



THE SUDD INSTITUTE

RESEARCH FOR A PEACEFUL, JUST AND PROSPEROUS SOUTH SUDAN

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Weekly Review

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South Sudan and the Collective Pain of Watching a Peace Agreement Struggle for its Life

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Introduction

In September 2018, South Sudan's various parties competing for the country's leadership signed yet another precarious peace agreement under the auspices of East and Horn of Africa regional bloc, the Inter-Governmental Agency on Development (IGAD). Since then, the people of the war-battered country have been living between hope, fear, skepticism and despair, as the cycle of war, ceasefires and peace agreements, broken promises, and a possibility of returning to war, have driven most of them to the edge every single time a political pact is reached by the warring leaders. These cycles have continuously imposed an emotionally, physically and economically taxing burden without end in sight since 2014.

For the past several weeks, there have been rising voices of both optimism and frustration, as reports of progress in the implementation of the so-called Revitalized Agreement on the Resolution of Conflict in South Sudan (R-ARCSS) continued to highlight violations, fresh military attacks, delays in executing ceasefire and security mechanisms and irregularities in the use of funds allotted to this process.¹ This Weekly Review is a commentary on these mounting frustrations, some of which have begun to remind South Sudanese of the ways in which past peace agreements failed to achieve peace and end the war. It also highlights areas of hope, that the agreement also stands a chance of enduring, if the right steps are taken and the current missteps are quickly rectified. The review is based on a number of unstructured interviews with South Sudanese in the military, civil society, ordinary rural and urban people, and with individuals involved in the peace

¹ See Sam Manick, "South Sudan peace deal funds spent on renovating politicians' homes." Guardian investigation reveals government allocated money for home improvements while appealing for support from international community.

<https://www.theguardian.com/global-development/2019/feb/13/south-sudan-peace-deal-funds-spent-on-renovating-politicians-homes#img-1>

process, including party representatives, foreign diplomats and humanitarian aid workers in Wau, Gogrial, and Juba. It is also based on a close reading of the debates that take place among South Sudanese online.

Can the R-ARCSS Hold?

When the R-ARCSS was announced, following its signing on September 12, 2018, in Khartoum, Sudan, there was cautious optimism throughout the country. Peace had many reasons for it to succeed, not the least of which was the fact that any peace agreement was definitely better than no peace at all. The people of South Sudan had become really tired of war, and any glimmer of hope that there might be peace was embraced quite quickly. Many people saw the fact that Sudan was invested in the new revitalized agreement as a boon for a political compromise, as that suggested there was some evidence that this agreement had stood a chance of holding, compared to previous agreements where Sudan had many strategic reasons to work against any effort to stabilize South Sudan. Other sources of optimism included the fact that most of the major opposition groups were signatories to the peace agreement this time around.

However, along with this sense of optimism, there was also a growing sense of doubt about it, especially regarding Khartoum's motives for supporting it. There was doubt about its viability, initially fueled by the debate over the fact that this pact was brokered by Sudan's al-Bashir and Uganda's Museveni, which made the deal seem like an agreement between Yoweri K. Museveni and Omar Hassan al-Bashir and not between the South Sudanese protagonists. Mahmood Mamdani, a controversial Ugandan Academic, had this to say about the Khartoum deal: "This is not an agreement between Mr. Kiir, a Dinka, and Mr. Machar, a Nuer, who lead two of the biggest rival factions in the country. This is an agreement between Omar Hassan Ahmed al-Bashir, the president of Sudan, and Yoweri Museveni, the president of Uganda. Mr. Bashir and Mr. Museveni are the guarantors of the agreement."² In view of how the two South Sudanese principal leaders have conducted themselves in the past, many South Sudanese agree with Mamdani's assessment, and see the agreement as a deal between Khartoum and Entebbe to get South Sudan's spoils of state failure. Skeptics say that the agreement was to allow Museveni to continue to be paid for Uganda's role in protecting Juba during the civil war (2014-2015), and for al-Bashir to ensure resumption of oil production in Western Upper Nile in order to increase its flow to Port Sudan, which increases the fees Khartoum extracts from Juba for passage and use of the marine port on the Red Sea. This suspicion almost automatically questioned the level of South Sudanese buy-in and trust in the peace agreement and whatever it produces. It was intensified when the Sudanese soldiers and oil engineers started showing up in Unity oil fields soon after the signing and even before the negotiating delegates returned to Juba. The speed at which Khartoum was able to

² "The Trouble With South Sudan's New Peace Deal: The agreement will divide the country into a collection of tribes and disenfranchise minorities in each tribal homeland." M. Mamdani, *The New York Times* Opinion page, September 24, 2018.

deploy security and oil workers to South Sudan quickly revealed al-Bashir's primary motives in the South Sudan's peace.

Since then, there have been a variety of subsequent developments that have begun to deflate the initial sense of confidence, and hope began to give way to suspicion, if not despair. More of these suspicious sentiments about the viability of the peace deal were followed by a series of events that stirred mixed feelings about the agreement throughout the country. For example, when the President of South Sudan, Salva Kiir Mayardit, a principal signatory, declared that there was going to be a major celebration in Juba to mark the coming of peace, to the euphoria of many and consternation of some, this act divided the country nearly through the middle. All parties to the agreement were invited to the October 31, 2018 event. There were those who saw the one-day massive event worth 3 million US dollars as a necessary step to build confidence and trust between the leaders of the warring parties and for them to show the public that they had agreed in earnest to give peace a chance. But there were those who saw it as a premature celebration and a waste of the meager resources as the country struggles with serious economic challenges. The opponents of the peace celebration feared that such a celebration would solidify the perception that the peace agreement was a pact between the warring elites who destroyed the country and who have now agreed to share power and offer very little to the people, as such a celebration should have been preceded by a proper dissemination of the content of the peace deal and by tangible actions that assure people of improved security.³ There was/is fear that those ordinary people who are now reeling under the ravages of war have little to no hope that this elite pact will trickle down to their level, as the agreement is not very clear on how it tackles communal level violence that was stoked by the civil war.⁴

Other events that have planted serious doubts in the minds of many regarding the peace process include the ever-shifting alliances between the parties, the changing positions of the various groups and the re-alignments between parties that had once splintered. For example, a signatory group that calls itself Former Political Detainees (FDs) decided to vacate its participation in the agreement as a stand-alone group and joined the President's group, the SPLM-in Government, in a bid to reunite the ruling SPLM that had broken into several factions at the start of the war in 2013. This has created many questions about the intention of the FDs, as they are known, to use the peace process to change the way the country is governed. Instead, this move has only created suspicion that the FDs are only trying to seize the moment to get back into high office, rather than overhaul the whole saga of misrule they had spent five years campaigning against.

³ One social media commentator described Juba's peace celebration as a "commemoration of betrayal." <http://sudantribune.com/spip.php?article66524>

⁴ This point about the disconnect between political pacts of this kind and actual peace in everyday lives was driven home on the day of celebration when a group of Murle cattle rustlers attacked Duk, Jonglei State, killing scores and doing away with hundreds of cattle.

While the action by the FDs may be applauded for being seemingly a genuine offering of an olive branch to their opponents, a noble gesture indeed, many people do not buy the expressed reason for this move. It is seen as a quick rush to seize an opportunity to move closer to the President, even as this action risks sustaining the status quo, a clear renegeing on what has been agreed upon in the R-ARCSS. One commentator wondered if it would not have been more beneficial for the whole country if the FDs were to push for an honest implementation of the agreement as a whole, rather than seemingly throwing the rest of the opposition movement under the bus, so to speak, for their own gains and to the advantage of the sitting government?⁵ By being coopted and absorbed into the government prematurely, the FDs have essentially given up on the goals that many ordinary citizens had looked up to them for. In fairness, however, not all the FDs have returned into the SPLM-IG fold, as their leader, Pag'an Amum Okiech, has criticized the move by his comrades.

Apart from the FDs, the government of Salva Kiir Mayardit is engaged in a great deal of back door dealing to persuade its opponents to return to Juba from exile, all without any clear plan as to how they fit into the peace deal, or what is being offered to them to secure their return. Meanwhile, the popular sentiment, which is that peace accords of this kind and these secret deals to create a big tent that returns every opponent into the fold, only continues to remind everyone that this approach of “bribing” the opposition back into the government may benefit the government in the short term but has a real potential for the disappointments that culminated in the conflict in 2013 and 2016.

Other sources of public mistrust in the peace agreement relate to obvious infidelity to the peace agreement, including the continuing military operations by all parties to the peace deal, what with reports of government continued recruitment of young fighters into its ranks, and the rebel groups' attacks on positions of their opponents, especially between the rebel movements, such as the confrontation pitting the National Salvation Front, known as NAS and led by a former career army officer, Thomas Cirillo, and Riek Machar's SPLA-IO. Most of these confrontations have been largely concentrated in the South-western Yei River State. This is the region where majority of the refugees in northern Uganda had fled from since 2014, and these renewed military actions have reportedly sent a wave of fear through the Ugandan refugee camps, snuffing out any hope and talk of refugees' repatriation to South Sudan in the near future.

⁵ “Former detainees agree with Kiir to rejoin SPLM party.”

<https://radiotamazuj.org/en/news/article/former-detainees-agree-with-kiir-to-rejoin-splm-party>

Above all, the biggest challenge that seems to confront the implementation and success of the peace agreement relates to availability of the political will, ability to put in the work, and the finances it requires. A strong political will is needed, especially with regards to the security arrangements, cantonment of fighters, training, downsizing of the military and eventual military integration, with a view to having a national army that is professional and subject to civilian leadership. The government has consistently claimed that it does not have the cash to carry out the cantonment, and has looked to the international community to assist with it, a role the donor countries have rejected, as they lack confidence in the parties to the agreement and fear that the government is misusing the oil proceeds, instead of investing it in the welfare of the people of South Sudan, including putting some of it in the peace process. Many South Sudanese commentators suggest that they are actually happy that the international community has refused to contribute to the implementation of the R-ARCSS, as that would simply let their leaders off the hook from taking responsibility of the basic functions of a government. A respondent wondered, “What would be the measure of their commitment to peace, if these leaders just keep crying about the lack of money, even as we receive reports of increasing oil production and oil market prices...Where is all that money?”

The result of these—lack of money, lack of expressed commitment to peace, and the continued zero-sum game that the parties to the agreement are engaged in, with each party vying to walk away with the biggest share of the peace deal, is the delay in starting the basic steps to ensure that the various structures and mechanisms of the peace process are put in place. Instead, the whole process, the pre-interim period, is already behind schedule. With delays in the creation of the implementation institutions, the National Pre-Transitional Committee (NPTC), the Joint Military Ceasefire Commission (JMCC), the Strategic Defense and Security Review Board (SDSRB), the Independent Boundaries Commission (IBC), and the Area Joint Military Ceasefire Commissions (AJMCCs), just to mention a few, are yet to be constituted as per the articles of the agreement, and as such the timelines have already slipped. What will this mean if this malaise extends into the whole interim period?

Conclusion

We asked a number of South Sudanese if they thought the R-ARCSS can hold this time around, and the responses received suggest that the people are unquestionably tired of war and exhausted by death and are, therefore, resigned to hoping that it will. But a few more reflective and analytical individuals say that the R-ARCSS is already shaken by the mounting public skepticism, by the political machinations of the parties to it, by the obvious lack of interest to own its implementation, and by the weak commitment, especially on the part of the ruling SPLM-IG, to see it primarily as a South Sudanese project before outsiders can join in to support it. Based on these views, disparate as they are, the prognosis is that the R-ARCSS is hanging by the thin thread and requires a robust political will, adherence to timelines, and sufficient financial resources.

About Sudd Institute

The Sudd Institute is an independent research organization that conducts and facilitates policy relevant research and training to inform public policy and practice, to create opportunities for discussion and debate, and to improve analytical capacity in South Sudan. The Sudd Institute's intention is to significantly improve the quality, impact, and accountability of local, national, and international policy- and decision-making in South Sudan in order to promote a more peaceful, just and prosperous society.

Author's Biography

Jok Madut Jok is a cofounder of the Sudd Institute and its Executive Director. He is the author of three books and numerous articles covering gender, sexuality and reproductive health, humanitarian aid, ethnography of political violence, gender based violence, war and slavery, and the politics of identity in Sudan.