

# Unity State

Date: 09/12/2014

## Under The Theme:

SEARCH FOR SUSTAINABLE PEACE AND GOOD GOVERNANCE IN SOUTH SUDAN.

WE THE PEOPLE OF UNITY STATE MET ON 5<sup>TH</sup> DECEMBER 2014 IN PAGAK AND DELIBERATED ON THE CURRENT PEACE TALKS IN ADDIS ABABA.

We believe that unjust peace is worst than War. Therefore we stand for just and sustainable peace that addresses the root causes of the conflict and guarantees the fundamental rights and aspirations of the people of South Sudan. **In that respect this is our position.**

**A.** Regarding IGAD proposal on power sharing and the structure of the transitional government of National Unity, there should be president, prime minister and the council of ministers with the ensuing additional functions.

(i) **President**

- Ceremonial leader.
- The current president should not lead the transitional government of national unity because he lost legitimacy i.e. trust and confidence of the people of South Sudan.
- Therefore, he is no longer entitled to be the symbol of national unity instead, he should admit the responsibility of having killed his own citizens, and then apologize accordingly.
- We accept the designated presidential powers except for (v) & (vii)
- Regarding the joint powers between two principals we accept the joint powers.

(ii) **Prime Minister**

- Executive prime minister with all powers as per Ethiopian, Israeli, Indian and British models.
- The prime Minister and the president shall both be the symbols of national unity.
- The Prime Minister and the president shall both preserve the territorial integrity of South Sudan.
- Exercises the designated Functions, (i - xii) in the table of distribution of powers.
- Recommend appointment of ministers (members of his council) to the president in accordance with this agreement.
- Recommend the removal of a constitutional post holder in case of corruption, embezzlement, incompetence or high treason against the State.
- Initiate and sign joint ventures with international agencies in the state interest.

(iii) **Council of Ministers:**

- The Prime minister shall chair the council of ministers meetings.

**B. System of Governance – Federalism.**

- The system of governance shall be Federalism based on hybrid presidential/parliamentary system. As a popular demand of the people of South Sudan, its implementation must start immediately with the transitional period.
- Under this federal system, the president should be accountable to the people through their representatives in the parliament.
- The federalism is based on territory and not ethnic.
- The government should be efficient and effective in the delivery of services to the people through popular institutions.
- The territorial designation of federal state should be based on former twenty one (21) colonial districts of 1956.
- The transitional government of national unity (TGoNU) shall be called the federal transitional government of national unity (FTGoNU)
- After the transitional period, South Sudan shall be called, the Federal Republic of South Sudan.

**C. Security Arrangement:**

- Two separate armies under their two respective separate commands during the transitional period.
- Formation of joint integrated units as presidential guards with equal sizes/ numbers, stationed in Juba, during the transitional period.
- Measures to be made for full amalgamation of the forces, after election of the new government, under the name: South Sudan Federal Army.
- The locations and deployment of forces should be in accordance with the matrix agreed upon by the two parties.

**D. Reforms.**

- The governance reform shall be done by devolution of more powers to the state and the local government to strengthen the government institutions at all levels.
- **Economic and financial reforms:** must ensure that fair distribution of national wealth based on the ratio of: 30% to Federal government and 70% to the state.
- **Security Sector reform:** should be reconstituted on the basis of 30% to adverse party (SPLA - Juba) and 70% to SPLM/A in Opposition.
- **Public service reforms :**(i) appointment of men-power, deployment, recruitment and positioning should be based on the of Federal state of origin. (ii) The public service sector should be reconstituted and reflect participation of all the states.
- **Judicial and justice administration reforms:** (i) dissolution of the current judicial system and revision of the appointment of judges and justices at all levels of

courts (ii) decentralization (iii) empowerment of the native courts (iv) training of paralegals.

- **Legislature reforms:** there shall be a bicameral legislative system where the state shall have two houses, state senate and state legislative assembly (house of representatives).

#### **E. Justice and Accountability:**

- (a) Formation of competent independent court to investigate and try all the atrocities committed therein since December 16<sup>th</sup> 2013, and compensate the victims.
- (b) Establishment of special fund to carry out the following: (i) rehabilitation of the destroyed infrastructures (ii) providing materials and financial support to citizens whose properties were affected by the conflict and rebuild their livelihood in accordance with well established criteria (iii) the fund shall be administered by a Federal commission with clearly defined terms of references (iv) the composition of this commission should reflect a full participation of the war affected states.

#### **F. Cessation of hostilities agreement and its implementation**

- Immediate withdrawal of all foreign troops from the territory of the Republic of South Sudan

#### **G. Permanent Constitution making process**

- Dissolution of the current constitution review commission
- Establishment of permanent constitution making commission
- In drafting the permanent constitution, the commission should widely consult the people of South Sudan.

#### **H. RECOMMENDATIONS:**

We the people of Unity State do hereby appeal & urge the AU to speedup its reports on the atrocities committed in Juba on December 16<sup>th</sup> 2013.

**Long live South Sudan,**

**Long live Unity State.**

**long live SPLM/A in Opposition,**

**Long live Maj. Gen. Peter Gatdet Yak—Military Governor of Unity State**

**Long Live Dr. Riek Machar Teny Dhurgon,**

## **Drafting Committee**

Date: 09/12/2014

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***Best Regards.***