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Conflict Prevention and Peacebuilding Efforts in South Sudan, 2011 – 2022: Challenges and Recommendations for the Newest Nation in Africa

Emmanuel Yenkong Sobseh, PhD^{1*}, Ernest Dzelamonyuy, PhD²

^{1,2}The University of Bamenda

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*Corresponding author: Emmanuel Yenkong Sobseh, PhD

The University of Bamenda

Abstract

This article explores conflict prevention and peacebuilding efforts in South Sudan since it became independent in 2011 after an exercise of referendum. The article argues that, through an in-depth analysis of South Sudan's conflict prevention strategies a strong and stable South Sudanese state could be established by national, and external partners. The different conflict prevention measures adopted and implemented by parties include the Comprehensive Peace Agreement in 2005, the Appointment of Referendum Commission in 2010, the demarcation of border, the sharing of oil revenues, the organization of the January 2011 Referendum, the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) in August 2015, and the Revitalized Agreement in 2018. It further highlights the fact that, peacebuilding efforts by international organisations and external partners like the Inter-Governmental Authority on Development (IGAD), United Nations, African Union, European Union, Arab League, Troika of the United States (US), United Kingdom (UK) and Norway have witnessed enormous financial, natural, humanitarian, and institutional challenges with negative bearings on the economy. The article focuses on these issues, and makes pertinent suggestions and recommendations in favour of drafting a new constitution for South Sudan, an empirical assessment of inter-ethnic dynamics and on-going confrontation, and initiating the cessation of hostilities and a disarmament process. The paper concludes that, the failed implementation of the peace agreements meant to arrest and mend the deterioration of the civil war that erupted in December 2013 has left South Sudan vulnerable to continual relapse into conflict.

Keywords: Conflict Prevention, Peacebuilding, External Responses, Challenges, South Sudan

1. Introduction

South Sudan is the world's newest country, gaining independence in 2011 after a decade-long civil war. Yet the euphoria of that moment was short-lived, ending in December 2013 when an internal political dispute between South Sudanese President, Salva Kiir and the then Vice President, Riek Machar exploded into a lengthy ethnic conflict (Quarcoo, 2019). Attempts to prevent and resolve the conflict in South Sudan have seen the involvement of numerous international actors, including neighbouring countries –

namely Sudan, Uganda, Ethiopia and Kenya - the Intergovernmental Authority on Development (IGAD), the African Union (AU), the so-called Troika (United States, United Kingdom, and Norway), as well as the European Union (EU), China and the United Nations (UN) (Logo & Mariani, 2022).

Johnson (2014), De Waal (2014), and Rolandsen (2015) analyze the cause of the civil war from different perspectives. Johnson

(2014) argues that the incomplete integration of Other Armed Groups (OAG) into the Sudan People's Liberation Movement (SPLM) rank and file of the Sudan People's Liberation Army (SPLA), and SPLM's loss of vision, were the causes of the civil war. De Waal (2014) argues that kleptocracy, neo-patrimonialism and reckless leadership decisions were the brute causes of the civil war. Rolandsen (2015) contends that the causes of the war were structural, weak patrimonialism and legacy of rebellion mentality. Ruy Tethloach (2017) opines that peace between the Sudan people's Liberation Movement-In-Opposition (SPLM-IO-Riek), and the government was impossible because the rebels camp was so weak in the battlefield. The government would not negotiate with a failing movement. The fact that the government has no interest in making peace with Machar threatens opportunities for peace, which leads to various scenarios.

Ottaway and El-Sadany (2012) argue that the state of war between North and South Sudan, the inability of the two sides to resolve the oil transit issue, and the incapacity of both states to bring security to their own territories were sad outcome of years of negotiations, mediation, and agreements that sought to help Sudan, whether as a single or divided entity, find a degree of stability. However, Aziza (2017) emphasizes that the South Sudanese people have gone through a worsening humanitarian crisis, and there are concerns that it could enter a vicious cycle of increasing instability, politically and economically. The effects of the general anarchy in South Sudan have not only affected the population of South Sudan, they have also had a spillover effect on the horn of Africa region and the international community.

Looking ahead, Blanchard (2016) thinks that the challenges for international engagement in South Sudan are myriad. Many reports suggest that the government has accrued considerable debt, in part due to military spending. The low global price of oil puts further strain on the fragile economy, and rampant inflation, surging food costs, and an extreme shortage of hard currency further exacerbate already severe food insecurity. Ruy (2017) concludes that peace will never prevail in South Sudan under the SPLM because the SPLM is part of the problem. Hence, he recommends that the UN should consider putting the country under the UN Trusteeship and work with the people to elect a new leader who is not a member of the SPLM. The new leader would first form a constitutional committee, delegated by the people to enact the constitution and pave the way for a general election.

This article which starts with a historical background, treats South Sudan's conflict prevention strategies and highlights the peacebuilding efforts of international organisations and foreign partners. It ends by examining the major challenges faced by South Sudan to prevent and resolve its conflict, as well as recommendations to policymakers and peacebuilders to address and end the conflict in the world's newest country.

2. Historical Background

South Sudan, which separated from Sudan in 2011 after almost 40 years of civil war, was drawn into a devastating new conflict in late 2013, when a political dispute that overlapped with pre-existing ethnic and political fault lines turned violent. Ultimately, Sudan finds itself mired in an intricate web of complex problems. All signs suggest that the transition from greater Sudan to the Republics of Sudan and South Sudan is not the end of a conflict but rather the beginning of multiple new ones. Civilians have been routinely targeted in the conflict, often along ethnic lines, and the

warring parties have been accused of war crimes and crimes against humanity (Ottaway & El-Sadany, 2012: 8). The causes of the conflict were many and include past rift, militarization and arm proliferation, oil issues, ethnicity in South Sudan, corruption, the role of Sudan, and power struggle.

Past tensions were responsible for the outbreak of South Sudan conflict. Even though the Dinka and the Nuer fought side by side against the government in Khartoum for decades, their affiliation has been ambivalent. In fact, in 1991 internal leadership struggles between late SPLM leader John Garang (Dinka) on the one side and his deputy, Riek Machar (Nuer) on the other led to a crack within the SPLM. Machar created the SPLM-Nasir faction. The most important blowback for the SPLM (Dinka) was not only that large faction of its troops broke away in a critical phase of the war, the SPLM-Nasir faction switched sides to ally with the central government in Khartoum (Aziza, 2017). After becoming Khartoum's new proxy in the civil war, the SPLM-Nasir, consisting mainly of Nuer fighters, killed at least 2,000 Dinka civilians in the town of Bor, in what was known as the Bor massacre, on 15 November 1991 (Carlos & Gutschke, 2014). Even though this happened almost a quarter of a century ago, the event remains present in the collective memory of the Dinka and the Nuer and has the potential to fuel resentment in the current struggle.

Militarization and arm proliferation were also responsible for the outbreak of recent conflict in South Sudan. The independence of South Sudan and failure of government to conduct an immediate disarmament of the public left thousands of civilians armed. Access to weapon enabled militia groups and civilians to take the responsibility of their security into their own hands, thus challenging government's monopoly over the use of violence (O'Brien, 2009: 11). The recognition that thousands of arms were owned by civilians, led to calls by regional governments and humanitarian agencies to UN Security Council to put embargo on weapons and other ammunitions to South Sudan. The second civil war in Sudan lasted more than two decades and resulted in high militarization and arm proliferation among civilians (Small Arm Survey, 2014).

Oil has triggered conflict in South Sudan. Ninety-eight percent of the government annual operating budget and 80 percent of its Gross Domestic Product (GDP) is derived from oil, making South Sudan the most oil reliant country in the world. But rather than use of this revenue to invest in public service and infrastructure to improve livelihoods, the government financed a military and security apparatus (Aziza, 2017). However, the government has continued to vehemently refute such claims by stating that oil revenues have been spent on paying salaries of civil servants. According to South Sudan's government spokesperson, "the oil money did not even buy a knife. It is being used for paying the salaries of civil servant" (Reuters, February 20, 2014). However, Bariyo (2014) confirms that, revenues from the sale of oil have been used to finance war and enriching a small group of South Sudanese elites.

South Sudan like many other multi-ethnic societies in Africa, has been trapped in a cycle of political power competition that exploits ethnic identity as the primary base of attracting and establishing political support (Cheeseman, 2015). Ethnicity in the South Sudan conflict is manifested in divisions within SPLM and the Bor massacre of 1991 (Aziza, 2017). Sudan People's Liberation Movement was formed in 1983 drawing membership from

southern tribes and other minority groups from the Sudan. Establishment of SPLM by John Garang' was fundamentally to pursue the creation of a secular state through social, political, and economic reforms in institutions of government. However, despite the diversity of SPLM in terms of membership, the Nuer and Dinka tribes constituted the majority of members thereby giving the two ethnic communities leverage to occupy prime positions in the hierarchy of the organisation (Kiranda et al, 2016: 33). In the same light, the Bor massacre was perpetrated in the capital of the Jonglei state that was occupied by a majority Nuers and minority Dinkas in 1991. Prior to the massacre inter-community raids for livestock between these two groups were common. To have protection against the raids, both the Dinkas and the Nuers formed armed militias such as Titweng and Nuer White Army respectively (Young, 2016). Riek Machar exploited the leadership struggles in SPLM to incorporate members of the Nuer White Army into SPLM-Nasir. The group has been accused of having orchestrated the Bor Massacre with the support of Khartoum in southern Sudan.

Another source of South Sudan's conflict could be attributed to corruption. In July 2013, President Salva Kiir reshuffled his entire cabinet, removing prominent elites, such as former Vice President Rick Machar and firing a group of ethnically diverse cabinet Ministers and high-level officials accusing them of corruption. Most of these individuals had played leading roles in the country's economic and political decisions in the post-independence government, and after being pushed out of the government, many joined apolitical opposition bloc that soon developed into an armed opposition (De Waal, 2014).

The immediate cause of South Sudan conflict could be attributed to power struggle. The SPLM had been the signatory party to the Comprehensive Peace Agreement that ended the 22 years long war in 2005. John Garang, who had led the movement since its establishment in 1983, died in a helicopter crash three weeks after his inauguration as the president of the GoSS. His long-time deputy Salva Kiir took over the position of the president and led the south towards independence in 2011. However, prior to the outbreak of violence on December 15, 2013, there were indications as early as 2008 that all was not well, and that differences within the party portended violence (De Waal, 2014). The tensions within the political class exploded when Vice President Riek Machar, SPLM Secretary General Pagan Amun, and Rebecca Garang, the widow of the late John Garang, publicly announced their intention to run for the post of Chair of the SPLM, and thus President of the country. Taking this as a crucial concern, President Kiir removed executive powers from Riek Machar in April 2010. In July 2010, he dissolved the government, removing Riek and others from any government office (International Crisis Group, 2014). In fact, the anarchy, violence and poverty caused by power struggle forced many South Sudanese to be displaced or become refugees, and this had had a spillover effect on the horn of Africa region and the international community.

3. South Sudan's Conflict Prevention Strategies

South Sudan, which embraced a new conflict in late 2013, welcomed and adopted different conflict prevention strategies to resolve the conflict. These measures include the Comprehensive Peace Agreement (CPA) in 2005, the Appointment of Referendum Commission in 2010, border demarcation, sharing of oil revenue, January 2011 Referendum, Agreement on the Resolution of the

Conflict in South Sudan (ARCSS) in August 2015, and Revitalized Agreement in 2018.

3.1. Comprehensive Peace Agreement in 2005

The CPA was an accord signed on 9 January 2005, by the SPLM and the Government of Sudan. The CPA was meant to end the Second Sudanese Civil War, develop democratic governance countrywide, and share oil revenues. It also set a timetable for a Southern Sudanese independence referendum. The peace process was encouraged by the Intergovernmental Authority on Development (IGAD) in addition to a "troika" of donor countries comprising the United States, United Kingdom, and Norway.

The 2005 CPA provided that the people of South Sudan would have right to self-determination and, in this regard, people of South Sudan would have the option to confirm unity or to vote for secession. South Sudan's right to self-determination was incorporated in the interim Constitution (Article 219). As such, the people of South Sudan would exercise their self-determination in a referendum that was to be held by the end of six-year interim period. Similarly, the CPA gave the residents of Abyei the opportunity to cast a separate ballot in order to make a choice between retaining its special administrative status in the north or being a part of South Sudan. This provision was also incorporated into the interim Constitution (Article 183.3) (CPA, 2006).

3.2. Appointment of Referendum Commission in 2010

The members of the referendum commission were appointed in June 2010. The National Assembly approved the nominees appointed to serve on the Southern Sudan Referendum Commission submitted by the Presidency on 28 June 2010. The Government of Southern Sudan nominated members to serve in the Southern Sudan Referendum Bureau who were to be sworn in July. In August, members of the ten Southern Sudan Referendum State High Committees were nominated and sworn in. On 2 September 2010, Mohamed Osman El-Negoumi was nominated as the Secretary General of the Southern Sudan Referendum Commission; and his nomination was ratified by the Presidency. Parties to the CPA also held a post-referendum negotiation exposure workshop in Juba on 20 July 2010 as part of their discussion on post-referendum issues (CPA, 2010a). Once the institutional structures were in place, the referendum commission approved the voter registration training manual and training of the State Referendum High Committee state level trainers in South Sudan started and was completed on 28 October. A South Sudan political Parties Conference was also organized in Juba from 13 to 17 October which adopted a "Common Code of Conduct for the Referenda and Popular Consultations (CPA, 2010b)." Voter registration took place on 15 November as scheduled by the referendum commission and was extended for 7 days until 8 December 2010.

3.3. Border Demarcation

The potential for conflict created by the uncertainties surrounding the exact demarcation of the North-South border was recognized early on in the negotiations leading to the CPA. As a result, the CPA included a stipulation that a North-South Technical Border Commission should complete the demarcation of the boundary within six months of the signing of the agreement, but this did not happen. Efforts to revive the commission took place regularly throughout the CPA period, increasing in intensity in the months preceding the referendum, again without success. Part of the reason for this neglect was that many of the contested border regions created disputes over land rights that, while vital to the local

populations, did not appear so important from the point of view of national politics. Indeed, recent conflicts in Abyei, South Kordofan, and Blue Nile indicate that the problems do not stem from poor border demarcation but from much more fundamental differences. Even if the North-South Technical Border.

3.4. Sharing of Oil Revenue

Before the Republic of South Sudan became independent, the sharing of oil revenue had been regulated by the CPA: 2 percent of it went directly to the producing states (both North and South had a federal structure), with the remainder split evenly between Khartoum and Juba. The South was never happy with the formula, and after it gained independence, it inevitably stopped sharing its oil revenue with the North. This resulted in a significant loss of revenue for the North, estimated by the International Monetary Fund to amount to \$7.77 billion from July 2011 until the end of 2015, about \$ 1.7 billion per year. Government revenue was estimated at about \$9.26 billion in 2011, suggesting that the loss of oil revenue would be a devastating blow to Sudan. In an attempt to make up for lost oil revenue, in October 2011, Khartoum demanded that the South pay \$32/barrel in transit fees for oil shipped through the pipeline to Port Sudan - industry experts reckon that a rate of \$2–3/barrel would be an internationally appropriate transit fee. In response, Juba offered an equally unrealistic 41 cents/barrel. Attempts to share oil revenues, instead of preventing conflict, instead created more problems for South Sudan.

3.5. January 2011 Referendum

The referendum for southern Sudan took place from 9 to 15 January 2011. The referendum was conducted in the Sudan and in eight Out-of-Country-Voting (OCV) countries (with the exception of an OCV centre in Brisbane, where the polling continued until 18 January). On 7 February 2011, the Southern Sudan Referendum Commission announced the final results for the Referendum. 1.17% of valid votes were cast in favor of unity and 98.83% of valid votes were cast in favor of secession, with a 97.58% voter turnout (3,851,994 registered voters). This confirms the provision related to self-determination for southern Sudan was implemented. Nevertheless, the Abyei referendum did not take place as the north and south could not agree on who was eligible to vote. Southern Sudan called for a referendum for Abyei and insisted that Abyei belonged to South Sudan. On January 9, 2011, South Sudan referendum was exercised with the closest inquiry by the PanAfrican community, together with relevant regional and international actors, that determined South Sudanese independence and the country was thus declared a new republic separate from North Sudan (Awolowich, 2015).

Globally welcomed as the world's newest state, the hopes and aspirations of the international community for South Sudan were far from what we are now witnessing. In fact, many South Sudanese welcomed the newest nation in the world with so much roaring cheer and enthusiasm. A sea of people waved flags in a blur of color as the South's flag was hoisted high into the air. Many embraced each other and cried as the new national anthem was sung for the very first time ever. Nevertheless, this incident was short lived, as it was not long before many people across the world got shocked as gloomy report of near a genocidal massacres and destruction of villages and towns in South Sudan dominate the international media (Lunn, 2016).

The January 2011 referendum that overwhelmingly approved the secession of the South did not address several important territorial

issues: unclear and undemarcated border tracts; the question of whether Abyei should stay within the North or become a part of the South; and the status of South Kordofan and Blue Nile States, regions that were clearly recognized as part of the North, but expected to be given some form of special status under the provisions of the CPA because of their ties to the South. These territorial problems involve complex issues of nationalism in both North and South, deep-seated local grievances, and competition for water and grazing land among local tribes.

3.6. Agreement on the Resolution of the Conflict in South Sudan (ARCSS) in August 2015

The hope for peace and stability in South Sudan was restored when a peace pact – the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) – was signed between the Sudan People's Liberation Movement and Army in Government (SPLM/A-IG) and SPLM/A in Opposition (SPLM/A-IO), as represented by President Salva Kiir Mayardit and First Vice President Riek Machar Teny Dhurgon respectively. The agreement, which was signed on 17 August 2015 in Addis Ababa, Ethiopia, and on 26 August 2015 in Juba, South Sudan, was ratified by the South Sudan National Legislative Assembly on 10 September 2015. The agreement sought to end the deadly civil war that had broken out in South Sudan in December 2013, following power struggles between Kiir and Machar and the allegations of an attempted coup made by the former against the latter (ACCORD, 2016).

ARCSS culminated in the formation of a Transitional Government of National Unity (TGoNU) on 29 April 2016 with the return of Machar, who had fled Juba following the outbreak of the civil war. However, events on the night of 7 July 2016, less than 48 hours before the celebration of the country's fifth anniversary of independence, were characterised by violent confrontations in Juba between the SPLM/A-IG and SPLM/A-IO and spread to many parts of the city, resulting in the deaths of many soldiers and civilians as well as the destruction of property and displacement of people. This quick return to violence provoked analysts of conflict and peace studies to rethink and reflect on the processes leading to the signing of the ARCSS. This article analyses the events leading to the conclusion of the ARCSS and the extent to which they undermined the ownership, buy-in and commitment of stakeholders in the South Sudan peace process. It further recommends critical interventions to address identified gaps for securing lasting peace in South Sudan (Tekle, 2015).

3.7. Revitalized Agreement in 2018

This peace agreement, the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), was finalized in September 2018, and marked an attempt to quell violent conflict in South Sudan, and ushered in a 'transitional period' that would lead to elections in 2024 (this has recently been extended two years). The agreement was brokered by the Intergovernmental Authority on Development (IGAD) (SSHAP, 2023). With the renewed aim of ending the civil war, President Salva Kiir and Riek Machar signed the Revitalized Agreement in 2018 on the Resolution of the Conflict in Addis Ababa, which provided for the establishment of a Revitalized Transitional Government of National Unity (RTGoNU). A Reconstituted Joint Monitoring and Evaluation Commission (RJMEC), responsible for monitoring and overseeing the implementation of the agreement, was also created under Chapter VII of the R-ARCSS. In a welcome development, South Sudan

formed a transitional government of national unity in February 2020. However, progress in the implementation of the peace agreement remains slow (Ottaway & El-Sadany, 2012).

4. Peace building Efforts in South Sudan

After decades of civil war, the signing of Sudan's Comprehensive Peace Agreement in 2005 provided unprecedented opportunities for peacebuilding and improving the humanitarian and development situation. However, a lack of peace dividends for conflict-affected communities in border areas has perpetuated tensions based on resources. Continued armed fighting, pressures on grazing and water resources and struggles over land rights contribute to instability. A plethora of Organisations and External Partners have been involved in peacebuilding efforts in South Sudan. They include neighbouring countries (namely Sudan, Uganda, Ethiopia and Kenya), the Intergovernmental Authority on Development (IGAD) comprising seven countries in the Horn of Africa, as well as the African Union (AU), the United States, the United Kingdom, and Norway (known as the Troika), as well as the European Union (EU), China and the United Nations.

4.1. Inter-Governmental Authority on Development

The IGAD is a body of eight-member states: Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Eritrea (currently inactive), and is based in Djibouti. Its mission is to assist and complement the efforts of its member states in areas of peace, security, agriculture, environment, economic cooperation, and social development. It has acted as the chief negotiator for peace talks in South Sudan, appointing special envoys from Ethiopia, Kenya and Sudan to lead mediation activities and developing a distinct mediation approach that combines traditional Western negotiation techniques with African conflict resolution techniques, such as Ubuntu. IGAD has been able to secure support for its mediation role both financially and logistically from international partners (Waihenya, 2006) - including the Troika and the EU.

Following the ousting of al-Bashir from the presidency of Sudan on 11 April 2019, as citizens protested against the imposition of military rule, the IGAD Council of Ministers made a commitment, at the regional bloc's 68th Extra-Ordinary Session on 19 June 2019, to "bring all actors in the Sudan together for the resolution of their differences and to ensure an all-inclusive, Sudanese-led process and outcome that remedies the situation in the Sudan" (IGAD, 2019). At the same meeting, IGAD made a decision to "assume a leading role to coordinate all efforts to bring sustainable peace in Sudan", as well as to "coordinate its efforts with the Special Advisor of the Chairperson of the AUC", consistent with the subsidiarity principle to ensure coherence and synergy, whilst calling on the international community to support the IGAD initiative.

4.2. United Nations

The 2019 – 2021 United Nations Cooperation Framework (UNCF) builds on sustained UN engagement in South Sudan since the signing of the 2005 Comprehensive Peace Agreement (CPA) and independence in 2011. The United Nations Country Team (UNCT) remains firmly committed to supporting South Sudan and its people in achieving sustainable peace, ushering in a period of recovery and setting the stage for future sustainable development. This UN Cooperation Framework replaces the 2016-2018 Interim Cooperation Framework (ICF) that was a bridging programme due to absence of a national development strategy, and was extended until 31 December 2018. The UNCF takes into account lessons

learned from ICF implementation, including by expanding and scaling up the ICF's strategic approach to building resilience, capacities and institutions to achieve key outcomes across four priority areas, and to gradually scale up this support.

With a significant in-country presence, both in the capital Juba - where it is embedded in each national ministry as well as in South Sudan's 10 states, the United Nations was a key actor involved on the ground in South Sudan (Zambakari et al., 2018). A large part of its involvement revolves around the United Nations Mission in South Sudan (UNMISS), which was established in 2011 (UNSC, 2011). In March 2022, the UN Security Council adopted a resolution to renew the UNMISS mandate until 15 March 2023 (UNSC, 2022). With the goal of advancing a three-year strategic vision defined in a 2021 Security Council resolution to prevent a return to civil war (UNSC, 2021), the UNMISS mandate has four core elements: protecting civilians; supporting the delivery of humanitarian assistance; supporting the peace process; and monitoring, investigating and reporting on violations of international humanitarian law and violations and abuses of human rights (UNSC, 2022). As of November 2021, UNMISS had a total force of 17,982 units, comprising of 13,254 troops, 222 experts on mission, 1,411 police officers, 425 staff officers, 2,268 civilians and 402 volunteers, with those units coming from numerous countries (UN Peacekeeping, 2022).

The UN has also been monitoring and assessing the situation in Sudan since the outbreak of demonstrations in December 2018, and engaged in preventive diplomacy to prevent the crisis from escalating. As such, it has issued statements strongly condemning the use of violence, rape, intimidation and excessive force by the ruling Transitional Military Council (TMC), and reminded the TMC of its responsibility to ensure the safety and security of citizens as well as protection of people's freedoms, whilst also urging the protestors to exercise restraint (UN News, 2019). From the onset, the UN declared its willingness to support peaceful resolution of the conflict, inclusive dialogue and peaceful transition. During the course of negotiations, the UN encouraged the parties to agree on a settlement, and also pledged to support the transition process in Sudan after the signing of the Political Agreement and Constitutional Declaration, through legal, political and institutional reforms.

4.3. African Union

The African Union (AU) played a more visible and impactful role in addressing the post-coup crisis in Sudan. One of the boldest and most decisive actions, taken on 6 June 2019 by the AU, was to suspend Sudan from participating in all AU activities. This was a decision of the AU Peace and Security Council (PSC) at the 854th Meeting in Addis Ababa, Ethiopia, in line with the AU Constitutive Act and African Charter on Democracy, Elections and Governance, specifically Article 7 (1) (g) of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, which provides that the PSC may "institute sanctions whenever an unconstitutional change of Government takes place in a Member State, as provided for in the Lomé Declaration" (African Union, 2002).

The readmission condition was that Sudan needed to establish a civilian-led transitional authority. Prior to this decision, the AU visited Sudan to assess the situation and consult with key stakeholders to identify a lasting solution to the crisis. For example, the chairperson of the AUC, Moussa Faki Mahamat, visited Khartoum from 20 to 21 April 2019 and had consultations

with the TMC, political parties, civil society organisations, the UN, European Union (EU), bilateral partners, African diplomatic corps and other members of the international community.

In addition to this, the AU chairperson, President Abdel Fattah al-Sisi of Egypt, convened a Consultative Summit of the Regional Partners of the Sudan on 23 April 2019. This was attended by 12 member states (Chad, Democratic Republic of the Congo, Djibouti, Egypt, Ethiopia, Kenya, Nigeria, Rwanda, Somalia, South Africa, South Sudan and Uganda) to contribute to a solution to the post-coup crisis in Sudan (African Union, 2019a). The AUC also deployed Mohamed El Hacem Lebatt (principal strategic advisor to the African Union Commission (AUC), chairperson) on 1 May 2019 as the AU Special Envoy leading the AUC facilitation team, with the mandate to facilitate and technically support the negotiations and dialogue among the Sudanese stakeholders to reach a common agreement that would pave the way for a consensual and civilian-led transition. It is through these marathon AU-mediated negotiations, complemented by Ethiopia, that the TMC and the Forces of Freedom and Change (FFC) finally signed the Political Agreement on Establishing the Structures and Institutions of the Transitional Period between the Transitional Military Council and the Declaration of Freedom and Change Forces on 17 July 2019, as well as the Constitutional Charter for the 2019 Transitional Period on 17 August 2019 (African Union, 2019b).

4.4. European Union

The European Union is one of the leading international partners in South Sudan. The European Union has proven to be a reliable and consistent supporter of a free, independent and prosperous South Sudan, committed to universal values of peace, democracy and Human Rights. Following the referendum in January 2011, and the independence of the country in July of the same year, the EU substantially increased its development assistance and quickly established a fully-fledged Delegation to South Sudan in 2012. Following the outbreak of the crisis in December 2013 and then again with the war in 2016, the EU used its available tools to try to bring the warring parties to stop the violence. It focused on supporting the Intergovernmental Authority on Development (IGAD) Mediation and its monitoring mechanisms, but also reinforcing the population's resilience and food security. The EU has a formal role in several new structures, put in place by the peace process, especially the Revitalised Joint Monitoring and Evaluation Commission (RJMEC) and the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM) (European Commission, 2018).

The European Union's (EU's) engagement in the South Sudan peace process has mainly focused on supporting third parties' mediation efforts - especially those of IGAD - using mediation support actions and techniques that have relied on "endorsement", "coordination", "assistance", and "lending leverage" (Müller & Bergmann, 2020). The EU role in South Sudan needs to be seen within the context of EU peace support initiatives across the Horn of Africa region. In 2018, the EU, IGAD and the Austrian Development Agency signed an agreement on a €42 million action for 2018 - 2022 aimed at improving IGAD's conflict early warning systems, mediation skills, and responses to trans-national security threats (European Commission, 2018). In South Sudan, the EU has, similarly to the Troika, welcomed the formation of the Revitalized Transitional Government of National Unity, but it has also emphasised the need "to pursue and accelerate the implementation

of the Peace Agreement" (Council of the European Union, 2021). In addition to its peace support initiatives, the EU is also a major donor of development aid and humanitarian assistance to South Sudan. In 2022, it allocated over €41.7 million for humanitarian aid, with the purpose of addressing food insecurity, violence and floods across South Sudan (European Commission, 2022). Being outside the Cotonou framework, South Sudan has benefited from ad hoc allocations under the EU Horn of Africa Trust Fund, and thematic budget lines like the European Instrument for Democracy and Human Rights (EIDHR), the Instrument contributing to Stability and Peace and the Food Security Thematic Programme (FSTP) (EU, 2020).

4.5. Arab League

Given that Sudan is a member of the 22-member Arab League – a regional organisation formed in March 1945 by Arab states from the Middle East, North Africa and Horn of Africa – there were efforts from the Arab League meant to contribute to the peace process. On 16 June 2019, the Secretary General of the Arab League, Ahmed Aboul-Gheit, held talks with the TMC's Burhan and FFC leaders in Khartoum, adding pressure for a civil government. However, the Arab League seemed not to have any tangible intervention or initiative to support negotiations other than encouragement for dialogue. Before the TMC-FFC negotiations resumed, an Arab League initiative led al-Sisi to meet the deputy head of the TMC, Mohammed Hamdan Dagalo, on 29 July 2019 in Cairo, to discuss the security situation in Sudan. This led to insinuations that the Arab League favoured the TMC over the FFC. In August 2019, the Arab League issued a statement welcoming the signing of the Constitutional Declaration by the TMC and the FFC, reiterating its support of the transitional government.

4.6. Troika of the United States (US), United Kingdom (UK) and Norway

Since the beginning of the crisis in December 2018, the Troika (US, UK and Norway) issued several statements condemning the abuse of human rights and curtailment of freedoms, as well as the use of violence against peaceful protesters, whilst declaring its willingness to support dialogue and political and economic transition in Sudan. The Troika has been instrumental in the IGAD-led peace negotiations. The Troika funded the establishment of an IGAD liaison office in Sudan in 2005, which was subsequently upgraded to a Juba Liaison Office after South Sudan's independence in 2011. It invested political capital and economic resources by mounting pressure on the warring parties to sign the CPA. Without such engagement, it is unlikely that the agreement would have been made. After South Sudan gained independence, the Troika pursued an agenda of state building, investing significant resources in support of the new South Sudanese state (Pendle, 2018). Since the signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), the Troika has issued various statements, reaffirming its commitment to the IGAD-led South Sudan peace process. Simultaneously, however, it has raised concerns about the slow progress of fully implementing the peace agreement and the risks that carries for the future prospects for the peace process.

The Troika also convened several meetings, attended by different stakeholders, to discuss the Sudanese crisis. For example, on 18 May 2019 and 21 June 2019, the Troika met in Washington DC and Berlin to discuss the post-coup crisis in Sudan. These meetings were attended by the Troika states, the EU, the AU, Germany, France, the United Arab Emirates, Saudi Arabia and Egypt.

Following the signing of the Constitutional Declaration, the Troika affirmed its commitment to support transitional processes in Sudan as well as economic, legal and constitutional reforms during the transitional period. By and large, the Troika has played a lobbying and advocacy role, using its historical influence in Sudanese politics.

5. Challenges

As compared to other African countries, South Sudan's development and humanitarian needs are massive, and the current conflict is one the country cannot afford (Frontier Economics, 2015). South Sudan has the world's highest rates of population growth and maternal mortality, and less than 30% of the population is literate. The country has abundant natural resources, but less than 200 miles of paved roads. It is also the country most dependent on oil for income in the world, and based on its current reserve estimates, oil production is forecast to decline and be negligible by 2035 (UNMISS, 2015). Many reports suggest that the government has accrued considerable debt, in part due to military spending. The low global price of oil puts further strain on the fragile economy, and rampant inflation, surging food costs, and an extreme shortage of hard currency further exacerbate already severe food insecurity.

The first challenges to deal with in South Sudan conflict is how to tackle one of the most severe humanitarian crises at the moment, which has immensely caused myriad misery and devastation on innocent citizens. As successive report of the High Commissioner for Human Rights, UNMISS, the AU and international organizations have documented, there have been numerous, repeated incident and patterns of serious and systematic violence against civilians, in many cases in circumstances in which people were targeted due to their ethnic origin (Human Rights Watch, 2016). Many civilians have been attacked and killed by both sides of armed group in their homes, as well as in places of shelter, including churches, mosques, hospitals, and in government facilities. Tens of thousands have been displaced from their homes, more than 1.5 million of them within the country. Serious violations of international humanitarian law, gross violations of international human rights law and human rights abuses have been perpetuated by all parties to the conflict including attacks against civilians, rape and other crimes of sexual violence, arbitrary arrest and detention, abduction, deprivation of liberty and enforced disappearance (Tewodros, 2015).

South Sudan is also facing financial challenges. The extensive humanitarian crisis facing the country should be addressed with more allocation of resources. According to the National Bureau of South Sudan (2019), inflation continues to range between 64-109 percent. Moreover, government debt to its GDP has also increased from 53% in 2018 to 64% in 2019. Lack of adequate financing threatens state-building in South Sudan because it impacts on legitimacy of the government, its capacity, and ability to respond to the needs of the people. As such, there needs to be adequate funds committed to long-term reforms key sectors such as education, security, healthcare and human resource development. The international community and transitional government should collaborate in providing finance and organizing activities such as cultural events that build on shared interests (Stedman, 2002). Taking a lead in organizing and financing activities that provide a platform to highlight issues and problems that affect the society such as corruption and ethnicity without having to mention names or groups.

There is also the challenge of weak institutional arrangements to be addressed. The state-building process in South Sudan is threatened by weak institutional arrangements between various arms of government thereby interfering with effective implementation of the peace agreement. This problem is further expounded by the tendencies of foreign donors to deal with specific institutions such as departments, rather than facilitate and develop cross-departmental collaboration. There is need for crafting a new constitution that will outline the obligations and duties of the state to the people, and the responsibility of the people to the state in different levels of government. The executive will constitute departments of Treasury, Internal Security and Social Services that will restructure security organs, offer financial management and reform health, education and basic infrastructure sectors of the state. The legislative arm of the government should be tasked with passing laws, approval of government expenditure and oversight of the executive. The judiciary will oversight justice and reconciliation (Agwanda & Asal, 2020).

More troubling is the implication of the state in the perpetration of violence, with gross human rights violations coming to be a part of the counter-insurgency response of the Salva Kiir-led government and armed groups affiliated with it, as much as that of rebel groups (UN Security Council, 2016). The transformation of the SPLA from a coalition of disparate militias, steeped in corruption and clientelism, into a professional national army was a major outstanding challenge even before the outbreak of the December 2013 conflict. In the absence of genuine security sector reform, the SPLA is a deeply fractured force, controlled by warlords and driven along ethnic lines, and has become a key contributor to insecurity. Such structural weaknesses in the foundation of the South Sudanese state have been compounded by the absence of a positive vision of nation-building. For ordinary South Sudanese suffering from extreme violence in various forms (political, criminal, institutional, and gender-based), the transitional government represents but another episode in a long series of broken promises (Waal, 2014). Contestation over state power and control of resources, together with issues of ethnic identity, are driving an appalling humanitarian crisis, while engendering systemic corruption, looting, violence, and economic disparities between a warring elite and the vast majority of South Sudanese.

Government finances have been badly affected by reduced oil production and this has had negative bearings on the economy. With a Gross Domestic Product (GDP) of \$9 billion in 2015 and growth forecast which continued to decline in 2016–2017, South Sudan is one of the most under-developed economies in the world, heavily reliant on oil production, which composes more than half of GDP, 95 percent of exports, and 90 percent of government revenue (World Bank, 2017). The current conflict has had a significant impact on the oil sector. Government finances have been badly affected by reduced oil production, which fell to about 130,000 barrels a day in 2016 (having earlier been at around 245,000 barrels a day in 2013), amidst efforts to boost output. Oil income has further fallen due to lower international oil prices (since June 2014) and Juba's fixed oil transit fee agreement with Khartoum.

Beyond the oil sector, subsistence agriculture (including farming, fishing, and herding) is the mainstay of local livelihoods in South Sudan. This has collapsed in the face of renewed conflict and drought, as have the few efforts that had begun after independence to move beyond subsistence farming, including a joint programme

- launched in 2012 - by Nestlé Nespresso and TechnoServe to revive commercial coffee production in Central Equatoria. In October 2016, Nespresso suspended its operations in, and imports from, South Sudan in the context of increasing instability and violence in the region (Bariyo, 2016). The local production and market failures are reflected in the rising numbers of Internally Displaced Persons (IDPs) and South Sudanese refugees, and deteriorating food security situation; as well as the arrival of famine, which is still localised in central and southern unity, but has the potential to spread if not addressed urgently and adequately. In addition, people have been forced to use defensive violence to protect meagre modes of food production, and militarisation has become a survival strategy for communities, further perpetuating the crisis.

A fundamental challenge that the reconstituted Transitional Government of National Unity faced after July 2016 was that “South Sudan has already relapsed into civil war” (D’Agoot and Miamingi, 2016). Key military figures in the SPLA appeared strongly opposed to implementation of the Addis Ababa peace agreement. After July 2016, opposition forces denounced President Kiir for abrogating the agreement by attacking Riek Machar and his forces in Juba. Lam Akol, who resigned as the transitional government’s minister of agriculture and food security in July 2016, called the Juba fighting “pre-meditated and well planned” and declared: “the Addis Ababa agreement is dead” (TGoNU, 2016). This followed a meeting of opposition groups, held in Nairobi, Kenya, in August 2016, which produced a communiqué challenging government claims that the Addis Ababa peace agreement could be implemented, and declaring the overthrow of Kiir’s government as its ultimate objective (Sudan Tribune, 2016). In August 2016, the SPLM/A-IO Political Bureau called for a reorganisation of its forces “so that it can wage a popular armed resistance against the authoritarian and fascist regime of president Salva Kiir in order to bring peace, freedom, democracy and the rule of law in the country” (SPLM/SPLA, 2016). In other words, South Sudan may have, or have had, a formal peace, but faces the reality of proliferating informal conflicts.

The situation in South Sudan was extremely challenging in 2022. The Government had limited capacity to respond to humanitarian needs, and most IDPs, refugees and returnees were living in remote areas of a country that has limited connectivity and infrastructure, where roads were seasonally inaccessible due to heavy flooding. At the end of 2022, there were 2.3 million South Sudanese refugees in camps, settlements, and urban areas in the Democratic Republic of the Congo, Ethiopia, Kenya, Sudan and Uganda, living in precarious conditions, exacerbated by the ongoing drought and food insecurity. After nearly a decade of conflict and despite efforts toward implementing the peace agreement, South Sudan continued to grapple with sporadic violence, economic instability and the devastating impact of massive flooding. Nevertheless, with new refugees continuing to arrive in 2022, especially in Uganda, where 50,000 new South Sudanese refugees were received, host countries continued to grapple with limited resources for a situation that remained severely underfunded (UNHCR, 2022).

6. Recommendations

This paper recommends a comprehensive peace approach that will address the political aspects of the conflict in South Sudan and propose restructuring South Sudan’s administrative, economic and social spheres in order to curb further manipulation of the ethnic differences. These recommendations include drafting a new

constitution for South Sudan, an empirical assessment of inter-ethnic dynamics and on-going confrontation, establishing a temporary Transitional Authority under a Security Council Resolution, researching to assess South Sudan’s mediation roles, and initiating the cessation of hostilities and a disarmament process.

The first major recommendation concerns a new constitution for South Sudan. Drafting a new constitution for the country that will require the establishment of a political and economic system that guarantees each and every South Sudanese equity and equality. The politics of winner-takes-all should be ruled out, while the separation of powers between the executive, judiciary, legislature and the local government must be strengthened. Division of labour among the various security forces must be emphasised so that they are divorced from politics.

This study recommends an empirical assessment of inter-ethnic dynamics and on-going confrontation between non-state armed groups in South Sudan. This would assist in determining reasons for the ethnically charged sub-national violence, and help to devise adequate and inclusive solutions that would mitigate threats to the current peace deal (Logo & Mariani, 2022).

Establishing a temporary Transitional Authority under a Security Council Resolution that would include nominees from the political, economic, professional, diaspora, religious and cultural spheres of South Sudan and the international community.

Research is needed to assess South Sudan’s mediation roles in the Horn of Africa. In particular, this should focus on South Sudan’s relation to Sudan’s internal strife, its role in the dispute between Egypt and Ethiopia over the Grand Ethiopian Renaissance Dam (GERD), and the implications these engagements have for an already fragile peace process at home (Logo & Mariani, 2022).

Initiating the cessation of hostilities and a disarmament process in order to end the widespread supply of arms to civilians. Any party involved in violence after the declaration of cessation of hostilities should face trial under existing laws before retaliation by the other parties takes place.

Providing President Salva Kiir, former opposition leader Riek Machar and other key figures involved in the current conflict a negotiated exit from the political sphere of South Sudan (*Center for Preventive Action, 2023*). This is because they hold the highest responsibility for the on-going conflict since they are at the top of the command chain and have failed to ensure that their troops adhere to the International Law of Armed Conflict. Their exit will have to be negotiated, with due consideration to procedure and timing. This will help overcome fears of a possible repeat of the crisis as happened in Iraq, Libya and Yemen. Parties to be involved in this process should include IGAD, the East African Community, the African Union, the United Nations General Assembly, and the Security Council.

This article argues that peace will never prevail in South Sudan under the SPLM because the SPLM is part of the problem. Hence, the research recommends that the UN should consider putting the country under the UN Trusteeship and work with the people to elect a new leader who is not a member of the SPLM. The new leader would first form a constitutional committee, delegated by the people to enact the constitution and pave the way for a general election. Alternatively, the people of South Sudan should consider

establishing a popular revolutionary movement that would dislodge the SPLM with all its factions and form a just system.

7. Conclusion

This paper which focused on South Sudan's conflict prevention and peacebuilding efforts by international organizations and foreign partners has examined the status of the civil war that has engulfed the youngest nation on earth, as well as the evolving narratives of its causes, challenges and policy recommendations to actors involved in the peace process. Having examined the continuously failing peace treaties between the warring parties, it is evident that the agreements have failed to unearth and provide solutions to the conflict and a new approach to examining the root causes and solutions to the problem is therefore necessary. In a complex and multi-stakeholder peacemaking environment, South Sudan has been a test case for international cooperation to promote a peaceful resolution to the conflict. Often acting behind the scenes, Troika countries have provided technical and financial support for peacemaking interventions and have also supported peacebuilding interventions and initiatives through their development agencies. IGAD, UN and the AU ensured political buy-in from the South Sudanese leaders and drove the process in line with the guiding spirit that regional organizations should lead peace interventions. Regional geopolitics has added additional complexities, with influential countries in the Eastern Africa region involved in bi-lateral diplomatic efforts with the SPLM and SPLM/IO leaders to promote peace while asserting bi-lateral interests. China's economic power and engagement, together with its lack of demands on good governance or political reforms, have positioned it as the preferred, but not uncriticized, partner for South Sudanese economic development and helped it overcome lingering suspicion from its support for Sudan in the past. Despite an array of peacemaking and peacebuilding initiatives, securing peace in South Sudan has remained elusive. There is a general agreement among South Sudanese civil society experts and officials that local actors are not the real drivers of the peace process. Peacemaking and peacebuilding have been externally owned and led, with the South Sudanese political leaders, who are reluctant to make peace, "forced" into signing peace agreements. The immediate effects have been financial, natural, humanitarian, and institutional challenges, which had had negative bearings on the economy.

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