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## **THE VIOLENT CONFLICT IN SOUTH SUDAN AND ITS IMPLICATIONS FOR REGIONAL PEACE AND SECURITY: Options For A Peaceful Settlement**

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### **Abstract**

The ensuing violence in Sudan between warring political actors created regional and international fears. For security and socio-economic reasons, the Uganda Peoples Defense Force (UPDF), upon invitation by President Salva Kiir, deployed in South Sudan. A parallel process of peace talks simultaneously commenced in Addis Ababa. Amidst this geo-political environment, hundreds in South Sudan have been killed and thousands have been displaced. Border security and trade interests have been threatened. The ensuing violence escalated into ethnic violence and a humanitarian crisis.

Advocates Coalition for Development and Environment (ACODE) in collaboration with Uganda Peoples Defense Forces (UPDF) organized the 48th State of

the Nation Platform (STON) titled '*The Violent Conflict in South Sudan and its Implications for Regional Peace and Security: Options for a Peaceful Settlement.*' With representatives from the Kenyan High Commission, South Sudan Embassy and the UPDF, presentations were given on the causes of the conflict, regional concerns and the role of the UPDF in South Sudan. The presentations were followed by discussions from which four policy recommendations emerged: 1) the need to address governance issues, specifically the corruption amongst officials; 2) the need to increase involvement of citizens in decision making process 3) the need for investment in security sector reforms to regain control of security; and 4) the need to focus on building the state is a necessity for mobilizing elite groups with a constructive focus and clearly defined goals to facilitate lasting dialogue, peace and stability. These are all necessary to move the affairs of South Sudan forward.



*Participants attending the 48th Session of the State of the Nation Platform at Protea Hotel in Kampala*

## A. Introduction

The speakers gave a broad overview of the situation in South Sudan as well as the roles of regional actors. The topics and discussions rotated around fundamentals of peace, humanitarianism, the military, and political and socio-economic and interests. Key presenters were Sammuell Luete Lominsuk, the South Sudan Ambassador for Uganda, and Ateny Wek Ateny, the Honorable President's Press Secretary for South Sudan. These distinguished gentlemen provided the necessary background information in their presentation titled 'Understanding the Causes of Conflict in South Sudan'. His Excellency Geoffrey Okanga, Kenya's High Commissioner to Uganda, clarified Kenya's careful position on South Sudan in his presentation titled 'Regional Concerns of the South Sudan Conflict.' As National Political Commissar for the UPDF, Colonel Felix Kulayigye evaluated and clarified the role of Uganda's Humanitarian Intervention into South Sudan. The discussion of the presentations was made by Honorable Simon Mulongo, Bubulo County East Constituency and a Member of the Parliamentary Committee of Defense and Internal Affairs.

The 48th STON platform provided an opportunity for the Ugandan public to appreciate the crucial role the UPDF has and continues to play in preventing a humanitarian crisis in South Sudan. Presentations also provided an opportunity to the UPDF to explain its role in the conflict and how UPDF contributes to national and regional peace and stability. The rationale for the platform was to facilitate a deeper understanding of the nature, causes and actors in the South Sudan conflict to inform future conflict resolution interventions.

## B. Brief Background on the Violence in South Sudan

In December 2013, violence in South Sudan, apparently resulting from a power struggle between President Salva Kiir and rebels loyal to Dr. Riek Machar, the former Vice President, saw hundreds killed and thousands flee the country. The conflict, which has degenerated into ethnic violence provoking civilian deaths and cross-border displacement, threatens regional peace and security. South Sudan has had a tortured history characterized by ethnic tensions that have been a key feature of the political landscape for longtime. The tension underlying the current conflict is between two main ethnic groups: the Dinka (15% of population) and the Nuer (5%).

President Salva Kiir is Dinka while the rebel leader, Dr. Riek Machar belongs to Nuer group. Since independence (2011), the Dinka have held key political positions dominating vital ministries and managing

the oil proceeds in a manner that was perceived to favor the Dinka while marginalizing the Nuer and other minority groups in South Sudan.

The continued abuses of power disintegrated any hope of national unity as tribes eagerly and violently asserted their power at local, national and international levels. The long-standing simmering violence finally erupted, potentially destabilizing the Central and Eastern Africa region. Following international and regional attention, the deployment of Uganda soldiers in South Sudan, and the IGAD [Intergovernmental Authority on Development] led peace negotiations in Addis Ababa, Advocates Coalition for Development and Environment (ACODE) in collaboration with Uganda Peoples Defense Forces (UPDF) organized the 48th STON platform.

## C. Presentations

### Topic 1: Understanding the Causes of Conflict in South Sudan

**Speakers:** Ambassador Sammuell Luete Lominsuk, South Sudan Ambassador for Uganda, and Hon. Ateny Wek Ateny, the President's Press Secretary for South Sudan.



The presentation focused on the history of South Sudan and political struggles within the SPLM (Sudan People's Liberation Movement). Ambassador Sammuell Luete Lominsuk highlighted the attempt to kill the deceased Chairman of the SPLM/SPLA, Dr. John Garang de Mabior, during the liberation struggle. Following perceived severe misuse of power and the subsequent removal of ministers, Vice President Dr. Riek Machar accused President Salva Kiir of misleading the government.

Accusing President Salva Kiir of encouraging rampant corruption, insecurity in the country, bad governance, bad foreign policy and economic failure, Dr. Riek Machar requested a National SPLM convention,

convinced that he would lead the party and avoid a coup d'état. Failing to qualify to secure the position, Dr. Riek Machar attempted a coup resulting in President Salva Kiir swinging into a defensive action, thereby reversing ten years of economic progress across three states (Unity, Jonglei and Upper Nile).

Ambassador Samuel Luete Lominsuk concluded his remarks by stating that President Salva Kiir should not be blamed for the political crisis for three reasons: 1) Dr. Machar had in 1991 defected from SPLA/M, committed a massacre in Bor of over 2,000 people and teamed up with Bashir with the major intention of destroying the SPLA party in order for him to lead the party; 2) Upon falling out with Bashir, the SPLA [Sudan People's Liberation Army] welcomed back Dr. Riek Machar and saw him rise to second in command without personal objection from the President. 3) On becoming an independent country, the two parties reconciled. Basing on the above reasons, Ambassador Lominsuk ended his remarks stating that the conflict in South Sudan was largely fomented and fueled by Dr. Riek Machar.

Hon Ateny Wek Ateny added that the major challenge facing South Sudan is waiting for international actors to define the conflict. For example, Europeans and Africans are defining conflict in South Sudan claiming that the Dinka are fighting Nuer which he termed as unfortunate and advised international actors to acquaint themselves with the dynamics of the situation. He also pointed to Dr. Riek Machar as fuelling ethnic tensions, noting that the army, which is predominantly Nuer, is now threatening to overthrow the other 64 tribes of South Sudan. With regard to negotiations in Addis Ababa, the South Sudan government is willing to participate in the talks. However, he noted that whereas the original talks saw Republic of South Sudan sign cessation of hostilities by Sudan People's Liberation Movement, Dr. Machar has now launched a new movement called South Sudan Resistance Movement. This presents major issues of concern moving forward.

## **Topic 2: Regional Concerns of the South Sudan Conflict**

**Presenter:** His Excellency Geoffrey Okanga, Kenya High Commissioner to Uganda

Highlighting Kenya's sensitive position, H.E, Geoffrey Okanga underscored the need for a ceasefire and expressed optimism that this would be achieved through the IGAD framework. This framework was designed to encourage dialogue and to avoid further loss of life and property.

His core concerns included the return of Kenyan nationals trapped in South Sudan and the immediate protection of those who chose to stay in South Sudan. To that extent, Kenya was reported to be in support of the Ugandan army's presence in South Sudan. In addition, other concerns included border insecurity,

specifically at Kenyan vicinity at Kakuma where there was an increase in refugees; the potential for proliferation of small arms; and the emergence of criminal gangs.

Economic and business concerns for Kenya were described to include loss of South Sudan as a business partner, the likely interruption of the LAPSSET (Lamu Port Southern Sudan-Ethiopia Transport) project, and infrastructure difficulties between Lamu and Addis Ababa. In addition, the nature of the conflict meant that meaningful meetings to allay disruptions and other Kenyan fears were unlikely to be arranged.

The policy of Kenyan neutrality – i.e. avoiding the deployment of troops and engaging in rescue operations only for Kenyan nationals – was essential to remaining a credible member of IGAD, legitimizing future appeals, and allowing President Salva Kiir to release political prisoners to Kenya for custody. His Excellency Geoffrey Okanga noted that Kenya required President Salva Kiir to strike a careful balance between releasing political prisoners for the purpose of achieving a ceasefire whilst dealing firmly with coup plotters. In addition, Kenya called on South Sudan to manage governance expectations following independence since no government could deliver all political and societal goods instantaneously.

## **Topic 3: Evaluating Role of Uganda's Humanitarian Intervention into South Sudan**

**Presenter:** Col. Felix Kulayigye, As the representative of UDPF (Ugandan Peoples Defense Force), Col. Kulayigye highlighted the humanitarian requirements in South Sudan. In particular, he discussed the invitation from President Salva Kiir to intervene and



evacuate Uganda citizens trapped in the conflict and assist in managing threats to both civilians and the legitimacy of the democratically elected government.

He noted that on humanitarian grounds and for strategic reasons, Ugandan interests in South Sudan were too high for the UDPF to remain neutral. It was also observed that the Ugandan presence in

South Sudan faced public and political criticism. Uganda's deployment was being criticized as having been a pretext for military intervention devoid of legal sanctions and selectively deployed to achieve ambiguous ends.

Colonel Felix Kulayigye clarified, however, that by intervening with force, without advance authorization from the UN Security Council, Uganda invoked 'excusable breach', a technically illegal humanitarian intervention, according to the UN charter, but morally and politically justifiable in exceptional cases.

Questioning the prioritization of sovereignty or humanitarian causes, Colonel Felix Kulayigye highlighted the Canadian 'responsibility to protect' doctrine where states are said to have a responsibility to intervene and protect the citizens of another state, especially in cases where that other state has failed in its obligation to protect its own citizens.

The intervention, he said, would be done in three stages: prevention, reaction and rebuilding. Regional peace and security challenges included the difficulty and apparent gap in the law regarding human rights and intervention. Colonel Felix Kulayigye noted that the UNSC (United Nations Security Council) has no legal right to authorize the use of force to prevent widespread deprivations of internationally recognized human rights. In addition, without a regional framework for the prevention, management and resolution of conflicts, coordinating and executing joint regional peace support operations seemed to remain as a sole option for regional peace and security.

Colonel Felix Kulayigye concluded by suggesting that, as a matter of urgency, the Ugandan National Parliament needed to call upon regional mechanisms to urge other countries to deploy alongside Uganda as a form of shared responsibility. He also called for the UN to officially recognize the need for deployment in South Sudan as a requirement for the protection of human rights.

#### **Topic 4: Hard Truths about Conflict in South Sudan**

**Presenter:** Hon. Simon Mulongo, kicked off his remarks noting that events in South Sudan are complex. He expressed surprise at the turn of events suggesting that Uganda's presence, upon invitation, was vital and acceptable within the laws of international system. He said that based on the lack of institutions and legal frameworks in South Sudan, any subsequent constructive criticism needed to take into account the reduced capabilities of the state to fulfill its obligations.

He argued that Khartoum was maintaining links with South Sudan for two central reasons: (1) to collapse the SPLA from within, and (2) to maintain groups to be used as a counter insurgency and fight as a front on the Juba regime. He noted that even if Dr. Riek Machar had remained part of the government, a number of

things currently going on were 'bound to happen'.

At a regional level, the project of making South Sudan involved Kenya, Uganda, Ethiopia and Sudan along with the guarantors: For example, the United States and others. He noted that of all the countries involved, Uganda has been missing out on the "huge cake" and has contributed more. He noted Uganda's position in South Sudan was to sell petty things like tomatoes and groundnuts, while other countries like Kenya and Ethiopia were weighing higher up. As such coherence of regional response is hanging in balance due to intricacies of interests.

He concluded that Uganda had helped the government of South Sudan and needed to create a more robust regional programme to bring all actors into play to address Kenyan, Ethiopian and South Sudanese fears whilst not underestimating potential oil revenues in South Sudan. Uganda's intervention in South Sudan was at the invitation of South Sudan and therefore will continue at a high level until there is comprehensive agreement on peace.

#### **D. Policy Recommendations**

- 1. Address governance issues:** The government of South Sudan should address issues of rampant corruption among government officials. There is biting poverty among the general population, heavy reliance on foreign investors, and the local people are generally not involved in the affairs of the country. Therefore, moving forward, the government should involve the local communities in the affairs of their country
- 2. Invest in security sector reform:** There is a need to integrate the various militias into the army. The international community should assist the government of South Sudan in reforming and creating a more integrated army. It was advised that South Sudan should borrow from Uganda's experience in building a strong army.
- 3. Focus on State building:** As a new nation emerging from the war, South Sudan was bound have challenges. It is necessary for the government to be broad based and inclusive, bringing all actors into the process of building a lasting peace in South Sudan.
- 4. Mobilize the elite groups:** The elite groups should be mobilized with a constructive agenda to take responsibility for the future of south Sudan in order to ensure lasting dialogue and continued peace in the country.