

By Redie Bereketeab

# Why South Sudan conflict is Proving Intractable

## Ugandan Forces and Lack of International Commitment Two Reasons

PHOTO: PETERRIK WIGGERS/PANOS

In December 2013 war broke out in South Sudan as a result of the power struggle between President Salva Kiir and the ex-vice president Riek Machar. Violence from both sides led to massacres and millions of displaced persons.

Agreements to end hostilities have so far been violated. A sustainable peace calls for Ugandan forces to leave South Sudan. The political parties have to reform and be a part of national reconciliation instead of fighting one another.

On 15 December 2013, war broke out between Dinka and Nuer soldiers of the presidential guard in the capital Juba. The immediate trigger was believed to be the attempt by Dinka soldiers to disarm the Nuer suspected of being loyal to the previous vice president, Riek Machar. Salva Kiir, however, alleged a coup attempt orchestrated by Machar, while Machar accused Kiir of fabricating the coup in order to get rid of his political opponents.

The chief reason, however, was a power struggle between the two main rivals, President Salva Kiir and his previous vice president, Dr Riek Machar. Dr Machar was dismissed from his post with many other senior government and SPLM officials in July 2013.

A day before the outbreak of the war, members of the National Revolutionary Council (the legislative body of the Sudan People's Liberation Movement – SPLM) opposing Salva Kiir had scheduled a meeting that would challenge his legitimacy as president.



Ugandan President Yoweri Museveni (left) plays a crucial role for the future of South Sudan. His support for President Salva Kiir (right) is a stumbling block in the peace process.

The power struggle soon turned into an ethnic rampage. Soldiers belonging to President Kiir's ethnic Dinka massacred Nuer civilians in Juba. This was followed by revenge massacres by Nuer in Jonglei, Upper Nile and Unity states. Estimated deaths as a result of this carnage range between 10,000 and 50,000, and more than two million people have been displaced.

Mediation efforts under the auspices of the regional organisation, the Inter-Governmental Authority on Development (IGAD), have led to the signing of several ceasefire agreements. Nevertheless, so far this mediation and the ceasefire agreement have not yielded enduring results. Why?

A number of factors account for the intractability of the conflict. Some are deeply rooted

in history, culture and political rivalries, and they drive the parties to push for military solutions and to accept ineffective mediation out of self-interest. Also germane is IGAD's incapacity to address the root causes of the conflict; external interference; and the international community's disinclination to become seriously involved.

The parties have signed several cessation of hostility agreements, which they then repeatedly violate. The first was signed on 23 January 2014, and was followed by an Implementation Modality Agreement. In order to ensure implementation of the agreements, Monitoring and Verification Mechanisms (MVM) and Monitoring and Verification Teams (MVT) were also put in place. Yet fighting continued in spite of threats of sanctions.

The January cessation of hostility agreement also included withdrawal of the Ugan-

**“The parties have signed several cessation of hostility agreements, which they then repeatedly violate.”**

dan forces that had entered South Sudan to protect the government of Salva Kiir. This requirement was not respected, and Uganda has rejected repeated demands to withdraw its forces. Museveni has made it clear he will keep his soldiers in South Sudan as long as they are need by the Salva Kiir government.

Indeed, an agreement was signed between Juba and Kampala in February 2015 to retain Ugandan troops for another six months until the end of July, when the transitional power-sharing government is to begin operating. Now it has become clear that it is most unlikely such a transitional government will be in place by July, which means the agreement will be renewed.

On 5 May 2014 yet another agreement was signed whereby the parties agreed to recommit themselves to implementing the previous agreements. This was followed on 9 May by a further Agreement to Resolve the Crisis. Later, on 25 August, the IGAD Protocol document was signed. The agreements involve a power-sharing transitional government of national unity.

The power-sharing proposed by IGAD contain articles whereby Salva Kiir will remain as president while Riek Machar will resume the vice presidency, which he had held before

he was fired in July 2013. While Salva Kiir would be allowed to run for re-election after the transitional period, Machar would not be allowed to do so, according to IGAD's proposal. The proposal was positively received by the Kiir faction, but the armed and unarmed opposition rejected it because it did not reflect the earlier consultation with stakeholders outside government, including the opposition.

These stakeholders proposed to IGAD that the power-sharing arrangement make provision for a president and a prime minister.

They proposed that for the transition period, Salva Kiir remain president while Riek Machar would become prime minister. The prime ministership would have executive powers and there would be a clear

division of power. The prime minister would head up a cabinet of ministers and run the day to day activities of the government, while the president would be head of state and would co-chair cabinet sessions with the prime minister. Power to appoint or dismiss the prime minister would not lie with the president.

### Go around in circles

This realistic compromise and genuine power-sharing arrangement was, however, ignored by IGAD, which came up with a pro-

PHOTO: SVEN TORFINN/PANOS

**“ This realistic compromise and genuine power-sharing arrangement was, however, ignored... ”**

posal that suited the Salva Kiir government. Some sources state that IGAD's rejection of the stakeholders' power-sharing proposal in favour of the government's lay in Uganda's determination to keep Kiir in power. In the meantime, violations of the ceasefire continued.

IGAD seems to go around in circles. The latest agreement signed on 29 January 2015 provides for power-sharing whereby Kiir will remain president and the Sudan People's Liberation Movement-In Opposition (SPLM-IO) leader Riek Machar will return to the vice presidency. IGAD also instructed the parties to resume talks by 19 February and complete them by 5 March. Furthermore, the formation of the transitional government is to be completed by April and that government is to be ready to assume power by 9 July. It was announced that this would be the last chance for the parties to reach agreement, otherwise sanctions would be imposed on them.

### Postponed indefinitely

Negotiators from the parties met on 20 February but were unable to strike a deal. So Kiir and Machar were summoned for a face-to-face meeting to iron out their differences. The two leaders sat for three days (3-5 March) but failed to agree on fundamental issues. They were given an additional 24 hours, but on 6 March IGAD declared that the negotiations were deadlocked and had been postponed indefinitely.

So far, IGAD has brokered seven ceasefire and conflict resolution agreements between the warring parties, yet all have failed to bear fruit. Two main reasons can be cited. The first is the competing interests among IGAD member states. The second is the deep-rooted causes of the conflict, which IGAD seems not to be able to grasp.

In terms of the first, it is possible to identify two interest constellations. One is the rivalry between Kampala and Khartoum. Kampala has invested heavily in the person of Salva Kiir, and will do anything to keep him in power. When the war broke out on 15 December 2013, Museveni wasted no time in sending troops to save his friend.

By the admission of the government, about 70 per cent of the Sudan People's Liberation Army deserted to join the Machar for-



The rivalry between President Salva Kiir and his deputy Riek Machar led to an ethnic rampage. Both civilian Nuer, as in the picture, and Dinka were massacred.

ces. Had it not been for the intervention of UDF (Ugandan Defence Forces), Juba would have fallen to Machar.

According to the SPLM-IO led by Machar, there are now about 16,000 Ugandan troops in South Sudan protecting the Kiir government and involved in active combat. Museveni strongly suspects that Machar is being supported by Khartoum.

Victory for Machar is seen as a huge security risk by Museveni, who perceives the government in Khartoum as an enemy. Economically, Uganda has invested heavily in South Sudan since the signing of the Comprehensive Peace Agreement (CPA) in 2005. Uganda is probably South Sudan's most important trading partner. Ugandans work and live in South Sudan in great numbers, so sending in troops was also to protect its economic interests and citizens.

The rivalry between Uganda and Sudan goes way back to the 1950s. When the first rebellion in South Sudan began in 1955, it was supported by Uganda. Responding in kind, Sudan supported any Ugandan opposition movement. So it was a natural for Khartoum to see Uganda's involvement in the civil war in South Sudan as a great security threat and its strong reaction was hardly unexpected. Not surprisingly, Sudan and Uganda brought their rivalry to IGAD for mediation. Indeed, at the last IGAD mediation meeting on 29 January 2015, it was reported that Kampala and Khartoum had virtually threatened one another.

### Military involvement

The conflict in Sudan also has a huge impact on the course of the conflict in South Sudan. Various Sudanese armed opposition groups are accused of involvement in the civil war in support of the government against the opposition. Indeed, they are implicated in some of the atrocities committed in Unity State.

Ethiopia and Kenya also have strong economic interests in South Sudan, which may be in play in their mediation calculations. Concerning Ethiopia, there is an additional element that further complicates the situation. The ethnic Nuer Ethiopians support Machar, and this makes Ethiopia's role very

## Policy recommendations

- 1 All external forces in support of one or other party should immediately withdraw. The presence of Ugandan troops not only complicates efforts to resolve the civil war, but it also has the potential to drag the entire region into the conflict. The involvement of Sudanese armed groups in the civil war should also be prohibited.
- 2 The mediation should address the root causes. Therefore IGAD should rise above individual member state's interests. Civil society stakeholders should also be part of the negotiation process. The process should not be left solely to the warring parties.
- 3 The parties should get serious. After every agreement they sign, they offer contradictory statements that indicate lack of commitment to the agreement. Perhaps the AU suggestion that the main actors in the conflict be excluded from the transitional national government has merit.
- 4 The SPLM needs to transform itself from liberation movement into a civic political party. The Arusha Agreement lays the ground for this, but it has to be strictly implemented. A reconciliation process should begin immediately, particularly between the Dinka and Nuer in order for them to be able to live together.
- 5 Active engagement by the international community would be decisive. In particular, those who were the midwives of the secession of South Sudan should reengage themselves.
- 6 The dispute between Sudan and South Sudan needs to be part of the long-term solution. The border-region conflicts, unless addressed, have the potential to become intra-state and interstate conflicts

sensitive. On various occasions, the Kiir government has accused Ethiopia of supporting Machar, so Ethiopia has to tread a fine line. The two IGAD member countries likely to be impartial are Somalia and Djibouti, but their influence in IGAD is very weak. The military involvement of Uganda, Kenya and Ethiopia in Somalia also has implications for IGAD's mediation. Overall, IGAD is not able to act boldly and firmly, and its mediation has been weak.

### Vested interests of IGAD states

The impartiality of IGAD is seriously questioned not only by the warring parties but also by various communities in South Sudanese society. This is hardly surprising given the

vested interests of IGAD member states in South Sudan as well as the historical enmities. Following the last peace proposal, the Nuer Council of Elders reportedly issued a statement criticising IGAD and calling on it to be impartial. IGAD was accused of playing three roles: mediator, imposer and party to the war. Governors of the three Equatoria states also paid a visit to Addis Ababa to express their dissatisfaction with the proposal to replace the current vice president with the SPLM-IO leader, Riek Machar. They accused IGAD of siding with Machar.

The deep suspicions and mistrust between the warring parties, particularly between Kiir and Machar, constitute a serious obstacle to finding a peaceful solution to the 15-month

PHOTO: PETTERIK WIGGERS/PANOS



Riek Machar (front) is accusing his ex-boss Salva Kiir of committing crimes against the Nuer people and refuses to have him as president.

conflict. In addition to ethnicity, there is also history that goes back to the liberation struggle. This suspicion and mistrust is colossally evident in the negotiation strategies of the parties. It has become abundantly clear that Kiir is adamantly opposed to reinstating Machar, whom he accuses of plotting a coup, as vice president, while Machar, who accuses his ex-boss of committing crimes against the Nuer people in Juba, is not prepared to accept Kiir as president.

This has led to “trench style” negotiation, with each of the parties firmly dug in. They are far apart in what they want to achieve in their negotiations, a reflection of their mutual mistrust and suspicion. A profound difference exists in their goals. The SPLM-IO is aiming at bringing fundamental change to the SPLM and structures of state.

They thus demand a federal state system; separate armed forces; transitional security; equal power-sharing at all levels; wealth sharing; and dissolving the legislative, judiciary, constitutional review commission and election

commission; transitional justice; and a constitution-making process. The Kiir government, on the other hand, opposes these changes and just wants to incorporate the opposition into the existing structure of the SPLM and the state. These fundamental points of difference make the conflict intractable.

#### Risks of parallel mediation

A simultaneous mediation process has begun in Arusha, Tanzania, under the auspices of the ruling CCM (Chama Cha Mapinduzi). The Arusha process focuses on uniting the SPLM factions, while the Addis Ababa process under the auspices of IGAD focuses on the state of South Sudan. The three SPLM groups (SPLM government, SPLM-IO and SPLM-G11) have agreed to reform the SPLM.

Internal reform of the SPLM was what the opposition was demanding. Although the two mediations focus on two different institutions, there are those who fear that this approach might derail the conflict-resolution.

Two parallel processes of peace mediation carry risks. Unless both mediations are properly coordinated, made complementary, there is the danger that the warring parties will hide behind them or, worse, try to manipulate them. This has been observed in how the parties interpret the Arusha agreement and try to score points off one another. SPLM-IO, for instance, referring to Salva Kiir’s admission of responsibility for what happened in Juba in December 2013, demanded his resignation, thereby contradicting the spirit of the IGAD negotiation process.

The Kiir government also interpreted the agreement as simple incorporation of the opposition into existing structures, thereby reverting to the pre-July 2013 situation when Kiir dismissed his opponents from the government and SPLM.

#### Deep-seated mutual distrust

There are several reasons for the intractability of the conflict. First, the warring parties differ on fundamental issues. They also harbour deep-seated mutual distrust and suspicion, which makes it difficult for mediators to find middle ground.

Second, IGAD member states have diverging interests in South Sudan. This self-interest affects IGAD’s unity of purpose and ability to take firm and bold actions in the mediation efforts.

Third, external involvement in the combat has complicated the search for a solution. Ugandan and Sudanese opposition forces are openly fighting on the side of the government, which would explain the intransigence of the government. There are also allegations that Sudan is supporting the opposition. Fourth, so far, international engagement in the conflict has been weak.

## The Nordic Africa Institute



#### Free publications

NAI publications are available at the open archive, DiVA.

[www.nai.uu.se/publications/](http://www.nai.uu.se/publications/)



#### NAI Blogs

Read the blog of e.g. researcher Mats Utas.

[www.nai.uu.se](http://www.nai.uu.se) (see ‘blogs’)



#### Join us on FB, Twitter and Instagram

[www.facebook.com/TheNordicAfricaInstitute](http://www.facebook.com/TheNordicAfricaInstitute)

[www.twitter.com/nordicafrica](http://www.twitter.com/nordicafrica)

[www.instagram.com/nordicafrica](http://www.instagram.com/nordicafrica)



#### Update on Africa research?

Subscribe to the NAI Newsletter.

[www.nai.uu.se/about/order-form/](http://www.nai.uu.se/about/order-form/)