



## ***Cross Border Relations Beyond the Referendum Coexistence and Sustainable Peace***

**Resolutions of a workshop facilitated by Concordis International in partnership with the University of Juba Centre for Peace and Development Studies with support from the European Commission and the United States Agency for International Development**

***Damazin, Blue Nile State, Sudan  
21 October 2010***

This workshop has brought together over 150 government officials, native administrators and traditional authorities and representatives of civil society from the States of Blue Nile, Southern Kordofan, Upper Nile and White Nile.

The purpose of the following recommendations is to maintain peace and development in the border areas and to foster the conditions under which peaceful co-existence, security, trade and development can be enjoyed by the communities living, moving and working on both sides of Sudan's North-South border. These recommendations will assist in establishing and maintaining peace whatever the outcome of the referendum to take place in Southern Sudan.

The discussions that have led to these recommendations have taken place under the headings of (i) Security and Movement, (ii) Justice and Rights (including Citizenship) and (iii) Trade, Economy, Infrastructure and Services.

These recommendations are a synthesis of the work of 3 working groups comprised of (i) government officials, (ii) representatives of native administration and (iii) representatives of civil society (including women's and youth groups). The recommendations have been adopted in a plenary meeting of the workshop and have been read to the Governor of Blue Nile State.

These recommendations are now provided under the following headings: security; movement; citizenship and rights; administration of justice; native administration; conferences, councils and committees; trade; infrastructure and services; and general.

### ***Security***

- Security and police forces should be subject to the rule of law and the Minister of the Interior should implement this principle. There should be clear laws that govern the behaviour of the military and police forces in dealing with local people. These laws should serve the needs of the people
- Demilitarised zones should be created in the border area, which armed forces should not be permitted to enter. Such zones should particularly be created in areas where people live and move. The Minister of Defence should ensure the creation of such zones
- Military patrols along the border should be joint forces from the North and the South
- Neither the native administration nor the political parties should be involved in arming citizens, especially before the referendum

- Disarmament in the border area should be carried out through the DDR Commissions. The native administration and civil society organisations should collaborate with one another and the Commissions in securing this
- The personal protection of individuals and groups should be maintained under the law
- Police forces should be strengthened and intensified in the border area so that all policing of civilians is carried out by the police force and not the armed forces. The details of how this is done should be agreed between the competent authorities
- The Government of Sudan and the Government of Southern Sudan should support the creation of a joint police force in the border area and encourage cooperation between police forces along the border
- Joint police posts should be established along the border with cooperation between competent authorities
- The police and the native administration should cooperate in dealing with criminal behaviour
- State authorities should act as ambassadors for the people and be given wide powers for the purpose of protecting human life
- All concerned parties should cooperate in order to resolve violent (or potentially violent) disputes
- There should be provision for capacity building and training in relation to security along the border
- An early warning system should be established in order to enable steps to be taken to prevent violence
- There should be no international intervention in the border area.

#### *Movement*

- All Sudanese should have freedom to move, reside, trade and own property on either side of the border and everything necessary to secure this should be done and this should be guaranteed (especially after the referendum)
- No restrictions should be placed on the freedom to move across the border. In particular, the freedom of movement of all nomadic peoples should be guaranteed and the NCP and the SPLM should agree rules in order to make such guarantee effective
- All existing property rights should be guaranteed (in case of separation)
- The rights of settled communities should be respected
- Laws regarding agricultural and pastoralist activities should be activated in order to make it clear what are joint resources (including in relation to water), where pastoral routes are established and what grazing rights are available
- Services in the border areas should be available to both local residents and migrating populations
- Interaction between different social groups in the border area should be encouraged

#### *Citizenship and rights*

- All rights attaching to citizenship should be protected
- The authorities should consult the native administration in relation to the formation of laws, which should be consistent with customs and traditions
- Diversity should be respected. People should not be discriminated against on the grounds of race/ethnicity or religion or their culture or for any other reason

- The rights of women should be respected and guaranteed
- The rights of youth should be respected
- There should be freedom to inter-marry and engage in other cultural and social interactions
- Customs and traditions in the border area should be respected. They should be written down
- There should be equality among border communities.

#### *Administration of justice*

- The existing court system should be supported with capacity building of staff
- Joint courts and native administration mechanisms should be established in the Tamazuj area. They should be located in the areas of highest population density and where natural resources exist in order to assist in settling disputes. Jurisdiction should be exceptional and based on traditions and customs. Membership of courts should include the native administration and farmers and pastoralists should be represented, together with civil society organisations from neighbouring tribes. These bodies should ensure rights are protected
- In the case of secession the work of the judiciaries in the North and the South should be coordinated
- The native administration should be the institution responsible for resolving disputes between communities
- Mediation councils should be established to deal with disputes between border tribes. They should be given material and logistical support and rules should be made as to how they operate. Their composition should include waqib, omda and some chiefs, who should be appointed by the paramount chief in the area
- Mediation has a role for settling boundary disputes and the mechanism for it exists. That mechanism needs to be activated
- A mechanism for settling border disputes should be formed before and after the referendum
- When administering justice the native administration should be neutral.

#### *Native administration*

- The role of native administration in maintaining security should be strengthened so that they are given additional capacity in logistics, telecommunications, forces, etc
- The native administration should be involved in peace making and conflict resolution
- The capacity of the native administration should be enhanced and they should be provided with the necessary powers to fulfil their role
- Native administration business should not be interfered with by political parties

#### *Conferences, councils and committees*

- A regional conference should take place between all the commissioners of counties and localities in order to resolve problems affecting the area
- Security committees should be formed in co-ordination with the native administration, civil society organisations and the police

- Conferences and debates should be convened so people can exchange information and be aware of their rights

#### *Trade and economy*

- Common (free) markets should be opened in border areas
- The taxation system should be uniform
- Double taxation should be prevented
- If there is separation, a uniform system of tariffs should apply
- Tariffs and taxation should be reduced to encourage trade at the border
- Procedures for trade should be simplified
- Branches of banks should be opened in the border areas to make foreign currency available for exchange
- Women's interest in trade should be promoted on both sides of the border

#### *Infrastructure and services*

- Roads should be constructed to link border areas
- River transport should be provided
- Transportation services should be promoted
- Electricity services should be provided
- Solar power systems should be provided in all villages
- Pilot projects for villages should be established in places where the population is concentrated
- Drinking water for humans and animals should be provided by making available reservoirs, dams and boreholes
- Basic education should be provided for both nomads and settled peoples on both sides of the border
- Illiteracy should be removed
- Schools for boarding and schools for nomads should be built
- Centres for training youth and women should be established
- Schools for teacher training should be made available
- Vocational training institutions should be established
- Universities in the border areas should be promoted and modernised
- Primary health care services should be provided with well trained medical assistants and mid-wives on both sides of the border
- Hospitals should be established
- Medical staff should be provided for preventative health care
- Livelihoods should be promoted – production and modernisation in relation to animal products, fisheries and services on both sides of the border. This includes investment in animal production
- Women should be provided with the means of establishing livelihoods
- Agricultural schemes should be promoted in the Tamazuj area
- Industry should be developed
- There should be projects for community development
- Fire services should be promoted and a fire line opened

#### *General*

- The media should support peaceful co-existence and should not encourage conflict