

Democratise or disintegrate

How the AU can help South Sudan

Amanda Lucey and Liezelle Kumalo



The implementation of South Sudan's latest peace agreement appears to be at a standstill. Insecurity, food shortages and the breakdown in governance have forced more than 1.5 million people to flee the country. President Salva Kiir's announcement of a forthcoming national dialogue offers some hope. Yet people are divided on the legitimacy of the process: is this a ruse to detract attention from important reforms, or is it an opportunity to finally broaden the political process in South Sudan? External actors, including the African Union (AU), are also at odds with one another. This report looks at how the AU can enhance the prospects for peace in South Sudan.

Recommendations to the AU

- ▶ Call for a ceasefire as a precondition for the national dialogue.
- ▶ Insist on peace enablers to legitimise the process and offer in-kind technical assistance.
- ▶ Use shuttle diplomacy, in collaboration with the UN and IGAD, to engage all key actors outside government.
- ▶ Engage with alternative pressure points in Juba, including the Jieng Council of Elders and moderates, on legitimising the dialogue.
- ▶ Facilitate a strategic coordinated approach for engagement on dialogues (including the independent administration of a joint fund) between Northern and Southern external partners, the UN and IGAD.
- ▶ Draw on assessments of past experiences, including previous dialogues by the churches and support to institution building in South Sudan and the broader mediation experiences of the AU.
- ▶ Ensure greater presence and capacity on the ground, including regular and detailed information on the conflict dynamics and personalities.
- ▶ Engage on transitional justice issues through the ARCISS and the dialogues, paying attention to sequencing and timing.
- ▶ Emphasise the need for peacebuilding/development programming with politically inclusive objectives.

Peace in South Sudan in the near future seems unlikely. Despite international efforts to build a new and inclusive nation state, since the country's independence in 2011 elites have continuously and systematically entrenched their power and access to resources and fought over highly centralised and personalised sources of funding, patronage and control, to the detriment of the general population.¹

South Sudan's latest peace agreement, the Agreement for the Resolution of the Conflict in South Sudan (ARCISS), has been violated repeatedly and the nature of the conflict is changing. What can external actors do to prevent the situation from disintegrating further?

This report looks specifically at the role that African actors – the African Union (AU), the subregional Intergovernmental Authority on Development (IGAD) and African member states – can play in enhancing sustainable peace in South Sudan. Much has already been written on the history of South Sudan² and on developments since the most recent eruptions of violence.³ There have also been many critiques of the previous peace processes in the country.⁴ This report thus assumes some knowledge of South Sudan and is forward looking.

It is part of a broader project called 'Enhancing African responses to peacebuilding' by three partner organisations – the Institute for Security Studies (ISS), the Peace Research Institute Oslo (PRIO) and New York University's Center on International Cooperation (CIC). It is based on research carried out from 9–17 February 2017 in Addis Ababa, Ethiopia and Juba, South Sudan with 28 institutions.⁵

The report first outlines the background to the current situation in South Sudan. It then goes on to examine past engagements by African actors in building sustainable peace in South Sudan. It also describes their engagements with the broader international community. It then examines the latest important developments in South Sudan, namely the implementation of the peace agreement, the deployment of the Regional Protection Force (RPF), the national dialogue and the state of the economy. The report offers practical policy recommendations for the way forward.

Background

The fighting in South Sudan in 2013 was initially seen as internal wrangling between two main players: incumbent President Salva Kiir and opposition leader Riek Machar, who contested the Sudan People's Liberation Movement's (SPLM) presidential candidacy for the 2015 elections. The hostility resulted in a split in the party and the creation of a coalition opposition group, the SPLM in Opposition (SPLM-IO). Increasingly, however, the conflict is taking on more serious ethnicised dimensions. There was renewed fighting in July 2016. The drivers of the current conflict include 'badly managed decentralisation, corruption, marginalisation, ethnic rivalries and exclusionary politics, and unaddressed local grievances'.⁶ Old accusations of the 'Dinka domination'⁷ of South Sudan's government have re-emerged as Kiir's current Transitional Government of National Unity is accused of marginalising non-

Dinka political and military elites, and of being guided by a body of current and past Dinka politicians called the Jieng (Dinka) Council of Elders.⁸

The nature of the conflict is changing and expanding, with increased insecurity throughout the country and violence in areas that have been comparatively stable, including Central and Western Equatoria.⁹ The economy moved briefly into hyper-inflation in July 2016 following the military crisis in Juba, and oil revenues, the government's main source of income, are too low to pay for stability.¹⁰

There has been little engagement between Northern and Southern actors at a more strategic level

From the outset, the divided approaches and incoherent responses of the donor community¹¹ have allowed their engagements to be manipulated by the government, and have ultimately made them ineffective. Regional and continental efforts to seek a solution have also been mired in controversy.¹² IGAD, a regional body joined by South Sudan in 2011, has driven negotiations for a power-sharing arrangement in the country. At the same time South Africa and Tanzania negotiated a separate process aimed at reunifying the SPLM. In August 2015 IGAD's efforts came to fruition – the ARCISS was signed in Addis Ababa by Machar and Pagan Amum as the heads of the opposition groups and later by Kiir. Arguably, key provisions of the agreement have not been implemented and it is unlikely that the scheduled elections in 2018 will take place.

Those who played an active role in getting the agreement signed wish to avoid a return to the negotiating table and now agree that the ARCISS is the only existing framework upon which to build. However, the focus on its implementation has been overshadowed by the fighting since last July and an announcement by Kiir on 14 December 2016 in which he declared the start of a process of national dialogue. Kiir argued that the ARCISS narrowly addressed the 'power and military aspect[s] of the conflict' and stated that the dialogue was necessary to link political settlements with grassroots grievances, redefine unity, address issues of diversity, agree on a mechanism for sharing resources and enhance

reconciliation, among others.¹³ However, the means of carrying out the dialogue has been controversial and currently people are split into two camps: those opposing the dialogue, and those supporting it.¹⁴ So what is the way forward for South Sudan?

Contributions of IGAD and the AU

Mediation

African actors such as the AU and IGAD and bilateral actors such as South Africa have played an important role in South Sudan, amid the host of donors that flooded the country upon the signing of the Comprehensive Peace Agreement (CPA) in 2005 and with independence in 2011. This has primarily been a political mediation role, often at a heads of state level. Coordination between Northern donors and African actors (and Southern actors such as China) has only really occurred at this level, through discussions on the peace agreement, as the field research showed. There has been little engagement between Northern and Southern actors at a more strategic level, or on the ground in Juba,¹⁵ meaning that often responses are at odds with one another, allowing the government to 'forum shop'.¹⁶ The AU and IGAD have the political legitimacy to engage on sensitive issues by virtue of their being African organisations to which South Sudan has subscribed.

As South Sudan seceded from the Republic of Sudan, former South African president Thabo Mbeki led the AU's High-Level Implementation Panel on Sudan. Part of the panel's mandate was addressing unresolved issues such as oil interdependence and citizenship.¹⁷ Despite criticisms, his commitment to the process remains visible, as Mbeki has continued to mediate between the opposition and government of Sudan, as well as along some border areas with South Sudan.¹⁸

IGAD's long history of mediation started with the negotiation of the CPA¹⁹ between Sudan and South Sudan in 2005.²⁰ It was also appointed as the primary mediator after the outbreak of violence in December 2013, after the AU's Peace and Security Council (PSC) agreed that it would apply the principle of subsidiarity.²¹ IGAD appointed dedicated special envoys from Ethiopia, Kenya and Sudan, but Uganda only engaged at a heads of state level, causing confusion and constraining IGAD's ability to take institutional positions and make decisions

without consulting heads of state.²² Nevertheless, it succeeded in getting several agreements²³ signed, although these were often contravened. The AU continually supported IGAD's efforts and established the AU High-Level Ad-hoc Committee of Heads of State and Government composed of Algeria, Chad, Nigeria, Rwanda and South Africa in December 2014.²⁴ This committee combined with the Troika (made up of the United States [US], the United Kingdom and Norway) became known as IGAD Plus.

The AU and IGAD have played an important political mediation role in South Sudan

On the margins of the IGAD-led mediation process, South Africa, Tanzania (and, initially, Ethiopia) initiated an additional peace process – the Arusha agreement,²⁵ which was eventually signed in January 2015. South Africa sent Deputy President Cyril Ramaphosa as President Jacob Zuma's envoy to work alongside Tanzania's ruling party Secretary-General Abdulrahman Kinana.²⁶ Unlike the IGAD Plus mediation efforts (which arguably tried to create two main centres of power, allegedly due to external fears of a one-party state,²⁷ and focussed on a wider range of issues), the Arusha agreement focused purely on the reunification of the SPLM. Some stakeholders have argued that the Arusha agreement was used to address the root causes of the violence and to speed up the end result of the IGAD process, which also aimed to finally reunify the SPLM (after building separate centres of power).²⁸ Others, however, considered it a substitute, or contradictory to the other process.²⁹ Moreover, it could be argued that the process that culminated in the Arusha agreement did not respect the principle of subsidiarity, which gives IGAD the primary role of responding to conflicts in its region. Ultimately, neither process has led to a resolution of the conflict, and uncoordinated approaches have allowed the government to play external actors against one another, without there being clarity on the way forward.

The ARCISS was eventually signed in August 2015. This took place amid strong pressure from the Troika, despite a number of reservations expressed by the parties to the agreement. A Joint Monitoring and Evaluation Committee (JMEC) was set up under IGAD led by former president Festus Mogae of Botswana.

Transitional justice/post-conflict development and reconstruction

Despite substantial efforts to build capacity since 2005, the prevailing political differences and ongoing fighting have proven significant stumbling blocks.

South Africa carried out a large-scale capacity-building programme among South Sudanese officials, but on both sides there was limited follow-up and considerable staff turnover, and the programme was not linked to any longer-term vision or strategy.³⁰ IGAD enjoyed some success in implementing the IGAD Civilian Capacities Initiative.³¹ This initiative was longer in duration,³² larger in scale and more systematic in scope. The fact that the twinned officials

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were from the region was also seen as positive.³³ Yet this training did not emphasise linkages to the problems at a political level and, as such, did not speak to broader concepts of inclusivity. These efforts have since stalled, while donors who were angry and frustrated at the misuse of funds are now engaging primarily through humanitarian initiatives. The humanitarian efforts, while laudable in principle, have arguably been politicised by the government, further fuelling the conflict.³⁴

At the same time, those advocating the implementation of the ARCISS have revived discussions on transitional justice, although what this means in terms of accountability is unclear. Calls for accountability mounted after the AU released a report by the AU Commission of Inquiry on South Sudan (AUCISS) and the separate opinion submitted by one member of the AUCISS on 27 October 2015.³⁵ The report was released a year late, with the AU arguing it would have damaged the peace negotiations that were being held at the time – the commission had been created after the violence in December 2013, and the report was finalised in October 2014. The separate opinion came from noted African scholar Mahmood Mamdani, who objected to the violence being characterised as ‘mainly criminal’ and argued that it had in fact been political.

Mamdani’s objection was based on the argument that criminal behaviour required an individualised punishment, whereas political violence required considerations such as distinguishing between judgements for ringleaders and their followers.³⁶ Even so, the report made a number of recommendations that were accepted by the PSC, including establishing an independent hybrid court to investigate and prosecute those guilty of war crimes under international and national law, establishing a compensation and reparation authority and fund, and putting into place a strategy for healing and reconciliation. The PSC also emphasised the need for strong, accountable and efficient institutions and an ‘adequate devolution of resources, decision-making power and guarantees against undue interference in devolved units by the centre, through the full implementation of the current constitution until a new one is adopted’.³⁷

The ARCISS mandated the AU to assist in the establishment of an independent hybrid court. The agreement also outlined the establishment of a government-led Commission on Truth, Reconciliation and

Healing and a Reparations Committee. As detailed below, these initiatives have not yet been implemented, but discussions are ongoing as to how the AU can and should engage.

In June 2015 Alpha Oumar Konaré, former president of Mali, was appointed as the AU High Representative for South Sudan. He is respected by the main parties to the conflict and can play a significant role moving forward, but his actions will need to be coordinated with IGAD and the United Nations (UN), among others.³⁸

Humanitarian efforts, while laudable in principle, have arguably been politicised by the government

The AU and IGAD, as well as bilateral actors such as South Africa, have therefore played an instrumental role in pushing for sustainable peace in South Sudan. However, how serious is the government about implementing the peace agreement, and what are the other possibilities to ensure an inclusive and equitable peace in South Sudan?

Latest developments in South Sudan

Implementation of the ARCISS

To many ARCISS seems dead in the water, and the commitment of the government to implement the agreement is questionable. Some stakeholders have gone as far as to say that only the reservations by the government and opposition are being implemented, with the agreed-upon provisions being ignored.³⁹ It is alleged that the lack of political will to implement the agreement has only exacerbated exclusionary political arrangements and led to the militarisation of ethnic groups that felt that they were not included in the agreement.⁴⁰ Most recently, Lt. General Thomas Cirillo resigned from his position as Deputy Chief of Staff for Logistics, and formed a new group, the National Salvation Front, with the aim of removing the Kiir regime.⁴¹ Some stakeholders have also argued that the agreement was modelled on the CPA, despite having a different context. Others have even questioned the inclusivity of the CPA itself.⁴²

The ARCISS established a Transitional Government of National Unity,⁴³ but many political appointments

have been made in a climate where speaking out is dangerous, or where appointments have only paid lip service to shifting power dynamics. Machar is currently in exile in South Africa. He has been controversially replaced as vice president by Taban Deng, a leader in the SPLM-IO faction, in a move seen by many as violating the agreement as Deng's faction is not considered the real opposition by some. Some believe that the Transitional Government of National Unity was overthrown⁴⁴ and more ministers are resigning. Tensions between Deng and Machar are also high, with Deng claiming that Machar is not the legitimate opposition.⁴⁵

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Another violation of the agreement has been the creation of 28 new states in October 2015 instead of the initial 10,⁴⁶ despite resistance from actors such as IGAD.⁴⁷ Although the stated objective was to reduce the size of the national government and decentralise governance, this has only exacerbated local conflicts and heightened ethnic tensions. Some have argued that this was done to extend the Dinka-majority government control, and as such suggest insincerity on the part of the government in making meaningful reforms to enhance power-sharing across ethnic divides.⁴⁸

The ARCISS also agreed to a ceasefire, which is constantly violated. Juba has become increasingly securitised,⁴⁹ but elsewhere ethnicised violence, often perpetrated by government forces, is increasing, especially in the Equatorias, with growing predictions of a genocide.⁵⁰ Furthermore, there has been a proliferation of armed groups that were not party to the ARCISS.⁵¹ Major problems are posed by these local militias and 'IO' forces, with violence against civilians and mass population displacements.

The government appears to be acting in bad faith by openly waging a ground offensive in the Equatorias and Upper Nile, while demanding cantonment for its combined forces of Deng and Kiir. The proposal of cantonment has barely got off the ground, and the National Architecture that would command, control and coordinate cantonment has not been established due to a lack of resources.⁵²

In terms of humanitarian assistance and reconstruction, the government continues to obstruct humanitarian access in certain areas, despite food insecurity affecting almost one-third of the population.⁵³ Despite its large untapped natural resources over and above oil, South Sudan remains largely underdeveloped and needs to diversify.

Considering that the majority of the people in South Sudan are dependent on subsistence farming, agriculture and pastoralist work accounts for 15% of the gross domestic product, but this remains unpaid, and 85% of the working population is in non-waged employment, mostly in agriculture.⁵⁴ The

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reform of the economy and the large-scale corruption is a concern. The latest JMEC report states that the approved budget still has a large deficit that has to be financed through increased borrowing, increasing revenues or cutting spending.⁵⁵

The ARCISS also states the need for transitional justice institutions, including a Commission for Truth, Reconciliation and Healing (CTRH), a Hybrid Court for South Sudan (HSS) and a Compensation and Reparation Authority. In December 2016 a technical committee was established to organise a national consultation process to establish the CTRH.⁵⁶ However, there is limited awareness of this aspect of the peace agreement.⁵⁷ This also suggests the general population's lack of ownership over transitional justice mechanisms, although there is support for truth telling. The continuation of violence also poses a problem for the implementation of the CTRH commission.⁵⁸

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The HSS, on the other hand, has not moved beyond discussion. Here the responsibility lies with the government of South Sudan and the AU.⁵⁹ The set-up of a hybrid court is controversial and raises many questions, such as where it should be located (and, related to this, how to ensure it is independent if established in South Sudan) and where the resources will come from. It is also argued that its establishment, if premature, may hamper ongoing peace negotiations with the government, many of whom would be indicted whilst still in power.⁶⁰ Some are sceptical of the political will of African leaders to establish such a court, as it could set a precedent for similar courts in their own countries.⁶¹ Another potential challenge is that the leaders of warring parties could remain in power while lesser officials are prosecuted.⁶²

However, despite criticisms, the UN, IGAD and the AU agree that the ARCISS is the only framework that can be used as a basis for moving forward, while the national dialogue provides an opportunity to open the agreement to broader political participation. On 29 January 2017 the AU, IGAD and the UN issued a joint statement

'encouraging the AU High Representative for South Sudan to undertake active shuttle diplomacy towards ensuring the inclusivity of the National Dialogue and the ARCISS implementation, in close consultation with the JMEC Chairperson, the UN and IGAD'.⁶³

Regional Protection Force

Following the events of July 2016, calls were renewed to deploy an RPF. Discussions for establishing this type of force had started in 2014.⁶⁴ The proposed strength of the force would be 4 000 soldiers in addition to the proposed 13 000-strong UN Mission in South Sudan (UNMISS). The main mandate of the RPF would be to stabilise Juba and assist in the implementation of the ceasefire and cantonment. However, the effectiveness of its response to calls for the protection of civilians, particularly in the face of government abuses and a potential genocide, is questionable.⁶⁵ The matter is further complicated by the creation of self-protection militias in reaction to the increasing violence in Juba.⁶⁶ The conflict has also spread across the country, so a protection force to stabilise the capital will not ensure peace in South Sudan.⁶⁷

National dialogue

As previously mentioned, the announcement of the national dialogue could be a move in the right direction for South Sudan in ensuring a more people-centred and inclusive engagement on the country's future.

However, some have criticised the proposed dialogues as a means of drawing attention away from the implementation of the peace agreement and the need for reform.⁶⁸ In particular, there are objections to the president acting as a patron, his appointment of the members of the National Dialogue Steering Committee via decree and their links to the government.⁶⁹ Others have welcomed the broadening of conversation as a way of opening up the political space to include actors who were not part of the ARCISS process.

The president proposes that the dialogue should be an open process (where he will guarantee the safety and freedom of all actors)⁷⁰ to address and resolve local grievances. But how exactly that would work is unclear, especially as Kiir has also stated that he would declare war on those that did not engage.⁷¹ Machar's absence raises further questions of accountability. Some have argued that Deng is now a political reality, but that

Machar still needs to be involved.⁷² The dialogue is supposed to start in March and last for four months, but this seems unrealistic.

If the national dialogue is to be inclusive, the AU, IGAD and the rest of the international community need to ensure that the process is fair and neutral

Moreover, despite being appointed to the Secretariat of the Steering Committee, the South Sudan Council of Churches has refused its role in the proposed national dialogue as it currently stands, focussing rather on its own process – the ‘Action Plan for Peace’ with a focus on reconciliation.⁷⁴ For now it seems that these efforts will not be integrated into the national dialogue. Currently, external actors appear split between supporting the church process or the national dialogue.⁷⁵ However, the churches are an integral part of South Sudanese society and any successful national dialogue needs to include them in the conversation.

What the AU can do to assist in building sustainable peace in South Sudan

The first step to achieving a successful national dialogue is to emphasise the need for a ceasefire, prior to the start of the dialogue. This is necessary to build trust among the population and ensure that people feel able to speak freely. It is likely that there will be violations of this ceasefire, and as such the AU and IGAD are urged to take action to ensure accountability for such violations. Options include imposing a regional arms embargo (although this has been met with resistance by the region) or targeted sanctions in collaboration with the UN, or establishing the hybrid court. If the latter is chosen, extreme care must be taken to ensure it is independent and does not derail the peace process. The AU and IGAD could continue to push for the deployment of the RPF to further build confidence among the population.

Secondly, if the national dialogue is to be inclusive, the AU, IGAD and the rest of the international community need to ensure that the process is fair and neutral. The AU can insist on peace enablers to legitimise the process and ensure the discussions adequately represent the overall population and political landscape, beyond that of the SPLM and SPLM-IO. In this regard, the AU and IGAD need to put pressure on the Kiir government and the organising committee to delay the process to expand planned programmes. This should include a push for the process to be extended beyond four months (ideally to between one to two years), for it to allow different levels of inputs from the grassroots to the top, and to include those in exile.

The current state formation is not an adequate guide to ensuring representation. As such, the idea of elections in 2018 is unrealistic. The dialogue process should also be carried out by neutral mediators, and there should be a mechanism to ensure that the agreements reached in the dialogue are implemented. Although

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it can be debated as to where the dialogue should be held, if there is a true ceasefire the dialogue should be held in Juba rather than outside the country, to minimise costs and ensure greater national ownership.

If a fair process is followed (and only if), it will be vital that the churches and imams be drawn into the national dialogue again and that their initiatives at the local level be used to complement nationally led processes. The agenda of the dialogue needs to consider questions of constitutional review, distribution of resources, nationality and reconciliation/transitional justice. The African leaders with extensive experience in South Sudan – Mbeki, Mogae, Konaré and Ramaphosa – can also help to send a strong and unified message.

The first step to achieving a successful national dialogue is to emphasise the need for a ceasefire

The AU can use its mandate of shuttle diplomacy to engage with all opposition outside of Juba, as well as with churches, imams, customary authorities and civil society (including women and youth groups), on the process for the dialogue. It can engage with alternative pressure points in Juba, including the Jieng Council of Elders, and moderate on the process for legitimising the national dialogue. This needs to be done in close collaboration with IGAD and the UN to avoid sending mixed messages and prevent parties from being played off against one another. The AU can also use the opportunity of the national dialogue to push the government of South Sudan to open a space for broader political engagement on issues such as constitutional review, distribution of resources, national identity and transitional justice. The AU should also consider options for the independent administration of a joint fund and in-kind technical assistance (including the AU mediation unit as observers) to implement a legitimate national dialogue. It should draw on assessments of past experiences, such as previous dialogues by the churches and support to institution building in South Sudan, as well as its own broader mediation experiences, to develop a roadmap.

Thirdly, experience has shown that uncoordinated approaches by and ideological differences among various international actors can be to the detriment of initiatives

to build peace in South Sudan. In this regard, the AU and IGAD need to agree on complementary positions regarding the national dialogue process and engage other bilateral African actors – in particular those in the region, as well as South Africa – to provide a unified front. The AU can also act as a bridge between Northern and Southern actors, as well as between the UN and IGAD. IGAD and the AU then need to further explore principles of subsidiarity, comparative advantage and complementarity in the context of South Sudan and decide on a strategy, drawing on these principles. The AU mandate can be extended to facilitate a strategic and coordinated approach between Northern and Southern actors involved in South Sudan that will allow for a realistic appraisal of resources and their strategic distribution. The AU should also consider using alternatives to targeted sanctions (which tend to only affect those with bank accounts in the US) to more regionally appropriate measures. This could include threatening to use international laws on financing and transparency to exert pressure on negative external interferences, including certain countries that may be fuelling the conflict through their banking systems.

Fourthly, IGAD and the AU need to continuously evaluate the national dialogue process by increasing their presence on the ground and ensuring that they have detailed information on the current conflict dynamics. As the recent fighting in the Greater Equatoria region has shown, the environment is constantly changing, with fragmented allegiances and shifting loyalties.⁷⁶ An ongoing evaluation of the national dialogue will be critical and should take into account these realities. Such efforts could be backed by continued support for civil society (taking into consideration the complex political dynamics in this area) across South Sudan.

Notes

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- 1 PC Roque and R Miamingi, Beyond ARCISS: new fault lines in South Sudan, *East Africa Report*, 9, January 2017, <https://research/east-africa-report/beyond-arciss-new-fault-lines-in-south-sudan>.
- 2 See, for example, ØH Rolandsen and MW Daly, A history of South Sudan: from slavery to independence, Cambridge: Cambridge University Press, 2016; Douglas Johnson, South Sudan: a new history for a new nation (Ohio Short Histories of Africa), Ohio: Ohio University Press, October 2016.
- 3 See A de Waal, Introduction: making sense of South Sudan, *African Affairs*, Virtual Issue, 14 November 2016; A de Waal, When kleptocracy becomes insolvent: brute causes of the civil war in South Sudan, *African Affairs*, 452, July 2014, 347; D Johnson, Briefing: the crisis in South Sudan, *African Affairs*, April 2014, 300; N Kindersley and ØH Rolandsen,

- Prospects for peace and the UN Regional Protection Force in South Sudan, *African Affairs*, Virtual Issue, July 2016; ØH Rolandsen et al., A year of South Sudan's third civil war, *International Area Studies Review*, 18, 2015, 87; PC Roque and R Miamingi, Beyond ARCISS: new fault lines in South Sudan, *East Africa Report*, 9, January 2017, 6; International Crisis Group, South Sudan: rearranging the chessboard, 20 December 2016.
- 4 D Motsamai, Assessing AU mediation envoys: the case of South Sudan, *East Africa Report*, 10, March 2017, <https://issafrica.org/research/east-africa-report/assessing-au-mediation-envoys-the-case-of-south-sudan>.
 - 5 This included the European Union (EU), African Union (AU), Intergovernmental Authority on Development (IGAD), Joint Monitoring and Evaluation Commission (JMEC), United Nations (UN), embassies, national institutions, international organisations and independent consultants. Field research was carried out by a joint research team from the Institute for Security Studies (ISS) and the Peace Research Institute Oslo (PRIO). The first case study in the project looked at Liberia and is analysed in A Lucey, L Kumalo, *Partnering for sustainable peace in Liberia*, <https://issafrica.org/research/papers/partnering-for-sustainable-peace-in-liberia>. A reflective piece comparing the two case studies and considering lessons learnt will also be produced as part of this project.
 - 6 PC Roque and R Miamingi, Beyond ARCISS: new fault lines in South Sudan, *East Africa Report*, 9, January 2017, <https://issafrica.org/research/east-africa-report/beyond-arciiss-new-fault-lines-in-south-sudan>, 4.
 - 7 The 'Dinka' are seen as a political collectivity of various sections of Dinka ethnic groups, i.e. Malwal, Bor, etc.
 - 8 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
 - 9 JMEC, Opening statement by H.E. Festus G. Mogae, Chairman of JMEC during the plenary meeting of the Joint Monitoring and Evaluation Commission, 8 February 2017, https://unmiss.unmissions.org/sites/default/files/jmec_plenary_opening_statement_festus_mogae_08_02_2017.pdf.
 - 10 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
 - 11 See, for example, Organization for Economic Cooperation and Development (OECD), *Aiding the peace: a multi-donor evaluation of support to conflict-prevention and peacebuilding efforts in southern Sudan 2005–2010*, December 2011, <https://www.oecd.org/countries/southsudan/46895095.pdf>.
 - 12 International Crisis Group, South Sudan: rearranging the chessboard, 20 December 2016, <https://www.crisisgroup.org/africa/horn-africa/south-sudan/243-south-sudan-rearranging-chessboard>.
 - 13 Republic of South Sudan, The President, Speech of his excellency the president announcing the commencement of national dialogue, 14 December 2017, <https://paanluelwel2011.files.wordpress.com/2016/12/president-kiir-address-to-the-nation-the-call-for-national-dialogue-initiative-in-south-sudan.pdf>.
 - 14 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
 - 15 Ibid.
 - 16 For example, choosing donors/development partners with the most favourable outcome for the government.
 - 17 ACCORD, ACCORD trains South Sudan negotiators in mediation and negotiation, 10 May 2013, <http://www.accord.org.za/news/accord-trains-south-sudan-negotiators-in-mediation-and-negotiation/>.
 - 18 S Allison, Sudan needs a hero – but is Thabo Mbeki really it?, *Daily Maverick*, 15 August 2016, www.dailymaverick.co.za/article/2016-08-15-sudan-needs-a-hero-but-is-thabo-mbeki-really-it/#.
 - 19 Government of South Sudan, The Comprehensive Peace Agreement 2004, <http://unmiss.unmissions.org/Portals/UNMIS/Documents/General/cpa-en.pdf>.
 - 20 B Byiers, The political economy of regional integration in Africa: Intergovernmental Authority on Development (IGAD) Report, European Centre for Development Policy Management (ECDPM), January 2016, <http://ecdpm.org/wp-content/uploads/ECDPM-2016-Political-Economy-Regional-Integration-Africa-IGAD-Report.pdf>.
 - 21 In other words, that regional bodies are best placed to first respond to conflicts in their region. The AU's Peace and Security Architecture Roadmap 2016–2020 confirms this principle, along with principles of comparative advantage and complementarity, but their application is still unclear in practice. See AU, APSA Roadmap 2016–2020, December 2015, www.peaceau.org/uploads/2015-en-apsa-roadmap-final.pdf.
 - 22 B Byiers, The political economy of regional integration in Africa: Intergovernmental Authority on Development (IGAD) Report, ECDPM, January 2016, <http://ecdpm.org/wp-content/uploads/ECDPM-2016-Political-Economy-Regional-Integration-Africa-IGAD-Report.pdf>.
 - 23 IGAD parties signed a cessation of hostilities agreement in January 2014 and a subsequent Agreement on the Status of Detainees. A peace agreement was signed on 9 May 2014.
 - 24 AU, The African Union concludes a workshop on support to the implementation of the agreement on the resolution of the conflict, 4 November 2015, <http://www.myza.co.za/the-african-union-concludes-a-workshop-on-support-to-the-implementation-of-the-agreement-on-the-resolution-of-the-conflict-in-south-sudan/>.
 - 25 *Sudan Tribune*, Agreement on the reunification of SPLM, 21 January 2015, https://www.sudantribune.com/IMG/pdf/agreement_on_reunification_of_splm_210115_.pdf.
 - 26 South African Government, Deputy President Cyril Ramaphosa hosts South Sudanese First Vice President Taban Deng Gai, 12 September 2016, <http://www.gov.za/speeches/deputy-president-cyril-ramaphosa-hosts-south-sudanese-first-vice-president-taban-deng-gai>.
 - 27 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
 - 28 Ibid.
 - 29 BG Mabor, Understanding the Arusha Agreement and the IGAD process for South Sudan, *Sudan Tribune*, 21 February 2015, <http://www.sudantribune.com/spip.php?article54068>.
 - 30 C Hendricks and A Lucey, South Africa and South Sudan: lessons for post conflict development and peacebuilding partnerships, *ISS Policy Brief* 49, December 2013, <https://issafrica.org/research/policy-brief/south-africa-and-south-sudan-lessons-for-post-conflict-development-and-peacebuilding-partnerships>.
 - 31 The initiative sent officials from neighbouring countries to work alongside officials from South Sudan.
 - 32 Two years rather than the 10-day training by South Africa.
 - 33 DF da Costa et al., Friends in need are friends indeed, Norwegian Centre for Conflict Resolution (NOREF), 4 June 2013, www.peacebuilding.no/Regions/Africa/Sudan-and-South-Sudan/Publications/Friends-in-need-are-friends-indeed.
 - 34 *IRINNews*, Politicised humanitarian aid is fuelling South Sudan's civil war, 27 February 2017, <https://www.irinnews.org/opinion/2017/02/27/politicised-humanitarian-aid-fuelling-south-sudans-civil-war>.
 - 35 ReliefWeb, Final report of the African Union Commission of Inquiry on South Sudan, 27 October 2015, <http://reliefweb.int/report/south-sudan/final-report-african-union-commission-inquiry-south-sudan>.
 - 36 M Mamdani, Who's to blame in South Sudan, *Boston Review*, 28 June 2016, <http://bostonreview.net/world/mahmood-mamdani-south-sudan-failed-transition>.
 - 37 ReliefWeb, Final report of the African Union Commission of Inquiry on South Sudan, 27 October 2015, <http://reliefweb.int/report/south-sudan/final-report-african-union-commission-inquiry-south-sudan>.
 - 38 UN Secretary General, Joint press statement by the AU, IGAD, and the

- UN: consultations on South Sudan, 29 January 2017, <https://www.un.org/sg/en/content/sg/note-correspondents/2017-01-29/joint-press-statement-au-igad-and-un-consultations-south>.
- 39 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
- 40 PC Roque and R Miamingi, Beyond ARCISS: new fault lines in South Sudan, *East Africa Report*, 9, January 2017, 6, <https://issafrica.org/research/east-africa-report/beyond-arciss-new-fault-lines-in-south-sudan>.
- 41 The National Salvation Front, The Mission, 2017, <https://paanluelwel2011.files.wordpress.com/2017/03/national-salvation-front-the-new-political-party-of-thomas-cirillo.pdf>.
- 42 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
- 43 IGAD, Agreement on the Resolution of the Conflict in the Republic of South Sudan, 17 August 2015, https://unmiss.unmissions.org/sites/default/files/final_proposed_compromise_agreement_for_south_sudan_conflict.pdf.
- 44 CCTV, General Tabang Deng Gai says there is no future for Riek Machar in South Sudan, 19 August 2015, <https://www.youtube.com/watch?v=HinLuGtrcXU>.
- 45 *South Sudan Review*, Vice President Tang Deng explains why Dr Riek Machar returned to South Africa, 30 November 2017, <https://www.youtube.com/watch?v=cCaAmfsmi2E>.
- 46 *Sudan Tribune*, Establishment order for the creation of 28 states in South Sudan, 4 October 2015, <http://www.sudantribune.com/spip.php?article56591>.
- 47 Stimson Centre, The 28 states system in South Sudan, 9 August 2016, www.stimson.org/sites/default/files/file-attachments/Stimson_StatesBriefingNote_9Aug16.pdf.
- 48 PC Roque and R Miamingi, Beyond ARCISS: new fault lines in South Sudan, *East Africa Report*, 9, January 2017, <https://issafrica.org/research/east-africa-report/beyond-arciss-new-fault-lines-in-south-sudan>.
- 49 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
- 50 United Nations Human Rights Council, Report of the Commission on Human Rights in South Sudan, 6 March 2017, http://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_34_63_AEV%20-final.pdf.
- 51 JMEC, Opening statement by H.E. Festus G Mogae, Chairman of JMEC during the plenary meeting of the Joint Monitoring and Evaluation Commission, 8 February 2017, https://unmiss.unmissions.org/sites/default/files/jmec_plenary_opening_statement_festus_mogae_08_02_2017.pdf.
- 52 Ibid.
- 53 JMEC, Report by H.E. Festus G Mogae, Chairperson of JMEC, on the status of the implementation of the agreement on the resolution of the conflict in the Republic of South Sudan for the period November 1 2016–January 31 2017, <https://paanluelwel2011.files.wordpress.com/2017/02/jmec-quarterly-report-on-the-implementation-of-the-peace-agreement.pdf>.
- 54 World Bank, South Sudan, <http://www.worldbank.org/en/country/southsudan/overview>.
- 55 JMEC, Report by H.E. Festus G Mogae, Chairperson of JMEC, on the status of the implementation of the agreement on the resolution of the conflict in the Republic of South Sudan for the period November 1 2016–January 31 2017, <https://paanluelwel2011.files.wordpress.com/2017/02/jmec-quarterly-report-on-the-implementation-of-the-peace-agreement.pdf>.
- 56 UN Development Programme (UNDP), Launch of technical committee to conduct consultative process on the Commission on Truth, Reconciliation and Healing, 15 December 2016, <http://www.ss.undp.org/content/south-sudan/en/home/presscenter/articles/2016/12/15/launch-of-technical-committee-to-conduct-consultative-process-on-the-commission-on-truth-reconciliation-and-healing.html>.
- 57 R Willems and DK Deng, Perceptions of transitional justice in South Sudan, September 2016, http://www.upeace.nl/cp/uploads/hipe_content/Perceptions-of-Transitional-Justice-in-South-Sudan---Final-Report.pdf.
- 58 JMEC, Report by H.E. Festus G Mogae, Chairperson of JMEC, on the status of the implementation of the agreement on the resolution of the conflict in the Republic of South Sudan for the period November 1 2016–January 31 2017, <https://paanluelwel2011.files.wordpress.com/2017/02/jmec-quarterly-report-on-the-implementation-of-the-peace-agreement.pdf>.
- 59 Ibid.
- 60 P Labuda, The hybrid court for South Sudan? Looking for a way forward, 23 February 2017, <https://justiceinconflict.org/2017/02/23/the-hybrid-court-for-south-sudan-looking-for-a-way-forward-part-1/>.
- 61 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
- 62 *PSC Report*, Will the hybrid court for South Sudan ever try the current leadership, 17 November 2016, <https://issafrica.org/pscreport/situation-analysis/will-the-hybrid-court-for-south-sudan-ever-try-the-current-leadership>.
- 63 UN Secretary General, Joint press statement by the AU, IGAD, and the UN: consultations on South Sudan, 29 January 2017, <https://www.un.org/sg/en/content/sg/note-correspondents/2017-01-29/joint-press-statement-au-igad-and-un-consultations-south>.
- 64 N Kindersley and Ø Rolandsen, 'Briefing: prospects for peace and the UN Regional Protection Force,' *African Affairs*, Virtual Issue, 2016, www.oxfordjournals.org/our_journals/afraj/briefing%20south%20sudan%20intervention.pdf.
- 65 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
- 66 N Kindersley and Ø Rolandsen, 'Briefing: prospects for peace and the UN Regional Protection Force,' *African Affairs*, Virtual Issue, 2016, www.oxfordjournals.org/our_journals/afraj/briefing%20south%20sudan%20intervention.pdf.
- 67 Ibid.
- 68 Ibid.
- 69 Republic of South Sudan, The President, Speech of His Excellency the President announcing the commencement of national dialogue, December 2016, <https://paanluelwel2011.files.wordpress.com/2016/12/president-kiir-address-to-the-nation-the-call-for-national-dialogue-initiative-in-south-sudan.pdf>.
- 70 Ibid.
- 71 *VOA News*, President: South Sudan national dialogue begins in March, 7 February 2017, <http://www.voanews.com/a/new-south-sudan-president-promises-national-dialogue/3710152.html>.
- 72 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
- 73 Inclusive Peace and Transition Initiative, Peacebuilding from below: the role of local civil society in South Sudan, September 2016, <http://www.inclusivepeace.org/content/peacebuilding-below-role-local-civil-society-south-sudan>.
- 74 Interviews with stakeholders in Addis Ababa and Juba, 8–17 February 2017.
- 75 PC Roque and R Miamingi, Beyond ARCISS: new fault lines in South Sudan, *East Africa Report*, 9, January 2017, 6, <https://issafrica.org/research/east-africa-report/beyond-arciss-new-fault-lines-in-south-sudan>.

About the authors

Amanda Lucey is a senior researcher in the Peace Operations and Peacebuilding Division of the ISS. With 10 years of experience in the field, she worked for the UN in the DRC and in South Sudan. She holds an MPhil in Justice and Transformation from the University of Cape Town.

Liezelle Kumalo is a researcher in the Peace Operations and Peacebuilding Division. She has an MA in International Relations from the University of the Witwatersrand.

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