



THE SUDD INSTITUTE

RESEARCH FOR A PEACEFUL, JUST AND PROSPEROUS SOUTH SUDAN

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WEEKLY REVIEW

October 29, 2019

The UN Security Council Visits South Sudan A Symbolic Act of Peace

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Members of the United Nations Security Council, under the co-chairmanship of South Africa and the United States, visited South Sudan last week on the 20th of October 2019. The visit came as the deadline for the formation of the Revitalized Transitional Government of National Unity (RTGoNU) looms. The Council came to acquaint itself first-hand with the progress being made towards the formation of the unity government and to nudge the parties to reach compromise on outstanding issues.

The Council met first with 15 members representing various civil society organizations in the country, including women organizations, churches, think tanks and academic institutions, and other popular civic groups. The Council wanted to hear the aspirations of the citizens, their experiences with the ongoing peace processes, and what they expect from the parties. The Council was briefed on the fact that Ceasefire is holding, paving way for the citizens to somewhat return to pre-conflict activities. The civil society groups informed the Council that the military leaders on both sites are doing a good job by cooperating and promising not to return the country to war. The Council was informed of the fact that the soldiers have accepted peace and if the Agreement breaks down, it would be blamed on the political leaders.

The members of the civil society also informed the Security Council of the continuing encroachment by the state upon civic spaces, raising concerns particularly about the increasing harassment and arbitrary arrest of the citizens. This encroachment impinges upon the freedom of press, freedom of expression, and the freedom to assemble, rights enshrined in the South Sudan Constitution. The leaders of the civil society narrated the fact that people are now afraid to speak freely because of retribution from the state. As well, the civil society organizations cannot organize even small meetings without seeking permission from the National Security Services (NSS), an act that unnecessarily limits civic engagements and induces unnecessary inefficiencies.

For peace to be felt, the government should immediately lift those restrictions on civil liberties and allow people to fully enjoy both their civil rights and liberties. The civil society leaders also reported on continuing human rights violations by both parties, including sexual violence against women and girls, as well as continuing arbitrary arrest and detention of those deemed to be political adversaries. They argue that these actions send negative messages to the citizens about peace.

The civil society leaders raised concerns about non-signatories posing a threat to peace, especially in areas around Yei, Amadi, and Kajokeji. The civil society leaders expressed the need to bring these groups on board in order to achieve a comprehensive and total peace. Doing this is critical for the return of refugees and internally displaced persons, to their homes. Examples were cited in Equatoria and Upper Nile where people in refugee camps have returned largely for scoping mission. Some civil society leaders cited reports in these places where only men returned to check on their properties and to assess the security situation before they could decide to relocate their families back home. When these people witness actions that are inconsistent with peace, they go back and tell others not to return home. The civil society, therefore, recommends that non-signatories to the Agreement should be engaged by possibly signing and abiding by the Cessation of Hostilities Agreement of December 21, 2017.

Besides concerns about non-signatories, the Council was also made aware of the fact that the leader of the Opposition's continuing stay out of the country creates a lot of uncertainty, especially among his supporters and non-supporters alike. His return is considered one of the most important indicators of peace. Every time he returns to Juba for meetings, people feel confident in the Peace Agreement, but when he goes back, people feel that he is not committed to the Agreement or that he is still afraid and unsure about the Agreement. The civil society leaders, therefore, recommended that the Council should impress upon the parties, and Dr. Machar in particular, to return to Juba and oversee the implementation of the Agreement together with the President. This means demanding the government to give Dr. Machar enough assurances, or if Dr. Machar doesn't trust the government, he should ask IGAD or the UN Security Council, to give him the protection he needs. The citizens are not asking him to blindly take the risk, but he must demonstrate leadership by being on the ground to ensure that the Pre-transitional activities are undertaken under his joint guidance with the President. Ordinarily, it is difficult to lead or manage state affairs remotely.

The women delegation presented a coherent agenda to the Council. First, the women demanded full respect to the 35% allocation of seats and positions to women as provided for in the Agreement. They lamented the fact that this affirmative action is always limited to the national government. This time, however, the women want it reflected in the composition of all levels of government. They wanted the Security Council to ensure that this message goes to the political leadership in the country. Second, the women are concerned about continuing sexual violence against women and the recruitment of children by the armed groups, demanding an end to these actions. Furthermore, the women demand full implementation of the transitional justice provisions, stressing the fact that there can be no peace without justice. They, therefore, demand the operationalization of the Hybrid Court of South Sudan.

The women also recommended that the issue of the number of states be tackled at the constitutional making stage and it, therefore, should not be an impediment to the formation of the government. They appealed to the Security Council to support the parties both to overcome the challenges that lie in the way of the formation of unity government and to provide both the pressure needed and the financial resources to ensure successful implementation of the Agreement. They demanded the formation of the government of national unity on time, provided that the integrity of the Agreement is not compromised.

Collectively, the leaders of the civil society seem to agree on the fact that the government should be formed on the 12th of November and that the parties, with political will, could overcome the remaining challenges. The parties are very close to fulfilling the provisions of the security arrangements and should finish the remaining milestones. The issue of the number of states is also surmountable because the parties could decide to go back to the 10 states, keep the current states, or agree on a new number of states. This issue should not derail the formation of the government, it seems.

The Security Council then met with the parties, especially President Salva Kiir and Dr. Riek Machar. Through the Press Conference they held at the Juba International Airport on their way out, the Security Council demanded the formation of the government on time. It appears from the Press Conference that the Council was impressed with what the President told them. The President reportedly assured the Council of his 100% commitment to the implementation of the Agreement and he offered a number of options for personal security of Dr. Machar, which seem acceptable to the Council. The Council was disappointed with what Dr. Machar said in the meeting. Dr. Machar reportedly told the Council that the ceasefire may collapse if the national unity government is formed on 12th November without enough assurances. He categorically told the Council members that his movement will not be part of a unity government if such assurances weren't in place. Dr. Lam Akol is also reported to have supported Dr. Machar's position and instead demanded another 90 days extension of the Pre-Transitional Period.

This, of course, contrasts the position of government, which supports on time formation of the government with or without the SPLM-IO, the main opposition group. The International Community, represented by the Security Council, sees a risk in another extension, fearing that this government may never be formed at all, setting stage for the collapse of the Peace Agreement.

The Security Council is keen to support the vision of the African Union, to silence all guns by 2020. The Security also wants to cash in on the regional momentum towards peace in the Horn of Africa. Recent efforts by the Ethiopian Prime Minister, Abiy Ahmed, to normalize relations with Eritrea, which earned him a Nobel Peace Prize, and the on-going political transition in the Sudan, should be built upon, with South Sudan as a critical piece of the puzzle in the regional peace endeavor.

In light of these developments and the fact that South Africa is the President of the Security Council for the month of October, it is likely that the parties will come under severe regional, continental, and international pressure to form the government on time and to abide by the terms of the Agreement. The parties will not be left alone to wreck the international efforts for peace. This is where the international interest intersects with that of South Sudanese citizens whose single demand has been that of peace and stability. The parties should heed the call for peace, which has come from the citizens and the entire world. A single action, the formation of the government on time, would speak volumes about the willingness of the parties to relieve the country from the burden of war.

About Sudd Institute

The Sudd Institute is an independent research organization that conducts and facilitates policy relevant research and training to inform public policy and practice, to create opportunities for discussion and debate, and to improve analytical capacity in South Sudan. The Sudd Institute's intention is to significantly improve the quality, impact, and accountability of local, national, and international policy- and decision-making in South Sudan in order to promote a more peaceful, just and prosperous society.

About the author

Abraham A. Awolich is the Acting Executive Director at the Sudd Institute. Awolich's research has focused on governance and public administration. Awolich serves currently on the Board of South Sudan Revenue Authority. He also serves double roles as Deputy Coordinator and the Head of the Finance and Administration Unit for the National Dialogue Secretariat. Before joining the Sudd Institute, Awolich was the co-founder Executive Director of the Sudan Development Foundation (SUDEF). Awolich has a master's degree in Public Administration from the Maxwell School of Citizenship and Public Affairs at Syracuse University and bachelor's degree from the University of Vermont in Anthropology and Business Administration. Awolich is a McNair Scholar and winner of the prestigious Samuel Huntington Public Service Award in 2006