



South Sudan Conflict Insight



Situation analysis

The area that is today's South Sudan was once a marginalized region in the Republic of Sudan administered by tribal chiefs during the British colonial period (1899-1955). In the 1950s, marginalization gave rise to the Anyanya I rebellion, spearheaded by southern Sudanese separatists and resulting in the First Sudanese Civil War (1955-1972). The war ended after the 1972 Addis Ababa Agreement, only for another civil war to break out in 1983 instigated by the Sudan People Liberation Movement/Army (SPLM/A). The Second Sudanese Civil War (1983-2005), one of the longest civil wars on record, officially ended in 2005 with the signing of the Comprehensive Peace Agreement (CPA) by the SPLM/A and the government of Sudan. In 2011, six years after the end of the civil war, South Sudan gained independence from the Republic of Sudan.

South Sudan is home to more than 60 ethnic groups, with the Dinka and the Nuer constituting the largest numbers. Most of these groups are further divided into clans and sub-clans. Economically, the majority of the population depends on farming and animal husbandry, making land and pastures two critical resources of competition and inter-communal conflicts. Representation and access to these resources have often been tied to ethnicity and political power, which further exacerbates the country's instability.

ABOUT THE REPORT

The purpose of this report is to provide analysis and recommendations to assist the African Union (AU), Regional Economic Communities (RECs), Member States and Development Partners in decision-making and in the implementation of peace and security-related instruments.

CONTRIBUTORS

Dr. Mesfin Gebremichael (Editor in Chief)
Mr. Alagaw Ababu Kifle
Ms. Alem Kidane
Ms. Mahlet Fitiwi
Ms. Tsion Belay
Ms. Zaharau S. Shariff

EDITING, DESIGN & LAYOUT

Ms. Michelle Mendi Muita
Mr. Mikias Yitbarek
Ms. Siphokazi Mnguni

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August 2018 | Vol. 2

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POPULATION	GDP PER CAPITA (PPP)	LIFE EXPECTANCY AT BIRTH (YEARS)	HUMAN DEVELOPMENT INDEX (HDI)	NEIGHBOURS	RECS
12.3 million	\$1,882	56.1	Index: 0.418 Rank: 181/188	Sudan Ethiopia Kenya Uganda Central African Republic (CAR) Democratic Republic of Congo (DRC)	IGAD EAC

Figure 1: Country profile and demographicsⁱ

South Sudan depends primarily on oil revenues, with the resource accounting for almost the entirety of its exports, around 60% of GDP and 90% of government revenues.ⁱⁱ The centrality of oil as a principal source of revenue for the government has resulted in rentierism, while not yielding many benefits to the country and citizenry. Inflation is in the triple digits, and the economy had contracted by 6.1% in 2017.ⁱⁱⁱ

In the political arena, more than a decade after the CPA was signed and six years after independence, South Sudan remains enmeshed in protracted conflict. In December 2013, civil war broke out in the country following a split in the governing SPLM/A party between forces loyal to the incumbent president Salva Kiir and the then Vice President Riek Machar. In 2015, the Intergovernmental Authority on Development (IGAD) initiated the Agreement for the Resolution of Conflict in the Republic of South Sudan (ARCSS), and in late 2016, President Kiir initiated a National Dialogue aimed at finding a resolution to the conflict. In 2018, peace processes led by heads of regional states such as Ethiopia, Sudan, Uganda and Kenya were undertaken; however, the prospect for peace in South Sudan remains distant.

Causes of the conflict

Monopoly of power

The monopoly of power vested in the presidency is one of the main causes of conflict in the country. The provisional constitution does not provide ample checks and balances to ensure executive power is not abused. It grants President Kiir sweeping powers over legislative and executive organs, such as dissolving national and state legislatures and dismissing ministers including the

vice president, elected state governors and judges. The legal and consequent institutional lapses constrained the possibility of monitoring Kiir's increasing authoritarianism in the period leading up to the crisis. Internal power struggles among key SPLM/A personalities have also been subject to authoritarian and at times unconstitutional measures by President Kiir. This has contributed to a violent ethnic rhetoric that is further exacerbated by the inhibition of self-rule and ethno-regional discontent at the lower levels that feed into divisions at the centre.

Lack of justice and human rights violations

The security sector in the country has failed to provide public goods to its citizens, particularly security and justice. During the decades-long secession struggle against Sudan, the army operated with impunity, a situation that has continued post-independence with the army perpetrating human rights abuses and suppressing anti-government movements as shown by the 2013 Nuer Juba Massacre and consequent civil war. Furthermore, the army lacks professionalism, operating essentially as a pool of militia, making the troops even more difficult to control. Another grave consequence of the government's limited range of security sector service delivery (mainly limited to the capital city, Juba) is that over 90% of disputes are resolved through traditional justice systems.^{iv} These processes, lacking any formal institutional oversight, contribute to gross human rights violations that are often times ethnically targeted and generate deep trauma for civilians, particularly women and children, who are the primary victims of the humanitarian crisis.

ⁱ Human Development Index (HDI) 2016.

ⁱⁱ International Monetary Fund (2017).

ⁱⁱⁱ The World Bank in South Sudan (2016); African Development Bank (2018).

^{iv} UNDP (2013).

Mismanagement of the economy

Since independence, the policy framework that delineates economic management and budget allocation in South Sudan remains blurred. Security spending consumes a large share of the budget (44%)^v with significantly less allotted to infrastructural development and the provision of social services. Oil revenues are misappropriated, either used to fund the consumption of imported products, or embezzled by government officials. For instance, in 2012, President Kiir asked senior government officers to return \$4 billion of stolen money to the country's coffers. Given the centrality of oil to the national economy, oilfields have also become key strategic targets for rebels. Battles to control them have displaced communities and destroyed existing infrastructure, further worsening the dire socio-economic situation in the country.

The escalation of these combined factors resulted in the December 2013 violence and the subsequent Nuer Massacre in Juba. The crisis was the outcome of a tense relationship and a competing desire for the presidency among SPLM/A elites in the post-CPA period, specifically between Salva Kiir, an ethnic Dinka, and Riek Machar, a Nuer.

Actors

Sudan People's Liberation Movement/Army (SPLM/A)

SPLM/A is the longstanding political movement and army that spearheaded South Sudan's fight for independence during the Second Sudanese Civil War. The SPLM/A, henceforth referred to as SPLM-In Government (SPLM-IG), is the nation's first and current ruling party. President Salva Kiir, the current head of party, marked his leadership with the merging of the political (SPLM) and the military (SPLA).^{vi} As the leader of the SPLM-IG, the President has been accused of seeking to preserve Dinka hegemony in government jobs, oil-generated resources and land. This ethnic rhetoric became particularly manifested after the 2013 Juba Nuer Massacre and the 2015 government decree re-dividing South Sudan's 10 states into 28, and later into 32 in

January 2017, increasing the total land area controlled by Dinkas from 25% to 42%.^{vii}

In a move aimed at resolving differences and reconciling with other groups, President Kiir initiated a National Dialogue in late 2016. The dialogue was deemed to serve "as a forum and process through which the people of South Sudan shall gather to redefine the basis of their unity, to restructure the state, regenerate social contract, and revitalize their aspirations for development and membership in the international arena".^{viii} However, the SPLM-IG has continued to undermine its own initiative of dialogue by carrying out relentless military attacks, publicly denouncing the participation of the South Sudan People's Liberation Movement in Opposition (SPLM-IO), reinforcing elite domination of the steering committee and overall participants, as well as promoting a general lack of transparency.

The SPLM-IG has support from a range of actors within and outside the country. They include the Mathiang Aynoor, a militia group controlled from the centre by SPLA chief Paul Malong, whose main aim is to protect the government. However in April 2017, Malong announced that he is heading a new opposition party – the South Sudanese United Front (SSUF) – accusing Kiir of pillaging the country. SPLM-IG also boasts a regional alliance with the Justice and Equality Movement (JEM), a social force and rebel group primarily focused on local community concerns in Darfur and the Kordofan regions of (northern) Sudan. The SPLM-IG also has strong relationships with some of South Sudan's neighbouring countries including Uganda and Kenya.

Sudan People's Liberation Movement-In Opposition (SPLM-IO)

SPLM-IO is the political party and rebel group established in opposition to the government in early 2014, having split from SPLM-IG in early 2013. The split was a result of internal power struggles, particularly between President Kiir and then Vice President Riek Machar. Machar formed SPLM-IO immediately after the Juba Nuer Massacre and the group is currently headquartered in their stronghold town of Pagak, which remains under continuous attack from government forces. The SPLM-IO is the largest opposition group and

^v Al Jazeera (2016).

^{vi} The SPLM and SPLA were initially founded as interconnected but distinct units: the former as the political wing and the latter as the military unit. This delineation ended when John Garang, leader of the SPLA in the second civil war ousted chairman of the SPLM, Joseph Oduho and rendered himself leader of SPLM and SPLA combined (SPLM/A). Following the death of John Garang, current president Salva Kiir took chairmanship and continued governance with the amalgamation of both units.

^{vii} Roque, P. C., and Miamingi R. (2017), East Africa Report.

^{viii} UNOCHA (2018).

relatively poses the greatest political and military threat to the South Sudanese government. The party's list of demands includes: that Kiir and his closest allies responsible for the massacre leave power, that the country is restructured along federal lines (in contrast to the re-division of the country into 32 states), and that foreign forces supporting the government leave the country. It is also against a non-inclusive national dialogue, instead reiterating that the revitalization of the IGAD-led process is a more suitable platform to ending the conflict. Although the rebel group remains tactically skilled, its ability to defeat government forces remains fragile due to its weak institutionalization and short-term, reformist strategies solely aimed at removing Kiir and his allies from power.

Following renewed clashes in July 2016, Machar fled to the Democratic Republic of Congo (DRC) and is currently leading the faction from South Africa. President Kiir immediately swore in Taban Deng Gai (a former chief political negotiator of SPLM-IO) as First Vice President (FVP), supplanting Machar. The majority of the political elite in the opposition does not accept the appointment, as Deng is considered to be working to divide the mainstream SPLM-IO to make it more vulnerable to

defeat by the government. Furthermore, most of the SPLM-IO troops and almost all of its territory, including in Jonglei, Unity and Upper Nile States, remain loyal to the Machar faction. Machar has also admonished the appointment, insisting that he intends to return to Juba following a stabilized situation in the capital.

The SPLM-IO garners majority support from the Nuer ethnic group, including the Nuer White Army militia.^{ix} It is also supported by the Arrow Boys, a rebel group in the Western Equatoria region, which pledged allegiance to the SPLM-IO following the occupation of their farmland by Dinka cattle-herders during the civil war. Additionally, similar to the SPLM-IO, many groups have fragmented from the SPLM architecture, although their allegiance to Machar remains ambiguous and fluid. Following the July 2016 clashes, the splinter group National Democratic Movement (NDM), headed by former Minister of Agriculture Lam Akol, pledged allegiance to the SPLM-IO. Regionally, SPLM-IO has received support from neighbouring Sudan and Ethiopia.

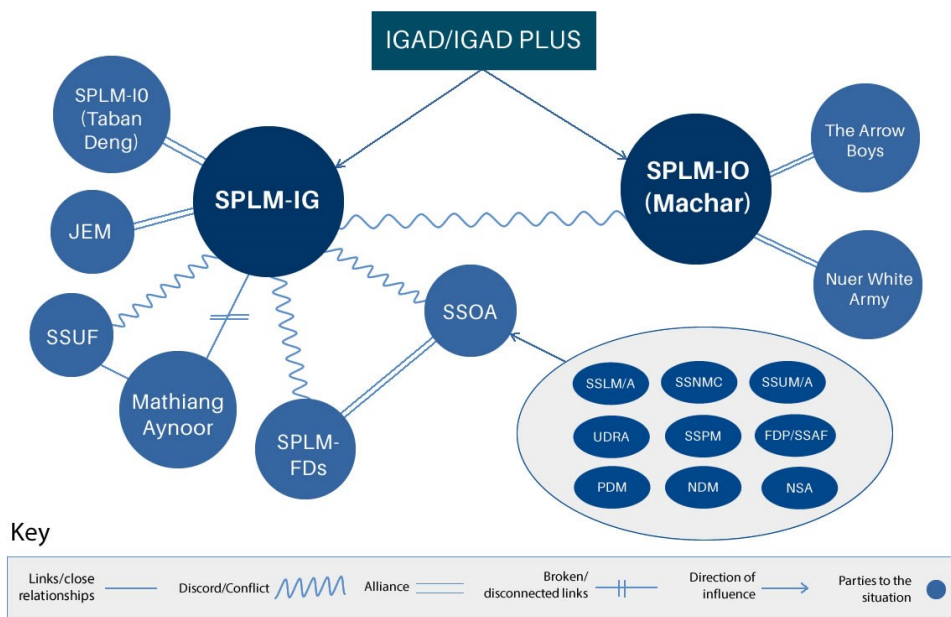


Figure 2: Actors mapping

^{ix} The Nuer White Army, although currently allied to the SPLM-IO faction, gears most of its activities towards protecting cattle camps, particularly from the Murle tribe, which is a rival group contesting for cattle and land in Jonglei and Upper Nile states.

Conflict dynamics

Prior to the 2013 civil war, increasing tensions between Kiir and Machar led to the reorganization of senior leadership in the SPLM-IG, including a reshuffling of the cabinet and security agency personnel. In January 2013, President Kiir replaced the Inspector General of the national police force with an army officer loyal to him, and dismissed six deputy chiefs of staff as well as 29 major generals from the army. In February 2013, he retired an additional 117 generals from the army. More significantly, on 16 December 2013, Kiir alleged that Vice President Machar had plotted a failed coup^x and subsequently arrested nine of his earlier co-dissenters.^{xi} Machar denied the accusation and commenced a violent struggle to overthrow Kiir's government. Over the next three days, in what became dubbed as the Juba Nuer Massacre, Dinka members of the army killed over 500 Nuer civilians in the capital and left 20,000 seeking refuge in UN compounds.^{xii}

The Juba Nuer Massacre ushered in large-scale defections from the government, with a number of Nuer officers and members of the army leaving the SPLM-IG to join Machar's SPLM in Opposition (SPLM-IO) in subsequent months. Aggrieved armed groups such as the Nuer White Army also pledged allegiance to Machar's forces. Between December 2013 and April 2014, the SPLM-IG and SPLM-IO waged a violent struggle in Jonglei, Unity and Upper Nile states. A number of cities including Bor, Bentiu and Malakal changed hands several times as both parties attacked and counter-attacked. The civil war framed political differences in ethnic terms, further intensifying divisions in the political arena.

Following 18 months of mediation and pressure by IGAD, SPLM-IG and SPLM-IO signed the ARCSS in August 2015 that, among other things, entailed a permanent ceasefire, transitional security arrangements, and most importantly, a power-sharing mechanism. The agreement further envisioned the establishment of a 30-month Transitional Government of National Unity (TGoNU) to ensure justice, accelerate constitutional reform, improve economic and political governance, and reconcile society. Despite these arrangements, the

TGoNU has been unable to stabilize the country and reduce the spate of ethnic violence perpetrated by government forces. During the entire post-agreement period, violations of the permanent ceasefire agreement continued, culminating in clashes, most notably one that broke out on 8 July 2016 that left an estimated 300 people dead.^{xiii}

In a move that challenged the legitimacy of the TGoNU and the viability of the peace agreement, President Kiir's appointment of General Taban Deng as First Vice President (FVP) was a calculated step to pull other opposition fighters along with him. However, this did not materialize as the majority of the SPLM-IO remained loyal to the Machar faction. Since the July 2016 violence, the army and allied militias have continued to victimize civilians, obstruct humanitarian access, and dismiss officials who do not support government policies or have perceived links to the SPLM-IO. Following the July upsurge, Machar fled the country and was placed under house arrest in South Africa,^{xiv} until the Addis Ababa peace talks between Machar and Kiir took place on 20 June 2018. Machar continues to reside in South Africa but has recently also travelled to Kenya, Uganda and Sudan for further negotiations.

These measures have in turn generated violence against Dinka civilians, especially in Bahr-al Ghazal and Equatoria regions, and led to resignations of various officials from the government. Former Minister of Agriculture Lam Akol resigned from the SPLM-IG in September 2016 and formed a new rebel faction called the National Democratic Movement (NDM). In March 2017, Lieutenant-General Thomas Cirillo Swaka also resigned from government, accusing Kiir's government of ethnic cleansing and systematic obstruction of the implementation of the peace agreement. Subsequently, Cirillo formed a new rebel group, declaring himself chairman and commander-in-chief of the National Salvation Front (NAS). These two groups were integrated into a cessation of hostilities agreement along with the major parties, SPLM-IG and SPLM-IO, as part of the ARCSS revitalization process implemented by IGAD in December 2017. Following the agreement, five ceasefire violations by the two major opponents were reported in the same month. NDM also waged counterattacks against the government in Unity state and Equatoria

^x The African Union Commission (AUC) of Inquiry concluded that there was no evidence of a coup attempt in its 2014 investigation.

^{xi} Upon release, these co-dissenters formed the group SPLM-Former Detainees (SPLM-FDs). They currently demand a new government be established without Kiir or Machar, who they deem to be the obstacles for peace in South Sudan.

^{xii} Al Jazeera (2013).

^{xiii} JMEC CTSAMM Violation Reports.

^{xiv} Reports allege that Machar is being held under 'house arrest' in South Africa to prevent him from returning to South Sudanese politics, which could result in renewed hostilities.

regions, rendering the IGAD-led agreement futile yet again.

On 16 February 2018, NAS and NDM, along with seven other opposition movements, formed the South Sudan Opposition Alliance (SSOA). The group delineated seven objectives in its charter, including the liberation of South Sudan from ethnic chauvinism, despotic oppression and institutionalized corruption, deemed as the root causes of conflict in the country. The other members of this group include Hakim Dario's People's Democratic Movement (PDM), Costello Garang Ring's South Sudanese Patriots Movement (SSPM), Peter Gatdet Yak's South Sudan Unity Movement/Army (SSUM/A), Bapiny Monytil's South Sudan Liberation Movement (SSLM), Gabriel Changson Chang's Federal Democratic Party (FDP/SSAF), Bangasi Joseph Bakosoro's South Sudan National Movement for Change (SSNMC) and Gatwech Thich's United Democratic Republic Alliance (UDRA). Although not clear if, or to what extent, the SSOA will be affiliated to Machar, the alliance maintains that they are working together with SPLM-IO as opposition and are in the process of making consultations with each other. The SPLM-Former Detainees (FDs) also states it is a committed member of SSOA despite reports claiming that it has withdrawn from the alliance.^{xv} The FDs have rejected all negotiations that comprise the two main warring parties, asserting that peace can only be reached if President Kiir and Machar are "honourably" discharged and replaced by personalities of high integrity. With regard to the SSUF, it is not yet clear how Paul Malong will forge alliances, given his well-known roles as a perpetrator in the 2013 civil war and the outbreak of violence in July 2016. Malong has previously been accused of committing ethnic cleansing and war-crimes, both by opposition parties and the U.S. government.

Against the threat of looming sanctions from the United Nations (UN) and the U.S. government in June and July 2018, neighbouring countries made last-ditch attempts to broker a peace deal between the warring South Sudanese parties. On 20 June, Kiir and Machar held consultations in Addis Ababa, in what was their first face-to-face meeting since clashes broke out in July 2016. The peace talks were hosted by Ethiopia's new Prime Minister Abiy Ahmed, although the warring parties did not reach an agreement. Between 25 and 26 June, Sudanese President Omar Al-Bashir facilitated another direct meeting between Machar, Kiir, and other political parties, which led to the Khartoum Declaration of Agreement. Among other items, the agreement comprised of a permanent ceasefire, a revised bridging proposal with

inclusive transitional security arrangements, as well as the establishment of a TGoNU within four months. The ceasefire was violated merely hours after it came into effect on 1 July, with the warring parties trading blame for the provocation. On 2 July, President Kiir presented a constitutional amendment bill to parliament, seeking to extend his presidential term until 2021. This move has been rejected by the SPLM-IO and the SSOA, and will likely play a key role in undermining the recent peace talks.

On 7 July, another round of peace talks was hosted by Ugandan President Yoweri Museveni, with Kiir and Machar agreeing on a power-sharing deal. Named the Entebbe Proposal, the power-sharing deal proposed the appointment of four vice presidents in the country: Riek Machar (FVP) and a woman from the opposition (SSOA-FDs-Other Political Parties (OPP)) in addition to the two incumbent vice presidents, Tanab Deng Gai and James Wani Igga. This deal was however rejected by the opposition due to its failure to restrain Kiir's legislative and executive power that would make it difficult to thereby alter structural and institutional problems. The SSOA also voiced the same concerns. Similar to previous attempts to reach agreement, these negotiations were criticized for their ambiguity, lack of commitment and weak enforcement. The peace negotiations further crumbled on 12 July, as the South Sudan parliament approved Kiir's term extension, a move unanimously rejected by the SPLM-IO, the SSOA and the international community. On 31 May, the UN Security Council (UNSC) adopted a resolution to impose an arms embargo on the country and sanctions against six individuals by the end of June, on the condition that no political agreement was reached and that fighting continued. On 13 July, one day after Kiir's tenure as president was extended, the UNSC imposed an arms embargo on South Sudan, despite criticism from the AU and IGAD that the sanctions would impede regional efforts to end the five-year civil war.

Despite these developments, on 25 July, the SPLM-IG and Machar's SPLM-IO signed a preliminary power-sharing agreement in Khartoum, with President Kiir making concessions to create a new 35-member government cabinet: 20 ministers from the SPLM-IG, nine representatives from the SPLM-IO and six others from opposition groups. The SSOA has rejected the peace deal, claiming it overlooked its suggestions. The final document will be signed on 5 August, and will finalize contentious issues such as the holding of a referendum to decide on the number of South Sudanese

^{xv} Sudan Tribune (2018).

states as well as the return of Riek Machar to Juba, to take up his position as FVP.

Observers have pointed to the importance of “peace engines”, particularly civil society organizations (CSOs), and the need to incorporate them in the peace process. In October 2017, 14 CSOs with youth representatives, women, religious and traditional leaders criticized IGAD for not including marginalized members of South Sudanese society in the revitalized peace process under the High Level Revitalization Forum (HLRF). They argued that CSOs can bridge overlooked gaps and “provide crucial knowledge about the realities on the ground [because] their work gives them an understanding of the local culture and traditions as well as the positions, needs and interests of local communities”.^{xvi} Women, both independently and as part of CSOs, have also continuously spoken out against the usual proposal of women quotas in peace negotiations, instead of being represented on platforms where the issues affecting women are decided on. Women in South Sudan make up a larger share of the population and bear the brunt of the on-going civil war. Youth representatives also voiced similar concerns, suggesting that they are used as political tools of the elite, despite the fact that they constitute the majority of the population.

Despite the role these actors can play in reaching all corners of the country, coordination between the different groups remains disjointed, with most groups having become polarized by the current conflict scene. In 2017-18, the Joint Monitoring and Evaluation Commission (JMEC) of IGAD, which is mandated to oversee and implement the ARCSS, held workshops with various groups such as the Women Parliamentary Caucus and the South Sudan Civil Society Alliance, and also incorporated youth representatives, religious and traditional leaders in its various committees. However, more needs to be done in terms of bolstering CSO presence in the peace process and giving them the opportunity to bridge gaps at the local and national levels.

The civil war in South Sudan has created one of the worst humanitarian crises in the world with over 1.74 million internally displaced people (IDPs) and 2.47 million refugees in neighbouring countries as of May 2018.^{xvii} According to the UN, seven million people in South Sudan will need humanitarian assistance and food aid in

2018, a number that covers more than half of the country’s population. The UN also reported that between 16 April and 24 May, government forces killed at least 232 civilians and raped 120 women and girls in Unity state, with opposition forces also accused, although to a far smaller extent.^{xviii}

After more than four years of civil war, the prospect for peace in South Sudan is in deadlock. As the conflict evolves in nature, its underpinning trends are also changing. First, as the government strives to consolidate its ethnically-based power, resistance across most non-Dinka groups, particularly in the Equatorias, has increased. Second, although the main arena of fighting remains locked between government forces and the SPLM-IO, there has been an increased fractionalization and proliferation of armed groups. In line with these trends, violations of the ceasefire agreement will likely continue to be the norm, further hindering the road to peace.

Scenarios

Best case scenario

The best case scenario for the country would be the full implementation of a revitalized ARCSS, as it is the only way to move forward with power-sharing mechanisms and transitional security arrangements that could eventually lead to a stable environment for elections. The recent talks in Addis Ababa, Khartoum and Kampala, although not hosted by IGAD itself, contained elements outlined in IGAD’s peace process under the HLRF. This scenario is particularly likely given UNSC Resolution 2428 (2018), which imposed an arms embargo on South Sudan and sanctions against two individuals. In this case, adjustments are made to the ARCSS to make it more inclusive and to bring back Machar’s SPLA-IO and others, as has been attempted in the Khartoum and Kampala talks in mid-2018. This will help address the issues and actors not adequately covered in the ARCSS. As part of this implementation, the AU-South Sudan Hybrid Court will likely be launched to try human rights abuses. IGAD’s continuous threats regarding sanctions, asset freezes and travel bans can be expected to be undertaken to assert the gravity of IGAD’s commitment to peace and security in South Sudan. In an another scenario, a proactive Regional Protection Force (RPF)^{xix} could play a prominent role in stabilizing Juba, laying further

^{xvi} Konrad-Adenauer-Stiftung (2017).

^{xvii} UNOCHA (2018).

^{xviii} OHCHR (2018).

^{xix} Look at “Current Response Assessment” section for more information regarding the RPF.

conditions for the consolidation of peace and the return of refugees and IDPs.

Worst case scenario

The worst case scenario for the country would be the non-implementation of a revitalized ARCSS, which will lead to intensified monopoly of power, further fragmentation, an abysmal humanitarian situation and disintegration of the country's economy. Under this scenario, the government will likely continue to emphasize hard security measures to control the state and society, a decision that could render the peace agreement futile. The government will likely continue to impose a Dinka-led hegemony, which could result in further internal division and ethnic-based fractures across the country. These will lead to an escalation of rebel attacks and possibly, more rebel factions out of the ruling party as already experienced. Furthermore, the RPF could fail to stabilize Juba and may eventually withdraw; this could result in a situation where the country disintegrates under the force of multiple fighting actors that can neither broker a common framework nor form a strong coalition to impose its will. This recurrent cycle of violence could also create another man-made famine and/or an even more alarming influx of refugees to neighbouring countries. This could in turn lead to further sanctions from the international community, and at worst donor fatigue and withdrawal. This scenario is particularly likely given IGAD's and the AU's recent contradiction of UNSC Resolution 2428 (2018), an attestation to the unwillingness of these organizations to pressure their leaders to follow through with their signed agreements.

Most likely scenario

In this scenario, it is likely that the implementation of the ARCSS and the revitalization process will generate limited progress since there are vested interests against its implementation, including Kiir's and Machar's interests in increasing their power bases instead of respecting the peace agreement. It is therefore probable that the unilateral ceasefire will continue to be violated thereby limiting the RPF's potential to stabilize the country. Furthermore, the existing fractionalization of the conflicting parties could continue to widen, thus deepening the civil war. Given that there is no sign of inclusivity in the peace process, the National Dialogue will likely continue to exclude major armed actors. Given the threat of an increasing number of refugees, neighbouring countries such as Uganda are likely to exhibit their preference for bilateral relations, making international responses incoherent and disunited. Hence,

the security situation is expected to remain dire with rather slim prospects for peace.

Current response assessment

Before the crisis transformed into war, an AU High-Level Panel and the South Sudan Church led an unsuccessful mediation effort. Following the outbreak of the war in 2013, IGAD dispatched its council of ministers to conduct a fact-finding mission in South Sudan, along with the AU Commissioner for Peace and Security and the UN Special Envoy to the AU. On 27 December, IGAD established the Office of the Special Envoys for South Sudan composed of representatives from Ethiopia, Sudan and Kenya. The mediating teams brokered a cessation of hostilities agreement on 24 January 2014 and oversaw the signing of a series of other agreements in the subsequent months. However, a final negotiated agreement proved difficult to conclude due to continued violations of the agreement by the SPLM-IG, the SPLM-IO and other factions. The diverging interests of IGAD Member States also proved to be an obstacle. To avoid possibilities of mediating countries undermining each other's role and to garner a unified voice of international actors, IGAD proposed a new formation in March 2015 called IGAD-Plus. This arrangement includes one representative from each of the five regions in Africa, the AU, UN, EU, the Troika (US, Britain, Norway) and China. The pressure from IGAD-Plus led to the signing of the ARCSS in August 2015, which, as discussed earlier in this report, continued to be violated by the parties involved.

The futility of such measures and the consequent outbreak of the July 2016 violence led to wider acceptance that an inclusive process should be pursued within the framework of the ARCSS which, if properly implemented, will have transformative elements. However, changes since July 2016 including the Machar-Deng split within SPLM-IO, the re-division of the 10 states, the expansion of the conflict in other regions (particularly the Equatorias), and the proliferation of armed movements render the ARCSS an insufficient, or even counter-productive, framework for peace. The only meaningful measure following the July 2016 violence is the beginning of the deployment of the RPF in August 2017, implemented a year after the UNSC authorized the 4,000 strong force on 12 August 2016. More troops arrived in February 2018. The RPF is hoped to open the space for dialogue, fast-track the implementation of the agreement and stabilize Juba. However, the potential contribution of the RPF has been rather slim in the face of the UN Mission in South Sudan's (UNMISS) assorted failures including a tough operating environment, the unwillingness of troops to put themselves at risk, a lax in

contingency and pre-emptive planning, a limited understanding of the Rules of Engagement, and obtrusive measures by the government, including but not limited to the restriction of freedom of movement.

Following delays in the peace process for most of 2016-2017, IGAD held a High-Level Revitalization Forum (HLRF) in June 2017, endorsing the creation of a new peace initiative in South Sudan to replace the 2015 peace agreement. The mandate of the HLRF is three-fold: to reinstate a permanent ceasefire, to effectively execute the ARCSS, and to review the ARCSS enactment schedule to hold elections at the conclusion of the agreement's timetable. A significant development of this process has been the approval of the South Sudan Council of Ministers to establish an AU-South Sudan Hybrid Court to try war crimes committed during the civil war, which, however, remains stalled due to the unwillingness of the SPLM-IG to sign a Memorandum of Understanding. On 21 December 2017, the SPLM-IG and the SPLM-IO signed a "Cessation of hostilities, protection of civilians and humanitarian access" agreement as part of the HLRF, along with other armed groups and political parties. Merely a few days after signing, the ceasefire agreement was violated by both the major conflicting parties and other factions, which again attests to the lack of solemn and sincere commitment by most groups involved.

The second phase of the HLRF was conducted in February 2018 and ended with lukewarm decisions on "responsibility sharing and security aspects" as well as an adherence to ceasefire commitments, which were not respected. Following major delays, the third phase took place in May 2018, and developed a power-sharing proposal which was particularly rejected by the opposition because it strengthened the incumbent's power through the allocation of a high number of cabinet and government positions to the SPLM-IG. Prior to this phase, an AU delegation went on a five-day visit to South Sudan to assess challenges, and to hold discussions with political stakeholders and regional and international organizations on how to better implement the peace process. Chairperson of the AU Commission, Moussa Faki Mahamat, also met opposition leader, Riek Machar, in South Africa.

Under the auspices of the AU Summit in late June, the AU espoused punitive measures against peace spoilers, which were denounced by IGAD, who claimed that the latest developments, such as the Khartoum and Kampala

talks, could have a breakthrough in the agreement. However, there were no breakthroughs, as the warring parties immediately violated the permanent ceasefire and could not agree on the proposed power-sharing mechanisms and security arrangements, despite recent talks in Khartoum and Kampala. Similarly, the UN sanctions have been deemed "unhelpful" both by IGAD and the AU, although both organizations have time and again called for and threatened the South Sudanese parties with these same measures.

Strategic options

To the AU

- ❖ In line with its African Charter on Democracy, Elections and Governance, the AU should strongly push for the implementation of the peace agreement by pressuring the current government to include armed movements in the political process, and thereafter, make the National Dialogue a genuinely inclusive process.^{xx}
- ❖ In line with the same charter, the AU should push to effectively implement the revitalized ARCSS and include the main points of disagreement, such as the re-division of states and the monopoly of executive power. The AU should condemn unconstitutional developments that hamper this process such as President Kiir's recent term extension.^{xxi}
- ❖ The AU Peace and Security Council, in accordance to the AU Constitutive Act, should impose targeted sanctions against any peace spoilers in South Sudan, through the freezing of assets or an arms embargo, in coordination and alignment with IGAD. Both organizations should express support to the recent sanctions by the UNSC if their interventions are to be taken seriously. The AU, under its Protocol Relating to the Establishment of the Peace and Security Council (PSC), is also mandated to cooperate and work closely with the UNSC, which has the primary responsibility for the maintenance of international peace and security.
- ❖ These sanctions should also be advanced to accelerate the establishment of an AU-South Sudan Hybrid Court that was approved in December 2017

^{xx} Article 13 of the African Charter on Democracy, Elections and Governance states that member state parties should take measures to ensure and maintain political and social dialogue, as well as public trust and transparency between political leaders (and the people) to consolidate peace.

^{xxi} Article 23 of the African Charter on Democracy, Elections and Governance states that sanctions can be implemented in cases of any amendment or revision of the constitution or legal instruments, which is an infringement on the principles of democratic change of government.

to try war crimes committed in the course of the civil war.

To IGAD and IGAD-Plus

- ❖ IGAD should work towards the revitalization of the peace process by amending some elements of the ARCSS. Issues to be reconsidered include the implication of the re-division of the country's political boundaries, military cantonment arrangements and governance structures.
- ❖ IGAD should continue its already fortified commitments of the ARCSS, including in areas of transitional justice, constitutional reform and economic governance. It should adhere to and implement the resolutions reached at the 28th Extraordinary Summit to enact asset freezes and regional travel bans, as well as to deny the supply of arms and ammunition to spoilers of the peace agreement.
- ❖ Unlike its recent condemnation of UN sanctions, IGAD should enforce the resolution reached at its 28th Extraordinary Summit to take necessary measures to directly intervene in South Sudan to protect life and restore peace and stability. It should do this in coordination with the AU and the international community.^{xxii}
- ❖ IGAD's intervention could also be better bolstered through liaising and working with informal powers

such as the Jeing (Dinka) Council of Elders, a powerful group of senior intellectuals and politicians from the ruling Dinka group.

- ❖ IGAD should engage faith-based organizations that also play fundamental roles in reconciliation processes. IGAD-Plus should leverage its alignment with regional and international organizations to gather donor support for such ground-up solutions.

To the national government

- ❖ The aforementioned options are futile without the government's willingness and commitment to implement the ARCSS. Internally, the government should open up the national dialogue to make it more inclusive to the SPLM-IO and other armed groups.
- ❖ The government should expedite the establishment of the AU Hybrid Court and make itself amenable to the overall revitalization process by willingly accepting amendments and transformative elements of the peace agreement.
- ❖ The government should complete a constitutional amendment which loosens executive power and provides ample checks and balances, whereas a timeline for elections should be set, respected and implemented.

^{xxii} The AU should assist in the implementation of these sanctions in line with the Peace and Security Protocol, and in coordination with international organizations such as the UN, EU and Troika (members of IGAD Plus).

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South Sudan Conflict Timeline: 1956-2018

1956 January	Sudan gains independence from British rule.
1963 August	Civil war led by the Southern separatist movement called Anyanya starts in the South.
1972 February	A peace agreement between the Anyanya rebels and President Numeiri is signed in Addis Ababa.
1983 June	Fighting breaks out between the North and the South, led by Dr. John Garang of Sudan's People Liberation Army (SPLA).
1991 August	A split occurs within the SPLA because of ideological and personal differences between John Garang and Riek Machar.
2002 January	Riek Machar reconciles with John Garang shortly before talks with the Sudanese government begin. The Machakos Protocol is signed, laying the ground for a referendum in the south after a 6-year interim period.
2005 July	Dr. John Garang, the leader of SPLM/A, dies. He is replaced by Salva Kiir.
2005 February	The Comprehensive Peace Agreement (CPA) is signed between the SPLM/A and the government in Khartoum.
2013 March	Then Vice President Machar declares his intention to challenge the party leadership, indicating areas in which President Kiir has failed.
2013 April	President Kiir strips all delegated power from Machar, a move widely perceived to be a reaction to the latter's declaration in March.
2013 July	President Kiir dismisses Machar from his position of Vice President and orders a decree dismissing all ministers and deputy ministers as well as the party's secretary Pagan Amum.
2013 November	President Kiir dissolves the SPLM political structure, including the highest body of the National Liberation Council, except the Chairman and the secretariat.
2013 December	SPLM/A holds its national liberation council in which Kiir attacks Machar, citing the 1991 division.
2013 December	Kiir orders the disarmament of the presidential guard suspecting an imminent coup. At midnight, fighting breaks out between the Nuer and Dinka members of the presidential guard, which led to the Juba Nuer Massacre.
2013 December	Machar splits from the SPLM/A, calls for an armed rebellion against Kiir and rejects Kiir's narrative of a coup plot.
2013 December	The Ugandan People Defense forces are deployed to Juba at the request of the government of South Sudan.
2013 December	The Justice and Equality Movement (JEM) of Darfur is accused of supporting the government but the movement denies this claim.
2015 January	The SPLM/A factions agree to reunify the movement.
2015 January	A cessation of hostilities agreement is signed.
2015 February	The SPLM-IG attacks Machar's home town in a clear violation of the ceasefire agreement.

2015 February	The SPLM-IO as a collective body announces itself and rejects the second round of negotiations, on the ground that the cessation of hostilities agreement was not respected.
2015 March	The AU appoints a commission of inquiry on human rights violations.
2015 March	IGAD decides to deploy a protection and deterrence force to protect Monitoring and Verification Mechanisms (MVM) field teams.
2015 April	IGAD announces the deployment of the first MVM observers to monitor the implementation of the cessation of hostilities agreement.
2015 May	President Kiir and Machar meet in Addis Ababa and agree to commit to the cessation of hostilities agreement.
2015 August	The SPLM-IO accepts the Agreement on the Resolution of the Conflict in South Sudan (ARCSS).
2015 August	The SPLM-IG signs the ARCSS.
2015 September	The SPLM-IG and SPLM-IO hold a workshop on transitional security arrangements.
2015 October	President Kiir issues a decree aimed at restructuring the existing 10 states into 28 states within 30 days.
2015 November	The Joint Monitoring and Evaluation convenes for the first time in Juba.
2016 January	The SPLM-IG and SPLM-IO agree on ministerial positions for the envisioned transitional government.
2016 January	Machar withdraws his team from Juba on the grounds that the government has not changed its October decision of creating 28 states.
2016 February	President Kiir re-appoints Machar as Vice President as per the agreement.
2016 April	First Vice President (FVP) Riek Machar is sworn in Juba.
2016 July	Fighting breaks out between forces loyal to Kiir and those of Machar in Juba reportedly due to attempts by Kiir's supporters to arrest forces loyal to Machar.
2016 July	Through a presidential decree, Kiir appoints Taban Deng Gai as FVP, supplanting Machar.
2016 August	The UN Security Council authorizes the deployment of a Regional Protection Force (RPF) mandated to protect civilians, UN personnel and key facilities including Juba airport.
2016 September	The SPLM-IG agrees to the deployment of the RPF.
2016 September	Machar calls for armed resistance against the SPLM-IG and requests the international community to declare the government rogue and a spoiler to peace.
2016 November	Following the dismissal of Lt. Gen Johnson Mogoia Kimani Ondieki as the commander of the UN peacekeeping forces, Kenya decides it will withdraw its forces deployed in South Sudan as part of UNMISS and declines to contribute forces that would constitute the RPF.
2016 December	President Kiir issues a decree authorizing the South Sudan Dialogue process.
2017 January	South Sudan rejects additional peacekeepers, admonishing that security has improved.
2017 February	The UN and South Sudan government declare famine in Unity State.

2017 May	President Kiir announces a unilateral cessation of hostilities, reintroduces National Dialogue.
2017 August	First batch of RPF troops arrive in South Sudan.
2017 November	UN announces that President Kiir is using food as a war weapon.
2017 December	South Sudan government and rebel groups sign a cessation of hostilities agreement, breached the same day.
2018 June	President Kiir and Riek Machar meet face to face in Addis Ababa, two years after the July 2016 violence.
2018 July	UN Report states that over 230 civilians killed and 120 women raped by SPLM-IG troops and aligned forces between 16 April and 24 May.
2018 July	The South Sudanese presidency extends the tenure of President Salva Kiir until 2021.
2018 July	UN Security Council imposes an arms embargo on South Sudan and sanctions against two individuals.