

Country/entity	South Sudan Sudan
Region	Africa (excl MENA)
Agreement name	Political Charter
Date	10 Apr 1996
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 Pre-negotiation/process

Conflict nature Government/territory

Peace process	Sudanese (North-South) peace process
Parties	For the Sudan Government: MAJ. GEN. AL ZUBEAR MOHAMMED SALIH, First Vice President of the Republic of Sudan; For SSIM/A: CDR/DR RIEK MACHAR TENY DHURGON, Chairman of NLC SSIM & C-in-C of SSIA; For SPLM/A (BGG): CDR/ KERBINO KUANYIN, Chairman of SPLM/ (BGG)
Third parties	-
Description	An agreement by the Parties in that the unity of Sudan would be preserved and that a referendum would be held by the people of the southern Sudan to determine their political aspirations after the full establishment of peace and stability. Agreement also provides that the Sudanese people should be encouraged to freely express their different values; that freedom of religion and belief should be observed; and that power and national wealth should be shared equitably for the benefit of the citizens. Agreed that citizenship would further the values of justice, equity, freedom and human rights, and that the Shar'ia and custom would be the sources of legislation. A co-ordination council was to be formed between Southern States to implement the Agreement and the parties agreed to work together for stability and improvement of living conditions in war-affected areas.

Agreement document	SD_960410_Political Charter.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) Page 1, 2. The unity of the Sudan with its known boundaries shall be preserved, its entity shall be secured against all internal and external dangers. The parties shall endeavour to keep peace, justice and supremacy of values of right, goodness and virtue.

Page 1, 6. Sharia and custom shall be the sources of legislation. However, states may enact legislation complementary to the federal law in matters peculiar to those states.

Page 1, 10. Power and national wealth shall equitably be shared for the benefit of the citizens in the country. The details shall be worked out by the parties.

Page 1, 4. Recognizing the constitutional development, implementation of federal system and political practice based on the values of participatory democracy, the parties shall endeavour to boost the progress in these fields in the light of changing situations.

State configuration No specific mention.

Self determination No specific mention.

Referendum Page 1, 3. After full establishment of peace, stability and a reasonable level of social development in the south, and at the end of the interim period, a referendum shall be conducted by the people of the southern Sudan to determine their political aspirations.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/ unification	No specific mention.
Border delimitation	No specific mention.
Cross-border provision	Page 2, 13. The Sudan shall interact with African and Arab Nations and world community on the basis of the effective Sudanese identity for the benefit of the country.

Governance

Political institutions (new or reformed)	<p>Governance→Political institutions (new or reformed)→General references</p> <p>Page 1, 4. Recognizing the constitutional development, implementation of federal system and political practice based on the values of participatory democracy, the parties shall endeavor to boost the progress in these fields in the light of changing situations.</p> <p>Page 1, 6. Sharia and custom shall be the sources of legislation. However, states may enact legislation complementary to the federal law in matters peculiar to those states.</p> <p>Page 1, 10. Power and national wealth shall equitably be shared for the benefit of the citizens in the country. The details shall be worked out by the parties.</p> <p>Page 1, 11. A coordinating council shall be formed between the Southern States for better implementation of this Agreement.</p>
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	4. advocates constitutional reform 'based on the values of participatory democracy'
Traditional/ religious leaders	Page 1, 8. Freedom of religion and belief shall be observed and a suitable atmosphere shall be maintained for practising worship, dawa, proselytization and preaching. No citizen shall be coerced to embrace any faith or religion.
Public administration	No specific mention.
Constitution	<p>Governance→Constitution→Constitutional reform/making</p> <p>Page 1, 4. Recognizing the constitutional development, implementation of federal system and political practice based on the values of participatory democracy, the parties shall endeavor to boost the progress in these fields in the light of changing situations.</p>

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing Power sharing→Economic power sharing→Sharing of resources
Page 1, 10. Power and national wealth shall equitably be shared for the benefit of the citizens in the country. The details shall be worked out by the parties.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general Page 1, 2. The unity of the Sudan with its known boundaries shall be preserved, its entity shall be secured against all internal and external dangers. The parties shall endeavour to keep peace, justice and supremacy of values of right, goodness and virtue.

Page 1, 5. Citizenship shall be the basis of rights and duties in furtherance of the values of justice, equity, freedom and human rights.

Page 2, 12. The parties shall work together for the stability and improvement of living conditions in the war affected areas according to the provisions of the subsequent Peace Agreement. They shall carry the duty of implementing the security arrangement, resettlement reconstruction, development and preservation of rights and duties.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights Human rights and equality→Civil and political rights→Equality
Page 1, 5. Citizenship shall be the basis of rights and duties in furtherance of the values of justice, equity, freedom and human rights.

Page 1, 10. Power and national wealth shall equitably be shared for the benefit of the citizens in the country. The details shall be worked out by the parties.

Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion

Page 1, 7. Cultural diversity in the Sudan is recognized; Sudanese people are encouraged to freely express its values.

Page 1, 8. Freedom of religion and belief shall be observed and a suitable atmosphere shall be maintained for practising worship, dawa, proselytization and preaching. No citizen shall be coerced to embrace any faith or religion.

Socio-economic rights Human rights and equality→Socio-economic rights→Cultural life
Page 1, 7. Cultural diversity in the Sudan is recognized; Sudanese people are encouraged to freely express its values.

Rights related issues

Citizenship Rights related issues→Citizenship→Citizens, specific rights
Page 1, 5. Citizenship shall be the basis of rights and duties in furtherance of the values of justice, equity, freedom and human rights.

Democracy Page 1, 4. Recognizing the constitutional development, implementation of federal system and political practice based on the values of participatory democracy, the parties shall endeavour to boost the progress in these fields in the light of changing situations.

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 Page 1, 6. Sharia and custom shall be the sources of legislation. However, states may enact legislation complementary to the federal law in matters peculiar to those states.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 1, 3. After full establishment of peace, stability and a reasonable level of social development in the south, and at the end of the interim period, a referendum shall be conducted by the people of the southern Sudan to determine their political aspirations.

Page 1, 9. Social development is an extreme priority for the achievement of which the government shall plan for confidence building and expediting the process of alleviation of poverty, ignorance and illiteracy. The states shall also cater for provision of knowledge and satisfaction.

Page 2, 12. The parties shall work together for the stability and improvement of living conditions in the war affected areas according to the provisions of the subsequent Peace Agreement. They shall carry the duty of implementing the security arrangement, resettlement reconstruction, development and preservation of rights and duties.

Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction

Page 2, 12. The parties shall work together for the stability and improvement of living conditions in the war affected areas according to the provisions of the subsequent Peace Agreement. They shall carry the duty of implementing the security arrangement, resettlement reconstruction, development and preservation of rights and duties.

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 Page 2, 12. The parties shall work together for the stability and improvement of living conditions in the war affected areas according to the provisions of the subsequent Peace Agreement. They shall carry the duty of implementing the security arrangement, resettlement reconstruction, development and preservation of rights and duties.

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 No specific mention.

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 No specific mention.

Enforcement mechanism Page 1, 11. A coordinating council shall be formed between the Southern States for better implementation of this Agreement.

Related cases No specific mention.

Source Incore.ulst.ac.uk,. 'INCORE: Conflict Data Service: Peace Agreements'. N.p., 2015. Web. 25 Oct. 2015.
