



UNITED STATES COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM

Policy Focus: Development Challenges in Southern Sudan

September 21, 2010

Introduction

Sudan has been, and continues to be, a major focus for the U.S. Commission on International Religious Freedom (USCIRF) since it was established by federal law more than a decade ago. USCIRF has recommended annually that Sudan be designated a Country of Particular Concern (CPC), and the State Department has so designated Sudan.

Over the past two years alone, USCIRF visited Sudan four times, and held numerous briefings, roundtable discussions and other forums with experts on Sudan and representatives of Sudanese civic society and met frequently with officials from the U.S. government, Government of National Unity (GNU) in Khartoum and Government of Southern Sudan (GoSS). These include National Security Council Director of African Affairs Michelle Gavin, U.S. Special Envoy to Sudan Scott Gration, Assistant Secretary of State for African Affairs Johnnie Carson, GoSS President Salva Kiir, GoSS Vice President Reik Machar, GNU Foreign Minister Alor Deng, Sudan People's Liberation Movement (SPLM) Secretary-General Pagan Amum, SPLM Deputy Secretary General-northern sector Yasir Arman, and GNU Presidential Advisor Dr. Ghazi Salaheddin. These activities all served to ensure continued U.S. attention to Comprehensive Peace Agreement (CPA) implementation, pressure to improve freedom of religion or belief and human rights in the North, and understanding of development challenges in Southern Sudan.

Most recently, on July 12, 2010, USCIRF held a forum in Washington, DC on development challenges facing Southern Sudan. The off-the-record forum brought together senior U.S. government officials, Congressional offices, diplomats, development practitioners, and Sudan experts to discuss the South's current development needs and initiatives that would address such challenges. In addition, forum participants were encouraged to offer practical recommendations for consideration by the U.S. government, the international donor and development communities, and the Government of Southern Sudan on how to best address such challenges. U.S. Special Envoy to Sudan J. Scott Gration joined Commissioners in launching the forum. Panels focused on three areas: democracy and governance, peace and security, and provision of basic services,

The U.S. Commission on International Religious Freedom was created by the International Religious Freedom Act of 1998 to monitor the status of freedom of thought, conscience, and religion or belief abroad, as defined in the Universal Declaration of Human Rights and related international instruments, and to give independent policy recommendations to the President, Secretary of State, and Congress.

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with experts offering concrete recommendations to address the South's development and governance challenges.

Immediately following the forum, USCIRF traveled to Juba to further investigate the South's development needs and met with: SPLM officials; GoSS officials, including GoSS Vice President Machar; the Supreme Court of Southern Sudan; U.S. Consul General Ambassador Barrie Walkley and other U.S. government officials from the Department of State, USAID, Department of the Treasury, and Department of Defense; representatives from the UN Mission in Sudan; and senior leaders of the Anglican, Catholic, and Protestant religious communities. USCIRF also held a roundtable in Juba with indigenous civil society representatives to gain their insights into the needs of Southern Sudan.

Key findings

The findings and recommendations found in this report reflect the information gathered during the development forum, Juba trip, and USCIRF's longstanding work on Sudan.¹ Among the key findings include:

- Southern Sudanese expect the Government of Southern Sudan to provide security, meet citizens' education and health needs, and offer opportunities for economic development;
- The GoSS has little governing capacity, with technical assistance needed at all levels of administration from the GoSS level to state level to address security and basic services needs;
- The international community and Southern Sudanese expect the GoSS to govern in an inclusive and democratic manner, respecting political competition, freedom of association, and freedom of speech;
- Inadequate attention is paid by the international community and the GoSS to developing and working with the Southern civil society, including indigenous non-governmental organizations and religious communities; and
- There is poor international donor coordination and poor coordination between international support and the GoSS.

USCIRF concludes that, should the South vote for independence in the January 9, 2011 referendum, it will be vital to develop the Government of Southern Sudan's capabilities to effectively govern a stable South to ensure regional stability and the protection of human rights. Failure by the Government of Southern Sudan to provide stability will lead to only more insecurity and increased human rights violations, and will make it difficult for service providers

¹ *Editor's Note: This document focuses on Southern Sudan in the run-up to the 2011 vote on self-determination and post-referendum period and does not address Khartoum's continuing intransigence nor the Administration's recently extended proposal to Khartoum. USCIRF continues to address those concerns simultaneously to issues related to development in the South.*

to access populations in need of assistance. Limited capacity and infrastructure development also will hinder the GoSS' ability to adequately respond to conflicts and provide services to its population, hurting its credibility. Furthermore, failure to govern in an inclusive, transparent, and democratic manner could inflame divisions within the South, thereby creating challenging conditions for the new nation-state to overcome.

Key recommendations

To address these concerns and to help foster a stable and democratic Southern Sudan, among USCIRF's key recommendations include:

- increase technical assistance and expertise or other capacity to bolster the professionalization and human rights performance of the Sudan People's Liberation Army (SPLA) and the Southern Sudan Police Force (SSPF) to respond to insecurity in a manner consistent with respect for human rights, utilizing the State Department's International Military Education and Training (IMET) and International Narcotics and Law Enforcement Affairs (INL) programs;
- utilize existing social institutions, including indigenous religious bodies, and strengthen civil society organizations that have special expertise and a demonstrated commitment in the areas of inter-religious and inter-ethnic reconciliation and conflict prevention, to promote a peaceful civil society;
- expand technical assistance and training, education, provision of reference materials and facilities to the court system in Southern Sudan to address insecurity in the South and hold perpetrators of violence responsible;
- work with appropriate Government of Southern Sudan officials, political leaders, and international assistance organizations to increase and improve the space for peaceful, political debate and participation;
- increase funding for freedom of the press and media development programming;
- continue to enhance the facilities and personnel resources of the U.S. Consulate General in Juba in order to support increased U.S. engagement and programming in Southern Sudan, including staffing at state and local levels;
- increase substantially the number of technical advisors from all relevant U.S. government agencies, including, but not limited to, the State Department, U.S. Agency for International Development, Department of Justice, Department of Treasury, and Department of Agriculture, to the Government of Southern Sudan at regional and state

levels to promote good governance, administer rule of law, improve administration and delivery of services, and to address corruption and encourage other potential donors to increase technical assistance to Southern Sudan in these areas; and

- continue to fund at high levels infrastructure projects in the South and explore providing the SPLA with needed technical expertise and capacity, such as in road construction and other public works, to assist in creating an infrastructure that bolsters economic development.

Background

Although Sudan's more than 20 year North-South civil war (1983-2005), the longest conflict on the African continent, had many contributing factors, USCIRF found that severe violations of religious freedom were key. These violations were fueled by the efforts of the Islamist government in Khartoum to extend sharia, or Islamic law, and impose an Arabic language and culture onto African Christians, followers of traditional African religions in the South, and onto all Sudanese Muslims. Of the more than two million people killed and four million driven from their homes, the overwhelming number of victims were Christian Africans and followers of traditional African religions.

The signing of the CPA by the Northern National Congress Party (NCP) and SPLM on January 9, 2005 brought to an end the North-South civil war. The peace agreement created a six-year interim period and the GNU. A referendum on self-determination for Southern Sudan is to be held on January 9, 2011, at which point Southerners will choose to remain in a united Sudan or become an independent nation. According to the peace agreement, the six-year interim period was to be used to "make unity attractive." Elections and power and revenue sharing agreements were meant to address decades of Southern economic and political marginalization by Khartoum. CPA provisions to bring Sudan's laws into agreement with international standards, the exemption of non-Muslims from sharia in Khartoum, and the creation of independent human rights institutions were meant to correct human rights and religious freedom violations in the North. The creation of the Government of Southern Sudan was meant to allow the South a degree of autonomy in governing administration and to address development deficits.

Given the religious freedom violations in the North-South civil war, and the central role of religion as a potential factor in future conflicts between the two regions, USCIRF consistently has monitored CPA implementation and human rights conditions countrywide, including freedom of religion or belief. USCIRF has also remained engaged because the peace agreement is vital to ensuring peace, security, and respect for human rights and religious freedom throughout Sudan. Since 2005, USCIRF has taken five trips to Sudan, four since the fall of 2008, traveling to Khartoum, Juba, Abyei, Kadugli, and Malakal. USCIRF has also organized two high levels events, three press conferences and several roundtables on Sudan that focused on ensuring full CPA implementation and increased U.S. attention to prevent renewed conflict. Detailed recommendations developed by USCIRF on U.S.-Sudan policy have consistently advocated for the reform of legal conditions in Khartoum to improve freedom of religion or belief and human rights in the North; support for programs in Southern Sudan that would ensure that the South is an inclusive, democratic, strong, and stable region; and that the U.S. government strongly and consistently

pressures Khartoum to curb abuses and abide by international standards regarding freedom of religion or belief.

The majority of Southerners are expected to vote for independence during the January 9, 2011 referendum on self-determination. This is consistent with what USCIRF learned in our own visits to and meetings with persons from the South. The international community must prepare for this likelihood and plan accordingly. There are great concerns that the GoSS will have no capacity to govern, provide security, or be economically viable in an independent South post-2011 scenario. USCIRF shares these concerns and the implications for the future stability and viability of the South, and the status of human rights and religious freedom in Sudan. Crucial factors that come into play for the South and which foreign governments and international aid organizations must take into account include: the future security situation in the South; the high expectations Southerners have for the GoSS to provide services and control violence; the impact on the GoSS should it fail to meet these expectations; and the GoSS' commitment to governing inclusively, transparently, and democratically. Ensuring a strong, viable Southern Sudan is vital to preventing a return to civil war, during which severe abuses of religious freedom and other violence once again could lead to the deaths of hundreds of thousands, even millions, of innocent South Sudanese.

Provision of Peace and Security

Conflict in Southern Sudan was a universal concern among participants at USCIRF's development forum, along with many people with whom the Commission met during the trip to Juba. USCIRF was warned that GoSS's failure to provide security and to address security needs in a timely and professional manner is a major impediment to GoSS credibility and future success of the country. Interlocutors portrayed the South as a highly divided and heavily weaponized region, and highlighted the dozens of localized conflicts that erupted in 2009, as well as the United Nations report that 2,500 Southerners were killed and 350,000 persons were displaced by conflicts in the South in 2009.

Causes of Conflict

Conflict within the South stems from clashes over access to land and resources that are exacerbated by economic and social disparities and political differences. The prevalence of small arms across the South makes the communal conflicts more violent with the elderly, women, and children often targeted, and schools, clinics, and churches being destroyed. Additionally, as several interlocutors noted, the violence is cyclical. Failure by GoSS security forces to prevent and adequately stop violence, and failure by a weak judicial sector to prosecute perpetrators, has led communities to take retaliatory measures.

One senior Sudan expert told USCIRF that the failure by the GNU, GoSS, and the international community to properly implement the CPA-mandated demobilization, disarmament, and reintegration (DDR) process is yet another source of instability in the South, and that while there is significant focus on demobilization and disarmament, more attention needs to be paid to reintegration. The expert further explained that the DDR process has not been uniformly implemented, with communities and groups being disarmed along ethnic and political lines, while others remain fully armed. He also pointed to low participation rates in the DDR process because Southerners have either inadequate information and/or unrealistic expectations about the incentives for participating.

GoSS Response to Conflict

The GoSS has had two responses to internal conflicts: military deployment and disarmament campaigns, both of which have proven inadequate to end the bloodshed. The first response has been to deploy the Sudan People's Liberation Army (SPLA) and have them take over many of the functions of the Southern Sudan Police Force (SSPF), including responding to local conflicts, leading disarmament exercises, executing arrest warrants, and detaining persons in SPLA-run detention facilities. This responsibility was delegated despite the SPLA's mandate to address external threats and its lack of training to interact with a civilian population. Sudan human rights monitors and advocates from both non-governmental organizations and the UN with whom USCIRF met criticized the SPLA response to conflicts, reporting that SPLA officers engage in human rights violations, including the use of excessive force, robberies, ransacking properties, raping women, and some officers participating in local conflicts. All interlocutors who spoke about the SPLA's role in addressing violence recommended increased SPLA officer training on civilian protections and human rights, as well as increased efforts to train, deploy, and professionalize the police so that the army does not have to take on this responsibility. One human rights advocate recommended the implementation of stricter codes of conduct, increased accountability and oversight mechanisms, and an enhanced role for local communities to prevent conflicts and to manage mitigation efforts.

The second GoSS response to conflict in the South is voluntary and coercive civilian disarmament campaigns. The U.S. Consulate in Juba indicated that civilian disarmament is important to security in the South, but that the campaigns have been ineffectual and increased violence and human rights abuses while fueling resentment, exacerbating tensions, and distrust of the GoSS and SPLA. Southerners informed USCIRF of four concerns that hindered civilian disarmament: 1) Lack of security guarantees in areas with high levels of communal conflict; 2) Failure to compensate for surrendered weapons; 3) Failure to simultaneously disarm all armed groups in an area; and 4) Civilian views that the disarming party is ethnically biased. U.S. Consulate Juba pointed out there have been some successful disarmament campaigns and that the lessons learned from these exercises, such as educating local communities on the campaign and working closely with community leaders, need to be applied to other disarmament efforts.

To address the security situation in the South and increase GoSS's response capacity, U.S. Consulate Juba informed USCIRF that the U.S. government, the UN, and the British government are jointly working with the GoSS to develop Joint Operations Centers (JOCs) in each Southern state to allow the SSPF and SPLA to work together and with traditional and local government leaders to address security concerns, and to establish local level response techniques to stop any conflict before it spreads. JOCs are to be established prior to the referendum in January 2011 to provide security during the vote and will also house rapid reaction forces to quickly deploy and respond to local conflicts as they arise. Additionally, USCIRF was told by several senior U.S. government officials that the U.S. government and the United Nations will be increasing its staffing presence at state levels, with many employees working on conflict prevention and conflict mitigation efforts, including looking widely at sources of conflict such as resource competition and utilizing agricultural and development initiatives at community levels to prevent conflict.

Southern Sudan Police Service

The Southern Sudan Police Force (SSPF) was created after the signing of the Comprehensive Peace Agreement. The majority of the SSPF are former SPLA or militia officers lacking formal police training, 90 percent are illiterate, and many are older, approaching retirement age. One UN official told USCIRF that she believes the police system needs an almost complete overhaul. A particular concern raised to USCIRF is that poor integration means that many SSPF officers maintain ties to their old militias.

Many communities in the South are without access to police protection, due to the low number of police stations and police officers at state levels. Additionally, the SSPF's mobility is limited because of a lack of transport and communications equipment to cover large swaths of territory. Ill equipped officers must often work without radios, handcuffs, cars, or even uniforms; in many cases, USCIRF was told, civilians are better armed than the police.

SSPF officers reportedly commit human rights abuses and the force is documented to use excessive force, participate in local level conflicts, and even sell their weapons to civilians because the GoSS failed to pay salaries.

Judiciary

As noted above, failure by the GoSS to prosecute perpetrators of violence is a contributing factor to violence in the South. In meetings with the Supreme Court of Southern Sudan and the United Nations, and from experts at USCIRF's development hearing, the Commission was told of the dire shortcomings of the judiciary in the South.

Of principle concern is training. Many judges in the South were trained in sharia law and Arabic language, and have been or are currently being retrained in a common law system and the English language. In addition to learning a new legal system, the Supreme Court said its judges need training in specific areas of law, such as human rights, criminal, due process, property, contracts, and juvenile justice, just to name a few. Similar legal and language retraining is needed for administrative staff, justices said.

There are also great staffing needs, with low numbers of professional judges, lawyers, and support staff for judges or the court. The Supreme Court, which serves as the administration center for the entire judicial sector in the South, said it is working with the Ministry of Legal and Constitutional Affairs to develop a bar system so that it can properly and fairly evaluate applicants to be accredited lawyers.

The Supreme Court highlighted its great resource need, including few legal resources such as reference materials, case registration books, compilations of judicial decisions, libraries, law books, or texts of promulgated laws. In the only law library in South Sudan, which USCIRF visited in fall 2009, there was a single law book. Communication technologies are inefficient to circulate new precedents and law, the justices said, and there is no formal, effective system to track and pass down decisions throughout the legal system.

Because of the great needs of the courts, and their presence predominantly in the capital cities, the vast majority of Southerners rely on traditional courts using customary norms and practices. USCIRF was told that more than 90 percent of cases are heard by some form of customary court that operates under customary law. Traditional courts are even handling criminal cases. In these cases, defendants lack legal representation and the person presiding lacks the proper legal experience or understanding of serious

criminal offenses. They are popular at the grassroots level, said those working on rule of law in the South, because they have the benefit of flexibility and negotiation; UN representatives, however, expressed several concerns to USCIRF, including that many customary laws violate international norms and human rights, particularly those relating to women; reconciling and understanding the multitude of customary law variations throughout the South; and the lack of an appeals process, or role for the state, within the customary court system makes it difficult to intervene in cases when a defendant's rights have been violated.

Provision of Democratic Governance and Respect for Human Rights

Senior U.S. officials told USCIRF several times that the United States and the international community expect the GoSS to respect human rights and democracy. In addition, both have repeatedly warned GoSS officials that, should the South become independent, international assistance must not be used only to help the South become a closed, abusive state like Eritrea did after it gained independence in 1990. Of particular concern to the United States are freedom of speech and religion, freedom of the press, political freedoms, and the GoSS forming an inclusive government. U.S. government representatives also said that while they believe President Kiir is committed to democracy, rule of law, and respect for human rights, other GoSS and SPLM officials think only of the short term, and in the process, commit human rights violations. Senior GoSS and SPLM officials responded to these concerns that they understand what the international community expects of them and that they plan to govern in an inclusive and respectful manner.

Inclusiveness and Political Violence

Experts from the U.S. government, United Nations, and international and Southern civil society organizations universally worry about the potential for political violence within the South, among its various factions. The GoSS is to be representative of the entire South, however, internal divisions remain and many Southerners view the GoSS as Dinka dominated. There is concern that unless the Government of Southern Sudan is inclusive, reflecting the diversity of the South, that opposition leaders will reconstitute their militias in an independent post-2011 scenario. The decentralized system of governance in the South is part of an effort to ensure that all communities have access to the GoSS. However, there are reports that state and local governing institutions are being dominated by the majority group in the area, to the exclusion of others, increasing local level tensions.

The April 2010 elections provided an insight into the potential for political violence. Several opposition members were arrested. Several candidates campaigned along ethnic lines. Post-election violence highlighted the danger of the South falling prey to political violence with two losing gubernatorial opposition candidates reforming their militias and fomenting local level conflicts. The most serious is that of George Athor, a former SPLM official who lost the Jonglei State governor race. After his defeat, he reconstituted and continues to control his militia, which in May attacked an SPLA base in Malakal.

Freedom of the Press and Freedom of Speech

The GoSS' inability to respect freedom of speech and freedom of the press has negatively impacted its image. The UN told USCIRF that Southerners expressing independent views can be

targeted by SPLA and GoSS officers. There have been several arrests of media representatives in 2009. Often those arrested were publishing an item critical of the government or governing officials, or which expressed a point of view not in line with that the SPLM or GoSS.

Although Southern Sudan has a growing press sector, several interlocutors noted the importance of advocating for and strengthening a free media to monitor GoSS' respect of human rights and to hold the GoSS accountable for violations.

Church-State Relations

A worrisome and growing issue USCIRF learned of on its July 2010 trip is an apparent lack of understanding by some GoSS and SPLM officials of the relationship between the state and religious communities, as well as tensions between the government and religious communities. Religious communities fear over-secularization of the South, telling the Commission delegation that they would like increased cooperation with the government, whereas some SPLM officials told USCIRF that religious leaders should stick to their spiritual responsibilities. Religious communities are a vital component of Southern civil society, offering social services to communities, educating parishioners on important CPA issues and human rights, and intervening in a conflict mitigation role. Failure by the GoSS and international communities to work with this important sector hinders outreach and service to Southerners.

Provision of Basic Services

Southern Sudan has some of the worst human development indicators in the world. Among the startling statistics are:

- Almost 4.3 million people face famine in the South;
- Only 24 percent of the adult population is literate;
- 75 percent of the population does not have access to any form of health care; and
- 75 percent of the rural population lacks access to safe water.

Expectations for Service Provision and Credibility

Southerners view provision of education and health care as among their top priorities for the GoSS and are disappointed by the lack of GoSS progress on service provision and that the work is done predominantly by the international community. While many Southerners with whom the Commission met understood the great challenges facing the GoSS in its efforts to build a government from scratch, they still felt that the GoSS' performance remained inadequate. One representative from an international organization working in the South explained that Southerners are aware of the large oil revenues the GoSS receives and the reports of government corruption, making GoSS' failure to address health and education needs particularly damaging. They were concerned by the real chance of the GoSS losing credibility with the Southern population if it does not improve its service delivery.

Representatives from development organizations operating democracy, health, education, and livelihood programs in the South recommended that, for the GoSS to improve its credibility, it must start demonstrating its commitment to development in a more visible manner, highlighting its accomplishments to date, and being honest with Southerners about the great number of needs and a realistic timeframe for them to be met. Interlocutors also recommended that international NGOs partner more with GoSS institutions, at the state and national level, on service provision and highlight the government's role in the activities. One development practitioner said that the GoSS and the international community need to think in terms of developing programs that can have immediate material benefits, suggesting that as schools are built, authorities should increase training of teachers so that they are prepared when the facility is ready. He also recommended that development organizations share their resources at the local level to develop "more inter-sectional synergy," recommending ways to address health and educational needs simultaneously. One Southern civil society leader with whom the Commission met recommended increasing the use of mobile teachers and mobile health clinics as schools and hospitals are being built and teachers and health practitioners are being trained. He also advised that mobile service providers would be useful in reaching nomadic communities.

Capacity to Provide Services

Provision of services such as health care and education, as well as economic planning, is a shared responsibility between the GoSS and the states and local communities. Several interlocutors noted that even with adequate financial resources for development projects, states and the GoSS face a critical shortage of employees knowledgeable in administration, management, finance, planning, and service delivery. A representative from an international humanitarian organization noted that delivery of services is particularly problematic in rural areas where lack of roads and communication can make service delivery difficult and where insecurity can impede access.

Common Development Challenges

There were several common themes regarding development challenges addressed in USCIRF's July 2010 development forum and Juba trip. There was a general consensus that if these common concerns were addressed properly, it would improve the GoSS governing capacity and credibility with Southerners.

Infrastructure

The most common complaint, and the most obvious need from USCIRF's perspective, is the need for infrastructure, including roads, electricity, communication systems, and buildings. USCIRF met with several development organizations, many of which agreed that the most needed area of development in the South is infrastructure improvement. At the end of the civil war, there were no paved roads in Southern Sudan outside of Juba and Wau. There is only 50 km of asphalt road in the South, and during the rainy season vast swaths of the South can be inaccessible for weeks.

Lack of roads makes rural areas inaccessible to GoSS security forces, the judiciary, international assistance organizations, and GoSS service providers. It also makes having an international presence to conduct development activities outside of Juba and state capitals difficult, if not impossible. USCIRF was told repeatedly by GoSS officials, UN officers, and civil society representatives that GoSS institutions and Southern states lack the physical infrastructure to house and operate government institutions and need modern communication facilities, computers, and office equipment.

Technical Assistance

Closely behind infrastructure needs is the great need for GoSS capacity building assistance at regional and state levels. It was apparent to the USCIRF delegation that all levels of the GoSS face shortages of skilled employees. Many ministers and other senior GoSS and SPLM officials have no formal education or training in the areas which they oversee. Skilled, mid-level civil servants and technical officials are needed at both the GoSS ministerial and state levels. One USAID official addressed the lack of a professional civil service and how that challenges development. Poor literacy and education rates throughout the South decreases the number of qualified applicants.

Capacity in rural areas is particularly acute where there are only rudimentary local administrations. Most technical assistance is aimed at the GoSS in Juba; capacity building activities at the local level lag far behind or are nonexistent. The increased staffing by the U.S. government and the UN at state levels is aimed, in part, to increase capacity at state levels.

U.S. officials acknowledged the pressing need for greater technical expertise, but said the real question is how to tackle the problem in an effective way. Among the recommendations on filling employment gaps is to hire Southerners educated in the diaspora or civil servants from neighboring or other African countries, while identifying and employing the skills of returning IDPs and refugees.

Donors and Coordination

Through the North-South civil war and since 2005, there has been a large presence of international and non-governmental organizations in Southern Sudan. Since 2005, the number of organizations addressing education, health, food security, conflict prevention, livelihood, and agricultural needs has grown, with expectations of further growth should the South vote for independence in January 2011. According to one senior U.S. government official, Southern Sudan may be the first country in the world to be led by NGOs.

USCIRF was warned by both U.S. government and civil society representatives of a dependency by GoSS on the international community for both service delivery and capacity-building. To address these problems, one development expert recommended to USCIRF that the international

community understand and explain to both the GoSS and Southerners that they, the NGOs, are to serve as conduits between GoSS and citizens. This expert also recommended that international organizations should help citizens connect to the government and support indigenous ideas and non-GoSS activity. There has to be a “harmonization of local activities with national policies” argued another Sudan development expert.

In addition to the great number of NGOs operating in the South, there are several international efforts to increase development to Southern Sudan, including pooled donor mechanisms and bilateral foreign aid schemes. With all of the money going to Sudan, there is a lot of overlap of activities, with several Sudan experts expressing concern to USCIRF about the lack of coordination between groups working to develop Sudan. One recommendation USCIRF heard was for donors and development organizations to hold regular meetings for information sharing.

Several interlocutors noted the continued need to move from humanitarian to development assistance. Two-thirds of the USAID Sudan budget is for humanitarian needs, one-third is for development and conflict prevention. The agency would like to move to development, but three years of drought in the South and continued conflict throughout Sudan keeps the humanitarian budget high.

Another consequence of the international effort to develop Southern Sudan is the overshadowing of indigenous development and conflict mitigation efforts. A nascent civil society in the South is beginning to form; these bodies, however, like the GoSS are in need of assistance. Religious communities, which have a large role in the South, repeatedly told USCIRF that they are under-utilized in conflict prevention activities by the international community and the GoSS. Several representatives from international and civil society organizations recommended to USCIRF that donors and the GoSS increase their engagement with Southern civil society for service and conflict prevention programs. U.S. Consulate Juba said they welcomed increased efforts by indigenous civil society groups to provide services and engage in advocacy activities, and that these efforts warrant support.

Conclusion

Unless there is determined effort by the GoSS and the international community over these next several months to address the aforementioned concerns, the future stability of Southern Sudan is in question. An unstable Southern Sudan would be ripe for violations of human rights, including the freedom of religion or belief. It would be open to internal conflicts which can be used by the North to renew a North-South civil war, in which religious freedom violations could again be among the worst in the world.

In contrast, a Southern Sudan that is governed in a democratic manner would respect religious freedom, freedom of the press and freedom of speech. It would also permit and work with a vibrant opposition. A GoSS which provides security and services to its population would maintain its credibility in the eyes of its population. A Government of Southern Sudan that is

inclusive and respectful of the diversity in the South would prevent internal divisions. A strong South, such as the one described above, would prevent, or lessen the chances, of mistrust or divisions among Southern groups. Such mistrust could lead to internal conflicts, which can be seized on or exacerbated by the North to renew civil war, as the NCP has done previously. An inclusive, responsible, and democratic GoSS would also help prevent religion being used as a proxy for economic or ethnic conflicts in the South, which has been the case in other African conflicts.

Recommendations

To address these concerns and to help foster a stable and democratic Southern Sudan, USCIRF recommends that U.S. and international assistance to the Government of Southern Sudan target efforts at conflict prevention and mitigation, technical capacity at the GoSS, state, and local levels, and increase democratic space in Southern Sudan.

I. Provision of Peace and Security

- increase funding and technical assistance to the Southern Sudan Human Rights Commission to strengthen its capacity independently to protect, monitor, and investigate human rights abuses and to promote respect for internationally recognized standards on freedom of religion or belief and related human rights;
- increase technical assistance and expertise or other capacity to bolster the professionalization and human rights performance of the Sudan People's Liberation Army (SPLA) and the Southern Sudan Police Force (SSPF) to respond to insecurity in a manner consistent with respect for human rights, utilizing the State Department's International Military Education and Training (IMET) and International Narcotics and Law Enforcement Affairs (INL) programs;
- work with the local governing officials and communities, SPLA, and SSPF officers to development community policing efforts to prevent conflict, respond to conflict in a quick manner, and to improve the relationship between communities and security forces;
- utilize existing social institutions, including indigenous religious bodies, and strengthen civil society organizations that have special expertise and a demonstrated commitment in the areas of inter-religious and inter-ethnic reconciliation and conflict prevention, to promote a peaceful civil society;

- expand technical assistance and training, education, provision of reference materials and facilities to the court system in Southern Sudan to address insecurity in the South and hold perpetrators of violence responsible;
- increase support for the Government of Southern Sudan's current, active efforts toward disarmament, demobilization, and reintegration of Southern Sudan's many ex-combatants; and
- strongly advise the Government of Southern Sudan to engage in outreach efforts to work with and develop credibility with local communities before undertaking disarmament exercises.

II. Provision of Democratic Governance and Respect for Human Rights

- work with appropriate Government of Southern Sudan officials, political leaders, and international assistance organizations to increase and improve the space for peaceful, political debate and participation;
- undertake programs to improve citizen awareness and enforcement of the legal protections for human rights included in the Interim National Constitution, the Interim Constitution of Southern Sudan, and the international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), to which Sudan is a party.
- increase funding for freedom of the press and media development programming;
- increase capacity for and support indigenous civil society efforts which advocate for respect for human rights, including freedom of speech, freedom of the press, and women's rights; and
- work with the Government of Southern Sudan to improve its understanding of international standards for freedom of religion or belief and church-state relations.

III. Provision of Basic Services

- continue to enhance the facilities and personnel resources of the U.S. Consulate General in Juba in order to support increased U.S. engagement and programming in Southern Sudan, including staffing at state and local levels;
- increase substantially the number of technical advisors from all relevant U.S. government agencies, including, but not limited to, the State Department, U.S. Agency for International Development, Department of Justice, Department of Treasury, and

Department of Agriculture, to the Government of Southern Sudan at regional and state levels to promote good governance, administer rule of law, improve administration and delivery of services, and address corruption and encourage other potential donors to increase technical assistance to Southern Sudan in these areas;

- expand the opportunities for fellowships, internships, or similar exchange programs for Southern Sudanese professionals to increase the capacity of the Government of Southern Sudan at regional and state levels to promote good governance, administer the rule of law, improve the administration and delivery of social services and education, and address corruption;
- expand partnerships between U.S. universities and the University of Juba to enhance Southern Sudanese expertise and develop a civil service knowledgeable in agriculture, business, law, health care, public administration, public works, education, and other areas to support development efforts;
- expand the provision of U.S. assistance to indigenous civil-society, private-sector groups and provide appropriate technical assistance to enable such groups to prepare project proposals for U.S. grants;
- continue to fund at high levels infrastructure projects in the South and explore providing the SPLA with needed technical expertise and capacity, such as in road construction and other public works, to assist in creating an infrastructure that bolsters economic development;
- while recognizing the urgent need for continued U.S. humanitarian assistance, begin shifting to recovery and development assistance, taking into account the needs of returning IDPs and the absorbing communities, through increased funding for education, health care, economic development, and infrastructure;
- encourage U.S. private investment in Southern Sudan while alleviating the impact of remaining U.S. sanctions on all areas under the control of the Government of Southern Sudan, including sanctions on communications equipment;
- support the creation of an effective banking system in Southern Sudan, recognizing that such a system is crucial for the South's economic development and political stability; and
- promote agricultural development in Southern Sudan with the goal of promoting greater food security.

