



**SUDAN PEOPLES' LIBERATION MOVEMENT
GENERAL HEADQUARTERS**

SPLM/SPLA CONFERENCE

**THEME: SEARCH FOR SUSTAINABLE PEACE AND GOOD GOVERNANCE IN
SOUTH SUDAN**

**PAGAK, UPPER NILE STATE
December 6-12, 2014**

RESOLUTIONS OF THE CONFERENCE

The SPLM/SPLA Conference, attended by 5,306 delegates from the ten (10) states of South Sudan, the neighbouring countries of Ethiopia, Kenya, Sudan, Uganda and the Diaspora [Australia, Canada, Britain and USA] convened in Pagak, Maiwut County, Upper Nile State between 6th and 12th December 2014 under the theme "*Search for sustainable peace and good governance in South Sudan*" to consult on and evaluate the IGAD Mediated Peace Process.

The delegates:

believe that the ongoing conflict can be resolved only by peaceful means;

Cognizant that the present conflict has devastated South Sudan particularly the three states of Jonglei, Unity and Upper Nile;

Mindful that continuation of the war exacerbates the already worsen humanitarian situation;

Welcome the decision of the African Union to include in the IGAD Mediated Peace Process the following countries namely; South Africa, Rwanda, Nigeria, Chad and Algeria;

Call on International Community to continue support to South Sudan IGAD led peace process;

Urge IGAD to exercise impartiality and neutrality in mediating South Sudan peace process;

Reaffirm and recommit the SPLM/SPLA to the IGAD mediated peace process and directed the SPLM/SPLA leadership to continue the political and diplomatic efforts towards achieving a durable peace in South Sudan;

The conference resolved as follows:

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PART I
RESOLUTIONS ON THE PEACE PROCESS

1. IGAD MEDIATED PEACE PROCESS

- (a) The SPLM/SPLA conference appreciates the IGAD Special Envoys for their relentless efforts in steering the negotiation towards resolution of the conflict;
- (b) Commends the SPLM/SPLA Negotiating Team under the leadership of General Taban Deng Gai and renews their mandate to continue negotiating in order to achieve a just and durable peace in the country. Hence, the conference requests the Chairman and Commander in Chief of the SPLM/SPLA to release the Negotiation Team to continue with the task;
- (c) The conference cautions IGAD Summit from imposing an agreement that does not address the root causes of the Juba Genocide and the conflict;
- (d) The conference further cautions the SPLM/SPLA Negotiation Team against any partial, time- and face-saving agreement that does not resolve the root causes of the conflict or that may take the country back to war;
- (e) The conference confirms that the SPLM/SPLA shall do whatever in its power to protect and defend the sovereignty and territorial integrity of the Republic of South Sudan and therefore rejects any threat of external intervention in South Sudan;
- (f) Condemns in no uncertain terms the government military offensives, in the months of November and December 2014 in Canal, Phom Ziraf, Unity Oil Fields, Korfulus etc, in a clear and flagrant violation of the "*Cessation of Hostilities (COH) Agreement*" [January 23rd, 2014] and calls on IGAD and the International Community to restrain the regime of Salva Kiir from such acts;

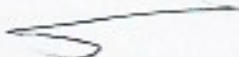
2. GOVERNANCE

(a) The Transitional Constitution of the Republic of South Sudan, 2011 (TC 2011)

- i. The TC 2011 shall be repealed and replaced by a permanent constitution that reflects the interest and aspirations of the people of South Sudan;
- ii. All laws that hinder democracy, good governance and freedom of press in the country such as political parties act and national security act shall be repealed or amended;

(b) System of Governance:

- i. Reaffirm federalism anchored on democracy and development as adopted in the Nasir Consultative Meeting in April 2014 and the Leadership Council Meeting in Nairobi and Arusha in October 2014 as the System of Governance and shall be operationalized during the Transitional Period;
- ii. South Sudan shall be a federation of 21 states based on the colonial districts per the enclosed Annex 1;

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(a) Name and Structure:

- i. The country shall be known as "The Federal Republic of South Sudan" (FRSS) and the Transitional Government shall be called "The Transitional Federal Government of National Unity" referred to as TFGONU;
- ii. The structure of the leadership of the TFGONU during the transitional period shall be the President (head of state), the Prime Minister (head of government) and the Council of Ministers;

(b) Legitimacy of President Kiir

President Salva Kiir is directly responsible for Juba Genocide, crimes against humanity and war crimes committed during this current war, therefore; he has lost legitimacy and does not deserve to lead the transitional period;

(c) Power Sharing Arrangement

- i. SPLM/SPLA 70%
- ii. Government of the Republic of South Sudan 20%
- iii. Other Stakeholders 10%

(d) Powers of the President and Prime Minister:

The powers of the President, the powers of the Prime Minister and the joint powers shall be as presented on November 07, 2014 at the 28th Extra-ordinary Summit of IGAD Heads of State and Government. However; the conference reject the designated presidential powers in item (v) & (vii);

(e) The Council of Ministers:

- i. The Prime Minister shall chair the Council of Ministers;
- ii. The Council of Ministers shall be constituted as per the peace agreement power sharing ratios.

(f) The Executive and Legislature:

The current existing legislative and executive organs (national, state and county) shall be dissolved and reconstituted in accordance with the Peace Agreement and the power sharing ratios.

(g) National Capital

The seat of the TFGONU during the Transitional Period shall be RAMCHIEL.

3. PERMANENT CEASEFIRE AND SECURITY ARRANGEMENTS

(a) Principles of Permanent Ceasefire

- i. There shall be two separate armies until when elections are conducted;
- ii. Both armies shall enjoy the same benefits, privileges and services from the day the Permanent Ceasefire is signed;

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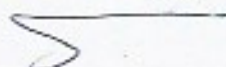
- iii. A Joint Defense Board Co-Chaired by the General Chiefs of Staff of the two armies shall be established;
- iv. There shall be joint amalgamated units composed of Presidential Guards (Leadership Protection Unit), National Security, Police and Correctional Services;
- v. The Presidential Guards shall be responsible for the protection of the leadership of the country, foreign dignitaries and diplomats;
- vi. All state capitals and major towns in the country shall be demilitarized;
- vii. The conference renews the call for the immediate withdrawal of Uganda People's Defense Forces (UPDF) and Sudanese rebel groups (JEM, SLA and SPLA-North) from the territory of the Republic of South Sudan and calls on IGAD and the International Community to exert maximum pressure on these groups to give peace a chance in South Sudan.

(b) Principles of Security Sector Reform

- i. All security sector (Army, National Security, Police, Correction Service and Civil Defense) institutions must be reformed and professionalized;
- ii. Security sector institutions composition must reflect the diversity of the people of South Sudan.

4. ECONOMIC, RESOURCE AND FINANCIAL MANAGEMENT

- (a) Adopt reforms in all financial and economic institutions to strengthen effective, transparent and accountable management of oil and non-oil revenue, expenditure including public procurement and payroll, granting of public concessions, public borrowing and debt management compliant;
- (b) All natural resources in South Sudan belong to the people;
- (c) The wealth of South Sudan shall be shared equitably so as to enable each level of government to discharge its legal and constitutional obligations, duties and responsibilities;
- (d) The sharing and allocation of wealth emanating from resources in South Sudan shall ensure that the quality of life, dignity and living conditions of all citizens are promoted without discrimination on grounds of gender, race, religion, political affiliation, ethnicity, language, or state;
- (e) The allocation percentages of revenue sharing shall reflect a commitment to the devolution of fiscal power and decentralization of decision-making in regard to development, service delivery and governance;
- (f) Every state shall contribute to the federal government thirty (30%) percent of the total national wealth generated in that state. The other seventy (70%) percent shall remain in the states and counties for services and development;

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- (g) Call upon the Regional and International Community to assist South Sudan in monetary and fiscal policies;
- (h) There shall be established a Fund for compensation of the lives and properties lost during the conflict.

5. JUSTICE AND ACCOUNTABILITY

- (a) 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;
- (b) All those accountable for gross human right violations and atrocities must be held accountable for their actions through a judicial process involving the establishment of hybrid courts, International Tribunal or ICC to try those who committed atrocities therein since December 15th 2013;
- (c) Due to the genocide and crimes committed against humanity (particularly the Juba Genocide) by the Juba regime, Kiir has forfeited his legitimacy as president of the country and is, therefore, required to step aside for justice to take its course;
- (d) President Kiir and the perpetrators of the mass killing in Juba must face justice before such courts mentioned in item 5(b);
- (e) Call upon the African Union Peace and Security Council to make public the findings of the African Union Commission of Inquiry for South Sudan;
- (f) December 16, 2013 be commemorated as a national day in memory of the Juba Genocide;
- (g) Compensation and reparation is a critical component needed to restore justice and foster reconciliation and healing; therefore, the government and its foreign allied forces are required to compensate for lives and properties lost during the conflict;
- (h) Establish Special Fund for war affected states to be administered by the Federal Government with its composition reflecting full participation of people from the war affected states. The Fund shall be used for the following purposes:
 - i. Reconstruction and rehabilitation of the destroyed infrastructures.
 - ii. compensation and reparation to citizens who have lost lives and property.
- (i) The peace agreement shall incorporate mechanisms for the conduct of national reconciliation and healing among the people of South Sudan;
- (j) All Internally Displaced Persons (IDPs) must be facilitated to return to their home states and/or any other place of their own choosing;
- (k) Land grabbing is a pertinent issue in South Sudan. All grabbed land must be returned to their rightful owners;

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- (l) All civil servants who left their jobs due to on-going civil war should qualify or be awarded a retrospective pay starting 15 December 2013 until the time of signing the peace agreement.

6. PERMANENT CONSTITUTION MAKING PROCESS

The permanent constitution making process shall be guided by the following:

- (a) Federal System of Governance;
- (b) Upholding rights of any nationality or people in South Sudan to Self-determination;
- (c) Dissolution of the current Constitution Review Commission;
- (d) Establishment of a new permanent constitution making commission with representation from all South Sudanese states;
- (e) Guaranteeing nation wide consultation to people of South Sudan through meetings, conferences and by subjecting the constitution to a referendum.

7. HUMANITARIAN CONCERNS

- (a) Call upon the Government of the Federal Republic of Ethiopia, Republic of Kenya, Republic of Sudan and the Republic of Uganda to operationalize the opening of humanitarian corridors as stipulated in May 5, 2014 **Recommitment on Humanitarian Matters** Agreement;
- (b) Call upon the International Community to provide humanitarian services to the needy people across South Sudan particularly those in areas under the SPLM/SPLA control;
- (c) Call upon the International Community to protect the rights of women, children, persons with disabilities and other minority groups;
- (d) Call upon the specialized UN agencies to provide treatment and counselling to the women who were raped in Unity State by Kiir's forces and its allies –the Sudan Rebels (JEM, SLA & SPLM North) during the conflict in 2014.
- (e) Urge the United Nations Agencies to open schools and health facilities in refugee camps and war affected areas;
- (f) Establishment of Humanitarian and Relief Coordinating Offices in Sudan, Kenya or Ethiopia;
- (g) All IDPs in UNMISS Protection Camps in Juba, Bor, Malakal, Bentiu, Renk and Wau should be relocated to safe places.

8. INTRA-SPLM PARTY DIALOGUE IN ARUSHA TANZANIA

- (a) The Intra-SPLM Dialogue Forum in Arusha is neither a substitute nor an alternative to the IGAD Mediated Peace Process;
- (b) The delegates appreciate the Arusha Intra SPLM Political Dialogue nonetheless reject any attempt to re-unite SPLM party under President Kiir.

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Annex 1: Proposed States and Capitals Based on Former Colonial Districts in South Sudan

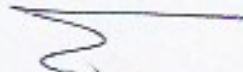
S/N	Former Districts	Proposed State Name	Capital
1	Renk plus Longachuk and Maiwut counties	Adar State (Renk, Melut, Maban, Longachuk and Maiwut counties)	Poloich
2	Kodok	Fashoda State	Malakal
3	Nasir plus Baliat, Akoka minus (Longachuk and Maiwut) counties	Sobat State (Ulang, Nasir, Baliat and Akoka counties)	Nasir
4	Fangak	Phow State	Fangak
5	Akobo	Bich State	Waat
6	Pibor	Pibor State	Pibor
7	Bor	Jonglei State	Bor
8	Western Nuer District-Bentiu	Lich State	Bentiu
9	Gogrial	Lol State	Gogrial
10	Tonj	Warrap State	Tonj
11	Northern Bahr El Ghazal	Northern Bahr el Ghazel State	Aweil
12	Raga	Western Bahr el Ghazel State	Raga
13	Wau	Wau State	Wau
14	Rumbek	Rumbek State	Rumbek
15	Yirol	Lakes State	Yirol
16	Yambio	Western Equatoria State	Yambio
17	Maridi	Midwest Equatoria State	Maridi
18	Juba	Central Equatoria/Jubek State	Juba
19	Yei River	Yei River State	Yei
20	Kapoeta	Eastern Equatoria State	Kapoeta
21	Torit	Imatong State	Torit

PART II

RESOLUTIONS ON ORGANIZATIONAL MATTERS/ISSUES

The conference resolved to:

1. Reaffirms total and undivided loyalty to the leadership of Dr. Riek Machar Teny-Dhurgoun and the SPLM/SPLA;
2. Develop and establish the SPLM/SPLA as a revolutionary vanguard party for the struggle;
3. Adopt Good Governance practices in the Movement;
4. Appoint SPLM/SPLA representatives in Middle East, West Africa and other countries;

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5. Establish media, radio and television stations to disseminate information regarding the Movement;
6. Establish a Strategic Unit to develop, monitor and evaluate the strategies of the Movement;
7. Establish SPLM/SPLA Military Command Council;
8. Call upon the SPLM/SPLA leadership to carryout comprehensive registration of all martyrs and wounded of the current war;
9. Convene a meeting of the Leadership Council to discuss and adopt the basic documents of the Movement pending final approval by the national convention;
10. Commend the National Committee reports and urged for consistent periodic reporting;
11. Affirm the unity of the people of South Sudan in resistance against Salva Kiir dictatorship;
12. Call for general and decentralized political mobilization that engage and involve South Sudanese at all levels;
13. Demobilize child soldiers in the ranks of SPLM/SPLA and the Local Defence Forces (LDF);
14. Further call on all South Sudanese citizens both at home and diaspora to join the SPLM/SPLA in order to expedite President Salva Kiir's exit;
15. Recommend that appointment of members to National Committees be on the basis of merit and to ensure the participation of youth and women in political arena;
16. Affirm that no state or nationality shall be neglected or marginalized politically, socially and economically;
17. Direct the National Committees of Education and Health to provide education and health services in areas under SPLM/SPLA control and refugee camps with assistance of NGOs and other agencies;
18. Direct the National Committee of Finance and Resource Mobilization to develop strategies for revenue collections in SPLM/SPLA controlled areas;

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19. Urge SPLM/SPLA members to donate cash or in kind to support the activities of the Movement;
20. Urge all members of the Movement to pay their monthly subscription of \$50 USD to the National Committee for Finance and Resource Mobilization;
21. Commend the role of the South Sudanese artists and musicians during the SPLM/SPLA Pagak conference and encouraged them to unite our people;
22. Register all NGOs working in SPLM/SPLA controlled areas;
23. Laws of South Sudan shall be applicable in SPLM/SPLA controlled areas except those that are incompatible and repugnant with the principles of democratic society. However, non-sharia laws of the old Sudan shall be applied in areas where South Sudan has not enacted laws provided that they are compatible with principles of democracy;
24. Establish courts in SPLM/SPLA controlled areas as follows:
 - (a) Advocates for military courts;
 - (b) High court judges and lower court judges;
 - (c) Re-establishment of customary courts;
 - (d) Military court;
 - (e) Establish the Directorate of Public Prosecutor as an independent Institution;
 - (f) Establish Directorate of Company Registry and Contract;
 - (g) Establish legal aid to provide free legal service to our people;
 - (h) Establish Human Rights Directorate that shall be charged with task of training lawyers, court staff and creation of human right awareness.

Signed: _____

Dr. Rick Machar Teny-Dhurgoun

Chairman and Commander-in-Chief

SPLM/SPLA

Date: 12/12/2014

12/12/2014