

Country/entity South Sudan

Region Africa (excl MENA)

Agreement name 1st Review of the Marial Bai Agreement on Cattle Seasonal Movement, Wau State

Date 1 Nov 2019

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 Implementation/renegotiation

Conflict nature Inter-group

Peace process

South Sudan post-secession process

Parties

- William Bak Uloro (Signatory) – Kangi County
- John Utho Achom (Witness) – Kangi County
- Elario Ucuir Uyu (Signatory) – Roc Roc Don County
- James Aguer Ken (Witness) – Roc Roc Don County
- Peter Akuar Auger (Signatory) – Udici County
- Bernarto Uyak Uchen (Witness) – Udici County
- Nyiyuo Awet Nyiyuo (Signatory) – Kujaena County
- Elario Den Aken (Witness) - Kujaena County
- Peter Monylet Deng (Signatory) – Wau Municipality County
- Daniel Masimno Juya (Witness) - Wau Municipality County
- Lual Aleu Mabuon (Signatory) – Marial Bai County
- Bol Majok Ngor Dut (Witness) - Marial Bai County
- William Kamilo Mboro (Signatory) – Bessillia County
- Raphael Daniel Mande (Witness) - Bessillia County
- Natale Augustino Zalan (Signatory) – Baggari County
- Elias Andrea Ujang (Witness) - Baggari County
- Gabriel Unango Uguen (Signatory) – Kpaile County
- Paul Kamilo Dufan (Witness) - Kpaile County
- Adhal Kot Kon (Signatory) – Alur County
- Uchalla Dhal Nyabang (Witness) - Alur County
- Athain Akuei Athain (Signatory) - Wau Bai County
- Mawein Wol Lony (Witness) - Wau Bai County
- Jamus Wol Achuil (Signatory) – Alel Thony
- Isarbino Amet Makuac (Witness) - Alel Thony
- Arou Kon Arou (Signatory) - Man Alor County
- Alphonsio Mawein Arou (Witness) - Man Alor County
- Aru Athian Aru (Signatory) - Tonj County
- Marko Mabior Ajiec (Witness) - Tonj County
- Ayii Agiu Kuot (Signatory) – Warra County
- Kieu Athian Manoi (Witness) - Warra County
- Mathuc Madut Mawein (Signatory) – Pagol County
- Marko Mabior Ajiec (Witness) - Pagol County
- Cikom Ayiei Cikom (Signatory) – Yar County
- Marko Mabior Ajiec (Witness) – Yar County
- Parum Malek Akuien (Signatory) - Thiet County
- Akot Mathiang Deng (Witness) - Thiet County
- Kur Malek Mathok (Signatory) – Jak County
- Marko Mabior Niec (Witness) – Jak County
- Mawein Mayol Mawein (Signatory) – Kirik County
- John Maker Lon (Witness) - Kirik County
- Abraham Nyok Madut (Signatory) - Kuac South County
- Chol Yuot Chol (Witness) - Kuac South County
- Deng Ajiek Agoth (Signatory) - Kuac North County
- David Ayok Akook (Witness) - Kuac North County
- James Kuc Baak (Signatory) - Aguok South County
- Joseph Manut Yel (Witness) - Aguok South County
- Wek Deng Ariech (Signatory) - Kuac West County
- Malueth Mayen Wol (Witness) - Kuac West County
- Madut Teng Agany (Signatory) - Buoyar County
- Madut Adup Majok (Witness) - Buoyar County

Third parties Sam Muhumure, UNMISS, Head of Field Office, Wau
Orasio Opiyo, PRWG, Coordinator
Ariech Deng Ariech, TOCH Representative
Thiep Mayuot Deng, NRC Representative
John Lupo Ucin, Malteser Int. Representative

Description In this agreement, representatives of various farming and cattle-breeding communities, engage in a planned review of the previous agreement on managing seasonal cattle movements. The disputes over land and transhumance routes were the source of violence, and this agreement aims to prevent disputes from becoming violent by organising a Dispute Resolution Committee, a Monitoring Committee, and an Interstate Coordinating Committee on Cattle Seasonal Movement. The agreement also sets procedures and compensation for any damage caused to farmers or cattle owners.

Agreement document [SS_191101_Review Marial Bai Agreement.pdf \(opens in new tab\)](#) | [Download PDF](#)

Local agreement properties

Process type Formal structured process

Rationale The agreement is a planned review of an existing agreement,

Is there a documented link to a national peace process? No

Link to national process: articulated rationale The conflict was highly localized and there is no indication that the negotiations were linked to the national process.

Name of Locale States of Wau, Tonj, Gogrial

Nature of Locale Region

GPS Lat/Long (DD) 8.011850, 28.175579

Participant type Local community/civilian group(s)/civil society organisations

Mediator, facilitator or similar Mediator or similar referred to

Mediator (references) UNMISS representative was present and signed as witness, and the documents referenced below suggest that UN agencies were supporting the negotiations.

Type of mediator/facilitator/similar International or transnational actor

Local issues

Ritual/prayer and process (including use of scripture) No specific mention.

Grievance List No specific mention.

**Cattle rustling/
banditry**

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RESOLUTION 7

Killing of animals and compensation for killed animals Killing of cows is not allowed. When a cow or herd is found to roam or to damage a farm, the community should be alerted to detain and hand them to the chief/police/a designated person to keep them until the owner reports and pays compensation for damages in case of any or cost of keeping the animal.

In case an animal is killed by a known person that person will compensate the animal according to the list below. If a cow is killed by a person unknown near a village the village members will be responsible to compensate for the dead cow in accordance with the list below. Conversely, if a farm/garden is destroyed by unknown herds, all the Majokwuot around that farm/garden will be responsible to compensate the owners as stipulated in resolution 6 of this agreement.

The person compensating for the loss of a cow will go to the auction with the owner who is to be compensated, they will select the cow, determine the price and the person compensating will give the money to the owner who will buy his desired cow.

Compensation schedule for types of animals

SINO

Animals

Compensation in case of destruction

In kind

1

First class bull Adon

First class bull

2

Second class bull

Second class bull

3

Third class bull

Third class bull

4

Bull (1 year old)

Bull 1 year old

5

Ajjeo 3-6 calves

Ajjeo (3-6 calves)

6

Ajjeo (2 calves)

Ajjeo (2 calves)

7

First class heifer danliac

First class heifer danliac

8

2nd class heifer

2nd class heifer

9

One and half year bull/heifer

One and half year bull/heifer

10

Goat (pregnant)

The same age pregnant goat

11

Nyokadong 3-5 years old

Nyokadong 3-5 years old

Social cover

No specific mention.
