

**THE REPUBLIC OF SOUTH SUDAN**

**States of Wau, Tonj and Gogrial**

**Interstate Coordinating Committee on Cattle Seasonal Movement**

**1<sup>st</sup> Review of Marial Bai Agreement on Cattle Seasonal Movement**

**Peace Hall, Council of Ministers, Wau State**

**29<sup>th</sup> October – 1<sup>st</sup> November 2019**

This agreement is the 1<sup>st</sup> review of the Marial Bai Agreement on Cattle Seasonal Movement and the 3<sup>rd</sup> Bussere review conference of agriculturalists and cattle keepers.

The primary goal of periodic peace conferences between pastoralists and agriculturalists from Wau, Tonj and Gogrial States is to promote and consolidate peace and secure a stable political and socio-economic environment during the annual cattle seasonal movement.

The outcome of the periodic peace conferences is a conference agreement signed by representatives from participating counties in Gogrial, Tonj and Wau States.

**RESOLUTION 1**

***Natural resources***

All parties from the three states have agreed and recognized that agricultural and animal (livestock) resources are all national resources of the Republic of South Sudan and all must be protected and preserved.

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## RESOLUTION 2

### *Arrival time*

1. All cattle movement in cultivation land in Wau State shall be in January every year and return from the farming areas to Gogrial and Tonj States, or other locations outside the farming areas, as the rainy season starts in April or May.
2. In the event that water and grass are not available before January, the concerned Chief in Gogrial or Tonj will negotiate early arrival with the chief of the concerned area in Wau State following the pre-cattle seasonal movement procedures as prescribed in resolution 4 of this agreement.
3. Cattle camps to arrive early in Wau State without a negotiated early arrival time will be told to go back home by the chiefs and the authorities in the three states.

## RESOLUTION 3

### *Movement related to cattle auctions*

When asked, traders must be able to show cattle movement permits from their counties of origin to prove that the movement of the cows is for auction. If they can prove that, they will be exempt from complying with resolution 2. All other resolutions apply to the movement related to cattle auctions.

## RESOLUTION 4

### *Pre-cattle seasonal movement procedures and letter*

All Majokwuot who plan to move with their cattle to Wau State must, before they move, obtain a letter of permission from the Boma Chief of the area of origin of the Majokwuot. The permission letter shall contain at least the following information:

1. Name of the Majokwuot
2. Name of Boma/Payam of origin of the Majokwuot
3. Name of the Boma Chief/Paramount Chief
4. The intended destination in Wau State

Before moving with the cattle, the Majokwuot will always:

1. Visit the Boma Chief of their intended destination in Wau State who will organize a meeting with other community leaders

2. Present the letter of permission to the Boma Chief of the intended destination in Wau State
3. Agree with the Boma Chief (or the person designated by the Boma Chief in former Jur River County area) of the intended destination on seasonal settlement of the camp, far away from residential and cultivation areas
4. Upon agreement, the Majokwuot will go back and collect the cattle to return to the area where he reached agreement with the Boma Chief and other community leaders
5. Majokwuot shall be received by Chief in the Boma on their arrival with the cattle camps for a welcome ceremony; before their departure in April or May, a farewell ceremony will be held

### **RESOLUTION 5**

#### ***'Local cows' in Wau State***

Cattle that are owned by the citizens of Wau State are subject to the rules of cattle seasonal movement formulated in this and subsequent Conference Agreements.

Destruction of farms/farmland by cows of local owners as well as of military personnel should be reported to the chiefs of the area or military commanders who shall refer the matter to the designated local authority for further action.

### **RESOLUTION 6**

#### ***Mature persons to look after animals and compensation for damage of farms***

Cattle owners and chiefs shall ensure that cattle are looked after by mature men, not by boys. Failure to control the animals and resulting damage to crops or farms must be compensated in accordance with the list below.

Quantity of the crops destroyed and the amount of the compensation shall be assessed by the members of the committee as described in resolution 9.

Compensation for crops destroyed will be compensated by Majokwuot on behalf of the cattle owners based on the following list.

#### **Compensation list for varieties of crops**

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S/No	Varieties of crops, seeds, vegetables, trees, fruits, beehives and grass	Compensation in case of damage or destruction
		In SSP or kind as below
1	Long term sorghum (plant)	150
2	Short term sorghum (plant)	150
3	Beans (stem)	90
4	Cassava (stem)	400
5	Maize (stem)	45
6	Groundnut (stem)	90
7	Hardnut (stem)	45
8	Simsim (square metre)	300
9	Telepone (head)	150
10	Millet (head)	150
11	Sugar cane (stem)	300
12	Guava (seedling and mature tree)	300
13	Mango (seedling and mature tree)	300
14	Lemon (seedling)	300
15	Tomato (stem)	90
16	Okra (stem)	45
17	Banana (seedling)	300
18	Egg plant (stem)	90
19	Pumpkin (stem)	90
20	Tobacco (stem)	30
21	Sweet potato	90
22	Beehive	Pregnant heifer
23	Grass (bundle)	90

In case of changing economic situation, the ICCM is empowered to review and update the compensation list.

## 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**

S/No	Animals	Compensation in case of destruction In kind
1	First class bull (Adong)	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	Ajiep (3-6 calves)	Ajiep (3-6 calves)
6	Ajiep dhieth (2 calves)	Ajiep (2 calves)
7	First class heifer (danliac)	First class heifer (danliac)
8	2 <sup>nd</sup> class heifer	2 <sup>nd</sup> 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)
12	Nyokbuoth (2 years old)	Nyokbuoth (2 years old)
13	Thok-ajiep (1-6 dau)	Thok-ajiep (1-6 dau)
14	Dau	Dau

15	Sheep	Sheep
16	Donkey	Donkey

### RESOLUTION 8

#### *Person attacked by dog*

When a dog attacks a person and wounds that person the owner of the dog is responsible for the medical treatment of the wounded person. When a dog attacks an animal the owner of the dog is responsible for the medical treatment of the animal.

When a person or animal is killed by the dog, the case should be handled by a formal court.

### RESOLUTION 9

#### **Determination of damage**

At the beginning of the cattle seasonal movement every Boma or Payam will form a committee consisting of (1) Chief, (1) Majokwuot, (1) Woman, (1) Farmer, (1) Ministry of Agriculture, (1) Veterinary Officer, (1) youth representative, (1) police and (1) administrator. This committee will meet immediately when damages are reported.

The committee is responsible to:

1. Identify the culprit(s)
2. Determine the amount of damage and to
3. Collect the compensation from the Majokwuot or the farmer

In case the decision is not in accordance with the resolutions of this agreement, an appeal can be made.

### RESOLUTION 10

#### *Carrying of guns*

All the parties from the three states agreed that there must be comprehensive disarmament to be conducted in all the three states and this subject to the policies of the three state security committees.

## **RESOLUTION 11**

### ***Burning of grass***

Bush burning is prohibited to avoid damaging the crops and the environment; anybody found burning grasses shall be brought before the law according to South Sudan Environmental Law.

## **RESOLUTION 12**

### ***Interstate Coordinating Committee on Cattle Seasonal Movement***

Cattle Seasonal Movement is a phenomenon with a long history in the region. Over time agreements were made but not written down. People respect these traditional agreements as part of their heritage and the agreements grow into traditional law. The contents of the current – written – agreements will also grow into traditional law. For this reason, the implementation of these written peace agreements should be citizen-driven to enable communities to accept and implement the resolutions of the agreement. The goal of the Interstate Coordinating Committee on Cattle Seasonal Movement, a citizen-driven committee, is to ensure public/citizen/community involvement and active participation in the implementation process.

### ***Structure of the Interstate Coordinating Committee on Cattle Seasonal Movement***

- Four people representing Wau State Counties involved in the cattle seasonal movement
- Four people representing Tonj State Counties involved in cattle seasonal movement
- Four people representing Gogrial State Counties involved in cattle seasonal movement
- The representation should include four county representatives (individual citizens not State and/or County Officials), two persons representing the Farmers (Wau State), two persons representing Majokwuot (Gogrial and Tonj), two persons representing Traditional Leaders and two persons representing cattle owners.

Members of the Interstate Coordinating Committee on Cattle Seasonal Movement do not receive any remuneration but are refunded through the 3 State institutions for direct expenses in fulfilling their tasks.

Members are nominated and appointed by the conference for a period of three (3) years; non-performing members can be replaced by the Chairperson after consultations. Orientation and training of new members is the responsibility of the sitting Committee in collaboration with the Director-Generals of State Ministries of Local Government. The Chairperson of the

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Interstate Coordinating Committee on Cattle Seasonal Movement reports every year or every two years to the Conference and minimally twice per year to the county councils through the DGs and Ministers of the Ministries of Local Government in the three states.

The following members of the Interstate Coordinating Committee on Cattle Seasonal Movement were nominated and appointed on 1 November 2019 for a period of three years until 1 November 2022.

	<b>Members</b>	<b>Member status</b>	<b>Position</b>
1	Makuc Aru Luac	County representative	Chairman
2	Marko Mabior Ajiec	County representative	Deputy Secretary
3	Madut Atem Madut	Majokwuot representative	Member
4	Aken Aleu Ngor	Majokwuot representative	Member
5	Kieu Athian Manoi	Traditional Leaders representative	Member
6	Makuei Majook Makuei	Cattle owner representative	Member
7	Luciano Thomas Abdalla	County representative	Deputy Chairman
8	David Mangok Mawien	County representative	Secretary
9	Joseph Abdalla Uveda	Farmers representative	Member
10	Paulino Machol Akuar	Farmers representative	Member
11	Anthony Martin Abushaka	Traditional leaders representative	Member
12	Peter Pinyi Mabuoc	Cattle owners representative	Member

***Key Tasks of Interstate Coordinating Committee on Cattle Seasonal Movement***

The Interstate Coordinating Committee on Cattle Seasonal Movement:

- Plan, organize, provide leadership and control the implementation of the signed peace conference agreements
- Ensure that all stakeholders are actively involved in the process to manage the implementation of the signed peace conference agreements



- Facilitate effective communication with all stakeholders involved in the process to manage implement the signed peace agreements effectively

## **RESOLUTION 13**

### ***Monitoring Committee***

#### ***Establishment***

The Monitoring Committee (MC) consists of Deputy Executive Directors of Counties involved in the cattle seasonal movement and the members are nominated and appointed by the Director Generals of the states after consultations. The number of members of the MC shall not exceed nine. The MC reports to the Interstate Coordinating Committee on Cattle Seasonal Movement.

#### ***Functions of the Monitoring Committee***

1. Disseminate and explain signed Conference Agreements to the communities and stakeholders
2. Monitor implementation of agreement and workshop decisions
3. Monitor challenges occurring during the cattle seasonal movement process
4. Follow-up on movement of cattle camps
5. Monitor cattle arrival and departure time
6. Report unresolved disputes to Dispute Resolution Committee
7. Meet to plan work activities
8. Ensure effective communication among members of the committee
9. Create awareness among cattle keepers and farmers for peaceful coexistence to avoid revenge
10. Ensure effective coordination between members of the committee
11. Communicate with community members before arriving at that specific community location

## **RESOLUTION 14**

### ***Dispute Resolution Committee (DRC)***

#### ***Establishment***

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The Dispute Resolution Committee (DRC) consists of five chiefs of Wau State and four Majokwuot of Gogrial and Tonj States from the Counties involved in cattle seasonal movement.



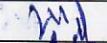
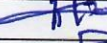


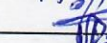



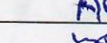

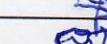

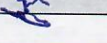
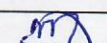




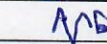
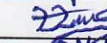


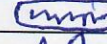
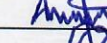




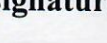

The members are nominated and appointed for a period of 3 years by the Paramount Chiefs who inform the Executive Director of the County. The DRC reports to the Interstate Coordinating Committee on Cattle Seasonal Movement.


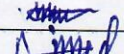
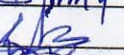

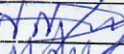

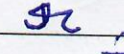


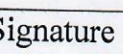

**Functions of Dispute Resolution Committee**

1. Ensure greater social support among people through helping them to solve their disputes in terms of the agreement.
2. Solving those social issues that cannot be resolved by laws of the Republic of South Sudan, for example when a person is shot or killed it is a crime that must be dealt with by the laws of South Sudan. Compensation under this agreement does not preclude prosecution in a formal court.
3. Ensure social justice take its course to prevent recurrence of the problems in cases where the local chief and or Majokwuot cannot solve the problem
4. Thorough assessment of those problems referred to the committee to find a solution satisfactory to both groups with reasonable time frame to avoid escalation of the problems



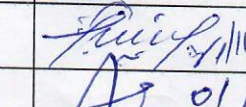
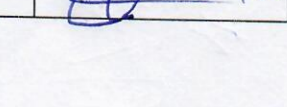
Signed and witnessed in Peace Hall, Council of Ministers, Wau State on 1 November 2019 by participants that represent the stakeholders of counties involved in cattle seasonal movement of Wau, Tonj and Gogrial States, thereby representing all stakeholders of the counties and states.

	County	Name, title	Signatory/witness	Signature
1	Kangi	William Bak Uloro	Signatory	
		John Utho Achom	Witness	
2	Roc Roc Dong	Elario Ucuir Uyu	Signatory	
		James Aguer Ken	Witness	
3	Udici	Peter Akuar Auger	Signatory	
		Bernarto Uyak Uchen	Witness	
4	Kuajena	Nyiyuo Awet Nyiyuo	Signatory	
		Elario Deng Aken	Witness	
5	Wau Municipality	Peter Monylet Deng	Signatory	

		Daniel Masmino Juya	Witness	
6	Marial Bai	Lual Aleu Mabuong	Signatory	
		Bol Majok Ngor Dut	Witness	
7	Bessillia	William Kamilo Mboro	Signatory	
		Raphael Daniel Mande	Witness	
8	Baggari	Natale Augustino Zalan	Signatory	
		Elias Andrea Ujang	Witness	
9	Kpaile	Gabriel Unango Uguen	Signatory	
		Paul Kamilo Dufan	Witness	
10	Alur	Adhal Kot Kon	Signatory	
		Uchalla Dhal Nyabang	Witness	
11	Wau Bai	Athain Akuei Athain	Signatory	
		Mawein Wol Lony	Witness	
12	Alel Thony	Jamus Wol Achuil	Signatory	
		Isarbino Amet Makuac	Witness	
<b>Tonj State</b>				
1	Man Alor	Arou Kon Arou	Signatory	
		Alphonsio Mawein Arou	Witness	
2	Tonj	Aru Athian Aru	Signatory	
		Marko Mabior Ajiec	Witness	
3	Warrap	Ayii Agiu Kuot	Signatory	
		Kieu Athian <i>Mading Mansi</i>	Witness	
4	Pagol	Mathuc Madut Mawein	Signatory	
		Marko Mawein Ngong	Witness	
5	Yar	Cikom Ayiei Cikom	Signatory	
		Marko Mabior Ajiec	Witness	
6	Thiet	Parum Malek Akuien	Signatory	
		Akot Mathiang Deng	Witness	
7	Jak	Kur Malek Mathok	Signatory	
		Marko Mabior Ajiec	Witness	
8	Kirik	Mawein Mayol Mawein	Signatory	
		John Maker <i>Nyilon</i>	Witness	
	<b>County</b>	<b>Name, title</b>	<b>Signatory/witness</b>	<b>signature</b>
<b>Gogrial State</b>				
	<b>County</b>	<b>Name, title</b>	<b>Signatory/witness</b>	<b>Signature</b>
1	Kuac South	Abraham Nyok Madut	Signatory	

		Chol Yuot Chol	Witness	
2	Kuac North	Deng Ajiak Agoth	Signatory	
		David Ayok Akook	Witness	
3	Aguok South	James Kuc Baak	Signatory	
		Joseph Manut Yel	Witness	
4	Kuac West	Wek Deng Ariech	Signatory	
		Joseph Ngong Ngong	Witness	
5	Kuac East	Akol Ayii Madut	Signatory	
		Malueth Mayen Wol	Witness	
6	Buoyar	Madut Teng Agany	Signatory	
		Madut Adup Majok	Witness	

**Observers during the MBA Review Conference:**

S/no	Name	Organization	Designation	Signature
1	Sam Muhumure	UNMISS	Head of Field Office, Wau	
2	Orasio Opiyo	PRWG	Coordinator	
3	Ariech Deng Ariech	TOCH	Representative	
4	Thiep Mayuot Deng	NRC	Representative	
5	John Lupo Ucin	Malteser Int.	Representative	