

PRESS RELEASE

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FDP/SSAF position on IGAD-PLUS Imposed Compromised Peace and how all stakeholders previously excluded can be included in the peace.

IGAD sponsored peace talks on the crisis in South Sudan have been shrouded in many controversies since it was started in January 2014. The first controversial error that IGAD leaders made was the choice of the chief mediator in the person of Ambassador Seyoum Mesfin. The man had no prior knowledge of conflict mediation leave alone a complicated and culturally embedded conflict like the one in South Sudan. Due to his lack of experience on mediation, Ambassador Mesfin misunderstood his role as mediator and went about dictating the terms and manner of how the talks should proceed. He used threats inappropriately whenever he thought talks were not moving forward.

The second mistake IGAD leaders made was giving the chief mediation a free hand in dealing with all the matters concerning the peace talks including the choice of those who were to attend the peace talks. It is our view that the two errors mentioned above contributed or influenced the outcome of the so-called agreement.

As it turned out, the agreement is a re-unification of the three SPLM feuding families- SPLM-IG, SPLM-IO and SPLM-FDs who are responsible for the current crisis in the first place. Many South Sudanese consider the compromise agreement as a reward for the perpetrators of the war in South Sudan. As we speak the SPLM has garnered 93% of power as compared to 7% of power to other political parties in the South. Dr. Riek Machar, who was previously sacked as Vice President before the crisis, has been reinstated on promotion to first Vice President. The Former Detainees who were unemployed before the crisis and some of whom lost their jobs due to corruption will now get some employment. These SPLM members could not co-operate among themselves when they were in government. Will they co-operate this time round or undermine each other and start a new crisis? Will they resume their corrupt practices and loot our nation's resources leaving it undeveloped and without giving services to the people? These and many other questions ring in the minds of many South Sudanese.

There is every indication that the IGAD Imposed Agreement is a bitter pill for South Sudan leaders including their international partners. President Kiir for example, before appending his signature to the agreement said he had "serious reservations" and added that "with those reservations that we have, "we will still sign this document". He also said, "I had faced intimidation during the peace process and [that] negotiations were handled carelessly by regional and world leaders and that a poor agreement could backfire on the region". We can notice the reluctance and pressure with which President Kiir finally signed the agreement. In fact he signed under duress a situation which will have negative effects on implementation we are afraid! Even Dr. Riek Machar, the only beneficiary to this agreement, had his own grievances which he opted to keep to himself.

Although Obama's national security advisor Suzan Rice acknowledged that the implementation of the agreement would need hard work, she never the less admitted that it was a "first step" toward ending the conflict. She however dismissed any "reservations or addendums", I guess referring to President Kiir's. Ms. Suzan Rice strong and euphoric words are not surprising to many South Sudanese. How many a times did these American officials promised us and reneged at the end? The US promises after the conclusion of the CPA in 2005 are lessons we should learn from. The US has now secured the signing of the agreement but when the going gets rough they will jump out and leave both President Salva and Dr. Riek Machar to deal with the situation in their own Dinka and Nuer ways. You can bet what happens next.

Apart from the obvious shortcomings of the agreement already mentioned, many observers suspect that there will be difficulties at the implementation stage. First and foremost, the demilitarization of the town of Juba will not be possible. The government in Juba has already expressed its opposition on the issue of demilitarization of Juba and accused IGAD of trying to infringe on its sovereign powers. But even supposing Juba was to be demilitarized within a 25 kilometers zone; will this suffice to prevent any eruption of hostilities? The presence of hostile forces in terms of presidential guards -for the President and his First Vice- is already a recipe for conflict. It will only need a drunken soldier to jump-start shooting in the air and all hell will descend loose on Juba.

On the transitional justice, accountability, reconciliation and healing, let us pose the following sticky questions. Can a truth, reconciliation and healing commission (CTRH) operate in South Sudan where ceasefire is not respected by all parties to the conflict? What happens if all political parties or specifically all parties to the conflict are not committed to a peace-building process and to the institutions of the truth commission? Will the CTRH findings and recommendations be endorsed and implemented by the Transitional Government of National Unity (TGONU)? Will the findings and recommendations of the CTRH be impartial considering the fact that membership of the CTRH comprises members who are associated with the warring parties and therefore not impartial? Will this fact not hamper the work of the commission? Under these conditions of possible partiality will the CTRH commission function with credibility? In order that peace is owned by all South Sudanese communities, we propose that tribal elders and chiefs are involved at every stage of the peace implementation and CTRH activities.

Many of the transitional arrangements in Africa over the last decade have given rise to truth recovery process either in the form of truth commissions operating side by side with state courts taking the form of hybrid court. Transitional justice in the context of a democratic option cannot be addressed simply by talking about truth recovery mechanisms or criminal justice options. If the opportunity provided by transitional justice is not squandered the potential exists to begin the process of building the institutions of a democratic state based on the rule of law.

Ownership of the truth justice process is also a difficult thing to achieve especially in countries ravaged by war like South Sudan. In a number of African countries specific approaches like CTRH were accepted because peace process was influenced by foreign actors who used their leverage to influence end the crisis. But then the government in power may become indifferent to whether these institutions like CTRH are established and properly funded. It may also result in the appointment of truth commissioners who have deference to the ruling party or factions and who may not be committed to the CTRH. These problems can have negative consequences for such commissions.

Apart from the daily violations of the cease fire by the very parties to the conflict, three armed groups have come out openly against this unpopular IGAD Imposed Compromise Agreement. These three armed groups, the Federal Democratic Party and the South Sudan Armed Forces (FDP/SSAF), the Revolutionary Movement for Salvation (REMNASAs) and the AGUELEK Revolutionary Forces of Johnson OLonoy, have vowed not to subscribe to this imposed agreement. They seek a more comprehensive and inclusive peace agreement in which all South Sudanese stakeholders participate. They dismiss the currently signed agreement as confirming the dictatorship of one party, the SPLM and believe that the agreement will not bring peace, harmony and stability in South Sudan.

Having said that, there is still a window of opportunity to include in the peace process groups previously excluded. We also note that regional and world leaders have thrown their weight on the IGAD compromise agreement in order for peace to prevail in South Sudan and also to save lives despite its shortcomings. It is now left to the UN and IGAD to find ways and means to include the above groups in the agreement so that it becomes a comprehensive peace that is owned by all. Excluding them is a dangerous political gamble and an option that will not auger well for peace building in this fragile country.



While we try our best to resolve conflicts let us guard against leaving any small fires that may smolder and at one point erupts and burns fiercely. So the world must guard against half baked solutions to deep rooted conflicts like in South Sudan. We have seen such half baked solutions in Sudan's Darfur, Iraq, Afghanistan and in Somalia. Because of these fundamental errors conflicts in these countries are still unresolved while thousands die every day from the effects of war. In South Sudan itself a possible derailing of the CPA in 2005 and a return to war was narrowly reverted by the quick and wise decision by the then leader of the SPLM/A, President Salva Kiir. Before Dr. John Garang's death, the South Sudan Defense Forces (SSDF) under the overall command of General Paulino Matip was excluded from the Comprehensive Peace Agreement (CPA). President Salva Kiir took a bold decision to include them in the power sharing arrangements and a possible resumption of hostilities was reverted. This is what we are asking IGAD to do- include all those excluded in the power sharing arrangements at all levels of political, civil and military structures of government.

Those who dismiss these groups, (FDP/SSAF, REMNASA and AGUELEK), as spoilers or splinter groups will be shock tomorrow as their ranks swell with those who run to the bush after being discontented with the transitional government of national unity, (TGONU). When this happens those currently being despised as spoilers or splinter groups will turn into formidable guerrilla movements that will destabilize South Sudan. So we urge the regional and world leaders to pre-empt this possible and sad eventuality before it happens.

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