

Draft Agreement
between the Government of Sudan
and the Sudan People’s Liberation Movement-North
for the Resolution of the Conflict in Blue Nile and Southern Kordofan
States and Related Issues

Draft 17 September 2012

Preamble

The Government of Sudan (GoS) and the Sudan People’s Liberation Movement-North (SPLMN), hereinafter referred to as “the Parties;”

Recognizing that the conflict in the Two Areas of Blue Nile and Southern Kordofan states of the Republic of Sudan can be resolved only by peaceful political dialogue;

Mindful of the urgency of ending the armed conflict in the Two Areas and of enabling humanitarian assistance to reach all in need, and of creating a conducive environment for refugees and displaced persons to return home, and for political dialogue to proceed;

Reaffirming the commitment of the Parties to the provisions and requirements of the Communiqué and Roadmap of the African Union Peace and Security Council of 24 April 2012 and the United Nations Security Council resolution 2046 of 2 May 2012, which stipulate that the conflict in the Two Areas must be resolved by negotiations on the basis of the 28 June 2011 Framework Agreement;

Committing themselves to continue the process toward the establishment of the Republic of Sudan as a democratic, inclusive state committed to unity in diversity,

and *recognizing* that a conclusive settlement to the conflict in the Two Areas requires such a comprehensive national agreement;

Affirming the right of the SPLMN to be registered and operate as a political party in accordance with the law;

Also affirming that the Parties to the conflict in the Two Areas are exclusively Sudanese and that the Parties represent no interests other than those of Sudanese citizens, and consequently that the SPLM-N shall be verifiably disengaged politically and militarily from the Republic of South Sudan;

Welcoming the facilitation of the AUHIP and the Chairperson of IGAD;

Reach the following Agreement:

(I) Formation of Mechanisms

1. The Parties shall establish immediately the following bodies and mechanisms in order to pursue political dialogue, and finalize and implement the details of this Agreement:
 - a. Ceasefire Working Group, leading to a Ceasefire Commission;
 - b. Joint Security Committee;
 - c. Joint Political Committee.
2. These bodies and mechanisms shall work in parallel, and shall liaise and coordinate with one another as required.

(II) Cessation of Hostilities

3. The Parties shall cease all hostilities. The cessation of hostilities will come into effect 48 hours after the signature of this document.

4. The cessation of hostilities shall include, *inter alia*, provisions to cover:
 - a. The expeditious and secure delivery of humanitarian assistance under the terms of the Tripartite proposal;
 - b. Establishing a conducive environment for the return of refugees and internally displaced persons, and for the building of confidence between the Parties.

(III) Security Arrangements

5. The Parties shall immediately constitute a Ceasefire Working Group to address the transition from a cessation of hostilities to a permanent ceasefire, and the terms of such a ceasefire.
6. The Parties invite the UN Interim Security Force in Abyei (UNISFA) to serve as the third party to monitor the cessation of hostilities and subsequent ceasefire. The Parties request the Force Commander of UNISFA to designate a representative as chairperson of the Working Group.
7. The ceasefire shall include, *inter alia*, provisions to cover:
 - a. The secure delivery of humanitarian assistance under the terms of the Tripartite proposal;
 - b. Maintaining a conducive environment for the return of refugees and internally displaced persons, for the resumption of governmental services to the populations affected by the conflict, and for the building of confidence between the Parties;
 - c. Monitoring and verification of the ceasefire including investigating all reports of violations;
 - d. The establishment of a Ceasefire Commission (CFC) including ceasefire monitors drawn from the two Parties, and third party monitors drawn from UNISFA;

- e. Ensuring that there are no cross-border military activities, including supplies or movement of personnel, without prior agreement of both Parties, in which regard the CFC will liaise with the JBVMM and UNISFA on monitoring of the border between Sudan and South Sudan.
8. Parties shall immediately form a Joint Security Committee, to address all relevant security issues related to Blue Nile and Southern Kordofan. The Joint Security Committee shall meet immediately upon signature of this agreement to agree its agenda and programme of work.
9. The Parties welcome the facilitation of the work of the Joint Security Committee by the AUHIP and the Chairperson of IGAD.
10. The Parties agree on the following principles, which shall be the basis for the work of the Joint Security Committee:
- a. Respect for the sovereignty and territorial integrity of the Republic of the Sudan and the inviolability of its national borders;
 - b. SPLA-North members from Southern Kordofan and Blue Nile are citizens of the Republic of the Sudan and their future lies in the Republic of Sudan;
 - c. No Sudanese citizens may serve in the armed forces of another country;
 - d. The Republic of Sudan will have one national army;
 - e. The future of the SPLA-North forces from Southern Kordofan and Blue Nile shall include integration, over a time period to be agreed, into the Sudan Armed Forces, other security institutions, and the civil service, or DDR;
 - f. Any disarmament shall be done in accordance with agreed-upon plans and without resorting to force.

11. The Joint Security Committee will develop and agree sustainable security arrangements for Blue Nile and Southern Kordofan that reflect the principles outlined above.

12. The Joint Security Committee will establish an appropriate mechanism for the process of integration and DDR in accordance with agreed procedures and timeline within 30 days. This mechanism will be guided by the following principles:

- a. To ensure that the process and timetable for integration and DDR are consistent with best practices from a technical and professional standpoint;
- b. To ensure the security of the population of the Two Areas;
- c. To safeguard the unity and territorial integrity of Sudan;
- d. To achieve the agreed result of a single, unified and professional national army.

13. The Parties may invite third party technical and financial support for the mechanism for integration and DDR.

(IV) Political Issues

14. The Parties shall constitute a Joint Political Committee, to address all relevant issues related to Blue Nile and Southern Kordofan.

15. The Parties welcome the facilitation of the work of the Joint Political Committee by the AUHIP and the Chairperson of IGAD.

16. The Parties affirm the right of the SPLMN to be registered and operate as a political party in accordance with the law, and to that end, they shall cooperate in ensuring that it is able to meet the necessary criteria and that no hindrances are placed on it or its members that would impede them in doing so.

17. The Parties shall release all political detainees.

18. The Parties invite other political parties and community organizations that have constituencies in Blue Nile and Southern Kordofan to support the work of the Joint Political Committee, and undertake to consult with such other political parties and community organizations.

19. The following principles shall guide the work of the Joint Political Committee:

- a. A shared belief in a peaceful and prosperous future for all Sudanese people;
- b. A commitment to democratic governance based on accountability, equality, inclusivity, respect, rule of law and justice for all citizens of Sudan;
- c. Peaceful settlement of disputes through negotiation;
- d. A commitment to balanced development in all parts of Sudan, with special attention to Blue Nile, Southern Kordofan and other less developed areas;
- e. Negotiations shall be undertaken in the context of broader dialogue and political processes at the national level, recognizing the importance of cooperation between the Parties for stability, development, democracy and constitutional reform in Sudan;
- f. Governance shall be on the basis of inclusivity, partnership and accommodation of the political interests and perspectives of all Sudanese, recognizing their diversity and political, social and cultural rights of the communities;
- g. Negotiations shall be undertaken in the context of broader dialogue and political processes at the national level, recognizing the importance of cooperation among all Sudanese parties for the purposes of stability, democracy, development and constitutional reform in Sudan;

- h. In pursuit of the above, the Parties shall work with all Sudanese parties towards an inclusive national political process in Sudan;
- i. Acknowledging the contribution of the CPA to the realization of democratic principles, rule of law, and respect for diversity and human rights in Sudan, the Parties remain guided by these principles, enshrined in Chapter II of the CPA (in particular articles 1.6 and 1.7 respectively on human rights and fundamental freedoms, and on national reconciliation), as well as Chapter V of the CPA (Protocol for the Resolution of the Conflict in Southern Kordofan and Blue Nile States);
- j. The Popular Consultations Process is a democratic right and mechanism to ascertain the views of the people of Southern Kordofan and Blue Nile and shall be completed and its outcomes fully implemented and will be fed into the constitutional review process.

20. The Parties shall convene the Joint Political Committee immediately. The Parties commit to finalize, within 30 days, negotiations on sustainable governance arrangements in Blue Nile and Southern Kordofan States.

21. The Parties commit to the following roadmap and programme of work in the Joint Political Committee:

- a. Establishment of political cooperation and governance arrangements for Blue Nile and Southern Kordofan;
- b. Reinvigoration of the Popular Consultations process including any new arrangements that may be required to reach the goals of the Popular Consultations;
- c. Human rights mechanisms;
- d. Measures needed to address the right of SPLMN to continue as a political party in the Republic of Sudan;
- e. Political dialogue towards an inclusive national political process in the Republic of Sudan.

22. The Parties will cooperate with other Sudanese political parties to form an inclusive national committee to establish and conduct the process of constitutional reform.