

Country/entity	Sudan Darfur
Region	Africa (excl MENA)
Agreement name	Darfur Peace Agreement
Date	5 May 2006
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Sudan Conflicts (1955 -)

Agreements relate to several distinct dyads, and also the negotiated independence of South Sudan, and subsequent internal conflict in South Sudan. Sudan-South Sudan. The long-standing conflict between the north and the south of the country dates back to colonial times, where the British introduced a so-called 'Southern Policy', severely hampering population movements between these big regions. Immediately after gaining independence in 1956, southern movements started to fight for independence; this fight became professionalised in 1983 with the foundation of the soon internationally supported Sudan People's Liberation Army (SPLA). When the Islamic Front government introduced strict sharia laws in the south after it took over power in 1988 the war intensified. A decade later, the military situation reached a stalemate, enabling internationally facilitated peace negotiations to begin in 1997. After more fighting, a final negotiation push began in 2002, leading to the signing of the Comprehensive Peace Agreement (CPA) in January 2005.

Sudan-South Sudan post referendum. South Sudan became independent in July 2011; since then, relations between the two countries are complicated and violent conflict led by the SPLM (North) in the Sudanese Nuba mountains region has since intensified.

Darfur. Other long-standing violent conflicts are in the east and the west of the country. In the east, the Beja Congress, established in 1957, is the spearhead of a currently 'peaceful' opposition movement. In the west, the violent conflict in Darfur intensified in the early 2000s and rapidly gained international attention, even resulting in genocide charges against leading figures of the Sudanese government. The situation on the ground is complex, with over a dozen organisations (most notably the Sudanese Liberation Movement and the Justice and Equality Movement) fighting the Sudanese government and allied groups like the Janjaweed – although all parties have switched sides on numerous occasions. Several mediation attempts have not been successful, due to the shaky commitment of the Sudanese central government and the distrust among the armed opposition.

South Sudan - internal

In December 2013, after president Salva Kiir accused opposition leader Riek Machar of attempting a coup, violent conflict broke out between government forces of the SPLM/A and anti-governmental groups. In addition, several other political militias as well as communal militias have joined the conflict. In 2015 the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) was signed. Due to unsuccessful implementation the agreement was revitalized in 2018. In September 2019, Kiir and Machar agreed to establish a power-sharing government after struggles on forming a unity transitional government.

Close

Sudan Conflicts (1955 -)

Stage Framework/substantive - comprehensive

Conflict nature Government/territory

Peace process	Darfur-Sudan peace process
Parties	For the Government of Sudan: Dr. Magzoub Al Khalifa, Chairman of the Sudan Government Delegation; For the Sudan Liberation Movement/Army (SLM/A): Minni Arkou Minawi, Chairman;
Third parties	Witnessed by: Dr. Salim Ahmed Salim, AU Special Envoy and Chief Mediator; His Excellency, President Denis Sassou-Nguesso, Current Chairman of the African Union; His Excellency, President Olusegun Obasanjo, President of the Federal Republic of Nigeria; His Excellency, Professor Alpha Oumar Konare, Chairperson of the African Union Commission; Dr. Ali Treki, Representative of the Leader of the Libyan Arab Jamahiriya; Mr. Robert Zoellick, Deputy Secretary of State, United States of America; Mr. Hilary Benn, Secretary of State for International Development, United Kingdom; His Excellency, Jan Pronk, Special Representative of the Secretary-General of the United Nations in the Sudan; Pekka Haavisto, European Union; Counsellor Zeid Al Sabban, League of Arab States; Ambassador Ahmed A. Haggag, Special Envoy of the Arab Republic of Egypt; Ambassador Allan Rock, Representative of Canada; Dr. Kjell Hodnebo, Representative of Norway; Ambassador Henri de Coignac, Special Envoy, France; Mrs. Agnes Van Ardenne, Minister for Development Cooperation, Netherlands;
Description	Comprehensive agreement covering a wide range of issues. Agreement establishes democratic processes for the people of Darfur to choose their leaders and determine their final status as a region. A popular referendum is envisioned not later than July 2010 to decide whether to establish Darfour as a unitary region or to maintain the status quo of three states. The comprehensive agreement also addresses power sharing, wealth sharing, a final ceasefire and security arrangements, calls for a 'Darfur-Darfus' dialogue to address pending issues and provides implementation modalities. Agreement annexes six prior agreements.

Agreement document [SD_060505_DPA.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth

Groups→Children/youth→Rhetorical

Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

109. The women of Darfur are involved in all areas of activity and constitute the bulk of the labour force, especially in the agricultural and animal resource sectors. In addition, women are heads of households particularly among refugees, the internally displaced persons and migrants. Women's situation in all these areas has been worsened by the war, which has had a particularly deleterious impact on women and children, especially in relation to their means of livelihood. There is a need, therefore, for a special focus on the specific situation of women and for providing concrete measures to address their concerns, as well as ensuring their equal and effective participation in committees, commissions and bodies established pursuant to this Agreement.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

189. DRRC, in collaboration with the relevant authorities shall assist in the rehabilitation and reintegration of orphans and other people of special needs.

Page 43, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

193. The national government and the relevant authorities in Darfur pledge to protect the integrity of the family and community and the right to family life. Special effort shall be made to reunify unaccompanied minors with their families or communities of origin. DRRC shall facilitate inquiries made by family members and co-operate with the work of humanitarian organisations engaged in assisting family reunification.

Page 49, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

217. The aims of this Chapter are as follows:

...

(c) To ensure that protection of the civilian population is given the highest priority by all parties, particularly the women and children are not subjected to gender-based violence.

Page 51, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 24

226. (m) Any recruitment or use of boys and girls under age 18 years by Parties.

Page 53, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 25

236. AMIS shall not tolerate gender-based violence and abuse of women and children.

Page 56, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 25

260. (j) To support efforts by relevant organisations to solve the problems of child soldiers, children who have disappeared, children who have been detained, and other children in Darfur.

Page 57, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

262. (e) To provide special protection for women, children, the vulnerable and disabled persons.

Page 65, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

321. The plans shall include the following:

...

(c) Strategies to deal with the problem of violence against women and children

Disabled persons

Groups→Disabled persons→Rhetorical

Page 57, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26 PROTECTING IDPS AND HUMANITARIAN SUPPLY ROUTES, General Commitments

262. (e) To provide special protection for women, children, the vulnerable and disabled persons.

Groups→Disabled persons→Anti-discrimination

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3 HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

...(f) The State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability, as well as access to free primary health care and free and compulsory primary education.

Groups→Disabled persons→Substantive

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3 HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

...28. (d) The State shall provide maternity, child care and medical care for pregnant women, children in need, persons with special needs and the elderly, in line with regional and international instruments ratified by the GoS.

Page 82, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 29 Reintegration Special Needs

442. The Reintegration Plan shall develop specific programs for former combatants under the age of 18; female former combatants; and disabled former combatants.

Elderly/age

Groups→Elderly/age→Substantive

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3 HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

...28. (d) The State shall provide maternity, child care and medical care for pregnant women, children in need, persons with special needs and the elderly, in line with regional and international instruments ratified by the GoS.

...

30. (b) The death penalty shall not be imposed on a person under the age of eighteen or a person who has attained the age of seventy except in cases of retribution or hudud.

Migrant workers

Groups→Migrant workers→Rhetorical

Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 17: CONCEPTS AND GENERAL PRINCIPLES FOR WEALTH SHARING

109. The women of Darfur are involved in all areas of activity and constitute the bulk of the labour force, especially in the agricultural and animal resource sectors. In addition, women are heads of households particularly among refugees, the internally displaced persons and migrants. Women's situation in all these areas has been worsened by the war, which has had a particularly deleterious impact on women and children, especially in relation to their means of livelihood. There is a need, therefore, for a special focus on the specific situation of women and for providing concrete measures to address their concerns, as well as ensuring their equal and effective participation in committees, commissions and bodies established pursuant to this Agreement.

**Racial/ethnic/
national group**

Groups→Racial/ethnic/national group→Rhetorical

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

14. The cultural and social diversity of the Sudanese people is the foundation of national cohesion and therefore shall be promoted and developed.

Page 89, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

484. Issues to be addressed by the DDDC shall include:

...

(i) Measures to preserve the multi-ethnic character of Darfur

Groups→Racial/ethnic/national group→Anti-discrimination

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (f) The State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability, as well as access to free primary health care and free and compulsory primary education.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

38. (c) Every association shall have the right to register and to function as a political party in accordance with the law and in particular if:

...

(i) its membership is open to all Sudanese irrespective of religion, ethnic origin, gender or place of birth,...

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

106. The Parties agree that national economic and social policies, plans and programs shall:

(a) Ensure that the quality of life, dignity and living conditions of all citizens is promoted without discrimination on grounds of gender, race, religion, political affiliation, ethnicity, language or geographic location.

Page 83, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 29

447. Reform of selected security institutions shall be in accordance with the following:

(c) Their membership shall be based on merit and fitness without regard to ethnicity or political leanings, with fair representation from all groups.

Groups→Racial/ethnic/national group→Substantive

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

37. Every person shall have an unrestricted right to freedom of expression, reception and dissemination of information and publication as determined by law. The State shall guarantee the freedom of press and other media in a competitive environment as shall be regulated by law. All media shall abide by professional ethics, shall refrain from inciting religious, ethnic, racial or cultural hatred and shall not agitate for violence or war.

Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3

39. Ethnic and cultural communities shall have the right to practise their beliefs, use their languages and develop their cultures within their customs.

Religious groups

Groups→Religious groups→Rhetorical

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

3. Religions, beliefs, traditions and customs are the source of moral strength and inspiration for the Sudanese people.

Groups→Religious groups→Anti-discrimination

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (f) The State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability, as well as access to free primary health care and free and compulsory primary education.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

38. (c) Every association shall have the right to register and to function as a political party in accordance with the law and in particular if:

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(a) Ensure that the quality of life, dignity and living conditions of all citizens is promoted without discrimination on grounds of gender, race, religion, political affiliation, ethnicity, language or geographic location.

Groups→Religious groups→Substantive

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

36. Every person shall have the right to the freedom of religious belief and worship.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

37. Every person shall have an unrestricted right to freedom of expression, reception and dissemination of information and publication as determined by law. The State shall guarantee the freedom of press and other media in a competitive environment as shall be regulated by law. All media shall abide by professional ethics, shall refrain from inciting religious, ethnic, racial or cultural hatred and shall not agitate for violence or war.

Page 24, CHAPTER ONE: POWER SHARING, ARTICLE 15

90. Law enforcement agencies of the National Capital shall be representative of the population of the Sudan and shall be adequately trained and made sensitive to the cultural, religious and social diversity of the Sudan.

Page 90, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

494. Representation at the DDDC shall be decided by the Preparatory Committee according to the following guidelines:

(c) 40% of delegates shall be selected to represent other stakeholders, including political parties, civil society organizations, religious leaders, business leaders, members of the diaspora, trade unions and professionals.

Indigenous people No specific mention.

Other groups

Groups→Other groups→Anti-discrimination

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

106. The Parties agree that national economic and social policies, plans and programs shall:

(a) Ensure that the quality of life, dignity and living conditions of all citizens is promoted without discrimination on grounds of gender, race, religion, political affiliation, ethnicity, language or geographic location.

Page 83, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 29

447. Reform of selected security institutions shall be in accordance with the following:

...

(c) Their membership shall be based on merit and fitness without regard to ethnicity or political leanings, with fair representation from all groups.

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

53. The TDRA shall exercise the following functions:

(a) Undertake primary responsibility for coordinating the implementation and follow-up of this Agreement. Such responsibility shall include, in particular, facilitating the return of refugees and internally displaced persons, coordinating the restoration of security, and promoting peace and reconciliation throughout Darfur;

Page 19, CHAPTER ONE: POWER SHARING, ARTICLE 8

66. The Senior Assistant shall have powers that will enable him/her influence national policies. To this end, he/she shall be a member of, inter alia, the National Council of Ministers, the National Security Council and the National Planning Council and shall participate in their deliberations and decision-making. In addition, the Senior Assistant shall:

...

(d) Coordinate the formulation and implementation of plans, policies and programmes concerning Darfur, including rehabilitation, reconstruction and development of Darfur, as well as facilitate the return of refugees and internally displaced persons.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

102. Darfur has urgent and serious needs for rehabilitation, reconstruction and development of social and physical infrastructure affected by the conflict, especially with regard to IDPs, refugees and war-affected persons and to perform basic government functions, and build up civil administration.

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

108. The first priority of implementing this Agreement is to address the needs of the war-affected areas, with special attention to displaced and war-affected persons, to provide the basic services and security needed to enable them to return to their livelihoods in safety and dignity. This Chapter sets out principles for the restitution of property and assistance for full reintegration to their former livelihood, including rights to land and compensation for losses or damages or both sustained as a result of the conflict.

Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

109. The women of Darfur are involved in all areas of activity and constitute the bulk of the labour force, especially in the agricultural and animal resource sectors. In addition, women are heads of households particularly among refugees, the internally displaced persons and migrants. Women's situation in all these areas has been worsened by the war, which has had a particularly deleterious impact on women and children, especially in relation to their means of livelihood. There is a need, therefore, for a special focus on the specific situation of women and for providing concrete measures to address their concerns, as well as ensuring their equal and effective participation in committees, commissions and bodies established pursuant to this Agreement.

Page 36, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

154. (a) The DRDF shall solicit, raise and collect funds from domestic and international donors and disburse such funds for the resettlement, rehabilitation and reintegration of internally and externally displaced persons and to address past development imbalances especially infrastructure.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

159. All displaced persons and other persons arbitrarily or unlawfully deprived of rights to land shall have those rights restored to them. No person or group of persons shall be deprived of any traditional or historical right in respect of land or access to water without consultation and compensation on just terms

Social class No specific mention.

Gender

Women, girls and gender

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

15. The Parties recognize that women are under-represented in government institutions and decision-making structures and that there is need for special measures to ensure women's equal and effective participation in decision-making at all levels.

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (a) Women and men shall enjoy all civil and political rights enshrined in the International Covenant on Civil and Political Rights, as well as all economic, social and cultural rights in the International Covenant ratified by the GoS.

(b) Family is the basis of society and shall be protected by the law. Men and women shall enjoy the right to marry and found a family, in accordance with their respective family laws.

(c) The State shall combat harmful customs and traditions, which undermine the dignity and the status of women.

(d) The State shall provide maternity, child care and medical care for pregnant women, children in need, persons with special needs and the elderly, in line with regional and international instruments ratified by the GoS.

...

(f) The State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability, as well as access to free primary health care and free and compulsory primary education.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

30. (c) The death penalty shall not be executed upon pregnant or lactating women except after two years of lactation.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

38. (c) Every association shall have the right to register and to function as a political party in accordance with the law and in particular if:

(i) its membership is open to all Sudanese irrespective of religion, ethnic origin, gender or place of birth,

Page 20, CHAPTER ONE: POWER SHARING, ARTICLE 8

69. Prior to the elections, and with a view to reflecting the need for unity and inclusiveness the GoS shall ensure effective representation for Darfurians, including the SLM/A and JEM, as follows:

...

(d) Special effort shall be made to ensure that women are represented in these nominations.

Page 20, CHAPTER ONE: POWER SHARING, ARTICLE 8

70. In making further appointments provided for in the INC, or in this Agreement, the President shall take appropriate steps to ensure the fair representation of Darfurians including an equitable share for women.

Page 20, CHAPTER ONE: POWER SHARING, ARTICLE 9

71. Prior to the elections, and with a view to reflecting the need for unity and inclusiveness the GoS shall ensure the representation of Darfurians in the National Assembly, including the SLM/A and JEM. In this regard, not less than a total of 12 seats shall be allocated to nominees of the SLM/A and JEM. It is highly recommended that some of the nominees be women.

Page 22, CHAPTER ONE: POWER SHARING, ARTICLE 11. The National Civil Service
76.b.

Men and boys

Gender→Men and boys→Gender neutral wording

Page 51, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 24

226. In light of the existing ceasefire agreements, the Parties shall scrupulously refrain from the following activities:

...

(m) Any recruitment or use of boys and girls under age 18 years by Parties.

Page 59, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

275. The Parties shall release all boys and girls associated with armed forces and groups. UNICEF, UNHCR, and the ICRC shall be called upon to assist in the identification, removal, family unification and reintegration of children associated with armed forces and groups.

LGBTI

No specific mention.

Family

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (b) Family is the basis of society and shall be protected by the law. Men and women shall enjoy the right to marry and found a family, in accordance with their respective family laws.

Page 43, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

193. The national government and the relevant authorities in Darfur pledge to protect the integrity of the family and community and the right to family life. Special effort shall be made to reunify unaccompanied minors with their families or communities of origin. DRRC shall facilitate inquiries made by family members and co-operate with the work of humanitarian organisations engaged in assisting family reunification.

Page 59, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

275. The Parties shall release all boys and girls associated with armed forces and groups. UNICEF, UNHCR, and the ICRC shall be called upon to assist in the identification, removal, family unification and reintegration of children associated with armed forces and groups.

Page 82, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 29

444. UNICEF and other child protection organizations shall be called upon to support and assist in the identification, removal, family reunification and reintegration of children associated with armed forces and armed groups.

State definition

Nature of state (general)

Page 7, PREAMBLE

...AFFIRMING the sovereignty, unity, and territorial integrity of the Sudan;

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

1. The Republic of the Sudan is an independent, sovereign state; sovereignty is vested in the people and shall be exercised by the State in accordance with the provisions of the National Constitution into which this Agreement shall be incorporated.

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

14. The cultural and social diversity of the Sudanese people is the foundation of national cohesion and therefore shall be promoted and developed.

Page 48, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

...

(h) Undertake to ensure a strong Sudanese Armed Forces such that it is professional, inclusive, and an institution that is capable of maintaining the sovereignty and territorial integrity of the Nation.

Page 50, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

220. Nothing in this Agreement infringes on the ability of the GoS to protect the territorial integrity or sovereignty of Sudan from external aggression.

Page 89, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

484. Issues to be addressed by the DDDC shall include:

(i) Measures to preserve the multi-ethnic character of Darfur

State configuration

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

8. Power sharing is vital for national unity. The peaceful transfer of power on the basis of free and fair elections shall be the foundation for democratic governance in the Sudan.

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

9. A federal system of government, with an effective devolution of powers and a clear distribution of responsibilities between the centre and other levels of government, including local administration, is essential to ensure fair and equitable participation by the citizens of the Sudan in general and those of Darfur in particular.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 4

44. The Republic of the Sudan has a federal system of government in which power shall be effectively devolved. Pending a final decision on the status of Darfur, in accordance with this Agreement, responsibilities shall be distributed between the national and other levels of government in accordance with the provisions of the Constitution.

Self determination No specific mention.

Referendum

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

55. The permanent status of Darfur shall be determined through a referendum held simultaneously in the three states of Darfur.

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

56. The referendum on the status of Darfur shall be held not later than twelve months after the elections in Darfur, which shall be held simultaneously with the national elections as specified in the INC, and in any case not later than July 2010.

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

57. In the referendum, the following options for the political administration of Darfur shall be presented:

(a) The creation of a Darfur Region composed of the three states.

(b) Retention of the status quo of three states.

In either instance, the character of Darfur, as defined by cultural and historical traditions and ties, shall be respected.

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

58. The National Elections Commission (NEC) shall organize and supervise the referendum on the status of Darfur. The National Elections Law shall specify the rules and procedure governing the referendum. The referendum shall be internationally monitored.

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

59. If a majority of votes cast by all Darfurians in the referendum determines that a Region of Darfur should be formed, the TDRA shall form a Constitutional Commission to determine the competencies of the Regional Government of Darfur. The Commission shall present for adoption its proposed Constitution to the Assemblies of the three states of Darfur sitting in joint session within three months of the referendum. The President of the Republic of the Sudan shall then take steps to implement the Constitution as adopted by the Assemblies and any other steps required to establish the region.

Page 18, CHAPTER ONE: POWER SHARING, ARTICLE 6

60. In the event of a majority of votes being cast against the proposal to establish a Region, the structure of three states in Darfur shall be retained and the TDRA shall be dissolved, in which case, the elected governments of the three states of Darfur shall assume any remaining function of the TDRA, in their respective states.

State symbols

No specific mention.

**Independence/
secession**

No specific mention.

**Accession/
unification**

No specific mention.

Border delimitation Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

12. Without prejudice to the provisions of the CPA relating to the North-South border and any international Agreements in force between the Republic of the Sudan and neighbouring countries, the northern boundaries of Darfur shall return to the positions as of 1 January 1956. A technical ad hoc committee shall be established to carry out demarcation accordingly.

Page 18, CHAPTER ONE: POWER SHARING, ARTICLE 6

61. Without prejudice to the provisions of the CPA relating to the North-South border and any international agreements in force between the Republic of the Sudan and neighbouring countries, the northern boundaries of Darfur shall return to the positions as at 1 January 1956. A technical ad hoc team shall be established to carry out demarcation accordingly.

Page 23, CHAPTER ONE: POWER SHARING, ARTICLE 13

84. Darfurians, including members of the SLM/A and JEM, shall be adequately represented in all institutions and Commissions provided for in the Constitution, the law and this Agreement, taking into account the requirements of qualification and competence, including in particular the National Constitutional Review Commission, National Elections Commission, Population Census Council and the Technical ad hoc Border Committee to demarcate precisely the 1 January 1956 North/South borderline.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

160. The Parties agree that the land referred to in this Agreement as Darfur shall have as its northern boundaries the boundaries referred to in paragraph 61 of Chapter 1 of this Agreement.

Page 57, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

265. The perimeter of a Demilitarised Zone shall not include any urban area, approaches to an airport or urban security plan locations. In GoS-controlled areas, these perimeters shall be specified on maps agreed by AMIS and GoS. Where this Agreement recognizes the Movements' control these perimeters shall be specified on maps agreed by AMIS and the Movements.

Page 63, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

307. The Chairperson of the Ceasefire Commission shall ensure that all decisions and agreements relating to Demilitarised Zones, Buffer Zones and the Parties' respective areas of control and Redeployment Zones are demarcated clearly on maps with precise GPS co-ordinates. He/she shall ensure that the Parties have the same maps with the same demarcations.

Page 65, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

318. The Ceasefire Commission shall draw up maps that indicate the exact positions of Buffer Zones, Demilitarised Zones and respective areas of control and Redeployment Zones for the various phases of the implementation of the ceasefire.

Page 67, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

327. During the preparations for disengagement and redeployment, the Chairperson of the Ceasefire Commission, in consultation with the Parties, shall determine the boundaries of the Parties' respective areas of control. The boundaries shall be indicated clearly on maps

Cross-border provision

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

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Page 72, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

363. Mindful of the obligations of the Government of Sudan and its neighbouring States to respect all relevant provisions of international law, including especially the prohibition on allowing the national territory to be used for launching military attacks against another State, and the prohibition on the passage of arms across the international border, the sovereign right of the GoS to control its national borders is affirmed. This right shall be exercised in a manner consistent with the obligations in this Agreement. Actions taken by GoS to protect its international borders shall require prior notification to AMIS.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→New political institutions (indefinite)

Agreement provides for powersharing and wealth sharing. Chapter one sets out power-sharing detail within a framework of devolution, as vital for 'national unity'. Provides for elections at all levels of government. Provides for fair and equitable representation of all citizens in all sectors. Agreement to be incorporated in INC.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 5

45. The institutions at the national level shall consist of:

- (a) The National Executive,
- (b) The National Legislature,
- (c) The National Judiciary and
- (d) such other institutions and commissions as may be specified in the Constitution.
- (e) The powers and functions of these institutions and their relationship with each other shall be as set out in the INC.

Page 18, CHAPTER ONE: POWER SHARING, ARTICLE 6

60. In the event of a majority of votes being cast against the proposal to establish a Region, the structure of three states in Darfur shall be retained and the TDRA shall be dissolved, in which case, the elected governments of the three states of Darfur shall assume any remaining function of the TDRA, in their respective states.

Page 30, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

120. To accomplish the task of fiscal equalization, the Fiscal and Financial Allocation and Monitoring Commission shall ensure that the interests and views of Darfur will be represented on a basis commensurate with the other state governments of the Sudan. The FFAMC shall be structured in order to ensure: appropriate utilization and sharing of financial resources both vertically and horizontally; transparency and fairness in allocation of funds to states of Darfur and other states; and to monitor and ensure that equalization grants from the national government are promptly transferred to the states of Darfur and other states. The FFAMC shall report to the National Legislature.

Page 30, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

121. To enable the FFAMC to perform its functions, the President shall appoint an independent Panel of Experts recommended by the FFAMC, to be approved by the National Legislature. The Panel shall comprise highly qualified economists and other relevant experts from academic, government, and other institutions, and from the private sector. The Panel shall propose formulae for vertical allocation of resources between the GoS and the states, and criteria for horizontal allocation between states. The Panel's proposal or report shall also include weights attached to those criteria. The Terms of Reference for the Panel shall be prepared by the FFAMC.

Page 30, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

122. The Panel shall submit its report to the President through the FFAMC within six months of its appointment. The President shall then table the report before the National Legislature for approval within one month of its submission. If the report is approved, the FFAMC will be bound to implement the formulae and criteria for resource allocation contained therein.

Elections

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

8. Power sharing is vital for national unity. The peaceful transfer of power on the basis of free and fair elections shall be the foundation for democratic governance in the Sudan.

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

10. Elections at all levels of government in the Sudan shall be based on free and direct voting, observed by neutral/international observers, with a view to ensuring fair participation of all the Sudanese people. Elections shall be held for the Presidency, and the legislature at all levels of government.

Page 11, CHAPTER ONE: POWER SHARING, ARTICLE 2

21. The criteria and modalities for the exercise of power or the sharing of power after the elections shall be determined by the result of the elections and in accordance with the provisions of the INC.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

31. Every citizen who has attained the age specified by law shall have the right, without discrimination or restriction, to vote at any election and run for any public office based on universal adult suffrage in secret ballot, as shall be stipulated by law.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 6

47. The State shall promote and empower local government. Organization of the local government and elections to its respective institutions shall be conducted in accordance with the relevant state constitution.

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

56. The referendum on the status of Darfur shall be held not later than twelve months after the elections in Darfur, which shall be held simultaneously with the national elections as specified in the INC, and in any case not later than July 2010.

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

58. The National Elections Commission (NEC) shall organize and supervise the referendum on the status of Darfur. The National Elections Law shall specify the rules and procedure governing the referendum. The referendum shall be internationally monitored.

Page 18, CHAPTER ONE: POWER SHARING, ARTICLE 7

62. The local level of government is essential to fulfil the commitment to vest sovereignty in the people, bring power to the grassroots and ensure the effective participation of the citizens, promote development as close to the population as possible, and make the management of public affairs more cost effective. Pending elections, six of the local government commissioners and six of the executive directors in Darfur shall be nominees of the Movements.

Page 19, CHAPTER ONE: POWER SHARING, ARTICLE 8

64. In making appointments to determine the composition of the Presidency during the period after elections, appropriate consideration shall be given to ensuring representation for areas of northern Sudan, including Darfur, that have not historically enjoyed such representation.

Page 20, CHAPTER ONE: POWER SHARING, ARTICLE 9

71. Prior to the elections, and with a view to reflecting the need for unity and inclusiveness the GoS shall ensure the representation of Darfurians in the National Assembly, including the SLM/A and JEM. In this regard, not less than a total of 12 seats shall be allocated to nominees of the SLM/A and JEM. It is highly recommended that

**Electoral
commission**

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

58. The National Elections Commission (NEC) shall organize and supervise the referendum on the status of Darfur. The National Elections Law shall specify the rules and procedure governing the referendum. The referendum shall be internationally monitored.

**Political parties
reform**

Governance→Political parties reform→Other political parties reform

Page 7:

38. (a) The right to peaceful assembly shall be guaranteed. Every person shall have the right to freedom of association with others, including the right to form or join political parties, associations and trade or professional unions for the protection of her/his interests.

(b) Formation and registration of political parties, associations and trade unions shall be regulated by law.

(d) There shall be an independent and impartial office of the Registrar to supervise the registration and performance of political parties. The legal rights and freedoms of the political parties shall be respected by all authorities. The Constitutional Court shall protect these rights and freedoms.

Civil society

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

10. Elections at all levels of government in the Sudan shall be based on free and direct voting, observed by neutral/international observers, with a view to ensuring fair participation of all the Sudanese people. Elections shall be held for the Presidency, and the legislature at all levels of government.

Page 11, CHAPTER ONE: POWER SHARING, ARTICLE 2

20. In order to empower all sections of the population of Darfur and bring government closer to them there is a need, immediately upon the conclusion of this Agreement, to integrate Darfurians into the management of the political, economic, cultural and social affairs of Darfur. In this context, it shall be necessary to initiate programmes that shall help remedy the adverse effects of the conflict as well as its larger consequences.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

38. (a) The right to peaceful assembly shall be guaranteed. Every person shall have the right to freedom of association with others, including the right to form or join political parties, associations and trade or professional unions for the protection of her/his interests.

(b) Formation and registration of political parties, associations and trade unions shall be regulated by law.

(c) Every association shall have the right to register and to function as a political party in accordance with the law and in particular if:

(i) its membership is open to all Sudanese irrespective of religion, ethnic origin, gender or place of birth,

Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3

...

(ii) it has a programme that does not contradict the provisions of the Constitution into which this Agreement shall be incorporated,

(iii) it has disclosed transparent sources of funding.

...

(d) There shall be an independent and impartial office of the Registrar to supervise the registration and performance of political parties. The legal rights and freedoms of the political parties shall be respected by all authorities. The Constitutional Court shall protect these rights and freedoms.

Page 18, CHAPTER ONE: POWER SHARING, ARTICLE 7

62. The local level of government is essential to fulfil the commitment to vest sovereignty in the people, bring power to the grassroots and ensure the effective participation of the citizens, promote development as close to the population as possible, and make the management of public affairs more cost effective. Pending elections, six of the local government commissioners and six of the executive directors in Darfur shall be nominees of the Movements.

Page 20, CHAPTER ONE: POWER SHARING, ARTICLE 9

72. Darfur states representatives in the Council of states shall be eminent persons without direct party political affiliation. The Parties agree on the need for wide consultation among Darfurians on the subject of Darfur states' representation in the Council of states, and that this shall be the subject of consultation in the Darfur-Darfur Dialogue and Consultation.

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

106. The Parties agree that national economic and social policies, plans and programs shall:

**Traditional/
religious leaders**

Page 43, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

191. DRRC, in collaboration with the relevant authorities, shall take steps to facilitate the registration of all displaced persons, whether they are in urban, rural or camp settings and shall issue to displaced persons all documents necessary for the exercise of their legal rights, such as passports, personal identification documents, birth certificates, marriage certificates and all necessary documents of title. In particular, DRRC shall facilitate the issuance of new documents or the replacement of documents lost during displacement, without the imposition of unreasonable conditions, costs or delays. When necessary, traditional administration or community leadership shall be used for proof of identity.

Page 44, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

202. The membership of the Commission shall comprise persons nominated by the Parties and persons representative of affected communities, leaders of Native Administration. Special measures shall be taken to ensure the effective representation of women in the membership of the Commission. The Commission may engage experts and may act in accordance with their recommendations.

Page 66, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

321. The plans shall include the following:

...

(g) The roles of traditional leaders and local authorities.

Page 68, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

334. Within their respective areas of control, the Parties shall endeavour through non-military means to ensure compliance with the ceasefire by other armed groups and militia that are not parties to this Agreement, including negotiations, mediation and traditional forms of conflict resolution; enlisting the support of traditional leaders and local authorities; and arms control methods, including registration of arms, storing of arms and restrictions on carrying of arms.

Page 87, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

470. The DDDC shall make recommendations and observations to the Darfur and national authorities, including community leaders.

Page 87, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

473. The Preparatory Committee shall not exceed 25 members. It shall consist of representatives of GoS, the SLM/A and the JEM, and representatives of civil society organizations and tribal leaders, and representatives of the AU, the UN, EU and the LAS. The Preparatory Committee shall be chaired by the representative of the AU.

Page 89, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

483. Community representatives shall be invited to take responsibility for inter-tribal reconciliation and community harmony in rebuilding society damaged by war.

Page 90, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

494. Representation at the DDDC shall be decided by the Preparatory Committee according to the following guidelines:

...

(b) 60% of delegates shall be selected on the basis of community and tribal representation. All tribes in Darfur shall be represented. This representation shall include recognized tribal leaders, representatives chosen by all localities including refugees and internally displaced persons. Special mechanisms shall be established to ensure that

**Public
administration**

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

11. The National Civil Service, the National Armed Forces, the Police and Intelligence Services shall reflect at all level a fair and equitable representation of all citizens, including those from Darfur.

Page 21, CHAPTER ONE: POWER SHARING, ARTICLE 11

74. The Parties agree that the National Civil Service (NCS), notably at the senior and middle levels, shall be representative of the people of the Sudan.

Page 21, CHAPTER ONE: POWER SHARING, ARTICLE 11

75. The Parties further agree to establish a National Civil Service Commission through which, among other things, the imbalances in the NCS shall be redressed. In order to create a sense of national unity and belonging, Darfurians shall be fairly represented in the National Civil Service Commission.

Page 21, CHAPTER ONE: POWER SHARING, ARTICLE 11

76. For the long term, following the signing of this Agreement, a Panel of Experts shall be established under the National Civil Service Commission to determine the level of representation of Darfurians in the NCS across all tiers. Competent and qualified Darfurians nominated by the Movements, shall be appointed to serve on the Panel.

(a) The Panel shall identify any area of imbalances that have undermined the representation of Darfurians in the NCS and make practical and action-oriented recommendations towards addressing such imbalances and discrepancies in the NCS.

(b) To determine the issue of imbalances and recommend appropriate measures to ensure fair representation for Darfurians in the service, the Panel shall be guided in its work by the following:

(i) Population size based on the 1993 Census;

Page 22, CHAPTER ONE: POWER SHARING, ARTICLE 11

76.(b)(ii) Affirmative action on recruitment, training and promotion, including measures to promote gender balance;

(iii) Precedents in the CPA.

(c) The Panel shall complete its work and submit its Report not later than one year after the signing of this Agreement, following which the GoS shall take remedial action within a period of three months from the date the Panel submits its report.

Page 22, CHAPTER ONE: POWER SHARING, ARTICLE 11

77. In the short term, while awaiting the outcome of the determination by the Panel, the GoS shall ensure that the following tasks are carried out:

(a) Establish and achieve interim targets for Darfurian participation especially at the middle and upper levels of the NCS, including but not limited to Under-Secretaries, Ambassadors, Board Members and Chairpersons of parastatals, so as to address the concerns that Darfurians are under-represented at some levels. These targets, which shall be reviewed after the submission of the Report of the Panel of Experts, shall be based on the same criteria as in paragraph 76(b). Taking into account the need for the Movements to be represented within the NCS, some of these positions shall be reserved exclusively for nominees of the SLM/A and JEM.

(b) Reserve certain posts in the NCS exclusively for qualified women, particularly those from the less developed areas such as Darfur.

(c) Formulate policies and take affirmative action on training and recruitment into the NCS Darfurians who qualify, taking into account the criteria elaborated in paragraph 76(b) above, with the objective of ensuring equitable representation in the National Service and to redress past imbalances.

(d) Review, after the first three years, the progress made in implementing the formulated

Constitution

Governance→Constitution→Constitutional reform/making

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

1. The Republic of the Sudan is an independent, sovereign state; sovereignty is vested in the people and shall be exercised by the State in accordance with the provisions of the National Constitution into which this Agreement shall be incorporated.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 5

45. The institutions at the national level shall consist of:

...

(d) such other institutions and commissions as may be specified in the Constitution.

(e) The powers and functions of these institutions and their relationship with each other shall be as set out in the INC.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 6

46. There shall be legislative, executive and judicial organs at the state level, which shall function in accordance with the Constitution and the relevant state constitution.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 6

47. The State shall promote and empower local government. Organization of the local government and elections to its respective institutions shall be conducted in accordance with the relevant state constitution.

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

59. If a majority of votes cast by all Darfurians in the referendum determines that a Region of Darfur should be formed, the TDRA shall form a Constitutional Commission to determine the competencies of the Regional Government of Darfur. The Commission shall present for adoption its proposed Constitution to the Assemblies of the three states of Darfur sitting in joint session within three months of the referendum. The President of the Republic of the Sudan shall then take steps to implement the Constitution as adopted by the Assemblies and any other steps required to establish the region.

Page 18, CHAPTER ONE: POWER SHARING, ARTICLE 7

63. Native administration shall have regard, where appropriate, to the established historical and community traditions, customs and practices. Where these are contrary to the provisions of the National or State Constitution or law, the latter shall prevail.

Page 23, CHAPTER ONE: POWER SHARING, ARTICLE 13

84. Darfurians, including members of the SLM/A and JEM, shall be adequately represented in all institutions and Commissions provided for in the Constitution, the law and this Agreement, taking into account the requirements of qualification and competence, including in particular the National Constitutional Review Commission, National Elections Commission, Population Census Council and the Technical ad hoc Border Committee to demarcate precisely the 1 January 1956 North/South borderline.

Page 92, CHAPTER FIVE: GENERAL PROVISIONS, ARTICLE 32

504. This Agreement shall be incorporated into the INC. For that purpose, the National Constitutional Review Commission shall, as a matter of priority, prepare a text in the constitutionally appropriate form for adoption in accordance with the procedures specified in the INC.

Power sharing

Political power sharing

Power sharing→Political power sharing→General
State level

Sub-state level

Page 4, article 2, Darfurians should be ‘integrated across the board in the political sphere’

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

49. The TDRA, in which the SLM/A and the JEM shall be effectively represented, shall serve as the principal instrument for the implementation of this Agreement and for enhancing coordination and cooperation among the three States of Darfur. The TDRA shall be a symbol of reconciliation and unity of the people of Darfur and their effort to build a future based on peace and good neighbourliness.

Power sharing→Political power sharing→Executive coalition

State level

Sub-state level

State level:

Page 19, CHAPTER ONE: POWER SHARING, ARTICLE 8

65. Upon the signing of this Agreement, the President shall appoint a Senior Assistant to the President, who shall also be Chairperson of the TDRA [Transitional Darfur Regional Authority], from a list of nominees provided by the SLM/A and the JEM. The Senior Assistant shall be the fourth ranking member in the Presidency.

Page 20, CHAPTER ONE: POWER SHARING, ARTICLE 8

69. Prior to the elections, and with a view to reflecting the need for unity and inclusiveness the GoS shall ensure effective representation for Darfurians, including the SLM/A and JEM, as follows:

(a) The three posts of Cabinet Minister and three posts of State Minister currently held by Darfurians shall continue to be held by Darfurians;

(b) One additional post of Cabinet Minister and two additional posts of State Ministers shall be allocated to nominees of the SLM/A and JEM.

(c) The chairmanship of one of the Parliamentary Committees of the National Assembly shall be allocated to a nominee of the SLM/A and JEM.

(d) Special effort shall be made to ensure that women are represented in these nominations.

Page 24, CHAPTER ONE: POWER SHARING, ARTICLE 15

89. The National Capital, Khartoum, shall reflect in its Administration the unity and diversity of the Sudan. Prior to the elections, the Movements shall be fairly represented in the Administration of the National Capital. Pending the state Elections, one Ministerial position in the Executive of the Khartoum State Government shall be filled by a nominee of the SLM/A and JEM.

Power sharing→Political power sharing→Proportionality in legislature

State level

Page 20, CHAPTER ONE: POWER SHARING, ARTICLE 9

71. Prior to the elections, and with a view to reflecting the need for unity and inclusiveness the GoS shall ensure the representation of Darfurians in the National Assembly, including the SLM/A and JEM. In this regard, not less than a total of 12 seats shall be allocated to nominees of the SLM/A and JEM. It is highly recommended that some of the nominees be women.

Power sharing→Political power sharing→Other proportionality

State level

Page 21, CHAPTER ONE: POWER SHARING, ARTICLE 10

73. Darfurians shall be adequately represented in the Constitutional Court, the National Supreme Court and other National Courts, as well as in the National Judicial Service

Territorial power sharing

Power sharing→Territorial power sharing→Federal or similar sub-divided government
Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

9. A federal system of government, with an effective devolution of powers and a clear distribution of responsibilities between the centre and other levels of government, including local administration, is essential to ensure fair and equitable participation by the citizens of the Sudan in general and those of Darfur in particular.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 4

44. The Republic of the Sudan has a federal system of government in which power shall be effectively devolved. Pending a final decision on the status of Darfur, in accordance with this Agreement, responsibilities shall be distributed between the national and other levels of government in accordance with the provisions of the Constitution.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 6

46. There shall be legislative, executive and judicial organs at the state level, which shall function in accordance with the Constitution and the relevant state constitution.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 6

48. Immediately following the signing of this Agreement the GoS shall establish a Transitional Darfur Regional Authority (TDRA).

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

49. The TDRA, in which the SLM/A and the JEM shall be effectively represented, shall serve as the principal instrument for the implementation of this Agreement and for enhancing coordination and cooperation among the three States of Darfur. The TDRA shall be a symbol of reconciliation and unity of the people of Darfur and their effort to build a future based on peace and good neighbourliness.

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

50. The TDRA shall consist of the following:
(a) The Senior Assistant to the President
(b) The Governors of the three Darfur states,
(c) Heads of the Darfur Rehabilitation and Resettlement Commission
(d) Darfur Reconstruction and Development Fund
(e) State Land Commission
(f) Darfur Security Arrangements Implementation Commission,
(g) Darfur Peace and Reconciliation Council,
(h) Darfur Compensation Commission, and
(i) others that may be agreed by the Parties.

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

51. Meetings shall be presided over by the Senior Assistant to the President, and in her/his absence, the Governors of the three Darfur states shall preside over the meetings in rotation.

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

52. The TDRA shall establish its own rules of procedure, engage such staff it deems necessary to carry out its work and establish a budget for that purpose. The GoS all provide an adequate budget to finance its activities and may establish a special fund to accommodate international donor funds for its programmes.

Page 18, CHAPTER ONE: POWER SHARING, ARTICLE 6

60. In the event of a majority of votes being cast against the proposal to establish a Region, the structure of three states in Darfur shall be retained and the TDRA shall be dissolved, in which case, the elected governments of the three states of Darfur shall

Economic power sharing

Power sharing→Economic power sharing→Sharing of resources

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

93. The Parties agree that the guiding principles and provisions below shall be the basis for wealth sharing under this Agreement.

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

94. The wealth of the Sudan shall be defined broadly to include natural resources, human resources, historical and cultural assets and financial assets, including credit and public borrowing and international assistance and grants.

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

95. Wealth is dynamic and the generation and distribution of wealth are critically affected by government policies, programs and institutions. Hence, the definition of wealth extends to the means, institutions, policies and opportunities that affect the creation and distribution of wealth in addition to the physical resources and government revenues. A key dimension of wealth is fair participation in decision-making that affects the generation of wealth and allocation of resources.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

98. The wealth of the Sudan shall be shared equitably to enable each level of government to discharge its legal and constitutional responsibilities and duties to the people of the Sudan. The national government shall make transfers to the appropriate level of government in Darfur as agreed by the Parties.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

99. Recognizing the cumulative effects of underdevelopment and prolonged deprivation of Darfur, compounded by the destructive effects of war, and in order to address this matter, the parties agree to establish an effective, transparent and accountable system for the distribution of wealth. Effective and prompt measures have to be taken to remedy the situation through affirmative action in economic policy.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

100. The sharing and allocation of wealth shall be based on the premise that all parts of the Sudan are entitled to equitable development. Acknowledging that poverty is widespread in Darfur and in the Sudan generally, a nationwide poverty eradication strategy shall be adopted to constitute a framework for the country's development policy, which has as its aim meeting the Millennium Development Goals (MDGs).

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

107. National economic and social policies shall have as their objectives:

(a) The creation and equitable distribution of wealth throughout the Sudan, consistent with maintenance of macroeconomic stability and sustainable growth;

Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

113. The Parties affirm that the assignment of expenditure and revenue responsibilities between the national and state levels of government shall be done according to the following principles:

(a) An expenditure function should be assigned to that level of government whose jurisdiction most closely reflects the geographical area served by that function. The delivery of a particular service (expenditure assignment) may be carried out exclusively by a given level of government, or concurrently by two or more levels

Page 29, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

113. (b) The state governments shall endeavour to pay for the services delivered to people living in a given geographic state with revenues raised in that state (revenue

Military power sharing

Power sharing→Military power sharing→Merger of forces

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

11. The National Civil Service, the National Armed Forces, the Police and Intelligence Services shall reflect at all level a fair and equitable representation of all citizens, including those from Darfur.

Page 22, CHAPTER ONE: POWER SHARING, ARTICLE 12

79. The Sudan Armed Forces (SAF) shall be regular, professional and non- partisan. Darfurians shall be fairly represented at all levels therein, including in senior command positions, in accordance with Chapter 3 of this Agreement.

Page 23, CHAPTER ONE: POWER SHARING, ARTICLE 12

80. Qualified former combatants from the Movements shall be integrated into the Sudanese armed forces, law enforcement agencies and security services, in accordance with Chapter 3 of this Agreement.

81. The GoS shall take appropriate measures to rectify any imbalances that may exist in the representation of Darfurians at senior levels of the Sudan Armed Forces in general and in the intake into the Military Academies in particular.

Page 48, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

(h) Undertake to ensure a strong Sudanese Armed Forces such that it is professional, inclusive, and an institution that is capable of maintaining the sovereignty and territorial integrity of the Nation.

Page 48, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

...

(h) Undertake to ensure a strong Sudanese Armed Forces such that it is professional, inclusive, and an institution that is capable of maintaining the sovereignty and territorial integrity of the Nation.

Page 77, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 29

399. The DSAIC, in consultation with the Parties, shall establish the Technical Integration Committee (TIC) to design, plan, implement, manage, and monitor the integration of former combatants. The TIC shall develop the Integration of Former Combatants Plan (ICP) within 60 days of its establishment. The TIC shall comprise representatives from the Movements, the SAF, the SAT, AMIS, and other technical advisors chosen by the DSAIC. Representatives of the Movements and the SAF shall serve as co-Chairpersons of the TIC.

Page 77, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 29

400. The integration process shall be designed and undertaken in a manner that contributes to the professionalism, inclusiveness, and capabilities of Sudan's security institutions, without discrimination on the basis of gender. The integration process shall be completed within sixteen months covering conventional training, but not post basic or upgrade training.



Human rights and equality

**Human rights/RoL
general**

Page 7, PREAMBLE

...CONDEMNING all acts of violence against civilians and violations of human rights, and stressing full and unconditional acceptance of their obligations under International Humanitarian Law, international human rights law, and relevant UN Security Council Resolutions;

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

2. Citizenship shall be the basis for civil and political rights and obligations.

...

6. The rule of law shall prevail and the independence of the judiciary shall be guaranteed.

7. The Parties reiterate their commitment to respect, protect and promote human rights and fundamental freedoms.

Page 11, CHAPTER ONE: POWER SHARING, ARTICLE 3

23. Citizenship shall be the basis for civil and political rights and obligations.

24. The Parties reiterate their commitment to respect and promote human rights and fundamental freedoms as detailed below and in international human rights covenants ratified by the GoS.

Page 11, CHAPTER ONE: POWER SHARING, ARTICLE 3

25. Every person is entitled to freedom, safety and security. No person shall be subjected to arrest, detention, deprivation or restriction of her/ his liberty, except in accordance with measures prescribed by the law and, in particular, in accordance with measures prescribed by criminal procedure law or judicial orders.

(a) An accused person is presumed to be innocent until proven guilty according to the law.

Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3

41. There shall be no derogation of the above rights and freedoms except as provided for in the Constitution. The Human Rights Commission provided for in the INC, which shall enjoy full independence, shall monitor the application of the rights and freedoms provided for herein.

Page 41, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

176. Displaced and war-affected persons will enjoy the same human rights and fundamental freedoms as any citizen under the law of the Sudan. In particular, the relevant authorities have a responsibility to ensure that such persons enjoy freedom of movement and of choice of residence, including the right to return and to reestablish themselves at their places of origin or habitual residence.

Page 41, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

177. The treatment of displaced and war-affected persons in and from Darfur will conform to international humanitarian law, human rights law and guiding principles, as set out in the Declaration of Principles.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

185. The Parties to this agreement, with the assistance of the AU and the international community, pledge to provide protection and physical security to the displaced and war-affected persons in all areas of Darfur. The relevant authorities shall make all necessary efforts to respond to violations of human rights, redress the impact of such violations and take all necessary measures to ensure justice in a timely and effective manner.

Bill of rights/similar Page 11, CHAPTER ONE: POWER SHARING, ARTICLE 3

Summary: Article 3 provides for human rights and fundamental freedoms in what is in effect a charter of rights.

Page 25-26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

97. All Sudanese citizens have equal rights to:

- (a) Freedom from hunger;
- (b) Sustainable livelihood;
- (c) Safe drinking water;
- (d) Access to quality education;
- (e) Access to health services and other social services;
- (f) Adequate access to public utilities and infrastructure;
- (g) Equitable development and employment opportunities;
- (h) Free access to markets;
- (i) Security of property;
- (j) Promotion and protection of cultural heritage;
- (k) Restitution of property for those affected by conflict; and
- (l) Judicial review of administrative actions that affect livelihood.

**Treaty
incorporation**

Page 7, PREAMBLE

...CONDEMNING all acts of violence against civilians and violations of human rights, and stressing full and unconditional acceptance of their obligations under International Humanitarian Law, international human rights law, and relevant UN Security Council Resolutions;

Page 11, CHAPTER ONE: POWER SHARING, ARTICLE 3

24. The Parties reiterate their commitment to respect and promote human rights and fundamental freedoms as detailed below and in international human rights covenants ratified by the GoS.

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (a) Women and men shall enjoy all civil and political rights enshrined in the International Covenant on Civil and Political Rights, as well as all economic, social and cultural rights in the International Covenant ratified by the GoS.

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (d) The State shall provide maternity, child care and medical care for pregnant women, children in need, persons with special needs and the elderly, in line with regional and international instruments ratified by the GoS.

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (e) The State shall protect the rights of the child, as provided in the regional and international conventions ratified by the GoS.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

158. Tribal land ownership rights (hawakeer), historical rights to land, traditional or customary livestock routes, and access to water, shall be recognised and protected. All levels of government shall institute a process to progressively develop and amend the relevant laws to incorporate customary laws, practices, international trends and practices and protect cultural heritage.

Page 41, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

177. The treatment of displaced and war-affected persons in and from Darfur will conform to international humanitarian law, human rights law and guiding principles, as set out in the Declaration of Principles.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

184. DRRC shall, in accordance with its regulations, grant the United Nations, NGOs and other humanitarian agencies access to displaced and war-affected persons, whether they are in urban, rural or camp settings, in accordance with international humanitarian law. Disputes over humanitarian access shall be referred to the relevant national government authorities.

Page 43, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

194. Displaced persons have the right to restitution of their property, whether they choose to return to their places of origin or not, or to be compensated adequately for the loss of their property, in accordance with international principles.

Page 45, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

203. The Commission shall set its own rules of procedure based on international principles and practices, national law, and customary law and practices and it may establish local branches as well as specialized chambers. The Commission shall ensure that its work is conducted in a transparent manner, and that it is easily accessible to people claiming restitution or other compensation.

Civil and political rights

Human rights and equality→Civil and political rights→Life

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

26. Every human being has a right to life, dignity and the integrity of her/his person. No person shall be arbitrarily deprived of her/his life.

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

30. (a) The death penalty shall not be imposed except as retribution or punishment for extremely serious offences in accordance with the law.

(b) The death penalty shall not be imposed on a person under the age of eighteen or a person who has attained the age of seventy except in cases of retribution or hudud.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

30. (c) The death penalty shall not be executed upon pregnant or lactating women except after two years of lactation.

Human rights and equality→Civil and political rights→Torture

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

29. No person shall be subjected to torture or undergo cruel, inhumane or degrading treatment or unlawful punishment.

Human rights and equality→Civil and political rights→Equality

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

9. A federal system of government, with an effective devolution of powers and a clear distribution of responsibilities between the centre and other levels of government, including local administration, is essential to ensure fair and equitable participation by the citizens of the Sudan in general and those of Darfur in particular.

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

10. Elections at all levels of government in the Sudan shall be based on free and direct voting, observed by neutral/international observers, with a view to ensuring fair participation of all the Sudanese people. Elections shall be held for the Presidency, and the legislature at all levels of government.

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

11. The National Civil Service, the National Armed Forces, the Police and Intelligence Services shall reflect at all level a fair and equitable representation of all citizens, including those from Darfur.

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

15. The Parties recognize that women are under-represented in government institutions and decision-making structures and that there is need for special measures to ensure women's equal and effective participation in decision-making at all levels.

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

27. All persons are equal before the law and are entitled, without discrimination as to race, colour, gender, language, religious creed, political or other opinion, to the equal protection of the Constitution and the law.

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (f) The State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability, as well as access to free primary health care and free and compulsory primary education.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

35. Every person shall have equal right to work and trade within the regulations prescribed by law.

Socio-economic rights

[Summary: Chapter 2 provides detail of wealth sharing. It provides for equal rights to a list of socio-economic rights (art 17 (97)). A whole range of development policies are provided for. Socio economic needs of DDR to be determined (art 27 (385)). Detailed provision for socio-economic reintegration of former combatants provided in Art 29(431). After agreement, a Darfur Relief and Rehabilitation Commission to be established (art 32(505).]

Page 18, CHAPTER ONE: POWER SHARING, ARTICLE 7

62. The local level of government is essential to fulfil the commitment to vest sovereignty in the people, bring power to the grassroots and ensure the effective participation of the citizens, promote development as close to the population as possible, and make the management of public affairs more cost effective. Pending elections, six of the local government commissioners and six of the executive directors in Darfur shall be nominees of the Movements.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

97. All Sudanese citizens have equal rights to:...

Human rights and equality→Socio-economic rights→Property

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

33. Every person shall have the right to acquire or own property as regulated by law. No private property may be expropriated except by law in the public interest and in consideration for prompt and fair compensation. No private property shall be confiscated except by order of a court of law.

Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3

40. The State shall recognize and protect the intellectual property rights of each citizen deriving from her/his scientific, literary or artistic production.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

97. All Sudanese citizens have equal rights to:

...

(i) Security of property;

(k) Restitution of property for those affected by conflict;

Human rights and equality→Socio-economic rights→Work

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

35. Every person shall have equal right to work and trade within the regulations prescribed by law.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

97. All Sudanese citizens have equal rights to:

...

(g) Equitable development and employment opportunities;

Human rights and equality→Socio-economic rights→Health

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (d) The State shall provide maternity, child care and medical care for pregnant women, children in need, persons with special needs and the elderly, in line with regional and international instruments ratified by the GoS.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

97. All Sudanese citizens have equal rights to:

(a) Freedom from hunger;

...

(c) Safe drinking water; Page 38 of 76

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

Rights related issues**Citizenship**

Rights related issues→Citizenship→Citizens, specific rights
Page 9, Chapter One: Power sharing, Fundamental Principles,
Article 1, General Principles for Power-Sharing
... 2. Citizenship shall be the basis for civil and political rights and obligations.

Page 11, CHAPTER ONE: POWER SHARING; FUNDAMENTAL PRINCIPLES
ARTICLE 3; HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
23. Citizenship shall be the basis for civil and political rights and obligations.

Democracy

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1
4. A peaceful devolution of power through democratic means is a guarantor of stability
and unity of the country.

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1
8. Power sharing is vital for national unity. The peaceful transfer of power on the basis of
free and fair elections shall be the foundation for democratic governance in the Sudan.

Page 87, CHAPTER FOUR: :DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31
463. The DDDC shall lay the foundation for ongoing democratic participation for
representation for the people of Darfur.

**Detention
procedures**

No specific mention.

Media and communication

Rights related issues→Media and communication→Media roles

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3

37. Every person shall have an unrestricted right to freedom of expression, reception and dissemination of information and publication as determined by law. The State shall guarantee the freedom of press and other media in a competitive environment as shall be regulated by law. All media shall abide by professional ethics, shall refrain from inciting religious, ethnic, racial or cultural hatred and shall not agitate for violence or war.

Page 47, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

...

(c) Undertake to refrain from acts such as mobilization, recruitment or initiatives that are likely to jeopardize the peace process including offensive military actions, movements, deployment of forces and engaging in hostile propaganda campaigns as a reaffirmation of commitment to create and maintain a conducive atmosphere.

Page 50, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

224. The Parties shall promote awareness and understanding of this Comprehensive Ceasefire, and adherence to its provisions, among their commanders, members and allied forces.

Page 50, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

225. AMIS shall design and, in conjunction with the Parties, run awareness programmes in Darfur to ensure that local communities and the Parties' commanders, members and allied forces understand the mandate of AMIS, the ceasefire obligations of the Parties and the activities that constitute violations of the ceasefire. The programmes shall include the use of meetings and print and electronic media in local languages.

Page 51, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 24

226. (n) All hostile propaganda and incitement to military action.

Page 64, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

309. The AMIS Force Commander shall establish a communications system and procedures for effective and reliable communication between AMIS and the Parties.

Page 67, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

326. Within their respective areas of control, the Parties shall establish a command post with responsibility for command and control over the forces in that area. The command post shall have the necessary communication and liaison capabilities.

Page 71, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

356. Within their respective Redeployment Zones, the Parties shall establish a command post with responsibility for command and control over the forces in that Zone. The command post shall have the necessary communication and liaison capabilities.

Page 73, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY

Mobility/access

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

158. Tribal land ownership rights (hawakeer), historical rights to land, traditional or customary livestock routes, and access to water, shall be recognised and protected. All levels of government shall institute a process to progressively develop and amend the relevant laws to incorporate customary laws, practices, international trends and practices and protect cultural heritage.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

184. DRRC shall, in accordance with its regulations, grant the United Nations, NGOs and other humanitarian agencies access to displaced and war-affected persons, whether they are in urban, rural or camp settings, in accordance with international humanitarian law. Disputes over humanitarian access shall be referred to the relevant national government authorities.

Page 47, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

...

(d) Guarantee the free movement of people, goods and services in Darfur.

(e) Undertake to refrain from any act that may jeopardize the humanitarian operations in Darfur and re-state commitment to create appropriate security conditions for the unimpeded flow of humanitarian assistance and goods, guarantee security in the camps hosting IDPs and the creation of conducive atmosphere for their voluntary return and refugees to their areas of origin.

Page 51, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 24

226. (f) Any restrictions on the free movement of people and goods.

Page 60, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

277. In areas of GoS control, the GoS Police shall investigate all crimes, including those committed against women and children, and ensure the prosecution of the perpetrators and the protection of the victims. They shall give the AMIS Civilian Police unimpeded access and information to monitor these activities.

Page 60, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

282. The Parties shall not obstruct the free movement of humanitarian vehicles, personnel or goods within Darfur.

Page 60, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

283. In consultation with the Parties, the Chairperson of the Ceasefire Commission shall establish Demilitarised Zones along selected humanitarian supply routes in Darfur. A humanitarian supply route shall be selected for demilitarised status based on the criterion that it runs through, or adjacent to, the areas of control/Redeployment Zones of different Parties. The security of a humanitarian supply route that falls exclusively within the area of control/Redeployment Zone of one Party shall be the responsibility of that party.

**Protection
measures**

Rights related issues→Protection measures→Protection of groups

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3

28. (b) Family is the basis of society and shall be protected by the law. Men and women shall enjoy the right to marry and found a family, in accordance with their respective family laws.

...

(e) The State shall protect the rights of the child, as provided in the regional and international conventions ratified by the GoS.

Page 41, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

178. In all cases, the return of displaced persons to places or regions of origin must be voluntary. In this regard, the displaced should have access to objectively reliable information about conditions in their places of origin. Relevant authorities with the assistance of the AU and the international community shall assure proper protection and dignified treatment of displaced persons during the process of voluntary return and reintegration or voluntary resettlement at another place of their choice.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

185. The Parties to this agreement, with the assistance of the AU and the international community, pledge to provide protection and physical security to the displaced and war-affected persons in all areas of Darfur. The relevant authorities shall make all necessary efforts to respond to violations of human rights, redress the impact of such violations and take all necessary measures to ensure justice in a timely and effective manner.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

186. The relevant authorities, with the assistance of the AU and the international community, shall protect the returning displaced persons from all forms of harassment, coercion, informal 'taxation' or confiscation of property. In such exercise, special attention to the protection of displaced women from all forms of harassment, exploitation and gender-based violence, is essential.

Page 43, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

193. The national government and the relevant authorities in Darfur pledge to protect the integrity of the family and community and the right to family life. Special effort shall be made to reunify unaccompanied minors with their families or communities of origin. DRRC shall facilitate inquiries made by family members and co-operate with the work of humanitarian organisations engaged in assisting family reunification.

Page 49, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

217. The aims of this Chapter are as follows:

...

(e) To ensure that civilians are not subjected to violence, intimidation, threats and forced displacement.

(c) To ensure that protection of the civilian population is given the highest priority by all parties, particularly the women and children are not subjected to gender-based violence.

Page 49, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

218. This Comprehensive Ceasefire covers the following main topics:

...

(e) Protecting IDPs and Humanitarian Supply Routes (Article 26)

Page 51, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY

Other No specific mention.

Rights institutions

NHRI Rights institutions→NHRI→Mentions of NHRI
Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3
41. There shall be no derogation of the above rights and freedoms except as provided for in the Constitution. The Human Rights Commission provided for in the INC, which shall enjoy full independence, shall monitor the application of the rights and freedoms provided for herein.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law Justice sector reform→Criminal justice and emergency law→Reform to specific laws
Page 11, CHAPTER ONE: POWER SHARING, ARTICLE 3
25. Every person is entitled to freedom, safety and security. No person shall be subjected to arrest, detention, deprivation or restriction of her/ his liberty, except in accordance with measures prescribed by the law and, in particular, in accordance with measures prescribed by criminal procedure law or judicial orders.
... (e) No accused person shall be charged with any act or omission, which did not constitute an offence at the time of its alleged commission.

Page 12, CHAPTER ONE: POWER SHARING, ARTICLE 3
30. Slavery and slave trade in every form is prohibited. No person shall be required to perform forced or compulsory labour except as a penalty upon a conviction by a competent court of law.
(a) The death penalty shall not be imposed except as retribution or punishment for extremely serious offences in accordance with the law.
(b) The death penalty shall not be imposed on a person under the age of eighteen or a person who has attained the age of seventy except in cases of retribution or hudud.

Page 13, CHAPTER ONE: POWER SHARING, ARTICLE 3
30. (c) The death penalty shall not be executed upon pregnant or lactating women except after two years of lactation.

Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3
42. All existing laws shall be revised in accordance with the provisions of the INC.

State of emergency provisions No specific mention.

Judiciary and courts

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

5. Separation of the legislative, executive and judicial powers shall consolidate good governance, accountability, transparency and commitment to the welfare of the people.

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

6. The rule of law shall prevail and the independence of the judiciary shall be guaranteed.

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

13. The Constitutional Court shall have the competence to decide any disputes between levels or organs of government in respect of their areas of exclusive, concurrent, or residual competence.

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 5

45. The institutions at the national level shall consist of:

...

(c) The National Judiciary

Page 15, CHAPTER ONE: POWER SHARING, ARTICLE 6

46. There shall be legislative, executive and judicial organs at the state level, which shall function in accordance with the Constitution and the relevant state constitution.

Page 21, CHAPTER ONE: POWER SHARING, ARTICLE 10

73. Darfurians shall be adequately represented in the Constitutional Court, the National Supreme Court and other National Courts, as well as in the National Judicial Service Commission, by competent and qualified lawyers.

Page 30, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

127. Darfur states may initiate proceedings in the Constitutional Court should the national government withhold monies due to them.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

190. Upon the request of the DRRC, the relevant authorities shall establish mobile courts and other mechanisms, whenever deemed necessary to ensure prompt access to justice.

Page 59, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

272. In IDP camps in GoS controlled areas, AMIS Civilian Police, in coordination with GoS Police shall draw up a plan for establishing, training and building the capacity of community police. The plan shall be based on the principles that community police are selected by the IDP community itself, work in close cooperation with the community leaders, are granted authority by the GoS Police, and shall refer cases to the investigative or judicial authorities under monitoring by AMIS. In areas in which this Agreement recognises the Movements' control, AMIS Civilian Police in coordination with the Movement Police Liaison Officers shall draw up similar plans based on the same principles above.

Prisons and detention

No specific mention.

Traditional Laws

Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

110. Recognition of traditional rights (including “hawakeer”) and historical rights in land is essential to establish a secure and sustainable basis for livelihood and development in Darfur. This Agreement sets out the mechanisms for recognising and protecting those rights.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

158. Tribal land ownership rights (hawakeer), historical rights to land, traditional or customary livestock routes, and access to water, shall be recognised and protected. All levels of government shall institute a process to progressively develop and amend the relevant laws to incorporate customary laws, practices, international trends and practices and protect cultural heritage.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

159. All displaced persons and other persons arbitrarily or unlawfully deprived of rights to land shall have those rights restored to them. No person or group of persons shall be deprived of any traditional or historical right in respect of land or access to water without consultation and compensation on just terms.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

162. The laws as amended in accordance with paragraph 158 above shall make provision for the recognition and protection of traditional or customary rights to land.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

163. Without prejudice to the jurisdiction of courts, there shall be established a state Land Commission to address issues related to traditional and historical rights to land, and review land use management and natural resource development processes.

Page 38, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

165. The state Land Commission shall exercise the following functions:

... (b) Making recommendations to the appropriate level of government concerning land reform policies and land use or recognition of traditional or historical rights in land;

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

188. Strategies created under paragraph 182 shall include reconciliation and peace-building activities, such as local reconciliation meetings to settle local conflicts and the use of traditional dispute resolution mechanisms.

Page 45, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

205. Taking note of the suffering of the individual people of Darfur, and the customary practices of tribal restitution in Darfur, the Commission shall work out principles for appropriate restitution or other compensation. In doing so, the Commission shall take into account, among other considerations:

(a) International principles and practices, national law and customary law and practices;

Page 45, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

206. The Commission shall have powers including, but not limited to, the following:

... (b) To resolve claims informally, or by applying traditional or customary laws and practices;

Page 46, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

207. 107. National economic and social policies shall have as their objectives:

... (h) Traditional forms of compensation



Socio-economic reconstruction

Development or socio-economic reconstruction

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

14. The cultural and social diversity of the Sudanese people is the foundation of national cohesion and therefore shall be promoted and developed.

Page 11, CHAPTER ONE: POWER SHARING, ARTICLE 2

20. In order to empower all sections of the population of Darfur and bring government closer to them there is a need, immediately upon the conclusion of this Agreement, to integrate Darfurians into the management of the political, economic, cultural and social affairs of Darfur. In this context, it shall be necessary to initiate programmes that shall help remedy the adverse effects of the conflict as well as its larger consequences.

...

(f) The State shall provide access to education without discrimination as to religion, race, ethnicity, gender or disability, as well as access to free primary health care and free and compulsory primary education.

Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3

43. [Summary: Provision for natural resource development]

Page 19, CHAPTER ONE: POWER SHARING, ARTICLE 8

[See Power Sharing for 66.(d), detailing Senior Assistant coordination powers.]

Page 23, CHAPTER ONE: POWER SHARING, ARTICLE 14

86. The Parties agree on the need to address as a matter of priority the problems associated with the declining quality of education and lack of admission opportunities for Darfurians at the Primary, Intermediate, Secondary and University levels. Affirmative action shall be taken to promote the educational interests of the disadvantaged Darfurians through among others:

(a) Flexibility in application of the eligibility criteria for admission into Universities and other educational institutions of higher learning in the Sudan; and

...

(b) Exemption from the payment of school fees for new students of Darfurian origin at all levels, for a period of five years

Page 24, CHAPTER ONE: POWER SHARING, ARTICLE 14

87. In drawing up and implementing its national plans for investment in educational institutions and provision of grants, scholarships and training, the GoS shall give priority to redressing the imbalances in access to primary, intermediate, secondary and university education in Darfur, with the aim of bringing Darfur to parity in national levels of educational enrolment and achievement at all levels.

Page 24, CHAPTER ONE: POWER SHARING, ARTICLE 14

88. Subject to compliance with admission requirements, not less than 15% of the annual intake of public universities and other institutions of higher learning in the National Capital, and not less than 50% in the case of such universities and institutions located in Darfur, shall be reserved for students from Darfur for a minimum period of ten years. Nothing herein is intended to limit other programmes designed to benefit Darfurian students.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

99. Recognizing the cumulative effects of underdevelopment and prolonged deprivation of Darfur, compounded by the destructive effects of war, and in order to address this matter, the parties agree to establish an effective, transparent and accountable system for the distribution of wealth. Effective and prompt measures have to be taken to remedy

National economic plan

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

96. Development of human resources shall be a means and objective of economic and social development policies.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

100. The sharing and allocation of wealth shall be based on the premise that all parts of the Sudan are entitled to equitable development. Acknowledging that poverty is widespread in Darfur and in the Sudan generally, a nationwide poverty eradication strategy shall be adopted to constitute a framework for the country's development policy, which has as its aim meeting the Millennium Development Goals (MDGs).

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

107. National economic and social policies shall have as their objectives:

- (a) The creation and equitable distribution of wealth throughout the Sudan, consistent with maintenance of macroeconomic stability and sustainable growth;
- (b) To ensure that taxes are levied equitably and used for the benefit of all;
- (c) The decentralization of decision-making on development, service delivery and governance;
- (d) The provision of safe, secure and open access to markets, goods and services;
- (e) The recognition of social and cultural diversity;
- (f) The promotion of social welfare and stability;
- (g) The need to address environmental degradation;
- (h) The implementation of principles of sustainable development; and
- (i) The creation of an environment conducive to foreign investment.

Page 33, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

135. Economic policy is one of the key functions of government. Hence, the central objective of economic policy is the pursuit of full employment through sound policies that focus on the stability of price and employment levels and promote sustainable pro-poor economic growth. Such policies constitute a national macro-economic policy framework within which economic policies at state levels are formulated and executed.

Page 33, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

136. The national macroeconomic policy framework, therefore, provides an important vehicle for the combating of poverty and sense of marginalization in the Sudan during the post-conflict period.

Page 33, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

137. National macro-economic policies shall be formulated to ensure that the quality of life, living conditions and dignity of all the citizens in the Sudan are promoted without discrimination on grounds of geographical location, race, ethnicity, religion, language, political affiliation or gender.

Page 33, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

138. Fiscal and monetary policies, especially the banking system, shall be reviewed to meet the requirements of sustained growth and equitable development as well as to increase access to international capital market.

Page 33, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

140. Recognizing that the private sector (national and foreign) plays a crucial role in development, national economic policies should be formulated to create a conducive environment for its effective participation in the development of post conflict Darfur states.

Natural resources Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3

43. The GoS shall take the necessary legislative and other measures to protect and to promote the development of natural resources of the country and to combat environmental degradation.

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

94. The wealth of the Sudan shall be defined broadly to include natural resources, human resources, historical and cultural assets and financial assets, including credit and public borrowing and international assistance and grants.

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

95. Wealth is dynamic and the generation and distribution of wealth are critically affected by government policies, programs and institutions. Hence, the definition of wealth extends to the means, institutions, policies and opportunities that affect the creation and distribution of wealth in addition to the physical resources and government revenues. A key dimension of wealth is fair participation in decision-making that affects the generation of wealth and allocation of resources

Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

111. The Parties agree to establish a mechanism to introduce processes for ensuring the sustainable use and control of land and other natural resources, and to ensure that all citizens affected by development of land and other natural resources are consulted and their views taken into account in carrying out that development. Persons whose property or livelihood are adversely affected by development of land and other natural resources have a right to adequate compensation.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

161. The Parties agree that States in which oil or mineral resources are produced shall have the right to negotiate and to be granted the negotiated share of revenue generated there from.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

163. Without prejudice to the jurisdiction of courts, there shall be established a state Land Commission to address issues related to traditional and historical rights to land, and review land use management and natural resource development processes.

Page 89, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

484. Issues to be addressed by the DDDC shall include:

... (d) Land, water and natural resources, locations and regulation of nomadic migration routes;

[Pages 101-102 contain table showing DEVELOPMENT AND MANAGEMENT OF LAND AND NATURAL RESOURCES.]

International funds Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

94. The wealth of the Sudan shall be defined broadly to include natural resources, human resources, historical and cultural assets and financial assets, including credit and public borrowing and international assistance and grants.

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

103. The Parties agree to conduct a comprehensive assessment of the needs referred to above as a matter of top priority through the establishment of a Joint Assessment Mission (JAM) for Darfur. The modalities and timing of the establishment of such a mission will be worked out as soon as possible and, in any event, as a matter of priority after consultations with all stakeholders. Noting that the financial resources and expertise required for such an exercise are beyond the capacity of the Sudan, the Parties shall urgently appeal to the international community to fully participate in this initiative and to assist in providing the requisite resources and expertise and to contribute to meet the needs identified in this process.

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

107. National economic and social policies shall have as their objectives:

(i) The creation of an environment conducive to foreign investment.

Page 31, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

129. Within the context of the federal system, the appropriate level of government in Darfur shall be entitled to:

...

(d) Resources from the National Reconstruction and Development Fund;

(e) Allocation of resources from the Multi Donor Trust Fund;

Page 32, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

130. Darfur states shall have access to borrowing from national and international capital markets as long as borrowing is consistent with the macro-economic policy framework and the state government is deemed creditworthy. Without prejudice to the independence of the Central Bank of Sudan and to the extent that the GoS or the Central Bank of Sudan or both are issuing sovereign guarantees for loans to states, potential loans to Darfur and other war-affected and least developed areas shall be given priority to receive such guarantees.

Page 32, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

131. Darfur state governments shall report to the national government the amount of all external finance and grants received.

Page 35, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

152. To sustain this transition and to achieve the above-mentioned objectives, Darfur states are in need of resources well beyond what they can possibly raise from their local economy in the foreseeable future. Therefore, they shall be aided in its effort through substantial, reliable and timely transfers from the National Revenue Fund, other national sources as well as from foreign aid.

Page 36, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

154. (a) The DRDF shall solicit, raise and collect funds from domestic and international donors and disburse such funds for the resettlement, rehabilitation and reintegration of internally and externally displaced persons and to address past development imbalances especially infrastructure.

...

(c) The DRDF shall manage its resources and expenditures and shall be entitled to raise additional funds by way of donations from foreign countries, regional and international

Business

Page 33, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

140. Recognizing that the private sector (national and foreign) plays a crucial role in development, national economic policies should be formulated to create a conducive environment for its effective participation in the development of post conflict Darfur states.

Page 90, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

494. Representation at the DDDC shall be decided by the Preparatory Committee according to the following guidelines:

...

(c) 40% of delegates shall be selected to represent other stakeholders, including political parties, civil society organizations, religious leaders, business leaders, members of the diaspora, trade unions and professionals.

Page 29, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

115. All revenues collected nationally for or by the GoS including those generated by any government ministry, department, or share of the national government in profits from any corporation, company or any other entity, through commercial activity or otherwise, shall be pooled in a National Revenue Fund (NRF) administered by the National Treasury. This fund shall embrace all accounts and sub-accounts into which monies due to the GoS are collected, recorded or deposited.

Taxation

Socio-economic reconstruction→Taxation→Power to tax

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

107. National economic and social policies shall have as their objectives:

...

(b) To ensure that taxes are levied equitably and used for the benefit of all;

Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

113. The Parties affirm that the assignment of expenditure and revenue responsibilities between the national and state levels of government shall be done according to the following principles:

(a) An expenditure function should be assigned to that level of government whose jurisdiction most closely reflects the geographical area served by that function. The delivery of a particular service (expenditure assignment) may be carried out exclusively by a given level of government, or concurrently by two or more levels

Page 29, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

113. (b) The state governments shall endeavour to pay for the services delivered to people living in a given geographic state with revenues raised in that state (revenue assignment).

Page 29, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

114. State levels of Government shall have the right to determine, without national interference, the structure of the revenue base and the level of the charge or tax rate applied to that base consistent with paragraph 118 herein.

Page 29, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

115. All revenues collected nationally for or by the GoS including those generated by any government ministry, department, or share of the national government in profits from any corporation, company or any other entity, through commercial activity or otherwise, shall be pooled in a National Revenue Fund (NRF) administered by the National Treasury. This fund shall embrace all accounts and sub-accounts into which monies due to the GoS are collected, recorded or deposited.

Page 29, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

116. All revenues (tax and non-tax) and expenditures at all levels of government shall be in the budget and made public.

Page 29, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

117. The National Government may legislate to raise revenue or collect taxes from the following sources:

- (a) National personal income tax;
- (b) Corporate or business profit tax;
- (c) Customs duties and import taxes;
- (d) Seaports and Airports Revenue;
- (e) Service charges;
- (f) Oil revenues;
- (g) National government enterprises and projects;
- (h) Value Added Tax or general sales tax or other retail taxes on goods and services;
- (i) Excise duties;
- (j) Loans including borrowing from the Central Bank of the Sudan and the public;
- (k) Grants and foreign financial assistance;
- (l) Other taxes to be legislated by the National Legislature.

Page 29, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

118. The states of Darfur shall be entitled to raise and administer:

Banks

Socio-economic reconstruction→Banks→Central bank

Page 33, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

138. Fiscal and monetary policies, especially the banking system, shall be reviewed to meet the requirements of sustained growth and equitable development as well as to increase access to international capital market.

139. The Parties call upon the Central Bank of the Sudan to introduce innovative finance methods and instruments that will expedite development efforts in Darfur states and other disadvantaged regions in the Sudan.

Socio-economic reconstruction→Banks→Personal or commercial banking

Page 36, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

154. (d) The DRDF shall develop special funding mechanisms to address the specific needs of women. These mechanisms shall cover, but not limited to, creation of investment opportunities, enhancement of productive capacities, provision of credit, production inputs and capacity building for women

Socio-economic reconstruction→Banks→International finance

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

94. The wealth of the Sudan shall be defined broadly to include natural resources, human resources, historical and cultural assets and financial assets, including credit and public borrowing and international assistance and grants.

Page 32, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

130. Darfur states shall have access to borrowing from national and international capital markets as long as borrowing is consistent with the macro-economic policy framework and the state government is deemed creditworthy. Without prejudice to the independence of the Central Bank of Sudan and to the extent that the GoS or the Central Bank of Sudan or both are issuing sovereign guarantees for loans to states, potential loans to Darfur and other war-affected and least developed areas shall be given priority to receive such guarantees.

Page 32, CHAPTER TWO: WEALTH SHARING, ARTICLE 18

131. Darfur state governments shall report to the national government the amount of all external finance and grants received.

Page 36, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

155. The Parties agree to initiate a Joint Assessment Mission (JAM) to identify and quantify the needs of post-conflict economic recovery, development and poverty eradication program for Darfur states. These needs will be presented to the donors at a donors' conference to be convened three months after the signing of this Agreement. In this regard, the Parties call upon the World Bank, the United Nations and the African Development Bank (ADB) to lead the JAM exercise, in collaboration with the Islamic Development Bank (IDB), the African Union (AU), the League of Arab States (LAS), the Arab Funds, the European Union (EU), the USA and all other interested countries and parties.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Land reform and management
Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 17
110. Recognition of traditional rights (including “hawakeer”) and historical rights in land is essential to establish a secure and sustainable basis for livelihood and development in Darfur. This Agreement sets out the mechanisms for recognising and protecting those rights.

Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 17
111. The Parties agree to establish a mechanism to introduce processes for ensuring the sustainable use and control of land and other natural resources, and to ensure that all citizens affected by development of land and other natural resources are consulted and their views taken into account in carrying out that development. [...]

Page 36, CHAPTER TWO: WEALTH SHARING, ARTICLE 20
156. The regulation of the land tenure, usage and exercise of rights in land shall be a concurrent function exercised at the appropriate level of government.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20
158. Tribal land ownership rights (hawakeer), historical rights to land, traditional or customary livestock routes, and access to water, shall be recognised and protected. All levels of government shall institute a process to progressively develop and amend the relevant laws to incorporate customary laws, practices, international trends and practices and protect cultural heritage.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20
162. The laws as amended in accordance with paragraph 158 above shall make provision for the recognition and protection of traditional or customary rights to land.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20
163. Without prejudice to the jurisdiction of courts, there shall be established a state Land Commission to address issues related to traditional and historical rights to land, and review land use management and natural resource development processes.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20
164. The state Land Commission shall:
(a) Be independent and impartial;
(b) Have membership that reflects land use interests in the geographical area in respect of which the state Land Commission exercises jurisdiction;
(c) Determine its own procedures;
(d) Have access to all pertinent land records;
(e) Carry out its functions in a timely manner;
(f) Take all reasonable measures to ensure full and effective participation in its procedures;

Page 38, CHAPTER TWO: WEALTH SHARING, ARTICLE 20
(g) Report annually to the respective level of government on its operations and the expenditure of its annual budget.
(h) Membership, appointment, terms and conditions of service of the state Land Commission shall be regulated by law.

Page 38, CHAPTER TWO: WEALTH SHARING, ARTICLE 20
165. The state Land Commission shall exercise the following functions:
(a) Arbitrating disputes between the willing contending parties over rights to land;
(b) Making recommendations to the appropriate level of government concerning land reform policies and land use or recognition of traditional or historical rights in land;

**Pastoralist/
nomadism rights**

Page 35, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

149. Competition for pasture and water by nomadic herders and settled agricultural producers is an important problem. The problem shall be addressed in a comprehensive way, by developing policies to reverse environmental degradation and the decline in agricultural yields, gradually shifting the emphasis of herders from quantity to quality, developing a framework for equitable access by various users of land and water resources, as well as developing research capacities in these areas.

Page 61, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

288. AMIS, in coordination with the Parties, shall develop a plan for the regulation of nomadic migration along historic migration routes. This plan shall fully address security so as to ensure the safety of nomadic migration for the people of Darfur, including traditional nomads, and shall include detailed maps showing such routes.

Page 61, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

289. AMIS, in coordination with the Parties, shall monitor the implementation of the plan referred to in paragraph 288 and on the basis of such monitoring take any additional steps necessary to ensure the safety of nomadic migration for the people of Darfur, including traditional nomads.

Page 89, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

484. Issues to be addressed by the DDDC shall include:

... (d) Land, water and natural resources, locations and regulation of nomadic migration routes

Cultural heritage

Land, property and environment→Cultural heritage→Intangible

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

3. Religions, beliefs, traditions and customs are the source of moral strength and inspiration for the Sudanese people.

Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3

39. Ethnic and cultural communities shall have the right to practise their beliefs, use their languages and develop their cultures within their customs.

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

94. The wealth of the Sudan shall be defined broadly to include natural resources, human resources, historical and cultural assets and financial assets, including credit and public borrowing and international assistance and grants.

Land, property and environment→Cultural heritage→Promotion

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

97. All Sudanese citizens have equal rights to:

... (j) Promotion and protection of cultural heritage;

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

158. Tribal land ownership rights (hawakeer), historical rights to land, traditional or customary livestock routes, and access to water, shall be recognised and protected. All levels of government shall institute a process to progressively develop and amend the relevant laws to incorporate customary laws, practices, international trends and practices and protect cultural heritage.

Environment

Page 14, CHAPTER ONE: POWER SHARING, ARTICLE 3

43. The GoS shall take the necessary legislative and other measures to protect and to promote the development of natural resources of the country and to combat environmental degradation.

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

107. National economic and social policies shall have as their objectives:

...

(g) The need to address environmental degradation;

Page 28, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

112. Land management structures and institutions shall be developed and legally supported to promote sustainable development, and address issues of environmental degradation.

Page 34, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

147. Key strategic objectives of Darfur states post conflict economic recovery and development, within the above overall national economic policy framework consist of:

...

i) Encouraging the production of alternative energy sources and addressing causes of environmental degradation.

Page 35, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

149. Competition for pasture and water by nomadic herders and settled agricultural producers is an important problem. The problem shall be addressed in a comprehensive way, by developing policies to reverse environmental degradation and the decline in agricultural yields, gradually shifting the emphasis of herders from quantity to quality, developing a framework for equitable access by various users of land and water resources, as well as developing research capacities in these areas.

Water or riparian rights or access

Page 35, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

149. Competition for pasture and water by nomadic herders and settled agricultural producers is an important problem. The problem shall be addressed in a comprehensive way, by developing policies to reverse environmental degradation and the decline in agricultural yields, gradually shifting the emphasis of herders from quantity to quality, developing a framework for equitable access by various users of land and water resources, as well as developing research capacities in these areas.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

158. Tribal land ownership rights (hawakeer), historical rights to land, traditional or customary livestock routes, and access to water, shall be recognised and protected. All levels of government shall institute a process to progressively develop and amend the relevant laws to incorporate customary laws, practices, international trends and practices and protect cultural heritage.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

159. All displaced persons and other persons arbitrarily or unlawfully deprived of rights to land shall have those rights restored to them. No person or group of persons shall be deprived of any traditional or historical right in respect of land or access to water without consultation and compensation on just terms.

Page 73, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

369. GoS shall restore personnel and funding of governmental services in areas in which they have been interrupted due to the conflict, including education, health, water, veterinary services, agricultural extension, forestry, road maintenance and posts and telecommunications, with special attention to the specific needs of women. This shall be consistent with the provisions of the Chapter on Wealth Sharing. The Movements shall cooperate in the restoration of such services.

Page 89, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

484. Issues to be addressed by the DDDC shall include:

...

(d) Land, water and natural resources, locations and regulation of nomadic migration routes;

Security sector

**Security
Guarantees**

Page 7, PREAMBLE

...CONDEMNING all acts of violence against civilians and violations of human rights, and stressing full and unconditional acceptance of their obligations under International Humanitarian Law, international human rights law, and relevant UN Security Council Resolutions;

...CONVINCED of the urgent need for a comprehensive Agreement that will finally bring peace and security to the people of Darfur;

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

53. The TDRA shall exercise the following functions:

(a) Undertake primary responsibility for coordinating the implementation and follow-up of this Agreement. Such responsibility shall include, in particular, facilitating the return of refugees and internally displaced persons, coordinating the restoration of security, and promoting peace and reconciliation throughout Darfur;

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

108. The first priority of implementing this Agreement is to address the needs of the war-affected areas, with special attention to displaced and war-affected persons, to provide the basic services and security needed to enable them to return to their livelihoods in safety and dignity. This Chapter sets out principles for the restitution of property and assistance for full reintegration to their former livelihood, including rights to land and compensation for losses or damages or both sustained as a result of the conflict.

Page 34, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

148. The Parties recognize that Darfur states, being historically deprived and having severely suffered from destruction caused by the war, are in serious need to:

(a) Restore peace, security, and social stability.

Page 35, CHAPTER TWO: WEALTH SHARING, ARTICLE 19

151. The Parties recognize that Darfur states will need a rapid transition from war to peace, which would in turn create an enabling environment for accelerated transition from humanitarian relief assistance to economic recovery and development.

Page 41, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

179. The Parties agree that the provision of security is necessary for displaced persons to return. To restart their livelihood and commence effective reintegration, they will need potable water, food and shelter materials, as well as agricultural inputs for both crops and livestock such as seeds, seedlings, veterinary services, tools, and essential equipment including machinery for the making of building blocks, as well as micro credit schemes. Recovery will have to include the rehabilitation and/or creation of adequate educational and health facilities.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

185. The Parties to this agreement, with the assistance of the AU and the international community, pledge to provide protection and physical security to the displaced and war-affected persons in all areas of Darfur. The relevant authorities shall make all necessary efforts to respond to violations of human rights, redress the impact of such violations and take all necessary measures to ensure justice in a timely and effective manner.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

186. The relevant authorities, with the assistance of the AU and the international community, shall protect the returning displaced persons from all forms of harassment, coercion, informal 'taxation' or confiscation of property. In such exercise, special attention to the protection of displaced women from all forms of harassment, exploitation and gender-based violence, is essential.

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 47, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

(b) Affirm that lasting peace in Darfur shall be achieved and consolidated through, among other things, a comprehensive Ceasefire Agreement and final Security Arrangements that address the root causes and different aspects of the armed conflict.

(c) Undertake to refrain from acts such as mobilization, recruitment or initiatives that are likely to jeopardize the peace process including offensive military actions, movements, deployment of forces and engaging in hostile propaganda campaigns as a reaffirmation of commitment to create and maintain a conducive atmosphere.

(d) Guarantee the free movement of people, goods and services in Darfur.

(e) Undertake to refrain from any act that may jeopardize the humanitarian operations in Darfur and re-state commitment to create appropriate security conditions for the unimpeded flow of humanitarian assistance and goods, guarantee security in the camps hosting IDPs and the creation of conducive atmosphere for their voluntary return and refugees to their areas of origin.

(f) Undertake measures to neutralize and disarm the Janjaweed/armed militias in line with UN resolutions 1556 and 1564, the AU Summit Resolutions, the N'djamena Agreement and the November 2004 Abuja Protocol, such that security in Darfur is assured.

(g) Undertake confidence and trust building measures including the release of detainees as a result of the conflict in Darfur, other than those persons convicted through the due process of law upon

Page 48, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23-27

[Note: Beginning at Article 23, entire chapter is dedicated to the ceasefire and its associated provisions.]

[Summary: Article 23 sets out the ceasefires purpose, Article 24 sets out prohibited activities, Article 25 sets out monitoring mechanisms, Article 26 sets out means of protecting IDPs and the creation of humanitarian supply routes, Article 27 sets out DDR provisions, Article 28 sets out the provision of non-military logistic support to the movements, Article 29 sets out the final security arrangements for Darfur, and Article 30 lays out the sequencing and timing.]

Page 68, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

333. The GoS Police in coordination with the AMIS Civilian Police and Movements' Police Liaison Officers shall develop the plan for policing in the Buffer Zones and AMIS police shall monitor the implementation of the plan.

Page 68, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

334. Within their respective areas of control, the Parties shall endeavour through non-military means to ensure compliance with the ceasefire by other armed groups and militia that are not parties to this Agreement, including negotiations, mediation and traditional forms of conflict resolution; enlisting the support of traditional leaders and local authorities; and arms control methods, including registration of arms, storing of arms and restrictions on carrying of arms.

Page 68, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

335. The Parties shall submit monthly reports on their endeavours to the Ceasefire

Police

GoS in coordination with SMIS shall develop a plan for policing of GoS governed areas of Darfour (art 25(320). Also detailed provision for crimes against women (art 25).

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

11. The National Civil Service, the National Armed Forces, the Police and Intelligence Services shall reflect at all level a fair and equitable representation of all citizens, including those from Darfur.

Page 23, CHAPTER ONE: POWER SHARING, ARTICLE 12

80. Qualified former combatants from the Movements shall be integrated into the Sudanese armed forces, law enforcement agencies and security services, in accordance with Chapter 3 of this Agreement.

Page 23, CHAPTER ONE: POWER SHARING, ARTICLE 12

82. The Police, Customs, Immigration and Border Guards, the Prisons and Wildlife Services shall be open to all Sudanese including in particular Darfurians and nominees of the Movements, to reflect the diversity of the Sudanese society.

Page 24, CHAPTER ONE: POWER SHARING, ARTICLE 15

90. Law enforcement agencies of the National Capital shall be representative of the population of the Sudan and shall be adequately trained and made sensitive to the cultural, religious and social diversity of the Sudan.

Page 48, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

(i) Establish a mechanism whereby law enforcement is effective, the internal security of Darfur is assured and acknowledging that the prime responsibility for enforcement of the law and maintenance of public peace rests with a recognised police authority acting in accordance with the law to accepted standards;

Page 52, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 25

232. The manpower and technical capabilities of AMIS Civilian Police shall be strengthened to enable it to perform its functions.

Page 53, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 25

234. AMIS Civilian Police shall be deployed in IDP camps and areas of civilian habitation controlled by the Movements and shall develop a deployment plan in coordination with the Movements Police Liaison Officers.

Page 53, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 25

235. AMIS shall increase the number of its local language translators, with special attention to female translators, in order to enhance its capacity to gather information related to the conflict and law enforcement and interact with local communities.

Page 57, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

264. A Demilitarised Zone shall be an area in which the following rules apply:

(c) In areas of GoS control, policing shall be conducted by GoS Police and monitored by AMIS. In areas in which this Agreement recognizes the Movements' control, policing shall be conducted by the Movements' Police Liaison Officers and monitored by AMIS

Armed forces

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

11. The National Civil Service, the National Armed Forces, the Police and Intelligence Services shall reflect at all level a fair and equitable representation of all citizens, including those from Darfur.

Page 22, CHAPTER ONE: POWER SHARING, ARTICLE 12

79. The Sudan Armed Forces (SAF) shall be regular, professional and non- partisan. Darfurians shall be fairly represented at all levels therein, including in senior command positions, in accordance with Chapter 3 of this Agreement.

Page 23, CHAPTER ONE: POWER SHARING, ARTICLE 12

80. Qualified former combatants from the Movements shall be integrated into the Sudanese armed forces, law enforcement agencies and security services, in accordance with Chapter 3 of this Agreement.

81. The GoS shall take appropriate measures to rectify any imbalances that may exist in the representation of Darfurians at senior levels of the Sudan Armed Forces in general and in the intake into the Military Academies in particular.

Page 48, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

(h) Undertake to ensure a strong Sudanese Armed Forces such that it is professional, inclusive, and an institution that is capable of maintaining the sovereignty and territorial integrity of the Nation.

Page 50, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

220. Nothing in this Agreement infringes on the ability of the GoS to protect the territorial integrity or sovereignty of Sudan from external aggression.

Page 59, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

275. The Parties shall release all boys and girls associated with armed forces and groups. UNICEF, UNHCR, and the ICRC shall be called upon to assist in the identification, removal, family unification and reintegration of children associated with armed forces and groups.

Page 62, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

294. The Parties shall inform their commanders of all aspects of the plans and rules related to these phases and shall ensure compliance with the rules.

295. The Parties shall inform the Chairperson of the Ceasefire Commission of the exact locations of their forces and shall indicate these clearly on maps. These locations shall be subject to verification by AMIS. This information shall not be disclosed to the Parties.

Page 64, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

311. The AMIS Force Commander shall form an Implementation Team consisting of AMIS, representatives of the Parties, and international partners as appropriate. The Team shall visit all positions (with the appropriate Party member only) occupied by GoS forces of a battalion size or larger, and all command posts of the Movements, in order to provide information to GoS officers and Movements' commanders, and plan for the

DDR

Security sector→DDR→DDR programmes

Page 23, CHAPTER ONE: POWER SHARING, ARTICLE 12

80. Qualified former combatants from the Movements shall be integrated into the Sudanese armed forces, law enforcement agencies and security services, in accordance with Chapter 3 of this Agreement.

Page 47, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

(f) Undertake measures to neutralize and disarm the Janjaweed/armed militias in line with UN resolutions 1556 and 1564, the AU Summit Resolutions, the N'djamena Agreement and the November 2004 Abuja Protocol, such that security in Darfur is assured.

Page 48, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

(k) Put in place proper mechanisms for the demobilization, rehabilitation and social reintegration of former combatants returning to civilian life.

Page 57, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

[Note: See Security (general) for provisions on the setting up of demilitarized zones. Specifically 264-286]

Page 64, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

312. The Parties shall submit to the Ceasefire Commission a list of the other armed groups and militia that are aligned to them and subject to their influence and shall indicate the location of these groups and the measures taken to control and/or neutralise the undisciplined militia.

314. The GoS shall present to the Ceasefire Commission a comprehensive plan for neutralising and disarming the Janjaweed/armed militia specifying actions to be taken during all phases of the Ceasefire. This plan shall be presented before the beginning of Phase 1 (i.e., within 37 days of the signing of this Agreement) and implemented within the timeframes specified in this Agreement.

315. This plan shall include milestones to be achieved by the GoS and certified by AMIS in accordance with the timelines in this Agreement. These milestones shall include, but not be limited to, the following:

a. The GoS shall restrict all Janjaweed/armed militia and PDF to their headquarters, garrisons, cantonment sites or communities and take other steps to contain, reduce and ultimately eliminate the threat posed by such forces

Page 65, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

315. b. The GoS shall completely disarm the above forces of heavy weapons.

c. Consistent with Article 30, paragraph 417, the GoS shall ensure that no Janjaweed/armed militia pose a threat to the Movements' assembly and disarmament.

316. This plan shall include the responsibility of the GoS to prevent violations of the Ceasefire by the above forces, including through immediate disarmament and

**Intelligence
services**

Page 10, CHAPTER ONE: POWER SHARING, ARTICLE 1

11. The National Civil Service, the National Armed Forces, the Police and Intelligence Services shall reflect at all level a fair and equitable representation of all citizens, including those from Darfur.

Page 23, CHAPTER ONE: POWER SHARING, ARTICLE 12

80. Qualified former combatants from the Movements shall be integrated into the Sudanese armed forces, law enforcement agencies and security services, in accordance with Chapter 3 of this Agreement.

83. The National Security Service shall be representative of the people of the Sudan. Darfurians shall be fairly represented at all levels therein.

Page 77, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 29

401. The GoS shall make positions available to former combatants on the basis of a rank structure, and senior positions shall be included as appropriate. Taking into account the availability of accelerated officer training, the TIC shall recommend a specific number of former combatants to fill senior and supporting positions at SAF General Staff HQ, SAF Western Command HQ, the Ministry of Defense, the Directorate of Military Intelligence, and equivalent police HQ on the basis of qualifications, experience, and institutional needs. Special attention shall be paid to the integration of female former combatants.

Page 83, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 29

446. Reform shall include, but not be limited to, the following security institutions, particularly those that have expanded or changed composition or mandate during the conflict in Darfur:

(b) The Border Intelligence Units;

**Parastatal/rebel
and opposition
group forces**

Page 47, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22

214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;

(f) Undertake measures to neutralize and disarm the Janjaweed/armed militias in line with UN resolutions 1556 and 1564, the AU Summit Resolutions, the N'djamena Agreement and the November 2004 Abuja Protocol, such that security in Darfur is assured.

Page 57, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26

264. A Demilitarised Zone shall be an area in which the following rules apply:

(a) There shall be no forces of any Party and other armed groups or militia, except with the permission and escort of AMIS.

Page 64, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

312. The Parties shall submit to the Ceasefire Commission a list of the other armed groups and militia that are aligned to them and subject to their influence and shall indicate the location of these groups and the measures taken to control and/or neutralise the undisciplined militia.

314. The GoS shall present to the Ceasefire Commission a comprehensive plan for neutralising and disarming the Janjaweed/armed militia specifying actions to be taken during all phases of the Ceasefire. This plan shall be presented before the beginning of Phase 1 (i.e., within 37 days of the signing of this Agreement) and implemented within the timeframes specified in this Agreement.

315. This plan shall include milestones to be achieved by the GoS and certified by AMIS in accordance with the timelines in this Agreement. These milestones shall include, but not be limited to, the following:

a. The GoS shall restrict all Janjaweed/armed militia and PDF to their headquarters, garrisons, cantonment sites or communities and take other steps to contain, reduce and ultimately eliminate the threat posed by such forces

Page 65, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

315. b. The GoS shall completely disarm the above forces of heavy weapons.

c. Consistent with Article 30, paragraph 417, the GoS shall ensure that no Janjaweed/armed militia pose a threat to the Movements' assembly and disarmament.

316. This plan shall include the responsibility of the GoS to prevent violations of the Ceasefire by the above forces, including through immediate disarmament and demobilization of such forces.

317. The GoS, with support from AMIS, shall take all other steps required to completely eliminate the threat posed by Janjaweed/armed militia to the civilian population and ensure compliance with the Ceasefire.

Page 67, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27

323. (e) The Parties shall ensure that the armed groups and militia in their respective areas of control comply with the ceasefire.

Page 68, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY

Withdrawal of foreign forces Page 69, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27
342. The Parties take note of the provisions of the Tripoli Agreement of 8 February 2006 and especially Article 4, which provides that the GoS should ban the presence and stay of rebel elements from the Republic of Chad on the Territory of Sudan.
(a) The Parties appreciate the threat and menace that foreign insurgency groups pose on the security and stability of Sudan and neighboring countries.
(b) The Parties shall work together to disarm, repatriate, or expel these groups as soon as possible.

Corruption Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21
186. The relevant authorities, with the assistance of the AU and the international community, shall protect the returning displaced persons from all forms of harassment, coercion, informal 'taxation' or confiscation of property. In such exercise, special attention to the protection of displaced women from all forms of harassment, exploitation and gender-based violence, is essential.

Crime/organised crime Page 66, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27
321. The plans shall include the following:
...
(e) A strategy for dealing with armed bandits and outlaws.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts	<p>Transitional justice→Courts→National courts</p> <p>Page 60, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 26</p> <p>277. In areas of GoS control, the GoS Police shall investigate all crimes, including those committed against women and children, and ensure the prosecution of the perpetrators and the protection of the victims. They shall give the AMIS Civilian Police unimpeded access and information to monitor these activities.</p> <p>Page 72, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27</p> <p>367. The GoS shall implement the relevant stages of its plan for neutralising, controlling and disarming the Janjaweed/armed militia in its areas of control. Its operations shall be conducted in coordination with AMIS and with prior notification to the Ceasefire Commission. This stage of the plan shall include:</p> <p>...</p> <p>(c) Prosecutions and punitive actions against criminal elements.</p>
Mechanism	No specific mention.
Prisoner release	<p>Page 47, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 22</p> <p>214. Cognizant of the debilitating effects of armed conflict, and appreciating the need for a Comprehensive Ceasefire in Darfur, the Parties hereby;</p> <p>...</p> <p>(g) Undertake confidence and trust building measures including the release of detainees as a result of the conflict in Darfur, other than those persons convicted through the due process of law upon signing the Comprehensive Peace Agreement.</p> <p>Page 69, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27</p> <p>345. (d) Persons detained in relation to the armed conflict in Darfur and child soldiers shall be released.</p> <p>Page 72, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 27</p> <p>364. The Parties shall unconditionally release all persons detained in relation to the armed conflict in Darfur, other than persons convicted through the due process of law as stipulated in paragraph 6 of UN Security Council Resolution 1556 of 2004.</p> <p>365. The Ceasefire Commission shall facilitate the release of all persons detained in relation to the armed conflict in Darfur and shall request the assistance of the International Committee of the Red Cross.</p>
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.

Reparations

Transitional justice→Reparations→Material reparations

Page 19, CHAPTER ONE: POWER SHARING, ARTICLE 8

66. The Senior Assistant shall have powers that will enable him/her influence national policies. To this end, he/she shall be a member of, inter alia, the National Council of Ministers, the National Security Council and the National Planning Council and shall participate in their deliberations and decision-making. In addition, the Senior Assistant shall:

...

(d) Coordinate the formulation and implementation of plans, policies and programmes concerning Darfur, including rehabilitation, reconstruction and development of Darfur, as well as facilitate the return of refugees and internally displaced persons.

Page 25, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

97. All Sudanese citizens have equal rights to:

(k) Restitution of property for those affected by conflict; and

Page 26, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

101. Rehabilitation and reconstruction of Darfur is a priority; to that end, steps shall be taken to compensate the people of Darfur and address grievances for lives lost, assets destroyed or stolen, and suffering caused.

Page 27, CHAPTER TWO: WEALTH SHARING, ARTICLE 17

108. The first priority of implementing this Agreement is to address the needs of the war-affected areas, with special attention to displaced and war-affected persons, to provide the basic services and security needed to enable them to return to their livelihoods in safety and dignity. This Chapter sets out principles for the restitution of property and assistance for full reintegration to their former livelihood, including rights to land and compensation for losses or damages or both sustained as a result of the conflict.

Page 37, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

159. All displaced persons and other persons arbitrarily or unlawfully deprived of rights to land shall have those rights restored to them. No person or group of persons shall be deprived of any traditional or historical right in respect of land or access to water without consultation and compensation on just terms.

Page 38, CHAPTER TWO: WEALTH SHARING, ARTICLE 20

165. The state Land Commission shall exercise the following functions:

(g) Reviewing existing land instruments and recommending to the relevant authority the introduction of such necessary changes as may be required including restitution of land rights or compensation.

Page 43, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

194. Displaced persons have the right to restitution of their property, whether they choose to return to their places of origin or not, or to be compensated adequately for the loss of their property, in accordance with international principles.

Page 43, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

196. Compensation in place of restitution shall only be given where it is factually established, in accordance with the procedures in this agreement, that restitution is impossible.

Page 44, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

199. The Parties agree that war-affected persons in Darfur have an inalienable right to have their grievances addressed in a comprehensive manner and to receive compensation. Restitution and compensation for damages and losses shall necessitate

Reconciliation

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

49. The TDRA, in which the SLM/A and the JEM shall be effectively represented, shall serve as the principal instrument for the implementation of this Agreement and for enhancing coordination and cooperation among the three States of Darfur. The TDRA shall be a symbol of reconciliation and unity of the people of Darfur and their effort to build a future based on peace and good neighbourliness.

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

53. The TDRA shall exercise the following functions:

(a) Undertake primary responsibility for coordinating the implementation and follow-up of this Agreement. Such responsibility shall include, in particular, facilitating the return of refugees and internally displaced persons, coordinating the restoration of security, and promoting peace and reconciliation throughout Darfur;

Page 21, CHAPTER ONE: POWER SHARING, ARTICLE 10

75. The Parties further agree to establish a National Civil Service Commission through which, among other things, the imbalances in the NCS shall be redressed. In order to create a sense of national unity and belonging, Darfurians shall be fairly represented in the National Civil Service Commission.

Page 42, CHAPTER TWO: WEALTH SHARING, ARTICLE 21

188. Strategies created under paragraph 182 shall include reconciliation and peace-building activities, such as local reconciliation meetings to settle local conflicts and the use of traditional dispute resolution mechanisms.

Page 56, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 25

260. (k) To identify ways of defusing tensions among communities and building confidence and trust in Darfur.

Page 82, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 29

440. The Reintegration Plan shall address:

(a) Objectives of the reintegration program as a component of the national strategic plan for reconciliation, reconstruction and development.

Page 84, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 30

454. The correct sequencing of activities is essential to ensure mutual confidence building among the Parties.

Page 86, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

458. The Darfur-Darfur Dialogue and Consultation (DDDC) shall be a conference in which representatives of all Darfurian stakeholders can meet to discuss the challenges of restoring peace to their land, overcoming the divisions between communities, and resolving the existing problems to build a common future.

Page 86, CHAPTER FOUR: DARFUR-DARFUR DIALOGUE AND CONSULTATION, ARTICLE 31

459. In light of the fact that a just and durable solution to the conflict in Darfur requires communal reconciliation above and beyond what is possible at the Inter-Sudanese Talks on the Darfur Conflict, convened in Abuja, and the resulting Agreement, the DDDC provides a mechanism to connect this Agreement to social and political issues in Darfur so that social mechanisms traditionally established to resolve conflicts can play their role in creating and sustaining social peace. The DDDC is an opportunity for the Movements to present their political agenda to the people of Darfur and thereby make

Implementation

UN signatory Witnessed by:
His Excellency, Jan Pronk, Special Representative of the Secretary-General of the United Nations in the Sudan;

Other international signatory Witnessed by:
Dr. Salim Ahmed Salim, AU Special Envoy and Chief Mediator;
His Excellency, President Denis Sassou-Nguesso, Current Chairman of the African Union;
His Excellency, President Olusegun Obasanjo, President of the Federal Republic of Nigeria;
His Excellency, Professor Alpha Oumar Konare, Chairperson of the African Union Commission;
Dr. Ali Treki, Representative of the Leader of the Libyan Arab Jamahiriya;
Mr. Robert Zoellick, Deputy Secretary of State, United States of America;
Mr. Hilary Benn, Secretary of State for International Development, United Kingdom;
His Excellency, Jan Pronk, Special Representative of the Secretary-General of the United Nations in the Sudan;
Pekka Haavisto, European Union;
Counsellor Zeid Al Sabban, League of Arab States;
Ambassador Ahmed A. Haggag, Special Envoy of the Arab Republic of Egypt;
Ambassador Allan Rock, Representative of Canada;
Dr. Kjell Hodnebo, Representative of Norway;
Ambassador Henri de Coignac, Special Envoy, France;
Mrs. Agnes Van Ardenne, Minister for Development Cooperation, Netherlands;

Referendum for agreement No specific mention.

International mission/force/similar

Page 9, CHAPTER ONE: POWER SHARING, ARTICLE 1

10. Elections at all levels of government in the Sudan shall be based on free and direct voting, observed by neutral/international observers, with a view to ensuring fair participation of all the Sudanese people. Elections shall be held for the Presidency, and the legislature at all levels of government.

Page 17, CHAPTER ONE: POWER SHARING, ARTICLE 6

58. The National Elections Commission (NEC) shall organize and supervise the referendum on the status of Darfur. The National Elections Law shall specify the rules and procedure governing the referendum. The referendum shall be internationally monitored.

Page 49, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

217. The aims of this Chapter are as follows:

...

(f) To ensure that the Parties co-operate with AMIS and the other ceasefire monitoring and verification bodies.

Page 49, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

218. This Comprehensive Ceasefire covers the following main topics:

...

(d) Strengthening the Ceasefire Monitoring and Verification Mechanisms (Article 25)

Page 50, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 23

225. AMIS shall design and, in conjunction with the Parties, run awareness programmes in Darfur to ensure that local communities and the Parties' commanders, members and allied forces understand the mandate of AMIS, the ceasefire obligations of the Parties and the activities that constitute violations of the ceasefire. The programmes shall include the use of meetings and print and electronic media in local languages.

Page 51, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 24

226. (g) All attacks on AMIS personnel and installations and seizure of its equipment.

(h) All activities that obstruct the efforts of AMIS and amount to a failure to co-operate with AMIS, including the prohibition of AMIS patrols and flights over any locations, even in the event that curfews and no go zones are imposed in emergency situations.

(i) Any attempt by a Party to disguise its equipment, personnel or activities as those of AMIS, United Nations Agencies, the International Committee of the Red Cross/Crescent or any other similar organisation.

Page 51, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 24

228. The Parties shall refrain from all activities that AMIS, the Ceasefire Commission and the Joint Commission determine to be violations of the ceasefire based upon this Agreement and existing ceasefire agreements.

Page 52, CHAPTER THREE: COMPREHENSIVE CEASEFIRE AND FINAL SECURITY ARRANGEMENTS, ARTICLE 25

229. The Parties: Page 74 of 76

(a) Recognise the importance of AMIS, the Ceasefire Commission, the Joint Commission and the Joint Humanitarian Facilitation and Monitoring Unit (JHFMU) for maintaining the

Enforcement mechanism

[Human rights commission to monitor chapter 3 rights. National elections Commission will organize and supervise Darfour Referendum (art 58), and will be internationally monitored. As regards wealth sharing chapter, the Presidency, National Legislative Bodies, FFAMC, National Audit Chamebr, State legislatures, and Supreme Constitutional Court, are all responsible for monitoring (art 18). A Land Commission is to address issues related to traditional and historical rights to land and review large use management and natural resource development processes (art 20 163). AU and international community given role in return (Art 21(178)). AMIS, Ceasefire Commission, Joint Commission and the Joint Humanitarian Facilitation and Monitoring Unit important to building confidence and resolving disputes (art 35(229)). AU to improve coordination between these groups. A Darfur Security Arrangements Implementation Commission will coordinate implementation of integration of former combatants into National Security Institutions (art 29). The DSAIC is to establish a Technical Integration Committee to design, plan, implement, manage and monitor integration of former combatants (Art 29(399)). AU to register agreement with UN (502). A Darfur Assessment and Evaluation Commission (mixed parties, and rep from AU, five reps from observer states, and three additional reps from other states) to be formed to monitor implementation of agreement (Art 33).]

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

49. The TDRA, in which the SLM/A and the JEM shall be effectively represented, shall serve as the principal instrument for the implementation of this Agreement and for enhancing coordination and cooperation among the three States of Darfur. The TDRA shall be a symbol of reconciliation and unity of the people of Darfur and their effort to build a future based on peace and good neighbourliness.

Page 16, CHAPTER ONE: POWER SHARING, ARTICLE 6

53. The TDRA shall exercise the following functions:

(a) Undertake primary responsibility for coordinating the implementation and follow-up of this Agreement. Such responsibility shall include, in particular, facilitating the return of refugees and internally displaced persons, coordinating the restoration of security, and promoting peace and reconciliation throughout Darfur;

Page 92, CHAPTER FIVE: GENERAL PROVISIONS, ARTICLE 32

508. The Parties agree to settle any disagreement or dispute arising under this Agreement by peaceful means. The Parties further agree that in the event of a dispute concerning the interpretation or application of this Agreement, they shall refer the matter to the AU Commission.

Page 93, CHAPTER SIX: IMPLEMENTATION MODALITIES AND TIMELINES, ARTICLE 33

511. There shall be established within three months from the date of the signing of this Agreement an independent Darfur Assessment and Evaluation Commission (the Commission) in order to promote the full and timely implementation of this Agreement.

Page 93, CHAPTER SIX: IMPLEMENTATION MODALITIES AND TIMELINES, ARTICLE 33

512. The Commission shall consist of:

- (a) Three representatives from the GoS, including the Advisor to the President on matters relating to Darfur,
- (b) Three representatives from the SLM/A and the JEM

Page 93, CHAPTER SIX: IMPLEMENTATION MODALITIES AND TIMELINES, ARTICLE 33

512.1 In addition, the Parties invite the following states and organisations to designate representatives as members

(a) One representative from the African Union,

(b) Five representatives from the observer states and organisations

Related cases No specific mention.

Source UN Peacemaker
<http://peacemaker.un.org/>
<http://peacemaker.un.org/node/535>
