

Decriminalising and Contextualising the Arguments for and Against Project Dredging of Rivers and the Silver Lining to Push for the Enactment of Environmental Legislations.

Introduction.

The past few weeks have seen us-the downtrodden citizens of this nascent republic embroiled in intense debates over the discovery of what I may call, the government's clandestine projects: *the dredging of river naam and reviving of Jonglei Canal*. Clandestine in the sense that the citizens were neither informed nor consulted, and yet, these are projects of immense environmental, ecological, social and economic impacts on their lives and livelihoods.

While there is entirely nothing wrong with opposing opinions, whether among citizens themselves or between the citizens and the government, the biggest problem, however, is the confusion and misinformation that have now filled these justifiable debates. The confusion and misinformation have the potential of marring and undermining the sobriety and objectivity with which this matter should be dealt with. This is exacerbated by myriads of things. Among them is ignorance, lack of scientific evidence, the indifference and unwillingness of the government to provide the needed information. To illustrate my argument using project dredging of river naam as an example, it is evidently clear that opinions are sharply divided over this matter. Contestations have been unnecessarily created where consensus was necessarily needed creation.

Decriminalising and Contextualising the arguments for and Against dredging project.

The proponents of dredging project on one hand, perhaps, misled by the government officials, naively and without any scientific backing, believe that dredging will solve the floods phenomenon. The opponents of dredging on the other hand, to which myself and the majority well meaning and enlightened South Sudanese belongs; while cognizance of the dire situations the victims of floods find themselves in, do believe that any proposed solution to floods menace like the so-called dredging, should, at the bare minimum, be first subjected to scientific, environmental, social and ecological assessments. This is to ensure that the proposed project doesn't end up causing bigger and irreversible damage to our environment than the problem it is intended to solve.

The government, as usual, shamelessly continues to treat alternative views with disdain, disrespect and arrogance. Any alternative view is prima facie regarded criminal as long as it emanates from the Prof. Jok Madut Joks, the Dr Lam Akol Ajawins, the Prof. John Akecs, the Abraham Awolichs and the Rajaab Mohandises etc. of this world. With the way our leaders treat us, you would think we, the downtrodden are children of the lesser god. I am sure you had listened to the lazy and unintelligent statements from Vice Presidents: Dr. Riek, Prof. Dr Gen. Wani Igga and Hon. Taban Deng. They seemed to suggest that as long as the project had government's approval through its Cabinet Resolution No: 39/20211 dated 20th September, 2021, there is utterly nothing sinister about it. They even went further, without an iota of shame and respect to the grieving family by insinuating that the unfortunate death of the Minister of Water-Hon. Manawa's death (RIP) was caused by the alternative view. The UK trained Scientist, one Dr Martin Elia, with an Onduruba village-level thinking, labelled, as criminals, those of us who are merely asking the government to come clean on the project.

Well, that is or should not be surprising to the downtrodden citizens of this country given that we have, for so long now, witnessed our leaders grown accustomed to inventing lies to defeat truth. It's now incumbent upon us to wake up from the deep slumber and say enough is enough to our leaders' policy of manipulation, dividing, confusing and hiring the downtrodden to sanitize their clandestine and sinister activities. The downtrodden us; both the pro-and anti-dredging sides of the debates, instead of creating unnecessary contestations, must begin to soberly, robustly and objectively debate this matter knowing that no one side has the monopoly of knowledge or truth on this matter. The flood victims in Unity State or greater Upper Nile region for that matter, should wean themselves off the misconception that the anti-dredging project side of this argument care less or has no regards for their plight. We do!

After all, the challenges that come with floods have, over the years and continue to bother us, across this country, in one way or the other. For instance, the flood victims from Unity State are already a burden in terms of insecurity to the host communities in Lakes State and Warrap State. The flood victims from Jonglei State are also a burden to the host communities in Eastern Equatoria State. We all desperately and urgently need solution to the floods menace. However, in search of the same, we should not be oblivious to the dangers pose to our environment by solutions that are not anchored on the framework of scientific evidence. Our leaders have elected to overlook science and pay home to their gargantuan pockets. Our wetlands and the Sudd are in danger. I do not want to waste my time enumerating or empathising the importance of the wetlands and the Sudd to our lives and livelihoods. We can not afford to sit back and watch our government to gamble with the Sudd or our natural environment as a whole.

That is why, we must all endeavour to oppose the project dredging of rivers by all means possible. Constitutionally, legally and even morally, we duty bound to protect our environment. The constitution, 2011 (as Amended) in Article 41 (1) states that every person or community shall have the right to a clean and healthy environment. It further, in Article 41 (2), places the correspondent duty on and enjoins every citizen that enjoys the right to clean environment to protect the environment for the benefit of the present and future generations. The same is repeated in Article 46 (1) where every citizen is enjoined to protect and conserve the natural environment. All these are in agreement with the International Law principles of sustainable development and intergenerational equity etc. as contained in Rio Declaration, 1992.

Thus far, we are not criminals. We are stakeholders and partners in matters environmental governance. Our leaders, instead of criminalising our views, should regard our views as complementary to any development agenda on their table. We do not hate our government nor do we hate their partners (Egpyt) that they are in bed with over this project and more.

We are simply exercising and discharging our constitutional and legal obligation to protect and conserve our natural resources for the benefits of the present and the generations to come. We are simply asking of our leaders to integrate and observe due process and rule of law in environmental governance. Instead of pushing the suspicious dredging project through our throats and makes their project even more suspicious, our leaders must do the right thing first: conduct environmental, social, ecological and economic assessments to ascertain the pros and cons of the dredging. I am not a scientist but I do believe that this is not a difficult thing to ask of a responsible government.

The Silver Lining to push for the enactment of necessary environment legislations.

They say, in every crisis, there is a window opportunity. I believe that, in these debates for and against the dredging project, a window of opportunity has now presented itself. I implore the pro-dredging and the anti-dredging sides of the debate to seize the opportunity, channel the same energy, determination and rigour so far exhibited to push the government to enact necessary legislations for effective management, protection and conservation of our environment, water, air, forest and wildlife. Such legislations, would undoubtedly, integrate international environmental law principles and best practices.

Sound environment laws will help provide necessary institutional, operational and legal framework for effective management, conservation and protection of our environment, piecemeal approaches such as the one government has chosen shall be better challenged, administratively and legally. Environmental protection policies, hopefully, shall be integrated and mainstreamed in formulation of every government's developmental policy, action and plan. Institutions shall be mandated to consult and provide citizens with necessary information on any proposed government project. I do not purport to say that there are no such provisions in law currently but rather to further enhance and strengthen the existing laws. There shall be mechanisms mandating the conduct of scientific, environmental, social and strategic impact assessments. Institutions or corporations they will contracted to provide developmental services shall be individually and collectively penalised if they do not take due diligence.

Conclusion.

Knowing that we are led by a government with a glaring leadership deficit and with looters posing as leaders; leaders whose hearts are placed in their pockets, leaders who have mortgaged their souls, leaders whose brains are being remote controlled from foreign cities through their dollar bank accounts, leaders whose sense of patriotism is readily available to any willing and cheap bidder and above all, leaders with huge conscience deficit, the choice has never been clearer to us-the downtrodden. We should not accept to be divided into pro-and anti-dredging sides to create contestation among us where none literally exists. The choice is now whether to die in our masses while sitting back as usual or stand up in defence of the bedrock of our lives and livelihoods; the Sudd. it is now incumbent upon us-the downtrodden to unite our ranks and build synergies where necessary in defence of the Sudd and the wetlands.

Do not accept the criminalisation of our opinions. We are not criminals. The real criminals are those in tailored suits who are clandestinely planning developmental projects with potential irreversible damage to our environment and by extension, our lives and livelihoods. We are partners with the government in its obligation to provide developmental services without compromising the health and integrity of our environment for our benefit and the benefit of our children's children.

And if you did not see anything wrong with the dredging or other projects of potential monumental environmental impacts, then look no further than their piecemeal and *“shoot first and aim later approaches”-if I were to borrow the words of the renowned Poet and Activist, John Pen De Ngong.* We are duty bound by the constitution and the law. Sustain the fight and progress it further by clamouring for the enactment of environmental legislations.

Happy Independence day to you all!

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