

The Darfur Peace Agreement: Part 8 The Comprehensive Ceasefire

29/06/06

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This is number eight in a series of articles concerning the Darfur Peace Agreement (DPA), explaining how different parts were negotiated (and especially what the different negotiators insisted upon), what the paragraphs mean, and how they should be implemented. This article is concerned with one of the first and most important aspects of the Agreement, namely the ceasefire.

A ceasefire is signed between enemies who, by definition, do not trust each other. A ceasefire is more than simple ceasing firing or stopping hostilities—it has to include mechanisms to ensure that neither side violates the agreement, and mechanisms to ensure that those who do violate are exposed rapidly, and if necessary condemned and sanctioned. A ceasefire also has to be designed in a way that it can build confidence between the opposing forces. Each side needs to know what the other side is doing, either through directly observing it or through the reports of a trusted third party intermediary. Each step that one side takes, which might make it militarily vulnerable to the other, needs to be matched by a step taken by the opposing party. Ceasefire documents are usually accompanied by a map, and also by an exercise in mapping and verifying the positions of the opposing armies.

The April 2004 N’jamena “Humanitarian Ceasefire” failed. It failed partly because it was a weak agreement (there was no map), partly because two different versions existed (the GoS version had an extra sentence written in by hand, requiring the Movements to assemble their forces—and the Movements’ version didn’t include this), and partly because no trust at all existed between the opposing forces and the mechanism set up for guaranteeing the ceasefire—AMIS—was not given the mandate or force size sufficient for its task. The GoS security negotiating team, led by Gen. Ismat al Zain, and the Movements’ security negotiators, led by Ali Tirayo, Mohamed Adam and Tajudeen Nyam, all came to Abuja determined to improve on the past failures. They did a fine job.

The first plan for the negotiations in Abuja was “ceasefire first”: to agree on a much stronger ceasefire before moving on to all the other issues necessary to achieve a peace agreement. In the

event, the ceasefire negotiations took so long that the deadline imposed by the African Union Peace and Security Council for an overall agreement was already looming by the time that the discussions on the ceasefire were approaching completion. As a result of these long discussions, the ceasefire is one of the most detailed and comprehensive parts of the whole agreement. It is one in which both the GoS and the Movements' negotiators had maximum input. The main reason why it took so long is that the Darfur ceasefire is extremely complicated and the issues are very sensitive. Literally, these are life-and-death issues, and the negotiators on both sides took them very seriously. And the main reason why no agreement was reached on a stand-alone ceasefire was that both the GoS and the Movements wanted to see the shape of the final overall DPA before they signed up to the ceasefire.

Chapter 3 of the DPA, which deals with the Comprehensive Ceasefire, is the most detailed part of the whole document. It is much more detailed than any ceasefire agreements reached in Naivasha for the South or the Nuba Mountains.

The Darfur ceasefire has a preparatory phase, lasting 37 days. During this time, the parties and AMIS need to draw up plans for how to implement the ceasefire, including disarming the Janjaweed. The responsibility for disarming the Janjaweed falls on the Government (the Movement negotiators insisted on this) but it is to be monitored by the Ceasefire Commission, which includes the Movements and international representatives. Another key activity is verification—carrying out spot checks to see the actual location of the forces on the ground across Darfur. The activities that follow all depend upon the GoS, the Movements and AMIS all agreeing on a “Master Map” of the location of the forces, and this map can only be drawn up when the exact location of those forces can be verified. The 37 days come to an end on 23 June.

Once the verification is complete, any unauthorized movement of any military forces by either side is a violation of the ceasefire. Paragraph 298 of the DPA lays out the “main rules” for the movement of troops—the GoS and the Movements can only move their troops, or move supplies, with 72 hours' advance warning to AMIS and the permission of AMIS.

The preparatory phase is followed by three phases: disengagement, redeployment and limited arms control. One of the resource persons for the ceasefire talks, Dr Laurie Nathan, described the phases by comparing them to the end of a boxing bout. In disengagement, the referee holds the two boxers apart. In redeployment, he sends them to their corners. In limited arms control, the boxers take off their gloves. After that, they leave the ring. Then, the DPA enters the “final status” phases, which include the assembly of the Movements' forces, disarmament and demobilization, the reform of the PDF and police, and the integration of the Movements' fighters into the national army.

The fundamental principle of the ceasefire is a series of reciprocal steps. Because the GoS is the stronger party, it is required to take bigger steps and to take them first, before the Movements take the relevant step. The first step is disengagement. This has four main aspects, summarized in Paragraph 323.

- (1) The Sudan Armed Forces and the Movements' forces are limited to their “areas of control.” This means that they must withdraw any units—usually small ones of a company size or less—that are deployed in forward positions where they may

come into direct contact with the forces of the other side. The AMIS Force Commander is responsible for drawing up a map that specifies these “areas of control.” One of the major tasks undertaken in Abuja was for the AU Mediation team together with AMIS officers to draw this map.

- (2) The CFC creates Demilitarized Zones (DMZs) around IDP camps. These DMZs have been described in the second paper in this series. It also demilitarizes humanitarian supply routes, such as the key road between Nyala and el Fashir. The forces of both sides have to withdraw from these roads, which are then controlled by AMIS.
- (3) The CFC also creates “Buffer Zones” in the areas of most intense conflict, to separate the contending parties. These can include areas where the Movements have been fighting the Sudanese army, or where different factions of the Movements have been fighting one another. As the AMIS Force Commander was drawing up his map, some of the areas considered for these demilitarized buffer zones included the towns of Tawilla and Korma and the immediately surrounding areas.
- (4) Lastly, any militia associated with either side must respect the ceasefire and also withdraw. The GoS is also required to implement the first stage of its plan for disarming the Janjaweed (see paper one in this series).

This phase of the Ceasefire is supposed to start 37 days after “D-Day” (i.e. on 23 June) and last for 45 days (until 3 August). This is a rapid timetable for what will be a complex set of actions. The security experts in the Mediation had earlier proposed that ninety days would be more realistic for completing these activities, but both the GoS and the Movements argued that it could be done more quickly.

The next phase is more challenging. This is redeployment: the withdrawal of the different forces to smaller areas where they can be more effectively monitored. This creates much larger areas of Darfur in which no armed units are allowed except AMIS—or units on specific missions with the permission and monitoring of AMIS. Paragraph 345 summarizes these activities.

In line with Paragraph 350, the Sudan Armed Forces must withdraw all their units to battalion-sized positions. As battalions are typically situated in garrisons, this is in effect a withdrawal to barracks. On the side of the Movements, the key is the map drawn up by the AMIS Force Commander. The Movements do not have garrisons or battalion-sized units, so they must withdraw to areas clearly specified on the map, to positions close to their sectoral command centres. Heavy weapons and vehicles have to be withdrawn to these positions too.

This withdrawal is possible only in the context of increasing security provided by the control of the Janjaweed and other militia. During this phase, the GoS is required to restrict the Janjaweed and armed militia to specific locations and begin the process of disarmament, starting with heavy weapons. This is specified in Paragraphs 366-367.

The redeployment phase is due to be completed after a further 45 days—i.e. by 19 September. This is also an ambitious target, especially given that this is the middle of the rainy season. But the difficulties of supplying small units during the rains also gives commanders a good reason for rapid redeployment to large unit bases.

The third phase is limited arms control, which means ensuring that all heavy weapons are routinely inspected by AMIS and cannot be used for any offensive military activities. During this phase, there is also a special provision for supplies to be provided to the Movements' forces. Recognizing that the Movement's fighters need to be fed and provided with medical care and shelter, Article 28 of the DPA allows for the Movements to ask for assistance for rations, water, medical supplies, shelter, and clothing. The Movements' negotiators also asked for fuel and spare parts for vehicles to be included, but the GoS refused, fearing that these might be used for military activities. Abdel Wahid al Nour also asked for what he called "fun services" to keep his troops entertained, but this request did not make it to the final text.

The arms control provisions do not include withdrawal of aircraft and helicopters. However, there is a complete ban on hostile military flights and far-reaching provisions for AMIS to monitor all airfields to ensure that this ban is observed.

The greatest problem with the Darfur ceasefire is that there are ongoing hostilities in Chad and across the Chad-Sudan border. As a sovereign government, the GoS has not only a right but a responsibility to protect its international border. The DPA cannot infringe upon this right. In February, the Governments of Sudan and Chad signed the Tripoli Agreement to try to resolve their differences. The Tripoli Agreement does not have a strong enforcement mechanism and in fact very little has been done to enforce its provisions. While instability continues in Chad and cross-border military activities remain, the implementation of the ceasefire will face a major obstacle. Either a political resolution to the Chad conflict, or a very robust mechanism for enforcing the Tripoli Agreement, will be needed.

The Comprehensive Ceasefire in the DPA is a strong section. If it is implemented properly and faithfully, it will provide real security and protection to the people of Darfur. It will build confidence and create safe conditions in which all the other aspects of the DPA can be implemented, in which people can return to their homes, and reconstruction can begin.

But some important steps are needed for the Comprehensive Ceasefire to be a reality on the ground. The military commanders of the Movements that have not yet signed the DPA, must become part of the ceasefire. There must be a resolution to the Chad conflict. The Government must be sincere and effective in developing and implementing its plan for controlling and disarming the Janjaweed. All the parties must be genuinely committed to making the ceasefire work. And AMIS must be strengthened, or a strong and capable UN force must take its place.