Country/entity: South Sudan
Sudan

Region: Africa (excl MENA)

Agreement name: Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Army/Sudan People's Liberation Movement (Naivasha Agreement)

Date: 09/01/2005

Agreement status: Multiparty signed/agreed

Agreement/conflict level: Intrastate/intrastate conflict (Sudan Conflicts (1955 - )

Stage: Framework/substantive - comprehensive (Agreement)

Conflict nature: Government/territory

Peace process: 109: Sudanese (North-South) peace process

The peace process between the North and South of Sudan, while one country, which addressed the end of conflict between these two parts of the country.

Parties: H.E. Ali Osman Mohamed Taha, First Vice President of the Republic of the Sudan on behalf of the Government of the Republic of the Sudan; Dr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement/Sudan People's Liberation Army on behalf of the Sudan People's Liberation Movement/Sudan People's Liberation Army

Third parties: WITNESSED BY: H.E. Hon. Mwai Kibaki, President of the Republic of Kenya on behalf of the IGAD Sub-Committee on the Sudan; H.E. Hon. Yowaeri Kaguta Museveni, President of the Republic of Uganda on behalf of IGAD Member States; H.E. Mr. Ahmed Aboul Gheit, Egyptian Minister of Foreign Affairs on behalf of the Government of the Republic of Egypt; Senator Alfredo Mantica, Deputy Minister for Foreign Affairs on behalf of the Government of Italy; H.E. Mr. Fred Racka, Special Envoy of the Netherlands on behalf of the Royal Kingdom of the Netherlands; H.E. Ms. Hilde F. Johnson, Minister of International Development on behalf of the Royal Norwegian Government; Right Hon. Hilary Benn, M.P., Secretary of State for International Development on behalf of the United Kingdom and Northern Ireland; Mr. Colin L. Powell, United States Secretary of State, on behalf of the United States of America; H.E. Mr. Alpha Oumar Konare, Chairperson of the African Union on behalf of the African Union; Hon. Charles Goerens, Minister of Development Co-operation of Netherlands on behalf of the European Union; H.E. Ms. Hilde F. Johnson, Minister of International Development on behalf of the IGAD Partners Forum (IPF); Senator Alfredo Mantic, Deputy Minister for Foreign Affairs on behalf of the IGAD Partners Forum (IPF); H.E. Mr. Amre Mousse, Secretary General of the League of Arab States on behalf of the League of Arab States; H.E. Jan Pronk, Special Representative of the Secretary General in the Sudan on behalf of the United Nations

Description: A collection of previously agreed upon documents, with Chapter I consisting of the Machakos Protocol, Chapter II as the Protocol on Power Sharing, Chapter III as the Framework Agreement on Wealth Sharing, Chapter IV as the Resolution of the Abyei Conflict, Chapter V as the Resolution of the Conflict in the Two States of Southern Kordofan and Blue Nile, Chapter VI incorporates the Agreements on Security Arrangements, and Annexure I incorporates the Permanent Ceasefire and Security Arrangements Implementation Modalities and Appendices. Additionally, Annexure II establishes Implementation Modalities and a Global Implementation Matrix for the included agreements and protocols. A list of Corrections is appended to the end, to correct technicalities throughout the overall agreement.

Agreement document: SD_050109 CPA.pdf
PART A: AGREED PRINCIPLES

1.5. That the people of the Sudan share a common heritage and aspirations and accordingly agree to work together to:

1.5.1. Establish a democratic system of governance taking account of the cultural, ethnic, racial, religious and linguistic diversity and gender equality of the people of the Sudan.

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.

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;

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;

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;

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;

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;

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;

1.0 GUIDING PRINCIPLES IN RESPECT OF AN EQUITABLE SHARING OF COMMON WEALTH

1.4 The sharing and allocation of wealth emanating from the resources of the Sudan shall ensure that the quality of life, dignity and living conditions of all the citizens are promoted without discrimination on grounds of gender, race, religion, political affiliation, ethnicity,
language, or region. The sharing and allocation of this wealth shall be based on the premise that all parts of Sudan are entitled to development.


Page 130, Annexure I – Permanent Ceasefire and Security Arrangements Implementation Modalities and Appendices Part III, DDR, 24. Guiding Principles:
24.8. The DDR programme shall be gender sensitive and shall encourage the participation of the communities and the civil society organizations with the view to strengthening their capacities to play their role in improving and sustaining the social and economic reintegration of former combatants.

Women, girls and gender

Participation
No specific mention.

Equality
Equality (general)
Page 18, Chapter I – The Machakos Protocol, PART A: AGREED PRINCIPLES, 1.5.
That the people of the Sudan share a common heritage and aspirations and accordingly agree to work together to:
1.5.1. Establish a democratic system of governance taking account of the cultural, ethnic, racial, religious and linguistic diversity and gender equality of the people of the Sudan.

Page 31, Chapter II – Power Sharing, PART I, 1. GENERAL PRINCIPLES, 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 32, Chapter II – Power Sharing, PART I, 1. GENERAL PRINCIPLES, 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 32, Chapter II – Power Sharing, PART I, 1. GENERAL PRINCIPLES, 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;

Social equality
Page 31-32, Chapter II – Power Sharing, PART I, 1. GENERAL PRINCIPLES, 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.

Page 31-32, Chapter II – Power Sharing, PART I, 1. GENERAL PRINCIPLES, 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;

Page 61, Chapter III – Wealth Sharing, 1.0 GUIDING PRINCIPLES IN RESPECT OF AN EQUITABLE SHARING OF COMMON WEALTH, 1.4

The sharing and allocation of wealth emanating from the resources of the Sudan shall ensure that the quality of life, dignity and living conditions of all the citizens are promoted without discrimination on grounds of gender, race, religion, political affiliation, ethnicity, language, or region. The sharing and allocation of this wealth shall be based on the premise that all parts of Sudan are entitled to development.

**Particular groups of women**
- Pregnancy/maternity

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;

**International law**
- International human rights standards

Page 31-32, Chapter II – Power Sharing, PART I, 1. GENERAL PRINCIPLES, 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;

**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;

Page 93-94, Chapter V – The Resolution of the Conflict in Southern Kordofan and Blue Nile States Schedule (B): Concurrent Powers - The National and State Governments shall have concurrent Legislative and Executive competencies on any of the matters listed below:

... 19. Gender policy;
20. Women’s empowerment;
23. Women welfare and child protection and care;
...
25. Rehabilitation and care for disabled war veterans, orphans, widows and their dependents.

Violence against women
No specific mention.

Transitional justice
No specific mention.

Institutional reform
DDR, army, parastatal or rebel forces
Page 130, Annexure I - Permanent Ceasefire and Security Arrangements Implementation Modalities and Appendices, Part III, DDR, 24. Guiding Principles:
...
24.8. The DDR programme shall be gender sensitive and shall encourage the participation of the communities and the civil society organizations with the view to strengthening their capacities to play their role in improving and sustaining the social and economic reintegration of former combatants.

Public administration
Page 40, Chapter II - Power Sharing, 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
Rehabilitation and reconstruction
Page 56, Chapter II - Power Sharing, 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.