

[DRAFT] Danaan Peace Agreement¹

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Peace Agreement Between the Government of the Republic of Danaan and the Alliance for Freedom and Democracy

Preamble

Gravely concerned about the current civil war that has engulfed our country leading to loss of innumerable lives, wanton destruction of our infrastructure and properties

Moved by the imperative need to respond to the ardent desire of the people of Danaan for genuine lasting peace, national unity and reconciliation;

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

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

Concerned about the socio-economic well-being of the people of Danaan;

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

HEREBY AGREE AS FOLLOWS:

¹ For the purposes of this simulation, the following peace agreements have been cited: Peace agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties (Accra, Ghana, 18 August 2003); The comprehensive peace agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army (9 January 2005); Arusha peace and reconciliation agreement for Burundi (Arusha, Tanzania, 28 August 2000); Peace agreement between the Government of the Republic of Rwanda and the Rwandese Patriotic Front (Arusha, Tanzania, 4 August 1993); The Lome Agreement / Peace agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF) (Lome, Togo, 7 July 1999); Agreement on the Resolution of the Conflict in the Republic of South Sudan (Addis Ababa, Ethiopia, 17 August 2015).

CHAPTER 1: GOVERNMENT OF NATIONAL UNITY

1. Establishment, Seat, and Term of the Government of National Unity

- 1.1. There shall be a Government of National Unity (GNU) established in Danaan entrusted with the task of implementing this Agreement during the Transitional Period.
- 1.2. The Transitional Period shall commence 90 days after signing of this Agreement and the term shall be thirty (30) months preceded by ninety (90) days of a pre-transitional period.
- 1.3. The seat of the GNU shall be in Caana.
- 1.4. The term and mandate of incumbent president and state governors of the Republic of Danaan shall be extended for the duration of the Transitional Period, until such time that elections are held.
- 1.5. The GNU shall hold elections 60 days before the end of the Transition Period in order to establish a democratically elected government.

2. Mandate of GNU

- 2.1. The GNU shall:
 - 2.1.1. Implement this Agreement and restore peace, security and stability in the country;
 - 2.1.2. Expedite the relief, protection, voluntary and dignified repatriation, rehabilitation and resettlement of IDPs and returnees;
 - 2.1.3. Work closely with the Regional Organization for Economic Integration member states and organizations and other partners and friends of Danaan, to consolidate peace and stability in the country;
 - 2.1.4. Reform public financial management;
 - 2.1.5. Ensure prudent, transparent and accountable management of national wealth and resources to build the nation and promote the welfare of the people;
 - 2.1.6. Carry out normal functions of government;
 - 2.1.7. Implement security sector reforms;
 - 2.1.8. Rebuild destroyed physical infrastructure in conflict-affected areas and give special attention to prioritizing the rebuilding of livelihoods of those affected by the conflict;

3. Composition of the GNU:

- 3.1. The GNU shall be composed of:
 - 3.1.1. The National Executive
 - 3.1.2. The Transitional Legislative Assembly
 - 3.1.2. The Judiciary

4. Structure of the National Executive of the GNU

- 4.1. The national executive of the GNU shall consist of the presidency and a cabinet. There shall be established the institution of the presidency, consisting of the president and the vice president, represented as follows:
 - 4.1.1. The seat of the president shall be filled by a the incumbent president of the Republic of Danaan;
 - 4.1.2. The seat of the vice president shall be filled by a member of Alliance for Freedom and Democracy (AFD).
 - 4.1.3. The seats of the cabinet shall be allocated as follows:
 - (a) The Danaan People's Party shall be represented by fifty-five percent (55%);
 - (b) The Alliance for Freedom and Democracy shall be represented by forty-five percent (45%).
 - 4.1.4. The president and vice president shall jointly appoint members of the cabinet in accordance to Article 4.1.3.

5. The President of the GNU

- 5.1. The incumbent president of the Republic shall serve as president for the Transitional Period;
- 5.2. The powers, functions and responsibilities of the president shall be to:
 - 5.2.1. Preserve and protect the sovereignty and territorial integrity of the Republic of Danaan;

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- 5.2.2. Represent the State, the GNU, and the people of Danaan in its international relations;
- 5.2.3. Serve as commander-in-chief of the Danaan National Defense Forces;
- 5.2.4. Appoint and preside over the swearing into office of the vice president, ministers and deputy ministers, in accordance with the terms of this Agreement;
- 5.2.5. Supervise the conduct of foreign policy and ratify treaties and international agreements with the approval of the Transitional Legislative Assembly;
- 5.2.6. Assent to and sign into law bills passed by the Transitional Legislative Assembly.
- 5.3. In respect of the following matter, the president shall take decisions with the consent of the vice president, namely:
 - 5.3.1. Declaration and termination of a state of emergency;
 - 5.3.2. Declaration of war;
 - 5.3.3. Summoning, adjourning, or proroguing the Transitional Legislative Assembly.
- 5.4. The president shall, within thirty (30) days of the entry into force of this Agreement, and in consultation with the vice president, establish a cabinet. The cabinet ministers shall be accountable to the presidency and the Transitional Legislative Assembly in the performance of their functions and may be removed by a resolution supported by two-thirds (2/3) of all the members of the Transitional Legislative Assembly.
- 5.5. In the event that the post of the president falls vacant during the Transition Period, for any reason, including mental infirmity or physical incapacity, the replacement shall be nominated by the respective Party as at the signing of this agreement. Such a process or replacement shall not exceed twenty four (24) hours.

6. Vice President of the GNU

- 6.1. For the duration of the Transitional Period, there shall be established the office of the vice president of the GNU, to supervise the implementation of the reforms outlined in this agreement and exercise the powers, functions and responsibilities outlined below.
- 6.2. The vice president of the GNU shall be selected by the Alliance for Freedom and Democracy.
- 6.3. The powers, functions and responsibilities of the vice president shall be to:

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- 6.3.1. Coordinate the implementation of this agreement and initiate institutional reforms as prescribed in this Agreement;
 - 6.3.2. Oversee implementation of laws passed by the Transitional Legislative Assembly;
 - 6.3.3. Carry out other functions as may be prescribed by law, as long as such laws do not contradict the terms of this agreement;
 - 6.3.4. Oversee the work of the national commissions;
 - 6.3.5. Perform any other function or duty that may be assigned by the president, including the chairing of ad-hoc sub-committees of the cabinet.
- 6.4. In the event that the post of the vice president falls vacant during the Transition Period, for any reason, including mental infirmity or physical incapacity, the replacement shall be nominated by the respective Party as at the signing of this agreement. Such a process or replacement shall not exceed twenty four (24) hours.

7. Transitional Legislative Assembly

- 7.1 There shall be a Transitional Legislative Assembly (TLA) established which shall be unicameral in nature and shall replace the incumbent National Legislature of the Republic of Danaan.
- 7.2. The TLA shall have a maximum of ninety (90) seats. The Parties shall select their representatives and the seats shall be allocated as follows:
- 7.1.1. The Danaan People's Party shall be represented by fifty-five percent (55%);
 - 7.1.2. The Alliance for Freedom and Democracy shall be represented by forty-five percent (45%)
- 7.3 The powers, functions and responsibilities of the TLA shall be to:
- 7.3.1. Assume responsibility for the country's legislative functions;
 - 7.3.2. Approve the policies and programs of the GNU for implementation by the cabinet, as directed in this Agreement.
- 7.4. A two-thirds majority shall be required for the adoption of legislation.
- 7.5 After its first sitting, the TLA shall elect one of its members to be the speaker and shall thereafter elect another of its members to be the deputy speaker.

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- 7.5.1. The speaker and deputy speaker may not be from the same party.
- 7.5.2. The speaker and deputy speaker shall jointly preside over sittings of the TLA, and shall exercise the power and functions vested in the office of speaker and deputy speaker as determined by an act of the TLA.
- 7.6. The TLA shall determine its rules and procedures, which shall go into effect following verification by the Constitutional Court of their conformity with the transitional arrangements.

8. The Judiciary

- 8.1. The judicial authority of the Republic of Danaan shall be vested in the courts.
- 8.2. The judiciary shall be impartial and independent and shall be governed solely by the Constitution and the law. No person may interfere with the judiciary in the performance of its judicial functions.
- 8.3. The courts and tribunals recognized in the Republic of Danaan shall remain the Constitutional Court, Court of Appeal, the High Courts, the District Courts and such other courts and tribunals as are provided for by law.
- 8.4. In order to maintain the independence of the judiciary, posts in the judiciary shall not be subjected to sharing among political forces.
- 8.5. The Constitutional Court shall be made up of seven justices. Three of these judges shall be appointed for a period of three years only, and shall be replaced in the manner provided for in the post-transition Constitution. The remaining four shall be appointed for six years beginning at the commencement of the transition. The appointments shall be made within one month of the commencement of the transition. Justices of the Constitutional Court shall be persons of moral integrity and shall have legal training or experience. A member of a standing court must be amongst the nominees.
- 8.6. Justices of the Constitutional Court will be appointed by the president and vice president in consultation with the National Judicial Service Commission. Appointments must be confirmed by the Transitional Legislative Assembly by a two-thirds (2/3) majority.
- 8.7. The judges other than justices referred to in Section 8.6. herein shall be appointed by the presidency on the recommendation of the National Judicial Service Commission.