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Policy Brief

Negotiations between the Two Sudans: The Safe Demilitarized Border Zone Explained

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On June 7, yet another round of negotiations between officials from Sudan and South Sudan broke up without the conclusion of any concrete and sustainable agreements. This last round of talks centered, in large part, on discussions of the ill-defined international border that divides the two countries and related security issues. The discussions took place within the context of the Joint Political and Security Mechanism, or JPSM, a bilateral implementation mechanism established in December 2010 by agreement of the two parties and composed of military, security, police, and government officials from both Sudan and South Sudan. The definition of the so-called Safe Demilitarized Border Zone, or SDBZ, was a major dispute between the two parties.

In the June 29, 2011 “Agreement between the Government of Sudan and the Government of Southern Sudan on Border Security and the Joint Political and Security Mechanism,” the two parties agreed to establish an SDBZ. According to the agreement, the SDBZ is to extend ten kilometers on either side of the border, creating a demilitarized zone twenty kilometers wide. Mapping the SDBZ is complicated by the fact that the two parties have not yet agreed on the final definition of the North-South border. Indeed, at least twenty percent of the border remains disputed and therefore undefined. The June 29, 2011 agreement accounted for this shortcoming, providing, “The administrative common border line shall be used for those areas which are disputed.”

Today, Juba and Khartoum remain at an impasse as to the definition, on the map, of the “administrative common border line.” This disagreement has delayed the implementation of the SDBZ and, by extension, the work of the Joint Border Verification and Monitoring Mechanism, or JBVMM. The JBVMM is a joint oversight body charged with the monitoring of the demilitarized border zone and the overseeing of the implementation of agreements related to the zone. The JBVMM is also meant to be a dispute resolution mechanism for complaints related to violations within the demilitarized zone.

During the most recent round of discussions within the Joint Political and Security Mechanism, South Sudan accepted a proposed map – which defines the administrative common border between the two countries and, by extension, the SDBZ – prepared by the African Union High-Level Implementation Panel, or AUHIP. Juba’s acceptance was conditioned on the parties agreeing that the disputed areas around Hafrat al Nahas, the so-call Monroe-Wheatley boundary, and Heglig, and ten kilometers beyond either side of the boundaries of each disputed area, would be entirely demilitarized. The AUHIP proposal did not provide for these contested areas to be demilitarized, but rather defined a temporary administrative common border for the purposes of then defining the SDBZ. For its part, Khartoum said it needed to examine the proposed map further prior to accepting it as the temporary solution to the nearly two year deadlock in North-South border negotiations. In proposing the map, the AUHIP made clear that the parties’ acceptance of the map would not prejudice their respective claims to disputed areas along the border.

While steps may be made in the interim to, among other things, appoint members to the JBVM and establish its administrative headquarters, the mechanism will be unable to fully implement its mandate without an agreed upon and defined SDBZ. In the upcoming negotiation round, now expected to begin on June 21, 2012, it is advisable for the AUHIP, and other interested parties, to apply diplomatic pressure on Khartoum to accept the Panel’s proposed map and, by extension, the definition of the demilitarized zone. Given both parties’ stated emphasis on security, an agreement on the SDBZ should be of mutual interest to both Khartoum and Juba.