

To: The United Nations Security Council
The African Union Peace and Security Council
The League of Arab States
Dr. Nkosazana Dlamini-Zuma, Chair of the African Union Commission
Thabo Mbeki, Chair of the African Union High Implementation Panel
Prime Minister Meles of Ethiopia, Chair of IGAD

From: The Undersigned 96 International Organizations

Date: August 3, 2012

Re: Implementation and Review of United Nations Security Council Resolution 2046

On June 6, 2012, 89 international organizations urged the UN Security Council to impose consequences as outlined in Resolution 2046 on Sudan if it did not allow immediate access for humanitarian aid into Nuba Mountains/South Kordofan and Blue Nile by June 14, 2012.

On June 14, 2012, the spokesperson for Secretary-General Ban Ki-Moon acknowledged serious food shortages particularly in the areas not under government control, and he committed to the delivery of 8,000 metric tonnes of food assistance. We understand Sudan recently allowed the World Food Programme to provide a 3 month supply of aid to approximately 170,000 people in 13 government-held areas in eastern South Kordofan.

We appreciate the initial efforts to supply aid to war affected populations and we appreciate attention by the UN Security Council, the African Union and IGAD to address the crises in Sudan and South Sudan through implementation of the African Union Roadmap and UN Security Council Resolution 2046.

According to Resolution 2046 article 6, the UN Security Council intends to take appropriate measures under Article 41 of the UN Charter if Sudan, South Sudan and the SPLM-North do not comply with decisions set forth in the Resolution. Review of compliance was scheduled for May 17th and in two week intervals thereafter. In addition, Resolution 2046 article 5 established a 3 month deadline on August 2, 2012 for conclusion of negotiations between Sudan and South Sudan over oil, citizenship, the border and Abyei.

Besides concluding negotiations between Sudan and South Sudan, compliance by the parties is based on the following actions:

- Cease all hostilities including aerial bombardments.
- Withdraw troops to their side of the border.
- Activate, by May 9th, the Joint Border Verification and Monitoring Mechanism and the Safe Demilitarized Border Zone.

- Cease harboring or supporting rebel groups against the other state.
- Activate the means to investigate allegations.
- Cease hostile propaganda and protect property, religious and cultural symbols and nationals of the other State.
- Implement the June 20, 2011 agreement on Abyei.
- Reach a negotiated settlement between Sudan and the SPLM–N based on the June 28, 2011 Framework Agreement.
- Accept and implement the tripartite proposal by Sudan and the SPLM–North.
- Protect human rights including those of women and people belonging to vulnerable groups.

Non-compliance of these requirements is subject at any time to measures under Article 41, which include partial or complete interruption of economic relations and severance of diplomatic relations.

It is widely recognized that while South Sudan and the SPLM–North have largely complied with the Resolution, Sudan has not and instead has committed the following violations:

- Ongoing bombardment and attacks in South Kordofan, Blue Nile and South Sudan.
- Refusal to implement a buffer zone between Sudan and South Sudan.
- Ongoing presence of Sudan military in Abyei.
- Refusal to accept and implement the tripartite proposal and as a result condemning thousands of people to death by starvation, thirst, injury and disease within Sudan and creating a humanitarian crisis outside of Sudan as over 200,000 civilians seek refuge in South Sudan and Ethiopia.
- Refusing to recognize the SPLM–North as a political party, arresting and torturing its members and confiscating their property while refusing to approach negotiations with the SPLM–North in good faith making a negotiated settlement impossible.
- Violating human rights by arresting, torturing and killing peaceful protestors and individuals associated with opposition parties; indiscriminate bombing of civilian populations in Nuba Mountains/South Kordofan and Blue Nile; and by restricting access for international humanitarian aid throughout Sudan.

We recognize the tenuous nature of negotiations between Sudan and South Sudan and the implications of failed negotiations. While there may be a reluctance to antagonize Sudan for fear of repercussions, failing to implement Resolution 2046 emboldens Sudan and other states to disregard international law and institutions and to instigate violence that threatens global peace and security.

We strongly recommend immediate airlifts, in coordination with the SPLM–North, to deliver aid to war affected populations in Nuba Mountains/South Kordofan and Blue Nile that are inaccessible due to Sudan imposed blockades and due to impassable roads caused by the rainy season. The international community has exercised extraordinary patience and exhausting but fruitless diplomacy to secure access for the delivery of aid. The international community must now exercise its right and responsibility to protect the citizens of the two areas from crimes committed by the Government of Sudan.

As part of the UN Secretary General's September 2, 2012 proposal to address outstanding issues related to negotiations between Sudan and South Sudan, we recommend the inclusion of immediate consequences according to Article 41 if Sudan fails to comply with all components of the Resolution and if it continues to commit crimes against its citizens and the citizens of South Sudan.

In addition, serious and unresolved humanitarian and political crises are ongoing in Darfur, Eastern Sudan and throughout Sudan. Compliance with Resolution 2046 article 3, a negotiated settlement based on the June 28, 2011 Framework Agreement on Political Partnership, would pave the way for a comprehensive security and political arrangement at the national level. However, the effectiveness of an agreement is contingent upon full participation by opposition parties and rebel groups, civil society organizations, grassroots activists and Sudanese citizens, particularly citizens from the marginalized regions. Given Sudan's well established pattern of failing to abide by negotiations, commitment by the international community to strictly monitor the implementation process and the ensuing transitional period will be necessary

We appreciate your immediate attention to these urgent matters.

Signed by:

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