

Country/entity	South Sudan Sudan
Region	Africa (excl MENA)
Agreement name	Agreement between the Republic of the Sudan and the Republic of South Sudan on the Demarcation of the Boundary
Date	13 Mar 2012
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Interstate/intrastate conflict(s)

Sudan Conflicts (1955 -)

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

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

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

South Sudan - internal

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

Close

Sudan Conflicts (1955 -
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Stage Framework/substantive - partial

Conflict nature Government/territory

Peace process	North - South Sudan secession process
Parties	H.E. Idriss Abdel Gadir ²⁹ , On behalf of the Republic of the Sudan H.E. P gan Amum Okiech, ²⁹ On behalf of the Republic of South Sudan
Third parties	Witnessed by: H.E. Pierre Buyoya ²⁹ , On behalf of the African Union High Level implementation Panel
Description	Agreement lays out the mechanism for demarcating the border between Sudan and South Sudan, including sharing of costs and creating three commissions including the Joint Demarcation Committee; Joint Border Commission; Joint Technical Committee.

Agreement document	SD_SS_120313_Agreement between Sudan and S. Sudan on Demarcation of the Boundary.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 3, Part II Demarcation of the Boundary
... 3. Guiding Principles for Demarcation²⁰
(1) The two States shall ensure that the demarcation exercise contributes to the maintenance of peaceful co-existence between the two States and the border communities.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation Page 2, The Parties:

Committed to completing, expeditiously, the demarcation of the international boundary between the two States;

Page 2, Part I Definitions

[Summary] Outlines definitions for the agreement including, border, boundary, delimitation, as well as the acronyms of different committees.

Page 3, Part II Demarcation of the Boundary

... 2. Commitment to Demarcate the Boundary²⁹

(1) The two States affirm the definition of the agreed boundary in accordance with the physical description and delimitation, and corresponding recommendations of the Technical Committee for the 1/1/1956 Border Line Demarcation Between North and South Sudan, as affirmed by the Presidency of the Republic of the Sudan prior to the secession of Southern Sudan.

Page 3, Part II Demarcation of the Boundary

... 2. Commitment to Demarcate the Boundary²⁹

... (2) Accordingly, the two States shall jointly demarcate the boundary from the tri-junction-point of the Republic of the Sudan, the Republic of South Sudan and the Central African Republic to the tri-junction point of the Republic of the Sudan, the Republic of South Sudan and the Federal Democratic Republic of Ethiopia.

Page 3, Part II Demarcation of the Boundary

... 3. Guiding Principles for Demarcation²⁹

... (2) The demarcation process shall take into account African best practices which seek to maintain the sanctity and cohesion of communities and to foster peaceful co-existence between neighbours.

Page 4, 4. Demarcation Period for Agreed Boundary

²⁹

(1) The two States recognize the urgency of demarcating the agreed boundary as referred to in Article 2(2) of this Agreement, and shall complete the demarcation within three months of the commencement of the demarcation exercise.

Page 4, 4. Demarcation Period for Agreed Boundary

... (2) The demarcation process shall commence immediately upon the establishment of the Joint Demarcation Committee (JDC) and the Joint Technical Team (JTT) in accordance with this Agreement, and, in any event, not later than sixty (60) days after the signing of this Agreement.

Page 4, 4. Demarcation Period for Agreed Boundary

... (3) The two States may extend the demarcation period referred to paragraph (1) of this article upon the recommendation of the JDC, which shall be based on credible technical grounds.

Page 4, 4. Demarcation Period for Agreed Boundary

... (4) Notwithstanding the expiry of the demarcation period, the mandate and work of the JDC and the JTT shall not be interrupted while a decision on the extension of the demarcation period is pending.

Page 4, Part III, institutions Relating to Demarcation

5. Joint Border Commission²⁹ Page 5 of 11

(1) Within two weeks of the signing of this Agreement, the two States shall establish a Joint Border Commission (JBC) to oversee the demarcation of the boundary and the

Cross-border provision	No specific mention.
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Governance

Political institutions (new or reformed)	No specific mention.
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Elections	No specific mention.
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Electoral commission	No specific mention.
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Political parties reform	No specific mention.
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Civil society	No specific mention.
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Traditional/religious leaders	No specific mention.
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Public administration	No specific mention.
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Constitution	No specific mention.
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Power sharing

Political power sharing	No specific mention.
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Territorial power sharing	No specific mention.
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Economic power sharing	No specific mention.
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Military power sharing	No specific mention.
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Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures Rights related issues→Protection measures→Other
Page 3, Part II Demarcation of the Boundary
... 3. Guiding Principles for Demarcation²⁸
... (3) During the demarcation process, the two States shall ensure the proper management of the natural resources along the border and in particular the protection of fragile eco-systems.

Page 7, Part V Other Issues
... 11. Provision of Security for Demarcation²⁹
(2) In accordance with the Agreement on Border Security and Joint Political and Security Mechanism signed by the Parties of June 2011, and the Agreement on the Border Monitoring Support Mission signed on July 2011, the JPSM shall provide protection for the demarcation teams and for the equipment and other facilities relating to the demarcation process.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources Page 3, Part II Demarcation of the Boundary
... 3. Guiding Principles for Demarcation²⁹₂₈
... (3) During the demarcation process, the two States shall ensure the proper management of the natural resources along the border and in particular the protection of fragile eco-systems.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment Page 3, Part II Demarcation of the Boundary
... 3. Guiding Principles for Demarcation²⁹₂₈
... (3) During the demarcation process, the two States shall ensure the proper management of the natural resources along the border and in particular the protection of fragile eco-systems.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees	Page 7, Part V Other Issues ... 11. Provision of Security for Demarcation ²⁹ (1) As soon as it has adopted the demarcation plan, the JDC shall notify the Joint Political and Security Mechanism (JPSM) of the proposed date for the commencement of the demarcation process as well as other details relating to the demarcation process. (2) In accordance with the Agreement on Border Security and Joint Political and Security Mechanism signed by the Parties of June 2011, and the Agreement on the Border Monitoring Support Mission signed on July 2011, the JPSM shall provide protection for the demarcation teams and for the equipment and other facilities relating to the demarcation process.
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.

Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	Witnessed by: H.E. Pierre Buyoya ²⁹ , On behalf of the African Union High Level implementation Panel
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	Page 6, Part IV Demarcation Process ... 9. Outcome of Demarcation Process ²⁹ The two States shall confirm the completion of the demarcation process through a written formal agreement, and shall deposit the agreement, including the agreed descriptions and maps, with the African Union Commission.
Related cases	No specific mention.
Source	Peace AU; http://www.peaceau.org/uploads/agreement-on-the-demarcation-of-the-boundary-13-0-12.pdf
