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PDRSG ZERIHOUN PRESS BRIEFING

Al-Hitti, Spokesperson a.i.: My name is Khalid AlHitti and I am filling in for Radhia Achouri until further notice.

PDRSG Zerihoun: Thank you very much. Good afternoon and welcome.

It is good to see so many of you here. As was mentioned, I would like to make a few opening remarks mainly on the main developments relating to the implementation of the CPA and on our activities in Sudan. You know that the core mandate of the mission is to support and assist the efforts of the Parties to the CPA to implement the agreement in full. So it maybe it would be appropriate for me to begin with that – with the CPA implementation. Just the highlights.

The most important development or the highlight of the week was the first meeting of the Ceasefire Political Commission. The meeting was co-chaired by the Minister of Foreign Trade, Mr. George (?) on behalf of the SPLM and the State Minister for the Presidency, Minister Idriss Mohamed AbdelGadir, on behalf of the National Congress Party.

As you know, under the provision of the CPA, the Ceasefire Political Commission is the political decision-making body on all ceasefire-related issues and it also oversees the work of the Ceasefire Joint Military Commission. The CPC has three members – of course the National Congress Party, the SPLM and the UN. These are the key members of the Commission. Two other institutions – the IGAD and the IGAD Partners' Forum – are observers.

This first meeting, of course, was procedural. They had to adopt the working procedures. At the same time we did get the UNMIS Force Commander in his capacity as the chair of the CJMC to present his report. As you know, the CJMC has been meeting since May of last year and it has held about 19 meetings before the CPC had its first meeting and he was able to present his report.

We are very happy that the CPC has finally started work because it is a crucial commission for us to bring issues of political implications related to the ceasefire for discussion by the

Parties. And there have been a number of issues in the CJMC which could not be resolved at that level and they now could be referred to the CPC for consideration.

The CPC has agreed to meet once a month – on the last Thursday of every month - and we look forward to working with the Commission in the subsequent meetings. The CJMC itself held its 20th meeting in Juba yesterday the 28th of February. The most notable issue was the endorsement by the CJMC of an agreement earlier by the Area Joint Military Committee in Kassala on a new timetable for the withdrawal of the SPLA troops from eastern Sudan and the new timetable sees the redeployment beginning on the 23rd of February and culminating by the end of May.

We also welcomed the fact that the Joint Defense Board has begun its formal work. We expect the JDB to focus on the formation and the activation of the Joint Integrated Units in order to facilitate the redeployment process and also the DDR program.

As far as the security situation in southern Sudan is concerned, there have been reports of attacks by armed groups identified or alleged to be LRA and this is causing a major security threat in the Equatorias and in Bahr-el-Jebel State. Over the past week, 9 incidents of movement of suspected LRA troops were reported including a clash with the Uganda Peoples' Defense Forces at some 50 kilometers south-west of Juba.

If I could say a word or two on mines and mine-clearing, manual clearance of the primary support routes to the Malakal team sites ongoing; the Malakal-Nasser route has been surveyed and the verification of Robkona-Mundiri road is progressing well. Stretches between the Rubanyi line of disengagement to Jambo and Jambo to (*indiscernible*) are currently being worked on. Verification of Abyei-Gogrial road is also progressing and 50 of the 87 or 86 kilometers have already been verified, they have been marked and are ready for handover. Clearance at around Mile 40 area on the Juba-Yei road continues to be suspended because of insecurity in the area and this is of long standing and you know.

For those of you who need updating on the cholera outbreak in Juba and southern Sudan, I have some information which could be distributed.

If I may turn to Darfur briefly – let me start with a few words on the peace talks in Abuja. The UN continues to provide support to the talks with both logistics and substantive support. We have a team there and our team reports that the discussions on power and wealth sharing is progressing very well. In the security talks, substantive discussions on the enhancement of the humanitarian ceasefire continues focusing mainly on the disengagement and redeployment of various groups. We found the atmosphere in the talks good although much remains to be done on the key aspects of the security agenda – most notably on the arrangements for a comprehensive ceasefire and, of course, on the implementation arrangements.

On the ground in Darfur, we have received several reports of fighting between SLA and government forces over the past week in the Um-Kedada and Haskenita corridor in North Darfur and northeast of Al-Laeita in South Darfur. We have not been able to confirm these reports but initial reports indicate that several villages have been burnt or have been affected by the fighting and have led also to civilian casualties and many of the inhabitants have been forced to flee towards Dar-es-salaam.

The areas of Sheriya and Gereida in South Darfur remain tense with very limited access for UN in both areas. Displacements in Sheriya in particular continue over the past week and some 6-7,000 IDPs are estimated to have arrived in different locations in North Darfur and more are expected to arrive. As many of you know, the Special Representative had visited the two areas of Sheriya and Gereida and also stopped by in Mershing last week, I think from 23 – 25 February and in this visit he had met and held discussions with a wide range of actors and stakeholders including the *Wali* and (*indiscernible*) and SLA commanders and also community representatives in Nyala.

Overall, banditry is increasing in some areas of Darfur and Amar Jadeed near Manawashi in South Darfur by militia have been reported. So the security situation has not improved much.

One final issue before I turn the microphone to you: as you know, earlier last month from the 21st of February, a new regulation of the Voluntary Organisations Act 2006 – the so-called “NGO Law” – was passed by the National Assembly. The UN is concerned that this law unduly restricts the freedom of association by requiring fundraising to be approved by the Humanitarian Aid Commission and does not provide judicial review of ministerial decisions adverse to national or international NGOs. Civil society has indicated it intends to challenge the validity of the law before the Constitutional Court on the basis that it violates freedom of association. We have communicated these concerns to the government officially and we are waiting their reply. I invited the director of the Human Rights Division, Mr. Ravi Daniel, to be here if there is any need for further details or if there are specific questions you would like to ask on this issue.

Thank you for your attention, I would be happy to answer questions.

Al-Hitti, Spokesperson a.i.: Thank you very much. Please identify yourself before you ask your question and we would appreciate it if the questions are very brief.

Q: We are aware, sir, that you are the first person in UNMIS who has information on eastern Sudan and that you traveled to Asmara to coordinate with the Eastern Front. Is there anything new on the issue?

You spoke about the NGOs Law and said that the law will be challenged before the Constitutional Court. Who will be challenging the said law? Is this an incitement to challenge the law?

PDSRSG Zerihoun: Thank you. On the last point, what I said is that we have expressed concerns to the authorities – we had written a letter. But the challenge before the Constitutional Court is not by us but by civil society organizations that have said so. They have indicated to our people that they will challenge this – it is not us that will challenge it. And if there is anything more, I would ask Ravi to add to that.

On the east, I am not the only one who has information on this but I have worked with the Special Representative for quite a while now on this issue.

The march really started when an agreement was reached between the NDA and the National Congress Party in Cairo in the summer of last year. The Beja Congress felt left out from the process and asked for a separate file to address their issues. And if you will recall, following that, the security situation on the ground worsened – there were attacks; there were

abductions of officials and personnel. So we went to Asmara – we were approached by their representatives here to talk to them, to meet with them to share their concerns and to see if we could be of help.

We had preliminary discussions and I think we had three or four rounds of talks and our primary interest was to the extent that both the parties – the government and the Eastern Front – said they would prefer a negotiated solution. That if there is a way we can help or facilitate discussions we would do that. And we have been also talking to the government about this. We have met and briefed Vice-president Taha and also the Special Representative met with Dr. Nafei to brief them on our discussions.

At that time, the Eastern Front wanted the United Nations to mediate and facilitate. We were not keen to do it and we didn't believe we were best placed to do it and we, in discussion with them, suggested some alternatives which are still on the table.

Recently, as you know, there was another initiative. We were told that both parties had accepted facilitation and mediation by the government of Libya. We supported the initiative because our interest was to have the two parties engage in an internationally acknowledged peace process so that the option left to either side would not be the military option.

The last contact we had with the Eastern Front was for us to get readout on the reasons why the meeting of Tripoli did not occur and what are the prospects for these talks to start and we also discussed with them if there was any other help and contribution we can make to this process. We also talked to the Eritreans to seek their views because they are important players in this effort. We have agreed to meet again soon. When we went last time we were not able to meet with the Eastern Front leadership. They have been in touch with us since and we plan to go back.

In short, we are concerned that this is one issue that is left unaddressed in an internationally recognized peace process. If you recall, the international community in the UN and the Security Council has said that comprehensive and sustainable peace in Sudan will not come unless the conflicts in Darfur and in the east are also addressed and resolved. So we have an agreement north-south, we have a bona fide peace process in Darfur facilitated by the African Union and supported by the international community at large but we have nothing comparative for the east and this is our interest. I may also add that we are in Kassala and we have a mandate in the east to the extent that we are required and mandated to monitor and verify the redeployment of SPLA troops in the east. As I said earlier, the parties seem to agree in the meantime on that withdrawal which has been delayed, as you know, and we want to make sure that there is a peace process on the table before this withdrawal is concluded so that the vacuum created by the withdrawal of the SPLA does not exacerbate the security situation and make the peace process more difficult.

Q: We all now that there is still a crisis situation in Darfur and the government in Sudan is insisting that the intervention of international organizations will not be in place. What is the goal behind the objection of the government of Sudan in such a situation and what is the extent of the UN in this situation?

PDSRSG Zerihoun: The first part of your question is difficult for me to answer but the second one is easier. I want to underscore the fact that this whole issue of transition in Darfur from the African Union to the United Nations began with the decision of the African Union

Peace & Security Council. This happened in the 12th of February, if you recall, when the AU Peace & Security Council meeting in Addis Ababa decided in principle for a transition from the AU to the UN. That is how it started.

The Security Council, two weeks after the 12th of February, welcomed this decision and then asked the Secretary-General to begin contingency planning for a possible transfer and the Secretary-General is duty-bound to begin such planning because the Security Council had asked for it. But in this process, both the Peace and Security Council and the Security Council have said that it should be done in consultation and cooperation between either the AU on the part of the Security Council and other stakeholders also including the parties in Abuja and the African Union also has said that it should be done in consultation with the United Nations.

We responded to this request and started organizing ourselves the best we can respond to the Security Council reaction and the same is being done at headquarters in New York. But we have to await the final decision of the AU because the decision of January 12th was a decision in principle and the ministerial level meeting of the AU Peace and Security Council meeting was scheduled on the 3rd of March and has now been postponed until the 10th. So we will have to wait for the final outcome of these meetings.

You asked about the motive for the rejection. I honestly don't know but I think both the Government of Sudan and others have asked questions which are valid questions and that is: we have all said that the AU is doing a good job and that where they have not been able to do a good job is because they lacked the resources and the support. And so many have asked: couldn't the AU do it if given these resources and support – which is a valid question for which I have no answer.

But I can not tell you what the motivation behind the rejection is. The public position taken is that they prefer the AU and that there are many in Africa that maintain that this very first and important effort by the African Union in the areas of peace and security should be supported. We fully agree with that and even in the context of the transition we have insisted that the AU has to be given a credible exit strategy that could allow it to take the transition and to position itself better to contribute to a post-peace situation in Darfur.

Q: The 10th of March is not far. It is just a matter of one week. Suppose that the ministerial meeting comes out with a decision that the AU hand over to the UN and the Sudan government rejects, what will the UN do? This is my first question.

The second question is: we have Sudan Armed Forces in south specifically in Juba and other areas who are supposed to be deployed to the north. What is the latest on their redeployment?

PDSRSG Zerihoun: On the decision of the Peace and Security Council, if the Peace and Security Council decides on or supports a transition if understood you, and the government of Sudan rejects what would the UN do?

First and foremost, I think, the decision of the AU would be taken with due input and consideration of the Government of Sudan's position. The Government of Sudan is not only a member of the AU but is also a member of the Peace and Security Council. It certainly does not participate in the discussion on Sudan in the Peace and Security Council means that it is invited to make a statement and present its position. That is one set of issues that you have to consider because the question assumes that the AU decides without the agreement of the

Government of Sudan. If that happens, the AU refers this to the Security Council; the Security Council will then consult. It is a consent-based operation – what we call a Chapter VI – and of course it requires the consent of the Government of Sudan.

And that is what I am sure the Security Council would do. So there would be discussions and consultations on this and if the Government of Sudan has specific concerns then the Security Council would discuss to see how these concerns would be addressed. But the final decision is with the Security Council and I would be a fool if I am to tell you what the Security Council would do in these circumstances but my understanding is that there is room for consultations on this; there is room for addressing whatever concerns the Government of Sudan may have on the deployment but the decision of the AU is extremely important as I said because, if the views of the Government of Sudan are considered in the decision, then I think the resistance may not be that strong.

On redeploying from the south, I think we have information we can update you on. The CJMC is informed and updated about these in regular meetings including the meeting that was held yesterday. The CJMC is on record as saying that the Government of Sudan or the Sudan Armed Forces have met the target of 31% of redeployment that was required in the Security Arrangements.

If you want details, I can add the details to you after the meeting. Thank you.

Q: *(indiscernible but the question is on returns from Chad)*

PDSRSG Zerihoun: I am not sure if I understood your question. If you meant the return of refugees from Chad – are you talking about organized or not organized return?

Q: *(indiscernible but the question is on returns from Chad)*

PDSRSG Zerihoun: I don't know. It depends on the manner in which they return ...

Certainly they are potentials. It could be a security issue if the right steps are not taken to ensure that it is organized to involve early organizations like the UNHCR and others could create tensions. It is already tense as you know well, in the border areas there are many unmonitored activities by Chadians and Darfurians so it is a cause for concern and I am sure that organizations including the UNHCR will look into this. But I am sure it is a cause for concern no doubt.