

## **CEASEFIRE IMPLEMENTATION MECHANISM**

### **INTRODUCTION**

1. This document is the Annex to the Ceasefire Agreement (CFA) signed on 18 March 2010 between the Government of Sudan and the Liberation and Justice Movement in Doha, Qatar. The document provides for the structure and hierarchy of the Ceasefire Implementation Mechanism. The Joint Commission hereafter referred to as the Commission and the Ceasefire Commission hereafter referred to as CFC shall hereby be established.
2. Observers are an important facet for the implementation of the CFA as they facilitate and advise the Commissions and parties. They may include but are not limited to international/regional organizations and individual countries. Observers may attend open sessions and meetings of the Commission, the CFC and Sub-CFCs. If deemed appropriate and agreed upon by the Parties, observers will be briefed on closed sessions/meetings.
3. In addition to the Framework Agreement and the Ceasefire Agreement of 18 March 2010 the Parties have acknowledged the existence of the following:
  - a. Humanitarian Ceasefire Agreement on the Conflict in Darfur & Protocol on the Establishment of Humanitarian Assistance in Darfur of 08 April, 2004, N'Djamena, Chad
  - b. Agreement with the Sudanese Parties on the Modalities for the Establishment of the Ceasefire Commission and the Deployment of Observers in Darfur of 28 May 2004, Addis Ababa, Ethiopia
  - c. Protocol Between the Government of Sudan, The Sudan Liberation Movement / Army and the Justice and Equality Movement on the Improvement of the Humanitarian Situation in Darfur of 09 November, 2004, Abuja, Nigeria
  - d. Protocol Between the Government of Sudan, The Sudan Liberation Movement / Army and the Justice and Equality Movement on the Enhancement of the Security Situation in Darfur in Accordance with the N'Djamena Agreement of 09 November, 2004, Abuja, Nigeria
  - e. Declaration of Principles for the Resolution of the Sudanese Conflict in Darfur of 05 July, 2005, Abuja, Nigeria
  - f. Darfur Peace Agreement of 05 May, 2006, Abuja, Nigeria

### **CEASEFIRE IMPLEMENTATION AND MONITORING STRUCTURE**

4. The ceasefire implementation structure consists of three levels of monitoring mechanism involving the Joint Commission, Ceasefire Commission and the three Sector Sub-Ceasefire Commissions. See Appendix 1.



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## **CEASEFIRE COMMISSION (CFC)**

5. The CFC shall comprise of the under listed components:
- a. The CFC headquartered in El Fasher.
  - b. The CFC Secretariat.
  - c. Sector Sub-Ceasefire Commission (SSCFC).
  - d. The Ceasefire Team Site Group (CTSG).

## **CFC FUNCTIONS**

6. The CFC has overall responsibility for the monitoring and implementation of the Ceasefire Agreement. The CFC shall endeavour to make decisions by consensus. Where consensus cannot be reached, the CFC shall commit the issue for arbitration by the Commission. The Parties shall be obliged to adhere to the recommendations of the Commission.

7. The functions listed below are not exhaustive but every effort must be made to keep tasks functional and achievable. The CFC may only undertake new functions if they are endorsed and tasked by the Commission. The functions of the CFC, to be read in conjunction with articles (4) and (5) of the CFA, shall be to:

- a. Oversee compliance of the Parties to their obligations under the CFA
- b. Coordinate planning, monitoring and verification of the implementation of the CFA.
- c. Monitor the conduct of the forces of the Parties.
- d. Receive information and monitor of permitted military movement and itineraries thereof.
- e. Define the routes for all movement of forces in order to reduce risks of incidents; the administrative movements shall be notified to the CFC.
- f. Support de-mining operations.
- g. Coordinate production of master map showing disposition of the parties, and Demilitarized Humanitarian Routes and zones around IDP camps.
- h. Receive, verify, analyze and resolve complaints related to possible violations of the ceasefire.
- i. Issue violation reports, if any party undertakes any Prohibited Activities, as stipulated in the CFA
- j. Assist in the dissemination of information about the CFA
- k. Serving as a channel of communication between the Parties
- l. Support the Disarmament, Demobilization and Reintegration (DDR) of the ex-combatants as and when agreed by the Parties.

## **COMPOSITION OF THE CFC**

8. The CFC shall be constituted as follows:
- a. Force Commander

- Chairperson



- |    |                                      |   |           |
|----|--------------------------------------|---|-----------|
| b. | Reps of Parties (three each)         | - | Members   |
| c. | The State of Qatar                   | - | Member    |
| d. | UNAMID Police Commissioner           | - | Member    |
| e. | UNAMID Director Political Affairs    | - | Member    |
| f. | UNAMID Director Humanitarian Affairs | - | Member    |
| g. | UNAMID Senior Legal Officer          | - | Member    |
| h. | Chief of Staff (COS) CFC             | - | Secretary |

The Parties would decide on the number and composition of observers at a later date.

9. **Chairperson.** The Force Commander shall chair all meetings of the CFC and in his absence the Deputy Force Commander shall perform the duties.

## **DUTIES OF CFC MEMBERS**

10. The duties and responsibilities of CFC members are:

a. **The Chairperson.** The duties and responsibilities of the Chairperson shall include among others:

- (1) Preside over all CFC meetings.
- (2) Define the CFC program of activities in accordance with existing agreements.
- (3) Ensure implementation of both CFC and the Commission decisions that are within the CFC mandate, measures and recommendations.
- (4) Order independent or supplementary investigations at CFC level whenever appropriate in accordance with existing agreements.
- (5) Ensure submission of weekly reports to the Commission.
- (6) Issue regular press statements on violations of the ceasefire, post these statements on the UN, AU and UNAMID websites, and give copies to the parties.
- (7) Give guidance and direction to both the CFC Secretariat and the SSCFC.
- (8) Ensure appropriate measures are undertaken for CFC members to respect the local laws and regulations, refrain from any action or activity incompatible with the impartial and international nature of their duties

b. **The Police Commissioner** - Adviser on police matters.

c. **Senior Political Adviser** - Adviser on political matters.

d. **Senior Legal Officer** – Adviser on legal matters.

e. **Director Humanitarian Affairs** – Adviser on Humanitarian Assistance/Coordination.

f. **Senior Representatives of Parties to CFA** -

- (1) Represent the Parties' interests
- (2) Ensure the Parties' cooperation with the CFC.

- (3) Contribute to ensuring the effective functioning of the CFC
- g. **COS CFC** – Secretary/Head of CFC Secretariat.

## **MEETINGS**

11. CFC meetings shall be held weekly or as called for by the Chairperson. The meetings shall be held in UNAMID HQ, El Fasher or in any other venue as shall be decided by the Chairperson. The meetings shall be conducted under the following guidelines:

- a. The agenda for the meeting shall be adopted at the beginning of the session.
- b. The CFC deliberations and decisions are reached by consensus but in case the parties are unable to reach an agreement on a matter before the CFC; the Chairperson shall refer the matter to the Commission for resolution. The Parties shall be obliged to adhere to the ruling of the Commission.
- c. At least one (1) member per party and four (4) members from UNAMID shall be in attendance to constitute a quorum.
- d. At every session, minutes of meetings shall be signed by the secretary and authenticated by the Chairperson and brought to the next meeting for confirmation as a true record of the proceedings and shall be binding on the Parties.
- e. Sub committees may be constituted for specific tasks whenever necessary and shall present their reports before the CFC for adoption/rejection.
- f. Observers may make comments at the request of the Chairperson.

## **CODE OF CONDUCT**

12. CFC members and observers will be expected to adhere to the code of conduct at all times. Important among them are:

- a. Dialogue to be used as the guiding principle during deliberations.
- b. Use of civilized language.
- c. Issues to be addressed to the Chair.
- d. Personal attacks or animosity shall not be acceptable from any member.
- e. Punctuality shall be observed by all members.
- f. No member of CFC shall brief the press or issue statement on behalf of CFC unless with prior authorization by the Chairperson.
- g. Confidentiality of CFC deliberations on need to know basis.
- h. Avoid actions that may discredit any Party.
- i. Place interests of Darfuris ahead of personal agendas.
- j. Understand the CFC mandate and act within it.

## **CEASEFIRE COMMISSION RESOURCES AND SECRETARIAT**

13. The Chairperson shall exercise control over the CFC and all the SSCFCs. The Sector Commanders and Chief of Staff CFC Secretariat shall be directly answerable to the Chairperson on the management of CFC resources put under their control.

14. The Sector Commanders shall exercise control of the SSCFCs and Ceasefire TSGs within their AOR and remain answerable to the Chairperson. The SSCFC reports on violations shall be forwarded to the Chairperson through the CFC Secretariat.

15. The Chief of Staff CFC shall be responsible to the Chairperson for the effective and efficient support to the work of CFC. The Secretariat shall be organized to support the CFC on administrative matters. It shall be organized into cells for ease of administration.

## **SECTOR SUB-CEASEFIRE COMMISSIONS**

16. Each sector shall establish and maintain SSCFC to ensure an effective investigation and reporting cycle. The sectors shall establish a Secretariat to be headed by the chief sub CFC modeled on the CFC Secretariat. Team site groups comprising various elements at sub-unit/ unit levels shall be established as the primary sources of reporting and investigating incidents/violations to the CFA.

## **FUNCTIONS OF SSCFC**

17. The main functions of the SSCFC are to:

- a. Oversee compliance of the Parties to their obligations within the Sector Area of Responsibility (AOR) as per the CFA.
- b. Supervise, verify, investigate and report matters of disagreements and alleged violations between the Parties, in accordance with the CFA.
- c. Implement CFC policy and directions.
- d. Report periodically and refer unresolved complaints to the CFC at FHQ with a full explanation as to the matter in dispute.
- e. Responsible for investigations of violations as stipulated in the CFA.
- f. Assign tasks/missions to TSGs.

18. When consensus cannot be reached on a particular issue, it shall be forwarded to the CFC for resolution.

## **COMPOSITION**

19. The SSCFC shall comprise of the following members:

- |    |                            |   |                  |
|----|----------------------------|---|------------------|
| a. | Sector Commander           | – | Chairperson      |
| b. | Party Reps (two each)      | – | Members          |
| c. | UN Police Sector Commander | - | Vice Chairperson |
| d. | Senior Military Observer   | – | Member           |
| e. | Senior Liaison Officer     | – | Member           |
| f. | Political Adviser          | – | Member           |
| g. | UNDSS Representative       | – | Member           |



- h. Military Information Officer – Member
- i. CIMIC Officer – Member
- j. Chief SSCFC - Secretary

**REPORTS**

20. SSCFCs shall forward their reports covering ceasefire violations/cessation of hostilities as clearly reaffirmed in the CFA or by any other agreement in force to CFC Secretariat by 1600 hrs daily.

21. As a minimum, the report is to cover:

- a. Nature/Type of violation;
- b. When and where it occurred;
- c. Party/Parties involved;
- d. Confirmed or unconfirmed;
- e. UNAMID actions;
- f. Other relevant facts/information.

**CEASEFIRE TEAMS SITE GROUPS**

22. Ceasefire Team Site Groups (CTSG) provides SSCFC situational awareness and serves as the first level of conflict resolution within the mission.

23. The CTSGs are charged with the responsibility of overseeing the compliance of the Parties to the ceasefire as enshrined in the CFA within their areas of responsibility. This will be achieved through monitoring, patrolling, visiting, inspecting, liaison, investigating, verification and reporting as directed and supervised by the SSCFC.

**COMPOSITION OF CEASEFIRE TEAM SITE GROUPS**

24. The CTSGs at sub-unit level Area of Responsibility (AOR) shall be composed of:

- a. Military Observer Team Leader – Chairperson
- b. Party Reps (two each) – Members
- c. Officer Commanding – Member
- d. Civilian Police Detachment Commander – Member
- e. CIMIC Officer – Member
- f. Military Information Officer – Member
- g. Military Liaison Officer – Secretary

**JOINT COMMISSION**

25. The Joint Special Representative (JSR) shall chair the Commission and in his absence, the Deputy JSR shall perform the duties. The Commission shall be composed of the following:

- a. JSR - Chair

- b. State of Qatar - Member
- c. Reps of Parties (three each) - Members
- d. League of Arab States (LAS) - Member
- e. European Union - Member
- f. UNAMID Political Affairs - Secretary

26. The following states shall enjoy observer status and may be called upon by the Chair to address the Commission as required.

- a. Canada
- b. China
- c. Norway

## FUNCTIONS/TERMS OF REFERENCE

27. The Commission shall be established to resolve disputes among parties referred to it by the CFC, and for ensuring the effective implementation of the provisions of the Final Security Arrangements.

28. The Commission shall perform the following functions:

- a. Follow-up the implementation of the ceasefire agreement signed in Doha between parties;
- b. Be responsible for the interpretation of provisions in the CFA, when necessary. In case of gross violations, the Commission shall notify the UN Security Council and AU Peace and Security Council;
- c. To arbitrate irregularities and violations and to accept and decide upon complaints filed by the parties that cannot be suitably addressed by the CFC. All attempts will be made to investigate fully and resolve contentious issues collaboratively and by consensus at the lowest level;
- d. Draw attention to any act of evolution or development that would delay the implementation of the Doha agreement or compromise it and to take measures to avoid repetition;
- e. To issue appropriate penalties and make further recommendations on punitive action; and
- f. Any additional functions that the Commission may deem appropriate within the spirit of the agreement.

## MEETINGS

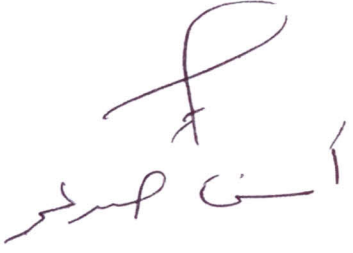

29. The Commission shall hold its meetings at the UNAMID headquarters in El Fasher or by exception in any other country agreed by the Commission. The UNAMID Joint Special Representative shall chair the Commission.

30. The Commission shall meet on a monthly basis and shall issue a report after each meeting. The members shall be notified of the agenda and documentation at least seven days before each meeting. The Commission shall call emergency meetings, and forego this preliminary notification requirement, when deemed necessary. Parties may request the Commission to convene an emergency meeting when deemed necessary.

31. The Parties shall abide by and implement the Commission's recommendations on disciplinary measures relating to the ceasefire violations.

32. The Parties shall distribute to their members and constituencies, the reports of the Commission.

33. The Commission shall issue regular public statements on progress towards implementing this Agreement.

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## ABBREVIATIONS

AOR	-	Area of Responsibility
CFC	-	Ceasefire Commission
COS	-	Chief of Staff
DDR	-	Demobilization, Disarmament, Reintegration
DFC	-	Deputy Force Commander
FC	-	Force Commander
FHQ	-	Force Headquarter
HQ	-	Headquarters
M & V	-	Monitoring and Verification
SSCFC	-	Sector Sub- Ceasefire Commissions
CTSG	-	Ceasefire Team Site Group
UNDSS	-	UN Department of Safety and Security

**CEASEFIRE IMPLEMENTATION MECHANISM STRUCTURE**

