

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	South Sudan Sudan
Region	Africa (excl MENA) Africa (excl MENA)
Agreement name	The Implementation Modalities of the Framework Agreement on Wealth Sharing
Date	31 Dec 2004
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Sudan Conflicts (1955 -))
Stage	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Sudanese (North-South) peace process
Parties	The Government of Sudan; Sudan People's Liberation Movement/Army
Third parties	-
Description	An agreement included in the Comprehensive Peace Agreement to establish implementation modalities for the Framework Agreement on Wealth-Sharing. The modalities include provisions on land ownership, oil resources, existing oil contracts, sharing of oil revenues, sharing of non-oil revenues, equalization and allocation of nationally collected revenues, division of government assets, accounting standards, financing the transitional government, and banking. The agreement also provides implementation modalities for the Reconstruction and Development Funds, as well as the Fiscal and Financial Allocation and Monitoring Commission. Attached is an Appendix that provides details on the definition and calculations of net oil revenue.

Agreement
document

[SD 041231 Implementation Modalities on Wealth Sharing.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	<p>Groups→Refugees/displaced persons→Substantive Page 27, N. Reconstruction & Development Funds 1. Establish South Sudan Reconstruction and Development Fund (SSRDF) [Clause in the Agreement: 15.1]</p> <p>Page 30, N. Reconstruction & Development Funds 5. Establishment of two multi-donor trust funds (MDTFs)--one for Southern Sudan and other national [Procedures, Process or Criteria: Governance including fiduciary to be set by World Bank and National Government for NMDTF and SPLM/GOSS for SSMDTF in consultation with International Community and stakeholders. NG to determine projects to be implemented by UN agencies, NGOS, local governments, communities, National Government agencies, private sector and others in the North. SPLM/GOSS to determine projects to be implemented by UN agencies, NGOs, local governments, communities, SPLM/GOSS agencies, private sector and others in the South; Clause in the Agreement: 15.5]</p> <p>Page 32, N. Reconstruction & Development Funds 6. Set criteria for eligible financing from MDTFs [Procedures, Process or Criteria: Priorities include 6. Peace Building and security (DDR, IDPS, etc.; Clause in the Agreement: 15.7]</p>
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) No specific mention.

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 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 3, B. Oil Resources
1. Consultation and participation of communities in the management of natural resources
[Clause in the Agreement: 3.1.2, 3.1.5, 3.1.6, 3.1.7]

Page 30, N. Reconstruction & Development Funds
5. Establishment of two multi-donor trust funds (MDTFs)--one for Southern Sudan and other national
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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	Power sharing→Economic power sharing→Sharing of resources Summary: Agreement provides a detailed implementation table for the Wealth sharing arrangements, and an appendix of modalities which specifies particular means of calculating and dividing oil revenue.
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	Human rights and equality→Civil and political rights→Fair trial Page 5, C. Existing Oil Contracts 3. Remedy of persons whose rights have been violated by oil contracts [Clause in the Agreement: 4.5]
Socio-economic rights	Human rights and equality→Socio-economic rights→Property Page 3, B. Oil Resources 1. Consultation and participation of communities in the management of natural resources [Clause in the Agreement: 3.1.2, 3.1.5, 3.1.6, 3.1.7]

Rights related issues

Citizenship	No specific mention.
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Democracy No specific mention.

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 Page 2, A. Land Ownership
1. Institute a process to develop and amend the relevant laws to incorporate customary laws and practices.
[Clause in the Agreement: 2.5]

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 17, F. Equalization & Allocation of Nationally collected Revenues
4. Agree on an approach to appeal for donor funds for the reconstruction of South Sudan
[Clause in the Agreement: 7.4]

Page 27, N. Reconstruction & Development Funds
1. Establish South Sudan Reconstruction and Development Fund (SSRDF)
[Clause in the Agreement: 15.1]

Page 28, N. Reconstruction & Development Funds
2. Establish monitoring and evaluation system for accountability and transparency
[Clause in the Agreement: 15.2]

Page 28, N. Reconstruction & Development Funds
3. Establish an oversight committee for SSRDF
[Clause in the Agreement: 15.3]

Page 30, N. Reconstruction & Development Funds
5. Establishment of two multi-donor trust funds (MDTFs)--one for Southern Sudan and other national
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Page 32, N. Reconstruction & Development Funds
6. Set criteria for eligible financing from MDTFs
[Procedures, Process or Criteria: Priorities include 6. Peace Building and security (DDR, IDPS, etc.; Clause in the Agreement: 15.7]

National
economic
plan

Page 14, F. Equalization & Allocation of Nationally collected Revenues
1. Establishment of National Revenue Fund (NRF)
[Clause in the Agreement: 7.1]

Page 29, N. Reconstruction & Development Funds
4. Establish National Reconstruction Fund (NRDF)
[Clause in the Agreement: 15.4]

Page 30, N. Reconstruction & Development Funds
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Natural resources	<p>Page 3, B. Oil Resources</p> <p>1. Consultation and participation of communities in the management of natural resources [Clause in the Agreement: 3.1.2, 3.1.5, 3.1.6, 3.1.7]</p> <p>Page 4, C. Existing Oil Contracts</p> <p>1. SPLM appoint a technical team, to have access to existing oil contracts [Clause in the Agreement: 4.1]</p> <p>Page 5, C. Existing Oil Contracts</p> <p>2. Assess contracts with social and environmental problems [Clause in the Agreement: 4.3]</p> <p>Page 5, C. Existing Oil Contracts</p> <p>3. Remedy of persons whose rights have been violated by oil contracts [Clause in the Agreement: 4.5]</p> <p>Page 5, D. Sharing of Oil Revenue</p> <p>1. Define "net revenue from oil" [Clause in the Agreement: 5.3]</p> <p>Page 6, D. Sharing of Oil Revenue</p> <p>2. Establish a system to monitor daily production of oil in all Sudan [Clause in the Agreement: 5.3]</p> <p>Page 6, D. Sharing of Oil Revenue</p> <p>3. Reveal to the SPLM production sharing formula between GOS and oil concessions [Clause in the Agreement: 5.3]</p> <p>Page 6, D. Sharing of Oil Revenue</p> <p>4.a. Agree on a mechanism to monitor Oil Revenue Stabilization Account (ORSA) [Clause in the Agreement: 5.4]</p> <p>Page 7, D. Sharing of Oil Revenue</p> <p>4.b. Agree on the benchmark price for 2005 [Clause in the Agreement: 5.4]</p> <p>Page 7, D. Sharing of Oil Revenue</p> <p>4.c. Agree on the annual benchmark price [Clause in the Agreement: 5.4]</p> <p>Page 8, D. Sharing of Oil Revenue</p> <p>5. Establish a system to calculate and monitor net oil revenue [Clause in the Agreement: 5.3]</p> <p>Page 9, D. Sharing of Oil Revenue</p> <p>6. Transfer of (2%) of producing State share of net oil revenue [Clause in the Agreement: 5.5]</p> <p>Page 10, D. Sharing of Oil Revenue</p> <p>7. Transfer of the GOS share of 50% of net oil revenue [Clause in the Agreement: 5.6]</p>
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International funds	<p>Page 17, F. Equalization & Allocation of Nationally collected Revenues</p> <p>4. Agree on an approach to appeal for donor funds for the reconstruction of South Sudan [Clause in the Agreement: 7.4]</p> <p>Page 21, K. Financing the transition</p> <p>1. National Government assists the SPLM/A in the establishment of the new transitional governments at GOSS and State levels [Clause in the Agreement: 13.1]</p> <p>Page 27, N. Reconstruction & Development Funds</p> <p>1. Establish South Sudan Reconstruction and Development Fund (SSRDF) [Clause in the Agreement: 15.1]</p> <p>Page 28, N. Reconstruction & Development Funds</p> <p>2. Establish monitoring and evaluation system for accountability and transparency [Clause in the Agreement: 15.2]</p> <p>Page 28, N. Reconstruction & Development Funds</p> <p>3. Establish an oversight committee for SSRDF [Clause in the Agreement: 15.3]</p> <p>Page 30, N. Reconstruction & Development Funds</p> <p>5. Establishment of two multi-donor trust funds (MDTFs)--one for Southern Sudan and other national [Clause in the Agreement: 15.5]</p> <p>Page 32, N. Reconstruction & Development Funds</p> <p>6. Set criteria for eligible financing from MDTFs [Clause in the Agreement: 15.7]</p>
Business	No specific mention.
Taxation	<p>Socio-economic reconstruction→Taxation→Reform of taxation</p> <p>Page 9, D. Sharing of Oil Revenue</p> <p>6. Transfer of (2%) of producing State share of net oil revenue [Clause in the Agreement: 5.5]</p> <p>Page 10, D. Sharing of Oil Revenue</p> <p>7. Transfer of the GOSS share of 50% of net oil revenue [Clause in the Agreement: 5.6]</p> <p>Page 13, E. Sharing of Non-Oil Revenue</p> <p>1. Collection of non-oil revenue by GOSS and states [Clause in the Agreement: 6.2, 6.3]</p>

Banks

Socio-economic reconstruction→Banks→Central bank

Page 23, L. Banking & Currency

2. Appoint Board of Directors (BOD) of Central Bank of Sudan (CBOS)

[Clause in the Agreement: 14.8]

Page 24, L. Banking & Currency

3. Restructure CBOS

[Clause in the Agreement: 14.3]

Page 24, L. Banking & Currency

4. Establish Bank of South Sudan (BOSS)

[Clause in the Agreement: 14.2, 14.10]

Page 24, L. Banking & Currency

5.a. Establish a joint committee to design national currency

[Clause in the Agreement: 14.9]

Page 25, L. Banking & Currency

5.b. Assess circulating currencies in South Sudan

[Clause in the Agreement: 14.9]

Page 25, L. Banking & Currency

5.c. Issuing new currency

[Clause in the Agreement: 14.9]

Page 25, M. Borrowing

1. Enacting borrowing standards and requirements by CBOS

[Clause in the Agreement: 6.2.13, 14.1, 14.15, 14.16]

Page 33, N. Reconstruction & Development Funds

7. Establishment of special accounts in a commercial bank in Southern Sudan for GOSS

[Clause in the Agreement: 15.11]

Socio-economic reconstruction→Banks→Personal or commercial banking

Page 23, L. Banking & Currency

1. Enact/modify legislations to set up a dual banking system

[Clause in the Agreement: 14.1]

Socio-economic reconstruction→Banks→International finance

Page 30, N. Reconstruction & Development Funds

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Socio-economic reconstruction→Banks→Cross-border financial flows

Page 10. D. Sharing of Oil Revenue

Land, property and environment

Land reform/ rights	<p>Land, property and environment→Land reform/rights→Land reform and management Page 2, A. Land Ownership 1. Institute a process to develop and amend the relevant laws to incorporate customary laws and practices. [Clause in the Agreement: 2.5]</p> <p>Page 2, A. Land Ownership 2. Establish National Land Commission [Clause in the Agreement: 2.6]</p> <p>Page 3, A. Land Ownership 3. Establish Southern Sudan Land commission [Clause in the Agreement: 2.7]</p> <p>Land, property and environment→Land reform/rights→Other land rights Page 3, B. Oil Resources 1. Consultation and participation of communities in the management of natural resources [Clause in the Agreement: 3.1.2, 3.1.5, 3.1.6, 3.1.7]</p>
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	<p>Land, property and environment→Cultural heritage→Promotion Page 2, A. Land Ownership 1. Institute a process to develop and amend the relevant laws to incorporate customary laws and practices. [Clause in the Agreement: 2.5]</p>
Environment	<p>Page 5, C. Existing Oil Contracts 2. Assess contracts with social and environmental problems [Clause in the Agreement: 4.3]</p>
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.
DDR	<p>Security sector→DDR→DDR programmes</p> <p>Page 30, N. Reconstruction & Development Funds</p> <p>5. Establishment of two multi-donor trust funds (MDTFs)--one for Southern Sudan and other national</p> <p>[Procedures, Process or Criteria: Governance including fiduciary to be set by World Bank and National Government for NMDTF and SPLM/GOSS for SSMDTF in consultation with International Community and stakeholders. NG to determine projects to be implemented by UN agencies, NGOS, local governments, communities, National Government agencies, private sector and others in the North. SPLM/GOSS to determine projects to be implemented by UN agencies, NGOs, local governments, communities, SPLM/GOSS agencies, private sector and others in the South; Clause in the Agreement: 15.5]</p> <p>Page 32, N. Reconstruction & Development Funds</p> <p>6. Set criteria for eligible financing from MDTFs</p> <p>[Procedures, Process or Criteria: Priorities include 6. Peace Building and security (DDR, IDPS, etc.; Clause in the Agreement: 15.7]</p>
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	No specific mention.
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 Transitional justice→Reparations→Material reparations
Page 5, C. Existing Oil Contracts
3. Remedy of persons whose rights have been violated by oil contracts
[Clause in the Agreement: 4.5]

Reconciliation No specific mention.

Implementation

UN No specific mention.
signatory

Other No specific mention.
international
signatory

Referendum No specific mention.
for
agreement

International No specific mention.
mission/
force/similar

Enforcement No specific mention.
mechanism

Related No specific mention.
cases

Source Unmis.unmissions.org,. 2015. 'United Nations Missions In Sudan (UNMIS)'.
<http://unmis.unmissions.org/>.
