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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 -))
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 ad 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](#) | [Download PDF](#)

Groups

Children/ youth	<p>Groups→Children/youth→Substantive Page 9: 5.2: Recommendations to the EES Government</p> <p>5.2.1: On the Issue of Restore Justice: Affirming that no genuine peace, healing and reconciliation is possible without restorative justice;</p> <p>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-</p>
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;

The ICC as a church group associates itself with the cry for justice coming
from the afflicted communities. To this effect the ICC recommends:

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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-

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:
5.2: Recommendations to the EES Government
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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.

Men and
boys No specific mention.

LGBTI	No specific mention.
Family	<p>Page 9: 5.2: Recommendations to the EES Government</p> <p>5.2.1: On the Issue of Restore Justice: Affirming that no genuine peace, healing and reconciliation is possible without restorative justice;</p> <p>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: ...</p> <p>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-</p> <p>3. Displaced families should be granted free access and, where possible, escorted to their gardens to harvest their crops.</p>

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.

Power sharing

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.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

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:
5.2: Recommendations to the EES Government

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

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	<p>Page 8, 5.2: Recommendations to the EES Government</p> <p>5.2.1: On the Issue of Restore Justice: Affirming that no genuine peace, healing and reconciliation is possible without restorative justice;</p> <p>Recognizing that true justice can only be possible through due process and the rule of law;</p> <p>The ICC as a church group associates itself with the cry for justice coming from the afflicted communities. To this effect the ICC recommends:</p> <p>1. The Government of Eastern Equatoria State set up a Joint Investigative Task Force comprising of a Legal Administrator Sudan Police Services (SSPS) 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.</p>
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	<p>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.</p> <p>Page 8, 5.2: Recommendations to the EES Government</p> <p>5.2.1: On the Issue of Restore Justice: Affirming that no genuine peace, healing and reconciliation is possible without restorative justice;</p> <p>Recognizing that true justice can only be possible through due process and the rule of law;</p> <p>The ICC as a church group associates itself with the cry for justice coming from the afflicted communities. To this effect the ICC recommends:</p> <p>1. The Government of Eastern Equatoria State set up a Joint Investigative Task Force comprising of a Legal Administrator Sudan Police Services (SSPS) 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.</p>
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.
