

113TH CONGRESS
2^D SESSION

H. RES. 503

Expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2014

Mr. SMITH of New Jersey (for himself, Ms. BASS, Mr. McCAUL, Mr. WOLF, and Mr. WEBER of Texas) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing the sense of the House of Representatives regarding the need to bring the South Sudan conflict to a sustainable and lasting end and to promote reconciliation of longstanding and recent grievances to allow for a peaceful society with good governance.

Whereas the long civil war between the Government of Sudan and its southern region (1983 to 2005) was ended with the Comprehensive Peace Agreement;

Whereas citizens in the then-semi-autonomous region of South Sudan voted on January 9, 2011, through January 15, 2011, to secede from Sudan and became the world's newest nation on July 9, 2011;

Whereas leaders of the ruling Sudan People's Liberation Movement (SPLM) put aside longstanding ethnic and personal animosities in the last few years in order to facilitate the independence effort;

Whereas political, social, and economic conflict between the Dinka and Nuer, the largest and second largest ethnic groups respectively, as well as among other smaller ethnic groups, have nevertheless occurred during the period of apparent peace since the signing of the 2005 Comprehensive Peace Agreement;

Whereas there have been persistent questions raised in recent years concerning an alleged lack of broad political and ethnic inclusion in building the Government of South Sudan;

Whereas South Sudan President Salva Kiir (a Dinka) dismissed his entire cabinet on July 23, 2013, including his main rival, then-Vice President Riek Machar (a Nuer), which necessitated radio broadcasts calling for calm in the wake of that action;

Whereas in mid-December, tensions erupted over the handling of an SPLM party conference preparing for 2015 national elections, with the spark for violence reportedly being an attempt by Dinka presidential guards to disarm their Nuer counterparts;

Whereas in the wake of the initial violence, the Government of South Sudan arrested 11 senior political figures, including former Finance Minister Kosti Manibe, former Minister of Cabinet Affairs Deng Alor, and SPLM Secretary General Pagan Amum, accusing them of being involved in a "failed coup" and holding them in virtual house arrest;

Whereas government forces, led by President Kiir, and a rebel force led by former Vice President Machar have engaged in combat and have been joined in the fighting by some militia leaders, forming, along with defectors from the ruling party and national army, the nucleus of an Army in Opposition;

Whereas fighting quickly spread to several provinces and as of February 11, 2014, more than 723,000 people were displaced within South Sudan and more than 145,000 had fled to nearby countries, mostly to Ethiopia;

Whereas untold thousands of South Sudanese have been killed in the fighting, including, according to the United Nations, those targeted for their ethnicity; and

Whereas United States commitment to fully implementing the Comprehensive Peace Agreement and ongoing United States Department of State engagement in achieving an enduring peace remain essential: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that it should be the policy of the United
3 States Government to encourage and facilitate as fea-
4 sible—

5 (1) the full implementation of the January 23,
6 2014, cessation of hostilities agreement between the
7 Government of South Sudan and the Sudan People's
8 Liberation Movement/Army in Opposition, with a
9 commitment to ensuring that the multilateral Joint
10 Monitoring and Verification Team has unimpeded
11 access to all parts of the country;

1 (2) the expansion of existing efforts to disarm
2 militia and other armed groups in South Sudan, de-
3 mobilize combatants and reintegrate them into civil-
4 ian society, and curtail supplies of foreign arms be-
5 yond that necessary for national security or law and
6 order, raising the possibility of an arms embargo in
7 the event of further violations of the cessation of
8 hostilities agreement;

9 (3) the elevation of the United States Govern-
10 ment's existing presence at the Addis Ababa-based
11 peace negotiations, building on Special Envoy Don-
12 ald Booth's efforts and with a focus on high-level en-
13 gagement around the broader political negotiations
14 necessary to broker a durable peace in conjunction
15 with neighboring countries, including Kenya, Ethi-
16 opia, Uganda, and the broader international commu-
17 nity, to increase leverage in the discussions;

18 (4) the observance of due process and rule of
19 law leading to either the lawful prosecution or un-
20 conditional release of all arrested political leaders in
21 line with the constitution and all relevant laws;

22 (5) the relaunching of an inclusive process of
23 consultations on South Sudan's permanent constitu-
24 tion, drawing on the National Constitutional Review
25 Commission's work around the existing transitional

1 constitution, while recognizing the need for reforms
2 in light of the current circumstances;

3 (6) the negotiation of an inclusive political
4 framework for governance in the time remaining
5 until the next general elections that provides political
6 actors and civil society roles in ensuring that good
7 governance prevails in South Sudan as a part of the
8 ongoing negotiations in Addis Ababa, with a strong
9 emphasis on the need for direct participation of civil
10 society actors in the process and creation of a cred-
11 ible feedback process allowing stakeholders and con-
12 stituencies within South Sudan to remain informed
13 about the ongoing negotiations and have their input
14 respected;

15 (7) support for South Sudan's National Elec-
16 tion Commission as it lays out a conflict-sensitive
17 roadmap to prepare for and conduct the next South
18 Sudanese general elections with an agreed-upon
19 timetable for a census, constitutional adoption, and
20 the return of displaced people, establishing measur-
21 able benchmarks to ensure to the fullest extent pos-
22 sible a free, fair, and transparent process;

23 (8) the creation of a framework for security
24 sector reform by engaging with the Sudan People's
25 Liberation Army (SPLA) and South Sudan Police

1 Service (SPSS) with a focus on transforming the
2 fractured security forces into a professional and ac-
3 countable national army and police force, providing
4 for the integration of rebel militias into the national
5 army where appropriate and politically engaging re-
6 spected officers and civil society representatives;

7 (9) technical, logistical, and expert support to
8 the African Union Commission of Inquiry into atroc-
9 ities and human rights abuses committed during the
10 current conflict in South Sudan, while independently
11 weighing targeted sanctions against perpetrators of
12 human rights abuses and those obstructing the
13 peace process and encouraging the Commission of
14 Inquiry to report publicly on its findings and rec-
15 ommendations and adhere to the reporting timeline
16 of three months from its establishment in accord-
17 ance with the African Union Peace and Security
18 Council Communiqué of December 30, 2013;

19 (10) support for a South Sudan version of a
20 Truth and Reconciliation Commission to provide a
21 platform for grievances to be aired and addressed to
22 lessen the temptation for revenge;

23 (11) financial and technical assistance to sup-
24 port a grassroots program of social reconciliation,
25 utilizing the good offices of the South Sudan faith-

1 based community and other elements of civil society
2 to mitigate conflict and encourage social cohesion
3 across the country building on successful effort to
4 work with local communities and traditional authori-
5 ties;

6 (12) encouragement of the creation of a hybrid
7 or mixed court for South Sudan to hold perpetrators
8 of grave human rights abuses accountable while re-
9 specting South Sudanese sovereign legal authority
10 and building indigenous capacity in the justice sector
11 and establishing a documentation clearinghouse
12 modeled on the multi-donor Syrian Justice and Ac-
13 countability Center to collect testimony and forensic
14 evidence or any eventual trial;

15 (13) the resumption of United States Agency
16 for International Development programming, focus-
17 ing on famine prevention and resilience, especially in
18 hard-hit areas; and

19 (14) United States financial support to meet
20 humanitarian needs and capacity building support to
21 meet the goals in previously listed recommendations.

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