



**Statement to the Security Council**

**by Adama Dieng, United Nations Special Adviser on the Prevention of Genocide, on his  
visit to South Sudan**

**New York, 17 November 2016**

Excellencies, Ladies and Gentlemen,

Thank you for the invitation to brief the Security Council on my visit to South Sudan last week.

I decided to go to South Sudan due to growing concern at recent developments there, including reports of violence targeting multiple ethnic groups. This violence is taking place against the background of the breakdown in the political process and a stalling in the implementation of the peace agreement.

The aim of my visit was to carry out an assessment of the situation from the perspective of my mandate in order to better understand the landscape of ethnically-fuelled violence – including hate speech and incitement to violence – and the risk that this violence could lead to further atrocity crimes, including genocide.

In the course of the week I met with United Nations colleagues, senior government officials, civil society groups, religious leaders, community members and diplomatic representatives in Juba. I visited a “protection of civilians” site in Juba and travelled to Yei town in Yei River State to meet with members of the community and government. Yei, which until recently had been spared the violence seen in other areas, has now been identified as a conflict “hot spot” with escalating violence against multiple tribal groups in Yei and in the Central Equatorial State, of which Yei River State is a part. The perpetrators of this violence are varied and reportedly include the Sudan People’s Liberation Army (SPLA), the SPLA in Opposition, unidentified armed groups, militia, armed groups and bandits.

I would like to take this opportunity to thank SRSG Løj for the excellent support provided by UNMISS for my visit and express my appreciation to the Transitional Government of National Unity for facilitating the visit and for its cooperation while I was there.

That being said, as I reported last week, I was dismayed that what I saw and heard in South Sudan confirmed my concerns that there is a strong risk of violence escalating along ethnic lines, with the potential for genocide. I do not say that lightly. As the Secretary-General highlighted in his report, there are a myriad of underlying risk factors, which in my assessment provide an environment ripe for the commission of mass atrocities.

First, in addition to the loss of life and trauma, the violence has an ever-increasing economic cost, both domestically and internationally. It is causing a drain on much-needed resources for development and humanitarian assistance. The Government is reportedly half of the national budget on security. There will be neither growth nor development in South Sudan if it continues. The economy has stagnated, inflation is very high and the population is becoming increasingly desperate.

The political and security crisis that resulted from the July 2016 violence was fresh in the minds of those with whom I spoke, and many referred to the potential for a further deterioration of the security situation in the coming dry season, when movement around the country would be easier. Reports from the field indicate continual security incidents and the arming, recruitment and training of both the SPLA and SPLA/IO.

As the Security Council has noted, we have seen patterns of human rights violations and abuses committed mainly by SPLA soldiers, police officers and members of the National Security Service, as well as by SPLA/IO and militia groups. These violations have not been addressed. There has been widespread impunity and lack of accountability for violations, including those committed in the name of counter-insurgency. Civil society organizations have been directly targeted, as have human rights defenders and journalists. Some have been killed and many others have fled the country out of fear for their safety.

Many people with whom I spoke referred to an amorphous and undisciplined army that was formed out of what had once been two opposing forces. They have now splintered into multiple armed groups, criminal gangs and bandits, over which the Government is failing to exercise control. Some of these groups are formed along ethnic lines, and pursuing their own objectives.

In speaking to people, I heard of tremendous mistrust between the civilian population and the military. The population no longer seems to view the military as their protector, but rather as an entity to be feared – or to be joined as one of the few potential employers. One elder I met summed up the current ethnic polarization: he said that he could see fear in the eyes of some, and enthusiasm in the eyes of others.

There is a serious and protracted humanitarian crisis and widespread, prolonged displacement of populations – both internally and to neighbouring countries. In some cases displacement has caused the disruption of agricultural activities and food insecurity.

Despite this crisis, the Government and non-State armed groups continues to hinder access by the humanitarian and human rights community. While aid agencies continue to deliver assistance to people in need across the country, at times there is outright obstruction of the delivery of services and support to people in need.

The scarcity of resources has contributed to divisions within society. Instead of the development of a South Sudanese national identity, we are seeing extreme polarization of some ethnic groups, which has increased in certain places since the outbreak of violence in July this year and the disintegration of the peace process. Some groups shared with me their feelings of betrayal, and a perception that the SPLA is increasingly ethnically homogenous, composed mostly of Dinka

members, and has been “ethnicized” as part of a wider plan to launch systematic attacks against ethnic Nuer and multiple tribal groups which make up the Equatorias. At the same time, there were a number of incidents last month that specifically targeted Dinkas.

Inflammatory rhetoric, stereotyping and name calling have been accompanied by threats, targeted killings and rape of members of particular ethnic groups, and by violent attacks against individuals or communities on the basis of their perceived political affiliation. Especially worrying was a statement issued by President Kiir on 19 October in which he said he would personally lead military operations against the armed groups responsible for killings in the Equatorias.

I visited Yei River State, and I was shocked by what I found. Yei had previously been spared the violence seen elsewhere but has suffered the consequences of the July violence, when the SPLA pursued Riek Machar and his supporters through the Equatorias into the Democratic Republic of Congo.

Recent reports detail the expulsion of farmers from their land into Yei town. UNHCR reported that 100,000 people were trapped in Yei at the end of September. Many farmers have lost their homes and belongings, livestock and land. Property has been looted and villages have been burned. I heard reports of targeted killings, assault, maiming, mutilation, rape, and the barbarous use of machetes to hack families to death.

When I visited, there was widespread fear among the population. One person told me in desperation, “Tonight I don’t know what will happen to me.” An elder expressed terror that his community would be “finished.” And Yei is just one location among many that are experiencing this kind of violence. Despite the challenges it faces, the United Nations system has been monitoring signs of increased conflict potential in other areas of Central Equatorial State, as well as those in Western and Eastern Equatorial States, Western Bahr El Ghazal, Upper Nile, Unity, and Jonglei. However, there is much that we do not know.

The media, including social media, are being used to spread hatred and encourage ethnic polarization, and letters threatening particular ethnic groups, telling them to leave, face violence or be eliminated from specific areas, have surfaced in the last month. I am particularly worried by the involvement of the youth, who make up a large percentage of the population and who are particularly susceptible to divisions within society. I was also informed by a number of people that the South Sudanese diaspora has been playing an influential, at times negative, role in spreading hatred and inciting violence.

There is a range of different perpetrators and victims, which makes an assessment of the risk of atrocity crimes in South Sudan more complex. But the warning signs are there. Throughout my visit, conversations with all actors confirmed that what began as a political conflict has transformed into what could become an outright ethnic war. With the stalling of the implementation of the peace agreement; the current, worsening, humanitarian crisis; a stagnating economy and the proliferation of arms, all of the ingredients exist for a dangerous escalation of violence. There is both motivation and the means.

I must emphasize that genocide is a process. It does not happen overnight. And because it is a process and one that takes time to prepare, it can be prevented. The political leadership of South Sudan has the primary responsibility to protect its populations and must be held to this responsibility. Action can and must be taken now to address some of the factors that could provide fertile ground for genocide.

My intention in briefing you is to provide impetus for preventive action. We have a collective responsibility to protect populations in South Sudan from genocide, war crimes, ethnic cleansing and crimes against humanity.

Bearing this in mind, it is highly desirable that the Security Council consider the following options which, if implemented could reduce the risk of atrocity crimes:

- First, while I commend the Security Council for your strong condemnation of ethnically-fueled violence and hate speech, the Council should continue to insist on preventing further incitement to discrimination, hostility, and hatred that could lead to more violence.
- The Security Council could publicly call for the political leadership of South Sudan to immediately condemn and take steps to prevent any act of discrimination, hostility, and hatred that could constitute incitement to violence.
- The Security Council could specifically request that UNMISS monitor, investigate and report on all incidents of hate speech and incitement to violence, and be provided full access by the Government of South Sudan to do so.
- All support should be given to UNMISS to carry out all the Mission's mandated tasks, in particularly tasks that relate to the protection of civilians and human rights monitoring, which could contribute to preventing future violence. The Government should be pressed to ensure that freedom of movement is granted to all United Nations personnel, both civilians and military, to conduct patrols, investigate and report on incidents, and conduct community based conflict prevention and resolution initiatives.
- The Security Council could consider requesting the Panel of Experts on South Sudan to investigate and report on the individuals who are inciting violence, responsible for targeted ethnic killings, and propagating hate speech, as well as incitement to violence by the diaspora.
- Given the current scenario, it is urgent that the Security Council impose an arms embargo. The proliferation of arms is devastating and this could have an important impact.
- Similarly, the sanctions regime should not be limited to a few individuals; freezing of assets and restrictions of movement of offenders should be imposed more widely. South Sudan's top officials have benefited both financially and politically from the war, and could not maintain the status quo without the free flow of funds and arms into the country. There is a known system of international banks, businesses, weapons traders, and intermediaries which has contributed to the perpetuation to the conflict through their dealings, and the Security Council has the power to influence this system.

- The Security Council should continue to stress the importance of an inclusive political process accompanied by a cessation of hostilities. If some sectors of the population continue to feel excluded from participation, there is little incentive for them to pursue peace.
- Until the formal peace process is reinstated, there is much that can be done in terms of facilitating dialogue. What surfaced over and over in my discussions last week was the presence of long-standing anger, combined with misconceptions and preconceived notions. These need to be addressed if there is to be a chance of peace. All the actors with whom I met stressed that there was an urgent need to engage in both community and national level dialogue and I was encouraged by their eagerness to engage in such processes. Community and religious leaders, provincial level authorities, and UNMISS colleagues shared experiences of efforts to promote communication. These efforts should be supported by the international community. Once there is greater stability and redoubling of efforts for dialogue, I urge the establishment of the commission truth, healing and reconciliation by the Government foreseen in the peace agreement.
- Beyond reconciliation, justice and accountability were common themes in my discussions with the people of South Sudan. Even as the conflict becomes more complex, the effects of the December 2013 outbreak of violence and subsequent violence linger, and human rights violations committed during the last few years have not been adequately documented or accounted for. I welcome the commitment of the signatories of the peace agreement to establish a hybrid court to prosecute cases of genocide, crimes against humanity and war crimes, as well as well as other serious crimes under international law.
- I hope that the Council's discussions with national authorities and with the African Union may move these plans forward. In the interim, I urge the Security Council to call for the establishment of an investigation mechanism that would collect and preserve evidence that could later provide evidence to national or international courts. This would help in assessing the full scale of violations and track patterns in violence.
- Finally, while the State has the primary responsibility to protect its populations, other States, regional organisations and the international community can assist its protection efforts. Indeed, neighbouring countries have an intrinsic interest in doing so. The involvement of neighbouring countries in domestic conflicts with resulting spill-over beyond national borders has occurred in Democratic Republic of Congo and Somalia, to name a few.
- Regional action needs to be reinvigorated. African leaders must coalesce around a unified strategy to prevent an escalation of violence. Given the different regional interests and allegiances of the political leadership in South Sudan, any political strategy must be endorsed by all national actors if it is to succeed. The Security Council should strengthen its cooperation with the African Union Peace and Security Council and relevant actors within IGAD in order to move this process forward.

Last week, I saw all the signs that ethnic hatred and targeting of civilians could evolve into genocide if something is not done now to stop it. I urge the Security Council and Members States of the region to be united, and to take action. Thank you.