

# South Sudan National Dialogue Steering Committee

## Final Report

### 1.0. Introduction and Context:

The South Sudan National Dialogue Steering Committee is honored to present this concluding report as a summary of its activities over the last three and half years of the process. We are grateful to His Excellency, President Salva Kiir Mayardit, for having entrusted to us the leadership of this most challenging national mission.

We took oath on the 22<sup>nd</sup> of May 2017, to serve the people of South Sudan with honor, transparency, and credibility. We are confident that we have done our duty with integrity. We hope that what we have done, as documented in this report, demonstrates that we have served our people with dedication and to the best of our ability. We have upheld the truth by credibly documenting what our people have said or recommended. This report is a summary of the entire process and a synthesis of the many documents produced by the National Dialogue Steering Committee, including the reports of the grassroots consultations, the three regional conferences of Bahr el Ghazal, Equatoria, and Upper Nile and the National Conference.

Now that the three formal phases of the National Dialogue have been concluded, we in the Steering Committee, as the body responsible for guiding, conducting and managing these consultations and conferences, consider it to be part of our

reporting responsibility to add our own comments and opinions on the key issues covered in the report. Needless to say, this is within the overall framework of the National Dialogue mandate that calls for addressing the myriad crises afflicting our country. More broadly, the National Dialogue process as a whole draws its legitimacy from the popular will of the people of South Sudan under Article 2 of the Transitional Constitution of South Sudan, 2011, as amended. The process and the Committee, therefore, have the authority to speak to these issues and to make pronouncements as contained in this report.

The people of South Sudan are deeply appreciative of having been given this rare opportunity to openly dialogue and take stock of where the country has come from, where it now stands, and where it is headed. They have fully utilized this opportunity to plainly articulate their intentions to transform South Sudan and break the political deadlock that lies at the roots of the failure of the South Sudanese state.

Our job as the Steering Committee has simply been to document what our people have said and the decisions they have made, with reference to the objectives laid out by the President in a concept note when he initiated the process.

This report, therefore, is a culmination of the grassroots consultations, regional conferences, and the National Conference. The report briefly highlights the three stages of the national dialogue and sheds light on key decisions or issues that featured in each stage of the process. The report begins with a brief background to the launch of the national dialogue process, the objectives of the National Dialogue, the formation of the Steering Committee, and the Grassroots Consultations, and captures their views on what went wrong and what they think should be done to correct it. The report also capsulates the resolutions of the National

Conference and concludes with proposed roadmap for breaking the political deadlock in South Sudan.

## **2.0. The Launch of the South Sudan National Dialogue**

President Salva Kiir Mayardit launched the South Sudan National Dialogue on 14<sup>th</sup> of December 2016 with the aim to resolve political and security crises that were threatening the country with disintegration. The President saw the need to call the nation to dialogue because the whole country was unraveling from its foundations. Violence was spreading like wildfire. Political stalemate, fear, uncertainty, and anger were looming across the country. The UN Special Representative on the Prevention of Genocide, Adama Dieng, had warned in 2016 that genocide was highly likely in South Sudan. These developments generated serious concerns around the country and might have contributed to the decision of the President to initiate the National Dialogue among the people of South Sudan.

The President's stated objectives for the National Dialogue were to end violent conflicts; reconstitute political consensus; save the country from disintegration and foreign intervention; and usher in a new era of peace, security, stability, and prosperity. Specifically, the President issued 12 objectives for the National Dialogue process to fulfill as follows:

- 1) End political and communal violence in the country;
- 2) Recommend how to properly transform the military;
- 3) Redefine and re-establish stronger national unity;
- 4) Restructure the state;
- 5) Renew social contract between the citizens and their government;
- 6) Develop a framework for managing diversity;
- 7) Develop a mechanism for allocating and sharing resources;

- 8) Settle social disputes and sources of conflict (cattle raiding, child abduction, communal violence, cattle and human migration);
- 9) Set a stage for an integrated and inclusive national development strategy;
- 10) Agree on steps and guarantees to ensure safe, free, fair and peaceful elections and post transition;
- 11) Agree on a strategy to return internally displaced persons and refugees to their homes; and
- 12) Develop a long-term framework for national peace, healing and reconciliation.

To facilitate this process, the President appointed the Steering Committee of credible personalities and consensus builders to facilitate the process and to develop the agenda of the dialogue. The President gave the Steering Committee the power to take any additional steps to ensure the inclusivity and credibility of the process. The Steering Committee was made up of three complementary parts: The Leadership, the Secretariat, and the Steering Committee Plenary. The Leadership provided moral and political authority and oversight; the Secretariat provided day-to-day managerial support and technical backstopping to the Leadership and the Steering Committee. The Steering Committee Plenary was the highest decision-making organ of the three categories. It vetted all the decisions of the Leadership and took the final decisions.

### **3.0. Grassroots Consultations:**

To make the work of the Steering Committee more efficient and effective, the Committee divided itself into 15 subcommittees: ten based on the original ten states, two on the two administrative areas, and three on the substantive issues of outreach to refugees and internally displaced persons, security, and national

capital, for the purposes of the Grassroots Consultations and Regional Conferences. The 15 subcommittees were Central Equatoria, Eastern Equatoria, Western Equatoria, Lakes, Northern Bahr el Ghazal, Abyei, Warrap, Western Bahr el Ghazal, Jonglei, Pibor, Unity, Upper Nile, National Headquarters, Organized Forces, and Refugees and International Outreach. These subcommittees were responsible for the conduct of the Grassroots Consultations in the 79 counties of South Sudan plus Abyei. Due to insecurity however, the Akobo County of Jonglei was not reached as well as the Panyijar of Unity State and Raja in Western Bahr el Ghazal; although consultations with members of these counties were conducted elsewhere and their voices were included in the Grassroots Consultations outcomes

Grassroots Consultations occurred in 77 counties of South Sudan and the people of South Sudan spoke in no uncertain terms about the state of affairs in the country during the consultations. The synopses of what they said is covered in the next section of this report under what went wrong.

At the Grassroots Consultations stage, people were asked two simple questions, what went wrong in the country and what can be done to correct it? The Grassroots Consultations process was actually a fact-finding mission to establish what actually went wrong in the country and what should be done about it. The members of the Steering Committee and the Secretariat went to the villages, in the face of extreme difficulties, to hear directly the views of ordinary South Sudanese in their diverse geographical locations.

The process was essentially a purgative exercise where people released the venom of anger with a vengeance deep in their hearts and minds. The people underwent a catharsis that liberated them as they let their frustrations all out, even with the knowledge of possible reprisal measures against them. National Dialogue indeed opened space for freedom of speech in the country. But all that was

not a substitute for their demanding action to remedy the wrongs done and address the multiple crises facing the country.

In essence, people felt liberated after they spoke, and they were now willing to discuss practical ways to bring about reconciliation, national unity and a collective sense of purpose. The wisdom behind asking two simple questions, what went wrong and what to do about it, became apparent in that people aired out everything they could think of and made their long wish list of remedies. At this stage, there was essentially no dialogue; people were simply stating their positions and views about the crises in the country.

The people of South Sudan spoke courageously, frankly, and bitterly about what was happening in their young republic and what they wanted to be done about it. The Steering Committee credibly documented and recorded the views of the people in video, writing, and voice. The summary of what the people believed went wrong and how to correct it follows in the next section.

### **3.1. What Went Wrong and How to Fix It:**

Members of the Sub-Committees went to all the 10 states and 2 administrative areas, plus the outreach to the refugee and displaced camps, to the organized forces and various stakeholders in the national capital, to ask people what they believed was wrong with South Sudan and what should be done to correct it.

Essentially, members of the Steering Committee from the start had ideas on what they believed happened, but they did not want to assume that people shared the same views. The following were the main findings of the Steering Committee on the question of what went wrong:

### 3.1.1. Failure of Leadership:

In their assessment of what went wrong, the people of South Sudan blamed the crises in the country on the failure of political leadership and the state. They largely blamed the ruling party, the Sudan People's Liberation Movement (SPLM), for taking the country back to war and for failing to deliver the promises of the liberation struggle. The blame on the SPLM is collective, as the crises occurred before it broke up into many factions as they are known today. It is the basis of this failure that they called on both President Salva Kiir Mayardit and opposition leader, Dr. Riek Machar, to resign and step aside from the leadership. President Kiir appointed Riek Machar as his vice president since 2005 and they worked together until April 2013 when the President dismissed Riek as his Vice President. The failure of leadership is manifested in the following areas:

**Lack of strategic vision:** Since independence, it is not so obvious what the vision of the SPLM and the government it leads has been. The political project of building a new political system in South Sudan was never initiated or it failed. The development that was envisioned through the SPLM Framework for peace and development, was not followed. The improvement in the lives of ordinary people, which was the hallmark of the liberation struggle, did not materialize. The initially declared strategy of taking towns to the people in the form of services, infrastructure and the use of oil revenue to increase agricultural productivity was never pursued. This explains why the resources went to waste without achieving anything tangible. Without a vision, everything else human beings become unguided and aimless.

Our leadership did not only fail collectively to provide a vision for the country and lay a strong foundation for a more stable political, security, and socioeconomic systems, they conspicuously gave into the temptation of power and money and got distracted from the

goal of building a new political dispensation in the country. It is no wonder the country is in so much mess now.

The country has tragically lost its moral, political, economic, and cultural bearings, with no strategy for building the nation and no collective sense of higher purpose. People are simply pursuing personal interests, while the nation is abandoned to disintegrate. The people of South Sudan are painfully calling for renewal in the politics of the country to provide a much-needed sense of direction and to formulate a new strategic vision for the nation.

### **3.1.2. Power Struggle and Political Deadlock:**

The power struggle within the ruling SPLM was the cause of the violent conflict in December 2013. The conflict between President Kiir and Riek Machar first came into the open in 2008, during the SPLM National Convention. Dr. Riek Machar challenged the leadership of President Salva Kiir and declared his interest to contest for the chairmanship of the party. This openly adversarial conduct generated a discord that was disruptive to the harmony of the ruling party and sparked a standoff that threatened the mutually accommodating and undemocratic tradition of the party.

Riek's challenge provoked a conflict that would destabilize the party at a critical point in the liberation struggle. The Convention nearly collapsed, but with the intervention of South Sudanese veteran politicians, the status quo in the SPLM was rescued for fear that a violent political contest could jeopardize the South Sudan Referendum and the prospects for independence. While the decision wisely averted the split in the SPLM, it perpetrated an undemocratic tradition in the ruling party that has now come to haunt the country.



The penchant of the SPLM leaders to avoid open democratic competition and to maintain the status quo is the root of the growing authoritarian system and unbreakable political deadlock that has defined the country for nearly two decades. This has resulted in a failed political system, collapsed economy, and a shattered social fabric. Given its heroic liberation struggle and its vast natural resources, South Sudan had all the promises to rise and shine a bright spot in this part of the world. These promises have now been frustrated by the uncompromising and destructive power struggle that has undoubtedly contributed to the dismal failure of the leadership.

In order to place these developments in context, we provide an account of the events that led to the current situation, much of which was known to the public as they unfolded. During the drafting of the Transitional Constitution of South Sudan in 2011, President Kiir and Dr. Riek Machar differed and offered two conflicting versions of the draft constitution. The party somehow managed to reconcile their differences and the draft constitution was adopted. By early 2013, the differences between President Kiir and Vice President Riek Machar went out of control, leading to Riek Machar being dismissed in April 2013 from his position as Vice President.

At first, Dr. Machar took the decision magnanimously, but as time went by, the relationship between the two men became inflamed. Dr. Machar called a press conference on the 6<sup>th</sup> of December 2013 in which he and other SPLM leaders made scathing attack on President Kiir and his leadership. They criticized the President for leadership failure and alleged dictatorial tendencies.

The President and members of his government responded angrily. The party convened a meeting of the National Liberation Council, with the aim to resolve the differences among the party leaders. But the leadership failed to avoid returning the country to war. On the night of the 14<sup>th</sup> of December 2013, violence broke out in Juba.

Dr. Machar and his supporters fled Juba, but some of his colleagues were arrested. This is the root of the current conflict.

Regional and international efforts led to the signing of the Agreement on the Resolution of Conflict in South Sudan (ARCSS) in August 2015. By April 2016, the Transitional Government of National Unity was formed and Dr. Riek Machar returned as the First Vice President of South Sudan. President Kiir and Dr. Riek Machar were given, yet again, another opportunity to work together to restore peace, unity, and stability and to demonstrate collaborative leadership. They failed once again.

Three months after the formation of the TGoNU, there was a gun fight at the state house, J1, within the ranks of the Presidential guards. The country was back to war and Dr. Riek Machar fled Juba once again and the Peace Agreement collapsed. Efforts to revive it all failed.

Once again, the regional leaders, with the international support engaged the parties leading to the signing of the Revitalized Agreement, on the Resolution of Conflict in South Sudan (R-ARCSS) on the 12<sup>th</sup> of September 2018. The Agreement instituted a power sharing government with Dr. Riek Machar as the First Vice President, plus four additional vice presidents.

Two years have elapsed since the signing of this latest Agreement and the government is not yet fully formed.

The relationship between President Kiir and Dr. Riek Machar remains rocky and this latest Agreement between these two South Sudanese leaders is likely to collapse once again. Both men have not displayed any moral leadership and the political will necessary to break the political deadlock, which they both created.

The Steering Committee of the South Sudan National Dialogue has opted in this final report to narrate these violent episodes of power struggle and political deadlock to make a broader point, which is that President Kiir and Dr. Riek Machar have irreconcilable political differences and personal hatred towards one another. They have therefore created an unbreakable political deadlock in the country, and they no longer have the political will or moral leadership capacity to move beyond personal grudges and egos. Our country is stuck in the hands of these two leaders and both have proven beyond reasonable doubt that their joint leadership is no longer capable of getting the country out of its present predicament. It has become increasingly obvious that nothing is likely to improve or work in South Sudan unless this political deadlock is broken.

The vicious cycle of the political deadlock is such that whenever President Kiir and Dr. Machar are brought together into one government, that government cannot move forward, because they endlessly disagree. And yet, if they are not in the government together, they are most likely to violently fight one another in a war that neither appears capable of winning. They then get forced to negotiate a formal end to the violence in another power sharing deal which immediately stalls as they cannot cooperate. South Sudan and its people are therefore caught in this tragic vicious cycle.

It is now glaringly obvious that this dysfunctional government cannot deliver peace, security, and stability which the country desperately needs. The people of South Sudan, with the cooperation of regional and international friends and partners, urgently need to bring this tragic situation to a speedy end.

We must courageously admit that South Sudan as a state has failed by all measures. First, the state is unable to ensure internal cohesion. This is why issues of communal violence, cattle raiding, and child abduction rage on persistently. The country is awash with

small arms and light weapons and civilians carry these weapons openly and use them against each other and the state is unable to stop, apprehend and hold the offenders accountable.

Second, the state is not able to ensure the territorial integrity of the country. Its borders with Sudan remain contested and not demarcated and there are many incidents of encroachment by Kenya, Uganda, Ethiopia and Congo DRC which are not resolved.

Third, the state is unable to exert control and monopolize the use of coercive force. There are many groups who are able to threaten the state, including local communities and many armed rebellions.

Fourth, there is widespread failure of public administration at the national, state, and local levels. The government is unable to provide social services to the people and there are no government projects or programs aimed at creating jobs or growing the economy. The economy is dilapidated, and it is unable to create jobs or generate any significant production. The roads infrastructure remains what it was in 2005. The government is unable to pay public employees, including soldiers, civil servants, and diplomats. As a result, there is institutional collapse everywhere and there is little respect for public offices. The rule of law is broken, and insecurity is rampant and uncontrollable. This has rendered the government weak and ineffective. It would not be an exaggeration to say that South Sudanese state has collapsed, or it merely exists in name.

### **3.1.3. Grand Corruption:**

The people of South Sudan spoke openly against what they consider a grand corruption in the country. They condemned corruption and call for more transparency in the government and for those culpable to be held to account. Corruption according to

Transparency International is defined as the abuse of entrusted power for private gain. Grand corruption is defined as acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good. Corruption in South Sudan is manifested in the following ways:

**Embezzlement and Waste of Public Funds:** From 2005 to July 2011, South Sudan was earning lucratively from its 50% share of oil revenues, earning more than half a billion in a month during the first six months of independence. These financial resources were wasted and squandered and there is nothing significant, in the way of public investment, to show for this amount. Estimates show that South Sudan collected more than 20 billion in oil share during the Interim Period six years from July 2005. The Multi-donor Trust Fund (MDTF) was another source of up to 5 billion dollars in grant and aid money. Yet the country has no roads, no electricity, no single modern bridge on the Nile. Juba City still lacks clean drinking water or a sewage system, not to speak of the rest of the country.

Where did the money go? Much of it is embezzled and the rest is wastefully spent on projects and activities that have no return on investment. Lack of coherent economic policy and development strategy meant that money was just consumed, no long-term public investment.

**Open Theft:** South Sudan is considered to be among the topmost corrupt countries in Africa, according to the corruption perception index. The highest South Sudan ever scored on the perception index was 15/100 and this was in 2014. By 2019, South Sudan was ranked the second most corrupt country in the world, scoring only 12/100.

The President in 2013 issued 75 letters to his ministers and members of his government, requesting them to return allegedly 4 billion dollars they had stolen. The money was not returned; yet no one was investigated. Other scandals, such as the Dura Saga in South Sudan are well-documented. The rampant corruption is thriving on the sense of entitlement among the leaders who have alienated many liberators. Most of the war veterans, who liberated this country, are now languishing in poverty and their wounds from the war time remain unattended.

**Institutionalized Corruption:** Oil contracts with Chinese companies and other international companies are a source of corruption. Many reports abound where senior military officers, civil servants, and ministers simply take public money through dubious projects. Some take months' worth of salaries for the soldiers; others take public projects money leading to failure of many public investment programs. There are also reports of oil being sold at a discount rate, with kickbacks to officials. There are others giving contracts to their own companies or companies of their relatives.

#### **3.1.4. Fomenting Ethnic Divisions:**

The SPLM leaders, deficient in ideological competencies and lacking political programs that are attractive to citizens, resorted to ethnically divisive politics to muster public support. The implications of ethnic politics are such that the social fabric of the young South Sudanese republic was shattered and torn, and the nation technically collapsed. Ethnic politics played out as follows:

**Politically Motivated Ethnic Targeting:** Following the violent events of December 2013, ethnic Nuers were targeted in Juba and ethnic Dinkas were targeted in Bentiu, Akobo, Malakal, and Bor as a result of the SPLM leaders' political rhetoric. These events were repeated in Equatoria in 2016 and 2017, where many ethnic Dinkas

were targeted on buses and public highways and Equatorians were targeted in their own villages and driven off their homes. The SPLM leaders bear the responsibility for dividing up the country along ethnic and tribal lines. Now the country has to come to terms with the damage done to the social fabric and to the foundations of this young nation.

**Ethnic-based Military Recruitment:** It is public knowledge that the President recruited an ethnic militia exclusively from his home state of Warrap and Dr. Riek Machar recruited an ethnic militia, the White Army, exclusively from the Lou Nuer, to support their political projects. These actions contravene the constitution and constitute a failure of leadership and a breach of constitutional oath of office, which both men took. These decisions led to the bitterly divisive conflict in the country, causing massive displacement of civilians and destruction of property and infrastructure. More importantly, they eroded public trust in the government and public institutions, and confidence in the national leadership.

**Destruction of the National Army:** The decisions of the political leaders to reach for ethnic support for their political ambitions also led to the split in the national army. Each of the power contenders in South Sudan now believe that they must have an army of their own, by which they can overcome their opponents. The project of building a nonpartisan, professional national army has been abandoned altogether. The national army is now neglected, and political leaders are investing in their own militia, to protect their power and to defend their personal political interests. This is quintessentially the demonstration of the failure of leadership and consequently state failure. A partisan personal army would be unable to protect the people of South Sudan, their sovereignty and the territorial integrity of their country. Such actions should constitute the highest order of national security concerns.

### **3.1.5. Abject Poverty and Economic Collapse:**

In the 2009 National Household Survey, 50.6% of our people were below the poverty line according to international standards. Today, according to the World Bank, 82.3% of all the people of South Sudan have fallen below the poverty line. This is almost the entire country and poverty, like violent conflicts, kills. The people of South Sudan have been forced into abject poverty as a result of government policy and leadership failure.

The Steering Committee witnessed severe food shortages and hunger during the Grassroots Consultation and poverty was on the display wherever the Committee went.

The World Bank projects that poverty will continue to rise in South Sudan, because South Sudan continues to under-invest in sectors that would have the largest catalytic domino effect on poverty reduction and building resilience, with expenditures skewed toward defense and security at the expense of service delivery. This situation will be exacerbated by severe food insecurity, caused by floods and insecurity and by limited access to basic services across the country.

Turning South Sudanese economy around and driving down this astronomical poverty levels, requires a fresh visionary leadership, consolidation of peace, and robust international diplomacy, none of which currently exist in South Sudan.

### **3.1.6. Dependency on Humanitarian Aid:**

South Sudan, while it is endowed with fertile arable land, is permanently a hub for humanitarian aid. Our people are being fed by the international community since 1983 and the government has failed to create a conducive environment for investment in



agriculture, and so our people, almost 10 years into their independence, are still fed with handouts from the international community. This is an extremely shameful situation and we must really feel sorry for ourselves having been unable to wean ourselves off this dependency. Our sense of collective worth and pride is being insulted every day when our people receive food handouts from the taxpayers and sympathizers around the world.

The inability of our people to break away from dependency on humanitarian aid is indeed a failure of leadership and the state. Since the state is unable to exert control and stabilize the security, most people are unable to farm, since the security situation does not allow for farming activities. Second, the state has not been able to make meaningful investment in agriculture, such as dissemination of new agricultural techniques, tools, and fertilizers, to increase food production. It is the responsibility of the state to ensure sufficient food for its citizens and South Sudan government has failed time and again to ensure food security in the country.

### **3.1.7. Loss of International Goodwill and Diplomatic Failure:**

South Sudan was born with a huge international goodwill. This was, however, squandered as a result of leadership and a state failure. Our friends and allies then, which included the United States, Norway, and the United Kingdom, plus the European Union, are democratic states that cherish human rights and democratic governance. They supported the people of South Sudan because the vision that was put forth by the SPLM was appealing to them.

The SPLM envisioned a democratic, just and prosperous society during the war of liberation. However, after the signing of the CPA and the subsequent declaration of independence, our allies realized that the SPLM leaders did not practice or believe in these values, so they withdrew.

Our international friends discovered that despite pouring resources into South Sudan to build democratic and accountability institutions, South Sudan, especially its leaders, were drifting too far from the target. They were becoming more autocratic, despotic, and blurred in their political vision. Overnight, these friends became the fiercest critics of South Sudan, to the extent that most of them began to regret having supported our independence. In a nutshell, the SPLM government's foreign policy failed spectacularly and South Sudan is now under the UN arms embargo and targeted sanctions are placed on individual leaders of the government. South Sudan is technically a failed, or a rogue state within the international system.

### **3.1.8. Gross Human Rights Violations:**

Gross human rights violations have characterized the conflict that broke out in Juba in 2013 and the episodic violent events that followed. The level of ethnic hatred was exacerbated by the brutality that the government and rebel forces exacted on the citizens. Young girls and women were raped, mutilated and killed and no one is held to account. People were burned in the churches and mosques and fetuses were removed from wombs and mutilated. These abuses and human rights violations characterize a state and rebel groups that have no shred of respect for democratic values and human dignity. These actions divided the country further. This is partly what pulled our friends away from us and our image around the globe and in Africa is tarnished irreparably. It will take a lot of efforts and reforms to restore it, if ever.

If South Sudan is to recover from these horrendous crimes, it must face the bitter truth by addressing these bitter experiences. It is impossible to undergo such a necessary cleansing exercise with the present failed leadership and political deadlock. There is, therefore, an urgent need to break the political deadlock and effect a democratic change of leadership to take the country out of this quagmire and move it forward.

### **3.1.9. Impunity:**

Public officials in South Sudan commit so many blunders and crimes, but no one is held to account. South Sudan is the only country in the world where government officials are free to do whatever they want and even some ordinary citizens do as they wish. They can kill people through rebellion and the next day they are rewarded with lucrative financial packages and prominent positions in the government. There are many who have committed horrendous crimes, who are now prominent in the current government. One pays absolutely nothing in South Sudan for public offenses. If anything, the public pays you for your crimes. This is what has created a revolving door of criminality and reward in South Sudan. This is also a manifestation of the failure of the leadership and the state; it must be ended as quickly as possible.

There were many issues raised by the people of South Sudan during the Grassroots Consultations about what has gone wrong. We have only selected a few for this final report to highlight the nature of consultations that took place at the grassroots and the issues they have raised. After successful Grassroots Consultations, the Steering Committee, with the support of the Secretariat, produced 15 reports, one report for each of the subcommittees, capturing the minutes of the discussions during the consultations. They were then summarized into one document called “The People Have Spoken”. The issues were then grouped

into four clusters: governance, security, economy, and social cohesion. Later, foreign policy was added as the fifth cluster. The agenda for the regional conferences was developed on the basis of these clusters.

#### **4.0. The Regional Conferences:**

The real dialogue took place at the regional conferences. There was a clear agenda based on the four clusters of issues under governance: security, economy and social cohesion. The agenda was developed to last for one full week of dialogue and discussions. The first item of the agenda of regional conferences was the draft conference agenda itself, which was debated and passed. Subsequently, the delegates discussed the draft rules and procedures, to guide the conference. Afterwards, the substantive discussions started with the opening remarks by the Co-chairs and the Report of the Rapporteur; providing critical updates to the delegates about steps taken so far with the National Dialogue. Each regional conference was attended by 300 to 400 delegates.

##### **4.1. The Bahr el Ghazal Regional Conference in Wau:**

The Bahr el Ghazal Regional Conference was the first conference. It was held in the town of Wau on the premises of the Ministry of Education, from the 25<sup>th</sup> of February to the 2<sup>nd</sup> of March 2019. The unique issues discussed in the conference included the demand of the people of Raga to have their own state, as well as the people of Malual calling for their own state. The two people had been lumped together as one of the now defunct 32 states; the demand of the people of Abyei to have the results of the Abyei Referendum recognized, the call for general civil disarmament across the country, and the call for land ownership by the government was

another. There was also a call from the Paramount Chief from Twic for the relocation of Twic State Capital to Turalei from Mayen Abun.

On governance, the Conference resolved to adopt a federalism and a presidential system. The Conference supported 32 states and called for the creation of more states. The conference also called for the development of modern infrastructure as an essential driver of economic development and social integration, and therefore called upon the government to give priority to the construction of roads and bridges, river transport, electricity and telecommunication services.

#### **4.2. The Upper Nile Regional Conference:**

The Steering Committee had a serious challenge organizing the second regional conference, which was the Upper Nile Regional Conference. The challenge arose when the Steering Committee discovered that the Town of Malakal, which was selected as the venue for the Conference, was destroyed to the extent that there were no facilities to accommodate the delegates. There was not even a good market nor health facilities in the town. Upon this discovery, the leadership and the secretariat decided to find other alternatives within the Upper Nile Region to host the conference. People went to Paloich and Melut, Renk, and Bor, but there was no place suitable for the Conference. Following the meeting of the Steering Committee, it was resolved that the Upper Nile Regional Conference be held in Juba. Hence, delegates from Upper Nile were flown to Juba for their conference.

The Upper Nile Regional Conference was held at Freedom Hall in Juba, from the 20<sup>th</sup> to the 25<sup>th</sup> of May 2019. What were unique in the Upper Nile Regional Conference were the issues of cattle raiding, child abduction, the land dispute in Malakal between the

Padang Dinka and the Chollo Kingdom, and environmental degradation from oil production.

#### **4.3. The Equatoria Regional Conference:**

The Equatoria Regional Conference was the 3<sup>rd</sup> and the last regional conference. It was held at Freedom Hall in Juba on the 26<sup>th</sup> to the 31<sup>st</sup> of August 2019.

The Equatoria Regional Conference was unique in three respects. First, the quality of the delegates was very high. Highly educated and informed members came to the conference. Second, the Conference was emotionally charged. People spoke bitterly about their experiences, mirroring the way people spoke at the Grassroots Consultations, and narrating how the state has been treating the citizens. Thirdly, they raised a lot of critical issues regarding land ownership and land grabbing and added a lot of substance to the debate on federalism.

There were three particularly hot issues: land grabbing and land ownership, the issue of cattle from Jonglei in Equatoria, and the issue of displacement of citizens. These issues were seriously discussed, and a number of recommendations were made. There was also a hot discussion on the issue of foreign encroachment on the land of South Sudan, especially in Eastern and Central Equatoria states.

The Steering Committee compiled the recommendations of the three regional conferences into one document called Document Six. In this document, recommendations were analyzed, and it was found that there was consensus on some issues, and there were divergent views on other issues. For example, delegates in the Bahr el Ghazal, Upper Nile, and Equatoria regional conferences all called for the establishment of a federal system of government and

they all endorsed a presidential system with two-term limits for the president. On land, however, the people of Bahr el Ghazal wanted the government to own all land, but the people of Upper Nile and Equatoria objected to this and wanted land to be owned by local communities, with some land being allocated to the government for public use as well as individuals being able to own land privately. These recommendations with and without consensus formed the basis of the National Dialogue National Conference.

## **5.0. National Conference:**

The South Sudan National Dialogue National Conference was held at Freedom Hall in Juba from the 3<sup>rd</sup> to the 17<sup>th</sup> of November 2020. More than 520 delegates attended the conference. Each of the 80 counties of South Sudan was represented by 3 delegates, one of whom was a woman and another a traditional leader. Other delegates representing the organized forces, women groups, youth groups, political parties, religious institutions, refugees and internally displaced persons, business and professional associations, civil society organizations, academic and research institutions, and media houses attended the National Conference.

The agenda of the National Conference dealt largely with the recommendations of the regional conferences and the specialized conferences held for faith-based institutions, civil society, political parties, and business community. The Conference aimed at building consensus around those issues where there were no consensus and to approve those recommendations with regional consensus. The recommendations were all aimed at addressing the 12 objectives contained in the Concept Note of the National Dialogue. As a result, the people of South Sudan have made important decisions that will transform the nation, improve governance, security, economy, and social cohesion. They have also developed a road map towards a more credible and

acceptable elections. Let's now take a look at how each of the 12 objectives has been addressed:

## **6.0. The 12 Objectives of the National Dialogue:**

### **6.1. End Political and Communal Violence in the Country:**

The people of South Sudan have dialogued, and they have reached consensus on a broad number of measures aimed at ending political and communal violence in the country. The first among these is the need to break the political deadlock in the country, which lies at the roots of all conflicts. Since there is a political deadlock in the country and the apparent failure of leadership, South Sudan needs a new political dispensation that breaks this deadlock.

Second, the people of South Sudan have decided to restructure the state by establishing a federal system in South Sudan. The two-tier federal system gives states more powers and political, administrative, and fiscal autonomy to promote self-governance, development, and deconcentrating power. Third, communal violence, while it is linked to the state and leadership failure, is largely fueled by availability of small arms and light weapons. The people of South Sudan have called for a comprehensive and simultaneous general civil disarmament in the country.

### **6.2. Transformation of the Military:**

The people demand and deserve a professional, diverse, and non-politically aligned military. The delegates agreed that South Sudanese from all regions and ethnic communities shall have equal opportunity to join the national army and all other organized



forces. The delegates, however, underlined the fact that joining the national army and other organized forces is voluntary and anyone willing to serve shall be recruited without discrimination on the basis of their gender, ethnicity, region, religion, and political affiliation. They also resolved that any army officer appointed to a political office shall not be returned to serve in the army and other organized forces. Likewise, no politician shall serve in the army and other organized forces. More importantly, the delegates resolved that no political party shall have a military wing or any affiliations with the national army.

### **6.3. Redefining and Re-establishing Stronger National Unity:**

National unity is a necessary condition for a more stable and peaceful society. The people of South Sudan were bitterly divided regionally and ethnically by the recurring political and communal violence in the country. National unity is also a function of good and visionary leadership in the country, something South Sudan sadly lacks. The delegates to the National Conference, however, managed to demonstrate a high degree of national unity during the National Conference, and have issued important decisions to aid in strengthening the national unity.

One of their decisions is the creation of two vice presidents in the country, to reflect regional diversity and gender equity. The president and each of the two vice presidents must come, each from the three regions of South Sudan and one of the vice presidents must be a woman.

Another decision aimed at promoting national unity is the sharing of resources. The delegates decided that all revenue from natural resources shall be shared among all the states of South Sudan and that all taxes collected at the levels of state shall be shared with the

national government which shall, in return, share these resources with the states.

#### **6.4. Restructuring the State:**

The people of South Sudan as discussed, have adopted a federal system of government and called for the establishment of 32 states and more, as needed. The people of South Sudan based their decision on their experiences with the Sudanese state which marginalized the regions to the benefit of Khartoum and its environs. As well, the short experience with the South Sudanese young state shows a tendency to do the same. Many reports show that nearly 90% of the national budget is spent in Juba, while more than 90% of the population lives outside Juba. No wonder, there is instability in the countryside. Resources are not getting to the towns and villages where the people live. The federal arrangement gives the states administrative, political, and fiscal autonomy.

#### **6.5. Renewing Social Contract:**

Social contract is a philosophy that justifies the existence and power of the state in relation to citizens. It is a condition in which people give up some individual liberty in exchange for some common security that is provided by the state. Now, what happens if people give up some of their liberties and the state then fails to provide a common security? This is the situation South Sudanese find themselves in now, which is why there is a call for the renewal of social contract. This would mean that the people of South Sudan would need to renew the legitimacy of the government through an election and for the government to deliver common security in the form of peace and stability, as well as social services and economic prosperity.

The delegates to the National Conference have called for the making of a new constitution and for an election as the mechanisms through which the social contract could be renewed. This is because the social contract broke down following the events of 2013 and the glaring leadership and state failure to provide common security and offer any tangible benefits to citizens. Instead, the state actually turned on its citizens, killing them, displacing them massively, and allowing some to starve or drown in floods without assistance.

#### **6.6. Framework for Managing Diversity:**

The delegates to the National Conference adopted a federal system as a mechanism for managing diversity. They have called for equitable representation in various institutions of the government and for a fair distribution of national resources. In the foreign service for example, the people of South Sudan call for the service to reflect the diversity of the people of South Sudan just as they call for the same in the national army and civil service.

The federal arrangement is aimed at sharing power at various levels, federal, state, and local government level and to give small ethnic communities an opportunity to participate in the government at various levels. When power is concentrated at the center, small groups tend to be left out and they cannot compete on equal footing with the larger ethnic groups.

#### **6.7. Mechanism for Allocating and Sharing Resources:**

As alluded to earlier, the delegates to the National Conference have resolved to share all their resources equitably. For example, oil producing states have been given 20% share of the net revenue from oil produced in their states. The federal government shall take

80% share of the net oil revenue. The same formula shall apply to revenues from mineral and other natural resources being produced by the states.

The delegates also agreed to share tax revenues being raised at the state level with the states keeping 60% of its own taxes and transferring 40% share to the national government. The same arrangement applies between the states and local governments.

The federal government shall collect all kinds of revenues from various sources including proceeds from oil, minerals, customs duties, and taxes and share this with the states. The federal government is to keep 55% of all its revenues and transfer 45% to the states. The delegates have also resolved to create the National Revenue Allocation Commission (NRAC).

#### **6.8. Ending Communal Violence and Social Disputes:**

The delegates to the National Conference identified causes of communal violence and social disputes to include cattle raiding, abduction of children and women, land disputes, and random and indiscriminate killing. The consensus is that these are criminal activities; so, the Conference decided to criminalize cattle raiding and child abduction and have called for a special force to respond to any cattle raiding and child abduction. They have also called for registration of children from birth and for each state to establish a child tracing desk. More importantly the delegates believe that the availability of small arms and light weapons in the hands of civilians fuel this criminality. So, they have called for general disarmament of civil population. Lastly, state and leadership failure have enabled this situation to persist. The reform of the state, the renewal of the social contract, and conducting elections are the long-term solutions to these social problems.

## **6.9. Integrated and Inclusive National Development Strategy:**

In 2011, months before the declaration of independence, South Sudan developed a strategy called South Sudan Development Plan under the theme 'Realizing Freedom, Equality, Justice, Peace and Prosperity for All'. This was a three-year development strategy with key national development priorities as; effective nation-building, state-building and peacebuilding. The hope was that by the end of the Plan period, which was 2014, South Sudan would be fully established as a peaceful, stable, viable and secure new nation.

If this strategy were implemented as envisioned, the result would have been a South Sudan with strong foundations in place for effective governance, economic prosperity and enhanced quality of life for all its citizens. As we all know today, South Sudan is seriously worst off than it was just before independence and the Development Plan has not been implemented.

The delegates to the National Conference have called for a development strategy on the basis of federal system of governance that ensures equitable development across the states. They have also called for a paradigm shift; instead of relying on oil proceeds as the mainstay of the economy and the government, focus should shift onto the development of agriculture and infrastructure as the main development drivers. Hence, oil proceeds should fuel agriculture and infrastructure development. To realize all this, peace must be consolidated, and the political deadlock must be broken for the country to exit from fragility once and for all.

### **6.10. Free and Fair Elections:**

South Sudan is unlikely to exit state fragility and political deadlock without an internationally managed free and fair elections. The political deadlock as discussed in the foregoing segments lies at the roots of all crises in South Sudan. President Kiir Mayardit and Dr. Riek Machar personify this political deadlock. If this situation is left unaddressed, all other efforts are futile and will bear little to no fruits. There is so much evidence showing that President Salva Kiir Mayardit and Dr Riek Machar cannot work together to pull the country out of the crises, created by their ambitions and power struggle. It is also a common knowledge that neither one of them is willing to wait outside the corridors of power for his turn.

The country is caught in a delicate hostage-like situation. There is only one way to break this political deadlock; it is by free and fair elections. All the people of South Sudan also know that even if free and fair elections were to be organized, either one of these two men, once they lose those elections, might cry fault and the country is likely to go back to war. There are only two safe exits out of this dilemma; that both President Kiir Mayardit and Dr. Riek Machar must not take part in the elections, especially if they ran against one another, or the elections should be organized and conducted by an external credible body, such as the United Nations, through the African Union through IGAD.

### **6.11. Return and Resettlement of IDPs and Refugees:**

South Sudan cannot move forward without its displaced populations going back to their ancestral homes. Millions of citizens fled the political violence and they now live in neighboring countries as refugees or internally as displaced persons. The delegates to the National Conference called for the government to make return and resettlement of these citizens a priority and implement the plan

and strategy instituted by the Ministry of Humanitarian Affairs and the Relief and Rehabilitation Commission. More importantly, they have called for full implementation of the Peace Agreement and the Resolutions of the National Dialogue, to create a more peaceful and stable environment for the return of refugees.

The IDPs and refugees are not expected to return to an active war zone. This is the reason delegates to the National Conference have called for the government to reach out to all the armed oppositions in the Rome Initiative and to expeditiously reach an agreement which may give confidence to the returnees. Even with all these in place, some returnees might not come until the political deadlock in South Sudan is resolved. Many of them are likely to come home after a successful democratic elections and transition in South Sudan.

#### **6.12. Framework for Peace, Healing, and Reconciliation:**

The delegates to the National Conference fully understand the fact that the people of South Sudan are bitterly divided and hurt by these divisive ethnopolitical wars. They also recognize that healing is a slow process but one that must take place for the nation to move forward. As such, they have resolved to adopt the healing mechanism provided for in the Revitalized Peace Agreement. The delegates also resolved for the National Dialogue Conference to be convened every year for the next five years, to enhance healing and reconciliation and to build national consensus around the most important foundational issues. Healing and reconciliation also depend on visionary leadership and state capacity to dispense justice. Hence, healing and reconciliation also require the need to break the political deadlock, which created the existing divisive environment in the country. Conducting a free and fair elections and producing a new constitution that is supported by the people of South Sudan will go a long way in healing this distraught nation.

## 7.0. Breaking the Political Deadlock in South Sudan:

South Sudan has been at war since 2013 and it has lost a decade of its formative years on a war rooted deeply in personal hatred, power struggle, and leadership failure. As aforementioned, the political deadlock in South Sudan is predicated on the relationship between President Salva Kiir Mayardit and Dr. Riek Machar. Their political differences surfaced in 2008, during the SPLM National Convention. The decision of the party in 2008 to sweep this problem under the rug has now come to haunt the country and it has caused massive destruction to the social fabric of this country and its physical infrastructure. The decade now wasted on personal wars could have been used to lay a strong foundation for the development of this young republic.

The National Dialogue Steering Committee feels the weight of responsibility to speak to this matter and present a road map for South Sudan to exit this troublesome political situation in the country and to set the country free from this burden. The Steering Committee would be considered a failure if it ignores such an important factor in South Sudan conflict. Here is the Steering Committee's proposal for breaking the political deadlock in South Sudan.

**Consideration of the Grassroots Demand for President Kiir and Dr. Riek Machar's Resignation:** The people of South Sudan at the grassroots are deeply aware of the leadership failure and the political deadlock which has dogged this country for a long time. So, they demand that both President Kiir and Dr. Riek Machar must leave politics, if South Sudan is to ever move forward.



In light of the predicament the country is in, the demand of the people that South Sudan has a better chance of a successful political transition if President Kiir and Dr. Riek Machar were to step aside, is quite understandable. However, we must caution that an abrupt or poorly planned resignation of both of them could be destabilizing. There is, therefore, a need for a carefully considered transition to avoid any resultant chaos.

To address the concern of the people within the framework of the Revitalized Agreement, several alternatives should be considered. The option of stepping down immediately is the first alternative, if this is acceptable to the people and to both leaders. The second option is for President Kiir and Dr. Riek Machar to continue with the precarious transition as provided for in the R-ARCSS, on the understanding that they agree not to run in the next elections after the transitional period. Furthermore, they must commit not to extend the current Transitional Period and that there needs to be an elected government at the end of the current transitional period.

We have also observed critically the functioning of the current Revitalized Transitional Government of National Unity (RTGoNU) and it has already become apparent that the process of implementation is seriously flawed. We are convinced that the transition under the Agreement is not succeeding. The fact that the Agreement was signed over two years ago and not much has been accomplished is a clear indication that the R-ARCSS is already failing.

It must however be appreciated that with the efforts of R-JMEC and CTSAMVM, the country is experiencing some improvement. The relative cessation of violent hostilities is a welcome improvement. Taken as a whole, the provisions of the six chapters of the Agreement promise significant reform. We therefore expect the government to be elected to continue with the implementation of Chapters IV and V of the R-ARCSS together with the resolutions

of the National Dialogue. For now, focus should be placed on the unification of the army, the making of the constitution, and the preparations for the elections. The reforms outlined in Chapter IV and the transitional justice under Chapter V of the R-ARCSS cannot be accomplished now; they need an elected government.

What is most critical to the peace, security, and stability of the country is that the elections be transparently free and fair. It is incontrovertible that no elections conducted by this sharply divided Transitional Government would be accepted by all the parties as free and fair. In light of this, the recommendations of the National Dialogue strongly propose that the elections be conducted under the auspices of the United Nations, the African Union, and IGAD, to prevent controversy over the results and a risk of relapse to war. Regional and international cooperation in conducting the elections removes doubts about the credibility and fairness of the elections and no one can cry foul of having been cheated in the elections.

We also believe that the success of any elections in South Sudan will hinge on the non-participation of President Kiir and Dr. Riek Machar. No transition or arrangement in which President Kiir and Dr. Riek Machar take part together will succeed. We believe that the most patriotic thing for them to do, is to prepare for their exit from politics with the honor, dignity and legacy of having been the founding fathers of the independent nation of South Sudan. The people of South Sudan will ensure that their personal needs are fully met and that they are protected against any threats to their safety and security from international accountability for any alleged offenses committed under their leadership.

Furthermore, we recommend that none of the four vice presidents in the RTGoNU should take part in the coming elections, although they can participate in future elections. South Sudan must have a fresh start, if the interest of the people of South Sudan is to be served, and if the toxic political deadlock is to be broken. We must

once and for all break the political deadlock which lies at the roots of all devastating conflicts in South Sudan.

If President Kiir and Dr. Machar decide to leave office earlier, before the end of the Transitional Period, the RTGONU should be dissolved. The only institution of the R-ARCSS, which should survive is the Transitional National Legislature, although it must be reconstituted right away, as a constituent assembly, to pass the constitution and to be dissolved three months before the elections so that the next parliament is purely an elected parliament.

To achieve inclusivity, the opposition groups that are yet to sign on to the Peace Agreement, should be allocated seats in the constituent assembly, and should send delegates to the Constitutional Conference.

If the two leaders decide to stay on until the end of the Transitional Period, we recommend that the RTGoNU be dissolved three months before the next elections and a prominent national personality be chosen by parliament to take charge of the country until an elected government takes office.

Lastly, we call for the convening of the Constitutional Conference within the next six months, to draft the constitution. Delegates to the Constitutional Conference should come from the 79 counties of South Sudan plus Abyei. Each county should send at least 3 delegates, one of which must be a woman and key stakeholders as demonstrated in Nation Dialogue National Conference, plus the parties to the R-ARCSS, including those in the Rome process, should all be represented, so that the country can achieve consensus on the constitutional text.

## **8.0. The Next Steps**

The National Dialogue National Conference has resolved and recommended the follow-up and implementation mechanism. In this mechanism, a number of institutions have been proposed to carry forward the National Dialogue process and to follow up the implementation of its final resolutions. After submitting this report to the government, the National Dialogue Steering Committee, would officially end its mandate and it will be dissolved. We anticipate a gap between the dissolution of the Steering Committee and the establishment of the follow-up and implementation mechanism institutions.

The Steering Committee, therefore, resolved to authorize the University of Juba, through its Institute for Peace, Security and Development Studies, the Sudd Institute and the Ebony Center, to take custody of the National Dialogue documents by keeping copies. This team is also expected to play a catalytic role of reminding the government and pertinent institutions on actions needed in the implementation of the recommendations of the National Dialogue. Other public institutions wishing to keep copies of the National Dialogue documents will be given copies through the aforementioned institutions. In light of this, the Steering Committee appeals to the international partners and benevolent South Sudanese and state institutions, to provide any necessary support to these institutions to advance their work on the National Dialogue.

These institutions were part of the National Dialogue Secretariat and have invested heavily in the National Dialogue process because they provided intellectual backstopping to the leadership and the Steering Committee as a whole.