

116TH CONGRESS
1ST SESSION

S. RES. 371

Reaffirming the support of the United States for the people of the Republic of South Sudan and calling on all parties to uphold their commitments to peace and dialogue as outlined in the 2018 revitalized peace agreement.

IN THE SENATE OF THE UNITED STATES

OCTOBER 22, 2019

Mr. COONS (for himself, Mr. ISAKSON, Mr. DURBIN, and Mr. YOUNG) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Reaffirming the support of the United States for the people of the Republic of South Sudan and calling on all parties to uphold their commitments to peace and dialogue as outlined in the 2018 revitalized peace agreement.

Whereas the United States recognized South Sudan as a sovereign, independent state on July 9, 2011, following its secession from Sudan;

Whereas the United States played a key role in helping draft the 2005 Comprehensive Peace Agreement that laid the groundwork for the 2011 referendum on self-determination, through which the people of South Sudan overwhelmingly voted for independence;

Whereas the people and Government of the United States have a deep and abiding interest in South Sudan’s political stabilization and post-conflict development;

Whereas stability in Sudan is critical to peace and security in the region, including for South Sudan, and the United States Government remains committed to fostering Sudan’s peaceful transition, as reflected by the passage of Senate Resolution 188 (116th), which “encourag[es] a swift transfer of power by the military to a civilian-led political authority in the Republic of the Sudan”;

Whereas, since the onset of the civil war in South Sudan in December 2013, nearly 400,000 South Sudanese citizens are estimated to have been killed, 1,900,000 have been internally displaced, and 2,300,000 have fled the country and registered as refugees;

Whereas the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) signed on September 12, 2018 by the political parties of South Sudan, affirms the Parties’ commitment to the permanent ceasefire and forbids human rights violations and restrictions on humanitarian assistance;

Whereas the R-ARCSS establishes two phases of implementation, a Pre-Transitional Period until May 12, 2019, which was subsequently extended to November 12, 2019, followed by the establishment of a Revitalized Transitional Government of National Unity (RTGoNU) for three years;

Whereas the six-month extension of the deadline to form the RTGoNU was granted to allow additional time to complete critical Pre-Transitional tasks, including agreement

on the number and boundaries of states and important security arrangements;

Whereas the R-ARCSS stipulates that the signatories will create an enabling political, administrative, operational, and legal environment for the delivery of humanitarian assistance and protection;

Whereas the people of South Sudan continue to suffer from a humanitarian crisis, with the United Nations reporting that over 6,300,000 people, more than half the population, were classified as severely food insecure at the peak of the lean season in 2019, including an estimated 10,000 who faced famine conditions, and despite slight improvements in food security during the harvest, the number of children under age five who are acutely malnourished is projected to rise to 1,300,000 in early 2020;

Whereas humanitarian organizations are providing lifesaving assistance to more than 5,300,000 South Sudanese people and are providing other vital support services such as medical care to survivors of sexual violence and facilitating access to education to over 690,000 children;

Whereas religious and faith-based organizations have played a key role in the peace process and humanitarian response efforts in support of the people of South Sudan;

Whereas at least 112 humanitarian aid workers have been killed since the start of the conflict in 2013, including at least 15 in 2018;

Whereas the United States Department of State 2018 Country Report on Human Rights Practices in South Sudan states that both the government and opposition forces engaged in serious human rights abuses by perpetrating extrajudicial killings, including ethnically based targeted

killings of civilians, and by engaging in arbitrary detentions, torture, rape, beatings, and looting of property;

Whereas, on March 15, 2019, the United Nations Security Council extended the mandate of the United Nations Mission (UNMISS) in South Sudan for one year and authorized UNMISS to use all necessary means to deter violence against civilians, to prevent and respond to sexual and gender-based violence, and to foster a secure environment for the return or relocation of internally displaced persons (IDPs) and refugees;

Whereas impunity for past atrocities continues to drive violence in South Sudan, and signatories to the R-ARCSS committed to the establishment of transitional justice measures;

Whereas the United Nations Children's Fund (UNICEF) has reported that children comprise approximately 25 percent of all reported cases of conflict-related sexual violence, and the United Nations Commission on Human Rights in South Sudan has reported that forced recruitment of child soldiers is increasing, despite the 2018 peace agreement;

Whereas illicitly obtained wealth and revenue sources perpetuate conflict in South Sudan;

Whereas leaders of South Sudan use violence and corruption as a means of capturing key sectors of the national economy, such as the oil and mining sectors, for purposes of personal enrichment; and

Whereas the United Nations Security Council adopted resolution 2471 on May 30, 2019, to extend its sanctions regime in South Sudan and renew the prohibition of the supply, sale, or transfer to South Sudan of arms and re-

lated material or the provision of training, technical, and financial assistance related to military activities or materials until May 31, 2020: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate—

2 (1) to reaffirm the commitment of the United
3 States to support peace in South Sudan;

4 (2) to call on the incumbent government and all
5 other signatories of the R-ARCSS to—

6 (A) create a secure, enabling environment
7 for all relevant political leaders to participate
8 actively in the formation of the RTGoNU and
9 South Sudan’s political stabilization and post-
10 conflict development;

11 (B) resolve peacefully the remaining polit-
12 ical issues for negotiation during the Pre-Tran-
13 sitional Period, including agreement on the
14 number and boundaries of states before the ex-
15 tended deadline of November 12, 2019;

16 (C) establish a RTGoNU by November 12,
17 2019;

18 (D) adhere to the cessation of hostilities
19 and enable the delivery of humanitarian assist-
20 ance and protection;

21 (E) immediately release all political pris-
22 oners and fulfill their responsibility to protect
23 civilians; and

1 (F) ensure respect for and full exercise of
2 the right to freedom of expression, association,
3 and peaceful assembly;

4 (3) that the Secretary of State and the Admin-
5 istrator of the United States Agency for Inter-
6 national Development (USAID) should continue to
7 provide immediate lifesaving assistance to meet the
8 dire humanitarian needs of the South Sudanese peo-
9 ple;

10 (4) that the Secretary of State and the USAID
11 Administrator should continue to support civilians,
12 particularly women and children, who have been ad-
13 versely affected by the civil war, and should provide
14 foreign assistance to support peacebuilding, conflict
15 prevention, transitional justice, and reconciliation ef-
16 forts led by local civil society;

17 (5) that the Secretary of State should monitor
18 implementation of the UNMISS mandate authorized
19 by United Nations Security Council Resolution 2459
20 (2019) and ensure that any return or relocation of
21 IDPs from United Nations protection of civilian
22 sites are safe, informed, voluntary, dignified, and
23 conducted in coordination with humanitarian actors;

24 (6) that the Secretary of State, in conjunction
25 with the Secretary of the Treasury, should continue

1 to monitor human rights abuse and corruption in
2 South Sudan and take decisive action using authori-
3 ties granted under the Global Magnitsky Human
4 Rights Accountability Act (subtitle F of title XII of
5 Public Law 114–328; 22 U.S.C. 2656 note);

6 (7) that the Secretary of the Treasury should
7 use best efforts to prevent, detect, investigate, and
8 mitigate money laundering activities; and

9 (8) that the United States Government should
10 support implementation and subsequent renewal of
11 the United Nations Security Council arms embargo
12 in South Sudan to prevent continued illicit acquisi-
13 tion of arms and military equipment by all parties
14 and the proliferation of weapons throughout the
15 country, and that the lifting of a United Nations
16 arms embargo should be contingent upon—

17 (A) sustained adherence to the permanent
18 ceasefire, tangible efforts to end impunity for
19 violence against civilians, and consistent,
20 unimpeded humanitarian access in accordance
21 with international humanitarian principles of
22 humanity, neutrality, impartiality, and inde-
23 pendence;

24 (B) holding free, fair, and peaceful demo-
25 cratic elections; and

- 1 (C) cessation of widespread abuses and
- 2 violations by armed actors against civilians.

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