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The Crisis in South Sudan

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January 2, 2014

Congressional Research Service

7-5700

www.crs.gov

R43344

Contents

Overview.....	1
What led to the recent outbreak of violence?	2
Who are the parties to the conflict and what are their goals?	4
How has the crisis evolved?	8
Placing the Crisis in Context	9
Humanitarian Situation and Select Responses.....	10
How does the fighting affect civilians and foreign nationals?.....	10
How is the international community responding?	12
How has the United States responded to date?.....	13
Conflict Resolution Efforts	13
U.S. Citizen and Embassy Protection Efforts.....	13
Select Issues for Congress	14
U.S. Foreign Assistance	15
Mass Atrocity Prevention.....	17

Figures

Figure 1. South Sudan Crisis Map.....	3
Figure 2. Key Figures in the Current Crisis and Ongoing Conflict in South Sudan.....	7

Tables

Table 1. U.S. Bilateral Foreign Assistance	17
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Contacts

Author Contact Information.....	19
Acknowledgments	19

Overview

In December 2013, growing political tensions among key leaders in South Sudan erupted in violence. While the political dispute that triggered this crisis was not clearly based on ethnic identity, it overlapped with preexisting ethnic and political fault lines and sparked armed clashes and targeted ethnic killings in the capital, Juba, and beyond. The fighting, which has occurred between forces loyal to President Salva Kiir and former Vice President Riek Machar, and among armed civilians, has caused a security and humanitarian emergency that may draw the world's newest country into a new civil war. In response, the international community is mobilizing diplomatic, humanitarian, and peacekeeping resources to protect civilians and facilitate an end to the violence. At the same time, many countries and aid agencies have evacuated their foreign nationals, and security concerns currently constrain the humanitarian response. Four U.S. military personnel were injured during an operation to evacuate U.S. citizens on December 21.

United Nations officials indicate that targeted attacks against civilians and U.N. personnel may constitute war crimes or crimes against humanity.¹ By U.N. estimates, thousands have been killed and as many as 200,000 displaced, including up to 60,000 people sheltering at U.N. peacekeeping bases.² On December 24, the U.N. Security Council unanimously authorized a substantial increase in peacekeeping forces for the U.N. Mission in the Republic of South Sudan (UNMISS) through Resolution 2132 (2013). In prior remarks, the U.S. Permanent Representative to the United Nations had stressed the urgency of the situation, noting the possibility of “imminent confrontations at U.N. bases where civilians are gathered.”³

The United States is the largest provider of bilateral foreign assistance to South Sudan and a major financial contributor to international peacekeeping efforts there. The United States has historically played a major role in supporting peace and stability for the country, which gained its independence from Sudan in 2011 after a long civil war between the Sudanese government and southern insurgents. Congress has been a key actor in setting U.S. policy toward both Sudans and supporting South Sudanese independence. As such, the Obama Administration and Congress face a series of complex questions as they seek to convince rival South Sudanese leaders to cease hostilities, reengage in political dialogue, and prevent further humanitarian suffering. The future of what successive U.S. Administrations have considered to be an important relationship with South Sudanese leaders is also in question.

Members of Congress may choose to conduct additional oversight of U.S. efforts to secure U.S. citizens, personnel, and property in South Sudan, as well as of U.S. assistance programs and U.S. contributions to multiple U.N. peacekeeping missions in Sudan and South Sudan. The White House has stated the United States would hold leaders responsible for the conduct of their forces and withhold U.S. support to any elements that use force to seize power.⁴ U.S. support to South Sudan's security services may come under increased scrutiny given emerging splits in the military

¹ U.N. Office of the High Commissioner for Human Rights (OHCHR), “Pillay Urges South Sudan Leadership to Curb Alarming Violence Against Civilians,” December 24, 2013.

² U.N. Office for the Coordination of Humanitarian Affairs (UNOCHA), “South Sudan Crisis: Situation Report as of 1 January 2014,” Report Number 6, January 1, 2014.

³ U.S. Permanent Representative to the United Nations, Remarks by Ambassador Samantha Power, U.S. Permanent Representative to the United Nations, At the Security Council Stakeout, December 23, 2013.

⁴ The White House, Statement by NSC Spokesperson Caitlin Hayden on South Sudan, December 31, 2013.

and reports of serious human rights abuses by armed actors on all sides. State Department officials report that security assistance has halted and will not resume until security conditions improve. The President has informed Congress that he “may take further action to support the security of U.S. citizens, personnel, and property, including our Embassy, in South Sudan.”⁵ He has deployed U.S. military personnel to South Sudan in support of this mission. Congress may consider how to respond, including in any continuing appropriations legislation for FY2014 or in relation to FY2015 budget requests for the State Department and foreign operations.

This report explores key questions related to the conflict, summarizes the international response to date, and outlines current U.S. policy and assistance. For additional background, see CRS Report R42774, *Sudan and South Sudan: Current Issues for Congress and U.S. Policy*.

What led to the recent outbreak of violence?

The current crisis reflects underlying tensions and lingering mistrust among South Sudanese leaders and ethnic groups that date back to Sudan’s civil war (1983-2005). While the war was largely categorized as a north-south conflict, infighting among southern rebel commanders in the 1990s nearly derailed the southerners’ bid for independence, as leaders of the southern insurgency, the Sudan People’s Liberation Movement/Army (SPLM/SPLA), competed for power and mobilized supporters along ethnic lines, resulting in atrocities by all sides.⁶ The Sudan government in Khartoum fueled splits in the SPLM during this period by financing and arming breakaway factions. The major factions reconciled in the early 2000s, although several smaller southern militias have continued to operate.

In 2005, the Khartoum government and the SPLM signed a peace agreement to end what had by then become Africa’s longest-running civil war. That deal, known as the Comprehensive Peace Agreement (CPA), paved the way for national elections and a southern referendum on independence, after which South Sudan, led by the SPLM in Juba, seceded on July 9, 2011. The relationship between the two countries remains tense, with parts of the CPA yet to be fully implemented. Starting in January 2012, South Sudan’s government, angered by Khartoum’s unilateral decisions regarding exports of South Sudanese oil (which transits through Sudan for export), and by border disputes, suspended oil production for more than a year.⁷ This led to fiscal austerity measures and economic shocks in both countries.⁸ Oil production restarted in April 2013 following diplomatic negotiations, and exports resumed in June, but damage to the oil fields is expected to delay a return to pre-shutdown production levels until at least mid-2014.⁹

⁵ Text of a Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate, December 22, 2013.

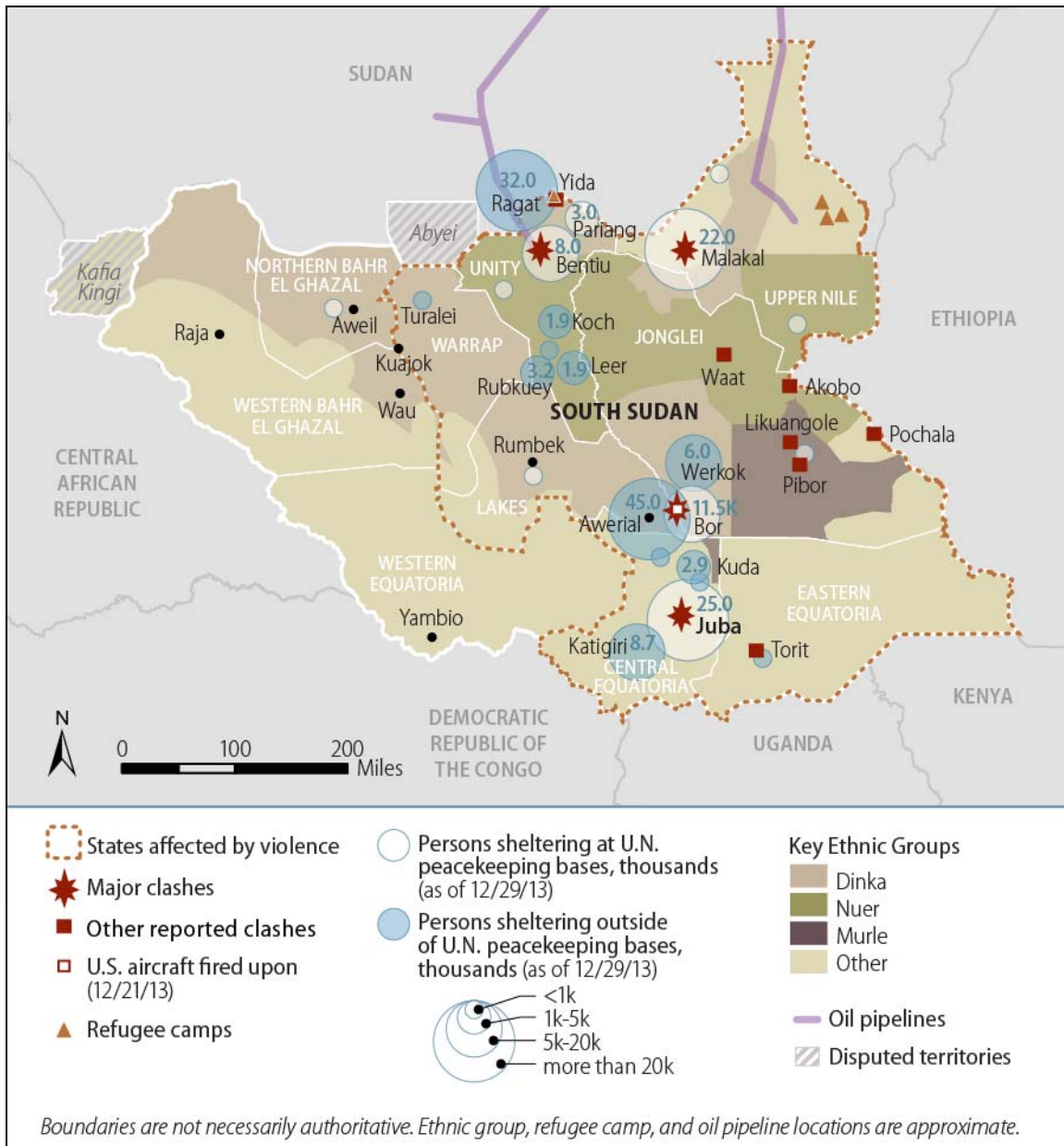
⁶ The acronyms SPLM and SPLA refer to the political and armed wings of the former southern insurgency, respectively. The SPLM is now South Sudan’s ruling party, and the SPLA refers to the country’s armed forces.

⁷ Sudan lost most of its oil reserves, which are located in what is now South Sudanese territory, in the north-south split, although that oil must still transit pipelines and facilities in Sudan to the Red Sea for export. While both sides had agreed broadly that Sudan would benefit from some revenue sharing and compensation for lost revenues in the near term, several details of that deal remained unresolved after South Sudan gained independence.

⁸ Estimates on the cost of the 2012 oil shutdown vary, ranging from tens to hundreds of millions in U.S. dollars lost.

⁹ Damage to some of the fields was done during the shutdown process; additional damage reportedly occurred in some fields during subsequent bombings. Experts have warned that if another shutdown occurs, and particularly if it lasts more than six months, the damage could be irreversible. The active fields are located in Unity and Upper Nile States.

Figure I. South Sudan Crisis Map



Source: Graphic created by CRS. Boundaries and cities generated using data from Department of State, the National Geospatial Intelligence Agency, USAID, and Esri (all 2013), and the U.N. Development Program (2012). Humanitarian data as of December 29 from the U.N. Office for the Coordination of Humanitarian Affairs.

Most SPLM leaders put aside their differences in the latter years of the independence struggle, choosing to focus on presenting a unified front and, in some cases, positioning themselves for political office in a new state. However, simmering ethnic tensions and bitter interpersonal rivalries remained present, growing under the strains of establishing governing institutions and assuming increased development responsibilities. Political maneuvering in advance of 2015 elections added to these dynamics, with allegations of leaders using ethnic patronage to solidify

their bases.¹⁰ Amid such pressures, an escalating political struggle among senior SPLM members unfolded, with key figures trading accusations of unilateral decision-making, corruption, and bad faith, and top officials moving to isolate potential rivals. President Salva Kiir's announcement in July 2013 of a major cabinet reshuffle, in which Vice President Riek Machar and several other senior officials were removed from office, formalized a major fissure in the ruling party.

Meetings of the SPLM's party leadership in December 2013 brought these tensions to the fore as leading figures held competing press conferences, publicly airing grievances against each other. On the evening of December 15, 2013, following one of the party meetings, fighting reportedly broke out among members of the presidential guard. The initial conflict appears to have occurred between soldiers from the country's two largest ethnic groups, the Dinka and the Nuer (largest and second largest), who claimed loyalty to either Kiir or Machar, respectively. The fighting subsequently spread to the military headquarters, and by December 16 gunfire was reported throughout Juba. Since then, the conflict has expanded to other parts of the country, including the eastern state of Jonglei, where more than 100,000 people were already displaced by ongoing inter-communal violence and instability (see below).

In Juba, senior political and military figures were arrested for what President Kiir describes as a failed coup attempt, led by Machar. Those who were arrested (see Text Box below) have denied the allegations. Machar evaded arrest and remains at large. While some observers question whether there was, in fact, a coup plot, forces that now claim loyalty to Machar subsequently took control of the capitals of Jonglei and Unity States, and on December 23 Machar claimed that he had taken control of oil fields in Unity and Upper Nile State.¹¹ SPLA forces loyal to Kiir launched offensives to regain territory in Jonglei, Unity, and Upper Nile, retaking the Jonglei capital of Bor from pro-Machar forces on December 25 before losing it again on December 31. Most foreign aid staff and oil workers in these states have been evacuated or have sought protection at U.N. bases. Several other states have been affected by violence, and fighting in the contested states is likely to be fierce as the rival forces struggle to take and hold maximum territory prior to a ceasefire.

Who are the parties to the conflict and what are their goals?

In the 1990s, during Sudan's north-south war, former Vice President Riek Machar was a senior Nuer SPLA commander who, along with others, split from the SPLM/A, citing grievances with the centralized leadership of the SPLM under John Garang, a Dinka, alleged human rights abuses, and disagreements on the objectives of the insurgency against Khartoum.¹² Machar and his allies, who were primarily Nuer and Shilluk, later temporarily allied themselves with the government in Khartoum and briefly held positions in the Sudanese government. Machar's struggle against Garang's forces cost thousands of southern Sudanese lives—Amnesty International estimated that 2,000 civilians, mostly Dinka, were killed in a series of raids referred to as the Bor Massacre by Nuer forces under Machar's command.¹³ Abuses against civilians by both sides fueled ethnic hatred and fighting, particularly in then-Greater Upper Nile area (now northern Jonglei, Unity,

¹⁰ Peter Greste, "Thinking Outside the Ethnic Box in S Sudan," *Al Jazeera*, December 28, 2013.

¹¹ Radio Tamazuj (Juba), "Salva Kiir: 'We lost control over Unity State and Jonglei,'" December 23, 2013.

¹² For additional information, see, e.g., Douglas H. Johnson, *The Root Causes of Sudan's Civil Wars*, 2003.

¹³ The raids took place from September through November 1991 as forces loyal to Machar advanced on Bor, which was considered Garang's home territory. Reprisal raids against Nuer areas followed. Amnesty International, "Sudan: A Continuing Human Rights Crisis," AI Index: AFR 54/03/92, April 15, 1992. See also Human Rights Watch, *Civilian Devastation: Abuses by All Parties in the War in Southern Sudan*, June 1, 1994.

and Upper Nile states) throughout the 1990s. Machar reconciled with the SPLM in the early 2000s and assumed the third-highest post in the leadership structure, after Garang and his deputy, Salva Kiir. After John Garang died in a helicopter crash in 2005, shortly after the signing of the 2005 peace accord, Kiir then became head of the SPLM, with Machar as his deputy.

Sudan held national elections in 2010, prior to the 2011 referendum on southern independence. As part of the CPA deal, the SPLM had formed a temporary Government of National Unity with Sudan's ruling party. Salva Kiir, as chairman of the SPLM, served as first vice president under Sudanese President Omar al Bashir, and concurrently as president of a then-semi-autonomous Government of Southern Sudan (GoSS). Rather than Kiir running against Bashir for the Sudanese presidency in 2010, the SPLM decided to field a northern candidate on the national ticket. Kiir, who by many accounts viewed secession as imminent, instead ran to retain the GoSS presidency, winning the position with almost 93% of the votes cast.¹⁴ As the incumbent elected GoSS president, Kiir retained his position, now as president of the new Republic of South Sudan, under a transitional constitution following the country's independence, with Machar remaining his vice president, for a four-year term beginning July 9, 2011.¹⁵

Efforts by senior South Sudanese leaders, often led by President Kiir, to seek reconciliation with and among various communities and armed groups throughout the country have been ongoing for more than a decade. As part of these efforts, and out of apparent concern for the country's political stability, Kiir granted amnesty to several individuals who once led rebel militias against the SPLM. In addition to Machar, many other senior faction leaders who returned to the party were usually incorporated into either the government or the security forces; many brought their forces with them, adding to the government's new challenge of reforming and "right-sizing" the increasingly bloated security sector. Some faction leaders, including another Nuer commander who fought against Garang during the civil war, Peter Gadet, received senior positions in the SPLA (which now refers to South Sudan's national armed forces).¹⁶

President Kiir made major changes to his government in 2013 in a stated effort to downsize, but also, it appears, in response to perceived threats to his leadership and international donor pressure to crack down on state corruption. In June 2013, he dismissed two senior cabinet ministers over alleged corruption charges, and conducted a major cabinet reshuffle in July 2013, removing Vice President Machar and his entire cabinet. Kiir also dismissed ruling party secretary-general Pagan Amum, who had been publicly critical of the dismissals. The SPLM-dominated parliament approved a new, leaner cabinet in August, after rejecting one of Kiir's appointees. Among his notable appointments was naming the powerful Dinka governor of the volatile Jonglei state as defense minister; Kiir in turn appointed the previous defense minister, a Nuer seen as loyal to Kiir, to assume the Jonglei governorship. Jonglei, which is believed to have significant untapped oil reserves, has been a historic flashpoint for inter-ethnic fighting, including, but not limited to, clashes between Dinka and Nuer. In recent years the state has seen considerable inter-communal fighting and armed cattle-raiding.¹⁷ Given its mixed ethnic composition and existing tensions, the Jonglei capital, Bor, was among the first areas where fighting spread during the current crisis.

¹⁴ See, e.g., The Carter Center, *Observing Sudan's 2010 National Elections, April 11-18, 2010: Final Report*.

¹⁵ Under the transitional constitution, the vice president is appointed by the president and may be removed by him, or by a two-thirds majority of the legislature on a vote of no confidence.

¹⁶ For further information on armed groups and realignments in South Sudan, see reports by the Small Arms Survey's Human Security Baseline Assessment for Sudan and South Sudan, at <http://www.smallarmssurvey.org>.

¹⁷ Small Arms Survey, "My Neighbour, My Enemy: Inter-tribal Violence in Jonglei," *Sudan Issue Brief*, October 2012.

The political dispute that appears to have triggered this crisis was not based on ethnic identities or communal disputes. The leaders who have aligned with Machar in the past year represent multiple ethnic groups, including the Dinka. Likewise, several Nuer remain in top government posts, loyal to Kiir. The crux of the dispute, Machar and his allies have argued, was that Kiir had abandoned the ideals of the independence struggle, demonstrating “dictatorial tendencies” and letting “regional and ethnic lobbies” override collective decision making within the party.¹⁸

Key Political Figures Detained or Wanted by the Government of South Sudan

After the outbreak of violence, President Kiir ordered the detention of several key figures in the SPLM. Some are members of the SPLM’s Political Bureau (the highest unit of the party): Pagan Amum, Riek Machar, Deng Alor, John Luk Jok, Kosti Manibe, and Taban Deng. Those arrested represent a range of ethnic groups, even as many civilians fleeing violence have done so along ethnic lines. The individuals listed below include Dinka, Nuer, Shilluk, and Equatorian groups. The government publicly insisted that it did not seek the arrest of another PB member, Rebecca Garang (John Garang’s widow), who was seen as politically aligned with Machar in 2013, despite rumors to the contrary. By some accounts she was under de-facto house arrest in the first week of the crisis. Facing international pressure, the government announced on December 27 that it would release several of these detainees, while continuing to hold three (Alor, Manibe, and Amum) that face criminal charges of corruption. To date, only one detainee has been released.

Riek Machar—Deputy Chairman of the SPLM and former Vice President of South Sudan. Wanted; at large.

Deng Alor Kuol—Former Minister of Cabinet Affairs (2011-July 2013), Interim Foreign Minister (2011), Government of Sudan Foreign Minister (2007-2010), senior SPLM member of CPA negotiating team. Removed by Kiir on corruption allegations. Detained.

Oyai Deng Ajak—Former Minister of National Security, Office of the President (2011-July 2013); SPLA Chief of Staff (pre-CPA until 2009, when he was renamed GoSS Min of Regional Cooperation). Detained.

John Luk Jok—Former Minister of Justice (2011-July 2013). Detained.

Kosti Manibe—Former Minister of Finance (2011-July 2013); Removed by Kiir on corruption allegations. Detained.

Gier Chuang Aluong—Former Minister of Roads and Bridges (2011-July 2013), GoSS Minister of Internal Affairs, SPLA ret. Major General. Detained.

Majak d’Agoot—Former Deputy Defense Minister (2011-July 2013). Detained.

Madut Bier—Former Minister for Telecomm & Postal Services (2011-July 2013). Detained.

Cirino Iteng/Hiteng—Former Minister of Culture, Youth & Sports (2011-July 2013), GoSS Deputy Minister for Regional Cooperation, member of SPLM negotiating team during CPA talks. Detained.

Kuol Tong Mayay—Former Governor of Lakes State (elected 2010-July 2013) removed by Kiir in January 2013 and replaced by military “caretaker” governor. Detained.

Pagan Amum—Suspended SPLM Secretary General and lead SPLM negotiator in peace talks with Sudan. Detained.

Ezekial lol Gatkuoth—Former Head of Mission at the Embassy of the Republic of South Sudan to the United States (2011-2012). Detained.

Peter Adwok Nyaba—Former Minister of Higher Education, Science & Technology (2011-2012). Released 12/27.

Taban Deng—Former Governor of Unity State, SPLA Lieutenant General removed/retired by Kiir in 2013, Wanted; at large.

Alfed Ladu Gore—Former Minister of Environment. Wanted; at large.

¹⁸ “Senior SPLM Colleagues Give Kiir Ultimatum Over Party Crisis,” *Sudan Tribune*, December 6, 2013.

Figure 2. Key Figures in the Current Crisis and Ongoing Conflict in South Sudan

President Salva Kiir (Dinka)
President of the Republic of South Sudan and Chairman of the SPLM



Riek Machar (Nuer)
former Vice President of South Sudan (2011-July 2013) and Vice Chairman of the SPLM. Machar has publicly denied plotting a coup against President Kiir, but told journalists on December 21 that he is now in rebellion against Kiir.¹



Defense Minister Kuol Manyang (Dinka)
Defense Minister (July 2013-present), former Governor of Jonglei State (2010-July 2013). Remains loyal to President Kiir.



Chief of Defense James Hoth Mai (Nuer)
SPLA General Chief of Defense (2009-present). Remains loyal to President Kiir.



General Peter Gadet (Nuer)
Commander of the SPLA's 8th Division in Jonglei State, Gadet had defected from, and reconciled with, the SPLM multiple times prior to the current crisis.² He previously led an SPLM splinter faction known as the Sudan Liberation Movement/Army (SSLM). Machar referred to Gadet in media interviews on December 21 as the "military governor" of Jonglei State.



Taban Deng Gai (Nuer)
Former Governor of Unity State (elected 2010, removed by President Kiir in July 2013). During the 1990s, Gai led a faction of the South Sudan Defense Forces (SSDF), an umbrella of armed groups opposed to the SPLM. He reconciled with the SPLM in 2001. Machar has indicated in media interviews on December 21 that Gai, who is among those currently wanted by the Kiir Administration, is now with him in rebellion against Kiir.



Gen. James Koang Chuol (Nuer)
Commander of the SPLA 4th Division, in Unity State, Koang declared on December 2 that he had deposed the caretaker governor (in place since Taban Deng Gai was removed by Kiir) and that his forces were no longer loyal to Kiir.



David YauYau (Murle)
A militia leader in Jonglei State, YauYau has been a major actor in the instability there since 2012. Unlike others in the current conflict, he was a civilian during Sudan's civil war; he launched his rebellion against the SPLA in 2010, briefly reconciling with the government and joining the army in 2011 before restarting his revolt. His role in this crisis is unclear, although reports suggest he may be among the faction leaders currently aligned with Machar, despite complex ethnic dynamics between the Murle and Nuer.

¹ "South Sudan: Unity State's Fourth Division Commander Defects, Assumes Governorship," Sudan Tribune, December 21, 2013.

² For more information on Gadet, see, e.g., "SSLM/A," an Internet resource prepared by The Small Arms Survey Human Security Baseline Assessment for Sudan and South Sudan at www.smallarmssurveysudan.org.

How has the crisis evolved?

Since the outbreak of fighting on December 15, the rhetoric from both the Kiir and Machar camps has been at times bellicose and at other times conciliatory. On December 16, President Kiir appeared in military fatigues for a press conference in which he publicly accused Machar of orchestrating a coup attempt, drawing criticism from some observers that his public posture may have escalated the tensions.¹⁹ Machar, speaking to the press on December 18, denied the charges, suggesting that the fighting was a misunderstanding among the presidential guard and that Kiir, whom he claimed was “no longer a legal president,” had condoned targeted attacks on Nuer in Juba.²⁰ Reports of a mutiny by Nuer soldiers in Bor and ethnic clashes in Unity emerged the same day. By December 21, Machar had openly declared rebellion, stating that the soldiers who had mutinied in Jonglei and Unity were now loyal to him.²¹

As noted above, several politicians who had publicly shared Machar’s political views of Kiir’s leadership were detained soon after the violence began. Access to the detained was limited until the U.S. Special Envoy to Sudan and South Sudan was able to visit them on December 24 to confirm their wellbeing. Many analysts suggest that these figures may be crucial to negotiations between the opposing factions. Machar demanded their release as a precondition for dialogue, calling for one of the detained, Pagan Amum, to lead a negotiating team for talks in Addis Ababa, Ethiopia, on his behalf. Kiir, in contrast, called for talks without preconditions. On December 27, Kiir announced that he would release most of the detainees as a goodwill gesture, but that three, including Amum, would remain in detention based on pre-existing criminal charges, related to corruption. As of January 2, only one detainee has been released.

Under pressure from regional mediators and others in the international community, Kiir agreed “in principle” to an immediate cessation of hostilities and to peaceful dialogue on December 29. At the same time, government forces continued operations to retake rebel-seized areas.²² Machar expressed skepticism of the government’s ceasefire offer, reiterating his call for all detainees to be released and suggesting that mechanisms for monitoring a ceasefire be established through negotiations first.²³ Both sides agreed on December 31 to send teams to Ethiopia. While talks are underway, however, many observers expect fighting between government and rebel forces to continue until a ceasefire agreement is reached.

While complex and politically driven, the violence since mid-December 2013 in many cases appears to have followed ethnic lines, with Dinka-on-Nuer violence reported in Juba and Nuer-on-Dinka violence reported in Jonglei, Unity, and Upper Nile. In Juba, many of the civilians seeking refuge with UNMISS have been Nuer, according to U.N. officials, and reports indicate that Nuer were initially targeted by Dinka soldiers in Juba. The situation elsewhere in the country is volatile, with clashes reported in at least half of the country’s 10 states. In the first two weeks of the crisis, according to UNMISS, “most of the more brutal atrocities are reported to have been

¹⁹ See, e.g., Akshaya Kumar of the Enough Project, “South Sudan’s Salva Kiir Needs to Put His Black Hat Back On,” *Al Jazeera America*, December 20, 2013.

²⁰ “South Sudan Ex-VP Denies Coup Attempt, Labels Kiir ‘Illegal President,’” *Sudan Tribune*, December 18, 2013.

²¹ BBC Correspondent James Copnall interview with Machar, reported via Twitter on December 21, 2013.

²² “Defected Commander in Unity State Confirms Presence of Sudanese Rebels,” *Sudan Tribune*, December 29, 2013.

²³ “South Sudan Rebel Leader Riek Machar Wary of Truce Offer,” *BBC News*, December 27, 2013.

carried out by people wearing uniform.”²⁴ However, given the splits in the security forces, this statement could be considered an accusation against both government and “rebel” forces.

As the fighting has spread beyond Juba to multiple state capitals and outlying areas, the role of other armed actors in the violence is a serious concern, with the potential to spiral beyond the control of political and military leaders. On December 21, civilians sheltering at a UNMISS peacekeeping base in Akobo (in eastern Jonglei state) were attacked by a group of 2,000 armed Nuer youth, according to U.N. officials.²⁵ More than 20 Dinka civilians were reportedly killed, along with two Indian peacekeepers; another peacekeeper was injured in the attack. It remains unclear what relationship that group may have with Machar and his forces. As the current crisis continues to unfold, the media and UNMISS have reported on movements in Jonglei of large numbers of armed men, collectively referred to by some as the “White Army” (a term used to describe a loose grouping of armed Nuer youth that have periodically united for community defense and cattle raiding, and in reference to a group that were aligned with Machar’s faction in the 1990s). This group, whose composition and leadership fluctuates, has been described by experts as at times, but not always, under the control of Nuer community leaders.²⁶

Whether events triggering the current crisis in South Sudan were, in fact, part of a coup attempt, a mutiny, or spontaneous fighting, the fracturing of the country’s leadership, the various factions’ resort to violence, and the resurrection of dormant ethnic grievances may have negative long-term effects. International leaders emphasize that the conflict is inherently political and requires a political solution. Rebuilding trust among political leaders and between communities directly affected by ethnic violence may prove increasingly difficult the longer the crisis continues.

Placing the Crisis in Context

The potential for this crisis was not unforeseen—the violence was triggered by political disputes among elites that had long been predicted by analysts, and reflects underlying ethnic tensions.²⁷ Those tensions have waxed and waned among communities that have historically competed for scarce water and grazing land, and that have remained armed in the aftermath of the Sudanese civil war.²⁸ As reports of new atrocities along ethnic lines emerge, the prospects for diffusing these communal tensions appear poor. State Department travel advisories since independence have warned of the potential for violence, not only between the security forces of Sudan and South Sudan, but also between the armed forces and multiple rebel militias. The State Department has repeatedly warned such internal clashes could “exacerbate ethnic tensions throughout the country, leading to further violence.” These warnings have further cautioned U.S. citizens that South Sudan’s government has “limited capacity to deter crime or provide security” and that “security forces often operate outside civilian control and laws governing due process and treatment of detainees are often ignored.”

²⁴ “Mounting Evidence of Human Rights Violations”: UNMISS,” U.N. Press Release, December 31, 2013.

²⁵ UNMISS Press Release, “UNMISS Issues Preliminary Account of Akobo Base Attack,” December 20, 2013.

²⁶ For more information, see, e.g., John Young, *The White Army: An Introduction and Overview*, Small Arms Survey, June 2007 and Small Arms Survey, “My Neighbour, My Enemy: Inter-tribal Violence in Jonglei,” op. cit.

²⁷ See, e.g., Susan Stigant, “South Sudan’s Political Turmoil,” U.S. Institute of Peace, August 1, 2013; and Alex Vines, “Who Can Halt the Crisis in South Sudan?” *The Guardian*, December 26, 2013.

²⁸ See, e.g., The International Crisis Group (ICG), *South Sudan: Compounding Instability in Unity State*, Africa Report No. 179, October 17, 2011, and *Politics and Transition in the New South Sudan*, Africa Report No. 172, April 4, 2011. See also various reports of the U.N. Secretary-General on South Sudan, including S/2013/651, November 8 2013.

In its own “fragility assessment,” conducted in 2012 as part of the New Deal for International Engagement in Fragile States, the South Sudan government stated that “large-scale internal conflict” had “markedly decreased,” and said that “initiatives” had been “put in place to address inter-tribal clashes recurring in some parts of the country.”²⁹ However, the assessment stated that “sustainable implementation of internal peace initiatives, in particular for Jonglei state [had] not yet been achieved,” and acknowledged challenges stemming from the “proliferation of small arms.” The government further sought to “improve the behavior, effectiveness, and accountability of a broad range of security actors,” some of whom now have been drawn into internal conflict.

Small arms proliferated during the civil war, and efforts to disarm communities in its aftermath, particularly efforts led by the SPLA, have been contentious and often accompanied by charges of ethnic favoritism by commanders and abuses against rival communities. SPLA disarmament campaigns in the Greater Upper Nile area have been particularly problematic in the context of ongoing and emergent rebellions by various militias, most of which are organized along ethnic lines that correspond to ethnic groups perceived to have fought as proxies of Khartoum against the SPLM/A during the north-south war (e.g., the Nuer, Shilluk, and Murle).³⁰ Many local communities in this area have also sought to retain their weapons for self-defense, and armed cattle raids have remained a recurrent source of violence there.

The South Sudan government’s incorporation of former militia fighters into its armed forces has further contributed to an over-sized military with little or no professional training and loose command and control.³¹ The United States and other donors have invested considerable resources in disarmament, demobilization, and reintegration (DDR) programs and security sector transformation initiatives. However, challenges associated with making these reforms in the context of inter-communal mistrust, massive underdevelopment, and few near-term prospects for employment for ex-combatants are immense.

Humanitarian Situation and Select Responses

How does the fighting affect civilians and foreign nationals?

The current crisis worsens humanitarian conditions in a country facing acute needs.³² Fighting and rising insecurity have contributed to deteriorating conditions that are further impacted by the evacuation of many international relief workers. The protection of civilians is currently the primary humanitarian challenge in South Sudan, and reports indicate that the security forces are,

²⁹ The New Deal concept was created by a group of conflict-affected countries as a new country-owned and country-led mechanism for engagement with international partners, including donors, civil society groups, and others working in fragile states. Introduced in 2011, it has been endorsed by the United States, and South Sudan is among its Pilot Countries. See <http://www.newdeal4peace.org> and <http://www.g7plus.org>.

³⁰ Small Arms Survey, “Fighting for Spoils: Armed Insurgencies in Greater Upper Nile,” *Sudan Issue Brief*, November 2011.

³¹ The size of South Sudan’s armed forces has been subject to debate, ranging between 150,000 to 200,000. For more information on the security sector and related reform challenges, see John A. Snowden, *Work in Progress: Security Fore Development in South Sudan Through February 2012*, Small Arms Survey, June 2012.

³² Prior to the outbreak of violence in December 2013, the United Nations estimated that one-third of the population required assistance. U.N. Office for the Coordination of Humanitarian Affairs (UNOCHA), *South Sudan: Consolidated Appeal 2014-2016*, November 14, 2013.

in several areas, divided and/or unable to provide security for either residents or foreigners. In some areas, reports by human rights groups suggest that members of the security forces may have committed serious abuses against civilians.³³

U.N. peacekeeping mission personnel have limited capacity to protect civilians—under its existing mandate, UNMISS is authorized by the U.N. Security Council to protect civilians under imminent threat of physical violence “within its capabilities and in its areas of deployment.”³⁴ While the Security Council has authorized an increase in the force size of UNMISS, the mission’s resources remain constrained given large-scale displacements in a country the size of France, with extremely little infrastructure. The lack of paved roads outside the capital significantly hinders the mobility of both South Sudanese security forces and U.N. peacekeepers. The Security Council has reiterated in previous resolutions that the government of South Sudan has the primary responsibility for conflict prevention and civilian protection, with UNMISS playing a supporting role.³⁵ Amid reports of abuses by elements of the security forces, this dynamic may place U.N. forces in an increasingly difficult position vis-à-vis the host government.

Up to 75,000 people sought refuge at U.N. peacekeeping bases in the first two weeks of the fighting. As of January 2, the United Nations conservatively estimated that more than 190,000 people had been displaced by the conflict, with the real figure “likely higher,” given limited access to civilians outside population centers.³⁶ Delivering assistance to those in need is a top priority for relief agencies, where security allows. Hygiene and sanitation have emerged as problems in areas where the displaced are gathering, and U.N. officials indicate that food, water, healthcare, and shelter are urgently needed. The United Nations has issued an emergency appeal for \$166 million to address immediate needs, including those of Sudanese refugees currently residing in camps in South Sudan.³⁷ This funding represents the most urgently required resources from an overall \$1.1 billion 2014 aid appeal for enduring humanitarian needs in South Sudan.

U.N. High Commissioner for Human Rights Navi Pillay reported on December 24 that “mass extrajudicial killings, the targeting of individuals on the basis of their ethnicity and arbitrary detentions have been documented in recent days.” She also expressed concern about the safety of detainees, including several hundred civilians who were reportedly arrested in Juba and hundreds of police who were also reported arrested across the capital.³⁸

Fighting in Unity and Upper Nile States not only threatens local residents but may also worsen conditions for refugees who have fled the ongoing conflict in the neighboring Sudanese states of Southern Kordofan and Blue Nile. Fighting between Sudanese forces and insurgents in those states has led almost 200,000 refugees to seek shelter and assistance in camps in South Sudan since 2011. Foreign aid workers were evacuated, for example, from Yida refugee camp, which hosts more than 70,000 refugees from Southern Kordofan. Fighting has also been reported near the Maban refugee camps in Upper Nile.

³³ See Human Rights Watch, “South Sudan: Soldiers Target Ethnic Group in Juba Fighting,” December 19, 2013.

³⁴ UNMISS’s mandate was defined by the U.N. Security Council in Resolution 1996 (2011).

³⁵ UNMISS’s civilian protection mandate, set out in Resolution 1996 (2011), includes taking the necessary actions to protect civilians under imminent threat of physical violence, irrespective of the source of that violence.

³⁶ Displaced figures from UNOCHA, “South Sudan Crisis: Situation Report as of January 1, 2014,” *op. cit.*

³⁷ UNOCHA, “Aid Agencies in South Sudan Need \$166 Million Now to Save Lives of People Caught in Crisis,” December 25, 2013.

³⁸ OHCHR, “Pillay Urges South Sudan Leadership to Curb Alarming Violence Against Civilians,” December 24, 2013.

How is the international community responding?

Various world figures have joined local church and civil society leaders in calling for an immediate end to the violence by all sides and a political resolution to the crisis. Many, including President Obama, U.N. Secretary-General Ban Ki-moon, and Pope Francis have cautioned South Sudan's leaders and participants in the conflict that their actions threaten gains made since independence and the future of the country.³⁹ The African Union (AU) has expressed "deep dismay and disappointment" at "the failure of political leaders in the country to live up to the hopes and aspirations of their citizens," and has publicly urged President Kiir to release the detainees to facilitate talks between the opposing sides.⁴⁰

The U.N. Secretary-General warned on December 24, "the world is watching all sides in South Sudan," announcing that the U.N. was bolstering efforts to investigate reports of human rights violations and crimes against humanity and declaring that "those responsible at the senior level will be held personally accountable and face the consequences—even if they claim they had no knowledge of the attacks."⁴¹ He stated, "Now is the time for South Sudan's leaders to show their people and the world that they are, above all, committed to preserving the unity of the nation."

The U.N. Security Council unanimously adopted Resolution 2132 (2013) on December 24 in response to the crisis.⁴² Further deliberations are expected in January. The resolution, which calls for an immediate cessation of hostilities and the opening of political dialogue, supports an increase in the military component of UNMISS from an authorized 7,000 to 12,500 troops and in the police component from 900 to 1,323 personnel. It additionally authorizes the Secretary-General to facilitate inter-mission cooperation and, "if needed and subject to further Council consideration," complementary force and asset generation, including through the possible transfer of troops and force enablers from other U.N. missions.⁴³ U.N. efforts to mobilize these resources are underway, although it remains unclear how quickly new forces can be deployed, and how any potential transfer from other missions might affect competing needs elsewhere on the continent, including for the crisis currently underway in the Central African Republic.

The Intergovernmental Authority on Development (IGAD), the East Africa regional group that led the peace negotiations between Sudan and South Sudan in the early 2000s, has sought to mediate talks between key leaders in the crisis with the support of the U.N. and the AU. Special envoys from the United States and the European Union are also playing a role. Concurrently, South Sudan's influential church leaders have initiated reconciliation efforts. Kenya's President Uhuru Kenyatta and Ethiopian Prime Minister Hailemariam Desalegn traveled to Juba on December 26 for discussions with South Sudan leaders; theirs was the highest-level international delegation to visit to date. The IGAD heads of state subsequently met in Kenya to discuss the

³⁹ See, e.g., The White House, Statement by the President on South Sudan, December 19, 2013; The Holy See, *Urbi Et Orbi* Message of Pope Francis: Christmas 2013, December 25, 2013.

⁴⁰ African Union, Press Statement of the 410th Meeting of the Peace and Security Council on the Situation in South Sudan, December 24, 2013.

⁴¹ United Nations, Secretary-General's Press Conference at U.N. Headquarters, New York, December 23, 2013.

⁴² Draft resolution S/2013/760 was co-sponsored by eight Council members: Australia, France, Luxembourg, the Republic of Korea, Rwanda, the United Kingdom, the United States, and Togo. Its unanimous adoption responded to the request of the U.N. Secretary-General on December 23.

⁴³ U.N. Security Council, Resolution 2132 (2013), December 24, 2013.

crisis, setting December 31 as a deadline for a cessation of hostilities and face-to-face talks.⁴⁴ That deadline appears to have been influential in pushing both sides to send teams to Ethiopia. Comments to the media by Uganda's President Yoweri Museveni, who has deployed troops to South Sudan, warning that regional leaders had agreed to take action "to defeat" Machar if he doesn't agree to a ceasefire, may also have played a role, although the perception of bias toward President Kiir by some regional leaders may complicate IGAD's mediation effort going forward.

How has the United States responded to date?

Conflict Resolution Efforts

Top U.S. officials have engaged both South Sudanese leaders and key figures in Africa and the international community to seek a mediated solution to the current crisis. In addition to private calls made by Secretary of State John Kerry and National Security Advisor Susan Rice and public comments made by President Obama, U.S. Special Envoy to Sudan and South Sudan Donald Booth has traveled to South Sudan to engage with the opposing sides. The envoy has offered U.S. support to the regional mediation effort. Booth, who previously served as Ambassador to Ethiopia, draws on several years of experience in working with the region's leaders.

U.S. Citizen and Embassy Protection Efforts

The State Department issued a new travel warning as the crisis unfolded on December 17, urging U.S. citizens in South Sudan to depart immediately.⁴⁵ The U.S. Embassy in Juba suspended normal operations and the Obama Administration ordered the departure of non-emergency U.S. government personnel, and evacuation operations for U.S. citizens began on December 18. The President further ordered 45 combat-equipped U.S. military personnel to Juba on December 18 "to protect U.S. citizens and property."⁴⁶

On December 21, 2013, President Obama ordered "approximately 46 additional U.S. military personnel deployed by military aircraft to the area of Bor, South Sudan, to conduct an operation to evacuate U.S. citizens and personnel. After the aircraft came under fire as they approached Bor, the operation was curtailed due to security considerations, and the aircraft and all military personnel onboard departed South Sudan without completing the evacuation."⁴⁷ Four U.S. military personnel were injured in the attack and evacuated for medical treatment. The identity of those responsible is unclear, although forces loyal to Machar claimed control of Bor at the time. The following day, the United States, "in coordination with the United Nations and in

⁴⁴ Some observers have questioned whether some IGAD leaders may be perceived by Machar as biased in favor of Kiir. The Ugandan military, notably, has deployed forces inside South Sudan not only to evacuate its citizens but to "secur[e] critical infrastructure and installations" in South Sudan, an effort IGAD leaders have commended and pledged to support. *Communique of the 23rd Extra-Ordinary Session of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan*, Nairobi, Kenya, December 27, 2013. "Uganda Says Region Ready to Take On, Defeat South Sudan Rebel Leader," Reuters, December 30, 2013. See also "Machar Says Ugandan Jet Bombed S. Sudan Rebel Positions," *Sudan Tribune*, December 27, 2013.

⁴⁵ Previous travel warnings had cited arbitrary arrests by security forces, along with limited health care, among ongoing concerns. The December 17, 2013, warning cited a "lack of security and risk of remaining" in the country.

⁴⁶ President Barack Obama, Report Consistent with War Powers Resolution, December 19, 2013.

⁴⁷ Text of a Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate, December 22, 2013.

consultation with the South Sudanese government” evacuated U.S. citizens and others from Bor on U.N. and U.S. civilian helicopters.⁴⁸ The President has informed Congress in a message he described as “consistent with the War Powers Resolution” that he “may take further action to support the security of U.S. citizens, personnel, and property, including our Embassy, in South Sudan.”⁴⁹ On December 23, U.S. Defense Department officials stated that forces were being repositioned in the region to facilitate “maximum flexibility to respond to State Department requests.”⁵⁰ Going forward, this crisis may test U.S. Africa Command’s new rapid response capacity, which has drawn interest from Congress in the aftermath of the September 2012 attack on U.S. facilities in Benghazi, Libya.⁵¹

Select Issues for Congress

The United States, which is the single largest bilateral aid donor to South Sudan, has invested significant resources in its development. Peace and stability among the Sudanese has long been a key focus of U.S. foreign policy makers in Africa and a sustained issue of bipartisan congressional attention.⁵² Congressional engagement in Sudan and South Sudan has historically been driven largely by human rights and humanitarian concerns. With South Sudan’s emergence as an independent country, the focus has expanded beyond north-south dynamics to an increasing examination of South Sudanese leaders’ records on these matters in the context of oversight of expanded U.S. aid to the new country. Given evolving U.S. military deployments to the region in response to the current crisis, some Members may further seek to engage the Obama Administration on the role of those forces and the resources required to support them.

Members of Congress, including the Congressional Caucus on Sudan and South Sudan, have frequently engaged South Sudanese leaders directly. The leadership of the Senate Foreign Relations and House Foreign Affairs Committees, for example, sent a letter to President Kiir in August 2013 noting historic U.S. support for the people of South Sudan but expressing increasing concern about human rights conditions, particularly in Jonglei. In response, Kiir emphasized that improving security and preventing communal violence were top priorities for his government, and noted measures that his government had taken in response to abuses in Jonglei. He made assurances that there would “never be a government policy to cleanse any ethnic group” while he was president. He also suggested that “without the sustained engagement of the United States Government and its People,” the peace agreement that facilitated South Sudan’s independence would not have been signed or implemented.⁵³

⁴⁸ State Department Spokesperson Jen Psaki, “U.S. Citizen Evacuation in South Sudan,” December 22, 2013.

⁴⁹ Text of a Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate, December 22, 2013.

⁵⁰ “U.S. Calls for Immediate Talks in South Sudan,” Armed Forces Press Service, December 25, 2013.

⁵¹ Deployed forces include those from the Djibouti-based Combined Joint Task Force – Horn of Africa’s (CJTF-HOA’s) East Africa Response Force and a Special Purpose Marine Air-Ground Task Force based in Moron, Spain. See CJTF-HOA Public Affairs, “Response Force Deploys for First Time,” December 26, 2013. See also, Richard Sisk, “South Sudan Crisis Tests US Marine Response,” Military.com, December 26, 2013.

⁵² See CRS Report R42774, *Sudan and South Sudan: Current Issues for Congress and U.S. Policy*, by Lauren Ploch Blanchard. See also Sudarsan Raghavan, “Divisions in South Sudan’s Liberation Movement Fuel War,” *The Washington Post*, December 27, 2013.

⁵³ Letter from President Salva Kiir, September 27, 2013.

In light of the current crisis, the congressional committees and Caucus leadership have publicly called for an end to the violence, improved humanitarian access, and respect for human rights. In a new letter to President Kiir, they have expressed deep concern, called for restraint to prevent the violence from escalating, and emphasized the importance of inclusive political dialogue. The letter cautions, “your actions over the course of the coming days will be critical in influencing the path your country takes and how people remember your leadership.”⁵⁴

U.S. Foreign Assistance

In recent years, U.S. foreign assistance to the people and government of South Sudan has been among the largest spending priorities for the United States in Africa, with more than \$410.6 million committed in FY2013 and more than \$393 million in economic, health, and security assistance requested for FY2014. In its FY2014 budget request, the Obama Administration stated that South Sudan “still requires significant external support to provide basic services to citizens, develop a broad-based, diverse economy, and establish basic standards for rule of law and good governance.” The request also referred to “persistent ethnic conflict” and warned that South Sudan was “trending toward authoritarianism,” although it argued that there was “still time to influence this trend through strategic and targeted assistance that supports the government’s responsiveness and citizen participation in determining a way forward.” The request further outlined U.S. plans to fund new and ongoing conflict mitigation efforts aimed at improving internal stability.

The current crisis is creating new requirements for humanitarian aid for people displaced by the recent fighting. In addition to the foreign aid figures cited above, the United States has provided more than \$268 million in humanitarian assistance in FY2013 and FY2014 to date, a figure that includes emergency aid provided prior to the crisis and is likely to increase as the situation unfolds, drawing from funds previously appropriated by Congress.⁵⁵ The USAID Office of Foreign Disaster Assistance (OFDA) has activated a Disaster Assistance Response Team (DART) and Response Management Team (RMT) to support U.S. government efforts to respond to the humanitarian aspects of the crisis.

The crisis has implications for sizeable U.S. financial contributions to U.N. peacekeeping missions in South Sudan, some of whose personnel have come under attack during recent fighting and whose bases have been transformed into camps for those seeking safety. From FY2012 to FY2014, the Administration requested more than \$850.6 million to support the U.N. Mission in Southern Sudan (UNMISS) and more than \$197.2 million to support the U.N. Interim Security Force for Abyei (UNISFA).⁵⁶ Given the pending expansion of UNMISS by an additional 5,000 troops, to be drawn from existing U.N. missions in Africa, State Department officials estimated that the required U.S. annual contribution for UNMISS may increase by more than \$50 million. This may result in a request for increased peacekeeping contribution funds in FY2014 and/or FY2015, or a reallocation from other U.S. commitments. Additional U.S. support to prepare

⁵⁴ The text of the December 24 congressional correspondence to President Kiir is at <http://www.foreignaffairs.house.gov>. See also “Sudan and South Sudan Caucus Statement on Escalating Violence,” December 19, 2013.

⁵⁵ USAID, *South Sudan—Crisis*, Fact Sheet #5, Fiscal Year 2014, December 27, 2013. This document also includes funding figures for South Sudan from other major international aid donors.

⁵⁶ Part of UNISFA’s mandate is to support the monitoring and verification of a demilitarized zone and related security arrangements along the yet-to-be-demarcated border between Sudan and South Sudan.

African peacekeepers for UNMISS and UNISFA is provided through the State Department's African Contingency Operations Training and Assistance (ACOTA) program.

In the longer term, the evolving conflict in South Sudan may call into question the future direction of U.S. and international assistance to the South Sudan government. U.S. support to the government and security forces was already subject to certain restrictions, some of which are based on human rights and budget transparency concerns.⁵⁷ South Sudan has nevertheless been among the largest African recipients of State Department-funded security assistance in recent years, as the United States has sought to support security sector reform there. This aid, which has totaled more than \$300 million since FY2005, has targeted both law enforcement and the military, seeking to help transform the SPLA from a rebel force to a professional military capable of contributing to internal and regional peace and security through technical training, advising, and non-lethal defense equipment. The SPLA has become increasingly active in U.S.-supported regional efforts to counter the Lord's Resistance Army (LRA).⁵⁸ Underscoring the depth of U.S. concern about the recent crisis, U.S. National Security Adviser Susan Rice said on December 20 that if "individuals or groups seek to take or hold power [in South Sudan] through force, mass violence, or intimidation, the United States will have no choice but to withdraw our traditional, robust support."⁵⁹ State Department officials report that security assistance has halted and will not resume until security conditions improve.⁶⁰ Assistance in other sectors is under review.

It remains to be seen how any withholding of U.S. development or security assistance might affect the decision making of parties to the current conflict. One could argue that withholding foreign aid might influence those leaders most concerned about the ability of the government to meet the needs of citizens. A fiscal crunch induced by the dispute with Sudan over oil exports had already undermined the solvency of the South Sudan government prior to the recent fighting. Given new threats to oil production in the context of the current crisis, fiscal concerns may be a decisive issue for some. However, it is unclear whether the severity of the crisis and the immediate threats key leaders may perceive to their security will make them more or less susceptible to coercive pressure from international donors. It also is possible that the continuation or the suspension of U.S. and international assistance could be perceived by different parties to the conflict as unwelcome attempts to shape the outcome of internal South Sudanese disputes.

⁵⁷ According to the State Department's latest report on human rights conditions in the country, the three most serious problems are "security force abuses, including extrajudicial killings, torture, rape, intimidation, and other inhumane treatment of civilians; lack of access to justice, including arbitrary arrest, prolonged pretrial detention, and corruption within the justice sector; and conflict-related abuses, including continuing abuse and displacement of civilians as a result of fighting between Sudanese and South Sudanese forces, RMGs opposing the government, and rival ethnic communities." State Department, *2012 Country Reports on Human Rights Practices*, April 19, 2013. The State Department reports that the government has made progress in efforts to eliminate the use of child soldiers from the SPLA. Information on restricted assistance is available to congressional offices upon request. South Sudan is 1 of 10 countries identified as subject to foreign aid restrictions based on the Child Soldiers Prevention Act of 2008 (CSPA, P.L. 110-457); President Obama waived the application of CSPA for South Sudan in September 2013, determining it in the national interest to do so.

⁵⁸ For more information on the LRA, a small, armed group in Central Africa, and efforts to counter it, see, e.g., Rajiv Chandrasekaran, "Kony 2013: U.S. Quietly Intensifies Effort to Help African Troops Capture Infamous Warlord," *The Washington Post*, October 28, 2013 and CRS Report R42094, *The Lord's Resistance Army: The U.S. Response*.

⁵⁹ The White House, "Urging Peace in South Sudan," The White House Blog, December 20, 2013.

⁶⁰ CRS communication with the State Department, December 24, 2013.

Table I. U.S. Bilateral Foreign Assistance

Thousands of current U.S. dollars

	FY2012 Actual	FY2013 Estimate	FY2014 Request
GHP-USAID	43,010	38,541	35,510
GHP-STATE	12,036	14,339	13,904
ESF	305,360	284,761	280,499
INCLE	32,000	28,882	22,000
NADR	2,135	3,000	2,135
IMET	858	759	800
FMF	--	190	200
PKO	48,000	19,200	38,000
FFP	175,513	21,000	N/A
TOTAL	619,577	410,672	393,048

Source: State Department FY2013 Post-Sequester 653(a) Initial Allocations and FY2014 Congressional Budget Justification documents.

Notes: FY2014 figures do not include emergency food aid provided under the USAID-administered Food for Peace (FFP) program, which is determined during the year according to need. GHP = Global Health; DA = Development Assistance; ESF = Economic Support Fund; INCLE=International Narcotics Control & Law Enforcement; PKO = Peacekeeping Operations; NADR = Nonproliferation, Antiterrorism, Demining & Related Programs; IMET = International Military Education & Training; FMF = Foreign Military Financing.

Mass Atrocity Prevention

As Members of Congress weigh what role the United States might play going forward in response to the South Sudan crisis, either directly or through support for international efforts, reports of mass atrocities filed by the United Nations and others may become a focus of congressional deliberations. In a number of recent crises with significant civilian casualties, observers have examined the practical implications of the Obama Administration's stated commitment to the prevention of "mass atrocities." The President, who was active in legislating on the Darfur conflict during his Senate tenure, issued a presidential directive in 2011 classifying the prevention of mass atrocities as "a core national security interest and a core moral responsibility of the United States of America." A major stated rationale of the President and the leaders of various U.S. allies for military intervention in Libya in 2011 was the prospect that forces loyal to Muammar Qadhafi might otherwise kill thousands of unarmed civilians.

The Administration released a strategy on mass atrocities prevention in 2012. As part of that strategy, the Administration created the Atrocities Prevention Board and launched a new National Intelligence Estimate on the risk of mass atrocities and genocide. In remarks during the strategy release, President Obama referred to the Sudan peace process as one of several examples of a diplomatic effort that had "saved countless lives," noting that "when the referendum in South Sudan was in doubt, it threatened to reignite a conflict that had killed millions."⁶¹ The President's

⁶¹ For more information on the Administration's position on atrocities prevention, see, e.g., "Remarks by the President at the United States Holocaust Memorial Museum," April 23, 2012; "The White House, Fact Sheet: The Obama Administration's Comprehensive Efforts to Prevent Mass Atrocities Over the Past Year," May 1, 2013.

comments suggested that, on a case-by-case basis, diplomacy was one of several tools for atrocities prevention, with military intervention among other possible options.

Human rights groups and others advocating U.S. intervention to protect civilians abroad are divided on the legacy of the mass atrocities prevention initiative. In the Central African Republic, for example, the Administration has credited the Atrocities Prevention Board with designing a media messaging campaign on peace and reconciliation in response to a burgeoning conflict along ethno-religious lines. Still, the exigencies of U.S. foreign policy and relative limits of U.S. leverage have challenged both the President's ability to give priority to prevention efforts and the success of such efforts once implemented. This has been the case, for example, in Sudan—where a bloody counterinsurgency campaign against rebel groups continues—and may be highlighted anew if South Sudan's internal conflict worsens or spreads.

In the near term, some in the advocacy community have sought to engage the U.S. government and others in the international community on how to prevent atrocities in South Sudan. Some have outlined proposals for increased U.N. action, including further examination and potential modification of UNMISS's mandate and a possible arms embargo on parties complicit in atrocities.⁶² The U.N. Special Advisers to the Secretary-General on the Prevention of Genocide and the Responsibility to Protect have expressed deep concern with targeted ethnic attacks that they warn could constitute war crimes or crimes against humanity and have reiterated South Sudan's responsibility to protect all populations, regardless of ethnicity or political affiliation.⁶³

President Kiir appears to have publicly acknowledged international concerns about the government's responsibility to protect its citizens, stating on December 24:

Anybody that goes to the residential areas to kill people or to loot the property of others and hoping that he's doing it to support me must know that that person is not supporting me. Instead, you are destroying me.... Innocent people have been wantonly killed.... There are now people who are targeting others because of their tribal affiliation, by means of taking the law into their own hands.... This general line of orientation is unacceptable. It will only lead to one thing, and that is to turn this nation into chaos. All the unruly and undisciplined soldiers, who are behind such terrible acts, and who are randomly bent to killing innocent people are criminals and will not escape the long arm of justice, and will have to be punished.... These atrocities recurring by now have to cease immediately.⁶⁴

Developments to date suggest that such appeals may not have immediate effect outside the capital, as disparate forces mobilize against perceived rivals. In the absence of a cessation of hostilities by all sides, ongoing military and/or rebel operations to secure or retake contested areas may escalate violence by both state and non-state actors with unpredictable results.

⁶² See, e.g., George Clooney and John Prendergast, "How to Stop an Inferno in South Sudan," *The Daily Beast*, December 20, 2013, and Louise Arbour, President and CEO of the International Crisis Group, "Open Letter to the U.N. Secretary-General," December 24, 2013.

⁶³ United Nations, Statement by Adama Dieng, U.N. Special Adviser on the Prevention of Genocide, and Jennifer Welsh, U.N. Special Adviser on the Responsibility to Protect, on the Situation in South Sudan, December 24, 2013.

⁶⁴ Nicholas Kulish, "South Sudan's President Condemns Ethnic Killings," *New York Times*, December 25, 2013; and, *Radio Tamazuj* (Juba), "Kiir calls on soldiers not to commit atrocities," December 25, 2013.

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Acknowledgments

Christopher M. Blanchard, Amber Hope Wilhelm, and Hannah Fischer contributed to this report.