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PEACE AND SECURITY COUNCIL

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**BRIEFING ON THE STATUS OF THE INTER-SUDANESE
PEACE TALKS ON THE CONFLICT IN DARFUR**

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I. INTRODUCTION

1. At the 45th and 46th meetings of the Peace and Security Council (PSC), held on 12 January 2006 and 10 March 2006, respectively, the Commission reported on the modest progress that had been achieved in negotiations in Abuja, on the three themes under discussion, namely, Power Sharing, Wealth Sharing and Security Arrangements [PSC/PR/Comm. (XLV); PSC/PR/Comm. (XLVI)]. The present briefing provides an update on the Talks since 10 March 2006.

II. DEVELOPMENTS IN THE TALKS

2. During the period under review, discussions in the plenary and bilateral consultations between the Mediation and the parties were concluded in the Power Sharing and Wealth Sharing Commissions. Currently, the Mediation is reviewing what it considers to be a fair and judicious compromise document, which would then be submitted to the parties for their consideration.

3. Regrettably, during the period under review, the positions of the parties in the Power Sharing Commission remained far apart, especially on issues such as the Presidency, the future status of Darfur, representation of Darfurians in the Executive, the Legislature, and the civil service. For example, on the future status of Darfur, the Movements' demanded the establishment of a Region for Darfur immediately after the signing of an agreement, without a referendum and prior to consultation of the people of Darfur. The Government, on its part, while agreeing to the creation of mechanisms to enhance inter-state coordination pending a final decision, continues to reject the changing of the status quo without securing the full consent of the people of Darfur.

4. Regarding representation at the level of National Executive, the demand by the Movements for the post of a Second Vice President continues to be rejected by the Government. There is also no consensus between the parties on the appropriate level of representation for the Movements at the Council of Ministers, the National Legislature, Council of States, National Judicial Organs, the Civil Service, the Armed Forces and Law Enforcement Agencies, National Institutions, Educational Institutions, and the Administration of the National Capital. The parties have yet to agree on the percentages on power sharing within Darfur too. This applies to both the Legislative and the Executive.

5. In the Security Arrangements Commission, efforts are currently focused on having the parties agree to the proposed Enhanced Humanitarian Ceasefire Agreement (EHCA) that was presented to them by the Mediation on 12 March 2006. The EHCA aims to:

- stop the violence;
- alleviate the suffering of the people of Darfur;
- create a climate conducive to the conclusion of the Abuja Talks, and
- make it possible more effectively to implement the N'djamena Ceasefire Agreement, signed on 8 April 2004.

6. The EHCA also contains provisions for:

- the strengthening of the Ceasefire Monitoring and Verification Mechanisms;
- the protection of IDPs and humanitarian supply routes; and
- **the disengagement, redeployment, and limited arms control.**

7. Most importantly, the EHCA has a bridging provision committing the parties to the finalization of a Comprehensive Security Agreement by concluding their discussions on issues such as the speedy disarmament of the Janjaweed; the establishment of assembly areas for the Movements' combatants; the demobilization and reintegration of the Movements' combatants; and a detailed roadmap indicating the sequencing and timing of the final security arrangements.

8. The EHCA is neither a new nor a stand alone agreement. As noted above, it was necessitated by the fact that the parties had repeatedly and with impunity violated the N'djamena Ceasefire Agreement. The EHCA, it should be noted, is based on detailed technical work by a team of AU and UN experts.

9. Currently, the parties are engaged in mapping their positions in order to identify their exact locations on the ground as demanded by the N'djamena agreement and the Joint Commission. Pending the outcome of this process as well as agreement on the sequencing of disengagement, redeployment, and limited arms control, the Mediation will shortly be presenting a compromise document to the parties.

10. There remain four unresolved issues in the Wealth Sharing Commission. The parties have yet to agree on the needs for the resettlement of IDPs and refugees. The Movements are still insisting on an initial financial support to be provided to the returnees in addition to other basic services, to enable them to restart their livelihood. The Government is maintaining its position of no cash payment.

11. Regarding the money to be paid by Government to the Darfur Reconstruction and Development Fund (DRDF) through transfers from the Fiscal and Financial Allocation and Monitoring Commission (FFAMC), the situation remains the same. Each party is sticking to its previous position. The Movements are insisting that 6.5% of the annual revenue of the Sudan be paid to the DRDF for a period of 10 years. The Government wants to deposit seed money in the DRDF for 2006 and make payments for the next two years, which should be adjusted against its contribution as determined at the end of the Joint Assessment Mission exercise.

12. No significant move was recorded in the area of vertical allocation from the Central Government to the States. The issue at stake is the inclusion of a provision to take care of the eventuality that the FFAMC is not operational in 2006. What rate should be applied for the vertical allocation from the Government to the States? The Movements want that a percentage of 35% of the national revenue to be applied as a formula. The Government argues that fixing a formula in Abuja is not acceptable because it is not based on a scientific economic study; furthermore, the Movements are not mandated to negotiate a formula on behalf of other States.

13. Concerning compensation, the parties agreed to the idea of establishing a Compensation Commission. Disagreements relate to the creation of a Compensation Fund.

14. Preliminary discussions have begun on the two remaining agenda items relating to the implementation modalities and guarantees, as well as the general provisions.

15. The Mediation has finalized a compromise text on the 4 major outstanding issues and will submit it with the final package.

16. As required in the Declaration of Principles (DoP) adopted on 5 July 2005, the Sudanese parties have begun to exchange views on the Darfur-Darfur Dialogue and Consultations. Council will recall that the DoP stipulates that "agreements reached by the Parties shall be presented to the people of Darfur to secure their support through the Darfur-Darfur Dialogue and Consultations." It is expected that the Darfur-Darfur Dialogue will provide a mechanism to connect a peace agreement reached among the parties to social and political issues on the ground in Darfur, so that those stakeholders in Darfur not represented at the

Abuja Talks could be sensitized on the provisions of the envisaged agreement in order to ensure ownership by all the people of Darfur and obtain their commitment to implement the agreement that will be signed.

17. The Special Envoy and Chief Mediator, Salim Ahmed Salim, continues to engage in consultations with the President of the Federal Republic of Nigeria, Olusegun Obasanjo, with respect to the Talks. In their last meeting that took place on 22 March 2006, Mr. Salim briefed the President on the progress at the Talks and the outstanding issues, as well as the way forward. At that meeting, the President reassured the Special Envoy of his continued engagement in the process and his preparedness to assist the parties in reaching a comprehensive agreement, whenever the need arose.

18. Subsequently, on 26 March 2006, President Obasanjo, in the presence of the Head of the AU Mediation Team, Sam Ibok, met separately with the Heads of delegation of the Sudanese Government, the SLM/A and the JEM. After exchanging views on the outstanding issues in the negotiations and the ways and means to overcome the difficulties being encountered, the President underscored to the parties the continued commitment of the leadership of the AU and his personal preparedness to assist them to reach an agreement as speedily as possible so as to bring the suffering of the Darfur people to an end. The President also urged the parties to demonstrate an even greater spirit of flexibility, compromise and accommodation, especially as the Talks enter a final and critical stage. He emphasized the fact that a negotiated political settlement remains the only viable option for achieving peace in Darfur.

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