

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

**Agreement/conflict level** Interstate/intrastate conflict(s)

### **Sudan Conflicts (1955 - )**

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

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

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

South Sudan - internal

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

Close

Sudan Conflicts (1955 - )

**Stage** Framework/substantive - partial

**Conflict nature** Government/territory

<b>Peace process</b>	North - South Sudan secession process
<b>Parties</b>	H.E. Idriss Abdel Gadir <sup>29</sup> , On behalf of the Republic of the Sudan H.E. P gan Amum Okiech, <sup>29</sup> On behalf of the Republic of South Sudan
<b>Third parties</b>	Witnessed by: H.E. Pierre Buyoya <sup>29</sup> , On behalf of the African Union High Level implementation Panel
<b>Description</b>	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.

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**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

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

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## **Gender**

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

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **State definition**

**Nature of state (general)** Page 3, Part II Demarcation of the Boundary  
... 3. Guiding Principles for Demarcation<sup>20</sup>  
(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 Boundary<sup>20</sup>

(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 Boundary<sup>20</sup>

... (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 Demarcation<sup>20</sup>

... (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

<sup>20</sup>

(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 Commission<sup>20</sup> 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.

**Elections** No specific mention.

**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

**Civil society** No specific mention.

**Traditional/religious leaders** No specific mention.

**Public administration** No specific mention.

**Constitution** No specific mention.

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**Power sharing**

**Political power sharing** No specific mention.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**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.

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## 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 Demarcation<sup>28</sup>  
... (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 Demarcation<sup>29</sup>  
(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.

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## **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.

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## **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 Demarcation<sup>29</sup>  
... (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.

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## **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 Demarcation<sup>29</sup>  
... (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

<b>Security Guarantees</b>	Page 7, Part V Other Issues ... 11. Provision of Security for Demarcation <sup>29</sup> (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.
<b>Ceasefire</b>	No specific mention.
<b>Police</b>	No specific mention.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## Transitional justice

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.

<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

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## Implementation

**UN signatory** No specific mention.

**Other international signatory** Witnessed by:  
H.E. Pierre Buyoya<sup>28</sup>  
, 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<sup>28</sup>  
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>

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