

**Comprehensive Peace Agreement Between the Governments of The Republic
of Blue, the Orange Republic, the Republic of Yellow,
and PIVERT (Parti Independantiste Vert)
Accra 21st November, 2003**

We, the Government of The Republic of Blue, the Orange Republic the Republic of Yellow, and the leader of the PIVERT (hereinafter the Parties);

Having met in Akosombo and Accra, Ghana, from 15th November, 2003 to 21st November 2003, to seek a negotiated settlement of the crisis in the area located at the junction of the borders between the three countries' territories (hereinafter the Tri-border area), within the framework of the ECOWAS Peace Process, under the auspices of the current Chairman of ECOWAS, His Excellency John Agyekum Kufuor, President of the West Nation, and the mediation of General Abdulsalami Abubakar, former Head of State of East Nation;

Gravely concerned about the current armed confrontation that has engulfed our countries leading to loss of lives, wanton destruction of infrastructure and properties and massive displacement of our peoples;

Recalling earlier initiatives undertaken by the Member States of ECOWAS and the International Community, aimed at bringing about a negotiated settlement of the armed confrontation in the Tri-border area;

Moved by the imperative need to respond to the ardent desire of the people of the Tri-border area for genuine lasting peace and reconciliation;

Reaffirming the objective of promoting better relations among ourselves by ensuring a stable political environment in which our peoples can live in freedom under the law and in true and lasting peace, free from any threat against their security;

Determined to concert our efforts to promote democracy in the sub-region on the basis of political pluralism and respect for fundamental human rights as embodied in the Universal Declaration on Human Rights, the African Charter on Human and People's Rights and other widely recognised international instruments on human rights, including those contained in the Constitutions of the Republic of Blue, the Orange Republic and the Republic of Yellow;

Guided by the principles of democratic practice, good governance and respect for the rule of law enunciated in the ECOWAS Declaration on Political Principles of 1991 and the ECOWAS Protocol on Democracy and Good Governance adopted in 2001;

Committed to promoting an all inclusive participation in governance and the advancement of democracy in the region, as well as promoting full respect for international humanitarian law and human rights;

Concerned about the socio-economic well being of the people of the entire region;

Determined to foster mutual trust and confidence amongst ourselves and establish mechanisms which will facilitate genuine healing and reconciliation amongst the peoples of all parties;

Also Determined to establish sustainable peace and security, and pledging forthwith to settle all past, present and future differences by peaceful and legal means and to refrain from the threat of, or use of force;

Recognising that the Tri-border crisis also has external dimensions that call for good neighbourliness in order to have durable peace and stability in the sub-region;

Committed to the establishment of an orderly transition process, to prevent the outbreak of future civil armed confrontations in the Tri-border area and their consequences;

Desirous of seeking international assistance and support in restoring peace and stability to the Tri-border area;

HEREBY AGREE AS FOLLOWS:

PART ONE

ARTICLE I

DEFINITIONS

For the purposes of this Agreement:

"**AU**" means the African Union;

"**DDRR**" means Disarmament, Demobilization, Rehabilitation and Reintegration;

"**ECOWAS**" means the Economic Community of West African States;

"**EU**" means the European Union;

"**ICRC**" means the International Committee of the Red Cross;

"**IMC**" means the Implementation Monitoring Committee;

"**INCHR**" means Independent National Commission on Human Rights established under Article XII of this Agreement;

"**Irregular Forces**" mean all forces that are not established in accordance with the Constitutions and laws of the Republic of Blue, the Orange Republic and the Republic of Yellow;

"**NCDDRR**" means the National Commissions for Disarmament, Demobilization, Rehabilitation and Reintegration established under Article VI of this Agreement;

"**Observation mission (OM)**" means the ECOWAS Mission in the Tri-border area;

"**Parties**" means the Parties to this Agreement;

"**The Agreement**" means this Comprehensive Peace Agreement;

"**Three Countries**" means the Republic of Blue, the Orange Republic and the Republic of Yellow (in alphabetical order);

"**TRC**" means Truth and Reconciliation Commission established under Article XIII of this Agreement;

"**UN**" means the United Nations Organization;

"UNICEF" means United Nations Children Fund;

"UNHCR" means the United Nations Office of the High Commissioner for Human Rights;

"UNDP" means the United Nations Development Programme.

PART TWO

ARTICLE II

CEASEFIRE

The armed confrontations between the Government of Blue and Abomey province rebels, and between the Government of the Republic of Yellow) and Za-Tanta province rebels are hereby ended with immediate effect. Accordingly, all the Parties to the Ceasefire Agreement shall ensure that a ceasefire is established at 0001 hours on 22nd November 2003, and that it results in the observation of a total and permanent cessation of hostilities forthwith.

ARTICLE III

CEASEFIRE MONITORING

1. The Parties call on ECOWAS to immediately establish a Multinational Mission that will be deployed as an Observation Mission in the Tri-border area, to make sure that the measures prescribed in this agreement are applied by all parties.
2. The mandate of the ECOWAS Observation mission shall include the following:
 - a. Facilitating and observe the disengagement of forces as provided under Article V of this Agreement;
 - b. Obtaining data and information on activities relating to armed forces of the parties to the Ceasefire Agreement and coordinating all armed forces movements;
 - c. Observe that the conditions for the initial stages of Disarmament, Demobilisation and Reintegration (DDR) activities of any combatant not belonging to the regular armed forces (or police forces) of one of the countries are respected; particular attention shall be paid to children soldiers' DDR
 - d. Observe that all Parties respect the definitive cessation of hostilities and all other aspects of the Ceasefire Agreement;
 - e. Observe that the security of senior political and military leaders as well as the security of all personnel and foreign workers living in the area is respected by all parties;
 - f. Observe the implementation by the governments of the three countries of measures intended to better integrate the PIVERT's aspirations within, political, economical, cultural life of their nations;

3. A Joint Monitoring Committee (JMC) established under the terms of this Agreement, and composed of representatives of ECOWAS, the UN, AU, and Parties to the Agreement shall continue to supervise and monitor the implementation of the Ceasefire Agreement. ;
4. Prior to the deployment of the International IOMTB, a representative of ECOWAS shall chair the JMC.
5. The JMC shall:
 - a. Resolve disputes concerning implementation of the Ceasefire Agreement, including the investigation of any alleged violation and also recommend remedial action for confirmed ceasefire violations.
 - b. Submit for approval, its recommendations to the Implementation Monitoring Committee (IMC) referred to under Article XXVIII (2) and (3) in this Agreement which is seized with the responsibility of monitoring the implementation of this Peace Agreement.
6. The Parties shall provide the JMC with any relevant information on the organisation, equipment and locations of their forces, and such information will be kept confidential.

ARTICLE IV

INTERNATIONAL OBSERVATION MISSION

1. The Parties agree on the need for the deployment of an International Observation Mission in Tri-border area (IOMTB). Accordingly, the Parties hereby request the United Nations in collaboration with ECOWAS and the AU to facilitate, constitute, and deploy a United Nations Chapter VII force in the Tri-border area to assist in the implementation of this Agreement.
2. The Parties request the IOMTB to assume the following mandate:
 - a. Observe and monitor the ceasefire.
 - b. Investigate violations of the security aspects of this Agreement and take necessary measures to ensure compliance.
 - c. Monitor disengagement and cantonment of forces of the Parties.
 - d. Monitor the security of the former rebels after they have surrendered their armament.
 - e. Monitor the armament collection at disarmament sites and elsewhere and ensure that the weapons so collected are properly accounted for and adequately secured in each of the three countries.
 - f. Assist in the coordination and delivery of humanitarian assistance to displaced persons, refugees, returnees and other war-affected persons.
 - g. Facilitate the provision and maintenance of humanitarian assistance and protect displaced persons, refugees, returnees and other affected persons.

- h. Verify all information, data and activities relating to the armed forces of the Parties.
 - i. Monitor and take the necessary means whenever the need arises and as it deems within its capabilities, to protect civilians, senior political and military leaders under imminent threat of physical violence.
 - j. Coordinate with ECOWAS in the implementation of this Agreement.
3. The Parties expect that units of the IOMTB shall be selected from countries acceptable to all the Parties to the Ceasefire Agreement.
4. The Parties to this Agreement call on the IOMTB to remain in place until otherwise determined by the UN Security Council and the elected Governments of the Republic of Blue, the Orange Republic and the Republic of Yellow.

ARTICLE V

DISENGAGEMENT

1. There shall be immediate disengagement of forces of the Parties to the Agreement in line with the principles of that Agreement.
2. Disengagement of forces shall mean the immediate breaking of tactical contact between opposing military and other armed forces, at places where they are in direct contact or within range of direct fire weapons.
3. Further disengagement to pull all weapons out of range shall be conducted under the guidance of the IOMTB. The Parties to the Agreement undertake to remain in their disengagement positions until the conclusion of cantonment plans by the IOMTB and the NCDDRR established under Article VI (8) of the Agreement. They are also responsible for armed groups operating within their territories.
4. Wherever disengagement by movement is impossible or impractical, alternative solutions requiring that weapons are rendered safe shall be designed by the IOMTB.

PART THREE

ARTICLE VI

CANTONMENT, DISARMAMENT, DEMOBILIZATION REHABILITATION AND REINTEGRATION (CDDRR)

1. The Parties commit themselves to ensuring the prompt and efficient implementation of a national process of cantonment, disarmament, demobilization, rehabilitation and reintegration.
2. The IOMTB is requested to deploy to all disarmament and demobilization locations in order to facilitate and monitor the program of disarmament.
3. The IOMTB shall monitor the disarmament of any combatant not belonging to the regular armed forces (or police forces) of one of the three countries.

4. Following disengagement, all forces shall withdraw from combat positions to cantonment locations in accordance with the withdrawal and cantonment plan to be published by the IOMTB and the NCDDRR, no later than thirty (30) days after installation of the IOMTB. The current Armed Forces of the three nations shall be confined to the barracks, their arms placed in armouries and their ammunition in storage bunkers. The cantonments must be located outside of an area depicted on the attached map (Annex 1).
5. All arms and ammunition shall be placed under constant monitoring by the IOMTB.
6. IOMTB shall verify the reported data and information provided by the parties. All forces shall be restricted to the declared and recorded locations and all movements shall be authorized by the IOMTB.
7. All irregular combatants shall remain in the declared and recorded locations until they proceed to reintegration activities or into civilian life.
8. The NCDDRR shall comprise representatives from relevant three countries Agencies, the PIVERT, the United Nations, and the African Union.
9. It shall oversee and coordinate the disarmament, demobilization, rehabilitation and reintegration of combatants, working closely with the IOMTB and all relevant international and governmental institutions and agencies.

PART FOUR

SECURITY SECTOR REFORM

ARTICLE VII

DISBANDMENT OF IRREGULAR FORCES

1. The Parties agree that all irregular forces shall be disbanded.

PART FIVE

RELEASE OF PRISONERS AND ABDUCTEES

ARTICLE VIII

RELEASE OF PRISONERS AND ABDUCTEES

All political prisoners and prisoners of war, including non-combatants and abductees shall be released immediately and unconditionally by the Parties.

ARTICLE IX

ASSISTANCE TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS AND RELEVANT NATIONAL AND INTERNATIONAL AGENCIES

All Parties shall provide the International Committee of the Red Cross (ICRC) and other relevant national and international agencies with information regarding their prisoners of war, abductees or persons detained because of the armed confrontation, to enable the ICRC and

other relevant national and international agencies visit them and verify any details regarding their condition and status before their release.

ARTICLE XI

The Parties call on the ICRC and such other relevant national and international agencies to give all the necessary assistance to the released persons, including re-location to any part of the three countries.

PART SIX

HUMAN RIGHTS ISSUES

ARTICLE XI

HUMAN RIGHTS

1a. The Parties agree that the basic civil and political rights enunciated in the Declaration and Principles on Human Rights adopted by the United Nations, African Union, and ECOWAS, in particular, the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, and as contained in the Laws of three countries, shall be fully guaranteed and respected within the three countries.

1b. These basic civil and political rights include the right to life and liberty, freedom from torture, the right to a fair trial, freedom of conscience, expression and association, and the right for any citizen to take part in the governance of one's country.

ARTICLE XII

TRUTH AND RECONCILIATION COMMISSIONS

1. A Truth and Reconciliation Commission shall be established in each of the three countries to provide a forum that will address issues of impunity, as well as an opportunity for both the victims and perpetrators of human rights violations to share their experiences, in order to get a clear picture of the past to facilitate genuine healing and reconciliation.
2. In the spirit of reconciliation, the Commissions will deal with the root causes of the crises in the Tri-border area, including human rights violations.
3. The Commissions shall, among other things, recommend measures to be taken for the rehabilitation of victims of human rights violations.
4. Membership of the Commissions shall be drawn from a cross-section of each of the three countries' society. The Parties request that the International Community provide the necessary financial and technical support for the operations of the Commission.

PART SEVEN

HUMANITARIAN ISSUES

ARTICLE XIII

HUMANITARIAN RELIEF

1a. The Parties re-affirm the commitment to provide security guarantees for safe and unhindered access by all humanitarian agencies to vulnerable groups throughout the country, in order to facilitate the delivery of humanitarian assistance in accordance with international conventions, principles and norms governing humanitarian operations.

1b. Accordingly, the Parties agree to guarantee the security and movement of humanitarian personnel, that of their properties, goods transported, stocked or distributed, as well as their projects and beneficiaries.

2. The three countries governments will request the International Community to assist in providing humanitarian assistance for those in need, including internally displaced persons, refugees and returnees.

3. The Parties shall ensure the presence of security guarantees for the safe return and resettlement of refugees and internally displaced persons and the free movement of persons and goods.

ARTICLE XIV

INTERNATIONAL HUMANITARIAN LAW

The Parties undertake to respect as well as encourage the three countries populace to fully respect the principles and rules of International Humanitarian law.

PART EIGHT

POLITICAL ISSUES

ARTICLE XV

ESTABLISHMENT OF GOVERNANCE REFORM COMMISSIONS

1. Each of the three countries understands the necessity to undertake political reforms that will take better account of the political and sociological diversity of their populations;
2. Governance Reform Commissions will be hereby established in each of the three countries.
3. The mandate of the Commissions will be to:
 - a. Study, develop and implement measures intended to create within each constituent part of the nations' administration a true representation of the nations' diversities;
 - b. Ensure transparency and accountability in governance in all government institutions and activities, including acting as the Public Ombudsman;
 - c. Ensure subsidiarity in governance through decentralisation and participation;
 - d. Ensure a national and regional balance in appointments without compromising quality and integrity;
 - e. Ensure an enabling environment which will attract private sector direct investment.

4. In each of the countries, the commissions will be structured as follows:
 - a. The Commissions shall be established as independent Commissions with seven (7) permanent members, from a list provided by civil society organizations. It shall have a chairperson who must be from the civil society. Its membership shall include women.
 - b. The members must have experience in one or more of the following: Public Sector Management, Corporate Law, Finance and Auditing Regulations, Trade Policies and NGO activities. They must be men and women of known integrity with national and/or international experience.
5. The Commissions shall submit quarterly reports directly to their governments who shall make recommendations for action.

PART NINE

POST-CRISIS REHABILITATION AND RECONSTRUCTION

ARTICLE XVI

INTERNATIONAL ASSISTANCE

1. In view of the recent appointment of the UN Secretary-General's Special Representative in the Tri-border region, the Parties call for the urgent establishment of a consolidated United Nations Mission in the Tri-border region, that will have the resources to facilitate the implementation and coordination of the Political, Social, Economic and Security assistance to be extended under this Agreement.
2. In view of the recent appointment of the EU Special Representative in the Tri-border region, the Parties call for the urgent establishment of a consolidated European Union fund for rehabilitation and reconstruction of the Tri-border region
3. The Parties also agree on the need for ECOWAS, in collaboration with the UN, AU, EU and International Community, to organise periodic donor conferences for resource mobilisation for post-crisis rehabilitation and reconstruction in the Tri-border region,.

ARTICLE XVII

REFUGEES AND DISPLACED PERSONS

1a. The Three countries' governments, with the assistance of the International Community, shall design and implement a plan for the voluntary return and reintegration of refugees and internally displaced persons, including non-combatants, in accordance with international conventions, norms and practices.

1b. Refugees or internally displaced persons, desirous of returning to their original Counties or permanent residences, shall be assisted to do so.

1c. The Parties commit themselves to peaceful co-existence amongst returnees and non-returnees in all Counties.

ARTICLE XVII

VULNERABLE GROUPS

1a. The three countries governments shall accord particular attention to the issue of the rehabilitation of vulnerable groups or war victims (children, women, the elderly and the disabled), who have been severely affected by the crisis.

1b. With the support of the International Community, the three countries governments shall design and implement a program for the rehabilitation of such war victims.

2a. The three countries governments shall, in addition, accord special attention to the issue of child combatants.

2b. They shall, accordingly, mobilize resources with the assistance of the International Community, especially in cooperation with the Office of the U.N. Special Representative for Children in Armed Conflict, UNICEF, the African Committee of Experts on the Rights and Welfare of the Child and other relevant agencies, to address their special demobilization and re-integration needs.

3. The three countries governments, in formulating and implementing programs for national rehabilitation, reconstruction and development, for the moral, social and physical reconstruction of the countries in the post-conflict period, shall ensure that the needs and potentials of the war victims are taken into account and that gender balance is maintained in apportioning responsibilities for program implementation.

PART TEN

IMPLEMENTATION OF THE PEACE AGREEMENT

ARTICLE XX

RESPONSIBILITY OF THE PARTIES

1. The Parties to this Peace Agreement undertake that no effort shall be spared to affect the scrupulous respect for and implementation of the provisions contained in this Peace Agreement, to ensure the successful establishment and consolidation of lasting peace in the region.
2. The Parties shall ensure that the terms of the present Peace Agreement and written orders requiring compliance are immediately communicated to all of their forces and supporters.
3. The terms of the Agreement shall concurrently be communicated to the civilian population by radio, television, print, electronic and other media.

ARTICLE XXI

ROLE OF THE INTERNATIONAL COMMUNITY

The Parties call on ECOWAS, the UN, and the African Union, to use their good offices and best efforts to ensure that the spirit and content of this Peace Agreement are implemented in good faith and with integrity by the Parties.

ARTICLE XXII

AMNESTY

The governments of the three countries shall give consideration to a recommendation for general amnesty to all persons and parties' engaged or involved in military activities during the Tri-border armed confrontations that are the subject of this Agreement.

PART ELEVEN

ARTICLE XXIII

SETTLEMENT OF DISPUTES

Any dispute, arising out of the application or interpretation of the provisions of this Agreement shall be settled through a process of mediation to be organised by ECOWAS in collaboration with the UN, the AU and the official body raising the issue.

ARTICLE XXXVII

ENTRY INTO FORCE

The present Peace Agreement shall enter into force immediately upon its signature by the Parties.

IN WITNESS WHEREOF, the duly authorized representatives of the Parties have signed this Agreement.

Done at Accra, this 21st day of the month of November 2003, in three original texts in the English, French and Portuguese languages, each text being equally authentic.

SIGNATURE BLOCK HAS BEEN INTENTIONALLY REMOVED

NON-CANTONMENT AREA

