

Country/entity	South Sudan
Region	Africa (excl MENA)
Agreement name	Areas of Agreement on the Establishment of the Transitional Government of National unity (TGoNU) in the Republic of South Sudan
Date	1 Feb 2015
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Sudan Conflicts (1955 -)

Agreements relate to several distinct dyads, and also the negotiated independence of South Sudan, and subsequent internal conflict in South Sudan. Sudan-South Sudan. The long-standing conflict between the north and the south of the country dates back to colonial times, where the British introduced a so-called 'Southern Policy', severely hampering population movements between these big regions. Immediately after gaining independence in 1956, southern movements started to fight for independence; this fight became professionalised in 1983 with the foundation of the soon internationally supported Sudan People's Liberation Army (SPLA). When the Islamic Front government introduced strict sharia laws in the south after it took over power in 1988 the war intensified. A decade later, the military situation reached a stalemate, enabling internationally facilitated peace negotiations to begin in 1997. After more fighting, a final negotiation push began in 2002, leading to the signing of the Comprehensive Peace Agreement (CPA) in January 2005.

Sudan-South Sudan post referendum. South Sudan became independent in July 2011; since then, relations between the two countries are complicated and violent conflict led by the SPLM (North) in the Sudanese Nuba mountains region has since intensified.

Darfur. Other long-standing violent conflicts are in the east and the west of the country. In the east, the Beja Congress, established in 1957, is the spearhead of a currently 'peaceful' opposition movement. In the west, the violent conflict in Darfur intensified in the early 2000s and rapidly gained international attention, even resulting in genocide charges against leading figures of the Sudanese government. The situation on the ground is complex, with over a dozen organisations (most notably the Sudanese Liberation Movement and the Justice and Equality Movement) fighting the Sudanese government and allied groups like the Janjaweed – although all parties have switched sides on numerous occasions. Several mediation attempts have not been successful, due to the shaky commitment of the Sudanese central government and the distrust among the armed opposition.

South Sudan - internal

In December 2013, after president Salva Kiir accused opposition leader Riek Machar of attempting a coup, violent conflict broke out between government forces of the SPLM/A and anti-governmental groups. In addition, several other political militias as well as communal militias have joined the conflict. In 2015 the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) was signed. Due to unsuccessful implementation the agreement was revitalized in 2018. In September 2019, Kiir and Machar agreed to establish a power-sharing government after struggles on forming a unity transitional government.

Close

Sudan Conflicts (1955 -)

Stage Implementation/renegotiation

Conflict nature Government

Peace process	South Sudan post-secession process
Parties	The Government of the Republic of South Sudan, signed by H.E. Salva Kiir Mayardit, President of the Republic of South Sudan. Sudan People's Liberation Movement/Army (In Opposition), signed by H.E. Dr. Reik Machar Teny, Chairman and Commander in Chief, SPLM/SPLA (In Opposition)
Third parties	Agreement witnessed by: H.E. Hailemariam Dessalegn, Prime Minister of the federal Democratic Republic of Ethiopia and Chair of the Intergovernmental Authority on Development. H.E. Uhuru Kenyatta, President of the Republic of Kenya and Rapporteur of the Intergovernmental Authority on Development.
Description	Short implementation agreement providing provisions for creating a Transition Government of National Unity; Power Sharing Ratios; a National Assembly; Transitional Security Arrangements; Justice, Accountability, Reconciliation and Healing, Joint Monitoring and Evaluation Commission; and a completion of Negotiation on Outstanding Issues.

Agreement document	SS_150201_Agreement on the Establishment of the Transitional Government of National unity (TGoNU).pdf (opens in new tab) Download PDF
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Groups

Children/youth	Groups→Children/youth→Substantive II Power Sharing Ratios, C. Services and Social Development Cluster [...], ... v. Minister of Gender, Child and Social Welfare, vi. Minister of Culture, Youth and Sports
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive
Page 1, Untitled section 1, Article 2: the mandate of the TGoNU shall be to;
... b. Expedite the relief, repatriation, rehabilitation and resettlement of IDPs and returnees

Page 3, V. Transitional Security Arrangements,
1, [...] the resettlement of returnees and internally displaced persons (IDPs).

Social class No specific mention.

Gender

Women, girls and gender II Power Sharing Ratios [...],
C. Services and Social Development Cluster [...],
... v. Minister of Gender, Child and Social Welfare

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.



Governance

Political institutions (new or reformed)	<p>Governance→Political institutions (new or reformed)→Temporary new institutions</p> <p>Page 1, untitled section I, I. Structure and Mandate of the Transitional Government of national Unity,</p> <p>I. There shall be established in South Sudan a Transitional Government of National Unity (TGoNU), no later than July 9, 2015. The term of the TGoNU shall be thirty (30) months to be preceded by a pre-Transition Period of three (3) months.</p> <p>Page 2, untitled section I, 3. In order to permit the establishment of the TGoNU no later than July 9, 2015:</p> <p>a. All other outstanding issues of the conflict shall be resolved no later than March 5, 2015, and the Pre-Transition Period shall begin on April 1, 2015.</p> <p>b. The Peace Agreement shall be presented to the National Legislature and National Liberation Council of the SPLMIA (IO) for approval and ratification as is.</p> <p>c. Amendments to the Transitional Constitution, 2011 for the incorporation of the Peace Agreement shall be presented to the National Legislature in the Pre Transition Period and approved as is, and the President shall sign such amendments into law, no later than the end of the Pre-Transition Period.</p> <p>Page 2, untitled section I, 2. The mandate of the TGoN U shall be to:, h. Rehabilitate and reform the civil service; i. Implement security sector reforms and security sector transformation;</p>
Elections	<p>Page 2, untitled section I, 2. The mandate of the TGoNU shall be to:,</p> <p>... k. The TGONU shall establish a competent and impartial National Elections Commission to conduct free and fair elections towards the end of the Transitional Period. This Election shall ensure that the outcome is broadly reflective of the will of the electorate.</p>
Electoral commission	<p>Page 2, untitled section I, 2. The mandate of the TGoNU shall be to:,</p> <p>... k. The TGONU shall establish a competent and impartial National Elections Commission to conduct free and fair elections towards the end of the Transitional Period. This Election shall ensure that the outcome is broadly reflective of the will of the electorate.</p>
Political parties reform	<p>No specific mention.</p>
Civil society	<p>No specific mention.</p>
Traditional/religious leaders	<p>No specific mention.</p>

**Public
administration**

Page 2, untitled section I, 2. The mandate of the TGoNU shall be to:
... g. Carry out routine functions of government;
h. Rehabilitate and reform the civil service
i. The TGoNU shall conduct a National Population and Housing Census before the end of the Transitional Period.

Page 3,
III. National Assembly,
i. The National Legislative Assembly shall oversee the implementation of the Peace Agreement and the reforms therein.

Constitution

Governance→Constitution→Constitutional reform/making

Page 2, untitled section I,
2. The mandate of the TGoNU shall be to:
... d. Oversee the Permanent Constitution-making process

Page 2, untitled section I,
3. In order to permit the establishment of the TGoNU no later than July 9, 2015;
... c. Amendments to the Transitional Constitution, 2011 for the incorporation of the Peace Agreement shall be presented to the National Legislature in the Pre Transition Period and approved as is, and the President shall sign such amendments into law, no later than the end of the Pre-Transition Period.

Power sharing

Political power sharing

Power sharing→Political power sharing→General State level

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Page 2, untitled section I, 3. In order to permit the establishment of the TGoNU no later than July 9, 2015:

a. All other outstanding issues of the conflict shall be resolved no later than March 5, 2015, and the Pre-Transition Period shall begin on April 1, 2015.

b. The Peace Agreement shall be presented to the National Legislature and National Liberation Council of the SPLMIA (IO) for approval and ratification as is.

c. Amendments to the Transitional Constitution, 2011 for the incorporation of the Peace Agreement shall be presented to the National Legislature in the Pre Transition Period and approved as is, and the President shall sign such amendments into law, no later than the end of the Pre-Transition Period.

Power sharing→Political power sharing→Executive coalition State level

Page 2-3, II. Power Sharing Ratios

a. Governance Cluster

I. Minister of Cabinet Affairs

II. Minister of Foreign Affairs and International Cooperation

III. Minister of Defense and Veterans' Affairs

IV. Minister of Interior

V. Minister of Justice and Constitutional Affairs v1. Minister of National Security

VII. Minister of Parliamentary Affairs

VIII. Minister of Information, Communication Technology and Postal Services

IX. Minister in the Office of the President

b. Economic Cluster

I. Minister of Finance and Budgetary Control

II. Minister of Petroleum

III. Minister of Mining

IV. Minister of Agriculture and Food Security

V. Minister of Livestock and Fisheries

VI. Minister of Trade and Industry

VII. Minister of Energy and Dams

VIII. Minister of Transport

IX. Minister of Roads and Bridges

X. Minister of Environment and Forestry

XI. Minister of Land, Housing and Urban Development

XII. Minister of Water Resources and Irrigation

XIII. Minister of Wildlife Conservation and Tourism

c. Services and Social Development Cluster

I. Minister of Higher Education, Science and Technology

II. Minister of General Education and Instruction

III. Minister of Health

IV. Minister of Labor, Public Service and Human Resource Development

V. Minister of Gender, Child and Social Welfare

VI. Minister of Culture, Youth and Sports

VII. Minister of Humanitarian Affairs and Disaster Management

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general Page 1, untitled section, 2. The mandate of the TGoN U shall be to:
a. Implement the Peace Agreement and restore peace, security and order in the country;

Page 4, VI. Justice, Accountability, Reconciliation and Healing,
1. [...] The mandate of the [Commission for Truth, Reconciliation, and Healing] shall be to establish an accurate and impartial historical record of human rights violations [...]

Page 3, II. Power Sharing Ratios, c. Services and Social Development Cluster,
... vii. Minister of Humanitarian Affairs and Disaster Management

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 1, untitled section, 2. The mandate of the TGoN U shall be to:
... k. ... This Election shall ensure that the outcome is broadly reflective of the will of the electorate.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts Page 4, VI. Justice, Accountability, Reconciliation and Healing, 2. The independent hybrid judicial body, with participation from South Sudanese and eminent African lawyers and jurists, shall be established to investigate and prosecute individuals bearing the greatest responsibility for violations of international humanitarian law, and/or applicable South Sudanese law, committed since December 15, 2013.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction</p> <p>Page 2, II. Power Sharing Ratios, b. Economic Cluster, ... viii. Minister of Transport, ... ix. Minister of Roads and Bridges, ... xi. Minister of Land, Housing and Urban Development</p> <p>Page 3, untitled section I, 2. The mandate of the TGoNU shall be to:, J. Rebuild destroyed physical infrastructure in conflict-affected areas and give special attention to prioritizing the rebuilding of livelihoods of those affected by conflict</p> <p>Page 3, II. Power Sharing Ratios, C. Services and Social Development Cluster, VII. Minister of Humanitarian Affairs and Disaster Management</p>
National economic plan	No specific mention.
Natural resources	<p>Page 2-3, II. Power Sharing Ratios ... b. Economic Cluster ... x. Minister of Environment and Forestry ... xii. Minister of Water Resources and Irrigation ... xiii. Minister of Wildlife Conservation and Tourism</p> <p>NB. Geological Survey Authority to be established</p>
International funds	No specific mention.
Business	<p>Page 2, II. Power Sharing Ratios, 3. There shall be eight (8) deputy ministers as follows: ... vi. Deputy Minister of Labour, Public Service and Human Resource Development ... viii. Deputy Minister of Finance and Budgetary Control</p>
Taxation	<p>Socio-economic reconstruction→Taxation→Power to tax</p> <p>Page 2, II. Power Sharing Ratios, 3. There shall be eight (8) deputy ministers as follows: ... viii. Deputy Minister of Finance and Budgetary Control</p>
Banks	<p>Socio-economic reconstruction→Banks→Central bank</p> <p>Page 2, II. Power Sharing Ratios, b. Economic Cluster, i. Minister of Finance and Budgetary Control</p>

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage	Land, property and environment→Cultural heritage→Promotion Page 3, II. Power Sharing Ratios, c. Services and Social Development Cluster, ... vi. Minister of Culture, Youth and Sports
Environment	Page 2-3, II. Power Sharing Ratios ... b. Economic Cluster, ... x. Minister of Environment and Forestry, Minister of Water Resources and Irrigation, ... xiii. Minister of Wildlife Conservation and Tourism Page 2, II. Power Sharing Ratios, 3. There shall be eight (8) deputy ministers as follows: ... vii. Deputy Minister of Agriculture and Food Security
Water or riparian rights or access	Page 3, II. Power Sharing Ratios, b. Economic Cluster, ... xii. Minister of Water Resources and Irrigation

Security sector

Security Guarantees No specific mention.

Ceasefire Security sector→Ceasefire→Ceasefire provision
Page 3, V. Transitional Security Arrangements, 1. The GRSS and the SPLM/A (IO) declare and enter into a Permanent Ceasefire [...],

2. The Permanent Ceasefire shall come into effect within seventy-two (72) hours of the signing of the final peace agreement, and shall apply to all forces of the GRSS and the SPLM/A (IO), and all other forces, armed groups, or militias allied to either Party.

3. The Permanent Ceasefire shall be based on the articles of the Cessation of Hostilities Agreement (CoHA) of January 23, 2014 and its implementation modalities matrix. The Parties agree to maintain the current CoHA until the declaration of the Permanent Ceasefire, and shall disseminate appropriate orders to their troops and allies, in line with this Agreement and the final peace agreement, immediately upon signing of the final peace agreement.

4. As of the date of this Agreement, the Parties recommit to the Cessation of Hostilities Agreement of January 23, 2014 and its implementation matrix. The Parties agree that any verified breach of the CoHA will be denounced by IGAD and IGAD will take appropriate action against the breaching Party. Any violation will be reported to the African Union Peace and Security Council and the United Nations Security Council for further action.

Police No specific mention.

Armed forces Page 2, untitled section I, 2. The mandate of the TGoNU shall be to:
i. Implement security sector reforms and security sector transformation

DDR No specific mention.

Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	Page 2, untitled section I, 2. The mandate of the TGoNU shall be to; ... f. Ensure prudent, transparent and accountable management of national wealth and resources to build the nation and promote the welfare of the people;
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	Transitional justice→Courts→International courts Page 4, VI. Justice, Accountability, Reconciliation and Healing, ... 2. The independent hybrid judicial body, with participation from South Sudanese and eminent African lawyers and jurists, shall be established to investigate and prosecute individuals bearing the greatest responsibility for violations of international humanitarian law, and/or applicable South Sudanese law, committed since December 15, 2013.
Mechanism	Page 4, VI. Justice, Accountability, Reconciliation and Healing, 1. The Commission for Truth, Reconciliation, and Healing shall be established to spearhead efforts to address the legacy of conflict in South Sudan. Eminent African personalities and others shall assist the process. The mandate of the Commission shall be to establish an accurate and impartial historical record of human rights violations, identify victims and perpetrators, record the experiences of victims, and facilitate local and national reconciliation and healing.
Prisoner release	No specific mention.
Vetting	No specific mention.

Victims	Page 4, VI. Justice, Accountability, Reconciliation and Healing, 1. [...] The mandate of the Commission shall be to establish an accurate and impartial historical record of human rights violations, identify victims and perpetrators, record the experiences of victims
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	Page 1, untitled section, 2. The mandate of the TGoN U shall be to: ... c. Facilitate and oversee a process of national reconciliation and healing through an independent mechanism as part of the Articles of this Peace Agreement: Page 4, VI. Justice, Accountability, Reconciliation and Healing, 1. ... The mandate of the Commission shall be to [...] facilitate local and national reconciliation and healing.

Implementation

UN signatory	No specific mention.
Other international signatory	H.E. Hailemariam Dessalegn, Prime Minister of the federal Democratic Republic of Ethiopia and Chair of the Intergovernmental Authority on Development. H.E. Uhuru Kenyatta, President of the Republic of Kenya and Rapporteur of the Intergovernmental Authority on Development.
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	Page 4, III. National Assembly, i. The National Legislative Assembly shall oversee the implementation of the Peace Agreement and the reforms therein Page 4, V. Transitional Security Arrangements, [...] The Parties agree that any verified breach of the CoHA will be denounced by IGAD and IGAD will take appropriate action against the breaching Party. Any violation will be reported to the African Union Peace and Security Council and the United Nations Security Council for further action.
