

Upper Nile governor denies dividing people over creation of city council

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September 2, 2012 (JUBA) - The Governor of Upper Nile State, Brigadier General Simon Kun Puoc, vehemently denied on Sunday allegations that his decision to create a City Council and appoint a Mayor for Malakal town, was an act indicative of a "divide and rule policy".

Puoc said his decision to create a city council was not in anyway meant to create division but that it was for the delivery of basic services, to strengthen social ties and create peaceful coexistence among the state's various ethnic groups.

"Sometimes our people are overwhelmed by emotions to the extent that they do not give themselves time to study decisions", the Upper Nile State governor said on Sunday.

"I call upon our people not to politicize [the] creation of the city council. It was not meant to create division. The intention was to facilitate delivery of basic services. We wanted Malakal town, which is the capital of our state to be cleaned, so that it reflect[s well] on our cultures. We wanted Malakal town to be more organised", explained Governor Puoc.

Governor Puoc made the remarks on Sunday in an interview with *Sudan Tribune*. He dismissed the critics of his decision as being "overwhelmed by emotions" who had not given themselves time to examine outcome.

The senior member of South Sudan's governing Sudan People's Liberation Movement (SPLM) said: "We are in a democratic country. This is what we fought for. Our constitution is very clear on freedom of speech and expression. So I am not upset with anyone. I am not annoyed because in a healthy democracy people can agree to disagree", he explained.

South Sudan became independent last year after over two-decades of civil war. However, even President Salva Kiir himself recently admitted that the during seven years of governing the region, many senior figures in the SPLM have forgotten the values they fought for. Kiir's comments came in a letter asking senior officials to return \$4 billion of stolen public funds.

Governor Puoc was reacting to reports quoting the SPLM's powerful Secretary General, Pagan Amum Okiech, accusing him of breaking South Sudanese law by breaking up Makal County to form the Malakal Town City Council.

Last week, while addressing members of parliament representing Upper Nile and Shilluk intellectuals, in the South Sudan National Legislative Assembly, Amum accused Governor Pouch of unilaterally deciding to take away three payams [districts] from Makal County to form the new town council.

Amum, a Shilluk who comes from the area, questioned the legality of the move, explaining it was only the National Government and the Council of States which has the authority to divide counties and redefine constituency and county borders.

He accused Puoc to have not done justice to the community of Makal County, by preventing them from celebrating the first anniversary of South Sudan's independence in Malakal.

"Frankly speaking, there is no justice done here. Does it mean that a citizen from Makal County need to apply for a visa in order to visit his home town and apply for a license if he wants to celebrate at home? This decision completely contravenes [the] constitution", Amum said in the meeting broadcast by South Sudan Television.

But the Governor told *Sudan Tribune* that he categorically denied preventing any ethnic group in the state from organizing or taking part in the celebrations to mark South Sudan's first year of independence on 9 July 2012.

The ownership of Malakal town is contested by the Dinka Ngok Lual Yak and a section of Shilluk tribe. The Dinka assert that the town was historically inhabited by their ancestors and claim there is historical evidence that the town belongs to them.

The Shilluk also argue that the the town is their area, calling the town as Makal in their own language. In both languages the word means "higher ground", suitable for the cattle herding for which the Dinka are renowned.

Several attempts to address the dispute between the two sides have all failed as neither community is willing to accept the other's claim on the area.

The new mayor appointed by the Governor is James Chuol Puot, who is a member of the Nuer ethnic group.

The parliamentary leader of the Sudan People's Liberation Movement for Democratic Change (SPLM-DC), South Sudan's largest opposition party, Onyoti Adigo, on Saturday said Governor Puoc's formation of a city council out of Makal County

without enacting a law and consulting with the local population in the area lacks legal basis and is a clear violation of South Sudan's Transitional Constitution.

"Governor Simon Kun Puoc is copying what he sees done by other governors in the country. Most of the governors do not respect the law. They believe in their own actions."

Appointing a Mayor and city council was "without legal basis", Adigo said, adding that he "did not consult with the local population nor did he try to enact the law through the [Upper Nile] State Legislative Assembly."

According to South Sudan's 2009 local government act, changing any administrative unit requires consultations with local population and approval of both the country's National Legislative Assembly in collaboration with the country's upper house, the Council of States.

Pagan Amum defended the right of the SPLM-DC to hold the government to account on the matter and denied the political party was politicizing the creation of the Malakal City Council.

Normally the SPLM and SPLM-DC, which broke away from the South Sudan's ruling party in 2009 ahead of the 2010 elections, have a frosty relationship. The SPLM and South Sudan's Army (SPLA) often accuse the SPLM-DC of being linked to rebel groups, an allegation the opposition group deny.

In this case, however, Amum said that this was "an issue that crossed political lines".

"The SPLM-DC should not be made a scapegoat for the Makal county issue. The party members have rights as citizens of South Sudan and some of them are representing the County in the national parliament", he explained.

He encouraged Shilluk intellectuals to deal with the issue together.

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