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Washington, D.C.
USA

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His Excellency Salva Kiir Mayardit,
President of the Republic of South Sudan
Office of the President
Juba, South Sudan

Dear President Kiir:

We write to you, individually and collectively, as friends of South Sudan—longstanding friends who have committed more than two decades of our lives to the great cause of a just peace for the people of South Sudan. We have lobbied government officials, student organizations, media and nongovernmental groups to build a strong constituency for South Sudan in the United States. We have done our best to highlight the suffering of the people of South Sudan during the long civil war, and to offer our perspectives on the difficult road to completing a true peace.

Some of us have communicated our concerns with you individually and confidentially in the past, always as friends. At this moment, our friendship dictates that we express our concerns about the increasingly perilous fate of South Sudan. From our various vantages, we have all come to conclude that without significant changes and reform, your country may slide toward instability, conflict and a protracted governance crisis. As friends, it is our responsibility to express our serious concerns directly and to offer constructive suggestions for the way forward.

We must first state that over the past several years—but the last six months in particular—South Sudan government security forces have engaged in a campaign of violence against civilians simply because they belonged to a different ethnic group or they are viewed as opponents of the current government.

This violence is shocking and has included rape, murder, theft, and destruction of property. We are particularly concerned about the evidence emerging of abuses by

government forces in Jonglei. These terrible crimes occur because government forces believe they have the power to act with impunity.

We joined you in your fight against these very abuses by the Khartoum regime for many years. We cannot turn a blind eye when yesterday's victims become today's perpetrators. We were deeply encouraged by the statement by President Kiir on May 17, 2013:

It is a sad day for South Sudan to see and receive reports about abuses carried out by ill-disciplined elements of our own armed forces. Many of our comrades fought and died to achieve freedom and justice for our people. It is important that we honor that sacrifice.

At the same time, these atrocities are not isolated incidents but among many deliberate measures taken by soldiers on the instruction of senior commanders and government officials. Some may argue that the failure here lies in the chain of command, but the evidence makes clear that these orders are indeed coming from senior commanders. We urge you to take swift and decisive action against not only those who carried out these heinous acts, but those who gave the orders.

And there must be justice. Crimes by government officials often go unpunished. Many attacks against civilians, including the killing of foreign businessmen, a teacher from Kenya, South Sudanese journalists, and many others, have gone unpunished. We have authoritative reports that government security forces have abused those who allow themselves and their cars to be searched. Many people, including government officials, have faced harassment and have been beaten up by security forces. Again, no one has been held accountable. This inevitably creates a climate of impunity.

There are also many South Sudanese and some foreign nationals languishing in prison, a large number of them facing death sentences. Many of these did not receive a fair trial because the justice system is riddled with incompetence. We strongly urge that the government immediately issue a moratorium on all executions until these cases are reviewed and those convicted given a fair and transparent trial. We further urge you to abolish the death penalty in South Sudan, as more and more countries are doing.

None of this will happen unless the Government of the Republic of South Sudan engages in profound reform. After almost nine years of self-rule, the government is still failing to meet the basic needs of its people. Despite claims that vast sums have been expended on investment in infrastructure, there is very little to show in the way of roads, medical services, and education for millions of South Sudanese who greeted the prospect of independence with eagerness and hope.

Those who have benefitted—who have become wealthy by misappropriating government funds—have often sent their families outside South Sudan, their children to private

schools abroad, and have obtained the best medical services available in the world. This occurs while ordinary citizens who remain in South Sudan cannot afford even basic health services or modest educations for their children.

Corruption is at the heart of the many problems facing South Sudan. In a remarkably short period of time, the name of your country has become synonymous with corruption. As President Kiir declared in a letter to his ministers and senior officials:

The people of South Sudan and the international community are alarmed at the level of corruption in South Sudan. Many people in South Sudan are suffering, yet government officials seem to care only about themselves.

And yet to date, not a single government official has been tried on corruption charges. Again, the absence of justice encourages a climate of impunity, and makes halting corruption all the more difficult. This is the light in which we have examined the findings of the World Bank, which after a long investigation presented to the Ministry of Justice—almost a year ago—presents clear evidence of massive corruption. And yet the Ministry of Justice has not yet prosecuted a single individual.

The Office of the President in the past several months has ordered two important investigations and has suspended senior officials, including two Federal Ministers, from office pending the completion of the investigation. Widespread outrage at the extraordinary levels of corruption and at those who are benefitting from that corruption is very high and continues to grow. This is the source of potentially serious civil unrest, just as it was in the Middle East and North Africa over the past few years.

OUR RECOMMENDATIONS

These problems cannot be resolved overnight, but an immediate commitment can be made to re-shape what now seems a dangerous and crisis-filled future for South Sudan.

- The Ministry of Justice must be revamped and key personnel who have enabled corruption and crimes against civilians to go unpunished must be removed.
- All senior army officials should be put on notice that attacks on civilians are completely unacceptable and will be severely punished up the entire chain of command.
- Existing alleged human rights abuses should be fully investigated and prosecuted.
- Clear oil infrastructure priorities should be set, especially now in light of a financial picture that is extremely grim. The fact that there are no refineries in the South, no oil storage facilities, and nothing in the way of progress towards a

southern oil export route reflects an absence of planning and has left oil revenues at the mercy of the National Congress Party regime. As evidence from the past two years has made clear, the regime in Khartoum is perfectly willing to engage in duplicitous negotiations, commit to agreements in bad faith, and simply renege on agreements whenever it wishes, even if it punishes its own failing economy. All this could have been predicted from past behavior, and must certainly guide thinking going forward.

- Schools, medical services, clean water, and roads must top the list of priorities of internal spending. Until the people of South Sudan have ready access to education and health services—services that will need a transport infrastructure—they will be exceedingly vulnerable to disease, and will have little chance to contribute to a modern economy. And without a functional agricultural sector, South Sudan will always be dependent on others.
- South Sudan confronts serious external security threats, and will almost certainly do so as long as the current regime controls Sudan. Nevertheless, the army must begin to make plans to be trimmed substantially, made more efficient, and receive training in international human rights law. Security is paramount, but that security will be squandered if the army does not become more responsive to the needs of its people and to its broader obligations to protect the rights of civilians.

The demands here are great, we well understand. But unless you begin to address them now, the tasks will only grow greater. Again, as friends of South Sudan, we urge you to confront these challenges on an urgent basis, and with all possible resolve.

Sincerely,

*Roger Winter, Eric Reeves, John Prendergast, and Ted Dagne
Friends of South Sudan*

CC: The Honorable Riek Machar Teny, Vice President
| The Honorable James Wani Igga, Speaker