

January 10, 2014

TO: Members of the Administration
Members of Congress

FROM: The Episcopal Church, Office of Government Relations

RE: The Situation in South Sudan

In recent weeks, Episcopalians, along with countless other Americans and people around the world, have watched with broken hearts as violence has ravaged South Sudan, the world's newest state, and visited additional suffering upon peoples who have endured as much or more violence and upheaval as any in the world over the past five decades. Through partnership with our brothers and sisters in the Episcopal Church of South Sudan and Sudan, Episcopalians and other Anglicans around the world have heard firsthand the stories of how the senseless violence that began in mid-December has rent apart communities and placed the very long-term future of peace itself at risk. Our most-current reports indicate that violence is still spreading and that the urgent needs for food, medicine, and shelter could continue for months to come. The situation mirrors the dire time before Sudan's 2005 Comprehensive Peace Agreement, in which interminable civil war killed millions and uprooted millions more from their homes.

The Episcopal Church, along with Episcopal and Anglican partners around the world, has mounted its own response of financial support, material accompaniment, and prayer for the people of South Sudan. We believe strongly that the Episcopal Church of South Sudan and Sudan and other faith groups there are among the most fruitful potential actors in leading and facilitating peace, humanitarian assistance, and healing. At the same time, we believe urgent and intensified leadership from the United States government and the international community – including specific partnerships with civil-society actors in Sudan, particularly the faith community – is essential in stemming the tide of the present violence and building instead a future of peace.

Accordingly, we share the following recommendations based on our understanding of the situation on the ground in South Sudan. For additional information, or if you have questions, please be in touch with our Church's Director of Government Relations, Alexander Baumgarten, at (202) 547-7300 or abaumgarten@episcopalchurch.org.

(1) Public Representation of the Conflict, and Accountability of the Parties for Fueling

Ethnic Tensions: Media reporting and, to some extent, U.S. governmental descriptions of the present conflict in South Sudan have consistently highlighted ethnic and tribal differences as a primary driving factor in the present violence. Our partners in South Sudan, who encompass many different tribal and ethnic backgrounds, increasingly inform us that this representation is misleading, simplistic, and could carry dire consequences if not altered. Rather than being primarily a tribal or ethnic conflict, they

understand the present fighting as motivated principally by political elites with conflicting power agendas who are, in turn, using long-simmering ethnic and tribal differences as a proxy to fuel further violence. This understanding is buttressed by the Congressional Research Service's recently released report on the present violence, which recognizes, as a root cause, "political disputes among elites that had long been predicted by analysts," while also noting that these disputes reflect ethnic tensions that "have waxed and waned among communities that have historically competed for scarce water and grazing land, and that have remained armed in the aftermath of the Sudanese civil war." Most chillingly, the CRS report warns that "*as reports of new atrocities along ethnic lines emerge*, the prospects for diffusing these communal tensions appear poor."

While ethnic tensions are real and reflect the fruits of decades of upheaval and struggle, they are not the primary driving engine for the current violence. These tensions do, however, threaten to become an inexorable source of fuel for the fire of violence as long as Sudanese political leaders trumpet them and as long as international actors fail to present a more nuanced narrative.

Moreover, the U.S. government and other international actors bear an affirmative responsibility to hold political leaders in South Sudan accountable for actions that appear to bear either the intent or consequence of further exacerbating ethnic tension. President Obama has spoken compellingly of the need for Sudanese political leaders to act as agents for peace and not further division, and this is nowhere more true than in the area of ethnic tension. We urge the U.S. government and the international community to use all leverage at its disposal to hold South Sudanese political leaders accountable for not exacerbating ethnic tension.

- (2) **Foreign Assistance:** The U.S. government is the largest bilateral donor of a variety of forms of financial aid to South Sudan, including humanitarian assistance, security assistance, and support for peacemaking initiatives. We applaud and welcome the Obama Administration's announcement last week of nearly \$50 million in new humanitarian assistance to victims of the conflict and those seeking asylum and refugee status, bringing the U.S. government commitment to more-than \$300 million in fiscal years 2013 and 2014.

We are particularly mindful, and appreciative, of the substantial monies provided by the U.S. government to UN agencies – UNICEF, the World Health Organization, the Food and Agricultural Organization, and the World Food Program – as we believe, and our partners in South Sudan confirm, that these agencies, and the multinational coordination they provide, are vital to the international response. These new funds will allow these UN agencies to provide life-saving assistance to those affected by the violence, including emergency health care services, shelter, access to clean drinking water, hygiene and sanitation facilities, support reunification of families separated by the fighting, and transport life-saving relief to those in need.

While we welcome this aid infusion, we continue to hear from regional partners of the need for better inter-governmental and inter-agency coordination of aid, and – in particular – better coordination with civil-society actors, particularly the faith community, that have the national and regional infrastructural capacity to distribute aid so that it reaches those most in need. In spite of often-meager financial resources, the capacity of the faith community in South Sudan to reach the needy is extraordinary. For example, The Episcopal Church of South Sudan and Sudan has established nine relief centers in Aweril to provide supplies and pastoral care to people who have fled violence in the nearby town of Bor, with the Church's relief and development arm reporting that nearly 76,000 people from Bor currently are receiving shelter at churches, schools and outside areas provided by the Church. Scarcity of food is a major concern both in the displacement camps and in the town, due to the sudden large influx of people from Bor, and children are particularly at risk of malnutrition. In addition to food, there is acute need for shelter materials, cooking utensils, medical care and adequate water and sanitation. The Sudanese Church's development arm is working, with the support of global partners like the U.S.-based Episcopal Relief and Development, to help fill these gaps. Additional support and coordination with governmental and international-agency partners, however, can only strengthen this response. We are eager to facilitate coordination between such partners and faith-based actors in South Sudan working to provide these vital humanitarian responses.

In the longer term, we believe it is necessary for Congress and the Administration to examine American aid strategy to South Sudan writ large. The White House has made clear that the U.S. will hold South Sudanese leaders responsible for the conduct of their forces and withhold support to any elements that use force to seize power. We support such accountability, as we support accountability related to human rights and budget-transparency concerns, not just in South Sudan but also with respect to all American foreign aid. Nonetheless, we believe robust American aid to South Sudan has made meaningful differences in a variety of sectors of life in South Sudan and the wider region (including efforts to stem the Lord's Resistance Army), and believe it imperative for the U.S. government to develop cohesive strategy for ensuring that aid reaches those most in need and fulfills other strategic purposes without colluding in any way with the efforts of those who would bring greater instability to the nation.

- (3) **Human Rights Protection and the Prevention of Mass Atrocities:** With South Sudan now teetering on the edge of full-scale civil war, international actors – particularly those like the U.S. with a historic vesting in Sudanese peace – bear an affirmative moral and legal responsibility to ensure the prevention of mass atrocities by any party to the conflict, and protection of human rights for all involved.

Human-rights concerns in South Sudan are not new. International partners, including leaders of the House and Senate Foreign Affairs Committees, in recent months have expressed increasingly grave concern about human-rights conditions, especially in Jonglei. The South Sudanese government has responded to these concerns with

assurances against ethnic cleansing and other abuses, but independent reports have suggested that concerns are founded, even in advance of the recent outbreak in violence. Now, as conditions threaten to replicate those known before the signing of the 2005 Comprehensive Peace Agreement, there is an urgent need for international actors – particularly those like the U.S. that were guarantors to the CPA – to provide a similar level of engagement in protecting human rights and stemming mass atrocities.

In 2012, the Administration released a strategy on mass-atrocities prevention that included the launching of an Atrocities Prevention Board and a new National Intelligence Estimate on mass atrocities and genocide. This followed a 2011 presidential directive in 2011, which classified the prevention of mass atrocities as “a core national security interest and a core moral responsibility of the United States of America.” President Obama has specifically cited peace in Sudan as one of the cases underpinning the rationale for these strategies, noting the lives saved by international engagement in the run-up to the 2005 CPA. The President has suggested that, depending on the circumstances of a particular case, both diplomacy and a variety of other options, including military intervention, are appropriate potential responses to the threat of mass atrocities. Even as some in the human-rights community have raised concern about the early efficacy and transparency of the Atrocities Prevention Board, most agree that the core objectives and functions of the initiative have some useful application to the present situation in South Sudan.

We urge the U.S. government, building on this work, to urgently engage an expansive group of international actors for the purpose of examining increased international action – including UN intervention – to prevent mass atrocities in South Sudan. We believe all measures, including the possibility of an arms embargo against any parties complicit in atrocities and human rights abuses and escalating diplomatic sanction for continued involvement, should be considered. The United States and other international actors must hold true to all past assurances that they will act decisively against any South Sudanese leaders who sponsor or countenance human rights violations.

- (4) **Building a Future of Peace:** President Obama, along with other world leaders including Pope Francis, the UN Secretary General, and the leadership of the African Union (AU) have made clear that the responsibility for peacemaking and ensuring a future without violence lies first and foremost with South Sudanese leaders. From decades of relationship with our own partners in South Sudan, we can attest firsthand to the longing for peace that exists far and wide among the people of South Sudan. The AU put it well recently in expressing deep disappointment at “the failure of political leaders in the country to live up to the hopes and aspirations of their citizens.”

The roots of the present crisis must be understood as having their beginnings well before the formation of South Sudan in 2011. The euphoria and optimism that accompanied the launching of this new state nearly three years ago were not tempered by a realization that longstanding political disagreements and ethnic tensions still needed resolution. The

leaders of the new state did not vigorously undertake the task of addressing the challenges of developing a unified nation and healing past divisions.

Any peacemaking efforts must now include this task as a central focus that requires urgent attention. Additionally, leaders must recognize and address that the heretofore slow progress toward the creation of a new Constitution for South Sudan has impeded nation building and must be replaced by a serious effort to create a Constitution that provides for a truly a democratic legal and social framework that can gain popular support and bring about key governance reforms. National building must also take care to recognize the needs of large numbers of Sudanese refugees in camps in South Sudan, providing for their own security, food, and other needs.

International actors can play an active role to a certain extent in peace and capacity building – as with respect to human-rights protection measures discussed above – but ultimately, the most important function the U.S. government and other global partners can play is in facilitating and supporting locally led and owned peacemaking initiatives. As Alex De Waal and Abdul Mohammed wrote in a recent *Washington Post* op-ed:

“Any political process must take into account South Sudan’s unique and painful history. The biggest task is an all-inclusive national discussion on what it means to be a nation. The political elites should listen to the wisdom of pastors and civil society leaders, who are insisting that the politicians return to the path of dialogue and healing.”

We urge the Administration and Congress, as they consider the best ways to work with rival South Sudanese leaders to end hostilities and re-engage in political dialogue, to pay particular attention to supporting the efforts of local civil-society leaders – particularly, once again, the faith community of South Sudan – who have longstanding credibility as peacemakers. Such efforts must be sufficiently resourced, through both private and public investments, to account for the logistical challenges of engaging all parts and sectors and groups in the process. The Church has credibility and presence but needs the means to effectively implement an extensive peace process. The U.S. government – which has been a pioneer in engaging faith voices in development efforts around the world – should devote significant attention to discerning how it can resource such efforts.

The Episcopal Church, for its part, currently is considering a variety of ways to support bishops of the Sudanese Church who are working to put together a peace meeting of national religious leaders – particularly those from the Dinka and Nuer tribes – to promote constructive peacemaking work. We believe this initiative and others like it will require coordination with the U.S. government and the UN, and welcome further conversation about specific opportunities for collaboration. Ultimately, these efforts must be linked to those of other outside parties – including the East African-led Intergovernmental Authority on Development, the AU and European Union – working alongside the U.S. and the UN to promote peacemaking efforts. Our Church’s Office of

Government Relations stands ready to make appropriate contacts for any in the U.S. government or other international partners wishing to engage local leaders in deeper conversation about constructive long-term peace-building initiatives.

Finally, it bears emphasis that neither an effective ceasefire, nor a just and lasting peace, will occur until all parties are genuinely represented at the table. At present, the absence of those South Sudanese leaders now detained by the Government of South Sudan impedes the peace process, as these leaders represent a level of leadership that needs to be a part of the deliberations. We commend calls by the U.S. Government for the release of these prisoners as an important gesture toward bringing about a ceasefire and a negotiated peace, and we urge the Administration to expend significant capital in pressing the South Sudanese government to take this step.

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We are clear in offering these recommendations that the situation in South Sudan is as complex as it is heartbreaking, and that stemming the violence and ensuring a future of peace will require dynamic and adaptable responses as the situation evolves. This is why we believe it is so essential for international actors to build relationships with those on the ground in South Sudan who have been working to build peace for generations. The urgency of the present moment could not be clearer. If South Sudan plunges back into full-scale civil war, the devastation and displacement may be irreversible in the short term. Neither South Sudan nor the wider region – nor the whole of humanity – can afford this outcome, and the responsibility to avoid it, thus, is belongs to all people.