

Ottawa
Thursday, October-09-14

Article 51 on South Sudan

Developments in South Sudan Conflict: IGAD Envoys Mandate: The views of Dr. Lam Akol of Sudan People's Liberation Movement - Democratic Change (SPLM-DC), founded 6 June 2009

Our Articles 1 to 3 and 5 to 50 were situation analyses of the conflict in South Sudan. Our articles 4 (A), 4 (B) and 4 (C) were the first of our series on “Who is Who”. This article 51 is dedicated to the response to us by Dr. Lam Akol. We have his confirmation that his note represents the official position of his political party and we also have his permission to share the note.

There is a mandate according to the Dr. Lam Akol

Quote

9 October 2014

Dear Bashmahandis,

Subject: There is indeed a Mandate for IGAD Special Envoys

Thank you for your briefings on IGAD peace talks. For sure, the current senseless and destructive war in South Sudan is a matter of deep concern to the friends of South Sudan and especially people like you who have done a lot to see a viable state in Sudan before it became Sudans that are now riven by internal wars.

My attention was caught by your pursuit to establish the claim that the IGAD mediators have no mandate in their mediation effort and I was dumbfounded when you stated that ***“There is no Mandate for the 3 Envoys of the IGAD as confirmed by the SPLM/A-IO”***.

As somebody who has been in the negotiation since it started in the first week of January (except only in the last Bahir Dar session), let me try to help you in your pursuit of this matter. The Mandate of IGAD mediation stems from the 23rd Extraordinary Summit held in Nairobi on 27th December 2013. The communiqué issued by that summit clearly specified what the mediation has to entail, the parameters of the resolution and the participants in the talks as well as the Special Envoys who will undertake the task. The Communiqué is available on the IGAD website. In my view, the mandate is two-fold:

1. Facilitation of the parties to reach a peaceful settlement of the conflict.
This is specified in the Communiqué of the 23rd summit as above, and detailed in the **“consolidated Modalities and Rules of Procedure for the South Sudan Dialogue”** which , as would be expected in any group work, was the first document distributed to the negotiators to govern the procedure of carrying out the negotiations. In particular,

please, read the first paragraph of the introduction, Rule II, Rule IV, Rule VI, Rule VII and Rule XI.

2. Monitoring of the implementation of the agreements entered into by the parties.

So far, the basic agreements signed by the warring parties were on the 23rd of January 2014. The rest were rededication or a matrix. The agreements were two: one on the Cessation of Hostilities and the other on the Status of the Detainees. These agreements gave the IGAD in general and the mediators in particular power to monitor and enforce these agreements (refer to the Monitoring and Verification Mechanism stipulated in the CoH agreement referred to above). This role answers what you expressed as “threats” from the Chairman of the mediation and where he got his mandate from.

Dear Brother,

The Mandate of the IGAD mediators might not have been put in the same format of the UNSC resolution which you quoted at length in one of your many ‘Articles’. However, it is my contention that indeed there was a clear Mandate for the three Envoys of IGAD.

Again, I express my complete surprise about the statement you ascribe to SPLM/A-IO confirming lack of mandate. If that were to be true, would it not be self-incrimination? How can a responsible body engage in a process for nine good months under people who are not mandated?

Dear Bashmahandis,

Of course, you are entitled to your opinions. Indeed, all of us must encourage and accept any constructive criticism. No human being is perfect, IGAD mediators included. In performing their duties, they no doubt made mistakes. Nevertheless, I would like to caution against any inadvertent move that will help promote the cause of people who are out for “forum shopping” to stall or subvert the talks in pursuit of military options. The people of South Sudan who were killed in their tens of thousands, were displaced in hundreds of thousands and whose social fabric is now in tatters cannot afford any unnecessary delay in seeing the peace prevail in their country.

Let us discuss the failures of the IGAD mediation objectively with a view of putting them right. This, by the way, includes the “protocol” that was issued by the IGAD summit on the 25th of August. We should avoid any attempt to drive a wedge between the mediators or adopting wholesale condemnations, as all this would damage the peace process rather than the individuals involved.

Best wishes and regards

Thank you

Lam Akol.

Unquote

So that we do the important note due respect and space, we will not comment on it now as it has its value standing alone.

We fully concur with the sound advice that we must all be objective and forward looking which is also our objective. That is the essence of our over 50 articles and numerous activities we have engaged in

We shall continue to post views that will reach us as they arrive. And we shall comment on all the responses we get.

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