

Testimony of
Special Envoy for Sudan and South Sudan Donald Booth
before the Senate Committee on Foreign Relations
“Independent South Sudan: A Failure of Leadership”
December 10, 2015, at 10:00 a.m.

Chairman Corker, Ranking Member Cardin, and Members of the Committee, thank you for the opportunity to speak before you today.

The people of South Sudan have no greater friend than the United States. We stood with them during their long struggle for self-determination. We helped broker the Comprehensive Peace Agreement – or CPA – of 2005 and ensured that its provisions were respected. We invested considerable resources in the run up to and following South Sudan’s independence in 2011. Sadly, two years after independence, South Sudan’s leaders decided to squander their country’s future and far too many lives in a political power struggle. Today, thanks in part to U.S. leadership and engagement, South Sudan has a chance for a fresh start. It has the opportunity to close the door on conflict and reclaim the promise we all saw at its birth as a nation four years ago.

I want to emphasize up front that the peace agreement signed in August, despite all the challenges of implementation since then, offers the best chance to put South Sudan back on the path to peace and development.

But the two year conflict created a devastating legacy: 2.4 million people facing severe, life-threatening hunger; 2.3 million South Sudanese displaced; and an economy in ruins. Violence persists in many parts of the country and there are continued reports of heinous abuses of civilians. Implementation of the peace agreement is behind

schedule, and both sides bear responsibility for delays. The November deadline for establishing a Transitional Government of National Unity has slipped to January.

Since the signing of the agreement, we have too often heard the wrong messages from the government and the opposition. Both sides rush to accuse the other of violating the ceasefire or obstructing implementation – while themselves violating the ceasefire or obstructing implementation. We have watched discussions over security arrangements for Juba and the opposition’s return to the capital become as complex and drawn-out as the peace negotiations themselves. We have heard negative rhetoric from the government directed at the United Nations, NGOs, journalists, civil society organizations, and at countries, like the United States, that are working to support the people of South Sudan. And far too regularly we have heard from both the government and the opposition that “we” – the United States and other donor countries – are the ones who must foot the bill for peace, or else watch South Sudan return to war.

In response, our message has been clear and consistent: the United States has and will continue to support peace in South Sudan. We are prepared to support implementation of the peace agreement, but our funding for implementation will be commensurate with the seriousness of the commitment of both parties to realizing peace.

And I want to emphasize that the agreement would not have come about without the intensive diplomatic efforts of the United States. We helped convince President Kiir and opposition leader Machar to send delegations to peace negotiations mediated by South Sudan’s immediate neighbors and fellow members of the Intergovernmental Authority on

Development – or IGAD. We secured the expansion of the UN Mission in South Sudan – or UNMISS – and refocused its mandate on protection of civilians, humanitarian assistance delivery and human rights monitoring.

When the parties signed a cessation of hostilities agreement in January 2014, we took the lead in organizing and funding the Monitoring and Verification Mechanism – or MVM – and when they kept fighting, we were the first to sanction those leading the fighting, first bilaterally and then through the United Nations with the backing of the international community. Secretary Kerry’s May 2014 trip to Addis and Juba convinced President Kiir and opposition leader Machar to meet face to face and to accept a transitional government of national unity as the way out of conflict. I spent much of 2014 and 2015 in the region, supporting the IGAD mediators and pressing the parties to compromise for peace.

In July of this year, President Obama met with regional leaders in Addis and helped forge the unity of purpose that was needed to convince the parties to sign the compromise peace agreement in August. In October, Secretary Kerry met with the signatories to reinforce our expectation that they adhere to the agreement they signed and work together for the good of their people. Throughout the crisis we kept up a drumbeat of calls from senior Administration officials to South Sudanese and regional leaders to keep the peace process moving forward.

It has long been clear that no agreement was going to succeed without the active engagement of countries in the region through IGAD, particularly Uganda, Sudan, Kenya, and Ethiopia; and so it was crucial that any agreement be something the region could support. To bolster the IGAD process, the United States and other partners joined together

as IGAD-Plus, to bring our collective leverage to bear as the region coalesced around an agreement amenable to all stakeholders.

Maintaining our engagement with the region and other international partners will be vital to seeing the peace agreement implemented. The renewal next week of the UNMISS mandate will be an opportunity to further equip UNMISS to play a crucial role in supporting implementation of the agreement.

Since the peace agreement was signed, implementation has been slow and key deadlines have slipped. The central obstacle to implementation has been that the parties continue to see themselves as adversaries, rather than as partners in a future transitional government. But there has been progress. In early November, the government and opposition finally came to terms on security arrangements for Juba and other key towns. The advance team of opposition officials is scheduled to travel to Juba tomorrow. Ambassador Phee and our Embassy in Juba have played an important role in countering those in the government camp who opposed the agreement and in building grass roots support for the agreement's implementation. The Joint Monitoring and Evaluation Commission – or JMEC – the body that will oversee implementation of the agreement and act as an arbitrator between the parties when disagreements arise, has begun its work in Juba under the chairmanship of Festus Mogae, the former President of Botswana. He is a serious, capable leader. The parties jointly committed in writing to form the transitional government of national unity in January.

South Sudan has a roadmap back to peace and stability because the peace agreement is as much about reform and healing as it is about power sharing to end hostilities. Specifically, the peace agreement requires the transitional government to reform the security sector that

dominated the state, to inject transparency in the public finances, to pursue reconciliation and accountability, to draft and obtain popular approval of a permanent constitution, and to hold elections under that new constitution.

Our immediate priority is to help establish the institutions needed to implement and oversee execution of the peace agreement. We are providing support to stand up the JMEC, perhaps the most critical institution in ensuring adherence to the agreement. We will also support a reformed and re-energized ceasefire monitoring mechanism – the Ceasefire and Transitional Security Arrangements Monitoring Mechanism, or CTSAMM – as well as the National Constitutional Amendment Commission and the Joint Operations Center.

True to our values, we intend to support transitional justice and the development of a robust civil society, including support for religious and women’s groups. In May, Secretary Kerry committed \$5 million toward supporting a credible, impartial, and effective mechanism to help end the cycle of impunity and vengeance that helped fuel the conflict. This funding could support the hybrid court that the parties committed in the peace agreement to create under the auspices of the African Union.

We also intend to continue to support the South Sudanese people, especially the most vulnerable groups, such as refugees and IDPs. The United States has been the single largest donor of humanitarian assistance for South Sudan, providing more than \$1.3 billion since the start of the conflict.

In cooperation with other major donors, we need to be prepared to support additional activities as implementation proceeds, including

priority areas such as security sector reform; disarmament, demobilization, and reintegration of former combatants; reconstruction of infrastructure in devastated urban centers like Bor, Bentiu, and Malakal; and reform of South Sudan's public financial management. However, we will insist that the transitional government invest its own resources in these areas as well as provide ongoing transparent accounting of its public finances.

The goal of our efforts is to get South Sudan's leaders to seize this opportunity for peace, and to stand up a transitional government capable of building the nation's institutions in order to provide basic services to its citizens. It must be ready to draft a new constitution; to heal the wounds of war through truth and reconciliation efforts and credible accountability mechanisms; and to build the country's economy and imposing rigor and transparency in its public financial management. And, finally, it must be ready to guide South Sudan to free and fair elections after three years.

We will continue to provide much-needed assistance to support these critical reforms. But let me be clear: our support for implementation will be proportional to the commitment of the South Sudanese leaders themselves. While we understand that it will take time for President Kiir and opposition leader Machar to rebuild enough trust to work together constructively, and for the transitional government to function as envisioned in the peace agreement, the government and the opposition must show that they are committed to this agreement, and to choosing peace over war, if we are to commit further U.S. resources.

Finally, South Sudan must close this chapter of conflict in order to pursue not only its own re-birth, but better relations with Sudan through

resolution of the issues along their shared border, including the final status of Abyei. The internal strife in both countries has impeded resolution of these issues. We remain engaged with the African Union's High Level Implementation Panel (AU-HIP) and support its efforts to resolve the outstanding post-independence issues between Sudan and South Sudan as well as the continuing conflicts inside Sudan in Darfur and the "Two Areas" of Southern Kordofan and Blue Nile states.

Bringing the South Sudanese parties to the table required an intensive diplomatic effort. Getting the parties to implement the agreement, and bringing lasting peace to South Sudan, will require no less. Peace will be a process, not an event. It will require the sustained engagement and attention of the United States and the unity of purpose of IGAD, the African Union, and other key international partners. Moving South Sudan's leaders to take steps in implementing the August peace agreement, which is backed by the region and the international community, is the best way to start a virtuous cycle in which the parties to the conflict, as well as ordinary South Sudanese, begin to see the rewards of peace, and thus reduce their willingness to go back to war.

We are not naïve; there are several ways this path can fail, and we would have to respond quickly in a manner consistent with any new reality. But, as I said earlier, the signed agreement, for all the challenges of implementation, currently offers the best chance for peace in South Sudan.

Thank you, Mr. Chairman and members of the committee, for the opportunity to speak and for your continued commitment to the people of South Sudan.