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TANZANIA.

## AGREEMENT ON THE REUNIFICATION OF THE SPLM

January 21<sup>st</sup> 2015

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## I. PREAMBLE

We, the Delegations of the three SPLM Groups to the Intra-SPLM Dialogue, met in Arusha, Tanzania from January 8-19, 2015 under the auspices of Chama Cha Mapinduzi (CCM) chaired by the former Vice Chairman of CCM, Cde. John Samuel Malecela and facilitated by the CCM Secretary General, Mr. Abdulrahman Kinana;

**Recalling** the heroic struggle of many generations of the people of South Sudan for freedom, dignity and independence against a background of a long history of conflicts, injustices, poverty and human rights violations;

**Mindful** that the SPLM is currently plunged into an unprecedented crisis which has engulfed the country and led to a tragic and an enormous loss of human life and property, displacement of millions of citizens and threatens the existence of South Sudan;

**Acknowledging** that the failure to institutionalize and democratize the exercise of power in the Party is among the root causes to the current crisis;

**Further Acknowledging** our collective responsibility for the crisis that has engulfed South Sudan;

**Recognizing** that the loss of ideological direction and lack of clarity of vision by the SPLM Leaders have contributed to the emergence of the current crisis;

**Deploring** the culture of militarism and sectarianism that have stunted the transformation of the SPLM from a liberation movement into a vibrant and democratic political party;

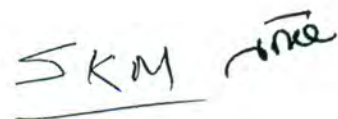

**Accepting** the urgent and imperative need for comprehensive democratic reforms in the Party;

**Convinced** that the reunification and reconciliation of the SPLM is the key to the resolution of the current crisis;

**Affirming** our commitment to the reunification of the SPLM;

**Driven** by our patriotic will and determination to restore peace and stability in order to rebuild our war-torn country;

**Guided** by democratic principles and values enshrined in Article 5 of the SPLM Constitution 2008 and its Manifesto, and to give them effect;





**Appreciating** the concerted efforts of Chama Cha Mapinduzi and Crisis Management Initiative in supporting this Intra-SPLM Dialogue;

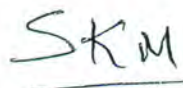
**Acknowledging** the solidarity of the sisterly Parties and Liberation Movements in the region and beyond; and

**Appraising** the constructive spirit of reunification and reconciliation and commitment to reforms in the Party displayed by the SPLM Tripartite Delegations throughout the Dialogue;

**Do hereby resolve and agree as follows:**

## II. ON POLITICAL ISSUES

1. Implement and comply with the provisions of the Cessation of Hostilities Agreement and use this Intra-SPLM Party Dialogue in Arusha and the IGAD mediation process in Addis Ababa to expedite the conclusion of the Peace Agreement in order to end the war.
2. SPLM Leadership shall make a public apology to the people of South Sudan for what has happened since December 15<sup>th</sup> 2013.
3. Develop and implement a comprehensive programme for national unity, peace, reconciliation, healing and promoting harmony amongst the People of South Sudan.
4. Commit all the three SPLM Groups to reunification and reconciliation of the SPLM Leadership and Membership.
5. Combating the culture of tribalism, militarism and sectarianism in the political life and open up a space for achieving a political environment that promotes genuine political pluralism.
6. Embrace the values and culture of democracy, unity and development and commits to undertake and implement urgent comprehensive democratic reforms, reorganization and transformation of the Party.
7. Ensure that the SPLM redefines its ideological direction, developmental path, the nature of its democracy, system of governance and the nature of society and state it aspires to build.





8. The SPLM shall formulate and provide policies and programmes to be implemented by its Government with the aim of achieving a democratic developmental state.
9. Revocation of decisions for dismissal of party cadres from party membership and leadership positions resulting from the internal conflict within the party.
10. The SPLM commits to redefine and implement its vision of state and nation building in order to achieve a peaceful, democratic, just and prosperous South Sudan of equality, freedom and respect for human rights and dignity.
11. Any individual SPLM member convicted by a competent court or tribunal of crimes against humanity, war crimes, crimes against peace or gross human rights violations and abuses during the crisis that erupted in the country since 15<sup>th</sup> December 2013 shall not be eligible to hold public office in the Party and the Government.
12. Ensure exclusion from participation in the SPLM structures of categories such as the armed forces and other organized forces and judicial personnel in accordance with their respective constitutive laws.
13. The SPLM shall uphold the principles of accountability, transparency and good governance and to combat corruption and malpractices in the Party and Government.
14. In order to ensure peace and security in the country and guarantee public safety, the SPLM calls for the implementation of comprehensive reforms, transformation and professionalization of all the security sector institutions and to ensure that their composition reflects national character.
15. SPLM commits to and supports the establishment of a comprehensive system of transitional justice, (the core elements of which are truth and reconciliation, criminal prosecution, reparations, compensation and institutional reforms), to look into the issues of atrocities, human rights violations and abuses in the country.

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16. The SPLM shall undertake robust mobilization of resources and shall ensure transparent and prudent management of such resources as well as conducting annual independent audits.

17. In order to ensure that executive powers in Government are not negatively used to influence or determine Party matters, all decisions affecting the Party shall be taken only through the Party structures;

### III. ON ORGANIZATIONAL ISSUES

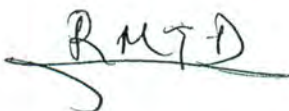
18. The SPLM General Secretariat shall be restructured and reorganized in order to streamline its offices and functions to ensure efficiency and effectiveness benefitting from experiences of sisterly parties and Liberation Movements. In order to implement this, the SPLM leadership shall:

- a. Strengthen and streamline coordination between the General Secretariat and other levels and provide oversight;
- b. Formulate procedures and guidelines for cadre identification, recruitment, orientation, training and deployment to ensure commitment, competence and effective participation;
- c. Provide guidance to the SPLM caucuses in the Legislature and the Executive;
- d. Disseminate Party policies;
- e. Ensure formulation and implementation of Party disciplinary procedures and regulations;

19. All processes of holding Party Congresses and the National Convention shall be suspended until the reunification and reconciliation of the Party is achieved and the war is ended, so that all members are able to participate effectively and freely.

20. It is agreed that the National Liberation Council (NLC) shall revisit and review the contentious provisions, in the draft SPLM constitution to ensure internal democracy within the Party structures, before its presentation to the National Convention. These issues include, but not limited to the following:

- a. **Mode of voting:** whether by show of hands or secret ballot, it is agreed that the procedure of Voting in SPLM meetings at all levels shall be by secret ballot if no consensus is achieved; and by show of hands on non-controversial issues.



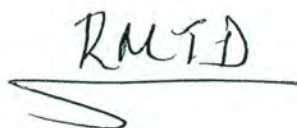


- b. The provision allowing the SPLM Chairpersons at all levels to nominate five percent (5%) of the membership of the congresses and the National Convention: The following is agreed:
- i. Abolition of the provision on the 5% appointments by chairpersons to the National Convention, congresses and liberation councils at all levels;
  - ii. Political Bureau to formulate policy and guidelines for the representation of minorities or disadvantaged groups in the Convention, Congresses and Liberation Councils.
- c. **The size of the National Convention:** It is proposed that the total number of delegates to the Convention be reviewed.
- d. **Nomination of Party leaders by The Chairperson:** Regarding the process of election or selection of Party leaders at all levels, it is agreed that:
- i. The National Convention shall directly elect the Chairperson of the SPLM and his/her Deputies and members of the National Liberation Council by direct and secret ballot.
  - ii. The National Liberation Council shall elect the Political Bureau and the Secretary General and his/her Deputies through direct and secret ballot.
  - iii. The Political Bureau shall formulate regulations governing procedures for the election and selection of candidates for the position of Chairperson of the SPLM and his deputies, members of the NLC, members of the Political Bureau, Secretary General and his/her Deputy(ies), State and County Chairpersons, Payam and Boma Chairpersons.

21. It is agreed that the draft SPLM Constitution of December 14, 2013 shall be the basis for future discussion of the new SPLM Constitution.

22. An Extraordinary Convention may be convened for the sole purpose of passing the basic documents agreed by the SPLM Groups to facilitate its registration in accordance with the provisions of the Political Parties Act, 2012.

23. The composition of the membership of the Political Bureau (PB) shall be reviewed and expanded to comprise 35 members to reflect the representation of the three SPLM Groups, equitable representation of the States, SPLM Women League, SPLM Youth League and SPLM Veterans League.





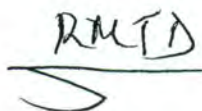
24. The PB shall be restructured in a manner that ensures timely decision making, internal cohesion and collective decision making.
25. A Working Committee of the PB consisting of the Chairperson, Deputies of the Chairperson, the Secretary General, and his/her Deputy(ies) and any other members of the PB to be selected by the PB shall be established to handle critical and urgent matters subject to subsequent approval by a meeting of the whole Political Bureau.
26. The PB shall establish a Standing Committee to vet and scrutinize members of the Party vying for positions in the Party institutions and its decisions shall be subject to approval by the whole membership of the PB in official meetings.
27. The Working Committee of the PB shall vet and scrutinize members of the Party vying for positions of leadership in the Government and its decisions shall be subject to approval by the whole membership of the PB in official meetings.
28. Establishment of SPLM Political School for Party cadres training and development.

#### IV. ON LEADERSHIP ISSUES

29. The PB shall develop a Party Leadership Code of Ethics and Disciplinary Procedures to be applicable and upheld by all members irrespective of their positions. Both documents shall be approved and adopted by the NLC.
30. The term limit for the SPLM National and State Chairpersons of the party shall be two terms of 5 years each only.
31. Any member of competence and good standing has the right to contest for any leadership position in the party at any level.
32. In order to consolidate democracy in the party, collective leadership decision-making in the Party structures shall be adhered to and enhanced.
33. The Leadership of the party at all levels shall be elected democratically in a transparent and fair manner.



34. A Standing Committee for national candidates' selection shall be established by the PB based on competence and integrity, whose functions shall be to scrutinize and vet individual members presenting themselves for election to leadership positions at the Party and General Election. Decisions of the Committee shall be subject to appeal to the PB.
35. The Political Bureau (PB) shall establish a Standing Committee at State level Candidates' Selection Committee, based on competence and integrity, to scrutinize and vet individual members presenting themselves for election to leadership positions at the State level. Decisions of State Candidates Selection Committee shall be subject to appeal to the PB.
36. The State Secretariat shall establish a Standing Committee at County, Payam and Boma levels, based on competence and integrity, to scrutinize and vet individual members presenting themselves for leadership positions at those levels; Decisions of County Candidates' Standing Committee shall be subject to appeal to the State Secretariat.
37. The PB shall develop rules and procedures to be followed by the Standing Committee for candidates' selection at national, states and county levels. The General Secretariat shall oversee and follow up the work of the Standing Committee on candidates' selection and report to the PB.
38. The PB shall formulate policy to institutionalize the care for elderly members of the Party upon their retirement.
39. The SPLM recognizes the need for the establishment of a transitional government in which the SPLM Groups and other political parties shall participate proportionally in order to end the war and establish sustainable peace. The reunified SPLM shall abide by the terms and spirit of the IGAD Peace Agreement.
40. The Parties to this Agreement have requested and mandated the CCM Leadership to consult with the respective principals on the way forward with regard to the structure of the leadership of the reunified SPLM
41. The SPLM Groups, signatories to this agreement, shall establish a Tripartite Committee to oversee the implementation of this Agreement and the reforms stipulated herein, approved by the National Liberation Council (NLC).



42. This Reunification Agreement shall come into effect upon signature by the SPLM Groups on the basis of the Implementation Matrix as agreed by the Parties.
43. The SPLM Groups agree that Chama Cha Mapinduzi shall be the principal Guarantor to this Agreement and shall assist them in all the processes of reunification and reforms.
44. The Implementation Matrix and other Appendices in this Agreement shall form an integral part of this Agreement.



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V. WITNESSES AND GUARANTORS

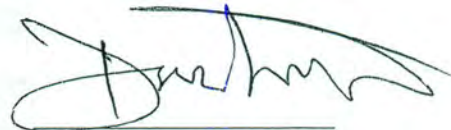
Signatories:



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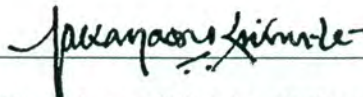


Dr. Riek Machar  
Teny



Mr. Deng Alor Kuol

Guaranteed by:



H. E. Jakaya Mrisho Kikwete

Done at Arusha, Tanzania

On the 21<sup>th</sup> of January 2015

VI. ANNEXES (IMPLEMENTATION MATRIX, FRAMEWORK & COMMUNIQUES)

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## VI) Annex 1 : Implementation Matrix

Actions	Responsible Actor(s)	Timeframe
<b>POLITICAL ISSUES</b>		
1. (para 1) Implement and comply with the provisions of the Cessation of Hostilities Agreement and use this Intra-SPLM Party Dialogue in Arusha and the IGAD mediation process in Addis Ababa to expedite the conclusion of the Peace Agreement in order to end the war.	GRSS and SPLM/A (IO)	Immediately as per COH Agreement
2. (para 7) Ensure that the SPLM redefines its ideological direction, developmental path, the nature of its democracy, system of governance and the nature of society and state it aspires to build.	The reunified SPLM (PB, NLC & NC)	After reunification of the SPLM and signing of the Peace Agreement under IGAD mediation
3. (para 8) The SPLM shall formulate and provide policies and programmes to be implemented by its Government with the aim of achieving a democratic developmental state.	NLC, PB & General Secretariat	Within six (6) months from the Reunification Agreement and beyond
4. (para 9) Revocation of decisions for dismissal of party cadres from party membership and leadership positions resulting from the internal conflict within the party.	SPLM Chairman	Immediately after signing this Agreement
5. (para 10) The SPLM commits to redefine and implement its vision of state and nation building in order to achieve a peaceful, democratic, just and prosperous South Sudan of equality, freedom and respect for human rights and dignity.	The reunified SPLM	After SPLM Reunification Agreement, signing of the Peace Agreement under IGAD mediation and in the context of the SPLM congresses and Conventions
6. (para 14) In order to ensure peace and security in the country and guarantee public safety, the SPLM calls for the implementation of comprehensive reforms, transformation and professionalization of all the security sector institutions and to ensure that their composition reflects national character.	Transitional Government of National Unity (TGONU) supported by IGAD, AU and International Community	Upon signature of the Peace Agreement and to be completed within two years before the elections
7. (para 15) SPLM commits to and supports the establishment of a comprehensive system of transitional justice, (the core elements of which are truth and reconciliation, criminal prosecution, reparations, compensation and institutional reforms), to look into the issues of atrocities, human rights violations and abuses in the country.	TGONU and Reunified SPLM	Immediately after the reunification of the SPLM and the establishment of TGONU
8. (para 16) The SPLM shall undertake robust mobilization of resources and shall ensure transparent and prudent management of such resources as well as conducting annual	Reunified PB and General Secretariat and other levels	Continuous process

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Actions	Responsible Actors	Timeframe
independent audits.		

Actions	Responsible Actors	Timeframe
<b>ORGANIZATIONAL ISSUES</b>		
<p>1. (para 18) The SPLM General Secretariat shall be restructured and reorganized in order to streamline its offices and functions to ensure efficiency and effectiveness benefitting from experiences of sisterly parties and Liberation Movements. In order to implement this, the SPLM leadership shall:</p> <ul style="list-style-type: none"> <li>a. Strengthen and streamline coordination between the General Secretariat and other levels and provide oversight;</li> <li>b. Formulate procedures and guidelines for cadre identification, recruitment, orientation, training and deployment to ensure commitment, competence and effective participation;</li> <li>c. Provide guidance to the SPLM caucuses in the Legislature and the Executive;</li> <li>d. Disseminate Party policies;</li> <li>e. Ensure formulation and implementation of Party disciplinary procedures and regulations;</li> </ul>	SPLM PB and the Chairman	Soon after the SPLM reunification and to be completed within one (1) month
<p>2. (para 19) All processes of holding Party Congresses and the National Convention shall be suspended until the reunification and reconciliation of the Party is achieved and the war is ended, so that all members are able to participate effectively and freely.</p>	SPLM Chairman and PB.	Immediately after signature of the Reunification Agreement
<p>3. (para 22) An Extraordinary Convention may be convened for the sole purpose of passing the basic documents agreed by the SPLM Groups to facilitate its registration in accordance with the provisions of the Political Parties Act, 2012.</p>	SPLM Chairman and PB	In accordance with the Provisions of the Political Parties Act, 2012.
<p>4. (para 23) The composition of the membership of the Political Bureau (PB) shall be reviewed and expanded to comprise 35 members to reflect the representation of the three SPLM Groups, equitable representation of the States, SPLM Women League, SPLM Youth League and SPLM Veterans League.</p>	The reunified NLC	Immediately after signature of the Reunification Agreement

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Actions	Responsible Actors	Timeframe
5. (para 24) The PB shall be restructured in a manner that ensures timely decision making, internal cohesion and collective decision making.	The reunified NLC	Immediately after signature of the Re-unification Agreement
6. (para 25) A Working Committee of the PB consisting of the Chairperson, Deputies of the Chairperson, the Secretary General, and his/her Deputy(ies) and any other members of the PB to be selected by the PB shall be established to handle critical and urgent matters subject to subsequent approval by a meeting of the whole Political Bureau.	Reunified PB	Immediately after signature of the Re-unification Agreement and continuous process
7. (para 27) Establishment of SPLM Political School for Party cadres training and development.	PB and General Secretariat	Within one year

Actions	Responsible Actors	Timeframe
<b>LEADERSHIP ISSUES</b>		
1. (para 29) The PB shall develop a Party Leadership Code of Ethics and Disciplinary Procedures to be applicable and upheld by all members irrespective of their positions. Both documents shall be approved and adopted by the NLC.	General Secretariat, PB and NLC	Within three months from the date of signing the Reunification Agreement
2. (para 34) A Standing Committee for national candidates' selection shall be established by the PB based on competence and integrity, whose functions shall be to scrutinize and vet individual members presenting themselves for election to leadership positions at the Party and General Election. Decisions of the Committee shall be subject to appeal to the PB.	PB and General Secretariat	In accordance with the National Elections Act, 2012 and the Party Constitution.
3. (para 35) The Political Bureau (PB) shall establish a Standing Committee at State level Candidates' Selection Committee, based on competence and integrity, to scrutinize and vet individual members presenting themselves for election to leadership positions at the State level. Decisions of State Candidates Selection Committee shall be subject to appeal to the PB.	PB and General Secretariat	In accordance with the National Elections Act, 2012 and the Party Constitution.
4. (para 36) The State Secretariat shall establish a Standing Committee at County, Payam and Boma levels, based on competence and integrity, to scrutinize and vet individual members presenting themselves for leadership positions at those levels; Decisions of County Candidates' Standing Committee shall be subject to appeal to the State Secretariat.	State Secretariat and General Secretariat	In accordance with the National Elections Act, 2012 and the Party Constitution.
5. (para 37) The PB shall develop rules and procedures to be followed by the Standing	PB and General	Within six (6) months

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Actions	Responsible Actors	Timeframe
Committee for candidates' selection at national, states and county levels. The General Secretariat shall oversee and follow up the work of the Standing Committee on candidates' selection and report to the PB.	Secretariat	from the date of signing the Reunification Agreement
6. (para 38) The PB shall formulate policy to institutionalize the care for elderly members of the Party upon their retirement.	PB and General Secretariat	Within one (1) year from the date of signing the Reunification Agreement
7. (para 39) The SPLM recognizes the need for the establishment of a transitional government in which the SPLM Groups and other political parties shall participate proportionally in order to end the war and establish sustainable peace. The reunified SPLM shall abide by the terms and spirit of the IGAD Peace Agreement.	Reunified SPLM (Three Groups), other political parties after Peace Agreement	Upon signature of the IGAD mediated Peace Agreement
8. (para 41) The SPLM Groups, signatories to this agreement, shall establish a Tripartite Committee to oversee the implementation of this Agreement and the reforms stipulated herein, approved by the National Liberation Council (NLC).	The reunified Groups, NLC and CCM as Principal Guarantor	Immediately after the signing of the Reunification Agreement
9. (para 42) This Reunification Agreement shall come into effect upon signature by the SPLM Groups on the basis of the Implementation Matrix as agreed by the Parties.	Representatives of the three SPLM Groups and Guarantors	Immediately after the signing of the Reunification Agreement

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