

Ottawa

Friday, March-07-14

## **Article 23 on South Sudan**

### **Developments in South Sudan Conflict: SPLM Politburo Meeting and the new Commission of Enquiry.**

Our Articles 1 to 3 and 5 to 22 were situation analysis of the conflict in South Sudan. Our articles 4 (A), 4 (B) and 4 (C) were the first of our series on “Who is Who”. This article (23) is dedicated to the messy call for prep of the Political Bureau of the SPLM and the untimely Commission of Investigation headed by a West African General to investigate human rights and abuses.

## **Politburo Prep Meeting**

When the call came out from President Kiir on March 5<sup>th</sup> 2014 to convene meetings by a preparatory committee, very little was known about the objectives or the expected outcomes.

When we got the news in Sub Sahara Centre, we raised 7 questions on March 5<sup>th</sup> to try and better understand the abrupt call.

### **These are the questions:**

- 1- Does anyone have any idea if the non-Juba members have been consulted before their nomination?
- 2- Does anyone know if there were the wider usual consultations before appointing members of the PB to undertake such a task or was it the “Chairman” ordering?
- 3- Are there any other relevant details such as where and when the proposed meeting will be held? Someone like Taban Deng or any of the group 7 may not find it palatable to go to Juba.
- 4- How can a political party split in war holds such an important conference with key members “under duress”?
- 5- Who else can possibly participate in this proposed Political Bureau meeting? Will Riek participate?
- 6- Is this move part and parcel of a reconciliation process? Over-jumping Addis? Stand-alone?
- 7- It raises wonder what the EPRDF and the ANC have got to do with a political party’s conference in South Sudan? What is needed is professional facilitators. Why would President Kiir involve foreign political parties in a domestic conference?

We found no immediate and credible answers to our questions.

### **But then the issues relating to our questions started to unfold:**

- 1- On March 6<sup>th</sup>, the Rebel group came out open (According to Sudan tribune and other sources) that they were not consulted.

- 2- No agenda issues or framework came out with the call, but it is widely understood that the committee is to work within the framework of internal reconciliation of the SPLM! Just like that!
- 3- The rebel group denounced Kiir as their leader and as such have no business with appointing members from their rebel group.
- 4- James Gadet indicated that if they decide to join such a committee, they will want to appoint their OWN members as that was not Kiir's business.
- 5- The initiative is an IGAD initiative that was still under debate and consideration but Kiir high-jacked it
- 6- The formation of the poorly envisaged committee was: 4 from pro Kiir camp, 3 out of the 7 conditionally released but only ONE from the rebels who control over 1/3 of South Sudan's territory and have an estimated 65,000 fighters or more!
- 7- Several of non-pro members who are in the committee were fired from the Politburo. Some are wanted for high treason. They are still asked to work for the PB.

From Bludgeoning to blundering, one does not know when or where Mr. President will stop!

## **The untimely Commission of Investigation headed by a West African General to investigate human rights and abuse**

As if the mess was not enough. As if the poor handling is not causing enough damage and as if the "Usual suspects" have not failed time and gain enough!

- 1- Addis Ababa as "Peace Talks Forum" is a big mess and failure after failure to get anywhere other than having breaks.
- 2- No effective ceasefire or monitoring there-of has been put in place
- 3- The call for a stabilizing force from the region is still under discussion. If no one will foot the bill (The West) no boots will be on the ground.
- 4- The killing was going on until yesterday March 6<sup>th</sup> and in Juba, let alone the moving armies of the opposition
- 5- The UPDF are still in South Sudan (They have not even gone to the neighboring "country" of West Equatoria!!) They and their preferential treatment by Kiir were a major cause in the Geida and surroundings massacre two days ago. Again with Presidential Guard hunting innocent Nuers.
- 6- Each of the 10 states of South Sudan has been instructed to recruit 5000 each into the SPLA. Some like East Equatoria are jubilant that they have gone over the benchmark. War drums are still pounding.

**And all that the AU's Peace and Security Council (PSC) can think of and do is to form a commission. Part of the commission's Terms of Reference (TOR) are:**

- 1- Establish the immediate and remote causes of the conflict; (*What on earth is the IGAD/Addis doing then?*)

- 2- Investigate human rights violations and other abuses during the conflict by all parties from 15 December 2013; *(What on earth is the OCHA doing then and UNMISS HR Division and their Interim Report of February 21<sup>st</sup> doing)*
- 3- Establish facts and circumstances that may have led to and that amount to such violations and of any crimes that may have been perpetrated;
- 4- Compile information based on these investigations and in so doing assist in identifying perpetrators of such violations and abuses with a view to ensuring accountability for those responsible; *(while Kiir and company are still in power? While the “Perpetrators” are still wearing their brass? While over 1/3 of South Sudan is no go for anyone?)*
- 5- Compile information on institutions and process or lack thereof that may have aided or aggravated the conflict resulting in violations of human rights and other abuses; *( This will be a full scale independent evaluation of the governance system of South Sudan! Is that within the capacity of a commission, any commission, even over 2 years?)*
- 6- The Commission shall make recommendations based on the investigation on the following:
  - appropriate mechanisms to prevent a recurrence of the conflict; *(Post conflict reconstruction)*
  - Mechanisms to promote national healing and cohesiveness, particularly focusing on the need for all South Sudanese communities to live together in peace;*(Really! Is that happening in Nigeria, yes Nigeria!?! In CAR, in DRC, in Uganda...why should it be possible in South Sudan? These guys need to get serious and stop dreaming and give us a step by step process to stop the killing first and then they can start dreaming.)*
  - Modalities for nation building, specifically focused on building of democratic institutions and post-conflict reconstruction;
  - Accountability mechanisms for gross violations of human rights and other egregious abuses to ensure that those responsible for such violations are held to account.

*Yes sir! This commission has super powers and capabilities to deal with conflict management, human rights, crimes against humanity, post conflict reconstruction, nation building, democratic governance....Bingo? Have we left out something?*

## **Now to General Obasanjo:**

The old general is 75 years old. He is from Ogun State in Yoruba Land. He is a friend of Jimmy Carter but what a difference! He ruled Nigeria as an army General 1976-1979. He was then elected as president 1999-2007 for two terms (But read below!!)

During his 1976-1979 term in office, Obasanjo was accused of being responsible for political repression. In one particular instance, the compound of Nigerian musician and political activist Fela Kuti was raided and burned to the ground after a member of his commune was involved in an altercation with military personnel. Fela and his family were beaten and raped and his mother, political activist Funmilayo Ransome Kuti, was killed by being thrown from a window. Her coffin was carried to Obasanjo's barracks as a protest against political repression.

**Human Rights you say?**

**Want more?**

Obasanjo was embroiled in controversy regarding his "Third Term Agenda," a plan to modify the constitution so he could serve a third, four-year term as President. This led to a political media uproar in Nigeria and the bill was not ratified by the National Assembly. Consequently, President Obasanjo stepped down after the April 2007 general election. In an exclusive interview granted to **Channels Television**, Obasanjo denied involvement in what has been defined as "Third Term Agenda." He said that it was the National Assembly (Nigeria) that included tenure elongation amongst the other clauses of the Constitution of Nigeria that were to be amended. "I never toyed with the idea of a third term," Obasanjo said. Eight Billion Naira was spent to bribe legislators to support the agenda. That is US\$50,000,000. **Democratic Governance you say?**

**Want more?**

In March 2008, Obasanjo was indicted by a committee of the Nigerian parliament for awarding \$2.2bn-worth of energy contracts during his eight-year rule, without due process. The report of this probe was never accepted by the whole Nigerian parliament due to manipulation of the entire process by the leadership of the power probe committee. It is not on any official record that Chief Obasanjo was indicted. **Accountability Mechanisms you say?**

**Want more?**

### **AU Observation Head - President General Olusegun Obasanjo visits President Robert Mugabe -Zimbabwe General Election 2013:**

In July 2013, Obasanjo headed a delegation of African Union election observers monitoring the presidential and parliamentary elections in Zimbabwe. In what The Guardian described as "landslide victory," which saw the incumbent President Robert Mugabe, 89, pronounced as winner, Obasanjo described the election as "free, honest and credible." His group, African Union observers team, had said earlier that the poll was "seriously compromised"; Obasanjo said the incidents reported during the August 1, 2013 election could not "change the outcome." All in all the AU Final Report endorsed the Zimbabwean Elections through The African Union Commission led by the Chairperson the former South African Foreign Affairs Minister Dr. Nkosazana Dlamini-Zuma. Zimbabwe's Movement for Democratic Change (MDC) has now gone to court to challenge Mugabe's victory on fifteen grounds of electoral irregularities.

**Credibility you say?**

**Do you want more?**

**Bakassi Peninsula: International Court of Justice (ICJ) June 1998: Case concerning the land and maritime boundary between Cameroon and Nigeria**

While the case started before Obasanjo's first term as elected president (1999-2003), the ruling of the ICJ awarded Bakassi to Cameroon after 41 years of colonization by Nigeria. Nigeria accepted the ruling in 2002 but did not hand over the Peninsula to Cameroon until 2008. They refused to honour a UN brokered date of September 2004. Obasanjo in power!

It was transferred to Cameroon on August 14<sup>th</sup> 2008.

**But why?**

After he left office (pushed out) in 2007, and was hoping to become Secretary General of the UN. At the same time Prince Bola Ajibola was hoping to be a Judge of the ICJ.

Obasanjo had to clean his record on Bakassi to stand any chance of international support. He let the Peninsula go and he did not get far in his bid for UNSG.

**Personal experience in Hilton Addis**

Introduced by a common friend when he was out of office in 2008, we had lunch with Gen Obasanjo at the Addis Hilton. We were comparing East Africans and West Africans (In general) on communication. Obasanjo told us that "if you are poor, the Nigerians will abuse you for being poor. If you are rich, they will abuse you for being rich". He described us East Africans as soft and too polite. AND we are!

**But where is and why not Kofi Anan?**

It beats us where is the man? Why Obasanjo who NEVER worked and trained on International Issues and not Anan who spent ALL his life in International Affairs.

The ONLY ex- high profile African who established a world class institution "Kofi Anan International Peacekeeping Training Centre" in Accra.

Just imagine! A great and befitting umbrella in Accra and a man as "clean as a whistle" and the AU go for Nigeria and Obasanjo.

There are "gangs" in the AU business from ex-presidents to tribal groups. Do you remember Mbeki's stand on Zimbabwe's elections?

May God help South Sudan!

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