

Country/entity	Sudan Southern Kordofan - Blue Nile - Abyei
Region	Africa (excl MENA)
Agreement name	SOMA Agreement on the Joint Monitoring Mission in the Nuba Mountains Area of the Sudan
Date	2 Apr 2002
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/territory

Peace process	Kordofan - Blue Nile - Abyei process
Parties	Signatories: Government of the Kingdom of Norway Government of the Republic of The Sudan
Third parties	-
Description	Agreement outlines the protocols and mechanisms surrounding the Joint Monitoring Mission to the Nuba Mountain under the auspices of the Norwegian government. Agreement includes security provisions for JMM staff, protocols surrounding dress, operations, communications and the import/export of equipment as well as guarantees of independence for JMM members.

Agreement document	SD_020402_SOMA Agreement on the Joint Monitoring Mission in the Nuba Mountains Area of the Sudan.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
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	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender No specific mention.

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) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
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	No specific mention.
Bill of rights/similar	No specific mention.

Treaty incorporation	Page 2, Article 3, The individual members of JMM All Members of the JMM shall be accorded the same immunities and privileges as are accorded to diplomatic agents under the Vienna Convention on Diplomatic Relations of 18 April 1961. In particular they shall be accorded:
Civil and political rights	No specific mention.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication Rights related issues→Media and communication→Governance of media
Page 2, Article 2, The Mission
... 12. The JMM is authorised to set up and operate internal communications (including mobile-transceivers, in all vehicles and to members of the JMM), and external communication systems (satellite communication).

Page 3, Article 3, The individual members of JMM
... 4. For the purpose of internal and external communications, the JMM and its members shall have the right to use codes and to receive papers or correspondence by courier or in sealed bags. No official communication directed to JMM or to any of its members, nor any outward official communication of the Mission, by whatever means or in whatever form transmitted, shall be detained in any way or suffer any interference with its confidentiality.

Mobility/access Page 2, Article 2, The Mission
... 11. The GoS will facilitate smooth custom clearance of the JMM's operational supplies, goods and equipment, including smooth entries and exits of the JMM's international personnel.

Page 2, Article 3, The individual members of JMM
All Members of the JMM shall be accorded the same immunities and privileges as are accorded to diplomatic agents under the Vienna Convention on Diplomatic Relations of 18 April 1961. In particular they shall be accorded:
... 3. Freedom of movement (FOM) for the performance of their tasks.

Protection measures Rights related issues→Protection measures→Protection of groups
Page 3, Article 6, Security, safety and emergencies
The GoS is responsible for the protection and security arrangements of all the JMM's personnel residing in The Sudan and will also provide emergency medical aid and assist in providing emergency medical evacuation of the JMM personnel on Sudanese territory. The SPLM/N has in writing agreed to take upon itself the same responsibilities in the areas under its control.

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 No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 3, Article 7, Miscellaneous
... 2. The Norwegian Government and the Participating Nations will pay all expenses, except for expenses occurring under Article 6 and Article 7.1.

Business Page 2, Article 2, The Mission
... 10. All locally procured equipment, materials and goods in respect of which VAT reimbursements have been made, will be exported or donated under conditions determined by competent Sudan authority at the termination of the JMM.

Taxation	<p>Socio-economic reconstruction→Taxation→Power to tax</p> <p>Page 2, Article 2, The Mission</p> <p>... 5. The JMM has the right to import operational supplies and equipment exempted from import taxes and duties.</p> <p>... 8. The JMM will be reimbursed for Value Added Tax (VAT) on locally procured operational supplies and equipment, and will enjoy privileges concerning taxes on petrol – similar to those applicable to diplomatic Missions in the Sudan;</p> <p>9. All imported equipment, materials and goods exempted from import taxes and duties will be re-exported, or donated under conditions determined by competent Sudanese authority, at the termination of the JMM.</p> <p>10. All locally procured equipment, materials and goods in respect of which VAT reimbursements have been made, will be exported or donated under conditions determined by competent Sudan authority at the termination of the JMM.</p> <p>11. The GoS will facilitate smooth custom clearance of the JMM's operational supplies, goods and equipment, including smooth entries and exits of the JMM's international personnel.</p>
Banks	No specific mention.

Land, property and environment

Land reform/rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	<p>Page 3, Article 6, Security, safety and emergencies</p> <p>The GoS is responsible for the protection and security arrangements of all the JMM's personnel residing in The Sudan and will also provide emergency medical aid and assist in providing emergency medical evacuation of the JMM personnel on Sudanese territory. The SPLM/N has in writing agreed to take upon itself the same responsibilities in the areas under its control.</p>
Ceasefire	No specific mention.
Police	No specific mention.

Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	<p>Page 3, Article 7, Miscellaneous</p> <p>1. The GoS will allocate office space, free of charge, to the JMM as required and deemed necessary. The SPLM/N has in writing agreed to take upon itself the same responsibilities in the areas under its control.</p> <p>The GoS will assist the JMM in finding appropriate and suitable accommodation for all international personnel. The SPLM/N has in writing agreed to take upon itself the same responsibilities in the areas under its control.</p>
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
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	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

**Other international
signatory** No specific mention.

**Referendum for
agreement** No specific mention.

**International
mission/force/
similar**

Page 1, Preamble

In accordance with the Nuba Mountains Cease-Fire Agreement, signed on 19 January 2002, the Government of the Republic of Sudan (hereinafter referred to as the GoS) and the Sudan Peoples' Liberation Movement/Nuba (hereinafter referred to as the SPLM/N) have requested the Friends of Nuba Mountain Group of nations (FNM), as an impartial third party, to organise, equip and establish an international mission, named Joint Monitoring Mission in the Nuba Mountains area of The Sudan (hereinafter referred to as the JMM), identical to the international components of the Joint Military Commission/ International Monitoring Unit referred to in the Cease-Fire Agreements, of art. VII and VIII (cf. Annex C), to monitor the implementation of the Cease-Fire Agreement.

The GOS and the SPLM/N have stressed the importance of international monitoring of the Cease Fire, expressed their willingness to facilitate and support the establishment and administration of the JMM, and have also guaranteed their cooperation with the JMM.

Based on the Cease Fire Agreement and the above mentioned, the GoS and the Government of the Kingdom of Norway have concluded a Status of Mission Agreement (hereinafter referred to as the SOMA), in which status, privileges and immunities of the JMM and its members are defined and determined. The SPLM/N has in writing declared its commitment to fully implement all parts of this SOMA.

Page 1, Article 2, The Mission

1. The premises of JMM shall be inviolable.
2. The JMM's property and assets shall be immune from search, requisition, confiscation and expropriation.
3. The archives of JMM and in general all its documents in paper or electronic form, including audio- and videotapes, shall be inviolable wherever located and by whomsoever held.

Page 2, Article 2, The Mission

- ... 4. JMM's property and assets shall enjoy immunity from any form of legal process except:
- (a) In so far as in any particular case it has expressly waived its immunity. It is, however, understood that such waiver of immunity does not extend to any measure of execution.
 - (b) In the case of a civil action brought by a third party for damages arising from an accident caused by a motor vehicle belonging to or operated on behalf of the Mission.

Page 2, Article 2, The Mission

- ... 5. The JMM has the right to import operational supplies and equipment exempted from import taxes and duties.
6. In meeting the logistical and operational needs, the JMM may make use (purchasing and hiring) of local resources, such as communications, housing, food, fuel, repairs, medical services etc.
 7. As a basis for its reporting activities, the JMM may use necessary equipment such as maps, compass, GPS, binoculars, laser range finders, all kind of communications, Internet, E-mail, cameras, videotape recorders, etc.
 8. The JMM will be reimbursed for Value Added Tax (VAT) on locally procured operational supplies and equipment, and will enjoy privileges concerning taxes on petrol – similar to those applicable to diplomatic Missions in the Sudan;
 9. All imported equipment, materials and goods exempted from import taxes and duties will be re-exported, or donated under conditions determined by competent Sudanese authority, at the termination of the JMM.
 10. All locally procured equipment, materials and goods in respect of which VAT

Enforcement mechanism	No specific mention.
Related cases	No specific mention.
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