

Policy brief: Struggle for power in South Sudan

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The crisis in South Sudan that has unfolded since December 15 was the culmination of a period of political disagreement within the SPLM, the main political party in South Sudan, characterised by frustrations over demands for political reforms and leadership. The climax of the political fall-out, followed by fighting within the Presidential Guard, spreading quickly among the SPLA barracks in Juba, resulted in excessive ethnic killings and revenge killings with a devastating impact on society and the imminent risk to develop into a civil war.

A ceasefire should bring the violence to an immediate end, but more lasting peace and stability can only be realized if the root causes of the latest outburst of violence are addressed. These causes are many but boil down to flaws at three levels. First of all, the Government of South Sudan has not dealt sufficiently with the need for justice and reconciliation. Secondly, constitutional power is concentrated in the position of the president, making politics a zero-sum game. And thirdly, the nation's defence force, SPLA, is a loosely constructed army harbouring different factions. In addition to an immediate ceasefire, the peace talks in Addis Ababa should also address these root causes of the outburst of violence. If the mediated agreement is not truly comprehensive, South Sudanese civilians will face conflict again and again.

Analysis

The reasons why this power struggle, in essence a contest over public office between President Salva Kiir Mayardit and former Vice President Riek Machar Teny, and the events of December 15th could develop and escalate so quickly are to be found in the many unfulfilled promises of the Comprehensive Peace Agreement (CPA). After the signing of the CPA, South Sudan has experienced minimal and incomplete reconciliation related to the young country's violent past, impunity for perpetrators of serious crimes, state fragility, the absence of peace dividends for most citizens and a move to a more centralised form of government. An important cross-cutting issue is the very fragile status of nation-building and social cohesion across ethnic affiliations, enabling mobilisation based on ethnic background. This has turned especially violent within and between the national army (SPLA) and (defecting) militias. Many dissatisfied groups took up arms easily to demand changes – or a power position. The only way to break this cycle of ethnically based political and military zero-sum games is a process of national dialogue concerning the future of the country, related to an inclusive constitutional review process, which together can be the starting point for the innovation of political and military structures.

The consequences of the current conflict and the ongoing fights between the SPLA and oppositional forces have been devastating to the people of South Sudan. The violence has killed at least 1,000 people, but many fear the actual number is much higher. According to the UNHCR it is taking care of 230,000 refugees at 10 refugee camps in South Sudan. Around 57,000 civilians have taken refuge in 10 UN compounds throughout the country and there are more than 32.000 refugees registered in refugee camps in neighboring states. It is very likely that the actual number of displaced people is even a lot higher.

The fighting and killing has continued up to now. Even though the Government of South Sudan has indicated that protection of civilians is one of their priorities, in practice it has not been capable or

willing to sufficiently supply such protection. UNMISS is doubling its troop size to fulfill its Chapter 7 mandate, but is neither capable of living up to the protection of civilians in all areas needed.

The negotiations in Addis Ababa are already stalled. Control of the oil fields in Unity State by oppositional forces functions as a strong bargaining chip as it greatly affects the main source of national income. If fighting in these areas continues, or is even stepped up, it bears the huge risk of intense loss of civilian lives and destruction of an important part of the economic lifeline for the entire country. Another imminent risk of delaying a ceasefire is further defections within SPLA, which could result in more fronts of fighting, and further intensifying revenge killings.

While international agencies have been stepping up their efforts to address the massive humanitarian needs, several local civil society organizations, churches and some local authorities in South Sudan are continuing their efforts to prevent fighting in their areas and facilitate inter-community dialogues. These efforts should also be acknowledged and strengthened as they could form the seeds for bottom-up national dialogue processes, informing the processes at the higher political level.

Solving the political struggle between the two groups by accommodating them in any form of political settlement will not be enough. Only an inclusive agreement on processes that deal with the historical and social complexities can lead to some level of sustainable peace and stability. Another 'constructed' stability, in which power contenders are accommodated at the expense of justice and reconciliation, will just reinforce previous flaws.

Recommendations

Immediate term recommendations:

To the conflict parties:

1. Immediately cease hostilities and order all forces under their command to stand down;
2. Speak out publicly against any act of ethnically motivated violence;
3. Agree to an inclusive political settlement until national elections, based on the following conditions:
 - a. Inclusive of all political groups
 - b. Strict deadlines set for open elections
 - c. Independent monitoring by civil society and international organizations
 - d. A bottom-up constitutional review process
4. Guarantee the safety, security and freedom of movement of civilians;
5. Respect the independence and neutrality of the humanitarian community in providing assistance to affected populations, and ensure safe corridors for humanitarian assistance;
6. Fully respect the implementation of the UNMISS impartial and independent Chapter 7 Protection of Civilians mandate;
7. Give full access to independent investigations into human rights abuses.

To UNMISS:

1. Continue and expand a visible physical protection presence and Protection of Civilians operations in areas of previous, current and expected conflict;
2. As a matter of priority, conduct regular, independent and impartial investigations into alleged human rights violations, to inform timely and appropriate national and international response based upon the findings, including but not limited to legal action where appropriate.

Longer-term recommendations:

To prevent the recurrence of violence and to realize lasting peace the Government of South Sudan should:

1. Start a national dialogue and a process of reconciliation, involving all stakeholders in a bottom-up process;
2. Start a process for truth seeking, justice and civic remedy;
3. Continue the constitutional review, in a process open to civil society input;
4. Reform and restructure the national army;
5. Reform the public service system to effectively deliver peace dividends and services to the citizens.

The international community should:

1. Leverage appropriate influence to support a comprehensive solution to bring an end to hostilities, ensure accountability and support lasting peace and inclusive civic and social development in South Sudan;
2. Demand all parties of the conflict to ensure free and unhindered access to all areas and populations affected by conflict;
3. Focus on direct and long-term support for the local initiatives already ongoing on conflict prevention and dialogue;
4. Support independent monitoring of the political and humanitarian situation in South Sudan.