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Country/ entity	South Sudan Sudan
Region	Africa (excl MENA) Africa (excl MENA)
Agreement name	Memorandum of Understanding on Non-aggression and Cooperation
Date	10 Feb 2012
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Interstate/intrastate conflict(s) (Sudan Conflicts (1955 -))
Stage	Framework/substantive - partial
Conflict nature	Territory
Peace process	North - South Sudan secession process
Parties	[Signed] Lt. Gen. Mohamed Atta Elmula Abass Director General for National Intelligence and Security Services On Behalf of the Republic of the Sudan [Signed] Maj. Gen. Thomas Duoth Guet, Director General for General Intelligence Bureau On behalf of the Republic of South Sudan
Third parties	In the presence of: [Signed] Thabo Mvuyelwa Mbeki Chairperson, African Union High Level Implementation Panel, Facilitator of the Negotiations
Description	-

Agreement
document

[SD_SS_120210_MoU on Non-Agression and Cooperation.pdf](#)  | [Download PDF](#)

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.
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Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general)

Page 1, Untitled Preamble, ... Welcoming and respecting the admission and recognition of the Republic of South Sudan as the 193rd member of the United Nations pursuant to General Assembly Resolution A/RES/65/308 of 14th July 2011.

Page 2, Part I, Non-Aggression

Article 2, Principles of good neighbourliness and non-aggression

The two States agree to abide by the following principles of good neighbourliness and non-aggression:

- 1) Respect for each other's sovereignty and territorial integrity.
- 2) Non-interference in the internal affairs of the other State.
- 3) Rejection of the use of force in conducting their relation in accordance with the principles enshrined in the African Union and United Nations charters.
- 4) Equality and mutual benefit.
- 5) Peace co-existence.

Page 2, Part II: Elaboration of the Principles,

Article 3, Respect for each other's sovereignty and territorial integrity.

- 1) Neither State shall violate the territorial integrity of the other State.

Page 3, Part II: Elaboration of the Principles,

Article 3, Respect for each other's sovereignty and territorial integrity.

- ... 2) Each State shall respect the sovereignty of the other State in all respects, including its political independence.

Page 3, Part II: Elaboration of the Principles,

Article 4, Non-interference in the internal affairs of the other State

- 1) Each State shall refrain from interfering in the internal governance of the other State including in legislative, executive functions.

Page 3, Part II: Elaboration of the Principles,

Article 4, Non-interference in the internal affairs of the other State

- 1) Each State shall refrain from interfering in the internal governance of the other State including in legislative, executive functions.

- ... 4) Neither State shall enter into an alliance with, or provide support to, a third party for purposes of undermining the integrity and interests of the other State.

Page 3, Part II: Elaboration of the Principles,

Article 5, Rejection of the use of force in conducting their relations

- 1) The two States shall conduct their relations on the basis of mutual non-aggression and shall resolve any disputes that might arise between them exclusively through peaceful means.

Page 4, Part II: Elaboration of the Principles,

Article 6, Equality and Mutual Benefit

- 1) The two States shall conduct their relations, and cooperate on the basis of equality and the promotion of their mutual benefit.

Page 4, Part II: Elaboration of the Principles,

Article 7, Peaceful Co-existence

- 1) Each State shall maintain diplomatic relations with the other State, including establishment of diplomatic missions.

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 Page 4, Part II: Elaboration of the Principles, Article 7, Peaceful Co-existence
... 2) To ensure peace, stability and security, the two States shall maintain such joint mechanisms for fostering political and security cooperation between them as they may agree, including the Joint Political and Security Mechanism (JPSM).

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	Page 1, Untitled Preamble, ... Further affirming their commitment to implementing the African Union Constitutive Act, and the United National Charter, and relevant principles on International Law, including the Vienna Convention on the Succession of States in Respect of Treaties of 1978, and International Humanitarian Law, generally.
Bill of rights/similar	No specific mention.
Treaty incorporation	Page 1, Untitled Preamble, ... Further affirming their commitment to implementing the African Union Constitutive Act, and the United National Charter, and relevant principles on International Law, including the Vienna Convention on the Succession of States in Respect of Treaties of 1978, and International Humanitarian Law, generally. Page 2, Part I, Non-Aggression Article 2, Principles of good neighbourliness and non-aggression The two States agree to abide by the following principles of good neighbourliness and non-aggression: ... 3) Rejection of the use of force in conducting their relation in accordance with the principles enshrined in the African Union and United Nations charters.
Civil and political rights	No specific mention.
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	Page 4, Part II: Elaboration of the Principles, Article 6, Equality and Mutual Benefit ... 2) Accordingly, each State shall refrain from blockading agreed corridors of movement, ports, coastlines, rivers, or airspace of the other State in accordance with the principles of International Law.
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 No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

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 Page 4, Part II: Elaboration of the Principles,
Article 6, Equality and Mutual Benefit
... 2) Accordingly, each State shall refrain from blockading agreed corridors of
movement, ports, coastlines, rivers, or airspace of the other State in
accordance with the principles of International Law.

Security sector

Security
Guarantees Page 2, Part I, Non-Aggression
Article 1, Definition of Aggression
For purposes of this Memorandum, 'aggression' means: 'the use of armed
force or the conduct of any other hostilities act by a State or other entity
against the sovereignty, territorial integrity or political independence of
another 'State'.

Page 3, Part II: Elaboration of the Principles,
Article 4, Non-interference in the internal affairs of the other State
... 4) Neither State shall enter into an alliance with, or provide support to, a
third party for purposes of undermining the integrity and interests of the
other State.

Page 3, Part II: Elaboration of the Principles,
Article 5, Rejection of the use of force in conducting their relations
... 3) Neither State shall conduct overflight of the airspace of the other State
without the prior formal agreement of that State.

Ceasefire	<p>Security sector→Ceasefire→General commitments Page 3, Part II: Elaboration of the Principles, Article 4, Non-interference in the internal affairs of the other State ... 3) Each State shall refrain from carrying out military acts and espionage activities against the other State</p> <p>Page 3, Part II: Elaboration of the Principles, Article 5, Rejection of the use of force in conducting their relations ... 2) Each State shall refrain from launching any attack including bombardment against the territory of other State, neither shall the State invade, occupy or annex, however temporarily, the territory of the other State.</p>
Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	<p>Page 3, Part II: Elaboration of the Principles, Article 4, Non-interference in the internal affairs of the other State ... 3) Each State shall refrain from carrying out military acts and espionage activities against the other State</p> <p>Page 4, Part II: Elaboration of the Principles, Article 5, Rejection of the use of force in conducting their relations ... 6) Neither State shall provide technological assistance, intelligence or training of any kind to another state or other entity which may be used to committing acts of aggression against the other State.</p>

Parastatal/ rebel and opposition group forces	<p>Page 3, Part II: Elaboration of the Principles, Article 4, Non-interference in the internal affairs of the other State ... 2) Neither State shall support political parties, other political actors, or opposition armed groups and movements, within the other State.</p> <p>Page 3, Part II: Elaboration of the Principles, Article 5, Rejection of the use of force in conducting their relations ... 4) Neither State shall allow its territory to be used by, another State, or by any armed group or movement to conduct any acts of aggression or to undertake military acts or other subversive activities against the territory of the other State.</p> <p>Page 4, Part II: Elaboration of the Principles, Article 5, Rejection of the use of force in conducting their relations ... 5) Neither State shall harbour or provide any form of support to armed groups, mercenaries, terrorist organisations, or other organized transnational criminal groups which may carry out hostile acts against the other State.</p>
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/ organised crime	<p>Page 4, Part II: Elaboration of the Principles, Article 5, Rejection of the use of force in conducting their relations ... 5) Neither State shall harbour or provide any form of support to armed groups, mercenaries, terrorist organisations, or other organized transnational criminal groups which may carry out hostile acts against the other State.</p> <p>Page 4, Part II: Elaboration of the Principles, Article 5, Rejection of the use of force in conducting their relations ... 7) The two State under to cooperate with each other to combat trans- boundary crimes and criminal acts.</p>
Drugs	No specific mention.
Terrorism	Page 4, Part II: Elaboration of the Principles, Article 5, Rejection of the use of force in conducting their relations ... 5) Neither State shall harbour or provide any form of support to armed groups, mercenaries, terrorist organisations, or other organized transnational criminal groups which may carry out hostile acts against the other State.

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 Page 5, Part II: Elaboration of the Principles, Article 8, Observation of Implementation
1) The two States hereby authorize the JPSM to oversee their compliance with this Memorandum. The Parties may adopt further mechanisms and principles to enable the JPSM to carry out this function.
2) In the event of any dispute arising in the implementation of this Memorandum, the two States shall seek to resolve the matter amicably through the JPSM.

Related cases No specific mention.

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