

Country/entity	South Sudan Sudan
Region	Africa (excl MENA)
Agreement name	The Resolutions and Recommendations of Dinka Malual and Misseriya 2023 Pre-Migration Peace Conference
Date	30 Mar 2023
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 Framework/substantive - partial

Conflict nature Inter-group

Peace process	South Sudan: Post-secession Local agreements
Parties	Dinka Malual Representatives: Peter Makuac Makuac – Head of Chiefs Garang Rual Deng – Executive Chief Ajou Luol Akuei – Peace Committee Court Chairperson Yel Aguer Geng – Executive Chief Akec Ken Kuac – Paramount Chief Atak Bak Mou – Paramount Chief Misseriya Representatives: Mohamed Al Herika Osman – Ameer Al Fadil Mohammed Issa – Omda Hamid Mohammed Musa – Omda Ibrahim Ali Tobeig – Omda Bushara Abdalla el Dudu – Omda Mohammed Yahya Abdel Naeem – Omda Hasab el Nabi Duweid – Omda Hessein Mohammed Hamuda – Omda Banani Mohammed Omer – Omda Hereika Mohammed Issa – Omda Abu el Gasim Mohammed Abdalla – Omda Fadul Azaz Rahma – Omda Jalah Issai – Omda Said Shatta Abdalla – JBPC Ali el Dudu – Omda
Third parties	William Kolong Pioth – Regional Peace Coordinator Bakar Abdel Jeel – Western Kordofan Government Representative Ma. Inegita Montero – UNMISS CAD
Description	This is a local cross-border pre-migration peace conference agreement between the Dinka Malual community of South Sudan and the Misseriya community of Sudan's West Kordofan, reviewing and updating resolutions from the 2020/2021 conferences. It establishes detailed compensation scales for crimes (murder, wounding, rape, adultery, theft), designates seasonal cattle migration routes, and sets rules on resource sharing, firearms possession, environmental protection, and taxation at border markets. The agreement also recommends youth participation, women's inclusion in future conferences, establishment of joint vocational training, and continued support from the Joint Border Peace Committees (JBPC) and peace partners.
Agreement document	SS_SD_230330_The Resolutions and Recommendations of Dinka Malual and Misseriya 2023 Pre-Migration Peace Conference (opens in new tab) Download PDF
Source of document	This agreement was sourced from a researcher in South Sudan and have been confirmed as public.

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

**Refugees/displaced
persons** No specific mention.

Social class No specific mention.

Gender

Women, girls and gender	The Resolutions of the Conference: ... 3. In an event of rape case, he/she who commit rape case should be arrested, investigated and punished according to the law of the country in which the incident occurred, and will have to pay 10 heads of cattle, 6 heifers and 4 bulls, and a fine of two hundred thousand South Sudanese (200,000) or its equivalent in Sudanese Pounds. ... 12. The conference urged the bordering communities to allow participation of women of Dinka Malual and Misseriya to participate in peace conferences
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	The Resolutions of the Conference: ... 17. Issues related to killing and looting along the migration routes and business corridors should be dealt with particular fraternity who's their next of kin committed the crimes in either sides of the communities.

State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.
Independence/secession	No specific mention.
Accession/unification	No specific mention.
Border delimitation	No specific mention.
Cross-border provision	No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures Rights related issues→Protection measures→Protection of groups
The Resolutions of the Conference:
...
6. When the Missiiriya pastoralists are in the territory of South Sudan, the safety and security of Miseiirya pastoralists/nomads during the cattle migration season must be the responsibility of the government of South Sudan especially the hosting State

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts

No specific mention.

Prisons and detention

No specific mention.

Traditional Laws

The Resolutions of the Conference:

1. In the incident of murder, the value of compensating the blood or life lost must be 41 head of cattle (21 heifers and 20 bulls), and fine of 200,000 (Two hundred thousand South Sudanese or its equivalent in Sudanese Pounds).
 2. In case of any incident when the person wounded, whose part of the body is injured must be compensated with 15 head of cattle (10 heifers and 5 bulls) and two years' imprisonment (depending on the medical examination determined by competent medical personal) and a fine of SSP 200, 000 (two hundred thousand South Sudanese or its equivalent in Sudanese pounds).
 3. In an event of rape case, he/she who commit rape case should be arrested, investigated and punished according to the law of the country in which the incident occurred, and will have to pay 10 heads of cattle, 6 heifers and 4 bulls, and a fine of two hundred thousand South Sudanese (200,000) or its equivalent in Sudanese Pounds.
 4. In case of anyone committing adultery, the criminal must be ordered to pay seven (7) head of cattle (4 heifers and 3 bulls) and a fine of two hundred thousand South Sudanese (200,000) or its equivalent in Sudanese Pounds.
 5. To reduce cattle or property theft, any criminal who steals a cattle, sheep, goat, donkey and etc. must be arrested by the police depending on the location of the incident and forced to return the stolen property to their owners and be jailed for a period of 6 months and should be fined with amount of SSP 100,000 (one hundred thousand South Sudanese Pounds or its equivalent in Sudanese Pounds).
 - ...
 - Therefore, any person found cutting down fruits, edible and non-edible trees must be arrested and fine with fifty thousand South Sudanese pounds (50,000) or its equivalent in Sudanese Pounds.
 - ...
 16. If a Misseriyia or Dinka Malual murder a person and she/he is not found but suspected to be from Dinka Malual or Misseriyia side, then the chief/Omda of that clan or close relative of that suspect must be arrested until he/she brings that culprit to justice and a fine of SSP 200,000 or its equivalent to Sudanese Pounds.
The process of arrest of the culprit must be the responsibility of the Joint Border Peace Committees.
 17. Issues related to killing and looting along the migration routes and business corridors should be dealt with particular fraternity who's their next of kin committed the crimes in either sides of the communities.
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Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Preamble:

...

Grateful to the logistical and financial support by the SSPRC, UNMISS, UNDP, VSF and government of Northern Bahr el Ghazal State.

Business No specific mention.

Taxation Socio-economic reconstruction→Taxation→Reform of taxation

The Resolutions of the Conference:

...

13. The conference recommends that taxation should be regulated in order to shun multiple and heavy taxes on Missiiriya goods

...

15. The conference requested the Government of South Sudan to increase the peace dividends to JBPC up to 30% of the taxes collected at border markets to support the peace process and ease the work of the JBPC along the border between Sudan and South Sudan.

The same thing should be replicated by the Sudanese government to support the work of JBPC and peace process.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/ nomadism rights

The Resolutions of the Conference:

...

6. When the Missiiriya pastoralists are in the territory of South Sudan, the safety and security of Miseiirya pastoralists/nomads during the cattle migration season must be the responsibility of the government of South Sudan especially the hosting State

...

8. Cutting down the trees is proscribed by the government of South Sudan.

Therefore, any person found cutting down fruits, edible and non-edible trees must be arrested and fine with fifty thousand South Sudanese pounds (50,000) or its equivalent in Sudanese Pounds.

9. Misseriya pastoralists should follow the designated season cattle migration routes agreed in the this peace agreements, (Machar Akoon, Majok Yinh Thiou, Warguet and Rumaker, Yinh Pabol).

10. The conference urged the chiefs along the designated cattle migration routes to cooperate with Missiiriya pastoralists during the migration season, and work together to resolve issues arising during that particular migration season.

11. The conference asked host community and Missiiriya nomads to share the existing water and pastures resources along the cattle migration routes without discrimination and hindrances.

Cultural heritage No specific mention.

Environment

The Resolutions of the Conference:

...

7. Burning of bushes is prohibited, and anybody who would cause bushfire to degrade the vegetation must be arrested and ordered to pay the loses caused by the bushfire and fine with thirty thousand South Sudanese pounds (30,000) or its equivalent in Sudanese Pounds

8. Cutting down the trees is proscribed by the government of South Sudan.

Therefore, any person found cutting down fruits, edible and non-edible trees must be arrested and fine with fifty thousand South Sudanese pounds (50,000) or its equivalent in Sudanese Pounds.

Water or riparian rights or access

The Resolutions of the Conference:

...

11. The conference asked host community and Missiiriya nomads to share the existing water and pastures resources along the cattle migration routes without discrimination and hindrances.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services **Preamble:**
...
Acknowledged the presence of Sudanese security apparatus (Military Police Intelligent (MPI) and Criminal Investigation Department (CID) in this peace conference.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime **The Resolutions of the Conference:**
...
7. Burning of bushes is prohibited, and anybody who would cause bushfire to degrade the vegetation must be arrested and ordered to pay the loses caused by the bushfire and fine with thirty thousand South Sudanese pounds (30,000) or its equivalent in Sudanese Pounds
8. Cutting down the trees is proscribed by the government of South Sudan.
...
14. Possessing of firearms is forbidden;
therefore, any person found possessing firearms, ammunitions or military related materials in the territory of Republic of South Sudan must be arrested and subjected to legal procedures in accordance to South Sudanese civil and military laws based on the identity of individual found.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory **Signatories:**
...
Ma. Inegita Montero - UNMISS CAD

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.
