



# South Sudan - Birth of a Nation

## What Comes Next?



**Independence Day, 9th July 2011**, will be an inspirational day of events in the South Sudanese capital Juba, involving a Declaration of Independence, flag-raising ceremony and parade. The events will be attended by community, religious and government leaders from all around the country, 30 heads of state from Africa and other international dignitaries.

Thousands of South Sudanese citizens and international friends will bear witness to the day,

alongside local and international media. Round the country, there will be locally-planned celebrations in many villages and counties. These will include ceremonies, music, dancing and other cultural festivities, to herald the birth of the new nation.

### Why is Southern Sudan becoming independent?

- The 2005 Comprehensive Peace Agreement (CPA) signed by the Sudan's People Liberation Movement/Army in the South, and the Government of Sudan ended 21 years of civil war and brought to an end decades of struggle.
- The CPA and Protocols provided for the people of Southern Sudan with the right to exercise their right to self-determination through a Referendum, to be held after a six year interim period. The Referendum, held in January 2011 was deemed free, fair and credible by the international community and delivered an overwhelming majority vote (98.83%) in favour of secession.

### What happens on 9th July, 2011?

- This is the date that southern Sudan officially becomes an independent country, and adopts the agreed new name - the Republic of South Sudan (RSS) – through a Declaration of Independence and Statehood.
- This date marks the end of the interim period under the CPA, with most provisions fulfilled, and a few outstanding issues still under negotiation.
- His Excellency Salva Kiir Mayardit is sworn in for a four year term as President of the new Republic. A new Transitional Constitution also comes into force, subject to approval by the Assembly, and is signed into law by the President.
- The Southern Sudan Legislative Assembly is reconstituted as the National Legislative Assembly by the President, as is the Council of States.



## **What about the trappings of statehood - like the currency, flag and national anthem?**

- Some symbols of the nation have already been chosen - these include a six-coloured flag which was the official flag of the SPLA (Army), a National Anthem chosen through a nationwide competition, and a Coat of Arms bearing an image of the African fish eagle.
- The new currency - the South Sudan Pound - will be introduced over the coming months.



## **Will there be a change to South Sudan's legal status in the world?**

- Yes. South Sudan will become the 196<sup>th</sup> country in the world, the 193<sup>rd</sup> member of the UN, and the 55th country in Africa. The new country will need to be recognised by nations one by one and South Sudan is already working towards this goal.
- The Government is already on track to be formally accepted as a member of the United Nations, the World Bank, IMF, the Commonwealth Institute and other multilateral organisations. The UN will remain in South Sudan through a peace support mission and UN specialised agencies.
- South Sudan will also become an active member of the African region and will join a range of bodies such as the African Union, COMESA and IGAD. It will also sign up to the African Charter on Human and Peoples' Rights.
- Over time, South Sudan will accede to dozens of bilateral, multilateral and international treaties and conventions.
- There is already a new foreign policy strategy and a review of existing agreements, for example, sharing the waters of the River Nile. New regional and trade agreements will be created.
- South Sudan will open foreign missions, including Embassies and Consulates around the world, with a new diplomatic service to staff them.

## **Will there be changes to the South's legal framework?**

- A new Transitional Constitution of South Sudan is due to come into force on July 9<sup>th</sup> 2011, based on amendments to the 2005 Interim Constitution. It was agreed by the Council of Ministers, and due to be passed by the South Sudan Legislative Assembly.
- If passed, the new Constitution will be reviewed, in the future, by a representative National Constitutional Review Commission. This will involve a national consultation, gathering views from communities and stakeholders across the country.
- The main body of laws is already in place, but some new legislation will be enacted. Priorities include a law on nationality and citizenship, and the Central Bank and financial institutions.

## **What will happen to South Sudan's Government and institutions?**

- South Sudan is not starting from scratch. For the past six years, the Government of South Sudan (GOSS) has enjoyed considerable autonomy, with an elected Assembly, Government and a functioning judicial system.
- There are also several independent commissions, for example, on Human Rights, Anti-Corruption and Disarmament, Demobilisation and Reintegration (DDR).
- Administrative structures and elected Governors also exist in the ten States, at the State, County and Payam levels, as part of a decentralisation policy.

- The Government will continue to strengthen core government functions and service delivery over time with the support of the international community.
- The Official working language of the Government will change from English and Arabic to only English, though all indigenous languages of South Sudan will be respected and promoted. South Sudan will remain a secular state.
- Southern Sudanese Assembly members currently in the Government of National Unity in Khartoum will leave their posts and join the South Sudan Legislative Assembly in Juba.
- Southern Sudanese civil servants will also return and be absorbed into other institutions, especially at the local government level.

### **Will there be new elections?**

- Not immediately. The next cycle of national elections will be held after the President, the National Assembly, State Governors and State Assemblies, which were elected in April 2010, have completed their terms. This is provided for in the new Transitional Constitution.
- A National Elections Commission will also be established, an electoral system chosen and electoral legislation devised. A new population Census may also be carried out.

### **What happens to the nationality and citizenship of the Sudanese people?**

- Under the new Nationality Act, the Government of South Sudan will accept the right of people to have dual citizenship. This includes people from Sudan (North Sudan), who may acquire citizenship by naturalisation, as prescribed by law. The Government expects its partners in the North to do the same.
- The Government is committed to the concept of soft borders with the North, allowing freedom of movement for pastoralists and traders who regularly traverse the North-South boundaries.
- The Republic of South Sudan will welcome and help settle Southern Sudanese who wish to return from the North.
- South Sudan will recognize all legally-acquired property rights and land ownership.
- South Sudan will respect the rights of all people living in its territory from diverse ethnic, cultural, linguistic, religious and racial backgrounds, as per the Transitional Constitution, the Universal Declaration of Human Rights and the African Charter. Respect for these rights will be monitored by the Independent Commission on Human Rights, supported by civil society and a liberal media environment.

### **Is there a new national strategy for South Sudan?**

- Yes, there is a new South Sudan Development Plan (SSDP) to span the next three years, which will be a foundation for further planning and implementation.
- The SSDP is divided into four pillars – governance, economic development, social development and security. Its aim is to reduce poverty and improve the quality of life for all, strengthen governance and the rule of law, create a viable economy and solidify security.
- The plan builds on achievements since 2005 in many



areas, such as the establishment of a governing administration and basic infrastructure, and improved access to health, education and food security.

- A key element of the plan is to develop the agricultural base and encourage investment from the private sector, taking advantage of the vast resources in South Sudan for the good of its people.
- 'Vision 2040' is also being developed as a longer term strategy.

### **What will be the relationship between South Sudan and Sudan (North Sudan)?**

- South Sudan will continue to work together with Sudan (North Sudan), as two independent and sovereign states. The two countries have common economic interests, a shared responsibility for security, and strong ethnic and cultural ties.
- The Government is committed to peaceful cooperation on issues such as the movement of civilians between north and south, security, trade and other areas.
- Other matters will continue to be negotiated such as border demarcation and collaboration in the oil sector.

### **What about unresolved issues in the Comprehensive Peace Agreement?**

- Some critical issues in the CPA remain unresolved such as the final status of Abyei, arrangements for the states of Southern Kordofan and Blue Nile and the demarcation of the North/South Border.
- These issues are still subject to negotiation, with the support of international mediators such as the African Union High Implementation Panel.

### **What will be the approach to security issues?**

- The Government will take all possible steps to protect and build security for the people of South Sudan, and continue to address the roots of conflict through dialogue and peace-building processes.
- South Sudan will join regional security mechanisms and contribute to cross-border & regional stability.
- The respect of existing protocols and agreements under the CPA is the combined responsibility of both South and North governments and all other parties to such accords.
- The Sudan People's Liberation Army is being transformed into the South Sudan Armed Forces, with the mission of protecting the people of South Sudan and securing its territorial integrity. The Army will be subordinate to civilian authority and act in accordance with the Transitional Constitution.
- All factions outside the SPLA have now been integrated and the Army is already engaged in training and reforms. A reinforced DDR strategy is also planned.

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