

<b>Country/entity</b>	Sudan
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Political agreement on establishing the structures and institutions of the transitional period between the Transitional Military Council and the Declaration of Freedom and Change Forces
<b>Date</b>	17 Jul 2019
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes

**Agreement/conflict level** Intrastate/intrastate conflict

### **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** Government/territory

<b>Peace process</b>	Sudan Transition Process
<b>Parties</b>	Signatures:  The Transitional Military Council  The declaration of Freedom and Change Forces
<b>Third parties</b>	Witnesses  The African Union  The Federal Democratic Republic of Ethiopia  The United Nations  The European Union  League of Arab States  The United States of America
<b>Description</b>	The Transitional Military Council and the Declaration of Freedom and Change forces agree to set up transitional institutions: the Sovereignty Council, Council of Ministers, Legislative Council, and the Investigation Committee. They also set out a list of agreed aims for these institutions. Finally, they invite international actors (states and organisations) to support the implementation of the agreement - but there is no agreement or commitment on provision of said aid.

**Agreement document** [SD\\_190717 Political agreement on establishing the structures and institutions of the transitional period between the Transitional Military Council and the Declaration of Freedom and Change Forces.pdf \(opens in new tab\) | Download PDF](#)

## Groups

<b>Children/youth</b>	Groups→Children/youth→Rhetorical Page 3, Chapter 5, Section 20, item 6: Chapter Five  Functions of the Transitional Period 6. Promote the role of and open opportunities for youth in social, political and economic fields.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.

<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ 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 persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## Gender

<b>Women, girls and gender</b>	Page 3, Chapter 5, Section 20, item 5: Chapter Five  Functions of the Transitional Period 5. Promote the Sudanese women role in social, political and economic fields and fight all kinds of discrimination against women.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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## State definition

<b>Nature of state (general)</b>	Page 1, Chapter 1, section 1: 1. The two parties agree on the sacredness of the national sovereignty and unity of the Sudanese soil, unity of the Sudan with all its diversity.
<b>State configuration</b>	No specific mention.
<b>Self determination</b>	No specific mention.
<b>Referendum</b>	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)**

Governance→Political institutions (new or reformed)→General references  
Page 3, Chapter 5, Section 20, items 8-9:  
Chapter Five

Functions of the Transitional Period

8. Set up a program for state institutions' reform during the transitional period, that reflect independency and equal opportunities. The reform of the military institutions shall be done by the military institutions in accordance with the law.

9. Establishment of balanced foreign policy that achieves the state's interests and improving Sudan's foreign relations based on independency and mutual interests.

Page 3, Chapter 5, Section 20, item 12:  
Chapter Five

Functions of the Transitional Period

12. Dismantling of the June 30th, 1989 regime and establishing the state of law and institutions.

Governance→Political institutions (new or reformed)→Temporary new institutions  
Pages 1-3, Chapters 2-5:  
Chapter Two

The Transitional arrangements

The Sovereignty Council

5. The sovereignty council shall be formed from eleven members, five military selected by the Transitional military Council (TMC), five civilians selected by the Declaration of Freedom and Change (DFC) forces and one civilian to be selected in agreement between the two parties.

6. The sovereignty council shall be presided for 21 months by one of the TMC members effective from signing this agreement.

7. The sovereignty council shall be presided for the remaining 18 months of the transitional period, by one of the civilian members of the sovereignty council.

8. The constitutional document of the transitional period shall determine the powers and functions of the sovereignty council.

The Council of Ministers

9. The DFC forces shall select the Prime Minister of the civilian government in accordance with the requirements stipulated by the constitutional document of the transitional period.

10. The council of ministers shall consist of a president and no more than 20 ministers from national independent competencies, to be selected by the prime ministers from the DFC forces nomination list, and approved by the sovereignty council, except for the ministers of defense and interior, who will be appointed by the prime minister upon selection by the military members of the sovereignty council. The prime minister has the

<b>Elections</b>	No specific mention.
<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	No specific mention.
<b>Civil society</b>	No specific mention.
<b>Traditional/religious leaders</b>	No specific mention.
<b>Public administration</b>	No specific mention.
<b>Constitution</b>	Governance→Constitution→Constitutional reform/making Page 3, Chapter 5, Section 20, item 7: Chapter Five  Functions of the Transitional Period 7. Establishing mechanisms to prepare for writing permanent constitution, enact laws related to the transitional period and hold a constitutional conference.

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**Power sharing**

**Political power sharing**

Power sharing→Political power sharing→Executive coalition  
Pages 1-2, Chapter 2, Sections 5-12:  
Chapter Two

The Transitional arrangements

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6. The sovereignty council shall be presided for 21 months by one of the TMC members effective from signing this agreement.
7. The sovereignty council shall be presided for the remaining 18 months of the transitional period, by one of the civilian members of the sovereignty council.
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The Council of Ministers

9. The DFC forces shall select the Prime Minister of the civilian government in accordance with the requirements stipulated by the constitutional document of the transitional period.
10. The council of ministers shall consist of a president and no more than 20 ministers from national independent competencies, to be selected by the prime ministers from the DFC forces nomination list, and approved by the sovereignty council, except for the ministers of defense and interior, who will be appointed by the prime minister upon selection by the military members of the sovereignty council. The prime minister has the jurisdiction to exceptionally nominate two party qualified members to fulfill ministerial positions.
11. The constitutional document of the transitional period shall determine the powers and the functions of the council of ministers.

12. Members of the sovereignty council, the council of ministers and the governors of the states serve during the transitional period cannot contest in the elections that immediately follows the transitional period.

Power sharing→Political power sharing→Proportionality in legislature  
Page 1, Chapter 2, Sections 5-8:  
Chapter Two

The Transitional arrangements

**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 1, Chapter 1, section 3:  
3. The two parties shall abide by the principles of democracy, human rights and the good Sudanese values.

Page 3, Chapter 5, Section 20, item 12:  
Chapter Five

Functions of the Transitional Period  
12. Dismantling of the June 30th, 1989 regime and establishing the state of law and institutions.

**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** No specific mention.

**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** Page 3, Chapter 5, Section 20, item 4:  
Chapter Five

Functions of the Transitional Period

4. Carry out a legal reform program and rebuilding and developing the justice and rights' system and ensure the independence of judiciary and the rule of law.

**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, Chapter 5, Section 20, item 3:  
Chapter Five

Functions of the Transitional Period

20. The two parties agreed on the following functions of the transitional period:

3. Addressing the economic situation and stopping the economic deterioration through implementation of urgent economic, financial and humanitarian program that addresses the current challenges.

Page 3, Chapter 5, Section 20, item 10:  
Chapter Five

Functions of the Transitional Period

10. Play effective role in achieving social welfare and social development through provision of health, education, and housing services and environment protection.

Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance

Page 3, Chapter 5, Section 20, item 3:  
Chapter Five

Functions of the Transitional Period

20. The two parties agreed on the following functions of the transitional period:

3. Addressing the economic situation and stopping the economic deterioration through implementation of urgent economic, financial and humanitarian program that addresses the current challenges.

**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** Page 3, Chapter 5, Section 20, item 10:  
Chapter Five

Functions of the Transitional Period  
10. Play effective role in achieving social welfare and social development through provision of health, education, and housing services and environment protection.

**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** Page 3, Chapter 5, Section 20, item 8:  
Chapter Five

Functions of the Transitional Period  
8. Set up a program for state institutions' reform during the transitional period, that reflect independency and equal opportunities. The reform of the military institutions shall be done by the military institutions in accordance with the law.

**DDR** No specific mention.

**Intelligence  
services** 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**

**Transitional justice general** Page 2, Chapter 4, Section 19:  
Chapter Four

The Investigation Committee

19. Following the formation of the transitional government, a national independent investigation committee shall be established to carry out precise and transparent investigation to the June 3rd, 2019 incidents and related incidents of human rights violations committed against civilians or militaries. The committee may seek any African support if needed.

Page 3, Chapter 5, Section 20, item 11:  
Chapter Five

Functions of the Transitional Period

11. Establish of and implement transitional justice measures and procedures.

<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**

**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** Made available by the Dabanga online news portal, at <https://www.dabangasudan.org/uploads/media/5d306eb7c2ab1.pdf> (last accessed on January 30, 2020)

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