

Country/entity South Sudan

Region Africa (excl MENA)

Agreement name Nairobi Declaration of Unity Between The SPLM/EDF

Date 5 Mar 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 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 Ceasefire/related

Conflict nature Inter-group

| | |
|----------------------|--|
| Peace process | South Sudan: Pre-secession Local Peace Processes |
| Parties | <ol style="list-style-type: none"> 1. Cdr. Salva Kiir Mayardit, Deputy Chairman and COGS SPLM/A 2. Dr.Theophilous Ochang Lotti, Chairman and C-in-C of EDF |
| Third parties | - |
| Description | <p>The Nairobi Declaration on Unity between the Sudan People's Liberation Movement and Equatoria Defense Force was signed in 2004 by Salva Kiir Mayardit, the Chief of General Staff of the SPLM/SPLA, and Dr. Theophilous Ochang Lotti, the leader of the Equatoria Defense Force. The agreement called for the immediate merger of the two movements under the historical name of the SPLM/A and affirmed the right to self-determination for the people of South Sudan, including Abyei, Nuba Mountains, Funj Region, and other marginalized areas of the Sudan. The agreement also recognized the importance of a united Southern Sudan to accelerate the resolution of the ongoing conflict in the Sudan and emphasized the need for a fair and equitable distribution of power and wealth throughout the country. The modalities of implementation included the immediate merger of the forces of the EDF into the SPLA, the formation of technical committees to work out detailed recommendations, and the call for international support.</p> |

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| Agreement document | SS_040305_Nairobi Declaration of Unity Between SPLM(A) EDF.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 Groups→Refugees/displaced persons→Rhetorical
Page 1, Provision 6,
The determination of ridding Southern Sudan and other parts of the Sudan of foreign-armed groups in order to create conducive security conditions for the IDPs and Refugees to return to their homeland.

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) Page 1, Provision 4,
Agree that decentralization of any system up to the grassroots level is prerequisite for good governance, transparency and accountability.

State configuration No specific mention.

Self determination Page 1, Provision 2,
Affirmation of the right to self-determination for the people of South Sudan including Abyei, Nuba Mountains, Funj Region and other marginalized areas of the Sudan.

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.

Political parties reform No specific mention.

Civil society Page 1, Provision 8,
Recognize and support the important role being played by the civil society for the betterment of our people.

Traditional/ religious leaders No specific mention.

Public administration No specific mention.

Constitution Governance→Constitution→Constitutional reform/making
Page 2, Provision 9,
The promulgation of democratic Constitution in Southern Sudan that guarantees basic Human Rights and civil liberties of the people of Southern Sudan, similarly for the other parts of the Sudan.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing Power sharing→Economic power sharing→Sharing of resources
Page 1, Provision 5,
The need for a fair and equitable distribution of power and wealth throughout the country and in the South in particular.

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 No specific mention.

Socio-economic rights No specific mention.

Rights related issues

| | |
|--------------------------------|--|
| Citizenship | No specific mention. |
| Democracy | Page 1, Provision 3, Use the impending Peace Agreement, as a vehicle of democratization and transformation of the country. Page 2, Provision 9, The promulgation of democratic Constitution in Southern Sudan that guarantees basic Human Rights and civil liberties of the people of Southern Sudan, similarly for the other parts of the Sudan. |
| Detention procedures | No specific mention. |
| Media and communication | No specific mention. |
| Mobility/access | No specific mention. |
| 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 No specific mention.

Security sector

Security Guarantees

No specific mention.

Ceasefire

Security sector→Ceasefire→General commitments
Page 2, MODALITIES OF IMPLEMENTATION,
2. Immediate secession of the hostilities between EDF and the SPLA.

Police

No specific mention.

Armed forces

No specific mention.

DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces

Page 1, Provision 1,
Immediate merger of the two Movements under the historical name of the SPLM/A.

Page 2, Provision 10,
To harmonize the political, military, and administrative Structures of our unified Movement.

Page 2, MODALITIES OF IMPLEMENTATION,
1. Immediate merger of the forces of the EDF into the SPLA.

Page 2, MODALITIES OF IMPLEMENTATION,3. Formation of Technical Committees to work out detailed recommendations on the following issues:

- (a) integration of military forces.
- (b) integration of political and administrative structures.
- (c) organization of conferences for reconciliation and unity among the people in the whole of Equatoria Region, Southern Sudan and the rest of New Sudan in the context of South-South dialogue.
- (d) reorganizing and streamlining humanitarian institutions of the two Movements.

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 No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source Rift Valley Institute, 2004. Nairobi Declaration of Unity Between SPLM/EDF, 5 March 2004. SLPD_20040305_01. Sudan Open Archive. Available at: <https://www.sudanarchive.net/>
