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**REPORT OF THE CHAIRPERSON OF THE COMMISSION**  
**ON THE SITUATION IN THE SUDAN**

**(CRISIS IN DARFUR)**

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SITUATION IN THE SUDAN (CRISIS IN DARFUR)**

**I. INTRODUCTION**

1. It will be recalled that, at its 4<sup>th</sup> ordinary session, held in Addis Ababa, in March 2004, the Executive Council was apprised on the developments in the Darfur region of the Sudan and the mediation efforts by the Republic of Chad. The present report provides an update on the efforts to address the prevailing situation in Darfur, including the humanitarian crisis.

**II. DEVELOPMENTS IN THE DARFUR REGION**

2. Situated in the western part of the Sudan, the Darfur region is home to an estimated seven million people. Over the past decades, the region has been affected by intermittent low intensity conflict, arising from competition over access to grazing land and water between farmers and pastoralists; rivalries between communities over representation in the local government structures; as well as impact of developments at national level. The situation was aggravated by the widespread circulation of small arms and light weapons, which exacerbated the level of violence in the region.

3. The current conflict began in February 2003, when a group known as the Sudan Liberation Army/Movement (SLA/M), initially called the Darfur Liberation Front, launched an attack on Gulu, capturing the city. The SLA demands included, amongst others, the socio-economic development of the region and the end to the activities of the tribal militias. A number of other attacks took place subsequently, particularly on El Fashir and Mellit, respectively the capital and the second largest city in North Darfur. In response to these attacks, the Government forces launched offensives against the SLA, including aerial bombings. Later in 2003, a second movement called the Justice and Equality Movement (JEM) emerged and joined the SLA in waging armed attacks.

4. The Darfur crisis has spilled into neighboring Chad, which shares a 1,000 km long border with the Sudan. More than 110,000 refugees have fled to Chad, and a number of ethnic groups affected by the conflict saddle on both side of the border.

5. On 3 September 2003, in Abéché, under the mediation of President Idriss Déby of Chad, the Government of the Sudan (GoS) and the SLA signed a Ceasefire Agreement. The Agreement provided for a forty-five day cessation of hostilities; the control of irregular groups; and the cantonment of SLA forces at locations to be agreed upon. In addition, the parties agreed to lay the foundation of a lasting and comprehensive peace in order to achieve socio-economic development. In this regard, it was agreed that the negotiations to achieve such a comprehensive agreement would begin 15 days after the signing.

6. On 4 November 2003, during the second round of peace negotiations, the parties agreed to extend the ceasefire for a month. They also committed themselves to facilitating the delivery of humanitarian assistance, and undertook to resume negotiations, with a view to reaching a comprehensive agreement. Subsequently, another meeting was called in N'djamena on 16 December 2003; however, it collapsed shortly after it started.

7. Following the September Ceasefire Agreement, fighting largely stopped between the GoS and the SLM/A. However, violence intensified against the civilian population. A militia group called "*Djanjaweed*" deliberately targeted civilians viewed as providing support to the SLA/M and the JEM.

### **III. AU CONSULTATIONS WITH THE CHADIAN AND SUDANESE AUTHORITIES**

8. Given the magnitude of the conflict in Darfur, especially the growing humanitarian crisis, the Commission intensified its efforts to assist in ending the conflict. On 5 March 2004, my Special Envoy for Sudan, Ambassador Baba Gana Kingibe, visited Chad, where he held consultations with the Foreign Minister, Nagoum Yamassoum, who was also Acting Prime Minister, and the Political Adviser to the President, Ambassador Ahmat Allami. My Special Envoy could not meet with President Idriss Déby, as the latter was visiting the refugee areas in the affected parts of Chad.

9. During his discussions with the Chadian officials, Ambassador Kingibe reiterated the AU's view on the imperative of resolving the conflict in Darfur. He also sought to find out ways that the AU could be of assistance in resolving the Darfur issue, including in addressing the humanitarian consequences. The Chadian officials briefed my Special

Envoy on the situation of the Sudanese refugees fleeing the fighting. They undertook to convey the AU's concern to President Déby, who, they indicated, would contact me in order to discuss the way forward.

10. On 10 March 2004, my Special Envoy visited Khartoum, where he held consultations with Vice - President Ali Osman Taha, Foreign Minister Mustafa Osman Ismail and State Minister for Foreign Affairs Tigani El Fidali. Ambassador Kingibe stressed the AU's grave concern with the conflict in the Darfur region and the urgent need to find a solution . He also sought from the Sudanese authorities an indication on the ways in which the AU could help in resolving the conflict situations in the Sudan. The Sudanese authorities indicated that, although the Darfur issue was considered to be an internal one, they had no objection to the AU's participation in the N'djamena talks. However, they would need to consult with President Déby.

#### **IV. INTER-SUDANESE MEETINGS ON DARFUR**

11. Subsequent to the visits of my Special Envoy to Chad and Sudan, I had a telephone conversation with President Déby, and urged him to continue with his efforts, assuring him of the AU's continued support . On 26 March 2004, I dispatched to N'djamena an AU Team led by Ambassador Sam Ibok, Director of the Peace and Security Department, to assist the Chadian authorities with the inter-Sudanese meetings on Darfur. Prior to the talks, the Team met with Mr. Abdelrahman Moussa, the Chadian Minister for Internal Security, to explore how the AU could support President Déby's efforts. The Team expressed the AU's readiness to sensitize the international community for the mobilization of humanitarian assistance for the Sudanese refugees in Chad.

12. The inter-Sudanese meetings began in N'djamena on 31 March 2004, under the auspices of President Idriss Déby. I attended the opening ceremony, along with representatives of the international community, including the UN, the EU, France and the USA. In my address to the meeting, I, once again, reiterated my appreciation of President Déby's efforts and highlighted the importance of bringing peace to the Sudan as a whole. I pointed out that the Sudan was a very important component of the African continent and a bridge between different African cultures. I urged the Sudanese to regard their diversity as strength of their nation.

13. It should, however, be noted that the Government of Sudan did not attend the official opening on the ground that, apart the AU, no other member of the international community was to be present, given the fact that the problem in Darfur is an internal one.

14. After some shuttle diplomacy by the Chadian Mediation Team, assisted by the AU , the parties finally presented the issues that they felt needed to be addressed by the meeting. These presentations were done in separate meetings, as the GoS was opposed to face-to-face meetings with the SLA/M and the JEM. The GoS stressed the following:

- both parties need to agree on the principles that would guide the negotiations and on the nature and extent of the crisis in Darfur;
- proposed solutions to the crisis have to address the interest of all the people in Darfur, as there are many other people who have been affected but have not taken up arms against the State;
- the problem in Darfur cannot be solved militarily, but only through dialogue;
- until the resolution of the conflict, there must be a cease-fire agreement to allow for the delivery of humanitarian assistance to all the affected areas in Darfur;
- the crisis in Darfur is an African problem – therefore, only the Chadian Government and the African Union should facilitate the talks, while the participation of other international observers should be limited to the discussions on humanitarian matters; and
- amnesty shall be given to those who have been involved in the armed struggle.

15. On their part, the SLM/A and the JEM presented the following negotiating positions:

- commitment to negotiate a temporary humanitarian ceasefire in the Darfur leading to unrestricted and unconditional humanitarian access;
- the *Djanjaweed* militias should be disbanded, as they constitute the main threat to civilian life;
- a mechanism for a political solution should be envisaged that would include face-to-face negotiations in the presence of the Chadian Government, the UN, the USA, the EU, the AU and the international humanitarian NGOs, as well as the establishment of an international mechanism for verification of compliance with any agreement that would be signed.

16. On the basis of the positions articulated by the two parties, the Chadian Mediation Team, with the help of the AU and other members of the international community, assisted in narrowing the gap between the divergent views of the parties.

17. On 6 April 2004, on my way to Rwanda, for the commemoration of the 10<sup>th</sup> anniversary of the genocide in that country, I visited Khartoum, where I held consultations with President Ahmed Omer Hassan Al Bashir. During those consultations, President Al Bashir indicated that he planned to visit N'djamena on 11 April 2004, to meet with President Déby. President Al Bashir stated that the situation was under control, and also briefed me on the efforts already deployed by his Government to assist the populations in need in Darfur, by facilitating the distribution of humanitarian relief and ensuring the security and protection of civilians in the region. On my part, I reiterated my concern over the humanitarian situation in Darfur and the need for an early and successful conclusion of the talks that were going on in N'djamena.

18. On 8 April 2004, under the auspices of President Déby of Chad and the Chairperson of the AU Commission, as well as in the presence of international observers and facilitators, the two parties signed a Humanitarian Ceasefire Agreement on the Darfur Conflict and a Protocol on the Establishment of Humanitarian Assistance in Darfur. Under the Ceasefire Agreement, the parties agreed, amongst others, to:

- cease hostilities and proclaim a cease-fire for a period of 45 days automatically renewable, unless opposed by one of the parties;
- establish a Joint Commission and a Ceasefire Commission, with the participation of the international community, including the African Union;
- free all prisoners of war and all other persons detained because of the armed conflict in Darfur;
- facilitate the delivery of humanitarian assistance and the creation of conditions conducive to the delivery of emergency relief to the displaced persons and other civilians victims of war, in accordance with the Protocol on the Establishment of Humanitarian Assistance in Darfur, referred to above.

19. The parties also undertook to:

- combine their efforts in order to establish a global and definite peace in Darfur;
- meet at a later stage within the framework of a conference of all the representatives of Darfur to agree on a global and definite settlement of the problems of their region, especially concerning its socio-economic development;
- contribute to create an environment conducive to negotiation and stop hostile media campaigns.

20. Following the signing of the Ceasefire Agreement, the AU Team remained in N'djamena to plan the way forward with the Chadian Mediation Team. On 10 April 2004, the Commissioner for Peace and Security traveled to Khartoum and N'djamena. The Commissioner held discussions with President Déby on the best way to ensure the speedy implementation of the Humanitarian Ceasefire Agreement and prepare discussions on a Comprehensive Peace Agreement. He also held discussions with President Al Bashir and other Sudanese officials. Finally, he attended a meeting with Presidents Déby and Al Bashir.

## V. HUMANITARIAN SITUATION IN DARFUR

21. Since the beginning of hostilities in Darfur, over a year ago, the humanitarian situation has dramatically deteriorated. According to UN agencies and human rights groups, attacks against civilians have increased both in scale and brutality. It is reported that over 10, 000 civilians have been killed since February 2003; more than 750, 000 people are estimated to have been internally displaced, while another 110,000 people are reported to have fled into neighboring Chad. The intensity of the conflict has also resulted in the destruction of social infrastructure, thereby exacerbating the humanitarian crisis.

22. It is against this background that the United Nations Secretary-General issued, on 31 March 2004, a statement in which he indicated that he was very disturbed by events in Darfur, where the continuing conflict is having a devastating impact on the lives and well-being of the people. He encouraged the parties to work intensively towards declaring an effective humanitarian ceasefire and stressed that humanitarian organizations and staff must receive safe, unimpeded access to all those in need. On 2 April 2004, UN Security Council Members also expressed their deep concern about the massive humanitarian crisis. They called on the parties concerned to fully cooperate in order to address the grave situation prevailing in the Darfur region to ensure the protection of civilians and to facilitate humanitarian access to the affected populations. They welcomed the negotiations that were taking place in N'djamena under the auspices of Chad and the AU, and called on the GoS and the opposition groups to conclude a humanitarian ceasefire and to reach a political settlement to the dispute.

23. On 10 April 2004, the Embassy of Sudan in Addis Ababa sent a Note Verbale to the Commission, informing it of the decision of the Sudanese Government, on 7 April 2004, to set up a Ministerial Committee "to end security and relief problems in Darfur region". The Committee is entrusted with the following:

- to control and disarm militias and non-regular forces that target the civilian population or hinder the delivery of relief;
- to open all relief corridors and to secure unimpeded access to the area for humanitarian assistance;



- to provide basic needs for affected population in the area; and
- to create a conducive atmosphere for the stabilization and normalization of the situation in Darfur.

24. The Embassy informed the Commission that the Committee had toured the affected areas on 8 April 2004, accompanied by the Ambassadors of USA, EU, and France, as well as representatives of UN agencies. The Embassy indicated that the representatives of the international organizations had confirmed an improvement in the humanitarian situation.

25. On 10 April 2004, the Foreign Minister of Sudan was reported as having said that the Sudanese Government would begin an immediate investigation to prosecute those responsible for the violence in the Darfur region.

26. In view of the seriousness of the humanitarian situation, an AU delegation led by Ambassador Mendoume-Nze, permanent representative of Gabon to the AU and member of the AU Commission on refugees, visited Chad from 13 to 20 February 2004. The delegation met with the relevant Chadian Authorities, as well as with representatives of humanitarian agencies providing assistance to the Sudanese refugees in Chad. The delegation traveled to Adre, in the eastern part of Chad, along the border with Sudan, to visit the assembly point of Farchana, as well as to Abeche. The delegation was able to assess the situation and the needs of the Sudanese refugees. It was also planned to field a humanitarian mission to the Sudan. However, this could not be undertaken during the expected timeframe.

## **VI. OBSERVATIONS**

27. I welcome the signing of the Ceasefire Agreement of 8 April 2004 between the Government of Sudan, on the one hand, and the SLA and the JFM, on the other. I call on the parties to comply with the terms of the Agreement they have signed. I urge them to resume the negotiations within the agreed timeframe.

28. I am concerned by the humanitarian situation in Darfur. I appeal to the international community to provide the much-needed humanitarian assistance to the affected people of Darfur, as well as the refugees in Chad.

29. I welcome the decision of the GoS to establish a Committee to facilitate humanitarian access and the work of humanitarian agencies. I also welcome the decision to investigate the violations committed in Darfur. I wish to stress the urgent need to bring all those responsible for these violations to justice, in line with the AU's expressed commitment to fight impunity.

30. The Ceasefire Agreement signed in N'djamena calls for effective follow-up measures to facilitate its scrupulous and faithful implementation. There is need for the AU to make all the required agreement to carry out the responsibilities entrusted to it. In this respect, steps are underway to designate AU representatives to the Ceasefire Commission and the Joint Commission provided for in the Agreement.

31. It is, however, clear that for a region as large as Darfur, and with poor infrastructure, the task of monitoring the compliance with the commitments entered into by the parties would not be easy. I intend to dispatch a reconnaissance mission to Darfur to assess the situation on the ground and identify the requirements for an effective monitoring of the Agreement. At the same time, consultations will be undertaken with AU partners to secure financial and logistic support for the immediate deployment of the Ceasefire Commission.

32. I wish to put on record my appreciation of President Déby's efforts and commitment. I would like to assure him of AU's continued support for the global negotiations that will start shortly with N'djamena. In this respect, I should like to note that, during his discussions with the Commissioner for Peace and Security, President Déby expressed his wish to be guided, throughout the process, by the AU, which has the overall leadership for the peace efforts in Darfur.