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Country/ entity	South Sudan Sudan
Region	Africa (excl MENA) Africa (excl MENA)
Agreement name	Framework Agreement to Facilitate Payment of Post Service benefits between Sudan and South Sudan
Date	27 Sep 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	H.E. Idriss Abdel Gadir, On behalf of: The Republic of the Sudan; H.E. Pagan Amum Okiech, On behalf of: The Republic of South Sudan
Third parties	Witnessed by: H.E. General Abdusalami Abubakar
Description	An agreement by the parties that provides the specific obligations of the Parties regarding Post-Service Benefits for citizens of either State, and establishes a Joint Ministerial Committee on Pensions (JMCP) to oversee all issues related to pension administration for the eligible citizens in each state, including a Joint Technical Committee on Pensions. In cases where the JCMP cannot resolve an amicable solution, the International Labour Organization shall be referred to on the matter.

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Agreement  
document

[SD\\_120927\\_Framework Agreement to Facilitate Payment of Post-Service Benefits.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	No specific mention.
Social class	No specific mention.

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## 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.

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## 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 Page 2, Preamble  
Acknowledging also that there are citizens of the Republic of the Sudan who, prior to or after the secession of South Sudan worked in the public service of the government of South Sudan who are pensioners or will be eligible to become pensioners under applicable laws of the Republic of South Sudan;  
Mindful of the critical importance, following the secession of the Republic of South Sudan, of agreeing on appropriate mechanisms to ensure uninterrupted, timely and convenient delivery of Post Service Benefits to all qualified individuals as aforesaid who are citizens of the Republic of South Sudan or of the Republic of the Sudan and who reside in either State;

Accession/unification No specific mention.

Border delimitation	No specific mention.
Cross-border provision	<p>Page 2, Preamble</p> <p>Mindful of the critical importance, following the secession of the Republic of South Sudan, of agreeing on appropriate mechanisms to ensure uninterrupted, timely and convenient delivery of Post Service Benefits to all qualified individuals as aforesaid who are citizens of the Republic of South Sudan or of the Republic of the Sudan and who reside in either State;</p> <p>Page 3-4, 2. Specific Obligations of the Parties</p> <p>2.1 The Republic of Sudan acknowledges its duty to pay Post-Service Benefits and hereby commits to pay all Post-Service Benefits, including pensions and gratuities and other payments due to eligible and vested current and former Public Servants of the Republic of the Sudan and their Survivors at the central, state or local levels, including Public Servants who have become citizens of the Republic of South Sudan and reside in the Republic of South Sudan or any other country, all in accordance with applicable laws of the Republic of the Sudan.</p> <p>Page 4, 2. Specific Obligations of the Parties</p> <p>2.2. The Republic of South Sudan acknowledges its duty to pay Post-Service Benefits and hereby commits to pay all Post-Service Benefits, including pensions and gratuities and other payments due to eligible and vested current and former Public Servants of the Republic of South Sudan and their Survivors at the central, state or local levels, including Public Servants who have become citizens of the Republic of the Sudan and who reside in the Republic of the Sudan or any other country, all in accordance with applicable laws of the Republic of South Sudan.</p> <p>Page 4, 2. Specific Obligations of the Parties</p> <p>2.3 Subject to agreements reached by the Parties on the basis of the assessments and reviews to be carried out in accordance with the provisions of this Agreement, the Republic of the Sudan hereby commits to finance identified and agreed unpaid contributions of eligible Public Servants who were serving in the Co-ordinating Council for Southern States. This is in accordance with the provision of the MoU, signed by the Government of National Unity and the Government of Southern Sudan, dated 14 July 2010.</p>

## Governance

Political institutions (new or reformed)	No specific mention.
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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 Page 2, Preamble

administration Acknowledging that there are South Sudanese public servants now residing in the territory of the Republic of South Sudan or the Republic of the Sudan or any other country who, prior to the secession of South Sudan, worked in the public service of the Republic of the Sudan and who are pensioners, or may be eligible to become pensioners, under applicable laws of the Republic of the Sudan;

Acknowledging also that there are citizens of the Republic of the Sudan who, prior to or after the secession of South Sudan worked in the public service of the government of South Sudan who are pensioners or will be eligible to become pensioners under applicable laws of the Republic of South Sudan;

Mindful of the critical importance, following the secession of the Republic of South Sudan, of agreeing on appropriate mechanisms to ensure uninterrupted, timely and convenient delivery of Post-Service Benefits to all qualified individuals as aforesaid who are citizens of the Republic of South Sudan or of the Republic of the Sudan and who reside in either State;

Page 2, 1. Definitions

"Post-Service Benefits" means pensions, gratuities and any other payments, for which a liability is provided under the relevant pension-related laws of the Republic of the Sudan and the Republic of South Sudan;

Page 3, 1. Definitions

"Public Servant" means (a) constitutional post holders; (b) justices and judges of the judiciary; (c) legal counsels of the Ministry of Justice, (d) civil servants, and (e) persons employed or engaged in employment in government institutions as defined in the applicable laws of the two States;

Page 3, 1. Definitions

"Pensioner" means a person who has served in the Organized Forces or public service of the Republic of the Sudan or the Republic of South Sudan, or worked in the private sector and who has a vested right to a pension on account of previous employment in pensionable service in accordance with the applicable laws of the two States;

Page 3-4, 2. Specific Obligations of the Parties

2.1 The Republic of Sudan acknowledges its duty to pay Post-Service Benefits and hereby commits to pay all Post-Service Benefits, including pensions and gratuities and other payments due to eligible and vested current and former Public Servants of the Republic of the Sudan and their Survivors at the central, state or local levels, including Public Servants who have become citizens of the Republic of South Sudan and reside in the Republic of South Sudan or any other country, all in accordance with applicable laws of the Republic of the Sudan.

Page 4, 2. Specific Obligations of the Parties

2.2. The Republic of South Sudan acknowledges its duty to pay Post-Service Benefits and hereby commits to pay all Post-Service Benefits, including pensions and gratuities and other payments due to eligible and vested current and former Public Servants of the Republic of South Sudan and their Survivors at the central, state or local levels, including Public Servants who have become citizens of the Republic of the Sudan and who reside in the Republic of the Sudan or any other country, all in accordance with applicable laws of the Republic of South Sudan.

Constitution No specific mention.

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## **Power sharing**

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing Power sharing→Economic power sharing→Fiscal federalism  
Page 4, 2. Specific Obligations of the Parties  
2.3 Subject to agreements reached by the Parties on the basis of the assessments and reviews to be carried out in accordance with the provisions of this Agreement, the Republic of the Sudan hereby commits to finance identified and agreed unpaid contributions of eligible Public Servants who were serving in the Co-ordinating Council for Southern States. This is in accordance with the provision of the MoU, signed by the Government of National Unity and the Government of Southern Sudan, dated 14 July 2010.

Military power sharing No specific mention.

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## **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.

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## Rights related issues

Citizenship Rights related issues→Citizenship→Citizen, general  
Page 2, Preamble:  
Mindful of the critical importance, following the secession of the Republic of South Sudan, of agreeing on appropriate mechanisms to ensure uninterrupted, timely and convenient delivery of Post Service Benefits to all qualified individuals as aforesaid who are citizens of the Republic of South Sudan or of the Republic of the Sudan and who reside in either State;

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Page 7, 6. Terms of Reference of the JTCP  
6.1. The terms of reference of the JTCP shall include the following:  
(a) identify those individuals who are citizens of the either the Republic of the Sudan or the Republic of South Sudan who are, or shall be eligible, to receive Post-Service Benefits from Pensions Entities of the other State, according to the relevant laws of the two States;



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 Page 8, 6. Terms of Reference of the JTCP  
6.1. The terms of reference of the JTCP shall include the following:  
(h) develop materials and provide relevant information which the Pension Entities in the two States may utilize to inform prospective beneficiaries of their rights and the relevant procedures for applications to the Pensions Entities;

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## **Rights institutions**

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

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## **Justice sector reform**

Criminal justice and emergency law No specific mention.

State of emergency provisions	No specific mention.
Judiciary and courts	Page 3, 1. Definitions "Public Servant" means (a) constitutional post holders; (b) justices and judges of the judiciary; (c) legal counsels of the Ministry of Justice, (d) civil servants, and (e) persons employed or engaged in employment in government institutions as defined in the applicable laws of the two States;
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

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### **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.

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## 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.

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## Security sector

Security  
Guarantees No specific mention.

Ceasefire No specific mention.

Police Page 3, 1. Definitions  
"Organized Forces" means the armed forces, unified police forces, National Security and any other regular forces in accordance with the laws of the two States;

Armed  
forces Page 3, 1. Definitions  
"Organized Forces" means the armed forces, unified police forces, National Security and any other regular forces in accordance with the laws of the two States;

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.

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## **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.

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## Implementation

UN signatory	No specific mention.
Other international signatory	Witnessed by: H.E. General Abdusalami Abubakar
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'. <a href="http://peacemaker.un.org">http://peacemaker.un.org</a> .

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