



CEASEFIRE AGREEMENT

PREAMBLE

The Government of Sudan ("GoS") and the Justice and Equality Movement Sudan ("JEM") (hereinafter referred to individually as the "Party" and collectively, the "Parties") meeting in Doha, Qatar, under the generous auspices of His Highness Sheikh Hamad bin Khalifa Al-Thani, Emir of the State of Qatar, in the presence of H.E. Ahmad bin Abdallah Al Mahmoud, Deputy Prime Minister and Minister of State for Cabinet Affairs, and H.E. Ms. Aichatou Mindaoudou, African Union-United Nations Joint Chief Mediator *ad interim* for Darfur, as part of the efforts to find a lasting, just and comprehensive solution to the conflict in Darfur;

In accordance with the United Nations Charter and principles, the Constitutive Act of the African Union, as well as various other African Union declarations relating to the peaceful resolution of conflicts;

Reaffirming the unity, sovereignty, independence and territorial integrity of the Republic of Sudan;

Taking into consideration the Interim National Constitution of the Republic of the Sudan of 2005, the Agreement of Goodwill and Confidence Building for the Settlement of the Problem in Darfur of 17 February 2009, the Framework Agreement between the Government of Sudan and the Justice and Equality Movement to Resolve the Conflict in Darfur of 23 February 2010, the Doha Document for Peace in Darfur ("DDPD"), and the Declaration of Cessation of Hostilities and Commitment to the Peace Process by the Government of Sudan and the Justice and Equality Movement Sudan signed on 22 October 2012;

Deeply concerned that the unabated fighting in Darfur will lead to further loss of lives and displacement of the population;



Committed to ensuring access to humanitarian assistance by the population in need, and the protection of humanitarian workers;

Recognizing that security is at the forefront of concerns raised by a large spectrum of the people of Darfur, including members of civil society, internally displaced persons (“IDPs”) and refugees;

Acknowledging the mandate of the African Union/United Nations Hybrid Operation in Darfur (“UNAMID”) to monitor, observe the compliance with and verify the implementation of all ceasefire agreements signed or to be signed in Darfur pursuant to the United Nations Security Council Resolution (“UNSC Resolution”) No. 1769, dated 31 July 2007, and the Agreement between the United Nations and the African Union and the Government of Sudan concerning the Status of the African Union/United Nations Hybrid Operation in Darfur (“SOFA”), dated 9 February 2008;

Condemning all acts of violence against civilians and violations of human rights and international humanitarian law;

Resolved to negotiate final security arrangements on the basis of the DDPD;

Determined to establish confidence-building measures for the purpose of permanently ending the conflict in Darfur;

Resolved to create and maintain a climate of peace, calm and confidence in Darfur, particularly throughout the negotiation process;

Determined to take concrete action to ensure the security of the people of Darfur through peaceful settlement of the conflict;

Determined to respect all international conventions, charters, resolutions, and protocols ratified by Sudan; and

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Recalling the Declaration of Cessation of Hostilities and Commitment to the Peace Process by the Government of Sudan and the Justice and Equality Movement Sudan, signed on 22 October 2012, in which the Parties agreed to “resume negotiations in order to achieve a comprehensive settlement of the conflict on the basis of the DDPD”;

THE PARTIES HEREBY

- (1) Solemnly declare and faithfully agree to observe an immediate and complete ceasefire between the two parties, both on land and in the air, in Darfur, Republic of Sudan, commencing 23:59 hours Sudan local time, on 10 February 2013.
- (2) Agree to implement the ceasefire in accordance with the DDPD, and the following general principles:
 - a) The Darfur conflict cannot be resolved militarily and a durable solution can only be obtained through an inclusive political process.
 - b) Civilians in Darfur have the right to protection, including provision of specific measures for vulnerable groups such as women and children taking into account their special status in international law, and in recognition that they have suffered disproportionately during the conflict.
 - c) The importance of facilitating the mandate of UNAMID, including for the protection of civilians, as outlined in UNSC Resolution No. 1769 (2007) and UNSC Resolution No. 1935 (2010) respectively, and the Communiqué of the 79th Meeting of the African Union Peace and Security Council.
 - d) 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.
 - e) The need to address the humanitarian crisis faced by the people of Darfur, including the guarantee of unrestricted humanitarian access to all areas.

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- f) Realising and supporting permanent peace in Darfur through, among other things, a comprehensive agreement and final security arrangements that address the root causes and the different aspects of the armed conflict.
 - g) Guaranteed free movement for individuals, goods and services in Darfur.
 - h) The necessity to have a strong professional and inclusive Sudanese Armed Forces (SAF) and other security institutions, capable of defending and maintaining the sovereignty and territorial integrity of the country.
- (3) Agree to negotiate, on the basis of the DDPD, permanent ceasefire and final security arrangements which shall form an integral part of a protocol to be signed by the Parties.
- (4) Agree to immediately cease and refrain from any:
- a) Acts of hostility, violence or intimidation against the civilian population in Darfur and IDPs.
 - b) Activities that jeopardise the letter and spirit of this Agreement.
 - c) Offensive, provocative or retaliatory actions, including hostile propaganda and the unauthorised redeployment and movement of forces against another Party or any Movement Party 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 (DoC DPA), signed thereafter.
 - d) Recruitment or any other military activity within or in the proximity of IDP or refugee camps.
 - e) Acts of intimidation, hostility, violence or attacks against UNAMID personnel, installations or equipment, members of local or international humanitarian agencies including UN agencies, international organisations

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and non-governmental organisations, their personnel, installations or equipment, and members of the media.

- f) Actions that may impede or delay the provision of humanitarian assistance or protection to civilians and restrict free movement of people.
 - g) Restrictions on the safe, free and unimpeded movement of humanitarian agencies.
 - h) Use or laying of land mines.
 - i) Acts and forms of gender-based violence and sexual exploitation.
 - j) 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, and obligations under Protocol II (1977) of the Geneva Conventions of 1949.
 - k) 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 another Party or any armed group party to the DPA.
 - l) 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 (ICRC) or any other similar organisation.
- (5) Further undertake to ensure:
- a) The free movement of people and goods.

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- b) Unimpeded access of humanitarian assistance to the population in need and the protection of humanitarian workers and their operations in areas under their control.
 - c) Full cooperation with UNAMID to implement its mandate.
 - d) That the provisions 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, including women, and that all such forces and groups shall comply with those provisions.
 - e) 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.
 - f) That the ceasefire is not threatened by any foreign combatants present on Sudanese territory.
 - g) That IDPs and other civilians in Darfur shall not be subject to harassment or arbitrary detention by the Government's security organs and JEM; noting that such activities may be treated as violations of the ceasefire.
 - h) That all children, boys and girls, recruited by armed forces or armed groups, if any, are released unconditionally through the development of Action Plans.
 - i) 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.
- (6) The Ceasefire Commission, (hereinafter referred to as "the CFC"), and the Joint Commission, hereafter referred to as "the Commission" shall be established as Ceasefire monitoring and verification mechanisms.

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(7) The CFC shall comprise the under listed components:

- The CFC headquartered in EI Fasher;
- The CFC Secretariat headquartered in EI Fasher;
- Sector Sub-Ceasefire Commission (SSCFC);
- The Ceasefire Team Site Group (CTSG).

(8) The CFC has the overall responsibility for the monitoring and implementation of the Ceasefire, and shall endeavour to make decisions by consensus. Where consensus cannot be reached, the CFC shall commit the issue for arbitration by the Commission. The Parties are responsible for implementing the Ceasefire Agreement and shall be obliged to adhere to the recommendations of the Commission.

(9) Cognizant of the important role of women in peace making, adequate and effective representation of women shall be guaranteed by the Parties at all levels of the ceasefire mechanism.

(10) The Parties shall guarantee UNAMID unimpeded freedom of movement in all areas and at all times in Darfur in the exercise of its mandate.

(11) The Parties commit themselves to participating fully and actively in the CFC, the Sector Sub- CFCs and CTSGs and to supporting their work.

FUNCTIONS OF THE CFC

(12) The functions of the CFC shall be to:

- i. Monitor compliance of the Parties to their obligations under the Ceasefire and the conduct of the respective armed forces;
- ii. Coordinate planning, monitoring and verification of the implementation of the Ceasefire;
- iii. Define the routes for all movement of the Parties' forces in order to reduce risks of incidents; and approve all such movements which must be requested by the Parties with at least 72 hour notice;
- iv. Support de-mining operations;



- v. Produce, through its Chairperson, the master map showing disposition of the Parties, and Demilitarized Zones (DMZs) around IDP camps and hosting communities as and when agreed by the Parties;
- vi. Receive, verify, analyse and resolve complaints related to possible violations of the Ceasefire;
- vii. Issue violation reports in the event that a Party commits any prohibited act, as stipulated in the Ceasefire;
- viii. Assist in the dissemination of information about the Permanent Ceasefire as and when agreed by the Parties;
- 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

(13) The CFC shall be constituted as follows:

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| i. | UNAMID Force Commander | Chairperson |
| ii. | Three members from each Party | Members |
| iii. | One Representative of the State of Qatar | Member |
| iv. | One Representative of the Republic of Chad | Member |

(14) The Chairperson shall, as required, co-opt representatives of other components/ sections of UNAMID i.e. Police, HLO, PAD, Legal Office as members without voting right.

(15) The Parties may decide on the number and composition of observers at a later date. Observers are an important facet for the implementation of the Ceasefire as they facilitate and advise the CFC and the Parties. They may include but are not limited to international/regional organisations or 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.

CHAIRPERSON OF THE CFC

(16) The UNAMID Force Commander shall be the Chairperson of the CFC, and in his absence, the Deputy Force Commander shall perform the duties.

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DUTIES OF CFC CHAIRPERSON

- (17) The duties and responsibilities of the Chairperson shall include:
- i. Preside over all CFC meetings;
 - ii. Define the CFC programme of activities;
 - iii. Ensure implementation of the decisions and recommendations of both CFC and the Commission;
 - iv. Order independent or supplementary investigations at CFC level whenever appropriate;
 - v. Ensure the submission of weekly reports to the Commission;
 - vi. Ensure that appropriate measures are taken 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

- (18) CFC meetings shall be convened by the Chairperson or at the request of the Parties. The meetings shall be held at UNAMID Headquarters, El Fasher, or in any other venue as shall be decided by the Chairperson. 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 Chairperson shall refer the matter to the Commission for resolution. The Parties shall be obliged to adhere to the ruling of the Commission;
 - iii. At every session, minutes of meetings shall be signed by the secretary and authenticated by the Chairperson 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 Chairperson.

CODE OF CONDUCT

- (19) CFC members and observers will be expected at all times to adhere to the code of conduct which includes the following:

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- i. Dialogue and appropriate and polite language should be used 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 authorisation by the Chairperson;
- 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 the 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.

(20) The Chairperson shall exercise control over the CFC Secretariat and the subordinate level SSCFC as defined in this Agreement. The Sector Commanders and Chief of Staff CFC Secretariat shall be directly answerable to the Chairperson on the management of CFC resources put under their control.

(21) The Sector Commanders shall exercise control of the SSCFCs and Ceasefire TSGs within their Areas of Responsibility (AORs) and remain answerable to the Chairperson. The SSCFC reports on violations shall be forwarded to the Chairperson through the CFC Secretariat.

SECTOR SUB-CEASEFIRE COMMISSION

(22) Each sector shall establish and maintain Sector Sub-Ceasefire Commission 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 modeled 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 incidents and investigating violations to the Ceasefire.

FUNCTIONS OF SSCFC

(23) The main functions of the SSCFC are to:

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- i. Oversee compliance of the Parties to their obligations within the Sector AOR as per the Ceasefire;
- ii. Consider, verify, investigate and report matters of disagreements and alleged violations between the Parties, in accordance with the Ceasefire;
- 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 Ceasefire;
- vi. Assign tasks/missions to TSGs.

(24) When consensus cannot be reached on a particular issue, it shall be forwarded to the CFC for resolution.

COMPOSITION

(25) The SSCFC shall comprise the following members:

- i. Sector Commander Chairperson
- ii. Two representatives from each party Member
- iii. Secretary
- iv. Co-opted members from relevant UNAMID components who shall have no voting rights.

REPORTS

(26) SSCFCs shall forward their reports covering ceasefire violations as clearly reaffirmed in the Ceasefire to the CFC Secretariat.

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.



COMPOSITION OF CEASEFIRE TEAM SITE GROUPS

(27) The CTSGs at sub-unit level shall be composed of:

- i. Military Observer Team Leader Chairperson
- ii. Two Representatives from each Party Members

(28) The UNAMID will continue to provide appropriate logistic and administrative support to the Parties' representatives in the CFC in the performance of their duties.

JOINT COMMISSION

(29) The Joint Special Representative (JSR), UNAMID shall chair the Commission and in his/her absence, the Deputy JSR shall perform the duties. The Commission shall be composed of the following:

- i. UNAMID JSR Chairperson
- ii. State of Qatar Member
- iii. Republic of Chad Member
- iv. Three representatives from each Party Member
- v. League of Arab States (LAS) Member
- vi. European Union Member
- vii. UNAMID Political Affairs Secretary

(30) 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

(31) The Commission shall be established to resolve disputes among Parties referred to it by the CFC.

(32) The Commission shall perform the following functions:

- i. Follow-up the implementation of the Permanent Ceasefire and the Final Security Arrangements established by this Agreement as and when agreed by the Parties.

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- ii. Be responsible for the interpretation of provisions of the Permanent Ceasefire and the Final Security Arrangements, when necessary, as and when agreed by the Parties.
- 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 case of gross violations, the Commission shall notify the African Union and the United Nations,
- v. In accordance with the UNSC 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;
- vi. Draw attention to any development that would impede or compromise the implementation of the Ceasefire and the Final Security Arrangements, and to take measures to avoid repetition;
- vii. Make recommendations on appropriate measures that should be taken in respect of those responsible for violations of the Ceasefire;
- viii. Any additional functions that the Commission may deem appropriate within the spirit of this Agreement.

MEETINGS

- (33) The Commission shall hold its meetings at the UNAMID headquarters in EI Fasher, or by exception in any other country agreed by the Commission.
- (34) 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. Any of the Parties may request the Commission to convene an emergency meeting when deemed necessary.
- (35) The Parties shall abide by implementing the Commission's recommendations on the measures taken in regard to ceasefire violations.
- (36) The Parties shall circulate to their members and constituencies, the reports of the Commission.

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- (37) The Commission shall issue regular public statements on progress towards implementing the relevant provisions of this Agreement.
- (38) The Commission shall make its decisions by consensus.
- (39) This Agreement shall enter into force upon the signature thereof and shall remain in force for a period of ninety (90) days and maybe extended upon mutual agreement.

Done in Doha on the 10th day of February 2013, in two (2) original texts in the Arabic and English languages. In case of discrepancies between the two (2) versions, the Arabic version shall prevail.

**For the
Government of Sudan**

Dr. Amin Hassan Omar

Minister of State in the Presidency

**For the
Justice and Equality Movement Sudan**

Mr. Arko Sulaiman Dahiya

Vice President/Head of Delegation

Witnessed by

For the State of Qatar

**H.E. Ahmad bin Abdallah Al Mahmoud
Deputy Prime Minister and Minister of
State for Cabinet Affairs**

For the AU-UN Mediation

**Ms. Aichatou S. Mindaoudou
Acting Joint Special Representative/
Joint Chief Mediator *ad interim***

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