their seats to make way for the newcomers. (6/07)

20. [On 24 October, eight members from the Eastern Front took the oath of office in the National Assembly, in accordance with the Eastern Sudan Peace Agreement \(ESPA\) which provides for the allocation of eight seats to nominees of the Eastern Front. \(10/07\)](#)

D) Legislative Agenda

21. The **1st session of the National Assembly** since the CPA convened on 31 August 2005. It endorsed the **Joint Integrated Units (JIUs) Act** and the **Organization of Voluntary and Humanitarian Work Act (NGO Act)**
22. The **JIUs Act** (17 January 2006) covers the establishment of the JIUs, their mandate, areas of deployment, uniform and common doctrine, and the formation and mandate of the Joint Defence Board (JDB). The **NGO Act** (21 February 2006) has proved controversial because the wide powers it accords to the Registrar and Commissioner of HAC in registering organizations and approving programmes. A constitutional challenge to the Act was launched by a group of NGOs in May 2006. On 27 June 2006, the Constitutional Court accepted a case filed in this regard (case no. 35/2006), the first constitutional challenge under the new INC Bill of Rights. (11/06)
23. The **2nd session of the National Assembly** met from 3 April – 3 July 2006. It did not pass any significant CPA-implementation related legislation. In June 2006, the NCP and SPLM formed the **Legislation Co-ordination Committee**, under the chairmanship of Ghazi Salah Al-Din (NCP) to help accelerate the submission of legislation to parliament.
24. The **3rd session of the National Assembly** convened on 30 October 2006 and adopted a number of important CPA-implementation related pieces of legislation. These included the

National Civil Service Commission Act (10 January 2007); **Political Parties Act** (22 January 2007) and **National Civil Service Bill** (23 January 2007).

25. The **Political Parties Act** has been controversial. During the three readings of the Bill in the National Assembly, controversy centred on Article 18.b, which allows for the dissolution of political parties by a court decision. In the final version of the Bill, this article (now Article 19-2) was revised to provide that a party may be dissolved upon the decision of *the Constitutional Court* on the basis of a case raised by a two-thirds majority of the Political Parties Council, *if* it is proven before the Court that the party has violated article 40 (3) of the INC. NDA parliamentarians refused to endorse the final draft, and walked out of the Assembly session in protest. NCP parliamentarians then introduced a further amendment to toughen the requirements for party registration (Article 4). This was incorporated into the final Bill, which was adopted by consensus in the absence of the NDA. Opposition parties have expressed concerns about the implications of the final Act, which requires parties to register within 90 days, on preparations for democratic elections. The **Political Parties Act** was signed into law by the President on 6 February 2007 (The text of the Act is at [Annex 12](#)).
26. The **National Civil Service Commission Act** served in July 2007 as the basis for establishment of the National Civil Service Commission (NCSC). The NCSC is responsible for ensuring the recruitment of qualified South Sudanese who are to fill 20% of middle and senior civil service positions within three years of the peace agreement. (The text of the Act is at [Annex 7](#).)
27. The **Civil Service Act** determines terms and conditions of service, duties and rights of employees of the National Civil Service. The NDA, SPLM and Communist parties opposed the adoption of the Bill by the National Assembly on the ground that it was not channelled through the National Constitutional Review Commission (NCRC). Since members failed to reach consensus, the Deputy Speaker put the Bill to a vote. The NCP used its majority to pass the Bill in the first reading and the Bill was adopted with a majority of two-thirds. This was the first time that the NCP actually used its numerical majority to pass a bill in the National Assembly – previously bills had been adopted by unanimity or consensus. (11/06)
28. The **4th Session of the National Assembly** was convened from 2 April 2007 to 27 June 2007, during which seven draft bills the **National Audit Chamber Bill**, the **Electronic Deal Bill**, the **Electronic Crimes Bill**, and the **Auditing and Finance Procedures Bill** were passed. The **Armed Forces** and **Government Purchase Bills** were tabled but were not scheduled to be passed until the next session. (6/07).
29. The **National Police Bill** was approved by the Council of Ministers on 17 June pending changes. The Council of Ministers directed the Ministries of the “sovereignty” sector to add

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several sections in order to make the police a unified service. Under the newly added provisions, the state-level directors of police would be appointed by the national Director-General of Police in consultation with the state governors, rather than directly by the governors, as proposed in the Khartoum State Police Bill. Additionally, in the event of a contradiction between the state and national police laws, the national law would prevail. The new provisions also removed the provision for reduced penalties for police officers accused of violating the financial rules or misusing funds. In this form, the Bill would affirm the provisions of the CPA and INC that create three levels of police—national, southern, and state. (6/07)

30. [The 5th session of the National Assembly convened on 23 October, with the National Police Bill tabled on the following day. The Assembly is expected to discuss the Armed Forces Bill, while the National Land Commission Bill is also expected to be tabled.](#)

31. [The National Constitutional Review Commission \(NCRC\) circulated a draft Elections Bill to all political parties for their comments.](#)

32. [On 9 October 2007, a number of opposition parties submitted to the Chair of the National Constitutional Review Commission a memorandum with recommendations on various issues, including the electoral system, the composition and functions of the National Elections Commission and international observation/monitoring presence. \(10/07\)](#)

E) The National Judiciary

33. On 28 November 2005, President Al-Bashir issued a decree appointing Jalal-Eddin Mohamed Osman (NCP) as **Chief Justice** and John Aungi Kasiba (SPLM) and Dr. Wahabi Mohamed Mukhtar (NCP) as **Deputy Chief Justices**.

34. [A list of current members of the Constitutional Court is at **Annex 16**. \(10/07\)](#)

35. The National Assembly adopted the **National Judicial Service Commission Act** in October 2005 and the President endorsed it in November 2005. On 7 December 2005, President Al-Bashir formally established the National Judicial Service Commission. The National Judicial Service Commission Act passed through the National Assembly with the required three readings, but it bypassed the NCRC in contravention of the INC. The SPLM criticized the Act, contending that this procedural error and key aspects of legislation itself contravened the INC or the Interim Constitution of Southern Sudan.

36. On 23 August 2006, the Ministry of Finance, the World Bank, and the UNDP launched a three-year \$18 million programme to provide training, technical and operational support to the NJSC and the National Judiciary. (8/06)

37. The National Assembly approved the **Constitutional Court Act** on 1 October 2005. President Al-Bashir signed the Act in November 2005 and on 24 December 2005 issued a decree appointing the **President and members of the Constitutional Court**. They were sworn in on 31 December 2005. (1/06)

38. On 21st October, a group of lawyers and law professionals representing different political parties including DUP, Communist Party, UMMA R&R, National Congress, Baath, and other civil society organizations, submitted a case to the Constitutional Court against the Government of Sudan on the issue of prosecution fees, Constitutional Court fees and land registration fees. The memo argues that the high fees constitute a violation of constitutional and human rights principles, including the right to property. (10/07)

F) Commissions

39. The CPA provides for the establishment of a large number of Commissions to oversee implementation of the agreement. There was initially considerable delay in establishing many of these Commissions; however, the process got back underway in late 2005, with the formation and staffing of the **National Petroleum Commission (NPC)**, the **Ceasefire Political Commission (CPC)**, the **Fiscal and Financial Allocation and Monitoring Commission (FFAMC)**, and the **National Judicial Service Commission (NJSC)**. The progress of these Commissions is dealt with under the relevant sections of the Monitor. The **Assessment and Evaluation Commission (AEC)**, the **Technical ad hoc Border Committee** and the **National Civil Service Commission (NCSC)** are dealt with below. With the exception of the NCSC, all the Commissions have been formed by presidential decree rather than legislation. Some National Assembly members have argued that FFAMC and the NPC in particular require a legislative basis.

- *Assessment and Evaluation Commission*

40. The **Assessment and Evaluation Commission** was established in October 2005 to assess and evaluate the implementation of the CPA with the Parties (establishing decree at [Annex 4](#)). It has 13 members and four observers and meets in plenary session once a month. The AEC has four Working Groups chaired by international members: Power-Sharing (Italy); Wealth-Sharing (USA); Security Arrangements (UK); Three Areas (Netherlands). The AEC reports to the Presidency.

41. The work of the AEC was suspended in May 2007 at the request of the NCP, to allow for senior official to concentrate on the NCP-SPLM high-level political dialogue. It restarted in June 2007.

42. The '**Assessment and Evaluation Commission for Blue Nile and Southern Kordofan States**', established by presidential decree on 26 July 2007, is dealt with under sections 3.2 and 3.3 of the Monitor.

43. The AEC met in two special and one plenary session in October. In the special sessions, it discussed way forward for CPA implementation in view of the current standoff between the CPA Parties, and received a briefing by the Chairman of the Fiscal, Financial Allocation and Monitoring Commission. In the plenary session, the AEC endorsed its two-year CPA implementation report to be presented to the Presidency. (10/07)

- *Technical ad hoc Border Committee*

44. The **Technical ad hoc Border Committee** started work in January 2007 on mapping the 1 January 1956 border between Northern and Southern Sudan. It has made a number of field trips to discuss its work with local officials and communities and to collect data. In July 2007, the **Technical ad hoc Border Committee** made fact-finding visits to Cairo and London to study documents relating to the 1-1-1956 border in Egyptian and British archives. On 4 August, Professor Abdalla AlSadig Ali was appointed Chairperson of the Committee through a presidential decree. It is expected to submit its final report in the first quarter of 2008. (9/07)

- *National Civil Service Commission*

45. On 26 July 2007, the Presidency issued a decree establishing the **National Civil Service Commission** and appointing Professor Moses Machar as its chairman. The creation of the Commission followed the passage of the National Civil Service Commission Act in January 2007. On 4 August, ten members were appointed to the Commission by a presidential decree. A list of the appointed members is at ([Annex 13](#)). The NCSC met for the first time on 22 August. (8/07)

46. On 3 September, the National Civil Service Commission held a meeting with the Minister of Labor, where it was agreed to establish a joint committee to follow up on the implementation of the allocation of 20%-30% of the civil service posts to the Southerners as per the provisions of the CPA, INC and the 2007 Civil Service Commission Act. (9/07)

G) Population Census

47. The **National Population Census Council** (NPCC) was established by presidential decree on 7 January 2006 ([Annex 5](#)). It is mandated to plan for the census; set standards and criteria for the Central Bureau for Statistics; follow-up on the preparations leading up to the population census operation; and report to the Presidency. The NPCC held its first meeting on 7 March 2006. In September 2006, FVP Kiir issued a decree establishing the

Higher Council for Population Census in Southern Sudan, to be chaired by the GoSS Ministers for Cabinet Affairs and Presidential Affairs ([Annex 6](#)).

48. The **pilot census**, initially planned for November 2006, was repeatedly postponed due to lack of funds. It finally took place from 15-30 April 2007. The pilot covered all 25 states of Sudan, with enumeration areas covering a wide range of settings: urban, rural, rural flooded, full infrastructure, IDP camps, scattered households, farming, small/large towns, rural mountains and nomads. The only exception was Darfur, where enumeration areas were chosen in the urban areas and IDP camps due to security situation. The pilot census was monitored by UNFPA Population Census Support Unit.
49. On 22 July, the National and Southern Sudan MDTFs held their first Joint Oversight Committee and approved the budget for the Phase II of the National Census to the tune of \$22m (\$12m from the National MDTF and \$10m from the Southern Sudan MDTF). (7/07)
50. On 20 August, the National Population Census Council announced that the **census** would take place from 2-16 February 2008. According to the CPA, the census should have taken place before 9 July 2007, but the date slipped to November 2007 and then early 2008 due to capacity constraints and funding shortfalls. Further delays would be likely to jeopardize the holding of elections before the CPA deadline of July 2009. (8/07)

51. [Funding for the census has been a major issue. As of 31 October, the census budget stood at \\$102.9m, of which the GNU is due to provide 68% and the MDTF 32%.](#)
52. [The GNU has pledged \\$30m \(\\$7.5m per month\) for the census between June and September 2007, but as of 31 October, it had disbursed only \\$20m. The GNU maintains that it will make up its shortfall before end of November. A further amount of \\$24 million is earmarked for 2008.](#)
53. [Mapping exercises continued throughout October, despite difficulties posed by the rainy season in Southern Sudan and insecurity in Darfur. As of the end of the month, mapping activities were completed throughout Northern Sudan, with the exception of Darfur. Mapping was 60% completed in Northern Darfur and 61% completed in Western Darfur and Southern Darfur. Mapping throughout Southern Sudan was 78% complete, although questions had been raised about the quality of the data. The mapping exercise is expected to be completed by end of December 2007. \(10/07\)](#)
54. [Preparations for the training of enumerators and procurement of enumeration materials are on hold because of disagreement between the SPLM and the NCP about the inclusion of questions on ethnicity and religion. This may lead to a delay in the census by at least two months as the recommended date of 2-16 February now seems unlikely. \(10/07\)](#)

H) Returns, Repatriation and Reintegration

55. As the rainy season began across Southern Sudan in June 2007, the UN and IOM reported that the 2007/8 returns season had gone smoothly, after excellent GNU/GoSS co-operation under the Joint Plan for Returns. However, overall returns targets for the year were lowered as a result of delays in launching return movements and lower than expected subscription by IDPs for return to certain destinations. The GNU and GoSS still hoped to return 115,000 IDPs, their portion of the original planning figure. The UN/IOM target of 83,000 IDPs was lowered to 63,719 organized returnees by the end of December 2007. (6/07)

56. According to the UNHCR, by late October, the cumulative voluntary repatriation from five neighbouring countries had reached 160,015. Of this number, 69,499 individuals arrived in organized operations and in assisted self-repatriation movements, with the rest came spontaneously. Small-scale repatriation movements to areas still enjoying access continued, particularly along the new Nimule corridor through which refugees in Uganda have been returning to their homes in Eastern Equatoria. However the refugee agency remarked a steep decline recently. An assessment will be conducted to determine the reasons, but first indications were that remaining refugees had displayed a preference for cross-border visits to their home areas over definitive return.

57. Meanwhile, intensive planning for the resumption of organized movements of IDPs was reaching final stages as October 2007 drew to a close, with the process of identifying priority areas for return nearing conclusion and the identification of emergency funding to meet immediate requirements. The suspension of SPLM participation in the GNU created delays in obtaining government endorsement at the ministerial level for proposed changes in return policy in the upcoming dry season. (10/07)

I) National Capital

58. A **joint ad hoc committee** composed of ten members representing the NCP and the SPLM was formed on 18 October 2005 to discuss issues regarding the **administration of the national capital** during the Interim Period. The committee was unable to agree on the implementation of CPA provisions on national representation in the institutions of the national capital and the establishment of mechanisms to guarantee the rights of non-Muslims.

59. The Presidency decided on 3 January 2006 that the Cabinet for the administration of the National Capital would include eight ministers: four from the NCP, two from the SPLM (one of them Deputy Governor) and two from Northern political forces (one of them Deputy Governor).

60. The **State Legislative Assembly of Khartoum** adopted its **State Constitution** on 30 May 2006. It was signed into law on 5 June 2006. On 17 June 2006, the Governor of Khartoum State issued a decree appointing the Ministers of the State Government. Five ministerial posts were allocated to the NCP, two to the SPLM and two to other northern political groups. One post was reserved for a Darfurian representative. (6/06)
61. On 4 September, the Local Governance Bill was signed into law by the Governor of Khartoum State. The Bill was adopted by the Khartoum Legislative Council on 25 August. (9/07)

i) Representation of Sudanese People in Khartoum Law Enforcement

62. On 6 November 2006, the Khartoum State cabinet approved the **Khartoum Police Forces Bill** in the first reading stage. Discussion in the Khartoum Legislative Council was delayed by a dispute between Khartoum state authorities and the General Director of the National Police, who argued that Khartoum police should be supervised by the National Police Directorate. The **Khartoum Police Forces Bill** was tabled in the Khartoum Legislative Council in February 2007, but not adopted. High-ranking police officers from the Ministry of Interior argued that the State Law on Police should be adopted only after the National Act in order to avoid any conflict of provisions between the texts. (2/07). The Khartoum Legislative Council has confirmed that the bill will not be discussed until the National Police Bill has been approved. (7/07)

ii) The Commission for the Protection of the Rights of Non-Muslims in the National Capital

63. The Presidency issued a decree in August 2006 providing for establishment of the **Commission on the Protection of the Rights of Non-Muslims in the National Capital** ([Annex 8](#)). It sets out the Commission's mandate and functions, including to ensure that the rights of non-Muslims are protected in accordance with the human rights and fundamental freedoms enshrined in the Interim National Constitution as well as the principles stated in the CPA guiding judges and law enforcement agencies "in dispensing justice and enforcing law" in Khartoum. The Commission should also ensure that "non-Muslims are not adversely affected by the application of the Sharia law in the National Capital." Because the mandated locality of the Commission is specifically defined as the "National Capital", the Commission reports to the Presidency and not the Khartoum (State) Legislature.
64. The members of the Commission (the Chairperson plus ten religious scholars (five Christians and five Muslims), ten community leaders, two traditions and customs experts, and one representative each from Khartoum State, the Judiciary, the Ministry of Justice, the

Police, and National Security) were appointed by presidential decree on 15 February 2007. The Commission met for the first time on 12 April 2007. At its second meeting on 28 July 2007, it decided to divide its work between three sub-Committees: Justice, Training and Research, and Information and Public Relations. (7/07) Subsequently, on 30 August, the Commission met and approved the work plan of its three-member Sub-Committee (8/07). The Chief Justice, on his part, has agreed to establish special courts for trying non-Muslims in the capital Khartoum. (8/07)

65. On 2 October, the Commission for the Protection of the Rights of non-Muslims in the National Capital met with the Minister of Justice. The Minister stated that special prosecution offices to investigate crimes committed by non-Muslims in the National Capital will be established. . (10/07)

1.2 THE GOVERNMENT OF SOUTHERN SUDAN

A) Legislation and Constitutions

66. GoSS President Salva Kiir Mayardiit signed the **Interim Constitution of Southern Sudan** into law on 5 December 2005 ([Annex 2](#)), following its approval by the Transitional Southern Sudan Legislative Assembly and the GNU Ministry of Justice. On 5 August 2006, the GoSS Council of Ministers formally decided that Juba would remain the capital of Southern Sudan and seat of the GoSS.

B) The Southern Sudan Executive

67. Salva Kiir Mayardiit became **the President of GoSS** on 11 August 2005, following the death of John Garang. As stipulated in the CPA, the SPLM Chairman shall be the First Vice President and shall at the same time hold the posts of the President of the GoSS and Commander-in-Chief of the SPLA.
68. Riek Machar was appointed **Vice President of GoSS** on 19 August 2005. Abdout Agua Jok was appointed **Secretary-General of the GoSS Council of Ministers** on 18 October 2005.
69. Pending the adoption of the Interim Constitution of Southern Sudan, **the care-taker Government of Southern Sudan (GoSS)** was established on 22 October 2005 and sworn-in on 24 October. Each of the ten states was represented at the ministerial level. Nevertheless, the composition of the GoSS was criticized as lacking in inclusiveness, as some of the smaller tribes were not represented. Southern Muslims were also excluded, while women held only two of the 22 ministerial portfolios.
70. On 17 March 2006, GoSS President Kiir fired Minister of Finance Arthur Akwin and removed his immunity to allow an investigation over alleged embezzlement of US\$60m transferred to the SPLM by the NCP in July 2005. (3/07). GoSS President Kiir made major

reshuffles of ministers, advisors, senior judges and commissioners in August 2006 and July 2007. A list of the current members of GoSS is at [Annex 15](#). (10/07)

71. [The President of GoSS, through presidential decrees on 17 October, carried out reshuffle affecting the GoSS Cabinet, Presidential Advisors, SSLA and a number of Southern State Ministers and Southern State Legislative Assemblies.\(10/07\)](#)

C) Legislature of Southern Sudan

72. On 20 September 2005, GoSS President Salva Kiir issued a decree appointing the **Transitional Southern Sudan Legislative Assembly (SSLA)**. The Assembly is composed of 161 members (110 from SPLM, 25 from NCP, 26 from other Southern political parties (seven from Union of Sudan African Parties (USAP), three from Sudanese African National Union (SANU), four from United Democratic Salvation Front (UDSF), four from Southern Sudan Democratic Forum (SSDF), four from United Democratic Front (UDF), four from USAP2 (splinter of USAP)). A list of the current chairs of the specialised standing committees of the SSLA is at [Annex 22](#). (8/07)
73. The **first session of the SSLA** opened on 26 September 2005. It elected James Wani Igga (SPLM) as Speaker and Tor Deng (NCP) as Deputy Speaker. After the adoption of the Interim Constitution of Southern Sudan, the TSSLA reconstituted itself into the Southern Sudan Legislative Assembly.
74. The **second session of the SSLA** took place between September and December 2006. Four bills were passed into law in session: the Code of Evidence; the Interpretation of Law and General Provisions Act; the Public Premises Eviction Act; and the Investigation of Commissions Act. (12/06). The **third session of the SSLA** opened on 14 May 2007.

75. [The Southern Sudan Legislative Assembly is currently in session. Five draft bills were being considered and were expected to be adopted, namely the Penal Code, the Code of Criminal Procedure, the Bill on the Organization of the Ministry of Legal Affairs and Constitutional Development, the Child Bill \(all in first reading\) and the Code of Civil Procedure \(in second reading\). The budget discussion will likely start in November and the Assembly's discussions will focus on budget until the end of the session. As a result, Bills currently pending before the Assembly would no longer be discussed this calendar year and their adoption will be postponed.\(10/07\)](#)
76. [The Southern Sudan Prisons Act Bill and Southern Sudan Police Service Bill are still pending with the Ministry of Legal Affairs and Constitutional Development \(MoLACD\). \(10/07\)](#)

D) The Judiciary of Southern Sudan

77. The judges of the High Court and of the Court of Appeal of Southern Sudan were sworn in on 24 June 2006 and deployed by a decision of the President of the Supreme Court of Southern Sudan on 12 July 2006. (6/06)
78. On 2 July 2007, GoSS President Salva Kiir appointed John Wuol Makec as the new Chief Justice and President of the Supreme Court of Southern Sudan, replacing Ambrose Riiny. (7/07)
79. On 12 July, the Supreme Court issued its first circular: Judicial Circular 1/2007 on the Applicable Law in Southern Sudan. The Circular directs the judiciary to apply the current laws of the New Sudan in all suits within the territory of Southern Sudan arising on or after 10 July 2005. For suits that arose before that date, the judiciary is to apply the laws of the New Sudan if the suit arose in SPLM-controlled territory and the relevant national laws if in territory controlled by the Government of Sudan. (7/07)

E) Commissions

80. On 27 June 2006, GoSS President Salva Kiir signed 14 presidential decrees making appointments to a number of Commissions and bodies: the Southern Sudan (SS) **Relief and Rehabilitation** Commission, **SS De-Mining Authority**, **SS Peace** Commission, **SS Anti-Corruption** Commission, **SS Human Rights** Commission, **SS Public Grievances Chamber**, **SS Reconstruction and Development Fund**, **SS Civil Service** Commission, **SS Land** Commission, **SS Fiscal and Financial Allocation and Monitoring** Commission, **SS Center for Census, Statistics and Evaluation**, **SS HIV/AIDS** Commission, **SS Audit Chamber** and the **SS Employees Justice Chamber**. The decrees request the nominees to help draft legislation to establish the bodies, and to help determine their terms and conditions of service. (6/06)
81. On 22 August 2006, FVP Kiir issued a decree establishing the **Southern Sudan Security Committee**, with powers to be defined in the forthcoming National Security Act. (9/06)
82. Legislation to provide a legal grounding for the DDR Commission; Anti-Corruption Commission; Peace Commission; Census, Statistics and Evaluations Commission; Employees' Justice Chamber Commission; and the Disabled War Veterans Commission has been passed to the Council of Ministers for review and submission to the Legislative Assembly. Legislation on the Human Rights Commission, Land Commission, and Public Service Commission is still being prepared. The initial draft of the bill on the Southern Sudan Human Rights Commission was sent back to the Commission for further drafting because it granted the Commission powers beyond those to which it is entitled under the CPA. (7/07)

83. The Southern Sudan Peace and Reconciliation Commission held its first strategic planning session from 9-12 July, to develop a plan for implementing its mandate which includes (i) oversight of CPA implementation, (ii) facilitation of South-South dialogue and (iii) facilitation of people to people contact within Southern Sudan. (7/07)

1.3 THE STATE LEVEL

A) States' Constitutions

84. On 19 October 2005, Vice-President Taha received a copy of the **model constitution for the Northern states**. Most of the states in the North had to revise their drafts in order to comply with the model constitution. The National Constitutional Review Commission (NCRC) did not draft the model Northern State Constitution. By 19 December 2006, all fifteen Northern states had adopted a Constitution. (12/06)
85. In December 2005, the SSCDC drafted the **model Constitution for Southern States**. After much wrangling between the Southern States and the GNU Ministry of Justice over the compatibility of the southern states' constitutions with the Interim National Constitution, all ten southern states had adopted constitutions and received certificates of compatibility from the Ministry of Legal Affairs of GoSS by June 2007. In July 2007, the GNU Minister of Justice declared that he would issue a certificate to confirm the compatibility of Southern Sudan State constitutions and the INC. (7/07)
86. The Chief Justice, head of the Southern Sudan Supreme Court, John Wool Makek, stated that South Sudan will empower tribal chiefs to judge thousands of prisoners awaiting trial and filling the region's overcrowded jails. In the absence of new laws, he said that special courts will be set up in every state manned by chiefs, who will judge detainees under customary law. He expects that within six months all remand cases should be cleared. (8/07)

B) States' Executives

87. On 27 August 2005, the President appointed **Governors for 14 Northern States**: Khartoum, Sinar, Red Sea, North Darfur, North Kordofan, Jezira, Kassala, Gadarif, Gezira, River Nile, Northern Blue Nile, White Nile, West Darfur and South Darfur. The Governor of Southern Kordofan was appointed at a later date and took up his post on 20 October 2005.

88. [An up-to-date list of the Governors of the Northern States is at Annex 17.](#) (10/07)

89. On 22 October 2005, the President of GoSS appointed **Governors for the ten Southern States**.

90. [An up-to-date list of the Governors of the Southern States is at Annex 18. \(10/07\)](#)

91. Ten **Southern State Governments** were established in December 2005.

92. The **Second GoSS Governors' Forum** was held from 27-31 October 2006, the **Third GoSS Governors' Forum** on 11-12 January 2007, and the **Fourth Governors' Forum** on 4-6 May 2007.

1.4 HUMAN RIGHTS

93. The signing of the CPA and the political and legal reforms that followed represent a key opportunity for the Sudanese Government to improve Sudan's human rights environment. The CPA cites Sudan's obligations to comply with **international human rights treaties** to which it is a party. These include the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention on the Elimination of Racial Discrimination (CERD); the Convention on the Rights of the Child (CRC); and the regional human rights instruments for Africa, the African Charter on peoples' and human rights. The CPA also calls on Sudan to endeavour to ratify other human rights treaties it has signed. These include the Convention against Torture and the Statute of the International Criminal Court.

94. The Interim National Constitution (INC) makes international human rights treaties an integral part of its **Bill of Rights** and provides for an independent Human Rights Commission with advisory powers.

95. The 3rd Periodic Report of Sudan under the International Covenant on Civil and Political Rights was considered by the Human Rights Committee during its ninetieth session in July 2007. The report, which was nine years late, was adopted with a number of concluding observations. During July 2007, Sudan also submitted its third Periodic Report to the African Commission on Human and Peoples' Rights. (7/07)

96. On 31 July, the Director General of the Police issued a number of orders including Order of the Director General of the Police No. 58/2007 on treatment of detainees and prisoners and order of the Director General of the Police No. 57/2007 on procedures lifting immunity of members of the police. (7/07).

A) National Human Rights Commission

97. In October 2006, the NCRC established a sub-committee to finalize the **National Human Rights Commission (NHRC) Bill**. Following consultations and workshops supported by the international community and internal discussion in the Council of Ministers (1/07), the

GNU in July 2007 submitted the **NHRC Bill** to the National Assembly, to be discussed at the Assembly's Human Rights Committee in October. (7/07)

B) Southern Sudan Human Rights Commission (SSHRC)

98. In October 2006, GoSS President Salva Kiir issued a decree appointing the five members of the **Southern Sudan Human Rights Commission (SSHRC)**. On 16 November 2006, SSHRC submitted draft enabling legislation to the GoSS Ministry of Legal Affairs and Constitutional Development. The draft Bill detailed powers, functions, structure, administrative and financial provisions of the Commission. UNMIS provided technical assistance with the drafting.

99. *As of 31 October, the draft Southern Sudan Human Rights Commission (SSHRC) Bill was still not tabled in the SSLA. However, the third version of the SSHRC Bill is now largely in line with the Paris Principles. The revisions were based on comments made by the members of the Southern Sudan Human Rights Commission and UNMIS Human Rights.* (10/07)

100. Despite the lack of enabling legislation, the SSHRC continued to move forward with activities. By May 2007, the Commission had already taken up some human rights cases, for example regarding the eviction and demolition of houses of some 256 families in the Wolyang area. It has also begun training of staff. Following the signature of a Memorandum of Understanding (MoU) with UNMIS on capacity building in April 2007, the SSHRC began a month-long training course for its newly selected Human Rights Monitors, with the technical support of UNMIS HR and UNDP. In June 2007, the SSHRC appointed 21 human rights monitors, including three women. (6/07)

2. Wealth-Sharing Agreement

2.1 LAND OWNERSHIP AND NATURAL RESOURCES

101. The CPA does not address issues regarding the ownership of land and natural resources. The Parties agree to establish a process to resolve this issue. However the CPA also provides for the establishment of a **National Land Commission** and a **Southern Sudan Land Commission** which, without prejudice to the jurisdiction of courts, may arbitrate between willing contending parties over land issues and make recommendations to government, for example regarding land reform and recognition of customary rights. The FAO is the lead UN agency for support to the Land Commissions.

A. National Land Commission (NLC)

102. There have been a number of efforts to draft enabling legislation for the **National Land Commission** (NLC). A draft **National Land Commission Bill** was finally produced in February 2007. The NCRC appointed a 20-person subcommittee to consider the draft (3/07).

B. Southern Sudan Land Commission (SSLC)

103. The Interim Constitution of Southern Sudan sets out the requirement for a Southern Sudan Land Commission and lays out its basic mandate and functions. In 2006, the **Southern Sudan Land Commission (SSLC)** was established with five members through a Presidential decree. (11/06)
104. The Chairperson of the SSLC spent March 2007 in a series of consultative workshops across Southern Sudan, aimed at developing a Southern Sudan land policy and related legislation. An international advisor helped the SSLC in preparing draft enabling legislation for submission to the GoSS Directorate of Legal Affairs (3/07).
105. In August 2007, the Southern Sudan Land Commission conducted a three-day consultative Workshop on Land Law and Land Policy in Juba. The workshop introduced the initial draft of the Southern Sudan Land Act and the Commission's position paper on land policy issues. (8/07)

2.2 OIL REVENUES (INCLUDING THE NATIONAL PETROLEUM COMMISSION (NPC))

106. The CPA establishes guiding principles for the management and development of the petroleum sector and sharing of revenues from the oil sector. It provides for the establishment of a National Petroleum Commission to formulate policies and guidelines on development of the oil sector, and monitor their implementation to ensure policies work in the best interests of the people of Sudan.

A) National Petroleum Commission (NPC)

107. The **National Petroleum Commission** was established on 30 October 2005 by presidential decree, and its membership announced in another decree on 1 November 2005.
108. The NPC did not meet in 2006, owing to protracted wrangling over its internal regulations, including the rules of procedure and the mandate and composition of the Secretariat. On 14 November 2006, FVP Salva Kiir announced that final agreement had been reached on outstanding issues relating to the National Petroleum Commission. Among other issues, the parties agreed to establish an independent technical secretariat, staffed jointly by the two parties (50% NCP, 50% SPLM). (11/06)

109. The NPC held its first full meeting on 5 April 2007, chaired by President Al-Bashir and FVP Salva Kiir. The two parties agreed on the mechanism of negotiating new oil contracts and the formation and duties of the secretariat. The Rules of Procedures of the Commission have been signed by the co-chairs. (8/07)
110. Following delays in the formulation of a national oil policy, other levels of government moved ahead with their own policies for developing petroleum resources. Jonglei State formulated its own oil policy, while GoSS set terms for new companies planning to invest in the new oil fields in Southern Sudan. (4/07)

B) Sharing of Oil Revenues

111. The CPA and the INC provide for equitable sharing of oil revenue among oil producing states. Under the terms of the agreement, at least 2% of net oil revenue is allocated to the state or region in which oil is produced. Remaining revenues from oil produced in the South are divided equally between GNU and GOSS, while those from oil produced in the North accrue exclusively to the GNU.
112. Transfers of oil revenue to the Southern Sudan and States level have taken place since 2005, although GNU and GoSS disagree over boundaries in the oil producing areas, as well as over the figures of oil production. Transfers for 2006 fell significantly short of projections, owing to slower than expected growth in production and the relatively poor quality of oil from the newer oilfields. In addition, institutional delays related to the establishment of the NPC continued to impede timely transfers of funds to delegated levels of government. Delay in demarcation of the 1-1-56 border, and lack of transparency in calculating oil revenues continued in 2007 to fuel mistrust over the division of oil revenues. (3/07)

113. According to figures released by the Ministry of Finance and National Economy, the total revenues of oil for September 2007 reached US\$257.6m, including US\$144m from exported oil and US\$113.6m from the crude oil used in the local refineries. The share of the national government amounted to 154.5m dollars while the share of the Government of Southern Sudan amounted to 98m dollars and 5.1m dollars for the oil-production states. (10/07)

C) Existing Oil Contracts and Compensation

114. The SPLM (and the GoSS) and the National Congress Party have been in dispute over the rights to sign oil contracts as well as the status of existing oil contracts. The SPLM claims that prior to the formation of the GNU, the Minister of Energy refused it access to existing oil contracts.

115. No action has been taken on compensation of victims of oil contracts provided for in the wealth-sharing agreement. However, the issue has been raised in the context of the South-South Dialogue and is included in the Dialogue's action points.
116. In June 2007, the NCP and SPLM appeared to have agreed in the **National Petroleum Commission** (NPC) on an arrangement for the development of 'Block 5B' in Jonglei State in Southern Sudan, an oil concession whose rights are disputed by two companies. One of the companies was, however, dissatisfied with the reported agreement, which favoured its competitor, and said it would take all appropriate steps to protect its licence. (7/07)

2.3 NON-OIL REVENUE

117. The CPA provides for the sharing of non-oil revenue from federal sources in the South, including customs and immigration, airport taxes, etc. In practice, non-oil revenue sharing has not yet begun. While the GNU has accused GoSS of not letting federal government tax collectors perform their duties in Southern Sudan, the GoSS contends that the GNU has not put in place proper mechanisms and structures for such tax collection. Negotiations on this issue continue in the framework of the Parties' high-level political consultations. (4/07)

2.4 BUDGET AND FISCAL DECENTRALIZATION

118. In the CPA, the Parties agreed on general principles related to the fiscal process including transparency, decentralization and a commitment to reduce regional inequities. The CPA also sets out which taxes may be collected by different levels of government, and further specifies that all nationally collected revenues are to go into a National Revenue Fund to be transparently allocated, while states and the Government of Southern Sudan shall retain and dispose of income collected under their own taxing powers. The CPA also provides that each level of government shall be liable for its own borrowing.
119. The GNU 2007 budget was approved by the National Assembly on 21 December 2006, together with the new Income Tax Act, Value Added Tax Act and Capital Profits Tax Act. Related legislation on Resources and Revenue Allocation was passed on 16 December 2006. (12/06). The controversial budget package was passed by a majority of parliamentarians. However, parliamentary caucuses objected to several elements: (i) excessive allocations to the central government (61.9%) at the expense of states; (ii) excessive allocations for defence and security matters. Salary allocations for "sovereignty" posts, including defence and security, accounted for 78% of the total salary budget, while the total budget for the security sector increased to 750 billion Sudanese Dinars (approximately \$375m), compared to 14 billion SD (\$7m) for education and 9.5 billion (\$4.75m) for health; (iii) Insufficient allocations (67 billion Sudanese Dinars) for rehabilitation and reconstruction funds provided for in the Darfur and Eastern Sudan Peace Agreements (DPA and ESPA); (iv)

Government investment in industrial projects not benefiting the public interest (Sundus Agricultural Project and Khartoum Refinery); (v) Increases in direct income tax, VAT and customs tariffs. (12/06)

120. The GoSS 2007 budget was approved on 29 January 2007. Of the \$1.48bn budget, \$1.3bn was expected to come from oil revenue with an estimated further \$58m from non-oil tax revenue. On the expenditure side, 40% of government spending was to go to the military, the same amount as in 2006. However, the budget also provided substantial allocations for infrastructure projects in the areas of education, transport, roads and bridges, health, electricity and water, as MDTF projects came on stream. The budget remained highly centralized, with over 90% of expenditure allocated at the GoSS level. Total transfers to the States level were to be just \$114.2m, evenly divided among the ten States. (1/07)
121. During discussion in the SSLA in January 2007, \$85.4m of additional expenditure was appended to the original GoSS budget for 2007, including an additional \$50m for the SPLA, \$1.4m for Regional Co-operation, and \$19.5m for a new County Development Fund. This additional expenditure was to be met from non-oil revenue sources – by implication more than doubling the originally proposed estimates for non-oil tax revenues and non-tax non-oil revenues in 2007. The Ministry of Finance and Economic Planning agreed to provide a quarterly review of revenues and expenditure to the SSLA. (1/07)
122. In April 2007, Acting GoSS Minister of Finance Gabriel Changson Chang said that GoSS budget for the remainder of 2007 would have to be cut to cope with lower-than-expected oil revenues. He said that GoSS would seek ways to improve its non-oil revenues. The World Bank advised GoSS against overseas borrowing to meet the shortfall. (4/07)

2.5 FISCAL AND FINANCIAL ALLOCATION AND MONITORING COMMISSION (FFAMC)

123. The **Fiscal and Financial Allocation and Monitoring Commission (FFAMC)** was established by presidential decree on 15 November 2005. A task force led by the Joint National Transition Team worked on developing legislation and the FFAMC's terms of reference. The FFAMC initially got off to a slow start, leading to concerns over delays in transfers of national revenues to states, in particular to the Three Areas.
124. The **FFAMC Chairman**, Ibrahim Monim Mansour, submitted his resignation on 26 February 2006 citing lack of guidance, infrastructural and secretarial support and the difficulty of convening meetings. The Presidency did not accept the resignation and the Ministry of Finance announced on 5 March 2006 that the World Bank had made a \$300k grant to support FFAMC. The FFAMC held its inaugural meeting on 27-29 May 2006 and established a Technical Secretariat and a Panel of Experts. However, Chairman Ibrahim

Monim Mansour continued to complain of inadequate financing and GNU attempts to circumvent the FFAMC, including through parallel organisations such as the National States' Support Fund - a federal-level body scheduled to be abolished after the CPA. . (6/07)

125. On 26 July 2007, the Presidency issued a decree replacing FFAMC Chair Ibrahim Monim Mansour with Mohamed Osman Ibrahim. (7/07)

2.6 NATIONAL AND SOUTHERN SUDAN AUDIT CHAMBERS

126. The **Joint National Transition Team (JNTT)** announced in June 2005 that a new national accounting system had been developed, and that the auditors' chambers were being set up.
127. On 27 June 2006 GoSS President Kiir nominated four appointees to the **Southern Sudan Audit Chamber**, though it remained without legislative basis. Enabling legislation for the **Southern Sudan Audit Chamber** was submitted to the GoSS Ministry of Legal Affairs and Constitutional Development in March 2007. (3/07)
128. The National Assembly passed the **National Audit Chamber Act** and related audit legislation in June. (6/07)

2.7 JOINT NATIONAL TRANSITION TEAM (JNTT)

129. The **Joint National Transition Team (JNTT)** was established in Nairobi on 9 March 2005. Originally foreseen as having an important role in resource mobilization and implementation of the findings of the Joint Assessment Mission (JAM), the NCP and SPLM agreed in June 2005 that the JNTT should cover the CPA's power-sharing as well as wealth-sharing provisions.
130. Following the formation of the GNU and GoSS, and the appointment of several **JNTT** members to new positions, there was some doubt as to the composition and role of the body. During this period, the JNTT was most significantly involved in coordination of the CPTs. Though the JNTT chaired initial meetings of the MDTF Interim Oversight Committees, further to the formation of the GNU and GoSS, the role was later taken over by the respective Ministries of Finance. On 6 December 2005, a presidential decree was issued with revised terms of reference and functions for the JNTT. The JNTT played an important role in preparations for and during the Sudan Consortium meeting on 9 and 10 March 2006 in Paris. (9/06)

2.8 BANKING AND CURRENCY

A) Banking

131. In June 2005, the JNTT reported that the **Bank of Sudan** had been restructured to accommodate a **dual (Islamic and conventional) banking system**, as per the provisions of the wealth-sharing agreement. On 18 July 2005, the GoSS and the Central Bank of Sudan signed a Memorandum of Understanding, and the Bank of Sudan opened its Juba branch on 19 July 2005. (7/06)
132. The **Central Bank of Sudan Act** was adopted by the National Assembly in October 2005 and signed into law in November 2005. On 20 November 2005, President Al-Bashir issued a decree appointing the members of the Board of Directors of the Central Bank of Sudan.
133. On 18 October 2005, the SPLM appointed Elijah Malok Alonj (previously Executive Commissioner Southern Sudan Relief and Rehabilitation Commission) as **Governor of the Bank of Southern Sudan**.

B) Currency

134. Sudan's new national currency, **the Sudanese Pound**, was launched in Juba on 9 January 2007, as part of the ceremonies marking Peace Day and in fulfilment of the CPA requirement. The Bank of Southern Sudan started in April 2007 to collect foreign currency belonging to Uganda, Ethiopia and Kenya to be returned to those countries. On 1 July 2007, the Sudanese Pound officially replaced the Dinar as legal tender. The transition went smoothly. (7/07)

2.9 RECONSTRUCTION AND DEVELOPMENT FUNDS (INCLUDING MDTFS)

A) Multi-Donor Trust Funds (MDTFs)

135. The **MDTFs** (National and South) became operational in June 2005. Both the National and Southern Oversight Committee have since then approved a wide range of project proposals at regular meetings. The National and Southern Sudan MDTFs held their first Joint Oversight Committee in Khartoum on 22 July. (7/07)
136. Overall disbursement from the MDTFs has been slower than expected. These are attributed partly to the complexity of the MDTF mechanism and World Bank procedures, which have proved ill-suited to rapid recovery needs in a post-conflict environment, and partly to legal and operational constraints, such as the inability of the MDTF to directly fund UN agencies.
137. The second meeting of the **Sudan Consortium** was held on 19-21 March 2007 in Khartoum and Juba. Donors made it clear that they would not be able to continue to finance recovery and development efforts in the North unless there was progress in Darfur. They recognized that GoSS had made significant progress in 2006, but urged GoSS to focus on building of public institutions for good governance, establishing basic infrastructure links, enabling

productive activities and delivering basic services. Donors also called for a review of aid mechanisms, including the establishment of new priorities and costing for the second phase of the original Joint Assessment Mission. (3/07)

138. By the end of August 2007, the MDTFs had received \$384.8m (\$132.5m for the National MDTF and \$252.4m for the Southern Sudan MDTF), of the \$561.3m pledged at and since Oslo. (8/07)

3. The Three Areas: Abyei, Southern Kordofan and Blue Nile States

3.1 ABYEI

A. Determination of Geographic Boundaries

139. The **Abyei Boundaries Commission** (ABC) was mandated to define and demarcate the area of the nine Ngok Dinka Chiefdoms transferred to Kordofan in 1905, referred to as 'the Abyei area'. The ABC submitted its final report to the Presidency on 14 July 2005. However the Presidency failed to agree on adoption of the report.
140. In May 2006, the NCP/SPLM Joint Leadership meeting referred the deadlock over the Abyei Boundaries Commission (ABC) report to its political sub-committee for consideration. Four options were to be considered: a) reach a political agreement; b) call on the ABC experts to defend their recommendations; c) refer the matter to the Constitutional Court or d) seek arbitration by a third party. The parties did not specify a timeframe. On 2 September 2006, the political sub-committee reported deadlock to the NCP-SPLM Joint High Political Committee, but was tasked to continue its discussions. (10/06)
141. The NCP and SPLM have continued to discuss Abyei. Geographic boundaries are the most intractable issue on the table. Minister of Cabinet Affairs Deng Alor (SPLM) and State Minister Idriss Abdel Qadir (NCP) were in May 2007 tasked with studying the Abyei archives of the Ministry of Federal Governments and submitting a comprehensive report to the NCP-SPLM Joint Executive Committee. (6/07)
142. At the invitation of GoSS and following strong criticism by the NCP, the experts of the Abyei Borders Commission made a one-day visit to the South on 15 September and met at the South Sudan Legislative Assembly's headquarters in Juba with MPs, GoSS officials and civil society representatives to defend their findings. They stressed that they based their decision on scientific facts and that they had not overstepped their mandate. (9/07)

B) Administrative Structures

143. The new civilian administration mandated for Abyei in the CPA has not been established. Since the signing of the peace agreement, the lack of administration in Abyei has hampered

CPA activities and left gaps in policing, public sanitation and health services, resulting in escalating frustrations at the local level. Communal leaders, while remaining very fractured in itself, are taking some initiatives in lieu of a formal administration, to facilitate an ad hoc form of social services system for the residents and returnees to Abyei.

C) Security Arrangements

144. **Movement restrictions:** In March 2006, SAF notified UNMIS that a number of towns in the north of UNMIS Sector VI - including Al Fula, Muglad and Meiram – were to be excluded from Monitoring and Verification, restricting the area of operation of UNMOs to about 30% of the Sector. In September 2006, SPLA representatives informed the CJMC and the CPC that it would also be imposing restrictions on the movement of UNMIS monitors south of Abyei. In February 2007, further restrictions were imposed on UNMIS reducing the movement of UNMOs to the Abyei area - no more than 15km² .
145. There have been several temporary suspensions of the movement restrictions, including in a 30-day period in October 2006 during the regular nomadic migration season and between 21 December 2006 and 28 February 2007. (2/07)
146. Given the movement restrictions imposed on UNMIS, it has been difficult to determine the status of the Parties' forces and alignment of some Other Armed Groups in the Abyei area. In March 2007, there were reports that some commanders of the Debab Forces, an ex-PDF OAG aligned to SPLA since early 2006, had declared their intention to switch allegiance to SAF. However subsequent reports suggested that the Debab Forces remained aligned to the SPLA. The numbers involved have been hotly disputed. (4/07)
147. The temporary lifting of restrictions on UNMIS monitoring and verification of the relocation of Debab Forces south of 1.1.56 ended and restrictions have now been reinstated. During the lifting period, none of the Debab Forces moved south – the SPLA stated that this was due to a lack of transport. The number of monitored and verified troops as part of the SPLA was less than as reported in the press.
148. Joint Integrated Units (JIUs) received their uniforms during the month and participated in some joint training with UNMIS Civil Affairs Division on CPA awareness. Most of the troops have now moved into joint barracks. (10/07)

D) Reconciliation Process

149. Several confidence-building initiatives have been organized by UNMIS between the Dinka Ngok and the Misseriya around the issue of migration, including workshops and a peace conference. For example, in July 2007, the UN sponsored an agreement between the

Misseriya and Dinka Ngok to coordinate the annual migration movement of Misseriya nomads in Abyei through a joint Leaders' Committee. (7/07)

150. In follow up to the Comprehensive Peace Agreement (CPA) a series of Dissemination and Awareness workshops organized by UNMIS and conducted in Sector VI Abyei. Representatives from Civil Society Organizations (CSOs) participated in the workshops which looked at implementing their plan of action for immediate dissemination of the CPA in a number of selected communities. (8/07)

E) Returns

151. Final return figures from WFP-SSRRC Abyei returnee registration exercise, covering the period from May 2006- May 2007: South of River Kir: 2,093; North of River Kir: 13,691; Total: 15,784. (6/07)

152. The SPLM community-organized return from Sennar, with approximately 1840 mainly Dinka returnees, were received at Todaj IOM center and later moved and absorbed into Abyei town. The return has led to building frustrations among returnees to Abyei owing to a lack of facilities in place; particular concerns have been expressed over lack of schooling and possible conflicts over migration. A large returnee group from Port Sudan is due later in November. (10/07)

3.2 SOUTHERN KORDOFAN

A) Geographic Boundaries

153. On 16 August 2005, President Al-Bashir issued a decree declaring the **Boundaries of Southern Kordofan State** to be the previous boundaries of Southern Kordofan Province as defined in the 1974 Act of the division of provinces. Some parts of Western Kordofan were thus merged into Southern Kordofan. Some parts of the boundaries of Southern Kordofan remain unclear pending the resolution of the boundaries of Abyei and the final demarcation of the 1956 North-South Border.

B) Administrative Structures

154. The **Legislative Council of Southern Kordofan** was formed on 12 December 2005 and convened on 22 December 2005 with 54 members (30 NCP and 24 SPLM), seven of whom were women. Ibrahim Balandia (NCP) was appointed Chairman.
155. The formation of the Southern Kordofan government was plagued by delays in 2006, mainly due to failure to adopt the state constitution. The resulting partial paralysis of the

executive prevented the appointment of ministers and the proper functioning of the legislature. A caretaker government was eventually set up on 7 March 2006.

156. The work of the legislature remained blocked over a disagreement on whether its chairmanship should be rotated between the parties on a regular basis. On 11 November, the Presidency took the decision to leave the chairmanship of the Legislative Council with the NCP, the deputy position with the SPLM, and create a new position of "Leader" of the Council, to be filled by the SPLM. On 21 November 2006, the Legislative Council accepted the final draft of the **state constitution**. On 19 December 2006, the constitution was formally adopted in Kadugli in the presence of Vice President Taha. The Council met in full session for the first time on 13 March 2007 and is now a functioning body.
157. The second session of the Southern Kordofan Legislative Council since the ratification of the state constitution took place in Al Fula, the state's second town, in April 2007. This fulfilled the CPA requirement of alternating legislative sessions between Kadugli and Al Fula. The Legislative Council created ten permanent committees, the members of which were announced at the session. (4/07)
158. On 1 July 2007, the President swore in Omer Suleiman Adam (NCP) as the new **Governor of Southern Kordofan State**, replacing Ismail Khamis Jallab (SPLM). The new Deputy Governor, Daniel Kodi (SPLM) was appointed on 17 July 2007, replacing Eissa Bashari (NCP). The rotation of Governors should have taken place in April 2007: Suleiman's predecessor Jallab had been appointed in November 2005 and the CPA stipulates that control of the governorships of Southern Kordofan should have switched between the SPLM and the NCP after the initial appointee had served 18 months. (7/07)
159. On 26 July 2007, a Presidential '**Monitoring and Evaluation Commission**' for Southern Kordofan and Blue Nile States was created by presidential decree, just after the end of the second year of the Interim period deadline stipulated by the CPA. (7/07)

160. [A list of the current members of the Southern Kordofan State executive is at \(Annex 20\).](#) (10/07)

C) Security Arrangements

161. The security situation is relatively calm, but unpredictable. Disputes over land and water resources throughout the state continue to be the main source of conflict between nomads and farmers, sometimes resulting in death and injury, destruction of property, and displacement of people. The delay in the formation of the JIUs is partly responsible for the security threats in the state.

162. Pre-registration of PDF and SAF personnel earmarked for Disarmament and Demobilization was successfully completed in April 2007. (4/07)
163. During July 2007, SPLA units in Southern Kordofan (Sector IV) began to withdraw to assembly areas to await redeployment south of the 1-1-56 line. Some SPLA units had already moved south of the line. The process was slow, in part due to logistical problems associated with heavy rain. (7/07)

D) Returns

164. Estimates of **number of returnees** to the state since the beginning of 2006 vary greatly and range from 50,000 to 130,000, mainly due to differences in the way the data is collected.
165. From the start of organized returns in February 2007 to June 2007, around 4,700 people were returned to Southern Kordofan. The process was due to restart after the rainy season. (6/07)

3.1 BLUE NILE STATE

A. State Executive, Legislature and Administration

166. The Blue Nile State Government was formed on 5 December 2005, comprising eight ministers including five locality commissioners. The state legislative body was also instituted. Seats were allocated according to the formula stipulated in the CPA (NCP 55%/ SPLM 45%). The state cabinet was sworn in on 7 December 2005. Certain groups, mainly from the Ingesna and Arab tribes in the western part of Blue Nile State, protested the Government's lack of inclusiveness.
167. Although the State government is operational, the establishment of **local administrations** has not progressed at a corresponding rate. In particular, Kurmuk locality is lagging behind in terms of establishing a complete civil administration.
168. On 1 July 2007, President Al-Bashir issued a decree appointing Malik Aggar (SPLM) as **Governor of Blue Nile State**, replacing Abdulrahman Mohamed Abumedian (NCP). The rotation should have taken place in February 2007: Aggar's predecessor had been appointed in August 2005 and the CPA stipulates that control of the governorships of Blue Nile State should have switched between the NCP and the SPLM after the initial appointee had served 18 months. Ahmed Kremano (NCP) was appointed Deputy Governor in place of Zayed Issa Zayed (SPLM). Both Aggar and Kremano were sworn in at a ceremony on 3 July. (7/07)

4 - Security Arrangements

4.1 - Security Update

169. On 26 July, an '**Assessment and Evaluation Commission**' for Southern Kordofan and Blue Nile States was created by presidential decree. It was due to have been formed by the end of the second year of the Interim Period. (7/07)

170. [A list of the current members of the Blue Nile State Executive is at Annex 19.](#) (10/07)

B. Security Arrangements

4. Security Arrangements

4.1 SECURITY UPDATE

171. The situation in Southern Sudan remained largely calm following the 9 July deadline for SAF redeployment north of the 1-1-1956 Line. (7/07)

4.2 CEASEFIRE POLITICAL COMMISSION

172. The **Ceasefire Political Commission (CPC)** is mandated to supervise, monitor and oversee the implementation of the permanent ceasefire and security arrangements implementation modalities. It reports directly to the Presidency. The CPC is expected to settle deadlocks referred to it by the Ceasefire Joint Military Commission (CJMC) and provide disciplinary measures for violations. It can propose amendments to the ceasefire arrangements and refer any deadlocks over implementation to the Presidency. The chairmanship of the CPC is to be rotated between the parties. In addition to the Parties themselves, membership of the CPC includes the UN SRSG or his deputy, IGAD and the IGAD Partner's Forum.
173. The CPC was established on 27 August 2005 by presidential decree and its membership announced on 1 November 2005. It convened its first meeting on 23 February 2006. The CPC meets routinely on the last Thursday of the month, but the rules of procedure allow both the Parties and the UN to call an ad hoc meeting of the CPC. The CPC continues to meet regularly. However, its performance as a body for resolution of disputes over ceasefire issues has been uneven. Issues referred up from the CJMC have frequently become deadlocked at the CPC level.
174. The CPC met on 8 September but deferred discussions of the regular agenda to decide on the 6 September incident during which SAF cordoned a contingent of SPLA-aligned OAGs led by Hassan Hamid, along with some SPLA officers, which was moving towards their camp in Debab area through Muglad, tried to enter Muglad town. The Commission ordered the relocation of those forces to the South of 1/1/1956 borderline within one week, and the CJMC was tasked, on an exceptional basis, to verify the situation in Muglad, Debab

4 - Security Arrangements

4.3 - Ceasefire Joint Military Committee (CJMC)

and Abu Matarig, monitor the movement and relocation of these groups, and report to the CPC. (9/07)

A. Recent CPC Meetings

175. The Ceasefire Political Commission (CPC) meeting scheduled for 25 October was postponed due to absence of SPLM representatives. (10/07)

4.3 CEASEFIRE JOINT MILITARY COMMITTEE (CJMC)

176. The CPA instructed SAF and SPLA to establish a **Ceasefire Joint Military Committee (CJMC)** covering the territorial jurisdiction of the Ceasefire Agreement and answerable to the Ceasefire Political Commission (CPC). The CJMC is composed of senior military representatives of SAF and SPLA and is chaired by the UNMIS Force Commander.

177. The first CJMC meeting was held in Juba on 8 May 2005. The Commission agreed to convene fortnightly meetings and also agreed the Terms of Reference of both the CJMC and the Area Joint Military Committees (AJMCs). The CJMC has continued to convene regularly and has supported open and frank discussion between the parties and the resolution of concerns around military violations of the CPA.

178. As of 31 October, the CJMC had met 63 times. Since its establishment on 8 May 2005, no meeting has ever been cancelled. (10/07)

A. Recent CJMC Meetings

179. The 63rd CJMC meeting was held on 23 October in Juba. The CJMC expressed its determination to continue meeting regularly despite the recent political developments. The CPC, OAG CC and JDB were requested to do the same. Moreover, the CJMC is playing a more proactive role by visiting areas of concern within the Ceasefire Zone. Redeployment of SAF and SPLA, movement of SPLA troops, OAG issues, JIU verification and recent violations were also discussed. (10/07)

B. Freedom of Movement of UNMOs

180. According to the Status of Forces Agreement (SOFA), UNMIS Joint Monitoring Teams enjoy guaranteed freedom of movement throughout the Ceasefire Zone. However both Parties have imposed restrictions on UNMO movement in Abyei (Sector VI). In October and December 2006, movement restrictions in Abyei were lifted temporarily but were reimposed on 28 February 2007.

181. Movement restrictions in the Abyei area were again temporarily lifted by a CPC decision in September for a period of 1 month in order to facilitate the monitoring and verification of the redeployment of SPLA troops. However, they were re-imposed in October 2007. (10/07)

4.4 AREA JOINT MILITARY COMMITTEE

182. The **Area Joint Military Committees** (AJMC), which coordinate all the ceasefire related monitoring and verification activities in the Sectors, were to be formed by 24 June 2005. However, due to the non-availability of the members nominated by the parties and the Sector HQs (in some cases), their formation was delayed. The first AJMC was held in the Nuba Mountains Area on 20 September 2005.

183. During October, AJMC meetings were regularly held in all sectors. The usual monitoring and verification issues were discussed. Three emergency AJMC meetings were held in different sectors in order to discuss specific violations, incidents or monitoring and verification activities. (10/07)

4.5 JOINT MILITARY TEAMS (JMTS)

184. **Joint Military Teams** (JMTs) are the lowest operating units of the Ceasefire Military Mechanism, comprising UNMOs (international monitors) and an equal number of officers (**National Monitors**) from SAF and the SPLA. The formation of the JMTs has been delayed due to lack of clarity on the logistical support for the National Monitors.

185. As of 31 October 60 SAF and 84 SPLA National Monitors were performing their duties within the Sectors. (10/07)

4.6 REDEPLOYMENT OF FORCES

186. The line of **redeployment** of SAF and SPLA is the North/South border as at 1 January 1956 (the 1-1-1956 Line). The CPA requires SAF to redeploy out of Southern Sudan in accordance with an agreed schedule, completing 72% redeployment by January 2007 and 100% by 9 July 2007. It requires the SPLA to complete its redeployment from Eastern Sudan by 9 January 2006 and from Southern Kordofan and Blue Nile six months after full formation of Joint Integrated Units. Both parties have frequently reiterated their commitment to respecting these timelines.
187. The **SPLA redeployment from Eastern Sudan** proceeded relatively smoothly in 2006 with logistic support from SAF. UNMIS observers verified the redeployment of 5,672 SPLA troops from a total start date strength of 8,736. At the 30th CJMC meeting on 4 July 2006, both Parties agreed that the SPLA redeployment from the East was complete. (6/06)

4 - Security Arrangements

4.7 - The Joint Defence Board (JDB)

188. **SPLA redeployment from Abyei, Southern Kordofan, and Blue Nile** has been delayed because of delay in the formation of JIUs.
189. As of 31 August, 2200 **SPLA troops** were monitored by UNMIS to have redeployed south of the 1-1-1956 line from south Kordofan (Sector 4) and Southern Blue Nile (Sector 5). However, only 59 of those troops moved with weapons. Verification continued. (8/07)
190. As of 31 October, 31,650 SAF troops were verified by UNMIS to have redeployed north of the 1-1-56 Line, representing 68.2% of the 46,403 initially stated to have been present south of the Line. The status of 8919 'voluntarily demobilized' SAF soldiers (which would bring the figure to 87.4%) was contested by the SPLA. On the basis of a commitment from SAF to pay terminal grants to those personnel by December 2007, the 26 July CPC meeting agreed to include them in redeployment figures but to remove them if SAF failed to meet its commitment. (10/07)

4.7 THE JOINT DEFENCE BOARD (JDB)

191. According to the CPA, the **Joint Defence Board** is responsible for co-ordination between the SAF and SPLA and for the command of the JIUs. The JDB is tasked with agreeing how to address any external and internal threats, and for organizing confidence-building measures between the Parties' armed forces. The Board is to be composed of the Chiefs of Staff of the two Armed Forces, their deputies and four senior officers, and is to operate by consensus. The Commanders of the JIUs are *ex officio* members of the JDB. The JDB is to be supported by a Technical Secretariat of eight senior officers.
192. The JDB was formed by presidential decree on 30 December 2005 and held its first meeting on 2-3 January 2006. It is jointly chaired by First Lieutenant-General Abbas Arabi Abdallah (SAF) and First Lieutenant General Oyai Deng Ajak (SPLA). The JDB has continued to meet regularly, approximately every other month.
193. The Parties agreed in July to task the Joint Defence Board with finding a solution to the dispute between SAF and the SPLA over the continued presence of approximately 3600 SAF troops in oil producing areas south of the 1-1-1956 Line after the 9 July redeployment deadline. SAF had argued that it needed to keep troops in these key areas to maintain security in the absence of fully formed JIUs. (7/07)

4.8 JOINT INTEGRATED UNITS (JIUS)

194. The **Joint Integrated Units** (JIUs) are to be formed during the Pre-interim and the Interim Period from SAF and SPLA troops. The role of the JIUs is to act as a symbol of national unity and, in the event of unity after the 2011 referendum, to form the core of a new

4 - Security Arrangements

4.9 - Other Armed Groups (OAGs)

National Army. There were initially inordinate delays in formation of JIUs, linked to the delay in forming the Joint Defence Board (JDB). The National Assembly endorsed the **Joint Integrated Units (JIUs) Act** on 17 January 2006 ([Annex 11](#)).

195. The GNU has approved a budget of approximately US\$55m for the Joint Integrated Force in 2007. JIU soldiers' salaries are set at a rate 65% above that of regular SAF, representing the special nature of the units. (3/07)

A) Assembly of JIUs

196. In 2006, the Parties made considerable progress in the nomination of forces to serve in the JIUs. However overall the deployment of JIUs, which was to have been completed by 9 October 2006, is significantly behind schedule. The Parties, especially the SPLA, have blamed logistical challenges. While some JIUs are co-located, in other areas nominated personnel are gathered at assembly areas some way from the final deployment location.

197. Details of JIU figures as stated by the parties, as well as those verified by the JTMs and accepted by the CJMC are as follows: (10/07)

JIU SUMMARY 09/10/2007 - Re-verification is ongoing according new SOP										
Sector	Party	Auth Strength	Stated at AJMC		Verified			%	Remarks	Last CJMC
			Proper	Former OAG	Proper	Former OAG	Total			
I 4 OCT	SPLA	4,500	4,157		3,773		3,773	83.8%		83.8%
	SAF	4,500	3,817	913	3,136	315	3,451	76.7%		76.7%
II 07 AUG	SPLA	3,500	3,288		2,687		2,687	76.8%		76.8%
	SAF	3,500	3,467	282 ⁱ⁾	2,410	106	2,516	71.9%		71.9%
III 18 SEP	SPLA	4,000	3,869		3,441		3,441	86.0%		86.0%
	SAF	4,000	3,145	734 ⁱ⁾	3,145		3,145	78.6%		78.6%
IV 12 SEP	SPLA	3,000	3,119		2,340		2,340	78.0%		78.0%
	SAF	3,000	3,008		2,558		2,558	85.9%		85.9%
V 03 OCT	SPLA	3,000	2,545		2,045		2,045	68.2%		60.6%
	SAF	3,000	2,964		2,645		2,645	88.2%		87.4%
VI ⁱⁱ⁾ 12 JUL	SPLA	319	320		289		289	90.6%		90.6%
	SAF	319	311		271		271	85.0%		85.0%
Khartoum	SPLA	1,500	1,500		1,500		1,500	100%		100%
	SAF	1,500	1,500		1,500		1,500	100%		100%
TOTAL	SPLA	19,500	18,478		15,786		15,786	80.9%		79.8%
	SAF	19,500	17,901	1,929	15,394	421	15,815	81.1%		81.0%
SUMMARY	JIUs	39,000	36,379	1,929	31,180	421	31,601	81.0%		80.4%

Notes: ⁱ⁾ Nominal rolls obtained, ⁱⁱ⁾ Strength not included in grand total

9th October 2007

4.9 OTHER ARMED GROUPS (OAGS)

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4.10 - UNMIS Deployment

198. The CPA requires that no Other Armed Groups aligned to either party should be allowed to operate outside the formal structure of the two forces during the Interim Period. Other Armed Groups are required either to be integrated into the organized forces of one of the Parties (army, police, prisons or wildlife service), or disarmed, demobilized and reintegrated into civilian life.
199. The **Other Armed Groups Collaborative Committee** (OAGCC) designed to oversee this process was formally established in March 2005. The SPLA finally nominated its members to the OAGCC on 24 July 2006.
200. On 8 January 2006, the SPLA signed the **Juba Declaration on Unity and Integration of SPLA and SSDF** with Paulino Matip, the leader of the Southern Sudan Defence Force (SSDF) umbrella organization comprising the majority of formerly SAF-aligned OAGs. A diagram illustrating OAG-SSDF alignment after the Juba Declaration is at [Annex 23](#). (2/06)
201. In preparation for the 9 July 2007 deadline for redeployment, SAF declared in May 2007 that there were no more SAF-aligned OAGs in South Sudan. (5/07).
202. The OAGCC Subcommittee meetings were held on the 01 August in Juba and 28 August in Khartoum in order to discuss the results of their investigations and to arrange future visits to locations in Southern Sudan. UNMIS was asked to provide support in these investigations. (8/07)

4.10 UNMIS DEPLOYMENT

203. [As of 25 October, 89% of mandated UNMIS military personnel \(9400 out of a total of 9716\) have been deployed, including 581 UNMOS, 95 AMIS, 187 SOs, and 8536 troop from Troop Contributing Countries.](#)
204. [October 2007 saw the schedule rotation of the Bangladesh FRU. The following rotations are due to take place in the month of November 2007: Egypt, India \(Sect III, FSU and Aviation\), Zambia and Australia. \(10/07\)](#)

4.11 UNMIS POLICE DEPLOYMENT

205. UN Police have supported both GNU Police and the Southern Sudan Police Service (SSPS) with capacity building and standards. In Khartoum, UN Police have conducted training courses in a number of areas including traffic management, cyber crime, riot control, airport security and SWAT and VIP Protection. In Southern Sudan, UN Police have provided support for the registration of SSPS personnel, development of the legal framework for the work of the SSPS, monitoring and follow up on reports of human rights

4 - Security Arrangements

4.12 - Disarmament, Demobilization and Reintegration (DDR)

violations. UN Police are involved in community policing work in the Three Areas and in IDP camps around Khartoum.

206. During October, UN Police continued to monitor and support the SSPS Command, Control and Communications structure at all levels: high ranking UN police officers at the SSPS Police Headquarters in Juba, a team of UN police advisers with each of the ten Southern State Police Commissioners, and specialists in training, logistics and operations. UN Police are also working on capacity building and the reform and restructuring of the SSPS, particularly the principles of democratic policing and respect for human rights.
207. Registration of officers of the SSPS continued throughout October. As of 31 October, 14,928 SSPS officers had been registered in Sectors I, II, III and IV.
208. As of 31 October, UNMIS had deployed 652 UN police advisers out of the mandated 715 advisors, from 43 countries, most were stationed at 21 Team Sites. This figure represents 92.94% of the authorized strength. (10/07)

4.12 DISARMAMENT, DEMOBILIZATION AND REINTEGRATION (DDR)

209. On 18 February 2006, President Al-Bashir issued a presidential decree to form the **National DDR Coordination Council** (NDDRCC), chaired by Minister of Presidency Maj. Gen. Bakri Hassan Salih. (Text of decree at [Annex 9](#).) It comprises Federal and State Ministers, Chief of Staff of the Armed Forces, Chief of Staff of the SPLA, General Commissioner for DDR for the Northern States, General Commissioner for DDR for the Southern States and other members to be appointed by the Presidency. The NDDRCC met for the first time on 20 December 2006. (12/06)
210. On 15 February 2006, President Al-Bashir issued a presidential decree establishing the **Northern Sudan DDR Commission** (NSDDRC) with its budget. (Text of decree at [Annex 10](#)). The Commissioner-General of NSDDRC was formally appointed in December 2006. (1/07)
211. On 3 May 2006, GoSS President Kiir issued a presidential decree appointing the Chairperson and Deputy Chairperson for the **Southern Sudan DDR Commission** (SSDDRC). The Interim DDR Programme (IDDRP) was endorsed by GoSS in January 2006 and the GNU in May 2006.
212. In Southern Sudan, a Technical Committee on disarmament and demobilization was established in January 2007, including SSDDRC, SPLA, UN DDR and UNMIS military. (1/07)

213. Throughout May 2007, SAF conducted **unilateral disarmament** of its aligned former OAG members in Upper Nile, Western Bahr El Ghazal and across Eastern Equatoria. UNMOs observed the procedure and reported that a total of 975 former combatants were disarmed and given a one-off payment, according to rank, by SAF officials. The unilateral disarmament process did not involve the Northern and Southern Sudan DDR institutions. (5/07)

214. The pre-registration of SPLA candidates for DDR in Southern Sudan was completed by the end of October, with a total of 21,800 beneficiaries registered. The target number of 25,021 could not be reached, primarily because of the distance between the registration centres, the identity of potential beneficiaries and movement restrictions due to rainy season.

215. The DDR Unit continued providing support towards the training of 34 SPLA staff selected as data entry clerks to conduct the electronic entry of data for all pre-registered candidates. (10/07)

4.13 DE-MINING

216. Based on the provisions of the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, the Parties have declared and reported the types and numbers of stockpiled anti-personnel (AP) mines in the Article 7 Transparency Report of the Convention of 30 April 2005, listing a total of 9,485 AP mines under the control of the SAF and 5,000 AP mines under the control of the SPLA. Details of the technical characteristics and photos of the stockpiled AP mines were also provided. Of the 9,485 AP mines listed for the SAF, 4,488 were destroyed on 30 April 2007.

A. National Mine Action Authority

217. A presidential decree was issued on 24 December 2005 establishing the **National Mine Action Authority** (NMAA). Although the CPA stipulates the establishment of two mine action authorities (North and South), the decree ordered the establishment of a single national authority, with a General Secretariat and National Mine Action Centre based in Khartoum. Under the National Mine Action Centre, there would be a Regional Mine Action Centre in Southern Sudan, based in Juba. The NMAA was launched in Khartoum on 7 March 2006 by President Al-Bashir, FVP Kiir and other senior GNU officials. The acting Director and Deputy Director of the National Mine Action Centre were appointed in April 2006. (4/06)

218. In July 2006, GoSS appointed the Chairperson, Deputy Chairperson and members for a new **South Sudan Demining Commission** (SSDC). (8/06)

4 - Security Arrangements

4.14 - Release of POWs/Detainees

219. In accordance with decisions made at the Joint Defence Board meeting of 22 January 2007, the first demining teams of the Joint Integrated Demining Units (JIDUs) were deployed in February 2007 under the joint management of the NMAA and the SSDC. By June 2007, the teams had completed clearance of mines from the 446-kilometre railway line from Babanusa to Wau. (6/07)
220. During September, preparatory operations began for Nuba Mountain Mine Action Sudan (NMMAS), the first national NGO to be funded by the United Nations to carry out demining activities, to be conducted in Blue Nile State. (9/07)

221. In response to a request from the State Minister of Humanitarian Affairs (GNU), who also functions as Secretary General of the National Mine Action Committee, UNMAO is currently recruiting a Transition Officer to assist the government in developing a transition plan to be presented to the National Mine Action Committee in December 2007. (10/07)

4.14 RELEASE OF POWS/DETAINEES

222. Throughout 2005, the SPLM released a number of **Prisoners of War (PoWs)**. The ICRC reported on the basis of partial involvement in the process and interviews with PoWs that PoWs had been well-treated and had returned voluntarily.

4.15 ANNOUNCEMENT AND DISSEMINATION OF CEASEFIRE

223. The UNMIS Public Information Office (PIO) has publicised the CPA through distribution of copies of the document in Arabic and in English. It has also produced a summary booklet in Arabic and English for distribution to UN personnel. A briefing on the CPA is a core part of the induction training for all incoming UN staff.

4.16 MEDIA AND PUBLIC INFORMATION

224. The **Joint Media Committee (JMC)** was formally established in April 2005 with representatives from both Parties to the CPA. (6/06)

225. JMC has not convened in more than a year. A meeting scheduled to take place in Juba in September 2007 was cancelled. (10/07)

226. **UNMIS radio station Miraya FM** started broadcasting on 30 June 2006 in Juba. Miraya (Mirror) FM broadcasts continuously and airs news bulletins in English, Arabic and Juba Arabic. Other programmes include audience response shows on topics related to the UN mandate and other areas of public interest concerning peace and development. In August 2006, GoSS approved the roll-out of Miraya FM throughout Southern Sudan. On 6

4 - Security Arrangements

4.16 - Media and Public Information

November 2006, Miraya FM opened a relay station for Malakal. In August 2006, the GNU allocated Miraya FM a countrywide frequency as per the SOFA. UNMIS was not however granted a licence to operate in the North. (8/06)

227. [Miraya started operating a short wave radio since 25 October. It now also has 7 FM relay stations in Southern Sudan \(10/07\)](#)

GLOSSARY OF ACRONYMS

A	
ABC	Abyei Boundaries Commission
ACHR	Advisory Council for Human Rights
AEC	Assessment and Evaluation Commission
AJMC	Area Joint Military Committee
C	
CBS	Central Bureau of Statistics
CJMC	Ceasefire Joint Military Committee
CPA	Comprehensive Peace Agreement
CPC	Cease-fire Political Commission
CPT	Commission Preparatory Team(s)
D	
DDR	Disarmament, Demobilization and Reintegration
DPA	Darfur Peace Agreement
E	
ESPA	East Sudan Peace Agreement
F	
FFAMC	Fiscal and Financial Allocation and Monitoring Commission
G	
GNU	Government of National Unity
GoSS	Government of Southern Sudan
H	
(N)HRC	(National) Human Rights Commission
I	
ICSS	Interim Constitution of Southern Sudan
ICRC	International Committee of the Red Cross
IDP(s)	Internally Displaced Person (People)
IMAT	International Military Advisory Team
INC	Interim National Constitution
IOC	Interim Oversight Committee
IOM	International Organization for Migration
IPP	Initial Project Proposal(s)
J	

JAM	Joint Assessment Mission
JDB	Joint Defence Board
JIU	Joint Integrated Unit(s)
JMC	Joint Media Committee
JNTT	Joint National Transitional Team(s)
JPC	Joint Political Committee (NCP/SPLM)
M	
(N)MDTFs	(National) Multi Donor Trust Funds
MTC	Military Technical Committee
N	
NCP	National Congress Party
NCRC	National Constitutional Review Commission
NCSC	National Civil Service Commission
NDA	National Democratic Alliance
NDDRC	National Disarmament, Demobilization and Reintegration Coordination Council
NSDDRC	Northern Sudan Disarmament, Demobilization and Reintegration Commission
NGO	Non-Governmental Organisation
NGO Act	Organization of Voluntary and Humanitarian Work Act 2006
(N)HRC	(National) Human Rights Commission
NJSC	National Judicial Service Commission
NLC	National Land Commission
NMAA	National Mine Action Authority
(N)MDTFs	(National) Multi Donor Trust Funds
NMPACT	Nuba Mountains Programme for Advancing Conflict Transformation
NPC	National Petroleum Commission
NSC	National Security Council
NSDDRC	Northern Sudan Disarmament, demobilization, and Reintegration Commission
NSS	National Security Service

O	
OAG(s)	Other Armed Group(s)
OAG CC	Other Armed Groups' Collaborative Committee
OCHA	Office for the Coordination of Humanitarian Affairs
P	
PCC	Population Census Council
PIO	UNMIS Public Information Office
Q	
QIPs	Quick Impact Projects
R	
RRR	Return, Reintegration and Recovery
S	
SAF	Sudanese Armed Forces
SANU	Sudanese African National Union
SOFA	Status of Forces Agreement
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SRSG	Special Representative of the Secretary-General
SSCCSE	Southern Sudan Centre for Statistics and Evaluation
SSCDC	Southern Sudan Constitution Drafting Committee
SSDF	Southern Sudan Defence Force
SSDDRC	Southern Sudan DDR Commission
SSDF	Southern Sudan Democratic Forum (less common)
SSLA	Southern Sudan Legislative Assembly
T	
TSSLA	Transitional Southern Sudan Legislative Assembly
U	
UDF	United Democratic Front
UDSF	United Democratic Salvation Front
UNDP	United Nations Development Programme
UNMIS	United Nations Mission in Sudan
USAP	Union of Sudan African Parties
USAP2	Splinter of USAP