

<b>Country/entity</b>	South Sudan Sudan
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	The Implementation Modalities of the Framework Agreement on Wealth Sharing
<b>Date</b>	31 Dec 2004
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	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

<b>Peace process</b>	Sudanese (North-South) peace process
<b>Parties</b>	The Government of Sudan; Sudan People's Liberation Movement/Army
<b>Third parties</b>	-
<b>Description</b>	An agreement included in the Comprehensive Peace Agreement to establish implementation modalities for the Framework Agreement on Wealth-Sharing. The modalities include provisions on land ownership, oil resources, existing oil contracts, sharing of oil revenues, sharing of non-oil revenues, equalization and allocation of nationally collected revenues, division of government assets, accounting standards, financing the transitional government, and banking. The agreement also provides implementation modalities for the Reconstruction and Development Funds, as well as the Fiscal and Financial Allocation and Monitoring Commission. Attached is an Appendix that provides details on the definition and calculations of net oil revenue.

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**Agreement document** [SD 041231 Implementation Modalities on Wealth Sharing.pdf \(opens in new tab\)](#) | [Download PDF](#)

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#### Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.

**Refugees/displaced persons** Groups→Refugees/displaced persons→Substantive  
Page 27, N. Reconstruction & Development Funds  
1. Establish South Sudan Reconstruction and Development Fund (SSRDF)  
[Clause in the Agreement: 15.1]

Page 30, N. Reconstruction & Development Funds  
5. Establishment of two multi-donor trust funds (MDTFs)--one for Southern Sudan and other national  
[Procedures, Process or Criteria: Governance including fiduciary to be set by World Bank and National Government for NMDTF and SPLM/GOSS for SSMDTF in consultation with International Community and stakeholders. NG to determine projects to be implemented by UN agencies, NGOS, local governments, communities, National Government agencies, private sector and others in the North. SPLM/GOSS to determine projects to be implemented by UN agencies, NGOs, local governments, communities, SPLM/GOSS agencies, private sector and others in the South; Clause in the Agreement: 15.5]

Page 32, N. Reconstruction & Development Funds  
6. Set criteria for eligible financing from MDTFs  
[Procedures, Process or Criteria: Priorities include 6. Peace Building and security (DDR, IDPS, etc.; Clause in the Agreement: 15.7]

**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.

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## **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** Page 3, B. Oil Resources  
1. Consultation and participation of communities in the management of natural resources  
[Clause in the Agreement: 3.1.2, 3.1.5, 3.1.6, 3.1.7]  
  
Page 30, N. Reconstruction & Development Funds  
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**Traditional/  
religious leaders** No specific mention.

**Public administration** No specific mention.

**Constitution** No specific mention.

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### **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  
Summary: Agreement provides a detailed implementation table for the Wealth sharing arrangements, and an appendix of modalities which specifies particular means of calculating and dividing oil revenue.

**Military power sharing** No specific mention.

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### **Human rights and equality**

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

**Civil and political rights** Human rights and equality→Civil and political rights→Fair trial  
Page 5, C. Existing Oil Contracts  
3. Remedy of persons whose rights have been violated by oil contracts  
[Clause in the Agreement: 4.5]

**Socio-economic rights** Human rights and equality→Socio-economic rights→Property  
Page 3, B. Oil Resources  
1. Consultation and participation of communities in the management of natural resources  
[Clause in the Agreement: 3.1.2, 3.1.5, 3.1.6, 3.1.7]

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## **Rights related issues**

**Citizenship** No specific mention.

**Democracy** No specific mention.

**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.

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## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## **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 2, A. Land Ownership  
1. Institute a process to develop and amend the relevant laws to incorporate customary laws and practices.  
[Clause in the Agreement: 2.5]

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**Socio-economic reconstruction**

**Development or socio-economic reconstruction**

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

Page 17, F. Equalization & Allocation of Nationally collected Revenues

4. Agree on an approach to appeal for donor funds for the reconstruction of South Sudan [Clause in the Agreement: 7.4]

Page 27, N. Reconstruction & Development Funds

1. Establish South Sudan Reconstruction and Development Fund (SSRDF) [Clause in the Agreement: 15.1]

Page 28, N. Reconstruction & Development Funds

2. Establish monitoring and evaluation system for accountability and transparency [Clause in the Agreement: 15.2]

Page 28, N. Reconstruction & Development Funds

3. Establish an oversight committee for SSRDF [Clause in the Agreement: 15.3]

Page 30, N. Reconstruction & Development Funds

5. Establishment of two multi-donor trust funds (MDTFs)--one for Southern Sudan and other national

[Procedures, Process or Criteria: Governance including fiduciary to be set by World Bank and National Government for NMDTF and SPLM/GOSS for SSMDTF in consultation with International Community and stakeholders. NG to determine projects to be implemented by UN agencies, NGOS, local governments, communities, National Government agencies, private sector and others in the North. SPLM/GOSS to determine projects to be implemented by UN agencies, NGOs, local governments, communities, SPLM/GOSS agencies, private sector and others in the South; Clause in the Agreement: 15.5]

Page 32, N. Reconstruction & Development Funds

6. Set criteria for eligible financing from MDTFs

[Procedures, Process or Criteria: Priorities include 6. Peace Building and security (DDR, IDPS, etc.; Clause in the Agreement: 15.7]

**National economic plan** Page 14, F. Equalization & Allocation of Nationally collected Revenues  
1. Establishment of National Revenue Fund (NRF)

[Clause in the Agreement: 7.1]

Page 29, N. Reconstruction & Development Funds

4. Establish National Reconstruction Fund (NRDF)

[Clause in the Agreement: 15.4]

Page 30, N. Reconstruction & Development Funds

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**Natural resources** Page 3, B. Oil Resources

1. Consultation and participation of communities in the management of natural resources  
[Clause in the Agreement: 3.1.2, 3.1.5, 3.1.6, 3.1.7]

Page 4, C. Existing Oil Contracts

1. SPLM appoint a technical team, to have access to existing oil contracts  
[Clause in the Agreement: 4.1]

Page 5, C. Existing Oil Contracts

2. Assess contracts with social and environmental problems  
[Clause in the Agreement: 4.3]

Page 5, C. Existing Oil Contracts

3. Remedy of persons whose rights have been violated by oil contracts  
[Clause in the Agreement: 4.5]

Page 5, D. Sharing of Oil Revenue

1. Define "net revenue from oil"  
[Clause in the Agreement: 5.3]

Page 6, D. Sharing of Oil Revenue

2. Establish a system to monitor daily production of oil in all Sudan  
[Clause in the Agreement: 5.3]

Page 6, D. Sharing of Oil Revenue

3. Reveal to the SPLM production sharing formula between GOS and oil concessions  
[Clause in the Agreement: 5.3]

Page 6, D. Sharing of Oil Revenue

4.a. Agree on a mechanism to monitor Oil Revenue Stabilization Account (ORSA)  
[Clause in the Agreement: 5.4]

Page 7, D. Sharing of Oil Revenue

4.b. Agree on the benchmark price for 2005  
[Clause in the Agreement: 5.4]

Page 7, D. Sharing of Oil Revenue

4.c. Agree on the annual benchmark price  
[Clause in the Agreement: 5.4]

Page 8, D. Sharing of Oil Revenue

5. Establish a system to calculate and monitor net oil revenue  
[Clause in the Agreement: 5.3]

Page 9, D. Sharing of Oil Revenue

6. Transfer of (2%) of producing State share of net oil revenue  
[Clause in the Agreement: 5.5]

Page 10, D. Sharing of Oil Revenue

7. Transfer of the GOSS share of 50% of net oil revenue  
[Clause in the Agreement: 5.6]

Page 11, D. Sharing of Oil Revenue

8. Establish Future Generation Fund

**International funds** Page 17, F. Equalization & Allocation of Nationally collected Revenues  
4. Agree on an approach to appeal for donor funds for the reconstruction of South Sudan  
[Clause in the Agreement: 7.4]

Page 21, K. Financing the transition  
1. National Government assists the SPLM/A in the establishment of the new transitional governments at GOSS and State levels  
[Clause in the Agreement: 13.1]

Page 27, N. Reconstruction & Development Funds  
1. Establish South Sudan Reconstruction and Development Fund (SSRDF)  
[Clause in the Agreement: 15.1]

Page 28, N. Reconstruction & Development Funds  
2. Establish monitoring and evaluation system for accountability and transparency  
[Clause in the Agreement: 15.2]

Page 28, N. Reconstruction & Development Funds  
3. Establish an oversight committee for SSRDF  
[Clause in the Agreement: 15.3]

Page 30, N. Reconstruction & Development Funds  
5. Establishment of two multi-donor trust funds (MDTFs)--one for Southern Sudan and other national  
[Clause in the Agreement: 15.5]

Page 32, N. Reconstruction & Development Funds  
6. Set criteria for eligible financing from MDTFs  
[Clause in the Agreement: 15.7]

**Business** No specific mention.

**Taxation**

Socio-economic reconstruction→Taxation→Reform of taxation

Page 9, D. Sharing of Oil Revenue

6. Transfer of (2%) of producing State share of net oil revenue  
[Clause in the Agreement: 5.5]

Page 10, D. Sharing of Oil Revenue

7. Transfer of the GOSS share of 50% of net oil revenue  
[Clause in the Agreement: 5.6]

Page 13, E. Sharing of Non-Oil Revenue

1. Collection of non-oil revenue by GOSS and states  
[Clause in the Agreement: 6.2, 6.3]

## Banks

Socio-economic reconstruction→Banks→Central bank

Page 23, L. Banking & Currency

2. Appoint Board of Directors (BOD) of Central Bank of Sudan (CBOS)

[Clause in the Agreement: 14.8]

Page 24, L. Banking & Currency

3. Restructure CBOS

[Clause in the Agreement: 14.3]

Page 24, L. Banking & Currency

4. Establish Bank of South Sudan (BOSS)

[Clause in the Agreement: 14.2, 14.10]

Page 24, L. Banking & Currency

5.a. Establish a joint committee to design national currency

[Clause in the Agreement: 14.9]

Page 25, L. Banking & Currency

5.b. Assess circulating currencies in South Sudan

[Clause in the Agreement: 14.9]

Page 25, L. Banking & Currency

5.c. Issuing new currency

[Clause in the Agreement: 14.9]

Page 25, M. Borrowing

1. Enacting borrowing standards and requirements by CBOS

[Clause in the Agreement: 6.2.13, 14.1, 14.15, 14.16]

Page 33, N. Reconstruction & Development Funds

7. Establishment of special accounts in a commercial bank in Southern Sudan for GOSS

[Clause in the Agreement: 15.11]

Socio-economic reconstruction→Banks→Personal or commercial banking

Page 23, L. Banking & Currency

1. Enact/modify legislations to set up a dual banking system

[Clause in the Agreement: 14.1]

Socio-economic reconstruction→Banks→International finance

Page 30, N. Reconstruction & Development Funds

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Socio-economic reconstruction→Banks→Cross-border financial flows

Page 10, D. Sharing of Oil Revenue

7. Transfer of the GOSS share of 50% of net oil revenue

[Clause in the Agreement: 5.6]

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## Land, property and environment

**Land reform/rights** Land, property and environment→Land reform/rights→Land reform and management  
Page 2, A. Land Ownership  
1. Institute a process to develop and amend the relevant laws to incorporate customary laws and practices.  
[Clause in the Agreement: 2.5]

Page 2, A. Land Ownership  
2. Establish National Land Commission  
[Clause in the Agreement: 2.6]

Page 3, A. Land Ownership  
3. Establish Southern Sudan Land commission  
[Clause in the Agreement: 2.7]  
Land, property and environment→Land reform/rights→Other land rights  
Page 3, B. Oil Resources  
1. Consultation and participation of communities in the management of natural resources  
[Clause in the Agreement: 3.1.2, 3.1.5, 3.1.6, 3.1.7]

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

**Cultural heritage** Land, property and environment→Cultural heritage→Promotion  
Page 2, A. Land Ownership  
1. Institute a process to develop and amend the relevant laws to incorporate customary laws and practices.  
[Clause in the Agreement: 2.5]

**Environment** Page 5, C. Existing Oil Contracts  
2. Assess contracts with social and environmental problems  
[Clause in the Agreement: 4.3]

**Water or riparian  
rights or access** No specific mention.

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## Security sector

**Security  
Guarantees** No specific mention.

**Ceasefire** No specific mention.

**Police** No specific mention.

**Armed forces** No specific mention.

**DDR**

Security sector→DDR→DDR programmes

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**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.

<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	Transitional justice→Reparations→Material reparations Page 5, C. Existing Oil Contracts 3. Remedy of persons whose rights have been violated by oil contracts [Clause in the Agreement: 4.5]
<b>Reconciliation</b>	No specific mention.

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## **Implementation**

<b>UN signatory</b>	No specific mention.
<b>Other international signatory</b>	No specific mention.
<b>Referendum for agreement</b>	No specific mention.
<b>International mission/force/similar</b>	No specific mention.
<b>Enforcement mechanism</b>	No specific mention.

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