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## **Restoring Peace in South Sudan**

## By Jared Genser

Just over two years after its birth, South Sudan has plunged into crisis. Last month, only weeks after government and rebels signed a ceasefire agreement, violence reignited in Malakal, in the country's northeast. Both parties to the conflict accused the other of violating the ceasefire. Regardless, at least ten people were killed in the incident, the most recent in a series of clashes that have pushed the world's youngest nation into civil war, threatening to become an all-out conflict, with widespread fighting posing dire consequences.

The optimism that accompanied the country's independence has diminished since fighting broke out on December 15, 2013, between forces loyal to President Salva Kiir and those loyal to his former vice president Riek Machar.

The roots of this violence can be traced to a power struggle that took on an ethnic element. In July 2013, Kiir fired Machar, who he viewed as a political threat. With Kiir being Dinka, South Sudan's largest of more than sixty ethnic groups, and Machar being Nuer, its second-largest, the conflict between the two men took an ethnic tone. In the days following the outbreak of violence, fighting between Dinka and Nuer escalated and spread across the country, with political leaders and militias betraying their national affiliation in favor of their ethnic identity. Kiir immediately called the violence a coup attempt by Machar that had been put down by the government. However, on December 16, fighting erupted again, when army commanders loyal to Machar rebelled against the government. In an effort to quell this violence, both parties attended negotiations in Addis Ababa, Ethiopia. Out of these negotiations came a ceasefire on January 23, 2014. Hailed as the first step towards ending the conflict, the agreement supposedly paved the way for peace talks. Subsequently, the ceasefire was violated by both sides less than a month after its adoption.

The South Sudanese people, who fought for independence only to see their country descend into warfare, deserve more than a ceasefire that has no sticking power. Since December, 739,000 people have been displaced internally and another 196,000 have become refugees. This is on top of a death toll of 10,000 and counting. Extrajudicial killings, sexual violence, and targeting of individuals based on ethnicity have been widespread. With a second round of peace talks stalled, the South Sudanese need a cessation of hostilities that is respected by both sides. The international community was instrumental in the country's independence. It is time for the international community to step up to restore optimism to South Sudan.

First, the UN Mission in South Sudan (UNMISS) must be expanded. Following the outbreak of violence, the Security Council authorized a reinforcement of UNMISS, increasing its size from 7,000 to 12,500. However, the operation is struggling to protect 80,000 civilians sheltering in its bases. Reinforcements will be useless if peacekeepers' freedom of movement is restricted. Although the government has qualms about the UN presence, it should allow the transfer of more personnel and assets. The East African bloc Intergovernmental Authority on Development, IGAD, on the other hand, has made inroads where the UN has failed. Going forward, it is critical that they work together and UNMISS be allowed to reach its capacity.

Second, the international community must help South Sudan develop its democratic institutions. The creation of a new constitution should be supported by advisers from the African Union and other parties who could provide insight on best practices while allowing for civic input in the process. The constitution-drafting body should first undertake a census, then register voters, and finally hold a constitutional referendum. Elections, scheduled for 2015, should be contingent on the completion of a constitution. In the aftermath of Machar's failed coup, the country currently has no viable opposition parties. It is essential that parties other than the ruling Sudan People's Liberation Army be able to grow.

Third, conditions must be created to bring the national dialogue to Juba, South Sudan's capital. Shuttling parties back and forth to Addis Ababa will only prolong what has been a very slow process. Once an agreement is reached, UN peacekeepers should report violations and ensure accountability for perpetrators. In the long term, an internationally-supported court to bring justice for crimes committed should be considered. These efforts would promote healing of historical and new wounds.

Reestablishing stability in South Sudan will not be easy, but it is essential that the international community act now to support and protect its youngest member. Not doing so means further chaos for South Sudan.

Jared Genser is an international human-rights lawyer and co-editor of The UN Security Council in the Age of Human Rights (Cambridge University Press, 2014).