

PEACE AND RECONCILIATION CONFERENCE BETWEEN MAGWI COUNTY COMMUNITIES OF EASTERN EQUATORIA STATE AND JUBA COUNTY COMMUNITIES OF CENTRAL EQUATORIA STATE IN KIT AREA ON 06.09.2008

I. INTRODUCTION

The peace and reconciliation conference in Kit was organized to take place on 06.09.2008. This conference was intended to address the issues of land dispute among the four communities in Kit, namely Acholi, Madi, Lulubo and Bari. The Acholi and Madi communities belong to Eastern Equatoria State, while the Bari and Lulubo communities belong to Central Equatoria State according to the Colonial Administration boundaries of 1956. The division of these communities based on this political line had categorically compelled the governments of the two historically sisterly states to seek boundary line separating them through this forum.

Both sides of the aisles were headed by their respective governors; H.E. Aloisio Emor Ojetuk of Eastern Equatoria State and H.E. Clement Wani Konga of Central Equatoria, and they were both accompanied by some of their respective cabinet members and the two commissioners of the four beleaguered communities of Kit. In addition to these were the parliamentarians, plus the communities and their community leaders and land lords on both sides of the divide. The population that attended the conference was estimated to be about 1000 to 1500.

On the ground in the disputed area, there was a sign post placed by Juba County reading Lobonok Payam. It was this institution of the sign post that provoked and sparked the confrontation among the communities of the two states. Among other key institutions present in the conference were the Southern Sudan Legislative Assembly headed by Hon. James Wani Igga in accompaniment of the Chairperson of the Standing Committee for Peace and Reconciliation. The President was represented by H.E. Lado Gore, Advisor on Diplomatic Affairs, UNMIS Representative from the Department of Civil Affairs.

PROCEEDINGS OF THE PEACE CONFERENCE

The proceedings of the peace conference suffered a one-day-set-back which was due to disagreement of the two delegates over the conference sitting arrangement. The delegation of Central Equatoria State had made prior preparation where chairs were arranged in rows and columns facing the arbitrators, who sat in front facing the audience. And the beleaguered state delegations were to sit side by side, which was disputed by the Eastern Equatoria State delegation, whose arrangement was the oblong sitting. In other words, the two state delegations were to sit facing each other, with the arbitrators at the sides. At the brief meeting held by the two sides, no consensus was reached. Because of the mind set that surfaced at that time, no consensus was reached and the status quo almost brought the conference to its knees. Just as the Eastern Equatoria State delegates were about to return back to Torit, the Speaker of Southern Sudan Legislative Assembly accompanied by the Parliamentary Committee suddenly arrived at the scene and had the Governor of

Eastern Equatoria State and delegates come back. For most of that day, Lt. General James Wani made consultative arbitration between the two governors and aided by the Parliamentary Committee on Peace and Reconciliation. The said committee helped to prepare the ground for the start of the meeting the following day. This was done in order to develop the framework for the success of the settlement of the dispute. At the end of the day, the Assembly Standing Committee for Peace and Reconciliation took charge and announced the adjournment of the conference for the following day at 9.00 am.

CLOSING REMARKS BY H.E. JAMES WANI IGGA, THE SPEAKER OF SOUTHERN SUDAN LEGISLATIVE ASSEMBLY ON 06.09.2008.

At 6:00 pm, H.E. James Wani Igga, Speaker of the Southern Sudan Legislative Assembly made the closing remarks, conveying congratulatory messages to the two governors for their successful endeavor to mobilize such a huge mass of people drawn from the two contesting counties of Juba and Magwi. He defined the nature of the dispute as truly interstate boarder conflict that required good atmosphere of negotiation and arbitration. He said that any interstate boarder dispute in Southern Sudan is the direct responsibility of the Southern Sudan Legislative Assembly, which has in place a Specialized Committee headed by Honorable Mary Nyaulang. He went on to express that this Committee was comprised of members who were not a party to the conflict. He said Hon. Mary Nyaulang and Hon. Kundi were both from Western Bahr El Ghazal State; and Hon. Barakat Alfred from Western Equatoria State. H.E. Wani continued to say that there was a need to find a solution to the already-volatile- situation faced by the contesting communities of Ayi. They again need a peaceful co-existence among themselves before the eruption of this dispute sparked by outsiders. In conclusion, H.E. the Speaker challenged the Committee the task of making wider consultations with the leaders of the four communities that night of the 6th September 2008. That is, the night consultation was necessary to facilitate the peace conference that was to be held the following day.

PEACE AND RECONCILIATION CONFERENCE

DAY TWO 7TH SEPTEMBER 2008

By morning of the following day, the conference was opened with prayers from Father Constantino Pitya of the Catholic Church and one pastor from another Christian denomination. This was accompanied by a reading from the book of St. James 3:13-18, for the relevant reflection of the peace conference to bring peace among the people of Kit.

Before the beginning of the presentations, an order was passed to all soldiers carrying guns to move 100 metres away from the conference ground.

PRESENTATIONS OF THE GRIEVANCES BY THE COMMUNITIES OF KIT

Each community was given opportunity to select three representatives to present their

complaints before the conference. A person was to speak one at a time.

1. ACHOLI COMMUNITY

The first speaker from the Acholi Community was H.E. Betty Achan Ogwaro. She mentioned that she was there to represent the two Eastern Equatoria State Communities, the Acholis and Madis. She said that, as the mediation team was making consultations with the communities for the way forward, there was no need to consult three persons and that one person was enough to represent them or that particular community. According to her, the conflict among the four communities cannot be resolved amicably in one day as it was planned for the 7th September 2008. She even reiterated that there was a need for the communities to sit face to face to address the dispute. She further mentioned that the Government of Central Equatoria State did not formerly involve Eastern Equatoria State in the organization of that conference, except for the invitation to participate in finding the solution to this tiny boarder area settlement. As such, she said that her state was not a party to such a peace conference. To justify her statement, the Minister insisted that Eastern Equatoria State did not receive any letter of complaint from her two communities for alleged root causes of the dispute. Because of this, she said that her Governor and the Commissioner of Magwi County have a right to fly flags over this little stretch of land.

According to the speaker, she said that the people of Kit had been receiving services such as schools, health centres from the Government of Eastern Equatoria State for a long time now. As such, she further stated that her state would continue to provide basic services until the boarder dispute will be finished. As part of the solution to the problem, the present plan for arbitration be postponed and further suggested that the two commissioners of the disputed piece of land should meet alone before another conference to be held in November 2008.

She went on saying that the placement of Southern Sudan Legislative Assembly Standing Committee for Peace and Conflict Resolution was not proper and timely exercise. According to her, the Kit land dispute was not raised as a motion in SSLA for discussion so that this Specialized Committee was mandated to arbitrate over this case.

2. LULUBO COMMUNITY

Honorable Paul Yugusuk Wani Luala, a member of Central Equatoria State Legislative Assembly complained to the organizing committee for having left the Lulubo Community as though they were not part of communities residing in Kit area. However, as the meeting had already started, they too accepted the arbitration team from Southern Sudan Legislative Assembly.

According to him, the Lulubo people knew their boundaries with their neighbours; the Acholi in the East of the area, the Madi in the South, the Bari in the West, and the Lokoya in the North. He further elucidated that all the communities mentioned above have their traditional land owners, whom he said had powers to prove the rightful ownership of a particular piece of land within Kit territory. According to him, the place

we now call Kit used to be called Aru in Lulubo language. He further added that, because of intermarriages among the Lulubo, Bari, Acholi and Madi, Aru became an area that accommodated all those communities. But ironically, he said that the Acholi intellectuals in 1983 peace conference allegedly usurped the ownership of Kit with maps. But to counter this allegation, chief Lolik presented to the conference the maps of 1956, which, according to him clearly showed the boarders between Juba and Torit Districts at Kit River Bridge. To

conclude his report, Honorable Yugusuk ended by saying that Kit area belonged to the Lulubo alone and not to the Madi nor to the Bari nor to the Acholi communities.

3. MADI COMMUNITY

Mr. Abdallah Keri Wani claimed to have been born there in Kit in 1956 and grew in the area. The map of 1956, he said, described the boarder between Madi and Lulubo which was at Nyolo, and further reiterated that the area between Nyolo and Kit exclusively belonged to the Madi therefore. With confidence, he said that the boarder claims by Eastern Equatoria State and Central Equatoria State should be determined from the 1956 colonial maps. In conclusion, he ended his report by claiming that the Acholi had no rights to cross the Madi land in order to go and grap the Bari land.

4. BARI COMMUNITY

Mr. Clement Lobar Kose said that all the communities mentioned above claimed the place, but also added that the tree under which the conference was being conducted was called Madang Matat. To justify his claim, he asked the question, 'whose language was used to name that tree?' 'Bari', he answered. To further clarify his reason for the claim, he said that Bari Chief called Kose had stayed there in 1940s and was married to a woman called Zeinab. He continued to say that their ancestor lived in this area in peace with his neighbours, but that it was the politicians that tried to confuse the people for their selfish interests as the elections were drawing near. The reason was that the politicians wanted to gain more constituencies. He concluded by saying that the territorial disputes should be solved through the use of maps that are authentic.

5. LULUBO COMMUNITY

The second speaker in the name of Lulubo Community was Mr. Kasmiro Kenyi Joakino. He began by asking the following question, 'what has now brought this conflict and who is behind it?' He claimed that the land belonged to the Lulubo people. According to him, chiefs Lolik and Luaala had administered for subsequent periods of time with the boarders reaching up to Kit River. In addition, he claimed that the Acholi had no boarder with the Bari. According to him, the Acholi came to the area because of Akila, who was married to the Lulubo daughter and he himself was therefore the nephew of the Lulubo. To further his claim, Kasmiro also said that Akila was allowed to settle in the area. He also said that Kit River was the boarder point between the Madi and the Lulubo and further said that where the conference was being held belonged to the Lulubo. He further stressed that if any of the four communities claiming the owners of Kit want to be proved

right, let

there be swearing by land lords by using the so-called SIRIBA. He challenged the politicians to keep away from dividing the communities that had been coexisting in the area for a long time. In conclusion, Kenyi said that Chief Lolik one time gave this place to Chief Kose Gumbiri with understanding that he was too far from the main road.

6. MADI COMMUNITY

The second speaker from the Madi side was Mr. Mark Aluma Lou who stated that a lot had already been said about the peaceful coexistence among the Madi, Acholi, Bari and Lulubo communities. According to Mark, when the colonial powers left Sudan in 1956, there was a map the British left to determine the borders between Bari under Chief Kose Gumbiri and Lulubo under Chief Lolik. He further asserted that Madi and Lulubo are direct neighbours with the Lulubo in the North and Madi in the South. The south west belonged to the Bari when the Muchalanga Road was constructed. And in addition, after the opening of the Muchalanga Road, the Acholi came and settled in a place called Jokoki and became the neighbours of Madi. Consequently, he said that the border point between Juba District and Torit District was at Nyolo River. Aluma further reinforced his explanation by showing to the audience and reporters from both sides of the aisles his 1956 map, which

according to him, was left behind by the Colonial Administration. His map was handed to the Standing Committee of Peace and Reconciliation in SSLA.

7. BARI COMMUNITY

Mr. John Kasiano was the second speaker from the Bari Community. He claimed that the disputed land did not belong to any one at all, but to the Creator God who made heaven and earth and that there was no reason for the wrangling that was going on. But justified that the administration of the land in those days belonged to the community rain maker called Chief Yanga who had settled in Ndaruduring and further said that Moli was formerly called Mijiki. And that the place called Nyarubanga was originally belonging to Madi Community. He further reiterated that the Bari Community did not come there in Kit because of their daughter married to Akila. Instead, he said that Akila migrated to Bari land. But however, he said, although this diversity of communities was experienced now, there was a peaceful coexistence of the communities. But according to him these differences were brought about by rivalry over elephant tasks that were to be given to the chief of the

area only. He gave a narrative of one incident that took place when an elephant died along River Kit. He said that the elephant task was taken to the Bari side and this brought dispute between the Acholi and the Bari. But that the dispute was settled between the two feuding communities. And in conclusion, a deal was struck between the feuding communities; whatever ivory fell to the Eastern side of the road belonged to the Acholi and any ivory that fell to the West of the road belonged to the Bari and in addition Nyarubanga was handed over to the Bari.

8. ACHOLI COMMUNITY

The second speaker from the Acholi side was Mr. Alfonso Oryem. He said that the border between the Bari and the Acholi was in a place called Nyandala and further stressed that the Bari people knew this very well. According to him, the land which was under dispute belonged to Oloro of Panyikwara and further said that the issue was resolved in 1983 based on 1956 colonial map. But he said that, when the 1956 map was drawn by the British Colonialists, the communities residing in the area were not consulted. And according to the map, the Bari were located in Lore Mountain, Madi at Umo, Logura belonged to Agoro (Acholi). To justify their existence as a community, he said that the Acholi lived in the area even before the road was constructed. According to him, the Bari speakers did not tell the truth and challenged that if the land belonged to the Bari and other communities let the traditional landlords on all sides of the aisles come forward and swear by means of SIRIBA. When the challenge was thrown to the audience, none of the claimants dared come forward, but an old Acholi lady holding in her hand some metallic materials bound together from a string. The old woman was holding and waving her siriba for any landlord from the three communities to come forward and meet the challenge, but no one dared come forward until she was asked to sit.

9. LULUBO COMMUNITY

The third Lulubo speaker was Mr. Michael Tongun. Tongun said that this was a moment to face the truth. He challenged that the traditional land owners and chiefs should swear to prove the ownership of the disputed land and for those who were Christians were to swear using the Bible. He reminded those present that the case rose in 1983 for settlement. And he said that those present in that peace conference were: Clement Kose, Akeri Geri, Eskeriano Asai, Andrea Gore, Augustin Aremo, Pancrasio Ocheng, Anthony Okot, Kasmiro Kenyi, Angelo Voga, Vitaliano Tira. He reiterated that the resolutions that came out from that conference were not distributed to all the participants who attended that conference. He opposed the idea of using the maps to solve the problem. He further added that the SSLA Standing Committee for Peace and Reconciliation was not neutral simply because of the involvement of SSLA Speaker Honorable James Wani, who was an interest party to the conflict. To remove allayed fears, he suggested that the parliamentary committee should be joined by United Nations Department for Civil Affairs.

10. ACHOLI COMMUNITY

The last speaker from Acholi side was Mr. John Pangech. He began by saying that the Agoro people had been seriously misinterpreted by some people. Like most of earlier speakers from the other communities involved in the dispute, he also wished to give their part of the story regarding the disputed land by saying that the Acholi and the Lulubo separated at Angotonyong. To further his claim, he said that other communities trying to encroach into the Acholi land, which he, therefore, said was an aggression by other

communities against the Acholi people. This land, he said, was called Logwa where Nyolo River was located. He therefore challenged the claimants for the disputed territory to boldly swear in front of all the gathered witnesses with the traditional instrument called siriba. He believed that the Acholi were likely to win because he said that they lived in the area for over 300 years. Pangech also challenged the Bari that if they were not happy because of their daughter taken to Acholi, that the Acholi were ready to pay them their dowries.

11. BARI COMMUNITY

The third speaker from the Bari side was Mrs. Mary Amuk Gore. She said that she had eight issues to raise as part of the conflict in the disputed area. Mary reported that after the CPA was signed in 2005, the Bari people came back from exile and were welcome by the Acholi in Kit as people who, in the past, stayed there before the war. After tumultuous welcome, according to her, the Acholi began to create a problem by claiming that Kit belonged to them and that nobody was allowed to stay there except the Acholi. No body was allowed to speak Bari language, she reported.

In addition, she said that another recent incident took place during the census registration. She reported that the Acholi brought census enumerators from Magwi County to count the Bari. By that time, she said that the Bari were all assembled in one place for the census.

Another incident she reported was the death of about 21 Baris, whom she said died from cholera epidemic, but the Acholi claimed to be the result of their siriba after warning the Bari to evacuate the occupied land, she added. To stop the outbreak, the Acholi landlord performed the rituals and indeed the outbreak was contained according to her. Mary concluded her report by saying that there was a need to create conducive atmosphere for the grand children brought about as a result of the intermarriages that took place between the two communities in Kit.

12. BRIGADIER GENERAL MARTIN KENYI OF SPLA

General Kenyi said, "We had come here in Kit to solve the land dispute". He further reminded the conferees that we all had lost our dear ones in the war of liberation because of the land. The Brigadier said that his responsibility as a soldier was to defend the land, the people and their properties. And he further reiterated that if the present land dispute was not properly addressed it could erupt into a security problem. Reasonably, he said that the borders of the communities were best known by the elderly persons of all the communities concerned. The General further cautioned those present that there was no need to point fingers at each other because our present biggest problem lies in the North-South borders.

In conclusion, Martin stressed the importance of the GOSS to put in place the Local Government Act to solve such burning issues throughout Southern Sudan. And he further cautioned the audience that the use of siriba was not a solution to such grievances or

disputes. Instead, he said that we need the unity of the Greater Equatoria so that we are united against our common enemy ahead of us.

13. BRIGADIER GENERAL J. J. OKOT

The General began speech by saying, "I stand before you as a national soldier that came out of you to defend and protect you. Of course, I wear two caps one as a soldier and the other as a citizen. I want to begin by saying that our politicians are failing to lead and guide the people of Southern Sudan for the long journey that is lying ahead of all of us. Politicians need to educate our people about the political destiny."

He further said, "There has been no intimidation in this area as had been reported. Hon. Speaker of Southern Sudan Legislative Assembly had been misinformed about the situation on the ground in Kit. This is time we need to deliver services to our down trodden people for the sack of history. Our people need education and health services and clean drinking water. The GOSS need to speed the empowerment of Local Government through passing the Local Government Act."

Further on J. J. Okot reiterated, "I had been accused of being behind this conflict in the internet correspondence by some people in the UN. I want to assure you that this is the population I protected for 21 years. My presence in Kit is to deliver services to the people in the area so that they are the same as any other community in Southern Sudan."

In conclusion he ended by saying, "Hon. Speaker, distinguished guests, ladies and gentlemen, we the common citizens love you all in the leadership of our government. No body is envying your position. So, when there is a problem, please, let us share face to face in order to avoid or giving room for rumor mongering."

14. CHIEF WANI VITALIANO

He is the Lulubo Paramount Chief. Vitaliano said, "As chiefs, we have no tribe. We the chiefs are like teachers, priests, and judges."

He pointed out, "The sign post which was put here was illegal and it was removed illegally too. This dispute can be solved by looking at 1956 map. I stand with the idea of J. J. Okot to solve this problem from the base, that is, through the Local Communities residing in the area."

15. HONORABLE JOHN LADO TOMBE

He began by saying, "We are thankful for the timely arrival of H.E. James Wani to the conference place. Your arrival was a rescue to the anticipated collapse of the conference. The delegation of Eastern Equatoria State had differed with the delegation from Central Equatoria State over mere sitting arrangement of the conference. For me, I have no idea about Kit because I am from Central Lobonok. However, we need to solve this problem amicably from the root causes."

John continued and said, "Eastern Equatoria State has refused to recognize the neutrality of the Southern Sudan Assembly Committee. So, it is better to operate within the law of CPA in respect to 1956 maps. In that, Acholi has nothing to do with Kit as per the map of 1956. This arrangement could be adopted for the interim period."

Honorable Tombe concluded by saying, "Paya is an area where gold was found and belonged to the Bari. Yet all nationalities are there. Bari did not send away any one from the place. The National Interim Constitution, Southern Sudan Interim Constitution and Interim State Constitutions provide the rights for any Sudanese to settle any part of Sudan. Let us look in to the books of law to solve problems."

16. CHIEF ANTHONY OKOT (ACHOLI)

He began by speaking, "My uncles have spoken about me. Indeed, my grand mother came from Bari. She came with two children until I was born. My father was a rain maker of this area and he did not practice any administrative powers over the settlers. The beginning of the problem was the placement of the sign post. The Madi came to this area because my father was married to their daughter. Let there be a committee to be formed to look into this case of land dispute and do demarcation of the boundaries."

17. CHIEF AGAPITO LADO (BARI)

Agapito said, "I was born in Nyolo in 1949. I have not heard of Madi people bordering with Nyolo since that time. I know that Akila was the Ngarinyi of Lulubo. We had lived with Lulubo and Acholi in peaceful coexistence. We Bari came to Galagaku Insearol of water."

18. UNMIS REPRESENTATIVE

Mr. Anthony Ajenda is the Head of UNMIS Department of Civil Affairs. According to him, his department was charged with the responsibility of overseeing conflicts. He said that the case of Kit conflict emanated from the time of census exercise and the competition by enumerators from the two beleaguered states. He further pointed that the case of Kit was not about individuals and further said that UNMIS did not expect it to flare up. He therefore said that UNMIS Department of Civil Affairs was working very closely with the Southern Sudan Legislative Assembly Committee on Conflict Management and Resolution. And further said, "We need to preach peaceful coexistence among the people of Southern Sudan during this interim period. To solve conflict issues, it requires also right procedures to be adhered to. Our office is ready to intervene at any time of need," he concluded his talk.

19. H.E. EMILIO IGGA COMMISSIONER OF MAGWI COUNTY

The commissioner started his speech by saying, "We are the government tier which is close to the people as county commissioners. We were the first to complain about the

sign post which was put by the administration of Juba County in the disputed area. I wrote a letter to my counterpart of Juba County, and personally informed the governor of Central Equatoria State. The same issue was raised to the Vice President of GOSS. I was told that this was an inter-boarder dispute (Bari and Lulubo were to pay allegiance to Central Equatoria State, while the Madi and Acholi to Eastern Equatoria State). This is an administrative problem. The next election requires determination of boundaries for creating constituencies."

Further clarifying, the commissioner said, "We need to reach a consensus about administration of the area in order to cherish the peaceful coexistence of the people resident in Kit. Magwi County is hosting very many nationalities, including the Arabs without segregation." In conclusion, Commissioner Igga suggested, "Let there be a Technical Committee to help to resolve this problem."

20. H.E. ALBERT PITYA REDENTORE COMMISSIONER OF JUBA COUNTY

He spoke, "I was around when the 1983 Kit Conference was conducted. H.E. Garjuk Wurnyang Lopai was District Commissioner of Juba. Eskriano was the chief executive officer in Torit. Mr. Augustine Aremo was the secretary of the conference. On that day the conference resolved that Eastern Equatoria State should pull out its police from Kit."

Further on he said, "It is the indigenous population who know the land boundaries, not the commissioners. Our part as the commissioners is the administration of the people. Kit is an area where the four communities interacted for many years. These communities are innocent, but fire is being set from Juba and Torit and the smoke appeared in Kit."

"The sign post of Lobonok in that location was put in good faith to direct those who did not know the location of the conference. Yes, the Governor of Eastern Equatoria asked me about the budget share of Eastern Equatoria State. I did advise him to see his counterpart the Governor of Central Equatoria State. What I know was that the budget was only prepared for the people of Central Equatoria State" he clarified the matter. H.E. Pitya asked for forgiveness from the Governor of Eastern Equatoria State in any case of disappointment in the process. Again, he concluded by saying, "The land dispute between Magwi County and Juba County implies interstate dispute that was referred to GOSS Vice President's Office for the way forward."

21. H.E. ALOISIO EMOR OJETUK GOVERNOR OF EASTERN EQUATORIA STATE

The Governor began by saying, "I am very happy to stand before you once again. When we were Greater Equatoria, there was no boarder dispute. In 1983, Kit boarder dispute cropped in and started dividing us. In 1994, when the Greater Equatoria was divided, we were divided more and more."

"On Friday, I got a call from Comrade Wani Igga, that there was a problem in Kit between the Bari and the Acholi about the boarders. This River is called Ayi, not Kit,

because the same originated from Acholi East (Palotaka). The point of disagreement between me and Governor Clement Wani was about sitting arrangement. Eastern Equatoria State as a party to the conference had never been involved in the preparation process. We requested for the sitting arrangement to be oblong in order to allow the parties to talk face to face with the arbitrators sitting right and left", he emphasized.

Aloisio Emor continued his speech and said, "The Southern Sudan Legislative Assembly Committee for Peace was just an opportunist, who happened to surface at the instruction of the Speaker of SSLA who is also an interest party to the conflict. For this reason Eastern Equatoria State considers the Committee not neutral since they are answerable to the same Speaker of the Assembly, who unilaterally brought them to the conference." H.E. Ojetuk said that there was no motion raised in the Assembly of Southern Sudan such that the case would be referred to the standing committee.

"We are here because of interstate conflict. The question to ask is "Who will take care of the people of Kit?" The 1956 borders were artificially drawn on paper without specific reference to natural phenomenon and in most cases they were dividing people of one community", he said.

"The Commissioner of Magwi County told me that the boarder of Eastern Equatoria State with Central Equatoria State was some few metres North of Nyolo bridge. Yet, I saw the Commissioner of Juba County flying the flag deep inside Magwi County," he added.

"1956 boundaries may not be the most convenient bench mark to determine the traditional land ownership of the communities. Therefore, a Boarder Commission should be formed to establish facts about the claims and the counter claims, so that in November 2008, another conference can be organized to conclude this land problem", he suggested and concluded.

22. H.E. CLEMENT WANI KONGA GOVERNOR OF CENTRAL EQUATORIA STATE

H.E. said that he was told that his boarder with Eastern Equatoria State was at Kit Bridge. "Indeed our point of disagreement was about sitting arrangement. Eastern Equatoria State requested for face to face sitting arrangement when Central Equatoria State had already prepared the sitting. According to Central Equatoria State, the mediation team was to come from UNMIS, but not the Select Committee from the SSLA", he added.

"There had been many problems reported to me about land dispute with Magwi County. Starting from the time when Peter Girkis was the Commissioner of Juba District. Lulubo had reported that Magwi County claimed part of the land during the census exercise. I came to Kit to ensure that my people are enumerated. I did this because I need the unity of the communities of the area. CPA had empowered communities in Southern Sudan to be governed through a decentralized system of government. Therefore, let us respect the CPA and keep the 1956 boarders for administrative purposes until after 2011 Referendum of the people of Southern Sudan is finished. This is in the interest of maintaining of peace

and stability of the citizens in the area". In conclusion, H.E. advised the concerned people in the Secretariat from both sides of the aisles of the Conference to reconcile their reports and to distribute them to all stake holders in the conference.

23. H.E. LT. GENERAL ALFRED LADU GORE, PRESIDENTIAL ADVISOR ON DIPLOMATIC AFFAIRS IN GOSS

The General said that he was very happy to have the opportunity to thank all the delegates from Eastern Equatoria State and Central Equatoria State. "The Unity of our people is paramount. People always have differences in all societies even in churches, but there is no need to deepen our differences" he emphasized. H.E. the Advisor reminded the people assembled about the contributions the Equatorians had made in the struggle. The sum total is peace. He revealed that the Presidency of GOSS believe in the united stand of our people. "United we stand and divided we fall" he reiterated. He went on to mention, " H.E. the President Salva Kiir Mayardit wants Southern Sudan to be like any part of the world and he is one among many who knows why he went to the bush. The unity of Southern Sudan is a fundamental obligation to face two important events of Elections and Referendum ahead of us. H.E. Ladu cautioned, "let there be no use of SPLA against our people". He commended the patriotism of Brigadier Generals J. J. Okot and Martin Kenyi as true sons of Southern Sudan. "Personally" he said, "I will not accept any allegations labeled against them on the path of freedom struggle of the people of Southern Sudan". He warned the people about high corruption rate in Juba. He said that the responsible people were engaged in looting money instead of delivering services to the marginalized people the SPLA fought for. According to him, capital punishment should be given to those caught in corrupt practices. In conclusion, General Gore said, "It is even better to make women treasurers because they respect the nation and have minimal corrupt practices". Gore called up on the two Governors to see that peace reigns in Kit once more.

24. H.E. LT. GENERAL JAMES WANI IGGA SPEAKER OF SOUTHERN SUDAN LEGISLATIVE ASSEMBLY

The SSLA Speaker thanked GOSS for having financially backed the Kit Peace and Reconciliation Conference. He began by quoting from Dr. John Garang wise saying "What had been said out can unite people rather than what had not been said". H.E. James Wani declared that he too had an Acholi blood because his grandmother was an Acholi. He said that his intervention to the dispute was because he did not want conflict to persist among the two communities that had made what he is today.

The Speaker went into deep historical jargon saying that the Bari and Acholi belong to an ethnic group known as Nilo-Hamites, who migrated from the White Nile and moved from Merowe to Lake Turkana through Kassala in 1316 B.C. "In 1555 B.C. Bari arrived in Juba" he said. Since that time, he said, "there was no conflict among the Bari, Acholi, Madi, and Lulubo communities. I and Assembly Committee actually rescued the conference appalling situation on the first day. It is, therefore, the responsibility of the

Assembly Standing Committee to intervene into any boarder dispute according to Assembly Conduct of Business Article 16 (1,2)".

"The Comprehensive Peace Agreement (CPA) and the Interim Constitution of the Republic of the Sudan say that boarders shall remain as per 1956. No other authority has a right to change the boarder line except the Council of States in Khartoum. The real problem is about the boundary separating CES and EES in this area. H.E. the Speaker warned, "If this problem is not solved, we shall leave nothing other than anarchy among the communities in the area. Our ultimate interest and aim is to bring peace, tranquility and unity among the people of Kit" he concluded his speech.

SUGGESTIONS FOR THE WAY FORWARD BY SSLA STANDING COMMITTEE FOR PEACE AND RECONCILIATION DRAWN FROM SUGGESTIONS OF THE MAIN SPEAKERS

INTERIM RESOLUTIONS TO THE DISPUTE:

1. The solution to the problem must be based on the CPA and Interim Constitution of Southern Sudan.
2. All the beleaguered communities must abide by the 1956 boundaries demarcations.
3. Citizens of Magwi County and Juba County should continue to coexist in the area as before.
4. Boarders of the two states shall be confirmed by maps and attested to by the various communities in the area.
5. Any one from the four communities may choose to live wherever he or she chooses to under that community chief where he or she decided to move.
6. Administrators of the two states must comply with Resolution NO. 2 above.
7. A. The administrators of the two states have a right to use their county or state flags along the common boarders in the disputed are. B. Either state authorities have a right to put up their infrastructures and sign posts in the disputed area, pending the resolution of the conflict.
8. The final resolution shall come out after consultation with the disputed communities. After these consultations, the matter shall be referred to SSLA for final solution.
9. While the issues of arbitration shall be referred to SSLA, the Ad Hoc Committee shall be responsible for the following duties:
 - a. Monitoring the implementation of the resolutions

b. Response to issues of concern, especially pertaining to the communities on the ground

c. The committee should be a link between the communities and GOSS

10. The governments of the two states are to implement Resolution NO. 9 above within two weeks from the day of the conference, that is, 7.09.2008

11. Relevant Standing Committees of the two states Legislative Assemblies should oversee the implementation of the resolutions above.

12. UN should share in the monitoring and implementation of these resolutions to the dispute.

Sessions ended with the two governors embracing each other and the same for the commissioners of Juba and Magwi Counties.

This report was coordinated and written by the combined Secretariat from Eastern Equatoria State and Central Equatoria State. The following people were involved in the arduous task of writing and editing:

1. FELIX OKANYI REMIJO – DEPUTY SECRETARY GENERAL FOR GOVERNMENT OF EASTERN EQUATORIA STATE (TYPIST AND EDITOR).

2. JEFFERY VON OTTO – DIRECTOR OF PLANNING, MINISTRY OF FINANCE, TRADE AND INDUSTRY OF EASTERN EQUATORIA STATE (DRAFTER OF THE DOCUMENT).

3. FATHER DAVID TOMBE- PRINCIPAL OF ARAPI TEACHERS TRAINING INSTITUTE IN MAGWI COUNTY (DRAFTEER OF THE DOCUMENT). HE REPRESENTED CENTRAL EQUATORIA STATE SECRETARITAT IN THE PEACE CONFERENCE.