



PEACE, PROSPERITY AND
REGIONAL INTEGRATION

SOUTH SUDAN NATIONAL MEETING TOWARDS DRAFTING OF PASTORAL CODES / LAWS

20TH FEBRUARY 2024- 22ND FEBRUARY 2024, RAJAF, SOUTH SUDAN



EXECUTIVE SUMMARY

The South Sudan National Meeting for the Towards Drafting of Pastoral Codes / Laws was held in Rajat, Central Equatoria from 20th February 2024 to the 22nd February 2024. The National Meeting brought together 30 representatives of the South Sudan legal and policy Makers. These participants comprised of:-

- a) Members of the Transitional National Assembly from the Committee on Fisheries and Livestock.
- b) Representatives from the Ministry of Livestock and Fisheries, the Ministry of Foreign Affairs and International Cooperation, the Ministry of Justice and Constitutional Affairs, the Ministry of Interior and the National Lands Commission.
- c) Representatives from Civil Society advocating on pastoralists development.

The primary purpose of the National Meetings set out by IGAD through ICPALD was to provide genuine opportunity to Member States and their relevant institutions for reflections and sensitization among them on the Transhumance Protocol. This further accorded Member States a chance for proving the way forward on ratification and domestication of the same.

The specific objectives of the workshop were:

- a) Sensitize key law and policy makers and actors on the IGAD transhumance protocol and its implication to the Member States.
- b) Engage key legislators, policymakers and technical partners / stakeholders to conduct policy dialogue and identify legal gaps on pastoralism.
- c) Initiate process of drafting national pastoral codes by key legislators, policymakers and technical partners / stakeholders in line with the Transhumance Protocol.

The South Sudan IGAD transhumance meeting deliberations were conducted through:-

- a) Presentations by subject matter experts
- b) Plenary and group discussions with guided reflection questions.

The recommendations of the National Meeting were as follows

Recommendation 1:- The participants acknowledged the importance of the Protocol, lauded the Government for signing the same but noted the need to ratify the same as soon as is reasonably practicable. A timeline of November 2024 was given for the instruments of ratification to be presented to the Speaker of the Transitional National Assembly.

Recommendation 2: The participants explored the legal and policy landscape relating to the practice of pastoralism. It was agreed that there is need to legislate a national law on

pastoralism that would include transhumance as a subset. In developing the law, it was noted that there were existing draft national policies on Land and Rangeland management that require to be harmonized in line with the regional Protocol. The timeline for the drafting of the proposed Pastoralism Bill and subsequent introduction to the Transitional National Assembly was provided as September 2025.

Recommendation 3: The participants reiterated the need for continuous community engagement and sensitization of pastoralists, agro-pastoralists, border communities, duty bearers and other relevant stakeholders on the importance of the Protocol.

1. BACKGROUND

Transhumance in the IGAD setting refers to cross-border mobility within the context of the practice of pastoralism. Pastoralism has been identified as the most viable economic activity that can be undertaken in arid and semi-arid lands (ASALs). Most of the livestock in the IGAD region are reared in ASALs, thereby making them significant contributors to the national economies. Indeed, pastoral livestock supports 70% of the livelihoods in the IGAD region, which is actually the only region that is self-sufficient in its needs for meat in Africa. However, pastoralism has not received the level of support commensurate to its potential. Posing a challenge of more extreme weather such as drought, climate change put pastoralists in persistent problems and conflicts in competition for pasture and water.

IGAD through ICPALD has been on the forefront of formulating actionable regional policy based on credible evidence of the economic and ecological benefits that accrue from pastoralism and transhumance. ICPALD has spearheaded the drive towards sustainable pastoralism as articulated its calling to promote dry lands and livestock development policies in the IGAD member states and support them to sustainably generate wealth, employment and lasting dignity for livestock-keeping communities that are resident in the drylands.

Therefore purpose of the IGAD Protocol on Transhumance is not just to allow cross border mobility but as expounded by Article 2, to *exploit the full social and economic potential of the pastoral system and commits Member States to invest adequate resources to pastoral regions.*

The Protocol was developed through a highly participatory process which included; technical consultation meetings held at each Member State between 2017 and 2018, national negotiation meetings with Member States' legal experts and policy makers held between 2018 and 2019, regional negotiation process, validation and endorsement by IGAD Committee of Ambassadors, adoption of the implementation roadmap by Sectoral Ministers on November 2020, and adoption by the 72nd extraordinary session of the IGAD Council of Ministers in June 2021. The IGAD Member States are committed to the signing, ratification and implementation of this timely Protocol.

ICPALD has developed a regional model pastoral law to guide Member States' process of drafting and enactment of national laws towards the domestication of the protocol. Though the EUTF funding towards Free movement of Persons and Transhumance in the IGAD Region, ICPALD plans to conduct national meetings for IGAD Member States to initiate the process of national policy dialogues towards drafting of pastoral laws and policies in line with the regional transhumance protocol.

2. SOUTH SUDAN NATIONAL MEETING DISCUSSIONS

The South Sudan Meeting towards Drafting of Pastoral Codes / Laws was held from the 20th February 2024 to the 22nd February 2024 in Rajat, Central Equatoria Region. The participants were thirty in number and comprised of:

- a) Members of the Transitional National Assembly from the Committee on Fisheries and Livestock;
- a) Representatives from the Ministry of Livestock and Fisheries, the Ministry of Foreign affairs and International Cooperation, the Ministry of Justice and Constitutional Affairs, the Ministry of Interior and the National Lands Commission; and
- b) Representatives from Civil Society advocating on pastoralists development.

2.1. Objectives of the National Meeting

The IGAD / ICPAD will visit the Member States to:

- b) Sensitize key law and policy makers and actors on the IGAD Transhumance Protocol and its implication to the Member States
- c) Engage key legislators, policymakers and technical partners / stakeholders to conduct policy dialogue and identify legal gaps on pastoralism in each Member States.
- d) Initiate process of drafting national pastoral codes by key legislators, policymakers and technical partners / stakeholders in line with the transhumance protocol

2.2. Report of the Discussions

- A. **Welcoming: Mr. Japheth Kasimbu** – IGAD Transhumance Expert on behalf of the Director of ICPALD gave welcoming remarks and provided coordination of the South Sudan National Meeting through laying out the agenda and providing the overview of the Journey towards the signing and adoption of the IGAD Transhumance Protocol and the development of the IGAD Model Law on Transhumance.



Mr. Japheth Kasimbu

B. Key Note Speaker: Amb. Ador Akok Athuai, Ambassador - Ministry of Foreign Affairs and International Cooperation.



He recognized the commitment of IGAD in fostering development in the region. He noted the importance of the workshop as a crucial step in designing the legal framework that ensures sharing of resources across the borders thereby positively contributing to the region's GDP. He opined that the implementation of the Protocol will tackle animal disease and loss of biodiversity.

Amb. Ador Akok Athuai giving his welcoming remarks

C. Official Opening: Dr. Agol Malak Kwai Director General - Ministry of Livestock and Fisheries , South Sudan officially opened the South Sudan National Meeting and made the opening remarks.



In his opening remarks, Dr. Agol noted transhumance has in practice for eons though it has been diminishing in practice amongst the pastoral communities. He stated that there were internal conflicts between pastoralists and farmers in the state and across inter county/state borders. He was of the view that the movement across international borders brings new opportunities, challenges and dilemmas.

He therefore underscored that the transhumance protocols is a worth investment and are likely to positively influence the pastoral sectors contribution to the national economy.

D. National Meeting Facilitation Mechanisms: The South Sudan IGAD transhumance meeting deliberations were conducted through:-

- c) Presentations of summarized Reflection
- d) Plenary and group discussions with guided reflection questions.
- e) Panelists were organized on thematic areas

3. DISCUSSIONS

3.1. Presentation on State of Livestock and Pastoralism in South Sudan

The Ministry of Livestock and Fisheries gave a presentation on the state of livestock and pastoralism in South Sudan. Participants were informed that South Sudan has one of the highest livestock per capita holding in Africa with an estimated livestock population of 11.7 million cattle, 12.4 million goats and 12.1 million sheep, and a large number of poultry species

Agro-pastoralism is the main livelihood system in South Sudan's rural areas. Although agropastoralism involves both livestock rearing and crop production, a household's financial capital is held in form of livestock. In addition to the role of livestock as financial capital and food, traditional social support systems in South Sudan are based on livestock transactions. In particular, use of livestock as bride wealth creates social networks, with reciprocal assistance in times of hardship.

It was noted that transhumance occurs both internally and externally. In the easterly, semi-arid parts of Eastern Equatoria State bordering Kenya and Ethiopia, the Toposa, Nyangatom, Murle and Jie practice transhumant pastoralism and they move to and from permanent, wet season homesteads. In the flood plains further north and west, both Nuer and Dinka communities follow seasonal movements as the flood waters rise and fall.

3.2. Presentation on the IGAD Protocol on Transhumance

The IGAD Transhumance Expert, Mr. Japheth Kasimbu took the participants through the text and context of the IGAD Protocol on Transhumance. He explained the various key provisions of the Protocol noting that Article 15 calls for harmonization of legislation and policies to facilitate the implementation of the Protocol, the main purpose of the workshop.

It was further explained the implementation Roadmap for the Protocol which involves 5 steps being adoption, popularization, and domestication of the Protocol; cross-border transhumance governance; mapping and designation of cross-border corridors and resources; complementary investment in pastoral areas governance followed by monitoring

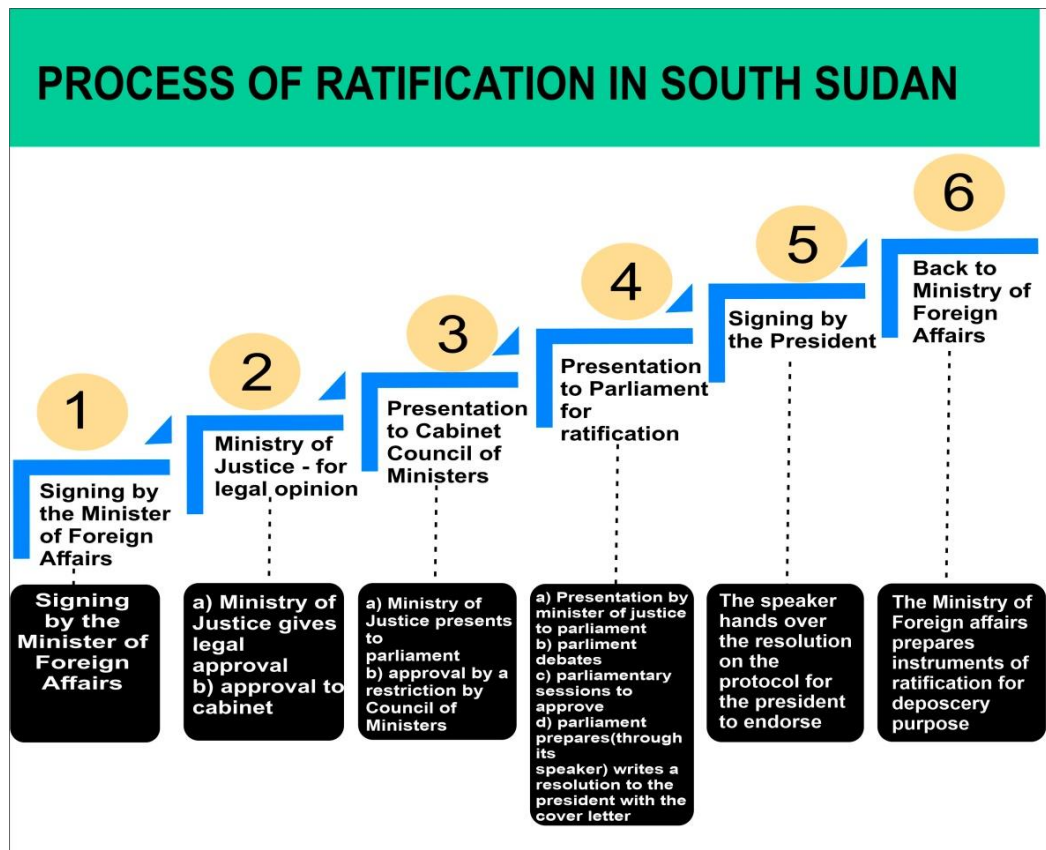
of cross- border transhumance mobility, community engagement along regular pathways and reporting.

3.3. South Sudan Process of Ratification and Domestication

The Ministry of Justice gave a presentation on the process of ratification and domestication in South Sudan.

The Minister of Foreign Affairs and International Cooperation initiates the process of ratification by submitting the IGAD Protocol on Transhumance to the Ministry of Justice. It

is the responsibility of the Ministry of Justice to advise and recommend for approval or not to the Council of Ministers who study and submit to Parliament for ratification. Once Parliament ratifies, the speaker, in his/her



official capacity forwards to the President for endorsement.

Regarding domestication, the process was reduced to the following:

- Drafting Bill by line Ministry in consultation with Ministry of Justice
- Conduct public participation with stakeholders such as civil society and community leaders
- Revised Bill submitted to Council of Ministers for review.
- After approval by Council of Ministers, line Ministry together Ministry of Justice may make additional final revisions before submitting Bill to National Assembly.
- National Legislative Assembly to publish bill and seek views of the public.
- Bill is consolidated after input from public.
- National Legislative Assembly reviews, debates, and finally passes Bill by a general majority.

viii. The passed Bill is presented to the President for assent.

3.4. IGAD Model Law on Transhumance

The participants were taken through the IGAD Model Law on Transhumance. It was stated that in order to help with the domestication of the Protocol IGAD provided technical assistance in the form of a model law drafted by a consultant. Model laws aim to facilitate, as appropriate, the review and amendment of existing legislation, as well as the adoption of new legislation. Model laws focus on the substantive obligations arising from the international treaties rather than on the form, which ought to be tailor-made to the needs of each State. It was stated that the conventional wisdom in international law is that a State can accept and integrate international law into the domestic system in one of two ways. In a monist legal system, international law is considered joined with and part of the internal legal order of a State. In a dualist legal system, on the other hand, international law stands apart from national law, and to have any effect on rights and obligations at the national level, international law must be domesticated through legislative process.

The consultant took the participants through the provisions of the model law which was arranged into five parts. Part I is the preliminaries which consists of the purpose and objectives of the Act. Part II specifies the governance framework for transhumance. It establishes the National Transhumance Committee, specifies the membership and lists its roles and responsibilities. Part III is on the transhumance certificate and related provisions. It provides that no cross border transhumance can take place without the transhumance certificate. Herders who apply for the transhumance certificate have to ensure their herds have identification marks that conform to the IGAD Livestock Identification and Traceability (LITS) standard. Part IV deals with the designation of migratory corridors for transhumance. It accords the National Transhumance Committee the responsibility to coordinate the relevant stakeholders and map the migratory corridors through which transhumance takes place. It mandates the publication of such migratory corridors. Part V is on general provisions such as guidelines on stocking grazing areas, prohibiting stray animals and empowering the Minister to make regulations for the better implementation of the Act.

The participants voiced their support for the Model Law with the rider that the same should be adopted and tailor-made to suit the circumstances in South Sudan. This would include having the Federal States and Administrative areas be included in the National Committee and or form their regional committees.

3.5. National Legal and Policy Framework that would govern Pastoralism and Livestock Development in South Sudan

The participants discussed the existing legal and policy framework governing livestock and pastoralism in the South Sudanese context. The identified framework was agreed as:

3.5.1. Legal Frameworks that Govern Pastoral Development in South Sudan

- i. The Constitution- Part 11 of the Constitution, grants local communities through their administrative structures and representatives rights and powers of decision-making over their natural resources including their pastoral lands
- ii. Local Government Act- empowers to regulate cattle or livestock movement through Chiefs, Administrative Officers and Commissioners
- iii. Land Act- provides for protection of pastoral areas.
- iv. Food and Drug Authority Act- it provides for Animal Diseases control
- v. Security Act-provision that prevents any individual from announcing disease outbreaks without following laid down procedure as it may negatively affect a region's economy.
- vi. Investment Act – provides for regulation of natural resources
- vii. Water Act : Provides for regulation water catchment areas.
- viii. Penal Code



It was recommended that the Ministry of Justice together with the Ministry of Livestock and Fisheries work on an overarching law that governs pastoralism while incorporating salient aspects of the IGAD Model Law on Transhumance. It was desired that the law should provide for cross- border

transhumance and internal transhumance. The title of this law was suggested as the Pastoralism Bill, 2024.

3.5.2. Policy Frameworks that Govern Pastoral Development in South Sudan

- i. Policy framework and strategic plan (2012-2016)
- ii. National Agriculture and Livestock Extension Policy (2011 – 2016)
- iii. National Livestock development Policy
- iv. Livestock Policy Implementation Strategic Plan (on going)
- v. National Fisheries and Aquaculture Development policy (2022)
- vi. National Aquaculture Development Strategy (2018)

- vii. Draft Land Policy
- viii. Draft Rangelands Management Policy.

It was recommended that South Sudan develops a pastoralism policy document. The African Union Policy Framework for Pastoralism together with the Draft Land Policy and Draft Rangelands Management Policy were identified as anchor document.

3.5.3. Institutional Frameworks that Govern Pastoral Development in South Sudan

- i. Ministry of Livestock and Fisheries
- ii. Ministry of Justice and Constitutional Affairs
- iii. Transhumance Police Unit
- iv. Ministry of Local Government
- v. Ministry of Housing and Urban Development
- vi. Ministry of Wildlife and Conservation
- vii. Ministry of Health
- viii. Committee on Natural Resources
- ix. Academia

T

4. Conclusions and Recommendations

Participants were pleased with IGAD efforts of bringing issues relating to pastoralism to the fore. They were categorical that with increased investments, the wellbeing of the pastoralists will be secured. Relevant ministries and State Agencies pledged to cooperate and collaborate to ensure implementation of the IGAD Protocol on Transhumance is actualized.

The recommendations of the Workshop were detailed as:

Recommendation 1:- The participants reiterated the need for continuous community engagement and sensitization of pastoralists, agro-pastoralists, border communities, duty bearers and other relevant stakeholders on the importance of the Protocol.

Recommendation 2: The participants acknowledged the importance of the Protocol, lauded the Government for signing the same but noted the need to ratify the same as soon as is reasonably practicable. A timeline of November 2024 was given for the instruments of ratification to be presented to the Speaker of the Transitional National Assembly.

Recommendation 3: The participants explored the legal and policy landscape relating to the practice of pastoralism. It was agreed that there is need to legislate a national law on pastoralism that would include transhumance as a subset. In developing the law, it was noted that there were existing draft national policies on Land and Rangeland management that require to be harmonized in line with the regional Protocol. The timeline for the drafting of the proposed Pastoralism Bill 2024 and subsequent introduction to the Transitional National Assembly was provided as September 2025.

The responsibility matrix in Annex I provides the timelines in which the relevant institutions will undertake their duties in fulfilling the recommendations detailed above

ANNEX I: RESPONSIBILITY MATRIX

Activity	Responsibility	Timelines
1. Ratification of the IGAD Protocol on Transhumance		
1.1 Preparation of instruments/ documentation for ratification (explanatory notes)	Ministry of Justice with follow up from Livestock	August 2024
1.2 Approvals from the economic cluster	Ministry of Livestock	September 2024
1.3 Submission of documentation on ratification to Council of Ministers and approval	Ministry of Justice	October 2024
1.4 Submission of instruments of ratification to Parliament for ratification	Ministry of Justice	November 2024
1.5 The Speaker submits to the President for accession	Speaker - Follow up by Ministry of Justice	December 2024
1.6 Preparations of the instruments and depositing of ratification instruments to IGAD Secretariat	Ministry of Foreign Affairs	December 2024
2. Domestication of the Protocol - Legal framework (Act)		
2.1 Production of Zero Draft (a) consultant on board (b) key principles and provision (c) select stakeholders' committee meetings	Justice / Livestock	Jan - Mar 2025
2.2 Validation of the national draft (a) National meetings (technical and legal) (b) Revision of the Draft with key inputs	Ministry of Justice	April - May 2025
2.3 Public Participation - consultative meetings at States level and the three admin areas	Ministry of Justice	May - July 2025
2.4 Final drafting to incorporate inputs from wide public participation	Ministry of Justice	July - August 2025
2.5 Submission of Draft Bill to Council of Ministers	Ministry of Justice	August 2025
2.6 Submission of Govt. Bill to Parliament	Ministry of Justice	September 2025

<ul style="list-style-type: none"> - Speaker of Assembly delegates to the committee - Parliamentary committee discusses - Submission to the house for debate 		
<p>2.7 Speaker takes the approved bill to the President after the 1st, 2nd and 3rd (final) readings for signing</p>	<p>Speaker of the Assembly</p>	

ANNEX II: LIST OF PARTICIPANTS

List of Participants –South Sudan National Meeting to Draft National Pastoral Laws 20-22nd February Rajaf , South Sudan			
	Name	Institution	Email/Contact
1	Hon. Dr.Nhial Bol Akeen	Transnational National Legislative Assembly, Chair -	+211925654485
2	Hon. Asha Abbas Akuei	Transnational National Legislative Assembly –Chair Livestock and Fisheries	adingakuei@gmail.com +211929999555/91230363
3	Hon.Micheal Muot	Transnational National Legislative Assembly –Member	Michealmuot597@gmail.com +211922949000/918830332
4	Hon. Dr. Nyang Augustine	Transnational National Legislative Assembly	nyangaugustine@gmail.com
5	Hon.Samson Machot	Transnational National Legislative Assembly-Member of Parliament	machotsamson@gmail.com +211924877583/917646455
6	Hon.Noami Yusto	Transnational National Legislative Assembly	+211924497403
7	Hon. Philip Lang Kuar	Transnational National Legislative Assembly-Member of Parliament-Clerk	Philiplangkuar22@gmail.com +211988181899/923294039
8	Dr.Agol Malaak Kwai	Ministry of Livestock and Fisheries-Director General for Veterinary Service	Agol.malak@gmail.com +211920579193
9	Mr.Augustino Atilio	Ministry of Livestock and Fisheries –Director General Plannin and Policy Developemnt	agustatillio@yahoo.com +211926132921
10	Mr. Martin Yao Gol	Ministry of Livestock and Fisheries –Director General	Myoa72@gmail.com +211980176715

11	Mr.Emmanuel Samuel	Ministry of Livestock and Fisheries -Director General for Extension ,Training & Pastoral Development	owacissamuel@yahoo.com +211925719667/911329977
12	Mrs.Betty Scopas	Ministry of Humanitarian Affairs& Disaster Management	bettyscopas@yahoo.com +211928986666
13	Mr.Charles Placido	Ministry of Humanitarian Affairs &Disaster Management -Director	cpwlako@gmail.com +211925284883/915046739
14	Justice Mona Chol	Ministry of Humanitarian Affairs and Disaster Management-Legal Advisor	Mona2019koal@gmail.com +211928018966/914119266
15	Ms.Monica Abaa	Ministry of Humanitarian Affairs and Disaster Management-Inspector for Early Warning	bajinyibong@gmail.com +211912430402
16	Mr.Adet Kiir Chol	Pastoralist union, Ministry of Livestock and Fisheries-Secretary General	adetkiirc@gmail.com +211929110595
17	Maj.Gen.Daniel Justine Boulo	Ministry of Interior - Director/Focal Point NCM	Danielj.achor26@gmail.com +211-925016377
18	Justice Tong Tong Dot Deng	Ministry of Interior -Legal Advisor	Tongdut780@gmail.com +211926590890
19	Mr.Kur Deng Joseph	Ministry of Justice & Constitutional Affairs-Legal Counsel	dengkurjoseph@gmail.com +211925727961

20	Mr.Obach Aban	Ministry of Justice & Constitutional Affairs-Legal Counsel	obajabnyilek@gmail.com +211925111230
21	Mr.James John Shili	Pastoralist union, Ministry of Livestock and Fisheries-Deputy Secretary General	tombetangeen@gmail.com +211915015068
22	Amb.Akech Chol Ahou Ayok	Ministry of Foreign Affairs and International cooperation - Ambassador, Director for International Law	akech-c@yahoo.com +211924380747
23	Mr.Rambang Tot Deng	Ministry of Foreign Affairs and International cooperation-Diplomat	Rambangtot47@gmail.com +211929115192/910434649
24	Mr.James Manyang Riak	Ministry of Foreign Affairs and International cooperation-3 rd Secretary	manyangriakdeng@gmail.com/ +211923600333
25	Mr.Robert Ladu Luki	South Sudan Land Commission-Chairperson	lokundurobent@gmail.com +211980070825
26	Mr.David Geng Kech	South Sudan Land Commission, Ministry of Land &Housing-Director Land Registry	Daviddeng331@gmail.com +211915016471
27	Mr.Garang Deng Garang	South Sudan Land Commission, Ministry of Land, Housing and Urban Development-Ag. Director General Research and Training	Garangdeng42@gmail.com +211921642981/916268400
28	Mr.Wani Francis Lasu	Migration Expert-DNPI/Data Statistician-Ministry of Interior	Wani200835@gmail.com +211929305333

29	Mr.Agele Samuel Uriah	Ministry of Foreign Affairs- General Intelligent Bureau (GIB)	Agesam2018@gmail.com +211915996454
30	Ador Akok Athuai	Ambassador-Ministry of Foreign Affairs and International Cooperation	Adordit211@gmail.com +211916000073
		ICPALD/IGAD Staff	
31	Japheth Kasimbu	Transhumance Expert	Japheth.kasimbu@igad.int
32	Severina Wanjiru	Finance-ICPALD	Severina.wanjiru@igad.int
33	Umalkher Hassan	Project Assistant -ICPALD	Umalkher.hassan@igad.int
34	Christine Norah	Communication Officer- ICPALD	Christine.norah@igad.int
35	Jacky Daru	Assistant -IGAD South Sudan Office	Jackie.daru@igad.int
36	Ahmed Hissen Zeidan	Driver -IGAD South Sudan Office	Ahmedhissen84@gmail.com
37	Samuel Lee	IGAD -Policy Assistant	Samuellee701@gmail.com
38	Elham James	Assistant -Ministry of Peace building	elhamjameslarri@gmail.com