

Chapeau of the Comprehensive Peace Agreement

WHEREAS the Government of the Republic of the Sudan (GOS) and the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/A) (hereinafter referred to as the "Parties"), having met in continuous negotiations between May 2002 and December 2004, in Karen, Machakos, 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 and Blue Nile States and Abyei Area, under the auspices of the Government of the Republic of Kenya;

CONSCIOUS that the conflict in the Sudan is the longest running conflict in Africa; that it has caused tragic loss of life, destroyed the infrastructure of the country, eroded its economic resources and caused suffering to the people of the Sudan;

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

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

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 seeks to make unity attractive during the Interim Period, while at the same time is founded on the values of justice, democracy, good governance, respect for fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within the realities of the Sudan;

RECORDING AND RECONFIRMING that in pursuance of this commitment the Parties duly reached agreement on the following texts: the Machakos Protocol, dated 20th July, 2002 which is set out in Chapter I of the Comprehensive Peace Agreement (CPA); the Agreement on Security Arrangements, dated 25th September, 2003 which is set out in Chapter VI of the CPA; the Agreement on Wealth Sharing, dated 7th January, 2004 which is set out in Chapter III of the CPA; the Protocol on Power Sharing, dated 26th May, 2004 which is set out in Chapter II of the CPA; the Protocol on the Resolution of the Conflict In Southern Kordofan and Blue Nile States, dated 26th May, 2004 which is set out in Chapter V of the CPA; and the Protocol on the Resolution of the Conflict in Abyei Area, dated 26th May, 2004 which is set out in Chapter IV of the CPA; and that the Security Council of the United Nations in its Resolution 1574 of 19th November, 2004, took note of these aforementioned Protocols and Agreements;

RECOGNIZING that the Parties have concluded an Agreement on a Permanent Ceasefire and Security Arrangements Implementation Modalities During the Pre-Interim and Interim Periods dated 31st December, 2004 which is set out in Annexure I of the CPA, within the Framework of the Agreement on Security Arrangements of 25th September, 2003;

FURTHER RECOGNIZING that the Parties have also concluded the Agreement on the Implementation Modalities of the Protocols and Agreements dated 31st December, 2004 which is set out in Annexure II of the CPA;

NOW HEREIN THE PARTIES JOINTLY ACKNOWLEDGE that the CPA offers not only hope but also a concrete model for solving problems and other conflicts in the country;

THE PARTIES FURTHER ACKNOWLEDGE that the successful implementation of the CPA shall provide a model for good governance in the Sudan that will help create a solid basis to preserve peace and make unity attractive and therefore undertake to fully adhere to the letter and spirit of the CPA so as to guarantee lasting peace, security for all, justice and equality in the Sudan;

NOW THEREFORE, THE PARTIES AGREE, upon signing this Agreement, on the following:

- (1) The Pre-Interim Period shall commence, and all the obligations and commitments specified in the CPA shall be binding in accordance with the provisions thereof;

(2) The CPA shall be comprised of the texts of the Protocols and Agreements already signed, together with this Chapeau, the Agreement on Permanent Ceasefire and Security Arrangements Implementation Modalities and Appendices as Annexure I and the Agreement on the Implementation Modalities and the Global Implementation Matrix and Appendices as Annexure II;

(3) The agreed Arabic and English texts of the CPA shall both be official and authentic. However, in the event of a dispute regarding the meaning of any provision of the text, and only if there is a difference in meaning between the Arabic and English texts; the English text shall be authoritative as English was the language of the peace negotiations.

(4) Upon compilation of the official and authentic Arabic and English texts of the CPA, the initialled copies of both texts shall be given to both Parties, and copies shall also be lodged with the United Nations, the African Union, IGAD Secretariat in Djibouti, the League of Arab States and the Republic of Kenya.

(5) All persons performing governmental functions shall continue to do so at the place at which they render such services or perform such functions unless or until redeployed or alternative instructions are received in accordance with the arrangements agreed to by the Parties.

(6) To establish such priority joint task teams, particularly the Joint National Transitional Team (JNTT), the Abyei Boundaries Commission (ABC), the Constitutional Task Team and the Joint Technical Team on "New National Currency" as required to facilitate and prepare for the operationalization of the Agreement once it is put into force;

(7) To take the necessary steps to ensure the effective implementation of the Permanent Ceasefire;

(8) To take such steps as are necessary to ensure that resources and funds are available for the establishment of the structures, bodies and institutions contemplated by the CPA especially the establishment of the Government of Southern Sudan;

THE PARTIES EXPRESS THEIR GRATITUDE 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, and in particular, to the African Union, IGAD Partners Forum, the United Nations, and the Governments of Italy, Norway, United Kingdom and the United States of America for their support for the IGAD Peace Initiative and their unwavering interest and consistent endeavours in support of the Peace Process;

THE PARTIES JOINTLY APPEAL to the Regional and International Community and call on Organizations and States which have been requested to witness the signing of this Agreement to provide and affirm their unwavering support to the implementation of the CPA, and further appeal to them to avail resources for the necessary and urgent programmes and activities of the transition to peace as contemplated and agreed herein;

THE PARTIES RECOGNIZE the enormity of the tasks that lie ahead in successfully implementing the Comprehensive Peace Agreement and in signing below and before the witnesses here present, they reconfirm their commitment to implement the Comprehensive Peace Agreement fully and jointly.

H.E. Ali Osman Mohamed Taha

First Vice President of the Republic of the Sudan
On behalf of the Government Of the Republic of the Sudan

Dr. John Garang de Mabior

Chairman of the Sudan People's Liberation Movement/Sudan People's Liberation Army
on behalf of the Sudan People's Liberation Movement/Sudan People's Liberation Army

WITNESSED BY:

H.E. Hon. Mwai Kibaki
President of the Republic of Kenya
On behalf of the IGAD
Sub-Committee on the Sudan

H.E. Hon. Yoweri Kaguta Museveni
President of the Republic of Uganda
On Behalf of IGAD Member States

H.E. Mr. Ahmed Aboul Gheit
Egyptian Minister of Foreign Affairs
On behalf of the Government of the Republic of Egypt

Senator Alfredo Mantica
Deputy Minister for Foreign Affairs
On behalf of the Government of Italy

H.E Mr. Fred Racke
Special Envoy of the Netherlands
On behalf of the Royal Kingdom of the Netherlands

H.E. Ms. Hilde F. Johnson
Minister of International Development
On behalf of the Royal Norwegian Government

Right Hon. Hilary Benn, M.P.
Secretary of State for International Development
On behalf of the United Kingdom and Northern Ireland

Mr. Colin L. Powell
United States Secretary of State
On behalf of the United States of America

H.E. Mr. Alpha Oumar Konare
Chairperson of the African Union
On behalf of the African Union

Hon. Charles Goerens
Minister of Development Co-operation of Netherlands
On behalf of the European Union

H.E. Ms. Hilde F. Johnson
Minister of International Development
On behalf of the IGAD Partners Forum (IPF)

Senator Alfredo Mantica
Deputy Minister for Foreign Affairs
On behalf of the IGAD Partners Forum (IPF)

H.E Mr. Amre Moussa
Secretary General of the League of Arab States
On behalf of the League of Arab States

H.E. Mr. Jan Pronk
Special Representative of the Secretary General in the Sudan
On behalf of the United Nations