

# A summary of the DPA and ESPA

## Basic principles

Both agreements state the superiority of modern constitutional law over traditional customary law, endorse affirmative action, and reiterate the importance of sovereignty, diversity, human rights, devolution, transparency, electoral process, the rule of law and equality before the law.

## Darfur Peace Agreement

5 May 2006

### Permanent status of Darfur

A referendum on whether to retain Darfur's three states or create a Darfur region is to be held within 12 months of the general elections (by July 2010). The Transitional Darfur Regional Authority (TDRA) is responsible for coordinating the implementation and follow-up of the DPA and facilitating better cooperation between the three state governments.

### Participation in government

Pending elections, the SLM/A and JEM are to nominate people to the following posts, making a special effort to nominate women:

- 1 Special Assistant to the President (also chair of the TDRA), and 1 presidential advisor
- 1 cabinet minister and 2 state ministers (in addition to 3 cabinet minister and 3 state minister posts which will continue to be filled by Darfurians)
- 12 seats in the National Assembly and chairmanship of one of the National Assembly's parliamentary committees
- 1 ministerial position in the Khartoum State government
- The governor of one of Darfur's states and deputy governor of each of the other two, plus 2 ministers and 1 advisor in each of the states and a senior member of each state ministry
- 21 of the 73 seats in each state assembly, including the deputy speaker of each
- 6 local commissioners and 6 executive directors in Darfur

Membership of the Council of States is to be non-partisan and to follow consultation with Darfurians. 50 per cent of places in Darfurian universities and 15 per cent of places in Khartoum's universities are reserved for Darfurians. Historical land rights (*hawakeer*) are recognized, subject to rulings by state-level Land Commissions.

## Eastern Sudan Peace Agreement

19 October 2006

### Permanent status of Eastern Sudan

A Coordinating Council is established, comprising 3 state governors, 3 state assembly speakers and 3 Eastern Front (EF) nominees who together nominate the remaining 6 council members.

The ESPA is to be implemented by a Joint Implementation Committee (with 50:50 government/EF representation) with disputes mediated by Eritrea.

### Participation in government

Pending elections, the EF is to nominate people to the following posts, making a special effort to nominate women:

- 1 Assistant to the President (also vice-chair of the Joint Implementation Committee) and 1 presidential advisor
- 1 state minister (in addition to 2 cabinet minister and 1 state minister posts which continue to be filled by eastern Sudanese)
- 8 seats in the National Assembly
- 1 advisory position in the Khartoum State government
- The deputy governor in each of Kassala and al-Qadarif states, plus 1 minister and 1 advisor in each of the three eastern states
- 10 seats in each of the three state legislatures (in each of which at least one committee will be chaired by the EF)
- 3 administrators in each of the three states and an average of 5 members in each local government assembly
- 3 nominees to 11-member Eastern Sudan Reconstruction and Development Fund (ESRDF) board

The government is to consult citizens before developing land and to compensate them if they are adversely affected. Eastern Sudanese are to benefit from the development of Port Sudan and the nation's coastal area and fish and marine resources.



### **Development priorities**

A Darfur Reconstruction and Development Fund (DRDF) is established, with seed funding of US\$300m in 2006 and a further US\$200m per annum in 2007 and 2008.

A Joint Assessment Mission (JAM) is to determine priorities.

### **Protection and compensation**

A Darfur Rehabilitation and Resettlement Commission (DRRC) is established to coordinate humanitarian provision and access and the safe and voluntary return of IDPs and refugees. A Property Claims Committees will resolve disputes. A Compensation Commission is established with an initial budget of US\$30m.

A comprehensive ceasefire comes into force within 72 hours of signing; free movement of people, goods and services; the *janjaweed* is to disarm within 150 days.

A Joint Humanitarian Facilitation and Monitoring Unit (including representatives of AMIS, the UN, the international community and the parties) is to monitor and report.

4000 former combatants from the movements are to be incorporated into the SAF; education and training are to be provided for a further 3000.

### **Dialogue and consultation**

Darfur-Darfur Dialogue and Consultation (DDDC) is to serve as a mechanism for mobilizing support for, and implementing, the DPA. 60 per cent of delegates will be tribal and community representatives, the remaining 40 per cent from political parties, civil society, religious organizations and the diaspora; observers are to be sent by international community and others.

### **Development priorities**

An Eastern Sudan Reconstruction and Development Plan is to determine service, infrastructural and other priorities.

The ESRDF is to be operational within 90 days of the ESPA (ie mid-January 2007), with US\$100m in 2007 and US\$125m per annum 2008-11.

### **Security arrangements**

A comprehensive and permanent ceasefire comes into force within 72 hours of the signing the ESPA; all militias or other armed groups in Eastern Sudan to be absorbed into the Sudanese Armed Forces (SAF).

Monitoring is conducted by the High Joint Military Committee, chaired by Eritrean government. Willing and qualified EF combatants are to be incorporated into the SAF for a minimum of 2 years. A Joint Committee for Integration (5 government and 5 EF representatives, chaired by the SAF) are to identify those who are 'willing and qualified' and ensure adequate training for those who are integrated into SAF and proper support for those who return to civilian life. Prisoners associated with the conflict will be released within a week of the ESPA's signature.

### **Dialogue**

A National Conference on Sudan's administration is to be convened by the end of 2007; the government is to implement recommendations.

An ESPA Consultative Conference is envisaged; a joint preparatory committee is to be established within a week of the signature.