

Country/entity South Sudan

Region Africa (excl MENA)

Agreement name Agreement on the Resolution of the Conflict in the Gbudue and Maridi States

Date 2 Apr 2016

Agreement status Multiparty signed/agreed

Interim arrangement Yes

Agreement/conflict level Intrastate/local 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 Framework/substantive - comprehensive

Conflict nature Government/territory

Peace process	South Sudan: Post-secession Local agreements
Parties	<p>1. THE PARTIES</p> <p>Hon. Tut Gatluak Manimi Presidential Advisor For the Government Republic of South Sudan (RSS)</p> <p>Commander Mbereke John Faustino Leader For South Sudan National Liberation Movement (SSNLM)</p>
Third parties	<p>2. FOR THE FAITH BASED MEDIATION</p> <p>Barani Eduardo Hiliboro Kussala Bishop and Chairperson of Faith Based Council</p> <p>3. WITNESS TO THIS AGREEMENT</p> <p>UNMISS Representative South Sudan Headquarter</p> <p>4. STAKEHOLDERS</p> <p>Chief Wilson Peni Rikito Paramount Chief Representative of Traditional Authority</p> <p>Simple John Bakeaki Youth Representative Civil Society Organization</p> <p>Christine Joseph Ngbaazande Representative of Women Group-WES</p>
Description	This agreement between the Government of the Republic of South Sudan (RSS) and the South Sudan National Liberation Movement/Army (SSNLM/A) recommits the parties to a ceasefire and to pursuing reconciliation. It also sets out the specifics of integrating SSNLM/A forces into the national army.

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Groups

Children/youth	<p>Groups→Children/youth→Substantive Page 5 4.1 Special Considerations After the screening exercises and identification of disabled and school age soldiers from the former SSNLM/A, they shall be entitled for the service suitable to a disabled, school age soldier and people with special needs from the relevant offices of the National army and the Government of Gbudue and Maridi States.</p>
Disabled persons	<p>Groups→Disabled persons→Substantive Page 5 4.1 Special Considerations After the screening exercises and identification of disabled and school age soldiers from the former SSNLM/A, they shall be entitled for the service suitable to a disabled, school age soldier and people with special needs from the relevant offices of the National army and the Government of Gbudue and Maridi States.</p>
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	<p>Groups→Racial/ethnic/national group→Rhetorical Page 2, Preamble DETERMINED to achieve and promote unity amongst the different ethnic communities in the state including the Azande, Avokaya, Baka, Balanda, Bongo, Jur Bel, Moru, Mundu, and other tribes residing in the State being multicultural, multi-lingual and multi-religious;</p> <p>Page 3 2. Guiding Principles ... 2.2 In particular the Gbudue and Maridi states is equal homeland for the Azande, Avokaya, Baka, Balanda, Bongo, Jur, Muru, Mundu and other tribes respectively, it is therefore a multi-ethnic, multicultural, multilingual and multi-religious State where such diversities shall co-exist peacefully and shall not be interrupted by the administrative divisions of the area into the newly created states of Gbudue, Maridi.</p>
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	<p>Page 4</p> <p>3. Security Arrangements</p> <p>...</p> <p>3.2.3 Establishment of a committee for peaceful Integration</p> <p>To effect clause 3.2 above, the parties agree that:</p> <p>...</p> <p>II. The JMTC shall consist of members of the SSNLM/A, Ministry of Defense, Ministry of Interior and the National Security Service. A nine member Peace Monitoring Committee (PMC) consisting of two representatives from the Faith Based Council for Peace (FBCP), one each from SPLA, SSNLM/A, NSS, National Police Service, UNMISS, women group, civil society and traditional leaders shall monitor and supervise the implementation of this Agreement including but not limited to the integration process and shall resolve any potential dispute that may arise or occur in relation to the implementation of this agreement.</p> <p>Page 6, Signatories of Parties, Chairperson of the Faith Base group, other Stakeholders, Civil Society Organization, and Witnesses to this Agreement</p> <p>4. STAKEHOLDERS</p> <p>Christine Joseph Ngbaazande, Representative of Women Group-WES</p>
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Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 2, Preamble
ACKNOWLEDGING the preliminary Peace Agreement and the need to promote inclusive and democratic society founded on the rule of law;

State configuration Page 3,
2. Guiding Principles
2.1 The Republic of South Sudan is governed on the basis of a decentralized democratic system and is an all-embracing homeland for her people;

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) Governance→Political institutions (new or reformed)→General references
Page 3,
2. Guiding Principles
2.4 Reconciliation processes in the Gbudue and Maridi States shall be inclusive and shall be held in a consultative manner involving the parties and others. The process shall be established by Legislation promulgated by the legislative assemblies of both Gbudue and Maridi States. Such legislation shall outline the mechanisms and methods of the reconciliation process.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 2, Preamble
The Government of the Republic of South Sudan and the South Sudan National Liberation movement met in Yambio the State capital of the former Western Equatoria State, between November 16th and January 12, 2016 under the auspices of the Faith Based Council for Peace (FBCP) on the Western Equatoria state peace dialogue chaired by Bishop Barani Eduardo Hiiboro Kussala:

Page 4

3.2.3 Establishment of a committee for peaceful Integration

To effect clause 3.2 above, the parties agree that:

...

II. The JMTC shall consist of members of the SSNLM/A, Ministry of Defense, Ministry of Interior and the National Security Service. A nine member Peace Monitoring Committee (PMC) consisting of two representatives from the Faith Based Council for Peace (FBCP), one each from SPLA, SSNLM/A, NSS, National Police Service, UNMISS, women group, civil society and traditional leaders shall monitor and supervise the implementation of this Agreement including but not limited to the integration process and shall resolve any potential dispute that may arise or occur in relation to the implementation of this agreement.

**Traditional/
religious leaders**

Page 4
3. Security Arrangements

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**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 Power sharing→Military power sharing→Merger of forces
Page 3

3. SECURITY ARRANGEMENTS

...

3.2 Integration of the SSNLM/A

3.2.1 General Principles

The parties agree that the forces of the former SSNLM/A shall be peacefully integrated into the ranks of the national army, South Sudan Police Service and other organized forces.

3.2.2 The parties further agree that the number of the force ranks of the former SSNLM/A at all levels that will be integrated are subject, where necessary, to the general policy of the country's army structure and all other law enforcement organs.

Power sharing→Military power sharing→Proportionality

Page 4

3. Security Arrangements

...

3.2.3 Establishment of a committee for peaceful Integration

To effect clause 3.2 above, the parties agree that:

I. Within sixty days (60) of signing of this Agreement, an Integration Committee consisting of eight members shall be established by the leaders of the two parties to this agreement; which shall be known as a Joint Military Technical Committee (JMTC) comprising equal number to integrate SSNLM/A forces into the national army, and other organized forces based on their qualifications and capabilities and the rules and regulations governing these institutions and in accordance with the Security Sector Reforms stipulated in the Agreement on the Resolution of the Conflict in the Republic of South Sudan.

II. The JMTC shall consist of members of the SSNLM/A, Ministry of Defense, Ministry of Interior and the National Security Service. A nine member Peace Monitoring Committee (PMC) consisting of two representatives from the Faith Based Council for Peace (FBCP), one each from SPLA, SSNLM/A, NSS, National Police Service, UNMISS, women group, civil society and traditional leaders shall monitor and supervise the implementation of this Agreement including but not limited to the integration process and shall resolve any potential dispute that may arise or occur in relation to the implementation of this agreement.

III. Should the PMC fail to resolve any dispute that may arise in the process of implementing this Agreement, then the faith based council shall provide necessary political guidance in resolving such matter.

Human rights and equality

Human rights/RoL general Page 2, Preamble
COMMITTED to the Agreement on the Cessation of Hostilities and to abandon the culture of revenge including inhuman acts like torture, rampant killing of the innocent and respect for human dignity;

Page 3

2. Guiding Principles

...

2.3 A firm commitment to a lasting solution to the existing root causes of the conflict in the Gbudue and Maridi states for a sustainable peace founded on justice, equality, respect for human rights and fundamental freedoms.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights Human rights and equality→Civil and political rights→Torture
Page 2, Preamble
COMMITTED to the Agreement on the Cessation of Hostilities and to abandon the culture of revenge including inhuman acts like torture, rampant killing of the innocent and respect for human dignity;
Human rights and equality→Civil and political rights→Equality
Page 3
2. Guiding Principles
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2.3 A firm commitment to a lasting solution to the existing root causes of the conflict in the Gbudue and Maridi states for a sustainable peace founded on justice, equality, respect for human rights and fundamental freedoms.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 2, Preamble
ACKNOWLEDGING the preliminary Peace Agreement and the need to promote inclusive and democratic society founded on the rule of law;

Page 3

2. Guiding Principles

2.1 The Republic of South Sudan is governed on the basis of a decentralized democratic system and is an all-embracing homeland for her people;

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 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 No specific mention.

Business No specific mention.

Taxation No specific mention.

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** No specific mention.

Ceasefire Security sector→Ceasefire→Ceasefire provision
Page 3
3. SECURITY ARRANGEMENTS

3.1 Recommitment to the cessation of hostilities and permanent Ceasefire

The parties recommit themselves to fully respect and observe the cessation of hostility agreement signed between the parties on 2nd April 2016 and now further re-affirm their commitment to the general amnesty announced by the president on several occasions since 2014.

Security sector→Ceasefire→General commitments
Page 2, Preamble

COMMITTED to the Agreement on the Cessation of Hostilities and to abandon the culture of revenge including inhuman acts like torture, rampant killing of the innocent and respect for human dignity;

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3. Security Arrangements

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3.2 Integration of the SSNLM/A

3.2.1 General Principles

The parties agree that the forces of the former SSNLM/A shall be peacefully integrated into the ranks of the national army, South Sudan Police Service and other organized forces.

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3. Security Arrangements

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Page 4

3. Security Arrangements

...

3.3. The Functions and terms of reference of the JMTC shall include:

...

3.3.2 The deployment of former SSNLM/A into the South Sudan Police Service and other organized forces shall be done in accordance with the internal regulations that govern these institutions mindful of the different ethnicity that constitute former Western Equatoria State.

Armed forces

Page 3

3. Security Arrangements

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3.2 Integration of the SSNLM/A

3.2.1 General Principles

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Page 4

3. Security Arrangements

...

3.3. The Functions and terms of reference of the JMTC shall include:

3.3.1 The screening, training, integration, organization and deployment of the former SSNLM/A into the national army and organized forces shall be concluded within Gbudue State. Upon conclusion and completion of the agreed numbers including the ranks, this security arrangement shall be an integral part of this agreement.

3. Security Arrangements

...

3.2 Integration of the SSNLM/A

3.2.1 General Principles

The parties agree that the forces of the former SSNLM/A shall be peacefully integrated into the ranks of the national army, South Sudan Police Service and other organized forces.

3.2.2 The parties further agree that the number of the force ranks of the former SSNLM/A at all levels that will be integrated are subject, where necessary, to the general policy of the country's army structure and all other law enforcement organs.

3.2.3 The parties shall agree on cantonment/assembling area which shall be identified by the SSNLM/A within Gbudue State.

3.2.4 The government shall provide for the needs of the SSNLM/A in the cantonment after signing of the agreement.

3.2.3 Establishment of a committee for peaceful Integration

To effect clause 3.2 above, the parties agree that:

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III. Should the PMC fail to resolve any dispute that may arise in the process of implementing this Agreement, then the faith based council shall provide necessary political guidance in resolving such matter.

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3.3.1 The screening, training, integration, organization and deployment of the former SSNLM/A into the national army and organized forces shall be concluded within Gbudue State. Upon conclusion and completion of the agreed numbers including the ranks, this security arrangement shall be an integral part of this agreement.

3.3.2 The deployment of former SSNLM/A into the South Sudan Police Service and other organized forces shall be done in accordance with the internal regulations that govern these institutions mindful of the different ethnicity that constitute former Western Equatoria State.

Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	See DDR provisions.
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 Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 3
3. Security Arrangements

3.1 Recommitment to the cessation of hostilities and permanent Ceasefire

The parties recommit themselves to fully respect and observe the cessation of hostility agreement signed between the parties on 2nd April 2016 and now further re-affirm their commitment to the general amnesty announced by the president on several occasions since 2014.

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 Page 2

1. Preamble

...

FURTHERMORE AWARE of the need for harmony, stability, reconciliation and national healing;

Page 3

2. Guiding Principles

...

2.4 Reconciliation processes in the Gbudue and Maridi States shall be inclusive and shall be held in a consultative manner involving the parties and others. The process shall be established by Legislation promulgated by the legislative assemblies of both Gbudue and Maridi States. Such legislation shall outline the mechanisms and methods of the reconciliation process.

Implementation

UN signatory 3. WITNESS TO THIS AGREEMENT

UNMISS Representative
South Sudan
Headquarter

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/ similar Page 4
3. Security Arrangements
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Enforcement mechanism No specific mention.
