

# POLICY BRIEF

OCTOBER 2014

## Transitional Governance Arrangement

### BACKGROUND

This policy brief is a result of public discussions that SSuDEMOP organized in October 2014. SSuDEMOP hosted a Roundtable Forum of Concerned Citizens comprising of South Sudanese intellectuals from all walks of life: academics, lawyers, aid workers, civil rights and human rights activists etc. The Roundtable Forum identified several issues, which they believed deserved public attention and participation. One of which was the issue of "Transitional Governance".

SSuDEMOP and the College of Graduate Studies and Scientific Research, University of Juba, as a result, organized a Town Hall Meeting in Juba in October 2014 for the public to share their views and offer suggestions on the issue of Transitional Governance. During the Town Hall Meeting, a presentation was made on Transitional Governance Arrangement. The paper highlighted the different models of transitional governance arrangement and offered recommendations to inform the discussions.

### PUBLIC PERCEPTION OF THE CONFLICT AND EXPECTATIONS OF A FUTURE TRANSITIONAL GOVERNANCE

The impact of the July and August 2013 government reshuffle was that the general public began to feel possibly for the first time, that the country was grappling with issues of governance and intra-party democracy. The current conflict can therefore be said to not have started on December 15<sup>th</sup>, 2013, but rather that the events of that day are the manifestations of a long existing latent problem. Since the Comprehensive Peace Agreement (2005), South Sudan was faced with, among other things, the challenge of laying a formidable foundation for good governance. Aware of and driven by the desire to see peace return to the long-suffering people of South Sudan, the Town Hall Forum resolved that:

1. The transitional period should be treated not as a 'mission accomplished' but rather as a continuation of the peace process. This means that the role of the international mediators/facilitators ought to continue even after an agreement is signed.
2. The agreement should explicitly provide for free, fair and democratic elections so as to facilitate and inculcate a culture of smooth and peaceful transfer of power that respects and reflects the will of the people.
3. The mediators and civil society organizations should form a robust monitoring mechanism (body) and should continue to play an oversight role and ensure continuous engagement with the parties as confidence and trust building mechanism.
4. The agreement should be automatically incorporated into the national constitution to form part of the laws of South Sudan so that its violation becomes a crime punishable by law.

### The Town Hall Forum calls for:

1. A truly people driven review of the Transitional Constitution of South Sudan, the existing policies and laws of the country.
2. Comprehensive and responsive reform of the security sector and the civil service based on professional and globally acceptable standards
3. Clearly specified tenure of office for constitutional post holders and the separation of the military from politics.
4. A National Agenda that responds to the needs and realities of the people of South Sudan with a clear timeline for implementation
5. Comprehensive retirement and pension scheme for public servants
6. Establishment of a Multi-stakeholder monitoring and conflict resolution mechanism

