

**DRAFT DARFUR PEACE DOCUMENT
(DDPD)**

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LIST OF ABBREVIATIONS

AFR- Annual Financial Report
AOR - Area of Responsibility
AU- African Union
CFA- Ceasefire Agreement
CFC- Ceasefire Commission
CJDF - Compensation/Jabr Al Darar Fund
CPA - The Comprehensive Peace Agreement
CPC – Community Policing Centre
CTSG-Ceasefire Team Site Group
DDR - Disarmament, Demobilization and Reintegration
DFC - Deputy Force Commander
DJAM - Darfur Joint Assessment Mission
DLC- Darfur Land Commission
DMZ - Demilitarised Zone
DoC DPA- Declarations of Commitment to the DPA
DPA - Darfur Peace Agreement
DRA - Darfur Regional Authority
DRC - Darfur Referendum Commission
DRDF - Darfur Reconstruction and Development Fund
EU- European Union
FC - Force Commander
FFAMC - Fiscal and Financial Allocation and Monitoring Commission
GoS - Government of Sudan
IBRD - International Bank for Reconstruction and Development
IFC – Implementation Follow-up Commission
ICRC - International Committee of the Red Cross
IDPs – Internally Displaced Persons
INC - Interim National Constitution
ITC - Integration Technical Committee
JC - Joint Commission
JCC- Joint Coordination Centre
JLCC - Joint Logistics Coordination Committee
LCC -Logistics Coordination Committee
MDGs- Millennium Development Goals
MFS-Micro Finance System
NCRC – National Constitutional Review Commission
NCS- National Civil Service
NCSC -National Civil Service Commission
NGO - Non-Governmental Organisation
NRF- National Revenue Fund
PC - Police Commissioner
PCRC-Property Claims and Restitution Committee
RCC-Reparation and Compensation Commission
RoE-Rules of Engagement

SAF- Sudan Armed Forces
SOMA- Status of Mission Agreement
SSCFC-Sector Sub-Ceasefire Commission
Sub-CFCs- Sub-Ceasefire Commissions
TRC - Truth and Reconciliation Committee
TJRC-Truth, Justice and Reconciliation Commission
TSGs- Team Site Groups
UN - United Nations
UNAMID – African Union United Nations Hybrid Operation in Darfur
UNHCR – United Nations High Commissioner for Refugees
UNICEF - United Nations International Children’s Educational Fund
UNPOL- United Nations Police
UNSCR - United Nations Security Council Resolution
USA - United States of America
VRC-Voluntary Return Committee
VRRRC-Voluntary Return and Resettlement Commission

DEFINITIONS

“Area of Control” means a defined area over which one of the Parties exercises control and in which no other Party may undertake activity.

“Armed Militia” means forces, whether or not associated or affiliated with any Party, and includes any armed group engaging in or which has engaged in hostile activity.

“Assembly” means the process of the relocation of the Movements’ former combatants into selected sites for purposes of their disarmament and integration into selected security institutions.

“Assembly Areas” or “Cantonment Sites” are used interchangeably to mean locations where combatants go through the disarmament and demobilization process.

“Buffer Zone” means a defined area established in accordance with this Agreement controlled by UNAMID from which disputing or belligerent forces have been excluded.

“Combatants” means Movements’ forces.

“Community Police” means volunteer personnel who undertake patrolling activities under the supervision of UNPOL to assist in maintaining public peace and tranquillity, and “community policing” and “community police volunteers” shall be construed accordingly.

“Crew-Assisted Weapons” means those weapons that cannot be served by a single operator and require supplementary operators and technical means, both in launching position and/or the terminal trajectory position. Often these types of weapons are mounted on vehicles, ships and aircraft.

“Demilitarised Zone” means a defined area in accordance with this Agreement within which the Parties undertake no military operations and from which they remove military assets.

“Demobilisation” means the process by which the Parties begin to disband their military structure and former combatants begin the process of transformation into civilian life.

“Disarmament” means the collection, control and disposal of small arms, light and heavy weapons and includes de-mining.

“Disengagement” is a general term for a process that would result in the geographical separation of opposing forces.

“Hawakeer” means tribal land ownership rights.

“Internally Displaced Persons” (IDPs) means persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in

particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.

“Movements” means all the armed groups involved in the conflict other than State armed forces and associated militia; for the purpose of this Agreement, the “Movements” refers to those that are signatories to this Agreement.

“Reconciliation” means a process which assists the victims of prolonged violence and grave violations of fundamental rights to overcome the grief, anger, hatred and loss of trust in order to rebuild confidence among communities and restore social peace.

“Redeployment” means the transfer of a unit, an individual or supplies deployed to one area to another location within the area, or to an interior part of the zone for the purpose of further employment or demobilisation for reintegration and/or out processing.

“Reform of selected security institutions” means the process of transforming specific security institutions to improve their capacity, effectiveness and professionalism and to strengthen the rule of law in accordance with accepted international standards.

“Refugee” means a person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events is unable or, owing to such fear, is unwilling to return to it. *“Refugee”* is also applied to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.

“Reintegration” means assistance measures provided to former combatants in order to increase the potential for their economic and social absorption into civil society.

“Returnee” means a displaced person who voluntarily returns to his/her habitual residence before displacement with the intention to re-establish himself/herself there.

“Rules of Engagement” (RoE) means directives issued by a competent military authority that define the circumstances and limitations under which forces will initiate and/or continue use of force against other forces encountered.

“Status of Mission Agreement” (SOMA) means the agreement between UNAMID and the Government of Sudan defining the legal position of the visiting military force deployed in Sudan.

“War-affected person” or “victims of war” means persons or groups of people who have suffered persecution during the conflict in Darfur as well as those whose life and livelihoods have been adversely affected as a result of the conflict.

PREAMBLE

The Parties to this Agreement hereinafter referred to as “The Parties”;

Reaffirming the sovereignty, unity and territorial integrity of Sudan;

Reiterating their commitment to the Interim National Constitution of the Republic of Sudan of 2005, to the full implementation of the Comprehensive Peace Agreement of January 2005, and to the African Union Decisions and United Nations Security Council Resolutions (UNSCR) concerning the need to reach a political solution in order to bring the conflict in Darfur to an end;

Recalling the previous agreements on the conflict in Darfur, in particular the Humanitarian Ceasefire Agreement on the Conflict in Darfur & Protocol on the Establishment of Humanitarian Assistance in Darfur of 8 April, 2004, N’Djamena, Chad; the Agreement with the Sudanese Parties on the Modalities for the Establishment of the Ceasefire Commission and the Deployment of Observers in Darfur of 28 May 2004, Addis Ababa, Ethiopia; the Protocol between the Government of Sudan, The Sudan Liberation Movement / Army and the Justice and Equality Movement on the Improvement of the Humanitarian Situation in Darfur of 9 November, 2004, Abuja, Nigeria; the Protocol between the Government of Sudan, The Sudan Liberation Movement / Army and the Justice and Equality Movement on the Enhancement of the Security Situation in Darfur in accordance with the N’Djamena Agreement of 9 November, 2004, Abuja, Nigeria; the Declaration of Principles for the Resolution of the Sudanese Conflict in Darfur of 5 July, 2005, Abuja, Nigeria; the Darfur Peace Agreement (DPA) of 5 May, 2006, Abuja, Nigeria; the Goodwill Agreement between the Government of Sudan and the Justice and Equality Movement, 17 February 2009, Doha, Qatar; the Framework Agreement between the Government of Sudan and the Justice and Equality Movement, 23 February 2010, Doha, Qatar; the Framework Agreement between the Government of Sudan and the Liberation and Justice Movement, 18 March 2010, Doha, Qatar; the Ceasefire Agreement between the Government of Sudan and the Liberation and Justice Movement, 18 March 2010, Doha, Qatar;

Recognising that the cultural and ethnic diversity of the Sudanese people is the foundation of national cohesion and shall therefore be promoted and developed;

Welcoming the generous initiative of His Highness the Emir of the State of Qatar to create a Darfur Development Bank to assist development and reconstruction efforts in Darfur;

Stressing the necessity to promote and protect human rights, justice, accountability and reconciliation in Sudan, and in particular in Darfur;

Condemning all acts of violence against civilians and the violations of human rights, in particular violence against women and children; and stressing the imperative to refrain

from such acts of violence and violations of human rights and international humanitarian law;

Recognising that creating conditions for durable peace in Darfur, the implementation of this Agreement, national reconciliation, social cohesion and reconstruction require the promotion and protection of human rights, respect for the principle of equality of all Sudanese citizens and for the rule of law;

Stressing the necessity that all Parties to the armed conflict in Darfur shall fully and unconditionally accept their obligations under international humanitarian law, international human rights law, and relevant UNSCR;

Committed to address human rights violations committed during the Darfur conflict;

Taking into account the outcomes of the first and the second Darfur civil society forums, held in Doha in November 2009 and July 2010 respectively;

Recognising that the Darfur conflict cannot be resolved militarily and a durable solution can only be obtained through an inclusive political process,

Have agreed to the following:

CHAPTER I - HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

ARTICLE 1: PROMOTION AND PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

1. The Parties recognize the importance of promoting and protecting human rights and fundamental freedoms of all people of Darfur. The Government of Sudan, the Darfur Regional Authority and the Governments of the States of Darfur shall guarantee the effective enjoyment of all rights and freedoms enshrined in Part Two of Sudan's Interim National Constitution and international human rights instruments to which Sudan is a party.
2. All Parties shall fulfill their obligations under international human rights and international humanitarian law and ensure conducive environment for the effective exercise of civil and political rights as well as the full and equal enjoyment of economic, social and cultural rights.
3. The Parties shall ensure that all persons enjoy and exercise all of the rights and freedoms provided for in this Agreement, in the Interim National Constitution of Sudan and international and regional human rights instruments to which Sudan is a party without discrimination on any grounds including sex, race, colour, language, religion, political or other opinion, national or social origin or social status. Women, children and men shall be guaranteed the equal enjoyment of all rights enshrined in the international human rights and humanitarian law instruments to which Sudan is a party.
4. **Citizenship shall be the basis for equal rights and obligations for all Sudanese.**
5. The security and safety of everyone shall be guaranteed in Darfur on the basis of the rule of law, equality and non-discrimination. The Parties shall respect the right to life and security of persons, personal dignity and integrity and ensure that no person be arbitrarily deprived of his/her life, tortured or ill-treated.
6. The Government of Sudan shall guarantee the right to fair and public trial, as well as the right to resort to justice in all civil, administrative and criminal proceedings on the basis of equality before the courts and tribunals. This guarantee includes the right to be informed at the time of arrest of the reasons for the arrest, the right to be immediately informed of the charges, the right to defence and the right to legal assistance, the right to be presumed innocent until proven guilty by a competent court, the right not to be compelled to testify against his/her will and the right against double jeopardy. Legal measures shall be taken to ensure that no one is charged with any act or omission, which did not constitute an offence at the time of its alleged commission. Citizens shall have equal and effective access to justice throughout Darfur.

7. The Government of Sudan shall take the necessary legal and administrative measures to provide the right to freedom of opinion, freedom of conscience and religion, freedom of expression, freedom to peaceful assembly and association, and the right to form and register political Parties, the right to vote and the right to participate in public affairs, the right to form and participate in civil society organisations, private sectors and trade unions. The Government of Sudan shall guarantee the freedom of the press and other media with due respect to international human rights standards as enshrined in the International Covenant on Civil and Political Rights, Universal Declaration of Human Rights and African Charter on Human and Peoples' Rights.
8. All Parties shall refrain from threatening citizens for their opinion or preventing them from exercising their freedom of expression, association and peaceful assembly in Darfur.
9. The Government of Sudan shall promote the general welfare and economic growth in Darfur through provision of adequate basic needs, services and infrastructure (food, water, schools, hospitals, child care centres, social security and provisions for the rehabilitation of victims of war), promotion of youth employment, empowerment of women, good governance, public services and allocation of appropriate resources, as well as equal access to natural resources including land for all communities in Darfur.
10. The Parties agree to foster the participation of the people of Darfur in planning, designing and implementation of early recovery, reconstruction and rehabilitation programmes in Darfur.
11. The needs of women, children and vulnerable groups shall be given due attention in the Darfur early recovery, reconstruction and rehabilitation policies and programmes.
12. The Parties urge the international community to enhance the implementation of economic, social and cultural rights through sustainable early recovery, reconstruction and rehabilitation programmes throughout Darfur.
13. The Government of Sudan shall ensure the effective functioning of the newly created National Human Rights Commission in compliance with the Paris principles; and facilitate, within three months from the signing of this Agreement, the establishment by the latter, of decentralised, independent, autonomous and resourced states Human Rights Committees for Darfur.
14. The National Human Rights Commission and the States Human Rights Committees shall monitor the situation of human rights as well as protect and promote human rights in Darfur. The fight against all forms of discrimination and the protection of economic and social and cultural rights shall be given due attention by both the Commission and the Committees which shall regularly report on progress made

towards the effective implementation of the principle of equality between states and peoples in Sudan.

15. The Parties shall cooperate with the Human Rights Committees for Darfur in the implementation of their mandate. The Committees shall have access to all relevant documents and information pertaining to human rights including physical access to all detention centres throughout Darfur.
16. Technical or material assistance may be sought from the United Nations Office of the High Commissioner for Human Rights, the African Commission on Human and Peoples' Rights and other international organisations.
17. The Parties shall cooperate with the African Union-United Nations Hybrid Operation in Darfur (UNAMID) regarding the implementation of its human rights and rule of law mandates.
18. Human rights and civil society organisations in Darfur shall be encouraged to contribute to the promotion and protection of human rights through regular monitoring, early warning, advocacy and capacity-building programmes.

CHAPTER II – POWER SHARING AND ADMINISTRATIVE STATUS OF DARFUR

ARTICLE 2: GENERAL PRINCIPLES OF POWER SHARING

Power sharing provisions shall be based on the following principles.

19. Sudan is an independent, sovereign republic in which sovereignty is vested in the people and shall be exercised by the State according to the provisions of the Constitution of Sudan, as may be amended to implement the provisions of this Agreement.
20. Religion, beliefs, traditions and customs are sources of moral strength and inspiration for the Sudanese people. The cultural and ethnic diversity of the Sudanese people is the foundation of national cohesion and shall therefore be promoted, developed and managed according to national criteria that reflect both the national unity and the diversity of the Sudanese people. The Sudanese people share a common heritage and aspirations and accordingly agree to work together.
21. Power sharing is vital for the country's unity, security and stability. The peaceful devolution as well as the transfer of executive and legislative powers by democratic means, through free and fair elections, as a guarantor of stability shall be the foundation for democratic governance in Sudan.
22. Elections at all levels of government in Sudan shall be based on free and direct voting, observed by national and international observers.
23. The separation of the legislative, executive and judicial powers at all levels of the federation shall consolidate good governance, accountability, transparency and commitment to the security and welfare of the people.
24. The rule of law shall prevail and the independence of the judiciary shall be guaranteed.
25. The Constitutional Court shall have the competence to settle any disputes between levels or organs of government regarding their areas of exclusive, concurrent, or residual competence.
26. Citizenship shall be the basis for civil and political rights and obligations without any discrimination as to the ethnicity, tribe, religion, gender or origin of persons. This does not preclude any law, programme or activity that has as its objective the amelioration of conditions of individuals or groups that have been disadvantaged because of their race, ethnicity, and colour, regional or national origin.

27. The displacement of citizens within or outside the territory of Sudan should not preclude the full exercise of their civil and political rights subject to relevant national and international laws.
28. There shall be a federal system of government, with an effective devolution of powers and a clear distribution of responsibilities to ensure fair and equitable participation by the citizens of Sudan in general, and those of Darfur in particular.
29. The national civil service, public bodies, the armed forces, the police and the intelligence services shall reflect, at all levels, a fair and equitable representation of all citizens, including the people of Darfur.
30. Without prejudice to the provisions of the Comprehensive Peace Agreement (CPA) relating to the North-South border and any international agreements in force between the Republic of Sudan and neighbouring countries, the northern boundaries of Darfur shall return to their positions of 1 January 1956.
31. The participation of the people of Darfur shall be ensured at all levels of government and in all State institutions, by means of fair power sharing criteria.
32. The State shall ensure the provision of continuing opportunities of general education, training and employment in public service to promote full and equal participation of the people of Darfur in their contribution to the nation's welfare.
33. All Movements that sign this Agreement shall take necessary measures to transform themselves into political parties according to the established legal arrangements.
34. Without prejudice to paragraph 33 above, the Movements shall participate at different levels of government according to this Agreement.
35. To address the under-representation of women in government institutions and decision-making structures, special measures shall be taken and implemented, according to this Agreement, in order to ensure women's equal and effective participation in decision-making at all levels of government in Darfur.

POWER SHARING AT NATIONAL LEVEL

ARTICLE 3: CRITERIA FOR POWER SHARING

36. Power sharing in Sudan, and in Darfur in particular, shall respect the principle of proportionality, and Darfur shall fully participate in all forms of political power in Sudan's National Government.
37. Affirmative action shall be taken in favour of the people of Darfur to augment appointment into public and civil services. For the long term, special educational training and public employment opportunities shall be provided to enable the people

of Darfur to participate fully on an equal basis in contributing to the welfare of Sudan.

38. The representation of the people of Darfur at the national level shall reflect the proportion of the Darfur population after the separation of South Sudan.

ARTICLE 4: THE NATIONAL EXECUTIVE

39. Darfur shall be represented in the National Executive according to the criteria of proportionality.

40. Political appointments in the Presidency and the Council of Ministers shall respect the principle of equitable geographical representation and diversity. These appointments include the posts of Vice-President, Assistants to the President, Presidential Advisors and Ministers.

THE PRESIDENCY

VICE- PRESIDENT

41. Without prejudice to the special status of the First Vice-President, the Constitution shall be amended to enable the President to appoint a number of Vice-Presidents, in a manner that realizes political inclusion and representation of all Sudanese including from Darfur. A Vice-President shall have the following responsibilities:

- i. Member of the National Council of Ministers,
- ii. Member of the National Security Council,
- iii. Act as President in the absence of the President and First Vice President in accordance with the order of precedence among Vice Presidents as shall be determined by the President
- iv. Any other function or duty that may be assigned to him/her by the President taking into account his primary responsibility.

ASSISTANTS AND ADVISORS TO THE PRESIDENT

42. Assistants and Advisers to the President shall be appointed from Darfur according to its proportion of Sudan's population.

43. A Senior Assistant to the President shall be appointed from Darfur.

THE NATIONAL COUNCIL OF MINISTERS

44. Darfur shall be represented in the National Council of Ministers, in accordance to the proportionality criteria. In this regard:

- i. The five posts of Cabinet Ministers and four posts of Ministers of State currently held by the people of Darfur shall continue to be held by the people of Darfur;
- ii. Two additional Cabinet Ministers and four Ministers of State shall be nominated by the Movements Parties to this Agreement.
- iii. In the event of a change in the composition of the Council of Ministers, the Movements signatories of this Agreement shall retain the same percentage of representation before the change.

ARTICLE 5: THE NATIONAL LEGISLATURE

45. Darfur shall be represented in the National Legislature in accordance with its proportion of Sudan population. In this regard:
- i. Darfur shall retain its 96 seats in the National Legislature until the next national elections.
 - ii. The share of Darfur from the vacant seats in the National Legislature arising from the new demographic configuration of Sudan following the January 9, 2011 referendum in South Sudan shall be filled by the Movements signatories of this Agreement through an arrangement to be agreed upon by the Parties.

ARTICLE 6: THE NATIONAL JUDICIARY

46. The National Judiciary is an important arm of governance. It is vital to maintain its neutrality and competence.
47. The National Judiciary shall be representative of the people of Sudan including Darfur. The people of Darfur shall be adequately represented in the Judicial Service Commission (JSC). The Commission shall guarantee the adequate representation of the people of Darfur in the judicial institutions, including the National Supreme Court, the Constitutional Court and the Court of Appeal.
48. On signing of this Agreement, a Panel of Experts shall be established by the JSC to, as a long-term measure, identify any imbalance in the representation of the people of Darfur and make appropriate recommendations on how the imbalance should be redressed.
49. The Constitutional Court shall have the competence to settle any disputes between levels or organs of government regarding their areas of exclusive, concurrent, or residual competence.

ARTICLE 7: THE NATIONAL CIVIL SERVICE AND OTHER PUBLIC BODIES

50. Darfur shall be represented in the National Civil Service and other public bodies according to the principles of proportionality, affirmative action and past precedents, in order to rectify identified imbalances and under-representation of the people of Darfur.
51. The National Civil Service (NCS) shall be representative of all the people of Sudan at the senior and middle levels.
52. A National Civil Service Commission (NCSC), with proportionate representation from Darfur, shall be created and tasked to redress imbalances in the civil service and other public bodies.
53. Following the signing of this Agreement, a Panel of Experts with substantial representation from Darfur, including at the more senior levels, shall be established under the NCSC to determine the level of representation of the people of Darfur in the NCS at all levels.
54. The Panel shall identify any imbalances that have undermined the representation of the people of Darfur in the NCS, and shall make practical and action-oriented recommendations to address such imbalances and discrepancies in the NCS, including recommending appropriate measures to ensure fair representation for the people of Darfur in the service. The Panel is to be guided in its work by the following:
 - i. Population size based on the 2008 or subsequent census;
 - ii. Affirmative action in recruitment, training and promotion, including measures to promote gender balance.
55. The Panel shall complete its work and submit its report no later than six months after the signing of this Agreement, following which the Government of Sudan shall take remedial action within a period of six months.
56. Pending the outcome of the Panel's report, the Government of Sudan shall ensure that the following tasks are carried out:
 - i. Establish and achieve interim targets for the participation of the people of Darfur, especially at middle and upper levels of the NCS including, but not limited to Under-Secretaries, Ambassadors, members of commissions and other senior posts of responsibility. These targets shall be reviewed after the submission of the report of the Panel of Experts, and shall take into consideration the representation of qualified candidates from the Movements in the NCS;
 - ii. Reserve certain posts in the NCS exclusively for qualified women, particularly those from less developed areas, including within Darfur;

- iii. Formulate policies and execute affirmative action on training and recruitment into the NCS of qualified people from Darfur, taking into account the agreed upon criteria, with the objective of ensuring equitable representation in the NCS, as well as to redress any imbalances;
- iv. Conduct a review of the formulated policies, three years into their implementation, and setting such new goals and targets as may be deemed necessary.

57. Parties agree that all persons terminated arbitrarily and unjustly from the NCS shall be reinstated. Such persons shall not lose their seniority and shall receive their accrued entitlements. The NCSC shall receive complaints, determine their merits and demerits and recommend as appropriate.

ARTICLE 8: REPRESENTATION OF MOVEMENTS IN LEVELS OF GOVERNANCE

58. Parties agree that Movements signatory to this Agreement shall be represented at all levels of governance, on the basis of an additional protocol, signed with each Movement and which shall be an integral part of this agreement.

ARTICLE 9: THE ARMED FORCES AND OTHER SECURITY SERVICES.

59. The Sudan Armed Forces (SAF) shall be regular, professional and non-partisan. The people of Darfur shall be fairly represented at all levels therein. The Government of Sudan shall take appropriate measures, in accordance with the agreed criteria, to rectify any imbalances that may exist in the representation of the people of Darfur at senior levels of the Sudan Armed Forces and in the intake into the military academies.

60. The Police, Customs, Immigration and Border Guards, the Prisons and Wildlife Services and all other security agencies shall be open to all Sudanese, including the people of Darfur, to reflect the diversity of the Sudanese society.

THE STATUS OF DARFUR AND POWER SHARING WITHIN DARFUR

ARTICLE 10: THE ADMINISTRATIVE STATUS OF DARFUR.

Establishment of the Darfur Regional Authority (DRA)

61. A Darfur Regional Authority (DRA) shall be established immediately following the signing of this Agreement. The DRA shall serve as the principal instrument for the implementation of this Agreement in collaboration with the Federal Government and the support of the international partners. It will also play a central role in enhancing implementation, coordination and promotion of all post conflict reconstruction and development projects and activities in Darfur, and be responsible for cooperation and coordination among the three States of Darfur. The activities of the DRA shall primarily aim to promote:

- i. Peace and security;
- ii. Socio-economic development, stability and growth;
- iii. Justice, reconciliation and healing.

62. The DRA 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 prerogatives of the new Authority shall not contradict or affect the exclusive powers of the states in Darfur and the National Government. However, the DRA shall have oversight responsibility over all matters related to its areas of primary jurisdiction and competence. The DRA shall supervise the conduct of a referendum to decide the administrative status of Darfur whether to keep the current States system or to adopt a regional Government for Darfur.
63. Without prejudice to the exclusive competences of the Darfur States as provided for in the Constitution, the DRA shall oversee the implementation of all the provisions of this Agreement.
64. A Darfur regional security committee shall be established in conformity with the national and state pattern, and its competences shall be defined.

Competencies of the DRA

65. The DRA will have the following competencies:
- i. Implementation of the provisions of this Agreement in collaboration with the Federal Government;
 - ii. Achieving reconciliation and the consolidation of security and social peace;
 - iii. Post conflict reconstruction and developments, as well as the coordination of all engagements of international and regional partners including the Darfur Joint Assessment Mission (DJAM);
 - iv. Health issues, environmental protection and addressing the consequences of climate change;
 - v. Planning, development and conservation of cattle routes and pastures;
 - vi. Creation of durable conditions necessary for voluntary return and resettlement of IDPs and refugees;
 - vii. Planning for land use and the exercise of the relevant rights;
 - viii. Education and Cultural Development;
 - ix. Planning and Statistics;
 - x. Enhancing cooperation and facilitating communication and coordination among the Darfur states' governments;

- xi. Borrowing money from both national and external institutions in the context of the national macroeconomic policy as approved and guaranteed by the Bank of Sudan;
- xii. Protection and promotion of human rights;
- xiii. Enhancing transparency and good governance;
- xiv. Capacity building;
- xv. Regional tourism;
- xvi. Reviewing and recommending the legislative and executive measures towards enhancing inter-state coordination;
- xvii. Policies for Control of small arms and weapons in Darfur;
- xviii. Any other tasks the Parties represented in the DRA may agree on.

Concurrent Competencies

66. The DRA shall have concurrent competencies in policy making and coordination on the following:
- i. Socio-economic development in the Region;
 - ii. Health policies;
 - iii. Financial and economic policies;
 - iv. Urban development and housing planning;
 - v. development of trade and industry;
 - vi. Relief and humanitarian affairs;
 - vii. Initiation and negotiation, upon the approval of the National Government, of international agreements on education, culture, sports, humanitarian affairs, loans and grants, trade, investment, technical assistance with foreign governments and NGOs;
 - viii. Women advancement, motherhood and child care;
 - ix. Food and drugs quality control, consumer safety and protection
 - x. Education faculties and professional and scientific research institutes;
 - xi. Gender policy;
 - xii. Electricity generation and water and waste management;
 - xiii. Policies on land ownership, use and rights;
 - xiv. Emergency relief and disaster prevention and management, and epidemics control;
 - xv. Media, publications, mass media and radio stations,
 - xvi. Management, protection and conservation of environment;
 - xvii. Sports, culture and youth development;
 - xviii. Development of Darfur's natural resources

Structure and Composition

67. The DRA shall be composed of two main organs: the DRA Executive Organ and the DRA Council.

The DRA Executive Organ

68. The DRA Executive Organ shall be presided over by an Executive Chairperson appointed from the Movements by the President of the Republic of the Sudan. The Chairperson is assisted by a deputy also appointed from the Movements by the President of the Republic of the Sudan

69. The DRA Executive Organ shall consist of the following:

- i. The Executive Chairperson
- ii. Deputy Executive Chairperson
- iii. The Governor of the State of North Darfur - Member/Alternate Deputy Chair
- iv. The Governor of the State of South Darfur - Member/Alternate Deputy Chair
- v. The Governor of the State of West Darfur - Member/Alternate Deputy Chair
- vi. One Assistant to the Chairman in charge of regional affairs - Member
- vii. Minister/Secretary of Finance and Economic Planning - Member
- viii. Minister/Secretary of Culture, Information and Tourism - Member
- ix. Minister/Secretary of Agriculture and Livestock - Member
- x. Minister/Secretary of Reconstruction, Development and Infrastructure - Member
- xi. Minister/Secretary of Environment and Natural Resources Development - Member
- xii. Minister/Secretary for DRA Council Affairs - Member
- xiii. Minister/Secretary of Social Affairs, Maternity and Childhood Care - Member
- xiv. Minister/Secretary of Health Affairs - Member
- xv. Minister/Secretary of Youth and Sports - Member
- xvi. Minister/Secretary of Technology Development and Capacity Building - Member
- xvii. Chairman, Voluntary Return and Resettlement Commission - Member
- xviii. Chairman, Justice, Truth and Reconciliation Commission - Member
- xix. Chairman, Darfur Reconstruction and Development Fund - Member
- xx. Chairman, Land Commission - Member
- xxi. Chairman, Darfur Security Arrangements Implementation Commission - Member

70. The Local Ministers/Members of the DRA Executive Organ shall be appointed by the President of the Republic of the Sudan, upon nomination by the Executive Chairman. The Local Ministers shall have the status of State Ministers.

The DRA Council

71. The DRA Council made up of 66 members, shall consist of the following:

- i. Chairperson;
- ii. Vice Chairperson;
- iii. Representatives of armed Movements;
- iv. Representatives of the States Councils.

72. The DRA Council may establish specialized committees as deemed necessary.

The Competencies of the DRA Council

73. The DRA Council shall have supervisory, monitoring and regulatory competencies. The Council shall examine laws and recommend legislative measures that would promote coordination and cooperation among the States of Darfur. Specifically, the competencies of the Council shall include:

- i. Examining laws of the DRA;
- ii. Controlling and evaluating the performance of the DRA;
- iii. Approving the budget of the DRA;
- iv. Ensuring proper spending and accountability by the DRA;
- v. Adopting joint policies within the competencies of the Darfur Regional Authority and in particular, over all trans-boundary issues between/among the States of Darfur;
- vi. Establishing a Committee for the preparation of a Constitution of the Darfur Region in the event of a majority vote by the people of Darfur for the creation of one region.

Settlement of Disputes

74. The DRA shall exercise its functions without prejudice to the constitutional powers and functions of the Governments of the States of Darfur. In the event that the chairman of the DRA deems that any action being undertaken by a State Government undermines the implementation of the Agreement, the matter shall be referred to the DRA council for decision without prejudice to the right of any of the parties to resort to the Constitutional Court for final settlement of the dispute in accordance with the following:

- i. The National Constitution;
- ii. The provisions of this Agreement;
- iii. The need for enhancing security, stability, the people's welfare and the protection of human rights and fundamental freedoms.

Funding

75. The GoS shall finance all the activities of the DRA. Funds for capital expenditure shall be sourced from the Darfur Reconstruction and Development Fund (DRDF), while the over head cost aspect of the budget shall be funded directly from the National budget after its adoption by the National Legislature.

The Permanent status of Darfur

76. The permanent status of Darfur shall be determined in due course, within the context of a national program aimed at strengthening state institutions, promoting national unity and the devolution of more powers and resources to lower levels of governance throughout the country, for speedy socio economic development at the grassroots. In the event that this does not lead to a consensus, the permanent status of Darfur shall be determined through a referendum.
77. The referendum shall be held simultaneously in the three states of Darfur, not later than twelve months before the general elections. The following options for the political administration of Darfur shall be presented:
- i. The creation of a Darfur Region composed of the states of Darfur;
 - ii. Retention of the status quo of states system. In either case, the character of Darfur, as defined by cultural and historical traditions and ties shall be respected;
78. The Darfur Referendum Commission (DRC) shall organize and supervise the Referendum on the status of Darfur. The National Elections Law shall specify the rules and the procedures governing the referendum. The referendum shall be internationally monitored.
79. If a majority of votes cast by all the people of Darfur in the referendum determines that a Region of Darfur should be created, the DRA shall form a Constitutional Committee to determine the competencies of the Regional Government of Darfur. The Committee shall present the proposed Constitution to the DRA for adoption within three months of the referendum. The proposed Constitution shall be submitted to the National Legislature for adoption and the President of the Republic of Sudan shall take steps to promulgate into law the Constitution.

ARTICLE 11: THE BORDERS OF DARFUR

80. Without prejudice to the provisions of the Comprehensive Peace Agreement (CPA) relating to the North-South border and any international agreements in force between the Republic of Sudan and neighbouring countries, the northern boundaries of Darfur shall return to their positions as of 1 January 1956.
81. The Joint Technical Committee shall complete the demarcation exercise within six months after the signing of this Agreement.

ARTICLE 12: REPRESENTATION IN DARFUR: STATE GOVERNORS & STATE LEGISLATORS

82. The parties agree that Movements will be represented at all levels of Darfur State Governments.

Governors

83. Considering that the Governors (*Walis*) of the three States are elected, the status quo shall be maintained until the next elections. However, in the event that additional states are created, the Movements shall nominate candidates for the approval of the President of Sudan as Acting Governors (*Wallis*) to run the new States in the interim until special elections are held to allow the Movements and all political parties to compete for the posts of Governors in the newly created States.

ARTICLE 13: LOCAL GOVERNMENT

84. The Parties agree that Local Government is essential to fulfilling the commitment to vest sovereignty in the people, bring power to the grassroots and to ensure the effective participation of the citizens in governance, promote development and make the management of public affairs most cost effective.
85. Native administration shall have regard, where appropriate, to established historical and community traditions, customs and practices that have played vital role in the community.
86. Local Government and traditional forms of administration have been adversely affected by the conflict in Darfur. In this regard, Parties agree that local government shall be empowered to deal with the consequences of the conflict, including environmental degradation and the growing rate of urbanization.
87. Appropriate measures shall be taken to assist various groups such as youth and women through capacity building and affirmative action.
88. Parties agree that Movements shall be adequately represented at the local level of governance with proportionate representation of women.

ARTICLE 14: UNIVERSITIES AND STATE RUN HIGHER EDUCATION INSTITUTIONS

89. 15% of admissible seats in national universities shall be allocated for students from Darfur pursuant to the requirements of competition for 5 years.
90. The people of Darfur shall be represented in the management of national universities and higher education institutes based on the competence and scientific qualifications specified by the Ministry of Higher Education and Scientific Research.
91. 50% of admissible seats in national universities in Darfur shall be allocated for the people of Darfur pursuant to the admission committee requirements. Meanwhile a mechanism or committee shall be constituted to examine the conditions of those affected by war to be exempted from university fees for 5 years;

92. All students who are offsprings of IDPs and refugees from Darfur States duly admitted by the admission committee to national universities shall be exempted from educational fees for 5 years.
93. The admission procedures for the children of IDPs, refugees and those affected by war shall be facilitated in the various localities in the states of Darfur.

ARTICLE 15: PERMANENT CONSTITUTION

94. The Movements shall be adequately represented in the National Constitutional Review Commission (NCRC), for the drafting of a permanent constitution of the Republic of the Sudan.

CHAPTER III - WEALTH SHARING

GENERAL PROVISIONS

ARTICLE: 16 PRINCIPLES FOR WEALTH SHARING

Wealth sharing provisions shall be based on the following principles:

95. An economy that, among other objectives, ensures poverty mitigation, social justice, equitable distribution of wealth and resources in a manner that ensures balanced and adequate standards of living levels for all Sudan's citizens.
96. The need for federal government, fiscal federalism and the equitable share of Sudan's wealth, to enable each level of government to discharge its legal and constitutional responsibilities and duties to the people of Sudan. The National Government shall make necessary financial transfers for the benefit of Darfur, in accordance with the processes and criteria established in this Agreement.
97. All parts of Sudan have the right to just and balanced development with the recognition of an urgent need for the reconstruction of areas of Darfur affected by armed conflict and giving special attention to displaced people by the creation of a conducive environment enabling them to return voluntarily to their places of origin, or of choice, as set out in Chapter IV of this Agreement.
98. Adoption and implementation of integrated development projects for the settlement of Nomads, boosting the productivity of this sector, and organisation of the relationship between farmers and herders so as to ensure security, stability and development for all.
99. The concept of Sudan's wealth shall be defined to include natural and human resources, historical and cultural heritage, financial assets including credit and public borrowing (international and domestic) and international aid and grants. It also includes means, institutions, policies and opportunities contributing to wealth generation and distribution as well as material resources, government revenues, institutions' profits and other resources.
100. The wealth constitutes a vital element whose generation and distribution are greatly influenced by government institutions, policies and programs. Therefore, the fair participation of Darfur in decision-making concerning policies and institutions regulating the generation and distribution of wealth that affect its social and economic interests is fundamental and shall be promoted.
101. Human resources development shall constitute a means and objective for economic and social development policies. These policies shall be drawn and implemented to develop the educational system and to secure access by the population of Darfur, without discrimination on the basis of race or gender, to equal

opportunities to education and training within the region and the country. Special efforts shall be exerted to eliminate illiteracy among women.

102. All Sudanese citizens shall have the following equal rights:
 - i. Safety from hunger;
 - ii. Sustainable means of living;
 - iii. Access to potable water;
 - iv. Access to quality education;
 - v. Access to health and other social services;
 - vi. Adequate access to public utilities and infrastructures;
 - vii. Equal access to development and job opportunities;
 - viii. Free access to markets;
 - ix. Protection of property;
 - x. Promotion and protection of cultural heritage
 - xi. Restitution and/or compensation for property lost to those affected by the conflict;
 - xii. Review of administrative measures which affect livelihood.
103. An effective system for the distribution of wealth, based on transparency and accountability. Affirmative action shall be taken in economic policy to address past disadvantages resulting from long years of underdevelopment and harm caused by the conflict.
104. Wealth sharing and distribution shall be based on the premise that all parts of Sudan are entitled to fair and equitable development. Acknowledging that poverty is common in Sudan, in general, and Darfur, in particular, a nation-wide strategy for poverty alleviation shall be adopted within the framework of the country's development policy to meet the Millennium Development Goals.
105. Darfur is in urgent and dire need for rehabilitation, reconstruction and development of physical and social infrastructures damaged as a result of the conflict and for the performance of basic government functions and building up civil administration. There should be a comprehensive assessment of such needs as a top priority requiring urgent implementation.
106. The rehabilitation and reconstruction of Darfur are considered a priority. For this purpose, measures shall be taken to pay compensations to the population of Darfur, address grievances resulting from losses in lives and destruction, seizure or theft of properties as well as the subsequent suffering.
107. The development of the basic economic and social infrastructures is essential and to this effect, a programme shall be formulated to accelerate the integration of Darfur with the rest of the country.
108. Given that the financial resources and the expertise needed to undertake such a process are beyond Sudan's ability, Parties may seek support from the international

community, to fully participate in this initiative, assist in the provision of the necessary finance and expertise and contribute to meeting the needs identified for this purpose.

109. Darfur as a whole and in particular those areas in need of construction or reconstruction shall be brought up to the level that will allow them to rapidly reach the Millennium Development Goals (MDGs). A program for development of basic infrastructure shall be formulated to integrate Darfur with the rest of the economy.
110. There is need to establish a special fund for reconstruction and development of Darfur under this Agreement.

ARTICLE 17: POLICIES OF WEALTH SHARING

111. The ultimate goal of the national economic policy shall be to reach full employment through, *inter alia*, sound policies based on promotion of price stability, raising employment levels, promotion of sustainable economic development and eradication of poverty. Accordingly, national, social and economic policies, programmes and plans shall aim at ensuring that:
 - i. Decent and dignified living conditions for all citizens are promoted and improved without discrimination on grounds of race, colour, ethnicity, tribal, regional or local affiliation, gender, religion, language or political and other opinions;
 - ii. Citizens participate, through the different levels of government, and non-governmental organisations in the formulation and implementation of social policies required to create and distribute wealth, and in decision-making on revenue management and development;
 - iii. Equitable and just representation in all National Government institutions involved in wealth creation and distribution is guaranteed.
112. National economic and social policies shall aim at realising the following objectives:
 - i. Creation and equitable distribution of wealth in all parts of Sudan consistent with the maintenance of macro-economic stability and sustainable development;
 - ii. Ensuring an equitable tax collection and usage for the benefit of the entire population;
 - iii. Decentralization of decision-making process on development issues, service delivery and governance;
 - iv. Provision of safe, secure and open access to markets, goods and services with a view to:
 - a) Securing a conducive environment for foreign investment;

- b) Acknowledging social and cultural diversity;
 - c) Promoting social care and stability;
 - d) Addressing environmental deterioration;
 - e) Implementing sustainable development principles.
113. National economic policies shall be formulated so as to create a conducive and transparent environment for the participation of the domestic and foreign private sectors in the development of Sudan in general and Darfur in particular. National and regional legislation shall be reviewed and amended, as appropriate, to attract investments.
114. National and regional economic policies shall be geared towards promoting export from Darfur to national and international financial markets.
115. Financial and monetary policies, especially the banking system, shall be reviewed to meet the needs of sustainable growth and balanced development; and to increase the access opportunities to international financial markets.
116. The Bank of Sudan is committed to drawing up policies and innovative financial methods to encourage financial institutions, commercial banks and specialized government banks (Agricultural Bank, Bank of Nileen for Industrial Development and others) to expand their activities in Darfur.
117. Policies shall be drawn and implemented to develop the educational system and secure access by the population of Darfur, without discrimination on the basis of race or gender, to equal opportunities to education and training within the States of Darfur and the country. Special efforts shall be exerted to eliminate illiteracy among women.
118. Ensuring the promotion and fostering of research and development, especially promotion of technology in the fields of agriculture, animal husbandry, small industries, handicrafts, mining, environment and energy with emphasis on renewable energies.
119. Policies shall be adopted to ensure the effective protection and rehabilitation of the environment, in particular with regards to the restoration of forests, wherever possible.
120. Priority shall be given to policies directed to the development and upgrading of the agricultural sector, including livestock, with due respect to the nomadic culture and sustainable natural environment.
121. The topmost priority in the implementation of this Agreement shall be to address the needs of the areas affected by the conflict with special attention to the internally displaced persons and war affected persons, to provide basic services and security needed to enable them return to their place of origin in safety and dignity. Chapter on Compensation, Return of IDPS and Refugees in this

Agreement set out principles and processes for restitution of property and assistance for the full integration of the returnees into their communities, including restoring their rights to land property and compensating them for the damages and losses caused by the war.

122. Special focus shall be put on the Darfur women who 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 to being heads of households particularly among refugees, internally displaced persons and migrants and to the fact that Women's situation in all these areas has been worsened by the war, which has had a particularly deleterious impact on them and children, mainly on their means of livelihood. Concrete measures shall be taken to address their concerns, as well as to ensure their equal and effective participation in commissions, committees and bodies established pursuant to this Agreement.
123. It is highly important to recognize traditional and customary rights, including "*hawakeer*" and land historical rights, on a sound and sustainable basis to secure means of living and development in Darfur. This Agreement aims to establish the mechanisms needed for the recognition and protection of such rights.
124. A mechanism shall be set up to define the processes of ensuring the utilisation and monitoring of lands and other natural resources in a sustainable manner. The said mechanism shall ensure consultation of all citizens affected by land development or natural resources utilisation; and take their views into consideration when such development process is implemented. Persons whose properties have been damaged or whose lives have been affected as a result of land or natural resources development shall be entitled to fair, immediate and equitable compensation.
125. The land management structures and institutions shall be developed and legally supported to promote sustainable development and address environmental degradation issues according to the Land Use Map Plan, taking into account historical experiences in this respect.
126. Darfur is geographically remote from the centre, lacks infrastructures including roads, railways, bridges and dams, and therefore requires effective development and investment, which shall be facilitated by reforms, legal exemptions and incentives such as the following:
 - i. Full exemption of customs duties and other fees for importing materials for construction and development in Darfur;
 - ii. The Government of Sudan shall bear custom duties as well as other duties and fees payable on materials imported for national development projects in Darfur and projects funded by the Federal Government or by way of loans;
 - iii. The Investment Promotion Law shall be amended to provide for more incentive privileges for investment by foreign and local companies in the

Darfur States, such as granting these companies exemption from taxes on business profits.

RECONSTRUCTION AND DEVELOPMENT OF DARFUR

ARTICLE 18: GENERAL PROVISIONS

127. The reconstruction and development efforts in Darfur shall be backed through substantial, guaranteed and regular monetary transfers by the Fiscal and Financial Allocation and Monitoring Commission (FFAMC) as detailed hereafter as well as through other national resources and foreign aid.
128. Darfur is in need of an interim period to move quickly from war to peace, therefore, an enabling environment should be created to move from humanitarian assistance phase to reconstruction, economic recovery and development phase.
129. In support of this interim period referred to in paragraph 128 above, and in order to realize the above-mentioned objectives, Darfur needs resources, which are considerably beyond its ability to mobilize at the local economic level in the short term. Therefore, it shall be assisted in its efforts through secure and regular financial transfers by the National Revenue Fund and other national resources in addition to foreign aid.

ARTICLE 19: MICRO-FINANCE SYSTEM

130. A micro-finance system (MFS) shall be established in Darfur to provide the required funding for the income generating activities that are envisaged to grow, through small loans accessible to individuals and groups without the collateral requirements applicable in the traditional banking system.
131. The management of this system established by virtue of this Agreement shall create a number of untraditional collaterals to provide easy access for the targeted population, such as small producers, and particularly returnees receiving such financing.
132. Beneficiaries shall receive the required training to build their productive capacity through government financing in the areas of administration and enhancement of technical skills in their respective fields.
133. The MFS shall give particular importance to women's income generating activities.
134. The Federal Government shall contribute an amount of US\$ 100,000,000 (US dollars one hundred million) representing the capital of the MFS.

135. The parties shall encourage banks working in micro-financing to give priority to Darfur.
136. The Parties shall draw up the statute and rules of procedures of the MFS in a manner that guarantees its independence, with the participation of specialists in the field of micro-financing.
137. The MFS may receive support from organizations specialized in the field of micro-financing and others without conditionalities.

ARTICLE 20: SOCIAL SERVICES

138. In addition to the transfers from the FFAMC, the Federal Government shall contribute an amount of US \$ 225,000,000 (US dollars two hundred twenty five million) payable within a period of three years in three equal instalments, to support social services activities in Darfur.

ARTICLE 21: THE DARFUR RECONSTRUCTION AND DEVELOPMENT FUND (DRDF)

139. By virtue of this Agreement, a Multi-Donor Trust Fund shall be established, in which the Darfur Reconstruction and Development Fund shall be integrated, and it shall carry the same name, after addressing the imbalances and making the necessary reforms in the structure and functions of the existing DRDF.
140. The Fund shall operate under the supervision of a committee composed of representatives from the Federal Government, the Governments of the Darfur States, the signatories of this Agreement and donors.
141. The operational procedures of the Fund shall be determined by the Darfur Joint Assessment Mission.
142. The functions of the Fund include, but not limited to, the following tasks:
 - i. Financing return and resettlement projects;
 - ii. Redressing development imbalances, especially in the fields of infrastructures and realisation of the Millennium Development Goals;
 - iii. Establishing financing mechanisms to meet the special needs of women, children and orphans in particular. Such mechanisms shall include, but not limited to, the provision of loans, investment opportunities, strengthening of productive capacities, production inputs and capacity building for women's benefit.

SEED MONEY FOR DRDF

143. In addition to the share of Darfur in the transfers made by the Fiscal and Financial Allocation and Monitoring Commission, the National Government shall allocate US \$ 2,000,000,000 (US dollars two billion) from the National Revenue Fund. An amount of US \$ 200,000,000 (US dollars two hundred million) of the aforementioned amount shall be deposited immediately after the signing of this Agreement as seed money in the Darfur Reconstruction and Development Fund. The National Government shall pay the balance as follows:
- i. An amount of US \$ 300,000,000 (US dollars three hundred million) in the year following the signing of this Agreement;
 - ii. An amount of US \$ 300,000,000 (US dollars three hundred million) in the third year of this Agreement;
 - iii. An amount of US \$ 300,000,000 (US dollars three hundred million) in the fourth year of this Agreement;
 - iv. An amount of US \$ 400,000,000 (US dollars four hundred million) in the fifth year of this Agreement;
 - v. An amount of US \$ 500,000,000 (US dollars five hundred million) in the sixth year of this Agreement.

FISCAL FEDERALISM AND INTERGOVERNMENTAL RELATIONS

ARTICLE 22: IDENTIFYING FINANCIAL RESPONSIBILITIES AT THE NATIONAL AND STATES LEVELS

144. National revenues shall be allocated to the Federal Government and state Governments in proportion to their constitutional responsibilities in order to ensure the effectiveness of federal governance.
145. Projects with specific figures shall be implemented in the fields of infrastructure, basic services, agricultural, industrial and touristic development for the reconstruction of Darfur.
146. Responsibilities concerning expenditures and revenues shall be distributed at the national and State levels of governance in accordance with the following principles:
- i. Assignment of expenditure function to the level of government whose jurisdiction closely reflects the geographical area served by that function;
 - ii. 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;
 - iii. State governments shall endeavour to pay for the services delivered to people living in a given geographical area from revenues raised in the said area;

- iv. State governments shall have the right to identify the revenue base structure, tariffs level or tax rate collected without intervention by the National Government.

ARTICLE 23: ASSIGNMENT OF REVENUES RULES AND BASES

REVENUES RULES

147. All revenues collected at the national level or by the Government of Sudan, including revenues of all Ministries, covering those of gold, oil, Administrations or the Government's share of the profits of any institution or company or any other entity, whether resulting from commercial, investment or other activity, shall be paid into the account of the National Revenue Fund (NRF) administered by the Ministry of Finance. This fund covers all accounts, including sub accounts into which amounts due to the National Government are collected, recorded and deposited.
148. At the end of each fiscal year, all levels of governance and their subsidiaries shall make public through legislative bodies, a comprehensive report detailing all tax and non-tax revenues as well as all expenditures (annual financial report) to ensure transparency and accountability by the legislature.

REVENUES BASES

149. The Federal Government of Sudan may legislate to collect revenues or taxes from the following sources:
 - i. National personal income tax;
 - ii. Corporate or business profits tax;
 - iii. Customs duties and imports taxes;
 - iv. Seaports and airports revenues;
 - v. Service charges;
 - vi. Oil, mining and electricity revenues;
 - vii. Government institutions and projects revenues;
 - viii. Value added tax and taxes on whole/retail sales and other taxes on goods and services;
 - ix. Excise duties;
 - x. Loans, including from the Central Bank of Sudan and from citizens;
 - xi. Grants and foreign financial aid;
 - xii. Any other taxes set by the National Legislature.
150. The Darfur State Governments shall be entitled to raise and administer the following:

- i. Land and property taxes and royalties;
- ii. Service charges for state services;
- iii. License fees;
- iv. Darfur States' personal income tax;
- v. The States' share of oil revenues and other natural resources produced in the Darfur States;
- vi. Darfur States projects, institutions and natural reserves;
- vii. Stamp duties;
- viii. Agricultural taxes;
- ix. Tourism taxes;
- x. Foreign grants and aid;
- xi. Excise taxes;
- xii. Other regional taxes enacted by State legislations;
- xiii. Local and foreign loans and borrowing in accordance with the creditworthiness in the framework of a macroeconomic national policy and approved and guaranteed by the Central Bank;
- xiv. Livestock tax;
- xv. Subsidies provided by the State and the foreign financial aids;
- xvi. Allocations from the National Revenue Fund;
- xvii. Revenues from border trade taxes according to the Federal Legislation.

151. The Darfur States shall conclude agreements to enhance resources mobilisation and management within their jurisdiction and powers.

ARTICLE 24: ZAKAT CHAMBER

152. All Zakat money collected in Darfur shall be spent within Darfur.

153. Notwithstanding the provisions in paragraph 152 above, the Central Zakat Chamber, under Article 38(A) of the 2001 Zakat Law may provide the maximum possible necessary funding and implement programmes and projects in favour of poor families, particularly displaced persons and refugees, in various services, such as digging wells, providing medical devices and equipment, education and other productive projects in line with the poverty level in Darfur.

ARTICLE 25: INTERGOVERNMENTAL MONETARY TRANSFERS

154. A Fiscal and Financial Allocation and Monitoring Commission (FFAMC) shall be established by law. Also, a team of experts shall be appointed by law and commissioned to determine the criteria of the transfers from the National Fund to the States of Darfur. A representative of the DRA shall be member of the FFAMC.

155. To accomplish financial equalisation, the FFAMC shall ensure that the interests and views of Darfur States are reflected, taking into account the interests of other regions and States governments in Sudan. The Commission shall be structured to ensure the following:
- i. Optimal use and sharing of resources vertically and horizontally;
 - ii. Transparency and justice in the allocation of funds to the States of Darfur, and from the States to localities and administrative units;
 - iii. Monitoring and verification of the National Government's swift transfer of equalisation grants. The Commission shall submit reports to the Legislature.
156. The Shares shall be directly transferred from the National Revenue Fund in accordance with the norms and bases defined at the State level with proportionate participation of all the parties including the Movements in the technical committees, using the following criteria:
- i. Population according to the 2008 census;
 - ii. Underdevelopment rate (Health, Education, Infrastructures);
 - iii. Effort exerted by the State in collecting revenues;
 - iv. Impact of war;
 - v. Geographical size.
157. A team of experts shall specify the weight of each criterion in the form of a percentage to serve as basis for calculating the share of each and every State.
158. The FFAMC shall implement a transparent process whereby the timely payment of transfers to Darfur States is monitored while ensuring that the Federal Government does not retain Darfur States' funds or those of any other sub-government.
159. The Darfur States may file a suit with the Constitutional Court in the event that the National Government retains funds allocated to Darfur or does not allocate the funds set for them.
160. The Darfur States governments shall submit reports to the National Government stating the regular amounts received within external finance and assistance.

ARTICLE 26: FISCAL ENTITLEMENTS OF DARFUR

161. Within the context of the federal system, Darfur States shall be entitled to:
- i. Transfers of revenues collected at the national level in accordance with the agreed criteria;
 - ii. Identifying sources for revenues and their collection in accordance with agreed criteria;
 - iii. Revenues of the National Fund for Reconstruction and Development;

iv. Revenues of the Multi Donor Trust Fund.

162. A system for grants of specific purposes shall be established, with a view to realising the Millennium Development Goals, alleviating poverty and realising gender equality.

ARTICLE 27: EXTERNAL SOURCES OF FINANCING

163. The Darfur States and the Darfur Regional Authority can get loans from national and international financial markets upon approval and guarantee of the Central Bank of Sudan.

164. The Darfur States shall report to the National Government on all the amounts received within the framework of external financing and aid.

ARTICLE 28: CAPACITY BUILDING

165. Upon the signing of this Agreement, the Federal Government shall assist Darfur to work out and implement an advanced and comprehensive capacity building program in the fields of public finance, relationships between government levels including the management of expenditures based on accountability.

ARTICLE 29: MONITORING AND ACCOUNTABILITY

166. Darfur States shall prepare an annual budget based on Federal Government's financial statistics, which is submitted to the State Legislature in Darfur for approval or amendments. No modification or addition of any new allocation shall be made without the approval of the Darfur Legislature. Comprehensive interim reports shall also be prepared on the total revenues and expenditures. The method of preparing such reports shall be set in accordance with the criteria of transparency and accountability at the national level, on the basis of the financial laws and the guidelines by the National Review Office; and comprehensive reports should be prepared and in compliance with international standard.

167. Institutions in charge of monitoring this process include the following:

- i. The Fiscal and Financial Allocation and Monitoring Commission;
- ii. The National General Audit Office / The State General Audit Office;
- iii. The DRA Council
- iv. The Darfur States Legislature.

ARTICLE 30: DEVELOPMENT POLICIES FOR DARFUR

168. National development policy shall be based on the right of all parts of Sudan to equitable and balanced development and giving special priority to the more deprived and affected parts of the country.
169. Within this framework, Darfur shall aim at realising short-term and medium-term objectives in the fields of rehabilitation, reconstruction, construction and development taking into consideration urgent needs and the need to work out the basis for long-term development. Special attention shall be given to programs and projects which will enable Darfur to speed up the transition from relief to development.
170. The main objectives of economic recovery and development in Darfur in the post conflict era are the following:
- i. Reconstruction and development;
 - ii. Reinvigoration of Darfur's economy to enable it to integrate into the national economy and promote trade between the States and neighbouring countries;
 - iii. Rehabilitation of basic social services such as education, health and water supplies;
 - iv. Realisation of sustainable economic growth, equitable development, social stability, improvement of access to social services;
 - v. Combating poverty and raising economic capacity and awareness;
 - vi. Creation of adequate employment opportunities;
 - vii. Development of individual and institutional capacities in good governance with emphasis on accountability and transparency;
 - viii. Development of physical infrastructure to improve access for the Darfur population to principal markets in Darfur, the rest of Sudan and in neighbouring countries and commitment to the implementation of the Western Rescue Road with all branches within two years in accordance with international specifications and measurements;
 - ix. Establishment of a stable and transparent legal framework to encourage private, local, national and foreign investments;
 - x. Development of technical and analytical capacities in major fields such as economic management, financial management and purchases;
 - xi. Investment in education and scientific research to improve and develop human resources;
 - xii. Promotion of the production of alternative energy sources and addressing the causes of environmental degradation.
171. The Parties recognise that Darfur, being historically deprived and having severely suffered from destruction caused by the war, is in dire need to:
- i. Restore peace, security, and social stability;
 - ii. Carry out government functions more effectively;

- iii. Strengthen the civil administration;
 - iv. Rehabilitate, reconstruct and construct physical, institutional and social infrastructures in post-conflict Darfur;
 - v. Implement a comprehensive structural reform of universities and institutions in Darfur to enable them to undertake their mission;
 - vi. Establish universities and national and foreign scientific and technical colleges to transform Darfur into a developed society in terms of technology, industry, agriculture and trade.
172. Competition over pasture and water by nomadic herders and sedentary farmers is serious problem in Darfur which shall be addressed in a comprehensive way by:
- i. Developing policies and projects to curb environmental degradation, decline of agricultural crops production and improve livestock production;
 - ii. Gradual shift of emphasis in nomadic herding, from quantity to quality in livestock production and animal husbandry;
 - iii. Developing a framework for equitable access by various users of land and water resources;
 - iv. Developing policies and projects aimed to establish agricultural, industrial and technological economy in the States;
 - v. Developing research capacities in these areas.
173. Negligence of the traditional rain-fed sector on which depend the Sudanese people, in general, and people of Darfur in particular, has led to increasing food imports, migration from the countryside to cities and the spread of famines and disputes. Therefore, policies and projects should be formulated and directed towards the traditional rain-fed agriculture which shall be considered a major priority national development project to attain the Millennium Development Goals.
174. Revitalization of the following development projects which have been neglected and the feasibility of which have been or can be established:
- i. West Safna Development Project;
 - ii. Jabel Marrah Agricultural Project;
 - iii. Jabel Marrah Thermal Energy Project;
 - iv. Hbaila Agricultural Project;
 - v. Algazalah Jawazet Research Station;
 - vi. Abu Hamra Agricultural Project;
 - vii. Saq Alnaam Agricultural Project;
 - viii. Umm Bayadha Project;
 - ix. Wadi Hor Water Valley Basis;
 - x. Reduction of Drought and Deforestation Effects Project;
 - xi. Popular Housing Project;
 - xii. Agricultural research projects;

- xiii. Sugar production projects;
 - xiv. Aludoom, Wadi Hor and other reserves;
 - xv. Um Agaga Project (Bahar Alaarab Development Project).
175. All government levels shall exert utmost possible efforts to bring human development in Darfur to national level in the context of endeavour to attain the Millennium Development Goals, in the shortest time possible.

ARTICLE 31: RECONSTRUCTION, INVESTMENT AND DEVELOPMENT

176. Darfur needs fast transformation from war to peace to allow for creation of an environment conducive to move from the phase of humanitarian assistance to the phase of economic recovery and development.
177. To support this transformation, the people of Darfur need resources that are far beyond the revenues they can mobilise internally. Therefore, Darfur needs assistance in these efforts through secure and regular financial transfers from the National Revenue Fund, as well as foreign aids.
178. In addition to Darfur's share of the transfers by the FFAMC, the Government of Sudan shall be committed to use the following sources:
- i. Darfur's share in reconstruction and development funds;
 - ii. Darfur's share in funds related to the Government's commitment to the Darfur Joint Assessment Mission (DJAM). The Government's share shall be determined by the DJAM on the basis of the outcomes of the donors' conference to be convened following the completion of the Mission.

ARTICLE 32: DARFUR JOINT ASSESSMENT MISSION (DJAM)

179. A Joint Assessment Mission shall be established to identify and assess the needs for economic recovery, development and poverty eradication in the aftermath of the conflict in Darfur. Such needs shall be presented at a donors' conference to be convened three months after the signing of this Agreement.
180. The Parties call upon the International Bank for Reconstruction and Development, The Darfur Development Bank, the United Nations, and the African Development Bank to lead the Joint Assessment Mission's activities, in cooperation with the Islamic Development Bank, the African Union, the League of Arab States, the Organization of the Islamic Conference, Arab Funds, the European Union, the USA, the State of Qatar, and other interested countries, regional and international economic organizations.
181. Since the financial resources and expertise required to undertake such an operation are beyond Sudan's ability, the Parties call on the international community to urgently and fully participate in this initiative and assist in the provision of

necessary resources and expertise and partake in meeting the needs set for this purpose.

182. The Parties to this Agreement shall be represented through the supervisory and technical committees of the DJAM.
183. Darfur development needs are to be assessed and addressed within five years to reach the millennium indices of development in social areas and infrastructures, and the budget required for the implementation of this programme determined.
184. Funds needed to complete the development projects identified by the DJAM shall be provided. In the event that these projects are not completed by the end of the Mission's mandate, they will be continued up to 2015 as part of the comprehensive efforts aimed at attaining the Millennium Development Goals.

DEVELOPMENT AND MANAGEMENT OF LANDS, *HAWAKEER* AND NATURAL RESOURCES

ARTICLE 33: GENERAL PRINCIPLES

185. The boundaries of the land referred to in this section shall be those of Darfur mentioned in paragraph 80 of the power sharing chapter of this Agreement.
186. Since people of Darfur did not benefit from the 1925 Law on traditional and historical lands (*hawakeer*) settlement and registration, priority shall be given to modifying the laws to include the rights to land and its use in conformity with customs, traditions and heritage on land ownership, traditional livestock routes and access opportunities to water sources.
187. The lands granted under the investment laws, and for which the beneficiaries did not meet the conditions under which these lands were granted to them, shall return to their *status quo ante*.
188. The appropriate or identified government level shall exercise the rights related to the lands owned by the Federal Government in Darfur, without prejudice to the provisions of this Agreement.
189. All displaced persons and other persons arbitrarily or unlawfully deprived of their possession or rights to land shall have their possession and rights restored and shall be compensated promptly and adequately for the losses or damages accrued during the period of deprivation.
190. Mechanisms shall be established to ensure the sustainable management and use of lands and other natural resources. All citizens affected with land development and natural resources utilization shall be consulted and their views taken into consideration. Individuals whose property or means of living have been negatively

affected because of the development and exploitation of natural resources shall be entitled to fair and prompt compensation.

ARTICLE 34: LAND TRADITIONAL AND HISTORICAL RIGHTS

191. Land ownership regulation and use, and exercise of land rights are joint powers which shall be exercised at the appropriate government level.
192. Tribal traditional land ownership rights (*hawakeer*), historical rights to land, traditional and customary livestock routes and access to water sources shall be recognised and protected. All government levels shall start a gradual development process and amend relevant laws to incorporate customary laws, traditional international trends and practices. To protect the cultural heritage, the closed traditional and customary livestock routes shall be re-opened, whenever possible, or alternative routes shall be demarcated.
193. Land laws amended in accordance with paragraph 192 above shall recognise and protect the historical, traditional or customary rights to land.
194. No individual or group of individuals shall be deprived of any land traditional or historical rights or of the right to have access to water sources without consulting them or compensating them in an appropriate and prompt manner.
195. Emphasis shall be laid on the establishment of the Darfur Land Commission without prejudice to the country's judicial courts so as to address land traditional and historical rights, review land management and use and natural resources development, provided that Movements take part in such Commission.

ARTICLE 35: LOCAL COMMUNITIES' LANDS

196. The Government may develop communities' lands through good-faith consultations with the participation of the local communities that own such land or have rights thereto. The community shall be entitled to receive an equitable share of the revenue accrued from the development of this land; alternatively the affected community shall be compensated in kind and/or in cash.
197. The Government may act on or develop any land belonging to the local communities provided that such an action or development is in conformity with the Development Plan set in accordance with the Land Use Mapping Plan.

ARTICLE 36: LAND ALLOTMENT

198. In accordance with paragraph 197 above, individuals in the local communities may register their customarily owned land as their own lands. The registration shall be free or for a reduced fee and shall be coupled with facilitated procedures and campaigns for raising public awareness.

ARTICLE 37: LAND PLANNING AND SUSTAINABLE DEVELOPMENT

199. Land planning and sustainable development shall be subject to the following:
- i. Recognition of traditional rights (including *hawakeer*) and historical rights to land to ensure the safe and sustainable basis to livelihood and development in Darfur;
 - ii. Development of sustainable land system and resolution of disputes resulting from competition in land use;
 - iii. Linking of all lands in Darfur on the basis of the outcomes and planning of the Land Use Map, for the following purposes:
 - a) Housing;
 - b) Agriculture;
 - c) Grazing;
 - d) Mining;
 - e) Industrial development, including foreign investments;
 - f) Natural reserves;
 - g) Seasonal transhumance (routes, pastures etc...);
 - h) Forests reserves and afforestation.

200. The Darfur Land Commission shall develop a plan for the Darfur States Land Use Map and its outcomes and projections referred to in the paragraph 201 below and shall submit the plan as a recommendation to the Darfur State Legislatures and the DRA Council for approval. This plan shall be reviewed every five years.

ARTICLE 38: DARFUR LAND COMMISSION

201. The Darfur Land Commission shall be established by law. The Darfur Land Commission Council shall be composed of representatives of the Darfur State Governments, historical leaders of the civil administration, local experts and the Federal Government. In making recommendations on land planning and development, the Council shall consult individuals whose rights may have been affected.
202. On the basis of the recommendations submitted by the Darfur Land Commission, the DRA Council shall approve the recommended Darfur Land Use Map Plan.
203. Without prejudice to the courts' jurisdiction and its terms of reference, the Darfur Land Commission shall be empowered to consider land traditional and historical rights, registration and allocation.
204. The Darfur Land Commission shall have a system for planning and development of land and natural resources aimed at the following:

- i. Sound management, development and protection of natural resources, including agricultural lands, protected natural areas, forests and minerals, waters, towns and villages with a view to promoting the local communities' social and economic welfare and the establishment and the preservation of a better environment;
- ii. Development and coordination of the organized economic exploitation of lands and natural resources;
- iii. Ecologically sustainable development;
- iv. Protection of cultural heritage;
- v. Protection, provision, and coordination of communication services and goods-related services;
- vi. Provision of lands for public purposes;
- vii. Provision and coordination of social services and facilities;
- viii. Environmental protection, including the protection and preservation of animals, local plants, endangered species and environmental reserves;
- ix. Reclamation of land exposed to erosion, development of anti-desertification and re-forestation programs;
- x. Promotion of joint responsibility related to environmental planning among various government levels in Darfur;
- xi. Creation of opportunities for public participation in environmental planning and assessment;
- xii. Creation of opportunities for consultation with all persons affected by land and natural resources development plans;
- xiii. Approval of urgent, just and fair compensation for individuals whose livelihood or properties have been negatively affected as a result of decisions related to land and natural resources development and planning.

205. Local communities or individuals whose current land use or means of living have been negatively affected as a result of the Land Use Map Plan shall have the right to be promptly and fairly compensated.

206. The Darfur Land Commission shall:

- i. Be independent and impartial;
- ii. Reflect land use interests in Darfur in its membership;
- iii. Adopt its rules of procedures;
- iv. Have access to all land records;
- v. Discharge its functions as speedily as required;
- vi. Make all appropriate arrangements to ensure full and effective participation by all affected individuals and local communities in its procedures;
- vii. Submit an annual report to the Darfur State Governments and the Darfur Regional Authority on its activities and expenditure in its annual budget;
- viii. Ensure that the membership, appointment and conditions of service at the Commission are organized by law;
- ix. Take into consideration traditional and historical rights to land.

207. The Darfur Land Commission shall perform the following functions:
- i. Arbitration on land rights disputes;
 - ii. Submission of recommendations to the appropriate government level on the recognition of traditional and historical rights to land;
 - iii. Assessment of appropriate land compensation in connection with the applications submitted to it. Such compensation may not be necessarily limited to financial compensation within the framework of arbitration or referral to courts;
 - iv. Advising the different levels of government on how to coordinate policies on the Darfur State Governments projects affecting land or land rights, taking into consideration the Land Use Map Plan;
 - v. Establishment and maintenance of records on historical and current land use;
 - vi. Conducting research on land ownership and use in the geographical area under its jurisdiction;
 - vii. Reviewing the current land use related mechanism and making recommendations to the competent authorities on the changes to be made, including the restoration of land rights to their owners or payment of compensation to them.
208. While performing its arbitration functions, the Darfur Land Commission shall have the authority to receive applications and may, with the agreement of parties in dispute, apply customary and traditional laws or principles of justice and equity. The arbitration decision shall be binding upon the parties in dispute and it may be enforced by a competent court.
209. After the exhaustion of dispute resolution mechanisms of civil administration and arbitration, only courts have the jurisdiction to settle land-related cases. Courts shall adjudicate the disputes on the right to land and assess the fair, immediate and equitable compensation, which may not necessarily be limited to financial compensation.
210. The Darfur Land Commission shall uphold the decisions made by any institution or entity authorised in accordance with this Agreement to make decisions on lands owned by displaced persons, refugees and other war-affected individuals.
211. The National Land Commission and the Darfur Land Commission shall cooperate and coordinate their activities to use their resources effectively. Without placing restrictions on coordination issues, the National Land Commission and the Darfur Land Commission shall agree on the following:
- i. Sharing their information and decisions;
 - ii. Delegating certain functions of the National Land Commission including data collection and research, to the Darfur Land Commission;
 - iii. Finding ways to remove any contradiction between the results and recommendations made by the two Commissions;

iv. The Darfur Land Commission shall be a permanent member of the National Land Commission.

212. In the event of a contradiction between the results and recommendations of the National Land Commission and those of the Darfur Land Commission, and if no settlement is reached, the two Commissions shall reconcile their positions. In case such reconciliation is not achievable, the issue shall be referred to the Constitutional Court for judgment.

ARTICLE 39: MAJOR DEVELOPMENT PROJECTS

213. The Darfur State Legislatures may, in exceptional circumstances, empower the Darfur State Governments to enter into agreements to implement major development projects which may not be in conformity with any plan for land use or a planning legislation. However, Darfur State Governments may seek to obtain this mandate only if the proposed agreement contains detailed provisions explaining the following:

- i. A clear definition of the proposed project;
- ii. The procedures to be adopted, in accordance with the agreement, to protect the environment;
- iii. The steps to be taken to consult with all those individuals whose interests may be affected by the proposed development project;
- iv. The advantages expected for local communities and Darfur population;
- v. The level of compensation to be paid to the individuals whose properties or livelihood may be negatively affected by the agreement, with clarification of whether they have consented to the compensation specified.

214. The Land use management plan or the legislation on planning shall be amended accordingly.

ARTICLE 40: NATURAL RESOURCES

215. While carrying out natural resource management and development activities, the Darfur States Land Commission shall be committed to the sustainable utilisation of such resources as follows:

- i. National and public interests;
- ii. Interest of the States and affected areas;
- iii. Interest of the local community in the affected areas;
- iv. National policies, Darfur States environmental policies, basis for the preservation of biodiversity and principles of cultural heritage protection;
- v. Rights to land, including customary and traditional rights to land;
- vi. Internationally recognised standards and environmental friendly methods in mining and natural resources development.

216. Consultation shall be made with the land right holders and their views shall be taken into consideration when decisions are made in relation to the exploitation of subsoil resources in areas on which they have rights. They shall be entitled to a share of the revenues of such investment.
217. Individuals holding land rights shall be entitled to compensation on fair, immediate and equitable basis in case their land property is confiscated or exploited to extract natural resources.
218. The communities in whose areas natural resources are being exploited shall be entitled to participate, through the States, in negotiations on the conclusion of resources development contracts.
219. The Federal Government shall be committed to enable Darfur citizens to be represented through their governments in all phases of oil exploration and mining operations in Darfur, including the procedures for negotiating, contracting, and all operations conducted on the land, as well as to ensure the States participation at all levels of decision making, planning and implementation processes.
220. The communities in whose land the development of natural resources is initiated in the subsoil shall take part, through their States, in contract negotiations on the exploitation of these resources. The extent of the benefits to local communities affected by the investment resulting from the petroleum contracts shall be taken into account.
221. The State, in which the investment of oil will occur, shall be represented by three non-permanent members in the Commission of Petroleum in order to participate in the negotiation and the conclusion of the contracts of the petroleum exploration and exploitation in the relevant State, and make sure that they are compatible with the principles, policies and directives of the Commission.
222. 2% of the net oil revenue produced in any of the states of Darfur shall be allocated to the oil-producing state. These States may negotiate a higher percentage.

ARTICLE 41: MANAGEMENT AND DEVELOPMENT OF PETROLEUM SECTOR

223. The management and development of the petroleum sector shall be based but not limited to the following:
- i. The optimal exploitation of oil as a non-renewable natural resource in accordance with:
 - a) National interest and public welfare;
 - b) Interest of the affected States of Darfur;
 - c) Interest of the population of Darfur in the affected areas;
 - d) National policies for the environment, the bases of biodiversity preservation and the principles of protection of cultural heritage through realizing and adopting the level of the international specifications in all

technical aspects and safety and the preservation of the environment during the exploration of oil and mining in Darfur;

- ii. Enabling the appropriate levels of government in Darfur, in cooperation with the relevant local communities, to participate in the development and management of oil at different stages within the overall framework of managing petroleum development;
- iii. Giving the necessary attention to create the conducive environment for foreign direct investment flow to Darfur;
- iv. Consulting with the land rights holders in Darfur and taking into account their opinions when making investment decisions on subsoil resources in the areas on which they have rights, and from whose investment they are supposed to benefit;
- v. Fair compensation for those who enjoy property rights in the lands that are seized or invested for the extraction of natural resources from the subsoil for the areas on which they have rights. This shall include contribution to providing the basic services and the development of countryside in those areas.

CHAPTER IV - COMPENSATION, RETURN OF INTERNALLY DISPLACED PERSONS AND REFUGEES

ARTICLE 42: GENERAL PRINCIPLES FOR COMPENSATION AND THE RETURN OF INTERNALLY DISPLACED PERSONS AND REFUGEES

Durable solutions for internally displaced persons and refugees shall be based on the following principles:

224. The commitment to the obligations concerning refugees and internally displaced persons set forth in the Framework Agreements between the Government of Sudan and the Justice and Equality Movement, 23 February 2010, and the Framework Agreement between the Government of Sudan and the Liberation and Justice Movement, 18 March 2010, specifically, the right of refugees and internally displaced persons to return voluntarily to their homes of origin and the responsibilities of the Parties to create the conditions for a conducive environment enabling voluntary return and to assist this return in accordance with a clear-cut strategy.
225. The respect, protection and fulfillment of the rights of internally displaced persons, refugees and all victims of war in accordance with international human rights law, international humanitarian law, and international refugee law.
226. Internally displaced persons, returning refugees and all victims of war shall enjoy, in full equality, the same rights and freedoms under national law and international as do other persons in Sudan.
227. The protection and assistance of internally displaced persons, refugees and all victims of war with specific needs, including separated and unaccompanied children, female heads of households, expectant mothers, mothers with young children, the elderly, and persons with disabilities.
228. The adoption by the Parties of measures to ensure that internally displaced persons, refugees and all other victims of war live in conditions of safety and dignity, and in full respect for their rights, in all phases of displacement, including prevention of all forms of forced displacement, protection and assistance during displacement and during voluntary return, local integration or resettlement.
229. The commitment of the Parties to establish mechanisms to promote, enable and facilitate the active participation of internally displaced persons, returning refugees, victims of war and civil society in the planning and implementation of strategies, policies and programs related to addressing the humanitarian and human rights impact of the conflict and to the return process. In particular, ensuring the participation of women, youth and diverse communities of internally displaced persons and refugees.
230. Recognition of the leading humanitarian role of UNHCR, in coordinating among all agencies assisting with protection, shelter, camp management in situations of internal displacement and protection, assistance and solutions for refugees.

231. Fulfilment by the Parties of their obligations under the Principles and Charter of the United Nations, and the Constitutive Act of the African Union, the Community of Sahel-Saharan States, and the other international and regional organizations relevant to peaceful dispute resolution, to prevent and avoid conditions that force persons to be displaced. The Parties shall, as well, provide assistance to internally displaced persons and all victims of war. The Parties agree to abide by the Guiding Principles on Internal Displacement adopted by the United Nations Summit outcome of 2005.

ARTICLE 43: SAFETY AND SECURITY

232. The Parties commit to provide security and protection from all forms of physical attack, all forms of sexual violence, exploitation, abduction, child recruitment, child labour, arbitrary detention, informal “taxation”, charging ransoms, and illegal confiscation of property and to address the impact of such violations by taking the necessary steps to ensure effective and timely justice with the support of UNAMID.

233. The Parties shall respect and maintain the civilian and humanitarian character of the camps sheltering IDPs.

234. The Parties shall undertake all measures necessary with the assistance of UNAMID to ensure security in IDP camps.

235. The Parties shall facilitate aid supplied by the United Nations, African Union and other international and national organizations pursuant to the national laws in force and the agreements signed with the Government of Sudan.

ARTICLE 44: HUMANITARIAN ASSISTANCE

236. The Government of Sudan shall extend urgent aid to IDPs, including food, shelter, education, medical care, and other medical and health services, together with the other necessary humanitarian and social services.

237. Internally displaced persons shall be provided with humanitarian assistance and livelihood before and after their return, and the refugees upon return.

238. Such assistance also will be provided to local and host communities who are in need of humanitarian assistance and livelihood support.

239. The Parties shall enable and facilitate access by the specialised agencies of the United Nations and the national, regional and international humanitarian organizations without hindrance and impediment to IDPs, including their camps, as per the arrangements to be agreed upon with the Government of Sudan.

240. The Parties shall secure and protect humanitarian aid routes and the security of humanitarian staff.
241. The Government of Sudan shall facilitate the procedures necessary to provide humanitarian organisations with access to internally displaced persons and other civilian population in need of humanitarian aid, pursuant to the agreements signed with those organisations.

ARTICLE 45: PERSONAL DOCUMENTATION

242. The Government of Sudan shall issue all the documents necessary for the returning internally displaced persons and refugees to enjoy their rights. The Parties shall agree on the formation of a mechanism to cooperate with the relevant authorities to issue the said documents. The Parties shall, as well, cooperate with the traditional and native administrations, leaders of local communities and camps to authenticate the identities of the returnees.
243. The Government of Sudan shall facilitate issuance of new document or alternative documents in lieu of documents lost or destroyed in the course of displacement.
244. Men and women as well as children have equal rights to obtain all necessary identity documents and have the right to have such documents issued in their own names. Special efforts will be taken to expedite the provision of such documents to orphans as well as to separated and unaccompanied children.

ARTICLE 46: FAMILY REUNIFICATION

245. The Government and relevant authorities in Darfur shall take all necessary measures so that the families which are separated by displacement are reunited as quickly as possible. Special efforts will be taken to expedite the reunification of unaccompanied and separated children with their families. The Parties shall facilitate inquiries made by family members and will cooperate with humanitarian organizations engaged in family tracing and assisting family reunification. The Parties underscore their commitment to fight child abduction overseas, and shall work to prevent and disclose any irregular practices.

ARTICLE 47: FREEDOM OF MOVEMENT

246. The Parties shall guarantee the freedom of movement and choice of residence of internally displaced persons and returning refugees, including their right to move freely in and out of camps, and their right to return voluntarily to their place of origin.
247. The Parties commit to respect and ensure the right of IDPs and Refugees to seek safety in another part of Sudan and to be protected against forcible return to or

resettlement in any place where their life, safety, liberty and/or health would be at risk.

ARTICLE 48: FREEDOM OF MOVEMENT

248. All internally displaced persons and refugees have the right to return voluntarily, and in safety and dignity, to their homes of origin or places of habitual residence or to a place of their choice. The Parties shall not interfere with internally displaced persons' and refugees' choice of destination, nor shall they compel them to remain in, return to, or move to situations of serious danger or insecurity, or to areas lacking in basic services necessary to resume a normal life.
249. The Government of Sudan shall accept and facilitate the return of internally displaced persons and of refugees to their homes of origin or places of habitual residence.
250. The Parties shall take all necessary steps to prevent activities which would hinder or impede the voluntary return, in safety and dignity, of internally displaced persons and refugees.
251. Internally displaced persons and refugees have the right to be protected against forcible return or resettlement to any place where their life, safety, liberty and/or health would be at risk.
252. Internally displaced persons and refugees shall have access to objective information about the conditions in the areas of return or resettlement. The Parties, with the assistance of competent local and international actors, shall facilitate the timely flow of accurate information about the conditions in areas of return or resettlement in order for refugees and internally displaced persons to be able to make an informed and voluntary decision about return.
253. The Parties shall respect the principle of family unity in the voluntary return process.
254. The Parties shall make special efforts to ensure the participation of internally displaced persons and refugees, including women and youth, in the planning and management of their return or resettlement and reintegration.

ARTICLE 49: CREATION OF CONDITIONS SUITABLE FOR RETURN

255. The Government of Sudan shall establish, as soon as possible, the security, political, economic and social conditions, and shall provide the means, to enable internally displaced persons and refugees to exercise their right to return, voluntarily, in safety and dignity, to their homes of origin or places of habitual residence.

256. The Parties shall facilitate the creation and maintenance of conditions required for the voluntary return, in safety and dignity, and for the durable and harmonious reintegration of refugees and internally displaced persons.
257. The Parties agree that necessary conditions suitable for return of IDPs and refugees are the following:
- i. The security and safety of internally displaced persons and refugees, without risk of harassment, intimidation, persecution, or discrimination, during their voluntary return or resettlement and after their return or resettlement;
 - ii. The right to freedom of movement and choice of residence, including the right to return to their homes of origin or habitual residence or to resettlement therein;
 - iii. Demining of the areas in which are located internally displaced persons' and refugees' homes and lands, and of access routes to markets, schools and health services;
 - iv. The restitution of property to internally displaced persons and refugees;
 - v. Contribution in erecting fixed shelters in the return villages for IDPs and refugees and repair of or compensation for the damaged properties.
 - vi. Access to food, potable water and health care, including through the provision of humanitarian assistance until IDPs and refugees can resume normal life;
 - vii. The provision of the sum of US\$ 250.00 (US dollars two hundred and fifty) per family shall be included in the return package to support internally displaced persons and refugees' immediate needs upon return. This shall enable them to begin to restart their livelihood and commence effective reintegration. The package shall also include access to 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.
 - viii. Rehabilitation and construction of basic facilities in areas of return;
 - ix. Rehabilitation of damaged agricultural land;
 - x. Provision of education and training including livelihoods training;
 - xi. Access to livelihoods, including employment;
 - xii. Equal access by internally displaced persons and refugees to public services and to participate fully in public affairs;
 - xiii. Psychosocial support to internally displaced persons and refugees.
258. The Parties shall ensure that the appropriate conditions are in place before promoting and supporting return.
259. The Parties shall facilitate the voluntary return of internally displaced persons and refugees in a peaceful, orderly and phased manner, in accordance with a clear strategy.

Voluntary Return and Resettlement Commission

260. A voluntary Return and Resettlement Commission (VRRC) shall be established by law as matter of priority, within 45 days of the signing of this agreement. It shall comprise of :
- i. A Voluntary Return Committee (VRC);
 - ii. A Property Claims and Restitution Committee (PCRC);
 - iii. A Compensation/ Jabr Al-Darar Fund (CJDF).
261. The Compensation/Jabr Al Darar aspect of the activities of the VRRC will be funded from the Compensation/Jabr Al Darar Fund (CJDF).
262. The VRC shall undertake the following tasks and functions:
- i. Conduct statistical surveys of IDPs and refugees for the purpose of planning for voluntary return;
 - ii. Conduct, in collaboration with the United Nations High Commissioner for Refugees (UNHCR), a comprehensive needs assessment in areas of potential return, which shall include addressing the following issues: safety, food security, damage to homes and land, potable water, sanitation, education, access to health services and infrastructure;
 - iii. Assess whether the conditions required for sustainable return are in place, to recommend specific measures to be implemented to ensure the creation of these conditions, and to verify the fulfilment of these conditions;
 - iv. Develop and adopt a Return Plan, within 3 months of the signing of this Agreement, with the assistance of the UNHCR and competent local bodies and in consultation with internally displaced persons, refugees and local communities;
 - v. Implement the Voluntary Return Plan in close cooperation with the international community, in particular UNHCR, countries hosting refugees and competent local bodies;
 - vi. Monitor and report on an ongoing basis on the maintenance of the necessary conditions for sustainable return and reintegration, and on the conditions of internally displaced persons and refugees upon return;
 - vii. Plan, organize and assist the voluntary return of internally displaced persons and refugees, in accordance with the Return Plan, and to assist in their reintegration.
263. Provisions regarding the structure, composition and modalities of the Voluntary Return and Resettlement Commission are annexed to this Agreement. These provisions shall be completed by the enabling law.

ARTICLE 50: HOUSING, LAND AND PROPERTY RESTITUTION

264. The PCRC shall ensure that IDPs and refugees have restored to them their housing, land and property.
265. IDPs and refugees have the right to have restored to them any housing, land and property of which they were unlawfully deprived or, when recovery of such

property is not possible, to obtain compensation, in accordance with international principles.

266. This right applies to IDPs and refugees whether they choose to return to their place of origin or to settle elsewhere.
267. The Parties shall not recognize as valid any illegal property transaction, including any transfer that was made under duress and any transfer made without free and informed consent.
268. The Government of Sudan shall be responsible for ensuring property restitution to the lawful owner. The Government will remove and relocate secondary occupants of the property of internally displaced persons and refugees in a timely and dignified manner prior to the return of internally displaced persons and refugees, through a process of collaboration among relevant international bodies.
269. No person or group of persons shall be deprived of any traditional or historical right in respect to land or access to water without consent or just compensation.
270. The Parties agree to establish housing, land and property restitution claims procedures, which must be simple, accessible, transparent and enforceable. All aspects of the restitution claims process, including appeals procedures, shall be just, timely, accessible and free of charge. The procedures shall include specific measures to ensure that women and orphaned children are able to participate on a fully equal basis in the restitution process.
271. All disputes related to land and property or disputes arising from the return process and which require local and rapid settlement shall be resolved. Meanwhile, traditional mechanisms shall be invoked to settle disputes, provided same are consistent with the international principles of human rights and without prejudice to the courts jurisdiction.
272. Internally displaced persons and refugees have the right to be fairly compensated for any housing, land and property that cannot be restored to them, in accordance with international principles.
273. All above mentioned mechanisms will ensure the active participation of representatives of internally displaced persons, refugees and civil society.

ARTICLE 51: FUNDING

274. The initial amount of the Compensation/Jabr al Darar Fund for the settlement of compensation for any loss and/or damage suffered by IDPs, refugees and any other victims of the conflict in Darfur shall be US\$ 300,000,000 (US dollars three hundred million), out of which the Government of Sudan undertakes to pay US\$

200,000,000 (US dollars two hundred million), and the balance of US\$ 100,000,000 (US dollars one hundred million) will be sourced from donors.

275. The Government of Sudan shall allocate funds from the national budget to support the voluntary return and reintegration of IDPs and refugees until the return process has been completed.
276. The Parties commit to promoting the mobilization of international resources to contribute to the above mentioned funds.
277. Recognizing that peace process in general and collective and family compensations in particular, require mobilisation of huge resources and the fact that mobilisation of local resources alone cannot meet all requirements, funding such plan requires the participation and support of the international community, peace partners and beneficiaries of peace. These resources are to be maintained in the Compensation and Jabr Al Darar Fund:
 - i. Sums that the Government of Sudan undertakes to allocate;
 - ii. Participation of Sudanese people through their institutions such as the chamber of commerce and charitable organisations;
 - iii. Contributions by the Islamic, Arab and African countries and their Funds;
 - iv. Contributions by UN, EU and other international organizations.

CHAPTER V – JUSTICE AND RECONCILIATION

ARTICLE 52: GENERAL PRINCIPLES FOR JUSTICE AND RECONCILIATION

Justice and reconciliation shall be based on the following principles:

278. The respect of international human rights law and international humanitarian law.
279. Justice and reconciliation are integral and interlinked elements for lasting peace in Darfur and are essential for upholding the rule of law.
280. Adoption of transitional justice mechanisms for remedies and for the legal accountability of perpetrators of acts of violence related to the armed conflict in Darfur.
281. Reconstructing and repairing social relationships and reviving the values of peaceful co-existence, respect for existing customs, social cooperation and solidarity in Darfur, and raising the level of the social cooperation and solidarity, which characterized the Darfur society shall be the bases for reconciliation.
282. The right of victims to have access to justice and redress mechanisms, in particular the right to an adequate, effective and prompt remedy and/or reparations for violations of international human rights law and of international humanitarian law.
283. Justice and other redress mechanisms, including transitional justice mechanisms, shall be independent and impartial, and shall be consistent with international norms and standards.
284. The condemnation of atrocities, abuses and violations of human rights and international humanitarian law committed in Darfur during the conflict, and the imperative to take all necessary steps to prevent the repetition of such violations.
285. Ensuring that all perpetrators of violations of human rights and international humanitarian law are held accountable.
286. The appropriate recording and documentation of all crimes and forms of violations.
287. The recognition of the specific situation and concerns of women, children and youth and the important role of women and youth in the prevention and resolution of conflicts, in transitional justice processes and in peace-building, and the imperative of their equal participation and full involvement in all efforts for the maintenance of international peace and security, including justice and reconciliation.

288. Children implicated in the conflict, who may have been involved in the commission of crimes under international law shall be considered primarily as victims and shall be treated in accordance with the Convention on the Rights of the Child, Protocol II to the Geneva Convention, the African Charter on Rights and Welfare of the Child, the Beijing Rules and related international juvenile justice and fair trial standards.
289. The recognition of the role that independent and impartial indigenous mechanisms can play in complementing processes of justice and reconciliation and the importance to make full use of their potential while maintaining international human rights standards.
290. The importance to continue to undertake legal and institutional reforms to strengthen the rule of law and to establish relevant mechanisms thereto in accordance with the international standards.
291. The importance of African and international experiences and best practices regarding the principle of accountability, reconciliation and seeking the truth about what occurred in Darfur; the use of the mechanisms of justice, compensations and reconciliation for the settlement of the conflict.
292. The vetting of public services to identify and remove individuals who perpetrated abuses and violations of human rights and international humanitarian law to curb impunity, build confidence and strengthen the rule of law in Darfur.
293. Provision of security and full protection to all citizens.
294. Justice, accountability, recognition of wrong doings, forgiveness and commitment of non-repetition.
295. Encouraging exchange of amicable visits between the leaders of the reconciled tribes.
296. Collection of weapons in possession of tribal groups by the tribes themselves in coordination with local authorities.
297. Promoting dialogue as an appropriate channel to achieve reconciliation among the tribes and to consolidate the reconciliation mechanisms recognised in Darfur.

ARTICLE 53: THE NATIONAL JUDICIAL SYSTEM

298. The Parties agree that the Sudanese national courts shall have jurisdiction over the crimes committed in Darfur from February 2003 in addition to continuing broad reforms with a view to reinforcing their capacity, professionalism and independence and to ensure equal justice for all.

299. The Government of Sudan undertakes to facilitate access to justice by the following necessary and important steps:
- i. Increasing the number of courts and judicial personnel including judges and prosecutors in Darfur;
 - ii. Strengthening and utilizing the system of mobile courts;
 - iii. Allocating adequate resources required for the effective delivery of justice; including providing necessary land and air transport throughout Darfur for prosecution officials. To this end the Government may seek assistance from the United Nations and peace partners;
 - iv. Ensuring that the Ministry of Justice enforce and support Prosecution's duties in conducting necessary investigations and taking the necessary procedures thereof;
 - v. Ensuring the protection of judicial personnel, victims and witnesses;
300. The above mentioned steps and procedures shall guarantee the rights to due process and a fair trial and ensure conclusive settlement of cases processed by and referred to courts and mechanisms of transitional justice, and eliminating any existing or potential barrier obstructing people of Darfur from exercising their right to litigation, justice and remedy.
301. The Government of Sudan undertakes to provide technical assistance and support to enhance coordination between courts and commissions or special committees pertaining to blood money or compensation, and other reconciliation means with a view to creating the required cohesion, thereby elevating the level of competence, and avoiding inconsistencies and overlaps.
302. The Parties agree to reinforce the role of the civil society in Darfur in fostering justice, peace and reconciliation freely and independently. Civil society shall seek support from national, regional and international organisations according to established procedures.
303. The Parties call upon the international community to provide technical support and appropriate resources for the effective functioning of the judicial and justice systems.

ARTICLE 54: COMPENSATION/ JABR AL DARAR

304. All victims including IDPs and refugees, who suffered from economic losses, or any other damage, including loss of life, physical injury, mental injury and emotional suffering, because of the war in Darfur, have the right to adequate and prompt compensation/Jabr al Darar according to international experiences and practices in similar situations. Compensation/Jabr al Darar shall have priority over other considerations.

305. The Government of Sudan shall pay compensation/Jabr al Darar to all victims of the conflict in Darfur, according to the results of the investigation carried out by the relevant mechanisms agreed upon, from the compensation/ Jabr Al-Darar Fund.
306. Compensation / Jabr al Darar shall be paid in one instalment whenever possible. Otherwise, it shall be paid in two instalments provided that the whole period for the settlement of such compensation/Jabr al Darar, does not exceed two years from the date of assessment of the damage.

ARTICLE 55: TRUTH AND RECONCILIATION

General provisions

307. The Government shall designate a national day for peace and non-violence in Darfur upon the signing of this Agreement.
308. In order to foster reconciliation, the Parties agree to address the root causes of the conflict in Darfur including:
- i. Environmental degradation and dispute over access to natural resources;
 - ii. Tensions among local communities;
 - iii. Weakness of the Native Administration;
 - iv. Conflict over land, *Hawakeer* and the Nomadic routes;
 - v. Proliferation of weapons;
 - vi. The regional dimension of the conflict.
309. The Parties agree that the reconciliation process should aim at:
- i. Ensuring and providing appropriate conditions for social and peaceful reconciliation;
 - ii. Rebuilding and strengthening relationships between the components of the society as well as raising the level of coexistence, cooperation and social solidarity in Darfur;
 - iii. Eradicating tribal and regional polarization and preventing the tribes from fighting out of tribal motivations;
 - iv. Establishing a culture of peace in accordance with the values and the traditional cultural heritage;
 - v. Formal and informal apologies, individually and collectively, to the victims of war.
310. Without prejudice to the prerogatives and mandate of the Truth and Reconciliation Committee established pursuant to the provisions of this Agreement, the following mechanisms shall be established:
- i. The *Ajaweed* Councils which consist of native leaderships;
 - ii. The Native Administration.

311. The Government of Sudan undertakes to support these mechanisms which shall complement the work of the Truth and Reconciliation Committee.
312. The *Ajaweed* Institution shall be rehabilitated and reconciliation conferences shall be organized with a view to restoring confidence and strengthening good relationship among the communities, as well as giving incentives to those who contribute to realizing security and stability and work to resolve inter-disputes.
313. The structures and mechanisms related to reconciliation which are established by this Agreement shall work to achieve the following:
- i. Strengthening the Native Administration system through the universities and training institutions and the legal, judicial and administrative authorities in order to enhance their capacity to efficiently carry out their duties;
 - ii. Consolidating reconciliation, promoting the concept of peaceful coexistence and respecting the prevailing norms;
 - iii. Respecting the acknowledged customary migration routes in order to stabilize relations among nomads and farmers;
 - iv. Denouncing violence and exclusion and adopting dialogue as a means to achieving social peace;
 - v. Adoption of justice, reconciliation and forgiveness as principles leading to peace;
 - vi. Promoting the culture of peace through the tribal dignitaries, religious scholars, civil society organisations, the media and various educational systems;
 - vii. Putting an end to the residence of illegal migrants and their occupation of villages, towns, farms and orchards in Darfur.

Truth, Justice and Reconciliation Commission (TJRC)

314. Without prejudice of the jurisdiction of the Sudanese national courts, an independent Truth, Justice and Reconciliation Commission shall be established by law, as a matter of priority within 45 days of the signing this Agreement. The TJRC shall be composed of the following two Committees:
- i. The Justice Committee and;
 - ii. The Truth and Reconciliation Committee.

Justice Committee

315. The Justice Committee shall be responsible for receiving, examining and assessing the claims, and determining the nature of compensation/Jabr al Darar as well as the amount to be paid to the victims as appropriate. The victims shall be given a period of ten years for filing claims, starting from the initial date fixed for submission of individual claims.

316. The membership of the Committee shall include members nominated by the signatories Parties of this Agreement.
317. The Justice Committee shall adopt its rules of procedures and modus operandi. These procedures shall be simple and accessible.
318. Technical and administrative committees shall assist the Justice Committee in determining the nature and the extent of the individual damages and losses. These committees shall be composed of, among others, specialized physicians, lawyers, representatives of the native administration, the elders of the camps, representatives of the victims and other relevant experts. These committees shall work in close collaboration with the local administration. The Government of Sudan undertakes to bear the expenses of their work.

Truth and Reconciliation Committee

319. A Truth and Reconciliation Committee (TRC) shall assess the root causes of the conflict in Darfur, investigate violations, crimes and human rights abuses including violations of economic, social and cultural rights committed from February 2003, address issues of impunity and build a culture of confidence, peace and reconciliation.
320. The TRC shall be composed of eminent personalities, representatives of the ethnic and cultural diversity of Sudan, with due respect for gender balance. It shall adopt its rules of procedures. The membership of the TRC shall include members nominated by the signatories Parties of this Agreement.
321. The TRC shall provide an opportunity for the victims and perpetrators of human rights violations as well as other citizens to share their experiences, establish a common understanding of the past, facilitate genuine healing within and among communities and promote reconciliation and prevention of atrocities in the future.
322. The TRC shall recommend measures towards comprehensive and lasting peace in Darfur and shall submit its findings and recommendations to the President and the National Assembly of Sudan on an annual basis. It shall submit its final report to the President and the National Assembly of Sudan upon the completion of its mandate.
323. The Parties agree to request the assistance of the international community in providing the necessary financial and technical support for the work of the TRC.
324. The TRC shall adopt its rules of procedures and modus operandi. These procedures shall be simple and accessible.

ARTICLE 56: SPECIAL COURT FOR DARFUR

325. A Special Court for Darfur shall be established and shall have effective jurisdiction over gross violations of human rights and serious violations of international humanitarian law committed in Darfur from February 2003.
326. A team of specialised experts from UNAMID shall observe the Court's proceedings to ensure the proper conduct of these proceedings in accordance with justice and equity rules enshrined in international law.
327. The Special Court shall apply the Sudanese criminal law, international criminal law and international humanitarian and human rights laws.
328. The Government of Sudan and the Movements shall take all necessary measures to guarantee the protection and assistance of victims and witnesses, and ensure their full access to and participation in the justice process. Parties commit to abstain from any act that might discourage witnesses from testifying freely and without fear.
329. The Government of Sudan with the support of the international community shall establish a fund for legal aid and other related activities of the Court during the investigations and trials.

ARTICLE 57: AMNESTY

330. In order to create conducive environment for peace and reconciliation, the Parties agree to grant a general amnesty in accordance with the Sudanese Constitution and Laws, to the civil and military members of the Movements as well as to prisoners of war and those sentenced from all sides.
331. The Parties agree that war crimes, crimes against humanity, crimes of genocide, crimes of sexual violence, and gross violations of human rights and humanitarian law shall not be included in the scope of application of the amnesty.

ARTICLE 58: VETTING OF PUBLIC SERVICES

332. In order to create conducive conditions for confidence building and reconciliation, the Government of Sudan undertakes to establish independent, impartial, resourced and effective vetting mechanism within 3 months of the signing of this Agreement.

CHAPTER VI: PERMANENT CEASFEIRE AND FINAL SECURITY ARRANGEMENTS

ARTICLE 59: GENERAL PRINCIPLES FOR PERMANENT CEASEFIRE AND FINAL SECURITY ARRANGEMENTS

The provisions of Permanent Ceasefire and the Final Security Arrangements shall be based on the following general principles:

333. The Darfur conflict cannot be resolved militarily and a durable solution can only be obtained through an inclusive political process;
334. Civilians in Darfur have a right to protection, including provision of specific measures for vulnerable groups such as women and children taking into account women and children's special status in international law and in recognition that women and children have suffered disproportionately during the conflict;
335. The importance of facilitating the mandate of UNAMID, including for the protection of civilians, as outlined in UNSCR 1935 (2010);
336. The imperative to refrain from all acts of violence against civilians, in particular vulnerable groups such as women and children, and from violations of human rights and international humanitarian law;
337. The need to address the urgent humanitarian crisis faced by the people of Darfur, including the guarantee of unrestricted humanitarian access to all areas;
338. Realising and supporting permanent peace in Darfur through, among other things, a comprehensive agreement and final security arrangements that deal with the root causes and the different aspects of the armed conflict.
339. Guaranteeing free movement for individuals, goods and services in Darfur.
340. The necessity to have a strong professional and inclusive National Sudanese Armed Forces and other security institutions, capable of defending and maintaining the sovereignty and territorial integrity of the country.

PERMANENT CEASEFIRE

ARTICLE 60: PROHIBITED ACTIVITIES AND POSITIVE UNDERTAKINGS

341. In accordance with this Agreement, the Parties agree to immediately cease and refrain from any:
 - i. Acts of hostility, violence or intimidation against the civilian population in Darfur and IDPs;
 - ii. Activity that jeopardize the letter and spirit of this Agreement;

- iii. Offensive, provocative or retaliatory actions, including hostile propaganda and the unauthorized redeployment and movement of forces, against the other Party or any Party signatory to the Darfur Peace Agreement (DPA), signed on 5 May 2006 in Abuja, Nigeria, or against the signatories to the Declaration of Commitment to the DPA, signed thereafter;
- iv. Recruitment or any other military activity within or in the proximity of IDPs or refugees camps;
- v. Acts of intimidation, hostility, violence or attacks against UNAMID personnel, installations or equipment, members of local or international humanitarian agencies including UN agencies, international organizations and non-governmental organizations, their personnel, installations or equipment, and members of the media;
- vi. Actions that may impede or delay the provision of humanitarian assistance or protection to civilians and restrict free movement of people;
- vii. Restrictions on the safe, free and unimpeded movement of humanitarian agencies;
- viii. Use or laying of land mines;
- ix. Acts and forms of gender-based violence and sexual exploitation;
- x. Recruitment and use of boys and girls under age 18 by armed forces and armed groups in hostilities, in accordance with Sudan's obligations under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;
- xi. Other activities that could endanger or undermine the Parties' commitment to a complete and durable cessation of hostilities, including those activities that would be determined to be a violation of the ceasefire based on this Agreement; Hostile propaganda against the other Party or any armed group which is signatory to the Darfur Peace Agreement;
- xii. Attempt by any party to disguise its equipment, personnel or activities as those of UNAMID, the UN Agencies, the AU, the International Committee of the Red Cross/Red Crescent or any other similar organization.

342. The Parties further undertake to ensure:

- i. The free movement of people and goods;
- ii. Unimpeded access of humanitarian assistance to the population in need and the protection of humanitarian workers and their operations in areas under their control;
- iii. Full cooperation with UNAMID personnel to prevent and combat criminal acts, protect human rights and promote confidence among the Parties so they may engage in free movement to implement their respective mandates;
- iv. That the terms of this Agreement are communicated, through the Parties' chain of command, to all elements of their armed forces, and armed groups under their control or influence with the intent to ensure full compliance;
- v. The disarmament and disbandment of armed militias in due time, and as a prerequisite for the implementation of comprehensive arms control measures to ensure security throughout Darfur;

- vi. That this Ceasefire Agreement is not threatened by any foreign combatants present on Sudanese territory;
- vii. That IDPs and other civilians in Darfur shall not be subject to harassment or arbitrary detention by the Government security organizations and the armed Movements; noting that such activities may be treated as violations of the Ceasefire;
- viii. That all children, boys and girls, recruited by armed forces or armed groups are released unconditionally through the development of Action Plans;
- ix. That all children, boys and girls, who are accused of crimes against international law after being unlawfully recruited by armed forces or armed groups are considered primarily as victims of violations against international law and not as alleged perpetrators.

ARTICLE 61: CEASEFIRE COMMISSION (CFC)

343. The Ceasefire Commission, hereafter referred to as “the CFC”, and the Joint Commission, hereafter referred to as “the Commission”, shall be established as Ceasefire monitoring and verification mechanisms.
344. Cognisant of the important role of women in the peace process in Darfur, adequate and effective representation of women shall be guaranteed by the parties at all levels of the ceasefire mechanism.
345. The Parties shall guarantee UNAMID unimpeded freedom of movement in all areas and at all times in Darfur.
346. The CFC shall comprise of the under listed components:
- i. The CFC headquartered in El Fasher;
 - ii. The CFC Secretariat headquartered in El Fasher;
 - iii. Sector Sub-Ceasefire Commission (SSCFC);
 - iv. The Ceasefire Team Site Group (CTSG).
347. The CFC has the overall responsibility for the monitoring and implementation of the Ceasefire Agreement, and shall endeavour to make decisions by consensus. Where consensus cannot be reached, the CFC shall commit the issue for arbitration by the Joint Commission. The Parties are responsible for implementing the Ceasefire Agreement and shall be obliged to adhere to the recommendations of the Commission.

Functions of the CFC

348. The functions of the CFC shall be to:
- i. Monitor compliance of the Parties to their obligations under the CFA and the conduct of the respective armed forces;

- ii. Coordinate planning, monitoring and verification of the implementation of the CFA;
- iii. Define the routes for all movement of forces in order to reduce risks of incidents; and approve all such movements which must be requested by the Parties with at least 72 hours notice;
- iv. Support de-mining operations;
- v. Produce the master map showing disposition of the Parties, and Demilitarized Humanitarian Routes and Zones around IDP camps and hosting communities;
- vi. Receive, verify, analyze and resolve complaints related to possible violations of the ceasefire;
- vii. Issue violation reports if any party undertakes any prohibited activities, as stipulated in the CFA;
- viii. Assist in the dissemination of information about the CFA;
- ix. Serve as a channel of communication between the Parties;
- x. Support the Disarmament, Demobilization and Reintegration (DDR) of the ex-combatants as and when agreed by the Parties.

Composition of the CFC

349. The CFC shall be constituted as follows:

- v. Force Commander - Chairman
- vi. Three members from each Party - Members
- vii. One Representative of the State of Qatar - Member

350. The Chairman shall, as required, co-opt representatives of other components/ sections of UNAMID i.e. Police, HLO, PAD, Legal office as members without voting right.

351. The Parties would decide on the number and composition of observers at a later date. Observers are an important facet for the implementation of the CFA as they facilitate and advise the CFC and the Parties. They may include but are not limited to international/regional organizations and individual countries. Observers may attend open sessions and meetings of the CFC and Sub-CFCs. If deemed appropriate and agreed upon by the Parties, observers will be briefed on closed sessions/meetings.

Chairman

352. The Force Commander shall chair all meetings of the CFC and in his absence the Deputy Force Commander shall perform the duties.

Duties of CFC Members

353. The duties and responsibilities of the Chairman shall include:
- i. Preside over all CFC meetings;

- ii. Define the CFC program of activities;
- iii. Ensure implementation of the decisions and recommendations of both CFC and the Joint Commission;
- iv. Order independent or supplementary investigations at CFC level whenever appropriate;
- v. Ensure the submission of weekly reports to the Joint Commission;
- vi. Ensure that appropriate measures are undertaken for CFC members to respect the local laws and regulations, refrain from any action or activity incompatible with the impartial and international nature of their duties.

Meetings

354. CFC meetings shall be convened by the Chairman or at the request of the Parties. The meetings shall be held in UNAMID Headquarters, El Fasher or in any other venue as shall be decided by the Chairman. The meetings shall be conducted under the following guidelines:

- i. The agenda for the meeting shall be adopted at the beginning of the session;
- ii. The CFC deliberations and decisions are reached by consensus, but if the Parties are unable to reach an agreement on a matter before the CFC, the Chairman shall refer the matter to the Joint Commission for resolution. The Parties shall be obliged to adhere to the ruling of the Joint Commission;
- iii. At every session, minutes of meetings shall be signed by the secretary and authenticated by the Chairman and brought to the next meeting for confirmation as a true record of the proceedings and shall be binding upon the Parties;
- iv. Sub committees may be constituted for specific tasks whenever necessary and shall present their reports before the CFC for adoption/rejection;
- v. Observers may make comments at the request of the Chairman.

Code of Conduct

355. CFC members and observers will be expected at all times to adhere to the code of conduct which includes the following:

- i. Dialogue, using appropriate and polite language should serve as the guiding principle during deliberations;
- ii. Any issues that Members wish to raise should be addressed to the Chair;
- iii. Personal attacks or animosity shall not be accepted from any member;
- iv. Punctuality shall be observed by all members;
- v. No member of the CFC shall brief the press or issue statement on behalf of the CFC without prior authorization by the Chairman;
- vi. Deliberations of the CFC are confidential and are shared only on a need to know basis;
- vii. Avoid actions that may discredit any Party;
- viii. Place interests of the people of Darfur and other resident civilians, including women and children, ahead of personal considerations;
- ix. Understand the CFC mandate and act within it.

Ceasefire Commission Resources and Secretariat

356. The Chairman shall exercise control over the CFC and the subordinate level Sector Ceasefire Sub Commissions SSCFC as defined in this Agreement. The Sector Commanders and Chief of Staff CFC Secretariat shall be directly answerable to the Chairman on the management of CFC resources put under their control.
357. The Sector Commanders shall exercise control of the SSCFCs and Ceasefire TSGs within their Areas of Responsibility (AORs) and remain answerable to the Chairman. The SSCFC reports on violations shall be forwarded to the Chairman through the CFC Secretariat.

Sector Ceasefire Sub-Commission

358. Each sector shall establish and maintain SSCFC inclusive of women to ensure an effective investigation and reporting cycle. The sectors shall establish a Secretariat to be headed by the chief sub CFC modelled on the CFC Secretariat. Team site groups comprising various elements at sub-unit/ unit levels, inclusive of women, shall be established as the primary sources of reporting and investigating incidents/violations to the CFA.

Functions of SSCFC

359. The main functions of the SSCFC are to:
- i. Oversee compliance of the Parties to their obligations within the Sector Area of Responsibility (AOR) as per the CFA;
 - ii. Supervise, verify, investigate and report matters of disagreements and alleged violations between the Parties, in accordance with the CFA;
 - iii. Implement CFC policy and directives;
 - iv. Report periodically and refer unresolved complaints to the CFC at FHQ with a full explanation as to the matter in dispute;
 - v. Assume responsibility for investigations of violations as stipulated in the CFA;
 - vi. Assign tasks/missions to TSGs.
360. When consensus cannot be reached on a particular issue, it shall be forwarded to the CFC for resolution.

Composition

361. The SSCFC shall comprise the following members:
- i. Sector Commander – Chairman
 - ii. Two representatives from each party – Members
 - iii. Chief SSCFC – Secretary
 - iv. Co-opted members from relevant UNAMID components who shall have no voting rights.

Reports

362. SSCFCs shall forward their reports covering ceasefire/cessation of hostilities violations as clearly reaffirmed in the CFA or by any other agreement in force to CFC Secretariat by 1600 hrs daily. As a minimum, the report is to cover:
- i. Nature/Type of violation;
 - ii. When and where it occurred;
 - iii. Party/Parties involved;
 - iv. Confirmed or unconfirmed;
 - v. UNAMID actions;
 - vi. Any other relevant facts/information.

Ceasefire Team Site Groups

363. Cease-fire Team Site Groups (CTSGs) provide SSCFC with situational awareness and serve as the first level of conflict resolution within the Mission. In recognition of the role that women must play in the peace and security process, women shall be included in all CTSGs.
364. The CTSGs are responsible for overseeing the compliance of the Parties to the ceasefire as enshrined in the CFA within their areas of responsibility. This will be achieved through monitoring, patrolling, visiting, inspecting, liaison, investigating, verification and reporting as directed and supervised by the SSCFC.

Composition of Ceasefire Team Site Groups

365. The CTSGs at sub-unit level Area of Responsibility (AOR) shall be composed of:
- i. Military Observer Team Leader - Chairman
 - ii. two Representatives from each Party - Members

ARTICLE 62: JOINT COMMISSION

366. The Joint Special Representative (JSR) shall chair the Commission and in his absence, the Deputy JSR shall perform the duties. The Commission shall be composed of the following:
- i. JSR - Chairman
 - ii. State of Qatar - Member
 - iii. Three Reps from each Parties - Members
 - iv. League of Arab States (LAS) - Member
 - v. European Union - Member
 - vi. UNAMID Political Affairs - Secretary
367. The following countries shall enjoy observer status and may be called upon by the Chair to address the Commission as required:

- i. Canada;
- ii. China;
- iii. Norway.

Functions/Terms of Reference

368. The Commission shall be established to resolve disputes among Parties referred to it by the CFC, and for ensuring the effective implementation of the provisions of the Final Security Arrangements.

369. The Commission shall perform the following functions:

- i. Follow-up the implementation of the Ceasefire Agreements signed in Doha by the Parties;
- ii. Be responsible for the interpretation of provisions in the CFA, when necessary. In case of gross violations, the Commission shall notify the UN Security Council and AU Peace and Security Council;
- iii. Arbitrate irregularities and violations, and accept and decide upon complaints filed by the Parties and which cannot be suitably addressed by the CFC. All attempts will be made to investigate fully and resolve contentious issues collaboratively and by consensus at the lowest level;
- iv. In accordance with the United Nations Security Council resolution 1325 (2000), the Commission shall ensure that all forms of violence that specifically affect women and children are heard and redressed in a gender sensitive and competent manner;
- v. Draw attention to any act of evolution or development that would delay the implementation of the Doha agreement or compromise it, and to take measures to avoid repetition;
- vi. Issue appropriate penalties and make further recommendations on punitive action; and
- vii. Any additional functions that the Commission may deem appropriate within the spirit of this Agreement.

Meetings

370. The Commission shall hold its meetings at the UNAMID headquarters in El Fasher or by exception in any other country agreed by the Commission. The UNAMID Joint Special Representative shall chair the Commission.

371. The Commission shall meet on a monthly basis and shall issue a report after each meeting. The members shall be notified of the agenda and documentation at least seven days before each meeting. The Commission shall call emergency meetings, and forego this preliminary notification requirement, when deemed necessary. The

Parties may request the Commission to convene an emergency meeting when deemed necessary.

372. The Parties shall abide by and implement the Commission's recommendations on disciplinary measures relating to ceasefire violations.
373. The Parties shall circulate to their members and constituencies, the reports of the Commission.
374. The Commission shall issue regular public statements on progress towards implementing this Agreement.
375. The Joint Commission shall make its decisions based on consensus. Where consensus cannot be reached by the Parties, the Chairman shall, in consultation with the international members/observers of the Commission, make a decision in the best interest of maintaining the ceasefire and the Parties shall abide by the decision.

FINAL SECURITY ARRANGEMENTS

ARTICLE 63: DISENGAGEMENT, REDEPLOYMENT AND LIMITED ARMS CONTROL

GENERAL PROVISIONS

376. The Parties understand that ceasefire requires appropriate processes of military disengagement, redeployment of forces and limited arms control.
377. The ceasefire shall take place in incremental steps and on a reciprocal basis, with appropriate security guarantees and through agreements reached in the Ceasefire Commission (CFC) and with verification by UNAMID.
378. The CFC shall be responsible for planning, co-ordination, management and supervision of the processes. The CFC shall oversee the implementation of decisions and agreements.
379. The processes shall occur in the following sequence:
 - i. Preparation for disengagement and redeployment including verification;
 - ii. Phase 1: Disengagement;
 - iii. Phase 2: Redeployment;
 - iv. Phase 3: Arms Control.
380. The Parties shall inform their field commanders of all the components of the plans and the rules relating to these phases and shall ensure compliance with these rules.

381. The Parties shall inform the Chairman of the Ceasefire Commission of the exact locations of their forces and these shall be indicated clearly on maps to be attached as an annex to this Agreement. These locations shall be subject to verification by UNAMID and will be indicated in a Master Map.
382. The Parties shall be bound by the Master Map as determined in the first instance by UNAMID and agreed by the Parties. The Map may be modified thereafter by the Chairman of the Ceasefire Commission in consultation with the Parties.
383. The Chairman of the CFC shall provide the Parties with adjusted maps of the movement camps, Demilitarized Zones, Demilitarized Humanitarian Supply Routes and Redeployment Zones.
384. The Parties shall be bound by the main rules for movement of troops, arms, provisions and supplies in accordance with the following:
- i. A notification shall be given, 72 hours in advance, to UNAMID and shall be approved by UNAMID for the movement of armed soldiers during the first phase (Disengagement) and the second phase (Redeployment);
 - ii. A notification shall be given, 72 hours in advance, to UNAMID and shall be approved by UNAMID for the movement of Class V and Class VII (ammunition and weapons systems) to, within and from the area(s), during the first phase (Disengagement) and the second phase (Redeployment);
 - iii. For ordinary supplies to and from the area, Class I (food and water), Class II (equipment and medical supplies), Class III (fuel, oil and lubricants) and Class IV (construction materials) only notification to UNAMID 72 hours in advance is necessary.
385. Any breach of the rules relating to the disengagement, redeployment and limited arms control processes presented in this Chapter is a violation of the ceasefire.
386. Concentration and deployment of forces by government and utilization of access routes for the purposes of border protection in Darfur shall not be subject to any restriction. However, in the event that the deployment entails entry into an area controlled by a Movement forces, Government shall notify the Party concerned.
387. Concentration and deployment of forces by the Movements and utilization of access routes for the purpose of protecting this Agreement against any hostile activities shall be subject to approval by the CFC and notification to, and monitoring by UNAMID. Government forces may not enter any demilitarized zone, buffer zone or assembly area without the written permission of UNAMID.

ARTICLE 64: PREPARATION FOR DISENGAGEMENT AND REDEPLOYMENT

Decision-Making and Communication

388. In preparation for disengagement and redeployment, the Ceasefire Commission shall endeavour to make decisions and resolve disputes by consensus.
389. Where the Parties are unable to reach consensus, the Chairman of the Ceasefire Commission shall refer the dispute to the Joint Commission for its decision. The Parties shall be bound by decisions taken by the Commission.
390. The Chairman of the CFC shall ensure that all decisions and agreements relating to Demilitarized Zones, Buffer Zones and Redeployment Zones are demarcated clearly on maps with precise GPS co-ordinates. The Chairman shall ensure that the Parties have the same maps with the same demarcations.
391. The Chairman of CFC shall establish, in coordination with the Government, a system for an effective and secure communications procedure between the CFC and the Parties.

Verification

392. For the purposes of implementing the overall final security arrangements, UNAMID shall verify information submitted by the Parties; including the exact locations and equipment thereof, number and types of weapons, strength of their forces including the presence of any children among their ranks and other information that UNAMID or CFC may request. This information shall be confidential throughout the preparatory and disengagement phases, with access within the Ceasefire Commission restricted to the Chairman of the CFC until the beginning of the integration and demobilization.
393. The verification process of the Movements' forces and their areas of control shall be limited to units no smaller than company level, normally 150 soldiers or sub-units with equivalent capability. Uninterrupted duration of control by such unit/sub-unit is a condition for the area to qualify as being under the control of the Movements.

Plans

Phase One: Disengagement

394. The process of disengagement shall include the following steps:
- i. Movements and activities of the Parties shall be confined to the areas allocated for the Parties;
 - ii. In consultation with the Parties, the Chairman of CFC shall establish demilitarized zones around IDPs camp sites and host communities and along selected humanitarian supply routes;

- iii. After consultation with the Parties, the Chairman of CFC shall establish buffer zones in between forces of the Parties and areas experiencing intense conflicts, where necessary;
- iv. The Parties shall verify that the armed groups and militias in their own zones are committed to the ceasefire;
- v. No party shall undertake any military activities or establish any new armed group or militia.

Presence of Foreign Combatants in Darfur

395. The presence of foreign armed combatants in Darfur is a serious challenge to peace and security and constitutes a potential threat to this Agreement. The Government of Sudan shall take appropriate measures to control, disarm, neutralize and repatriate these groups.
396. The Parties note the action being taken in collaboration with neighbouring countries to control the presence of foreign combatants in Darfur and agree to support the initiative.

Phase Two

Redeployment

397. The process of redeployment involves the following activities:
- i. The Chairman of the CFC in consultation with the Parties shall establish buffer zones and areas for the redeployment of forces.
 - ii. The Parties shall redeploy their forces and their weapons away from the buffer zones and within the redeployment areas of their own forces.
 - iii. UNAMID shall monitor the buffer zones and conduct patrols therein.
 - iv. The restoration of provision of basic services and access to basic services for civilians.

Disarmament of affiliate armed militia groups

398. All affiliate armed militia groups shall be disarmed and disbanded as a prerequisite for the implementation of comprehensive arms control measures, to ensure security throughout Darfur. The Government of Sudan shall be responsible for the disarmament of the armed militia. In this regard, the Government of Sudan shall present a comprehensive plan to the CFC for the disarmament and disbandment of armed militia, and for combating illegally armed persons, bandits and other outlaw groups both foreign and local operating in Darfur. The plan shall include measures to be taken to complete the exercise before the start of the integration phase. The plan shall also include measures for the rehabilitation and socio-economic reintegration of members of these disbanded groups.

399. This plan shall be presented to the Chairman of the CFC for review and approval before the commencement of the phase 1, and implemented according to the timetable of the plan.

400. The CFC shall monitor and verify the disarmament and disbandment of the militia groups, and the combating of illegally armed persons, bandits and other outlaw groups, in accordance with the agreed plan.

Phase Three:

Limited Arms Control

401. Following the redeployment of the Parties' forces into their respective Redeployment Zones and before assembly of movements' forces, the following limited arms control measures shall take place:

- i. Movements shall store their long-range and crew-assisted weapons, artillery and relevant munitions in secure locations designated by UNAMID. UNAMID shall carry out inspection at the unit level. Movements' combatants shall retain personal weapons until the commencement of integration into Sudan Armed Forces and Police Forces;
- ii. In consultation with the Parties, UNAMID shall prepare the sites for temporary storage of long-range and crew assisted weapons, artillery and related munitions and monitor the storage of weapons and munitions that have to be held subject to the inspection of UNAMID;
- iii. The Chairman of the Ceasefire Commission shall oversee this arms control process and determine the requirements and procedures for holding and inspection.

Joint Coordination Mechanism (JCM)

402. For the purposes of confidence building and maintaining security in Darfur, the Parties shall establish a Joint Coordination Mechanism (JCM), after the verification of the Movements' forces. The JCM shall remain in force till the commencement of integration process, and shall function under the strict guidance of the CFC.

403. The JCM shall perform the following functions:

- i. The coordination of efforts and steps in addressing any potential threat to the implementation of the this Agreement;
- ii. The exchange of intelligence and other relevant information;
- iii. The supervision of the organization of the Movements' forces and the maintenance of their security in the assembly area;
- iv. The facilitation of the distribution of non-military logistical support as agreed upon by the Parties and in collaboration with the JLCC;
- v. The facilitation of the dissemination of the terms of this Agreement to field commanders and forces under their command and the sequence of the phases of its implementation;
- vi. Any other tasks as shall be agreed upon.

ARTICLE 65: DEMILITARISED ZONES AND BUFFER ZONES

General Commitments

404. The Parties reaffirm their commitment to:
- i. Respect the rights of civilians including the IDPs and refugees;
 - ii. Refrain from activities that would undermine the safety, welfare and security of IDPs;
 - iii. Refrain from activities that would undermine or endanger humanitarian operations in Darfur;
 - iv. Create an enabling environment for the safe voluntary and sustainable return of IDPs and refugees to their places of origin;
 - v. Provide special protection for women, boys and girls, disabled persons, boys and girls associated with armed forces and armed groups and other persons with special needs.

Demilitarized Zones

405. The demilitarized zone shall be an area subject to the following rules:
- i. There shall be no forces in this zone of any party or any other armed group or militias except by permission of or escorted by UNAMID;
 - ii. There shall be no carrying of weapons by any persons except with the permission of or escorted by UNAMID;
 - iii. The perimeter of a Demilitarized Zone shall not include any urban area, approaches to an airport or urban security plan locations that are the full responsibility of the Government of Sudan. Existing IDP camp sites should not be affected by the demarcation until voluntary return is achieved;

- iv. The Chairman of the CFC shall determine the borders of the demilitarized zones following consultation with the Parties;
 - v. The Chairman of the CFC in consultation with the members of the CFC shall decide whether the redeployment process of the forces related to any Party is a necessary measure;
 - vi. The Chairman of the CFC shall, in consultation with the members of the CFC decide the measures connected to any required redeployment in addition to the timetable pertaining to this redeployment;
 - vii. The CFC shall consider any violation pertaining to the demilitarized zones as ceasefire violation.
406. UNAMID shall have the following responsibilities in relation to Demilitarized zones surrounding IDP camp sites and hosting communities and humanitarian supply routes:
- i. UNAMID and the Government of Sudan Police, in the Government areas of control and the Movements' Liaison Officers, in areas where the CFC verifies and recognizes the Movements' control, shall develop a plan for patrolling and monitoring the Demilitarized Zones around IDP camps and shall oversee the implementation of the plan;
 - ii. Demilitarized Zones falling within areas of control of Government of Sudan shall be patrolled by units of UNAMID, and Government of Sudan Police. Executive policing functions shall be carried out by Government of Sudan Police under the monitoring of UNAMID;
 - iii. Demilitarized Zones falling within areas where the CFC verifies and recognizes the Movements' control shall be patrolled by units comprising UNAMID and Movements' Liaison Officers.

Buffer Zones

407. CFC shall develop a plan for patrolling and monitoring the Buffer Zones and shall oversee its implementation.

ARTICLE 66: NON-MILITARY LOGISTICAL SUPPORT TO THE MOVEMENTS

408. Movements' forces may request non-military logistical support and the Government of Sudan shall provide such support and may ask international partners to assist in this regard.

409. A Joint Logistics Coordination Committee (JLCC) shall be established by UNAMID and be composed of the Parties, UNAMID and representatives of the donors that may provide such assistance. The modalities of the support shall be determined by the Committee.

410. The terms of reference of the JLCC shall include the following:

- i. Gather and collate data on the logistical requirements of the Movements' forces in terms of food, water, shelter, clothing and medical supplies/treatment and transportation needs as determined by the JLCC;
- ii. Receive and store logistical supplies from international donors;
- iii. Place orders for logistical supplies in appropriate quantity and quality with the UNAMID Director of Mission Support, who shall be responsible for procurement;
- iv. Distribute logistical supplies to the Movements' forces through distribution points or centres in the Redeployment Zone;
- v. Determine the rules and procedures that govern the provision of non-military logistical supplies to the Movements' forces.

411. The following conditions shall be fulfilled for such support to be provided:

- i. The number and location of combatants including the presence of children (boys and girls) among the ranks, is given to the UNAMID Force Commander and verified accordingly;
- ii. Accessible locations for sizeable number of combatants are identified and agreed upon.

ARTICLE 67: RESPONSIBILITY FOR SECURITY IN AREAS UNDER THE CONTROL OF THE GOVERNMENT OF SUDAN AND THE MOVEMENTS RESPECTIVELY

412. The Parties agree to refrain from acts that might jeopardise the humanitarian operations in Darfur and restate commitment to create appropriate security conditions for the unimpeded flow of humanitarian assistance and goods, guaranty security in IDP camps and the creation of an atmosphere conducive for the safe voluntary and sustained return of IDPs and refugees to their areas of origin.

413. The Parties' forces shall refrain from activities that would undermine the safety, welfare and security of IDPs.

ARTICLE 68: CIVILIAN WEAPONS CONTROL

414. Owing to the widespread presence of small arms in the hands of civilians in Darfur, the Parties, with the support of UNDP and UNAMID, shall develop a strategy and plans for the implementation of voluntary civilian arms control program.

415. The Government of Sudan shall mobilize resources for the civilian arms control programs. The Government of Sudan may seek assistance from international organisations.

**ARTICLE 69: DISARMAMENT, DEMOBILISATION AND REINTEGRATION, AND
INTEGRATION OF FORMER COMBATANTS INTO THE SUDANESE ARMED
FORCES AND POLICES FORCES**

General Provisions

416. The DDR and Integration process shall take place within the agreed assembly areas after phase III, with only those former combatants that have been verified as part of the Movements' forces. UNAMID, in consultation with the Movements, shall develop a plan for the assembly areas to include:

- i. The size, number and locations of the Movements assembly areas;
- ii. Desired characteristics of the assembly areas, taking into account the specific needs of female former combatants;
- iii. Accessibility to provide logistics support.

417. The Movements shall be responsible for the administration, discipline and internal security of former combatants in the assembly areas.

418. Long range, artillery, crew served weapons and relevant munitions shall not be moved into the assembly areas.

419. Logistics support shall be provided for the establishment of the assembly areas and during the processes of disarmament and demobilization, and integration.

420. On the completion of verification and registration process and establishment of assembly areas, the Movements' combatants that have been verified and registered shall move into the assembly areas with only small arms. UNAMID shall support and monitor the process.

421. The Government of Sudan undertakes to provide former combatants who wish to return to civilian life or do not meet the eligibility criteria for entry into Sudan Armed Forces and Police Forces with social and economic reintegration opportunities.

422. Fairness, transparency and equity shall be ensured in determining the eligibility of former combatants targeted for assistance.
423. Former combatants shall be treated equally irrespective of their previous movements' affiliation. They shall also be empowered by provision of training and information to voluntarily choose their path to reintegration. The reintegration process shall be community based and benefit both returnees and local communities.
424. Reintegration program shall be designed to be sustainable over the long-term and include follow-up monitoring and continuing support measures as needed.
425. The reintegration program shall encourage the participation of the communities and civil society organizations with the view to strengthening their capacity to play their role in improving and sustaining the social and economic reintegration of former combatants.
426. The Government of Sudan shall provide financial and logistical support for the DDR Integration programme and may seek to mobilize support from the international community.
427. Specific resources shall be mobilized and set aside to address the special reintegration needs of women.

Disarmament and Demobilization

428. Parties agree that the North Sudan Disarmament, Demobilization and Reintegration (DDR) Commission shall be structured to reflect new realities. The Commission shall be expanded to include representatives from the Movements that sign this Agreement.
429. The Commission shall participate in the verification of Movements' forces, to be conducted concurrently by UNAMID in all the areas.
430. The DDR Commission, with the assistance of UNAMID and other relevant UN Agencies, shall develop plans including the timing and sequencing of phases of disarmament and demobilisation and reintegration of former combatants.
431. The Parties shall assemble their former combatants. However, care shall be taken for disarmament and demobilization to be done in accordance with the following:
 - i. Awareness and sensitisation of the leadership and their forces on disarmament, demobilisation, reintegration and the peace process as well as their roles and responsibilities;
 - ii. The Parties shall decide on the criteria of eligibility for the process of disarming the combatants who are not integrated;

- iii. The Parties shall ensure that the duration of the release process of all children recruited is as brief as possible and not dependent on any release or demobilisation of adults. The safety and dignity of the child and his/her need for confidentiality must be primary considerations. Children should be rapidly separated from adult fighters and handed over to an appropriate, mandated and independent civilian process;
- iv. The Parties shall not transfer former combatants who are below the age of 18 to the assembly areas. Rather, they shall be released and demobilized separately. They shall be released and demobilised before the signing of this Agreement;
- v. The Parties shall begin, as a matter of priority, the process of demobilisation and reintegration of special needs groups, which includes disabled ex-combatants and women.

ARTICLE 70: SOCIAL AND ECONOMIC REINTEGRATION OF EX-COMBATANTS INTO CIVILIAN SOCIETY

- 432. Disarmed and demobilised ex-combatants shall be socially and economically reintegrated into the civilian society. The Government of Sudan shall mobilise its own resources as well as seek assistance from the international community and assume the responsibility to reintegrate ex-combatants into civilian life through proper social and economic reintegration programmes.
- 433. The programme for the disarmament, demobilisation and reintegration of former combatants shall also contain a community-based approach, including community violence reduction measures, in accordance with local conditions, in order to further the goal of disarmament, demobilization and reintegration.
- 434. Principles of fairness and transparency, equality and integrity shall be followed in the social and economic reintegration of ex-combatants. Moreover, former combatants shall be treated equally irrespective of their former association with any of the Movements.
- 435. The process of reintegration shall be community based so that both the returnees and the local communities will benefit from it.
- 436. It is imperative that social and economic reintegration of ex-combatants assures the participation of local communities and civil society organisations towards enabling them to play their role in the sustainability of the social and economic reintegration of boys and girls associated with armed forces and armed groups and other vulnerable conflict affected children.
- 437. Reintegration programmes must be inclusive to support boys and girls who have left armed forces or armed Movements through formal and informal processes, as well as other vulnerable conflict affected children in need of protection, such as girl mothers.

438. Priority shall be to address the social and economic reintegration of Special Needs Groups such as women combatants and women associated with armed groups, boys and girls associated with armed forces and armed Movements and other vulnerable conflict affected children, disabled combatants and the elderly.
439. Efforts shall be made to realize the long term sustainability of reintegration through community-based approach. These efforts are to include follow-up action, monitoring measures and on-going support, as required.

ARTICLE 71: INTEGRATION OF FORMER COMBATANTS INTO THE SUDAN ARMED FORCES AND POLICE FORCES

INTEGRATION PRINCIPLES

440. 20-30% of the Movements' forces who are eligible for integration shall be integrated into the Sudan Armed Forces and The Police Forces.
441. The Government of Sudan shall provide support and training for former combatants, including accelerated training, which are necessary to ensure fulfilment of the eligibility criteria for capacity enhancement and promotion to higher ranks.
442. The Government of Sudan in consultation with the Movements may ask UNAMID, the donors and the international partners to create opportunities for training and professionalization within its training institutions in favour of former combatants, including officers, non-commissioned officers, soldiers and the police to enhance their professional expertise.
443. Former combatants integrated into the Sudan Armed Forces and Police Forces shall be excluded from any downsizing process of the Sudan Armed Forces and Police Forces during the first 6 years of service, except for those that have violated the regulations and code of conduct of these institutions.
444. Former combatants, male and female, who do not wish to join the Sudanese Armed Forces and Police Forces but expressed the desire to join the civil service, shall be referred to the National Civil Service Commission (NCSC) as decided by the DDR Commission for assessment and placement.
445. The Government of Sudan shall act towards having a number of former combatants occupy posts in the Office of the Chief of Staff, divisional general commands at the level of the higher commandment of the SAF, brigade commands, the Ministry of Defence, the Ministry of Interior, the headquarters of the higher police command in the capital, in Darfur States, and in other parts of Sudan, provided they meet the requirements for these posts.

Darfur Security Arrangements Implementation Commission (DSAIC)

446. A Darfur Security Arrangements Implementation Commission (DSAIC) shall be established by the Darfur Regional Authority (DRA). As a subsidiary body of the DRA, the DSAIC shall coordinate the implementation of the security arrangements provisions of this Agreement.
447. The Commission shall establish an Integration Technical Committee (ITC) to design, plan, implement, manage, and monitor the integration program of former combatants.
448. The membership of the ITC shall consist of UNAMID, representatives of the Parties and technical experts from a country or countries acceptable to the Parties.
449. DSAIC members shall include the representatives of the Governors of the three Darfur States, a representative of the Chief of Staff of the SAF, a representative of the National Council for DDR Coordination, representatives of the Movements and representatives of UNAMID, and other persons required to implement integration. The Chairperson of the DSAIC shall be appointed by a Presidential Decree in consultation with the Chairman of the DRA.
450. All subsidiary bodies established by the DSAIC shall include representatives from the groups that make up the membership of the DSAIC.
451. Women shall be fairly represented on the DSAIC and the subsidiary bodies it establishes. These bodies shall develop mechanisms to ensure that their work incorporates appropriate input from women on issues of special concern to women and children.

Integration Plan

452. Integration program shall be phased as would be defined by the Integration Technical Committee.
453. The Parties agree that the number of male and female former combatants to be integrated in the Sudan Armed Forces, Police Forces and the selected civil services will be determined on the basis of the verified number of Movements' forces.
454. The integration of Movements' forces into the Sudanese Armed Forces and Police Forces shall include a vetting process agreed upon by the parties and monitored by the ITC, and shall be guided by the following criteria:
- i. Sudanese nationality;
 - ii. Age (shall not be less than 18 or has attained retirement age);

- iii. Medical and Mental fitness subject to ITC determination;
 - iv. Combats experience;
 - v. No previous criminal conviction;
 - vi. Voluntary consent of the individual.
455. Criteria guiding integration of officers shall include, in addition to the above the following:
- i. Academic qualification (a minimum of secondary school certificate. ITC could make exceptions particularly with regard to field commanders);
 - ii. Combats experience;
 - iii. Age;
 - iv. Not to have been dismissed due to incompetence.
456. The former combatants who have been integrated shall be subjected to military training in accordance with the requirements of each unit.
457. The number of officers agreed upon for integration will be proportional to the total number of non-commissioned officers and soldiers in accordance with the organizational structure of the Sudan Armed Forces and Police Forces.
458. Officers and non-commissioned officers who are entering for the first time will be subjected to a period of training based on the curriculum of courses in the various military and police forces.
459. The following criteria shall guide the process of determining ranks:
- i. Age;
 - ii. Qualifications and combat experience;
 - iii. Academic qualifications;
 - iv. Former military and police officers dismissed because of the conflict in Darfur shall be returned to their former ranks in the first instance and thereafter given the ranks of their course mates after passing the required competency based tests;
 - v. Any other applicable criteria agreed upon by the Parties;
460. The Government of Sudan shall provide standardized training to those ex-combatants above age 18 selected for integration into the Sudan Armed Forces and Police Forces.

REFORM OF SOME MILITARY INSTITUTIONS

461. The parties recognize the necessity of reform and development of military institutions in Darfur in order to improve their capacity, effectiveness and professionalism and to strengthen the rule of law in accordance with accepted standards.

462. The Government shall submit a plan, including timelines, for the reform, development and restructuring of the identified military institutions to the Darfur Security Arrangements Implementation Commission (DSAIC) to monitor its implementation. The Government may source funding and experts to support this exercise from within and outside Sudan.

Timeframe and Sequencing of Activities

463. The phases shall be undertaken according to the following timelines:

- i. Phase 1 on disengagement shall commence immediately after the completion of the preparations and shall be concluded within 45 days.
- ii. Phase 2 on redeployment shall commence immediately after the completion of Phase 1 and shall be concluded within 45 days.
- iii. Phase 3 on limited arms control shall commence immediately after the completion of Phase 2 and shall be concluded within 30 days.
- iv. The integration, disarmament, demobilisation and reintegration of former combatants shall commence immediately after the completion of Phase 3.

464. In consultation with the Parties, the Chairman of the CFC may amend this schedule if so required for security, logistical or other reasons.

OTHER PROVISIONS

ARTICLE 72: SETTLEMENT OF DISPUTES

465. Any disagreement and dispute arising over the interpretation of the final security provisions or any of the existing ceasefire agreements shall be referred to the Joint Commission which shall decide by consensus.

466. Where consensus cannot be reached by the Parties, the Chairman of the Commission shall, in consultation with the international members/observers of the Commission, make a decision in the best interest of maintaining the ceasefire, and the Parties shall abide by the decision.

**CHAPTER VII: INTERNAL DIALOGUE AND CONSULTATION
AND IMPLEMENTATION MODALITIES**

**ARTICLE 73: DARFUR INTERNAL DIALOGUE AND CONSULTATION
(DIDC)**

467. The Parties fully recognize the important role that the Darfur stakeholders, including in particular the civil society have played in the Doha peace process.
468. The Parties agree that the outcomes of the various consultations and discussions held in and outside Darfur/Sudan, including the Doha Forums I and II on issues related to the root causes and consequences of the conflict have enriched the negotiations that led to the signing of this Agreement.
469. The Parties stress the necessity for the continuation of the dialogue and consultation within Darfur, in order to consolidate peace and promote reconciliation and healing.
470. The Parties therefore agree to hold a Darfur Internal Dialogue and Consultation (DIDC) in accordance with the provisions of this Agreement.

Terms of Reference

471. Primarily, the DIDC will, through popular consultation and dialogue seek to consolidate peace in Darfur, promote confidence building and encourage reconciliation as well as unity amongst the people of Darfur and Sudan in general. Specifically, the DIDC will aim at:
- i. Widening ownership for this Agreement and building support for its implementation;
 - ii. Addressing issues related to civic responsibilities, democratic values and practice as well as peace building;
 - iii. Enhancing time tested traditional practices regarding settlement of dispute, local conflict resolution, land ownership, pastures, transhumance, water and natural resources etc... ;
 - iv. Promoting inter-tribal and inter-communal peace, reconciliation and harmonious coexistence;
 - v. Enhancing the status of native administration including restoring its authority and building its capacity;
 - vi. Raising awareness and building support for all measures taken regarding civilian arms control, the promotion of women, youth development, the safe return of IDPs and refugees and their reintegration into the society, property restitution and compensation, as provided for in this Agreement; and
 - vii. Bringing about a social and political rejuvenation in Darfur and helping the people to come to terms with their immediate past, rewrite their history, and forge ahead.

The Darfur Internal Dialogue and Consultation Mechanism

472. The Parties agree to establish, with UNAMID assistance, the Darfur Internal Dialogue and Consultations Mechanism, within three months of the signing of the Agreement. The Mechanism shall be composed of a Chairman and twenty (20) members, including representatives of the Parties to this Agreement, tribal and religious leaders, civil society organisations, women and youth groups. Members of the Mechanism shall select a prominent Sudanese to serve as Chairman.
473. The Mechanism shall agree on the number and composition of experts and resource persons including from outside Sudan, who will assist them to design, plan and conduct the DIDC. The Mechanism shall develop and adopt its own rules of procedure, and agree on the composition and number of delegates for each State, using the criteria of proportionality.
474. The Chairman of the Mechanism shall preside over all the sessions of the dialogue and consultation which shall start within 30 days of the inauguration of the Mechanism.

Logistical Support and Funding

475. UNAMID shall provide logistical support for the work of the Mechanism and the conduct of the DIDC, within its capabilities. It is the responsibility of the signatory Parties to this Agreement to ensure the establishment of an enabling environment in order to guarantee full participations of all stakeholders and the successful conduct of the DIDC. UNAMID will also assist in developing a communication strategy to ensure that information about the DIDC and the actual process is widely disseminated within and outside Darfur and Sudan, and also properly documented and archived.
476. The Government shall contribute 30% of the total estimated budget of the DIDC. International donors will be invited to contribute the balance. Funds shall be held in a special trust fund established for purposes of the DIDC.

Venue, timelines and observers

477. The DIDC process will be sequentially held in all the States in Darfur, within a period of three (03) months beginning from the date of the first session. All dialogue and consultation sessions will be open and attended by international observers.

Outcomes of the DIDC

478. As an advisory body and a vehicle for social and political transformation, the DIDC process is expected to make immediate impact in mending the social fabric, casting individual and collective mindset and shaping the future of the people of

Darfur. The outcomes of the DIDC, which shall be in form of best practices and lessons learned, shall be formally submitted to the DRA, the State Governments, and the Federal Government, and kept in libraries and institutions of learning as a reference document.

ARTICLE 74: IMPLEMENTATION FOLLOW-UP COMMISSION (IFC)

479. An Implementation Follow-Up Commission (IFC) is established in accordance with the provisions of this Agreement to:

- I. monitor and assess the implementation of the Agreement;
- II. Ensure the provision of technical support to bodies established by the present Agreement; and
- III. Ensure that the Agreement is implemented in accordance with the agreed timelines in the Annex.

COMPOSITION OF THE IFC

480. The IFC is composed of the following:

- i. Representative of the State of Qatar - Chairman
- ii. Two (02) Representatives each of the signatories Parties To this Agreement - Members
- iii. Representative of the African Union - Member
- iv. Representative of the United Nations - Member
- v. The Joint Special Reps and head of UNAMID - Member
- vi. Representative of the League of Arab States - Member
- vii. Representative of the CEN-SAD - Member
- viii. Representative of the Organisation of Islamic Conference - Member
- ix. Representative of the People Republic of China - Member
- x. Representative of the France - Member
- xi. Representative of The Russian Federation - Member
- xii. Representative of The United Kingdom - Member
- xiii. Representative of the United States of America - Member
- xiv. Representative of Burkina Faso - Member
- xv. Representative of Japan - Member
- xvi. Representative of Canada - Member
- xvii. Representative of the Republic of Chad - Member
- xviii. Representative of the Arab Republic of Egypt - Member

481. The inaugural meeting of the IFC shall be convened by the State of Qatar as the Chairman.

FUNCTIONS OF THE IFC

482. The IFC shall perform the following functions:

- i. Monitor, document and follow-up the implementation of this Agreement on an on-going basis;
- ii. Be responsible for the interpretation of the provisions of this Agreement.
- iii. Maintain close contact with the Parties to promote full compliance with all provisions of this Agreement and facilitate the Parties efforts towards this end;
- iv. Plan and oversee the provision of technical assistance and support for post conflict activities, as well as for the establishment and functioning of bodies provided for in the Agreement including, but not limited to, the provision of capacity building, training as well as provision of resources, experts and advisors;
- v. Assess and evaluate progress made in the implementation process and advise the Parties of any development that could bring delay and take appropriate measures in this regard;
- vi. Ensure that the required political and material support is mobilised towards the full implementation of this Agreement.
- vii. Any additional functions that the IFC or the Parties may deem appropriate and which is not in contradiction with the letter and spirit of the Agreement.

MEETINGS OF THE IFC

483. The IFC shall meet on a monthly basis and issue a report after each meeting. The IFC shall convene emergency meetings whenever deemed necessary. Any of the Parties may request the Chair of the IFC to convene an emergency meeting.
484. UNAMID shall establish a secretariat to support the functions and activities of the IFC.

FINAL PROVISIONS

485. The Parties commit themselves to fully and effectively implement all the provisions of this Agreement and its relevant protocols and annexes, and calls upon the international community, to firmly support it, and to help provide the resources and expertise for its complete and successful implementation.
486. The Parties further commit themselves to ensure that all the institutions, bodies, commissions, committees and other entities under their control, including their members, shall observe the terms of this Agreement.
487. The Parties agree that this Agreement shall be incorporated into the Interim National Constitution (INC). For this 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.
488. The Parties agree to settle any disagreements and disputes arising from the implementation of this Agreement by peaceful means through direct negotiations. In case the Parties fail to agree, the issue should be referred to the IFC for resolution.
489. This Agreement shall enter into force upon its signature by the Parties, and shall remain open for the signature of all Darfur armed movements that would like to do so at a later stage.
490. In witness whereof the duly authorized representatives of the Parties have signed this Agreement, in the presence of the witnesses hereunder.
491. Done in Doha, State of Qatar, thisof in two original texts in the Arabic and English languages, each text being equally authentic. In case of discrepancies between the versions, the Arabic version shall prevail.

Signatures

ANNEX I

**GENERAL PROVISIONS FOR THE VOLUNTARY RETURN AND RESETTLEMENT
COMMISSION (VRRC)**

The Voluntary Return and Resettlement Commission (VRRC).

1. The Voluntary Return and Resettlement Commission (VRRC) shall be composed of the following committees:
 - i. Voluntary Return Committee (VRC);
 - ii. Property Claims and Restitution Committee (PCRC);
 - iii. Compensation/ Jabr Al-Darar Fund (CJDF).
2. The VRRC shall create the conditions suitable for the voluntary return, in safety and dignity, as well as the reintegration of the Refugees and IDPs in a consistent and sustainable manner, through the proper and direct supervision of the Voluntary Return Committee, the Property Claims and Restitution Committee and the Compensation (Jabr Al-Darar) Fund Committee.
3. The VRRC shall adopt its rules of procedures, as well as its financial and administrative regulations and establish its structure as appropriate.
4. The composition of the Committees established under the VRRC, as well as the designation of their members, shall be agreed upon by the signatory Parties to this Agreement.

The Voluntary Return Committee (VRC)

5. Under the supervision of the VRRC, the VRC shall be responsible for all aspects regarding the voluntary return of the IDPs and Refugees. In particular, the VRC shall:
 - i. Conduct statistical surveys of the IDPs and Refugees for the purpose of their voluntary return;
 - ii. Elaborate and adopt the IDPs and Refugees voluntary return plan;
 - iii. Monitor and produce reports on maintaining the conditions suitable for return;
 - iv. Conduct a comprehensive voluntary return-related needs assessment;
 - v. Assess the conditions for sustainable return, recommend necessary measures and assure that such measures have been followed.
6. The VRC may establish sub-committees as necessary to carry out its functions, such as:

- i. Sub-committee on Statistical Surveys and Planning;
- ii. Sub-committee on Evaluation, Rehabilitation and Establishment of the Basic Utilities in the Areas of Return.

Property Claims and Restitution Committee (PCRC)

7. The mandate of the PCRC is to ensure that property, land, and houses are restituted to the IDPs and Refugees.
8. In accordance with its mandate, the PCRC shall:
 - i. Receive and resolve property restitution claims from individuals, communities and institutions in Darfur in order to ensure that IDPs and refugees are able to have restored to them their housing, land and property of which they were arbitrarily or unlawfully deprived or, when recovery of such property is not possible, to obtain compensation through the PCRC. For IDPs, refugees and war victims, this right applies whether they choose to return to their place of origin or to settle elsewhere.
 - ii. Prepare documentation and papers on property and land restitution;
 - iii. Determine the procedures of submission of claims and ensure the implementation of such procedures in a simple and transparent manner, for the benefit of all affected persons, including women, children and orphans;
 - iv. Undertake its activities in a manner that ensures women and children are able to participate on a fully equal basis in the restitution process. Where appropriate, the PCRC may appoint an advocate(s) or representative(s) to act on behalf of a claimant particularly in cases where the person is under 18 years of age or suffers mental disability.
 - v. Determine, upon receipt of a claim, the lawful owner of the property with respect to which the claim is made;
 - vi. Ensure arbitration on the entitlement by the persons or groups, in relation to the traditional and historical rights, including a just compensation in case the restitution is not possible.
 - vii. Seeking to settle all land and property related disputes requiring a local settlement. In doing so, and without prejudice to the courts' jurisdiction, it shall resort to the traditional mechanisms of dispute settlement, provided that they are consistent with the international human rights principles.

9. The PCRC shall establish subcommittees to carry out its functions, including a subcommittee on verification and documentation a subcommittee on dispute settlement and property claims and any other subcommittee as necessary.
10. All aspects of the restitution claims process shall be just, timely, accessible and free of charge. The decisions of the PCRC shall be in public record.

Compensation /Jabr Al-Darar Fund (CJDF)

11. The Compensation/*Jabr al Darar* Fund is established for the settlement of compensation for loss and/or damage suffered by IDPs, refugees and any other victims of the conflict in Darfur.
12. The CJDF shall ensure that all victims including IDPs and refugees, who suffered from economic losses, or any other damage, including loss of life, physical injury, mental injury and emotional suffering, because of the war in Darfur, have the right to adequate and prompt Compensation/*Jabr al Darar* according to local and international practices. Compensation/*Jabr al Darar* shall have priority over other considerations.
13. The CJDF shall establish its rules of procedures. The procedures shall be simple and accessible.
14. This annex is an integral part of the Agreement.

DRAFT IMPLEMENTATION TIMETABLE**A. Power Sharing**

Serial No	Activity	Body(ies)/ Party(ies) Responsible	Timeline	Composition	Funding Source(s)	Procedures
1.	Appointments in the Presidency (SA to the President and others)	Presidency	D + 30 days			By Presidential Decree
2.	Representation in the Executive Arm	Presidency	D + 30 days			By Presidential Decree
3.	Establishment of the Panel of Experts for the Judicial Service Commission	Judicial Service Commission	D + 90 days			
4.	Establishment of the Panel of Experts for the National Civil Service Commission	National Civil Service Commission	D + 90 days	Substantial representation from Darfur including at senior level.	GoS	
5.	Completion of the demarcation of the borders of Darfur.	GoS	D + 180 days			AJTC already exists Follow up the demarcation process
6.	Representation of Movement(s) in State Executive		D + 90 days		States budget	as per additional protocol

7.	Representation of Movement(s) in State Legislature		D + 90 days		States budget	as per additional protocol
8.	Representation of Movement(s) in the Darfur Local Government (Localities)	GoS and Movement(s)	D + 180 days		GoS	as per additional protocol
9.	Presidential decree on affirmative action with regard to Higher Education	Federal Government	D + 90 days			
10.	Representation of Movement(s) into national armed forces.	GOS	D+40 onwards			

B. Wealth Sharing

Serial No.	Activity	Body(ies)/ Party(ies) Responsible	Timeline	Composition	Funding Source(s)	Procedures
11.	Adoption and implementation of integrated projects for the development, stability and settlement of nomads, raising the productivity of this sector and regulating the relationship between farmers and herders to ensure security, stability and development for all.	The Federal Government	D + 90 onwards	LJM	The Federal Government/ Donors	Identifying specific projects and conducting economic studies to be applied
12.	Developing policies and conducting necessary studies for putting an end	The Federal Government/States	D + 90 onwards		The Federal Government/	

	to environmental degradation and preserving natural resources	/Region's Governments			States /Region's Governments	
13.	Developing policies to enable the female element as a working force in Darfur and build their productive capacities especially the returnees among them.	States Governments	D + 90 onwards		States/Region's Governments	
14.	Developing and enforcing policies to encourage exports from Darfur to national and international markets, and to encourage the specialized commercial and governmental banks to expand their activities in Darfur	The Federal government/States/ Region's Governments	D + 90 onwards			
15.	Developing and implementing policies that lead to the development of the educational system, provide education and training for Darfurians and the elimination of illiteracy among women.	The Federal government/States/ Region's/ Governments	D + 90 onwards		The Federal Government/ States/Region's Governments/ donors	
16.	Encouraging and promoting research and development, especially in the development of technology in the areas of agriculture, animal husbandry, small industries and handicrafts, mining, environment and energy, with a focus on renewable energies.	The Federal government/States/ Region's Governments	D + 90 onwards		The Federal Government/ States/Region's Governments/ donors	Ministry of Higher Education and Scientific Research, Ministry of Science and Technology and Scientific Research Institutions.
17.	a) Full exemption of customs duties and other fees for importing materials for	The Federal Government	D + 30 onwards	The Central Government		Directives from the Ministry of Finance and National Economy to the

	<p>construction and development in Darfur;</p> <p>b) The Government of Sudan shall bear custom duties as well as other duties and fees payable on materials imported for national development projects in Darfur and projects funded by the Federal Government or by way of loans</p>					Sudanese customs
18.	Amendments in the Investment Promotion Law to provide greater incentives to make the investment more attractive to foreign and domestic firms in the States of Darfur	The Federal Government/the National Council	D + 180			The introduction of necessary amendments to the investment promotion law
19.	Establishment of the Commission of Allocating and Monitoring Financial and Monetary Revenues	The Federal Government/the National Council	D + 180			Issuance of a law on the establishment of the Commission of Allocating and Monitoring Financial and Monetary Revenues
20.	Appointment of a team of experts to be in charge of identifying the criteria governing the transfers from the National Fund to the States	The Federal Government/the National Council	D + 180			Issuance of a law on the composing of a team of experts
21.	The establishment of the Joint Assessment Mission, definition of its objectives and the preparation for	The Government/the Movement/others	D + 30	Donors/GoS	The Core Coordinating Group,	Creation of the Core Coordinating group, definition of its functions

	launching its work				consisting of the Supervisory Committee of the Reconstruction fund and a representative from the World Bank, the United Nations and, the African Development Bank, the State of Qatar, and the Islamic Development Bank	and the Secretariat of the mission-based work and the provision of work assistance in both Khartoum and Darfur
22.	Starting the Joint Assessment Mission	The World Bank/The ADB/GoS/UN	D + 30	The World Bank/UN/ADB/ all countries and economic regional and international organizations	The commissions established to implement the actions of the Joint Assessment Mission	
23.	Preparation of the Joint Assessment Mission report with view to assessing the needs of Darfur	The Core Coordinating Group	D + 90	The World Bank/UN/ADB	The commissions established to implement the actions of the	The Secretariat shall prepare the final report of the work of the Joint Assessment mission to and submit it to the

					Joint Assessment Mission provided that they include the Parties signatories of the Agreement	central coordinating group including development projects, the fight against poverty, economic recovery and their cost, and including the consent of the Government of Sudan to bear part of the total cost
24.	Holding the donors' conference	The World Bank/UN/ADB	D + 90 + 180	The World Bank/UN/ADB	The donors	Inviting the IDB, AU, LAS, Arab funds, EU, US,, Arab and Islamic countries and all countries wishing to contribute to the development of Darfur.
25.	The establishment of a multi-donor credit fund		D + 90 to 180			
26.	Establishing the Supervisory Commission of the DRDF	The Federal Government, in consultation with the Movement(s)	D + 30			Presidential decree
27.	Detailing how to administrate the Fund	The Joint Assessment Mission of Darfur	D + 60			
28.	Restructuring the DRDF	The Parties	D + 60			
29.	Transfer of \$US200.000.000 (two hundred million US dollars) to DRDF (Seed money).	Ministry of Finance and National Economy	D + 90	The Central Government		

30.	Transfer of \$US300.000.000 (three hundred million US dollars) to DRDF (Seed money)	Ministry of Finance and National Economy	D + 1 y + 60	The Central Government		
31.	Transfer of \$US300.000.000 (three hundred million US dollars) to DRDF(Seed money)	Ministry of Finance and National Economy	D + 2 ys + 60	The Central Government		
32.	Transfer of \$US300.000.000 (three hundred million US dollars) to DRDF(Seed money)	Ministry of Finance and National Economy	D + 3 ys + 60	The Central Government		
33.	Transfer of \$US400.000.000 (four hundred million US dollars) to DRDF(Seed money)	Ministry of Finance and National Economy	D + 4 ys + 60	The Central Government		
34.	Transfer of \$US500.000.000 (five hundred million US dollars) to DRDF(Seed money)	Ministry of Finance and National Economy	D + 5 ys + 60	The Central Government		
35.	Establishment of the Micro Finance System in Darfur	the Central Bank of Sudan	D + 30			Decision by the Central Bank
36.	Appointment of specialists to develop the statute and the regulation of the institution to ensure its independence	the Central Bank of Sudan, in consultation with GoS and Darfur States/Region	D + 180		The Parties with the participation of specialists in the field of micro lending	
37.	Deposit of USD 40.000.000	Ministry of Finance and National Economy	D + 180	The Central Government		To be paid to the micro finance system in Darfur
38.	Deposit of USD 30.000.000	Ministry of Finance and National Economy	D + 1 yr + 120	The Central Government		To be paid to the f micro finance system in Darfur

39.	Deposit of USD 30.000.000	Ministry of Finance and National Economy	D + 2 yrs + 180	The Central Government		To be paid to the micro finance system in Darfur
40.	Providing necessary training to the beneficiaries to build their managerial capacities and improve their technical skills in their respective fields	The States / Region Governments	D + 180 onwards	The Central Government		
41.	Payment of USD 75.000.000	Ministry of Finance and National Economy	Monthly instalments 2011			To be paid to the States with the monthly support
42.	Payment of USD 75.000.000	Ministry of Finance and National Economy	Monthly instalments 2012			To be paid to the States with the monthly support
43.	Payment of USD 75.000.000	Ministry of Finance and National Economy	Monthly instalments 2013			To be paid to the States with the monthly support
44.	Directives spend the Zakat money collected in Darfur inside Darfur	The Central Zakat Chamber	D + 30			Communication circulated from the Central Zakat Chamber to all Zakat offices in Darfur
45.	The Zakat Chamber shall provide the maximum possible necessary funding and implement the projects in favour of poor families, particularly returnees IDPs and refugees	The Central Zakat Chamber	D + 30 onwards			Directives to the Central Zakat Chamber
46.	Formulating policies and projects	The Central	D + 30 onwards			

	directed towards the traditional rain-fed agriculture which is considered a major priority national development project to attain the MDGs	Government/ States/Region Governments in Darfur				
47.	Conducting a feasibility study to all the projects mentioned in paragraph 186, in order to enforce the ones proven to be feasible	The Central Government (Federal Ministry of Agriculture /the States/Region Governments)	D + 1 y	The Central Government (The Federal Ministry of Finance)		Composing a team of professional experts to conduct the studies necessary.
48.	Working out and implementing an advanced and comprehensive capacity building program in the fields of public finance, relationships between government levels including the accountability-based expenditures management	The Central Government/ states/Region's governments	D + 30 onwards	The Central Government		The GoS shall conclude contracts with specialized bodies from inside and outside Sudan to formulate the program and elaborate its execution within the time frame specified.
49.	Conducting a comprehensive structural reform of universities in Darfur in terms of infrastructure and completion of its institutions to be enabled to undertake their mission.	The Central Government	D + 30 onwards	The Central Government		Financing the required reform under a plan presented by the Ministry of Higher Education and Scientific Research (in collaboration with the universities concerned in Darfur.)
50.	The preparation and filing of the draft Law of Darfur Land Commission	The Federal Government/ the National Council	D + 180	GoS		The law identifies the Commission specializations, its ToRs and how to form its

						council
51.	Establishment of Darfur Land Commission	by a presidential decree	D + 180		Representatives of the States/Region of Darfur, the Native Administration of the civil administration, people with local experience.	Issuance of a presidential law for the establishment of the commission council
52.	Appointment of President of the Darfur Land Commission	By a presidential decree	D + 180			Issuance of a presidential decree
53.	Gradual amendment of laws to include the rights to the land and their uses in accordance with the customs, traditions and legacies in the ownership of land, the customary tracks of cattle and access to water sources. And enabling the people to register the land customarily owned by them as their own lands.	The Central Government/The States/Region's Governments/The Legislatures	D + 30 onwards			The States Governments shall prepare drafts for the amendment of the laws to be passed by the Legislative Council or the Legislatures
54.	Restoration of the lands - which were granted under the investment laws and whose owners breached the conditions under which they were granted - to the status those lands had had before the ratification	The States/Regions' Governments/The Legislatures	D + 30 onwards			

55.	Preparation of the plan of Darfur land uses map and its outputs	DLC	D + 180 onwards	GoS		
56.	Passing recommendations and the plan of Darfur land uses map from the legislative bodies in Darfur States/Region	The Legislatures in Darfur States	D + 2 yrs + 180	GoS		

C. Compensation and Return IDPs/Refugees Return and Reintegration

Serial No	Activity	Body(ies) Responsible	Timeline	Composition	Funding Source(s)	Procedures
57.	Establishment of the Voluntary Return and Resettlement Commission (VRRC) and its two committees: Committee on Voluntary Return (VRC); and Committee on Property Claims and Restitution (PCRC) as well as the Compensation/ <i>Jabr Al darar Fund</i>	LJM/GoS with the assistance of the international community	D +45 days		Compensation/ <i>Jabr Al-darar Fund</i>	
58.	Issuance of identification documents to IDPs and refugees.	GoS/UNHCR	D + 90 days onwards		Compensation/ <i>Jabr Al-Darar Fund</i>	Based on the survey and needs assessment outcome.
59.	Demine the areas of return and ensure IDPs and refugees access to their home lands and routes to basic and access to public services	GoS/UNAMID in collaboration with relevant organizations	D + 365 days	VRRC, UNAMID, UNICEF, UNHCR, Mine	GoS/ Donors (UNAMID)	

				Action and GoS		
60.	Conduct statistical surveys of refugees and internally displaced persons for the purpose of planning for voluntary return.	VRRC	Immediately after the establishment of the VRRC		GoS	
61.	Conduct a comprehensive needs assessment in areas of potential return, to address the issues of basic services	CVRR/ UNHCR	Once the return commission is established	GoS /VRRC, in consultation with UNHCR	GOS/Donors	

D. Justice and Reconciliation

Seria I No	Activity	Body(ies) Responsible	Timeline	Composition	Funding Source(s)	Procedures
62.	Strengthening the Justice sector in Darfur by establishing additional courts and deploying additional judicial personnel	GoS	D + 180 days		Government of Sudan	
63.	Provision of adequate resources for prosecution work in Darfur	GoS	Continuous		National budget/ donors	
64.	Submission of the list of PoWs and other prisoners to the Government of Sudan Proclamation of amnesty	Parties GoS	D + 30 days D + 45 days			Legal and administrative measures to be taken for the proclamation of amnesty in accordance with Sudanese and

						International law
65.	Establishment of Technical and Administrative Committees for assessing and determining compensation/ <i>Jabr Al Darar</i>	Parties	D +90 days onwards		GoS	
66.	Establishment of the Justice, Truth and Reconciliation Commission by law	Parties	D + 45 days		GoS	
67.	Declaring a national day for peace and non-violence in Darfur	GOS	D+30 days			

E. Permanent Ceasefire and Final Security Arrangement

Seria l No	Activity	Body(ies) Responsible	Timeline	Composition	Funding Source(s)	Procedures
68.	Parties to submit to the Mediation their forces dispositions, lists of all armed groups aligned to them	All Parties	Before D Day			Required for the development of maps
69.	Parties to provide mine field locations to the Mediation	All Parties	Before D Day			Required for planning purpose
70.	Establishment of CFC at FHQ	UNAMID	Before D Day	UNAMID FC- Chairman; 3 members from each party; State of Qatar,	UNAMID/International partners	
71.	Verification of parties forces positions and	CFC/ UNAMID	D + 7 to D + 37			Party locations are to be held confidentially by Chairman CFC

	strength					
72.	Establishment of Joint Commission	Mediation	D+7	JSR/ State of Qatar/ Reps of Parties/ LAS/ EU/ UNAMID Political affairs	UNAMID/ International Partners	
73.	Release of detainees and child soldiers	All Parties/UNICEF	D - Day			To begin handing over detainees to ICRC
74.	Establishment of Joint Logistics Coordination committee (JLCC)	UNAMID	D+5	UNAMID/Parties /Donors		
75.	Preparation for Phase I - III begins	Parties	D+7			
76.	Establishment/Restructuring of Darfur Security Arrangements Implementation Commission (DSAIC)	Parties	D+30	Parties	GOS	
77.	Parties provide redeployment Plans for all phases of the Ceasefire to CFC	Parties	D + 14	UNAMID/ Parties		
78.	Submission of a comprehensive plan for disarmament of affiliate armed militias	GoS	Immediately after the signing of this Agreement			
79.	Production of final map indicating Areas of Control, Buffer, Demilitarised and Redeployment Zones	CFC	before D-Day			Details to be marked on the Master Map

80.	Development of patrol plan for monitoring the Buffer Zones	CFC	D +7			
81.	Physical demarcation of Respective Areas of Control, Buffer, Demilitarised Zones and UNAMID troops deployment	UNAMID in collaboration with Parties	D + 37			
82.	Parties withdraw forces out of demilitarization/buffer zones into areas of control	Parties	D+7 to D + 25			
83.	Structuring of DDR Commission	Parties	D+10			
84.	Movements submit their logistics requirement to JLCC through UNAMID/CFC	Parties	D + 10			
85.	Establishment of Integration Technical Committee	DSAIC	D + 37 days			
86.	Establishment of Logistics Distribution Points	JLCC	D + 15 days			
87.	Redeployment of Movements Forces	Parties	D + 86 to D + 116 days			
88.	Distribution of non-military logistical support	JLCC	(D + 30 Days		GOS/International	

	(NMLS) to Movements				Partners	
89.	Formulation and Submission of DDR Plans to DSAIC	DDR Commission	D + 90 days			
90.	Formulation and submission of Integration of Former Combatant Plan	ITC	D + 90 days			
91.	Selection of Assembly Areas of Movement's Forces	CFC	D + 130 to D + 159			
92.	Assembly of Movement Forces and storage of heavy weapons in selected assembly areas/sites	UNAMID	D + 160 to D + 219			
93.	Integration of Former Combatants into SAF and Police Forces	ITC/GOS	D + 220 to D + 350			
94.	Reform of Some military Institutions	GoS	D+ 200			
95.	Disarmament, demobilization, and social/economic reintegration of the Former Combatants	DDR Commission	D + 220			
96.	Civilian Arms Control	GOS/UNDP/UN AMID	D + 220			

Note:

1. UNAMID shall conduct verification at the end of every phase to monitor the compliance of the parties with the agreements and decisions of the Ceasefire Commission, as well as the decisions of the Chairperson of the Commission.
2. UNAMID shall present verification reports to the Ceasefire Commission on a regular basis and shall immediately alert the Commission of any breach of the rules and any violation of the ceasefire.
3. In consultation with the UN and the parties, the UNAMID Force Commander shall develop a plan for Demining during disengagement and redeployment.
4. This annex is an integral part of the Agreement.

