

## Approaching the Sanctions Tripwire in South Sudan

Article By:

Witney Schneidman

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Secretary of State John Kerry has an extremely full agenda for his visit this week to South Sudan. Most immediately, he has to put in place measures that will prevent further civilian atrocities. The recent attacks on civilians in Bentiu and Bor cannot be repeated. At the same time, the Secretary needs to jump start a peace negotiation that will lead to the emergence of institutions of governance and security that have never worked effectively in South Sudan.

The good news is that the Obama Administration appears to be stepping up its engagement in a country that at one time qualified as a foreign policy “success” for the administration.

The signing on April 3 by President Obama of an executive order that will allow the U.S. to impose sanctions on individuals violating human rights, contributing to unrest or interfering in efforts to resolve the conflict in South Sudan indicates a growing fissure in the once close relationship between Washington and that country. It also reflects a new resolve by Washington to end the fighting in this young nation. It is unlikely, however, that the conflict will subside any time soon unless President Silva Kiir takes decisive actions to end the fighting.

The decision last week by the government to drop treason charges against four senior politicians detained in connection with an alleged coup attempt in mid-December is a positive action but much more is needed from the Kiir government.

The Obama Administration hopes that the executive order will create an “incentive” for Salva Kiir and his allies and the forces of former vice president Riek Machar to de-escalate the conflict in that nation.

In reality, the executive order is a stark warning to both sides that Washington is deeply disturbed by the senseless violence, and particularly angry that both leaders have allowed—if not ordered—massive human rights violations including ethnic killings and displacement of more than a million citizens. The administration is also rightly disturbed at the verbal attacks on the UN peacekeeping mission in South Sudan coming from the Kiir administration. Indeed the UN Security Council needs to take a firm stance on this and warn Kiir and others that attacks on UN peacekeepers, such as occurred in Bor, are unacceptable and could lead to the imposition of sanctions.

Such an outcome was unimaginable on July 9, 2011, when South Sudan won its independence and the U.S. played the role of what many describe as the midwife. But over the past two years

Washington has in fact become concerned over the increasingly authoritarian actions by the Kiir government, including harassment of human rights workers, NGOs, and journalists, and an unwillingness to address problems of governance and corruption. Dissension within the ruling party was seen as treason rather than a need for reform. All this erupted in the violent confrontations in Juba last December and the descent into civil war. Nevertheless, ethnic attacks and other humanitarian crimes are no more allowable or justified by the forces in opposition to Kiir than by those loyal to the Government. The Obama administration's warning is to both.

One immediate result of the ongoing conflict is the prospect of widespread famine. According to the UN, the country could face the worst starvation in Africa since the 1980s in Ethiopia when several hundred thousand people perished. Already, one million South Sudanese have been displaced internally or have fled to neighboring countries.

Neighboring African countries under the Intergovernmental Authority on Development (IGAD) are working to bring about a cease fire, to enhance the protection of civilians, and facilitate the provision of desperately needed humanitarian aid. The US, UK, Norway and China are all assisting in this effort. But once the fighting ends, there will be need for a major political transformation in South Sudan, one that leads to a government that is truly democratic and committed to the development of the country. There will also be a need for accountability for all that has happened this past year. Anything less would be a further betrayal of the hopes and dreams of the millions of South Sudanese who thronged the capital and all other major cities in the country in joyful celebration on July 9, 2011, believing that after decades of fighting for their independence their time for peace and development had finally come.

*This post was co-authored by Princeton Lyman, a former U.S. Special Envoy for Sudan and South Sudan and a Senior Advisor to the president of the U.S. Institute of Peace.*

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