



Inter-Parliamentary Union
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135th IPU ASSEMBLY AND RELATED MEETINGS

Geneva, 23 – 27.10.2016

Assembly
Item 2

A/135/2-P.7
23 October 2016

Consideration of requests for the inclusion of an emergency item in the Assembly agenda

Request for the inclusion of an emergency item in the agenda of the 135th Assembly of the Inter-Parliamentary Union submitted by the delegation of Kenya

On 23 October 2016, the Secretary General received from the Speaker of the Senate and Head of the delegation of Kenya a request and accompanying documents for the inclusion in the agenda of the 135th Assembly of an emergency item entitled:

"Addressing the South Sudan conflict: The role of parliaments
in safeguarding peace and security".

Delegates to the 135th Assembly will find attached the text of the communication submitting the request ([Annex I](#)), as well as an explanatory memorandum ([Annex II](#)) and a draft resolution ([Annex III](#)) in support thereof.

The 135th Assembly will be required to take a decision on the request of the delegation of Kenya on Monday, 24 October 2016.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution which clearly define the scope of the subject covered by the request. The Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a major event of international concern on which it appears necessary for the IPU to express its opinion. Such a request must receive a two-thirds majority of the votes cast in order to be accepted;
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted;
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject;
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.

#IPU135

**COMMUNICATION ADDRESSED TO THE SECRETARY GENERAL BY
THE SPEAKER OF THE SENATE AND HEAD OF THE DELEGATION OF KENYA**

23 October 2016

Dear Mr. Secretary General,

I have the honour, on behalf of the Kenyan delegation, to request the inclusion in the agenda of the 135th Assembly of the Inter-Parliamentary Union of an emergency item on the ongoing conflict in South-Sudan entitled:

"Addressing the South Sudan conflict: The role of parliaments
in safeguarding peace and security".

Please find attached an explanatory memorandum and a draft resolution in support of this request.

Please accept, Sir, the renewed assurances of my highest consideration.

Yours sincerely,

(Signed) Sen. David Ekwee ETHURO, EBS, EGH, MP
Speaker of the Senate and
Head of the delegation of Kenya

ADDRESSING THE SOUTH SUDAN CONFLICT: THE ROLE OF PARLIAMENTS IN SAFEGUARDING PEACE AND SECURITY

Explanatory memorandum submitted by the delegation of Kenya

1. Peace is the foundation for development in any nation State. Its absence creates an environment of fear and despondency among the population while undermining development gains. This has been the case in the youngest nation, South Sudan. Conflicts have ravaged the nation of South Sudan since its independence in 2011, and this situation is of great concern to the international community.
2. The Republic of South Sudan attained independence on 9 July 2011, following the successful referendum in which the Southern Sudanese voted overwhelmingly for secession. The referendum marked the culmination of the Comprehensive Peace Agreement signed in 2005 after lengthy negotiations facilitated by regional governments. It is the desire of Kenya, its neighbours and the international community, that peace prevail in South Sudan.
3. However, South Sudan became engulfed in a civil war in December 2013, which pitted the Sudan People's Liberation Movement led by President Salva Kiir Mayardit against the Sudan People's Liberation Movement in Opposition of Dr. Riek Machar. Following negotiations led by the Intergovernmental Authority on Development, the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) was signed in August 2015.
4. Implementation of the ARCSS had been progressing, albeit at a sluggish pace, until Friday, 7 July, 2016 when fierce fighting erupted in Juba. The fighting between the Sudan People's Liberation Movement/Army and the opposition forces has resulted in: huge loss of life, displacement of the civilian population, destruction of property and widespread sexual violence, including the rape of women and young girls by armed men in uniform. In addition, the targeting of diplomatic personnel, UN compounds and protection of civilians sites has resulted in the deaths of peacekeepers, as well as the looting of UN humanitarian stores by armed groups.
5. Following the resurgence of violence, efforts have been made at the regional and international levels towards implementing the ARCSS and restoring peace and stability in the country. However, the situation in South Sudan has continued to deteriorate as the parties have failed to demonstrate commitment to the ARCSS. This state of affairs has given rise to a humanitarian crisis of ever increasing proportions with millions of people internally displaced and thousands crossing the borders daily to seek refuge in neighbouring countries.
6. The situation in South Sudan poses a serious threat to regional peace, security and stability. Neighbouring countries, including Kenya, have borne a heavy burden as a result of the conflict, including an intensive flow of refugees, loss of investments as well as the proliferation of illicit small arms and light weapons.
7. It is important to maintain a united front at the regional and international levels to sustain the pressure necessary for the parties to recommit to the full implementation of the ARCSS and bring lasting peace and political stability to South Sudan. The Inter-Parliamentary Union, as part of the international community, should join in calling on the warring factions in the South Sudan conflict to urgently set aside their differences, commit to the implementation of the ARCSS and move the people of South Sudan away from the abyss of uncertainty to the realm of peace, stability and socio-economic development.

**ADDRESSING THE SOUTH SUDAN CONFLICT: THE ROLE OF PARLIAMENTS
IN SAFEGUARDING PEACE AND SECURITY**

Draft resolution submitted by the delegation of KENYA

The 135th Assembly of the Inter-Parliamentary Union,

- (1) *Gravely concerned* about the continuing political conflict in South Sudan that has led to widespread violence, the loss of innocent lives and the destruction of property,
- (2) *Also gravely concerned* about the senseless killing of civilians, and the targeting of diplomatic personnel, UN compounds and protection of civilians sites, all of which has resulted in the deaths of peacekeepers, and the looting of UN humanitarian stores by armed groups, following an outbreak of violence in Juba on 7 July 2016 between the Sudan People's Liberation Movement/Army and the Sudan People's Liberation Movement/Army in Opposition,
- (3) *Noting* that the conflict and other violent acts committed by the warring parties have caused and continue to cause internal displacement of people and a massive increase of refugees in neighbouring States, which constitutes a humanitarian crisis of enormous proportions, and which increases the pressure on resources in host countries,
- (4) *Recognizing* that security and stability can only be achieved through an approach based on respect for human rights, institutions, offices, the rule of law, the promotion of education and the protection of women's and children's rights,
- (5) *Welcoming* the efforts made by the United Nations Security Council, the African Union and the Intergovernmental Authority on Development (IGAD) to facilitate both a peaceful resolution of the conflict and the restoration of peace and political stability in South Sudan,
- (6) *Acknowledging* that the IGAD-negotiated Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS), which was signed on 26 August 2015 by the parties to the conflict, and which set out a framework for the cessation of hostilities and promotion of dialogue, is intended to usher in much needed peace, security and stability, which is critical to creating a foundation for a new state of affairs in South Sudan based on constitutionalism, the rule of law and democracy,
- (7) *Gravely concerned* that the evolving situation in South Sudan poses a serious threat to regional peace, security and stability,
 1. *Deplores* the senseless loss of lives, as well as the injury and displacement of innocent civilians in South Sudan; and *supports* all efforts to restore peace, political stability, democracy and the rule of law;
 2. *Also deplors* all violent acts including killing, looting, destruction of property and gender-based violence, which are denying local people their freedom, humanity and the right to determine their future;
 3. *Calls upon* all parties to the conflict to honour their commitments under the ARCSS, which is the only framework for durable peace, reconciliation and national cohesion;
 4. *Commends* IGAD, the African Union and the UN Security Council for remaining informed of the evolving situation in South Sudan;

5. *Welcomes* UN Security Council resolution 2304 (2016), which extends the mandate of the UN Mission in the Republic of South Sudan, including the deployment of the 4,000-strong Regional Protection Force, whose responsibility is to provide a secure environment in and around Juba; and *calls upon* the Transitional Government of National Unity to cooperate fully with the UN Security Council and regional governments to facilitate an expeditious deployment of the Regional Protection Force;
6. *Urges* the international community and humanitarian agencies to continue assisting the affected populations in South Sudan by strengthening their presence and mobilizing requisite resources for the South Sudanese, including internally displaced persons and refugees in neighbouring countries, who need humanitarian assistance;
7. *Calls on* Member Parliaments of the IPU to urge their respective governments to support efforts to restore peace, political stability and tranquility in South Sudan.