

SECOND ROUND OF THE INTER-SUDANESE PEACE TALKS ON DARFUR

**ABUJA, NIGERIA
23 AUGUST- 17 SEPTEMBER 2004**

CHAIRMAN'S CONCLUSIONS

Following the meeting held in Addis Ababa, Ethiopia, from 15 to 17 July 2004, the Second Round of the Inter-Sudanese Peace Talks on the crisis in Darfur took place in Abuja, Nigeria, from 23 August to 17 September 2004.

The Government of the Sudan (GoS), the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) were represented at the Talks by high level delegations.

The Talks were formally opened, on 23 August 2004, by President Olusegun Obasanjo, Chairman of the African Union (AU), and the Chairperson of the AU Commission, Alpha Oumar Konare, in the presence of President Denis Sassou N'Guesso of the Republic of Congo, in his capacity as the Chairman of the Economic Community of Central African States (ECCAS), the State Minister, Minister of Foreign Affairs and African Integration of the Republic of Chad (co-mediation), representatives of the Presidents of Eritrea, Uganda (the latter as Chair of the Inter-Governmental Authority on Development - IGAD) and the Leader of the Libyan Arab Jamahiriya. President Idriss Deby of Chad joined the closed session that followed the opening ceremony, on the second day.

Also present were the Secretary-General of the League of Arab States, the Special Representative of the UN Secretary-General, representatives of the European Union (EU) Presidency (the Netherlands), United States (US), United Kingdom (UK) and France.

Subsequent to the opening session, and after further consultations, the Parties, meeting in a closed session, under the chairmanship of President Olusegun Obasanjo, adopted, on 24 August 2004, the following agenda:

- humanitarian issues;
- security issues;
- political questions; and
- economic and social affairs.

The discussions on the substantive issues, which commenced in the afternoon of 24 August 2004, were chaired by the Special Envoy of the Chairperson of the AU Commission, Hamid Algabid, with the support of the Chadian co-mediator, Allam-Mi Ahmed, and the representatives of Nigeria and Libya (Facilitators), as well as Observers from the UN, EU, the League of Arab States, US, UK and France. Norway and Canada attended as invited guests.

During this second round, the Parties were able to conclude the discussions on humanitarian issues, agreeing on a Protocol on the Improvement of the Humanitarian Situation in Darfur. The Protocol addresses the issues of free movement and access for humanitarian workers and assistance (i.e., removal of all restrictions and procedures that may hinder free movement and access, authorization of cross-border humanitarian activities, etc.) and protection of civilians (i.e., prevention of all attacks, threats, intimidation or any other form of violence against civilians, reaffirmation of the principle of voluntary return, respect of the rights of IDPs and refugees to return to their areas of origin, respect of the civilian character of IDP and refugee camps, etc.).

Under the Protocol, the Parties request the AU to take the necessary steps to strengthen its mission on the ground (AMIS - African Mission in Sudan), to ensure a more effective monitoring of the commitments entered into. In addition, they request the UN High Commission for Human Rights to expand the number of its human rights monitors in Darfur.

The Protocol provides for the establishment of a Joint Humanitarian Facilitation and Monitoring Unit, based in El Fasher, under the leadership of AMIS, to ensure full compliance with its provisions.

Extensive discussions were also held on security issues. Subsequently, and taking into account the written submissions by the Parties, the Mediation Team was able to prepare a Draft Protocol on the Enhancement of the Security Situation in Darfur. The overall objective is, through a set of specific and concrete measures, to enhance compliance with the

N'djamena Humanitarian Ceasefire Agreement of 8 April 2004 and improve security in the region. The draft was revised twice in an attempt to reach a compromise between the Parties.

It is encouraging to note that the Parties have been able to agree on a number of provisions of the Draft Protocol, including the reaffirmation of their commitment to respect the ceasefire, the release of all persons detained in relation to the hostilities in Darfur and the strengthening of the AU presence on the ground.

However, the Parties are yet to reach an agreement on other provisions of the Protocol. These include:

- the development by the Cease-fire Commission (CFC)/AMIS of a plan for the separation and relocation of forces to ensure that no exchange of fire takes place and to facilitate the monitoring functions of the CFC/AMIS;
- the modalities for the neutralization and disarmament of the Janjaweed and other militias;
- specific measures aimed at building confidence between the Parties and restoring trust among the local communities; and
- detailed modalities, including the required mechanisms, to ensure the effective implementation of the Protocol.

It is also worth noting that the Parties requested the inclusion of additional issues into the draft prepared by the Mediation Team. No agreement was reached by the Parties on these issues.

The Protocol on the Improvement of the Humanitarian Situation in Darfur and the Draft Protocol on the Enhancement of the Security Situation in Darfur, along with the proposals by the Parties, are herewith attached.

While progress has been made, more efforts are needed to bridge the gap between the Parties on the outstanding issues and pave the way for a comprehensive political settlement of the crisis in Darfur. Against this background, it was felt necessary to have a brief recess to allow for further consultations.

In the meantime, and in order to consolidate the gains made during this second round, it is imperative that the Parties strictly abide by the ceasefire and refrain from any action that may further complicate the search for a negotiated settlement. In particular, no effort should be spared to prevent attacks, threats, intimidation or any other form of violence against civilians.

As agreed with the Parties, the Talks shall resume shortly, at a date to be communicated by the AU Commission.

The Special Envoy expresses his deep gratitude to President Olusegun Obasanjo, Chairman of the African Union, for his personal interest and continuous support to the present Inter-Sudanese Peace Talks. The Special Envoy also expresses his sincere appreciation to President Idriss Deby of Chad (Chad Mediation) and Leader Muamar Ghaddafi of the Libyan Arab Jamahiriya (Facilitation), for their invaluable contribution to the Talks. He also thanks the Parties for their commitment to the search for a negotiated and lasting solution to the crisis in Darfur, as well as the Observers and International Partners for their continued involvement and assistance.

Abuja, 17 September 2004

Hamid Algabid,
Special Envoy for Darfur