

ANNEXE 1. Darfur Humanitarian Ceasefire Agreement

Darfur Humanitarian Ceasefire Agreement

19 April 2004

Under the auspices of His Excellency, Idriss Deby, President of the Republic of Chad, Head of State, assisted by the Chairperson of the Commission of the African Union, and in the presence of International Observers and Facilitators, The Government of the Republic of Sudan, the Sudan Liberation Movement/Army and the Sudan Justice and Equality Movement; hereinafter known as the Parties, have agreed on the following:

POLITICAL PREAMBLE

Convinced of the necessity of the establishment in Darfur of a democratic political culture to guarantee to the populations of the region their political, economic and social rights; Convinced that only a global, just and durable solution negotiated peacefully can resolve the problems in Darfur; Convinced that a mechanism for a political solution should be envisaged as soon as possible;

1 The parties undertake to join their efforts in order to establish a global and definite peace in Darfur.

2 The parties agree to meet under the auspices of the Tchadian mediator in a period not exceeding two weeks, to negotiate a definitive settlement of the conflict and to discuss solutions to the problems of Darfur, with a view to finding a definite and global settlement in the framework of a conference between all the representatives of Darfur, especially in relation to its socio-economic development.

3 The parties undertake to create a conducive environment for negotiations and to cease all hostile media campaigns.

HUMANITARIAN QUESTIONS

-Agreeing on the fact that any peaceful and durable settlement of the problem of Darfur can be achieved only through frank and sincere dialogue,

-Determined to give up the use of force as means of settling the problem of Darfur,

Article 1: The parties decide on the cessation of hostilities between them and specifically proclaim a cease-fire for a period of 45 days automatically renewable except if opposed by one of the parties. The ceasefire will be effective on land, and air, to allow on one hand, a fast and unrestricted humanitarian access to the needy populations of Darfur and on the other hand, to arrive at a just and durable solution to the problem in Darfur;

Article 2: The cessation of hostilities between all the forces of the parties will be effective 72 hours after the signing of this Agreement.

During the cease-fire, each party shall:

-Refrain from any recruitment operations;

-Refrain from any military action, and any reconnaissance operations

-Disengage and refrain from any deployment, movement or action which could extend the territory under its control or which could lead to a resumption of hostilities;

-Stop laying landmines; mark and sign post any danger areas and mine fields;

- Refrain from supplying or acquiring arms and ammunitions;
- Refrain from any act of violence or any other abuse on civilian populations;
- Stop any act of sabotage;
- Stop any restriction on the movement of goods and people;
- Stop any form of hostile act, including hostile propaganda;
- Ensure humanitarian access;
- Refrain from any military activity which, from the opinion of the Cease-fire Commission or the Joint Commission, could endanger the cease- fire;

Article 3: The parties shall establish a Cease-fire Commission composed of 2 high ranking officers from the Parties, the Tchadian mediation and the international community in accordance with the sovereignty of the Sudan.

Article 4: The mandate of the Cease-fire Commission shall consist of:

- planning, verifying and ensuring the implementation of the rules and provisions of the cease fire;
- defining the routes for the movement of forces in order to reduce the risks of incidents; the administrative movements shall be notified to the Cease-fire Commission. -assist with demining operations;
- receiving, verifying, analyzing, and judging complaints related to the possible violations of the cease-fire;
- developing adequate measures to guard against such incidents in the future violations
- the parties shall provide the head of the Cease-fire Commission, or his designated representative, immediately upon request information required for the implementation of this Agreement on the understanding that the information will be held confidentially.
- the parties shall give the Cease-fire Commission and its personnel unrestricted access throughout Darfur;
- determine clearly, the sites occupied by the combatants of the armed opposition and verify the neutralization of the armed militias.

The Cease-fire Commission shall report to a Joint Commission composed of the parties, the Tchadian mediation and the international community.

Article 5: The parties have decided to free all the prisoners of war and all other persons detained because of the armed conflict in Darfur;

Article 6: The parties shall ensure that all armed groups under their control comply with this Agreement. The forces of armed opposition should be assembled in clearly identified sites. The Sudanese Government shall commit itself to neutralize the armed militias.

Article 7: The parties have agreed to meet as soon as possible under the auspices of the Tchadian mediation and the international community to discuss pending points, notably about setting up the Joint Commission and the Cease-fire Commission mentioned in article 3 and 4 of the present agreement;

Article 8: The parties undertake to facilitate the delivery of humanitarian assistance and the creation of conditions favorable to supplying emergency relief to the displaced persons and other civilian victims of war and this, wherever they are in the Darfur region, in accordance with the appendix attached to the present Agreement;

Article 9: In case of non respect of the clauses of this Agreement by one of the parties, the other party will refer such a case to the Cease-fire Commission and if necessary the Joint Commission.

Article 10: This Agreement can be amended by agreement of the parties with the consent of the Cease-fire Commission. The parties may agree to renew this Agreement for an additional 45 days not later than 21 days before the expiry of the Agreement. Any party may notify the Cease-fire Commission of its intention for renewal and if the parties agree, this Agreement shall be extended for an additional two months period;

Article 11: This Agreement shall take effect as from its date of signature. It is drafted in Arabic, in French and in English, all three texts being equally authentic.

Done at N'djamena, this 8th Day of April, 2004.

For the Sudan Liberation Movement/Army (SLM/A)

MINI ARKOU MINAWI
Secretary General

For the Government of Sudan (GOS)

ACHERIF AHMAD OUMAR BADOUR
Minister for Investment

For the Sudanese Justice and Equality Movement (SJEM)

NASRADINE HUSSEIN DIFALLAH
President

MAHAMAT SALEH HAMID
Deputy Secretary General

For the Tchadian Mediation

NAGOUM YAMASSOUM
Minister of State, Ministry of Foreign Affairs
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For the African Union

SAM B. IBOK
Representative of the Chairperson of the Commission