



PEACE, PROSPERITY AND  
REGIONAL INTEGRATION



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**Peacebuilding and Reconciliation:  
Inclusion of South Sudanese Refugees, Internally Displaced Persons and Returnees in the  
Implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of  
South Sudan**

**Thursday 10 December 2020**

**Summary**

This event was co-convened by the Government of South Sudan and more specifically the Ministry of Humanitarian Affairs and Disaster Management, the Ministry of Gender, Child and Social Welfare, the Ministry of Peacebuilding and the Ministry of Youth and Sports together with the IGAD Office in South Sudan, the GP20 Initiative on internal displacement and UNHCR.

It aimed to provide a public forum to:

- i. Reflect on the right to participation and share perspectives and experiences from other regions, best practices in refugees, IDPs and returnees participation in implementation of peace processes, and opportunities for South Sudanese refugees' participation in implementation of the Revitalized Agreement on Resolution of the Conflict in the Republic of South Sudan (R-ARCSS);
- ii. Identify challenges to refugees, IDPs and returnees' effective participation in peacebuilding and reconciliation and discuss what is needed to enable South Sudanese refugees, IDPs and returnees to meaningfully participate in implementation of the R-ARCSS;
- iii. Formulate recommendations to inform the developing of a National Framework on refugees, IDPs and returnees effective participation in peacebuilding and reconciliation in the context of implementation of the R-ARCSS, for use by Government, humanitarian, development and peace partners, refugees, IDPs and civil society organizations.

**Key points from opening remarks and presentations**

- South Sudan's government has continued to translate the responsibility and inclusion principle into concrete action, using it to guide efforts to achieve effective response. For instance, IDPs and refugees were recently included in the National Dialogue grassroots consultations and the national conference. The country's accession to the Kampala Convention is also an affirmation of primary responsibility to protect, assist and provide solutions for IDPs. To domesticate the Convention, the government engaged IDPs in a consultative process facilitated by the GP 20 and UNHCR to inform the development of a draft national legislation titled "The Protection and Assistance to Internally Displaced Persons Act 2018", currently under review by the Ministry of Justice. South Sudan must take further steps not only to pass the legislation, but also to implement. The national IDP law will underpin implementation of a rights-based approach as was highlighted by Ms. *Cecilia Jimenez-Damary* Special Rapporteur on the human rights of IDPs with her presentation on promoting a rights-based approach to refugees and IDPs participation in the peace process.

- The commitment of the Government of South Sudan to implement the Global Compact on Refugees (GCR) at national level through the National Framework on Return, Relocation and Reintegration is an important milestone towards support for realization of durable solutions. Further, the new Solutions Initiative by the governments of Sudan and South Sudan supported by UNHCR and IGAD is an opportunity to implement comprehensive solutions for displaced populations in both countries. The joint initiative stems from the complementarity of the two comprehensive peace agreements, including the signing of the Juba Peace Agreement concluded on 3 October 2020, and the continued efforts in the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) signed on 12 September 2018.
- Presenters called for **all-inclusive peacebuilding**, highlighting that broad participation is integral to ensure a strong protection environment and durable solutions for those displaced. The priorities for reconstruction of South Sudan will be determined by displaced communities through their own lived experiences.
- With nearly 2.2 million South Sudanese refugees hosted in neighbouring countries and another 1.6 million persons displaced within the country, UNHCR Representative stressed for their voice to be heard at all stages, including in consultations which are shaping the path to peace.
- Participation and involvement of refugees and IDPs in any durable initiative / intervention is crucial. More than just inclusion, involvement is necessary. **IDPs and refugees' inclusion and involvement** encompasses access to information, meaningful consultation and participation in decisions affecting their lives, underpinned by their right to life, with dignity, protection and security in a manner devoid of undue obstacles and discrimination of groups on basis of social or political opinions. In a society that is transitioning from conflict, meaningful engagement to address issues of recovery and resilience and overall social services is critical to ensure healing, social cohesion and restoration of peace.
- *Ms. Maartje Hofstede provided a reflection on perspectives on best practices from experience on refugees and IDPs participation in peace processes. She presented on different **degrees of meaningful participation** ranging from informing (one way flow of information, no feedback), consultation (inviting opinion), placation (granted a limited degree of influence in a process, but their participation is largely or entirely tokenistic), partnership (citizens allowed to negotiate better deals, veto decisions, share funding, or put forward requests that are at least partially fulfilled), delegated power (public institutions give some degree of control, management, decision-making authority, or funding to citizens). Each of these degrees is a success of its own. However, for social change to happen, for peacebuilding programs to be successful durable participation needs to be meaningful and try to be as much as possible towards Participation and Delegated.*
- The importance of involving **IDP and refugee women** in the resolution of conflict was highlighted by several speakers. The same goes for the inclusion in peace negotiation **of refugee and IDP youth** forums to access information, social events to promote social cohesion and peace.
- The **link between humanitarian, development and peace** was stressed numerous times. The IDPs protection, rights and needs have to be fulfilled through sustainability of peace which is possible through development action. An action plan for implementing the national framework should adopt a new way of working jointly owned by the government, humanitarian and development actors, for the development, financing, implementation and monitoring of integrated area-based interventions in affected states, including in areas where IDPs and refugees have returned or intend to return voluntarily.

It is important to continue to work closely with the government to strengthen the triple nexus between humanitarians, development and peace actors in the priority areas, including responding to displacement emergencies, protection of women and children; support for the

safe, voluntary and dignified return of displaced persons; effective access to justice and rule of law, Housing, Land and Property issues, promotion of women's participation and gender equality.

- The **IDP representatives**, on behalf of the internally displaced community in Juba, called for more opportunities for displaced persons to participate in decision making, including in the formation of the transitional government, restoration of housing, land and property rights, as well as the establishment of a commission for truth, justice, reconciliation and healing and involvement in the dissemination of peace agreement to the IDP sites.
- The **refugee representatives** in Uganda called for widespread awareness of the peace process among displaced communities and shared a series of recommendations to the Government, such as: engage active and influential Refugee leaders, host community leaders in favor of peace; ensure that return and reintegration programmes are inclusive, and in consultation with Refugees, IDPS, returnees and the host communities; compensate the properties of refugees and IDPS through the Compensation and Reparation Authority (CRA); increase awareness about the peace agreement in the refugee camps and IDP sites in the country and among the hosting communities; ensure respect for women and girls' rights during return and reintegration as well as guarantee accountability for refugees and include them in the taskforces to monitor the process of repatriation, reintegration and rehabilitation.
- The **purpose of the National Framework** on refugees, IDPs and returnees effective participation in peacebuilding and reconciliation, as presented by the Ministry of Humanitarian Affairs and Disaster Management, is to increase meaningful participation of refugees, IDPs and returnees in the implementation of the Revitalised Agreement on Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). It aims to strengthen an integrated approach for reparation, transitional justice and reconciliation provided for under the R-ARCSS as part of reintegration support for refugees and IDPs and thus promoting durable solutions. The Framework will equally support integration of the right to participation of displaced population in the peace process in humanitarian context.

The following **challenges** were highlighted:

- Complexity of participation of displaced persons i.e., camp settings, refugees out of the country
- Lack of awareness: understanding of the peace process and how to participate
- Prevailing perceptions- e.g. that participation is for political class
- Cultural beliefs and norms - negatively impacting women participation
- Access challenges - logistical challenges (lessons learned from refugees and IDPs participation in the National Dialogue Process)

The **opportunities for participation** are as follows:

- Existing structures and leadership - among displaced populations e.g. both in refugee camps and among IDPs;
- Youth (both young women and men) are interested to take part;
- Institutionalization-availability of UN supportive Instruments to support participation of Refugees, IDPs;
- Reforms constituencies under the R-ARCSS- opportunity for women and people with special needs to participate in peace processes for effective implementation;
- National Institutions under the R-ARCSS - operation of the Commission for Truth, Reconciliation and Healing (CTRH), the Compensation and Reparation Authority (CRA) and the Hybrid Court of South Sudan(HCSS);
- National Dialogue – outcome of the recently held peace dialogue recommended wide consultation and inclusivity

## **Outcome of the deliberations**

- **Reflected on the right to participation** of refugee, IDPs and returnees in implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) as core to implementing durable solutions to displacement and a lasting peace in South Sudan.
- The Government to constitute **a national taskforce** on refugees, IDPs and returnee's effective participation in implementation of the R-ARCSS to ensure their meaningful participation in peace building and reconciliation.
- Prioritize adoption of the IDP legislation to fully domesticate the Kampala Convention in addressing the protection concerns of internally displaced persons.
- Establish a **National Framework** on effective participation of refugees, IDPs and returnees in the implementation of R-ARCSS, based on the outline presented by the Undersecretary, Ministry of Humanitarian Affairs and Disaster Management. This should be led by the Government with participation of all stakeholders, including refugees, IDPs and returnees.
- Institute **platforms at national, state and departmental levels** to improve refugees, IDPs and returnees' participation in implementation of the R-ARCSS, with necessary mechanisms and logistical support to facilitate their effective participation in the fora.

END