

CONSOLIDATED MODALITIES AND RULES OF PROCEDURE FOR THE SOUTH SUDAN DIALOGUE

The objective of this dialogue is to bring sustainable peace and stability to the Republic of South Sudan by ensuring that the dialogue between all South Sudan Stakeholders: the Government of the Republic of South Sudan (GRSS), SPLM/A in Opposition, SPLM Leaders (former Detainees) Political Parties, Civil Society Organizations (CSOs) and Faith Based Organizations is carried out in a continuous and sustained manner towards resolving the conflict. This is in line with the decisions contained in the communiques of the 23rd, 24th, 25th and 26th sessions of the IGAD Assembly of Heads of State and Government held on 27th December 2013, 31st January, 13th March and 10th June 2014 respectively as well as in the Agreement signed between H.E Salva Kiir Mayardit, the President of the Republic of South Sudan and Dr Riek Machar Teny, the leader of the SPLM/A in Opposition on 9th May in Addis Ababa.

These joint modalities and rules of procedures are to facilitate the IGAD-led, multi-stakeholder South Sudan Peace Process and are amended from those adopted by the Government of the Republic of South Sudan and SPLM/A in opposition on 6th January 2014.

PARTICIPATION

RULE I

These modalities and rules of procedure shall apply to all meetings/sessions of dialogue between the South Sudan Stakeholders namely; Government of the Republic of South Sudan (GRSS), the SPLM/SPLA in Opposition, the SPLM Leaders (Former Detainees), the Political Parties, Civil Society and Faith-Based Leaders (hereinafter referred to as the Stakeholders).

MEDIATION

RULE II

The negotiations between the Stakeholders shall be under the mediation of Special Envoys from the Federal Democratic Republic of Ethiopia, the Republic of Kenya, and the Republic of Sudan, as provided for in the Communiqué of the Extraordinary Session of the IGAD Assembly of

Heads of State and Government issued on 27th December 2013.

QUORUM

RULE III

For the purpose of these rules, the presence of at least six (6) negotiating members from the Government of the Republic of South Sudan (GRSS) and the SPLM/SPLA (in Opposition) and at least four (4) negotiating members from each of the other Stakeholders and one Envoy is required, which together shall form a Quorum.

AGENDA

RULE IV

1. The IGAD Secretariat under the guidance of the Special Envoys shall prepare the provisional agenda of the dialogue/meeting in consultation with the Stakeholders.
2. The provisional agenda of each dialogue/meeting shall include matters arising from consultations with the Stakeholders.
3. The provisional agenda and any supporting documents for each meeting shall be circulated to the negotiating Stakeholders no less than 24 hours before the commencement of the meeting in line with the program of work.

REPRESENTATION AND CREDENTIALS

RULE V

1. The GRSS and SPLM/A (in Opposition) shall each have a total of 15 delegates that shall include a head of delegation and fourteen (14) other accredited representatives and alternate representatives, but may only be represented by no more than eleven (11) representatives in plenary at any one time except for launching and closing sessions.

2. The SPLM Leaders (Former Detainees), the Political Parties and Civil Society shall be represented by a delegation consisting of a head of delegation and ten (10) other accredited representatives and alternate representatives, but may only be represented by no more than seven (7) representatives in plenary at any one time except for launching and closing sessions.
3. The Faith-Based Leaders shall be represented by a delegation consisting of a head of delegation and ten (10) other accredited representatives and alternate representatives, but may only be represented by no more than seven (7) representatives in plenary at any one time except for launching and closing sessions. The Faith-Based Leaders will provide chaplaincy and may speak in session, but will not formally negotiate. They may provide observations on any positions tabled by stakeholders and/or mediators, may offer advice and suggestions to stakeholders to advance the process.
4. The full list of the delegates participating in the session shall be submitted to the Special Envoys no later than seventy-two (72) hours before the opening of the session.
5. Any changes to the list of delegates participating in each meeting shall be submitted to the Special Envoys no later than one (1) hour before the commencement of the meeting.

SECRETARIAT

RULE VI

1. A Secretariat shall be established by IGAD in accordance with accepted procedures and the practices of the organization.
2. The Secretariat;
 - a. shall receive, reproduce and distribute documents of the meetings;
 - b. shall keep minutes and summary records of the deliberations;
 - c. shall prepare and distribute the official documents of the meetings;

- d. shall be responsible for the safe custody and preservation of the documents of the meetings;
- e. shall take minutes and maintain records of proposals, conclusions, recommendations, decisions and agreements reached;
- f. shall distribute minutes, communiqués, reports, through the authorization of the Special Envoys; and
- g. shall perform all other work that the meetings may require.

CONDUCT OF BUSINESS

RULE VII

1. The meeting shall be led by a Chairperson who shall:
 - a. Declare the opening and closing of each session.
 - b. Guide the discussions with a view to allowing the Stakeholders to reach sufficient consensus.
 - c. Accord delegations the right to speak.
 - d. Announce decisions arising from the meetings.
2. All sessions of the dialogue/meetings shall be held 'in camera', unless otherwise decided to be made public by the Envoys, in consultation with the Stakeholders.
3. For the purpose of these rules "session in camera" means without the general public, press, media or television coverage.
4. The Chairperson shall call upon the speakers in the order in which they signify their desire to speak. No one may speak at a session of the meeting without prior consent of the Chairperson.

5. The Secretariat shall be in charge of drawing up a list of such speakers. The Chairperson may call a speaker to order if his/her remarks are not relevant to the subject under discussion.
6. No offensive language shall be used.
7. During deliberations, a delegate may call for a point of order to which the Chairperson shall react immediately. Any delegate who calls for a point of order may not in his/her statement, deal with the substance of the issue under discussion.
8. At the request of any Stakeholder, the Chairperson may adjourn the meeting for the purpose of consultation.
9. When an Agenda Item has been adequately discussed, the Chairperson may call for the closure of the discussion. When, in the opinion of the Chairperson, the discussion of an issue is exhausted for lack of speakers or no new ideas are being advanced, the Chairperson shall summarize and declare the session closed.
10. Press briefings in regards to the developments in the peace process shall be made available to the media by the Special Envoys when and as necessary.
11. Parties in the dialogue shall desist from any form of propaganda including media that could be considered injurious to the process.
12. As and when necessary, the Special Envoys shall at their own initiative or at the request of a Stakeholder, hold informal consultations with the Stakeholders or their heads of delegation, together or separately. Such consultations may also be carried out by one of the Envoys.
13. The Special Envoys shall, as necessary, provide Resource Persons from the region or outside the region. During negotiations, the Special Envoys may convene in-house participatory symposia/workshops as may be required, whereby the Stakeholders with the assistance of experts will elaborate and define the problem at hand. The outcome of such symposia/workshops may be incorporated into the formal negotiations.

14. Committees or Sub-Committees may be established to work towards concluding issues at hand within the timetable set by the Special Envoys.

OBSERVERS

RULE VIII

1. Observers may be invited by the mediation to any meeting as deemed necessary.

DECISION MAKING

RULE IX

1. The model for decision-making in the negotiations shall be consensus.
2. Should consensus of all Stakeholders not be achieved, the model for decision-making in the negotiations shall be the principle of sufficient consensus. Sufficient consensus shall be defined as the consensus of the warring Parties, the GRSS and SPLM/A (In Opposition), plus a minimum of two of the three other negotiating Stakeholders: the SPLM Leaders (Former Detainees), the Political Parties and Civil Society, on any given issue.
3. Any issue that lacks sufficient consensus shall be bracketed to allow further consultation amongst the stakeholders and the mediation with the objective of building consensus to break the impasse.

LANGUAGE

RULE X

1. English shall be the language of discussion during the dialogue.
2. If any other delegate wishes to use another language during the meeting, they should provide interpretation from within the members of the existing delegation.

AMENDMENTS TO JOINT MODALITIES AND RULES OF PROCEDURE

RULE XI

These joint Modalities and Rules of Procedure may be amended by the Special Envoys in consultation with the stakeholders.

**ADDIS ABABA, ETHIOPIA
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