

REPUBLIC OF SOUTH SUDAN
SUDAN PEOPLE'S LIBERATION MOVEMENT/ARMY (SPLM/A)
UPPER NILE STATE GOVERNMENT
MILITARY GOVERNOR'S OFFICE



RESOLUTIONS BY THE UPPER NILE STATE PEACE CONSULTATIVE MEETING
PAGAAK, UPPER NILE STATE, SOUTH SUDAN
28 NOVEMBER 2014

The delegates of Upper Nile State held a consultative meeting in Pagak on November 28, 2014 under the leadership of Cde Major General Gathoth Gatkuoth Hothnyang, the Military Governor of Upper Nile State, to discuss the ongoing IGAD mediated peace talk in Addis Ababa. The consultative meeting was attended by delegations from Maiwut, Longechuk, Maban, Renk, Fashoda, Panyikang, Manyo, Balia, Ulang, Maakal, Akoka and Nasir counties. The two thousand three hundred (2,300) participants of the meeting included former MPs, former Ministers, former commissioners, SPLM movement's Representatives abroad, senior civil servants, senior army officers, academics, traditional chiefs, elders, youth and women groups.

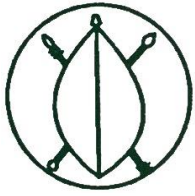
The Consultative meeting held discussions on the prospects of peace agreement in relation to the IGAD mediated peace negotiations especially IGAD Power sharing proposal and its formidable implications. Despite constant violations of Cessation of Hostilities (COH) agreement by the government forces and its foreign mercenaries (UPDF, JEM, SPLA North), the Upper Nile State delegates reaffirmed their commitment to the peaceful settlement of the ongoing crisis in the country.

The citizens reiterated their commitment to resolving this conflict through peaceful political means and give SPLM negotiating team extra mandate to return to the negotiation table in Addis Ababa with a view to negotiate diligently and then strike a peace accord which should never again take people of South Sudan back to another civil war.

However, the delegates expressed unwillingness to accept any peace agreement that falls short of the aspirations of the people of South Sudan. In this regard, the Consultative meeting resolved that the IGAD mediated peace talks **must** address the following:

A) Peace, justice and accountability

- I. **Root causes of the conflict and Juba massacre.** The peace agreement must comprehensively address the root causes of the conflict as well as injustices and gross violations of human rights in Juba and elsewhere in South Sudan. The victims of war shall be given compensation in return for losses during the course of armed conflict. To this effect, the assembly urges African Union and UN Security Council to hold accountable the perpetrators of Juba massacre. The peace agreement should also devise mechanisms for the conduct of national reconciliation and healing.
- II. Due to serious crimes committed against humanity (particularly Juba massacre) by Juba regime, Salva Kiir has forfeited his legitimacy as president of the country and, thus, must step down from presidency to pave the way for justice to take its course and for realization of sustainable peace.
- III. **IGAD Mediation Process.** The participants made a unanimous denunciation of the biasedness of IGAD Mediation Process as some member states directly and actively take part in war by fighting along side Salva Kiir's government. The Ugandan Defense Force's role and other East



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African countries undoubtedly compromised impartiality of IGAD member states; thereby overshadowing their fair judgment in resolving the ongoing civil war. The Assembly urged the regional bloc, IGAD and international community to refer South Sudan peace mediation process to either African Union or United Nations Security Council for a possible acquisition of neutral mediation that may lead to an amicable solution to the current armed conflict.

- IV. All IDPs in UNMISS camps in South Sudan shall be relocated by UNMISS and other international organizations to any other safer places inside and/or outside the country.

B) Structure of Transitional Government of National Unity

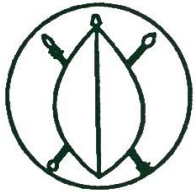
- i. The president - Head of State
- ii. Prime minister - Executive Head of government
- iii. Council of Ministers (Chaired by Prime Minister)

C) Wealth Sharing

- I. The meeting resolved that 75% of non-oil revenues generated at the state level be allocated to producing states and 25% to the Federal Government.
- II. Fifty percent (50%) of oil revenue shall be allocated to the oil producing state in proportion to output produced in such state;
- III. Ten percent (10%) of oil revenue shall be allocated to the oil producing counties in proportion to output produced in such counties;
- IV. Fifteen percent (15%) of net oil revenue shall be allocated to the National Government;
- V. Ten percent (10%) to the state Governments;
- VI. Ten percent (10%) to all Counties; and
- VII. Five (5%) to the Equalization Fund.

D) Security Arrangement

- I. To prevent further outbreak of conflict, the two armies (SPLA In Opposition and SPLA Juba) shall remain completely separate during the transitional period and shall thereafter be both transformed into South Sudan Army on equal basis.
- II. A joint integrated units (JIUs) comprised of 12,000 troops from each warring armed forces should be established by the peace agreement to be entrusted with the responsibility to safeguard security of capital cities of ten States in South Sudan.
- III. There shall be a Federal Police that shall, on equal basis, be drawn from the ten States of Federal Republic of South Sudan.



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- IV. Each State of the Federal Republic of South Sudan shall establish its own other organized forces (police, wildlife, fire brigades, and prison administration units) in accordance with the Peace Agreement and the law.
- V. Logistical supports (entailing financial and military hardware) should during the transitional period be made available to both armies on equal basis, and the same should be true with other organized forces such as police, wild life, prisons, and fire brigade.
- VI. The two separate armies should have equal access to training opportunities and also retain their own respective training centres until transformation of both armies into South Sudan Army has been duly completed.
- VII. The SPLA IO shall have their military bases in greater Upper Nile region and greater Equatoria, whereas the SPLA-Juba should have their bases in greater Bhar El Gazal. Alternatively, equal number of troops from each warring force shall be in each State.
- VIII. **Mercenary/foreign forces.** The Uganda armed forces (UPDF) and other foreign forces fighting alongside Juba regime must be immediately withdrawn from South Sudan territory before signing a permanent ceasefire.

E) Pre-transitional and Transitional periods

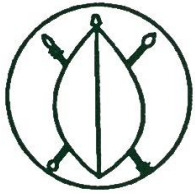
The **pre-transitional** and **transitional** periods shall be 1 month and 30 months respectively. The meeting noted that ample time is required to undertake reconciliation and national healing campaign amongst South Sudanese communities.

F) System of governance. Federalism has been endorsed as the popular demand and viable system of governance in the country and thus must be implemented immediately after the signing of peace agreement. The United States federal system of governance should be transferred or adapted to South Sudanese context, but the regional states shall remain ten (10).

G) Reforms. Robust radical reforms across all government institutions (governance, Security, Economic & Financial, public service, judicial & justice administration, and legislature) are popular demands of the people of South Sudan and must therefore be formulated and incorporated into the peace agreement.

H) Arusha Intra-SPLM dialogue. While delegates welcomed the intent of Intra-SPLM dialogue to address the root causes of the conflict, the meeting resolved to reject its purpose that may reunite the party, because the current civil war has become a national crisis rather than SPLM internal problem. Other political parties have also been affected by the conflict and inclusivity is vital for achievement of sustainable peace and stability in South Sudan.

In addition, SPLM is a bloody party that has massacred its own people, lost popularity, vision, direction, and as such will never reunite its members and the entire nation of South Sudan. Therefore, the delegates recommend creation of a new party that may unite people of South Sudan as well as lead our liberation movement.

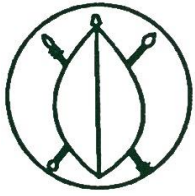


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I) Powers of the President and Prime Minister

President's Powers/Functions	Joint Powers/Functions	Prime Minister Power/Functions
Preservation of security of South Sudan and protection of its territorial integrity	Appointing the ministers and advisors to the government in accordance with Peace Agreement	Directing the work of Government and overseeing the preparation and conducting of Government's business and programmes
Declaration and termination of state of emergency in accordance with the provisions of the constitution and the law, and in consultation with and consent of the Prime Minister	Confirmation of death sentences, granting pardons and remitting convictions or punishment in accordance with the constitution and the law	Commander in Chief of SPLA-IO during the transitional period
Assenting to and signing into law bills passed by the National Legislature	Jointly appoint ambassadors of the states subject to approval by the national Legislative Assembly	Coordinate implementation of the Peace Agreement and institutional reforms
Appointing the Prime Minister in accordance with the Peace Agreement	Jointly appoint state governors and may remove a state governor and/or dissolve state legislative assembly in event of a crisis in a state that threatens national security and territorial integrity subject to approval to the council of state	Appointing the ministers and advisors to the government in consultation with President and in accordance with Peace Agreement
Commander-in -Chief of the SPLA-Juba during the transitional period;	Jointly declare war in accordance with constitution	Chairs the council of ministers
Confers national honors	Jointly appoint independent commissions, interim and ad hoc commissions and committees	Follow and ensure implementation of Cabinet Resolutions by relevant Ministries and institutions
Any other functions that may be conferred by the constitution or the law	Jointly establish interim independent institutions, and commissions, including the judiciary	Appointment of undersecretaries of Ministries and heads of public corporations and Executive Directors of Commissions subject to approval of Council of Ministers
	Jointly convenes and/or adjourn the national legislature in consultation	Appointment of Senior civil servants below the position of Undersecretaries



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	with speaker; Jointly initiate constitutional amendments and legislation	Causes the preparation of the annual budget of the National government and presents to the National Legislature
	Commissioning, Promotion, demotion, Dismissal, and Retirement of both SPLA-IO and SPLA-Juba and other organized forces in consultation with national defense and security council as appropriate	Presents government programmes to National legislature
		Chairman of National Defense and Security Council
		Shall act in absent of the president: 1. Represents the state in its foreign relation in consultation with the president; 2. Directs and supervises foreign policy and ratify treaties and international agreements with the approval of the National legislature; 3. Any other functions that may be conferred by constitution or the law.

Signed by:

Major General Gathoth Gatkuoth Hothnyang,
Military Governor of Upper Nile State

Cc: Chairman & Commander in Chief's Office
Cc: SPLM IO IGAD mediating Team
Cc: Commissioners of counties