

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 Nairobi Declaration on the Final Phase of Peace in the Sudan
Date	5 Jun 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	H.E. Ali Osman Mohamed Taha, First Vice-President of the Government of the Republic of the Sudan; Dr. John Garang de Mabior, Chairman of the Sudan People's Liberation Movement (SPLM)
Third parties	Witnessed by: Hon. Stephen Kalonzo Musyoka, Minister for Foreign Affairs of the Republic of Kenya and on behalf of the IGAD Ministerial Sub-Committee on Sudan
Description	An agreement reconfirming prior texts and committing to a ceasefire within the framework of the Agreement on Security Arrangements for the Interim Period. The Parties also establish that agreements thus far, together with subsequent agreements, will form a Comprehensive Peace Agreement which will initiate the pre-interim period.

Agreement
document

[SD_040605_Nairobi Declaration on Peace.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, Preamble
IN PURSUANCE OF the commitment of the Parties to a negotiated settlement on the basis of a democratic system of governance which, on the one hand, recognizes the right of the people of Southern Sudan to self-determination and seek to make unity attractive during the Interim Period, and at the same time is inspired by the realities of the country and is founded on the values of justice, democracy, good governance, respect for the fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within Sudan as a whole;

Page 3, ACKNOWLEDGE that the protocols heretofore mentioned, envisage:
(1) The resolution of the status of State and Religion and the Right of Self-Determination for the people of South Sudan as set forth in the Machakos Protocol of 20th July 2002;

Page 3, (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;

State configuration No specific mention.

Self determination	<p>Page 1, Preamble</p> <p>IN PURSUANCE OF the commitment of the Parties to a negotiated settlement on the basis of a democratic system of governance which, on the one hand, recognizes the right of the people of Southern Sudan to self-determination and seek to make unity attractive during the Interim Period, and at the same time is inspired by the realities of the country and is founded on the values of justice, democracy, good governance, respect for the fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within Sudan as a whole;</p> <p>Page 3, ACKNOWLEDGE that the protocols heretofore mentioned, envisage: (1) The resolution of the status of State and Religion and the Right of Self-Determination for the people of South Sudan as set forth in the Machakos Protocol of 20th July 2002;</p>
Referendum	<p>Page 4, (6) Agreement on the administration and mechanism for a referendum in Abyei Area entitled Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of the Conflict in Abyei Area, dated 26th May, 2004.</p>
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) Governance→Political institutions (new or reformed)→General references Page 3, (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;

Page 4, THE PARTIES JOINTLY AGREE that the Protocols and Agreements already signed, together with the Annexes that remain to be negotiated on the Permanent Ceasefire Arrangements and the Agreement on the Modalities of Implementation of the Agreement that shall also include regional and international guarantees, shall constitute the Comprehensive Peace Agreement, which, when signed, shall initiate the Pre-Interim Period;

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 3, (5) Understandings on the administration, popular consultation, and related matters in respect of the two conflict areas of Southern Kordofan/ Nuba Mountains and Blue Nile States, which agreements are set out in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of Conflict In Southern Kordofan/ Nuba Mountains and Blue Nile States, dated 26th May, 2004;

Page 4, (6) Agreement on the administration and mechanism for a referendum in Abyei Area entitled Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on the Resolution of the Conflict in Abyei Area, dated 26th May, 2004.

Traditional/ religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing	Power sharing→Political power sharing→General State level Page 3, Preamble: [The parties] Acknowledge that the protocols heretofore mentioned, envisage: (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;
Territorial power sharing	No specific mention.
Economic power sharing	Power sharing→Economic power sharing→Sharing of resources Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004 ;
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	<p>Page 1, Preamble</p> <p>IN PURSUANCE OF the commitment of the Parties to a negotiated settlement on the basis of a democratic system of governance which, on the one hand, recognizes the right of the people of Southern Sudan to self-determination and seek to make unity attractive during the Interim Period, and at the same time is inspired by the realities of the country and is founded on the values of justice, democracy, good governance, respect for the fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within Sudan as a whole;</p> <p>Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004;</p> <p>Page 3, (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;</p> <p>Page 4, THEREFORE SOLEMNLY UNDERTAKE to finalize negotiations and resolve these details in as short a time as possible, and that they will spare no effort to ensure that the commitments expressed therein are fully respected in order to guarantee lasting peace, security for all, justice and equality in Sudan.</p>
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 Rights related issues→Citizenship→Citizen, general
Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004 ;

Democracy Page 1, Preamble
IN PURSUANCE OF the commitment of the Parties to a negotiated settlement on the basis of a democratic system of governance which, on the one hand, recognizes the right of the people of Southern Sudan to self-determination and seek to make unity attractive during the Interim Period, and at the same time is inspired by the realities of the country and is founded on the values of justice, democracy, good governance, respect for the fundamental rights and freedoms of the individual, mutual understanding and tolerance of diversity within Sudan as a whole;

Page 3, (4) Power Sharing arrangements inspired by the need for democracy, respect for human rights, justice, the devolution of powers to the states and to the Government of Southern Sudan, good governance at all levels, and a National Government vested with appropriate powers to act in the interests of all Sudanese, as agreed in the Protocol Between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing, dated 26th May, 2004;

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 No specific mention.
international
human
rights
institutions

Justice sector reform

Criminal No specific mention.
justice and
emergency
law

State of No specific mention.
emergency
provisions

Judiciary No specific mention.
and courts

Prisons and No specific mention.
detention

Traditional No specific mention.
Laws

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 2, Preamble
AWARE of the fact that peace, stability, and development are aspirations shared by all people of the Sudan,

Page 2, Preamble

REITERATE their determination to continue resolving the root causes of the conflict and violence in Sudan which inflict hardship and suffering on the people of Sudan and seriously hampers the prospects for economic development and the attainment of social justice in Sudan;

Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004 ;

Page 4, THE PARTIES UNDERTAKE during this final phase to conclude the permanent Ceasefire Agreement within the framework of the Agreement on Security Arrangements During the Interim Period, signed on 25th September, 2003, as well as the modalities of implementing the Comprehensive Peace Agreement, including regional and international guarantees, in order to usher in a new era of peace, security, and development in the Sudan.

Page 5, THE PARTIES JOINTLY APPEAL to the Regional and International Community to continue their unwavering support to the Sudan Peace Process at this final phase, and further appeal to avail resources for necessary and urgent programmes and activities of the transition to peace, and the programmes of The Joint Assessment Mission (JAM) and The Joint National Transitional Team (JNTT).

Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction

Page 3, (3) Wealth Sharing mechanisms which recognize the interests and needs of the various states, the south and the Sudan as a whole, and further, that the objective of the system of wealth sharing shall be the development, delivery of essential services and sustenance of justice and peace for and between the citizens of Sudan as well as the reconstruction of the war affected areas, as elaborated in the Agreement on Wealth Sharing During the Pre-Interim and Interim Period, dated 7th January, 2004 ;

National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	Page 5, THE PARTIES JOINTLY APPEAL to the Regional and International Community to continue their unwavering support to the Sudan Peace Process at this final phase, and further appeal to avail resources for necessary and urgent programmes and activities of the transition to peace, and the programmes of The Joint Assessment Mission (JAM) and The Joint National Transitional Team (JNTT).
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

Security sector

Security Guarantees Page 3, (2) Security arrangements which properly recognize that in the interests of sustaining the Agreement during the Interim Period, there will be integrated units as well as the retention of their respective armed forces under arrangements which guarantee both security and stability in Sudan, as set forth in the Agreement on the Security Arrangements During the Interim Period of 25th September, 2003;

Page 4, THE PARTIES UNDERTAKE during this final phase to conclude the permanent Ceasefire Agreement within the framework of the Agreement on Security Arrangements During the Interim Period, signed on 25th September, 2003, as well as the modalities of implementing the Comprehensive Peace Agreement, including regional and international guarantees, in order to usher in a new era of peace, security, and development in the Sudan.

Ceasefire Security sector→Ceasefire→Ceasefire provision
Page 2, Preamble
THE PARTIES FURTHER COMMIT themselves to the strict observance of the Memorandum of Understanding on Cessation of Hostilities, dated 15th October, 2002 and its related Addendum creating a Verification and Monitoring Mechanism, dated 4th February 2003 until the final Ceasefire Agreement is put in place;

Page 4, THE PARTIES JOINTLY AGREE that the Protocols and Agreements already signed, together with the Annexes that remain to be negotiated on the Permanent Ceasefire Arrangements and the Agreement on the Modalities of Implementation of the Agreement that shall also include regional and international guarantees, shall constitute the Comprehensive Peace Agreement, which, when signed, shall initiate the Pre-Interim Period;

Page 4, THE PARTIES UNDERTAKE during this final phase to conclude the permanent Ceasefire Agreement within the framework of the Agreement on Security Arrangements During the Interim Period, signed on 25th September, 2003, as well as the modalities of implementing the Comprehensive Peace Agreement, including regional and international guarantees, in order to usher in a new era of peace, security, and development in the Sudan.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

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 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 Peacemaker.un.org, 2015. 'UN Peacemaker'. <http://peacemaker.un.org>.
