

Country/entity	South Sudan Sudan
Region	Africa (excl MENA)
Agreement name	Agreement on a Framework for Cooperation on Central Banking Issues between Sudan and South Sudan
Date	27 Sep 2012
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Interstate/intrastate conflict(s)

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 - partial

Conflict nature Territory

Peace process	North - South Sudan secession process
Parties	H.E. Idriss Abdel Gadir, on behalf of: The Republic of the Sudan; H.E. Pagan Amum Okiech, on behalf of: The Republic of South Sudan
Third parties	Witnessed by: H.E. Thabo Mvuyelwa Mbeki, Chairperson, African Union High Level Implementation Panel, on behalf of the AUHIP
Description	An agreement that establishes a Joint Central Banks Committee that is to be co-chaired by the Banks of South Sudan (BSS) and the Central Bank of Sudan (CBOS) in order to maintain economic confidence and avoid destabilizing exchange-rate fluctuations between the two States. Additionally, the parties shall guarantee the rights of commercial banks located within their respective territories, specifically due process and fair access judicial institutions.

Agreement document	SD_120927_Agmt on Framework for Cooperation on Central Banking.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 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) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
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Political parties reform	No specific mention.
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Civil society	No specific mention.
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Traditional/religious leaders	No specific mention.
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Public administration	No specific mention.
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Constitution	No specific mention.
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Power sharing

Political power sharing	No specific mention.
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Territorial power sharing	No specific mention.
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Economic power sharing	<p>Power sharing→Economic power sharing→Sharing of resources</p> <p>Page 2, Preamble</p> <p>Recognizing the need for co-operation in the management of monetary and fiscal policy, with the goal of maintaining confidence, controlling inflation and avoiding destabilizing exchange-rate fluctuations;</p> <p>Page 2, 1. Establishment of the Joint Central Banks Committee</p> <p>1.1. Within thirty (30) days of the ratification of this Agreement, the Parties shall establish a Joint Central Banks Committee (JCBC). The JCBC shall be composed of ten (10) members, with each Party nominating five (5) members to represent the Bank of South Sudan (BSS) and the Central Bank of Sudan (CBOS), respectively. The JCBC shall be co-chaired by a member representing each State and shall be overseen by the Governors, respectively, of the BSS and the CBOS.</p> <p>Page 3, 1. Establishment of the Joint Central Banks Committee</p> <p>1.4. The costs of operation of the JCBC shall be shared equally between the BSS and the CBOS.</p> <p>Page 3, 2. Purpose of the Joint Central Banks Committee</p> <p>2.2. The JCBC may request, with the express written consent of the Governors of the BSS and the CBOS, support and technical assistance as appropriate from the International Monetary Fund and other international financial institutions.</p> <p>Page 4, 2. Purpose of the Joint Central Banks Committee</p> <p>2.3. The JCBC may establish sub-committees for the carrying out of its mandate.</p> <p>Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations</p> <p>3.2. The Republic of South Sudan and the Republic of the Sudan shall each guarantee the rights of commercial banks headquartered in the other State to continue to operate within their respective territories as branches of foreign banks.</p>
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	<p>Human rights and equality→Civil and political rights→Equality Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations 3.3 Foreign commercial banks operating within the territory of either of the two States shall be required to comply with the relevant national laws and regulations of the host State, and the host State shall enforce those laws and regulations without discrimination.</p> <p>Human rights and equality→Civil and political rights→Fair trial Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations 3.4 The claims of commercial banks and other financial institutions against citizens or legal entities of the other State shall be pursued through established, legal and judicial processes of each State. Each State shall guarantee due process and fair access to its judicial and other adjudicative institutions.</p>
Socio-economic rights	No specific mention.

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

Rights related issues→Protection measures→Other

Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations

3.1. The BSS and the CBOS shall promote cooperation between commercial banks operating within the Republic of South Sudan and the Republic of the Sudan in various banking areas, including: incorporating and licensing as branches of foreign banks, opening correspondence accounts, and pursuing technical cooperation.

3.2. The Republic of South Sudan and the Republic of the Sudan shall each guarantee the rights of commercial banks headquartered in the other State to continue to operate within their respective territories as branches of foreign banks.

3.3 Foreign commercial banks operating within the territory of either of the two States shall be required to comply with the relevant national laws and regulations of the host State, and the host State shall enforce those laws and regulations without discrimination.

3.4 The claims of commercial banks and other financial institutions against citizens or legal entities of the other State shall be pursued through established, legal and judicial processes of each State. Each State shall guarantee due process and fair access to its judicial and other adjudicative institutions.

Other

Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations

3.2. The Republic of South Sudan and the Republic of the Sudan shall each guarantee the rights of commercial banks headquartered in the other State to continue to operate within their respective territories as branches of foreign banks.

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	Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations 3.4 The claims of commercial banks and other financial institutions against citizens or legal entities of the other State shall be pursued through established, legal and judicial processes of each State. Each State shall guarantee due process and fair access to its judicial and other adjudicative institutions.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 3, 2. Purpose of the Joint Central Banks Committee
2.2. The JCBC may request, with the express written consent of the Governors of the BSS and the CBOS, support and technical assistance as appropriate from the International Monetary Fund and other international financial institutions.

Business No specific mention.

Taxation

No specific mention.

Banks

Socio-economic reconstruction→Banks→Central bank

Page 2, Preamble

In pursuance of the commitment to adhere to international finance and banking standards;

Page 2, 1. Establishment of the Joint Central Banks Committee

1.1. Within thirty (30) days of the ratification of this Agreement, the Parties shall establish a Joint Central Banks Committee (JCBC). The JCBC shall be composed of ten (10) members, with each Party nominating five (5) members to represent the Bank of South Sudan (BSS) and the Central Bank of Sudan (CBOS), respectively. The JCBC shall be co-chaired by a member representing each State and shall be overseen by the Governors, respectively, of the BSS and the CBOS.

Page 2, 1. Establishment of the Joint Central Banks Committee

1.2. The first meeting of the JCBC shall take place within forty-five (45) days of the ratification of this Agreement, and thereafter, the JCBC shall meet periodically at times and locations it may determine.

Page 2, 1. Establishment of the Joint Central Banks Committee

1.3. The JCBC shall adopt rules of procedure for regulating its business, including: its reporting procedures, its workplans and associated budgets and any other procedures required for the effective and efficient carrying out of its business.

Page 3, 1. Establishment of the Joint Central Banks Committee

1.4. The costs of operation of the JCBC shall be shared equally between the BSS and the CBOS

Page 3, 2. Purpose of the Joint Central Banks Committee

2.1. The JCBC shall have the principal purpose of supporting financial stability and sound banking policies in the two States in order to enhance cooperation and to promote trade and the mutual economic viability of the two States. The terms of reference of the JCBC shall include inter alia the following:

- (a) developing appropriate procedures and systems for enhancing cooperation in the areas of central banking, monetary policy, exchange rate policy, banking supervision and the preservation of the value of respective currencies of the two States, the opening of correspondent accounts in each State, and the licensing of commercial banks' branches in the other State;
- (b) establishing systems to facilitate smooth payment systems transfer operations and clearing of financial transactions between the two States;
- (c) developing systems to promote the exchange of information between the BSS and the CBOS, and provision of technical assistance, as appropriate; and
- (d) establishing a continuous forum for discussion of central banking issues as may be identified from time to time.

Page 3, 2. Purpose of the Joint Central Banks Committee

2.2. The JCBC may request, with the express written consent of the Governors of the BSS and the CBOS, support and technical assistance as appropriate from the International Monetary Fund and other international financial institutions.

Page 4, 2. Purpose of the Joint Central Banks Committee

2.3. The JCBC may establish sub-committees for the carrying out of its mandate.

Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations

3.1. The BSS and the CBOS shall promote cooperation between commercial banks

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	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	Witnessed by: H.E. Thabo Mvuyelwa Mbeki, Chairperson, African Union High Level Implementation Panel, on behalf of the AUHIP
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 .
