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|----------------------------|--|
| <b>Country/entity</b>      | South Sudan<br>Sudan   |
| <b>Region</b>              | Africa (excl MENA)   |
| <b>Agreement name</b>      | Agreement on a Framework for Cooperation on Central Banking Issues between Sudan and South Sudan |
| <b>Date</b>                | 27 Sep 2012  |
| <b>Agreement status</b>    | Multiparty signed/agreed   |
| <b>Interim arrangement</b> | Yes  |

**Agreement/conflict level** Interstate/intrastate conflict(s)

### **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** Framework/substantive - partial

**Conflict nature** 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. Thabo Mvuyelwa Mbeki, Chairperson, African Union High Level Implementation Panel, on behalf of the AUHIP   |
| <b>Description</b>   | An agreement that establishes a Joint Central Banks Committee that is to be co-chaired by the Banks of South Sudan (BSS) and the Central Bank of Sudan (CBOS) in order to maintain economic confidence and avoid destabilizing exchange-rate fluctuations between the two States. Additionally, the parties shall guarantee the rights of commercial banks located within their respective territories, specifically due process and fair access judicial institutions. |

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**Agreement document** [SD\\_120927\\_Agmt on Framework for Cooperation on Central Banking.pdf \(opens in new tab\)](#) | [Download PDF](#)

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#### Groups

|  |                      |
|--|----------------------|
| <b>Children/youth</b>                    | No specific mention. |
| <b>Disabled persons</b>                  | No specific mention. |
| <b>Elderly/age</b>                       | No specific mention. |
| <b>Migrant workers</b>                   | No specific mention. |
| <b>Racial/ethnic/<br/>national group</b> | No specific mention. |
| <b>Religious groups</b>                  | No specific mention. |
| <b>Indigenous people</b>                 | No specific mention. |
| <b>Other groups</b>                      | No specific mention. |
| <b>Refugees/displaced<br/>persons</b>    | No specific mention. |
| <b>Social class</b>                      | 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** No specific mention.

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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**

Power sharing→Economic power sharing→Sharing of resources

Page 2, Preamble

Recognizing the need for co-operation in the management of monetary and fiscal policy, with the goal of maintaining confidence, controlling inflation and avoiding destabilizing exchange-rate fluctuations;

Page 2, 1. Establishment of the Joint Central Banks Committee

1.1. Within thirty (30) days of the ratification of this Agreement, the Parties shall establish a Joint Central Banks Committee (JCBC). The JCBC shall be composed of ten (10) members, with each Party nominating five (5) members to represent the Bank of South Sudan (BSS) and the Central Bank of Sudan (CBOS), respectively. The JCBC shall be co-chaired by a member representing each State and shall be overseen by the Governors, respectively, of the BSS and the CBOS.

Page 3, 1. Establishment of the Joint Central Banks Committee

1.4. The costs of operation of the JCBC shall be shared equally between the BSS and the CBOS.

Page 3, 2. Purpose of the Joint Central Banks Committee

2.2. The JCBC may request, with the express written consent of the Governors of the BSS and the CBOS, support and technical assistance as appropriate from the International Monetary Fund and other international financial institutions.

Page 4, 2. Purpose of the Joint Central Banks Committee

2.3. The JCBC may establish sub-committees for the carrying out of its mandate.

Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations

3.2. The Republic of South Sudan and the Republic of the Sudan shall each guarantee the rights of commercial banks headquartered in the other State to continue to operate within their respective territories as branches of foreign banks.

**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.

|                                   |  |
|-----------------------------------|--|
| <b>Civil and political rights</b> | <p>Human rights and equality→Civil and political rights→Equality<br/> Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations</p> <p>3.3 Foreign commercial banks operating within the territory of either of the two States shall be required to comply with the relevant national laws and regulations of the host State, and the host State shall enforce those laws and regulations without discrimination.</p> <p>Human rights and equality→Civil and political rights→Fair trial<br/> Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations</p> <p>3.4 The claims of commercial banks and other financial institutions against citizens or legal entities of the other State shall be pursued through established, legal and judicial processes of each State. Each State shall guarantee due process and fair access to its judicial and other adjudicative institutions.</p> |
| <b>Socio-economic rights</b>      | No specific mention.   |

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**Rights related issues**

|                                |                      |
|--------------------------------|----------------------|
| <b>Citizenship</b>             | No specific mention. |
| <b>Democracy</b>               | No specific mention. |
| <b>Detention procedures</b>    | No specific mention. |
| <b>Media and communication</b> | No specific mention. |
| <b>Mobility/access</b>         | No specific mention. |

**Protection measures**

Rights related issues→Protection measures→Other

Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations

3.1. The BSS and the CBOS shall promote cooperation between commercial banks operating within the Republic of South Sudan and the Republic of the Sudan in various banking areas, including: incorporating and licensing as branches of foreign banks, opening correspondence accounts, and pursuing technical cooperation.

3.2. The Republic of South Sudan and the Republic of the Sudan shall each guarantee the rights of commercial banks headquartered in the other State to continue to operate within their respective territories as branches of foreign banks.

3.3 Foreign commercial banks operating within the territory of either of the two States shall be required to comply with the relevant national laws and regulations of the host State, and the host State shall enforce those laws and regulations without discrimination.

3.4 The claims of commercial banks and other financial institutions against citizens or legal entities of the other State shall be pursued through established, legal and judicial processes of each State. Each State shall guarantee due process and fair access to its judicial and other adjudicative institutions.

**Other**

Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations

3.2. The Republic of South Sudan and the Republic of the Sudan shall each guarantee the rights of commercial banks headquartered in the other State to continue to operate within their respective territories as branches of foreign banks.

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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 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations

3.4 The claims of commercial banks and other financial institutions against citizens or legal entities of the other State shall be pursued through established, legal and judicial processes of each State. Each State shall guarantee due process and fair access to its judicial and other adjudicative institutions.

**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** Page 3, 2. Purpose of the Joint Central Banks Committee  
2.2. The JCBC may request, with the express written consent of the Governors of the BSS and the CBOS, support and technical assistance as appropriate from the International Monetary Fund and other international financial institutions.

**Business** No specific mention.

**Taxation**

No specific mention.

## **Banks**

Socio-economic reconstruction→Banks→Central bank

Page 2, Preamble

In pursuance of the commitment to adhere to international finance and banking standards;

Page 2, 1. Establishment of the Joint Central Banks Committee

1.1. Within thirty (30) days of the ratification of this Agreement, the Parties shall establish a Joint Central Banks Committee (JCBC). The JCBC shall be composed of ten (10) members, with each Party nominating five (5) members to represent the Bank of South Sudan (BSS) and the Central Bank of Sudan (CBOS), respectively. The JCBC shall be co-chaired by a member representing each State and shall be overseen by the Governors, respectively, of the BSS and the CBOS.

Page 2, 1. Establishment of the Joint Central Banks Committee

1.2. The first meeting of the JCBC shall take place within forty-five (45) days of the ratification of this Agreement, and thereafter, the JCBC shall meet periodically at times and locations it may determine.

Page 2, 1. Establishment of the Joint Central Banks Committee

1.3. The JCBC shall adopt rules of procedure for regulating its business, including: its reporting procedures, its workplans and associated budgets and any other procedures required for the effective and efficient carrying out of its business.

Page 3, 1. Establishment of the Joint Central Banks Committee

1.4. The costs of operation of the JCBC shall be shared equally between the BSS and the CBOS

Page 3, 2. Purpose of the Joint Central Banks Committee

2.1. The JCBC shall have the principal purpose of supporting financial stability and sound banking policies in the two States in order to enhance cooperation and to promote trade and the mutual economic viability of the two States. The terms of reference of the JCBC shall include inter alia the following:

- (a) developing appropriate procedures and systems for enhancing cooperation in the areas of central banking, monetary policy, exchange rate policy, banking supervision and the preservation of the value of respective currencies of the two States, the opening of correspondent accounts in each State, and the licensing of commercial banks' branches in the other State;
- (b) establishing systems to facilitate smooth payment systems transfer operations and clearing of financial transactions between the two States;
- (c) developing systems to promote the exchange of information between the BSS and the CBOS, and provision of technical assistance, as appropriate; and
- (d) establishing a continuous forum for discussion of central banking issues as may be identified from time to time.

Page 3, 2. Purpose of the Joint Central Banks Committee

2.2. The JCBC may request, with the express written consent of the Governors of the BSS and the CBOS, support and technical assistance as appropriate from the International Monetary Fund and other international financial institutions.

Page 4, 2. Purpose of the Joint Central Banks Committee

2.3. The JCBC may establish sub-committees for the carrying out of its mandate.

Page 4, 3. Protection of the Rights of Commercial Banks and Enforcement of their Duties and Obligations

3.1. The BSS and the CBOS shall promote cooperation between commercial banks

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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**

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|---|----------------------|
| <b>Security Guarantees</b>                          | No specific mention. |
| <b>Ceasefire</b>                                    | No specific mention. |
| <b>Police</b>                                       | No specific mention. |
| <b>Armed forces</b>                                 | No specific mention. |
| <b>DDR</b>  | No specific mention. |
| <b>Intelligence services</b>                        | No specific mention. |
| <b>Parastatal/rebel and opposition group forces</b> | No specific mention. |
| <b>Withdrawal of foreign forces</b>                 | No specific mention. |
| <b>Corruption</b>                                   | No specific mention. |
| <b>Crime/organised crime</b>                        | No specific mention. |
| <b>Drugs</b>  | No specific mention. |
| <b>Terrorism</b>                                    | No specific mention. |

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## **Transitional justice**

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|-------------------------------------|----------------------|
| <b>Transitional justice general</b> | No specific mention. |
| <b>Amnesty/pardon</b>               | No specific mention. |
| <b>Courts</b>                       | No specific mention. |
| <b>Mechanism</b>                    | No specific mention. |
| <b>Prisoner release</b>             | No specific mention. |

|                        |                      |
|------------------------|----------------------|
| <b>Vetting</b>         | No specific mention. |
| <b>Victims</b>         | No specific mention. |
| <b>Missing persons</b> | No specific mention. |
| <b>Reparations</b>     | No specific mention. |
| <b>Reconciliation</b>  | No specific mention. |

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## **Implementation**

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|--|---|
| <b>UN signatory</b>                        | No specific mention.  |
| <b>Other international signatory</b>       | Witnessed by: H.E. Thabo Mvuyelwa Mbeki, Chairperson, African Union High Level Implementation Panel, on behalf of the AUHIP |
| <b>Referendum for agreement</b>            | No specific mention.  |
| <b>International mission/force/similar</b> | No specific mention.  |
| <b>Enforcement mechanism</b>               | No specific mention.  |
| <b>Related cases</b>                       | No specific mention.  |
| <b>Source</b>                              | Peacemaker.un.org,. 2015. 'UN Peacemaker'. <a href="http://peacemaker.un.org">http://peacemaker.un.org</a> .                |

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