



Security Council

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Letter dated 20 September 2019 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Interim Security Force for Abyei (UNISFA), which was established by the Security Council in its resolution [1990 \(2011\)](#) and whose mandate was extended in resolution [2469 \(2019\)](#).

Further to my letter dated 20 August 2018 regarding the reconfiguration of UNISFA ([S/2018/778](#)), and in line with the provisions of Security Council resolutions [2465 \(2019\)](#) and [2469 \(2019\)](#), I would like to provide an analysis and recommendations with respect to the mandate and configuration of UNISFA in terms of its support for the Joint Border Verification and Monitoring Mechanism (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(Signed) António Guterres



Annex

The United Nations Interim Security Force for Abyei (UNISFA) and the Joint Border Verification and Monitoring Mechanism were deployed to create an environment conducive to the realization of the agreements that continue to form the basis of their mandates: the Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement on temporary arrangements for the administration and security of the Abyei Area of 20 June 2011 and the Agreement on the Border Monitoring Support Mission between the Government of the Sudan and the Government of South Sudan of 30 July 2011.

Integrated into the cooperation agreements of 27 September 2012, which were negotiated under the auspices of the African Union High-level Implementation Panel, the agreements were intended to prevent any confrontation between the parties until the settlement of the final status of Abyei and the demarcation of the border between the two countries.

Recent dynamics between the Sudan and South Sudan

The Joint Border Verification and Monitoring Mechanism has made limited progress in recent months owing to political developments in the Sudan and South Sudan. In Khartoum, the establishment of the Transitional Military Council in April 2019 and negotiations that ensued with the Forces for Freedom and Change, facilitated by the African Union and Ethiopia, were concluded in August 2019. In Juba, the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, signed on 12 September 2018, continued to face serious challenges, which necessitated the six-month extension of the pre-transitional period from May 2019 to allow more time for the formation of the Revitalized Transitional Government of National Unity.

In the face of respective domestic political crises, the Sudan and South Sudan have not been able to achieve the benchmarks set out in Security Council resolution [2465 \(2019\)](#) for the implementation of the mandate of the Joint Border Verification and Monitoring Mechanism.

The constitutional declaration signed in Khartoum in August 2019, which includes a provision to resolve all outstanding conflicts in the next six months, presents an opportunity to overcome the status quo and move the political process forward, in particular following the decision of the Peace and Security Council of the African Union to lift the suspension of the Sudan from all African Union activities on 6 September 2019. In support of the peace process in the Sudan, the President, Salva Kiir, hosted talks in Juba between the transitional Government in Khartoum and a number of Sudanese armed groups, which led to an agreement on a road map for peace talks expected to begin in October 2019. In reciprocity, the Sudanese authorities, as guarantors of the peace process for South Sudan, facilitated the return to Juba of Riek Machar on 9 September.

Building upon the positive developments between the two countries, the visit to Juba of the Prime Minister of the Sudan, Abdalla Hamdok, on 12 September, where he discussed with Mr. Kiir ways to bolster the bilateral relations, constitute a timely momentum to advance the outstanding provisions of the Comprehensive Peace Agreement of 2005 between the two countries, including those related to disputed border areas and Abyei.

Progress in implementation of the Joint Border Verification and Monitoring Mechanism mandate

In this politically volatile context, in which the status of Abyei and border-related issues have not been prioritized by the authorities of both the Sudan and South Sudan, the Joint Border Verification and Monitoring Mechanism has made modest progress on the benchmarks set out in Security Council resolution [2465 \(2019\)](#).

Patrols of the United Nations Interim Security Force for Abyei and the Joint Border Verification and Monitoring Mechanism

The Joint Border Verification and Monitoring Mechanism did not face any restrictions in terms of requests made to the parties for approval on aerial inspections. Of 39 planned aerial patrols from 15 April to 7 September 2019, 28 were conducted by rotary-wing aircraft in the western region and fixed-wing aircraft in the eastern region. In all, 11 air patrols were cancelled for various reasons, such as the non-availability of air assets, poor weather conditions and security threats.

During the same period, clearance for ground patrols and landing in the Safe Demilitarized Border Zone was granted without any delay. Of 122 planned ground patrols, 85 were conducted, while 37 were cancelled, owing mainly to adverse weather and poor road conditions. In July 2019, South Sudanese police and local authorities obstructed, on several occasions, ground patrols from the team site of the Joint Border Verification and Monitoring Mechanism in Tishwin seeking to gain access to the Safe Demilitarized Border Zone. After UNISFA and the leadership of the Mechanism engaged with South Sudanese authorities in Juba, the Minister of Defence sent a letter dated 6 August 2019 to the local administration, directing the South Sudan National Police Service to respect the freedom of movement of personnel of UNISFA and the Mechanism within their area of operation. The ground patrols have resumed since 12 September 2019.

Team sites of the Joint Border Verification and Monitoring Mechanism

Two sector headquarters (Gok Machar and Kadugli) and three team sites (Tishwin, Safahah/Kiir Adem and Sumayah/War-Abar) have been set up and are fully operational. The Joint Border Verification and Monitoring Mechanism has engaged with both Governments to facilitate the establishment of the fourth team site, in Abu Qussa. During recent visits to Khartoum and Juba, UNISFA received assurances, including from the Sudan People's Liberation Army in Opposition (SPLA-IO), which prevented the deployment of the fourth team site for months, that it could proceed with the deployment. Logistical preparations are under way for a possible deployment of the team site when the dry season sets in. Similarly, assurances were given with regard to the future deployment of the two remaining sector headquarters, in Buram (the Sudan) and Malakal or Renk (South Sudan), as soon as conditions are met for the monitoring mechanism to reach its full operational capability.

Joint Political and Security Mechanism

No meetings of the Joint Political and Security Mechanism were held during the reporting period. However, following the decision of the Peace and Security Council of the African Union to lift the suspension of the Sudan from all African Union activities, efforts are being made to convene a meeting of the Joint Political and Security Mechanism by late October 2019.

Safe Demilitarized Border Zone

There was no confirmation of the redeployment of the South Sudan People's Defence Forces from the 14-mile Safe Demilitarized Border Zone area, notwithstanding both parties' commitment to redeploying their remaining forces within 30 days of the most recent meeting of the Joint Political and Security Mechanism, held on 18 March 2019. UNISFA continued to report the presence of military camps of the South Sudan People's Defence Forces at Wierayen and Tomkiu, the South Sudan police camp and the Sudan police camp near Tishwin, as well as the SPLA-IO presence in the area of Abu Qussa.

Border crossing corridors

While confirming the operation of the Higlig/Bentiu and Sumayah border crossings in the absence of immigration offices, the Joint Border Verification and Monitoring Mechanism did not observe any progress on the remaining crossing corridors, notwithstanding the parties' commitment to reopening them within 30 days of the Joint Political and Security Mechanism, on 18 March 2019.

Border demarcation

In the light of the decision of the Peace and Security Council of the African Union to suspend the Sudan, no meetings of the Joint Border Commission or the Joint Demarcation Committee were held during the reporting period.

National monitors

The strength of national monitors from the Sudan and South Sudan in the Joint Border Verification and Monitoring Mechanism is currently at 66 of 68 officers, including 32 Sudanese Armed Forces officers and 34 South Sudan People's Defence Forces officers. They have actively participated in most operational activities of the Mechanism and kept lines of communication open between the mechanism and the armed forces of both countries. Maintaining such a capacity represents a confidence-building measure that should be capitalized on for future endeavours.

Observations

The reporting period was marked by a lack of progress in terms of the political process to conclude border-related negotiations between the Sudan and South Sudan. However, that should not overshadow the importance of the stabilizing role that UNISFA and the Joint Border Verification and Monitoring Mechanism in particular continue to play along the borders between the two countries. There are positive signs that the stalled process can be revived, with the establishment of the transitional Government in Khartoum and its pledge to put an end to all remaining conflicts in the Sudan. South Sudan has lent its support to the process by hosting talks with the Sudanese armed groups.

Notwithstanding the evolving political dynamics, the Joint Border Verification and Monitoring Mechanism, with the support of UNISFA, has had an independent stabilizing effect on the border areas. The continued monitoring activities and regular outreach to key stakeholders on the ground, as well as engagement at the capital level, have constituted a deterrent factor vis-à-vis potential spoilers. They have also served as a confidence-building measure between the two parties. In that regard, the Mechanism remains an indispensable tool for the implementation of any border-related decisions by the Joint Political and Security Mechanism in the future.

Most stakeholders concur that the Joint Political and Security Mechanism is one of the few forums on which both Governments agree and, hence, can serve as the

starting point for the resumption of negotiations between them. The coming months will test the commitment of the two parties with respect to a political solution to the border issues, and could form the basis for an increase in UNISFA support to the Joint Border Verification and Monitoring Mechanism.

Challenges

The lack of significant progress in meeting the border-related benchmarks set out in Security Council resolution 2465 (2019) stems from a variety of reasons beyond the control of the Joint Border Verification and Monitoring Mechanism and its resolve to deliver on its mandate effectively. As the two countries are entering a new phase with transitional institutions, the forthcoming period could be marked by a breakthrough or a setback in the discussions on the final status of Abyei and border demarcation. All international and regional partners should maintain pressure on, and continue to support, both parties in the resolution of their disagreements. The African Union High-level Implementation Panel, the African Union Border Programme, the Special Envoy of the Secretary-General for the Horn of Africa, UNISFA and others involved need to enhance the coordination of their various activities and harmonize their initiatives in order to deliver in an integrated manner.

The presence of armed groups and elements of the Sudanese and South Sudanese forces along the border between the two countries continues to pose a potential security risk to the ongoing and future activities of the Joint Border Verification and Monitoring Mechanism. In addition to the presence of SPLA units, the activities and deployments of other armed actors have been reported on both sides of the border and, in one case at least, have continuously hampered the deployment of the team site in Abu Qussa. The freedom of movement of Mechanism personnel has also been compromised by the non-State actors. Owing to the Sudan People's Liberation Army-North-controlled areas, the Mechanism is forced to take long detours of hundreds of kilometres in order to reach its team site. This presents an additional logistical burden on the Mission and affects its capacity to respond quickly to any emergency, if required.

To date, the Joint Border Verification and Monitoring Mechanism remains at initial operating capability, with only two of the four sector headquarters in operation and only three team sites established within the Safe Demilitarized Border Zone, whereas the SPLA continues to be present in the Zone. The Mechanism has to be prepared and able to shift rapidly to its full operational capability, in case projected negotiations between the two parties result in an agreement on the immediate resumption of border demarcation operations.

The Joint Border Verification and Monitoring Mechanism also suffers from a lack of technical assets required for the implementation of its mandate. The Mechanism's present volume of force and capacity are largely disproportionate to the scale and level of its mandated tasks. It lacks suitable force mobility and surveillance capabilities in particular, and it needs more engineering and medical support. For example, Sector 2 in Kadugli conducts aerial monitoring missions in the eastern region of the border with a fixed-wing aircraft without aerial imagery capacity. Mechanism personnel and national monitors from both sides have mentioned their inability to conduct adequate monitoring and surveillance under such conditions.

Recommendations

Extend the mandate of the Joint Border Verification Monitoring Mechanism

Given the fluidity of the political situation in the Sudan and South Sudan, as well as the security status quo in the border area, it is recommended that UNISFA support for the Joint Border Verification and Monitoring Mechanism be extended for

an additional six months. The Mechanism remains an essential tool to monitor the situation along the border between the Sudan and South Sudan and stands ready to assist in border demarcation and other critical tasks, if and when the two new Governments conclude border negotiations.

Revitalize the political process

Such an extension of UNISFA support to the Joint Border Verification and Monitoring Mechanism should under no circumstances supplant the obligation of the parties to resolve the border issues through dialogue. The Governments of the Sudan and South Sudan need to resume direct talks immediately in order to implement their agreements on border issues and meet the benchmarks previously set by the Security Council.

It is also recommended that the African Union, through its High-level Implementation Panel, convene, in coordination with all concerned parties, a meeting of the Joint Political and Security Mechanism by late October 2019 to agree on a new calendar and timeline for various aspects of the border agreement and security arrangements.

Once the political process is relaunched, UNISFA could expand its scope of operations from security and monitoring roles within the Safe Demilitarized Border Zone to support for border demarcation, including in the areas of border crossing corridors, in collaboration with the African Union High-level Implementation Panel and the African Union Border Programme, in addition to the security and monitoring role that it plays within the Safe Demilitarized Border Zone. The Joint Border Verification and Monitoring Mechanism exit strategy should be based on these critical steps in the border agreements between the Sudan and South Sudan.

Improve the capabilities of the Joint Border Verification Monitoring Mechanism

Considering the technical shortfalls described above, the operational capabilities of the Joint Border Verification and Monitoring Mechanism need to be reinforced with suitable air surveillance and other aviation assets, as well as with combat engineering and medical support, which are critical for its monitoring and verification tasks, including during night operations. In this regard, the parties are encouraged to facilitate the mechanism's operations by granting approval for night flights.

The Joint Border Verification and Monitoring Mechanism also needs to be reinforced with a civilian component composed of political and civil affairs officers in order to improve its outreach to local administrations and communities and increase its communication and awareness-raising capabilities.

To date, the Joint Border Verification and Monitoring Mechanism is still operating within its initial operational capability. Should the parties agree to move forward with the border demarcation process and other aspects, it is important that UNISFA maintain sufficient resources in terms of troops and equipment to support a possible shift of the mechanism to its full operational capability. In this regard, appropriate recommendations regarding the reconfiguration of UNISFA will be provided to the Security Council in a subsequent report.

Review the benchmarks

The current benchmarks set in Security Council resolution [2465 \(2019\)](#) are centred on the implementation of the previous agreements between the Sudan and South Sudan. The Joint Border Verification and Monitoring Mechanism has served an additional confidence-building function in the absence of such political milestones,

playing a key role in monitoring the borders and maintaining an early warning capacity in case of any potential threat to peace and stability in the region. Therefore, a review of the benchmarks is recommended by adding new ones that would reflect the Mechanism's performance and delivery, independent of the engagement of two sides.

I wish to extend my sincere gratitude and appreciation to the Acting Head of Mission and Force Commander, Major General Mehari Zewde Gebremariam; the Chief of the Joint Border Verification and Monitoring Mechanism, Brigadier General Gebremichael Beyene Tedla; and all UNISFA staff for their commitment and dedication in the face of numerous challenges. I am grateful to the Government of Ethiopia in particular for its tireless engagement in support of peace and stability in the Abyei Area and the Safe Demilitarized Border Zone.
