

# Peace Agreement Revitalized in South Sudan

Peoples' Reticence and Uncertainty About the Future of the New Agreement

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## **1. Introduction**

Post-independence civil war erupted in December 2013 and escalated over the recent years throwing citizens into political, social and economic chaos. They could not understand the cause since the ruling party was involved in a violent conflict with itself and its constituent factions. The scale of the violence overwhelmed not only South Sudanese citizens, but also the Intergovernmental Authority on Development (IGAD) and its partners. Events of mediation and negotiations demonstrated how deep-seated the conflict was entrenched in the governance system of South Sudan. The peace was hammered on 17 August 2015. Yet the implementation, according to the government of national unity, started on 29 April 2016. This fact itself stunned the general population as to why it took that long for parties to the August 2015 agreement to declare the starting date about eight months from the date of signature.

Peace had been on the lips of South Sudanese since IGAD-led negotiations kicked off in January 2014. All media were pumping the message of peace and artists sang, and dramatized peace throughout the years of the civil war. The conflict escalated and violence intensified as people were yearning for peace. The signature of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) on 17 August 2015 did not invite jubilation on the part of the general population for one reason: Not all the parties to the conflict appended their signatures at the same venue (Addis Ababa, Ethiopia) and on the same date. This very action sent different signals to South Sudanese. The late signature of the agreement amid several reservation was not an event to celebrate. The question that kept coming to surface was whether the peace would actually materialize to the expectation of the average citizen. Doubts of citizens concerning the sustainability of the agreement became true when deadly war broke out in Juba just two months after the formation of the Transitional Government of National Unity (TGONU) in July 2016.

This paper attempts also to highlight in its conclusion new issues of the Revitalized Agreement on the Resolution of the Conflict in South Sudan Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). The problem is, in the absence of euphoria, South Sudanese do cautiously welcome the agreement. The reason for their reticence is about numbers and commitments of signatories and spoiling potentials of non-signatories, and the timeframe for establishing the government of national unity. These issues are still under observation.

## 2. Attitudes of People and Parties to Peace Agreements Compared

Peace agreements raised hopes of people who suffer the stress of poverty, war and violence. Given the number of overarching civil wars, militia violence and many other forms of armed groups, South Sudan have witnessed a number of peace agreements in the past. The most important ones are the Addis Ababa Peace Agreement on 3 March 1972 and the Comprehensive Peace Agreement signed (CPA) on 9 January 2005. These were very jubilant events for people in South Sudan when they happened.

During the Addis Ababa Agreement in 1972, an overwhelming majority of people demonstrated overtly their joy and jubilation to welcome back Southern Sudanese politicians from exile and their army, the Anyanya. A general euphoria engulfed not only Southern Sudan, but also progressive forces in Northern Sudan. Only radicals in communities in the North and members of the traditional political parties were lukewarm about the agreement.

The process of negotiations of the CPA invited more euphoria than one could imagine. The signing of the Machakos Protocol marked the beginning of the hope that kept growing until the final agreement became a reality on 9 January 2005. The signing of the CPA showed overwhelming jubilation in Southern Sudanese communities. The question to answer is “Why did euphoria and jubilation miss in South Sudanese communities at the signature of ARCSS compared to past agreements?” There may be many reasons why people of South Sudan are reserved about the ARCSS as a peace agreement. The author considers only a few compelling reasons why euphoric atmosphere in the society was lacking concerning the ARCSS. People did not understand why the war broke out in the first place. Parties to the violence were all members of the SPLM. What was so intriguing that could not be settled through the party’s operational mechanisms? The average citizens with no stakes in businesses of the government described the war as senseless.

Further, many South Sudanese felt that parties to the conflict did not care about the plight of the civilian population. So many citizens were victimized by the war in the form of loss of lives, properties, displacement and flight into refuge. Yet the main parties to the conflict, Sudan People’s Liberation Movement/Sudan People’s Liberation Army in Government (SPLM-SPLA-IG) and Sudan People’s Liberation Movement/

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Sudan People’s Liberation Army in Opposition (SPLM-SP-LA-IO) strived to knock out the other from the politico-military scene of South Sudan. The Sudan People’s Liberation Movement-Former Detainees (SPLM-FD) wanted to portray themselves as a better alternative political force to the armed warring factions of the same party.<sup>1</sup> These conflicting perceptions contributed to the lengthy negotiations, which were not appreciated by the public. More frustrating were escalations of violence whenever negotiations were in progress.

Finally, South Sudanese armed conflict divided the IGAD peacemakers. Relations soured among the mediators of the conflict in South Sudan in the days leading to the signature of the ARCSS. Ethiopia felt that Uganda was undermining the IGAD peace process. Tensions among mediators persisted until parties concluded the deal dubbed ARCSS on 17 August 2015. Ethiopia and Ugandan presidents ran into verbal encounter resulting in early departure of Yoweri Museveni, the president of Uganda, before the signature of the agreement. The conduct of the mediators was a matter of concern to South Sudanese citizens. The Ethiopian-Ugandan tension reflected the reticence of parties to the agreement to start its implementation.<sup>2</sup> The very fact that parties to the ARCSS formed a Government of National Unity while the legal framework was not enshrined into the Constitution remained problematic. There were articles of the agreement, which were in stark contradiction with dispositions of the Constitution. People were expecting the harmonization of the Transitional Constitution of South Sudan with the ARCSS. This did not happen. All these facts worried many people in the country to the extent that they began to doubt the viability and effectiveness of the political transition.

## 3. Military Clashes, Diminution of ARCSS and Proliferation of Armed Movements

Superficial local knowledge of South Sudan’s conflict played a critical role in the conception and implementation of the ARCSS. All indicators showed that the agreement was lopsided when the government landed so many reservations and the kind of rhetoric that followed preparations for the estab-

1 Warner, L A, 2016. “The Disintegration of the Military Integration Process in South Sudan (2006-2013).” *Stability International Journal of Security and Development*, 5(1): p. 9-10.

2 *Africa Confidential*, 2016, Vol. 58, No. 17, 28 August.

lishment of the TGONU.<sup>3</sup> While IGAD and partners put pressure on the government to sign the ARCSS, a similar pressure was put on the SPLM/A (IO) to return to South Sudan for the formation of TGONU.

The ARCSS contained a security arrangement that permitted the existence of two armies in such a small space like Juba. It prescribed also the demilitarization of the city where the existing national army had to deploy 25 miles outside Juba. This was the greatest weakness of the peace agreement. It was just a replicate of the security arrangement in the CPA, but the context was completely different. The two armies were in two different parts of the Sudan. Despite the larger space separating the two armies, there used to be skirmishes wherever their locations were. For example, the Joint Integrated Units (JIU) clashed with the SPLA more than twice in Malakal Town in Upper Nile. One researcher observed that:

“Both parties portrayed the peace agreement as an instrument of control by the international community and exhibited little commitment it. Two days before the outbreak of fighting, Vice Vice President Riek Machar and his chief of staff General Simon Gatwech Dual claimed that the international community had lured them into a trap. President Kiir in turn stated that in an interview on the anniversary of independence on 9 July that the peace agreement, which he said he had never wanted, treated him and his government as little children.”<sup>4</sup>

On 2 July, unknown gunmen killed a senior SPLA (IO) officer in a dubious circumstance. The SPLA (IO) forces killed five government soldiers in retaliation at a checkpoint in Juba. The violence escalated into a full-fledged fight in Juba. The period 7–11 July 2016 witnessed deadly clashes in Juba city between the SPLA (IG) and SPLA (IO) in which over 300 people perished, including two Chinese peacekeepers. At the same time, approximately 36,000 people sought protection at UNMISS facilities in the capital city. Riek Machar and some of his soldiers escaped into the bushes of Equatoria. Government forces, the SPLA (IG), pursued Riek

Machar with his forces until they entered the territory of the Democratic Republic of Congo. The UN mission received them in Garamba National Park. The Juba violence distorted provisions of the ARCSS, which led to revised implementation of the powersharing and security arrangements. This development prompted the IGAD Plus and AU Peace and Security Council to issue communiqués endorsing deployment of the Regional Protection Force. Following the deteriorating security and humanitarian situation in South Sudan, the UN Security Council adopted resolution 2304 on 12 August 2016,<sup>5</sup> which extended and detailed the new mandate of UNMISS in South Sudan. The mandate of the force was to protect key facilities in Juba including the airport.<sup>6</sup>

The new civil war introduced also new elements to the original one that started on 15 December 2013. The July 2016 confrontation between the government forces and the SPLA (IO) in Juba spread to other areas in greater Equatoria. It forced an exodus of the civilian population to neighbouring countries. South Sudan’s civilians flooded Uganda with hundreds of thousands of refugees. The immediate problem was that new rebel groups controlled strips of territories in formerly peaceful areas of the country. Some of these groups claimed to pay allegiance to the SPLA (IO), while others did not. This new development complicates the security and power-sharing arrangements stipulated in the ARCSS of August 2015. The negative impact of the 7 July 2016 incident

was the proliferation of armed groups and armed movements in Equatoria and Western Bahr el Ghazal regions.

Armed opposition groups and disgruntled communities have little confidence in the government

dealing with root causes of the civil war. Most disputes in South Sudan are political and include unresolved grievances between the national government and local communities. They can be resolved through dialogue and mediation between the people and their own government. The endless formation of armed movements was the continuous source

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5 UN, 2015. Document S/2015/118 *Report of the Secretary General on South Sudan*, New York: Security Council, 17 February.

6 Wassara, Samson S. and Eisei Kurimoto, 2017. “Negotiating Statehood: Handling the Crisis of South Sudan.” *African Virtues in the Pursuit of Conviviality: Exploring local Solutions in Light of Global Prescriptions*. Bamenda: Langaa RPCIG & Kyoto: University CAAS: p. 122-124.

3 GRSS 2011. *The Transitional Constitution of South Sudan*. Juba, July.

4 Weber, Annette, 2016. *Back to Square One: Fighting Resumes in South Sudan*. Berlin: German Institute for International Security Affairs: p. 1.

of instability in South Sudan, which uprooted nearly 3 million people. The proliferation of so many rebel groups risks the lack of common agenda for stopping the civil war. In addition, there is the fear in South Sudan that regional mediators and international backers are focusing excessively on demands of the government, rebel movements and opposition leaders, while failing to understand the rapidly changing dynamics of on the domestic scene. National and regional leaders need to focus attention on ways to empower faith-based groups, civil society and local communities to facilitate locally owned peace through intercommunal dialogue.

#### 4. Security Implications in the Region

South Sudan's civil war affects the IGAD region through not only cross-border incursions, but also the population displacements and export of refugees. Uganda is highly affected by the influx of refugees resulting from the upsurge of violence in South Sudan after the July 2016 crisis. One Ethiopian scholar<sup>7</sup> pointed out the fact that Ethiopia has suffered political conflict about numbers due to influx of Nuer refugees into Gambela region. The increase in the number of Nuer refugees has intensified the conflict between the Anuak and the Nuer in Gambela region. Until the mid-1980s, the Anuak constituted the majority of Gambela's population, but the population majority has shifted in favour of the Nuers. Now it is necessary to look at the South Sudan's refugee population in the neighbouring countries and implications for demographic shifts in local populations hosting refugees. UNHCR (2018)<sup>8</sup> figures are alarming and are a signal to the regional security in the proximity of South Sudan.

**Table 1: Refugees and Asylum Seekers From South Sudan in 2018**

| Location Name | Source                     | Date        | Population | Percent (%) |
|---------------|----------------------------|-------------|------------|-------------|
| Uganda        | UNHCR, GoU PM's Office     | 28 Feb 2018 | 1,053,598  | 42.9        |
| Sudan         | UNHCR, IOM, SRCS, COR, HAC | 31 Mar 2018 | 768,830    | 31.3        |
| Ethiopia      | UNHCR                      | 31 Jan 2018 | 428,928    | 17.5        |
| Kenya         | UNHCR                      | 28 Feb 2018 | 113,039    | 4.6         |
| DRC           | UNHCR                      | 31 Mar 2018 | 91,038     | 3.7         |
| Total         | -                          | -           | 2,455,433  | 100         |

Source: IGAD (2018)

Adverse impacts South Sudan conflict in the region is not only about demographics, they are also about economic security. The conflict in the country has inflicted considerable damage to business and livelihoods. Uganda's economic interests was a factor when the civil war broke out in December 2013. Uganda was the largest trading partner of South Sudan in a variety of commodities. South Sudan employed Ugandans in the service sector, generating a significant amount of revenue, which the conflict had affected.<sup>9</sup> Sudan was beneficiary of the oil export from fields of South Sudan. The use of the pipelines was an important source of revenue to

7 Dessalegn, Aziza Geleta, 2017. "The Cause and Consequence of Conflict in South Sudan." *International Journal of Political Science and Development*. 5(1): p. 19-20.

8 UNHCR, 2018. Source at <https://data2.unhcr.org/en/situations/southsudan>.

9 Wassara, Samson S., 2015 "South Sudan: sovereignty challenged at infancy." *Journal of Eastern African Studies*, Vol. 9 (4): p. 636-637.

Sudan. However, the conflict in South Sudan has interrupted oil production and consequently oil export through Sudan. The other setback for the economy of countries of the region is the fate of the financial market. The civil war disrupted all those economic benefits Kenya was enjoying. Consequently, Kenyan banks reduced their businesses by closing down many branches in the country. Likewise, Ethiopian economic interests in South Sudan were at stake. Ethiopia had a large contingent of citizens. Ethiopian Airlines and Commercial Bank of Ethiopia had strong links with South Sudan. Ethiopian scholars<sup>10</sup> argue that many Ethiopians and Ethiopian institutions left South Sudan since the eruption of civil war in 2013. Therefore, the consequences of the conflict on the region are devastating in the political arena, economic performance, humanitarian sector and the security sector.

### **Conclusion**

Unlike enthusiastic reactions of people in the aftermath of past peace agreements, South Sudanese were not allowed to demonstrate their support for ARCSS for reasons best known to the signatories of the agreement and stakeholders. The litmus test for the agreement would have been an invitation of citizens for public rallies to explain new policies of the anticipated Government of National Unity. The number of people attending such rallies could have served the purpose of rating popularity of the agreement and new government in transition emanating from it. Relations within the government remained murky and shaky. This situation was not raising expectations of the people for the long-awaited peace agreement. It remained doubtful when the parties in the government made no meaningful efforts to build consensus and unity while going about their businesses of state or national building in the immediate future for the traumatized majority of South Sudanese people.

An overview of new developments touches on the multiplication of demands from new political groups and many armed groups that sprang after the renewed violence in July 2016. Mediators of the revitalization of the ARCSS faced a new political landscape after the collapse of the initial agreement. As noted earlier, the phenomenon of proliferation of political movements along with their armed wings complicated

the process of negotiations. It was simpler to negotiate the ARCSS than the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). Fusion and fission of politico-armed negotiators was the salient feature of the negotiation process. Interests of the IGAD mediators called for changing venues of the negotiations that ensued. Citizens began to question the reasons behind shuttling negotiations between and among Addis Ababa (Ethiopia), Khartoum (Sudan) and Kampala (Uganda). In the end, Khartoum took the matter into its hands to pressure parties to the conflict to accept terms of the R-ARCSS. In that regard, detractors of the agreement argue that mediators put their national interest before negotiating genuine peace or South Sudanese.

Warring parties, political parties and civil society signed the R-ARCSS on 12 October 2018. Other political movements with armed wings pulled out of the agreement on the ground that it did not tackle root causes of the conflict in the negotiation processes. However, unpopularity of war has pushed citizens all over South Sudan to welcome the agreement in celebrations. Although the opposition parties participated in the celebrations that took place in Juba, questions remain about the implementation schedule of the pre-interim period. People are worried that anything can happen during the eight-month period. Therefore, the peace euphoria remains to be seen in attitudes and behaviour of people. Nevertheless, people and institutions are still hopeful that the R-ARCSS will hold.

### **About the Author**

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