

Addressing Delays in Passing the Fiscal Year Budget 2024-2025: A Petition to the National Parliament



June 18th, 2024

To: The National Transitional Legislative Assembly of South Sudan

Through Rt. Hon. Jemma Nunu Kumba,

The Speaker of the Transitional National Legislative Assembly (TNLA),

Juba, South Sudan,

REF: PETITION TO THE TNLA FOR THE DELAY OF FISCAL YEAR BUDGET OF 2024-2025 CONTRARY TO ARTICLE 87 (2) OF THE TRANSITIONAL CONSTITUTION OF SOUTH SUDAN 2011 (AS AMENDED) READ TOGETHER WITH REGULATION 119 (1) AND (2) OF THE TNLA CONDUCT OF BUSINESS REGULATIONS, 2011 (AS AMENDED, 2021)

1. The undersigned, representing the Centre for Peace and Advocacy (CPA), a registered national NGO operating in Juba, South Sudan, submits this petition to the Transitional National Legislative Assembly. We kindly request that this petition be brought to the attention of the Speaker of the TNLA, Rt. Hon. Jemma Nunu Kumba.
2. The humble petitioner brings this petition to the TNLA based to the following grounds:
 - (a) That Article 87 (1) of the Transitional Constitution of the Republic of South Sudan, 2011 as amended imposes the Constitutional Duty on the President to cause the Fiscal Year Budget of 2024-2025 in form of the bill for the allocation of resources and revenue in accordance with the provisions of the Transitional Constitution of South Sudan, 2011 as amended;
 - (b) That the TNLA (or the Transitional National Legislature (TNL)) to approve the Bill in modification or reject it in totality within the prescribed period between First week of May and June 30th each year;

- (c) That Article 87 (2) of the Transitional Constitution of the Republic of South Sudan, 2011 as amended read together with Regulation 119 (1) of the TNLA Conduct of Business Regulations, 2011 (as amended, 2021), further provides for the financial year to be twelve months beginning from July 1st, and ending on June 30th the other year;
 - (d) That Article 87 (1) of the Transitional Constitution of the Republic of South Sudan, 2011 (as amended) read together with Regulation 119 (2) of the TNLA Conduct of Business Regulations, 2011 (as amended, 2021) further provides that the President of the Republic of South Sudan to cause a statement of proposed revenue and expenditure of the government for the fourth-coming year, referred to as the budget to be approved by the National Parliament;
 - (e) That Article 88 (7) of the Transitional Constitution of the Republic of South Sudan, 2011 (as amended) further provides that the Budget shall become law whether the President signs it into law or not within the period of forty-five days after it was tabled in the first week of May as provided for under Regulation 119 (2) of the TNLA Conduct of Business Regulations, 2011 (as amended, 2021).
 - (f) That the period of discussing the National Budget and its approval is forty-five days running from the first week of May to the June 30th each year and the new financial year begins from July 1st, and ending on June 30th the other year;
 - (g) That South Sudan as a member of the East African Community has the duty to present its national budget at the same time with Ministries of Finance and Planning of other six Partner States that have already presented their national budget except South Sudan;
 - (h) That the new budget for all partner states to the East African Community shall become operational before or on July 1st, 2024;
 - (i) That it is the duty of South Sudan to present its national budget as required by its Transitional Constitution and other laws and the East African Community Treaty and Protocol related to budget; and
 - (j) That South Sudan failed to table its budget in the first week of May or June 13, 2024 together with Kenya, Tanzania and Uganda contrary its laws and the East African Community Treaty and Financial protocol.
3. This humble petition of the Center for Peace and Advocacy (CPA) brings to the attention of the TNLA which is the lawmaking, representative of the people and oversight body over the Executive to ensure that the violation of both national and East African Community laws is ratified as soon as possible.
4. This petition recommends to the TNLA to promptly summon the following Ministers:
- (a) Hon. Minister of Cabinet Affairs who is responsible for the presentation of the budget agenda to the Council of Ministers to explain why it has not happened up to date; and
 - (b) Hon. Minister of Finance and Planning to explain why the tabling of the budget as it is required by the Constitution delays.

Center for Peace and Advocacy (CPA), Juba, South Sudan

To schedule an interview, please contact us at +211924538137 or email us at info@cpa-southsudan.org / southsudan@protonmail.com