

Country/entity	South Sudan
Region	Africa (excl MENA)
Agreement name	Final Report of the Inter Church Committee on Peace and Reconciliation Mission to Magwi County
Date	15 Dec 2011
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/local conflict

Sudan Conflicts (1955 -)

Agreements relate to several distinct dyads, and also the negotiated independence of South Sudan, and subsequent internal conflict in South Sudan. Sudan-South Sudan. The long-standing conflict between the north and the south of the country dates back to colonial times, where the British introduced a so-called 'Southern Policy', severely hampering population movements between these big regions. Immediately after gaining independence in 1956, southern movements started to fight for independence; this fight became professionalised in 1983 with the foundation of the soon internationally supported Sudan People's Liberation Army (SPLA). When the Islamic Front government introduced strict sharia laws in the south after it took over power in 1988 the war intensified. A decade later, the military situation reached a stalemate, enabling internationally facilitated peace negotiations to begin in 1997. After more fighting, a final negotiation push began in 2002, leading to the signing of the Comprehensive Peace Agreement (CPA) in January 2005.

Sudan-South Sudan post referendum. South Sudan became independent in July 2011; since then, relations between the two countries are complicated and violent conflict led by the SPLM (North) in the Sudanese Nuba mountains region has since intensified.

Darfur. Other long-standing violent conflicts are in the east and the west of the country. In the east, the Beja Congress, established in 1957, is the spearhead of a currently 'peaceful' opposition movement. In the west, the violent conflict in Darfur intensified in the early 2000s and rapidly gained international attention, even resulting in genocide charges against leading figures of the Sudanese government. The situation on the ground is complex, with over a dozen organisations (most notably the Sudanese Liberation Movement and the Justice and Equality Movement) fighting the Sudanese government and allied groups like the Janjaweed – although all parties have switched sides on numerous occasions. Several mediation attempts have not been successful, due to the shaky commitment of the Sudanese central government and the distrust among the armed opposition.

South Sudan - internal

In December 2013, after president Salva Kiir accused opposition leader Riek Machar of attempting a coup, violent conflict broke out between government forces of the SPLM/A and anti-governmental groups. In addition, several other political militias as well as communal militias have joined the conflict. In 2015 the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) was signed. Due to unsuccessful implementation the agreement was revitalized in 2018. In September 2019, Kiir and Machar agreed to establish a power-sharing government after struggles on forming a unity transitional government.

Close

Sudan Conflicts (1955 -)

Stage Pre-negotiation/process

Conflict nature Inter-group

Peace process	South Sudan: Post-secession Local agreements
Parties	The document is not signed, but it does address the violence between the Acholi and Madi.
Third parties	Page 1: Sudan Council of Churches, Government of Eastern Equatoria State Inter Church Committee Page 2: UNMIS, UNHCR and the NCA attended as observers
Description	After a violent clash between Acholi and Madi in Magwi County, leaving six dead and many displaced the Sudan Council for Churches toured the area to request calm, and were requested by local communities to take a role in facilitating an end to the conflict. As a result they consulted with all parties and toured the area, and made a series of findings, and a set of recommendations to all parties for steps towards peace which reflected the positions articulated to them. As such, this is a document classified as relating to pre-negotiation and process stage.
Agreement document	SS_111215_Final Report of the Inter Church Committee on Peace and Reconciliation Mission to Magwi County.pdf (opens in new tab) Download PDF
Groups	
Children/youth	Groups→Children/youth→Substantive Page 9: 5.2: Recommendations to the EES Government 5.2.1: On the Issue of Restore Justice: Affirming that no genuine peace, healing and reconciliation is possible without restorative justice; Recognizing that true justice can only be possible through due process and the rule of law; The ICC as a church group associates itself with the cry for justice coming from the afflicted communities. To this effect the ICC recommends: ... 2. While justice is being pursued it is highly recommended that the EES Government considers the possibility of assisting those who lost dear ones in the conflict, especially the children they have left behind. Humanitarian aid should also be extended to the displaced persons with specific attention being paid to the mother who gave birth in the bush-
Disabled persons	No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

**Refugees/displaced
persons** Groups→Refugees/displaced persons→Substantive
Page 9:

5.2: Recommendations to the EES Government

5.2.1: On the Issue of Restore Justice:

Affirming that no genuine peace, healing and reconciliation is possible without restorative justice;

Recognizing that true justice can only be possible through due process and the rule of law;

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3. Displaced families should be granted free access and, where possible, escorted to their gardens to harvest their crops.

Social class No specific mention.

Gender

Women, girls and gender

Page 9:

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Men and boys

No specific mention.

LGBTI

No specific mention.

Family

Page 9:

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State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

**Traditional/
religious leaders**

Page 11:
5.3: Recommendations to the leaders of the Acholi and Madi Communities

Recalling that the recent Acholi and Madi conflict was exacerbated by the negative influence of the external elite;

Noting that some of the root causes of the conflict are politically-driven:

The ICC:

- Calls on elders, politicians, and opinion leaders of the Acholi and Madi people to refrain from inciting their populations to violence;
- Cautions these leaders against using violence as a means of achieving political goals;
- Encourages the leaders to work with the government and other interested agencies to intensify civic education for their respective populations, especially the youth.
- Recommends the creation, under the auspices of the ICC, of a Joint Acholi and Madi Standing Committee of Elders based on previous experiences and practices. This Standing Committee shall regularly meet to discuss issues of mutual interest to their communities and defuse tensions before they escalate.

**Public
administration**

No specific mention.

Constitution

No specific mention.

Political power sharing

No specific mention.

Territorial power sharing

Power sharing→Territorial power sharing→Other

Page 9 - 10:

5.2.2: On the Issue of Border Demarcation and Creation of New Local Government units

Noting that the issue of border demarcation is inextricably linked to the demand for new local government administrative units;

Mindful of the fact that both communities have divergent views on how their common border and the borders of any future county for the Acholi and Madi area should be demarcated;

Considering that neither 1 st January 1956 nor traditional rituals are viable and mutually acceptable mechanisms for resolving the border dispute;

Recalling the observations of the Fact Finding Committee set up by the Governor of EES to look into the Acholi and Madi Border Dispute of September/October 2010 with regard to the creation of Iwire Payam:

The ICC recommends the following:

1. The Acholi and Madi border dispute should be referred to the statutory organs of land/ border dispute provided for in the existing legislation. Any ruling from the statutory organ henceforth be binding on both parties, and shall remain in force.
2. The creation of new local government units purely along tribal/ethnic lines is strongly discouraged; as this will further fractionalize and fragilize the young nation. With the same breath, the ICC cautions against the creation of new local government units without proper consultations with stakeholder communities; and without respect for the procedure spelt out by the law.
3. The exact status of Iwire needs further clarification from the EES Government, given the fact that its "approval" on 30/04/2010 was in violation of the provisions of Presidential Order No. 006/2010 of March 2, 2010 giving guidelines for caretaker GOSS Ministers and State Governors/Ministers. Section 3.2 (f) of the aforementioned decree expressly forbade Caretaker Governors from changing administrative boundaries, names or locations of the seat for local government councils. Iwire Payam "approval" was during the period covered by this decree.

5.2.3: On the Issue of the Demarcation of Ame(e) Junction

The ICC welcomes the decision of the government to deploy police at Ame(e) Junction to guarantee peace and security of the citizens in the area. The ICC urges the government to order a mandatory halt to all construction of houses and/or structures until such a time the status of the area would have been clarified. However, the ICC strongly recommends that any future demarcations should be carried out only after proper consultations with stakeholder communities and in an open and transparent manner.

Economic power sharing	No specific mention.
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Military power sharing	No specific mention.
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Human rights and equality

Human rights/RoL general	No specific mention.
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Bill of rights/similar	No specific mention.
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Treaty incorporation	No specific mention.
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Civil and political rights	No specific mention.
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Socio-economic rights	No specific mention.
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Rights related issues

Citizenship	No specific mention.
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Democracy	No specific mention.
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Detention procedures	No specific mention.
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Media and communication	No specific mention.
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Mobility/access	No specific mention.
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Protection measures	No specific mention.
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Other	No specific mention.
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Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction

Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance

Page 9:

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National economic plan

No specific mention.

Natural resources

No specific mention.

International funds

No specific mention.

Business

No specific mention.

Taxation

No specific mention.

Banks

No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Land reform and management
Page 8:

5.1. Recommendations to the Government of the Republic of South Sudan

Considering that community land disputes and dispute over community boundaries; poses a serious threat to peace, stability and the Government's vision of promoting peaceful coexistence between the peoples of South Sudan;

...

The ICC recommends the following:

1. That the Government of the Republic of South Sudan takes urgent measures to resolve all pending community land disputes including the long standing dispute between the Acholi and the Madi. In this regard the Government is urged to speed up u- re revision Of the Land Act and cause its immediate implementation.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** No specific mention.

Ceasefire No specific mention.

Police

Page 8,
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1. The Government of Eastern Equatoria State set up a Joint Investigative Task Force comprising of a Legal Administrator Sudan Police Services (SPS) Detectives, United Nations Police (UNPOL) and UNMISS Human Rights Officers to carry out a thorough investigation of the criminal acts (murder, arson, looting, assault, intimidation and harassment, disturbance of the public peace, depredation by band etc) committed during the violent incidents of October and November 2011 in Magwi County, Based on the results of these investigations, all those suspected Of having committed or abetted the commission of violent crimes should be brought to justice. This Investigation may be carried out without prejudice to any ongoing peace and reconciliation initiatives undertaken by the ICC or any other group.

Armed forces

No specific mention.

DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces

No specific mention.

Withdrawal of foreign forces

No specific mention.

Corruption

No specific mention.

Crime/organised crime

Page 8,
5.1. Recommendations to the Government of the Republic of South Sudan
...
Noting that the SPLA has been cited as being involved in the shooting to death of two civilians and the wounding of another during the October disturbances in Moli Tukuro;
...
The ICC recommends the following:
2. That the Minister of Defense and the SPLA General Headquarters speed up the investigation into the circumstances that led to the fatal shooting of two civilians and the wounding of another during the October incidents at Moli Tukuro with the view to bring the perpetrators to justice through due process of the law.

Page 8,
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Drugs

No specific mention.

Terrorism

No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	No specific mention.
Related cases	No specific mention.
Source	On file with PA-X PI.
