

STUDY GUIDE



PELOTAS

MUN

TOPIC B

THE SITUATION IN SOUTH SUDAN

Letter from the Chairs

Fellow Delegates,

With great pleasure, we welcome you all to the V edition of Pelotas Model United Nations, as representatives for the United Nations Security Council. In this committee, you will be able to discuss urgent topics pervading the international community with the attempt to solve these situations like real delegates from countries across the globe. The topics up to discussion were selected as a way to foster fruitful debates about the current international scenario, inasmuch as these topics are real problems to be dealt with.

Furthermore, we hope that the study guides here available help you all to understand the situations at the same time it incites you to join the debates during the simulation. However, considering that our guides are not universal tools with all information from the events here mentioned, do not hesitate to seek for further information in other sources. Insofar as you seek for additional information from other origins, the debates will become more interesting and will provide new outcomes, both for the discussions and for yourselves.

That being said, we are looking forward to this year's simulation, and we hope you all enjoy it as much as possible. In addition, do not hesitate to contact us if you have any questions or if you need clarifications about the topics or even about the event itself.

Best regards,

Alysson Araldi Boschi, Lucas Otávio Morás & Monique Aguiar
United Nations Security Council Directors.



About the United Nations Security Council

Created in 1945, the United Nations Security Council (UNSC) holds the primary responsibility for the maintenance of International Peace and Security, following the aftermath of the Second World War. To properly achieve such goals, the Council was designed as the most important organ of the United Nations (UN), being the only whose resolutions had effective binding power upon all Member States of the UN. In this sense, the UNSC has its attributions and powers specified in Chapter V of the UN Charter.

Originally composed by eleven members, the UNSC had the number of seats expanded to fifteen on August 31st, 1965, with the entry into force of an amendment to article 23 of the UN Charter, approved by the UN General Assembly on December 17th, 1963. Moreover, it is also in the Council's mandate the right to authorize the use of force through peacekeeping operations or military coalitions and also to impose economic and military sanctions, but always as a last resort, when all negotiations have failed. Therefore, the UNSC's first actions when a complaint is brought before it are to recommend to the parties to try and reach a peaceful solution. At last, the UNSC may recommend the suspension or expulsion, by the General Assembly, of a Member State that recurrently violates the principles of the UN Charter (UN Charter, 1973).

The UNSC contains fifteen members, of which five are permanent and ten are selected by the General Assembly for two year terms, starting on January 1st, with five replaced each year. The five permanent members of the Security Council are the People's Republic of China, the French Republic, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

They hold the rule of "great power unanimity" what is commonly known as veto power, that is, for any resolution to be approved it needs the concurring vote of these five States, meaning that if one of them is against, it will automatically fail. Procedural matters are not subject to a veto, so the veto cannot be used to avoid discussion of an issue.

The ten non-permanent members elected for a two-year mandate by the General Assembly are: Bolivia, Egypt, Ethiopia, Italy, Japan, Kazakhstan, Senegal, Sweden, Ukraine and Uruguay.



TOPIC B: THE SITUATION IN SOUTH SUDAN**Introduction**

South Sudan is the youngest country in the world, after gaining its independence from Sudan in 2011, following the positive result from an UN-brokered referendum (COUNTRY CASE STUDY: SOUTH SUDAN, 2012, p.2). This new republic was born rich in oil, but underdeveloped. Due to the civil war started in 2013, while the president Kiir accused the vice-president Machar of leading a coup d'état, more than 1.8 million people had to flee their homes, forcing about 1.2 million people to escape the country. Besides, the biggest part of the State is in a situation of "hunger or risk of hunger", provoked by the war that affects South Sudan for more than three years.

A peace agreement was signed in 2015, but the lack of progress in its implementation brought even more instability to the region. According to the Global Centre for Responsibility to Protect, while the war is becoming larger, ethnic cleansings are being made by both sides of the conflict, as well as several other crimes against humanity, which is providing a power out of control for militias and huge refugee flows especially to Uganda. Since these militias are increasing their power, this situation can affect border countries located in the region, which are Kenya, Ethiopia, Sudan, Democratic Republic of the Congo, Central African Republic and Uganda.

The situation in South Sudan was debated in more than thirty-five meetings in the last couple of years, with the adoption of sanctions by United Nations Security Council since 2013. The first United Nations Mission was established in 2011, before the conflict even start, but the situation in this country hasn't been settled yet, forcing UNSC to renew sanctions and the peace mission, inasmuch as it keeps representing security threat to the international community. Regarding that, it is extremely important to make a concrete decision to solve this conflict, which ha Regarding that, it is extremely important to make a concrete decision to solve this conflict, which has been destroying the country and the region itself for years.



Historical Background

The situation of conflicts and wars in the north-east of Africa does not come from today, but it comes from a very distant past and each year it is getting worse. The dissensions between the South and the North have started after their independence from Egyptian and English control in 1956. Almost 20 years after their independence, in 1983, the country entered in a civil war between the government and south separatists, which lasted until 2002, when the parties sign a ceasefire agreement as long as the negotiations for the separation of the south of the country are resumed.

In 2005, government representatives proposed a joint government between government representatives and rebels, which would last for six years. At the end of this period, a referendum would be held in which the population of the south could choose whether or not to be independent.

In 2011, a referendum was made and 99% of the South Sudanese population voted in favor of the separation between Sudan and South Sudan (Figure 1). Even after independence, the conflicts between Republic of Sudan and the newest State of the world have not ceased and several agreements were signed during the first year. In addition to ethnical reasons, the energy issue is a major factor in the disagreement between States.

Figure one¹



¹ Localization of South Sudan. Available at: <<http://suffragio.org/2013/12/18/how-to-prevent-south-sudans-impending-civil-war/sudan-map/>>. Last access: June 20, 2017.

The newest nation in the world is rich in oil and its population is very diverse. The ethnical conflicts have been there for years, resulting in hundreds of deaths and thousands of refugees. The most numerous ethnic groups are Nuer, Shiluk and Dinka - the last one is the largest ethnic group in the country and of which the current president, SalvaKiir, is a member (COUNCIL FOREIGN RELATIONS: CIVIL WAR IN SOUTH SUDAN, 2017).

In 2013, President Kiiralleged corruption scandals in his party (Sudan People's Liberation Army) and accuses his vice president, RiekMachar, of organizing a coup to get him out of power. In this context, Kiir expelled the entire presidential cabinet and his vice president, marking the beginning of a new civil war.

The conflict between Kiir and Machar quickly took an ethnic bias. Members of the two largest ethnic groups in South Sudan, the representatives came to be supported by their groups of origin. Kiir came to be supported by the Dinkas and the ethnic Nuer happens to fight next to Machar. Then, various ethnic conflicts began to happen, with both sides perpetuating waves of rape and sexual violence, as well as the destruction of villages, recruiting children to fight lines and other crimes (COUNCIL FOREIGN RELATIONS: CIVIL WAR IN SOUTH SUDAN, 2017).

In July 2014, the United Nations Security Council declared that Republic of South Sudan was the scene of the world's greatest food crisis, and that this could affect up to four million people in the coming years (COUNCIL FOREIGN RELATIONS: CIVIL WAR IN SOUTH SUDAN, 2017). The civil war prevented rural producers from maintaining their plantations, bringing chaos to the population and plunging the country into a serious economic crisis, which continues until today.

A peace agreement had been internationally pressured since the beginning of the civil war and supported by various countries and international organizations such as International Authority on Development – an eight-country trade bloc in Africa with focus on development and environmental control.

Finally, in August 2015 the Peace agreement between the sides was signed (ALJAZEERA, 2015). But non-commitment with some clauses has been dismantling the agreement, resulting in the breakdown of the ceasefire and maintenance of the conflict, leaving thousands of people at risk.



The agreement includes several maneuvers to establish peace and order in the region, such as the reorganization of the national army and the reconstitution of police and other security-oriented institutions, as well as immediate ceasefire and creation of a demilitarized zone in Juba, Capital of the country. A problematic clause is the need to establish a joint transition government in which the rebel leader would return to the vice presidency and rivals Riik and Machar would need to work together in the country's administration and conflict.

Present

After pressure from several countries and international organizations and even threat of international sanctions, the “Agreement on the Resolution of the Conflict in the Republic of South Sudan” (ARCSS) was signed in August 2015 between the government and the rebels.

The agreement included various maneuvers to establish peace and order in the region, such as the reorganization of the national army and the reconstitution of police and other security-oriented institutions, as well as immediate cease-fire and creation of a demilitarized zone in Juba, capital of the country.

In Addition, the agreement envisaged the need for a joint transition government, in which the rebel leader (Riek Machar) would return to the vice-presidency and together with President Machar, would need to work together on the country’s administration and the conflict.

But the August 2015 peace deal has collapsed and the future of the transitional government remains to be seen. After signing the agreement in August 2015, violence continued and both sides to the conflict blamed the other for violating the cease- fire. The peace talks, which began in January 2014, resulted in several agreements, but both parties to the conflict and other splintering factions repeatedly violated the cease- fires.

In early February 2016, a violent conflict between young Shilluk and Dinka erupted in the town of Malakal, where UNMISS protected about 48,000 civilians. The conflict resulted in more than 18 deaths and 50 injuries, in which men armed in SPLA uniforms entered the United Nations Mission in the Southern Sudan (UNMISS) camp attacking civilians and looting and burning tents (MISION PERMANENTE DE ESPAÑA ANTE LAS NACIONES UNIDAS, 2016).



As the first step toward ending the civil war, Machar returned to Juba on April 26, 2016 and was sworn in as vice president, after spending more than two years outside of the country. Soon after his return, violence broke out again between government forces and opposition factions in July 2016, displacing tens of thousands of people yet again. After Machar fled the country, Kiir replaced him as vice president with General Taban Deng Gai.

Following Resolution 2304, which was adopted in a state of emergency following the conflict that erupted in July 2016, the Transitional Government of the South Sudan National Unity and members of the United Nations Security Council announced a joint communiqué on 04 September, where they agreed to work together to advance the interests of the people of South Sudan. The Transitional Government gave its consent to the implementation of the Regional Protection Force and also undertook to allow the free movement of UNMISS.

On February 2017, the food crisis was declared in parts of South Sudan and threatens 100.000 people after war and a collapsing economy devastate agriculture in the country (THE GUARDIAN, 2017). A further 1 million people were classified as being on the brink of famine, according to the World Food Programme (WFP) and other UN bodies. Besides that, the UN has warned that three other countries – Yemen, Somalia and Nigeria – were at risk of famine.

Under-Secretary-General for Humanitarian Affairs Stephen O'Brien visited South Sudan on 4-5 March and briefed that "the situation was worse than it has been". He said that active hostilities, access denials and bureaucratic impediments continued to curtail efforts to reach people who need help, while aid workers have been killed and humanitarian compounds and supplies have been attacked, looted and occupied by armed actors.

Fighting between elements of the Sudan People's Liberation Army (SPLA) and the SPLA in Opposition (SPLA-IO), as well as other rebel militias, has been escalating in various parts of South Sudan since the beginning of 2017. The SPLA is currently reinforcing its positions in Upper Nile and Jonglei states ahead of the rainy season, resulting in civilian displacement. An SPLA offensive that started on 25 April in the Upper Nile region resulted in 35,000-50,000 displaced civilians fleeing to Aburoc, according to the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein. This includes 25,000 people who fled from clashes in Kodok on 25 April.

On 9 May President Salva Kiir fired controversial army chief Paul Malong. On 13 May seven opposition groups, including the SPLA-IO and several former government ministers,



signed an agreement vowing to combine their efforts to oust President Kiir from government. On 22 May President Kiir declared a unilateral ceasefire and launched a National Dialogue, but the unilateral ceasefire has not been implemented and violence continues across the country. Former Vice President and previous leader of the SPLA-IO, Riek Machar, is excluded from participation in the dialogue.

The humanitarian situation in South Sudan remains dire, as limits on humanitarian access, mass displacement, famine, and food insecurity are compounded by the rains and a cholera outbreak.

United Nations Actions

The General Assembly admitted South Sudan as the UN's 193rd member on 14 July, after the Council recommended to the General Assembly that South Sudan be admitted as a member. Before that, acting on the recommendation of the Secretary-General, the Security Council resolution 1996 (2011) was adopted of 8 July 2011, establishing the United Nations Mission in South Sudan (UNMISS) for an initial period of one year, from 9 July 2011, with the intention to renew for further periods as may be required.

According to the United Nations Mission in South Sudan,

UNMISS' objective is to consolidate peace and security, and help establish conditions for development in the Republic of South Sudan, with a view to strengthening the capacity of the Government of South Sudan to govern effectively and democratically and establish good relations with its neighbors.

In December 2013, after the violence broke out in South Sudan's capital Juba and quickly spread to other locations in the country resulting in deep nation-wide political and security crisis, the UN Security Council adopted the resolution 2132 of 24 December, authorizing the Secretary-General's recommendations to temporarily increase the overall troop and police strength of the Mission (a rapid deployment of about 6,000 security forces, in addition to 7,600 peacekeepers already in the country, to aid in nation building efforts).

On 27 May 2014, the Security Council, by unanimously adopting its resolution 2155 (2014) reprioritized the mandate of UNMISS towards the protection of civilians, human rights monitoring and support for the delivery of humanitarian assistance, and increased the Mission's troop strength to 12,500 and a police component to up to 1,323 personnel, as requested in the Secretary-General's 6 March report. It also authorized the deployment within UNMISS of an Intergovernmental Authority on Development (IGAD) task force to support protection of



civilians and the Monitoring and Verification Mechanism (MVM) established pursuant to the 23 January 2014 Cessation of Hostilities Agreement.

On March 3, 2015, the Security Council adopted resolution 2206, which decided to impose specific sanctions, prohibiting travel and freezing assets of individuals and entities obstructing reconciliation or peace processes, undermining the political process or abusing human rights in Sudan. It also established a Sanctions Committee to monitor the implementation of the measures and a Panel of Experts. This resolution was renewed many times (2271, 2280, 2990) and on the last 24 May 2017, the Security Council extended the mandate of sanctions regime until May 2018 and the mandate of the Panel of Experts until 30 June 2018, by resolution 2353, determining that the situation in South Sudan continues to constitute a threat to international peace and security in the region (SECURITY COUNCIL REPORT, 2017).

In December 2015, the UN Security Council adopted resolution 2252 (2015), which slightly changed the mandate of the Mission and extended its mandate until 31 July 2016. After intense fighting in July 2016, on August the UN Security Council adopted Resolution 2304, renewing the mandate of the United Nations Mission in South Sudan (UNMISS) until 30 June 2017 and authorizing the expansion of peacekeeping forces (deployment of the 4,000 strong regional protection force) and authorizing the Regional Protection Force (SECURITY COUNCIL REPORT, 2017). Later, in December 2016, the Security Council extended the mandate of UNMIS for one year (15 December 2017) and reauthorized the Regional Protection Force, by resolution 2326 and 2327 (SECURITY COUNCIL REPORT, 2017).

The larger issue for the Council remains how to encourage greater cooperation by the government, including ending the ongoing violence against civilians and removing impediments to both humanitarian access and UNMISS's ability to carry out its mandate.

Expected Council Actions

The Under-Secretary-General for Peacekeeping Operations Jean-Pierre Lacroix emphasized that the current humanitarian crisis in South Sudan is the result of the decision of all parties to continue fighting. In that sense, it is extremely necessary for the parties involved to implement a ceasefire, helping to build a peaceful country where people do not have to migrate to other places, avoiding war and hunger.



Besides that, it is extremely necessary for the government to fully implement all the provisions of the peace agreement of August 2015, mainly regarding cooperation with vice President Riek Machar in both the country's administration and the conflict. In addition, both parties must ensure that UNMISS can move freely and without threats, so that the mission can fully implement its mandate, especially with regard to adequate protection for vulnerable civilians.

With a ceasefire implemented and the political process resumed, it will be possible to hold free, fair and peaceful elections in 2018, helping to eradicate the country's violence, transforming the current scenario of war and famine into a democratic country with the necessary conditions to live.

Finally, it is necessary to investigate and prosecute the persons responsible for mass atrocities committed since December 2013, regardless of their membership or position, as thousands of people have had their lives taken away by this ethno-political conflict and many are exposed to extreme risk every day, being forced to migrate to neighboring countries in search of security and peace.

Position of the Member States

The Security Council is made up of 15 countries, five of which are permanent members (China, France, Russian Federation, the United Kingdom and the United States) and ten are non-permanent members elected for two-year terms by the General Assembly (Bolivia, Egypt, Ethiopia, Italy, Japan, Kazakhstan, Senegal, Sweden, Ukraine and Uruguay).

All members of the United Nations agree to accept and carry out the decisions of the Security Council. While other organs of the United Nations make recommendations to member states, only the Security Council has the power to make decisions that member states are then obligated to implement under the Charter.

At the United Nations 8008TH Meeting (AM), on 20 July 2017, Council members took the floor to voice support for the efforts by IGAD and the African Union, emphasizing that a political solution was the only way out of a conflict that had generated a humanitarian crisis in the world's newest nation.

In this sense, according to a country statement at a Security Council meeting in July of that year, the position of the countries on the case of South Sudan follows.



Permanent Members

Russian Federation

The country emphasizes that stabilization will only be possible through a ceasefire. Moreover, it is unfair to attribute all guilt to Juba and that it is important for the opposition to take reciprocal measures.

Unlike other countries, Russia believes that the threat of new sanctions would not help and risk exasperating the conflict.

The country believes in the National Dialogue as a success and demands full support for this initiative, as well as demonstrating effective cooperation between the African Union, the United Nations and IGAD.

People's Republic of China

The country describes the situation as complex and serious, where the only way out would be and political solution. This would require, according to the country, more efforts by the government and the people of South Sudan itself, with international support, emphasizing that this solution must address the root causes. Accelerating the political process while maintaining stability is a priority for China.

In addition, they emphasize the need to support the role of the good offices of regional organizations, and to increase humanitarian and economic assistance, with priority in agriculture, irrigation and roads. They also emphasize the assistance given to South Sudan through the World Food Program and anti-malarial drugs and the contribution of 1,000 peacekeepers.

The United Kingdom

The United Kingdom condemns any actor who blocks peace, they incriminate the governors of South Sudan by fighting against their own people rather than defending it. Knowing that six million people depend on humanitarian aid, they declare that there is no way to make mistakes in having a crisis of human creation. When humanitarian access has been blocked in violation of the peace agreement, the Council has no choice but to resume the arms



embargo and prevent the uncontrollable flow of weapons that creates more violence. They also require a negotiated ceasefire in a wide range of armed actors.

The United States of America

The United States was a lead facilitator of South Sudanese independence, which was voted for in a 2011 referendum that was held in the southern part of Sudan, excluding the contested area of Abyei, providing diplomatic support and humanitarian aid. Prior to the outbreak of the civil war in 2013, the United States strongly supported and advocated for Sudan People's Liberation Movement (SPLM), which became the new country's government. However, the United States has taken a back seat in peace talks as IGAD mediates between Kiir and Machar.

The country is tired of the promises of the leaders of South Sudan in search of peace and requires that humanitarian aid reach the hungry and the sick masses in the country. They have called for a cease-fire for more than a year, and the violence has not really stopped. They agree that the Council must be prepared to hold accountable those who are not acting effectively, and who must exert real pressure to change their behavior, starting with specific sanctions and an arms embargo.

French Republic

The country emphasizes the government's responsibility to protect civilians, ensuring harmonious cooperation with UNMISS, as well as the access of humanitarian workers to all areas where civilians were under threat.

In addition, the country believes that the Council must also shoulder its responsibilities, adding that an arms embargo would help to reduce the level of violence.

The country also emphasizes the need to combat impunity and ensure accountability for human rights violations, including through the creation of a hybrid court with the African Union playing an important role.



Non-Permanent Members

Bolivia

The country stands for the implementation of the ceasefire and international support for recent efforts, as well as stating that Southern Sudanese must lead these efforts and their commitment is vital. The internal divisions of government and opposition must be annulled, for them, the citizen should always be a priority.

They reiterate genuine inclusion and dialogue, and express support for regional efforts such as the African Union, IGAD, and the United Nations. They also support measures taken in the UNMISS mission to improve the situation of the conflict, and welcome the progress of the region's engineering companies, because assistance from the force is crucial to ensuring protection for civilians.

Arab Republic of Egypt

As one of the first countries to recognize South Sudan, and also as one of the largest recipients of refugees across its borders, they are positively positioned to the ceasefire as a way of resolving the conflict. They also declare all possible assistance, sending food and soldiers of peace.

Federal Democratic Republic of Ethiopia

The conflict in South Sudan forced more than three million people to flee their homes. More than one million of them have found refuge in neighboring countries, especially Ethiopia, which is currently hosting almost to 370,000 South Sudanese refugees, according to The UN Refugee Agency. They originate mostly from the Upper Nile, Jonglei and Unity states.

Ethiopia was at the heart of the failed peace process that plunged South Sudan into political crisis. Together with Kenya and Sudan, they mediated peace talks between President Salva Kiir and his former first deputy, Riek Machar.

Ethiopia is really concerned about the security situation in South Sudan, because even after a ceasefire declared by the president in June, the fighting continues and shows devastating consequences. The country believes that the cessation of hostilities is an urgent priority, as it would create an enabling environment to facilitate humanitarian access.



In addition, the country expresses great concern about the obstacles faced by humanitarian agencies, which have been denied access to deliver supplies. In this sense, the country demands that the parties facilitate such access and that they immediately renounce violence.

As a member of IGAD, the country has been collaborating to progress in the implementation of the 2015 peace agreement. In this regard, IGAD has decided to convene a High Level Revitalization Forum, which would include separate groups, implement that agreement and draw up a realistic and timely Timetable for the democratic elections to be held at the end of the transition. Thus, the country demonstrates importance of the Security Council in this regional effort.

Ethiopia despite their own internal security issues are seen as a key player for the stability of the Horn of Africa region.

Italian Republic

The country commends Sudan for the one-year agreement that allows the flow of humanitarian aid to South Sudanese refugees. They argue that the solution is political, a position that the country has taken bilaterally as the co-chair of the IGAD Partners

Forum, and South Sudan would not achieve peace - together with the African Union, IGAD and the United Nations, they are doing more and more diplomatic action. The work to establish the hybrid court already cited above must be speeded up. However, Italy would continue to work politically with South Sudan's stakeholders, and on a humanitarian level, by providing aid and funding to confront the conflict.

Japan

The country shows a disturbing behavior, showing that the speech by the president of Southern Sudan, that the war was not an option, failed. They believe that the Council should unite in order to influence all parties to make a commitment to the Forum to produce positive results. They further assert that the National Dialogue is as important as the other measures and should involve a basic reconciliation. Japan expects the Rapid Protection Force to be deployed, and underscore the importance of cooperation between troop-supplying countries, and South Sudan in that context.



Republic of Kazakhstan

The country expresses great concern about the ongoing struggle as well as violence against UNMISS and humanitarian personnel. Such actions undermine efforts to facilitate the peace process by influencing all parties to cease hostilities and stop attacks on humanitarian workers.

In the National Dialogue, the country reveals that it must be truly inclusive and transparent, as well as encouraging the transitional government to engage positively with the United Nations and regional actors.

Republic of Senegal

The country has a shallow position, compared to other members of the Security Council. They also question what the Security Council should do as it proclaimed the need for cooperation between the region and the subregion, citing IGAD, the African Union and the United Nations. They point out that such cooperation was very important, as the Council considered taking decisive action.

Kingdom of Sweden

The country is deeply concerned about the political, security and humanitarian situation in South Sudan, and stresses that all parties must adhere to the ceasefire, including the importance of uniting the Council on this matter.

With a slightly different view of other countries, the country emphasizes the need to strengthen the role and participation of women in the peace process.

Moreover, the country recognizes IGAD's regional efforts to move parties to a permanent ceasefire and stresses the need for increased humanitarian funding.

Ukraine

The country condemns clashes and violence in all areas of South Sudan, even where they used to be peaceful. Ukraine is trying to set up a fact-finding committee, calling on perpetrators of killings to be held responsible and blaming armed clashes for the existence of people fleeing the country. Moreover, in relation to the elections, they say that unless the



process is inclusive, it will not succeed. They regret that UNMISS missions have been obstructed, and say that humanitarian actors should have access to areas of unrestricted need. The Council should have a single position, one voice, and engage collectively and bilaterally with South Sudan.

Oriental Republic of Uruguay

The country believes the crisis was the result of a conflict of personal ambitions between two political leaders who placed their power missions above the interest of their citizens. They add that no effort by the Council, the African Union or IGAD will succeed if the leaders of South Sudan do not commit themselves to the needs of their people.

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