

## **Nuba Mountains Cease-Fire Agreement**

### **PREAMBLE**

We the Parties to this Agreement, the Government of the Republic of Sudan and the Sudan Peoples' Liberation Movement/Nuba;

RECALLING the agreement reached between our representatives during the meetings which took place in Sudan from the 6th - 13th of December 2001, to immediately observe and extend the current military stand-down and to apply it to the Nuba Mountains to facilitate the negotiation of the cease-fire and the relief and rehabilitation program;

REAFFIRMING our will to negotiate an internationally monitored cease-fire agreement to cover the Nuba Mountains, supervised by a Joint Military Commission (JMC) including third-party participation;

AWARE of the vital need to establish a settlement to the conflict which has been taking place for many years and to promote peace in the Nuba Mountains;

HAVING MET at the invitation of the Governments of the Swiss Confederation and the United States of America at Bürgenstock, Switzerland from 13th - 19th January 2002 to agree on the terms of such a cease-fire;

### **HEREBY AGREE AS FOLLOWS:**

#### **ARTICLE I**

##### **THE CEASE-FIRE**

The Parties agree to an internationally monitored cease-fire among all their forces in the Nuba Mountains for a renewable period of six (6) months with the broader objectives of promoting a just, peaceful and comprehensive settlement of the conflict.

## **ARTICLE II**

### **PRINCIPLES OF THE CEASE-FIRE**

1. The cease-fire shall involve the cessation of hostilities between the Parties in the Nuba Mountains within 72 hours of the signing of this Agreement.
2. The cease-fire shall guarantee the free movement of civilians and goods, including humanitarian assistance, throughout the Nuba Mountains.
3. Specifically, this cease-fire entails the cessation of:
  - a. Hostilities, military movements including reconnaissance and reinforcements, as well as hostile actions;
  - b. All attacks by air or land, as well as all acts of sabotage and the laying of mines;
  - c. Attempts to occupy new ground positions and movements of troops and resources from one location to another other than the supply of food, clothing and medical support for military forces in the field;
  - d. All acts of violence against or other abuse of the civilian population, e.g., summary executions, torture, harassment, arbitrary detention and persecution of civilians on the basis of ethnic origin, religion, or political affiliations, incitement of ethnic hatred, arming civilians, use of child soldiers, sexual violence, training of terrorists, genocide and bombing of the civilian population;
  - e. Supply of ammunition and weaponry and other war-related stores to the field;
  - f. All hostile propaganda between the Parties, including defamatory, untruthful, or derogatory statements, both within and outside the country.
4. For these purposes, the Nuba Mountains means the whole Southern Kordofan and the province of Lagawa in Western Kordofan.
5. The Parties shall exercise control over all armed groups other than their own forces within their respective zones of control. They shall also promote the culture of peace and respect for civil and political rights and freedoms in those zones.
6. The Parties shall communicate the cessation of hostilities through their respective command channels as well as to the civilian population by means of the print and electronic media.

7. The cessation of hostilities shall be regulated and monitored through the Joint Military Commission (JMC) in accordance with the terms of Article VII.

## **ARTICLE III**

### **PRINCIPLES OF THE AGREEMENT**

1. There shall be immediate disengagement of combatants in the areas where they are in direct contact.

2. The redeployment of all combatants in the Nuba Mountains to defensive positions shall be carried out in accordance with the Calendar in Annex A of this Agreement and the schedule in Annex B, which may be amended by unanimous decision of the Joint Military Commission.

3. The Parties shall ensure that armed groups operating alongside their troops or on the territory under their control comply with the processes leading to the dismantling of those groups. In particular the Parties shall immediately take all necessary measures aimed at controlling illicit trafficking of arms and the infiltration of armed groups.

4. The laying of mines of whatever type shall be prohibited.

5. The Parties shall mark and signpost any danger areas to be identified to the Joint Military Commission.

6. The Parties shall facilitate the repair and re-opening of roads and the removal of mines throughout the area covered by this Agreement.

7. The Parties shall facilitate humanitarian assistance through the opening up of humanitarian corridors and creation of conditions conducive to the provision of urgent humanitarian assistance to displaced persons and other affected persons.

8. The Parties shall allow immediate and unhindered access to the International Committee of the Red Cross (ICRC) for the purpose of identifying and assuring the well-being of any person detained as a result of the conflict.

9. The Parties undertake to provide accurate information concerning the cease-fire through the press and the media on a regular basis and shall not interfere with the dissemination of each other's information.

10. The Agreement can be amended by agreement of the Parties with the concurrence of the Joint Military Commission upon notice to the countries participating in the arrangements established in this Agreement.

11. The Parties may agree to renew this Agreement for an additional six (6) month period. Not later than 30 days before the expiration of the Agreement, either Party may notify the Central JMC that it is prepared to agree to such a renewal. If both Parties agree, the Agreement shall be extended for an additional six (6) month period. Thereafter, the Agreement may be further extended for additional periods by means of the same procedure.

## **ARTICLE IV**

### **CESSATION OF HOSTILITIES**

1. The Parties shall announce a cessation of hostilities, to be effective within 72 hours after the signing of this Agreement. The announcement of cessation of hostilities shall be disseminated by the Parties through command channels, and it shall concurrently be communicated to the civil population via print and electronic media.

2. Until the deployment of international observers, the cessation of hostilities shall be regulated and monitored by the Parties through the Joint Military Commission. Once it has been deployed, the International Monitoring Unit (IMU) shall report to the JMC regarding verification, control and monitoring of the cessation of hostilities and subsequent disengagement.

3. Once the cease-fire has become effective, neither of the Parties shall engage in movement or redeployment of forces resulting in tactical or strategic advantage.

4. Any violation of the cessation of hostilities and subsequent events shall be reported to the JMC through the agreed chain of command for investigation.

## **ARTICLE V**

### **DISENGAGEMENT**

1. Immediate disengagement of all combatants as provided in Article III, paragraph 1, shall be limited to the effective range of direct fire weapons. Further withdrawal of weapons so as to place them out of range shall be conducted under the guidance of the Joint Military Commission.
2. Where immediate disengagement is not possible, as determined by the JMC, a sequence of steps is to be agreed upon by the Parties through the JMC.
3. All artillery and indirect fire weapon systems within and influencing the Nuba Mountains will be rendered safe in a way designated by the JMC.

## **ARTICLE VI**

### **MOVEMENT TO DEFENSIVE POSITIONS**

1. Following disengagement in accordance with the terms of Article V, all combatants shall redeploy from combat positions to defensive positions in accordance with Annex B.
2. Upon re-deployment to defensive positions, all combatants shall provide relevant information on troop strength, armaments and weapons they hold in each location to the Joint Military Commission.
3. The JMC shall verify the reported data and information. All combatants shall be restricted to the declared and recorded locations and all movements shall be authorized by the JMC.
4. All facilities customarily made available to soldiers, but which cannot be provided at the defensive positions, such as hospitals, logistics units and training facilities, shall be supervised by the JMC.

## **ARTICLE VII**

### **THE JOINT MILITARY COMMISSION**

1. A Joint Military Commission (JMC) shall be established to assist in the disengagement and redeployment of the combatants and maintaining the cease-fire in accordance with the terms of this Agreement. The organization of the JMC is indicated in Annex C.
2. The specific functions of the Commission shall include:
  - a. Determining the location of combatants as of the effective date of this Agreement;
  - b. Verifying their disengagement;
  - c. Monitoring and reporting on the redeployment of combatants from combat positions to defensive positions;
  - d. Monitoring and reporting on the storage of arms, munitions and equipment;
  - e. Supervising the mapping and clearance of mines (this may be done in phases taking into account the requirements of humanitarian assistance);
  - f. Inspecting all supplies to both Parties;
  - g. Approving all flights destined to the Nuba Mountains in consultation with the relevant civil aviation authorities;
  - h. Coordinating all military movements in the Nuba Mountains;
  - i. Resolving disputes concerning the implementation of this Agreement, including the investigation of any alleged violation;
  - j. Facilitating liaison between the Parties for the purposes of this Agreement.
4. The JMC shall be composed of three (3) representatives from each Party and a neutral Chairman with two (2) Vice-Chairmen. The Chairman and Vice-Chairmen shall be appointed by the participating countries in consultation with the Parties.
5. The JMC shall be authorized to hire contractors, employ personnel, engage observers and obtain supplies and equipment to assist it in carrying out its responsibilities. The Parties agree to facilitate the importation of necessary supplies and equipment required for the JMC's activities.
6. To the greatest extent possible, the JMC shall reach its decisions by consensus. In the event of a deadlock the Chairman shall have the deciding vote.
7. The Chairman shall report regularly to the designated representatives of the Parties and the participating countries regarding the activities of the JMC.

8. The Parties undertake to provide the JMC immediately on request with all relevant information necessary for implementation of this Agreement, including the organization, equipment and positions of their forces, on the understanding that such information shall be held in strict confidence.

9. The Parties also undertake to accord the JMC and its personnel the facilities, privileges and immunities appropriate to its mission.

10. Until the Chairman of the Central JMC has assumed his duties, the central headquarters of the JMC will be rotated between the various Sector JMCs headquarters.

11. The initial logistical base of the JMC will be in Kadugli. As soon as practical thereafter, the JMC will designate a neutral location for the Central JMC headquarters.

## **ARTICLE VIII**

### **INTERNATIONAL MONITORS**

1. An International Monitoring Unit (IMU) shall be established to assist the Parties in implementing this Agreement and maintaining the cease-fire. The IMU shall work in collaboration with the Joint Military Commission provided for in Article VII.

2. The mandate of the IMU shall include the following:

- a. To observe and monitor the cessation of hostilities;
- b. To monitor the disengagement of forces and their redeployment to defensive positions as stipulated in the Agreement;
- c. To verify all information, data and activities relating to the military forces and activities of the Parties in the Nuba Mountains;
- d. To assist the Parties in creating a favorable operational environment for the conduct of the cease-fire;
- e. To conduct liaison with humanitarian organizations for the purpose of assisting with relief operations;
- f. Upon request by any of the Parties, to investigate alleged violations of the Agreement and to recommend measures to ensure compliance.

3. The IMU shall consist of an initial contingent of between 10 and 15 military and civilian

personnel provided by countries acceptable to the Parties and deployed as monitors in the Nuba Mountains.

4. The IMU shall keep the Parties to the Agreement informed of its observation and monitoring operations.

5. The IMU shall have access to and freedom of movement within the Nuba Mountains.

6. The size of the IMU may be adjusted with the agreement of the Parties as necessary to carry out the objectives of this Agreement.

DONE at Bürgenstock (NW), Swiss Confederation, on the 19th day of January 2002.

FOR THE GOVERNMENT OF THE REPUBLIC OF SUDAN Dr. Mutrif Siddig Ali	FOR THE SUDAN PEOPLES' LIBERATION MOVEMENT/NUBA (SPLM/NUBA) Cdr. Abdul Aziz Adam El Hilu
AS WITNESSES:	
FOR THE SWISS CONFEDERATION Ambassador Josef Bucher	FOR THE UNITED STATES OF AMERICA Col. Cecil Dennis Giddens

## ANNEX A

### CALENDAR FOR THE IMPLEMENTATION OF THE CEASE-FIRE AGREEMENT

Major Cease-fire Steps	Proposed Calendar
1. Formal Signing of the Agreement	D-Day
2. Announcement of and dissemination of information on cease-fire by all Parties	D-Day + 1 day
3. Cessation of Hostilities, including Cessation of Hostile Propaganda	D-Day + 3 days
4. Disengagement of Forces	D-Day + 3 days to 14 days
5. Establishment of Joint Military Commission	D-Day + 3 days to 30 days
6. Train All JMC Personnel	D-Day + 14 days to 30 days

7. Provide Order of Battle Information to the JMC	D-Day + 15 days
8. Establishment of International Monitoring Unit	D-Day + 60 days
9. Evaluate desirability of extending cease-fire agreement or transition to a comprehensive cease-fire arrangement	D-Day + 150 days

## ANNEX B

### Redeployment

1. The Parties agree to consolidate their forces at designated positions within the Nuba Mountains. Forces will redeploy according to the following schedule:

Party/Strength	Consolidated Positions At D+45	Final Position at D+180	Comments
GoS			
7 garrisons MORA (KARKAR) RIGIFI UM DULU AGAB AL-DABB (ERI) UM SIRDIBA GEBEL-EL-AGEYR	GEBEL-EL-AGEYR HEYBAN EYRI UM SIRDIBA	Final positions TBD	Out of Atoro Moro Valley, according to Appendix 1
SPLM/Nuba			
51 garrisons	NYNGER ARD KANAN KUBANG BADURA KALKADA LUMUN SARAF JAMUS NGURBAN	Same as Consolidated Positions	

LEBU		
KADAR O		
TULESHI		
TIMA		
WALI (south of Kogung)		
JULUD		

Reported positions and strength shall be verified by the Central JMC no later than D+30.

2. Military forces located in the Moro and Atoro Valley will be restricted to their designated garrisons until redeployed. Any movement of military forces in the Moro and Atoro Valley shall be reported to and authorized by the Central JMC. Local patrolling shall be limited to areas immediately surrounding a designated military garrison (not to exceed 500 meters).
3. GoS will retain civil administration (police, schools, medical, etc.) responsibility in the Moro and Atoro Valley, Gebel-el Ageyr, and the Heyban Valley. The JMC will be consulted on outstanding issues concerning the police and militia. Strength of police forces in the Moro and Atoro Valley shall be determined by the Central JMC in consultation with the GoS.
4. The Miri Hill region (loosely defined by a box with corners at 29-30W/11-05N, 29-30W/10-55N, 29-40W/10-55N, 29-40W/11-05N) will be designated a demilitarized zone that shall be free of military forces. Demilitarization shall begin no later than D+45 and be completed no later than D+180. As soon as practical, a JMC survey team, including an international monitor, will visit the Miri Hill region to determine the locations of Sudanese Government and SPLM/Nuba supporters. These areas will be identified and each Party will continue to provide civil administration (police, school, medical, etc.) in its respective area. In addition, the first sector JMC will be established in the Miri Hill region. This JMC, including one or more international observers, will observe civil administration in the region.

5. There shall be 5 Sector JMCs (see map for detail).

6. JMCs will be established according to the following principles:

- Neutral ground
- Freedom of movement for JMC personnel
- Accessibility
- Security

- Visibility
- Transparency

## **Appendix 1 to Annex B**

### **GoS Redeployment Schedule**

GoS Consolidated Garrison	Completion Date of Redeployment
GEBEL-EL-AGEYR	D Day + 60 days
HEYBAN	D Day + 90 days
UMM-SERDEBA	D Day + 120 days
EYRI	D Day + 150 days

## **ANNEX C**

### **THE JOINT MILITARY COMMISSION**

#### A. Objectives

1. The Joint Military Commission (JMC) shall serve three main functions:
  - a. To assist the Parties in implementing the Cease-fire Agreement. The JMC shall be the central coordinating body for supervision of the disengagement and redeployment of the combatants and maintaining the cease-fire in accordance with the terms of the Agreement.
  - b. To serve as a dispute resolution mechanism. The JMC shall resolve all disputes and military or operational difficulties, complaints, questions, or problems regarding implementation of this Agreement.
  - c. To assist in confidence building. The JMC shall work to gain the trust and confidence of the Parties and promote the overall goals of the Cease-fire Agreement among the people of the Nuba Mountains.
2. To achieve these goals, the JMC shall operate according to the following basic principles:
  - a. Resolve all problems and disputes at the lowest level possible;
  - b. Maintain flexibility to ensure promises can be delivered;
  - c. Promote joint problem solving and build trust and confidence through inclusive agenda setting;
  - d. Build on lessons learned in the process.

## B. Responsibilities

1. The specific responsibilities of the JMC, in accordance with Article VII of the Cease-fire Agreement, shall be as follows:
  - a. Determine location of combatants as of the effective date of the Agreement;
  - b. Verify the disengagement of combatants;
  - c. Monitor and report on the redeployment of the combatants from combat positions to defensive positions;
  - d. Monitor and report on the storage of supplies, ammunition and equipment;
  - e. Monitor and report on the mapping and clearance of mines;
  - f. Facilitate liaison between the Parties;
  - g. Coordinate all military movements;
  - h. Inspect all supplies being provided to both Parties;
  - i. Disseminate information on the cease-fire through all media.
2. The JMC and its components shall be assured freedom of movement throughout the Nuba Mountains.
3. The Chairman of the JMC shall report regularly to the designated representatives of the Parties and the participating countries regarding the status and activities of the JMC.

## C. Organization

1. The JMC shall be composed of three representatives from each Party and a neutral Chairman and two Vice-Chairmen as provided in Article VII, paragraph 3, of the Cease-fire Agreement. The Chairman and the Vice-Chairman shall be appointed by the participating countries in consultation with the Parties. One of the Vice-Chairmen shall be responsible for the daily operations of the JMC and shall be empowered to act as Chairman when necessary. Until the designation of the Chairman and Vice-Chairmen, the JMC will be co-chaired by the Parties.
2. The Chairman shall be responsible for supervising compliance of the Parties with the Cease-fire Agreement, acting as the final authority for resolving disputes, and approving all flights destined to the Nuba Mountains.
3. The JMC shall be organized in the following manner:

a. Central JMC: The Central JMC shall be located in Kadugli in the Nuba Mountains. The JMC support staff shall be part of the Central JMC and shall be organized along the following functional lines:

- Operations Team: Coordinates all air and ground activities related to the JMC's activities as well as the activities of the Joint Observers in the Nuba Mountains.
- Transportation/Logistics Team: Coordinates transportation, communications, supply and logistics requirements for the JMC.
- Compliance and Legal Team: Reviews the reports of the Joint Observer and International Monitoring Unit reports and provides legal advice to the Chairman, Vice-Chairmen and JMC staff.
- Information Team: Coordinates the dissemination of information to support and promote the Cease-fire Agreement among the people in the Nuba Mountains, including for example information regarding activities of the JMC, timetables for disengagement and convoy movements, school and medical information, access to grazing and farming areas, etc. The means of dissemination include but are not limited to radio broadcasts, mobile media units, local newspapers, tribal chiefs, work with caravans and sport games.
- Medical Support Team: Provides all necessary health and medical care and advice.
- GoS Team: Conducts liaison with GoS.
- SPLM Team: Conducts liaison with SPLM/Nuba.

b. International Monitoring Unit (IMU): The IMU shall be part of the Central JMC and shall include the Chairman and Vice-Chairmen and support staff with the exception of the GoS and SPLM teams. In accordance with Article VIII of the Agreement, the IMU shall be established as soon as possible in order to assist the Parties in implementing this Agreement.

- Under the orders of the Chairman, members of the IMU can be deployed anywhere in the Nuba Mountains to monitor and report on implementation of the Agreement and as necessary to investigate any alleged violations of the Agreement. When deployed, members of the IMU shall be accompanied by Joint Observers from the appropriate Sector or Local JMC.
- The IMU shall operate throughout the area covered by this Agreement. It shall consist of between 10 to 15 third party military and civilian personnel, with the necessary support personnel, to be assigned at the Central JMC and at the Sector JMCs at the discretion of the Chairman. The size of the IMU may be adjusted with the agreement of the Parties as necessary to carry out the objectives of this Agreement.
- The IMU shall be granted unrestricted access to all areas in the Nuba Mountains for the purposes of monitoring and reporting on the activities, and investigating alleged violations, of the Cease-fire Agreement.

- In all operations, the IMU shall adhere to the principles of neutrality and transparency.
- c. Sector JMCs: There shall be five Sector JMCs, to be established by the Chairman of the JMC in consultation with the Parties.
- The Sector JMCs shall be co-chaired by senior military officers of the Parties. They shall be responsible for observing and reporting compliance with and resolving disputes concerning implementation of the Cease-fire Agreement in their designated sectors. They shall also be responsible for submitting periodic status reports to the Central JMC. The Sector JMCs shall refer disputes to the Central JMC if they cannot resolve the dispute.
  - Joint Observer Teams: Joint Observer Teams are composed of two members (one from each Party) for the purpose of conducting joint patrols within the Sector JMC's assigned area of responsibility and observing and reporting on alleged violations of the Cease-fire Agreement.
  - Operations Team: The Operations Teams of the Sector JMCs shall plan and coordinate all JMC activities within their assigned area of responsibility, including those of the Joint Observer Teams. They shall prepare periodic situation reports for submission to the Central JMC.
- d. Local JMCs: There shall be an appropriate number of Local JMCs to be established by the Chairman of the JMC in consultation with the Parties.
- The Local JMCs shall be chaired, on an alternating monthly basis, by a senior military officer of the respective Parties. They shall be responsible for observing and reporting to the Sector JMCs on compliance with the cease-fire and for resolving disputes concerning the Cease-fire Agreement in their designated areas of responsibility. They are also responsible for submitting periodic status reports to the appropriate Sector JMC. The local JMCs shall refer disputes to their Sector JMC if they cannot resolve the dispute.
  - Joint Observer Teams: The Joint Observers Teams consist of two members (one from each Party) who conduct joint patrols within the Local JMC's assigned area of responsibility and observe and report to the Local JMC on alleged violations of the Cease-fire Agreement.

#### D. Filing System

1. The Central JMC shall establish and maintain a database on the Parties' locations and activities, local police positions, as well as records of meetings, valid memorandums, and the resolution of disputes.

2. The Chairman of the Central JMC shall periodically transmit summaries concerning its activities to the designated representatives of the Parties and the participating countries.