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REPORT OF THE CHAIRPERSON OF THE COMMISSION
ON THE SITUATION IN DARFUR (THE SUDAN)

**REPORT OF THE CHAIRPERSON OF THE COMMISSION
ON THE SITUATION IN DARFUR (THE SUDAN)**

I. INTRODUCTION

1. The 10th meeting of the Peace Security Council (PSC), held on 25 May 2004, reviewed the developments in the Darfur region of the Sudan. On that occasion, Council, *inter alia*, reiterated its concern over the situation in Darfur and urged the Sudanese parties to fully and scrupulously implement the Humanitarian Ceasefire Agreement signed on 8 April 2004.

2. The present report provides an update on the efforts to address the prevailing situation in Darfur.

II. OPERATIONALIZATION OF THE CEASEFIRE COMMISSION AND DEPLOYMENT OF THE AU OBSERVER MISSION

3. In its communiqué of 25 May 2004, the PSC requested the Commission to take all steps deemed necessary to ensure an effective monitoring of the Humanitarian Ceasefire Agreement of 8 April 2004, in particular through the deployment of an Observer Mission, with the required civilian component and, if necessary, the protection element, to support the work of the Ceasefire Commission. In this respect, I should like to report that, from 27 to 28 May 2004, the Commission convened, in Addis Ababa, a meeting bringing together the Government of the Sudan (GoS), the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM), as well as the Chadian Mediation and members of the international community involved in the process. The meeting culminated with the signing, by the Sudanese Parties, of an Agreement on the Modalities for the Establishment of the Ceasefire Commission (CFC) and the deployment of Observers in Darfur. The AU and its partners, namely the UN, the European Union and the USA, witnessed the signing of the Agreement.

4. As stipulated in the Agreement, the CFC is made up of the AU, as Chair, the international community, as Deputy Chair (which is represented by the EU, through France), the Chadian Mediation, the Government of the Sudan, the JEM and the SLM/A. The UN and the USA shall be invited to participate as Observers. It should be noted that the size of the CFC may be adjusted with the consent of the Parties as necessary to carry out the objectives of the Agreement. The operational arm of the Ceasefire Commission is the African Union Monitoring Mission, composed of Observers from the Parties, the Chadian Mediation, AU Member States and other representatives of the international community.

5. The CFC reports to the Joint Commission, which consists of two senior members each from the Parties, the Chadian Mediation, the African Union, the United States and the European Union. The Chairman of the Joint Commission is to be selected by the AU from an African Union Member State. Other international representatives from the UN and major contributors shall be invited to attend the meetings of the Joint Commission as observers. I am pleased to report that I have requested President Idriss Deby of Chad, as the Mediator, to provide the Joint Commission with a Chairman.

6. The CFC Headquarters is located in El-Fashir and is responsible for coordinating investigations, verifications, monitoring and reporting compliance, in accordance with the Humanitarian Ceasefire Agreement and the Implementation Modalities. There shall be sector sites established at other locations but not limited to Nyala, El Geneina, Kabkabiyah, Tine and Abeche (Tchad). Each Sector will be composed of two (2) Teams for verification and investigation comprising the Parties, the African Union, and the international community.

7. Furthermore, the 28 May 2004 Agreement states that, under the orders of the Chairman, members of the CFC can be deployed anywhere in Darfur to monitor and report on compliance with the provisions of the Ceasefire Agreement and, when necessary, investigate any alleged violations of the Agreement.

When deployed, the CFC shall organize itself as a team and the Chairman or Deputy Chairman of the CFC will designate the team leader.

8. The AU Observer Mission will be composed of the 12 Members of the Ceasefire Commission, 132 Observers, of which 60 are from African Union Member States, 36 are from the Sudanese Parties, 18 are from the Chadian mediation and the rest are from the international community (EU and USA: 18). The support staff, consisting of translators and interpreters, shall be made up of 24 people. Taking into account the volatile situation in some parts of Darfur and as a confidence building measure for the population of Darfur, the Agreement made provisions for a protection element of 270 for the Mission.

9. On 2 June 2004, an AU advance mission composed of AU officials and 6 military observers from Ghana, Namibia, Nigeria and Senegal went to Sudan with the mandate to secure and establish the Headquarters of the Ceasefire Commission (CFC) in El Fasher. During its visit in Khartoum, the advance team negotiated and signed the Status of Mission Agreement (SOMA) with the Sudanese Government and took steps to operationalize the Liaison Office in Khartoum. On 9 June 2004, the first 6 military observers were deployed to the CFC Headquarters. Other military observers from Kenya, Mozambique and Nigeria were also deployed in El Fasher during the period.

10. On 9 June 2004, the Chairperson of the CFC, Brigadier General Okonkwo from Nigeria, reported for duty at the AU Commission, and thereafter traveled to N'djamena and Khartoum for consultations with the relevant authorities in the two capitals, respectively. After consultations, the Chairman proceeded to El Fashir on 19 June 2004

and assumed his duties. The representatives of the parties and an acting representative of the EU, Deputy Chair, also arrived on 19 June 2004, thereby making the CFC fully operational on that day.

11. The current situation with respect to the deployment of the CFC and the observers is as follows (at the time of finalizing the report):

a) CFC Headquarters

-	Chairman of the CFC	-	1
-	Vice Chairman	-	1
-	AU Representative	-	1
-	GoS Representative	-	2
-	SLM Representative	-	2
-	JEM Representative	-	2
-	Chadian Representative	-	<u>2</u>
	<u>Total</u>	=	11

b) MILOBS

i) Military Observers from African Union

-	Nigeria	-	09
-	Namibia	-	02
-	Ghana	-	01
-	Kenya	-	05
-	Mozambique	-	05

ii) Military Observer from Parties

-	SLM	-	01
-	JEM	-	01

iii) Military Observers from US - 03

iv) Military Observers from EU - 01

12. The Republic of Congo has communicated the names of the designated Milobs and steps are being taken from the Commission to facilitate their deployment. The lack of accommodation in El-Fashir, coupled with the time required to build camps, has, somehow, slowed down the deployment of MILOBS to Darfur.

13. I should also like to report that a team of 3 Military Officers from Rwanda made a Reconnaissance mission to Darfur to assess the feasibility of establishing the MILOBS Protection Element.

The budget of the AU Observer Mission in Darfur amounts to about 27 million dollars. Some AU partners have pledged to pay part of the budget in monetary terms, while

others have pledged to contribute in kind. The EU has pledged 12 million Euros, the UK has already provided 3,4 million dollars and the USA is operationalizing the Headquarters and the sites for the various sectors. It is my sincere hope that AU Member States will also contribute to the funding of the AU Observer Mission

14. On 29 May 2004, the Commission received reports from the SLM and the JEM accusing the Government of the Sudan of bombarding villages in the Darfur region. The Commission forwarded these allegations to the Government of the Sudan. There have been other reports of violations of the Ceasefire Agreement by the Janjaweed militia groups by the United Nations and its agencies and other international organizations concerned with the crisis in Darfur.

IV. POLITICAL ASPECTS

15. From 20 to 21 June, I visited Khartoum, areas within the Darfur region and Farsheina, in order to have first hand assessment of the situation on the ground. The purpose of the trip was also to encourage the Sudanese parties to respect the Ceasefire Agreement and to mobilise further the international community to provide the urgently needed assistance to the affected civilian population in Darfur and the refugees in neighbouring Chad. The Chairperson of the Peace and Security Council, for the month of June 2004, Ambassador Mame Balla Sy of Senegal, accompanied me, as well as Mr. Hamid El Gabid, former Prime Minister of the Republic of Niger. The delegation also included representatives of UN Agencies, African NGO's, the African Commission for Human and People's Rights as well as African and international media.

16. While in Khartoum, I held consultations with President Omar El Beshir. In my discussions, I stressed the need for a speedy solution to the crisis in Darfur. I also appealed to him for full cooperation to be extended to AU Observer Mission including the deployment of Milobs protectors.

17. From Khartoum, I proceeded to Darfur where I visited El Fasher, in northern Darfur, and El Geneina, in the west. In these areas, I was able to hold discussions on the current situation in the region with the local authorities and the international humanitarian agencies. I took the opportunity to visit some Internally Displaced People's (IDP's) camps in El Fasher and El Geneina where thousands of families have congregated, after fleeing their villages to escape the violence and abuse perpetrated by the Janjaweed militias. In El Fasher, I held a meeting with the newly established AU Observer Mission at the Headquarters of the Ceasefire Commission.

18. I wish to report that, while I was in the Sudan, President El Beshir made a declaration in which he instructed all authorities to mobilize themselves to maintain security and stability by disarming all uncontrolled armed groups and outlaws and bring them to justice. He further requested the authorities to prevent the groups from crossing the border into Chad. He also instructed the judicial system in Darfur to set up courts and other offices in order to deal with this lawlessness. The declaration also

called for the deployment of police forces to protect localities in the state of Darfur, as well as securing the return of the displaced people to their areas.

19. I was also able to visit a refugee camp in Farsheina, in Chad, where almost 12,000 refugees are living. This visit allowed me to have first-hand information on the situation of refugees in that country.

20. In order to speed-up the search for lasting solution to the crisis in Darfur, I appointed Mr. Hamid El Gabid, former Prime Minister of the Republic of Niger, as my Special Envoy for Darfur on 25 June 2004. After his nomination, Mr. El Gabid traveled to N'djamena, for consultations with the Chadian authorities on the best possible ways to resume the political dialogue between the Sudanese parties with the Agreement signed on 25 April 2004.

21. In this respect, it should be recalled that, in the Agreement, the Sudanese Parties agreed to convene and hold, under the auspices of the Mediation and with the assistance of the international community, a general conference of all the representatives of Darfur to discuss the political, economic, and social situation in the Darfur with the view of finding a global and definitive solution between the parties to the conflict. The agreement also indicates that the Parties should establish a joint preparatory commission for the Conference, whose tasks shall include determining items on the agenda, participation in the conference as well as its date and venue.

VI. HUMANITARIAN SITUATION

22. The humanitarian crisis in the Darfur region is extremely serious. Unless immediate action is taken, this crisis will lead to large-scale death for the vulnerable population of Darfur. It is, therefore, incumbent on the Sudanese authorities to extend full cooperation to the international community, in particular the UN Humanitarian agencies and the NGOs, to facilitate the provision of the much-needed assistance to the civilian population.

Although humanitarian agencies are now in a better position to reach the needy populations, the situation on the ground remains of serious concern. The security situation of the population, including the IDPs, who are reluctant to go back to their villages because of the continuing attacks by the Janjaweed militias, remain precarious.

IX. OBSERVATIONS

23. I remain very concerned by the abuses of the international humanitarian law and the continued human rights violations in Darfur. In this respect, I would like to appeal to the GoS to follow through with its stated commitment to ensure the protection of the civilian population and to disarm the militias, in particular the Janjaweed.

24. I encourage the international community to provide the much-needed humanitarian assistance to the affected people of Darfur, as well as to the refugees in Chad. Further, I would like to urge the Sudanese Government to facilitate for

unimpeded access by all humanitarian agencies to the affected areas, especially in view of the fact that the coming rains will compound the efforts to assist the affected people.

25. The Commission will pursue its efforts to complete, as soon as possible, the deployment of the mission and to provide it with all the necessary support, including the protection element, to enable it fulfill its mandate. In this respect, I would also like to thank our partners for their continued support.

26. I encourage the parties to resume the much-awaited conference that is meant to focus on the political, economic and social aspects of the conflict in order to reach a global and lasting peace in the Sudan

2004

Report of the Chairperson of the Commission on the Situation in Darfur (The Sudan)

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