

Country/entity	South Sudan Sudan
Region	Africa (excl MENA)
Agreement name	The Nairobi Declaration on the Final Phase of Peace in the Sudan
Date	5 Jun 2004
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	Sudanese (North-South) peace process
Parties	H.E. Ali Osman Mohamed Taha, First Vice-President of the Government of the Republic of the Sudan; Dr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement (SPLM)
Third parties	Witnessed by: Hon. Stephen Kalonzo Musyoka, Minister for Foreign Affairs of the Republic of Kenya and on behalf of the IGAD Ministerial Sub-Committee on Sudan
Description	An agreement reconfirming prior texts and committing to a ceasefire within the framework of the Agreement on Security Arrangements for the Interim Period. The Parties also establish that agreements thus far, together with subsequent agreements, will form a Comprehensive Peace Agreement which will initiate the pre-interim period.

Agreement document	SD_040605_Nairobi Declaration on Peace.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, Preamble
IN PURSUANCE OF the commitment of the Parties to a negotiated settlement on the basis of a democratic system of governance which, on the one hand, recognizes the right of the people of Southern Sudan to self-determination and seek to make unity attractive during the Interim Period, and at the same time is inspired by the realities of the country and is founded on the values of justice, democracy, good governance, respect for the fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within Sudan as a whole;

Page 3, ACKNOWLEDGE that the protocols heretofore mentioned, envisage:
(1) The resolution of the status of State and Religion and the Right of Self-Determination for the people of South Sudan as set forth in the Machakos Protocol of 20th July 2002;

Page 3, (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;

State configuration No specific mention.

Self determination Page 1, Preamble
IN PURSUANCE OF the commitment of the Parties to a negotiated settlement on the basis of a democratic system of governance which, on the one hand, recognizes the right of the people of Southern Sudan to self-determination and seek to make unity attractive during the Interim Period, and at the same time is inspired by the realities of the country and is founded on the values of justice, democracy, good governance, respect for the fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within Sudan as a whole;

Page 3, ACKNOWLEDGE that the protocols heretofore mentioned, envisage:
(1) The resolution of the status of State and Religion and the Right of Self-Determination for the people of South Sudan as set forth in the Machakos Protocol of 20th July 2002;

Referendum	Page 4, (6) Agreement on the administration and mechanism for a referendum in Abyei Area entitled Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of the Conflict in Abyei Area, dated 26th May, 2004.
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)→General references</p> <p>Page 3, (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;</p> <p>Page 4, THE PARTIES JOINTLY AGREE that the Protocols and Agreements already signed, together with the Annexes that remain to be negotiated on the Permanent Ceasefire Arrangements and the Agreement on the Modalities of Implementation of the Agreement that shall also include regional and international guarantees, shall constitute the Comprehensive Peace Agreement, which, when signed, shall initiate the Pre-Interim Period;</p>
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.

Civil society	<p>Page 3, (5) Understandings on the administration, popular consultation, and related matters in respect of the two conflict areas of Southern Kordofan/Nuba Mountains and Blue Nile States, which agreements are set out in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of Conflict In Southern Kordofan/Nuba Mountains and Blue Nile States, dated 26th May, 2004;</p> <p>Page 4, (6) Agreement on the administration and mechanism for a referendum in Abyei Area entitled Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of the Conflict in Abyei Area, dated 26th May, 2004.</p>
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	<p>Power sharing→Political power sharing→General State level Page 3, Preamble:</p> <p>[The parties] Acknowledge that the protocols heretofore mentioned, envisage: (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;</p>
Territorial power sharing	No specific mention.
Economic power sharing	<p>Power sharing→Economic power sharing→Sharing of resources Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004 ;</p>
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	<p>Page 1, Preamble</p> <p>IN PURSUANCE OF the commitment of the Parties to a negotiated settlement on the basis of a democratic system of governance which, on the one hand, recognizes the right of the people of Southern Sudan to self-determination and seek to make unity attractive during the Interim Period, and at the same time is inspired by the realities of the country and is founded on the values of justice, democracy, good governance, respect for the fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within Sudan as a whole;</p> <p>Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004;</p> <p>Page 3, (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;</p> <p>Page 4, THEREFORE SOLEMNLY UNDERTAKE to finalize negotiations and resolve these details in as short a time as possible, and that they will spare no effort to ensure that the commitments expressed therein are fully respected in order to guarantee lasting peace, security for all, justice and equality in Sudan.</p>
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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	<p>Rights related issues→Citizenship→Citizen, general</p> <p>Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004 ;</p>
Democracy	<p>Page 1, Preamble</p> <p>IN PURSUANCE OF the commitment of the Parties to a negotiated settlement on the basis of a democratic system of governance which, on the one hand, recognizes the right of the people of Southern Sudan to self-determination and seek to make unity attractive during the Interim Period, and at the same time is inspired by the realities of the country and is founded on the values of justice, democracy, good governance, respect for the fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within Sudan as a whole;</p> <p>Page 3, (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;</p>
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	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 2, Preamble</p> <p>AWARE of the fact that peace, stability, and development are aspirations shared by all people of the Sudan,</p> <p>Page 2, Preamble</p> <p>REITERATE their determination to continue resolving the root causes of the conflict and violence in Sudan which inflict hardship and suffering on the people of Sudan and seriously hampers the prospects for economic development and the attainment of social justice in Sudan;</p> <p>Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004 ;</p> <p>Page 4, THE PARTIES UNDERTAKE during this final phase to conclude the permanent Ceasefire Agreement within the framework of the Agreement on Security Arrangements During the Interim Period, signed on 25th September, 2003, as well as the modalities of implementing the Comprehensive Peace Agreement, including regional and international guarantees, in order to usher in a new era of peace, security, and development in the Sudan.</p> <p>Page 5, THE PARTIES JOINTLY APPEAL to the Regional and International Community to continue their unwavering support to the Sudan Peace Process at this final phase, and further appeal to avail resources for necessary and urgent programmes and activities of the transition to peace, and the programmes of The Joint Assessment Mission (JAM) and The Joint National Transitional Team (JNTT).</p> <p>Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction</p> <p>Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004 ;</p>
National economic plan	No specific mention.
Natural resources	No specific mention.

International funds Page 5, THE PARTIES JOINTLY APPEAL to the Regional and International Community to continue their unwavering support to the Sudan Peace Process at this final phase, and further appeal to avail resources for necessary and urgent programmes and activities of the transition to peace, and the programmes of The Joint Assessment Mission (JAM) and The Joint National Transitional Team (JNTT).

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 3, (2) Security arrangements which properly recognize that in the interests of sustaining the Agreement during the Interim Period, there will be integrated units as well as the retention of their respective armed forces under arrangements which guarantee both security and stability in Sudan, as set forth in the Agreement on the Security Arrangements During the Interim Period of 25th September, 2003;

Page 4, THE PARTIES UNDERTAKE during this final phase to conclude the permanent Ceasefire Agreement within the framework of the Agreement on Security Arrangements During the Interim Period, signed on 25th September, 2003, as well as the modalities of implementing the Comprehensive Peace Agreement, including regional and international guarantees, in order to usher in a new era of peace, security, and development in the Sudan.

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 2, Preamble

THE PARTIES FURTHER COMMIT themselves to the strict observance of the Memorandum of Understanding on Cessation of Hostilities, dated 15th October, 2002 and its related Addendum creating a Verification and Monitoring Mechanism, dated 4th February 2003 until the final Ceasefire Agreement is put in place;

Page 4, THE PARTIES JOINTLY AGREE that the Protocols and Agreements already signed, together with the Annexes that remain to be negotiated on the Permanent Ceasefire Arrangements and the Agreement on the Modalities of Implementation of the Agreement that shall also include regional and international guarantees, shall constitute the Comprehensive Peace Agreement, which, when signed, shall initiate the Pre-Interim Period;

Page 4, THE PARTIES UNDERTAKE during this final phase to conclude the permanent Ceasefire Agreement within the framework of the Agreement on Security Arrangements During the Interim Period, signed on 25th September, 2003, as well as the modalities of implementing the Comprehensive Peace Agreement, including regional and international guarantees, in order to usher in a new era of peace, security, and development in the Sudan.

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	No specific mention.
Related cases	No specific mention.
Source	Peacemaker.un.org,. 2015. 'UN Peacemaker'. http://peacemaker.un.org .
