

Country/entity	South Sudan Sudan
Region	Africa (excl MENA)
Agreement name	Mekelle Memorandum of Understanding between the NCP and the SPLM on Post-referendum Issues and Arrangements
Date	22 Jun 2010
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	The National Congress Party; Sudan People's Liberation Movement
Third parties	-
Description	An Agreement by the parties on arrangements for negotiations after the 2011 referendum on self-determination for the people of Southern Sudan. These arrangements establish the overall structure of the negotiations as well as the issues to be discussed, which include citizenship, security, financial, economic, and natural resources, and international treaties and legal issues. The parties agreed that public briefings of the negotiations would be made jointly, and that the arrangements would be facilitated by the AUHIP, with support from IGAD, IGAD partner's forum, and the UN.

Agreement document	SD_100622_Mekelle MoU between NCP and SPLM on Post-Referendum Issues.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 Page 1, The NCP and SPLM representing the parties to the CPA, and here-in-after referred to as the parties, met in Mekelle, Ethiopia from 21st-22nd June, 2010 to explore the modalities for discussion of post-2011 referendum issues and arrangements on self-determination for the people of Southern Sudan, in accordance with the provisions of 67 of the Southern Sudan Referendum Act, 2009, and agreed as follows: [...]

Referendum [Agreement in its entirety pertains to negotiations to be undertaken post-2011 Referendum]

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 No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship Rights related issues→Citizenship→Citizen, general
Page 1, 2. Clusters and Sequencing of Issues
2.1. The parties agreed to cluster the post-2011 referendum Negotiations into four working groups to collectively address the issues listed in section 67 of the Southern Sudan Referendum Act, 2009, as follows:
a. Citizenship

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication Rights related issues→Media and communication→Other
Page 1, 3. Media
Press statements and public briefings pertaining to the Negotiations shall be jointly made by both Parties.

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 Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 1, 2. Clusters and Sequencing of Issues
2.1. The parties agreed to cluster the post-2011 referendum Negotiations into four working groups to collectively address the issues listed in section 67 of the Southern Sudan Referendum Act, 2009, as follows: [...]
c. Financial, economic and natural resources
...

National economic plan No specific mention.

Natural resources Page 1, 2. Clusters and Sequencing of Issues
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c. Financial, economic and natural resources

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 1, 2. Clusters and Sequencing of Issues
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b. Security

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