Country/entity	South Sudan Sudan
Region	Africa (excl MENA)
Agreement name	Protocol between the Government of the Sudan and the Sudan People's Liberation Movement (SPLM) on Power Sharing
Date	26 May 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 Areement (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 Government/territory

Peace process	Sudanese (North-South) peace process
Parties	[Uploaded document does not include signatures] The Government of Sudan (GOS) and the Sudan People's Liberation Movement (SPLM)
Third parties	[Uploaded document does not include signatures, therefore it is difficult to determine Third Parties]
Description	An agreement on the modalities and implementation for the devolution of power among the national government, the Government of Southern Sudan (GOSS), and sub-state governments. Part I provides for general principles, including a list of human rights and fundamental freedoms, Part II includes provisions for political institutions at the national level, Part III details the political institutions for the GOSS, Part IV provides for institutions at the sub-state level, and Part V establishes schedules. Schedule A lists exclusive competencies of the national government, Schedule B lists exclusive powers of the GOSS, Schedule C lists the competencies of the individual states, Schedule D details concurrent powers between the National Government and GOSS during the Interim Period, Schedule E establishes that residual powers shall be dealt with in accordance to the nature of the matter, and Schedule F provides resolution for conflict between the concurrent powers.

Agreement document	SD_040526_Protocol btwn Sudan and SPLM on Power-Sharing.pdf (opens in new tab) | Download PDF

Women, girls and gender

Participation No specific mention.

Equality Equality→Equality (general)
Page 11, PART I, 1. GENERAL PRINCIPLES
1.6 Human Rights and Fundamental Freedoms:
1.6.2. The rights and freedoms to be enjoyed under Sudanese law, in accordance with the provisions of the treaties referred to above, include in particular the following: 1.6.2.13. Freedom from Discrimination - The law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;

Page 12, PART I, 1. GENERAL PRINCIPLES
1.6 Human Rights and Fundamental Freedoms:
1.6.2. The rights and freedoms to be enjoyed under Sudanese law, in accordance with the provisions of the treaties referred to above, include in particular the following: 1.6.2.15. The Rights of Children - Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his/her status as a minor;

Page 12, PART I, 1. GENERAL PRINCIPLES
1.6 Human Rights and Fundamental Freedoms:
1.6.2. The rights and freedoms to be enjoyed under Sudanese law, in accordance with the provisions of the treaties referred to above, include in particular the following: 1.6.2.16. Equal Rights of Men and Women - (a) The equal right of men and women to the enjoyment of all civil and political rights set forth in the International Covenant on Civil and Political Rights and all economic, social, and cultural rights set forth in the International Covenant on Economic, Social and Cultural Rights shall be ensured;
Equality→Social equality
Page 12, PART I, 1. GENERAL PRINCIPLES
1.6 Human Rights and Fundamental Freedoms:
1.6.2. The rights and freedoms to be enjoyed under Sudanese law, in accordance with the provisions of the treaties referred to above, include in particular the following: 1.6.2.16. Equal Rights of Men and Women - (a) The equal right of men and women to the enjoyment of all civil and political rights set forth in the International Covenant on Civil and Political Rights and all economic, social, and cultural rights set forth in the International Covenant on Economic, Social and Cultural Rights shall be ensured;

Particular groups of women No specific mention.

International law

International law→General IHRL, IHL and IL
Page 11, PART I, 1. GENERAL PRINCIPLES
1.6 Human Rights and Fundamental Freedoms:
1.6.2. The rights and freedoms to be enjoyed under Sudanese law, in accordance with the provisions of the treaties referred to above, include in particular the following: 1.6.2.10 Family and Marriage
...
(b) The right of men and women of marriageable age to marry and to found a family shall be recognized, according to their respective family laws.
International law→International human rights standards
Page 11, PART I, 1. GENERAL PRINCIPLES 1.6 Human Rights and Fundamental Freedoms:
1.6.2. The rights and freedoms to be enjoyed under Sudanese law, in accordance with the provisions of the treaties referred to above, include in particular the following: 1.6.2.13. Freedom from Discrimination - The law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;

New institutions

New institutions→Infrastructure (general)
Page 61, PART V: SCHEDULES, SCHEDULE D: CONCURRENT POWERS
The National Government, the Government of Southern Sudan and State Governments, shall have legislative and executive competencies on any of the matters listed below during the Interim Period:
...
21. Women's empowerment; 22. Gender policy;
...
26. Mother, Child protection and care;

Violence against women

No specific mention.

Transitional justice

No specific mention.

Institutional reform

Institutional reform→Public administration
Page 27, PART II, 2. INSTITUTIONS AT THE NATIONAL LEVEL:
2.6 Civil Service: 2.6.1 The Government of National Unity shall also ensure that the National Civil Service, notably at the senior and middle-levels, is representative of the people of Sudan. In so doing, the following principles shall be recognized:
...
2.6.1.4 No level of government shall discriminate against any qualified Sudanese citizen on the basis of religion, ethnicity, region, gender, or political beliefs;

Development

Development→Rehabilitation and reconstruction
Page 57, PART V: SCHEDULES, SCHEDULE B: POWERS OF THE GOVERNMENT OF SOUTHERN SUDAN
The exclusive legislative and executive powers of the Government of Southern Sudan shall be:
...
18. Rehabilitation and benefits to disabled war veterans, orphans, widows and care for the dependents of deceased war fallen heroes;

Implementation No specific mention.

Other No specific mention.
