



## Security Council

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### Letter dated 1 April 2021 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to paragraph 31 of resolution [2550 \(2020\)](#), in which the Security Council requested that I hold joint consultations with the Governments of the Sudan, South Sudan and Ethiopia, as well as other relevant stakeholders, to discuss an exit strategy for the United Nations Interim Security Force for Abyei (UNISFA) and develop options for its responsible drawdown and exit. I further refer to the request of the Security Council that I report no later than 31 March 2021, elaborating on those options, which should prioritize the safety and security of civilians living in Abyei, account for the stability of the region and include an option for a responsible drawdown and exit of UNISFA that is not limited by implementation of the 2011 agreements.

Pursuant to the above request, my Special Envoy for the Horn of Africa undertook consultations in February and March 2021. Consultations with the transitional Government of the Sudan took place in Khartoum through discussions with the Chair of the Sovereign Council, Lieutenant General Abdel Fattah Al-Burhan; the Prime Minister, Abdalla Hamdok; the Minister for Foreign Affairs, Mariam Al-Sadiq Al-Mahdi; the Minister of Defence, Lieutenant General Yassin Ibrahim Yassin; and representatives of the Abyei Joint Oversight Committee. Owing to the severe impact of coronavirus disease (COVID-19) in South Sudan, consultations with the Government of South Sudan were held remotely and in writing through the Minister for Foreign Affairs and International Cooperation, Beatrice Khamisa Wani-Noah, and the Minister of East African Community Affairs, Deng Alor, holder of the Abyei portfolio. Consultations with the Government of Ethiopia were conducted in person with the State Minister in the Ministry of Foreign Affairs, Redwan Hussein, while additional consultations were held with former President of South Africa, Mr. Thabo Mbeki, in his capacity as Chair of the African Union High-level Implementation Panel. Although in resolution [2550 \(2020\)](#) the Council requested a joint consultation, travel restrictions in the region resulting from the COVID-19 pandemic, as well as complex regional dynamics, resulted in separate individual consultations being conducted instead.

Since the end of the regime of the former President of the Sudan, Omar Al-Bashir, the Sudan and South Sudan have been experiencing a period of rapprochement. Both countries have stopped accusing each other of supporting or hosting anti-government armed movements and instead have been mutually reinforcing each other's efforts to end internal conflicts. Most recently, the rapprochement can be demonstrated by the constructive role played by the Government of South Sudan in successfully mediating the peace process between



the transitional Government of the Sudan and some of the armed movements in the Sudan. However, despite their improved relations, the Sudan and South Sudan have held limited bilateral engagements within the framework of their cooperation agreements and have instead continued to focus on their respective internal conflicts and political transitions. While both countries announced a review of all their bilateral agreements in October 2020, including on Abyei, very little concrete action has since followed. Moreover, in recent months, increasingly tense relations between the Sudan and Ethiopia owing to the dispute over the Fashaqah area on their shared border and protracted negotiations on the Grand Ethiopian Renaissance Dam have had an impact on the position of the Sudan on UNISFA.

### **Consultations**

In the consultations, the Government of the Sudan expressed the view that, despite the security situation remaining volatile in the Abyei area, UNISFA had played an important stabilizing role since its establishment in 2011. The Sudan indicated that a responsible drawdown of UNISFA could be considered immediately but should proceed gradually over a one-year period to allow time for the Governments of the Sudan and South Sudan to establish the mechanisms provided for in 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 (Agreement of 20 June 2011). The Government of the Sudan therefore would be in favour of a mandate renewal for UNISFA which would also enable the parties in the meantime to hold consultations with the African Union and the Intergovernmental Authority on Development on successor arrangements.

The Sudan indicated that, should tensions remain high with Ethiopia, it would consider making a request for Ethiopia to withdraw as a troop-contributing country from UNISFA and be replaced with a multinational African force. The Sudan is of the view that such a force could be considerably scaled down from the current troop level of UNISFA and should be in place until a new mechanism established by the parties becomes operational.

The Government of the Sudan further expressed the view that the Joint Border Verification and Monitoring Mechanism continued to play an important role and should be maintained. However, it would require facilitation to fulfil its mandate more impartially as the parties work towards a replacement mechanism.

The Government of the Sudan raised concern that the Abyei area was not fully demilitarized, suggesting that Sudan People's Liberation Army (now South Sudan People's Defence Forces) elements have been present in Abyei since 2018. Sudanese interlocutors stated that the border demarcation process was not proceeding as planned because of delays created by South Sudan but stressed that the Sudan and South Sudan should be able to work more cooperatively to demarcate the border.

Concerning outstanding bilateral issues, the Sudan underscored that relations with South Sudan were amicable and strengthening, as exemplified by Minister for Foreign Affairs Mariam Al-Sadiq selecting Juba as the first place to visit upon assuming her duties in the new cabinet. The Sudan stated that it intended to recommit to all the bilateral agreements it had signed with South Sudan and to resolve all outstanding issues peacefully, including on Abyei, with a view to attaining a mutually beneficial solution in which Abyei would become a "soft border" and an example of peaceful coexistence, development and shared prosperity for the local communities. In this regard, the Sudan would like to see the resources currently expended on UNISFA redirected to addressing development needs in Abyei. The Government of the Sudan stated that it had established communication channels with the Misseriya

and the Ngok Dinka communities to foster harmony and tolerance, and that it continued to deploy efforts to reduce violence between the two communities with a view to finding a sustainable final solution that would not necessarily translate into the separation of Abyei. Sudanese authorities stated that the Sudan and South Sudan would establish a joint police force as envisaged in the Agreement of 20 June 2011, alongside the joint administrative structures and the Abyei Joint Oversight Committee. In this connection, the Sudan committed to working closely with South Sudan to reach an agreement that would rid Abyei and South Sudan of armed movements, thereby reciprocating the mediation efforts of South Sudan that led to the signing of agreements between the Sudan and its armed groups. The Sudan stressed that, while it prioritized a new forward-looking strategic partnership with South Sudan and other countries anchored on peace, the continued support of the United Nations would be crucial in ensuring progress was made in the implementation of the Agreement of 20 June 2011.

The Government of South Sudan expressed the view that UNISFA had proven to be effective in the implementation of its mandate and the protection of civilians in Abyei since its establishment in 2011, despite a number of operational challenges, and the mission's exit should be envisaged only after the resolution of the final status of Abyei.

South Sudan insisted that security concerns remained in Abyei and in neighbouring Western Kordofan State that warranted the continued presence of UNISFA. South Sudan cited the assassination of the Paramount Chief of Ngok Dinka in 2013, and the killing of civilians on 22 January and 13 April 2020 by the Misseriya, as examples of continuing security concerns.

South Sudan rejected the establishment of joint institutions with the Sudan, arguing that previous attempts had resulted in two wars in 2008 and 2011 owing to a lack of trust between the parties. It further claimed that the Sudan had dissolved the Abyei administration and delayed its reconstitution, causing events to be subsequently overtaken by the African Union proposal on the final status of Abyei, which South Sudan espoused. According to South Sudan, the current stalled peaceful settlement of the situation in Abyei was due to the rejection by the former President of the Sudan of both the ruling of the Permanent Court of Arbitration on Abyei's boundaries and the recommendations of the African Union High-level Implementation Panel regarding the referendum on the final status of Abyei.

In the interim, South Sudan advocated continued collaboration between the Juba-appointed administration of Abyei and the Misseriya administration in Muglad, outside of Abyei, as well as cooperation between the two administrations regarding the Misseriya grazing rights and other issues of mutual concern.

South Sudan expressed concern that the continued presence of Sudanese Armed Forces in Kec (Difra) in Abyei not only stoked insecurity by fostering the activities of what it referred to as Misseriya militia and criminals but also prevented the return of internally displaced persons to their places of origin.

Lastly, South Sudan called for the expedited appointment of a civilian deputy head of mission who would spearhead responses to the political and humanitarian issues, including the implementation of an exit strategy that should lead to the final status of Abyei.

Ethiopia was of the view that UNISFA had been successfully executing its mandate and that, if it were to be withdrawn prematurely, the security situation in the Abyei area would likely deteriorate. Ethiopia stated that, as the mission was established following the joint agreement of the Sudan and South Sudan, its drawdown should be agreed by both parties. Ethiopia believed that South Sudan was

comfortable with the presence of Ethiopian troops in UNISFA. Ethiopia viewed UNISFA as playing an important role in preventing conflict between the Sudan and South Sudan and therefore contributed to ensuring security for Ethiopia as well, as such a conflict would have repercussions for Ethiopia and the wider region.

For Ethiopia, a reduction in the troop level of UNISFA, combined with a lack of cooperation by the Sudan, would prevent UNISFA from fully implementing its mandate. A further reduction of forces, in its view, would put the remaining troops of UNISFA at risk and lead Ethiopia to withdraw them from the operation for their own safety.

Ethiopia maintained that UNISFA was efficient in implementing its mandate and that any lapses could be attributed to the unwillingness of the Sudan to resolve certain issues that could enhance its performance, such as the timely issuance of visas for UNISFA personnel, authorization for UNISFA to use the Athony airstrip and approval of the appointment of a civilian deputy head of mission.

The Government of Ethiopia linked the issue of UNISFA to other current regional developments, notably the ongoing negotiations over the Grand Ethiopian Renaissance Dam and the dispute of Ethiopia with the Sudan concerning the Fashaqah area. Ethiopia described the stance of the Sudan on these issues as a recent change in position that could impact the amicable relations between the two countries.

The African Union High-level Implementation Panel underscored that it had already provided its position on the final status of Abyei, which was adopted by the African Union Heads of State in 2013. It recalled that the process went through three stages of consultations and a decision was taken that the Security Council should endorse the report. There was still no agreement on Abyei between the Sudan and South Sudan and the rapprochement between them had proved insufficient to resolve outstanding issues.

In the view of the African Union High-level Implementation Panel, without UNISFA, the security situation in Abyei would deteriorate, partly because armed movements use Abyei as a base to regroup. Therefore, the drawdown of UNISFA should not be a political or hasty decision but should rather take into consideration the security situation on the ground. Furthermore, considering the current developments in the region, a premature withdrawal of UNISFA would reverse the gains achieved so far in Abyei.

The African Union High-level Implementation Panel stated that efforts would be deployed shortly for the Peace and Security Council of the African Union to meet in early April to engage the Sudan and South Sudan and thus enable the African members of the United Nations Security Council to be appropriately informed on their positions before the Security Council discusses the mandate of UNISFA.

### **Observations**

The Security Council requested that the joint regional consultation lead to the development of options for the responsible drawdown and exit of UNISFA, and that the Secretary-General elaborate on those options, which should prioritize the safety and security of civilians living in Abyei, account for the stability of the region, and include an option for a responsible drawdown and exit of UNISFA that is not limited by implementation of the 2011 agreements (resolution [2550 \(2020\)](#), para. 31).

This consultation was inconclusive and, given the separate engagements with the parties and their different positions on the future of UNISFA, no options that would be minimally acceptable to the parties could be formulated.

While all parties continue to recognize the usefulness and relevance of UNISFA, albeit for differing reasons, their positions diverge on its composition and the continuation of the operation. Following the reinvigoration of its mandate in 2018, all parties recognize that UNISFA has also been instrumental in addressing tensions between the Ngok Dinka and the Misseriya communities through community dialogue and reconciliation initiatives, although its operations have been constrained by administrative bottlenecks.

I note that the parties recognize the important security role of UNISFA, which has contributed significantly to the stabilizing of Abyei, notwithstanding intermittent clashes between the two communities. In this regard, I sincerely hope that Ethiopia and the Sudan succeed in amicably resolving their political tensions. This will permit UNISFA to maintain its current configuration and continued focus on the security and stability of Abyei, as well as monitoring and verification along the border, as contained in my letter dated 20 August 2018 addressed to the President of the Security Council (S/2018/778). Alternatively, the ability of UNISFA to implement its mandate in its current composition would be negatively affected with significant consequences on the stability in Abyei, as well as there being serious implications for the relations between the Sudan and South Sudan.

A longer-term and more sustainable solution in Abyei, resulting in a safe and complete drawdown of UNISFA, would need to be predicated on good neighbourly relations between the Sudan and South Sudan and the parties reaching an agreement on the final status of the Abyei area with the support of the region, the African Union and the United Nations.

The views expressed by the Governments of the Sudan and South Sudan during the consultations are based on their political positions and differing interests related to their diverging views on the Agreement of 20 June 2011 and the settlement of the final status of Abyei. These positions continue to have a significant impact on efforts to stabilize Abyei and on mandate implementation of UNISFA, and will continue to do so as long as there is no agreement on the final status of the Abyei area.

Against this background, I call on all partners to assist both the Sudan and South Sudan to resolve their outstanding issues, particularly to reach a settlement on the final status of Abyei, which would also require finalizing consultations with the African Union Peace and Security Council on this important matter. I further encourage the Sudan and South Sudan to implement their commitment, announced in January 2020, to establish a joint security mechanism that would assume some of the UNISFA Joint Border Verification and Monitoring Mechanism tasks.

The resolution of an outstanding acrimonious issue, such as the killing of the Paramount Chief of Ngok Dinka, would significantly contribute to the promotion of harmonious relations and the reduction in community tensions. In this regard, I am reassured by the commitment of the African Union to hand over the investigation report to both countries.

Finally, I commend the Sudan and South Sudan for the considerable improvement in their bilateral relations and the constructive efforts each country has made to support the other in ending internal conflicts. I hope that this rapprochement can be further strengthened through progress on the status of the Abyei area that will result in improved safety and security of all civilians living in Abyei, as well as the wider region.

*(Signed)* António **Guterres**