

BRIEFING

# South Sudan: The roots and prospects of a multifaceted crisis

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## Abstract

The violent conflict that erupted in South Sudan during the night of 15 December 2013 had many triggers, the closest being political disputes between the country's top politicians, President Salva Kiir and former Vice-President Riek Machar. The fact the December crisis escalated into an open civil war reflects underlying tensions and wider misgivings within the South Sudanese population, especially between ethnic Dinka and ethnic Nuer. External actors – mainly the Intergovernmental Authority on Development (IGAD), the United Nations, the EU and the US – have played a crucial role in supporting a population that has faced significant human rights abuses and humanitarian shortfalls. These actors have also worked to find a negotiated solution to the crisis from the outset, brokering the ceasefire agreement signed on 23 January 2014. However, the peace deal between the two parties marks only the beginning; the process of reconciliation, rehabilitation and nation-building will be long, and reports of violations of the ceasefire demonstrate the fragility of the situation. Immediate, as well as medium- and long-term, challenges must be addressed swiftly, so that Africa's youngest state can embark a credible path to development.

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## 1 Introduction

Gaining its independence in 2011, South Sudan became the world's youngest state.

The overall economic and social situation of the country remains very fragile, increasing the potential for instability.

On 23 January 2013, South Sudan's government and rebels signed a ceasefire agreement after nearly six weeks of violence in the country. This marks the beginning of a 'second chance' for the building of the world's newest state. After more than fifty years of intermittent civil war between the northern and the southern parts of Sudan, South Sudan gained its independence in July 2011 following a self-determination referendum. Relations with Sudan have since improved although they remain volatile due to different disputes, including sharing of oil resources, questions over citizenship and, notably, the status of the contested area of Abyei. The overall economic and social situation of South Sudan since independence has been however very fragile. The country is characterised by a very high poverty rate (50.6% of South Sudanese citizens live below the poverty line), weak public service delivery systems (especially in rural areas), rapid population growth and an overdependence on oil exports and numerous imports. Moreover, it is composed of more than 200 ethnic groups, with the Dinka and the Nuer as the largest communities. Due to its fragility, South Sudan's economic and political stability are highly vulnerable to both internal and external events. This was first revealed in the rocky relation with Sudan, which led to the halting of oil exports in early 2012 and mid-2013, provoking a massive loss of revenues for South Sudan's economy. Protracted political rivalries, which have sometimes relied on ethnic mobilisation for support, have recently demonstrated that they constitute an important threat to stability. Despite being aware of South Sudan's fragility, the outbreak of violence on 16 December 2013, and notably its speed and intensity, surprised the international community. Although the precarious situation in the country could have made South Sudan's crisis predictable, its causes and consequences remain multidimensional and complex.

## 2 The different causes of the crisis

### 2.1 The immediate trigger

The political crisis was triggered by the dismissals of senior leaders of the Sudan Peoples' Liberation Movement (SPLM) and a major cabinet reshuffle.

The violent conflict that erupted in South Sudan and pushed the country towards civil war is the result of diverse factors, most directly the political disputes between the country's leadership. The political crisis began in July 2013 when President Salva Kiir announced a major cabinet reshuffle in which Vice-President Riek Machar and several other key officials were removed from office. The Secretary General of the ruling party, the Sudan Peoples' Liberation Movement (SPLM), Pagan Amum, was also suspended without any clear justification. This formalised the first 'visible' fissure in the ruling party. One month later, President Kiir also removed two state governors, suspected of representing a treat to national security. This power restructuring continued with the dissolution of all SPLM structures on 15 November. In reaction, dismissed SPLM leaders accused in [a press statement](#) President Kiir of using dictatorial manners violating the party and national constitutions. On 14 December 2013, after several postponements, the National Liberation Council of SPLM - second highest organ in the party decision-making



South Sudan is considered a 'fragile state', lacking the institutional tools to face an insurgency through political and democratic means.

mandate covers three main areas: first, support for peace consolidation (thereby fostering longer-term state building and economic development); second, support South Sudan's government in exercising its responsibilities for conflict prevention and protect civilians and third, support the government in developing its capacity to provide security, to establish rule of law and to strengthen the security and justice sectors. Despite these efforts, allegations of corruption, lack of good and fair institutions as well as a very poor delivery of public goods remain the main features of the country as it is well stated in [Veronique De Keyser's report](#) on South Sudan's state-building and development adopted by the Development Committee on 5 November and in plenary on 10 December 2013. South Sudan, considered a 'fragile state' due to these shortcomings, presents thus a potential for instability higher than any other developing countries. This fragile institutional situation was compounded by the precarious security situation, due to the difficulties faced by the government to disarm the population after the independence. Because of the on-going and emergent rebellions by various militias in the country notably in the Greater Upper Nile (Jonglei, Unity and Upper Nile states), many local communities have sought to retain their weapons for self-defence. Moreover, Kiir's government has sought to integrate these militia fighters into the police and the military forces, which has resulted in the creation of over-sized forces with very little professional training leading to loose command and control. Consequently, South Sudan's security situation is extremely complex, with armed civilians on one side and disorganised police and military forces on the other, incapable of handling any significant unrest and often causing it.

### 2.2.2 Political dimension

Unresolved and protracted political disagreements between President Salva Kiir and former Vice-President Riek Machar have prolonged and aggravated the crisis.

Long before the outbreak of violence in December 2013, political stability in South Sudan was threatened by the unresolved and protracted rivalries between President Kiir and former Vice-President Machar, which date back to the 1990s. After being a major in Sudan's national army, Kiir joined the SPLM led by John Garang in 1983, and helped him form the Sudan People's Liberation Army (SPLA). By contrast, Machar entered the SPLM and SPLA in 1984 after having completed a doctorate in the UK. Disapproving Garang's objective of a united Sudan with recognition of the South, and fighting instead for South Sudan's secession, Machar broke away and formed the SPLM/A Nasir dissident group in 1991. His movement evolved, and became the 'South Sudan Independence Movement/Army' (SSIM/A) in 1995. As a result of internal tensions within his group, Machar finally agreed to merge back into Garang's SPLA in January 2002. After Garang's death in 2005, Kiir became SPLM's leader and Machar, Vice-President. After independence, in July 2011, Kiir became President and kept Machar as Vice-President, largely to appease ethnic tensions and launch a process of reconciliation and national cohesion. However, political rivalries between the two men remained. Kiir and Machar have significant disagreements on fundamental aspects of the party and country's leadership, governance and direction. They believe in two different kinds of relations with Sudan. Contrary to Machar, Kiir is willing to keep good relations with Sudan and cooperate with Khartoum regarding

their respective insurgents. Machar also disagrees with Kiir's way of running the country and has criticised his dictatorial tendencies. Article 101 of [South Sudan's Transitional Constitution](#), concentrates numerous powers on the President, who can run state affairs with very limited consultation, including removal of elected officials. President Kiir overused these powers, notably after Machar declared in March 2013 his intention to contest for the party chairmanship. The numerous dismissals of SPLM officials from any executive positions consequently express the result of a long-term struggle for power between Kiir and Machar. Political disputes are also fuelled by the instrumentalisation of ethnic identities by both sides, leading to an even more complex crisis.

### 2.2.3 Ethnic dimension

The crisis in South Sudan also reflects underlying tension and mistrust among South Sudanese belonging to the country's two main different ethnic groups: the Nuer and the Dinka. This largely dates back to Sudan's civil war (1983-2005) when the SPLM and SPLA (and factions within them) competed for power by mobilising supports around ethnic lines. In fact, the ethnic targeted killings reported during the current crisis resonate with the 1991 inter-ethnic violence generated by the SPLM/A split between the Garang faction (Dinka), supported by Kiir, and the Machar one (Nuer). As a result of this division, a bloody conflict exploded mainly between ethnic Dinka and ethnic Nuer, leading to the killing of thousands of civilians on both sides and mass starvation. One of the grossest human rights violations at that time and attributed to troops commanded by Machar was the 'Bor massacre' in which at least 2 000 Dinka were killed in Bor, Jonglei State's capital. Twenty years later, in August 2011, Machar publicly apologised for his part in the massacre hoping that it would bring unity to the Dinka and Nuer tribes. The apology received mixed reactions by individuals belonging to the Nuer community whom regretted that reconciliation was not a two-way process.

The instrumentalisation of ethnicity by both sides fuelled the conflict.

As it was the case in 1991, ethnicity was not the initial cause of the sparking of violence last December, although it was used in the conflict to target the opposition. Also, the unhealed wounds and lack of justice and reconciliation from atrocities in the past may have contributed to spread and intensify fighting as well as to some of the human rights violations committed during the crisis.

## 3 The crisis

### 3.1 Human rights violations and humanitarian crisis

According to [Human Rights Watch](#) (HRW), numerous human rights abuses, ranging from illegal detentions to attacks on civilians and targeted killings, were reported during the conflict. In the week of 16 December, mass arrests were conducted by forces loyal to President Kiir. Eleven senior SPLM party officials were arrested, accused by Kiir of having plotted a coup against him. The release of these prisoners became an important sticking point during the negotiations of a ceasefire (See below), and on 29 January, seven of them

Numerous human rights abuses, committed by both sides, were reported during the conflict.

Over seven million people were estimated in need of humanitarian assistance.

Protecting civilians represented a major humanitarian challenge during the armed conflict.

were finally released. Attacks on civilians include beatings, rapes, destruction of houses and acts of torture. According to HRW, both parties committed atrocities. Widespread killings of Nuer men by members of the government's armed force were documented by the NGO between 15 and 19 December in Juba, including a massacre of more than 200 men in the Gudele neighbourhood on 16 December. Intense attacks and abuses against civilians of Dinka ethnicity in Bor and Bentiu were also reported the same week. [International Crisis Group](#) has estimated the death toll of the conflict as close to 10 000 after four weeks of fighting. The conflict also caused a significant humanitarian crisis. On 10 February 2014, over 865 000 people were displaced in South Sudan, compared to 125 000 at the beginning of the conflict. This rising number includes 110 000 South Sudanese seeking refuge in neighbouring countries notably in Uganda' West Nile region and Ethiopia's Akobo area. The conflict has furthermore affected a country that was already facing a worrying humanitarian situation before the outbreak of violence as 4.3 million people were estimated to be in need of humanitarian assistance and 3.4 million to suffer from food insecurity. There are now 7 million people at some risk of food insecurity and 4.9 million people in need of water, sanitation and hygiene assistance. Already in an extremely precarious situation, with most people lacking access to basic services, including adequate sanitation, clean water nor healthcare, the current crisis is worsening the situation. The government also failed to ensure the security of any humanitarian corridors leading to very difficult conditions for humanitarian relief as the on-going clashes seriously limited the access to people in need. Reports of looting of medical and humanitarian facilities as well as some government denials of flight authorisation were also reported. Protection of civilians was also a major humanitarian challenge of the armed conflict. In the aftermath of the outbreak of fighting, UNMISS took urgent steps to host civilians in their compounds in South Sudan and in transit centres in neighbouring countries. The number of people sheltering in their bases is estimated at 74 790. Nevertheless, these shelters rapidly became overcrowded and living conditions deteriorated. For instance, the UN Dzaipi centre (in Uganda), originally designed to host only 400 people, was sheltering over 32 500 people!

### 3.2 Role of external actors

The Intergovernmental Authority on Development IGAD played a crucial role in mediating the ceasefire.

External actors, notably African regional organisations, the United Nations, the EU and the United States, have been involved in finding a negotiated solution to the crisis since the start, and have brokered the peace talks held in Addis Ababa. These have been led by [the Intergovernmental Authority on Development](#) (IGAD) and its current Chair Ethiopia, which have played a crucial mediating role multiplying visits between Addis Ababa and Juba and organising face-to-face talks between all stakeholders. Several communiqués were also issued by the African Union (AU) to express its firm support to IGAD's mediation efforts in the negotiations and urge for the immediate cessation of hostilities. On 30 December, the AU also declared its intention to create a Commission of Enquiry to investigate the human rights abuses and

other violations committed during the armed conflict as well as to make recommendations to ensure accountability and reconciliation among all South Sudanese communities. On 18 January, it was announced that the first steps to establish the Commission have been undertaken.

The presence of Ugandan troops in Juba was considered an impediment to peace talks.

Another IGAD member, Kenya, through the appointment of General Lazaro Sumbeiywo as Special IGAD Envoy for South Sudan also played an important part in the negotiations process. A more direct involvement has come from Uganda, whose Uganda People's Defence Force (UPDF) were deployed in South Sudan shortly after the outbreak of hostilities. First announced as a deployment aiming to secure key locations in Juba, it has since been shown that UPDF troops have played a much more important role in the conflict, supporting the Kiir government. Whilst the Ugandan Foreign Minister justified their presence as only aiming at 'supporting regional objectives to end the conflict', their presence has become a sticking point in the negotiations and criticised by different actors.

UN humanitarian assistance has been essential.

The UN contribution has been essential in terms of humanitarian assistance notably with regards to protection of civilians. On 24 December 2013, the Security Council adopted [Resolution 2132](#) that temporarily increased UNMISS military component up to 12 500 troops while the police component was increased up to 1323, from 900. The UN also supported IGAD's mediation and AU's idea concerning the establishment of a Commission of enquiry. Nonetheless, some worrying developments have taken place, with President Kiir questioning the neutrality of the UN in South Sudan, and accusing it of running a 'parallel government' on its own.

The EU monitored the talks and financially supported IGAD's efforts.

The EU, through the active participation of the EU Special Representative for the Horn of Africa, Alexander Rondos, monitored the peace talks and supported IGAD as well as the AU's commitment with regards to the end of the crisis. A [EUR 1.1 million financial contribution](#) to help holding the negotiation process was also provided, using the African Peace Facility Early Response Mechanism. On 23 December 2013, Kristalina Georgieva, European Commissioner for International Cooperation, Humanitarian Aid and Crisis Response, [announced](#) that additional humanitarian funding of EUR 50 million will be made available in 2014, amounting to over [EUR 251 million](#) for 2013-2014 EU total support (including Member states' contribution).

As the largest bilateral donor to South Sudan, the US was also actively engaged in the peace process.

The United States also sought a mediated solution to the crisis. Its special envoy for Sudan and South Sudan, as well as the US Ambassador to South Sudan, were actively engaged in the negotiations process, supporting IGAD's determination to reach an agreement. Giving almost 77 % more than the EU, the US is [the largest bilateral donor](#) of South Sudan, providing over USD 323 million in humanitarian assistance for 2013-2014, and making available USD 50 million of additional funding to face the crisis' consequences.

## 4 Signing the ceasefire

### 4.1 Difficulties, content and reactions

The signing of a ceasefire agreement between Kiir's allies and Machar's allies, finally achieved on 23 January, was not an easy task. During almost three weeks of talks, no progress in negotiations was made mainly due to the continued fighting and sticky issues such as the status of detainees and the presence of Ugandan troops. Four days after the outbreak of fighting in the capital, the IGAD took the decision to dispatch a delegation of Foreign Affairs Ministers to Juba with the participation of the AU Commissioner for Peace and Security and the UN Special Envoy. Although President Kiir committed himself to engage in an inclusive political dialogue with the opposition, no talk was initiated between the two sides. Eventually, peace talks begun on 4 January in Addis Ababa. However, fighting continued in the meantime and negotiations appeared to be deadlocked over the government's imprisonment of 11 political leaders. On 16 January, the opposition also declared that no ceasefire would be signed unless Uganda stops supporting government forces. One week later however, on 23 January, two agreements were reached between the two sides: one on the [cessation of hostilities](#) and one on the [status of detainees](#). Although many expressed scepticism on whether armed groups would abide to the cessation of hostilities, the deal represents 'a critical step toward building a lasting peace' between the two groups.

On 23 January, two agreements were reached, one on the cessation of hostilities and one on the status of political detainees

The agreement, negotiated by Nhial Deng Nhial on the government side and Taban Deng Gai for the opposition, states that 'cessation of hostilities should take effect within 24 hours after the signing of the agreement'. Furthermore, it commits both sides to an 'all inclusive dialogue'. With regards to the 11 political detainees, South Sudan Government agreed to envisage an amnesty but declared that he will only do so after their cases had been heard in court. However, on 29 January seven of them were released sending thus a positive sign for South Sudan's future. According to the deal, Kiir also agreed that all forces and armed groups 'invited by either side' should be redeployed or 'progressively withdrawn' from the 'theatre of operations.' On 21 February, Ugandan troops were however still present on the South Sudanese territory which did not facilitate the true respect of the peace talks. Reopening of humanitarian corridors and facilitation of the reunion of families separated during the fighting were also part of the deal. Last but not least, both sides agreed for an end to 'hostile propaganda' and attacks against civilians. President Kiir has declared that people will be held accountable for their acts.

The international community welcomed the deal, calling for its rapid implementation and the opening of an inclusive dialogue between the two leaders.

Reactions from the international community were numerous. [President Barack Obama](#) was one of the first ones of having hailed the agreement, urging both sides to 'fully and swiftly implement it'. [UN Secretary General Ban Ki-moon](#) also welcomed the deal pressing the two sides in the conflict to keep the momentum going with a 'national political dialogue to reach a comprehensive peace agreement, with the participation of all South Sudanese political and civil society representatives, including the SPLM

detainees'. On the same path and whilst welcoming the ceasefire, [the High Representative of the EU for Foreign Affairs and Security Policy](#), Catherine Ashton, called for its 'quick implementation' by both sides and 'in good faith' stressing the importance of the end of any summary executions so that civilians feel safe again and humanitarian assistance be delivered to all in need.

## 4.2 Future challenges

Talks resumed on 11 February to address the root causes of the crisis. They were adjourned on 3 March until 20 March.

Persistent attacks threatened the implementation of the agreement.

Disarmament and the withdrawal of Ugandan troops will determine South Sudan's future.

The signing of a peace deal between Kiir and Machar only marks the beginning of a long process of reconciliation, rehabilitation and nation-building. For Seyoum Mesfin, IGAD's chief mediator, 'the post-war challenges will be greater than the war itself. The process will be unpredictable and delicate.' A second round of negotiations, first supposed to take place on 10 February 2014, opened in Addis Ababa on 11 February in the evening as opposition negotiators announced they would not take part unless certain conditions were met such as the release of the four remaining political detainees and the withdrawal of Ugandan troops from Juba. The rebels finally agreed to attend the peace talks as IGAD gave them guarantees that these issues will be addressed. The seven former political detainees are also taking part in the talks. Even though the proposed agenda remains unclear, the resumption of talks is aimed at better defining the content of the broader political agreement by tackling the root causes of the crisis. On 3 March [IGAD mediators announced](#) the suspensions of the talks for two weeks, 'to allow the parties to further reflect and consult on guiding documents of the process, as well as (...) to hear from civil society and ensure their views are reflected'. Other sources however stated that the talks were on the verge of failure.

On 5 March gunfire erupted on the military barracks in Juba where the conflict started in December. While the situation is not yet clear, this underlines the importance of the first challenge for South Sudan: the implementation of the agreement and maintaining peace. On 29 January, [the AU](#) underscored that a Monitoring and Verification Mechanism set up by IGAD, will be operationalised soon to scrutinise the correct implementation of the agreement. On 2 February, IGAD deployed a team of 14 observers to monitor the cease fire. A first preliminary report was sent on 7 February but its content is not yet known. Despite IGAD's efforts, the implementation of the agreement has seemed to be questioned every day since the signing of the ceasefire. Both sides have indeed repeatedly traded accusations that the other has violated the ceasefire deal. Attacks on 3 and 5 February on rebel-held positions in both Unity and Jonglei States notably at Leer, Machar's hometown, demonstrate the fragility of the ceasefire and the necessity for further talks between the two parties. Furthermore, it is not yet clear exactly how much control Riek Machar has over all the anti-government forces. On 3 February 2014, Machar announced the creation of a new resistance force called the SPLM/SPLA. Although he declared this movement will aim to move the country towards democracy, free elections and good governance, it is unclear to what extent peaceful means will be used. Indeed, many on the

Reconciliation and democratic reforms should be the core of the government's new strategy.

rebel side are civilians who took up arms and who are not military disciplined. The existence of the White Army, a group of armed Nuer youths, could constitute a real threat to the preserving of peace since they may not want to give up arms. Disarmament should be very well controlled if both parties seek restoration of peace and stability in the country. Second, the withdrawal of Ugandan troops represents an important element with regards to the quick implementation of the agreement considering that their presence is perceived as illegitimate by both the opposition and Ethiopia. Third, delivery of humanitarian assistance must be secured and facilitated by the Government so that the population could have access to basic services again. On 5 February 2014, [the UN](#) announced that the humanitarian crisis in South Sudan had reached a 'level three emergency', the highest level under the UN's categorisation, putting the country on the same level to that of the humanitarian situation in Syria.

Regarding the medium and long-term process, it seems essential that in the context of 'an all-inclusive dialogue' between Kiir and Machar, the root causes of the crisis are addressed. The international community has also an important role to play in defining the main priorities for the upcoming months and years. Reconciliation among South Sudanese leaders and ethnic communities should be at the core of the new Government's strategy. Therefore, a national cohesion program should be adopted and a permanent Constitution recognising all ethnicities on an equal footing should be established so that trust among all South Sudanese citizens could be rebuilt. At the same time, South Sudanese leaders should address the organisation and the functioning of the period between now and the next elections, scheduled for 2015. A government of transition, gathering a broad endorsement, should be put in place and a reform of the ruling party should be envisaged in order to solve the political divergences.

## 5 Outlook and policy options for the European Parliament

The ceasefire agreement, signed on 23 January 2013 by the two parties, represents a sign that the situation in South Sudan may stabilise in the upcoming months. However, immediate – as well as medium- and long-term – challenges remain and must be addressed during the forthcoming negotiations rounds.

To achieve a lasting peace in South Sudan, the root causes of the crisis should be tackled during the coming months.

The European Parliament closely follows the evolution of the political, humanitarian and security situation in South Sudan. On 16 January 2014, the EP issued a [resolution](#) affirming its strong support of IGAD's mediation efforts in the peace talks, condemning the human rights abuses, calling for the release of all political prisoners and urging the High Representative to re-establish a Special Representative for Sudan/South Sudan (this position existed, but was fused with that of the EUSR for the Horn of Africa in November 2013).

The [27<sup>th</sup> session of the ACP-EU Joint Parliamentary Assembly](#) to be held in Strasbourg (France) from 17 to 19 March 2014 and the [EU-Africa parliamentary pre-summit](#) in Brussels (on 31 March and 1 April) constitute

opportunities for the EP to debate South Sudan's future and how the EU and African states can contribute to the country's nation-building process. In this regard, the European Parliament could consider the following policy options:

In collaboration with African states, the EP should continue monitoring the peace process and the discussions on South Sudan's future.

- Underline the importance of the ceasefire agreement and stress the importance of its rapid and genuine implementation by both sides. The EP could also underscore the willingness of the international community to remain involved in helping South Sudan face its numerous challenges and to define its immediate and long-term priorities.
- Stress the importance of granting humanitarian access and of respecting UN neutrality.
- Reiterate the appeal for the establishment of a national cohesion process to treat all ethnic community as equals. A permanent constitution should integrate such a principle in its text.
- Call for the re-establishment of the rule of law and governance in the country and demand that human rights abuses committed during the conflict be prosecuted. Political prisoners should be released. A transitional government should also be endorsed and empowered as quickly as possible to ensure the delivery of basic public services.
- Express the need for a comprehensive and inclusive peace agreement that also reforms institutional governance, including political parties, and that involves civil society. Note the importance of respecting pluralism and freedom of opinion.
- Stress the regional dimension. Commend IGAD's efforts and call for the withdrawal of foreign troops to avoid escalation into a regional conflict.
- Monitor and support the organisation of general elections in 2015. With the agreement of the government, an EU and EP election observation mission could be sent. Later, the European Parliament might institute a parliamentary democracy mechanism to support local parliamentarians as they establish an effective institution that monitors and balances the executive power.