



SUDAN PEOPLES' LIBERATION MOVEMENT

GENERAL HEADQUARTERS

SPLM LEADERS (FPD)

PRESS STATEMENT

On

THE PROPOSED AGREEMENT ON OUTSTANDING ISSUES OF GOVERNANCE

(25th July, 2018 Version)

After receiving the last version of the proposed "Agreement on the outstanding issues of governance" on 24th of July 2018 from the Sudanese Minister of Foreign Affairs who is the Chief Mediator we have studied the proposal and make the following observations:

- We note that there serious lack of consistency in allocating power-sharing ratios at all levels of governance that appear not to have any foundation or justification.
- While quoting the decision of the 55th Extra-Ordinary Session of the IGAD Council of Ministers January 2016 the proposal has proceeded to ignore the substance of the decision in totality. Instead it has gone to reaffirm an illegality by maintaining the 32 States during the Transitional Period.
- There is lack of clarity in the provisions related to the dissolution and/or expansion of the Transitional National legislature.

Specifically, we hold that:

- The idea of holding a referendum within five (5) months before the end of the Pre-Transitional Period is a ploy to entrench the 32 States, as it is not feasible to conduct a meaningful referendum within this time frame. During this period of time only the current TGoNU that will be in charge of conducting the referendum including all matters related to it such as matters not amenable to 'yes' or 'no' options. How can a referendum be conducted in a situation when it is one Party to the conflict that will be in power and controls the state including security, registration, producing of voting materials? There will be no conducive atmosphere and sufficient political space for other political parties to campaign and propagate their view on the pros and cons of the 32-state arrangement, among others.
- To begin with, the idea of referendum has nothing to do with the issue of the 32 states and the decision of the IGAD Council of Ministers referred to

earlier. The 32 States which were imposed in contravention of Articles 1.6, 15.2 and 15.3 of Chapter I of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS), is an illegality and a violation of ARCSS and the Transitional Constitution of the Republic of South Sudan, (2011). It cannot be allowed to stand in a revitalized Agreement. So we reject it.

- If the idea of setting up a commission is not a ploy to maintain the 32 states, it will be better to apply the original decision of the 55th Extra-Ordinary Session of the IGAD Council of Ministers in letter and spirit. This should mean setting up an Inclusive Boundaries Commission to discuss and resolve the matter within one month. The default position, in the event of failure to agree, is reverting to the 10 states.
- The National Pre-Transitional Committee (NPTC) should be set up by IGAD in consultation with the parties and its composition shall include IGAD.
- With respect to Article 6.8 we propose that NPTC be established by IGAD and that the monies are deposited transparently and on time to the NPTC escrow account.

We the SPLM Leaders (FDs) acknowledge that considerable ground has been covered during this session of the IGAD-led peace process in Khartoum. We remain committed to constructively engage in this process with the mediation and with other parties in order to achieve just and sustainable peace for the people of South Sudan.



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