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PEACE AND SECURITY COUNCIL  
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**REPORT OF THE CHAIRPERSON OF THE COMMISSION ON  
THE STATUS OF THE IMPLEMENTATION OF THE PEACE AND SECURITY  
COUNCIL DECISION OF 10 MARCH 2006 ON THE SITUATION IN DARFUR  
AND THE CONCLUSION OF THE ABUJA PEACE TALKS**

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CONCLUSION OF THE ABUJA PEACE TALKS**

**I. INTRODUCTION**

1. At its 46<sup>th</sup> meeting held on 10 March 2006, Council considered the situation in Darfur. At the end of its deliberations, Council decided to support in principle the transition from the African Union Mission in Sudan (AMIS) to a United Nations (UN) Operation, within the framework of the partnership between the AU and the UN in the promotion of peace, security and stability in Africa, and to extend the mandate of AMIS until 30 September 2006. Council further decided that, during this period, every effort should be made to (a) ensure the early conclusion of a peace agreement, (b) improve the security, humanitarian and human rights situation on the ground, and (c) address the crisis in the relations between Chad and Sudan.

2. The present report provides an update on the status of the implementation of some key aspects of Council's decision of 10 March 2006. It also contains recommendations on the way forward in view of the signing, on 5 May 2006, of the Darfur Peace Agreement (DPA) by the Government of Sudan and the main faction of the Sudan Liberation Movement/Army (SLM/A), led by Minni Minawi.

**II. FINAL PHASE OF THE ABUJA PEACE TALKS**

3. At its 46<sup>th</sup> meeting, Council called for the early conclusion, by the end of April 2006, of the 7<sup>th</sup> Round of the Inter-Sudanese Peace Talks, which opened in Abuja on 29 November 2005 and had been running continuously for over five (5) months. Council will also recall that, at its 50<sup>th</sup> meeting held on 28 April 2006, an update was provided on the developments at the Abuja Talks, in particular, the submission to the parties, on 25 April 2006, of a comprehensive set of proposals for a Darfur Peace Agreement, by the Chief Mediator, Salim Ahmed Salim. At the end of its deliberations at that meeting, Council, *inter alia*, affirmed that the draft DPA, which was the culmination of intensive deliberations and negotiations conducted by the AU Mediation, with the support of the facilitators and international partners, represented a fair, comprehensive and workable solution to the conflict in Darfur. These proposals covered aspects of power-sharing, wealth-sharing, security arrangements and the Darfur-Darfur Dialogue and Consultation (DDDC), as well as implementation mechanisms and modalities. Council held the view that the time had come for the parties to assume their responsibilities and to take historic decisions to bring the conflict to an end, and invited them to adopt and sign the agreement by the deadline of 30 April that was set by Council.

4. Following Council's meeting of 28 April, the Mediation intensified its efforts to persuade the parties to respect the deadline of 30 April 2006. The Mediation made good use of the presence of Vice-President Ali Osman Taha of the Republic of the Sudan in

Abuja, along with other senior officials of the Government of National Unity (GoNU), including leading members of the Sudan People's Liberation Movement (SPLM), to facilitate direct negotiations between the Government delegation and the leaders of the Movements. I would like, in this regard, to pay tribute to the Vice-President and the SPLM members of the GoNU, for their sustained efforts, which went a long way in facilitating the work of the Mediation and in narrowing some of the differences between the parties, especially in the areas of power sharing and security arrangements.

5. Before the deadline of 30 April 2006, the Government of the Sudan, while expressing reservations on some aspects of the document submitted by the Chief Mediator, formally informed the Mediation that it accepted the draft as a good basis for an agreement to end the conflict in Darfur. For their part, the Movements continued to express concerns over some aspects of the document, which, according to them, did not fully address their original demands and aspirations in some of the fundamental areas that they had consistently raised throughout the negotiations.

6. In view of the Government's acceptance of the Mediation's proposals and the belief that extra efforts were required to get the Movements to adopt and sign the agreement, I addressed a special message to the parties in Abuja on 30 April 2006, appealing to them to continue with the negotiations until an agreement was reached and in order to allow time for the arrival of the current Chairman of the AU and I in Abuja, to consult with President Olusegun Obasanjo and the Chief Mediator, Salim Ahmed Salim, on the way forward. Consequently, the Special Envoy, following consultations with the facilitators, observers and the international partners, extended the deadline for the Talks by 48 hours.

7. In the meantime, on 1 May 2006, the Mediation Team was joined by the US Deputy Secretary of State, Robert B. Zoellick and the US Assistant Secretary of State for African Affairs, Jendayi E. Frazer, as well as the UK Secretary of State for International Development, Hillary Benn. Mr. Zoellick and Mr. Benn, together with representatives from Canada and the European Union (EU) and in close coordination with the Chief Mediator, proposed amendments to the draft DPA, which were subsequently presented to the parties for their consideration. The proposed amendments mainly covered security arrangements, but also sought to address some of the concerns expressed by the Movements on power sharing and wealth sharing.

8. Agreement between the parties was not reached as the new deadline drew close, even though the efforts of the international partners were beginning to bear fruit. As a result, the host of the Talks, President Olusegun Obasanjo, at a meeting with the Chief Mediator, requested that, pending the arrival of the current Chairman, another 48-hour extension of the Talks should be allowed to enable the presentation to the parties of a final enhanced text of the DPA.

9. On 4 May 2006, at the State House, in Abuja, President Obasanjo hosted the final stretch of the negotiations attended by the current Chairman of the AU, President Denis Sassou-Nguesso, the representative of the Leader of the Libyan Arab Jamahiriya,

Ali Treki, and I, along with the Chief Mediator, the Commissioner for Peace and Security and the Special Representative in Sudan, representatives of the parties, the facilitators and international partners. The meeting lasted until 04:30 a.m., the next day, and, after a short break, resumed at 09:00 a.m.

10. On that second day of the meeting, Minni Minawi and his SLM/A group, after sustained engagement by the leaders and the international partners, confirmed their acceptance of the DPA as amended and expressed their readiness to sign it. For their part, Abdulwahid El Nour and his SLM/A group and Khallil Ibrahim Mohamed of JEM felt that the draft agreement did not address most of their fundamental areas of concern. They therefore announced that they were unable to sign the agreement unless substantial modifications were made to address those concerns.

11. Following intensive consultations at the highest level, and despite the negative response from the leadership of the SLM/A (Abdulwahid) and JEM, the DPA was signed at 17.00 hours, on 5 May 2006, by Magzoub Al Khalifa, on behalf of the Government of the Sudan, and Minni Minawi, Chairman of the SLM/A. Immediately after the signing ceremony, fourteen (14) members of the SLM/A group that refused to sign, led by Abdulrahman Musa, who was until then the chief negotiator of the Abdulwahid group of the SLM/A, handed in a letter in which they expressed their wish to join the peace process and to be included in the implementation mechanisms, so that they can be part and parcel of the efforts to bring peace to their people in Darfur.

12. Although the DPA was signed by the Government of the Sudan and the SLM/A (Minni Minawi), given that two of the parties that were involved in the negotiations declined to sign it, the current Chairman and President Obasanjo announced that efforts should continue to bring the two Movements on board. Consequently, they announced that the agreement should remain open for signature until the meeting of Council to be held on 15 May 2006. This, in effect, meant that the commencement date (D-Day) of the implementation of the agreement could only be on 16 May 2006.

13. Immediately, after the present meeting of Council, I will address a transmittal letter to the President of the Republic of the Sudan, requesting him to take the necessary measures to ensure that the DPA is incorporated into the Interim National Constitution of the Sudan, in accordance with paragraph 14 of the Declaration of Principles (DoP) agreed to and signed by the parties, on 5 July 2005. I will also ensure that the signed copies of the DPA are formally registered with the African Union and with the United Nations, in line with established practice.

14. The DPA, as signed, contains provisions relating to power sharing, wealth sharing, security arrangements and the DDDC, as set out below:

**Power Sharing:**

- Federal System of Government with the establishment of a Transitional Darfur Regional Authority (TDRA) composed of the three Darfur States;

- Organization of a referendum to determine the future status of Darfur - whether to establish Darfur region or retain the status quo of three States;
- The Northern boundaries of Darfur shall return to the position as at 1<sup>st</sup> January 1956 - a technical *ad hoc* team shall be established to carry out the demarcation accordingly;
- Appointment from a list of nominees provided by the Movements of a Senior Assistant to the President, fourth ranking member in the Presidency, who shall also be the Chairperson of the TDRA;
- Appointment from Darfurians, including the Movements, of one additional cabinet minister and two additional state ministers in the national government ;
- Appointment of one nominee of the Movements as Chairperson of one of the Parliamentary Committees;
- Allocation of twelve (12) seats in the National Assembly to the Movements;
- Adequate representation of Darfurians, including the Movements, in the national judicial organs, civil service, armed forces, law enforcement agencies, national security and educational institutions;
- Appointment of one nominee of the Movements as a minister in the Executive of the Khartoum State Government;
- At the State level, appointment of nominees of the Movements to the posts of one Governor and two Deputy Governors, two ministerial positions and one Senior Advisor, in each of the three States of Darfur;
- Twenty one (21) seats of the State Legislature to be allocated to the nominees of the Movements - the Deputy Speakers of the Darfur State Legislatures shall also be nominees of the Movements.

**Wealth Sharing:**

- Transfers from the Central Government to the Northern States, including Darfur, shall be made on the basis of a formula to be worked out by the Fiscal and Financial Allocation and Monitoring Commission (FFAMC) provided for in the Comprehensive Peace Agreement (CPA);
- Establishment of the Darfur Reconstruction and Development Fund (DRDF) to which the Government shall allocate an amount equivalent to US\$ 300 million in 2006, then not less than US\$ 200 million per annum in 2007 and 2008;
- Initiation of a Joint Assessment Mission (JAM) for the identification of the needs of post-conflict economic recovery, development and poverty eradication in preparation for a Donors' Conference to be convened three (3) months after the signing of the DPA;

- Establishment of State Land Commission to address issues related to traditional and historical rights to land-use management and natural resource development;
- Establishment of a Darfur Rehabilitation and Resettlement Commission to look into the needs of displaced and war-affected persons;
- Provision of security and a resettlement package for the return of displaced persons to their places of origin as well as provision of basic needs to restart their livelihoods including the establishment of micro-credit schemes;
- Establishment of a Compensation Commission and a Compensation Fund to address claims of affected persons, taking into account, *inter alia*, customary practices of tribal restitution and traditional mechanisms of dispute settlement. The Government of Sudan indicated that it would make an immediate contribution of US\$ 30 million to the Compensation Fund.

**Security Arrangements:**

- Enhancement of the Ceasefire Commission to be chaired by the Force Commander, with the Deputy Force Commander as First Vice Chair and the EU Representative as Second Vice Chair. Strengthening of the Joint Commission to be chaired by the Special Representative of the Chairperson of the AU Commission in the Sudan, and which will hold its meetings in Addis Ababa until such time as conditions are conducive for the meetings to take place in EL Fasher;
- Establishment of the Joint Humanitarian Facilitation and Monitoring Unit provided for in the Abuja Protocol of 9 November 2004 on the Improvement of the Humanitarian situation in Darfur;
- Establishment of demilitarized zones around IDP camps and provision of internal security to the IDP camps, with emphasis on the protection of women and children, as well as demilitarizing selected humanitarian supply routes for the free movement of humanitarian assistance;
- Disengagement, redeployment and limited arms control in sequenced phases, as well as the establishment of buffer zones to separate the various forces on the ground;
- Submission by the Government of Sudan of a plan for the neutralization and disarmament of the Janjaweed/armed militia, and implementation of the said plan;
- Provision of non-military support to the Movements once they are in assembly areas;
- Integration of former combatants into national security institutions: 4000 former combatants from the Movements into the Sudan Armed Forces; 1000 into the Sudan national Police Force and other security institutions, 3000 to be supported through specific education and training programmes; in addition, support, through

social and economic reintegration programmes, for former combatants who wish to return to civilian life or do not meet the eligibility criteria for integration into the armed forces and security services;

- Establishment of a Darfur Security Arrangements Implementation Commission (DSAIC) as a subsidiary body of the TDRA;

#### **Darfur-Darfur Dialogue and Consultation (DDDC)**

- Preparations for the holding of the DDDC (800-1000 participants) provided for in paragraph 14 of the DoP, under the auspices of the AU and in cooperation with international partners;
- Establishment of a Preparatory Committee (PrepCom) to be chaired by the AU and composed of not more than 25 members representing the Government, Movements, civil society organizations, tribal leaders, UN, EU, and League of Arab States;
- Preparation by the PrepCom of the agenda of the DDDC, identification of participants, determination of the venue and funding modalities.

15. Following its meeting of 9 May 2006, the Security Council issued a Presidential Statement in which it strongly welcomed the agreement of 5 May 2006 as a basis for lasting peace in Darfur, and called on all parties to respect their commitments and implement the agreement without delay. The Security Council urged those movements that have not signed the agreement to do so without delay, noting the benefits it will bring them and the people of Darfur, and not to act in any way that would impede implementation of the agreement.

### **III. TRANSITION FROM AMIS TO A UN OPERATION IN DARFUR**

16. As I have earlier recalled, Council, at its meeting of 10 March 2006, decided to support in principle the transition from AMIS to a UN operation in Darfur. Council reiterated that, given the progress made in the initial stabilization phase of Darfur and the then ongoing efforts to conclude a peace agreement, steps should be taken to sustain the peace support operation in Darfur in 2006 and beyond, bearing in mind the requirements for an increased integration of the different aspects of the peace efforts. In this respect, Council welcomed the adoption by the Security Council, on 3 February 2006, of Presidential Statement S/PRST/2006/5, and took note of the announcement by the Government of Sudan that it is prepared to accept the deployment of a UN operation in Darfur after and as part of the conclusion of a peace agreement. Consequently, Council requested me to continue my consultations with the United Nations, the Government of Sudan and other stakeholders on the modalities of the transition. Council further requested me to work closely with the United Nations Secretary-General on joint planning towards that end.

17. As a follow-up to that decision, I wrote to the UN Secretary-General, Kofi Annan, on 20 March 2006, proposing that the Department of Peacekeeping Operations (DPKO) and the AU Peace and Security Department meet as soon as possible, at the appropriate political level, to work out the modalities of the transition, including the required coordination mechanisms both in Addis Ababa, Khartoum and El Fasher. I stressed the need for the Security Council to continue lending its full support to the AU in order to improve the situation on the ground. In response to my letter, the Secretary-General wrote to me on 27 March 2006, stressing the need for the AU and the UN to proceed expeditiously with practical consultations on the transition and to establish strong coordination mechanisms at all levels. Subsequently, I met with the Secretary-General in New York, on 31<sup>st</sup> March 2006, to discuss various issues of concern to the UN and the AU, in particular the situation in Darfur and the steps required to address the crisis.

18. In the meantime, on 24 March 2006, the UN Security Council adopted resolution 1663(2006) on Sudan. In that resolution, the UN Security Council welcomed the Council's communiqué of 10 March 2006. It requested "the UN Secretary-General, jointly with the AU, in close and continuing consultation with the Security Council, and in cooperation and close consultation with the parties to the Abuja Peace Talks, including the GoNU, to expedite the necessary preparatory planning for transition of AMIS to a UN operation, including options for how the United Nations Mission in the Sudan (UNMIS) can reinforce the effort for peace in Darfur through additional appropriate transitional assistance to AMIS, including assistance in logistics, mobility and communications".

19. Following my consultations in New York at the end of March and in implementation of the UN Security Council's request as contained in resolution 1663(2006) and Council's decision of 10 March 2006, the Assistant Secretary-General for Peacekeeping Operations, Hédi Annabi, was dispatched to hold follow-up consultations in Addis Ababa, on 12 and 13 April 2006. In the very useful discussions with the Peace and Security Commissioner, Saïd Djinnit, and the Senior Staff of the Department of Peace and Security, including my Special Representative in the Sudan and his team, wide ranging conclusions were reached aimed at giving effect to this Council's and the UN Security Council's decisions on transition and cooperation between our two organizations. Mechanisms were also agreed to be set up jointly in Addis Ababa, Khartoum and El Fasher, in order to ensure joint planning. Mr. Annabi seized the occasion of the discussions to brief the Commission on the step taken by the UN with respect to the transition.

20. From Addis Ababa, Mr. Annabi proceeded to Khartoum. In Sudan, he met with a number of senior Government officials, including President Omar Hassan Al Bashir. In those meetings, Mr. Annabi assured Sudanese officials that a United Nations operation in Darfur would not be deployed and conducted without the cooperation and support of the Government of Sudan. Mr. Annabi also emphasized that planning for such an operation would take place on a contingency basis, and without prejudice to the decisions that would have to be taken in due course by the AU, the Government of

Sudan, and the United Nations. Finally, he stressed that effective planning required sending a technical assessment mission to Darfur, which should take place as soon as possible, so that the mandate and requirements of a possible United Nations operation could be determined in a timely manner and discussed with the Government and potential troop and police contributors.

21. However, President Bashir and other senior Government officials who met with Mr. Annabi took the position that neither the Government or the Parliament of Sudan had accepted the principle of a transition to a United Nations operation and therefore there could not be agreement on any planning in this connection, or the deployment of a technical assessment mission. At the same time, they observed that once an agreement was reached in Abuja, the Government would be prepared to discuss the United Nations role in its implementation, as had been done in the case of Naivasha.

22. Now that the Government and the main rebel group of Minni Minawi SLM/A faction have signed the DPA, Council may wish to urge the Government of the Sudan to give its consent to the transition to the UN, beginning by immediately allowing the UN-led technical assessment team and other planning mechanisms and processes to commence in earnest. This is particularly pertinent given that the current mandate of AMIS will expire in 4½ months from now and the minimum lead-time the UN requires for an effective transition is 6 months. In this connection, I am in communication with the Chairman of the AU, for the Committee of Heads of State and Government referred to in paragraph 7 of Council's decision of 10 March to engage the Sudanese authorities and other stakeholders on how best to expedite the peace process and on the transition.

23. The 6<sup>th</sup> EU-Africa Ministerial Troïka meeting, that took place in Vienna, on 8 May 2006, discussed the situation in Darfur. In the communiqué issued at the end of the discussions, the meeting held the view that, within the framework of the relevant provisions of the Council's decision of 10 March 2006, the signing of the DPA would open the way for an early conclusion of discussions between the UN and the GoNU on the role of the UN in Darfur, including required preparatory steps.

24. In its Presidential Statement of 9 May 2006, the Security Council stressed that the Secretary-General should consult jointly with the African Union, in close and continuing consultations with the Security Council, and in cooperation and close consultation with the parties to the Abuja Peace Talks, including the GoNU, on decision concerning the transition to the United Nations operation. It looked forward to receiving at the earliest opportunity from the Secretary-General detailed planning proposals for a United Nations operation in Darfur, and called in this regard for the GoNU to facilitate immediately the visit of a joint United Nations and African Union technical assessment mission to Darfur. The Security Council encouraged the Secretary-General to consult urgently with potential troop-contributing countries on the assets required for a United Nations operation. It stressed that a United Nations operation should have strong African participation and character, and called on international and regional organizations and member states to provide the United Nations operation every possible assistance.

#### **IV. FINANCIAL ASPECTS AND PLEDGING CONFERENCE FOR AMIS**

25. In its 10 March 2006 decision, Council reiterated its appeal to AU partners to provide all necessary financial and logistical assistance to sustain AMIS until 30 September 2006, as well as support to the Abuja Talks. In this respect, Council welcomed the envisaged convening of a pledging conference in Brussels, with the support of the UN and the EU. Against this backdrop, and in addition to the main budget amounting to US\$ 170 million, to sustain the Mission within the current mandated strength, which has already been prepared and circulated to donors, the Commission is in the process of preparing the concept of operations for the transition period which will form the basis for a supplementary budget. This supplementary budget will cover requirements arising from the implementation of the DPA during the transition period. The main and supplementary budgets will be presented at the pledging conference referred to above and for which consultations are underway both with the UN and the EU for its convening in Brussels, either in early June or in the third week of that month.

26. In the meantime, the UK and the Canadian Governments have given firm undertakings to provide aviation assets, ground fuel and aviation fuel up to the end of the transition period, i.e. from 1<sup>st</sup> April to 30 September 2006. The EU, on its part, has pledged 50 million Euro, following the decision to replenish in the short term the Africa Peace Facility from the 9<sup>th</sup> EDF. It is hoped that more funds will be mobilized during the pledging conference, especially as the Mission has been facing acute shortage of funds since April 2006. Meanwhile, funding had been secured for the Abuja Talks up to and including the 7<sup>th</sup> Round.

#### **V. IMPROVEMENT OF THE SECURITY AND HUMANITARIAN SITUATION**

27. In order to improve the security, humanitarian and human rights situation in Darfur, the 46<sup>th</sup> meeting of Council, *inter alia*, requested the Commission to immediately take the necessary steps for the consistent, flexible, broad and robust interpretation of the AMIS mandate; to vigorously pursue its efforts towards reaching as quickly as possible the authorized strength of AMIS; and to take all necessary steps for the full implementation of the recommendations made by the AU-Led Assessment Mission, to Darfur from 10 to 20 December 2005.

28. Subsequent to that decision, a number of steps have been taken with the view of enhancing AMIS effectiveness on the ground. Among others, efforts were made to refocus the staff and re-orientate subordinate commanders, while re-posturing the force within the framework of available resources. This was achieved by intensifying in-theatre training, ensuring the internalization of the Rules of Engagement (RoE), as well as redirecting the Sector Commanders for enhanced service delivery. Additionally, bolder and tougher measures were taken to ensure security by stepping up AMIS operations through the conduct of extensive and intensive patrolling by day and night, by road and by air, and by the effective deployment of the force with Armoured Personnel Carriers (APCs).

29. These measures have helped to reduce the freedom of action of the armed elements as well as deterring them from acting with impunity. They have also facilitated improved troop combat readiness, prompt response to distress calls from NGOs in danger, the creation of a relatively secure environment for the supply of humanitarian relief materials, the reduction of the incidence of rape, the provision of secure environment for the effective operation of the local authorities, and the stopping of the incidence of abduction of AMIS personnel and equipment.

30. Regarding AMIS civilian police component, efforts were made to heighten their presence among the local population, particularly the IDP camps. In some of these stations, there is 24 hours/7days AMIS police presence. The number of police stations, which stands currently at 26, will be increased to 65 in the near future. The AMIS police plan for the transition is to maximize contacts with all designated communities in Darfur, collaborate strongly with the Protection Force, increase contacts with IDPs in the Area of Responsibility (AoR), and with Government of Sudan police forces, as well as improve operational/administrative processes.

31. During the period under review, the Commission has also pursued efforts towards reaching, as quickly as possible, the authorized strength of AMIS, i.e. 6,171 military and 1,560 civilian police personnel. Currently, the Mission has 5,585 military personnel and 1,408 AMIS police, which are both at 90% of their authorized strengths. The shortfall in the military personnel is due mainly to the fact that only 285 of the initially envisaged 768 South African troops have been deployed. Consultations are underway with some member states, in particular Senegal, to secure the additional troops required. The recruitment of civilian support staff has remained far behind schedule even though a system to fast track the recruitment process has been adopted.

32. In addition, the Commission has taken steps for the full implementation of the recommendations of the AU-Led Assessment Mission to Darfur from 10 to 20 December 2005. In this respect, the Commission set up Committees in Addis Ababa (DITF), Khartoum and El-Fasher, which prepared a time-phased implementation plan for a number of issues, including on command and control. Adequate structures for a Forward Joint Mission Headquarters, which incorporates a Joint Operations Center (JOC), have been designed and Terms of Reference of the various functional units, as well as resource requirements, have been prepared. These and other recommended structures will now be set up on the ground in the coming months with the assistance of the UN and other AU partners.

33. These efforts will be pursued over the coming weeks and months, especially as the security situation in Darfur remains of utmost concern. Indeed, since my report to the 46<sup>th</sup> meeting of Council, the region has continued to witness persistent insecurity, with ceasefire violations, banditry activities, hijacking of vehicles, attacks on villages and killing of unarmed civilians by the various parties, particularly the Janjaweed. Equally worth noting are the armed clashes between different factions of the SLM/A. These clashes assumed a more violent dimension in the months of March and April, when the SLM/A Minni faction, in what seemed like a reprisal attack after an ambush on 3 March

2006, launched an attack against the SLM/A Abdul Wahid faction at Korma (Sector 1) on 9 March 2006. In the month of April 2006, there appeared to have been an upsurge in inter-party attacks; a few attacks have also been witnessed in the month of May. On 8 May, an AU language assistant was lynched to death during the attack of an AMIS civilian police station by IDPs in their camp at Kalma, in South Darfur. Earlier on, Mr. Jan Egeland, the UN Under Secretary-General for Humanitarian Affairs, who was visiting the camp, had himself to be rushed away from the demonstrating IDPs. I strongly condemn this behavior and appeal to all concerned to assume their responsibility and reestablish law and order to allow humanitarian workers and AMIS to continue to render assistance to the needy.

34. In response to the rising inter-factional and inter-tribal clashes, the Ceasefire Commission (CFC) provided for by the N'djamena Humanitarian Ceasefire Agreement of 8 April 2006 embarked on reconciliation efforts in close liaison with the various stakeholders. The CFC also adopted an open door policy as regards submission of ceasefire violation complaints. Since the beginning of 2006, the CFC has deliberated on 45 ceasefire violation reports. Out of this figure, 23 were declared ceasefire violations, while 13 were declared acts of banditry.

35. Of concern to AMIS is the continued restriction of its personnel's movement by the parties to the conflict and the imposition of "No Fly Zones" by local GoS Commanders. These unilateral measures have denied AMIS freedom of air operation and had on a number of occasions compromised ceasefire violation investigations.

36. The prevailing insecurity is impacting negatively on the human rights and humanitarian situation. A total of 3.5 million people are currently in need of humanitarian assistance in Darfur. A massive relief operation by the UN and humanitarian agencies has resulted in a dramatic reduction of morbidity and mortality rates from their 2004 levels, and has effectively prevented large outbreaks of disease. But this may worsen if all the parties are not committed to the peace efforts. While the just completed 7<sup>th</sup> Round of the Peace Talks in Abuja was underway, the parties continued to be involved in skirmishes which have led to further displacements and loss of life, personal property and looting of animals. Furthermore, it has been reported that refugees in Chad are facing limited resources in terms of water and firewood.

37. It is against this background, that the World Food Programme (WFP) announced that shortage of funding had forced the agency to cut rations by about half throughout Darfur. This means that the daily food ration of 2,100 kilocalories per person is halved to 1,050 kilocalories. Reduction of food supplies due to WFP's funding shortfall will have a further negative impact on the availability of humanitarian assistance and could negatively impact on the security situation in Darfur.

38. Besides major funding shortfalls and a significant reduction in access due to rising insecurity, the humanitarian community has been facing increasing restrictions by Government agencies and the Movements, thereby limiting humanitarian access further. I would like to seize this opportunity to appeal to the Government of the Sudan

to take all steps required to facilitate the work of the humanitarian agencies, particularly with respect to visas, permits and internal movement. More generally, I, once again, urge the parties to comply with their commitments, as requested by the Council on 10 March 2006.

39. In its Presidential Statement of 9 May 2006, the Security Council expressed its deep concern over the deteriorating humanitarian situation in Darfur and at the shortfall in humanitarian funding. The Security Council urged member states to make additional funds available, and called on all the Sudanese parties to respect the neutrality, impartiality and independence of humanitarian assistance.

#### **V. RELATIONS BETWEEN CHAD AND SUDAN**

40. Council would recall that, at its 46th meeting, it urged the Governments of Chad and Sudan to fully implement the commitments made and to facilitate the work of the existing mechanisms that have been agreed upon in the Tripoli Declaration and the Tripoli Agreement signed in February 2006. It requested the Facilitators of the Tripoli Agreement to remain actively engaged in the efforts to defuse the tension on the ground and normalize the relations between Chad and the Sudan and ensure the effective functioning of the existing mechanisms agreed upon in the Tripoli Declaration and Agreement. Council also requested the Commission to prepare and submit proposals on how best AMIS can assist in the implementation of the Tripoli Declaration and Agreement, including the necessary adjustment to its current mandate.

41. In my report PSC/PR/3(XLVII) to the 47<sup>th</sup> meeting of the Council, held on 21 March 2006, I made the following proposals regarding the support that the AU could provide for the implementation of the Tripoli Agreement of 8 February 2006:

- readjustment of the current mandate of AMIS to include protecting the observation posts to be established in the Sudan; and
- authorization for AMIS, within the limits of available resources, to provide the observer teams with medical, food, air transport, communication and training assistance, as defined by the meeting of military and security experts.

42. On its part, Council took note of my report on the implementation of the Tripoli Agreement of 8 February 2006 between Chad and the Sudan, including the request made to the AU by the meeting of the Chiefs of General Staff and Directors of External Security held in Tripoli on 13 March 2006 that AMIS provide security for the observer posts to be established on the Sudanese territory as part of the implementation of the Tripoli Agreement, as well as medical, food, air transport, communication and training assistance to the observer teams, within the limits of available resources. Council requested the Commission to continue to explore all possible options to support the implementation of the Tripoli Agreement, including support by AMIS, taking into consideration the Mission's current capabilities, particularly with respect to logistics and

financial resources, the legal aspects involved, as well as the views of the Troop Contributing Countries (TCCs), and to report to it as soon as possible to enable it take a decision on the issue.

43. In accordance with the Council's decision, the Commission is finalizing proposals on how best support could be provided for the implementation of the Tripoli Agreement, including through AMIS. These proposals will be submitted to a Council's meeting scheduled for 23 May 2006. In the meantime, relations between Chad and Sudan have witnessed a new deterioration. On 13 April 2006, rebel elements belonging to the United Front for Change (FUC), attacked N'djamena. This attack was strongly condemned by the Council at its 49<sup>th</sup> meeting held on the same day, as an unacceptable attempt to overthrow the current Government through unconstitutional means; Council also stressed the need for the Government of Chad to urgently initiate a dialogue with all political forces in the country with the view of finding a consensual solution to the problems facing Chad and to consolidating the democratic process in the country. Chad accused Sudan of involvement in the attack and broke off diplomatic relations with that country. Chad also announced its withdrawal from the then ongoing Abuja Talks, as co-Mediation, and from the Joint Commission, which it used to chair. However, Sudan has consistently denied having any role in the attacks perpetrated against Chad and, in reaction to the decision to broke off diplomatic relations, it has sent a formal communication to the Commission requesting notably that necessary steps be taken towards the urgent withdrawal of all Chadian military observers from the Sudanese territory. As a follow-up to the Council's decision, I dispatched a delegation to Chad, from 21 to 27 April 2006. During the visit, the Chadian authorities, among others, reiterated their accusations against Sudan. A separate report on the outcome of the delegation's visit will be submitted to Council in due course, as a follow-up to its decision of 13 April 2006 on the situation in Chad. Council might wish to be informed that, in mid-April, the Libyan Leader sent me letter urging for renewed efforts to expedite the implementation of the Tripoli Agreement.

## **VI. OBSERVATIONS**

44. I welcome the signing of the DPA. This agreement is a major breakthrough and a significant step towards peace, stability, reconstruction and democracy in Darfur and the Sudan as a whole.

45. I join African and world leaders who have commended the courage and wisdom of the leaders who signed the DPA, in particular, Minni Minawi who provided great leadership, especially during the last days of the Talks. I welcome those Darfurian individuals and groups who have subsequently associated themselves with the DPA to become partners in its implementation. I regret deeply that two of the leaders of the parties to the conflict, Abdulwahid Nour of the SLM/A and Khallil Ibrahim of JEM, have not signed the DPA, and I call on them to hasten to append their signatures, without any condition, on the document, before its implementation on 16 May 2006. Should they embark on any action or measure likely to undermine the DPA, especially the ceasefire provisions, Council should take appropriate measures against them, including by

requesting the UN Security Council to impose sanctions against them as provided for in Security Council resolution 1591 (2005) of 29 March 2005. Through that resolution, and in light of the failure of all the parties to conflict in Darfur to fulfill their commitments, the Security Council decided to increase pressure on them by imposing a travel ban and assets freeze on those impeding the peace process, committing human rights violations and violating measures set out in previous resolutions.

46. I also would like to pay most deserving tribute to President Olusegun Obasanjo and President Denis Sassou-Nguesso for their exhaustive and tireless efforts in bringing this peace process to a successful conclusion. I extend particular thanks to Salim Ahmed Salim, the Special Envoy and Chief Mediator, and his Team, for their work and their sustained efforts resulting in the signing of the DPA. I should also like to thank Chad, which played the role of co-mediation, the facilitators, (Nigeria, Libya, and Eritrea) Egypt, the international partners, (the US, UK, UN, EU, the League of Arab States, Canada, France, Netherlands and Norway), for their invaluable support throughout the peace process. It is my fervent hope that they will continue to support the AU and the parties during the coming period, when we shall collectively have to tackle the more difficult, complex and challenging task of implementing the agreement on the ground in Darfur to avoid further loss of life and the senseless carnage that has come to define the political landscape of Darfur during the past 3 and a half years. I wish to put on record my sincere appreciation for the financial support provided by our partners in support of the Talks since they started about two years ago.

47. The DPA is over one hundred pages long and contains much technical language that is not easy to understand. Already there have been efforts to misrepresent the DPA and whip up sentiments against the agreement, especially in the IDP camps. This is part of the efforts by those who are afraid of peace in Darfur to undermine the implementation of the DPA and by the supporters and members of the groups that are currently outside the DPA. One of the most important tasks that has to be undertaken as a matter of priority is to launch a publicity and media campaign in Darfur, to explain the main provisions and the benefits of the DPA to the people of Darfur, in simple and clear language. Representatives of the signatory parties, AMIS and others should travel throughout Darfur, particularly in the IDP camps, for this purpose. In this regard, I welcome the signed statement by 23 tribal leaders and elders from Darfur, in which they expressed their support for the DPA and their determination to see that it is fully and scrupulously implemented.

48. The Commission will establish, as a matter of priority, a working group which will liaise with the parties to prepare the modalities for follow up and implementation of the provisions of the DPA relating to the power sharing, wealth sharing, security arrangements and the DDDC. Efforts are already underway for the preparation of the JAM of which the AU will be a member.

49. With regard to security arrangements, it is imperative for Council to review the current mandate of AMIS, especially in the light of the additional tasks to be performed by the Mission under the agreement. In specific terms, I strongly recommend an

increase in the strength of AMIS in line with the need for a robust enhancement in terms of additional troops, logistics and overall capacity, including operational mobility. Additionally, a significant increase in the number of civilian police personnel will be required as a matter of priority, for AMIS to undertake the tasks specified under the Chapter on Comprehensive Ceasefire and Final Security Arrangements. A report detailing this request will be submitted shortly to the Council for its consideration.

50. The tasks ahead are indeed daunting. In addition to monitoring the ceasefire, AMIS will henceforth be required to patrol demilitarized zones; to monitor the disengagement and redeployment of the Sudan Armed Forces and the Movements' Forces; to expand its civilian police activities; and to monitor and verify the neutralization and disarmament of the Janjaweed by the Government of the Sudan. This is in addition to building sufficient force strength and capability to provide protection to the civilian population in Darfur, where the situation remains restive, tense and extremely precarious. Recent developments and incidents show that the security situation in Darfur can deteriorate rapidly and time is of the essence in meeting the obligations for more troops and securing additional funding for the sustenance of AMIS in its expanded formation. Here, the critical role of the donors and the international community cannot be over emphasized.

51. The capacities of the Ceasefire Commission and the Joint Commission must be enhanced in line with the provisions of Article 25 of the DPA. The verification process must begin within seven days of "D-Day". I have, consequently, directed AMIS to submit, as a matter of priority, the requirements for technical assistance necessary to verify the locations of the parties on the ground. An indication of such requirements will enable us obtain the support of our international partners for the exercise. It is my hope that the parties will cooperate fully and assist in the verification process.

52. Subsequent to the verification of the location of forces, the AMIS Forces will need to identify respective areas of control, demilitarized zones, buffer zones and redeployment zones. Technical assistance with monitoring and mapping will be required for these purposes. The identification of demilitarized zones around IDP camps can begin immediately. The identification of assembly sites will also need to begin soon. The AMIS Police have also been instructed to assist in the drawing up of a policing plan and special provisions for community policing of IDP camps, as provided for in the Agreement.

53. One of the most important immediate tasks is for AMIS to familiarize the military commanders of all parties with the contents of the DPA. To that end, I am requesting the Implementation Task Team provided for in the DPA to begin its work immediately with the full involvement of international partners, who should also provide the necessary logistical and technical support for this to happen.

54. I urge the Government of Sudan to produce its plan for the disarmament of the Janjaweed and armed militia expeditiously and in any case within the 37 days required by the DPA. I propose that, in consultation with the parties, AMIS obtains technical

assistance from military specialists, in order to evaluate the plan and formulate any necessary improvements.

55. The DDDC will be an important opportunity for the people of Darfur to support and own the agreement. The DPA requires that the Darfur-Darfur Dialogue and Consultation be convened sixty days after the finalization of the agreement. The Preparatory Committee should be set up without delay. I am happy to report that several international partners have already indicated a willingness to provide financial support for the DDDC. There is an urgent need to undertake the necessary consultations to set up the Preparatory Committee for the DDDC and to begin the technical and logistical tasks necessary for it to be convened. Among the tasks that have to be accomplished is the identification of a Chairperson, who should be a prominent African Statesman.

56. Council may wish to remind those who have not yet signed the DPA that they remain parties to the Humanitarian Ceasefire Agreement signed in N'djamena on 8 April 2004 and are therefore bound by the provisions of the DPA, including the Comprehensive Ceasefire. Although they have not yet appended their signatures to the DPA, which contains provisions for making the CFC and JC more robust, Council must send an unequivocal message to the leaders of all groups in Darfur that it intends, with the active support of the UN Security Council, to hold them individually and collectively accountable for a scrupulous compliance and implementation of all aspects of the Agreement. In this regard, Council may wish to consider what additional measures would have to be taken against the violators of the Ceasefire Agreement and those who may decide to block the implementation of the DPA. The time for firm action in concert with the UN Security Council and the entire international community is now if further loss of life is to be averted in Darfur.

57. I wish to draw the attention of those parties who choose to remain outside the agreement to paragraphs 334-337 of the DPA, that provide for non-military means shall be used to obtain their adherence to the ceasefire. Those means include, but are not limited to, "negotiations, mediation and traditional forms of conflict resolution; enlisting the support of traditional leaders and local authorities; and arms control methods, including registration of arms, storing of arms and restrictions on carrying of arms." However, should any such party fail to abide by the provisions of the ceasefire, the Chairperson of the CFC is authorized to draw up a plan for dealing with the problem that may include more robust measures, including the use of force. I would also like to take this opportunity to remind all groups in Darfur that Article 250 of the DPA empowers the Joint Commission to recommend appropriate punitive actions against those who violate the ceasefire.

58. Equally important is the need to move forward with respect to the transition to a UN operation. The urgency of dispatching to Darfur the UN technical assessment team to help develop contingency plans for the transition, as envisaged in recent AU and UN decisions, cannot be overemphasized. I appeal to the Sudanese authorities to give their consent to enable the team to proceed to Darfur to carry out its work, so as to enable

the UN Security Council to take appropriate decision with respect to the envisaged UN operation in Darfur, it being understood that, pending the deployment of this operation, the UN should provide all the necessary support to AMIS. I believe that the elements spelt out in paragraph 6 of the Council's decision of 10 March as the basis for the transition provides a sound framework for addressing the concerns of the Government of Sudan regarding the envisaged transition.

| 59. I appeal to the international community and the member states that are in a position to do so to provide the much needed assistance, including funding, to facilitate the provision of humanitarian assistance to the affected population in Darfur and to the refugees and host communities in Chad.

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# Report of the Chairperson of the Commission on the Status of the Implementation of the Peace and Security Council Decision of 10 March 2006 on the Situation in Darfur and the Conclusion of the Abuja Peace Talks

African Union Commission

Peace and Security

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