

THE NAIROBI DECLARATION ON THE FINAL PHASE OF PEACE IN THE SUDAN

State House, Nairobi: Saturday 5th June, 2004

WHEREAS the Government of the Republic of the Sudan (GOS) and the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/A) (referred to as the Parties), having met in continuous negotiations between May 2002 and May 2004, in Machakos, Karen, Nairobi, Nakuru, Nanyuki, and Naivasha, Kenya, under the auspices of the Inter-Governmental Authority on Development (IGAD) Peace Process, and, in respect of the issues related to the Conflict Areas of Southern Kordofan/Nuba Mountains and Blue Nile States, and Abyei Area, under the auspices of the Government of the Republic of Kenya, and

IN PURSUANCE OF the commitment of the Parties to a negotiated settlement on the basis of a democratic system of governance which, on the one hand, recognizes the right of the people of Southern Sudan to self-determination and seek to make unity attractive during the Interim Period, and at the same time is inspired by the realities of the country and is founded on the values of justice, democracy, good governance, respect for the fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within Sudan as a whole;

THE PARTIES NOW RECONFIRM their agreement on the following texts: **Machakos Protocol**, dated 20th July, 2002; **Agreement on Security Arrangements During the Interim Period**, dated 25th September, 2003; the **Agreement on Wealth Sharing During the Pre-Interim and Interim Period**, dated 7th January, 2004, **Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing**, dated 26th May, 2004, **Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of Conflict In Southern Kordofan/Nuba Mountains and Blue Nile States**, dated 26th May, 2004; and

Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of the Conflict in Abyei Area, dated 26th May, 2004; and

THE PARTIES FURTHER COMMIT themselves to the strict observance of the Memorandum of Understanding on Cessation of Hostilities, dated 15th October, 2002 and its related Addendum creating a Verification and Monitoring Mechanism, dated 4th February 2003 until the final Ceasefire Agreement is put in place;

PLEDGE their commitment to conclude a peaceful, durable, negotiated solution to the long-standing conflict in the Sudan;

MINDFUL of the urgent need to bring peace and security to the people of the Sudan who have endured conflict and suffering for far too long;

DETERMINED to set aside their differences in order to work together for the realization of the interests of all the people of Sudan;

AWARE of the fact that peace, stability, and development are aspirations shared by all people of the Sudan,

REITERATE their determination to continue resolving the root causes of the conflict and violence in Sudan which inflict hardship and suffering on the people of Sudan and seriously hampers the prospects for economic development and the attainment of social justice in Sudan;

EXPRESS THEIR DEEP APPRECIATION for the persistent efforts of the Facilitators, the IGAD Member States, and the international community in assisting the people of the Sudan to return to peace and stability,

ACKNOWLEDGE that the protocols heretofore mentioned, envisage:

- (1) The resolution of the status of State and Religion and the Right of Self-Determination for the people of South Sudan as set forth in the **Machakos Protocol** of 20th July 2002;
- (2) Security arrangements which properly recognize that in the interests of sustaining the Agreement during the Interim Period, there will be integrated units as well as the retention of their respective armed forces under arrangements which guarantee both security and stability in Sudan, as set forth in the **Agreement on the Security Arrangements During the Interim Period** of 25th September, 2003;
- (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the **Agreement on Wealth Sharing During the Pre-Interim and Interim Period**, dated 7th January, 2004 ;
- (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the **Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing**, dated 26th May, 2004;
- (5) Understandings on the administration, popular consultation, and related matters in respect of the two conflict areas of Southern Kordofan/Nuba Mountains and Blue Nile States, which agreements are set out in the **Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of Conflict In Southern**

Kordofan/Nuba Mountains and Blue Nile States, dated 26th May, 2004;
and

(6) Agreement on the administration and mechanism for a referendum in Abyei Area entitled **Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of the Conflict in Abyei Area**, dated 26th May, 2004.

THE PARTIES JOINTLY AGREE that the Protocols and Agreements already signed, together with the Annexes that remain to be negotiated on the Permanent Ceasefire Arrangements and the Agreement on the Modalities of Implementation of the Agreement that shall also include regional and international guarantees, shall constitute the Comprehensive Peace Agreement, which, when signed, shall initiate the Pre-Interim Period; and

THEREFORE SOLEMNLY UNDERTAKE to finalize negotiations and resolve these details in as short a time as possible, and that they will spare no effort to ensure that the commitments expressed therein are fully respected in order to guarantee lasting peace, security for all, justice and equality in Sudan.

THE PARTIES RECONFIRM, in signing below and before the witnesses here present, their commitment to implement the above-mentioned agreements and to engage fully in the final phase of the Sudan Peace Process which will resume on 22nd June, 2004.

THE PARTIES UNDERTAKE during this final phase to conclude the permanent Ceasefire Agreement within the framework of the **Agreement on Security Arrangements During the Interim Period**, signed on 25th September, 2003, as well as the modalities of implementing the Comprehensive Peace Agreement, including regional and international guarantees, in order to usher in a new era of peace, security, and development in the Sudan.

WITH THIS DECLARATION THE PARTIES HEREBY launch the final phase for the Sudan Peace Process following the signing of the six Protocols and Agreements which resolved all the issues of the Conflict in the Sudan.

THE PARTIES JOINTLY APPEAL to the Regional and International Community to continue their unwavering support to the Sudan Peace Process at this final phase, and further appeal to avail resources for necessary and urgent programmes and activities of the transition to peace, and the programmes of The Joint Assessment Mission (JAM) and The Joint National Transitional Team (JNTT).

H.E. Ali Osman Mohamed Taha
First Vice-President of the Government
of the Republic of the Sudan

Dr. John Garang de Mabior
Chairman of the Sudan People's
Liberation Movement (SPLM)

WITNESSED BY: **Hon. Stephen Kalonzo Musyoka**
Minister for Foreign Affairs of the
Republic of Kenya and on behalf of the IGAD
Ministerial Sub-Committee on Sudan

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