



The Agreement on Resolution of Conflict in South Sudan (ARCSS) and its Revitalization: Approach to Peace in South Sudan

Executive Summary

The conflict in South Sudan, as approached through Agreement on Resolution of Conflict in South Sudan (ARCSS) and current Revitalization talks, faces several challenges key among them being ceasefire agreement violations, politico-military complex, ethnic factor, weak peace support mechanism, and lack of political will. This brief recommends implementation of transitional justice, strengthening of peace support mechanisms, integration and regularization of armies, diplomatic lobbying for common position on South Sudan, and elimination of military option to the conflict for the success of ARCSS.

Introduction

South Sudan descended into civil war in December 15 2013 following a political fall-out between President Salva Kiir and First Vice President Dr. Riek Machar. Kiir in command of SPLM/SPLA then engaged Machar who broke off with a splinter of the Party and Army, later to be known as SPLM/SPLA in opposition (SPLM/SPLA-IO) respectively. This threw the country into now ethno-military conflict that has complicated the political conflict further (Knopf, 2016).

The ARCSS was facilitated by Inter-Governmental Authority on Development (IGAD) and signed by conflicting parties in 2015. It established Transitional Government of National Unity (TGoNU) of status quo ex ante and other transitional structures for conflict resolution in South Sudan. However, ARCSS collapsed in July 2016 when TGoNU broke down inter alia due to irreconcilable differences and unhealthy power struggle between Kiir and Machar. Civil war resumed. A Cease-fire Agreement through IGAD was again reached in December 2017 in Round I of talks. IGAD+ made up of IGAD, TROIKA (US, UK and Norway), EU and China embarked on Round II talks on 5th of February 2018. This process has however stalled due to Government of South Sudan's boycott. Challenges to the success of Revitalization of ARCSS are real and threaten the peace process.

Key Findings

Violation of Ceasefire Agreements:

The first challenge to ARCSS and even its revitalization is violation of Cessation of Hostilities Agreement (CoHA), Protection of Civilians and Humanitarian Matters Agreements. The government of South Sudan and the opposition forces continue with offensives in areas such as Koch, Yei and Akobo. The government is responsible for bureaucratic impediments on work permit fees for relief agencies' workers (Foreign and Commonwealth Office, 2018). GRSS's refusal to subscribe to a clause on punishment of peace violators thereby stalling Round II talks whose basis was the very clause demonstrates utmost bad faith inimical to the peace process.

Weak Peace Support Systems:

These systems are such United Nations Mission in South Sudan (UNMISS), Ceasefire and Transitional Security Arrangement Monitoring Mechanism (CTSAMM), Joint Monitoring and Evaluation Commission (JMEC), IGAD and Regional Protection Force (RPF) among others. They suffer institutional and operational challenges that weaken their capacity for duty and purpose. Such challenges include lack of adequate funds, lack of leverage, nature of terrain, mandate, command and control, parallelisms inter alia.

The Ethnic Factor: What started as a political dispute turned dangerously ethnic. SPLM/SPLA is dominantly Dinka while SPLA/SPLM-IO is dominantly Nuer. Their historical ethnic animosities helped the two groups transform political dispute into an ethnic one through rhetoric and vicious mobilization. Councils of Elders especially of the President's Dinka community (Jieng Council of elders) emerged as a non-state actor influencing his decisions in the peace process such as his rejection of IGAD April 2015 proposals in Addis Ababa (South Sudan Humanitarian Project Document, 2015). Smaller ethnic groups have also joined the conflict further widening the scope of ethnic factor (Knopf, 2016). If this is not appreciated at the core Revitalization talks, the future of peace transformation in South Sudan is slippery.

Politico-military complex: The independence of the military and security arrangements from politics was not sustainably realized before and after independence of South Sudan (Rolandsen and Kindersley, 2017). This allowed for military involvement in politics through their unrefined loyalty to political leaders. This further complicated by ARCSS's accommodation of maintenance of non-state forces through the transition period which is a delicate

balance. The military has however, held more extreme positions with government forces calling for punishment of opposition and opposition forces calling for exit of the president from power, for peace. This has verged nearly on implosions on both sides due to incompatible positions between civilian political leaders and respective military leaderships on both sides.

Lack of political will: Willingness of both sides to end conflict is key to South Sudan's conflict resolution (South Sudan Humanitarian Project, 2015). However, the two sides, as noted, violate ceasefire agreements, civil protection and humanitarian matters agreements. The president's side has refused to subscribe to punishment of peace violators clause that is the basis of Round II talks. It has even boycotted the talks suspending the Revitalization Forum. Neighbouring countries such as Sudan (also a negotiating party) is allegedly aligned with South Sudanese opposition military and political activities while Uganda is with the government side. Kenya and Ethiopia are also involved in economic and diplomatic rivalry yet they are lead negotiating parties in the conflict.

Conclusion

Confidence building amongst disputants is key in the success of Revitalization and ARCSS. Solidarity and collective action is on the other hand key for the success of negotiating and interested state and non-state parties. IGAD should demonstrate unity of purpose and higher sense of responsibility for peace in South Sudan and mobilize more regional mechanisms to that end. Military option should be frozen on the part of the disputants and more commitment be accorded to ARCSS and peaceful conflict resolution mechanisms. Political will and technical capacity is important to the Addis Ababa peace process.

Recommendations

IGAD and UN should consider the following options:

- UNMISS, JMEC and CTSAMM need to be empowered in terms of capacity and support to play their roles at their different levels of enforcing, nurturing and monitoring Ceasefire Agreements, reporting critical ethnic, military and political developments in South Sudan and preventing ceasefire violations.

IGAD should then consider the following options:

- The age long cultural and/or ethnic factor of the conflict should openly be discussed during Revitalization for mutually agreeable formula of transitional justice.
- All armed groups should be integrated for joint trustee regularization and refinement immediately Revitalization Talks are finalized and ARCSS is operational.
- Effective lobbying should be done within interested parties such as TROIKA, EU and China including Russia (specifically on arms embargo) on a range of competing interests should be done. Mutual interests to peace in South Sudan should be promoted among them, solidarity among them should also be build and collective action facilitated jointly with good faith.
- All parties to the conflict should be encouraged or if necessary pressured to commit to the peace process. No alternative to peace process should be allowed to be pursued as it is incompatible with ARCSS. Punishment to peace violators should be emphasized, structured, institutionalized and leveraged. Belligerent armies should be demobilized.
- Robust political and diplomatic engagement must be established and maintained by all guarantors of peace, running in tandem with the UN military peacekeeping in order to maintain the required tempo and avoid pushback and pitfalls.

Governments of Tanzania, Kenya, Ethiopia, Uganda and Sudan should also consider the following option:

- The governments of the foregoing neighbouring countries should shelve their vested interests in the South Sudan conflict and promote the single interest of South Sudan peace.

References

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