

<b>Country/entity</b>	Sudan Darfur
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Protocol between the Government of the Sudan (GoS), The Sudan Liberation movement/ Army (SLM/A) and the Justice and Equality Movement (JEM) on the Enhancement of the Security Situation in Darfur in Accordance with the N'Djamena Agreement
<b>Date</b>	9 Nov 2004
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	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** Renewal

**Conflict nature** Government/territory

<b>Peace process</b>	Darfur-Sudan peace process
<b>Parties</b>	For the Sudan Liberation Movement/Army: Minni Arkou Minawi, Secretary-General; For the Government of the Sudan: Dr. Magzoub El-Khalifa, Head of Delegation; For the Justice and Equality Movement: Ahmed Mohamed Tugod Lissan General Coordinator, Head of delegation
<b>Third parties</b>	Witnessed by: The Federal Republic of Nigeria (Chair of the AU): Amb. Oluyemi Adeniji, CON Minister of Foreign Affairs; The AU Commission: Amb. Sam B. Ibok; The Chadian Co-Mediation: Amb. Allam-Mi Ahmad.
<b>Description</b>	Agreement ultimately incorporated in Darfur Agreement.

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<b>Agreement document</b>	<a href="#">SD_041109_Protocol between the GoS, SLMA, and JEM on Security Situation in Darfur.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

<b>Children/youth</b>	Groups→Children/youth→Substantive Page 4, Article 8 The Parties shall refrain from recruiting children as soldiers or combatants, consistent with the African Charter on the Rights and Welfare of Children, the Convention on the Right of the Child (CRC) and the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	Groups→Refugees/displaced persons→Rhetorical Page 2, PREAMBLE 4. Cognizant of the need to restore confidence in Darfur, as part of the efforts to facilitate the voluntary return of the refugees and internally displaced persons (IDPs), alleviate the plight of the civilian population and create conditions for a lasting and comprehensive settlement of the conflict in Darfur;
<b>Social class</b>	No specific mention.

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## Gender

<b>Women, girls and gender</b>	No specific mention.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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## **State definition**

**Nature of state (general)** No specific mention.

**State configuration** Page 2, PREAMBLE  
6. Reaffirming our commitment to the sovereignty, unity, territorial integrity and independence of the Sudan;

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/secession** No specific mention.

**Accession/unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

**Civil society** Page 4, 4. In compliance with the Article 5 of the N'djamena Agreement, the Parties commit themselves to:  
-request the International Committee of the Red Cross (ICRC) to assist in this exercise in accordance with the Geneva Conventions; in this respect, further request CFC/AMIS to extend its full cooperation to the ICRC, in conformity with the latter's mandate as a neutral intermediary;

**Traditional/  
religious leaders** No specific mention.

**Public  
administration** No specific mention.

**Constitution** No specific mention.

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### **Power sharing**

**Political power  
sharing** No specific mention.

**Territorial power  
sharing** No specific mention.

**Economic power  
sharing** No specific mention.

**Military power  
sharing** No specific mention.

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### **Human rights and equality**

**Human rights/RoL  
general** Page 2, PREAMBLE  
3. Condemning all acts of violence against civilians and violations of human rights and international humanitarian law;

Page 4,  
4. In compliance with the Article 5 of the N'djamena Agreement, the Parties commit themselves to:  
-release immediately and unconditionally all persons detained in relation to the hostilities in Darfur. This stipulation shall not apply to those convicted through the due process of law under para. 6 of resolution 1556 (2004);

**Bill of rights/similar** No specific mention.

**Treaty  
incorporation** Page 2, PREAMBLE  
3. Condemning all acts of violence against civilians and violations of human rights and international humanitarian law;

Page 4, 4. In compliance with the Article 5 of the N'djamena Agreement, the Parties commit themselves to:  
-request the International Committee of the Red Cross (ICRC) to assist in this exercise [prisoner release] in accordance with the Geneva Conventions; in this respect, further request CFC/AMIS to extend its full cooperation to the ICRC, in conformity with the latter's mandate as a neutral intermediary;

**Civil and political rights** Human rights and equality→Civil and political rights→Humane treatment in detention  
Page 4, 4. In compliance with the Article 5 of the N'djamena Agreement, the Parties commit themselves to: abstain, in conformity with the N'djamena Agreement, from detaining or abducting persons.

**Socio-economic rights** No specific mention.

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### **Rights related issues**

**Citizenship** No specific mention.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** No specific mention.

**Mobility/access** No specific mention.

**Protection measures** No specific mention.

**Other** Page 4, 4. In compliance with the Article 5 of the N'djamena Agreement, the Parties commit themselves to: abstain, in conformity with the N'djamena Agreement, from detaining or abducting persons.

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### **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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### **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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**Socio-economic reconstruction**

**Development or socio-economic reconstruction** Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance  
Page 3, PREAMBLE  
10. Recording our agreement to address humanitarian issues, security issues, political questions, as well as economic and social affairs, in the course of the Inter-Sudanese Peace Talks on the crisis in Darfur;

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** Page 3, PREAMBLE  
8. Recognizing that the magnitude of the crisis in Darfur is such that it requires sustained assistance and engagement by the international community and, in this regard, expressing our appreciation for its efforts to alleviate the humanitarian plight and promote lasting peace and security in Darfur;

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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**Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/  
nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian  
rights or access** No specific mention.

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**Security sector**

**Security  
Guarantees**

Page 3, PREAMBLE

10. Recording our agreement to address humanitarian issues, security issues, political questions, as well as economic and social affairs, in the course of the Inter-Sudanese Peace Talks on the crisis in Darfur;

## Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 2, PREAMBLE

5. Reiterating our commitment to the N'djamena Agreement, including the appended Protocol on the Establishment of Humanitarian Assistance in Darfur, the Agreement on the Modalities for the Establishment of the Ceasefire Commission (CFC) and the Deployment of Observers in Darfur, signed in Addis Ababa, Ethiopia, on 28 May 2004 [hereinafter the Addis Ababa Agreement] and the Protocol on the improvement of the Humanitarian situation in Darfur, signed in Abuja on 9 November 2004;

Page 3, 1. The Parties agree to strictly abide by the provisions of the N'djamena and Addis Ababa Agreements. In this respect, the Parties recommit themselves to ensure an effective ceasefire on land and air, in particular:

- refraining from all hostilities and military actions, any reconnaissance operations, deployment, movement, or any other action aimed at extending territories under their respective control, and any military activity which, in the view of CFC/ AMIS, undermines the ceasefire;
- notifying all administrative movements to the CFC/AMIS.

Page 3, 2. The Parties agree to enhance and facilitate the implementation of the N'djamena Agreement, through, inter alia, the following:

- submitting to the Chairman of the CFC/ AMIS, or his designated representative, all information needed to enable it to carry out its mandate and tasks as agreed upon under the N'djamena and Addis Ababa Agreements. Such information shall be held confidentially;

Page 4, 2. The Parties agree to enhance and facilitate the implementation of the N'djamena Agreement, through, inter alia, the following:

...

- cooperating fully with the CFC/AMIS, to enable it develop, as soon as possible, a plan with a view to ensuring that no exchange of fire takes place and facilitating the effective monitoring of the ceasefire;

Page 4, 2. The Parties agree to enhance and facilitate the implementation of the N'djamena Agreement, through, inter alia, the following:

...

- providing CFC/AMIS with the required information to enable it determine clearly the sites occupied by the forces on the ground;

Page 4, 2. The Parties agree to enhance and facilitate the implementation of the N'djamena Agreement, through, inter alia, the following:

...

- extending unreserved cooperation to AMIS to enable it discharge its mandate and operational tasks as spelt out in the communique adopted by the 18th meeting of the PSC held on 20 October 2004;

Page 4, 2. The Parties agree to enhance and facilitate the implementation of the N'djamena Agreement, through, inter alia, the following:

...

- refraining from conducting hostile military flights in and over the Darfur region.

Page 4, 3. The Parties call upon the CFC/AMIS to accelerate the enforcement and full implementation of the N'djamena Agreement.

<b>Police</b>	No specific mention.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	<p>Security sector→DDR→Demilitarisation provisions</p> <p>Page 4, 5. In accordance with the N'djamena Agreement, relevant AU decisions and UN Security Council resolutions 1556 and 1564, the GoS undertakes to:</p> <p>-expeditiously implement its stated commitment to neutralize and disarm the Janjaweed/armed militias, bearing in mind the relevant UN Security Council resolutions. Such a process shall be supervised and verified by the CFC/ AMIS. For this purpose, the GoS shall provide all relevant information to the CFC/AMIS;</p>
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	<p>Page 4, 5. In accordance with the N'djamena Agreement, relevant AU decisions and UN Security Council resolutions 1556 and 1564, the GoS undertakes to: expeditiously implement its stated commitment to neutralize and disarm the Janjaweed/armed militias, bearing in mind the relevant UN Security Council resolutions. Such a process shall be supervised and verified by the CFC/ AMIS. For this purpose, the GoS shall provide all relevant information to the CFC/AMIS;</p> <p>Page 5, 5. In accordance with the N'djamena Agreement, relevant AU decisions and UN Security Council resolutions 1556 and 1564, the GoS undertakes to:</p> <p>-identify and declare those militias over whom it has influence, and provide CFC/AMIS with all relevant details. The GoS shall ensure that these militias will refrain from all attacks, harassment, or intimidation.</p>
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.

<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	Page 4, 4. In compliance with the Article 5 of the N'djamena Agreement, the Parties commit themselves to: -release immediately and unconditionally all persons detained in relation to the hostilities in Darfur. This stipulation shall not apply to those convicted through the due process of law under para. 6 of resolution 1556 (2004);
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

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**Implementation**

<b>UN signatory</b>	No specific mention.
<b>Other international signatory</b>	No specific mention.
<b>Referendum for agreement</b>	No specific mention.

**International mission/force/similar**

Page 2, PREAMBLE

5. Reiterating our commitment to the N'djamena Agreement, including the appended Protocol on the Establishment of Humanitarian Assistance in Darfur, the Agreement on the Modalities for the Establishment of the Ceasefire Commission (CFC) and the Deployment of Observers in Darfur, signed in Addis Ababa, Ethiopia, on 28 May 2004 [hereinafter the Addis Ababa Agreement] and the Protocol on the improvement of the Humanitarian situation in Darfur, signed in Abuja on 9 November 2004;

Page 3, PREAMBLE

9. Welcoming the leadership and the engagement of the African Union, including its decision to strengthen its Mission in the Sudan (CFC/AMIS), to provide more effective support to the efforts aimed at restoring peace and security in Darfur, and expressing our commitment to fully cooperate with the AU to that end;

Page 3, 2. The Parties agree to enhance and facilitate the implementation of the N'djamena Agreement, through, inter alia, the following:

-submitting to the Chairman of the CFC/AMIS, or his designated representative, all information needed to enable it to carry out its mandate and tasks as agreed upon under the N'djamena and Addis Ababa Agreements. Such information shall be held confidentially;

Page 4, 2. The Parties agree to enhance and facilitate the implementation of the N'djamena Agreement, through, inter alia, the following:

...

-cooperating fully with the CFC/AMIS, to enable it develop, as soon as possible, a plan with a view to ensuring that no exchange of fire takes place and facilitating the effective monitoring of the ceasefire;

Page 4, 2. The Parties agree to enhance and facilitate the implementation of the N'djamena Agreement, through, inter alia, the following:

...

-extending unreserved cooperation to AMIS to enable it discharge its mandate and operational tasks as spelt out in the communique adopted by the 18th meeting of the PSC held on 20 October 2004;

Page 4, 3. The Parties call upon the CFC/AMIS to accelerate the enforcement and full implementation of the N'djamena Agreement.

**Enforcement mechanism**

No specific mention.