

**HIGH LEVEL MEDIATION
"TUMAINI INITIATIVE"
FOR SOUTH SUDAN**

Tumaini Initiative



**TUMAINI CONSENSUS
FOR SUSTAINABLE PEACE IN SOUTH SUDAN**

PROTOCOLS FOR INITIALING

Nairobi, 15 July 2024

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- Below "Rm": "WLD" (handwritten).
- Below "WLD": "PS" (handwritten).
- Below "PS": "AA" (handwritten).
- Below "PS": "SBR" (handwritten).
- Below "SBR": "N.B" (handwritten).
- Below "N.B": "Maud" (handwritten).
- Below "Maud": "P.A.G" (handwritten).
- Below "P.A.G": "P" (handwritten).
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Preamble

WHEREAS H.E General Salva Kiir Mayardit, the President of the Republic of South Sudan requested his brother, H.E Dr. William Samoei Ruto, President of the Republic of Kenya to mediate between the Government and South Sudan Opposition Groups;

WHEREAS the Government of the Republic of Kenya accepted to facilitate the mediation of the conflict in the Republic of South Sudan through the High-Level Mediation "Tumaini Initiative" for South Sudan that took place in Nairobi, Kenya;

AWARE that the Tumaini Consensus resolves the conflict between the Revitalized-Transitional Government of National Unity (R-TGONU), South Sudan Opposition Movements Alliance (SSOMA) and other opposition groups, to achieve inclusive peace in the Republic of South Sudan, and that the ongoing, pending programs in Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), and newly established programs in the Tumaini Consensus, shall provide the framework for peacebuilding and democratization in South Sudan;

RECALLING and RECOGNISING previous and current agreements, consensus and understandings to cease violence, pursue peaceful resolutions of conflicts, and the commitments to build a stable, peaceful, united and prosperous South Sudan;

MINDFUL of the devastation, distraction and disruption of lives and livelihoods, loss of lives and property, and other damages that have occurred as a result of past and current conflicts and the continued suffering of communities, families and individuals that still suffer the effects of the conflicts and natural calamities;

ACKNOWLEDGING the efforts, commitments, and progress made by the leadership, partners, friends and the people of South Sudan to

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achieve peace, build a better country and secure a future for the coming generations;

CONSCIOUS that much still remains to be done in order to heal the wounds of the past, ensure reconciliation, consolidate peace, restore stability, and put in place developmental programs, and strengthen systems of governance to ensure advancement and growth;

CONVINCED that consolidation of peace and effective pursuit of growth and advancement of South Sudan is only possible where the diversity of the people in and outside South Sudan, are recognized and brought together in an all-inclusive process of nation-building;

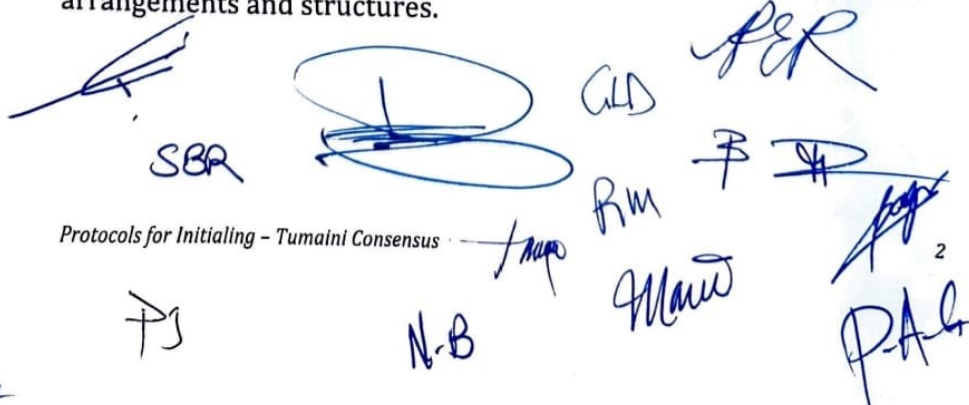
PERSUADED that the envisaged reforms, democratic transition, and changes towards a better South Sudan shall be achieved through a comprehensive and all-inclusive Tumaini Consensus and R-ARCSS;

MINDFUL of the importance of confidence and trust-building measures, implementation modalities, and other steps for guaranteeing commitment and realization of peace;

RECOGNIZING the importance of gender parity and empowerment in all spaces and committed to promote intergenerational considerations, the Parties commit to ensure representation of youth, persons with special needs, and at least 35% of women across public institutions;

FURTHER COMMITTED to the Tumaini Initiative, resolution of the conflict, and the consolidation of durable peace in South Sudan; and

COGNIZANT that Federal system is a popular demand of the people of South Sudan and the constitution shall be drafted based on Federal arrangements and structures.

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Statement of Purpose

The Tumaini (Hope) Initiative acknowledges that the protracted political conflicts in South Sudan have compromised the wellbeing of the citizens of South Sudan. The future of current and coming generations is bleak if efforts to achieve and protect sustainable peace fail.

Recognizing that past agreements to end conflicts and sustain peace have not registered adequate success, the Tumaini Initiative now presents an opportunity to build consensus among the Parties and Stakeholders.

The aim of this consensus is to attain sustainable peace and democracy by implementing agreed interim programs. The roadmap to sustainable peace in the Republic of South Sudan comprises, *inter alia*, a Permanent Constitution making process with self-executing mechanisms, which addresses root causes of conflicts, and will provide the means for inclusive development and provision of services to all citizens in all corners of South Sudan.

This roadmap comprises several elements:

First Trust and Confidence Building measures are required among all Parties and Stakeholders. Some undertakings from previous agreements were not completed because not everyone kept the promise. This Framework presents strong mechanisms for building trust and confidence so as to implement agreed programs and collectively make a Permanent Constitution for South Sudan and secure sustainable peace.

Second the urgent need for enhanced civilian protection and support to humanitarian efforts. There are many citizens in need of relief assistance because of floods, droughts, and displacement by violent conflicts. All Parties and Stakeholders have a moral obligation and duty to mobilize resources to address the

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humanitarian crises and natural calamities.

Third the need for establishing an inclusive government and firming the basis for responsibility sharing. Politics of inclusion and sharing responsibilities hold the key to peace building and good governance.

Fourth fostering ceasefire, undertaking security arrangements and reforms. The Parties and Stakeholders recognize that the integration of the various armed groups is key to addressing political instability.

Fifth implementing economic recovery programs and institutional reforms to manage public resources will be prioritized to realize the dividends of peace and development.

Sixth implementing programs for resolving community conflicts and land related disputes to achieve sustainable peace, security and stability.

Seventh national healing, truth, and reconciliation programs to be undertaken throughout the country to heal the wounds inflicted by the conflicts among our people in order to restore the broken social fabric.

Eighth the Permanent Constitution Making Process as part of this consensus will consider past and present challenges, provide a strong and inclusive foundation for stability, wellbeing of citizens, sustainable development and build a society founded on democratic values, rights and freedoms.

Ninth the Tumaini Initiative in coordination with the Parties, Stakeholders and development partners will convene a donor conference to mobilize technical and financial resources for peace building, post-conflict reconstruction of war affected areas from the region and the international community.

The Tumaini Initiative shall guarantee **PERMANENT PEACE, STABILITY, and SHARED PROSPERITY.**

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NOW THEREFORE, we the negotiating Parties and Stakeholders of the Tumaini Initiative convened in Nairobi, Kenya, resolve as follows:

1. General Principles

THAT the Parties and Stakeholders agree and commit to the following general principles that shall guide the interpretation and implementation of the commitments under the Tumaini Consensus:

- 1.1 Respect for the sovereignty of the Republic of South Sudan and its people demonstrated through a people-centered and inclusive Permanent Constitution Making Process;
- 1.2 Enhanced civilian protection and secured access to emergency humanitarian and other assistance particularly to vulnerable population including displaced persons, returnees and refugees;
- 1.3 Commitment to a genuine national healing and reconciliation and the building of enduring trust and confidence in South Sudanese society founded on the principles of justice, equality, human dignity, and the advancement of societal welfare;
- 1.4 Strict adherence to constitutional guarantees for equitable representation of all South Sudanese in public institutions and particularly to achieve representation of youth, persons with special needs, and at least 35% of women across public institutions;

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- 1.5 Protection of human rights and fundamental freedoms, such as freedom of expression, association, assembly and movement for the people of South Sudan, as shall be regulated by law;
- 1.6 Protection of press freedoms and widening of civic and political space in the country, as shall be regulated by law;
- 1.7 Strengthen commitment to sustaining cessation of hostilities and permanent ceasefire during the implementation of the Tumaini Consensus and beyond;
- 1.8 Mutual commitment to the Tumaini Consensus, its principles, and structures, including agreement on its guarantors and measures to assure implementation, processes, and timelines;
- 1.9 Mutual respect and tolerance, respect for opinions, transparency, respect for the rule of law, accountability, the unfettered access to relevant information and commitment to building of consensus;
- 1.10 Enhance the decentralized system of government during the transitional period and expedite the process of constitution-making to realize the popular demand of the people of South Sudan to establish a federal system of government; and
- 1.11 Parliament shall enact enabling laws and amend existing laws to be in conformity with the Tumaini Consensus and Transitional Constitution of South Sudan 2011 (as amended).

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2. Protocol on Humanitarian Access and Support

THAT the Parties and Stakeholders reiterate their commitment to creating an enabling political, administrative, operational and legal environment for the delivery of humanitarian assistance and protection of vulnerable communities, humanitarian workers and individuals in South Sudan.

The Parties and Stakeholders agree as follows to:

- 2.1 Commit to the facilitation and provision of humanitarian assistance to those in need of such assistance as a result of previous and current conflicts, natural disasters and other factors;
- 2.2 Strengthen the safeguard measures to returnees and Internally Displaced Persons (IDPs) and their families, the reinstatement of their properties in accordance with their constitutional rights and applicable legislations, rules and regulations and full reintegration to their communities or residence of their choice;
- 2.3 Establish, continue and enhance Quick Impact Programs and service delivery targeting vulnerable groups affected by conflict and natural disasters including children, orphans, women, widows, persons with special needs, and war-wounded; and
- 2.4 Establish and allocate adequate resources to the Special Reconstruction Fund (SRF) and appoint a credible management for the Fund to ensure efficiency and effectiveness.

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3. Protocol on Trust and Confidence-Building Measures

THAT the Parties and Stakeholders, as a gesture of their commitment to the Tumaini Initiative, create a conducive atmosphere for the implementation of the Tumaini Consensus and R-ARCSS that will lead to the adoption of a Permanent Constitution for the Republic of South Sudan, agree to the immediate implementation of the following measures after the signing of the Tumaini Consensus:

- 3.1 Release all the political detainees and prisoners of war (POWs) and dismiss all the cases and charges on persons accused as a result of politically motivated factors;
- 3.2 Expedite the repeal of Sections 54, 55 and 57 of the National Security Act 2014 so as to conform with the provisions of the Constitution, R-ARCSS and the Tumaini Consensus before the commencement of the implementation of the Tumaini Consensus;
- 3.3 Refrain from arbitrary arrests and unlawful detentions;
- 3.4 The Government shall take immediate and appropriate measures to fully guarantee the freedom of movement of political leaders, in and outside South Sudan;
- 3.5 The Government shall take immediate and appropriate measures to fully guarantee, without exception, the freedom of association and assembly of all persons in South Sudan, in conformity with the Constitution and the law;

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4. Protocol on Permanent Ceasefire, Security Arrangements and Reforms

THAT the Parties recommit to the Cessation of Hostilities Agreement (COHA) (2017), and commit to a permanent ceasefire agreement that shall be agreed in the Tumaini Consensus. The Parties commit to the reform and reorganization of the Security Sector in order to create unified professional national forces that include the Armed Opposition Groups.

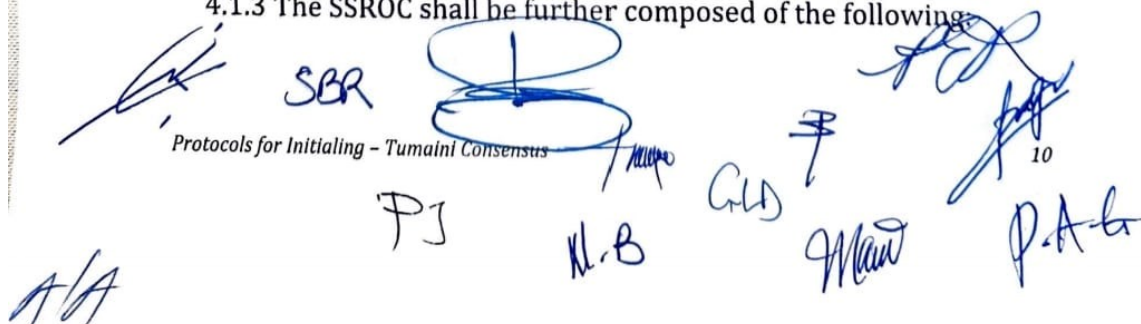
THAT to achieve unification of forces, all the mechanisms below shall be reconstituted to ensure inclusion of the Armed Opposition Groups. The defections of security elements or forces shall not be allowed during the Transitional Period and all Armed Forces shall remain under their respective command pending their unification. The Officers from Tumaini Parties shall be included in the existing Unified Command.

4.1 Security Sector Reform / Oversight Commission (SSROC)

4.1.1 A Security Sector Reform / Oversight Commission (SSROC) shall be established to conduct reforms by overseeing, directing and supervising the security sector reform during the Transitional Period;

4.1.2 The SSROC shall be headed by a neutral and competent South Sudanese security/ military expert who shall be vetted by the National Leadership Council (NLC);

4.1.3 The SSROC shall be further composed of the following:

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4.1.3.1 Representatives of the Parties and Stakeholders signatory to Tumaini Consensus and R-ARCSS

4.1.3.2 South Sudanese military and security experts

4.1.3.3 South Sudanese eminent personalities / academics

4.1.3.4 Regional and international experts

4.1.4 The Mandate of the SSROC shall be to:

4.1.4.1 Oversee the assembly and cantonment/barracking of all security forces, organization, screening, training, unification, deployment and provision of logistics in cantonment sites, barracks and movement of forces as per Joint Defense and Security Board (JDSB) program, including among others;

4.1.4.2 Oversee the disarmament and ending of private militias through the JDSB and create political space that promotes peace, national unity, equal opportunity and democratic processes to address underlying issues that drive conflicts;

4.1.4.3 Oversee and ensure the deployment of Armed forces across the country and at the borders to maintain the territorial integrity of the Republic of South Sudan;

4.1.4.4 Oversee the simultaneous general disarmament, and destruction of the arms collected from civilians using the unified security forces across the country;

4.1.4.5 Oversee the assembly and cantonment/barracking of forces, organization, screening, training, unification and deployment of all Unified Forces shall be completed within a specified period from the date of signing of the Tumaini Consensus;

4.1.4.6 Ensure fair treatment of all the security forces including their remuneration during the training;

4.1.4.7 Receive progress reports from mechanisms tasked with security reform processes;

4.1.4.8 Report to the National Leadership Council (NLC);

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4.1.4.9 Supervise and oversee the screening of unfit personnel by the JDSB, and coordinate with the DDR Commission on their demobilization and reintegration; and

4.1.4.10 Direct and supervise the establishment of the Committees for Defense and Security which shall be Chaired by the respective heads of the Defense and Security Mechanisms in the JDSB;

4.1.4.11 The Committees of the JDSB shall be as follows:

4.1.4.11.1 Defense/Military;

4.1.4.11.2 Police Service;

4.1.4.11.3 Prison Service;

4.1.4.11.4 Wildlife Service;

4.1.4.11.5 Civil Defense Service [Fire Brigade]; and

4.1.4.11.6 National Security Service.

4.1.5 There shall be established a force to be known as VIP Protection Units whose functions and duties shall be determined by law.

4.2 *Joint Defense and Security Board (JDSB)*

4.2.1 The Joint Defense Board (JDB) shall be renamed as the Joint Defense and Security Board (JDSB) and shall be reconstituted at the level of Chiefs of Defense Forces/Staff, Inspector General of Police and Directors General of National Security Service and all other organized forces to exercise command and control over all forces during the Transitional Period.

4.2.2 The functions of the JDSB shall be to:

4.2.2.1 Recommend to Commanders in Chief, the reconstitution of Joint Military Ceasefire Commission (JMCC) and Joint

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Transitional Security Committee (JTSC) to include representatives of the Armed Opposition Groups;

- 4.2.2.2 Restructure and unify the army and other organized forces in accordance with the provisions of R-ARCSS and the Tumaini Consensus;
- 4.2.2.3 Fast-track general and simultaneous disarmament across the country and destroy the arms collected from the civilians and ensure provision of the state security for all the people in South Sudan;
- 4.2.2.4 Take measures to strengthen the accountability and discipline in the Security Sector; and
- 4.2.2.5 Ensure deployment of Armed Forces across the Country, including at the Borders, to maintain territorial integrity of the Republic of South Sudan.

4.3 *Further Commitments by Parties and Stakeholders on Security Sector Reforms*

- 4.3.1 Development and implementation of a transformational policy framework to govern the security sector institutions on matters including language, recruitment, retirement and oversight, reorganize and professionalize the security sector;
- 4.3.2 Incorporation of a general amnesty for persons who rebelled against the Government into the final outcome of the Tumaini Initiative as an avenue for fostering peace and reconciliation;
- 4.3.3 Taking measures to strengthen the accountability and discipline mechanisms in the Security Sector; and
- 4.3.4 Taking measures including legislative reforms, to address inter-communal violence, child abduction, movement of cattle, cattle-raiding/ rustling in South Sudan.

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5. Protocol on Communal Conflicts, Armed Civilians, and Land Disputes

THAT the Parties and Stakeholders recognize the importance of advancing sustainable peace, security and stability at local levels, acknowledge the intricate connection between national and local conflicts and insecurity, particularly the prevalence of cattle rustling, child abduction, revenge killings, land-related disputes, climate change-induced conflicts and inter-communal violence, and the prevailing inadequate justice and accountability mechanisms.

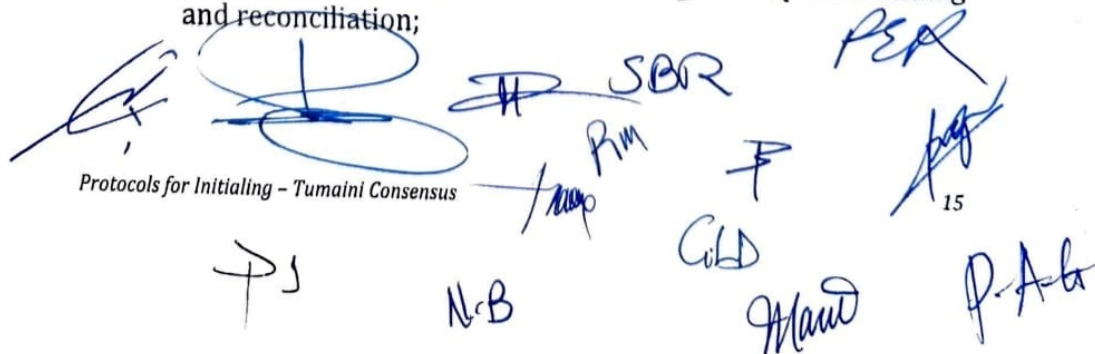
The Parties and the Stakeholders agree that the Government, through public participation, shall:

- 5.1 Identify the root causes of communal conflicts and violence and land disputes and provide solutions so as to contribute to overall peace and stability in South Sudan;
- 5.2 Conduct a comprehensive inquiry into land- and natural resources-related conflicts and climate change-induced disputes across South Sudan and make recommendations, including policy and legal actions required to address these disputes effectively;
- 5.3 Formulate policies, laws, and establish institutions for addressing root causes of conflict, communal violence, armed civilian groups, and land disputes, thereby contributing to overall peace and stability in South Sudan;

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- 5.4 Enhance coordination and implementation of community dispute resolution mechanisms for addressing land issues, local conflicts, peacebuilding, reconciliation, social cohesion and integration whose functions and composition shall be determined by law;
- 5.5 Undertake research and analysis on social cohesion, values, peacebuilding and conflict management, and make recommendations to the relevant Government agencies;
- 5.6 Foster partnerships with the relevant state actors, non-state actors, bi-lateral and multi-lateral agencies on peacebuilding and conflict management;
- 5.7 Establish early warning and response systems for conflicts and put in place an emergency preparedness and response systems to curb imminent conflicts;
- 5.8 Promote peaceful co-existence, tolerance, respect and acceptance of diversity in all aspects of life, and encourage appreciation by all ethnic and religious communities for the social, economic, cultural, spiritual and political life of all communities;
- 5.9 Formulate and implement strategies, plans, educational and training programs to create public awareness and support on the importance of social cohesion, integration, peacebuilding and reconciliation;

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5.10 Facilitate nationwide consultations on the management of small arms and light weapons in the hands of civilians, in order to disarm them in accordance with the law and human rights principles; and

5.11 Establish a mechanism for the operationalization of this protocol.



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6. Guarantors

THAT the Parties and Stakeholders shall establish internal and external processes and structures that will have a permanent and consistent role in guaranteeing and taking lead responsibility in the implementation of the Tumaini Consensus as provided.

The Parties and Stakeholders have resolved to commit to the implementation of the Tumaini Consensus with both internal and external guarantors as detailed below:

6.1 *Internal Guarantors*

6.1.1 The Parties and Stakeholders shall establish the National Leadership Council (NLC) that shall be the national / internal guarantor of implementation of the Tumaini Consensus;

6.1.2 The main roles and responsibilities of the NLC shall be to:

6.1.2.1 Provide political stewardship and oversight in the implementation of the Tumaini Consensus;

6.1.2.2 Provide strategic leadership and guidance to the Security Sector Reform / Oversight Commission, the Governance Oversight Commission, and other public agencies whose mandate is relevant to the implementation of the Tumaini Consensus;

6.1.2.3 Preside over and resolve disputes and conflicts in matters

1 Protocols for Initiating - Tumaini Consensus

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- related to the implementation of the Tumaini Consensus;
- 6.1.2.4 Receive reports from all mechanisms established under the R-ARCSS as amended and the Tumaini Consensus; and
- 6.1.2.5 Coordinate with Tumaini Initiative on implementation of the key elements of this framework and on meeting of the deadlines of scheduled actions.
- 6.1.3 The NLC shall have a Chairperson, in the absence of whom, the Deputy Chairperson shall act;
- 6.1.4 The NLC shall hold regular meetings to deliberate and make decisions, including seeking political consensus, regarding the implementation of the Tumaini Consensus;
- 6.1.5 The NLC, in coordination with Tumaini Initiative, shall establish measures and systems to carefully track the implementation of the Tumaini Consensus;
- 6.1.6 Decision-making in the NLC shall be by consensus and, in lieu of that, by two thirds (2/3rd) majority;
- 6.1.7 The decisions of the NLC shall be final and not subject to approval by the Cabinet or Legislature;
- 6.1.8 The NLC shall establish a National Implementation and Oversight Committee (NIOC) composed of members seconded by each party represented at the NLC, nominees of Civil Society Organisations, Faith-Based groups, other Stakeholders, Donors and Partners, and whose mandate shall be to:

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- 6.1.8.1 Act as secretariat of the NLC and, in coordination with Tumaini Initiative, provide technical and administrative support to the NLC to enable the Council to carry-out its functions and duties;
- 6.1.8.2 Manage the day-to-day coordination of activities in the implementation of the Tumaini Consensus; and
- 6.1.8.3 Establish a system to track the implementation of the Tumaini Consensus in coordination with Tumaini Initiative.
- 6.1.9 The NIOC shall have a Head of the Secretariat and a Deputy, whom shall be appointed by the NLC;
- 6.1.10 The NIOC shall establish its structures and transparently and competitively recruit staff to carry out its day to day activities;
- 6.1.11 The NIOC shall be funded by the Government, the Tumaini Initiative and Donors;
- 6.1.12 Funds received for the NIOC shall be deposited into the account of the NIOC and shall be jointly managed by the Head of the Secretariat, Representatives of the Tumaini Initiative and Donors/Partners, who shall be the signatories to the Account;
- 6.1.13 All public institutions and agencies of Government, civil society and faith-based organisations, and other stakeholders shall provide the necessary assistance and

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facilitation required to ensure that the NIOC performs its functions and duties; and

- 6.1.14 The NIOC shall provide monthly reports to the NLC, the TNLA and the Tumaini Initiative on the progress in the implementation of the Tumaini Consensus.

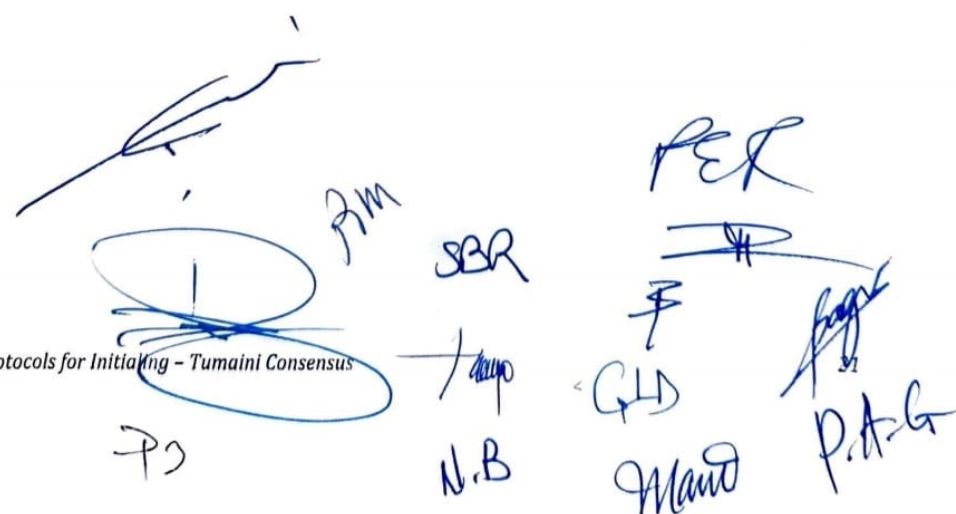
6.2 *External Guarantors / Observers*

THAT the Parties and Stakeholders agree to the formation of the High-Level Panel of Heads of State and Government which shall be composed of Heads of State and Government from the region, and Partners and Friends of South Sudan, whose core roles and responsibilities shall be:

- 6.2.1 To steward, monitor and oversee the implementation of all measures, processes, and activities specified in the Tumaini Consensus, in liaison with the National Leadership Council;
- 6.2.2 To receive and consider reports regarding implementation of the Tumaini Consensus from the Tumaini Initiative;
- 6.2.3 To organize, in coordination with the Tumaini Initiative, high-level visits to South Sudan to assess the progress of the implementation of this and other related protocols from the Tumaini Consensus;

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- 6.2.4 To review briefs and reports and to engage with the East African Community (EAC), Inter-Governmental Authority on Development (IGAD), African Union (AU), Troika, European Union (EU), United Nations (UN), Community of Sant'Egidio, and Friends of South Sudan, as well as other regional and international bodies and partners on the process of implementation of the Tumaini Consensus;
- 6.2.5 To advise and recommend actions to be taken for the proper and timely implementation of the Tumaini Consensus; and
- 6.2.6 To convene Quarterly meetings, or on a need basis, between the Tumaini Initiative and the National Leadership Council to appraise the progress of implementation of the Tumaini Consensus.

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List of People to Initial the Tumaini Consensus Protocols - 15 July 2024

Name	Representative Organization	Initial
Hon. Amb. Albino Mathom Ayuel Aboug	Revitalized-Transitional Government of National Unity, Head of Delegation	A/A
Gen. Pa'gan Amum Okiech	South Sudan Opposition Movements Alliance (SSOMA), Chairman, Real-SPLM	
Gen. Paul Malong Awan	South Sudan Opposition Movements Alliance (SSOMA), Chairman and C-in-C, South Sudan United Front/Army	
Gen. Stephen Buoy Rolnyang	South Sudan United National Alliance (SSUNA), Chairman and C-in-C South Sudan People's Movement / Army	SR
Gen. Mario Loku Thomas Jada	National Salvation Front - Revolutionary Command Council, Chairman and C-in-C	
Dr Pauline Riak	Academia	
Patrick Godi	Youth	PAG
Bridget Nagomoro	Women	N.B
Geoffrey Lou Duke	Civil Society	GLD
Bishop Moses Deng	Faith Based	
Shiekh Jaralnebi Khamis	Faith Based	
Gov. Kuel Aguer Kuel	People's Coalition for Civil Action	KN
Lt. Gen. Lazaro Sumbeiywo (Rtd)	Chief Mediator	
Amb. Dr. Mohamed Ali Guyo	Deputy Chief Mediator	
Amb. Ismail Waiss	IGAD Special Envoy to South Sudan, Co-mediator	
Paolo Impagliazzo	Community of Sant' Egidio, Co-mediator	PJ
Dr. A. Korir SingOei	GOK, State Department of Foreign Affairs, Principal Secretary	