

**PROPOSED FRAMEWORK FOR
NEGOTIATION PROCESS
FOR THE POST-2011
ARRANGEMENTS BETWEEN THE
GOVERNMENT OF SUDAN (GoS)
AND THE SUDAN PEOPLE'S
LIBERATION MOVEMENT/ARMY
(SPLM/A)**

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**PROPOSED NEGOTIATION PROCESS FOR THE POST-2011
ARRANGEMENTS BETWEEN THE GOVERNMENT OF SUDAN AND
THE SUDAN PEOPLE'S LIBERATION MOVEMENT/ARMY**

On July 9, 2011, the Interim-Period of the Comprehensive Peace Agreement ("CPA") between the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) (the "**Parties**") shall come to an end. Six months before the end of the Interim Period, in exercise of their right to self-determination through a referendum, the people of Southern Sudan shall cast their votes to confirm the unity of the Sudan by voting to adopt the system of government established under the CPA; or to vote for secession. Simultaneously, with the people of Southern Sudan, the residents of the Abyei Area shall cast a separate ballot in their own referendum. There is a consensus that these historic referenda will best lead the people of Sudan into a new peaceful and prosperous era if the two Parties work together to determine post-2011 arrangements that seek to protect their common interests and provide for the continued well-being and security of their people – no matter the outcomes of the referenda. It has been further agreed that all necessary post-2011 arrangements for Southern Sudan related to the Abyei Area shall be applied to Abyei in accordance with the outcome of the Abyei referendum.

With this in mind, the National Assembly adopted the Southern Sudan Referendum Act, 2009 ("**Act**") which provides for the implementation, force and effect of specific provisions of the Interim National Constitution in the event of unity or secession, and provides, for either outcome, that "the parties of the CPA shall enter into negotiations aiming to achieve an agreement on post-referendum substantive issues to be witnessed by the organizations and countries signatory to the CPA such as: a) Nationality; b) Currency; c) Public Service; d) Position of Joint Integrated Units, National Security and Intelligence; e) International Agreements and Conventions; f) Assets and Debts; g) Oil fields, Production, Transport and Export of Oil; h) Contracts and Environment in Oil Fields; i) Water; j) Property; k) any other issues to be agreed upon by the two parties."

As the referendum nears and the Parties begin to initiate these negotiations, the following is offered as a framework for the post-referendum negotiation process ("**Negotiation Process**"). It is designed with a view to maximizing the potential for success on substantive issues set out in the Act and providing that regardless the outcome of the referendum, the people of Sudan shall continue to benefit from the achievements made under the Comprehensive Peace Agreement, continue to maintain peace, and reap even greater rewards than those first intended by the CPA.

I. GUIDING PRINCIPLES

To ensure a Negotiation Process that is entered into and carried out in good faith and strives to achieve a continued peace and growing prosperity in either a united Sudan or as between two nation states, the following Guiding Principles should be preliminarily agreed to by the Parties to guide their negotiations, provide a vision to their negotiating teams ("**Negotiating Teams**"), and instill confidence in the Sudanese people as the talks move forward. In their efforts, the Negotiating Teams shall be guided by the following:

1. A shared recognition of the need for continued contact between the people of Northern and Southern Sudan given the close proximity of geography, common history, and familial ties across borders.
2. A common interest in strengthening bilateral relations based on mutual respect and ushering in a new era of solidarity and a permanent peace.
3. A shared desire to develop trade and economic relations between Northern and Southern Sudan on the basis of equality and mutual benefit and a recognition that such trade and relations can lead to a growth of both of their two economies.
4. A shared recognition of the benefits to be derived by the North and South from closer economic and technical cooperation.
5. A shared desire to pursue common economic and strategic cooperation that will maximize, rather than prejudice, the growth and potential of each of the economies of Northern and Southern Sudan.
6. A shared recognition that it is in the Parties' mutual best interest to reach agreements that will provide for the continued and uninterrupted exploration for and exploitation of natural resources.
7. A common interest in the responsible use and development of natural resources, including those surface and subsurface resources that straddle across the North/South border.

8. A mutual agreement that neither Party shall take any action which diminishes the value of any asset, moves an asset across the North/South border, or transfers ownership of any national asset to a private party, prior to a full settlement and implementation of an agreement on the allocation of debts and assets in the event of secession.
9. A shared recognition of the need to apportion debts and assets in a just manner consistent with international law and state practice.
10. A shared intent to ensure that each Party has the fiscal capacity to exercise the competencies that correspond to their respective governments.
11. A shared desire to strengthen the ties of friendship which unite their peoples and to promote constructive neighbourly co-operation in all fields, including culture, security, education, and economics.
12. A shared interest in promoting greater understandings and tolerance among the Sudanese people and their diverse cultures, religious beliefs, and political opinions and affiliations.
13. A shared interest in promoting peaceful coexistence among the communities in Northern and Southern Sudan and respecting their customary laws and traditions, especially those communities along the North/South border which were heavily affected by the war.
14. A common interest in protecting and preserving the livelihoods of all Sudanese people, including those in national or Southern Sudan civil service, those depending on customary migrations across the North/South border, and those that have provided loyal service to their respective legitimate security organs or integrated units on either side of the border.
15. A shared recognition that a defined, demarcated and secure border prior to the referendum will enhance opportunities to deliver peace dividends that the Sudanese people have long awaited and return harmony to communities since divided by war and stress on scarce resources.
16. A shared desire to ensure the livelihoods and peaceful coexistence of peoples who traverse and live in proximity to the North/South border.

17. A shared obligation to provide and guarantee adequate security for all Sudanese and in a manner that respects the rule of law and the rights and freedoms of individuals.
18. A mutual interest in reducing conflict between communities by promoting reconciliation and withdrawing any and all support for other armed groups not recognized under the law as legitimate law enforcement units providing for the security of the nation.
19. A mutual interest in avoiding and mitigating any negative effects a change of sovereignty may have upon an individual's nationality and citizenship, including upon one's legal residence and access to education and other social benefits and services.
20. A mutual interest to avoid discrimination, statelessness, arbitrary appropriation of property, loss of human rights and fundamental freedoms, and deprivation of livelihoods as a result of citizenship decisions taken by the Parties.
21. A shared commitment that the population movements resulting from a change of sovereignty shall be voluntary and conducted with dignity and safety and that in addressing this issue, the Parties benefit from the assistance and cooperation of the international community.
22. A shared desire by the Parties to negotiate a final agreement based on the principles of non-discrimination and democracy, and respect for human rights and fundamental freedoms, and international standards.
23. A shared interest in working together to contribute to stability in the region.
24. A mutual interest of Northern and Southern Sudan to cooperate between themselves and with their neighbors – on the basis of sovereign equality, territorial integrity, sustainable development, mutual benefit and good faith – in order to attain equitable and reasonable utilization and appropriate protection of transboundary natural resources.

25. A shared recognition that the Parties have a responsibility to work constructively to seek agreements that address the legitimate concerns that third parties and stakeholders have in the event of secession.
26. A shared desire to usher in an era of responsible, just, transparent, people led and integrity based-governance in unity or secession.
27. A mutual commitment to ensure the continuation of the democratic reforms that have been advanced by the CPA and to seek agreements that build upon the cornerstones of the CPA, regardless the outcome of the referendum. Such cornerstones include increasing transparency in governance; protecting the human rights and fundamental freedoms of the Sudanese peoples; promoting increased decentralization of government at all levels; ensuring equitable revenue sharing (in unity as between Northern or Southern Sudan or *within* each separate state in the event of secession) that reflects devolution of powers and decentralization of decision-making; increasing the representation of the diversity of peoples of Sudan in the governance and decision-making at all levels of government; improving security that respects human rights and fundamental freedoms; ending conflict throughout Sudan; and commencing reconstruction and development.
28. A shared commitment to exchange, in timely manner, relevant information during the negotiations which will permit the Parties to make informed decisions.
29. A joint recognition that all necessary post-referendum arrangements for Southern Sudan related to the Abyei Area shall be applied to Abyei in accordance with the outcome of the Abyei referendum.

II. OBJECTIVES

The Negotiation Process shall be conducted in good faith by the CPA Parties with a view to reaching a final "*Post 2011 Framework Agreement between the Government of Sudan and the Sudan People's Liberation Movement/Army*" ("**Framework Agreement**") by the 30th of September, 2010, on the issues identified in section 67 of the Southern Sudan Referendum Act, 2009 ("**Act**") as well as "other issues" subsequently agreed to by the Parties. The Framework Agreement shall be witnessed by the organizations and countries signatory to the CPA and provide for a smooth and peaceful transition in 2011 that brings stability

to the region and a prosperous future for the people of Sudan, regardless the outcome of the 9 January 2011 referendum.

III. PRELIMINARY CONDITIONS AND UNDERSTANDINGS

1. Good Faith Negotiations: The Parties agree to negotiate in good faith and they each agree to the Guiding Principles set forth above.
2. Unconditional Referendum: Both Parties acknowledge that neither the CPA nor the Act condition the 9 January 2011 referendum on conclusion of a whole or partial agreement on post-referendum issues. As provided for in section 67 of the Act, the Parties shall enter into negotiations aiming to achieve an agreement on post-referendum substantive issues. While each Party will commit to make every effort to conclude a Framework Agreement by the 30th of September, 2010, both Parties – as well as those international actors called upon to assist them – shall respect that the referendum shall take place by the 9th of January, 2011, and whatever the outcome, it shall be respected by all.
3. Leadership: This is a bi-lateral negotiation. The Negotiation Process is to be led entirely by the Parties who are ultimately responsible for entering into the Framework Agreement that will bring peace, stability and prosperity to their people post-2011. The involvement of other interested parties and stakeholders shall be guided by the Parties both individually, when appropriate, and collectively.¹
4. International Involvement: The involvement of the international community in the Negotiation Process, including the involvement of a Mediator, the establishment of a Secretariat, and any additional support, facilitation or technical expertise provided by the AU-UN Consultative Mechanism on Sudan, IGAD, the Troika, the Assessment and Evaluation Commission (“AEC”) and representatives of other international organizations, commissions, foreign diplomats and international experts, shall be guided by the Parties in accordance with the attached ANNEX A (*Qualifications and Mandate of the Mediator*), ANNEX B (*Secretariat for the Post 2011 Arrangements Negotiations*), and ANNEX C (*Terms of Participation for Observers*).

¹ Nothing in this *Proposed Negotiation Framework* prohibits or limits in any way the right of either the SPLM/A or the Government of Sudan to privately and directly engage third parties and stakeholders in the manner they deem most appropriate for their needs.

5. Agreement on Clusters: As outlined in the attached ANNEX D (*Clusters For Post-Referendum Arrangements and Key Issues to be Addressed*), the Parties affirm that they have combined the Section 67(3) issues into six (6) negotiation clusters (the “**Clusters**”) which include: (a) Citizenship, (b) Security, (c) Natural Resources, (d) Financial and Economic Issues; (e) International Agreements and Treaties; and (f) Other Issues. With respect to the “other Issues”, the Parties have also agreed to the “other issues” identified in ANNEX D and may agree on additional issues as the Negotiation Process moves forward.

6. Negotiation Team Working Groups: Each of the Negotiating Teams will divide its delegation into **Cluster Working Groups** (i.e. a Working Group on Security, a Working Group on Citizenship) to permit smaller, more technical meetings to take place regularly as between those members of the Negotiating Teams working on particular Clusters. It is understood that final consent on issues discussed within these Working Groups shall only be given by each Negotiating Team.

7. Three Negotiation Phases and Simultaneous Negotiations: Each of the negotiations around the six Clusters will pass through the three negotiation phases outlined in Section IV below. The Negotiation Process assumes no more than sixteen (16) weeks of negotiations leading to final Framework Agreement on the 30th of September, 2010. As designed, the Negotiation Process suggested below provides that the Negotiating Teams will work on all Clusters simultaneously (as there are priority and urgent issues within each) while allowing the teams to increase focus where necessary on issues that prove the most challenging. This format also allows for lower level, technical meetings to occur even when high-level political decision-making progresses at a different pace, and facilitates advancement on issues in one Working Group that may overlap with urgent issues being negotiated in another Working Group.

8. Protocol and Framework Agreement: At a minimum, a single “**Protocol**” will be developed for each of the six Clusters throughout the Negotiation Process. Each of these Protocols will later be incorporated into one Framework Agreement tied together with an overarching Chapeau that draws upon the Guiding Principles articulated in Section I. Throughout the Negotiation Process the Negotiating Teams will strive to reach agreements on each of these Protocols with the understanding that these agreements are *provisional* (and subject to change) until each Party can do a final review of all of the Protocols together, and then adopt them in one single Framework Agreement. The **Chief Negotiators** of the Negotiating Teams will signify his or her Party’s provisional agreement on a subject matter by initialing at the bottom of each page.

9. Prioritization and Sequencing of Issues to be Negotiated: Within each of the six Clusters, the Parties will identify those “*high priority*” issues upon which they aim to achieve agreement prior to the referendum (i.e. appear in the respective Protocols and overall Framework Agreement). The Parties will also identify other critical, but “*medium priority*” issues which may still need further agreement and detailing in the Framework Agreement’s implementation modalities *after* the 2011 referenda or in some cases – if a “*lower priority*” – even *after* the conclusion of the CPA Interim Period. To assist the Parties in this effort, ANNEX D provides a suggested preliminary listing of the key issues within each of the Clusters that should be prioritized and then discussed between the Parties.

10. Working Group Discretion: Each Cluster Working Group will have certain discretion to hold its own meetings in the format that it deems most appropriate to achieving its work. This includes discretion to invite experts, the Secretariat and/or other stakeholders to participate when needed. Meetings of any Working Groups outside Sudan must be approved by the Chief Negotiators of the Negotiating Teams. Despite this discretion, all Cluster Working Groups will be held to the same objective: *Advance through the three negotiation phases and reach a provisional agreement on their respective protocol by the 1st of September, 2010.*

11. Conferencing between Working Groups: Recognizing the interconnectedness of the various post-referendum issues and therefore the relationship that an agreement in one Cluster might have with an agreement being negotiated within another Cluster (i.e. pensions in Citizenship & pensions in Debts & Assets), it is expected that one or more Cluster Working Groups will periodically call for a “*Conference between the Cluster Working Groups*” (“**Conference**”) to discuss overlapping and related issues (this can include just the Chairs of the relevant Working Groups or one or more Working Group members).

12. Plenary Sessions: In addition to the meetings of the Working Group Clusters, the Negotiation Process shall include regular “**Plenary**” sessions involving *all* members of the Negotiating Teams in order to monitor progress across the Clusters, affirm agreement and consensus on issues as they develop, and identify where adjustments and increased attention, expertise, and instructions are needed. These plenary sessions may be “*open*” or “*closed*” or a combination of both.

13. Open and Closed Sessions: At all times the Parties reserve the right to hold **Closed Sessions** with no Observers or other individuals present other than desired members of their Negotiating Teams (which all agree may include their lawyers and other advisors). The Parties, however, will hold periodic **Open Sessions** in

which non-Party members may participate according to the *Terms of Participation for Observers* (see ANNEX C). The Parties will make "Open Sessions" known in advance to the Secretariat (see ANNEX B) so that others shall be notified in the event they wish to attend.

14. The Mediator: Acting in accordance with the mandate established by the Parties (see ANNEX A), the Mediator shall make him/herself available to participate in all meetings of the Parties unless directed otherwise by the Parties themselves. He or she shall always respect the Parties' decisions to periodically meet in private without his or her presence.

15. Language, Interpretation and Translation: All language provisionally agreed to (as evidenced by the initials of the Parties' Chief Negotiators) and the official version of the Framework Agreement shall be in English. The Arabic translation of the official English texts shall be approved by the Parties. Negotiations may be conducted in English and Arabic. All documents and proposals, including the confidential record, may be in English and Arabic. The Secretariat may be called upon by either Party to assist with translation of documents or proposals.

16. Record Keeping and Document Distribution: The Secretariat shall keep proper documentation of the negotiations in the form of a confidential record. The confidential record shall be available to the Parties and the Mediator in hard copy, and shall be updated on a daily basis. The confidential record shall consist of the agenda, tabled and exchanged documents and texts, decisions, and action items of all negotiating meetings, as well as the text of any sub-agreements reached by the Parties. To the extent possible, all relevant proposals and other documents shall be circulated to the Parties by electronic mail and hard copies at least a day before any meeting at which those documents are to be discussed. All correspondences and documents will be delivered to each Party's Chief Negotiator. Any documentation or statements made in Open Sessions in the presence of Observers shall be considered non-confidential and available for distribution to the public.

17. Location of the Negotiations: Location of the negotiations shall be determined by the Parties in consultation with the Secretariat. Negotiation meetings held outside of the Sudan shall be discouraged and will require the approval of the Chief Negotiators.

18. Launch of Negotiations and Exposure Session: The "launch" of the 16-week Negotiation Process shall be officially announced on the 1st of June, 2010, by the Chief Negotiator of each of the Negotiating Teams and in the presence of the organizations and countries which were signatories to the CPA ("**International Observers**"). On the same day, the two Parties shall participate in a **Joint**

Exposure Session to be planned and organized by the AU-UN Consultative Mechanism in Sudan in coordination with the AEC and the Parties. The *Terms of Reference for the Joint Exposures Session* can be found at attached at ANNEX E. Its purpose will be to ensure at the onset of the Negotiation Process that there is a shared understanding of the technical and policy dimensions of the various post-referendum issues. The press will be invited by the Mediator to attend the launch, and a representative of each Party may present a statement.

IV. THE THREE PHASE NEGOTIATION

The following assumes sixteen (16) weeks of negotiation beginning the first week of June and leading to a final Framework Agreement on the 30th of September, 2010.

■ PHASE I: INITIAL NEGOTIATIONS (weeks 1 – 5)

Objectives of Phase I: *Negotiating Teams: (i) exchange information and preliminary concerns, (ii) identify priority issues that need agreement prior to the referenda versus those that might wait until after; (iii) identify points of consensus; (iv) begin drafting agreement language on those points of consensus; (v) research, seek technical assistance as needed, and discuss creative solutions to substantive issues; (vi) identify and begin to discuss areas that are connected to and overlap with issues dealt with in other Clusters; and (vii) identify and consult with relevant third parties and stakeholders.*

● **Initial Meeting of Parties:** (week 1)

Includes: commencing with a **Closed Plenary** – which breaks out into **Cluster Working Groups** – and concluding with an **Open Plenary Session** with Observers, the Secretariat and the **Team of Experts** who support it, and others identified to Update & Dialogue with them about next steps and any assistance needed.

Activities: Negotiating Teams (i) exchange their preliminary concerns, (ii) identify early points of consensus, (iii) begin to prioritize issues for inclusion in the

Framework Agreement pre-referendum; (iv) request information from the other Negotiating Team (documents or otherwise); (v) identify key stakeholders and third parties that might have information/opinions relevant to both parties (i.e. select creditors, UNMIS, etc).

• **Additional meetings of Parties:** (weeks 2-4)

Includes: occasional meetings of the two Chief Negotiators; a series of **Cluster Working Group** meetings; **Conferences** between and among other Working Groups; and **Consultations with Third Parties and Stakeholders**.

Activities: Negotiating Teams (i) begin drafting agreement language on points of consensus, (ii) identify issues that connect or overlap with those of other Cluster Working Groups, (iii) review information previously requested and since obtained from other Negotiating Team (address any missing information), (iv) further discuss and formulate the list of priority issues that need inclusion in the final Framework Agreement pre-referenda; (v) identify outstanding points of disagreement; (vi) research and discuss possible solutions to outstanding points of disagreement.

(Throughout this period the Negotiating Teams may elect to have open and closed sessions and seek assistance from the Team of Experts and/or others).

• **Final Meeting:** (week 5)

Includes: commence with a **Closed Plenary Session** where Cluster Working Group Chairs report out; and conclude with an **Open Plenary Session** with Observers, the Secretariat, Team of Experts, and others identified to Update & Dialogue with them about next steps and any assistance needed.

Activities: Negotiating Teams (i) collectively attempt to resolve issues related to outstanding requests for information; (ii) review and adopt provisional agreement on the language the Cluster Working Groups drafted concerning new points of consensus; (iii) attempt to resolve several outstanding issues; (iv) identify remaining areas of disagreement for the appropriate Cluster Working Groups to be addressed in phase II; (vi) review information provided by Third Parties and Stakeholders and identify areas where additional technical expertise and assistance from the Team of Experts are required; (v) make requests to the Secretariat for

needed expertise and assistance; (vi) permit additional tasks to be assigned by the Chief Negotiators.

■ **PHASE II: ADVANCED NEGOTIATIONS** (weeks 6 - 10)

Objectives of Phase II: *Negotiating Teams (i) preserve existing provisional agreements; (ii) research, seek expert assistance as needed, and draft additional language for outstanding points of agreement; (iii) reach provisional agreement on additional outstanding matters; (iv) discuss further those issues that connect to and overlap other issues across multiple Clusters and where possible, articulate solutions to those issues in agreement language; and (v) begin discussing the contents of the Framework Agreement's chapeau language.*

● **Initial Meeting of Parties:** (week 6)

Includes: commencing with a **Closed Plenary Session** – which breaks out into **Cluster Working Groups** – and concluding with an **Open Plenary Session** with **Observers**, the **Secretariat**, the **Team of Experts** and others identified to Update & Dialogue with them about next steps and any assistance needed.

Activities: Negotiating Teams (i) exchange research and proposals regarding outstanding points of disagreement; (ii) review and discuss technical expertise and assistance provided by the Team of Experts; (iii) identify possible new points of consensus and identify outstanding issues; and (iv) identify Stakeholders and Third Parties that might still need to be consulted and additional information that might still need to be exchanged as between the Negotiating Teams, if any, before draft language can be provisionally adopted (i.e. creditors, pipeline consortium members, etc).

● **Additional meetings of Parties:** (weeks 7 - 9)

Includes: occasional **meetings of the two Chief Negotiators**, a series of **Cluster Working Group** meetings, **Conferences** with other Working Groups; **Consultations with Third Parties and Stakeholders** (including the Team of Experts).

Activities: Negotiating Teams (i) draft provisional agreements language on new points of consensus; (ii) exchange proposals and review draft agreement language on outstanding points of disagreement, (iii) engage other Cluster Working Groups where connected and overlapping issues exist and reconcile discussions and agreement language being advanced in each Working Group, (iv) consult with third parties as deemed necessary and review the material they provide; and (v) discuss Chapeau language that may be particularly important to each Cluster Working Group given the Group's area of competence.

(Throughout this period the Negotiating Teams may elect to have open and closed sessions and seek assistance from the Team of Experts and/or others.)

● **Final Meeting:** (week 10)

Includes: commence with a **Closed Plenary Session** where Cluster Working Group Chairs report out, and conclude with an **Open Plenary Session** with **Observers**, the **Secretariat**, the **Team of Experts**, and others identified to Update & Dialogue with them about next steps and any assistance needed.

Activities: Negotiating Teams (i) review and adopt provisional agreement on the language the Cluster Working Groups drafted concerning new points of consensus; (ii) attempt to resolve several outstanding issues; (iii) identify remaining areas of disagreement for the appropriate Cluster Working Groups to be addressed in phase III; (iv) review information provided by third parties and identify areas where additional technical expertise and assistance from the Team of Experts are required; (v) make requests to the Secretariat for needed expertise and assistance; (vii) identify at least two members from each Negotiating Team to begin to draft the Chapeau and identify measures to harmonize the emerging protocols; and (vi) permit additional tasks to be assigned by each team's Chief Negotiators.

■ **PHASE III: FINAL NEGOTIATIONS AND AGREEMENT** (weeks 11 –16)

Objectives: *Negotiating Teams (i) reconcile issues that crosscut different Clusters; (ii) finalize the Chapeau; (iii) resolve outstanding points of disagreement; (iv) harmonize the six provisionally agreed upon Protocols; and (v) conclude the final Framework Agreement.*

• **Initial Meeting of Parties:** (week 11)

Includes: commencing with a **Closed Plenary Session** --which breaks out into **Cluster Working Groups**-- and concluding with an **Open Plenary Session** with **Observers**, the **Secretariat**, the **Team of Experts**, and others identified to Update & Dialogue with them about next steps and any assistance needed.

Activities: Negotiating Teams (i) exchange final proposals regarding outstanding points of consensus; (ii) review and discuss expert advice provided by the Team of Experts; (iii) jointly review the existing draft Chapeau language; (iv) identify any last third parties that might still need to be consulted at the end before finalization of language on outstanding issues (i.e. creditors, pipeline consortium members, etc).

• **Additional meetings of Parties:** (weeks 12 - 14)

Includes: occasional **meetings of the Chief Negotiators**, a series of **Cluster Working Group** meetings, **Conferences** with other Working Groups; **Consultations with Third Parties and Stakeholders** (including the Team of Experts).

Activities: Negotiating Teams (i) engage, as necessary, with members of the other Cluster Working Groups where cross-cutting issues exist and reconcile language on the issues in each of the relevant protocols; (ii) engage in final consultations with third parties, as deemed necessary (i.e. creditors, other contract beneficiaries); (iii) provisionally agree to remaining language on outstanding points of disagreement; (iv) finalize six Cluster protocols by the 1st of September, 2010; (iv) review draft Framework Agreement Chapeau language and provide comments; (v) identify and reconcile any concerns about the harmonization of all protocols into a single Framework Agreement.

(Throughout this period the Negotiating Teams may elect to have open and closed sessions and seek assistance from the Team of Experts and/or others).

• **Final Meeting:** (weeks 15 - 16)

Involves: commence with a **Closed Plenary Session** where Cluster Working Group Chairs report out on any final concern regarding the Chapeau; conclude with an **Open signing ceremony**.

Activities: Negotiating Teams (i) resolve any final outstanding points of disagreement and adopt provisional agreement language on the same; (ii) complete a final review of and agreement on the Chapeau language; and (iii) review the entire draft Framework Agreement to identify and address inconsistencies and needs for harmonization; and (v) adopt and sign a single Framework Agreement by or on the 30th of September, 2010, and witnessed by the organizations and countries signatory to the CPA.