

Enough Project Statement on the Signing of the South Sudan Peace Agreement

August 26, 2015 – The Enough Project welcomes the decision by the Government of South Sudan and President Salva Kiir to sign the compromise peace agreement, adding his signature to that of armed opposition leader Dr. Riek Machar and other stakeholders, to hopefully bring their country's brutal civil war to an end. Concerted pressure from neighboring governments and the broader international community -- including the circulation of a UN Security Council draft resolution by the United States focused on potential high-level targeted sanctions and an arms embargo -- has been instrumental in convincing the government to sign after missing the August 17 deadline. President Obama's direct engagement with regional leaders during his trip to Africa in late July was essential in cultivating what had been missing so far in the negotiations: international leverage aimed at pressuring the warring parties toward peace.

Nevertheless, the challenges of implementing the agreement far exceed the challenges of negotiating one. Both sides contain hardline factions and interests that openly oppose the signing of the compromise agreement and continue to benefit financially from the misery of the South Sudanese people. Provisions for economic transparency and accountability contained in the agreement directly threaten the kleptocratic system of governance, the entrenched patronage networks, and the opaque business transactions that have provided the warring parties with the funds necessary to sustain the war effort on the ground. There will be winners and losers as a result of this deal, and the losers could very well attempt to undermine the agreement, potentially through further violence.

In order to ensure the agreement is signed in good faith and implemented accordingly, the regional and international communities must maintain their diplomatic and financial pressure on both sides, including the credible threat of targeted sanctions and other diplomatic and financial measures. Steps must be taken to ensure potential spoilers are denied access to material and financial support in the region, including those that have recently defected from the armed opposition and have based themselves in Khartoum. Uganda must also withdraw its troops based on the timetable outlined in the agreement. The U.N. Security Council should urgently adopt a global arms embargo to stem the flow of weapons and ammunition to the rival parties and allow for the imposition of secondary sanctions designations against those that facilitate arms transfers and profit directly from the civil war. Regional enforcement is key and should be closely monitored by the UN Panel of Experts.

The successful implementation of the agreement also depends largely on ending impunity for economic and atrocity crimes. International support for the South Sudan-African Union hybrid court should include legal and investigative teams with experience in prosecuting economic crimes, including pillage and grand corruption. The U.S. Department of Justice's Kleptocracy Asset Recovery Initiative should investigate instances of grand corruption focusing on assets, properties, and businesses in the United States. The United States, United Kingdom, and other

partners should pursue global efforts to trace, seize, freeze, and return the proceeds of corruption back to the people of South Sudan. For their part, Kenya, Uganda, and Ethiopia should share intelligence through the Asset Recovery Inter-Agency Network for Eastern Africa. Efforts to improve their compliance with international financial, legal, and regulatory regimes would increase donor and investor confidence as well.

Finally, South Sudan's leaders must be accountable to the people of South Sudan. Civil society groups' participation at the peace process was often drowned out by the demands of the warring parties. Donors must redouble their efforts to amplify the voices of South Sudanese through public opinion polling, support for free media, and assistance to campaigns for financial transparency and accountability based on South Sudan's existing public disclosure laws. Space for civil society participation during the transition and protections for journalists should be made preconditions for the resumption of normal donor activities.

South Sudan has once again been devastated by war; this time a tragic conflict between the very elites that fought for their nation's independence. The compromise agreement does not resolve the multiple crises facing South Sudan on issues of governance, security, accountability, and economic development, but rather provides a starting point for the parties to come back together and get down to the business of rebuilding their war-torn nation. Only by putting the interests of their people ahead of their own self-interests may peace prevail in South Sudan. In the meantime, those that profit from the war should not be able to do so with impunity, even if a peace agreement is signed.

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