



# THE SUDD INSTITUTE

RESEARCH FOR A PEACEFUL, JUST AND PROSPEROUS SOUTH SUDAN

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## *Weekly Review*

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### **Will elections be held in December 2026 in South Sudan?**

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#### **Summary**

*South Sudan's scheduled national elections in December 2026 face grave uncertainty due to ongoing political turmoil, party divisions, and stalled implementation of the 2018 Revitalized Agreement (R-ARCSS). Armed conflict in Upper Nile state in March 2023 led to the detention and splitting of the main opposition, the SPLM-IO, disrupting peace efforts. The ruling SPLM-IG party has also experienced instability with leadership changes and frequent ministerial turnover, though recent reinstatements have provided some relative calm. Other parties to the agreement, including opposition alliances, remain divided and mistrustful, further impeding progress. In September 2024, all parties extended the transitional period by two years, pledging no further delays, even as public support for elections persists despite fears of violence. Critical legal and logistical barriers remain: the National Elections Act requires elections to be based on a yet-to-be-promulgated Permanent Constitution and constituency delineation, but no population census has occurred. Proposed solutions include holding elections only in existing constituencies, partial executive elections, forming a technocratic government, or resuming peace talks. Ultimately, inclusive dialogue—especially with various stakeholders—is emphasized as essential for credible elections and lasting peace.*

#### **I. Introduction**

In March this year, conflict erupted in Nasir, Upper Nile state, bringing the 2018 Revitalized Agreement on the Resolution of Conflict in South Sudan (R-ARCSS) to a standstill when the South Sudan People's Defense Forces (SSPDF) and the Sudan People's Liberation Army-in-Opposition (SPLA-IO)'s allied [White Army](#) engaged in direct military confrontation. This escalation led to the house arrest of Dr. Riek Machar—the First Vice President of the Revitalized Transitional Government of National Unity (R-TGoNU) and Chairman of the Sudan People's Liberation Movement-in-Opposition (SPLM-IO)—as well as the detention of several other senior SPLM/A-IO leaders. Some, including the deputy Chairman, fled abroad seeking safety and protection. Subsequently, the SPLM-IO split, and Dr. Riek, along with some senior SPLM/A-IO leaders, now face trial for charges such as murder, treason, and crimes against humanity.

The spokesperson of the SPLM-IO described these charges as “political witch-hunt,” and “sham trial” by a “kangaroo court.” Many observers have warned that this trial appears politically motivated and signals the unravelling of the R-ARCSS. However, many legal professionals consider the Justices of the Special Court trying Dr. Riek Machar and others as credible, independent and professional. No matter what influences this trial, its proceedings serve as a crucial test of the rule of law and civic values within the new nation. Many observers are convinced that the final verdict in this trial, whether conviction or acquittal, will be consequential, with [far-reaching effects on peace](#) and the fate of the R-

ARCSS, unless such disputes are resolved amicably through dialogue and the conflict-resolution mechanisms provided for in the R-ARCSS.

The Sudan People's Liberation Movement-in-Government (SPLM-IG), the leading political party in the Incumbent 2015 Transitional Government of South Sudan (I-TGoNU) that signed the R-ARCSS, has been affected by a wave of power dynamics, changes, succession politics, and rifts. This resulted in a drastic change in the leadership of the party, including the relief of senior historical political leaders such as Dr. James Wani Igga, the First Deputy Chairperson of the party and the Second Vice President of the R-TGoNU. This has been followed by a high frequency of changes of ministers, particularly the Minister of Finance, the governor of the Bank of South Sudan, the chief of defense forces of the SSPDF, and undersecretaries of key institutions.

However, some observers see the recent reinstatement of Dr. James Wani Igga as the First Deputy Chairperson of the party and the Second Vice President of the R-TGoNU, reinstatement of Dr. General Paul Nang as the Chief of Defense Forces of the SSPDF, the appointment of the Senior Presidential Envoy for Special Programs, Hon. Adut Salva Kiir. The appointment of other senior Sudan People's Liberation Army (SPLA) veterans such as comrades Pieng Deng, Africano Mande, and Mabior John Garang have brought relative stability in the ruling party, the national army and the country.

The other parties to the R-ARCSS, such as the South Sudan Opposition Alliance (SSOA), Other Political Parties (OPP), and the Former Detainees (FFD), have also witnessed sharp divisions, particularly in the SSOA and OPP.

Besides these divisions within the parties to the R-ARCSS, there has been a growing mistrust between and among the parties to the R-ARCSS. This mistrust is largely attributed to a lack of political will to implement the R-ARCSS. All the parties to the R-ARCSS concur that trust deficit and lack of political will are the key factors obstructing the implementation of the R-ARCSS. This is well articulated by a member of one of the parties to the R-ARCSS, that the impasse in the implementation of the R-ARCSS rests in deliberate delay in the implementation of the R-ARCSS and willful violation of the agreement.

This demonstrates that the R-ARCSS is struggling to fulfil its goal of delivering peace and a democratic transition; at best, it could be described as in critical condition or on life support. However, many observers believe that whether the R-ARCSS is in the morgue or the intensive care unit (ICU), it remains the only mechanism available for engaging the parties to the R-ARCSS to commit them to peace rather than violence as the only viable path to democratic transition.

With what is widely considered a deliberate delay in the implementation of the R-ARCSS and a lack of political will to implement the truce, the critical question becomes whether elections could be held in December 2026. In September 2024, the parties to the R-ARCSS agreed to extend the transitional period by two years, scheduling elections for December 2026. They promised that this postponement would be the last and final one. The Revitalized Joint Monitoring and Evaluation Commission (JMEC) made the same commitment that this postponement of elections will be the final one. Despite the noted waning of the people's demand for elections due to repetitive postponements, the recent [perception survey](#) reveals strong public support for elections, despite fears of violence.

This Review examines the prospects for South Sudan's 2026 elections, highlights the outstanding issues currently hindering the electoral process, and explores the necessary steps that must be taken to ensure peaceful and credible electoral outcomes. By analyzing the political context, legal challenges, and institutional requirements, the Review aims to provide an understanding of what is required to enable a successful transition through the planned vote.

## **II. Outstanding Issues**

Besides these commitments to the conduct of elections in 2026, Mr. Edmund Yakani of the Community Empowerment Progress Organization (CEPO) reminded the parties to the R-ARCSS of some pressing deadlines that they have committed to in the National Election Act (NEA) 2012 (amendment 2023).

First, the R-ARCSS requires the National Elections Commission (NEC) to organize elections sixty (60) days before the end of the Transitional Period and in accordance with the provisions of the Permanent Constitution. In other words, by December 22, 2026, the NEC shall hold elections on the basis of the new Permanent Constitution. Apparently, the current NEA (amendment) 2023 is not based on the provisions of the Permanent Constitution, which has not yet been promulgated. It is based instead on the provisions of the Transitional Constitution (amendment), 2011 of the Republic of South Sudan (TCSS). This makes the NEA null and void for the conduct of the elections in December 2026. For the elections to be held in December 2026, the only option available to the parties is to amend the R-ARCSS to delink the NEA from the Permanent Constitution.

Second, the NEA requires the NEC to complete the review of the names and boundaries of constituencies at least twelve months before a general election. This means by 22 December 2025, the National Elections Commission (NEC) shall avail by law the names and boundaries of geographical constituencies, including the additional constituencies. Without a population census, the NEC will not be able to delineate and allocate the new additional constituencies (56 new seats from 102 seats in the 2010 elections) as provided for in the NEA. To avoid the challenge of delineating the new constituencies with the population census, the NEC may consider recommending the amendment of the NEA to consider the option for [deferring](#) the process of delineation and allocation of new constituencies to future elections, and to stick with the current 102 geographical constituencies as in the 2010 elections.

Third, the NEA requires the NEC to announce the date of elections at least six months before the date of the election. This means the NEC shall announce the holding of elections by June 22, 2026, with names and boundaries of the constituencies, including the additional 56 new constituencies. The NEC will find it almost impossible to conduct elections based on the current NEA, which is not based on the Permanent Constitution, and to provide the names and boundaries of the new constituencies without the national population census.

Lastly, the NEA requires the President of the Republic of South Sudan to dissolve the National Legislature, State Legislative Assemblies, the national government, and state governments within three (3) months of the election date announced by the NEC. This means that the President shall dissolve by law the legislatures and governments at the national and state levels on September 22, 2026. This will mark the end of the power-sharing formula and the beginning of a democratic transition with a government elected by the free will of the people. This sunset clause for ending the power-sharing formula is the most detested clause by the elites who have been enjoying power without the consent of the

citizens. Despite the mistrust within and among themselves, the parties to the R-ARCSS are likely to connive again and to resort to Section 8.4 of the R-ARCSS to postpone elections and extend the transitional period of the R-ARCSS, even for a longer period. Some reliable sources seem to suggest that the President is unwilling this time to postpone elections and extend the transitional period.

The deadlines, challenges, and the absence of political will to finance elections and the elections-related institutions, such as the NEC, the Political Parties Council, National Bureau of Statistics (NBS), and the National Constitution Review Commission (NCRC), clearly suggest that elections are unlikely to be held in 2026. However, the parties are aware that any postponement of elections this time will not be received well by citizens and the international community and will likely deepen citizens' anger against the government and erode the confidence of the international community in the government.

### **III. Possible Solutions**

Despite the short supply of political will and the growing mistrust between the parties, it is in the best political interest of the parties to come together in a genuine dialogue to agree on a credible national agenda for holding elections. The recent initiative by the South Sudanese Women Mediators (SSWM) to create a trusted platform for genuine consultative dialogues of the stakeholders and parties to the R-ARCSS is timely, providing the right path for chartering a more credible roadmap for democratic transition in South Sudan. During their consultative dialogues, the stakeholders and parties to the R-ARCSS may consider the following options for holding the scheduled national elections.

First, the parties should consider the conduct of elections in December 2026 only in the 102 geographical constituencies, as in the 2010 general elections, and defer the new geographical constituencies (56) to future elections to avoid the challenge of delineating and allocating the new constituencies. This option will require the amendment of the NEA and the R-ARCSS to delink the NEA from the Permanent Constitution.

Second, the parties should consider holding partial elections in December 2026 for the executive branch, the President, State Governors, Chief Administrators, and, if possible, the county commissioners. This option does not require delineation of the boundaries for geographical constituencies. The elections of the legislatures are to be deferred to a later stage after the conduct of the population census and the passing of the Permanent Constitution. This will require necessary amendments of the NEA and the R-ARCSS to delink the NEA from the Permanent Constitution.

Third, the parties should candidly accept that the [current political infrastructure](#) of the R-TGoNU is inept to create conducive conditions for holding elections. This will necessitate the parties to agree on a new hybrid political infrastructure (i.e., declaration) consisting of the President or the current presidency and cabinet of technocrats, preferably consisting of the current undersecretaries, to be headed by a prime minister, preferably the secretary general of the government and technocrat state and special administration cabinet, preferably consisting of the most senior civil servants in various state ministries and to be headed by the state and special administration secretary general as state governor or chief administrator. The current county commissioners are to be replaced by the most senior civil servants in the county. The main task of this new government is to create conducive conditions for holding elections in addition to performing other core functions of the state. If this new infrastructure is agreed, then the President will dissolve on September 22, 2026,

the R-TGoNU, state and special administration government, state legislatures, except national legislatures, to continue for a limited period to pass the permanent constitution, amend the NEA, and pass the budget with a focus on elections. However, the operationalization of this option will require major changes in the R-ARCSS, propelled by robust political will.

Fourth, the parties should agree on supporting the resumption of the initiative of President Salva Kiir to engage the holdout groups in the peace process through the Kenyan-led Tumaini Initiative. This initiative has concluded major protocols and remains with only one protocol on the responsibility sharing, establishing a credible roadmap for resuscitating the implementation of the R-ARCSS. To ensure inclusivity in the process, the other holdout groups that did not join the Tumaini Peace Talks, such as Gen. Thomas Cirilo, to be encouraged to participate during the resumption of the Tumaini Initiative. With this option, the parties to the R-ARCSS will be able to postpone elections for the new date to be agreed upon in the Tumaini Initiative. This option will provide a credible justification for the postponement of elections, and it will be received well by the region, particularly Kenya, the international community, and, importantly, the citizens of South Sudan.

The four options are not mutually exclusive. In particular, the fourth option can complement and synergize the other three options. The choice of any of these options rests with true consensus through a genuine, candid, and inclusive dialogue process that will involve all the stakeholders and parties to the R-ARCSS and the holdout groups. As Dr. Francis Deng said, whenever there is a crisis, there is an opportunity, and the initiative of the South Sudanese Women Mediators is that opportunity that rightly emerged in the midst of despair and hopelessness.

Lastly, although the Expanded Meeting of the Presidency, attended by signatories to the R-ARCSS, agreed not to extend the transitional period, to hold elections in December 2026, and to amend key provisions of the R-ARCSS and TCSS, these decisions still require broad consensus through meaningful and inclusive dialogue, as highlighted in the meeting's communiqué. The SPLM-IO, under the [interim chairman Hon. Oyet Nathaniel](#), has rejected the recent resolutions of the Expanded Meeting of the Presidency on no further extension of the transitional period, citing lack of inclusivity and participation of the leadership of their party including Dr. Riek Machar, the chairman of the SPLM-IO and the First Vice President of the R-TGoNU. This lack of consensus among parties prompted the initiative by the South Sudanese Women Mediators, which is likely to be a trusted platform, ensuring inclusivity and building a consensus on any amendment to the R-ARCSS, TCSS and the NEA.

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### **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**

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