

Thinking Outside the Box: Is Conducting General Elections at the end of 2024 Possible in South Sudan?

Is Conducting General or Partial Elections at the end of 2024 Possible? Thinking Outside the Box!

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Wednesday, 05 June 2024 (PW) -- The general elections, which are proposed to be conducted at the end of this year 2024, have been highly publicised by the SPLM as reality that is going to be accomplished. This important national issue, has never been subjected to public debate, by the political parties and other stakeholders nor there has been any discussion about possibility of elections taking place. There is need for in-depth discussion, with the aim to figure out the possibilities of carrying out such determinant and divisive national undertaking. This issue, if it is thoroughly debated, a common ground could be established, consensus reached, and a roadmap agreed on what to be done to guarantee peace and stability for this country and its people.

In the absence of such political exercise, by the principal-signatories of the Revitalised Peace Agreement, 2018, it becomes a national obligation for citizens, to exercise their right of freedom of expression especially in regards to issues that determine the national interests such as the current proposed general elections. However, it seems people are refraining from openly express their views that might not concur with the position of the SPLM leadership. There is need for all political parties to make their positions and viewpoints clear and publicly disseminated across the country.

It is a common knowledge that the essence of elections, is to enable the people to exercise their politico-legal right to choose the government that is accountable to them and that runs the affairs of the nation on their behalf. In our situation, credible elections would contribute in peacebuilding, political stability and ensure the government is answerable to the people in accordance with the constitution and institutions. However, to conduct elections, is a challenge to governments in least developed countries like ours. Elections need conducive environment that includes peace and stability, political consensus, funding, international support, and institutional credibility.

Any elections intended in our country will be considered to be a pioneering democratic exercise, therefore, it must be consensually agreed upon by the political principal-players, and should secure adequate and necessary preparations for a successful, and credible results that are acceptable locally, regionally, and internationally. Conducting elections while lacking enabling and conducive conditions; such elections, if disputed, could trigger and usher in hostility, violence and deny the intended target of democratisation of the political depensation in the country. Our experience as people of this country, should make us always seek the most peaceful trend; particularly when we are aware of the increasing spirit of regionalism and tribalism in our country. It is important therefore, to examine chances and challenges of conducting general or partial elections at the end of 2024.

The R-ARCSS of 2018, stipulates clearly that some enabling and conducive peaceful environment be prepared as prerequisite for credible elections at the end of the interim period. Looking into the progress of the implementation of the Peace Agreement, one can observe that some critical provisions are still not realised; such as the following provisions and some other difficulties:

Firstly, the provisions of the R-ARCSS

1. RTGoNU is to: (1.2.14) Conduct a National Population and House Census before the end of the Transitional Period;

2. The National Election Commission should in: (1.20.5) Sixty days prior to the end of the Transitional Period, the NEC shall organise elections in accordance with the provisions of the Permanent Constitution adopted pursuant to this Agreement; (1.20.6) Within two months of the adoption of the Permanent Constitution; the NEC Act 2012, shall be amended to conform to the terms of the Permanent Constitution; (1.20.11) NEC shall invite national, regional and international elections observers; (1.20.10) The voters register shall be published within six months prior to holding of elections.
3. The integration and deployment of unified forces has not been concluded therefore (2.4.1) All the heads of opposition armed groups shall continue as C-in-C of their forces until the end of the pre-transitional period or until the end of the unification process; see 2.3.4/2.3.5. This means there are forces that are outside the national army.
4. RTGoNU shall establish (5.1.1.1) The Commission for Truth, Reconciliation and healing; (5.1.1.2) An independent hybrid judicial body, to be known as the Hybrid Court for South Sudan.
5. Permanent Constitution is not ready, see chapter (VI). This constitution is vital for this country; as it is anticipated to specify the system of governance in South Sudan, being presidential, parliamentary or whatever; federal or present decentralised system.

Secondly, situational challenges

1. The country is experiencing economic hurdle that handcuffs the government to timely pay public servants including NEC employees, organised forces, internal loans, and delivery of social services to the people; and the end of May 2024, it will be the seventh/eighth month of unpaid salaries, wages etc. So logic tells us that it will not be the government fund the elections? With the war in Sudan the transition of oil through Sudan is negatively affected and no hope of oil flow in the near future under the prevailing conditions in the Sudan. In the light of the situation in Sudan, it remains a real challenge for the government of South Sudan to fund elections in 2024 without oil proceeds;
2. The country is violence-ridden, there is rampant insecurity and prevalence of intercommunal conflicts exacerbated by proliferation of small automatic fire arms. This situation of insecurity, the government will not satisfactorily address it in the coming six months;
3. Present of armed bandits and rebellious groups ambushing vehicles and people along the highways across the country, the government cannot conduct elections without reaching peace settlement with these armed oppositions?
4. Lack of consensus between the partners and signatories of the Peace Agreement, in regard of elections at the end of 2024, would prejudice the credibility of the elections!
5. Without regional and international support for elections to be run, the administration that is formed following elections, will lack international recognition and support, and the country would be subjected to tight international isolation; considering South Sudan being a landlocked country, such international isolation could be a disastrous scenario.

From the above discussion, we can say that there is lack of political, legal, security, and financial enabling and conducive environment that is envisaged at the end of 2024 for conductivity of the elections. But, what could be the way forward? Below is my opinion on this national matter that obliges all of us to contribute in finding an agreeable way forward.

What is the way forward?

The history of our country, is full of leaders who worked in self-denial to pave the way for our freedom and independence. The spirited young soldiers who initiated the Torit armed-uprising, without them a dream of an independent country would have been in doubt; equally, without a farsighted leader like Father Saturnino Lohure with his pioneering colleagues, the world would not have heard of our bondage, and could have been difficult to reach where we are today; furthermore, if Gen. Joseph Lagu with his brave comrades, did not decide to command the

Anya-Nya, our consciousness and self-confidence to fight for a free country would have been unattainable; while, with consistency and clear vision, John Garang with his stalwart liberators, navigated us to where we were able to cross over reef of Arabisation and Islamisation; and if president Salva Kiir with his unshakable compatriots, were not firm and resolute to follow the right path of implementation of the CPA, and declined to be lured into responding to hostility and violence generated by the devilish NCP to derail the CPA, our independence could not have be realised through peaceful smooth referendum. The bravery exhibited, efforts exerted and role played by these leaders, without doubt, had culminated into our freedom and independence; hence there is a need today to replicate that heroic heritage.

Now, we have an independent, free, and sovereign country that has claimed the lives of millions to be liberated. However, there remains one heroic decision to be taken to enable us eliminate violence, conflicts, and tribalism that are hindering realisation of our unity, stable and peaceful country, that is democratic, and prosperous; that remaining patriotic decision to be taken, is what I am suggesting here.

In the light of the above prospect, I am here, appealing to president Salva Kiir and Dr Riek Machar to declare impossibility of running elections at the end of 2024 and postpone it for further arrangements. By postponement of elections, President Kiir and Dr Riek would have initiated the process of freeing the people of South Sudan from the vicious-circle of violence, fear, tribalism, hatred and disparity in which the country is entrapped. To legitimise the postponement of elections at the end of 2024 the following arrangements are to be done:

- a) The SPLM (IG/IO) leaderships, each shall call for an urgent extraordinary meeting of their politico-bureau and National Liberation Council to resolve impossibility of conducting elections in 2024; because the implementation of the peace agreement is incomplete, and needs extra time, and due to the above stated challenges facing the country;
- b) Concurrently, the principal signatories of the R-ARCSS, should acknowledge the impossibility of running elections under the prevailing political conditions and security situation; therefore, they should agree on postponement of the elections;
- c) The SPLM (IG/IO) leaderships together should engage and negotiate with the signatories to the R-ARCSS for extension of the transitional period for extra three-year term from 2025 to 2027. They should use the same method applied in working out the roadmap that extended the transitional period by adding two years from 2022 to 2024; this extension should be unrenewable;
- d) The principal signatories should engage IGAD, Troika, African Union, East African Community and UN to support the extra three years extension from 2025 to 2027; ending by holding elections in March 2028;
- e) When a consensus has been reached on the extension, some conditions should be attached to it that:
 - i) The status quo should continue as stipulated in the R-ARCSS; however, SPLM (IG/IO) should accommodate the holdout groups in their percentages of power sharing.
 - ii) The politicians participating in the government/s of the extended period 2025-2027, and all appointees into constitutional politicised positions, in the executive and legislature at all levels, national and states, should be considered to have reached the termination limit of their tenure. None of them should contest the elections of the 2028, nor participate in the government formed thereafter.
 - iii) Anyone from those categories would be legitimate and have right to contest in the elections of 2033 and participate in government of the aftermath of those elections;
 - iv) The government of the extended period 2025-2027, should enact laws that specify the privileges or financial packages for each category of constitutional post-holders, for a dignified living when on retirement at the end of 2027, and grant

- general amnesty to all persons alleged to have committed criminal offences, in regard to misuse of public resources during their tenure from 2005 to 2024;
- v) The guarantors of the R-ARCSS should consult AU, IGAD, UN-Security Council, Troika, human rights organisations and other international partners to agree that a general amnesty be granted to leaders in the above categories whom may have pending case/s or claims of war crimes committed during their reign; which require indictment by the International Criminal Court (ICC);
 - vi) The central task of the 2025-2027 government should be prioritisation of full implementation of the reform agenda as outlined in the R-ARCSS, that encompasses strengthening of public institutions; peace-building through national reconciliation among the communities and people of South Sudan.

The foregoing suggestion, is in the spirit of the sacrifices offered by thousands of our fallen comrades whom martyred under our commands during the period of the war of liberation. Because of their precious souls sacrificed and blood shaded for the independence of South Sudan; it is our turn today to sacrifice like them, by initiating unexpected leadership hard decision. Such decision will extinguish the hated and tribalism; break the vicious-circle of violence; end displacement; and stop the self-destruction of our people; so that peace and stability prevail in our county; and new breed of leaders of younger generation take from us the leadership of the SPLM in peaceful political patriotic process.

The End

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