

"LAKES PEACE AND GOOD GOVERNANCE INITIATIVE "

ADDENDUM

TO FIRST PANKAR CONSULTATIVE MEETING

On the 30th and 31st of October, 2002, a follow up meeting to the first Lakes peace conference - which was held at Pankar - took place in the same venue, in Yirol County, Bahr el Ghazal. The purpose of the gathering was to build upon (and endorse) the analysis and outcomes of the first consultative meeting and begin the process of transforming the recommendations into a programme for action in the sub region. The meeting was again chaired by the SPLM commissioner for Internal Affairs, Cdr Daniel Awet Akot and facilitated by NSCC with support from the Sudan Peace Fund. See a full list of the participants attached.

SECTION I INTRODUCTION

The 'follow up' meeting began by reviewing the findings and endorsing the recommendations of the first conference. The participants agreed that they reflected the priorities of the first representative assembly, and there was consensus over the revised 10 point plan, adopted for improving peace and good governance in the sub region (see diagram A.1). Working groups were established to examine the themes (points), and further recommendations were added. Finally, proposals were made for how to move the programme of action forward.

Following the first Pankar meeting, a number of follow up initiatives were taken, such as the one initiated by the Executive Director in Rumbek County (which was highly commended). Using local resources, a conference between the civil authorities, traditional leaders and civil society representatives took place for 2 days in Rumkek, and a number of resolutions were agreed, such as the movement of the army to a new barracks outside of the town, the disarmament of the Gelweng, etc.. The second Pankar meeting reiterated the need to continue with urgent interventions to resolve local burning conflicts.

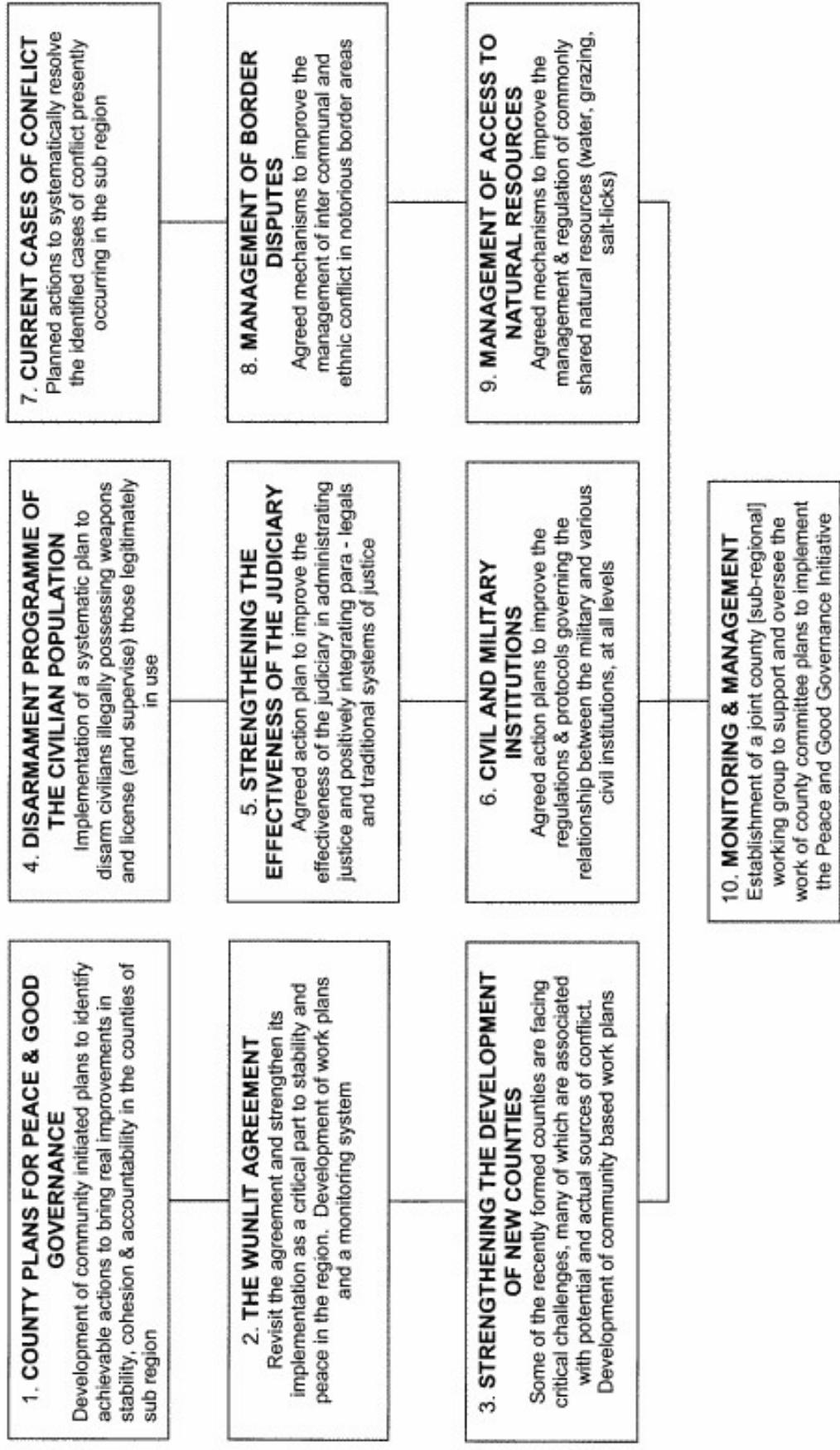
At the same time, the meeting stressed that actions to resolve specific instances of conflict will be less successful in the long run unless there are also initiatives to improve the governing systems within the counties and the sub region. All the participants put emphasis on the deep connection between effective systems of governance (among traditional and civil authority institutions at the local, regional and national levels), and the community's ability to reduce tensions, resolve conflict and build an enduring environment for healing and peace. In this context, the meeting declared its interest in contributing to the following objective; "to change the face of the current administration and judiciary and have a system free from corruption and injustice."

To achieve this, participants requested a new alliance between civil society, the SPLM authorities and civil administration, and chiefs and spiritual leaders who contribute to social harmony and good governance. They called for a revival of traditional leadership and proven conflict resolution mechanisms as well as established practices to oversee the stewardship of the region's natural resources: "their role needs to be affirmed and secured and a new marriage established between them and the civil authority institutions." Other specific remedies cited were the need to address the weaknesses in the judiciary; examining the relationships between civil and military institutions; and disarming the civil population. These general recommendations were seen as cross cutting to the themes revisited below. Recommendations in the main report should be reviewed together with the points highlighted below.

Diagram

PANKAR PEACE & GOOD GOVERNANCE INITIATIVE : A 10 POINT PLAN

Developed & adopted at the 'Pankar Consultative Meetings on Peace', for Mvolo & the Lakes' counties of Bahr el Ghazal Region, 2002



SECTION II RECOMMENDATIONS FOR FURTHER ACTION

The following observations and recommendations were added by the meeting to the 10 point plan for the Peace and Good Governance Initiative (see Diagram above):

ACTION POINT 1: COUNTY PLANS FOR PEACE AND GOOD GOVERNANCE

Participants agreed that the basis for any new initiative must come from the contributions and participation of all the major stakeholders in each county. An effective way to bring this about is to devise 'participatory' county plans that will outline what needs to be done (targets) to resolve conflicts and promote peace building. However, participants also expressed the benefits of county plans in setting targets for improvements in the administrative and governing systems within each county. Once these plans are formulated - inclusively with local actors - they will serve as a focus for a representative group from the county to coordinate and oversee the activities or tasks to be done (such as a peace committee). It was recommended that the SPLM County Secretaries take up this initiative by first calling public meetings of chiefs, administrators, PAs, traditional leaders and civil groups to discuss the problems of peace and development at the county level, then form (and implement) appropriate policies. The formulation and implementation of these plans should be accompanied by regular public meetings throughout.

SPLM Secretaries should also call chiefs for a conference to discuss ways how their constituencies can stay together in peace and harmony, and delegate chiefs to promote initiatives for law, order and peace within the community and in the border areas.

Further recommendations for improving the governing systems in the counties

These observations and recommendations were perceived as cross cutting to all the recommended actions points in the initiative:

- There was a direct appeal from the participants to the leadership of the SPLM, that civil society must remain independent, and not be directed under the Movement's executive, so that it freely participates and plays an effective complementary role in the necessary social transformation needed for southern Sudan.
- The general public has a right to information and should have access to regular awareness raising opportunities. Active programmes for this need to be taken (groups such as BYDA should take a lead with support from the local authorities). Public meetings and rallies should happen more frequently, in different places, around themes that interest the people. The community must be enlightened to know their rights so that all actors are aware how they can assist in improving the local governing system.

- There was an appeal to transform the structures and institutions people are already using. The SPLM structures in particular must be fully implemented as a first step in developing more sophisticated forms of governance in the future. The participants believed that if basic democracy is not being experienced by people at the local level, then opportunities for good governance in the future will be neglected. For example, Liberation Councils were seen as key local institutions. They should have regular meetings and be effective. In addition, the selection criteria and methodology for Payam or County Congresses should reflect the values of the society people are struggling for. Democracy therefore must be put in place from the Boma levels upwards. The system of appointment, transfers, replacements and removals of county secretaries should be done in conjunction with a liberation congress. In addition, there was a call to identify people at the Boma level to be key 'advocates' of the people and 'watchers' of the governing system.
- Noted that the lack of county plans and budgets was an obstacle. There was a call for every county to formulate annual development plans, accompanied by a realistic budget, as a tangible way of promoting accountability and linking revenue with development in the interests of the local population. The Management of finances in the counties was given special mention: "there needs to be clarity over *who* does it and as importantly, *who* oversees it." In each county, it was recommended that the Liberation Councils check their county budgets.
- Recommended that each county undertake a population census as a necessary way of shaping their future development plans (technical support is required for this task).
- Recommended that clear job descriptions be available for all administrative staff and that powers be clearly separated between functionaries. Participants wanted clarity over who was accountable to whom in the system. The lines are not clear to people and one of the first steps in achieving accountability was to have a clear and simple system that was known and understood by all. There was also much debate over how county administration staff are appointed or chosen. It was acknowledged that there is a precedent for community's to either appoint or remove key civil administration staff (except in contested areas). However, in more stable areas, the Liberation Councils should be able to appoint county secretaries. The meeting also added that administration staff must continue to benefit from systematic training (and not just occasional workshops).
- There was a call for appropriate national guidelines, backed up by a transparent system for implementation, for the collection of taxes.

Some of the issues raised at the previous conference:

<ul style="list-style-type: none"> ▪ Clear functions and job descriptions ▪ Implement SPLM structures ▪ Population census 	<ul style="list-style-type: none"> ▪ Increase participation of women ▪ Work with the Beny Wuut ▪ Bring in elders from other areas ▪ Youth meetings
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<ul style="list-style-type: none"> ▪ Transparent taxation system (budgets, audits, receipts, training, financial management) ▪ Wage war on corruption ▪ Separate military and civil administrative affairs 	<ul style="list-style-type: none"> ▪ Communications systems ▪ More consultation and dialogue ▪ Civic awareness ▪ Revive positive traditional practices ▪ Forces ethnically mixed
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ACTION POINT 2: WUNLIT AGREEMENT

It was acknowledged that the Wunlit Agreement is a critical part of the region's security, and that its success since 1999 should not make either chiefs or authorities complacent. From time to time, the agreement has come under threat, but so far it has managed to endure. However, it urgently needs to be revisited and strengthened both at the county, (sub) regional and inter regional levels. Recommended that with the support of the Sudan Peace Fund, NSCC, SINGOs, other civil society groups come together with the authorities and revive a fresh plan of action as soon as possible.

ACTION POINT 3: STRENGTHENING DEVELOPMENT OF NEW COUNTIES

There was concern expressed over some of the challenges facing newly formed counties, and especially in Awerial and Mvolo. If these areas remain vulnerable relative to the other counties, there are likely to be left behind and as a result, cause unnecessary discord in the sub region. Already, there has been positive interaction between Yirol and Mvolo counties as a result of the first Pankar meeting, and more follow up visits are expected. These are practical steps to ensure that unnecessary tensions don't emerge in the future:

- The participants agreed that both counties in particular should be sponsored by those that are more advanced so that lessons can be learnt, support given and mutual plans drawn up.
- Recommended that future P&GG initiatives in the sub region will highlight the real needs of these neglected counties so that they will be given a chance for future development.
- Ensure equitable distribution of agencies assisting in the delivery of services, from a sub regional perspective. There was a strong appeal for service organizations to urgently come to these neglected areas.
- Recommended that regular inter-county meetings (either annually or twice a year) take place in the sub region to achieve greater cooperation between counties, and solve common challenges and some of the problems faced by newly formed counties.

ACTION POINT 4: DISARMAMENT OF CIVILIAN POPULATION

Following the recommendations of the first Pankar meeting, the process of disarmament - which has already started in some parts of sub-region - was strongly endorsed and it was urged that implementation continue and speed up (with the possible exception of Awerial County because of its unique security situation). Participants believed that such an action would;

- prevent the unnecessary loss of lives and guarantee better security among our communities
- encourage greater discipline in the community & ensure maintenance of law and order
- ease the implementation of court decisions

Disarmament is a joint responsibility of the army and civil authority which should be implemented with involvement of the traditional chiefs, using proper documentation. It was recommended that a joint force of the army and police be mobilized and trained for the task. However, such forces must be provided with rules and regulations governing them on their mission. The laws governing the possession of arms must be provided by the SPLM authorities. Keep the general public informed of developments throughout the disarmament process.

It was also recommended that the security of courts be put into consideration immediately after disarmament, using some of the returned rifles, by recruiting and training court retainers.

Lastly, there was a request to the SPLA to state their public commitment to protect the civilian populations in areas (especially bordering areas), exposed to threat (such as Awerial, Yirol and Tonj counties).

Some of the issues raised at the previous conference:

- Communities deemed vulnerable can be licensed to carry weapons
- Licenses must be non-transferable
- Leaders of cattle camps must keep weapons safely: their role should be revived and empowered by the authorities
- Train the legal users of guns
- Execute anyone killing a civilian with a gun

ACTION POINT 5: STRENGTHENING EFFECTIVENESS OF JUDICIARY

Participants highlighted in the second Pankar meeting how practical improvements in the management of the judiciary, such as the removal of corrupt practices, will have a positive impact on the peace building environment.

Participants were keen to see "changes in the face of the current administration and judiciary for a better system free of corruption and injustice." The recommended way forward was to convene a special meeting between the judiciary, chiefs, civil administration and representatives of the public - so that the former will hear and respond to the grievances of the latter and, in the company of the regional authorities, develop an agreed plan of action for improvements in the future.

Other recommendations given emphasis by the participants included:

- SPLA should positively/willingly reinforce the organized police, whenever there is need, and properly equip and empower the police and prison forces.
- Civil society must participate in public rallies in order to channel advice to local community leaders, so that the judiciary works for the aim of bringing and maintaining peace everywhere.
- Development and dissemination of basic documents to above institutions.
- Immediate renovation of prison detention cells required so that prisoners do not abort the law by escaping.
- Make public meetings, rallies and conferences as a way of fostering an environment that will combat and reduce corruption.
- Revise and reform the Wathalel customary laws.
- Increasing the compensation (diay) from 31 to 50 cows.
- Ensure the proper management of court revenues (as court 'fines' are often adjusted to improve the percentages judges acquire).
- Expedite and disseminate institutional laws.
- The training of administrators and law enforcement agencies will bring about the basis for peace in our areas. The process of recruitment and training of more judges needs to be enhanced. Special training for judges on statutory and customary laws, is required. Train the civil authorities, police, prison wardens in administration and law.
- Also the training of traditional leadership in basic law is required.
- Development and integration of trained para-legal officers into the judicial system, especially in border areas.

Some of the issues raised at the previous conference:

<ul style="list-style-type: none">• Reform the system• Renovate detention cells• Code of ethical conduct for judges• Upgrade and train judiciary staff• Upgrade and train law and order forces• Integrate traditional chiefs with presiding judges	<ul style="list-style-type: none">• Implement court decisions immediately• County authorities to oversee judicial practices locally• SPLM salaries for judiciary staff (not fines directly)• Refund to compensate for looted cattle
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ACTION POINT 6: CIVIL AND MILITARY INSTITUTIONS

The meeting endorsed the need for regulatory guidelines and actions to clarify the functions, improve the relationships, and promote the discipline between military and civil institutions, at all levels. The participants stated their desire to;

- ensure improved maintenance of law and order in the sub region
- have improved security within the community, and therefore a better environment for socio- economic development
- establish ongoing smooth relationships between civil institutions and the army
- bring about opportunities for building a disciplined army that respects the system and is capable of maintaining the security of the nation.

The participants debated on how the liberation struggle must be seen holistically: that there is the armed struggle as well as a fight for development and services for the liberated areas. Both have their place and different sections of society will contribute accordingly. However, they must respect and support each other and work in a complementary manner. The meeting recommended that a plan of action be drawn up between the regional authorities, the military authorities and representatives from the sub regional committees, so that;

- the SPLA does not interfere with the affairs of the civil administration. A process of organizational development and restructuring of the army, and law enforcement agencies generally, should take place.
- an enlightenment campaign is undertaken for both the SPLM and the SPLA about their distinct, shared and complimentary responsibilities.
- an effective framework and set of laws/regulations are devised to set out the functions and limits of the army and the organized forces.
- the current system of resource mobilization and sharing of resources between the army and civil authorities is reviewed and regulated.
- the provision of basic services to the army, such as salaries and logistics, are seen as vital components for the success of the army.

These initiatives will require;

- more training for the SPLA and law enforcement agencies
- intensive enlightenment about military roles and relationships with civil institutions
- the strengthening of military justice within the military formations
- the establishment of military barracks facilities away from civilian residential areas

The Regional Secretary was requested to take this urgent matter up with the local commanders and report back to the counties concerned.

ACTION POINT 7: CURRENT CASES OF CONFLICT

Following the list of outstanding cases in the sub region, there were repeated calls for the immediate settlement of inter-communal disputes and other local crises, in each of the 6 counties of the sub-region (see list in the report of the first Pankar peace meeting), so that peaceful co-existence returns and a conducive environment for the implementation of development and social services is restored.

It was recommended that in any instances of local insecurity (or the threat thereof), a security meeting must be convened by the counties concerned and that they immediately inform the regional authorities of what is taking place. They in turn will request immediate action in bringing an urgent solution to the crises.

It was also recommended that criminal measure be immediately implemented by;

- a) the arrest and investigation of culprits
- b) the formation of competent courts for trial
- c) completing the trial of any outstanding cases
- d) ensuring the prompt execution of court decisions

These measures should take place along side other initiatives aimed at reconciliation between divided groups, especially by traditional chiefs, spiritual leaders and civil society organs, under the supervision and coordination of the SPLM authorities, at various levels. Chiefs, PAs and county secretaries should be encouraged to conduct rallies and reconciliation meetings. After a case or incident is settled, it is essential to disseminate any agreed resolutions or recommendations and provide all stakeholders with the relevant documentation.

Some of the issues raised at the previous conference:

<ul style="list-style-type: none"> ▪ Competent judge appointments ▪ Spiritual leaders to assist reconciliation ▪ Execute decisions of relevant court cases ▪ Revive centers for peace at borders 	<ul style="list-style-type: none"> ▪ Involve experienced leaders from other regions ▪ Encourage participation of civil society groups in such cases
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ACTION POINT 8: MANAGEMENT OF BORDER DISPUTES

The participants also recognized the need to establish strategies and more permanent institutions to deal with recurring tensions that arise in border areas. A number of recommendations were made:

- Identify the border 'flash points' in the region, and assess how they are presently being managed through local institutions and the SPLM authorities.
- Empower border chiefs so that their role is effective.
- Each SPLM Secretary was asked to recommend to the Regional Government the immediate revival of border centres for Peace to contribute to a reduction of disputes between counties or regions (e.g., Maper, Alor, Pathnom).
- There is a need to form extraordinary courts, from neutral counties, to settle special border cases among conflicting parties. Also, in special circumstances, police forces should be organised from neural counties to maintain peace and order, and undertake any necessary investigation, should they arise.
- It was recommended that all administration staff, when they hear of a clash or border problem, must *all* move to deal with the issue directly (and not just blindly send 'forces' to deal with the case).

ACTION POINT 9: MANAGEMENT OF ACCESS TO NATURAL RESOURCES

Another area prioritized for follow up action was the regulation of access to common natural resources such as grazing, water, fishing grounds, salt , etc.. The war has changed many practices and brought new patterns and sets of challenges. It was recommended that the Lakes P&GGi Committee prepare and commission a survey and further research into the present and traditional

practices for regulating the users of such resources. However, a number of measures can be taken up immediately, such as the need to send early information of cattle and human movements to executive- and sub-chiefs, and the head of cattle camps (*Benywut*), before moving into neighboring resource areas. SPLM county secretaries should also be kept informed.

Some of the issues raised at the previous conference:

<u>Salt licks</u>	<ul style="list-style-type: none"> ▪ Access regulated through predetermined calendar shifts ▪ Access during specified months only ▪ Adhere to traditional practices
<u>Fishing grounds</u>	<ul style="list-style-type: none"> ▪ PAs and camp Benywut to regulate access ▪ Traditional authorities should never show favouritism ▪ Regulate equipment (& save smaller fish)
<u>Grazing</u>	<ul style="list-style-type: none"> ▪ Initiate special meetings for known contentious areas

SECTION III MANAGING THE FOLLOW UP ACTION

It was agreed that all of the proposed actions above have a better chance of being successful if they are planned and executed in a coordinated manner throughout the 6 counties. Based on the committees at the county levels, this action will entail the establishment of a small representative group to steer the Peace and Good Governance Initiative; provide representation at the regional level; and monitor and provide feedback on the progress being made. In time, such a body could play a supportive role in developing innovations such as a 'conflict early warning system' for the region.

Even though each action point is perceived as a priority, the second Pankar meeting ranked the issues for implementation as follows:

- i) Disarm the civil population
- ii) Immediate settlement of inter-communal disputes and internal conflicts, in each of the 6 counties
- iii) Improve the practice of the judicial system and its links to good governance, conflict resolution and peace building
- iv) Strengthening the Wunlit Agreement
- v) Develop of County Peace Plans, including the enlightenment of the community's awareness (civic education) on matters of good governance, justice and peace building
- vi) Provide support to recently formed counties
- vii) Address tensions found in the relationship between civil and military authorities
- viii) Devise new, and revive past and proven regulations over the use of the commons
- xi) Initiate mechanisms to oversee management of conflict and provide early warning information, etc.

ACTION POINT 10: MANAGING AND MONITORING THE LAKES INITIATIVE

In order for the recommendations of the consultative meetings to be turned into achievable actions, the participants made the following observations:

- That the objectives for each action point are developed and clear
- The roles and responsibilities of all the actors involved should also be clear and known
- Develop a shared vision of what can be achieved
- Each county needs to be committed to form appropriate structures and create new opportunities to involve as many people as possible. Seek wide participation at all levels; create and strengthen platforms for the participation of civil society in peace building
- That there needs to be a platform for counties to meet and plan joint activities for the Lakes sub-region. 6 County Secretaries should stay in touch regularly
- County authorities must be given a full mandate to act on recommendations and resolve cases of conflict
- Disseminate widely what is agreed upon and recommended—especially among traditional and community leaders
- Establish a simple but effective conflict early warning (and rapid response) system

Recommended that two representatives from each county (Peace and GG Committee) meet to plan a facilitating body for the sub region's 10 point plan, with technical assistance from a competent agency or individuals. This meeting can be called by any of the presiding County Secretaries, in association with the relevant regional authorities. The results will be disseminated in each county.

The record of the deliberations has been reviewed and endorsed by the following representatives:

On behalf of the Consultative Meeting participants:

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Rin Tueny Mabor
SPLM County Secretary, Yirol

Date:

On behalf of facilitation team:

.....
Telar Deng
NSCC Peace Desk Coordinator

Date:

.....
Paul Murphy
Facilitator
Date:

PARTICIPANT LIST FOR THE SECOND PANKAR CONSULTATIVE MEETING

SPLM leadership council

1. CDR. Daniel Awet Akot

- Chairman of the Administration and Law Enforcement Agencies Commission.

Yirol County

1. Rin Tueny Mabor
2. Mabor Cut Cer
3. Marial Dhien Alukker
4. Garang Manyang Jok
5. Rin Gak Ahou
6. Ciman Majok Macek
7. Rebecca Atuet Makwei

- SPLM county secretary
- Regional court president
- " " "
- " " "
- Executive chief
- " " "
- Women Association

Traditional spiritual leaders

1. Majur Tok Ikaman
2. Cingong Nek Makeny
3. Dekbay Akec Majok
4. Mayan Maker Monyjak
5. Telar Bohan Kei

Cueibet County

1. John Lat Zakaria
2. Anyijong Manyang Dier
3. Macar Maper Cikook
4. Mangar Marial Mangucouth
5. Matueny Meen deng
6. Mrtha Cawat Akot
7. Makeroor Jier makeroor
8. Cigai Deny Ayor

- SPLM county secretary
- Abiriu court president
- " " "
- Youth representative
- Paramount chief
- Women's Association
- Border chief
- Women's Association

Tonj County

1. Kuol Deny Koul
2. Mary Nyibol Arou
3. Agostino Agei Dut
4. Sebino Makana Akol
5. Natale Anei Them
6. Lawrence Anei
7. Ajok Athian Athian
8. Malek Akuen Lueth

- SPLM county secretary
- SPLM Tuiet payam secretary
- Payam court Ananatak
- SRRA secretary Tonj county
- Akopll payam county
- Elder Akopll payam
- Women's Association
- Sub Chief /payam

Rumbek County

1. Gabriel Anyar Madut
2. Maker Warwut
3. Maniyel Lieny wol
4. Juul Macok Lieny

- Executive Director Rumbek County
- Regional court president
- Executive chief
- Regional court president

5. Elizabeth Agok Anyijong
 6. Majong Mabor Keer
- Women Association
 - Vice president Regional court

Awerial County

1. Edward Ngong Deng
 2. Buller Kon Nyieth
 3. David Mangar Nhiala
 4. Abraham Mading Mayan
 5. Abraham Maciek Roba
 6. Mathon Marial Biar
 7. Atany Angol Nyekor
 8. Abraham Angolic Deng
 9. Maker Nyalueth Kuric
 10. Mayom Magin Adhek
- Executive Director
 - Payam court Aliap
 - Regional court Aliap

Mvolo County

1. Isaac Deng Agok
 2. Moses Ater Manyiel
 3. Swiday Dhnor Akoon
 4. Wai Wai Ali Mareng
 5. Andrea Yodo Maktab
 6. Reuben Bol Bol
 7. Mary Akur Mayol
 8. Mary Ayor Joseph
- SPLM county secretary
 - Women Association

- BYDA:** Kuol Athian Mawien
- Executive secretary

NSCC staff

1. Telar Ring Deny
 2. Awut Deng Acuil
 3. Riak Gok Majok
 4. Monica Nyabong Bol
1. Paul Murphy (Pact)
- Peace and Advocacy Coordinator
 - Bahr el Ghazal Women's Peace Mobilizer
 - Assistant Communications Facilitator
 - Radio Voice of Hope
 - Facilitation