

Statement to the UN Security Council

18 January 2011

Mr President,

Your Excellencies Members of the Council,

Ladies and Gentlemen,

Last week's peaceful conclusion of polling for the Southern Sudan referendum marked a historic milestone in the implementation of the Comprehensive Peace Agreement. This is a testament of the commitment of two Parties to the agreement they signed six years ago, and an illustration of their strategic decision to uphold the CPA as they approach the final and decisive stages of its implementation. I would like to take this opportunity to commend President Bashir and First Vice-President Kiir for the leadership and courage they displayed in taking the country through this difficult path, and call on them to continue such a partnership, which, as we witnessed during the past few weeks, is absolutely critical for the successful completion of the peace process.

Referendum

Polling, which started, as required by the CPA, on 9 January 2011, concluded as planned on 15 January. Despite the short time frame and logistical challenges, all materials were distributed on time to the Referendum centers. Registered voters in Southern Sudan, Northern Sudan and out of country were able to vote without any major problems. No significant security incident affected polling areas. Voting was only disrupted by weather conditions in Brisbane, Australia, and extended by three days to guarantee that all registered could vote. I would like to take this opportunity to applaud the work of the Southern Sudan Referendum Commission, the Southern Sudan Referendum Bureau, the State High Commissions and the polling centres' staff, and all their national and

international partners who have worked tirelessly for the past few months and have organized a remarkable polling process.

The Southern Sudan Referendum Commission announced on 13 January that the required 60 percent threshold of registered voters (2,359,553) had been reached by the fourth day of polling, making the referendum legally valid. Subsequently, on 16th January, SSRC chair Professor Khalil Ibrahim announced that 83 per cent of registered voters had cast their ballots, a remarkable turn-out.

UNMIS, UNDP and other international partners worked closely with the Southern Sudan Referendum Commission and its subsidiary bodies, providing technical assistance and guidance on all aspects of the process. UN air assets were heavily utilized to deliver and retrieve polling materials, and to transport key referendum staff and international observers. The international community, through its generous financial contributions, made possible the timely procurement of ballots, polling kits, and other materials, and helped finance the training of polling staff and referendum security officials.

Security remained calm throughout the polling period in the South except for some minor clashes between the SPLA and a rebel group in Unity state at the start of polling, and some disturbances by cattle rustlers in Western-Bahr-el Ghazal, but none had any connection with the referendum and the disruption these caused to the polling process was minimal. Clashes in Abyei, where no voting was scheduled to take place, also had no direct impact on referendum security.

The referendum was closely observed and monitored by large numbers of domestic and international observers. More than 22,000 domestic observers were accredited to oversee the process, alongside approximately 600

international observers. Observers were also present in the overseas centers in 8 countries. The UN Secretary General's Panel on the Referenda in the Sudan has noted in its preliminary statement that, based on its observations, and those of its staff in the field, the Panel is satisfied the process allowed the people of Southern Sudan to express their will freely. Similarly, the observer missions of the African Union, the European Union, the Carter Centre, the Arab League and IGAD have issued statements concluding that the polling was free and fair.

Counting of ballots at each referendum center commenced immediately after the closure of polls on 15 January. Results have been posted at each center and are to be forwarded and aggregated at the next level between 17-23 January. Results from all referendum centers will be verified, approved, and progressively announced. The SSRC will announce preliminary results for the entire referendum on 2 February. Barring any legal appeals, the final results will be declared on 7 February, and in the case of appeals, on 14 February.

Senior officials of the National Congress Party in Khartoum have already announced the referendum would most probably meet the standards necessary for its outcome to be recognized and accepted.

Post-referendum negotiations

As we move into the final six months of the CPA interim period, much remains to be done. The AU High Level Implementation Panel led by President Mbeki is mediating the negotiations on post-referendum arrangements with the help of UNMIS, the US and other partners. Hopefully, the successful completion of the Southern Sudan referendum, would help enhance confidence between the two parties, and help them make the necessary compromises to find solutions to the future status of Abyei and a host of other pending issues, as well as accelerate the popular consultations in Southern Kordofan and Blue Nile states. The

Parties now have the chance to launch a new stage in their relationship, and to begin building a foundation for trust and cooperation.

Abyei

As you are aware, the referendum for Abyei did not take place. Nonetheless, The parties remain engaged in the search for a resolution to the area's future status. The AUHIP had presented a set of proposals to the two parties, but they have not yet agreed on any of the options or presented alternatives. The talks are scheduled to resume on 27 January in Khartoum at the Presidency level.

Uncertainty over Abyei continues to present a risk to peace and stability on the ground, and the Abyei area remains tense and volatile. Incidents on 7 and 8 January in different areas in the northern part of Abyei culminated in a significant confrontation between Ngok Dinka Police forces and Misseriya communities on the 9th near the village of Makier Abior, approximately 13km north-west of Abyei town. Following the incidents, UNMIS was repeatedly denied access to the area and could not confirm the number of casualties which is estimated between 20 and 60. Soon thereafter, reprisal operations were launched by some of the affected Misseriya community members against a convoy of Southern returnees, while they were passing through Southern Kordofan on their way to cross the border home.

UNMIS moved quickly to prevent any escalation of violence, both through political intervention with political leaders, and by directing increased patrolling on the ground. With UNMIS encouragement and participation, an inter-communal conference was quickly organized in Kadugli to address immediate concerns over the impending migration of the Missiriya, and a subsequent governmental meeting took place yesterday to address outstanding security needs in Abyei, returning IDPs, Southerners living in the North and vice versa.

The parties agreed to bolster security in Abyei, particularly its northern part, with an additional two battalions of JIUs, and to pull back the 300 Ngok Dinka policemen which had been deployed to northern Abyei posts which triggered Missiriya reactions. They also agreed to completely disarm all communities in Abyei, to escort returnees to safe destinations, and ensure the freedom of movement and security of migrants with their cattle through Abyei and Southwards into other grazing areas in Southern Sudan.

UNMIS has increased both the size of its military deployment to Abyei and its military and civilian patrolling in the area in order to deter further clashes. Movement restrictions were placed on UNMIS patrols by both Dinka Nok and Misseriya forces which impeded the Mission's efforts in responding to the violence. Furthermore, incidents involving the commandeering of UN vehicles by and direct threats to UN personnel by these armed elements re-occurred which cannot and will not be tolerated.

These efforts for reducing tensions and preventing violence can help contain the situation. However, continued absence of a final settlement for the future status of Abyei leaves open the possibility of further clashes between the communities on the ground. I therefore call on the parties to redouble their efforts to settle the Abyei dispute and display the same leadership and courage they have displayed regarding the Southern Sudan Referendum.

Southern returnees

I welcome statements from both parties on their commitment and arrangements to protect and respect the rights of Southerners in the North and Northerners in the South respectively. Over 1.2 million Southerners have returned since the signing of the CPA with a recent surge since October 2010 involving approximately 160,000 Southern returnees. This process needs careful handling

to avoid a humanitarian crisis. The United Nations is providing humanitarian support to the return process and stands ready to provide additional technical support if necessary. I welcome the recent decision taken by the Government of Southern Sudan to promote return and reintegration, in accordance with internationally accepted principles of voluntariness, safety and dignity.

Security environment in Southern Sudan

Ahead of the referendum, the Government of Southern Sudan pursued its roadmap for political accommodation in the South with the signing of a ceasefire framework agreement between the SPLA and Lt Gen George Athor. This is most welcome. The implementation of the promises made by the SPLM during the all-party conference of October 2010 will similarly be critical to consolidate Southern stability in the post-referendum environment. UNMIS stands ready to provide support and assistance to this process and encourages the SPLM to move forward with it.

Popular consultations in Southern Kordofan and Blue Nile states

The achievements of the CPA and future of governance in Northern Sudan are also supposed to be reviewed through Popular Consultations in Blue Nile and Southern Kordofan States. Unfortunately, however, no sufficient political commitment and no clarification of objectives have been demonstrated by the parties to meet the requirements of the Popular Consultations in the two States. One can hardly say that even in Blue Nile state where elections have taken place, there is real confidence that the popular consultations will be carried out properly and lead to a solution to the inequities that led to marginalization and conflict in the past.

The Popular Consultations represent one of the key final benchmarks of the CPA and require both clarity and greater attention from the parties. Neither of

them can afford to leave grievances and fears between rival communities in the two states unaddressed, and risk a resumption of hostilities in the border areas. Progress will absolutely need to be made on that front in the next six months for the gains achieved by the peace process so far to be consolidated.

Mr. President,

The Southern Sudan Self-Determination Referendum is probably the single most important foundation for the future peace and stability of Sudan and of the entire region.

The next few months will provide the basis for a transition to the post-CPA environment. As with any transition, it will be marked by a degree of uncertainty, considerable expectations and hopes for some, and fears of the new, the unknown for others. Both the SPLM and the NCP need to continue displaying the remarkable leadership, statesmanship and political courage they have demonstrated in the past few weeks, to guide Sudan through this difficult period.

Whatever the referendum's outcome, both Northern and Southern Sudan will remain multiethnic, multicultural, and multi religious societies. This diversity is always the strength of nations, never their weakness. With the conclusion of the CPA, both the North and the South will need new constitutional arrangements; this represents an important opportunity for both of them to engage relevant stakeholders and consolidate the peace and stability achieved under the CPA. The United Nations and the rest of the international community will need to continue supporting the parties through the rest of the peace process and help ensure that peace is maintained between them while stability and democracy are consolidated and deepened within them. Sudan is on the eve of a new dawn, and

it is going to need a heavy dose of encouragement and support from the international community to make sure committed implementation of the CPA signifies a final and definitive break with the past and opens a new era of prosperity and stability for all Sudanese.

Thank you