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Chair

Mr. Scott Reid

Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development

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• (1305)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): Good afternoon, everyone.

Welcome to the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. Today is the last day of March. This our 63rd meeting and it is being televised.

[English]

We have as a witness here today Justin Laku, who is a lecturer at the centre for peace and development studies at the University of Juba in South Sudan.

Today we are talking about the human rights situation in Sudan, although if that extends into a discussion of South Sudan, that is of course completely okay.

Mr. Laku, we invite you to begin your comments. I'll just inform you of how this works. We have a tiny bit less than an hour. We usually encourage people to make their comments for about 10 minutes, which allows for the rest of the time to be used by the various questioners. They then ask questions and you respond to them. I've found in the past that the back and forth that comes from those questions and answers is often the most productive part of the meeting. The questions will be divided up among six members of Parliament. How long each of those question-and-answer rounds is depends on how long your initial presentation is.

With that said, I invite you to begin your testimony. Thank you very much.

[Translation]

Mr. Justin Laku (Lecturer, As an Individual): Thank you very much, Mr. Reid.

[English]

Good afternoon, ladies and gentlemen, and members of the committee. I am happy to be here today, and I will share with you some experiences in South Sudan in the recent political crisis.

First of all, I am speaking to you from my personal experience as a displaced person, twice a refugee in the first civil war in the 1970s, a refugee in Cairo and a refugee in Canada. I have seen it all. I have gone through all this experience of being a refugee going through the war situations. My experience as a refugee and displaced person has led me to become a human rights campaigner, to become the voice of

the voiceless for the people of South Sudan, and in Sudan, Darfur, Blue Nile, and the Nuba Mountains.

My remarks today will be a background on the current situation in South Sudan. Then, I will give you the current situation of the country and the peace talks. Then, I will have some recommendations for your committee on what Canada can do. Then, I will conclude.

For over 20 years, South Sudanese freedom fighters fought against the Khartoum injustice, discrimination, inequality, Islamization, Arabization, and slavery. Ironically, the rebels, the SPLM-SPLA, which assumed the power in South Sudan in 2005 after the CPA, comprehensive peace agreement, have not introduced the political reform, freedom, equality, justice, and distribution of power that they fought for for over 20 years. The freedom of the democratic processes is part of the mission of the SPLM-SPLA.

The SPLA government in South Sudan has denied the South Sudanese these rights, as the Khartoum regime carries on the genocide in Darfur, the Nuba Mountains, and Blue Nile. In a nutshell, the Salva Kiir government in South Sudan can be defined as an era of entitlement and the transfer of Khartoum policies to South Sudan, to Juba.

Here is the background. In 2013, we saw the conflict that devastated the lives of the majority of the people of South Sudan. It has killed tens of thousands, and left nearly a third of the population at risk of famine. The conflict has been brutal—killing, rape, forced recruitment of children, mass displacement, and destruction of livelihoods.

With regard to rapes, I would like to read to you remarks from one of the human rights women activists in South Sudan.

This is what she said:

This current conflict, described as senseless even by the warring sides, does not spare women or girls—they have been specifically targeted. Killings and rapes are repaid with killings and rapes. Sexual violence has been inflicted on a scale unseen even by the brutal standards of previous wars.

That's 1997 and 1983.

Victims range in age from young girls to elderly women, some in their 80s. Many stories tell of women given the option between rape and death. Women who refused to be raped were penetrated with sticks, guns and other objects and bled to death. Those who chose rape were gang raped, many not surviving the brutality. Pregnant women had their babies ripped out of them.

•(1310)

The conflict has a major effect on the environment, with the breakdown of the social fabric of the South Sudanese culture, psychosociological trauma generated by the sexual violence on women, and child exploitation. It has left open the wounds of 1991. That era of 1991 is the era of the Riek Machar-John Garang-Salva Kiir Mayardit split. We saw similar killings in 1991.

The same scenario is repeating itself, since 2013. Their political crisis was not a coup, as is stated by the government. It was a misunderstanding between the Dinkas and the Nuer officers in the Presidential Guard. The conflict created three more rebels in Equatoria, and as we speak now, it is under the leadership of Major General Martin Kenyi, Major Losuba Lodoru, and Captain Robert Kenyi.

Mr Chair, if you don't mind, I have some information here to substantiate what I'm saying and I would be happy to provide it.

The Chair: Thank you. I was going to ask you to do that as well. It's very helpful to us.

Mr. Justin Laku: Yes.

The Chair: Thank you.

Mr. Justin Laku: The conflict has created an economic crisis in the country, so far the country has lost almost 50% of the revenue from oil.

Of the main problems that led to the current political crisis, the first is that 80% of the South Sudanese population can neither write nor read. Around 75% of the police, prison workers, let's say all the security organs, are illiterate.

Second is the tribalization of the government offices. Most ministers are from the Dinka tribe of the president, Salva Kiir. The defence minister is a Dinka. His chief of staff is a Dinka. The interior minister is a Dinka. The director of the police is a Dinka. The minister of prisons is a Dinka. The head of CID, the criminal investigation division, is a Dinka. The minister of national security is a Dinka. The minister of finance is a Dinka, and the list can go on and on. That tells you that the South Sudan is not an inclusive government. It is being run by only one tribe and the power has been centralized in one region.

Third is the issue of land grabbing. Most of the land grabbing happens in Equatoria and this has become a phenomenon not only in South Sudan, but across Africa. The land grabbing has become an issue. The land grabbing is being done mostly by the Dinka commanders who have legitimized their power in the police, prison, or the army and are grabbing the lands of innocent people.

As you know, most South Sudanese people rely on agriculture. Therefore, if you grab their land they are not going to survive. It creates more famine and more displacement in society.

We have discrimination. Discrimination is mostly done against the non-Dinkas in the public service, police, and prisons. We also have disappearances and insecurity in South Sudan as we speak now.

A journalist of South Sudan TV was arrested last week. We didn't know what had happened to him until now. He was arrested simply

because he had interviewed somebody and asked a question about the chief of his staff. This has been going on daily. Detentions have been happening daily in Juba.

Any junior officer from a Kiir tribe can get more power over those with big titles from other tribes because they have direct access straight to the commander-in-chief. They can tell others that they are in charge of this without dispute, since no one else has that tribal link.

Oil revenue, resource mismanagement, and corruption mean billions of funds from South Sudan have disappeared into the pockets of a few ministers, about 75 ministers. Most of those ministers have foreign accounts in Canada, the United States, the U. K., and Australia. Some have bought houses in Colorado and even here in Ottawa. A lot of the SPLA money is being eaten up by the so-called lost boys, officers from the Kiir tribe, many of whom came back from the United States, Australia, and Canada to take up senior military jobs at the SPLA headquarters in Juba.

South Sudan never adopted a federal system. It was advocated since 1947 in the Juba Conference. Freedom of the press has been systematically eroded and censored daily. Newspapers have been confiscated on a daily basis. In the security forces, in balance, 65% of the military personnel are from the Nuer, that is prior to 2013. South Sudan faces a democratic deficit in transforming from a one-party state to a multi-party state. South Sudan's public service lacks transparency, credibility, accountability, equity, efficiency, and effectiveness.

•(1315)

We have tribalism. As you know, the parliament of South Sudan has 335 members; 275 are elected direct by the people and 68 are nominated by the president. The 68 who were nominated have now changed the balance of power of within the House. As you also know, constitutionally, they are not elected, but they can now make a law, which becomes unconstitutional.

Government appointments are mostly done through the president's office based on tribal links. Military recruitment is based on tribal alliance, causing inter-tribal conflicts to re-emerge. Most of the commanders who were rebels before were integrated into the government and they are still loyal to the commander but not to his chief of staff and not to the minister of defence of the South Sudan government.

With regard to discipline and capacity, the SPLM does not respect human rights and civil liberties or defend the constitution. There is an urgent need to transform the South Sudan People's Liberation Army from a rebel movement to a civil, disciplined, and efficient military force under civilian control. The guerrilla fighters' backgrounds and lack of formal education have not prepared top military men in the South Sudan People's Liberation Army movement to be competent and credible when taking on the government, which faces accusations of rampant corruption all across the board.

Corruption has deterred development projects and economic development in South Sudan. Corruption has plundered the resources. Government officials are facing impunity over \$4.5 billion in foreign account deficits, as I mentioned, with Canada, the United States, the U.K. and Australia. The leadership deficit exists at all levels of public service among civil servants, politicians, and ministers. It extends through South Sudan civil society with its limited exposure to the practices of democratic governance.

There is a lack of governance and lack of respect for the rule of law, leading to a crisis of legitimacy, with the absence of government services for water, garbage collection, electricity, and so forth. South Sudan civil society is made up mostly of women with limited education and political weight. Youth unemployment is very high, and the education system is very poor.

Youth and university graduates faced with a lack of democratic values return to inter-tribal conflicts and are kept waiting with no local meaningful job opportunities. This situation gives commanders the opportunity to recruit them by telling them that if they come, they will have the rank of major or captain—so this is one area there. As you know, over 65% of the population of South Sudan is women and children and youth.

The other issue is the constitution of South Sudan. Article 101 of the constitution of South Sudan gives the president ultimate power to dissolve the parliament, to sack the governors, to sack the ministers, and to do whatever he wants to do. That is one part of the issue that South Sudan is going through.

The current situation in South Sudan involves human rights abuses and disappearances of opponents of the government in Nimule, along the border between South Sudan and Uganda, in Yei, near the border between South Sudan and Congo, and in Juba and other parts of South Sudan, especially in Bentiu and Malakal and Bor. The killing and the destruction are still going on. Parties to the conflict are still fighting each other with no interest in peace.

● (1320)

Last week, the parliament of South Sudan extended the term of the president by another three years to July 9, 2018. At the same time, the parliament also extended its own mission by three years. But it never extended the state parliaments by three years, only the national parliament.

In terms of the current peace talks, just to let you know, I was in Addis Ababa last year until recently. I spent almost a year in the region between South Sudan and Addis Ababa. I would like to share with you a few insights about what happened in Addis Ababa.

The peace talks in Addis Ababa failed completely because the two parties refused to accept the transformation of the government to multiple political parties. From the perspective of civil society, the peace talks aim to ensure the participation of the semi-autonomous and fully autonomous army groups operating in South Sudan, so that they are party to the security arrangements as well as to the governance system in South Sudan.

On the issue of corruption, the issues of accountability and reconciliation, and the healing process have to take root in South Sudan. For South Sudan to be peaceful, we need to invest in reconciliation and healing, and those who committed atrocities and

human right violations must be held accountable. The culture of impunity in South Sudan fuelled atrocities and must be tackled if the recurring cycle of violence is to end.

Any peace agreement should exclude amnesty for those responsible for serious crimes, and should require that, during the transition period, South Sudan publicly commit to a fair and credible criminal investigation and prosecution of serious crimes committed during the current conflict. The government of South Sudan should request international assistance from the United Nations and the AU to establish a mechanism to try the most serious crimes committed during the current conflict.

Any peace agreement should also require South Sudan to establish a national body during the transition period that will promote truth, reconciliation, and healing. Any mechanism which is established needs to involve people at the grassroots level, be culturally...and owned and driven by the local communities.

The African Union's peace and security council should publicly release the report of the African Union Commission of Inquiry on South Sudan as soon as possible. The report should also be used as the basis for imposing targeted individual sanctions such as asset freezes and travel bans, as outlined in the IGAD resolution of November 2014.

The other issue we are facing is famine. As I told you, land grabbing, displacement, and refugees created a humanitarian crisis, especially in the Malakal area and border with Ethiopia. The international community should support the UN peacekeeping mission in South Sudan and Abyei to reorient their focus and structure, and to make the protection of civilians a full priority.

The international community should also not forget Darfur, the Nuba Mountains, and the Blue Nile. As we speak, the government of Sudan is also carrying out genocide operations in Darfur and the Nuba Mountains because people are busy with South Sudan.

● (1325)

There are foreign troops in the country. In order for peace to be established in South Sudan, the foreign troops of Uganda must be removed or must exit South Sudan as soon as possible. The foreign troops in South Sudan are becoming one of the detriments to peace and a hurdle for the peace process.

As for the governance system, it was proposed that South Sudan should have a federal system, and here maybe Canada can help and assist in the future planning.

Regarding security arrangements, both parties agreed that they should have two armies, one army under Riek Machar and one under the South Sudan government for a period of the three years of the transitional government, and then after that both armies will be reintegrated.

What the African Union lacks currently in the ceasefire commission is logistical support, transportation, communication, and humanitarian aid in the areas of the conflict in Bor and Upper Nile. The African Union and UN peacekeeping should intervene if the parties in the conflict violate the ceasefire of hostilities agreement.

Regarding the South Sudanese diaspora, the Government of Canada should make use of the brain drain and turn it into a brain gain. The South Sudanese diaspora in Canada should be allowed to participate in the current peace talks in Addis Ababa. Canada has supported two Ukrainian election missions, led by Senator Andreychuk in the Ukrainian diaspora. Why not do the same for the South Sudanese diaspora?

If this conflict continues, South Sudan runs the risk of becoming another Somalia, consumed by civil war and tribal fighting, which will endanger the peace and security of the region as well as the world.

What can Canada do? First is to formulate effective foreign policy on Africa. Canada should examine and re-examine its relationship with the African countries.

There should be mutual respect. Visa rejections of heads of states should be eliminated. The negative treatment of African officials by the Canadian government has affected the Canadian companies operating in South Sudan. In some of the documents I gave you, there's the case of the current vice-president applying for a visa to come to Canada, and he was rejected for no reason. Now that makes it difficult for Canada to even play a middle power, try to put on pressure, or try to intervene. That's going to be very difficult.

Before I came, I called several of the embassies, and one ambassador told me that Canada was not dealing with them with mutual respect and with partnership respect. When they asked for a meeting with Foreign Affairs, it was always rejected. When the officials apply for visas, they're always denied. That makes it very difficult for Canada to now play a middle role to help put pressure on the African Union or on the Government of Uganda to remove its troops from South Sudan. All this has to be re-examined, and I hope your committee will make that recommendation.

The pan-African bureau at Foreign Affairs, under Director Patricia, should have the South Sudanese help design programs and implement projects for South Sudan, and also to help Foreign Affairs with non-partisan advice.

Now we have a Seed for Democracy for South Sudan's homegrown initiative by the diaspora. We hope the Government of Canada can support it. The Seed for Democracy is trying to educate the South Sudanese on democratic principles in the public service, schools, the military, police, civil society, and with women, so that they can understand what the democratic principle means. That will help the government of South Sudan make the transition to successive governments peacefully.

•(1330)

Unfortunately, the Canada-Africa Parliamentary Association objectives and missions are limited. I would like to suggest that they should expand their mission and objectives to include the training of the MPs, their counter MPs in South Sudan, on

governance, rules and regulations, bills, legislation. This training could be done during the summer when the Parliament in Canada is not in session. I have made a recommendation to the Canada-Africa Parliamentary Association in 2010, and this proposal was not taken seriously. You have a copy of the proposal on the handout. I have requested that. I have made the proposal for the Canada-Africa Parliamentary Association to build a partnership with the parliament in South Sudan so that they can have this mutual respect and exchange of notes.

The African Union commission report must be released. The bank accounts in Canada of South Sudan officials must be frozen. Canada can help refer South Sudan's conflict to the UN Security Council for further sanctions on key government officials, and Riek Machar and the commanders. Canada can help put pressure on the Ugandan government to remove its troops from South Sudan and give peace a chance. Canada can support the South Sudanese diaspora in participation in the next round of peace talks in Addis Ababa. Canada can appoint a peace envoy to monitor the situation in South Sudan so that South Sudan will not become another Somalia.

Just to let you know, currently we have a number of Somalians in South Sudan. With the event that took place in Kenya last year, the money was transferred from Canada and the United States through South Sudan to Kenya.

In conclusion, South Sudan escaped from the oppressive regime in Khartoum that is carrying out genocide operations in Darfur, the Nuba Mountains, and the Blue Nile, only to be faced with a new repressive regime in Juba. The South Sudanese fought against a common enemy, Khartoum. The SPLM freedom fighters in South Sudan turned to find another common enemy in South Sudan. The new common enemy under the leadership of Salva Kiir is worse, more repressive than the old common enemy, Khartoum. Blame for this political crisis in South Sudan must be shared between the government of South Sudan, Canada, and the international community.

Indeed, Canada and the international community learned a lesson from Kosovo, Iraq, Zimbabwe, and Somalia. Did the Canada-Africa Parliamentary Association listen to that advice of the Friends of Sudan on the proposal on Sudan? The answer is no. A takeaway lesson from the South Sudan political crisis is that a failing state is a threat to global peace and security. It will create refugees, internally displaced persons, and it will force migration to the west. To make South Sudan a success demands Canada's attention to commitments and re-engagement in Africa.

Canada should listen to the advice of the diaspora, and not only listen but work with them as a stakeholder for a brighter South Sudan. It is not too late for Canada to enter the game and to take concrete action to help the peace process in Ethiopia. Canada can assist South Sudan to adapt a democratic process, a federal system, which is accountability, transparency, and respect for human rights, and even political participation, and a multi-party system for fair elections, efficiency, effectiveness, and public service equity. The SPLA government and the SPLM in the opposition failed to sign and meet the deadline of the peace talks in Addis Ababa because the international community lacked the will to make them sign this.

Thank you.

• (1335)

The Chair: Thank you.

As a practical matter, I mentioned 10 minutes was the recommended length. You used slightly over 30 minutes. This gives us time for one question per questioner. You'll have four minutes. That's going to be one question, one answer. I'm afraid given the time constraints, I may have to interrupt and cause the responses to be wrapped up.

Mr. Sweet.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): My first question is one of confirmation. Did you say that both of the parties that disagreed at Addis Ababa said they would not agree to a multi-party parliament?

Mr. Justin Laku: No. I'm talking about the current situation. There is a multi-party system in South Sudan on paper but not in practice. The peace talks—

Mr. David Sweet: They broke off because—

Mr. Justin Laku: They broke off because there is no agreement among the three options.

The first option was that Salva Kiir allow Riek Machar to become vice-president, and the government objected to that.

The second option, which was brought by the mediators, IGAD, said they should reinstate Riek Machar as the prime minister, and that the two vice-presidents must be appointed by the president. The opposition objected.

The third option was about security. There are two security forces. One is the army under Riek Machar, which would be under his control for a period of three years, and the government of South Sudan would have its own army for three years. The government of South Sudan said no; Riek Machar should only have control of his army for a period of two months.

Then there's the issue of the federal system. The government agreed, but the details were not discussed.

• (1340)

Mr. David Sweet: Thank you.

The Chair: You have more time.

Mr. David Sweet: All right.

We had Mr. Odwar here. I asked him a question as well about the African Union's holding back of the commission's report. You

mentioned that this report would probably elicit sanctions, etc., against different people. He mentioned that without the release of that report no significant reconciliation can begin.

All I'm asking for is your opinion. Why is the African Union holding back on that report?

Mr. Justin Laku: My opinion.... First of all, let me define the African Union for you. The African Union is a club of African dictators who sit together every year, protect themselves, and protect their interests at the expense of the citizens of Africa. Therefore, don't expect anything from the African Union.

The reason behind it is that at that time peace talks were going on and we were hoping they would sign, but they said if there is a report this report will taint it and will spoil the peace process. They said they would not release it, but that was a mistake. If they had released it, it would have forced the two parties to sign.

I was in Juba. I know exactly what is in that report. It's a detailed report. There's everything: who participated, who killed whom, how many were killed, their names, the graveyards, and all those things were there. The recommendation is so strong, so it is important for accountability that this report be released. Those who committed crimes must be held accountable and must be brought to justice so we don't have the same issue repeated, maybe in another three years or so. Thank you.

The Chair: Mr. Marston, please.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Thank you, Mr. Chair. I want to thank our presenter for the very comprehensive and well-prepared testimony he brought us. As I listened to it, it struck me that this sort of testimony was worthy of going to the main committee directly.

Our particular initiative here around human rights causes me to come back to something you mentioned. Very early on you talked about child recruitment, and child soldiers being used in Sudan, Darfur and the Blue Nile states. Are child soldiers used in the conflict in South Sudan, and who's responsible for their recruitment? Are the government-backed forces rebel groups, or are all of them using child soldiers?

There's been an indication that perhaps girls are being used as soldiers as well.

Are the existing demobilization and disarmament reintegration programs for Sudanese and South Sudanese child soldiers adequate?

Mr. Justin Laku: Would you please repeat the second question, please?

Mr. Wayne Marston: The second question was the shortest one. Are girls being recruited as well as boys?

Mr. Justin Laku: Okay.

Demobilizations from 2005 to 2013 or 2014 were not successful, and that's one of the reasons that led to this current recruitment of the child soldiers on both sides: the government, and...but it mostly happened on the side of the government.

Also, when I say government, you have to understand that in South Sudan there are these rebel groups who were integrated but they still hold their commands. They never had loyalty to the minister of defence. They also recruit children because they want to increase their numbers. Now you can say that the government is a key part of the recruitment of the children because of the former rebel commanders who joined the government but never had full loyalty to the government. That's one.

There are very few girls being recruited. If they recruit them, they mostly recruit them only for sexual pleasure.

One of the things we also have in South Sudan is the demobilizations.

I did research in 2012. We had 25 children on the streets of Juba, and they always come from the states that have conflict. The government decided to send them back to their states. They came back, and every time we asked them, "What do you want to do? Why are you here?" They said they wanted to go to school. "Why do you want to go to school?" They answer that their parents have died and they live with their relatives and they cannot afford the food and the clothing and the school fees so they can go to school.

Most of them become shoe polishers on the streets of Juba. We ask them how they live on a daily basis. They say they live with their parents, and what they make from polishing shoes they will give back to their mothers to cook for their siblings.

Those are some of the stories. There is no social welfare system in South Sudan to address the needs of the children, to care for the kids.

Maybe one of the recommendations here would be a CIDA program. Maybe Canada could design a project under CIDA to pay for the school fees of those kids. We could have hostels for them that could be supervised by social workers. We could have funds for them for their school fees, for their uniforms, for their exercises. That would help to prevent them from joining the rebels because they have no options. The commander will tell them, "If you join me, I will make you an officer". The child has no option.

Thank you.

•(1345)

The Chair: Thank you.

Mr. Wallace.

Mr. Mike Wallace (Burlington, CPC): Mr. Sweet is going to take our turn.

Mr. David Sweet: Mr. Laku, I have other questions, but I feel compelled to ask you this one.

You have very strong words for the African Union, and I'm not going to dispute those words, but what I'm concerned about is this. If you feel that way about the African Union, why would you lend credibility to this commission's report and the necessity to have it released?

I mean, that question needs to be answered.

Mr. Justin Laku: It's simple; the commission is not part of the African Union.

One of the members of the commission was my professor at the University of Ottawa in international law, and he was the chief justice at the Rwanda genocide tribunal. Obasanjo is the former president of Nigeria. He was not a member of the African Union. The commission is independent.

Then you have Professor Mahmood Mamdani, at Columbia, who is independent, and there's a lady from Senegal. The commission is independent, and therefore, that makes the commission credible.

Mr. David Sweet: Good.

So the commission was fully arm's length, totally independent. They produced a report. How is it that it ended up in the hands of the African Union and it cannot be released?

Mr. Justin Laku: It's because the African Union has a department of security and peace, and the department of security and peace got a recommendation from IGAD. IGAD is the mediating team of Sudan, Ethiopia, Eritrea, Kenya, and Djibouti. Those are the five members mediating between the government of South Sudan and the rebels. IGAD made the recommendation that for us in South Sudan to move forward, we needed to have the findings of what took place in South Sudan. Without those findings, it would be difficult for us to do even the conflict resolution healing process.

That's why the recommendation from IGAD was sent to the African Union, and the African Union then appointed this independent body to go and investigate the crimes that happened, or what happened in South Sudan. They were in Juba for six months. The report was well documented. They visited most of the places, met with all of the witnesses, and made recommendations. They submitted their report to the African Union last month.

They were supposed to release the report with the findings so that we can be sure about who is accountable, about who did what and when, and the way forward. During that time, we went for a meeting. They were supposed to release the report. Unfortunately, they said to us, no, they were not going to release it because it would spoil the peace process.

•(1350)

Mr. David Sweet: Finally, have any of the members of the independent commission spoken out in regard to that report?

Mr. Justin Laku: They cannot speak out because of the ethics involved. When you sign an agreement, you cannot speak for several weeks, or even several years. But we know what is happening. There's a leaked report and I can offer to share some of it with you, if you wish.

Mr. David Sweet: Okay, so that's not in the package you've left us.

Mr. Justin Laku: It's not in the package, but if you wish, I will share with you the leaked report.

Mr. David Sweet: Thank you, Mr. Laku.

The Chair: If you have any additional materials that you want to share with the subcommittee on this matter, you can send them after the fact to our clerk. He will make sure they get distributed to everybody.

Mr. Cotler, please.

Hon. Irwin Cotler (Mount Royal, Lib.): I want to thank you, Justin, for being with us today. You have been really a voice for the voiceless all these years.

Those of us who were involved at that time in seeking independence for South Sudan, which came about four years ago, listening now to your report today, are hearing a really disturbing portrait of tribalization, of corruption, of illiteracy, of repression, of impunity. With all the things you've been describing with respect to South Sudan, I feel a deep sense of not just disappointment but also pain.

This also now links up with what is happening with South Kordofan, the Blue Nile state, Darfur, and Sudan itself, where there will be elections for the presidency in April. Are we able to solve the issues re South Sudan and at the same time address the intersecting conflicts of Blue Nile, South Kordofan, Darfur, Khartoum, etc.? They seem to be overlapping and intersecting. Can one have a comprehensive approach that can deal with all, or do we have to deal with them one by one?

Mr. Justin Laku: I think you know very well, Professor Cotler, the CPA, the comprehensive peace agreement, was not comprehensive. It was not comprehensive in the way that the CPA did not solve the problems in South Sudan, but created more problems in Sudan.

First, when John Garang died he had many officers from the Nuba Mountains, from Blue Nile, and from the Angasina hills who fought with the SPLA in the south for many years. John Garang died and South Sudan became independent. Now what happened was that the soldiers who were in the bush with the SPLA for over 20 years were left to the mercy of the Khartoum government. There was no mechanism within the CPA, should South Sudan become independent, as to what would happen to the entities from Blue Nile, the Nuba Mountains, and the Angasina hills. What will happen to them? That was not put forward and the international community was short on that. That was one of the weaknesses of the CPA.

Second, the CPA was also short. In 2010 I was in the United States with Ambassador Lyman who was the peace envoy for the U.S. I told him that we should not only be focusing on the referendum, but we should put in place the mechanism on how South Sudan will govern itself after the independence of South Sudan. It is very important. South Sudan has 66 tribes. If we do not put in that mechanism for the sharing of the power, the governance system, then we will go back to square one.

They said no, let us get the independence. Once we get the independence we will sort out the rest. Last year I was with Ambassador Lyman in Washington at the same place and I asked Ambassador Lyman what we got out of that approach. That was the thing. The CPA was not inclusive. It was not comprehensive. Now Khartoum uses this weakness of the CPA to punish the Nuba Mountains, the Nuba who participated with the SPLA, because it says, you allowed South Sudan to get separated, you supported the separation of South Sudan, and now you have to pay for it.

It is the same thing with those in Blue Nile and the Angasina hills. They will now pay for the cost of their participation in the separation of South Sudan, yet the government of South Sudan cannot support them. The government of South Sudan cannot support its own citizens in South Sudan.

● (1355)

The Chair: I'm sorry, we're out—

Hon. Irwin Cotler: Yes, okay.

The Chair: We ran a little over on that one.

Mr. Sopuck.

Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC): No, it's okay.

Mr. David Sweet: I'll take it.

Thank you, chair. I was going to mention this and now after Mr. Cotler's question and the level of sophistication in the answer, this conflict emanates—its fundamentals—from 1955. There are a large number of players in this: individual states and different governments.

It would be good to get a visual from the researchers in regard to what the present situation is on the ground. I think Mr. Cotler's question was very revealing in the sense of the multiplicity of issues that are facing Sudan.

The Chair: A map?

Mr. David Sweet: Yes, and some of the etymology of these conflicts and where we need to go in the future to solve some of these issues.

I was going to ask something else and I'm almost fearful to ask it. But this new deal regarding the dam on the Nile, is this going to complicate things even more for the South Sudanese since this was put together with Khartoum and Egypt and Ethiopia? Actually it was Ethiopia and Khartoum, and Egypt has some strong feelings against it. Is this going to further complicate the issue?

Mr. Justin Laku: Yes. I studied in Egypt. Egypt was against the separation of South Sudan for many reasons because of the river Nile. Egypt gave South Sudan recently, almost three months ago, \$25 million in humanitarian aid. In return they can send their researchers and scientists to Western Bahr el Ghazal where we have part of the river Nile coming from Bahr al-Arab, then we have part of it coming from the Sobat River, which is in the Baro-Malakal area, and of course the main one from Uganda.

The research would be to make sure that there's no loss of water in the South Sudan. The water should go directly to Egypt.

As for Ethiopia, they say, look, we suffered a famine in 1985 because we had water but we could not use the water for agriculture, so we ended up paying high prices. Ethiopia says they have to create dams for agricultural irrigation. Egypt says no, but Ethiopia says that the dam project will continue.

Most likely we are going to see a conflict or war in the region.

Mr. David Sweet: Thank you.

The Chair: Thank you.

Mr. Benskin.

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Thank you.

I would simply be echoing the thoughts of my two colleagues when I say this. It's a whole heap of trouble. It's hard to know where to start or end at this point.

I visited South Sudan in January 2012, some six months after it declared independence. As my colleague Professor Cotler stated, upon leaving there was a sense of hope and faith that something strong could be built in this country. It is saddening to see what is happening.

In one of the visits I had—I guess it touches on the subject of child soldiers—we visited a police training centre in Juba. I noticed that the cadets were very young. These were soldiers who were transitioning or being trained to be policemen. I asked whether any transitional training was going on for these young men who had just come from a war and who are now being put in a civilian peacekeeping situation. Had there been any therapy, any transitional program, available to them to make that mental leap, because being a soldier is quite different from being a peace officer? Now we hear that child soldiers are again being recruited. I'm concerned. My concern is about what that generation brings to the country and to the community, being brought up, for lack of a better way of putting it, as killers as opposed to children, students, and givers to the community.

In your presentation I think you said that 90% of the soldiers—

• (1400)

Mr. Justin Laku: It's 75%.

Mr. Tyrone Benskin: Excuse me, 75% of the soldiers and law enforcement are illiterate. That's rather problematic on so many levels. I wonder if you would care to expand on that.

Mr. Justin Laku: I was there when you visited Juba and I attended the event at the hotel. There is one generation in South Sudan without education, from 1983 to 2005, and prior to that, from 1955 to 1973. When I say education, I mean that people know how to read and write properly.

The education system is broken.

First, there are conflicting issues. For education in South Sudan, English was the medium of communication in my time. In 1983, with the Islamization and the implementation of the Islamic law in Sudan, the curriculum was changed from English to Arabic. Arabic became the medium of communication. The whole syllabus changed from English to Arabic. Islam became the religion of the state. In

1990 it became even worse. It became the Islamic brotherhood, even worse. Now we have a full generation without education.

Those who are inside Sudan have a little bit of education, but in Arabic. Those who are in the bush have zero. We have ministers...for example, the chief of defence of South Sudan could not read or write, neither Arabic nor English. This is the chief of staff of the military, let alone the soldiers you are talking about.

Second, there is the salary issue. The salary of a soldier is 300 South Sudanese pounds. This is less than.... You divide that by 7.1, so it's less than \$50. They cannot do anything. As a result of that, the soldiers use their guns at night to terrorize people to get more money, and this has become part of the corruption. Especially if you are a police traffic officer, it's even better. Then you can just give a ticket to any driver, and if the driver is a foreigner, that's even better because he cannot speak Arabic.

Now, after the independence of South Sudan, Arabic was removed from the constitution, so the medium of communication, the lingua franca, is English, yet 85% of the SPLA-SPLM, who came from the bush, cannot read or write English. Those who lived in Khartoum only speak Arabic, so you see all this confusion.

Now, what do we do? I think we should invest in education, because if we invest in education, then we have a better future. It will take a long time and the politicians will want to see a quicker result, but in development it is better to invest in the education of these children, because these homeless children, these soldiers that you are talking about, they will be the future for South Sudan, if we invest in them.

• (1405)

The Chair: Thank you very much, Mr. Benskin.

To our witness, Mr. Laku, thank you very much. We appreciate your coming here. Your credibility on the issue, of course, has been vouched for by Professor Cotler. We are grateful you could take the time to be a witness before our subcommittee.

Thank you.

We are adjourned.

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