



SUDAN PEOPLES'S LIBERATION MOVEMENT (SPLM)
General Headquarters

**International Arbitration Tribunal Announces Decision on the Boundaries
of the Abyei Area: SPLM/A Vows to Implement it**
(July 22, 2009)

Today a long and difficult dispute over the boundaries of Abyei has been settled and a new opportunity for peace, security, and prosperity for the people of Abyei and its surrounding areas has emerged from the ashes of war.

Today the Abyei Arbitration Tribunal, seated at the Permanent Court of Arbitration (PCA), held a ceremony at the Peace Palace in The Hague to announce its decision regarding the boundaries of the Abyei Area. Professor Pierre-Marie Dupuy, the Tribunal's Presiding Arbitrator (Chair), personally delivered the Tribunal's decision to representatives from the Government of Sudan (GoS) and the Sudan People's Liberation Movement/Army (SPLM/A) (the "Parties"), along with a brief statement summarizing the award.

Senior officials from the National Congress Party (NCP) and the SPLM/A were present along with representatives of the Abyei Area Administration; traditional leaders from the Misseriya, Ngok Dinka, and other tribal groups from surrounding areas; and various members of the international community who witnessed the signing of the Comprehensive Peace Agreement.

The Tribunal, agreeing with the arguments of the SPLM/A, declared that it was reasonable and not an excess of the Abyei Boundaries Commission (ABC) Expert's mandate when the "ABC Experts adopted a predominantly 'tribal' interpretation of their mandate." That is, "the ABC Experts understood their mandate as requiring them to delimit and demarcate the area of the nine Ngok Dinka Chiefdoms as of 1905, i.e., the extent of Ngok Dinka settlements in 1905." This is in stark contrast to the "territorial" understanding of the ABC's mandate as put forth by the GoS in the arbitration proceedings.

The Tribunal further found that the ABC Experts did not exceed their mandate by finding that the Ngok Dinka had a legitimate dominant claim to a northern boundary extending up to latitude 10°10'00"N, rejecting the GoS's underlying argument that the area of the nine Ngok Dinka chiefdoms in 1905 was bounded on the north by the River Kiir.



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The Tribunal did find that, with respect to the northern boundary extending further to latitude 10°22'30"N and with respect to the extent of the western and eastern boundaries defined by the ABC Experts, the ABC Experts' definitions – in part – were “in excess of mandate for failure to state sufficient reasoning.” As such, the Tribunal, based on the submissions of the Parties, defined the northern boundary of the Abyei Area as running along latitude 10°10'00"N. With respect to the southern boundary of the Abyei Area, the Tribunal found that the ABC Experts did not exceed their mandate in defining the boundary as “the Kordofan-Bahr el Ghazal-Upper Nile boundary as it was defined on 1 January 1956.” The Tribunal therefore defined the eastern boundary of the Abyei Area as running “in a straight line along longitude 29°00'00"E, from latitude 10°10'00"N south to the Kordofan-Upper Nile boundary as it was defined on 1 January 1956.” The Tribunal also defined the western boundary as running “in a straight line along longitude 27°50'00"E, from latitude 10°10'10"N south to the Kordofan-Darfur boundary” until it meets the southern boundary of the Abyei Area as confirmed by the Tribunal.

With this definition, the Tribunal recognized the heart of the ancestral homelands of the Ngok Dinka as constituting the Abyei Area. The Tribunal further emphasized that its decision does not affect, in anyway, the grazing rights of the Misseriya and other nomadic peoples.

A more detailed explanation of the Tribunal's award, as summarized by the Abyei Arbitration Tribunal Presiding Arbitrator, may be found in today's PCA press release, available at: http://www.pca-cpa.org/showpage.asp?pag_id=1306.

The SPLM believes the Tribunal's award is a just and well-reasoned resolution to the Parties' dispute over the Abyei Area's boundaries. We are overwhelmingly pleased that the world has heard the story of the Ngok Dinka, and a just and impartial body of this caliber has legally recognized the better portion of their ancestral lands. This decision is a victory to all Sudanese people and the peace-loving people of the world, as this will mark the beginning of the full implementation of the CPA.

The Parties previously agreed that the decision of the Tribunal would be “final and binding” and be immediately implemented by both. The SPLM wants to reassure the people of Sudan and the international community that it remains firmly committed to the rule of law and therefore the implementation of the award. It hopes the GoS, in particular the NCP, will likewise adhere to its previous commitments to implement the Tribunal's decision, regardless of the outcome. Consistent with the Parties' recent agreements in Washington, DC and Khartoum, the SPLM stands ready to work



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together with the Government to form a survey team to promptly demarcate the boundaries as defined by the Tribunal. It also remains focused on the need for the Parties to jointly reassure all those that seasonally migrate through the Abyei Area that their traditional grazing rights remain protected and not diminished in any way.

In the days and weeks ahead, as per the agreements recently reached with the GoS, the SPLM will work together with the Government toward educating the public about the award and its impact, as well as ensuring peace and security in Abyei and its surrounding areas. To this end the SPLM calls on both Parties to reaffirm, through their actions, their commitments to the security provisions of the Abyei Roadmap, which provide that the only forces permitted within the Abyei Area are the Abyei police, the Abyei JIU battalion, and UNMIS forces. Too much time, and most importantly, too many lives have been lost to this dispute. A return to war is not an option.

As the Parties intended, this decision must now be honored by all Sudanese as the final end to the long fight over Abyei's boundaries. The SPLM calls on the Sudanese people and the international community to hold both Parties accountable for their actions over the next few days, weeks, and months and to work hand in hand with the Parties to implement the decision and rebuild the area and the lives of all those who have suffered so long. The SPLM strongly believes that with this decision we can now work to provide a hopeful future to all people of Abyei and all those who depend on its lands and resources for their livelihoods.

For Further Information, please contact:

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The PCA today posted the Tribunal's decision on its website: http://www.pca-cpa.org/showpage.asp?pag_id=1306. The PCA will make available on the same website an Arabic translation of the Tribunal's decision in the coming weeks.