



Memorandum

To: Secretary Kerry, Ambassador Rice, and Ambassador Power
From: John Prendergast and Akshaya Kumar, Enough Project
Date: December 18, 2013
Re: Ongoing SPLM Political Crisis and Violence in South Sudan

Despite the operational constraints posed by the U.S. embassy's evacuation of all non-essential staff, the United States government can do more to avert a return to civil war in South Sudan. Below we outline possible steps the U.S. could take in addition to what is presently being done, including the immediate deployment to Juba of U.S. Special Envoy Donald Booth, U.S. support for mediation efforts by South Sudanese church leaders or the East African regional organization IGAD (the Intergovernmental Authority on Development), and the creation of safe havens for civilians by the U.N. peacekeeping mission.

1. Facilitate or support mediation with key stakeholders to secure a political solution.

A political solution to end the violence is critically important and we believe is possible. In his December 16 press conference, President Kiir revealed a preference for a military solution to the ongoing standoff. However, in comments on December 18, President Kiir told reporters, "I will sit down with him – [Riek Machar] – and talk... but I don't know what the results of the talks will be." This offer could be the fulcrum of internationally mediated or supported talks around a peaceful solution.

Since deepening ethnic strife sparked by political divisions is a significant and increasing risk in South Sudan, swift action to avert an escalating crisis is essential. Numerous accounts confirm that security services have been going door-to-door and specifically targeting Nuer civilians in Juba. Others report that buses are being stopped and screened for Nuer. This type of targeting is deeply concerning, and warrants the involvement of the U.S. government's Atrocity Prevention Board. While the violence began as a political power struggle between the ruling elite, since Riek Machar is a leading Nuer political figure, inter-ethnic tensions have escalated as a result of the recent events. President Kiir should be urged to seek reconciliation and make public overtures to his opponents and critics, especially members of the Nuer community. Additionally, all senior members of the party should be urged to speak out against polarizing tribal rhetoric.

Church leaders have already issued a statement on the violence and could be leveraged to help broker a political resolution among the warring parties. A delegation including heads of state or foreign ministers from IGAD countries -- Ethiopia, Kenya and Uganda -- could play an important mediating role among South Sudan's competing factions, as could South Sudanese church leaders with a long history of inter-factional mediation.

U.S. Special Envoy Donald Booth's long history of working with leaders in the region places him in an important position to have a positive impact at this sensitive juncture. To jumpstart an effective mediation, U.S. Special Envoy Donald Booth should make an immediate trip to Juba and meet with all the key stakeholders. Taking a

trip will allow our envoy to deliver strong messages in person and demonstrate the United States' continued commitment to South Sudan's future as a peaceful and pluralistic society. The U.S. should also urge that a high-level IGAD delegation deploy to Juba as well.

In order to maintain South Sudan's democratic character, the highest levels of the United States government should use its leverage to secure guarantees of humane treatment and due process for all political prisoners and detainees. Any planned investigations into alleged wrongdoing must be credible, independent and linked to a fair and transparent judicial process. Unconfirmed reports suggest that some in South Sudan's security services are considering executing those detained. The U.S. should strongly dissuade them from carrying through with this plan.

2. Support the creation of safe havens and press for unrestricted humanitarian access.

The U.N. peacekeeping mission in South Sudan should immediately establish safe havens for vulnerable civilians in areas most affected by the fighting. Civilian protection is incorporated in the mission's Chapter VII mandate, so the mission is already authorized to take these steps. The U.S. government should urge UNMISS to move outside of their compounds on patrol and offer logistical and technical support, as necessary. UNMISS will potentially need additional logistical support from U.N. contributing countries, and may well need additional troops, which would require U.N. Security Council action.

In light of the growing humanitarian crisis within Juba and the potential for mass displacement in the wake of a return of violence to Jonglei, the U.S. government should also make an immediate additional emergency allocation to fund a robust response to the crisis. Humanitarian groups must immediately be given assurances of safe and unrestricted passage. These assurances will allow them to safely assist those in need and provide essential social services, especially at the overloaded hospital and mortuary.

Since South Sudan relies heavily on imports, even a three-day border closure has had a real impact on quality of life in Juba. The United States should offer to support efforts to turn the city water back on and facilitate the distribution of water, food and other supplies to those in need. The U.S. should push for borders and highways to be reopened as well.

3. Enhance international public diplomacy and multilateral cooperation toward solutions.

Raising the level of U.S. government engagement and public diplomacy on this issue is essential. Furthermore, the U.S. mission to the United Nations should now press the Security Council to draft a presidential statement or resolution on the crisis directing the U.N. mission to take visible steps towards civilian protection. A similar effort has already been undertaken at the African Union Peace and Security Council, which met today and will issue a statement by tomorrow.