

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

<b>Country/ entity</b>	South Sudan Sudan
<b>Region</b>	Africa (excl MENA) Africa (excl MENA)
<b>Agreement name</b>	Framework Agreement on the Status of Nationals of the Other State and Related Matters between Sudan and South Sudan
<b>Date</b>	27 Sep 2012
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/ conflict level</b>	Interstate/intrastate conflict(s) ( Sudan Conflicts (1955 - ) )
<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Territory
<b>Peace process</b>	North - South Sudan secession process
<b>Parties</b>	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
<b>Third parties</b>	Witnessed by: H.E. Pierre Buyoya, on behalf of the African Union High Level Implementation Panel
<b>Description</b>	An agreement that provides measures relating to the status and treatment of nationals of each State in the territory of the other State, including the freedoms that pertain to these individuals, a Joint High Level Committee to adopt and implement these measures, the transitional period, and the role of the AUHIP. The Parties also provide that the agreement can be amended or, with a sixty day notice to the other State, terminated.

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**Agreement document** [SD\\_120927\\_Framework Agmt on the Status of Nationals of the Other State.pdf](#)  | [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	No specific mention.
Social class	No specific mention.

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## Gender

Women, girls and gender	No specific mention.
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 No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision

Page 2, Untitled Preamble

Affirming that the people of Sudan and South Sudan desire to co-exist peacefully and to build harmonious relations and good neighbourliness among themselves;

Convinced that for the social and economic viability of the two States it is necessary that Sudanese and South Sudanese people continue to interact with each other and enjoy the freedom to reside, move, acquire and dispose of property, and undertake economic activities within the territories of the two States;

Affirming the necessity for establishing arrangements for cooperation and for the implementation of relevant policies and commitments;

Agree as follows:

[Agreement in its entirety is cross-border in nature, providing measures relating to the status and treatment of nationals of each State in the territory of the other State. See Political Institutions, and Human Rights]

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## 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.

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## **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.

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## **Human rights and equality**

Human rights/RoL general Page 4, Part II - Freedoms of Nationals of the Other State  
4. The Freedoms  
2) A person who has already exercised any of the freedoms conferred by this Agreement shall not be deprived of that freedom by reason of the amendment or termination of this Agreement.

Page 4, Part II - Freedoms of Nationals of the Other State  
4. The Freedoms  
3) The two States shall negotiate an agreement to elaborate the above [see below] freedoms. The AUHIP shall produce a draft text for consideration by the Committee.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Freedom of movement  
Page 2, Untitled Preamble

Convinced that for the social and economic viability of the two States it is necessary that Sudanese and South Sudanese people continue to interact with each other and enjoy the freedom to reside, move, acquire and dispose of property, and undertake economic activities within the territories of the two States;

Page 3-4, Part II - Freedoms of Nationals of the Other State  
4. The Freedoms

1) In accordance with the laws and regulations of each State, nationals of each State shall enjoy in the other State the following freedoms:

- (a) Freedom of residence;
- (d) Freedom to acquire and dispose of property.

Socio-economic rights

Human rights and equality→Socio-economic rights→Property  
Page 2, Untitled Preamble

Convinced that for the social and economic viability of the two States it is necessary that Sudanese and South Sudanese people continue to interact with each other and enjoy the freedom to reside, move, acquire and dispose of property, and undertake economic activities within the territories of the two States;

Page 3-4, Part II - Freedoms of Nationals of the Other State  
4. The Freedoms

4) In accordance with the laws and regulations of each State, nationals of each State shall enjoy in the other State the following freedoms:

- (a) Freedom of residence;
- (d) Freedom to acquire and dispose of property.

Human rights and equality→Socio-economic rights→Work  
Page 2, Untitled Preamble

Convinced that for the social and economic viability of the two States it is necessary that Sudanese and South Sudanese people continue to interact with each other and enjoy the freedom to reside, move, acquire and dispose of property, and undertake economic activities within the territories of the two States;

Page 3, Part II - Freedoms of Nationals of the Other State  
4. The Freedoms

4) In accordance with the laws and regulations of each State, nationals of each State shall enjoy in the other State the following freedoms: [...]

- (c) Freedom to undertake economic activity;

## Rights related issues

Citizenship	<p>Rights related issues→Citizenship→Citizen, general</p> <p>Page 2, Part I - Cooperation on Treatment of Nationals</p> <p>1. Joint High Level Committee</p> <p>1.1. The two States shall establish a standing Joint High-Level Committee ("the Committee"), which shall oversee the adoption and implementation of joint measures relating to the status and treatment of the nationals of each State in the territory of the other state.</p> <p>Page 2, Part I - Cooperation on Treatment of Nationals</p> <p>1. Joint High Level Committee</p> <p>4) The Committee shall be responsible for all matters relating to the status and treatment of the nationals of each State in the other State.</p> <p>Page 3, Part I - Cooperation on Treatment of Nationals</p> <p>2. Documentation</p> <p>1) The Parties shall accelerate their cooperation to provide the nationals of each State with the appropriate identification and other relevant documents relating to their status, such as work and residence permits.</p> <p>Page 3, Part I - Cooperation on Treatment of Nationals</p> <p>2. Documentation</p> <p>2) The two States may jointly, through the African Union High Level Implementation Panel (AUHIP), appeal to the international community for technical support that may be required for the above exercise.</p> <p>Page 3-4, Part II - Freedoms of Nationals of the Other State</p> <p>4. The Freedoms</p> <p>1) In accordance with the laws and regulations of each State, nationals of each State shall enjoy in the other State the following freedoms:</p> <p>(a) Freedom of residence;</p> <p>(b) Freedom of movement;</p> <p>(c) Freedom to undertake economic activity;</p> <p>(d) Freedom to acquire and dispose of property.</p> <p>Page 4, Part II - Freedoms of Nationals of the Other State</p> <p>4. The Freedoms</p> <p>3) The two States shall negotiate an agreement to elaborate the above freedoms. The AUHIP shall produce a draft text for consideration by the Committee.</p>
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.

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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      No specific mention.

Prisons and detention      No specific mention.



Traditional Laws    No specific mention.

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### **Socio-economic reconstruction**

Development or socio-economic reconstruction    Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 3-4, Part II - Freedoms of Nationals of the Other State  
4. The Freedoms  
1) In accordance with the laws and regulations of each State, nationals of each State shall enjoy in the other State the following freedoms:  
(c) Freedom to undertake economic activity;

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

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.

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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. Pierre Buyoya, on behalf of the African Union High Level Implementation Panel

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 3, Part I - Cooperation on Treatment of Nationals  
3. Role of AUHIP  
2) The Panel shall work with the two State to facilitate the implementation of this Agreement.

Related cases No specific mention.

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

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