

# SUBSIDIARITY & SUSTAINABLE PEACEBUILDING IN SOUTH SUDAN

20th March 2020

## Introduction

In 2011, South Sudan earned the title of the world's youngest State after a breakaway from Sudan. The independence was however short-lived, after another war broke out in 2013 that pitted the country's President and his deputy.<sup>i</sup> This disagreement spread along ethnic lines, resulting in a duel between the Dinka who backed President Salva Kiir and the Nuer who support Riek Machar.



*Figure 1: Polling Station in Juba during the South Sudan Independence referendum*

The UNHCR estimates that over two million South Sudanese are refugees. Uganda hosts the biggest number of the refugees at 38.9%, Sudan 36.5%, Ethiopia 15%, Kenya 5% and the Democratic Republic of Congo 4%.<sup>ii</sup> The global conflict tracker statistics point to nearly 400,000 deaths since 2013.<sup>iii</sup>

## Context Analysis

The Intergovernmental Authority on Development (IGAD) was mandated to oversee the restoration of peace in South Sudan. The international norms recognize the principal of subsidiarity, gives IGAD comparative advantage over other international actors in the mediation process.<sup>iv</sup> The principle affirms that priority should be given to regional organizations through devolution of functions on handling conflicts.<sup>v</sup> The African Union Peace

and Security Commission protocols have also provided for the actualization of the subsidiarity principle in its article 16.

The article stresses the importance of harmonization and coordination with regional blocks because of the comparative advantage.<sup>vi</sup> These provisions therefore gave IGAD the important role of overseeing the peace process but with support from the United Nations agencies, African Union. Other states that had key interests in peacebuilding for South Sudan including US, China, Italy, Canada and several others have combined efforts under the IGAD Partners Forum (IPF).<sup>vii</sup> The resulting approach was later coded IGAD-PLUS. This approach, gave IGAD an international dynamic and the State power that can enforce the sanctions in the peace process.<sup>viii</sup>



*Figure 2: Kapoeta South Sudan Panoramio*

IGAD has however experienced many challenges in brokering peace. One challenge has been the lack of political will by States in enforcing some actions recommendations and, overlapping of peace processes. There have been efforts by African Union Heads of State, and countries like Tanzania, China and Uganda's interventions that are viewed as turning the whole negotiation into a complex web of individual and collective interest.<sup>ix</sup> Uganda had deployed its military to support the government and it is declining to withdraw despite receiving requests from IGAD.<sup>x</sup> It is an obstacle to the negotiations, from Machar-led side.

The recent achievement of a ceasefire and initial agreements on the coalition government outfit in South Sudan is a reprieve. It is an opportunity to realize sustainable peace and avoiding a slump back into conflict, that is consistent with previous ceasefires. There were cases of violence despite the ceasefire agreement in parts of South Sudan; resulting in deaths, displacement and injuries.<sup>xi</sup> The few cases of violence are an enormous threat to peacebuilding since they do not guarantee trust building by the warring parties and retaliatory attacks can be sporadic.

## Disarmament, Demobilization and Reintegration

The recurrence of violence albeit the cessation of hostilities has presented a lot of challenges to the peace process in South Sudan. It is important that the parties to the conflict consider urgent disarming, demobilization and reintegration of the militia groups. After the break away from Sudan, South Sudan had the world's largest participants for DDR programs, estimated to be 150,000 participants. Despite staggering efforts to carry out DDR, some of the challenges that have seen its postponement are; failure to verify and distinguish combatants from civilians and the South Sudanese political context, resolution of political grievances and the threats of violence. No actor has accepted downsizing.<sup>xii</sup>

There are several armed groupings that have been formed in the country in the recent past. They form these militia along ethnic lines and geographical configurations. According to Katumanga and Ngunyi, the failure by state institutions can breed militias. The South Sudanese context details a formation where the supply and demand for violence has been economized. Because of government abstinence or absence,<sup>xiii</sup> the gangs have cropped up and there is subsequent demand for their protection from the local communities.

We base the complexity of the militias on the disintegration of a formerly State military – the Sudan People's Liberation Army (SPLA) – into several outfits based on loyalty to the political leaders within South Sudan. These militia include, Sudan Peoples' Liberation Army – in opposition (SPLA-IO) that is allied to Riek Machar, The South Sudan – United Front which has had swaying loyalty based on its leadership's role in government, the Shilluk Agwelek militia allied to the opposition, and many others.<sup>xiv</sup> The other danger that these militia pose is the recruitment of child soldiers,<sup>xv</sup> who work directly against efforts to build stable peace supported by DDR.

## Conclusion & Recommendations

The cessation of hostilities in South Sudan is an opportunity for the stakeholders, led by IGAD, to explore a broad approach to building sustainable peace. It is evidence that, the attainment of sustainability peace in the cessation window, is dependent on a nuanced approach to the process.

The formation of a government of unity should be done. Based on the patronage politics of South Sudan where violence is a resort to settling political scores, disarming and demobilizing most of the militia will ease the negotiations moving forward and lay a foundation for non-violent negotiations.

IGAD as a regional economic block should get the support from the international community, and it is important to operationalize one recommendation by the Peace and Security Commission of the African Union to create a platform for engagement and consultation by regional economic blocks under the auspices of the African Union.<sup>xvi</sup> The complementarity of the AU and other regional economic blocks will be vital to IGAD's processes.

The development partners should focus more on the DDR interventions. Previous programs on DDR failed in South Sudan; It could be possible therefore, that a successful DDR program will be vital to sustainable peace. Research will be important in identifying the context variance that downplayed DDR exercises in South Sudan compared to other successes across the African continent.

---

<sup>i</sup> Global Conflict Tracker. (2020, March 9). *South Sudan*. Retrieved from Council on Foreign Relations: <https://www.cfr.org/interactive/global-conflict-tracker/conflict/civil-war-south-sudan>

<sup>ii</sup> UNHCR. (2020). *Regional overview of the South Sudanese Refugee population*. UNHCR.

<sup>iii</sup> Global Conflict Tracker. (2020, March 9). *South Sudan*. Retrieved from Council on Foreign Relations: <https://www.cfr.org/interactive/global-conflict-tracker/conflict/civil-war-south-sudan>

<sup>iv</sup> Gosepath. S. (2005). The Principle of Subsidiarity. In F. & T, *Real World Justice* (pp. 157-170). Springer.

<sup>v</sup> Bjorn. M. (2005). *The pros and cons of subsidiarity: The role of African regional and sub-regional in ensuring peace and security in Africa*, Danish Institute for International Studies (DIIS).

<sup>vi</sup> Peace & Security Commission Protocol. (2002). *Article 16*. African Union.

<sup>vii</sup> International Crisis Group. (2015). *South Sudan: Keeping Faith with the IGAD Peace Process*. African Report.

<sup>viii</sup> Mengistu. M.M. (2018, February). The role of regional economic communities in conflict resolution in Africa: the case of IGAD's peace process in south sudan. *Global Journal of Political Science and Administration*, 6(1), 19-29.

<sup>ix</sup> International Crisis Group. (2015). *South Sudan: Keeping Faith with the IGAD Peace Process*. African Report.

<sup>x</sup> Mengistu. M.M. (2018, February). The role of regional economic communities in conflict resolution in africa: the case of IGAD's peace process in South Sudan. *Global Journal of Political Science and Administration*, 6(1), 19-29.

<sup>xi</sup> Garang. A.M. (2020, March Monday). South Sudan ethnic clashes flare up latest threat to peace agreement. *The East African*.

<sup>xii</sup> Munive. J. (2013). *Disarmament, demobilization and reintgration in South Sudan : the limits of conventional peace and security templates*. Danish institute for international studies.

<sup>xiii</sup> Ngunyi M. & Katumanga. M. (2014). *From Monopoly to Oligopoly of Violence : Exploration of a Four-Point Hypothesis Regarding Organised and Organic Militia in Kenya*. UNDP.

<sup>xiv</sup> Glinski. S. (2018, April 12). A who's who in South Sudan's splintering civil war. *The New Humanitarian*. Retrieved March 11, 2020, from <https://www.thenewhumanitarian.org/analysis/2018/04/12/who-s-who-south-sudan-s-splintering-civil-war>

<sup>xv</sup> Associated Press. (2018, February 7). More Than 300 Child Soldiers Freed in South Sudan. *New York Times*. Retrieved March 11, 2020, from <https://www.nytimes.com/2018/02/07/world/africa/south-sudan-child-soldiers.html>

<sup>xvi</sup> Peace & Security Council. (2017). *AU Reforms: The challenge of clarifying the roles of the AU and RECS*. Peace & Security Council.

# HORN OF AFRICA RESEARCH PARTNER

Scofield Associates is a private research consultancy firm that focuses on conflict management consulting, market research, big data analytics, and monitoring & evaluation. We operate in the larger Horn of Africa.

For more information on our projects;  
<https://www.scofieldassociates.co.ke>  
or call us on: (+254) 020 786306; (+254) 0731055306.