

South Sudan – Triumph of Diplomacy at Last?

Following the latest peace deal signed on 27 August to bring South Sudan's civil war to an end, Mr. Kiir and Mr. Machar, president and reinstated deputy, have agreed to cease all fighting. However, regardless of whether the deal takes hold over upcoming weeks, the devastating war has already ravaged the impoverished nation over the past two years.

2011 was a landmark year for the world's newest country - South Sudan. The 2005 Sudanese Comprehensive Peace Agreement between the Sudan People's Liberation Movement (SPLM) and the Government of Sudan had ended Africa's longest-running civil war and set up a timetable for southern Sudan to hold a referendum on its independence. In January 2011, the referendum resulted in an overwhelming majority voting to secede from Sudan and the new country of South Sudan was created on 9 July. But no less than two years later, the country had plunged into a devastating civil war sparked by a power struggle between president Salva Kiir and his former vice president Riek Machar. Months later, the conflict had killed thousands, forced millions to flee their homes, as well as halted oil production – one of the most important sources of income for South Sudan – almost entirely.

The conflict remains one of the world's biggest humanitarian crises, declared level-3 emergency - the highest level - by the United Nations (UN).¹ According to UNHRC, the UN Refugee Agency, it has resulted in 1.5 million internally displaced persons and 730,000 refugees in neighboring countries.² The country experiences the worst food crisis in the world, according to the UN Security Council, with over 4.5 million people facing food insecurity.³ Lastly, South Sudan has been the world's most fragile state in 2014 and 2015 according to the annual Fragile States index.⁴

Overview of the Conflict

The civil war began on 15 December 2013 when President Salva Kiir accused Riek Machar, Vice President at the time, of an attempted coup. Fighting between government troops and rebel factions erupted immediately. The conflict raised ethnic tensions by pitting South Sudan's most populous tribes, the Nuer and the Dinka, against one another. Salva Kiir, a Dinka himself, and supported by the Sudan People's Liberation Army (SPLA), laid blame for the conflict at the feet of Riek Machar, a Nuer, who claimed Kiir was planning a genocide of the Nuer and had only fabricated the coup plot in an attempt to kill him. Machar thus fled the capital, Juba, for the northeast of the country, from where he arranged a rebellion led by the Sudan People's Liberation Movement-in-Opposition (SPLM-IO). Now, the SPLM government and loyalists are fighting a constellation of loosely-

¹ United Nations Office for the Coordination of Humanitarian Affairs, 11 August 2015. Web. <http://www.unocha.org/south-sudan/>

² *Ibid.*

³ World Food Program, 27 May 2015. Web. <http://www.wfp.org/videos/south-sudan-facing-worst-levels-food-insecurity-independence-media>

⁴ The Fund for Peace, 17 June 2015. Web. <http://library.fundforpeace.org/fsi15-pressrelease>

UGANDA

ADRIAN ORTUNO GUENDELL

August 2015**www.kas.de/Uganda/en**

connected groups, including the SPLM-IO, SPLA rebels, and the Nuer White Army, among others.

The country is awash with weapons that date back to the decades of fighting during the pre-independence era. To date, both sides of the conflict have used murder, rape and pillage as common battle tactics, perpetrating human rights violations, war crimes and crimes against humanity without being held accountable. On 29 June 2015, the UN Mission in South Sudan (UNMISS) Human Rights Division reported 'widespread extrajudicial killings, torture, child abductions and sexual violence associated with recent fighting.'⁵

In late December 2013, the UN Security Council (UNSC) doubled the number of peacekeepers currently in the country. In May 2014, these peacekeepers were given authorisation by the UN to use force, shifting their nation building duties to civilian protection.

The Peace Process

Following the outset of the conflict, the Inter-Governmental Authority on Development (IGAD) responded. This regional bloc made up of seven countries (Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan and Uganda) has been the main peacemaking forum for the conflict, with envoys shuttling between the capital, Juba, opposition-held territory, and Addis Ababa, Ethiopia. IGAD's ability to reach a political solution to the civil war in South Sudan, however, has been complicated by Uganda's participation in the civil war on the side of Kiir and the SPLM/A. Similarly, Sudan has been accused of supporting the opposition.

By 23 January 2014, after weeks of pressure and negotiation, the parties to the conflict obtained a cessation of hostilities. However, over the subsequent weeks the ceasefire was broken. IGAD has set numerous deadlines after this, and brokered no less than eight agreements, all of which have so far been missed or ignored. The international response has been stern at best, threatening the conflict's leaders with sanctions. On 3 March 2015, the UNSC established a sanctions regime for South Sudan. The Sanctions Committee approved six senior military figures, three from the SPLM and three from the SPLM-IO, for sanctions.⁶

In April 2014, the African Union established a Commission of Inquiry to investigate human rights violations.⁷ Nevertheless, this did not stop atrocities from happening. In what was one of the most deadly massacres of the conflict, hundreds of people who were targeted for their ethnic group were slaughtered by Nuer rebels in the northern city of Bentiu in April 2014, led on by hate speech during a radio broadcast.

After further failed attempts at peace, general elections due in June 2015 were postponed. In early 2015, the conflict intensified in the north of the country, specifically in Upper Nile and Unity state, both oil producing states where the SPLA launched a major offensive against rebels. The attack prompted the UN and other humanitarian organisations to withdraw from the area, leaving hundreds of thousands of people without access to humanitarian aid. In May 2015, another peace deal was signed in Addis Ababa, paving the way

⁵ Global Responsibility to Protect (R2P) Monitor, 15 July 2015, Issue 22. Web. http://www.globalr2p.org/media/files/r2p_monitor_july2015.pdf

⁶ UN Security Council, Resolution 2206, 3 March 2015. Web. <http://www.un.org/press/en/2015/sc11805.doc.htm>

⁷ Commission of Inquiry on South Sudan, African Union, 16 April 2014. Web. <http://www.au.int/fr/content/commission-inquiry-south-sudan>

UGANDA

ADRIAN ORTUNO GUENDELL

August 2015www.kas.de/Uganda/en

for a ceasefire, a transitional government, a new constitution and, eventually, elections. This agreement was soon broken by both sides.

Triumph of Diplomacy At Last?

During Obama's June 2015 visit to the African Union in Addis Ababa, he convened a meeting with the region's leaders to attempt to halt the conflict in South Sudan. The meeting included the President of Ethiopia, Hailemariam Desalegn, President Yoweri Museveni of Uganda, President Uhuru Kenyatta of Kenya, Foreign Minister Ibrahim Ghandour of Sudan and Nkosazana Dlamini-Zuma, chairwoman of the African Union. The main challenge was to get regional leaders supporting different sides of the conflict to agree on a joint approach.

The leaders agreed to press both sides of the conflict to sign a peace agreement by 17 August 2015 and threatened both sides with sanctions if they did not adhere to the deal. The sanctions included an arms embargo, travel bans and asset freezes.

The draft agreement included a transitional government lasting 30 months followed by elections, as well as demilitarising the capital, setting up a truth-and-reconciliation committee, and a special court to judge charges of genocide, crimes against humanity, and war crimes. It also called for rebels to share control over the nation's oil fields with the government. Lastly, it would reinstate Riek Machar as vice president, as Salva Kiir remains president.

The deal was signed by Mr. Machar in Addis Ababa on August 17th, the day of the deadline. However, Mr. Kiir refused to sign, requesting for fifteen more days to decide whether or not to sign the agreement. The United Nations responded immediately in a resolution drafted by the United States to the Security Council, calling for an immediate arms embargo against South Sudan if Mr. Kiir did not sign by September 6th.

On August 27th, 2015, Mr. Kiir relented and signed the agreement, despite his reservations, which he made public when signing.

Conclusion – Peace Finally?

Following the signing of the latest peace agreement fighting is supposed to stop immediately. There are already reports of new fighting, both sides accusing each other of continuing attacks.

The agreement is an attempt to turn back time, to return to a pre-war status quo. However, there are basic problems that make the latest agreement hard to uphold. Firstly, seven other peace deals over the past two years have all been broken. Secondly, the circumstances of the conflict have changed: The country's third-largest ethnic group, the Shilluk, have been drawn into the conflict and have shifted allegiance from the government to the rebels. Furthermore, the recent splintering of rebel forces within the SPLM-IO, as several commanders have broken away from Mr. Machar's leadership, will make the peace deal very hard to implement on the ground.

The four-year-old nation's future remains clouded for the time being, lifted, if only briefly, by an eighth-and-maybe-last peace agreement.