

BACKGROUND GUIDE

UNITED NATIONS SECURITY COUNCIL

*Situation in South Sudan*

**LETTER FROM THE EXECUTIVE BOARD**

Dear Delegates,

We feel delighted to have you all in our committee **UNITED NATION SECURITY COUNCIL** AT UTOPIA MUN 2018, we will be discussing ‘Situation in South Sudan’ as the agenda. The purpose of this stimulation is to not only make you aware but also sensitive about the issue. We see this committee and agenda as a platform for you all to shift from normal understanding of the issue to a comprehensive and a factual understanding of the issue. We see it as a stage where you all can question the assumptions one as individual holds about the Sudanese issue. It is a space to unlearn the stereotypes and thinking patterns to which one is accustomed to.

We see this committee and agenda as an opportunity for young minds to look at the larger picture and various lenses to view the conflict. Our primary aim is to raise sensitivity to the current agenda and make you multidimensional in thinking. We want this committee to be not only about competition but also about learning and growth. At the end of two days, we all wish to see you a step ahead of what you were few days before. Our focus on the committee will be debate which includes but not limited to solutions, understanding of the problem, articulation and etc. Documents, Diplomacy,

Lobbying and Chits shall also be taken into account but our priority shall be always debate first. We shall also be taking presentation and delivery of content into account while evaluating your content. It shall not be content only but even how you structure your speeches, the speed at which you speak and etc. The nature of the committee is consensus making and accommodating diversity, so kindly have a constructive and collaborative approach in the committee. Success will be determined if you all are able to debate fruitfully and come on consensus and not only on basis of passing a resolution.

We hope that this background guide will provide you with some direction as what all can be discussed but keep in mind this will not be entire research. The EB will appreciate if other topics not included here will be discussed in the committee. Materials prepared by the EB are not meant to be a substitute for your individual research. Hope all of you learn something when you leave the committee after 2 day and have a memorable experience. Feel free to contact us.

Regards,

Executive Board

**PROOF/EVIDENCE IN COMMITTEE**

Evidence or proof is acceptable from sources:

1. News Sources:

a. **REUTERS** – Any Reuters article that clearly makes mention of the fact or is in contradiction of the fact being stated by a delegate in council.

b. State operated News Agencies – These reports can be used in the support of or against the State that owns the News Agency. These reports, if credible or substantial enough, can be used in support of or against any Country as such but in that situation, they can be denied by any other country in the council.

Some examples are, Sputnik News (Russia), IRNA (Iran), BBC (United

Kingdom) and Xinhua News Agency and CCTV (P.R. China)

2. **Government Reports**: These reports can be used in a similar way as the State

Operated News Agencies reports and can, in all circumstances, be denied by another country. However, a nuance is that the Executive Board can still accept a report as credible information that is being denied by a certain country. Examples are,

a. Government Websites like the State Department of the United States of America or the Ministry of Defence of the Russian Federation

b. Ministry of Foreign Affairs of various nations like India, People’s Republic of China, France, Russian Federation

c. Permanent Representatives to the United Nations – Reports and other documents (Click on a country to get the website of the Representative)

d. Multilateral Organizations like the NATO, ASEAN, OPEC, etc.

3. **UN Reports**: All UN Reports are considered are credible information or evidence for the Executive Board of the Security Council.

a. UN Bodies: Like the UNSC, UNGA, UNHRC, etc.

b. UN Affiliated bodies like the International Atomic Energy Agency, World Bank, International Monetary Fund, International Committee of the Red

Cross, etc.

c. Treaty Based Bodies like the Antarctic Treaty System,

Under no circumstances will sources like Wikipedia, or newspapers like the Guardian, Times of India, etc. be accepted as PROOF; but may be used for better understanding of any issue and even be brought up in debate, if the information given in such sources is in line with the beliefs of a Government..

**What is the Security Council?**



### Mandate

The [UN Charter](http://www.un.org/en/documents/charter/) established six main organs of the United Nations, including the Security Council. It gives primary responsibility for maintaining international peace and security to the Security Council, which may meet whenever peace is threatened.

According to the Charter, the United Nations has four purposes:

* to maintain international peace and security;
* to develop friendly relations among nations;
* to cooperate in solving international problems and in promoting respect for human rights;
* and to be a centre for harmonizing the actions of nations.

All members of the United Nations agree to accept and carry out the decisions of the Security Council. While other organs of the United Nations make recommendations to member states, only the Security Council has the power to make decisions that member states are then obligated to implement under the Charter.

### Maintaining Peace and Security

When a complaint concerning a threat to peace is brought before it, the Council’s first action is usually to recommend that the parties try to reach agreement by peaceful means. The Council may:

* set forth principles for such an agreement;
* undertake investigation and mediation, in some cases;
* dispatch a mission;
* appoint special envoys; or
* request the Secretary-General to use his good offices to achieve a pacific settlement of the dispute.

When a dispute leads to hostilities, the Council’s primary concern is to bring them to an end as soon as possible. In that case, the Council may:

* issue ceasefire directives that can help prevent an escalation of the conflict;
* dispatch military observers or a peacekeeping force to help reduce tensions, separate opposing forces and establish a calm in which peaceful settlements may be sought.

Beyond this, the Council may opt for enforcement measures, including:

* economic sanctions, arms embargoes, financial penalties and restrictions, and travel bans;
* severance of diplomatic relations;
* blockade;
* or even collective military action.

A chief concern is to focus action on those responsible for the policies or practices condemned by the international community, while minimizing the impact of the measures taken on other parts of the population and economy.



### Organization

The Security Council held its first session on 17 January 1946 at Church House, Westminster, London. Since its first meeting, the Security Council has taken permanent residence at the United Nations Headquarters in New York City. It also travelled to many cities, holding sessions in Addis Ababa, Ethiopia, in 1972, in Panama City, Panama, and in Geneva, Switzerland, in 1990.

A representative of each of its members must be present at all times at UN Headquarters so that the Security Council can meet at any time as the need arises.

**SITUATION IN SOUTH SUDAN**

**Overview**

South Sudan is the newest country in the world, having declared independence and having been formally recognized as a sovereign state first by Sudan in July of 2011, followed by 129 other UN member states. It is one of the world’s most ethnically diverse countries, featuring over 60 different major ethnic groups with many of the people following traditional, tribal religions.

They broke away from Sudan which, after nearly two decades of genocide and ethnic warfare, led to the split. During the civil war within Sudan, over 1.5 million people were killed, and 4 million more were displaced.

Currently, South Sudan has been locked in a brutal, ethnically based civil war since 2013. They are ranked highest on the world’s index of fragile states, indicating that they are most likely to fall apart as a country.

Although South Sudan is the world’s newest state, they are labelled as a failed state, one in which the government can no longer provide the basic needs of its people (including security, food, and enforcing the rule of law as the only legitimate wielders of violence).

Thousands of civilians have been caught up in the fighting, and allegations of vast human rights violations have occurred. The main concerns of the Security Council is stabilizing the region, preventing more ethnic violence, and providing food and medical aid to those who need it. As the area is highly unsafe for travel, all of these goals are more difficult than normal and it will take shrewd negotiation and thought to adequately address the situation in South Sudan.

**Current Crises in South Sudan**

The current crisis in South Sudan is multifaceted, ranging from the restrictive journalism and lack of free media to the many areas without access to running water or electricity. Much of the country is economically depressed and has experienced continued violence, a food crisis, and the plight of children.

**Continued Violence**

The fighting is still ongoing with no peace treaty in sight. Former Vice President of South Sudan, Machar now commands the South Sudanese Rebel group, SPL-IO, which continues to assert his innocence against President Kiir’s claims that he was planning a coup against him. He desires to become the president of this war-torn country. There are allegations from the South Sudanese government that Machar has allied with Sudan in order to overthrow President Kiir. International monitoring agencies report several payloads of heavy weapons to Machar in recent months of an unknown origin. However, these weapons are expensive and difficult to transport inconspicuously, so the likely source is from a wealthier country who is also located close to South Sudan (such as Sudan).

As the fighting has continued, the two sides have become increasingly blurred. What has begun as a bipolar fight is rapidly becoming a fragmented conflict between other interest groups.

Recently, fighting has spread to the Southern Equatoria region, as conflicts at local levels between villages and the like have increased dramatically. What has prompted an increase in new violence in these regions is unclear. However, the fighting is not doing any good for Sudan.

For the second year in a row, the celebrations for their independence day, July 9th, have been cancelled due to the fighting. (This year marks six years of independence and the fourth year of the civil war.) The fighting has created several humanitarian crises, most of them affecting the most vulnerable populations, the young and the elderly.

**Plight of Children**

As is the case with most wars, children are often heavily impacted and easily overlooked when conflict breaks out. This is particularly true in South Sudan, where children face unique challenges. United Nations’ estimates indicate that more than one million children have fled the country since the fighting began, leaving a huge generational gap that will affect South Sudan for years to come. In addition to the million plus who have been internally and externally displaced, over one thousand have been killed, with several thousand injured from stray bullets, mines, artillery shelling and, in some cases, targeted ethnic cleansing. Children who are not injured physically are suffering mentally with three-fourths of the country’s children not in school at all. This is the highest percentage of out-of-school children in the world,

**Food Crisis:**

The conflict in South Sudan has led to a severe food and water crisis in a country that was not economically secure or fully developed even prior to the fighting. Aid agencies in the country repeatedly have their caravans and shipments raided or stolen by rebel forces who steal the aid to control the masses or make profit outside of the regular market. This has made it difficult for those who require aid to receive it.

In addition, farmers are often prevented from returning to their farms due to the conflict. Furthermore, it is not uncommon for fields to be burnt during fighting or as a tactic for retreating soldiers to cover themselves as they fall back. This has led to a famine in South Sudan. A famine is described as an “extreme scarcity of food” by the UN. This is further classified a famine when at least 20% of the population does not have enough food, when there is acute malnutrition in more than 30% of children, and there are two deaths per 10,000 people each day or four child deaths per 10,000 children each day due to starvation. Only when these three strict guidelines are met will the UN declare a famine. The famine was declared in February 2017 and was the first time a famine had been declared anywhere in the world for six years.

**Economic Disaster:**

The economy has not escaped the path of destruction left by the war. The economy of South Sudan is in peril, which only further aggravates other humanitarian issues such as access to food and rebuilding destroyed buildings and infrastructure.

A report from the World Bank details many of the struggles that South Sudan undergoes in relation to their economy and how they are attempting to develop as a nation while the war rages on. South Sudan has vast reserves of oil within its borders. However, they do not have the infrastructure to refine the oil and the ability to harvest oil is limited by infrastructure failure and conflict, as oil fields are often targets in war. Sudan refines much of South Sudan’s oil with often unfavorable deals for South Sudan. As a newer country, South

Sudan has not had the time to establish trade agreements with other countries, and must rely on Sudan to refine much of their oil. As a result, Sudan can set pretty much any terms they want in regards to fees and taxes in these industries placed on South Sudan. South Sudan is one of the most oil-dependent countries in the world, with 60% of its GDP coming from oil and with oil dominating their exports.

Beyond oil, its other major industry is unpaid subsistence farming, with 85% of the population engaged in non-wage work, 78% of which work in agriculture. The war is limiting how many barrels of oil a day the country can produce as well as the success of agricultural products, which is overall negatively affecting all South Sudanese.

**Highlighted Timeline of Events**

1899-1955- South Sudan is ruled under joint English-Egyptian rule

1956- Sudan gains independence

1962- The first civil war begins

1972- The first civil war ends

1978- Oil is discovered in South Sudan

1983- The second civil war begins

1988- A cease-fire agreement is drafted but not implemented

2003- The Darfur genocide begins

2005- The CPA ends the second civil war

October 2005- The Autonomous government is formed in South Sudan

December 2009- North and South reach a deal on a referendum for Southern independence by 2011

January 2011- South Sudan votes 98% in favor of separation from Sudan

9 July 2011- South Sudan celebrates its first day of independence

April 2012- Border clashes between the North and South leave hundreds dead

July 2013- President Kiir fires VP Machar over claims of an attempted coup

December 2013- Civil war erupts as 10,000 soldiers defect with former VP Machar

August 2014- Peace talks in Ethiopian capital, Addis Ababa, move slowly as the fighting continues

April 2016- Machar returns to Juba and is reinstated as the VP of a new unity government, however he is fired in July and goes back into exile

February 2017- Famine is declared in South Sudan

Complete timeline : <http://www.bbc.com/news/world-africa-14019202>

**ILLICIT TRADE OF WEAPONS**

The weapons were likely taken from South Sudanese government stocks either through battlefield capture or defections, The panel said the Israeli-made rifles were likely part of a larger group of weapons that was transferred to South Sudan from Uganda.

**THE SELF-DETERMINATION AND IMPLICATIONS OF SOUTH SUDAN**

The significance of the developments in South Sudan lies in the fact that it adds to other legal and political developments in Africa. Together these suggest that there may be a relaxation of the firmly held view in Africa that colonial borders are non-negotiable. In the case of South Sudan, this relaxation was first affirmed by other African states when they supported the Declaration of Principles on 20 July 1994 and helped establish a process for the achievement of self-determination by South Sudan within a framework that was laid down in the 2005 Comprehensive Peace Agreement. The 1994 principles firmly established the fact that the people of southern Sudan had the right to self-determination, provided a referendum was held to determine whether the majority of southern Sudanese were in favour of becoming independent of the Sudan.

As noted above, the jurisprudence of the African Commission on Human and Peoples’ Rights has developed a framework that, upon the fulfilment of certain conditions, recognises independence as a legally legitimate option.

Given that southern Sudan suffered serious injustices at the hands of successive Sudanese governments, that its people were forced to raise arms in their own defence, that the region negotiated the Comprehensive Peace Agreement of 2005, and that the south entered into a transitional arrangement with the north to give unity a chance, it became the first test case for implementing for self-determination will vary from case to case, I have indicated that addressing these cases will not automatically be a matter of either self-determination or territorial integrity.

In some cases the conflict could be resolved through the application of what the African Commission on Human and Peoples’ Rights called ‘a variant of self-determination’ within the boundaries of the state. This could entail the negotiation of a particular form of internal self-determination to suit the specific circumstances of the case. This is the preferred option in both international law and African region law. In other cases, the conflict may be resolved by allowing a part of a state’s population to determine its independence through a process that follows agreed procedures.

 The January 2011 referendum and the consequent secession by South Sudan is a clear example of such an instance.

Self-determination is not an event, but rather a continuous process. Neither South Sudan’s referendum nor its declaration of independence on 9 July 2011 can fully encompass the right of southern Sudanese to self-determination. Although these constitute important elements of the exercise of this right, the full realisation of self-determination requires the provision of the necessary legal, institutional and political guarantees that enable the southern Sudanese to select freely a government of their choice, and that such a government is in a position to protect their personal security, consolidate peace and stability, and duly account for its activities and decisions.

This government would also need to create the conditions that would enable citizens to utilise the resources of the country, rebuild the physical infrastructure, achieve sustainable and equitable socio-economic development, and provide social services over time. It is thus imperative that South Sudan undertakes an all-inclusive and genuinely participatory process of constitution-making to establish the legal and political framework and the human rights guarantees necessary for the citizens to pursue their right to self-determination on an ongoing basis.

Clearly, the achievement of independence by South Sudan marks the fulfilment of only one aspect of the long and hard struggle for self-determination by its people. If the experience of neighbouring Eritrea is anything to go by, what happens after independence in terms of satisfying the population’s democratic and socio-economic needs (internal-self-determination) is as important, or perhaps even more important, than the exercise of the right to self-determination through independence. There is a clear need for the international community to increase its support to the people of South Sudan at this formative stage. Such support will help to ensure that the necessary conditions are created for the southern Sudanese to realise fully their right to self-determination.

**Involved Actors**

**Sudan** - The North African nation of forty million which was once home to several great African nations including the Kingdoms of Kush, Kerma, and the Meroe. Sudan is home to many different religions, many Islam, Christianity, and several variations of tribalists. Sudan is also
home to various ethnic groups, and is often considered to be one of the most ethnically diverse countries in the world. In present day, Sudan, also called North Sudan is dominated by Muslims who are classified as Arabs. The capital is at Khartoum and is a oil rich nation. However, Sudan has languished through several civil wars and internal crises mainly due to conflicts from the various religions and ethnic groups. In 2011, Sudan and South Sudan split into two countries.

**Uganda** - A neighbour of South Sudan, Uganda is dealing with the refugee crisis caused by the conflict. Hundreds of thousands of South Sudanese citizens have fled the country to escape the violence and many are ending up in Uganda. The African Union has claimed that this is the
worst refugee crisis since the Rwandan genocide of the 1990s. The Ugandan government is worried that the fighting will spill over to their borders, which would force a response from the Ugandan military.

**UNMISS** - The United Nations Mission in South Sudan is the UN’s official response to the escalating violence and destabilization within the region. Originally created in 2011 to help South Sudan with the transition to independence, UNMISS has now shifted focus to protecting government buildings, officials, and soft targets such as schools, hospitals, and shopping centers.
UNMISS, like many UN operations, is limited by bureaucracy and international laws, and cannot always operate to the full extent of protecting the innocent.

**African Union (AU)** - The African Union, an intergovernmental organization composed of African nations, has has responded to this crisis. The AU has sent financial and humanitarian aid to the government of South Sudan to help feed the starving masses. However, there are allegations that the government is using the money to purchase additional weapons and supplies
for the army, undermining the intentions of the AU.

**QUESTIONS TO PONDER**

Q1) How can the UN determine and address claims of ethnic violence? Can this conflict be compared to any previous ones? If so, what was the response by your country previously? How should your country respond today?

## Q2) What are the top challenges facing South Sudan?

Q3) Can peaceful Negotiations solve the internal conflict.

Q4) Is Humanitarian Intervention necessary in order to bring peace in south Sudan?

Q5) What steps can the security council undertake to ensure that more lives are not spent in South Sudan and people don't die of starvation?

**Further Links to study**

https://fas.org/sgp/crs/row/R43344.pdf

http://ec.europa.eu/echo/files/aid/countries/factsheets/south-sudan\_en.pdf

http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\_2016\_70.pdf

https://www.hrw.org/sites/default/files/reports/southsudan0814\_ForUpload.pdf

http://www.worldbank.org/en/country/southsudan/overview#3