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PEACE AND CONFLICT ASSESSMENT OF SOUTH SUDAN 2012

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Front cover image: Man wears flag as hat. A young South Sudanese man wore the flag as a hat on Independence Day in Juba July 9 2011. Photo by Tim Freccia / Enough Project.

PEACE AND CONFLICT ASSESSMENT OF SOUTH SUDAN 2012

Richard Reeve

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Acronyms

AU	African Union
CAR	Central African Republic
CBO	Community-Based Organisation
CEWARN	Conflict Early Warning and Response Network (IGAD)
CEWERS	Conflict Early Warning and Early Response System
CPA	Comprehensive Peace Agreement
CSAC	Community Security and Small Arms Control Bureau
CSO	Civil Society Organisation
CSR	Corporate Social Responsibility
DDR	Disarmament Demobilisation and Reintegration
DFID	Department for International Development (UK)
DRC	Democratic Republic of the Congo
EAC	East African Community
FDI	Foreign Direct Investment
GoSS	Government of Southern Sudan
GRSS	Government of the Republic of South Sudan
IDP	Internally Displaced Person
IGAD	Intergovernmental Authority on Development
INGO	International Non-Governmental Organisation
JIU	Joint Integrated Unit (SAF/SPLA)
LRA	Lord's Resistance Army
MDTF	Multi-Donor Trust Fund
MLA	Member of Legislative Assembly
MoU	Memorandum of Understanding
NCP	National Congress Party
NGO	Non-Governmental Organisation
NLA	National Legislative Assembly
OCHA	Office for the Coordination of Humanitarian Affairs (UN)
OECD	Organisation for Economic Co-operation and Development
PRC	Peace and Reconciliation Committee (NLA)
SAF	Sudan Armed Forces
SGBV	Sexual and Gender-Based Violence
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SPLM-DC	Sudan People's Liberation Movement – Democratic Change
SSAF	South Sudan Armed Forces
SSDF	South Sudan Defence Force
SSDM/A	South Sudan Democratic Movement/Army
SSPS	South Sudan Police Service
SSR	Security Sector Reform
UN	United Nations
UNDP	United Nations Development Programme
UNISFA	United Nations Interim Security Force for Abyei
UNMISS	United Nations Mission in the Republic of South Sudan
USAID	United States Agency for International Development
WFP	World Food Programme (UN)

Executive summary

This report is an assessment of peace, conflict and peacebuilding in South Sudan, conducted between June 2011 and March 2012. It analyses how local, national and international dynamics around independence in July 2011 and the end of the six-and-a-half-year formal Comprehensive Peace Agreement (CPA) process with Sudan have impacted on peace and conflict in 2011–2012 and how they are likely to influence peace and development over the next decade. Utilising International Alert's Peacebuilding Framework, it assesses the dynamics, structures and opportunities for building a positive peace under five Peace Factors: Power, Economy, Safety, Justice and Well-being. It also analyses some of the challenges and impact of peacebuilding actors, institutions and strategies over the CPA period and provides a series of recommendations on improving peacebuilding programming beyond 2012 in terms of prioritising approaches, target locations and actors/partners. It concludes that, while the enjoyment of peace is highly variable across South Sudan, the nation as a whole and few if any of its constituent peoples or counties have yet experienced a positive, sustainable peace. Conflictual and rapidly worsening relations with Sudan as well as uncertainty about the length of suspension of oil exports (and thus revenues) appear likely to aggravate longstanding deficits in governance, security, economic opportunity, justice and reconciliation. This in turn increases the risk that South Sudan will become more violent in 2012 and beyond.

Peace, conflict and independence, 2011–2012

Important **dynamics of the transition from autonomy to independence** derive chiefly from the CPA being neither fully comprehensive in determining future relations between Sudan and South Sudan nor fully agreed and implemented by the two parties prior to independence. Renewed violence on both sides of the border has been fuelled by the failure to hold a referendum on the status of Abyei, the disputed conduct of popular consultations on the future status of South Kordofan and Blue Nile, and the failure to agree and demarcate all of the border between South Sudan and Sudan. The dissolution of the Joint Integrated Units of the two countries' armed forces has also contributed to the rebellions in each country. Failure to agree transit fees for South Sudanese oil through Sudan has inflamed bilateral relations and prompted the suspension of South Sudanese oil production in January 2012, with potentially drastic consequences for Juba's revenues and access to credit and development aid. An intermittent blockade of cross-border trade with Sudan and the simultaneous mass return of several hundred thousand persons of South Sudanese origin have also strongly affected economic conditions, particularly in the South's northern states. Resurgence of high intensity violence in Jonglei has had major humanitarian consequences but is not primarily linked to the dynamics around independence.

Most violence experienced within South Sudan in 2011–2012 appears to be related to deeper problems of lack of governance, security and rule of law, as well as poor economic opportunity, especially in rural and pastoralist regions, rather than new tensions around independence. The **trend in South-South violence in 2011 was sharply up from 2010**, a relatively peaceful year in most of South Sudan. It appears to have exceeded even 2009, the most violent year of the CPA period. However, conflicts and incidences of violence were largely isolated and none constituted a major threat to the state as a whole. Most violent conflicts continued to be in some way connected to cattle, but the dynamic evolved further towards escalating cycles of inter-communal violence and the deliberate targeting of women, children and civilian centres. Rebel militia activity also increased in local severity, as did violent responses by the army, but remained geographically confined to areas of Greater Upper Nile historically prone to schisms of armed factions.

Violence attributed to the Lord's Resistance Army (LRA) or connected to coercive disarmament campaigns declined relative to 2009–2010. Urban violence continued at low levels, although it appeared to be on an upward trajectory in Greater Equatoria.

The **prognosis for peace and security in 2012 is poor** based on five factors. First, continued antagonistic relations with Sudan around outstanding CPA issues are likely to destabilise the situation along the border in security and economic terms. Second, if the failure to reach agreement on oil exports via Sudan is prolonged, a fiscal crisis for South Sudan will develop, and patronage-based structures in the public and security services may begin to unravel. Third, the cycle of inter-ethnic violence in Jonglei is far from resolved or exhausted and may be exacerbated by attempts at coercive disarmament. Fourth, there is a potential for further mass repatriation of an estimated 700,000 Sudanese of southern origin from April if bilateral relations worsen. Fifth, poor harvests, mass displacement, the border blockade and arrival of hundreds of thousands of returnees and refugees threaten to cause a new humanitarian crisis in South Sudan in 2012. Worst-case scenarios would see some of these factors interlinking – for example, the unpaid security forces splitting along lines of inter-communal violence – and small-scale conflicts coalescing into larger challenges to the state.

Scenarios for consolidation or conflict, 2012–2021

Several important processes and relationships are likely to have a major impact on the consolidation of peace in South Sudan over the next decade and have the potential to trigger new violence:

- **Relations with Sudan** and the negotiation of outstanding CPA issues;
- **Austerity** and the maintenance of patronage-based governance and security structures until oil exports can be resumed, especially within a context of acute humanitarian need and food insecurity;
- **Revision of the constitution** to facilitate more or less inclusive governance and the nature of political decentralisation;
- **National elections** (date undecided) and the **choice of a ruling party presidential candidate** at the Sudan People's Liberation Movement (SPLM) convention in 2013;
- **Natural resource extraction**, including the resumption and maintenance of oil production, landholding and the licensing of mineral and agricultural concessions;
- **Renewed disarmament**, starting in 2012, on either a consensual or coercive model;
- **The degree of political stability or instability – including potential or regime change – in Sudan**, which could have positive or negative consequences for long-term relations.

The structural bases of peace

The **dynamics of power** in South Sudan are deeply problematic, and recall some of the problems of power and governance in Sudan which drove the civil war until 2005 – including lack of voice and participation, exclusion, power differentials, low social capital, low legitimacy and impunity of leaders, and unchallenged legitimisation of violence. These dynamics have been little affected by the transition to independence, but could be influenced by a collapse in government revenues and patronage resources, and any future decentralisation of power beyond the states. While the SPLM has withstood the transition to independence robustly, its internal tensions – historic, regional, ethnic, personal – remain more significant than its engagement with other parties. The nature of politics and the marginalisation of groups or individuals outside a small circle of military and political leaders continue to be significant drivers of discontent and conflict. This includes local grievances over access to power, stimulated by the post-CPA division and delimitation of counties, the inadequate nature of the 2010 elections, the distance of many legislators from their constituencies, the limited political opportunities for those outside the core SPLM/Army (SPLM/A), and the often contested authority of "traditional" leaders.

Managing the historic, ethno-regional and personal rivalries within the SPLM, while fostering a more democratic culture that allows new voices to be heard, is a central challenge. Greater attention to reconciliation initiatives, nation-building, and the greater inclusion of women and young people are all opportunities for constructive engagement.

The **economy** of South Sudan is without question the peace factor most dynamically affected by independence. Against expectations, the transition has brought short-term hardship to a large part of the population affected by the blockade of inter-Sudanese trade, the arrival of half-a-million returnees and refugees from Sudan and, in 2012, the suspension of oil production and the possibility of massive cuts to investment in development. In the context of austerity, the divisions between rich and poor are likely to become more stark and feed discontent over corruption, nepotism and the economic interests of foreigners. Competition and resentment over access to livelihoods is particularly manifest between those who fought and eventually captured the state and its resources, those who fled and were educated, who now dominate employment in the international development and humanitarian sector, and the newly arrived foreign entrepreneurs who dominate trade and the private sector. Those perceived to gain the least include physically and politically isolated groups like the Murle, communities close to the Sudan border, pastoralist youth and women. Conflict-sensitised development, developing a diversified peace-reinforcing economy, land reform and gradually monetising the pastoralist economy are all opportunities for post-independence and austerity era.

The inability of the South Sudanese state to protect civilians is perhaps the central driver of violent conflict across the country. Despite a range of security crises (re)emerging along the Sudanese border, the transition to independence has had relatively little impact on the **dynamics of safety and protection of civilians**. Massive proliferation of small arms, cattle raiding, militia rebellions and domestic violence all continue to be widespread. However, these factors and the upsurges in violence in Jonglei, Unity and parts of Warrap and Lakes owe more to legacies of wartime division, coercive disarmament in 2006–2009 and the repercussions of disputed elections in 2010 than to factors around independence. Security and diplomatic crises in 2011–2012 have provided another justification for postponing or disrupting processes for downsizing the Sudan People's Liberation Army (SPLA), disassociating it from the ruling party, and developing civilian policing capacities. Self-defence provides the civilian population with a strong incentive to resist disarmament and has increasingly led to the creation of community defence forces outside the state security command. More than any other sector, responding to insecurity demands a multi-faceted peacebuilding approach that embraces livelihood, governance, justice and education programmes in addition to engaging the security sector in reform.

The **justice sector** is arguably the least impacted by the transition to independence, although it continues to be at an incipient stage in rolling out uniform legal standards and the rule of law. Absence of recourse to justice, including transitional justice, the impunity of elites and perpetrators of violence, and a lack of fairness in applying laws contributes to frustrations that over time can lead to or escalate violence, as could be seen in Jonglei in 2011–2012. While the administration of justice through customary authorities may be one of the more dependable and predictable aspects of life for rural South Sudanese, peace for many is undermined by impunity and inequalities in access to justice, especially for women. Opportunities for engagement include responding rapidly to violence and ending impunity for perpetrators, the clarification of the unfamiliar statutory system as it rolls out from states to counties, gradual elucidation and standardisation of customary justice, and the incorporation of elements of transitional justice into local development and peacebuilding programmes.

South Sudan's **society and its well-being** have changed rapidly since the CPA was signed, for better and for worse. Many South Sudanese have returned, and rural to urban migration has increased. At the same time, access to healthcare and education within South Sudan has slowly increased. While South Sudan overall has unquestionably improved and extended its social provision, economic

growth has been largely restricted to Juba and state capitals; many citizens have returned to a life less secure than that experienced in exile. Since 2011, progress in rebuilding has been disrupted in Jonglei and states along the Sudanese border – in particular, by a combination of conflict displacement, the accelerated return of southerners and refugees from Sudan, and the blockade of the inter-Sudanese border. In 2012, the provision of the most basic services and thus the extension of the state into peripheral areas anywhere in the country may come under further pressure if the Government of the Republic of South Sudan (GRSS), deprived of oil revenues, slashes spending and concentrates on security. In the longer term, the concentration of population in connected and serviced towns, the gradual extension of infrastructure and trade beyond Juba, and the more rapid extension of virtual infrastructure (telecoms, the internet and FM radio) offer opportunities to extend services to the people and link them to each other and their government.

The peacebuilding record

The assessment found **little evidence of sustained strengthening of peace and peacebuilding** over much of South Sudan, although there is considerable difference in the degree of peace experienced in different states as well as strategies deployed. A few states, notably Northern and Western Bahr el-Ghazal and Central Equatoria, were characterised by a sustained absence of significant violent conflict in 2011–2012. Western and Eastern Equatoria had also made some progress towards peace and stability, if not much development. For the centre and northeast, little progress was perceived in peacebuilding; violent conflict remained widespread in 2011 or, as in Unity and Jonglei, increased significantly in the months around independence, even if the shift to independence was not the main impetus for violence. "Peace" is widely interpreted as a short-term absence of war or armed violence. "Peacebuilding" is most often used to refer to conflict resolution responses to violence, especially local "peace conferences".

Building peace in South Sudan is a formidable and necessarily a **generational challenge** in light of the turbulent history of the people and country, and the entrenched interests and identities of many key actors and institutions. Factors that are problematic for peace include: the excessively dominant position of the ruling party, ingrained cultures of violence, a weak sense of shared nationhood (except in opposition to Sudan), low institutional cohesion and accountability, lack of incentives to demobilise and reintegrate former combatants into society or for civilians to disarm, lack of access to justice, paucity of connecting infrastructure, lack of realistic livelihood alternatives to pastoralism for rural populations, lack of even basic education or literacy, and a growing economic gap between those in and around power, and the rest. The reality of these factors reinforces the judgement that peacebuilding strategies need to be long-term: the strategies must be based on a vision of how a peaceful South Sudan might be organised and built over a generation; and the strategies must be informed by a realistic assessment of the obstacles and disincentives to building a positive, sustainable peace in the medium term.

South Sudan is not being built from nothing. **A number of institutions**, albeit imperfect and shaped by the history of war and violence, do **present opportunities for peacebuilding in South Sudan**. These include: the degree of predictability of the dominant-party system, given the historical support for the SPLM/A and the weakness of opposition parties; the developed security infrastructure with proven potential to control territory; a network of "traditional" leadership that extends some form of locally recognisable justice and administration from the county to the grassroots; hierarchies of church or religious leaders with moral authority to cross-cut tribal divisions and promote reconciliation; and a large and in parts very experienced international presence with commitment to South Sudanese development. At present, the efforts of these institutions to promote a comprehensive peace are poorly coordinated. Moreover, they too often serve primarily the interests of groups and individuals rather than society and the country as a whole. Promoting cooperation, mutual accountability, and interests and behaviour within existing institutions in order to support national goals and peace is the central challenge of building peace in South Sudan.

During the CPA years (2005–2011), a number of theories of change implicitly or explicitly underpinned efforts to build peace or manage conflict. The perceived overall failure to achieve lasting peace and stability reflects the **dominant focus on reactive conflict resolution** work in the aftermath of violence. This has been compounded by a **lack of suitable human and financial resources beyond Juba** to provide sustained follow-up or to work proactively to prevent conflict and build the capacity and enabling environment for peace. While the record of post-conflict "peace conferences" and civilian disarmament campaigns is widely viewed with scepticism by South Sudanese, there continues to be strong demand for such interventions and many peace builders have ideas of how to improve their impact. There are also notable omissions or gaps in overall programming – including in national reconciliation, nation-building, development of the media and public information, tackling impunity, and access to security and justice for women; this is accompanied by inadequate engagement with young men and other perpetrators or potential perpetrators of violence.

Peacebuilding, state-building, nation-building, development and humanitarian aid strategies are poorly coordinated in South Sudan. While extending service delivery is not a panacea for South Sudan's many conflicts, how and where aid is delivered, infrastructure built and services extended, and by and to whom, matters very much to the human and physical security of South Sudanese as well as to their country's experiment with simultaneous nation and state-building. Perceived inequalities in the delivery of development assistance favouring one tribe, clan, state/county/payam, gender or faction over another are refracted through prisms of historical grievance and do contribute to (if not cause) violent conflict in many parts of South Sudan. In consequence, the need for the mainstreaming of conflict-sensitive approaches to development cannot be overstated. Concentration of state resources in the security sector – the historic orientation of SPLM/A state-building – may be seen as simultaneously the cause of and solution to South Sudan's security dilemma. Encouraging the state to diversify its interests from security to services ranks alongside controlling corruption and building human capacity in the administration as the key challenge for donors who might wish to funnel their assistance through the GRSS.

Conclusions and recommendations

The drivers and dynamics of conflict since independence are mostly not new. The one factor that has been significantly strained by dynamics in 2011–2012 is the economy, and it is difficult to draw a causal link between this and actual manifestations of violence within South Sudan. The political, economic, security, justice and social structures that underlie most violence in the country have deep roots in arguably Africa's longest and most destructive war and a context of extreme underdevelopment and isolation. Forged through war, South Sudan's few strong institutions are potentially both challenges to inclusive state-building as well as important and largely predictable sources of resilience and capacity. While the confrontation with Sudan has drawn most attention in 2012, the new state is faced with multiple and overlapping conflicts, each with its own context-specific dynamics that require a bespoke response. The CPA resolved South Sudan's international status and provided some of the financial resources to (re)construct the country; however, it also left much else unresolved, internally and externally. From political inclusion to decentralisation to national reconciliation, the task of building a peaceful state and society is barely beginning.
Based on the findings of this assessment of the nature and determinants of peace and conflict in South Sudan, along with the record of peacebuilding since the CPA, International Alert makes the following recommendations to support the government, donors, UN agencies, non-governmental organisations (NGOs) and South Sudanese civil society to develop a more effective peacebuilding framework of response.

How to build peace

i.   **Move from a reactive conflict resolution approach to proactive conflict prevention** – engage with communities at risk of violence and use participatory analysis of local conflict to address the root causes of violence, taking an integrated approach to peacebuilding, development and humanitarian assistance.

ii.   **Reconfigure economic development around the needs of long-term peace** – prioritise non-extractive sectors, balanced infrastructural development and long-term employment programmes.

iii. **Conflict-sensitise all development** – include training for government, donors, NGOs and the adoption of tools to monitor and evaluate conflict consequences of development and humanitarian assistance projects.

iv.   **Prioritise reconciliation and tackling impunity** – integrate reconciliation and dialogue into community development programmes, promote accountability of elites and the rapid and visible bringing to justice of perpetrators of violence.

v.   **Prioritise nation-building** – integrate a positive and peaceful conception of national identity into education, media and governance.

Where to build peace

i.   **Decentralise peacebuilding resources to state and county level** – deploy and resource more skilled staff to the level at which most conflicts occur, using their knowledge to design and monitor programmes, and to build capacity of local civil society and media.

ii.   **Design peacebuilding interventions around conflict systems not political boundaries** – focus programmes on addressing particular conflicts, their drivers and dynamics, not on arbitrary territorial divisions.

iii. **Target peacebuilding by balancing need with likely impact** – recognise the demonstration effect of reinforcing and rewarding successful examples of peace and reconciliation, as well as targeting areas of acute need with appropriate resources.

Who to engage in building peace

i   **Young men** – engage young men centrally in peacebuilding and development activities, including dialogue, action research and livelihood opportunities, reaching out to rural and armed youth.

ii.   **Women and girls** – understand and address the security needs of women and girls, as well as engaging them more autonomously in peacebuilding and reconciliation programmes.

iii. **Existing institutions** – work to make existing institutions, formal and informal, more representative, accountable and effective, including SPLM, SPLA and "traditional" authorities.

iv.   **Security providers** – engage with and better monitor security providers at the community level, promoting security dialogues to improve stabilisation and civilian protection.

v.   **Media** – support increased media presence and professionalism in states and counties, prioritising FM radio networks.

What we need to know to build peace

Conduct further research to resolve unanswered questions necessary to improve peacebuilding programming.

- What will be the likely short- and medium-term **consequences of austerity**? What constraints or opportunities might austerity present for the reorientation of economic development towards more sustainable peace?
- What are the structures of **youth organisations and leadership** in different communities in

South Sudan and how might they be engaged constructively in support of peace?
- Is there a causal link between **youth employment** schemes and reduction in armed violence?
- What might be the consequences of **decentralisation** of political power to the states and counties? How might decentralisation contribute to peaceful outcomes?
- How might **informal community security** providers be linked or coordinated with state security forces? How might donors recognise and support good practice in local security provision?
- How is **conflict analysis** used by peacebuilding, development and humanitarian practitioners in South Sudan? What are the barriers to conflict analyses being used more effectively?

1. Objectives and methodology

This report is an assessment of peace, conflict and peacebuilding in South Sudan in its first nine months of independence. It seeks to analyse how local, national and international dynamics around independence in July 2011 and the end of the six-and-a-half-year formal Comprehensive Peace Agreement (CPA) process with Sudan have impacted on peace and conflict in 2011–2012, and how they are likely to influence peace and development over the next decade. It also analyses some of the challenges and impact of peacebuilding actors, institutions and strategies over the CPA period. The report concludes with a series of recommendations on improving peacebuilding programming beyond 2012 in terms of prioritising approaches, target locations and actors/partners. Its primary focus is on building peace *within* South Sudan, although of course this cannot be divorced from building peaceful relations with Sudan and other neighbours.

The assessment was commissioned by Pact and supported by the UK Department for International Development (DFID). Pact is a non-governmental organisation (NGO) implementing a peacebuilding and capacity development programme through local and national stakeholders in South Sudan. This assessment is intended to encourage a nuanced understanding about peacebuilding in South Sudan, and to help inform decisions about future work and assistance in the country. For organisations and individuals in South Sudan who are interested in or concerned with peacebuilding, including the government, International Alert hopes the assessment can help to advance discussion and action about peace.

Peace, conflict and the future of South Sudan

What is the nature of peace and conflict in South Sudan? What kinds of peace and conflict do the people of South Sudan experience? What are the prospects and the risks for the future, and what should or should not be done to strengthen peace in the country? Such questions are fundamental in South Sudan, as they are in any country which suffers from violent conflict or is at risk of doing so.

International Alert defines peace as:

> 'when people are anticipating and managing conflicts without violence, and are engaging in inclusive social change processes that improve the quality of life. They are doing so without compromising the possibility of continuing to do so in the future, or the possibility of others to do so.'

South Sudan came into independence in July 2011 after six-and-a-half years of a "peace" brought by the January 2005 CPA. The CPA came after decades of civil war in Sudan, reaching back in the first instance to 1983, but also to 1955 and a longer history of internal conflict. Relative to this background, South Sudan as a whole has since 2005 experienced some degree of peace, a lessening of violence if not its cessation. Nonetheless, today's peace is neither comprehensive nor guaranteed. It does not yet satisfy Alert's definition of a sustainable, interdependent positive peace. Moreover, developments since independence suggest that peace is far from being consolidated within South Sudan or with its neighbour, Sudan.[1]

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1   The idea of a "positive" peace implies the constructive resolution and prevention of conflict and the building of social institutions that sustain peace in the longer term and support the well-being of the individual and society. A "negative" peace, on the other hand, implies simply the cessation of violent actions. See J. Galtung (1996). *Peace by Peaceful Means: Peace and Conflict, Development and Civilization.* Oslo: Peace Research Institute Oslo (PRIO).

Outbreaks of different types of violence and violent conflict mar the lives of many people in South Sudan. During 2011, around 4,000 people are believed to have been killed in fighting in South Sudan.[2] This level of violence stands in marked contrast to the relative peace that prevailed in 2010 and around the referendum on secession at the beginning of the year, although it is not wholly exceptional in the country's recent history.[3] Around 3,000 people died in 2009, for example, the worst year of the CPA period. Prominent in the violence seen during 2011 were clashes involving rebel groups and renegade officers from South Sudan's army, the Sudan People's Liberation Army (SPLA). Also prominent were large-scale inter-communal clashes, notably in south and central Jonglei State, and the systematic targeting of women and children of rival communities. Echoing these larger outbreaks of violence, there continues to be small-scale violence associated with cattle raiding and disputes between communities.

What kind of peace, then, might the people of South Sudan and their country's politics and economy sustain in the medium and longer term? How do they envisage building future peace and how can their own leaders, activists and their foreign partners help them to achieve this?

Methods

Process and timeframe – This assessment was conducted using a combination of research and consultation over the period June 2011 to March 2012. Preparatory work was carried out in the UK and Juba during June to July 2011. This was followed by a research and methodology workshop in Juba in August, which brought together researchers, Pact staff from all 10 states, and representatives from South Sudanese civil society, academia, government and the then Ministry of Peace and CPA Implementation. Field research across eight of South Sudan's 10 states was carried out during August, September and November 2011. Primary research was conducted via a mix of key informant interviews, group interviews and focus group discussions. Roundtables to discuss, share and refine findings and recommendations from the study were held in London and Juba in January and February 2012. The finalised report and its findings should provide the basis for a series of workshops with peacebuilding actors in South Sudan later in 2012, as well as providing guidance for future research by Pact and its local partners.

Respondents – Research has focused on gathering primary and secondary sources, especially the views of South Sudanese from as broad a range of backgrounds as possible across the country. These include government officials at multiple levels, chiefs and "traditional" leaders, the judiciary, security forces, peace commission members, community and religious leaders, civil society groups, women's and youth groups, migrants and displaced persons, the private sector, and many ordinary men and women who take an interest in peacebuilding.

Interviews have also been conducted in South Sudan and abroad with a range of international actors with a knowledge of, interest or involvement in peace and conflict in South Sudan. This includes academics and analysts, international non-governmental organisations (INGOs), private consultancies, development partners, the UN agencies and other international organisations. These interviews have been particularly important in understanding the dynamics of peacebuilding interventions in South Sudan.

Locations – Research has been conducted in 13 counties in eight states: Central Equatoria, Eastern Equatoria, Jonglei, Lakes, Northern Bahr el-Ghazal, Upper Nile, Warrap and Western Bahr el-Ghazal states, in most cases in state capitals and secondary towns (see Table on next page).

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2   Casualty figures are disputed in South Sudan and rarely fully verified. The UN Office for the Coordination of Humanitarian Affairs (OCHA) collects cumulative totals of deaths in conflict incidents, although these depend to a degree on humanitarian access to conflict areas and are widely believed to be under-counts of actual figures. OCHA recorded 3,165 conflict-related deaths by 15th October 2011. At least several hundred more were killed in the December 2011 raids on Pibor County.

3   The OCHA-recorded death toll for 2010 was just under 1,000 deaths.

Table 1: Research locations, by state and county

State	County
Central Equatoria	Juba (city)
Eastern Equatoria	Budi
	Kapoeta South
	Torit
Jonglei	Bor
Lakes	Cueibet
	Rumbek Centre
Northern Bahr el-Ghazal	Aweil East
	Aweil West (city)
Upper Nile	Malakal
Warrap	Gogrial West
	Tonj South
Western Bahr el-Ghazal	Wau

Selection of research locations was made on the basis of an assessment of intensity of conflict (need), peacebuilding activity, concentration of respondents and accessibility.

Figure 1: Map of research locations and respondents by telephone

- research locations
- respondents by telephone
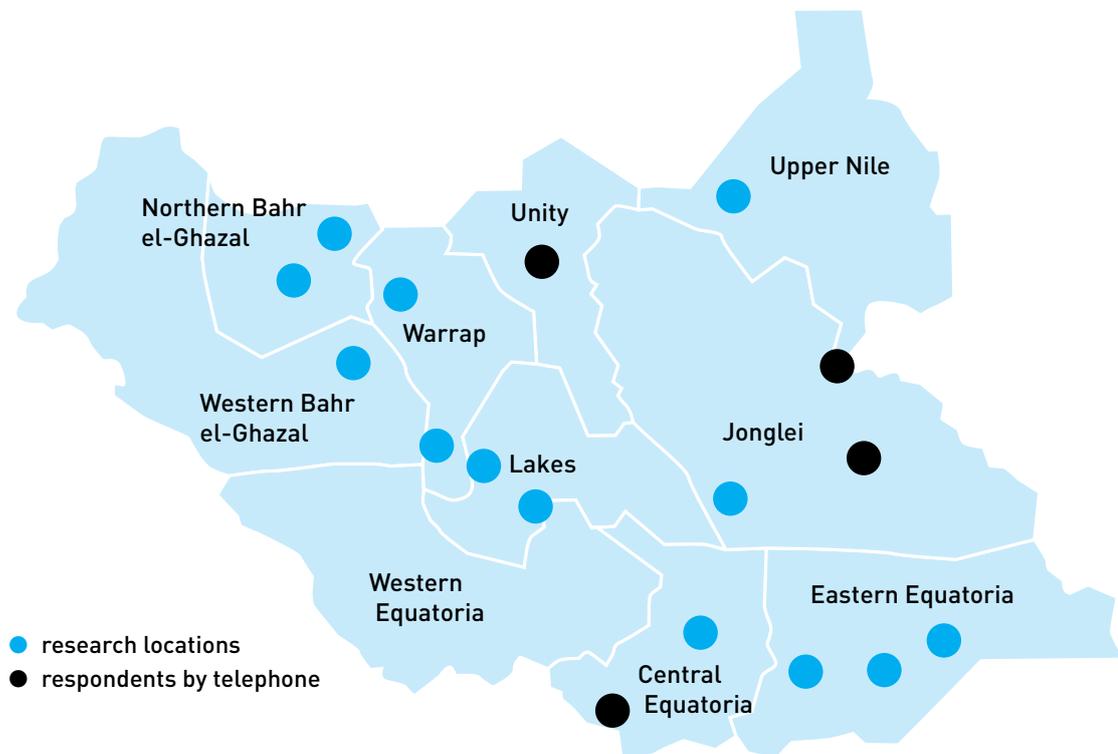
Wherever possible, sources based on comprehensive research or consultations across the counties or country have been consulted in an attempt to triangulate or contrast experiences and opinions. These include census data, the Ministry of Peace's draft conflict mapping study, the county-level assessments of the Community Security and Small Arms Control Bureau (CSAC), the public perceptions surveys of the National Democratic Institute (NDI) and the International Republican Institute (IRI), and various UN data. This said, the reality of South Sudan around independence was of a country sufficiently disconnected and internally inaccessible that reliable data did not exist for a large part of its rural majority.

Research team – The core research team consisted of three researchers from International Alert (Richard Barltrop, Charlotte Onslow and Richard Reeve) and three researchers from the South Sudan Academics and Researchers Forum for Development (Victoria Guli, Chaplain Kenyi Wani and Sirisio Louis Oromo). These were assisted in the various locations across South Sudan by a team of Pact's Community Development Officers (William Aluong, Joseph Deng Garang, Simon Dictor, Gabriel Galuak, Mamer Kuer, Padier Maker, Paul Ukach and John Jock Yet), logistics staff, and Casie Copeland and Dina Parmer in Juba. The assessment was written by Richard Reeve with the assistance of Richard Barltrop. Phil Vernon and others at Alert reviewed the process and provided additional text and analysis. John Akec and Leben Moro of the Academics and Researchers Forum for Development (ARFD) provided additional comments and suggestions.

Limitations

This assessment represents the views of International Alert on the drivers of conflict, foundations and opportunities for peace, and record of peacebuilding in South Sudan up to March 2012. At the time of publication in April 2012, events on the border with Sudan were moving very rapidly; this assessment does not attempt to keep pace with them but should provide an understanding of their deeper context and relation to developments within South Sudan in its first year of independence. In making every effort to speak to a wide range of South Sudanese, it makes no claim to represent the South Sudanese people as a whole. Nor does it represent the views of Pact or DFID.

Due to constraints of scale, time and accessibility, this assessment has deliberately not attempted to identify or consult a random or fully comprehensive selection of South Sudanese respondents. In actively seeking out the views of those most actively involved in peacebuilding, it is likely that it occludes the voices of some "ordinary" South Sudanese and over-represents the urban and educated minority. It should be understood as a qualitative rather than quantitative study of contemporary attitudes to peace and conflict, although it has utilised latitudinal and quantitative data, including on perceptions, from other sources where these have been available. Quotes are used sparingly in the text as these inevitably privilege single voices. Where relevant, effort has been made to differentiate where the views of different groups, genders, regions and interests diverge or seemed particularly salient.

Due to high levels of insecurity, adverse weather and transport conditions, it was not possible to visit Unity state or "interior" areas of Jonglei and Upper Nile during the research period. Primary research was not conducted in rural Central Equatoria and Western Equatoria due to time and resource constraints. Efforts were made to consult people from these areas by telephone or email from Juba, Bor and Malakal and to fill gaps in knowledge from secondary sources.

Structure and analytical framework

This report begins with a **snapshot** of South Sudan in its year of independence. This provides a summary of overall trends, their implications and opportunities, and a brief overview of the contextual dynamics of South Sudan's international status.

The **assessment** section of this study details separate assessments of issues, dynamics, implications and opportunities under the framework of five peace factors which International Alert uses across its peacebuilding work. These five factors contribute to and enable peace, as well as permitting progress towards peace to be recognised and monitored. The five factors are:

- Power – how leadership is provided and how people inter-relate;
- Economy – how people make their living and manage their assets;
- Fairness, equality and effectiveness of the law – how justice is applied and received;
- Safety – how people are able to keep safe from harm;
- Well-being – how people's mental and physical well-being is maintained and their aspirations are considered.

The following **scenarios** section brings the five peace factors back together to see how their interaction over the next decade might influence consolidation or conflict in South Sudan.

The final section of the report focuses on existing and past **peacebuilding responses** and conflict prevention, management and resolution initiatives in South Sudan. It attempts to answer the questions of who attempts to build peace in South Sudan, with what impact on peace and conflict, and with what linkages to humanitarian and development programming.

In **conclusion**, a series of **recommendations** are presented on peacebuilding programming and prioritisation in South Sudan.

2. Peace, conflict and independence: A snapshot of South Sudan in 2011

2.1 Overall trends

In conducting an assessment of peace, conflict and peacebuilding in the first nine months of South Sudan's independence, it is tempting to assume that this independence has created an entirely new context. This is only partially true. In reality, independence has changed South Sudan's international position and aspects of its economic relationship with Sudan. It has also affected the expectations of South Sudanese regarding their economic and political position, but only to a very limited extent the means by which they or their government may improve these. Many other aspects of the internal context and dynamics of the country, including the imbalance of political forces, regions, peoples and genders, remain little changed by independence or the official end of the CPA.

Short-term dynamics around independence

Conducting research into South Sudanese perceptions of peace and conflict, two contrasting opinions about the impact of independence were commonly articulated by civil society activists working directly to address conflict. These may be paraphrased as follows:

   i) The decline in violence in 2010 was only temporary as Southerners united around the referendum and independence. Things are already falling apart and will get worse in 2012.

   ii) The upsurge in violence in 2011 was temporary around independence – caused by Khartoum's desire to undermine the South's stability and by the South's shift to managing fully its own affairs. In 2012, things will settle down and security and stability will improve.

From the perspective of early 2012, it is not possible to say definitively which of these views most accurately reflects the South Sudanese reality – most likely some of the bases of peace and security will strengthen, while others, and some regions, may deteriorate. Either way, both views do reflect the premise that events surrounding independence were to some extent exceptional and that the country's future, for better or worse, rests on deeper structures. The main body of this report analyses the structures of peace and conflict in South Sudanese society.

Some short-term dynamics that independence and the end of the CPA have thrown up include the following.

- **Renewed military action by the Sudan Armed Forces (SAF)** against the SPLA in Abyei (May) and the SPLA-North in South Kordofan (since June) and Blue Nile (since September); the bombing of South Sudanese territory allegedly used by the SPLA-North (since November); and clashes between the two countries' armies around Heglig (March 2012). This has highlighted the question of future relations between governments, armed forces and dissident armed groups on either side of the Sudan-South Sudan border. It further highlights the unresolved legacies of the CPA, which was neither a comprehensive border settlement nor fully implemented prior to independence.
- **End of the CPA wealth-sharing protocol** governing South Sudanese oil exported by pipeline through Sudan, without consensus on a successor agreement or modalities for its implementation. Following months of political dialogue in Addis Ababa, neither Sudan nor South Sudan have offered a mutually beneficial proposal to end the current stalemate. In late January 2012, South Sudan announced that it would close oil production and exports via Port Sudan and has adopted austerity measures to counter any economic impacts of this. This has highlighted the extreme dependence of the Government of the Republic of South Sudan (GRSS) on oil revenues, and the interdependence of the existing oil infrastructure.

- **Dissolution of the Joint Integrated Units** of the SAF and the SPLA that nominally provided security in key areas of South Sudan during implementation of the CPA. In some cases, these ex-SAF units composed of southerners have refused to integrate with the SPLA and become renegade militia. This highlights the shifting of alliances of armed groups all along the inter-Sudanese border since 2010, and the ease with which both Sudan and South Sudan might support armed proxies within the other country. It also underlines the continued difficulties of promoting national cohesion and diversity and of addressing some powerful historic grievances.

- **Resurgence of high intensity violence in Jonglei state**, primarily between Murle, Lou Nuer and latterly Dinka communities, especially targeting women, children and the elderly. This highlights the legacy of inter-communal conflict, the lack of reconciliation during the CPA period or after, and the high perceptions of marginalisation from the state among communities. In particular, it emphasises a need to address the economic, political and cultural incentives to violence in post-war South Sudan.

- **Arrival of some 360,000 South Sudanese returning from Sudan** since October 2010. A further 250,000 were projected by the UN Office for the Coordination of Humanitarian Affairs (OCHA) to return during 2012, even before the March 2012 collapse in bilateral relations. This burden has fallen disproportionately on the northern states, whence they were originally displaced and which are now worst affected by the recently imposed trade blockade, as well as on urban areas. This highlights a growing economic and linguistic divide between social, regional and identity groups within the new South Sudan, with Arabic-speaking or -literate returnees from the north disadvantaged relative to English speakers returning from Kenya and Uganda, and a mismatch between economic skills and economic realities in South Sudan.

- **Temporary blockade of the inter-Sudanese border** and fighting along it, disrupting the flow of imports to the South by both formal and informal routes. This has highlighted South Sudan's vulnerability to import price inflation and the deficiency of its internal connecting infrastructure.

- **Shift from the South Sudan Interim Constitution to the Transitional Constitution**, with a somewhat opaque process of constitutional reform ongoing. This has highlighted contentious political issues, including federalism, presidentialism, land ownership and wider inclusion.

- **Potentially increased access to international development aid** (as donors step up country assistance programmes), credit (as South Sudan joins international financial institutions) and foreign direct investment. However, the realities of this have been reversed in 2012 by the suspension of oil production and the introduction of radical austerity measures. This has undermined international confidence in the GRSS as a development or investment partner. Reduced government capacity and changing needs on the ground may compel many donors to switch from development to humanitarian spending. This is highlighting the GRSS' very low capacity to manage resources, its extreme dependence on foreign food, financial and technical assistance, and the absence of a binding non-security social contract linking society with polity.

- Following the population's overwhelming endorsement of independence in 2011 and the (initially popular) suspension of oil production, **public expectations of new peace or independence "dividends" are likely to have altered radically**. In 2012, austerity spending plans and overt confrontation with Sudan have further shifted government spending from social development to maintaining security and the large civil service. Key uncertainties include how long the suspension of large-scale oil exports will last, whether the government has a realistic plan for managing public expenditures after its foreign reserves are exhausted, and whether the public will support austerity measures in the medium term.

Thus, the dynamics of independence have created a context less conducive to peace than during the CPA period. In particular, this is because so much of South Sudan's border and economic relationship with Sudan was either unaddressed by the CPA or left unresolved at independence. The economic gains that South Sudan hoped to reap from independence – including greater control of oil revenues, access to increased development aid – have been undermined by the failure

to resolve transit fee arrangements for oil exports via Sudan, the suspension of oil production and the reassessment of development aid provision by many donors. Despite some progress in building state institutions since 2005, the GRSS is arguably in a worse position than in 2005, since its hundreds of thousands of employees, a quarter-of-a-million of them under arms, now expect to receive salaries and benefits regularly and it lacks the oil revenues to pay them.

Trends in violent conflict

Tracking of conflict incidents across South Sudan by UN OCHA suggests that more than twice as many conflict incidents will be recorded in 2011 as in 2010, an unusually peaceful year for South Sudan. Figures for 2011 are expected to exceed those of 2009, probably the most violent year of the CPA period, when about 3,000 South Sudanese were killed in recorded violent conflicts. It is possible to speak of cyclical violence as well as an upward trend in 2011.

Table 2: Conflict incidents reported in South Sudan, by state, January to November 2011

State	No. of incidents	% of all incidents
Jonglei (J)	188	41
Unity (U)	71	16
Lakes (L)	70	15
Upper Nile (UN)	35	8
Western Equatoria (WE)	27	6
Warrap (W)	24	5
Eastern Equatoria (EE)	21	5
Western Bahr el-Ghazal (WB)	9	2
Central Equatoria (CE)	9	2
Northern Bahr el-Ghazal (NB)	2	-
TOTAL	456	100

Source: UN OCHA

A few broad dynamics of violent conflict in 2011 are discernible from recorded statistics and the perceptions of respondents in this research, as follows.

- The **potential for renewed open conflict between Sudan and South Sudan rose sharply** from May 2011, as renewed hostilities spread along the northern border from Abyei (SAF versus SPLA) to South Kordofan to Blue Nile (primarily SAF versus SPLA-North). This was accompanied by a rise in allegations of Sudanese support for militia groups in the south and of South Sudanese support for the SPLA-North and allied groups, significant movement of refugees into the South, the bombing of border territory under southern administration, and a dramatic deterioration in inter-Sudanese diplomatic and economic relations. Respondents in Greater Upper Nile frequently blamed Sudan for stoking inter-tribal and militia violence around independence; respondents elsewhere were less convinced by foreign explanations of local violence.

- The **number of incidents recorded by OCHA rose in every single state** over figures recorded in 2010. As a proportion of all reported conflict, the relative prevalence of conflict decreased in Warrap (albeit temporarily; raiding and insecurity increased markedly in early 2012) and Western Equatoria; conversely, it increased in Lakes, Unity and Upper Nile. As in 2009 and 2010, Jonglei remains by far the most conflict-affected state. With the exception of improvements in Central and Western Equatoria and deterioration in Unity and

south/central Jonglei, the overall distribution of violent conflict was similar in 2011 to 2009, the most violent year of the CPA period. Outside of these hot-spot states and counties,[4] few respondents indicated that they felt South Sudan was significantly less peaceful in 2011 than in recent years.

- The **great majority of violent conflicts continued to be related to cattle**, although not necessarily with cattle as the primary driver: raiding other groups' cattle; intruding herds onto agricultural land (or vice versa); conflicts over access to water and pasture; or conflicts related to disputes over political boundaries that delimit pasture, water and migration routes, as well as political influence. Such conflicts exist in all states, although they are notably more widespread in the mainly pastoralist states – Jonglei, Lakes, Unity, southern Upper Nile, Warrap and, to a lesser extent, Eastern Equatoria. Heavily pastoralist Northern Bahr el-Ghazal remains the largely peaceful anomaly.
- Nevertheless, such **raids have become more violent** in terms of numbers of accompanying casualties and deliberate targeting (murder, rape, abduction) of unarmed women, children and the elderly. The conflict in central Jonglei was the most obvious manifestation of this, although similar trends were reported between clans in Lakes and Warrap states. Many respondents believed that the increase in the scale and scope of the raids was related to a creeping criminal commercialisation of cattle raiding, encouragement by politicians, and/ or a sense of impunity for the raiders and their backers.[5]
- There was a **notable increase in militia group activity**, although this remained geographically quite confined to areas close to the Sudanese border and oil fields.[6] Locally, as in large parts of Unity and smaller areas of Upper Nile and Jonglei states, such activity could be devastating and cause major displacement and significant deaths. In other parts of the country, militia activity was absent and not a significant concern for respondents.
- The April 2010 rebellion by **George Athor** – a stalwart SPLA general since 1983 – **was little active** after March 2011. The rebellion seems to have neither justified fears (most commonly articulated by the international community in Juba) of wider mutinies from within the core SPLA group nor fostered significant unification among the other ethno-regionally circumscribed militia. Athor was killed in December 2011. While his South Sudan Democratic Movement/Army (SSDM/A) survives him and has often been reported to be coordinating with other militia, there is no evidence that the threat it poses has increased.
- Incidences of **attacks attributed to the Ugandan Lord's Resistance Army** (LRA, in Western Equatoria and Western Bahr el-Ghazal) **dropped sharply** from March 2011, although the group remained a significant threat to communities just across the border in the Democratic Republic of the Congo (DRC).[7] The counter-LRA Arrow Boys local militia remained a potent armed force loyal to the Governor of Western Equatoria rather than the GRSS.[8] Community defence forces re-armed and trained by the state government of Warrap in the face of raids from Unity state also became significant security actors in early 2012.

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4   Even in Jonglei in mid-August 2011, respondents from Bor and Akobo counties felt that local conditions in 2011 had improved relative to 2009, for example, through the decline in inter-Nuer conflict and reduced conflict between Bor Dinka and other groups. This perception is likely to have changed subsequently, as both counties became more involved in the central-Jonglei conflict.

5   Beliefs in the criminalisation of cattle raiding were mainly prevalent among respondents in areas surrounding Juba or close to the Ugandan border: Eastern Equatoria, southwest Jonglei and Lakes. Perceptions of impunity and political manipulation were more widely stated, with the exception of Western and Northern Bahr el-Ghazal.

6   The exception was the David Yau Yau rebellion in Pibor county, Jonglei; however, this was very small-scale and short-lived, especially relative to the inter-communal violence and cattle raiding in and around the county in 2011.

7   OCHA Eastern Africa in Nairobi provides separate quarterly updates on LRA attacks in the Central African Republic (CAR), the DRC and South Sudan. Only four attacks attributed to the LRA were recorded in Q3 2011 and only one of these was in Western Equatoria. Attribution of attacks to the LRA is often disputed, especially close to the DRC and the CAR, where multiple armed groups operate; email correspondence with South Sudan specialist, UK, October 2011.

8   INGO staff interviewed in Juba offered sharply different evaluations of the impact of the Arrow Boys' mobilisation on local security in the state. Researchers did not visit Western Equatoria for this assessment and were not able to seek local verification of this impact.

- **Recorded incidences of clashes between civilians and the security forces declined significantly,** especially relative to 2009. This correlated with the demise in forcible disarmament campaigns by the SPLA in early to mid-2011. However, clashes between civilians and security forces appear to have been under-recorded by OCHA in areas of high militia activity in Greater Upper Nile, where civilian deaths or injuries resulting from indiscriminate responses to militia activity were widely reported. For example, SPLA operations in Unity have generated significant local grievances. Moreover, disarmament restarted in Jonglei in March 2012 and in late 2011 in Lakes/Warrap/Unity in response to major new outbreaks of violence. Despite rhetorical commitments to voluntarism and consultation, this was at least partially coercive in Warrap and appears likely to be resisted in Jonglei. Localised conflicts between communities and the SPLA persist, as in Budi and Magwi counties as well as Eastern Equatoria. There were also numerous reports of interference with or requisitioning of humanitarian relief by uniformed personnel in and around Wau, especially during mid-2011.
- **Urban violence continues at relatively low levels,** although respondents in some towns (Juba, Torit, Wau) felt it had risen, often blaming young returnees living outside of traditional South Sudanese social norms.[9] Migrant workers in Juba and Muslim traders in Wau reported increased harassment, sometimes violent, since independence.[10] There were also incidences of murders of foreign traders in 2011. Shortages of goods, price inflation, and urban populations swollen by returnees and rural migrants in the towns close to the Sudan border did not clearly manifest as rises in violent conflict. Allocation of land, especially to incomer groups, was a source of tension and sometimes violence in several towns, especially Juba.
- The **overall number of South Sudanese displaced by post-CPA conflict rebounded** from mid-year after appearing to be on a downward trend in all states except Unity and Jonglei. Having declined to about half the 400,000 displaced persons (almost 5 percent of the national population) recorded at the end of 2009, the influx of over 180,000 refugees from Abyei, South Kordofan and Blue Nile has impacted significantly on Warrap, Unity and Upper Nile since May 2011. Violence in Jonglei in June, August and December displaced scores of thousands more. These numbers are additional to the 360,000 "voluntary" returnees arriving from Sudan in 2010–2011, some of whom reside in temporary camps.

It is possible to map some of these dynamics and manifestations of violent conflict in 2011 against a broader range of structural factors that drive conflict and undermine the development of a peaceful society in the longer term. It is these drivers that will be analysed in the following Table under the five "peace factors".

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9 Focus group with civil society groups, Torit, August 2011; interviews with Church and Islamic organisations, Wau, August 2011; interviews with international and local NGO staff and informal conversations with foreign workers and traders in Juba, August to September and November 2011. One state minister in Western Bahr el-Ghazal felt that security in Wau had improved through a clampdown on disrespectful returnee youths living outside of family units; interview, Wau, August 2011.

10 Interview with a representative of an Islamic organisation, Wau, August 2011; interviews with international and local NGO staff and informal conversations with foreign workers and traders in Juba, August to September and November 2011.

Table 3: Drivers and examples of conflict, by peace factor, 2011–2012

	Driver of Conflict	Examples of manifestations in 2011–2012 (not comprehensive)
POWER	Political dominance by the Sudan People's Liberation Movement (SPLM)	Constitutional process
	Militarisation of politics	Militia rebellions and accommodations
	Historic divisions within the SPLM	George Athor rebellion
	Perceived ethnic/clan dominance	Violence in/around Malakal
	Disputed political boundaries	Acholi-Madi conflict in Magwi county
	Patronage, corruption, nepotism	Civil unrest in Lakes and Warrap
	Exclusion of women and local minorities	Expulsion of the Mbororo from Western Equatoria
	Centralisation of power	Restrictions on the media
ECONOMY	Poverty, extreme underdevelopment	Support for militia in Unity
	Lack of employment opportunities	Increased urban crime
	Lack of physical infrastructure	Impunity of raiding in Jonglei
	High cost of imports, fuel, etc.	Intimidation of Muslim/foreign traders in border states
	Dependence on oil revenues	Breakdown in relations with Sudan
	Resentment of foreign economic actors	Violent intimidation of some foreigners by police in Juba
	Access to and ownership of land	Clashes in Juba over land between Bari and other groups
	Environmental degradation	Support for militia in Unity
SECURITY	Armed stand-off with Sudan over the Three Areas	Fighting in Abyei and clashes along border
	Dissident commanders and militia rebellions	Rebellions in Unity and Upper Nile
	Weak central command over the SPLA	Alleged partiality of Nuer and Murle soldiers in Jonglei conflict
	SPLA relations with civilians	Buya-SPLA clashes in Eastern Equatoria
	Massive proliferation of small arms	Jonglei violence; cattle raiding in Warrap/Unity
	Weak capacity and motivation of police	Failure to protect civilians
	Alcohol abuse, domestic and sexual violence	Pervasive practice of spousal abuse
	Hyper-masculinities and violent practices	Intensification of violence against civilians during cattle raiding
	Links between cattle raiding, criminality and politics	Lakes cattle raiding escalation; alleged incitement by prophets and politicians in Jonglei
JUSTICE	Impunity of politicians and armed persons	Interference or undermining of Jonglei Peace Process
	Lack of reconciliation or transitional justice	Jonglei violence
	Limited access to justice, especially for women and "settlers"	Core Murle/Nuer/Dinka grievance in Jonglei
WELL-BEING	Dislocation and displacement	Domestic abuse
	Lack of social contract	Murle separatism
	Social legitimation of violence	Raiding; inter-communal violence; targeting of women and children
	Food insecurity	Jonglei violence
	Limited access to health and education	Jonglei violence
	Physical isolation	Jonglei violence; Warrap/Unity raiding
	Rural-urban migration	Urban violence attributed to "Niggaz" gangs in Torit and Wau

2.2 International dynamics of independence

The most significant dynamic of South Sudan's independence has been the change in its international status – recognition as a sovereign state and full member of the UN, the African Union (AU) and other international forums – and particularly the change in its status in relation to Sudan. Relationships with all other neighbouring states remain largely positive, although few of these neighbours exercise much control over the remote territory that borders South Sudan. Support from donors and the UN system for the new nation is strong. However, austerity in 2012 means that the scaling up of development assistance that most foreign partners were planning will be diverted to humanitarian aid and continue to bypass the GRSS.

Relations with Sudan

The most important international relationship for South Sudan remains that with Sudan. Critical to the relationship are oil and other economic interests, as well as rebel activity on either side of the border. The fact that the CPA was neither fully comprehensive in determining cross-border issues in the event of separation nor fully implemented within the timeframe before independence has bequeathed numerous unsettled issues that continue to undermine relations, as follows.

- **Oil** – South Sudan depends on Sudan's cooperation for the export of South Sudanese oil, the revenues from which provided around 98 percent of Juba's budget from the CPA until production was suspended in January 2012. Both countries also depend almost entirely on the foreign operating companies to keep the oilfields and pipelines working. Despite the signing of Memoranda of Understanding (MoUs) in February to March 2012, construction of new oil export pipelines (linking to Kenya, and Djibouti via Ethiopia) is unlikely to be commercially viable unless there are major new discoveries (for example on Block B, where Total has committed to resuming exploration). Thus, although the two governments may struggle to reach or maintain a formal agreement about fees and terms, an agreement to resume exports through Port Sudan is still more likely than the construction of multibillion dollar infrastructure to bypass Sudan in the medium term.
- **Abyei** – Disagreement about the long-term status of the 10,460 km² area of Abyei may drag on, especially if local populations continue to reject agreements made by the two governments. The two governments may continue to use the area as a bargaining chip in negotiations. However, with oil interests in Abyei being very low (oil fields in Abyei produce only about 4,000 barrels a day; Heglig oil field just east of Abyei was producing about 55,000 barrels a day in 2011), Abyei itself is unlikely to be the cause, although it could be a trigger, of wider conflict.
- **Darfur, South Kordofan and Blue Nile** – Following the common pattern of reciprocal destabilisation, if a sustained escalation in conflict in Sudan occurs in Blue Nile, Darfur or South Kordofan, it is likely to be accompanied by an escalation in conflict in Upper Nile and Unity states, and potentially Warrap and the Bahr el-Ghazals. Since May 2011, some 180,000 residents of Abyei, South Kordofan and Blue Nile have been displaced to south of the border, with another estimated 400,000 displaced with potential to move south. Sudan has claimed that refugee camps are used as supply bases for the SPLA-North insurgency.
- **Cross-border trade** – South Sudan's economy is vulnerable to decisions or developments in Sudan. This was illustrated by the partial economic blockade imposed by Sudan after South Sudan's independence in July 2011. Around 43 percent of South Sudan's population live in the five states bordering Sudan. These states and South Sudan more generally have historically received much of their imports, including food aid, through Sudan. Following the partial economic blockade imposed by Sudan after independence, South Sudan has had to increase its import of fuel, food and other goods from Kenya and Uganda, but at a much higher cost.
- **Migration and citizenship** – A large number of the estimated 700,000 people of South Sudanese origin still in Sudan in early 2012 are likely to remain resident there even after the provisional deadline of 8th April 2012 for deciding on citizenship. Expulsion of these residents would be an additional shock to South Sudan. Annual dry season migration of Arab pastoralists from

Darfur and Kordofan into Western and Northern Bahr el-Ghazal poses a risk of cross-border clashes if opposed and an opportunity for communal and inter-governmental functional cooperation if well regulated.

Relations with other neighbours and partners

The development of South Sudan's other regional and international relations will tend to reinforce diplomatic and political efforts to deal with tensions between South Sudan and Sudan. However, it will be unable to prevent escalations in internal conflict in South Sudan.

- **Regional neighbours** – The greatest prospect for improvements in peace and security are in the Ugandan border area and, to a lesser extent, the Kenyan border area, as South Sudan pursues economic and diplomatic integration with its East African Community (EAC) neighbours. The common neighbour Ethiopia is keen to promote more positive relations between Juba and Khartoum. Communal violence and cattle raiding in all three countries will likely continue but have very localised impact in South Sudan.[11] Encroachment by the LRA and potentially other rebel groups from the CAR and the DRC will remain a threat to local security. Nonetheless, a sustained, long-term escalation is unlikely and the dynamic in 2011–2012 is positive.
- **Regional and international organisations** – South Sudan's accession to the AU and regional bodies – such as the Intergovernmental Authority on Development (IGAD) and potentially the EAC – may increase the space for negotiations on regional and bilateral issues. However, it will not expedite effective agreements without the goodwill of the two Sudans.
- **UN Mission in the Republic of South Sudan (UNMISS)** – The mission's one-year mandate is likely to be renewed in July 2012, and probably successively. UNMISS has the potential to deter and contain prolonged escalations in internal armed conflict. Nonetheless, it is spread thinly over a vast area and is only one among many actors seeking to engineer lasting security.
- **Donor and creditor countries** – South Sudan is likely to maintain its existing donor relations. However, its prospects of becoming one of the major recipients of development assistance from several key OECD countries depend very much on regularisation of economic and security relations with Sudan and the stabilisation of domestic (oil) revenues. Ties with China and India may grow in line with their interest in South Sudanese oil and minerals. They may also be challenged, however, by Juba's perception of partiality to Sudan or its desire to attract new investment for export routes across Kenya and Ethiopia.
- **The International Dialogue on Peacebuilding and Statebuilding (IDPS)** – South Sudan is a member of the g7+ group of countries taking part in the IDPS, an international dialogue on how fragile countries can replace fragility with resilience. As such, it is signed up as a "pilot country", committed to working with international partners, and involving civil society, to devise a "pathway out of fragility" in terms of five generic goals which are highly relevant in South Sudan:

    1. Legitimate politics – fostering inclusive political settlements and conflict resolution;
    2. Security – establishing and strengthening people's security;
    3. Justice – addressing injustices and increasing people's access to justice;
    4. Economic foundations – generating employment and improving livelihoods;
    5. Revenues and services – managing revenue and building capacity for accountable and fair service delivery.

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11   The Nuer from Ethiopia, for example, are reported to have become involved in actions against the Murle in Jonglei in late 2011.

3. Scenarios for consolidation or conflict, 2012–2021

3.1 Important processes between 2012 and 2017

A number of important events and processes can be foreseen in the first six years after the end of the CPA. These will have an impact on the stabilisation of South Sudan and, in extreme circumstances, could trigger significant conflict.

- **Relations with Sudan** – The critical factor for stability is the settling of outstanding CPA issues with Sudan. These issues include the status of the Three Areas, transit fees for oil exports, delimitation of the border and citizenship. Resolution of these issues and the reopening of a "soft" border for trade and migration would be economically advantageous and tend to counter the militarisation of South Sudan. Economic and military provocations are likely to be multiple, especially as the two countries struggle with the political consequences of austerity, and could easily act as a trigger for more serious and violent escalation.
- **Managing austerity** – In the short term, the key challenge for South Sudan is managing the transition to severely curtailed government spending and the sustainment of austerity over an indefinite period until large-scale oil exports can be resumed. The GRSS has no realistic medium-term prospect of replacing more than a small proportion of the 98 percent of its revenues lost. INGOs and UN agencies will probably continue to provide most social and humanitarian services for the rural majority, although many donors are reluctant to subsidise Juba's confrontational stance towards Sudan. The GRSS relies on extensive patronage networks of civil servants and security forces sustained from oil revenues. Failure to pay these officials and soldiers could see a fragmentation of the army, ruling party and government. Maintaining spending in the absence of oil revenues could force the government to take on unsustainable loans or to sell off its land, mineral and environmental assets at the risk of generating localised conflicts.
- **Constitution-making** – The transitional constitution is being developed into a permanent document that will define regional division of powers as well as the president's powers and the date and context of the next elections. So far, the process has strengthened the president and been opposed by the feeble opposition parties. A lack of genuine inclusiveness in the process could serve to further alienate political actors outside, or possibly within, the SPLM and further weaken the incentive for pursuing peaceful political settlements.
- **Elections and choice of presidential candidate** – The SPLM is expected to decide on its next presidential candidate at the 2013 SPLM Convention. South Sudan's President, Salva Kiir, may not seek to stand for a second term, raising tensions over his successor from SPLM insider and outsider groups.
- **Natural resource extraction** – Assuming that a deal on resuming oil exports can be reached, big investment is anticipated and needed in the oil sector to expand or just maintain oil production and exports over the next five years. Investor interest may be deterred by low prices, inaccessibility, political interference and especially the difficulty of negotiating exports with Sudan. Or the opposite may lead to an oil boom, speculation and insensitive development in the turbulent Greater Upper Nile. In the medium term, the GRSS will be highly dependent on oil revenue for all its functions, including paying the army, and it is not clear that interim austerity measures and foreign currency reserves will meet this shortfall before oil exports can be resumed.
- **Renewed disarmament** – A new phase of disarmament began in March 2012, starting in Jonglei, but its strategy has moved away from "consensual" to compulsory measures. If implemented on a coercive basis, it could provoke clashes between state security and armed civilians, as in 2009, especially if it is seen to target one community disproportionately.

In any case, it seems destined to fail, given the need for civilians to protect their land, cattle and communities in the absence of reliable provision by the state, and the rhetoric around mobilising civilians in border states to protect South Sudan from Sudan.

• **Stability or regime change in Sudan** – Hostility between the SPLM/Army (SPLM/A) and the National Congress Party (NCP)/SAF is a crucial determinant of militarisation and instability in both countries. A replacement of the government in Sudan could radically improve relations with Juba, depending on the nature of the new government. But equally, a more hardline government could worsen relations. If Sudan fails to resolve its own conflicts, then instability there will continue to have a knock-on effect in destabilising South Sudan.

3.2 Indicators of progress, 2021

Best and worst-case scenarios, as well as a continuation of trends evident in 2011–2012, may be projected for the next decade against the five "peace factors" as well as South Sudan's critical international relations.

Table 4: Scenarios for progress in South Sudan, by peace factor

	Best-Case	Continuation	Worst-Case
International Relations	Outstanding CPA issues are settled with Sudan; the status of Abyei is resolved peacefully; oil exports resume across a soft border	Little or no progress is made in resolving CPA issues; oil exports, border trade and migration are subject to disruption across a militarised border	Open war or high intensity proxy war with Sudan; closure of the border and oil exports; expulsion of stateless populations
	Positive and sustained engagement with international partners honouring agreed compact on development aid	International partners remain committed to development, but distracted by humanitarian priorities and security spending	Breakdown in relations with international partners; restrictions on humanitarian access; suspension of overseas development assistance (ODA)
Power	Democratic consensus within the SPLM on post-Salva presidency	Salva Kiir attempts to stay on as president for the long term; SPLM acquiesces	SPLM splits over succession
	New constitution developed with opposition and civil society input – allows decentralisation and checks on power	Centralising constitution drafted and approved by the SPLM in the face of an opposition boycott	Constitution suspended in the face of a schism in the SPLM and/or violent resistance
	Conflicts over boundaries subside, as popular consultations define and regulate resource access	Boundary conflicts continue ad hoc, as communities and politicians squabble for influence	Decentralisation agrees discriminatory *Kokora* division of rights and powers within ethnically defined units (see Box 1 in Chapter 4)
	Legislature develops effective powers to scrutinise government and check corruption	Government-dominated legislature too weak and self-interested to monitor corruption	Spending allocated under presidential budget exempt from scrutiny

Economy	Economic boom and investment stimulates broad-based job creation in agriculture, services and manufacturing	Oil-driven economic growth fails to stimulate broader job creation; oil production begins to decline from 2015	Collapse in oil price or revenues leads to lay-offs in civil service and unpaid army
	Environmental controls on extractive industries strictly enforced	Communities, government and oil companies in conflict over compensation for pollution	Army or private security cooperate to displace populations living in proximity to mineral deposits
	All-weather roads, cloud internet and new barges connect all state capitals and most secondary towns	Infrastructure is concentrated in south and west; Greater Upper Nile has limited access to rest of country	Infrastructure plans disrupted or decay; northeast and southwest cut off from Juba during wet season
Safety	SPLA downsizes to the smaller, professional, cheaper South Sudan Armed Forces (SSAF) under civilian control	SPLA retained at large size, largely exempt from scrutiny, lacking training and equipment	SPLA fragments into rival factions that fight for control of territory, oil and government
	South Sudan Police Service (SSPS) deployment and decline in raiding convince cattle youths not to carry weapons; partial disarmament in towns and some states effected	Consensual disarmament makes slow progress in centre and is resisted in northeast	Security forces lose control of their arsenals and some join/form militia or bandit forces
Justice	Decentralised democracy and revived courts at states level impinge on impunity of elites and criminals	Courts are gradually developed but lack the power or will to take on elites or organised criminals	Judiciary is politicised or intimidated; minimal presence of judiciary outside state capitals
	Land adjudication mechanisms well established at all levels; ownership of land clarified in new constitution	Centre, states, counties and communities compete for ownership and distribution of land; investment deterred	Government and communities in violent conflict over ownership of and access to land
Well-being	GRSS provides hospitals and high schools in all county headquarters; NGOs fill gaps in rural areas	GRSS provides high schools in most counties, but minimal healthcare; NGOs provide bulk of health and supplementary food	Bad roads and collapsing revenues force state to retreat to state capitals; UN and humanitarian sector service hinterland; new mass displacement of population

Power

4. Assessment of peace factors

In this section, we examine the context of South Sudan's independence through the lens of five peace factors: power, the economy, safety, justice and well-being. We use each in turn to identify features of the context likely to enable or hinder the path towards a more sustainably peaceful South Sudan. This allows us to identify opportunities and strategies for peacebuilding.

4.1 Power

Table 5: Power – Dynamic issues and long-term drivers of conflict

Dynamic Issues in 2011–2012	Longer-term Drivers of Conflict
Transitional Constitution replaces Interim	Effective single-party dominance by the SPLM
Federalism debate reinvigorated	Militarisation of politics
New cabinet (post-South-South Dialogue)	Historic divisions within the SPLM
Future shift of capital from Juba to Ramciel	Perceived dominance of Dinka (and Nuer)
	Disputed state, county and payam boundaries
	Patronage, corruption, nepotism, exclusion
	Exclusion of women and local minorities
	Limited democratic choice within/outside the SPLM
	Centralisation and creeping presidentialism
	Weak parliament and oversight

Overall, the dynamics of power in South Sudan are deeply problematic, and recall some of the problems of power and governance in Sudan which drove the civil war until 2005. These problems include a lack of voice and participation, inclusion, power differentials, low social capital, low legitimacy of leaders and the legitimisation of violence.

Power dynamics in 2011–2012

The way that power is exercised and distributed has been little affected by the shift from autonomy to independence. It remains based firmly in the historical development of the SPLM/A and the political settlement of the CPA, consolidated through the elections of 2010. South-South Dialogue and the fairly well balanced post-independence cabinet were reasonably well received, and the SPLM-dominated legislature has gradually begun to play a more assertive role. But these have been balanced by a gradual extension of presidential powers and concerns over the opaque process to revise the transitional constitution.

The nature of politics and the marginalisation of groups or individuals outside a small military-political circle continue to be significant drivers of discontent and conflict. This includes local grievances directed between groups within states and counties over access to power. Such tensions are fuelled by the post-CPA division and delimitation of counties, the inadequate nature of the 2010 elections, the distance of many legislators from their constituencies, the limited political opportunities for those outside the core SPLM/A, and the often contested authority of "traditional" leaders.

Notwithstanding the series of local mutinies and rebellions in 2010–2011, the Movement and Army have withstood the transition from war to peace fairly robustly. Renewed tensions with Sudan have probably helped to consolidate their support and unity as well as to offset demands

from the opposition and civil society for a more transparent constitutional revision process. However, maintaining the patronage networks that the Government of Southern Sudan's (GoSS) oil revenues of 2005–2011 built and sustained in an era of indefinite austerity is the central challenge for South Sudan's rulers in 2012.

Inequalities and exclusions

Deep inequalities are perceived in South Sudanese politics both vertically and horizontally. Vertically, South Sudan is heavily centralised, despite its quasi-federal division into states. State governments are poorly resourced but their territories are of little historical or ethnic legitimacy; as a result, there is little capacity to mobilise state populations against the centre or against each other. Contestation for their governorships has so far been within the SPLM, although not always without violence. This said, distribution of patronage from oil revenues is much of the glue that binds them to the centre and these revenues have dissipated with the suspension of oil exports. County administrations are both ethnically based and appointed, leading to dissent over interference by the governor and sometimes rivalry with "traditional" leaders. More significantly, there remains little presence of the civilian state administration in rural areas in the payams (districts) and bomas (villages) where most of the population lives. The population thus lives significantly outside the reach of the state. There is little capacity of individuals or civil society to hold the authorities at any level to account.

Horizontally, South Sudan is deeply fragmented between its 50 or so tribes and many more clans, most of which now control at least one county administration. These exert competing claims to the state on their commissioners, legislators and sometimes governors and ministers, especially in times of inter-communal violence. Jonglei is a good example of this, while Eastern Equatoria illustrates the gradual fragmentation of counties into tribal spheres, as rivals within counties compete for political and accompanying resources. Politically, relations between the SPLM and opposition parties are often acrimonious, although no party comes close to rivalling the ruling party in popularity or legitimacy nationally. Rather, the struggle is for access to power and patronage within the Movement, whether at central, states or county level. While almost all tribes or clans complain of exclusion relative to their neighbours or larger groups, it is notable that only the Shilluk of Upper Nile are readily associated with an opposition party.[12]

Two groups largely excluded from power are the youth, especially rural youth, and women – together representing the vast majority of South Sudanese. Struggles for political office are primarily between those who proved themselves in the liberation struggle in one faction or another. Avenues for political advancement for the younger generation are quite limited, including within their own societies and communities, where elders dominate. While the 25 percent quota for women's representation in the legislature is a start, there are few female leaders as ministers or senior civil servants and only one governor and no commissioners. Women's voices are largely excluded from the household through customary authorities to party politics.

Centralisation of power

Despite rhetorical commitment to creating a decentralised system of government, power in South Sudan is highly and increasingly centralised in the national government and the ruling party. The elections in 2010, the new Transitional Constitution of South Sudan, and the enlargement of the Legislative Assembly at independence have increased, consolidated and legitimised the power of the SPLM. Indeed, the government and the SPLM have increasingly been conflated. The powers of the president have also increased.

Over the same period, the armed forces have been the recipient of the largest share of its national budget: anywhere between a quarter on paper and a half in practice. There has been little reduction

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12   Indeed, the SPLM-Democratic Change, which draws support mainly from the Shilluk and is the largest opposition party, is self-consciously a breakaway from the original SPLM.

in the army's powers, and it remains closely associated with the SPLM, with many senior figures in the government and the army straddling both the military and political spheres. Under the mantle of being the movement and army which liberated South Sudan, the SPLM and the SPLA see themselves as the rightful holders of power and the rightful controllers of the budget and state resources.

Many South Sudanese men and women support this view of the SPLM's right to rule, if not necessarily the way that it has exercised power. However, the Movement and Army's efforts and success at dealing with conflict and strengthening peace have been limited. Few respondents from outside government circles felt that the state governments were determined to address the matter. A significant minority of respondents believed that political leaders from lower levels of government (states and counties) encouraged violence against neighbours or rivals or believed that higher levels of government (national or state) deliberately failed to intervene effectively in situations of violent conflict.[13] This sentiment was quite strongly correlated with the intensity of violent conflict in given states. For example, in Jonglei and Warrap this was fairly often stated, but not so in Northern Bahr el-Ghazal.

Tribalism, boundaries and conflict

One of the dynamics mobilising a high and widespread incidence of violent conflict in South Sudan around independence is the formation and modification of political boundaries at the county and payam level. Counties have been created since the CPA to replace the old district administrations. By and large, they are modelled around a single ethnic group or a sub-clan of a larger tribe such as the Dinka, Nuer or Azande. Traditional leadership institutions (chieftaincies) are mostly coterminous with the counties, payams and bomas (villages). In a few places, such as Lafon/Lopa and Magwi counties in Eastern Equatoria, there has been violence between small tribes compelled to share one county, lobbying to secede or gain a greater share of administrative offices and resources. Possession of a county brings administrative resources and, in most cases, a seat in the national parliament. Creation of new counties or payams is thus also a means for the government, or governor, to extend ethnic or clan-based patronage networks that may be antithetical to nation-building.

More common are clashes across county lines – few of which have been demarcated – between groups contesting access to water, pasture or migration routes, or simply raiding for cattle. As during the war, better armed – and, many say, politically connected – tribes and clans have tended to expand at the expense of their neighbours. Payams currently come with very limited administrative resources, but there is occasionally a feeling that the payam should move from one county to another, usually to join with its tribal kin.

The current 10 states were introduced in 1994 to replace the three historic provinces/regions: Bahr el-Ghazal, Upper Nile and Equatoria. These have little historic legitimacy and cut across the major ethnic groups. There is frequently violence across them, notably along the Nile *toiche* (marshland) corridor between Upper Nile, Jonglei, Unity, Warrap and Lakes, following the same motivations as county and payam disputes. There is also considerable rivalry within states for SPLM nomination to contest the governorship or legislative positions. Sometimes, this takes on an ethnic guise, as in multi-ethnic Eastern Equatoria or Upper Nile. Democracy or power have not yet been devolved to the county level, and there is a risk that this may be attended by the violent disputes that characterised some of the 2010 state elections.

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13   Interviews and focus groups with community-based organisations and civil society in Eastern Equatoria, Jonglei, Lakes, Upper Nile and Warrap, August 2011.

Box 1: Patronage and *Kokora*

While elected and appointed political posts universally go to members of local ethnic groups, there is a widespread feeling that other state appointments, including civil service and security forces, disproportionately favour the two largest groups, which also dominated the liberation struggle: the Dinka and the Nuer. This appears to be felt particularly in the Greater Equatoria region, where the Dinka and the Nuer are considered foreign. Many Equatorian respondents expressed support for *Kokora*, the three-way division of southern Sudan in 1983, and the exclusive provision of official positions in each region to indigenous peoples.[14] Equatorians are few in Greater Bahr el-Ghazal and Greater Upper Nile, while the Dinka are increasingly prevalent in the towns and pastures of Greater Equatoria and sometimes perceived to enjoy the special protection of the security forces. Indeed, many Dinka relocated with the SPLM/A to Equatoria during the war and have been long settled there. Many Dinka settlers in Juba feel they are discriminated against by Bari chiefs, local government officials and foreign employers.[15] Tensions over the influx of non-Equatorians to Juba and the reluctance of local Bari chiefs to release their land for development contributed to the September 2011 decision to move the national capital to Ramciel as well as inter-communal violence in Juba that claimed 10 lives in March 2012. Some others see the decision to move to Ramciel as rooted in a desire to establish the capital in Dinka territory.

Traditional, community and religious leaders are another set of authorities. For many South Sudanese outside of state or county headquarters, they are the only representatives of the state other than the SPLA whom they ever interact with. However, their power bases and sources of legitimacy are limited (typically to a specific tribal or religious community), sometimes disputed, and generally do not provide a strong counter-weight to the overwhelming powers of the government and the army. Exceptions may be the Nilotic "prophets", who have been able to mobilise resistance to the state from clan or ethnic groups – although unlike the chiefs, these religious/cultural leaders are never formally part of the administrative apparatus. For its part, the state has sought to co-opt the support and involvement of traditional leaders in local peace councils or initiatives – such as the "community-led" process of civilian disarmament launched in early 2012.

Opportunities for engagement

South Sudanese political institutions like the Legislative Assembly and ministries **are new and fragile**. This presents opportunities for engagement that have been seized on by many donors and capacity-building organisations. Executive offices like the presidency, governorships and commissioners have rather stronger roots in wartime administrations and commands. The SPLM may be seen as both the problem of (dominance, militarisation, schisms) and the solution to better governance in South Sudan. As an institution, it is older and stronger than the new democratic bodies and is still far from facing a significant challenge to its popularity or legitimacy from any opposition party. Schisms within the party have historically been ethnically based and accompanied by major violence. The challenge is then to **manage the historic, ethno-regional and personal rivalries within the Movement, while fostering a more democratic culture** that allows new voices to be heard. Working with women's and youth wings of the ruling and opposition parties is one way to encourage alternative, post-war political participation in a transition to greater openness.

More broadly, **nation-building** is conspicuous by its absence in the reconstruction of South Sudan. The South has little historic national identity beyond opposition to Arab domination; its long struggle was arguably more divisive than unifying. Only with the CPA has national and territorial reunification begun. The myriad of tribes and clans still mix little outside of Juba and tend to focus on dissimilarities, inequalities and historic grievances between their groups, particularly in

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14   Interviews with civil society, community groups and traders in Torit and Kapoeta, August 2011; and in Juba, August and November 2011.
15   Informal conversations with Juba residents, 2011. Comments from a Dinka academic in Northern Bahr el-Ghazal, by email, March 2012.

their access to power and resources. A civil service and common elected institutions go some way to building interaction at elite levels. However, there is much to be done in terms of developing a common identity and overcoming stereotypes among the masses.

4.2 Economy

Table 6: Economy – Dynamic issues and long-term drivers of conflict

Dynamic Issues in 2011–2012	Longer-term Drivers of Conflict
End of oil revenue-sharing with Sudan; suspension of oil production	Poverty and massive underdevelopment
Austerity spending cuts	Lack of employment and livelihood opportunities
Blockade of Sudan border trade	Poor revenue collection and management system
Introduction of new currency	Lack of basic infrastructure
Arrival of 350,000+ ex-internally displaced persons (IDPs) from Sudan	High cost of imports, commodities, fuel
Increased aid allocations; potential diversion from development to humanitarian	98 percent GoSS/GRSS dependence on oil revenues
Increased potential for borrowing	Increasing and visible economic inequality
Foreign Direct Investment (FDI) becomes realisable, including large-scale land acquisitions	Resentment of economic role of foreigners
Frustrated expectations of greater prosperity; higher GRSS budgets	Environmental degradation in oil producing areas

Economic dynamics in 2011–2012

The economy of South Sudan is without question the peace factor that has been most dynamically affected by independence. Originally, the hopes and expectations of millions of South Sudanese were that independence would bring control of their own resources and economy, as well as a greater share of that wealth distributed among the people. However, in reality, the transition has brought short-term hardship to a large part of the population affected by the blockade of formal inter-Sudanese trade, the disruption of informal trade in conflict-affected areas, the arrival of half-a-million returnees and refugees from Sudan and, in 2012, the suspension of oil production along with massive cuts to investment in development.

Insecurity and turmoil in the oil sector are also likely to deter serious, sustainable investment in the extractive sector in the medium term. Such disruptions will further frustrate those who have struggled to feed and support their families or who saw the possibility of finding employment or a better livelihood in the context of a new economy. However, the economic context for the majority of the population is of subsistence agriculture or herding and extreme underdevelopment. The oil sector has been locally impacted by the upsurge in inter-communal violence and raiding around independence, but is less likely to be impacted by the crisis of the formal economy than those who live in or near towns. In the context of austerity, the divisions between rich and poor are likely to become more stark and feed discontent over corruption, nepotism and the economic interests of foreigners, especially in urban centres.

Inequalities and exclusions

The weighting of the post-CPA economy disproportionately towards oil revenues has created a massive divide between the government-funded sector, which controls the oil revenues, and the rest of society, which earns little and pays little to the government. Thus, the political elite who control the state enjoy a very conspicuously higher standard of living than the rest of society.

Similarly, the large security sector and nascent public service are seen to enjoy preference and protection from the state, especially in the context of cuts to service provisions. Many non-Dinka or Nuer perceive and resent a preference for these groups in the security and public services based on their political influence. On a smaller scale, the economic gains through employment in INGOs and the UN system of South Sudanese educated abroad are often resented by those who "stayed and fought". The business people from neighbouring countries who prospered during the economic reopening of the country during the CPA period also appear to face growing resentment for failing to recruit and train local staff.

Those who have gained least economically from the CPA and independence include uneducated rural youth, especially those from tribes like the Murle with limited political influence in their states or the nation. Other groups in Greater Upper Nile, including the Nuer, have so far gained very little in terms of transport and social infrastructure compared with Equatoria and Bahr el-Ghazal; they are now isolated from both their fellow citizens and Sudan. It is those areas most deficient in resources (infrastructure, education, farming or grazing land, water) or where the exploitation of resources (oil) has had locally negative economic consequences that have been most affected by conflict in 2011–2012.

Price rises and scarcity of goods have been felt disproportionately in states most distant from new supply routes through Kenya and Uganda. They have also been most affected by the arrival of northern returnees and refugees. However, these economic stresses do not seem to have precipitated significant ill-will or significant violence against recent migrants or within towns of the border states thus far. Austerity, exacerbated border tensions and the potential arrival of many more returnees during the 2012 wet season could undermine this relative peace and tolerance. Women remain significantly marginalised economically, although there is statistical evidence that the overall position of some women has improved through migration to towns (see section on Well-being on p. 48).

Economic stability – Oil

South Sudan's oil industry provided around 98 percent of the government's revenues from 2005 until 2011. What is less well known is how much the revenues each year are, how they are used, and what the prospects for future oil production are.

- **CPA negotiations on oil revenue sharing with Sudan** remain incomplete and led to disruptions in transmission through the Sudanese pipeline after independence and the indefinite suspension of all South Sudanese production and exports in late January 2012. This disruption has made it even more difficult to gauge real oil revenues and plan budgets around them. It has necessitated draconian austerity measures that protect public sector employment (including the security forces), but not services and development investment. It may also deter serious investment in other new wells and fields required in the short term to maintain, not just increase, production.
- **There is a lack of understanding and knowledge of the oil industry** among the government and the public. State governments in oil areas are gradually employing individuals with oil industry knowledge in relevant positions. However, there is still very little understanding even among government officials about what it would take to increase oil output from the oilfields of the Greater Nile Petroleum Operating Company (GNPOC), Petrodar and other operators. The activities of the national oil company, Nilepet, and its involvement in existing oil fields are also unclear to the public.
- **Publication and dissemination of data** about oil production and revenues by the South Sudan government authorities is patchy and irregular. Data, estimates and projections are more readily available outside South Sudan than inside the country, where they are only readily available to the internet connected urban elite.
- **Civil society oversight** of the oil industry is still only in its infancy. With assistance from Norwegian People's Aid, "oil task forces" have now been set up for Jonglei, Unity and Upper Nile states.

However, it has been difficult for these local civil society watchdogs to maintain their distance from state governments.

Oil is a complex business in any country. This is especially true in South Sudan, where oil has played a very significant role in both conflict and peace in the past. Assuming oil production and exports are resumed, there are numerous issues with implications for stability in oil-producing areas and nationally, as the following examples illustrate.

- The impact of **new measures intended to deliver more oil revenues to the local level may disappoint**. For example, the draft Petroleum Law proposes to implement the CPA-stipulated local oil revenue allocation of 3 percent for the community and 2 percent for the state where oil is produced. This increase may only be absorbed in new local government jobs, rather than in the delivery of new services and infrastructure. Moreover, local attention on oil revenue shares may divert attention from important questions about what the central government does or does not deliver with the much larger share of revenues it retains.
- **Oil is a low-intensity employer**, requiring few workers relative to the large value of the industry. Instead, oil revenues are used to expand the bureaucracy and maintain the over-sized security sector. Replacing skilled foreign workers (northern Sudanese or other nationality) with South Sudanese cannot be done too rapidly: the South Sudanese working in senior positions in the oil sector themselves say that there is a shortage of skilled South Sudanese. Strike action and threats of obstruction or sabotage have already led to patterns of local authorities intervening to demand that oil companies employ more semi-skilled or unskilled labourers. Oil unemployment is an explicit grievance of young people in Unity.
- **Environmental degradation** associated with the oil industry is a serious local concern in Unity and Upper Nile states, with negative consequences for health and livelihoods. Oil pollution damages ground and surface waters. It also destroys pastures in some of the more important dry season grazing areas. Local shares of oil revenues are not seen to mitigate or compensate for this economic damage.
- There is a risk that state governments will look to fight battles over oil with Juba, rather than providing a clean account of their use of revenues or their local development plans. This may lead to **conflicts between states-level elites and the national government** as well as between oil-impacted communities and their state governments. Another possibility is a triangular conflict between communities, government and oil companies.
- Well-intentioned nurturing of understanding about corporate social responsibility (CSR) may lead to **excessive expectations for oil companies to provide services**. Arguably, government has an incentive to collaborate with civil society advocacy on this, to the benefit of reducing attention on government social responsibility (GSR, if an abbreviation is wanted). This is potentially another facet of the lack of social contract in South Sudan – in particular, the weak nature of government ownership and accountability for action sanctioned on its territory and for the welfare of its citizens. There is also a need to distinguish clearly between what is due to oil-impacted communities through CSR, from government responsibilities and as compensation for alienation of land and resources, as well as any pollution of their environment.

In short, as the only large slice of the cake, oil will continue to be a source of tension and conflicts, and potentially therefore of violent conflicts if not managed/governed with this in mind.

Economic development – Land ownership and access

The ownership and use of land are of great importance in the livelihoods of most South Sudanese. Agriculture is often identified by politicians and officials as having the potential to transform the economy and livelihoods of their regions, and to reduce or increase the risk of conflict. Unrealistic targets for the expansion of agriculture, such as tripling grain production within three years (or the "bread basket" vision), and paper-based land-leasing deals, do not help bring agricultural growth and risk disappointing and antagonising people living in the areas concerned.

However, non-speculative foreign investment in agriculture can be attracted, as shown by the Concord project in Unity state, although this is still vulnerable to insecurity. Maintenance of large-scale irrigated agriculture projects in northern Upper Nile provides another example of how functional economic cooperation does continue across the inter-Sudanese border, despite challenges to local security. Such projects can act as a potential driver of peaceful cross-border relations.

Land reform is a key issue for the independence era. In particular, the shift in ownership from community to state – made explicit but not clarified in the Transitional Constitution – has already increased debate and concerns, as has attention to large-scale land acquisitions. Private investment in commercial agriculture can work in South Sudan, but there is currently no clear legal framework or oversight of how this is done. Most large-scale acquisition agreements from the CPA era are commonly thought to be speculative and few have received any publicity among the surrounding community. Instead, land sale has become a resource conflict between central and state governments and the communities involved.

Livestock and pastoralism

For most of the largest tribal groups, the raising and acquisition of cattle is central to their cultural identity and status, provides subsistence and occupies labour. However, it produces very little in terms of measurable economic output, since cattle are rarely marketed or consumed. Moreover, notions of masculinity and rites of passage associated with cattle acquisition and protection have become central features of escalating violent conflict between and within communities across South Sudan. Economic consequences of the pastoralist orientation include a devaluing of agricultural production (which feeds dependence on international food aid), lack of access to or value of education for boys and girls, and gender relations that tightly constrain the roles of men and women, commodifying women in cattle equivalent value (bride price) that few young men can afford to pay.

Whether one identifies an economic, social or political motivation, cattle raiding remains a persistent problem in numerous parts of South Sudan. Such areas include Eastern Equatoria, Jonglei, Lakes, Unity, Upper Nile and Warrap states, where respondents of all types identified cattle raiding as the primary source of physical insecurity within their states.[16] Its dynamics have evolved over time. In Jonglei, the size of the largest incidents has grown to involve up to several thousand raiders, the youth of whole counties, and reinforced economic incentives with retaliation and potentially political and religious incitement. Raiding was also seen by respondents to have escalated in scope and intensity (violence, rape, abduction, destruction of homes and infrastructure) in Lakes, Warrap and Unity.[17]

Political leadership in South Sudan is firmly in the hands of leaders of pastoralist groups at the national and many local levels. A shift from largely subsistence pastoralism to monetised cattle production seems unlikely to be championed in national policy. However, it may result from the gradual connection of rural areas via new roads, the development of markets for meat in the fast-growing towns, and the growth in education, expectations and urban values. This suggests that cattle raising may become a more economically productive industry, but not necessarily that it will become a less conflictual activity.

Infrastructure and development

Much of South Sudan suffers from a lack of basic infrastructure, such as all-weather or paved roads, bridges, power stations, transmission grids, and water and sanitation systems. Plans and promises are often duplicative, expensive and over-ambitious. This has been shown, for example, in talk of building a railway line to Uganda and Kenya, proposals to build three oil refineries and the 2012 agreements to construct two new oil export pipelines. Infrastructure linking South Sudan to Uganda and Kenya

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16   Interviews and focus groups, August 2011.

17   Interviews with government and judicial officials in Rumbek, Cueibet and Tonj South, and by telephone with civil society from Unity, August 2011.

is growing apace. However, there is little investment in infrastructure linking South Sudan to Sudan, across the long border which is vital to South Sudan's economy and the livelihoods of many of its population. Strengthening inter-Sudanese trade would also tend to strengthen constituencies for peace. While roads have been gradually improved between Juba, the Equatorias and Greater Bahr el-Ghazal, connections to and within Greater Upper Nile are barely existent and fuel resentment at the perceived inequitable development of the Nuer heartland.

Box 2: Women, labour and livelihoods

Within the broader inequality of South Sudanese society and economy lies a fundamental and very stark inequality between men and women. The female population is almost totally economically disenfranchised and excluded. Conditions and opportunities differ across cultures and between urban and rural areas, but several issues can be generalised as follows.

- **Access to education** is a privilege not a right for South Sudanese girls. Women are only half as likely (19 percent) to be as literate as men. Although the gap is narrowing, with higher enrolment of girls in school, this still falls far below the enrolment of boys. In Lakes, Northern Bahr el-Ghazal, Unity and Warrap, girls still constituted less than one third of primary school enrolment in 2009.
- **Access to employment** is limited in the state-dominated formal sector by the historic lack of female education, by the practice of bringing ex-combatants into the civil service and by the concentration of resources on the now overwhelmingly male SPLA. Demobilising female combatants has been one of the few active areas of the Disarmament Demobilisation and Reintegration (DDR) programme so far. However, it has not necessarily produced sustainable livelihoods or incomes.
- **Access to wealth**, whether measured in land, cattle or cash, is severely curtailed for women in most South Sudanese cultures. Cattle in particular are seen as a store of value for which girls can be exchanged through the bride price convention. They are owned and protected by the male line.
- **Inheritance rights** are very limited for women. This has created huge problems of poverty for widows (of whom there are inevitably very many) and divorcees, especially those from polygamous relationships, as well as their children. Without access to cattle or other wealth, and with little prospect of remarriage outside of their late husband's family, these women are heavily marginalised and have few choices.

Opening up economic opportunities for women, especially the most marginalised, is critical for the rights and aspirations of future generations of Southern Sudanese as well as the future of economic growth.

Opportunities for engagement

The great opportunity that economic change and the potential increase in international development assistance presents in 2012 is to rethink conflict-sensitive development in the context of South Sudan and what a development strategy geared to more peaceful relations within the country and with its neighbours might look like. This means attention to the economic context of conflict and peace in South Sudan, especially oil, land and cattle, and focus on a much more equitable access to old and new resources.

The disruption of oil production and revenues is an opportunity for the GRSS and its partners to take a fresh look at the structure of the economy and to rebalance it to serve the needs of all states and economic sectors. This should mean developing agriculture and alternative rural livelihoods. The necessity on the GRSS in 2012 to look to non-oil sectors for tax revenues has the potential to foster development more broadly, deepen engagement between citizen taxpayers and state, and

foster the creation of an independent private sector. It is also an opportunity for civil society and its partners to build capacity for oversight of future oil revenues.

The redrafting of the constitution is also an opportunity to engage with landholding and land reform. This should coincide with the central government's commitment to review large-scale land acquisition deals and to create a clearer, fairer investment climate.

4.3 Safety

Table 7: Safety – Dynamic issues and long-term drivers of conflict

Dynamic Issues in 2011–2012	Longer-term Drivers of Conflict
Clashes between the SPLA and the SAF in Abyei	Armed stand-off with North over border regions
Renewed anti-SPLA-North offensives by the SAF in South Kordofan and Blue Nile	Militia organised under dissident ex-SPLA commanders
Joint Integrated Unit (JIU) dissolved; failed integration with the SPLA	Questionable loyalty and command of some SPLA units
Security Sector Reform (SSR) – SPLA begins shift to non-partisan SSAF	Massive proliferation of small arms among civilian population
New demobilisation strategy and supposed downsizing (longer term) of the SPLA; potential mass reintegration of ex-combatants	SSPS not equipped or motivated to confront armed groups
Intensification of militia violence and SPLA response in Greater Upper Nile	Alcohol and drug abuse; domestic and sexual violence
Rise in rape and targeting of women, children and the elderly in inter-communal violence	Violent "neo-traditional" practices among the youth – rustling, abduction, revenge
Intensification of communal violence in Jonglei	Resource competition between agriculturalists and pastoralists
Escalation in scale and violence of cattle raiding in Lakes and Warrap	Criminalised cattle raiding and banditry

Safety dynamics in 2011–2012

Inability to deliver physical security to civilians is at the core of South Sudan's spiral of instability. In the period around independence, it was undermined by the reigniting of violence along the central and eastern border, the failure of integration of some JIUs and the intensification of activity by rebel militia groups in the Greater Upper Nile. It is more difficult to draw a causal link between independence and upsurges in the prevalence and nature of inter-communal conflict and cattle raiding in Jonglei, Lakes and Warrap; nonetheless, this violence impacted more people than the deteriorating situation around the border. Likewise, the improved security situation in Western Equatoria appears to be autonomous of the transition to independence. Indeed, a large minority of South Sudanese live in areas that are not characterised by widespread violence and which overall have consolidated their security since the CPA.

The cumulative impact of the deterioration in security in the centre and northeast has been to delay or disrupt important processes of downsizing the army, disassociating it from the ruling party, and developing civilian policing capacities. This means that the government is further distracted from the task of social development, especially as the 2012 austerity budget further prioritises security. Meanwhile, the SPLA and the SSPS have appeared unable to meet the security needs of the population, which retains its incentive to bear firearms for its own protection. At the same time, political leaders have either failed to deter or encouraged young men to commit increasingly violent acts against rival groups. Lessons that were learned from the violent forcible disarmament

campaigns of 2006–2009 appear to have been discarded in 2012 in the need to respond to the violence in Jonglei, Warrap and Unity.

Inequalities and exclusions

Provision of security is inconsistent across South Sudan, although each state does have large contingents of army and police deployed. There is reportedly a higher proportion of SPLA, and a greater quality of troops and equipment, deployed close to the Sudan border and in areas of militia activity. Some groups have felt that the army command has been slow or reluctant to deploy to protect them, as against the LRA in Western Equatoria. Others have complained that some of its troops have sided with their attackers, as alleged by both the Murle and the Nuer to have occurred in Jonglei, or that it has used indiscriminate force against civilians, as in Unity in militia activity zones. The SSPS remains heavily concentrated in towns, with deployments in rural areas too small or poorly resourced to uphold security. Thus, the rural population is substantially excluded from basic security.

Women also suffer unequal access to security, as there is little understanding of domestic or sexual violence among the police and customary authorities; moreover, the household level is largely off the agenda of public security providers. Women and children have also been increasingly targeted in raids by rival communities, even where the motive is ostensibly to gain cattle.

Sources of insecurity

Safety in South Sudan is primarily undermined by: the activities of politically inclined armed factions, including those associated with the state; cattle-raiding youths typically assumed to be part of the civilian population; and the more opaque realm of violence within the community and family, especially impacting women, girls and boys.

Militia rebellions – So-called militia are widely seen by the international community in South Sudan as a major threat to the stability of the country. However, this threat is at worst seen as latent by most South Sudanese outside Unity and the northeast. Actual casualties by the militia are relatively low and it can be difficult to distinguish responsibility between militia attacks and SPLA responses and crossfire, as seen in the clashes with Athor's force in Fangak county (Jonglei) in February 2011. Localised disruption can be extensive, as with the laying of landmines around central Unity. The impact on the rest of the country is more diffuse but includes fostering militarisation, disrupting trade and communications, and distracting government attention and resources away from development. The geographic scope of the active militia groups in 2011 was quite limited, essentially comprising a strip of territory close to the Sudanese border, the oil fields and/or Malakal, where there were tensions within the Joint Integrated Unit (JIU) throughout the CPA period. While this largely coincides with the historically contested frontier between the Dinka, the Nuer and the Shilluk peoples, there is little evidence that the various militia have succeeded in mobilising these larger communities in significant numbers. Nevertheless, power relations between these groups are closely contested; the risk that splits in the SPLM/A will reinforce an escalating spiral of intra-South conflict remains a worst-case scenario for peace in South Sudan.

Cattle raiding – By contrast, violence associated with raiding for cattle is endemic across most of South Sudan and was the leading threat to peace identified by South Sudanese in our research. Partial exceptions appear to be most of the western states of Central Equatoria, Western Equatoria and Western Bahr el-Ghazal. Northern Bahr el-Ghazal, despite its primarily pastoralist society and economy, suffers much lower incidences of cattle raiding than its neighbours. Jonglei was the epicentre of cattle-related violence in 2011. Lakes and Warrap were also perceived by respondents to suffer increased violence.[18]

18   Interviews with county commissioners, Cueibet and Tonj South counties; focus group with women, Tonj South, August 2011.

In Jonglei, Lakes and Warrap, so-called cattle raiding is a manifestation of inter-tribal and inter-clan rivalry and retaliation as well as economic gain. Small-scale cattle raiding can be an established practice for young men to prove their virility and to gain wealth and a marriage payment (bride price), although using stolen cattle is by no means accepted by all communities.[19] However, in many states cattle raiding has long ceased to be a small-scale cultural and economic practice. Raiding parties may mobilise several thousand men and women, possess heavy weapons and advanced communications equipment, and travel hundreds of kilometres. Many South Sudanese believe this level of organisation would be impossible without the covert assistance of sympathetic (or dependent) political, traditional and military leaders. Several respondents in Eastern and Central Equatorias and southern Jonglei believed that raided cattle are now driven cross-country to markets in Juba or Uganda.[20] Thus, the incidence of purely criminal rustling gangs is perceived to have risen and some citizens point to the involvement of business people or other well-connected individuals.

Reports are sometimes made of so-called militia providing manpower or weapons to cattle-raiding parties in efforts to win or maintain support from their communities. One example of this was David Yau Yau's small force in Pibor county, Jonglei in 2011. The widespread media use of the term "White Army"[21] to describe both Nuer militia groups and Nuer raiding forces in Greater Upper Nile further confuses the concepts of armed groups.

For the pastoralist majority, wealth is traditionally invested in cattle. The increasing wealth of some former commanders since the CPA and access to oil revenues was perceived by some respondents in Northern Bahr el-Ghazal and Greater Equatoria to be a factor in the inflation of bride prices among the Dinka and some other groups, commonly blamed for the rise in scale and violence of cattle raiding in the same period.[22] In some cases, notably Lakes state, the expectation of bride price has reportedly risen to over 100 cows from a historic price of less than 20 cows. During its wartime administration of parts of Southern Sudan, the SPLA set limits on bride price that have been since relaxed. Northern Bahr el-Ghazal provides an example of a state where traditional leaders have largely opted to support a cap on bride price (about 11 cows) and where cattle raiding is a very limited phenomenon. Some South Sudanese blame politicians and senior officers for rearming allied youth guarding their own large herds and stoking conflict by expanding their range into the territory of agricultural tribes or rival herding clans.[23] Other pastoralists, such as the Mbororo in Western Bahr el-Ghazal and Western Equatoria, have suffered as new state authorities have used the security forces to restrict access to their traditional areas of movement and grazing in favour of groups considered indigenous to those states.

Access to water is another key determinant of conflict among and between herding peoples. It is also a critical driver of vulnerability for women, who often travel far to access water. Conflict arises both in the wet season, when long-distance raiding is most easily effected through lush pastures and tree cover, and the dry season, when herders seeking water move into proximity with other peoples, their cattle and crops. It also arises during the seasonal migrations. One solution is to construct reservoirs or bore holes to sustain herders in their home territory or along their migration routes, although this will only succeed where attention is paid to who owns, maintains and can utilise water sources. It is by no means clear that all South Sudanese pastoralists wish to abandon a semi-nomadic way of life that may facilitate trade and marital, educational or health connections. At its best, seasonal migration is one of the institutions that most closely integrates groups within South Sudan and with their neighbours.

19   Traditional Dinka culture, for example, forbids the payment of stolen cattle for a bride, but does permit cattle raiding and violence in retaliation for the same. Email correspondence with a Dinka academic in Northern Bahr el-Ghazal, March 2012.
20   Interviews and focus groups with civil society and youth, Bor, Juba and Torit, August 2011. One respondent in Kapoeta, August 2011, believed stolen cattle were being trucked to Kenya.
21   Used mainly to refer to the Nuer-based South Sudan Defence Force (SSDF) from the civil war, the rise of the term "White Army" in the late CPA period may reflect fear of a renewed Nuer-Dinka split in the SPLM/A as the most vital threat to the unity of South Sudan.
22   Interviews in Aweil Town with civil society and court officials, November 2011; interviews with civil society and academics in Juba, Kapoeta, Torit and informal conversations with the community in Budi, August 2011.
23   Interviews with a church peace worker in Wau, civil society in Rumbek, and a youth organisation in Bor, August 2011. Also, University of Juba research (unpublished) in Mvolo County, Western Equatoria, July 2011.

Domestic and gender-based violence – Violence within households and especially against women is harder to quantify, as it is infrequently acknowledged let alone recorded. Yet female respondents to this research widely reported high incidences of violence against women and very low recourse to security provision.[24] This is, on the one hand, a long-term household issue relating to domestic abuse, likely amplified by conflict experience, economic stress and alcohol abuse. At the same time, it is a more dynamic issue linked to the use of sexual violence and targeting of women and children during inter-communal raiding, notably in Jonglei, Lakes and Warrap.

Gender expectations appear to have narrowed since the war, when many women fought or worked in exile. Expectations of young men in particular appear to have changed in terms of their asserting their masculinity. In some communities, cattle raiding has perhaps superseded joining an armed political movement as a rite of passage and means for young men to secure both the wealth to marry and the approval of their male and female peers.[25] These are practices with deep historic roots but also subject to considerable cultural change in the post-war economic and social context.

Arms proliferation and civilian disarmament

South Sudan is a very heavily armed society. While there are no reliable figures for the prevalence of small arms possession in the civilian population, the Small Arms Survey's rough 2007 estimate was that there were between 1.9 and 3.2 million small arms in circulation, equating to at least one firearm per household.[26] In the most volatile state, Jonglei, South Sudanese respondents to this research estimated a prevalence range up to two or three guns per adult male.[27] In most parts of the country outside of major towns, these arms are carried openly and are considered a prerequisite for guarding cattle, even by small boys.

While the quarter of a million SPLA and other security forces possess several hundred thousand of these weapons, it is very clear that there is no state monopoly of violence in South Sudan. Quantitatively, large and expensive as they are to maintain, the state security forces are outgunned by a rate of perhaps eight-to-one. Qualitatively, excepting small numbers of heavy weapons, armoured vehicles and helicopters in SPLA control, the weapons in civilian circulation are exactly the same. Their bearers typically have many years of experience of guerrilla warfare, while most of the SPLA lacks any marked advantage in training, command or communications equipment. In the case of the SSPS, senior officers report a shortage of functional weapons, and thus their officers are often unable or unwilling to confront the armed population they nominally police.[28] For both outsiders and locals, it can be hard to differentiate who is SPLA and who is a civilian. Army soldiers often range widely beyond their bases in uniform bearing arms, while many civilians possess items of military uniform, often bearing SPLA insignia. Cheap, hard-wearing and long sleeved, these are high value items to cattle herders protecting themselves from sun and insects. In the case of the Murle raids on Lou-Nuer areas in August 2011, the raiders are said to have gone in uniform, claiming to be SPLA units conducting a disarmament campaign. According to two former SPLA combatants in Jonglei, in the context of ongoing tensions with Sudan along the border and with militia allied to George Athor inside South Sudan, the government has an incentive *not* to disrupt a mobilisable reserve of experienced young men. Indeed, in late March 2012, a call for mobilisation of civilians in all states bordering Sudan to defend South Sudan was reportedly issued by President Kiir.[29] A version of this strategy can be seen in play in Western

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24   Women-only focus groups in Bor and Kapoeta, August 2011; interviews with civil society organisations, Rumbek, August 2011, and Aweil, November 2011; a civil society focus group in Torit, August 2011.

25   Interview by telephone with a South Sudan expert in the US, March 2012; interview with the Governor of Lakes, August 2011; women may often be instigators of raiding and violence, inciting men to restore honour or seek retaliation and cattle.

26   Small Arms Survey (2007). 'The militarization of Sudan: A preliminary review of arms holding and flows', *Sudan HSBA Issue Brief*, No. 6, April 2007.

27   Group interview with ex-combatants (Dinka and Nuer), Bor, August 2011.

28   For example, the Minister of Law Enforcement in Jonglei reported that over 60 percent of his state's deployment of 8,000 SSPS were without arms and less than 40 percent were deployed outside of Bor town. Interview, Bor, 23rd August 2011.

29   'South Sudan's Kiir orders Public Mobilization, *Sudan Tribune*, 30th March 2012. Available at http://www.sudantribune.com/South-Sudan-s-Kiir-orders-public,42090.

Equatoria, where the governor has helped to mobilise the Arrow Boys local militia to protect communities against the LRA and to act as a counter-weight to the failings of the SPLA. The government of Warrap similarly armed civilian "community defence" forces in early 2012, under pressure to respond to increased raids from Unity.

The CPA contained no specific provisions for civilian disarmament, and informally demobilised combatants have typically taken their weapons with them. Civilians have been unwilling to surrender weapons voluntarily, prompting the government to initiate a series of forcible disarmament campaigns using the SPLA according to the discretion of state governors. In some states, such as Eastern Equatoria, there has been no major disarmament campaign. In others, such as Jonglei, there have been multiple SPLA-led campaigns, utilising extreme violence, inflicting and suffering significant casualties. In simple casualty terms, these appear to have been the primary source of violent conflict in 2006–2009. Meanwhile, the numbers of weapons actually seized appear to be a tiny proportion of assumed stocks.

Some security and political respondents in Jonglei believed these campaigns would have been successful in the absence of diplomatic protests by international observers and human rights groups.[30] However, most South Sudanese civilian respondents were sceptical that compulsion could achieve more than token or temporary disarmament.[31] Small arms are very readily available both within South Sudan and across its borders, since every single neighbouring region has experienced considerable violent conflict since at least the 1980s. According to respondents in Bor, Jonglei, one mature cow sells for approximately the same price as three AK-47 type rifles, providing a very strong incentive to raid for cattle.[32] In this context, it is largely moot whether or not Sudan is supplying arms and ammunition to dissident groups. This is widely believed to be the case in areas of militia activity (Jonglei, Unity and Upper Nile) and there is at least circumstantial evidence from weapons seized by the SPLA in 2011 that new weapons have been supplied by Sudan.[33] SPLA armouries appear to be an additional threat given often lax security, lack of registers and the prevalence of units mutinying. In extreme cases, political leaders have openly released arms to civilians;[34] several South Sudanese respondents believed covert supply of weapons by politicians and officers to affiliated ethnic or clan groups was widespread.[35] One civil society activist in Torit described this as, 'our politicians give bullets for votes'.[36]

Security provision

Provision of security in South Sudan is primarily the responsibility of the SPLA and the SSPS, which is overwhelmingly formed of veterans of the SPLA and other armed factions. While both are very large – there are about 200,000 SPLA and 44,000 SSPS – relative to the population of South Sudan, they are trained and equipped primarily for guerrilla warfare rather than protecting and serving the needs of civilians. They are also out-gunned by the armed civilian population, possess little communications and logistics equipment, and remain deployed overwhelmingly in towns and along highways.

As a consequence, the actual security needs of South Sudan's majority rural population are often met by local civilian militia or "home guards" protecting their community, lands and livestock. In the most obvious example, the hundreds of thousands of young South Sudanese pastoralists with

30   Interviews with Governor's Office and Ministry of Law Enforcement, Bor, August 2011.

31   Interviews and focus groups with community members and civil society, Jonglei, Lakes and Warrap states, August 2011. Also, international experts on arms control and security sector reform, Juba, September 2011 and Aweil, November 2011.

32   Interview with ex-combatant (Dinka), Bor, August 2011.

33   Small Arms Survey (2011). 'Fighting for Spoils, Armed Insurgencies in Greater Upper Nile', *Sudan HSBA Issue Brief*, No. 18, November 2011, p.8. Militia allied to George Athor and Peter Gadet appeared to be armed with similarly large numbers of new Chinese-made Type-56-1 rifles, some heavier weapons and associated ammunition manufactured in China or Iran, pointing to a common recent supplier.

34   For example, the International Crisis Group (ICG) cites the opening of weapons stores in Akobo by the then commissioner in late 2006 to rearm previously disarmed locals in the face of attack. International Crisis Group, *Jonglei's Tribal Conflicts: Countering Insecurity in South Sudan*, Crisis Group Africa Program Report No. 154, December 2009, p. 3.

35   Focus groups with civil society and community members, Bor, Kapoeta, Torit, August 2011; interview with a state government official, Rumbek, August 2011; group interview with local NGO staff, Juba, September 2011.

36   Interview, Torit, August 2011.

rifles consider themselves to be providing legitimate security for their communities and resources, as they have always done. In some situations, such as in relation to the Arrow Boys, armed civilians may be seen by the state government as effective, legitimate and cost effective. In other situations, armed civilians may be seen as primary threats to security, demonised as northern agents and opposed violently. Often, official attitudes towards armed civilians shift over time or differ according to the alignment and interests of leaders at the local, county, state or national level. Some groups of armed civilians will see themselves as assisting the authorities in filling a security vacuum, while others will see themselves as protecting against the state security forces.

Reforming the SPLA – Reform of the SPLA is supposed to decouple the army from the SPLM to produce the politically unaffiliated SSAF. At least since the 2006 Juba Declaration integrated most formerly antagonistic southern factions, the SPLA is politically heterogeneous, although its inner core of decision makers remains closely affiliated with the SPLM. However, there has been the chronic problem with failed integrations as well as the formation and reintegration of schismatic militia groups under dissatisfied commanders. The 2010 elections actually tended to reinforce the very close correlation of SPLM political officials and appointments with former or serving SPLA officers. Thus, many state governors, county commissioners and parliamentarians represent regions that they presided over as military officers before the CPA. Decoupling this linkage will be a slow process and it is likely to remain strong as long as the "liberation generation" officers, most now middle-aged, remain politically active, the opposition parties and civil society remain weak, and South Sudan remains insecure.

With fears of aggression by Sudan or its proxies still strong, firm links retained between political and military elites, and expectations of economic dividends high among former combatants, spending on the SPLA remains high (between 2009 and 2011, it accounted for between 25 percent and 33 percent of the government's total budget, probably much more in actual spending). This is unsustainable and detrimental to other service provision; some South Sudanese even see the SPLA as undermining internal security. Some in the administration are favourable to downsizing that would bolster professionalisation and the provision of more advanced hardware. Others favour the perpetuation of a society trained and readily mobilised for national defence. Confrontation with Sudan in Abyei and along the eastern border in 2011 seems to have fostered a policy of qualitative improvement in equipment without a quantitative reduction in personnel.

Thus far, demobilisation and reintegration schemes have been used to retire mainly elderly, infirm or female ex-combatants or to move them into the SSPS. Since the SPLA shifted to paying regular salaries in 2006, there is a substantial incentive for soldiers to resist demobilisation given the lack of opportunities in agriculture, the private sector and civilian administration. According to one perspective, the SPLA payroll is most useful for keeping some of the most potentially disruptive elements of society engaged with and not opposed to the new state.[37] Some respondents saw the only short-term alternative to military service in satisfying young men's increased economic and social expectations as involvement in armed non-state groups, criminality or cattle raiding.[38] Thus, maintaining, training and monitoring the armed youth through the SPLA may be seen as beneficial, at least while investment is sought to open up economic alternatives in the longer term. Moreover, while integration of ethnically constituted former armed groups and their leaders is still far from complete, the SPLA is by far the largest ethnically mixed institution in South Sudan and potentially has an important role to play in nation-building.

Forming the SSPS – The SSPS is being developed to play a role that most South Sudanese, including SSPS officers, have never experienced: civilian policing. While the SSPS is large,[39] it is

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37   Interview with foreign SSR specialist, Juba, 2nd September 2011.
38   Interviews with an international specialist, Bor, August 2011; interviews with an INGO and UN staff, Juba, September and November 2011.
39   With an estimated ratio of 200 civilians per police officer, South Sudan has a nominal policing density almost twice that of the OECD average and many times higher than that of African states of similar wealth. The problem is therefore not a *lack* of police personnel.

heavily concentrated in towns and has insufficient vehicles and radios to mobilise its manpower effectively over a vast territory. Presence of police posts, almost all built since 2005, is uneven. Many have been built in rural locations to demonstrate a state security presence but have had the opposite effect. The presence of only a few barely armed police without possibility of back-up serves to underline the ineffectiveness of the state security forces relative to armed civilian groups. Thus, police officers are often unwilling to serve in rural posts or unable to confront criminality. Society has lost its fear of the police in transition from the SPLA to the SSPS and has not necessarily replaced it with respect and confidence.

Extending the police presence and improving the professionalism of officers will be slow and dependent on other factors – including the construction of roads and administrative buildings, the strengthening of the judicial system, the extension of basic education and literacy, and cultural shifts towards accepting a state monopoly on legitimate use of force. In the meantime, armed non-state actors are unlikely to be willing to cede their own role in upholding security and disarm.

Opportunities for engagement

The SPLA is the largest and most diverse institution of the South Sudanese state. While it may be desirable to see a slimmed down, more professional, politically unaffiliated and civilian controlled armed force in the future, it is possible to engage with the army and shape its restructuring in the nearer term. This can and has included training on human rights, civilian protection and gender sensitivity. It has been more difficult to reach out to the SPLA at local level because of the regular rotation of personnel between barracks.

The SSPS has been more readily engaged by civil society in a few towns, being normally rooted in the community or region it serves and not subject to rotation. **Community policing** as a concept has support among local civil society, the UN and several international partners; more effort could be put into developing **interaction forums** to bring police, civil society, community members and media together to discuss security needs and set priorities. Pilot initiatives attempted in, for example, Torit could be rolled out in other towns and the concept applied to rural areas, where the deficit of policing is currently most acute.

Women's security needs have received relatively little attention. Nonetheless, women's organisations and associations are relatively well established in state capitals and many counties, and the SSPS includes large numbers of female police officers. Bringing women and women's associations into regular contact with the SSPS to discuss security concerns is an opportunity to build confidence between citizens and the security forces, as well as to improve security for women and girls.

Disarmament of civilians is at an important juncture in 2012. The practice of forcible disarmament which led to much violence and displacement in 2006–2009 was set to be superseded by a more consensual model working with SSPS and local leaders. However, violence in Jonglei in December and January appears to have persuaded the government to return to disarmament by force, which is likely to be resisted. Elsewhere, close to the Sudan border, the trend appears to be in favour of rearming civilians.

Preventing such manifestations of insecurity as cattle raiding, inter-communal violence, militia rebellions and gender-based violence requires a response far broader than SSR or security-led interventions like forcible disarmament. As the following table illustrates, **providing a safe environment for South Sudanese requires a cross-cutting approach to programming that incorporates governance, economic, justice and social sectors, as well as the security sector.**

Table 8: Cross-cutting measures required for improved safety in South Sudan

Issue	Need	Sectoral approach	Transformative practice
Small arms proliferation and use	Civilian disarmament	Economic	Market-based livelihood development targeted at youth
		Security	Provision of protection and early warning via the SSPS; Professionalisation of the SPLA
		Justice	Justice sector capacity to hold and prosecute offenders
Conduct of the SPLA	Professionalisation; protection of rights	Power	Delinkage of the SPLM and the SPLA; Civilian oversight and accountability of the SPLA
		Economic	Reintegration strategy with constructive livelihood alternatives for the demobilised
		Security	SSR and DDR
		Justice	Development of effective military justice and ombudsman system
Capacity of the SSPS	Protection of civilians	Power	Inclusion of the SSPS in dialogue forums with civil society and officials on security needs
		Security	SSR – capacity development of; SSPS – training, equipment, mentoring, infrastructure
		Justice	Justice sector development to improve ability to prosecute
Cattle raiding and inter-communal violence	Protection of civilians and property	Power	Attention to reconciliation; Oversight and accountability of politicians
		Economic	Market-based livelihood development targeted at youth
		Security	Deployment of the SSPS across territory and along raiding routes
		Justice	Justice sector capacity to hold and prosecute offenders; Reconciliation
		Well-being	Provision and regulation of water points
Militia rebellions	Demobilisation and integration of militia	Power	Democratisation and fair elections
		Economic	Market-based livelihood development targeted at youth; Accountability for oil revenues and pollution
		Security	SSR/DDR – (re)integration opportunity for ex-combatants
Domestic and sexual violence	Protection of women, girls and boys	Power	Greater inclusion of women in governance institutions; Reform of legal framework on women's rights
		Economy	Economic empowerment of women
		Security	Training of the SSPS and the SPLA in gender protection; Development of SSPS women and child protection units
		Justice	Improved access to justice for women; Sensitisation of customary justice sector on sexual and gender-based violence (SGBV)
		Well-being	Improved access to education for all; Education on the rights of women and children

4.4 Fairness, equality and justice

Table 9: Justice – Dynamic issues and long-term drivers of conflict

Dynamic Issues in 2011–2012	Longer-term Drivers of Conflict
Definitive shift from Arabic to English	Uneven presence of the statutory justice sector
Controversial Transitional Constitutional process and ratification	Lack of uniformity and clear precedent in applying the law and punishments
New Chief Justice	Impunity for political elites, security forces and armed civilians
	Impunity for violence against women
	Inability to handle evidence or prosecutions
	Lack of secure prisons
	Lack of reconciliation processes or transitional justice

The justice sector is arguably the least impacted by the transition from autonomy under the CPA to independence. While much has been made of the importance of the imposition of Sharia law in the outbreak of war in 1983, justice provision has never been something that the majority of South Sudanese have depended on the state for. Nor has it ever been within the capacity of the state to deliver justice comprehensively or uniformly.

Justice dynamics in 2011–2012

Provision or lack of provision of justice is rarely a direct driver of conflict in South Sudan. However, absence of recourse to justice, including transitional justice, and a lack of fairness in applying laws contribute to frustrations with government and elites that over time can lead to or escalate violence. This could clearly be seen in the escalating cycle of violence in Jonglei in 2011–2012, as perpetrators of violence and abduction were not brought to any kind of justice. Peace in South Sudan is undermined by impunity and inequalities in access to justice for many citizens, but the reform and development of the justice sector has not been obviously impacted by the transition to independence. Indeed, the administration of justice through customary authorities may be one of the more dependable and predictable aspects of life for rural South Sudanese.

Inequalities and exclusions

Access to statutory justice is highly uneven and does not reach the rural population. Moreover, women and children are more likely to be discriminated against by the customary system, while various elites enjoy virtual immunity from prosecution under either system. Conversely, the customary justice sector has a strength in being relatively evenly spread and largely representative of the values of the community in which it is based. Members of the legal profession trained in Arabic or Sharia law may feel increasingly excluded from the new English common law system.

Access to justice

Access to statutory courts is highly uneven in virtually all of South Sudan outside the state or county capitals. Presence of the formal justice sector is sparse and it has extremely limited capacity to prosecute, administer justice or hold convicts or detainees. Nominally, there is a courthouse and judge in every county headquarters, but this may not be the case in all counties. Even in state capitals like Bor, the high courthouse may be no more than a dilapidated house without electricity, furniture or filing systems and no more than corrugated iron and wire holding cells. Even if there is a judge, there may be no defence or prosecution lawyers or court clerks. While there is a cadre of judges with experience of operation in areas of SPLM/A administration, most judges were trained either in Arabic language Sharia-based law or the common law jurisprudence of Kenya and Uganda, therefore requiring retraining in the new English language common law of South Sudan. Evidence or a statement of guilt, obtained by the police, may be presented without

reference to a specific item of the criminal code. Most accused persons wait very long periods in pre-trial detention before they reach court. Some defendants understand the implications of admitting guilt to a judge, but criminal trials are unfamiliar and confusing for most defendants. Lack of education, an inability to understand the language of court proceedings and police pressure lead to many questionable "confessions".

For most South Sudanese men and women, access to justice actually means accepting the decisions of "traditional" leaders, who exist in a rough hierarchy in most bomas (A-Court), payams (B-Court) and counties (C-court) and who administer the large majority (respondents estimated between "most" and 90 percent) of criminal cases and virtually all civil cases. While appealable to the county and higher courts, the chiefs' courts depend on largely unwritten custom and practice according to the diverse traditions of the several dozen tribes that inhabit South Sudan. For the majority of South Sudanese respondents, this type of justice is generally acceptable, being locally accessible, relatively cheap, emphasising reconciliation over retribution, and comprehensible within local customs.[40] Indeed, aside from the military justice of various groups during the war, this is the only form of justice that most communities have ever known.

Conversely, the long war and shifting political alliances have undermined the institutions of "traditional" leadership. As a result, the authority of chiefs is often contested between returnees and established communities, between tribes now inhabiting the same territory, between chiefs and government authorities, and between chiefs and armed youth. As observed in practice,[41] the actual application of justice between customary and common law jurisdictions can be quite similar. Some chiefs do have legal training and many courts keep good written notes; moreover, in some counties, traditional and statutory courts inhabit the same premises, can hear the same cases and send guilty parties to the same prisons. Where they stop being "traditional" leaders and start being government officials is quite unclear. In the view of the Governor of Lakes State, the post-war advance of statutory courts and the "rule of law" is another factor tending to undermine the authority of traditional leaders and their ability to broker local justice and reconciliation.[42]

The system is largely patriarchal and usually age-based, meaning that women and children have a particular problem in securing justice. Women's groups across South Sudan note that the "traditional" courts can be extremely biased against women;[43] it is often difficult for women to approach courts directly; they may require a male relation to bring a case. Domestic violence is often not treated as a serious criminal offence. Crimes of rape and sexual violence outside marriage are often treated seriously as crimes against the family and are a cause for payment of compensation in cattle in some cultures. However, rape is rarely treated as a crime against the woman nor are perpetrators sent to prison; in some cases, the women are married to their rapists if they offer enough cattle to satisfy the woman's family. Rights to inheritance usually exclude women, and widowed women are often deprived of their home or assets and forcibly married to another member of their husband's family. In some areas, girl children are provided as "compensation" for the murder of a family member. Women are largely unable to divorce their husbands unless the bride price is returned to the husband's family, something few families are willing to do. Women who try to escape or who leave their husbands for other men are often put in prison for adultery and remain there until the bride price is returned to their husband's family. Such incidents essentially amount to widespread indefinite imprisonment for non-criminal acts. Men and women from "non-indigenous" groups in rural areas are also potentially at a disadvantage within this system.

40   Focus groups and interviews with community members, women's organisations and civil society, Eastern Equatoria, Jonglei and Lakes, August 2011; interviews with court or justice officials, Bor and Rumbek, August 2011, and Aweil, November 2011.

41   Based on observations of courts in operation in Bor, Kapoeta and Aweil (August and November 2011).

42   Interview with Governor Chol Tong Mayay Jang, Rumbek, August 2011. This point about the transition from the known rule of customary law to the unknown realm of statutory law was reiterated by an international working with the SSPS in Bor, August 2011.

43   A women-only focus group in Kapoeta, August 2011; women's and community groups in Rumbek, August 2011, and Aweil, November 2011.

Box 3: Impunity

Impunity was reported as a major cause of discontent among respondents across South Sudan and determines to a great extent who is likely to face prosecution. It fuels resentment and a sense of disempowerment and unfairness, and thus stores up unresolved problems which can fuel violent conflict in the future. Those perceived to enjoy impunity include:

- Politicians at all levels;
- Members of the security forces, especially officers;
- Renegade officers or militia commanders, who negotiate reintegration down the barrel of a gun;
- Armed youth, including cattle raiders, who may outgun the security forces or disrespect the authority of chiefs;
- Perpetrators of sexual or domestic violence, since these acts may not be regarded as serious crimes;
- Chiefs and their families, who would themselves administer justice;
- The wealthy, who can pay their way out of court proceedings.

As a consequence, there is widespread frustration at the perceived impotence of both customary and statutory courts to uphold justice other than against the least powerful elements of society. This is particularly true regarding the failure of courts to tackle corruption, even when misallocation of resources seems very obvious to ordinary citizens.

Reconciliation and transitional justice

Largely missing from peacebuilding work so far in South Sudan has been attention to broad-based reconciliation and the legacies of decades of South-South conflict on ordinary citizens. Of course, short-term, localised reconciliation is one of the objectives of the myriad of peace conferences organised at multiple levels and there was a formalised South-South political dialogue between the SPLM and other political parties ahead of the referendum and independence. But there has not been any systematic attempt at a national dialogue on reconciliation and little attention to transitional justice.

Consultations from this research demonstrated a marked division between attitudes of senior officials hostile to transitional justice and attitudes of ordinary citizens or civil society members in favour of some form of truth, reconciliation and reparation for suffering. Demands and to some degree expectations exist for cash or cattle compensation for losses suffered in the war. Nevertheless, these are unlikely to be met either through local processes or a formal national truth and reconciliation process.

Opportunities for engagement

Future justice system reforms and a greater degree of scrutiny by civil society are necessary. However, these may engender conflicts of interest or jurisdiction with established and broadly accepted legal institutions in the process. At present, statutory justice has to some extent embraced some of the accepted practices of customary law in the absence of rigorous legal standards and processes. This makes it somewhat more comprehensible to defendants who may struggle to understand the legal process or even the language of proceedings. Transition from customary to statutory justice is actively sought by many women in rural areas for cases of rape, disinheritance, or early marriage. Conversely, in some other areas regulating violence and compensation, this transition may actually decrease the predictability of the system or what many of our respondents in rural areas identified as fairness and legitimacy.

Reconciliation initiatives have received little attention at the national level and are widely seen to have failed at the local level through an ad hoc approach and lack of follow-up or connection to higher-level processes. High-level political will would be required to initiate a meaningful national process.

Interviews suggested a clear difference in support for reconciliation between civil society and government. However, the growing activism of the vice-president in promoting conflict management may indicate a window of opportunity and the churches are keen to be involved and widely respected. As discussed in Chapter 5, sustained engagement with communities at risk of conflict through peace committees for conflict prevention are a more promising alternative to reactive conflict resolution initiatives through local "peace conferences".

Transitional justice, often seen in post-conflict countries as a route towards reconciliation, appears to have limited support among elites within South Sudan, although many ordinary respondents expressed a preference for reparation payments or compensation.[44] Having secured independence for South Sudan, the unity of the party and army seem to rest on an internal consensus to forgive and forget the abuses that elements of all armed factions perpetrated during the liberation struggle.

Supporting the **customary justice sector** is an opportunity for improvement of justice delivery in the short to medium term. This may be while the statutory system develops its capacity over a necessarily longer timeframe, but should not be seen as only an interim solution. Traditional justice is not necessarily seen as less legitimate than statutory justice (often quite the contrary). It is already linked to the statutory system by a variety of legal and practical mechanisms, and has an institutional presence within the community that the statutory courts are never likely to replace. This said, there is a need for greater clarification and standardisation of process as well as training and sensitisation for court justices in basic human rights norms and gender awareness. The parameters and permutations of customary law will be neither understood nor reformed in the short term. Nonetheless, these have already had long contact with other systems of justice and may be receptive to working towards common standards and principles, where these are demonstrated to have salience with cultural values and practices.

4.5 Well-being

Table 10: Well-being – Dynamic issues and long-term drivers of conflict

Dynamic Issues in 2011–2012	Longer-term Drivers of Conflict
Arrival of over 500,000 returnees, IDPs and refugees from Sudan	Mass resettlement of population
Increased expectations of service delivery	Dependence on INGOs/UN – lack of social contract with the GRSS
Sudden onset austerity in 2012	Lack of access to quality education
Looming food crisis in 2012	Seasonal competition for access to water sources
	Limited access to healthcare
	Food insecurity
	Physical isolation (internal and external)
	Absence of state presence outside of towns
	Unprecedented rural-urban migration
	Psychological impact of long war and lack of reconciliation

Well-being

Social dynamics in 2011–2012

South Sudan's society and its well-being changed rapidly in the CPA period, as the population returned and settled down to life after war and gradually began to access healthcare and education. In some areas, there may have been more development since 2005 than in the previous 50 years. But for many returnees, return from the north, Kenya or Uganda has meant adjusting to a life with less secure access to food, water and basic services. Since 2011, progress in rebuilding has been disrupted for many people by a combination of conflict displacement, the accelerated arrival of southerners from Sudan and the blockade of the inter-Sudanese border. In 2012, the provision of the most basic services, and thus the extension of the state into peripheral areas, will come under pressure as the GRSS, deprived of oil revenues, slashes spending and concentrates on defence.

Inequalities and exclusions

Urban areas are likely to have gained most in the rapid development of infrastructure and provision of health and education; many rural areas remain physically isolated and without access to basic services or information about their state or nation. As Table 11 demonstrates, there are dramatic differences in poverty and social indicators between states, even neighbouring states like Unity and Upper Nile, as well as between town and country, men and women. The burden of food insecurity in 2011–2012 has fallen disproportionately on the northern states, and especially Greater Upper Nile, because of their vulnerability to disruption of trade with Sudan, high levels of displacement and the sudden arrival of half-a-million returnees, IDPs and refugees from Sudan. In this instance, the stress has often been greater for urban households that do not grow their own food and compete with large numbers of new arrivals.

Resettlement and migration

During the 1983–2005 war, an estimated four million of South Sudan's population of eight or nine million was displaced at least once, with most fleeing to neighbouring states or moving north to Khartoum and other parts of Sudan. Indeed, a large part of the current population has been born and raised outside of the new national territory and speaks Arabic rather than the new national language. Up to half of all South Sudanese have needed to resettle since the CPA. An estimated two million had returned by end of 2008, including over two thirds of the entire population of Northern Bahr el-Ghazal.

On top of this huge number of returnees over several years, the division of Sudan has precipitated the mass repatriation of men and especially women and children of South Sudanese origin living in Sudan. The latter has not been willing to extend dual citizenship and asked residents to naturalise as Sudanese or to leave the territory by 8th April 2012. Some 341,000 returnees were recorded between October 2010 and October 2011, heading disproportionately for the border states of Unity (25 percent), Northern Bahr el-Ghazal (20 percent), Upper Nile (16 percent) and Warrap (10 percent). OCHA estimated an additional 250,000 returnees could move south voluntarily in 2012, although the outright expulsion of Southern nationals from Sudan could see anywhere from 500,000 to over a million returnees arrive.

Between May and September 2011, an additional 100,000 or more conflict-displaced persons arrived from Abyei and Sudan, overwhelmingly to adjacent areas of Warrap, Unity and Upper Nile. Some 80,000 more persons have followed from Southern Kordofan and Blue Nile. Accommodating these new arrivals has put particular strain on the resources of the new state, not least because they are concentrated in the border states and communities that have suffered most from the disruption of trade across the inter-Sudanese border and access to hard currency. Food price inflation has been a significant source of tension between settled, "old" and new returnee communities; however, the actual incidence of violent conflict in response appears to be quite low.

Rural-urban transformation

The other great contemporary manifestation of migration and resettlement is the shift of South Sudanese from rural to urban communities on an unprecedented scale. Most South Sudanese towns were either garrisons of the northern army or depopulated through the war years, cut off from their hinterlands and regular trade. They are now playing catch up and Juba is often said

to be undergoing the fastest proportional growth of any city anywhere in the world. So far, less than 20 percent of South Sudanese reside in urban areas, but this figure is increasing rapidly. Whether or not they will become better off as a result – and current statistics suggest urbanisation will radically improve access to health, education and economic opportunity – this demographic transformation may have far-reaching consequences for South Sudanese society and economy, changing the way men and women do business, politics, justice and security. Not least, it will modify the relationship between landholding, cattle holding, status and wealth, which contribute so much to conflict in rural areas.

At least in the capital, oil money and international aid has helped to provide a minimum of urban services, including new roads, street lights, water and healthcare. However, waste disposal, over-crowding and very high rents remain serious problems. Access to employment is very difficult or insecure for most urban South Sudanese, who are often expected to contribute to the well-being of their rural kin. Many new urbanites have arrived from much bigger cities outside of South Sudan and bring an exposure to different cultures and different attitudes to crime. The so-called "Niggaz" street gangs in Juba, Wau, Aweil and Torit are alleged by many of their peers and elders to be involved in drugs and violent crime.[45] Others say these are misunderstood youth, persecuted for their alien clothes and music. Gender roles and expectations in South Sudan are often more circumscribed than those that female and male returnees grew up with in Nairobi or Khartoum. For example, a young woman educated in law in Khartoum complained of prejudice against women working in professional jobs back in Western Bahr el-Ghazal and of greater pressure to conform to traditional female roles in her camp.[46]

Service delivery and the social contract

South Sudan's social indicators, while still rudimentary, are very poor. While most South Sudanese have access to very basic healthcare facilities and death from starvation is rare, the country's health and food security standards are very poor and overwhelmingly dependent on provisions by UN agencies and INGOs. Around one-in-nine women die in childbirth and almost one-in-seven of their offspring will die before their fifth birthday (see Table on next page). There is only about one South Sudanese doctor for every 75,000 citizens and no current capacity to train more doctors domestically. Only one-in-six South Sudanese children currently attends primary school and far fewer reach secondary school; much of the literate population was educated abroad in refugee camps. Those educated within Sudan find themselves literate in a language (Arabic) that is being very rapidly replaced by English as the only language of public service and business.

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45   Interview with state minister, Wau, August 2011; interview with civil society activist and focus group with civil society, Torit, August 2011; interview with a security-focused INGO, Juba, November 2011; interviews and informal conversations with youth activists and civil society, Aweil, November 2011. Fear of gang violence was most strongly expressed in Torit by both male and female respondents.

46   Interview with a female returnee, Wau, August 2011.

Table 11: Poverty and social indicators in South Sudan, by state

State	Poverty Incidence (%)	Adult Literacy (%)	Access to Healthcare Facilities (%)	Maternal Mortality (per 1,000 live births)	Under-five Mortality (per 1,000 live births)
Northern Bahr el-Ghazal	76	21	66	21.8	165
Unity	68	26	70	17.3	82
Warrap	64	16	53	21.7	176
Eastern Equatoria	50	19	57	18.4	118
Lakes	49	18	56	22.4	114
Jonglei	48	16	72	18.6	108
Central Equatoria	44	44	81	18.7	141
Western Bahr el-Ghazal	43	34	57	22.2	134
Western Equatoria	42	33	96	23.3	192
Upper Nile	26	45	87	20.9	110
South Sudan	51	27	70	20.5	135
Urban	24	53	93	NA	NA
Rural	55	22	66	NA	NA

Note: NA means "not available"
Source: National Baseline Household Survey, 2009, and Sudan Household Health Survey, 2006

Who delivers basic services is also important, as the GRSS is encouraged to take greater responsibility for its own citizens' welfare. At present, an estimated 85 percent of healthcare is delivered by international agencies and one third of the population remains dependent on supplies of basic foodstuffs from the World Food Programme (WFP) for survival. Whereas there is an increased expectation of a peace or independence "dividend" for the welfare of the population, interviews around South Sudan suggest that popular frustrations with service delivery are directed at the international agencies rather than the South Sudanese authorities. The sudden onset of austerity measures in February 2012 will further weaken the state's capacity to deliver services and shift the social burden further to humanitarian agencies and donors, which are less likely to see the GRSS as a credible implementing partner for development.

This tends to undermine the idea of a social contract between citizens and state. It also presents a dilemma for international agencies seeking to disengage from South Sudan via a transition to state service provision. Meanwhile, the 2011 GoSS/GRSS budget directly allocated just 5.6 percent to education, 3.8 percent to health, and 2.1 percent to social and humanitarian programmes. Collectively, direct GoSS/GRSS spending on social development was thus worth less than spending on the public administration and much less than half of the official allocation to the SPLA.[47] The austerity budget's emphasis on protecting public and security sector employees means that these ratios will increase further in 2012. Precipitous disengagement by international agencies would leave many if not most South Sudanese bereft of basic services and reliable access to food.

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47   The 2011 GoSS budget allocated 28 percent of expenditure to the Ministry of SPLA and Veterans' Affairs and 13 percent to public administration (President's Office and Cabinet Affairs). An additional 4.7 percent went to the SPSS and 4.3 percent to the National Legislative Assembly. Thus, at least 50 percent of expenditure went to maintaining the security and civil services. See David Deng Athorbei, *Government of Southern Sudan 2011 Budget Speech to the South Sudan Legislative Assembly (SSLA)*, January 2011, available at http://www. goss-online.org/magnoliaPublic/en/ministries/Finance/Annual-Budgets/mainColumnParagraphs/0/content_files/file14/2011%20 Budget%20Speech%20-%20FINAL%20-%2011-01-31.pdf (408Kb PDF).

However, it seems unlikely that the government will be willing to fill the gap while it directs its resources towards physical security.

Where services are delivered also matters and the South Sudanese population is extremely hard to reach, being scattered across a large territory virtually without vehicular roads. The shift from war to peace, displacement to resettlement, actually means a return to wandering for many, as pastoralism becomes less constrained. That food distribution and healthcare facilities manage to reach a majority of the population at all is largely due to a three-decade humanitarian effort by the international community, developing enormous expertise at enormous expense. Developing the sustainable capacity to meet these needs by the South Sudanese authorities will mean opening up land routes to communities currently served primarily by air. It will also require the development of surplus-producing agriculture and distribution networks, and is likely to go hand in hand with the gradual settlement of peoples in communities where they can access education and health as well as jobs, security and justice. This too will be a generational process. Managing the transition from international to domestic service provision will be the key challenge in the medium term, and doing so in a way that is seen as fair to and by different groups.

Opportunities for engagement

The movement of South Sudan's population from exile and diaspora to home and from country to town is changing the nature of society and interactions between peoples. The same is true of the gradual roll-out of connecting infrastructure, education and basic services. A higher concentration of people in the towns is important not just because it forces groups separated by some distance – and often by political, religious or tribal affiliation – to interact in the same space. It also increases their capacity to lobby for political and social change, to hold their government to account. Whereas protest from excluded regions has often been down the barrel of a gun – attacking government buildings or traffic on highways – there may now be the prospect of more subtle advocacy from within towns.

As many South Sudanese reiterate, the integration of the country, provision of basic services and security, and the development of trade and surpluses all depend on the existence and maintenance of **roads**. Thus, Greater Equatoria is already stabilising and developing faster than isolated Greater Upper Nile. Internal and external trade will bring South Sudanese into greater contact as they develop commercial relationships outside their own territories.

Cheaper and faster than building physical infrastructure is the opportunity to extend South Sudan's virtual infrastructure to bring **information and communication links** across the country. The current paucity of media coverage in and from areas outside of Juba and a few state capitals is striking. The national broadcaster and UNMISS' Radio Miraya can reach many parts of the country but only in English and Juba Arabic, which are known to just a minority. For the rural youth, there is often no access to information, either to communicate their own concerns and frustrations or to be warned of impending hostilities. In a state like Jonglei, there is effectively no common forum or language for discussion of issues of common concern, and thus no pressure valve for mounting tensions. In many non-Sudanese post-conflict contexts where there has been a vacuum of information, FM radio has been prioritised to connect communities and to raise awareness of peacebuilding activities. This is not cheap and also requires a commitment to monitoring and standards of integrity to prevent voices of peace being subverted by calls for violence or hate speech. While there are many obstacles to the development of the South Sudanese media – including government opposition to live broadcasting on political issues, the physical extent of territory, pluralism of language and inadequate professional training for journalists – the lack of media is a notable obstacle to more popular, participatory forms of early warning, response and learning.

5. Peacebuilding trends and responses

The following section provides an overview of the peacebuilding sector in South Sudan and an assessment of its strengths and weaknesses in meeting the challenges of peace and conflict during the CPA period. It examines briefly the impact of certain types of intervention as well as the linkage of peacebuilding work with humanitarian and development assistance. It also identifies implications and opportunities for future peacebuilding work in South Sudan.

5.1 Trends and dynamics in peace and peacebuilding

The assessment found little evidence of sustained strengthening of peace and peacebuilding over much of South Sudan, although there is considerable difference in the degree of peace experienced in different states and the strategies that have been deployed there. A few states, notably Northern and Western Bahr el-Ghazal and Central Equatoria, were characterised by a sustained absence of significant violent conflict. Western and Eastern Equatoria suffered repetitive small-scale localised conflict, although they had made some progress towards peace and stability over recent years. For the other half of the country, the centre and northeast, little progress was perceived in peacebuilding; violent conflict remained widespread in 2011 or, as in Unity and Jonglei, increased significantly in the months around independence, even if the shift to independence was not the main impetus for violence. The following trends and dynamics in peace and peacebuilding have been observed.

- The **meaning of peace** as defined by most South Sudanese respondents was a short-term absence of physical violence. Moreover, their perception of the level of peacefulness corresponded closely with the incidence of such conflict in their state, county or city. Similarly, the conception of peacebuilding work tended to correspond closely with conflict resolution rather than conflict prevention work. As yet, there is limited attention to building sustainable, positive peace rather than reacting to violent events.
- **Disempowerment of society** tends to manifest in a belief that much depends on what happens *next*, rather than on what they and others do *now* and *beyond* that event. Many people believe that what happens next (be it a reshuffle, a census, a constitution, elections, a referendum, or what happens in relations with Sudan) will determine much, when in fact it tends to determine much less than they expect. **Repeatedly, the next big event has made little or no difference to the underlying patterns and dynamics of conflict and peace.**
- **Government is widely seen to be slow or reluctant to respond to conflict** or build peace proactively. It suffers more from a lack of coordination and response action than early warning information. The belief that South Sudan must deal with south-south tensions and conflict is stronger among people outside government than those inside government. This belief is held, for example, by discontented Shilluk in Upper Nile and by the Nuer more widely. This fosters the sense that the status quo, however lacking in peace, is working for the government but not for the people.
- **Intra-state "peace conferences"** organised across South Sudan have had little more than short-term impact on conflict resolution and very little impact on peacebuilding or conflict prevention. Their failings are widely acknowledged, yet there continues to be wide demand for them. This appears to reflect a lack of confidence in alternative local mechanisms, the lack of an overarching national reconciliation process, as well as the political economy of donor-financed peacebuilding.
- **Reconciliation gestures or initiatives** (such as Vice-President Riek Machar's August 2011 apology to the Dinka Bor) have been few, and do not yet amount to a sustained national reconciliation and peacebuilding process. The churches and civil society have been active in

promoting reconciliation initiatives of varying depth and duration, but government support has been limited. Despite, or because of, the myriad of unreconciled conflicts between peoples and regions, most politicians appear to see transitional justice in particular as destabilising, both to the country and their own positions.

- **Disarmament attempts are widely seen to have been counter-productive**, although ultimately necessary and desirable. This is because, for example, they have been coercive and only disarm one community, while another remains armed. This said, there are positive experiences of disarmament or arms control – for instance, in Northern Bahr el-Ghazal, Juba and several larger towns. A supposedly "consensual" new approach to disarmament that began in the Wunlit area (Lakes, Warrap, Unity borders) in late 2011 became coercive and was rapidly undermined by armed groups raiding their disarmed neighbours. Compulsory disarmament beginning in Jonglei in March 2012 has the potential to stoke already volatile relations between communities and with the Army.

5.2 Generational challenges

Numerous factors need to be borne in mind when thinking about peacebuilding and state-building in South Sudan in its first decades of independence. These imply that strategies need to be long term, based on a vision of how a peaceful South Sudan might be organised in a generation, as well as founded on a realistic assessment of some of the obstacles and disincentives to building a positive, sustainable peace in the medium term. This does not mean that peacebuilding interventions will or cannot be successful or build momentum in the shorter term. Some of the challenges facing peacebuilding and state-building in South Sudan include the following.

- **Political rewards** – The SPLM/A fought for 22 years in the bush (longer for AnyaNya) and few of its "liberation generation" cadre hope or expect to spend less time in control of government and the new state. Broad-based opposition parties are unlikely to coalesce or lay claim to greater legitimacy in the near term. Managing rivalries within the ruling Movement, whose reunification is still very recent, is thus likely to have more impact than promoting or managing inter-party competition.
- **Cultures of violence** – Most South Sudanese men and many women under 40 years of age, along with many older, were brought up in the struggle. These people fought for one side, the other or both, or fled violent conflict. Another issue is the violent masculinities and rites of passage within Nilotic communities which have deep but dynamic roots in the cattle-keeping lifestyle.
- **Absence of nation-building** – The South has little historic national identity beyond opposition to Arab domination; its long struggle was arguably more divisive than unifying. Only with the CPA has national and territorial reunification begun, and the myriad of tribes and clans still mix little outside of Juba.
- **Institutional cohesion and accountability** – while South Sudan is replete with institutions, they are not yet suitable to govern a democratic or citizen-responsive polity. It will take decades of evolution and institution-building by the South Sudanese, with appropriate help from outside, before they are fit for that purpose.
- **Demobilisation** – The SPLA is unlikely to be willing to downsize substantially (in manpower or spending) while internal threats to the state remain high, Sudanese forces remain mobilised along the border, the status of the Three Areas is unresolved, and economic opportunities for ex-servicemen remain minimal. Meanwhile, it will remain the largest employer, training institution and public funding obligation.
- **Disarmament** – Civilians, especially the youth, will be unwilling to disarm substantively without reconciliation or while their neighbours are armed, the SPLA lacks discipline and the SSPS is unable to enforce rule of law.
- **Access to justice** – Even with the SSPS retrained, re-equipped and deployed, the formal justice sector is starting from a very low level. It will take decades to establish a functioning statutory justice system beyond state capitals.

- **Access to markets and security** – Physical infrastructure (mainly roads) will take years, if not decades, to connect the country and permit the security forces to deploy effectively in rural areas and farmers to access markets.
- **Access to livelihoods and employment** – The economy looks unlikely to make a great leap forward and create jobs. Extractive industries are most likely to create growth and revenue, but least likely to create jobs for the South Sudanese. Pastoralism will be slow to make the transition from status-based to monetised stock-raising. Commercial agriculture cannot be developed before transport infrastructure.
- **Education and accountability** – Whoever provides education, and in whatever language, most South Sudanese are likely to remain uneducated and illiterate for at least the next decade. This factor, among other things, will make them less capable of holding the administration to account.
- **Inequality** – Lifestyles and opportunities in towns will be radically and perhaps increasingly different from those in the countryside, where the majority will continue to reside. Women, and especially rural women, start from a basis of severe inequality in access to education, employment, justice, security and political power; they will continue to face significant social and cultural obstacles to closing the gap with men.

5.3 Peacebuilding actors, institutions and sources of resilience

While South Sudan starts from an extremely low base of social development and a structural orientation towards conflict, the very fact that it spent so long at war means that it has a highly resilient and rapidly changing society. Five institutions, however imperfect, defined through the war and displacement experience present opportunities for peacebuilding in South Sudan as follows.

1. **Predictable governance** – However limited its actual experience of governance, and however one views its commitment to internal and popular democracy, the nature of the SPLM as the de facto state-party presents a relatively high degree of predictability and potential continuity for peacebuilding partners. Managing internal rivalries will not be simple, and a high degree of individual mobility within the administration and institutions oriented to addressing conflict should be expected. Nevertheless, virtually everyone who counts in South Sudanese politics was at least once a member of the SPLM and for many citizens it draws some legitimacy as the party that won independence.
2. **Security infrastructure** – Whatever it lacks in bureaucratic capacity, the South Sudanese state possesses a developed security infrastructure that has proven capacity to control territory when and if it wants to, if not all of its territory all of the time. This is an advantage for state-building that can with time and attention to professionalisation and protection become an opportunity for peacebuilding. As the largest ethnically mixed institution in the country apart from the churches, it is also an opportunity for nation-building.
3. **Local leadership infrastructure** – The paucity of bureaucratic infrastructure outside of state capitals and county headquarters does not mean that there is a vacuum of administration in the countryside. "Traditional" leaders exist in almost every community with a loose hierarchical connection to the state. Very often, a degree of popular consent, if only by men, is exercised in the appointment of these leaders. Often, this authority is contested, especially by the youth, but hierarchies also exist to youth leaders in cattle camps. Although often compromised by its tribal nature, this is an entry point to groups often seen as perpetrators of violence. The decline of traditional leadership during the war – when chieftaincies were heavily politicised by the armed factions or compromised by occupying military commanders – is often linked to the escalation in cultures of violence among young men since the war. It is uncertain whether this authority can be re-established.
4. **Religious leadership** – Christianity is one of the more unifying aspects of South Sudanese identity, and the established churches have played a central role in peacemaking throughout its conflicts.

Like the SPLA, it is mixed ethnically. It was very widely identified by respondents as a central and trusted actor in conflict resolution. Some respondents also identified Islamic leaders as important intermediaries, especially in cities and northern states, and potentially with Sudanese communities north of the border.[48] However, the churches can be divisive and political. For example, there were criticisms of the religious and ethnic balance of the peace efforts led by the Sudan Council of Churches (SCC) in Jonglei in late 2011. Many senior churchmen have been absorbed into government since 2005, and there is a growing difference between the better educated senior clergy and the new grassroots clergy. Coordination between the churches, government and traditional leaders is often weak and SCC mediators are often eclipsed by new politicians with popular mandates.

5. **International presence** – Humanitarian and development partners are paradoxically viewed as part of the problem in South Sudan, while providing the lion's share of social welfare and development outside of the towns. The quality of assistance and coordination has often been poor, but many INGOs have three decades of commitment to South Sudan and the potential to transfer considerable capacity to national successors. Who works for INGOs and UN agencies has great significance. Educated, Anglophone and often from the Equatorias, South Sudanese working for international organisations often feel that they are resented by the authorities for going abroad for an education instead of staying to fight, as well as for withholding their skills from the public sector.

5.4 Impact of peacebuilding work

Multiple strategies for peacebuilding, stabilisation, conflict prevention and resolution work have been attempted in South Sudan since the CPA, according to a variety of theories of change. The table on the next page attempts to summarise some of the most prevalent.

Four types of intervention by non-state actors and their theories of change are worthy of further examination – either because of the apparent demand for them or the impact that they have had, positive or negative.

Peace conferences
Theory of Change: If community leaders meet and reconcile after violence, then future conflict between their communities will be prevented.

The ubiquitous response to outbreaks of armed violence in South Sudan is to organise a "peace conference" that nominally represents and reconciles representatives of the communities or tribes involved. Throughout research across the country in 2011, this was what South Sudanese, civil society, government or unaffiliated, connected most frequently with the concept of peacebuilding. Paradoxically, there is both widespread scepticism about the ability of conferences to bring lasting peace and a continued high level of demand for them in response to armed violence.

Peace conferences occur at multiple levels: from the all-state level like the Jonglei Peace Process, through inter-state processes such as Wunlit (Warrap, Unity, Lakes borders) or inter-Nuer dialogue, to the more prevalent inter-county and intra-county conferences. Typically, peace conferences are chaired by a state governor or county commissioner, facilitated by the Church or a trusted local NGO, and financed by an INGO or the UN. Participants range from youth and women's representatives to elders, religious leaders, community-based organisations (CBOs) and NGOs. However, the primary negotiators and signatories are invariably traditional clan leaders and county commissioners.

48   Interviews in Wau, August 2011, and Aweil, November 2011.

Table 12: Intervention strategies and theories of change for peacebuilding, by sector

Sector	Types of intervention	Theory of change
Power/Governance	Peace conferences	If community leaders meet and reconcile after violence, then future conflict between their communities will be prevented.
	Peace committees	If communities meet regularly to discuss peace, then confidence will be built and violence within and/or between their communities will be prevented.
	Conflict early warning systems	If the authorities are forewarned of brewing conflicts, then they will respond to them to prevent or contain violence.
Economy/Livelihood	Oil revenue transparency	If oil revenues are monitored by civil society, then they will be more effectively directed to development and corruption will be deterred.
	Youth-oriented employment	If young men have access to constructive cash employment, then they will be less inclined to raid cattle or join militia.
Safety/Security	Disarmament and small arms control	If civilians surrender their firearms, then their relations with other individuals, groups and the state will be more peaceful.
	Community policing and rule of law forums	If the police increase their contact with citizens, civil society organisations (CSOs) and/or the media, then they will be more effective at meeting people's security needs.
Justice/Fairness	Strengthening of customary sector	If traditional leaders are trained and sensitised in legal principles and human rights, then they will provide a convenient and cost-effective route to justice.
	Land law sensitisation	If people are educated in their rights to land, then they will not engage in violent practices to access land.
Social Well-being	Delivering social services and basic foods	If people are fed, healthy and educated, then they will engage less in violent rent seeking.
	Water point construction	If communities have access to reliable water points, then they and their animals will not come into conflict with communities controlling access to water.

Respondents highlighted a good number of reasons why peace conferences do little to build sustainable peace, as the following points illustrate.[49]

- **The wrong people attend** – Those negotiating and pledging peace are rarely those who are perpetrating the violence. Rarely are armed youth, for example from cattle camps, brought into the process. Often the wider "peace coalition" comprises those who are more educated or urban groups who are already involved in civil society organisations or peace groups.

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49   Failings of peace conferences have also been well documented elsewhere. See, for example, Mark Bradbury, John Ryle, Michael Medley and Kwesi Sansculotte-Greenidge, *Local Peace Processes in Sudan: A Baseline Assessment*, Rift Valley Institute, 2006.

- **Some of the right people attend for the wrong reasons** – Many respondents felt that some commissioners, administration and traditional leaders engaging in peace conferencing were doing so disingenuously – using the opportunity to proclaim their commitment to peace even while assisting one of the armed factions.[50]
- **Perverse incentives** – Delegates to peace conferences are usually accommodated, fed and often entertained at public or international expense; they gain access to more powerful politicians, development partners and the media, thus raising their own political profile.[51]
- **The timing is wrong** – After violence, there is pressure for dialogue and public reconciliation at the earliest opportunity. Often, communities are still traumatised, unhealed and not ready to reconcile in any meaningful way. Peace agreements are the process, not the culmination of any more substantive process.
- **Agreements may be illegal or unconstitutional** – For example, intra-county peace agreements seen in Eastern Equatoria proposed the death penalty for anyone violating them and agreed to hold relatives and in-laws of violators accountable for punishment in their stead.[52]
- **Unrealistic development demands** – Many peace agreements attempt to identify the roots of conflict in underdevelopment or resource conflict and propose development projects to mitigate them – for example, by building roads or creating water points. Without resources to implement these projects, these may be a development shopping list for donors and INGOs.
- **Lack of ownership** – Communities are not strongly engaged in the process or feedback. Moreover, it is unclear if their leaders are following their own agenda or agreeing to what the government demands and what their international partners want to hear.
- **Lack of follow-up** – Once signed, there is no mechanism in place to follow up on the recommendations of the conference and hold violators accountable. Thus, there may be no ongoing reconciliation, no prosecution of perpetrators, no return of property or cattle, no payment of restitutions and no development projects. Lack of implementation was the most often cited reason for the perceived failure of peace conferences.

At least part of the problem seems to be that peace conferences are frequently used in situations of ongoing conflict, confusing conflict resolution with longer-term, sustainable peacebuilding. Nevertheless, a demand still exists for restorative peace conference-type activities that is not necessarily explicable by political economy arguments. Some suggestions from respondents for what would make peace conferences, or inter-communal dialogue, more effective included:

- **Focusing on excluded youth** as perpetrators of violence, seeking to confront and understand their viewpoints and needs as well as to change their behaviour and attitudes;
- Focusing more narrowly on the powerful – politicians, administrators, chiefs – in closed session to **prevent grandstanding** or distractions;
- Organising **small bilateral meetings** rather than state-wide multilateral conferences in order to focus on specific issues over general declarations;
- Preceding peace conference events with **bilateral exchanges** between community leaders from conflict-affected areas to build trust and empathy;
- Seeking **well-informed, neutral facilitation and hosting**, especially where the state or county administration is perceived as partial or compromised in the violence and international organisations do not have a permanent local presence;
- Following up conferences with proper **dissemination of peace agreements** to the affected community using vernacular languages and, ideally, explanation in the media;
- Following conferences with regular **meetings to review implementation** of commitments. Conferences are neither the start nor the end of the reconciliation and peacebuilding process.

50   Interviews with civil society and community-based organisations involved in peace conferences, Bor, Kapoeta and Torit, August 2011; interviews with international and local NGO staff, September and November 2011, and with UN staff, February 2012.
51   Interviews with civil society and community-based organisations involved in peace conferences, Bor, Budi, Kapoeta, Malakal and Torit, August 2011; telephone interview with South Sudan expert in the US, March 2012.
52   Resolutions from Peace Conferences held in Napak and Kimotong payams, Budi County, September 2010.

Not all of these recommendations are mutually compatible and some suggestions, like longer timeframes, may mean more expensive processes. Nevertheless, they do suggest ways in which conflict might be transformed over the longer term. Some of these good practices are already being used in situations of conflict prevention through peace committees.

Peace committees

Theory of Change: If communities meet regularly to discuss peace, then confidence will be built and violence within and/or between their communities will be prevented.

Efforts have been more localised to establish local peace committees that aim to build positive relations between communities in a given location and proactively build peace. Good examples of such work are found along the inter-Sudanese border, including peace committees organised by the US Institute for Peace (USIP), peace centres built for them by AECOM in Northern Bahr el-Ghazal, and Concordis' engagement with two clusters of cross-border dialogue between South Kordofan and its southern neighbours (Northern Bahr el-Ghazal, Abyei, Warrap and Unity) and between Upper Nile and its northern neighbours (Blue Nile and White Nile).

While this inter-Sudanese border can certainly not be said to have been peaceful in 2011, there was very little violence across the border by pastoralist communities that were ranged against each other in the 1983–2005 war and potentially in seasonal competition over water and grazing resources along the border. In Northern Bahr el-Ghazal, the peace committees in the border counties have benefitted from strong support from the governor and his peace commissioner and their contacts with political leaders in Southern Kordofan and South Darfur in attempting to mediate the conditions for peaceful migration of Misseriya and Rizeiqat Arabs into Dinka-populated pastures during the dry season. Concordis' track-two dialogue along the border is complementary in attempting to understand the dynamics of cross-border relations and tensions and what communities want from the future border.

Factors pointed to in the relative success of these initiatives include longer timeframes (at least three years, covering at least a year either side of independence), space for reflection, sustained engagement with community leaders, higher-level political backing and (via AECOM) the ability to provide small grants to realise local development priorities. Contrary to what is often seen as best practice on inclusion by NGOs, and what has typically been attempted with reactive peace conferences, managers of these projects in Northern Bahr el-Ghazal felt their success relied on targeting a smaller number of influence-holders – state and county government officials and traditional leaders – rather than assembling broad coalitions of community members. Conversely, cross-border dialogue has suffered since independence due to the centralising tendencies of the GRSS, which now tends to see cross-border relations as a sovereignty issue between Juba and Khartoum.

Civilian disarmament and arms control

Theory of Change: If civilians surrender their firearms, then their relations with other individuals, groups and the state will be more peaceful.

For rural communities, the retention of modern weapons is considered crucial for protection against other communities (tribes, clans or occasionally villages) that have similar armaments and might seek to take their land, water, cattle, women and children. This is true of agriculturalist tribes bordering expansionary pastoralist peoples, for example along the borders of Lakes and Western Equatoria states. It is also true of pastoralists facing restrictions on their freedom to move and graze their cattle, as with the Mbororo in Western Equatoria and Western Bahr el-Ghazal, and between different pastoralist groups as seen along the inter-Sudanese border in Northern Bahr el-Ghazal between the Dinka and Arab clans. Thus, disarmament can only work if it is conducted simultaneously across the country or even, for border communities, at a sub-regional level.

Respondents in diverse conflict-plagued counties believed their communities were willing to disarm in the future if certain conditions were met:

- More or less simultaneous disarmament across South Sudan, so that they would not become vulnerable to local rivals;
- Accompanying disarmament of civilians in neighbouring areas of Ethiopia, Kenya, Uganda, DRC, CAR and Sudan, to prevent vulnerability to cross-border raiding;
- Buy-in of political leaders, including "traditional" leaders, as was highlighted in the government's post-2011 revised disarmament strategy;
- Deploying the SPLA to protect disarming communities, not to intimidate them;
- Enabling the SSPS to assume most local security functions, including the protection of civilians and deterrence of cattle raiding;
- Sufficient provisioning of security forces during disarmament campaigns to avoid resource conflicts with host communities;
- Better security of state arsenals and registration of weapons;
- Regulation of military attire and insignia.

All of this will take many years. For many other South Sudanese, these conditions are not credible in the medium term and the experience of coercive disarmament in 2006–2009, if not a generation or two of civil war, has convinced many communities that they need weapons to defend themselves against the state. Moreover, within the current economic context, using a gun to raid cattle was viewed by some respondents in primarily pastoralist states as the only alternative that many rural youth could see to increase their wealth and social status.[53]

Despite the largely negative experiences of disarmament in the CPA period, progress and prospects in small arms control are not entirely discouraging. Juba and several other larger towns are not characterised by open carriage of arms by civilians or particularly high incidences of armed violence, even if many households may retain arms. Northern Bahr el-Ghazal provides an example of a predominantly pastoralist state where many herders feel secure enough not to carry firearms and where localised disarmament (Aweil town) was conducted without severe resistance or abuse by the SSPS and the SPLA. Western Bahr el-Ghazal presents an example of limited carriage of arms and low incidence of their use, but at the expense of a draconian policy against the presence of pastoralist groups seen to be foreign to the state.

Civil society engagement with the process of small arms control has been limited due to the essentially state-led nature of approaches to physical security. However, there have been some reported successes. For example, the Danish Demining Group's work on armed violence reduction in Eastern Equatoria and Northern Bahr el-Ghazal reported localised success in sensitising communities to the need for disarmament through a process of sustained research, dialogue, training in conflict management and the fostering of relations between citizens and the police. Notably, these two states have had a recent history of low to medium incidence of conflict, little coercive disarmament experience, and a relatively well dispersed SSPS presence. Engaging in the more volatile, disconnected central states, which had very traumatic experiences of coercive disarmament, may be more difficult. The 2011 strategy for consensual disarmament potentially provides an entry point for greater community and civil society participation in sensitisation and priority setting. However, it remains to be seen if this strategy will be implemented.

Thus, with the engagement of communities and traditional leaders, it may be possible for disarmament to proceed by degrees, working out from areas where there is already political and communal will, where the police are ready to provide security and where the SPLA is relatively disciplined in its own conduct. However, this would be to pursue a transitional policy of expanding

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53   Focus groups with civil society and community members, Bor, Kapoeta and Torit, August 2011; interview with a state government official, Rumbek, August 2011; group interview with local NGO staff, Juba, September 2011.

zones of stability while consigning some regions and peoples, overwhelmingly pastoralists, to de facto zones of instability. In the short term, it may also mean using the SPLA to divide territory and peoples rather than unify them. This could also undermine other strategies for building peace and horizontal relations. In the shorter term, it may be possible to enforce prohibition on the carriage of weapons and wearing of military uniform and insignia, if not their ownership.

Early warning and early response

Theory of Change: If authorities are forewarned of brewing conflicts, then they will respond to them to prevent or contain violence.

Striking in the escalation of large-scale communal violence in Jonglei of 2011 was the mismatch between awareness of impending raids or attacks and response to that information to contain violence or protect civilians. In theory, traditional leaders should report to county commissioners who report to state governors in a chain of early warning that penetrates down to boma level. In practice, elders, chiefs or commissioners can find it difficult or dangerous to disassociate themselves from their communities in contexts where there is support for raiding or retribution. When information is received of impending violence, it may be difficult to mount early response given the limited security and mediation capacities open to governors and commissioners. The SSPS is often too weak in manpower or too remote from the organisation of violence to intervene. At the same time, mediation often depends on mobilising resources for peace conferencing via INGOs and/or the Church. The success of early warning thus depends on:

- Willingness of communities to report on brewing conflicts;
- Capacity of communities to report;
- Willingness of the authorities to respond;
- Capacity of the authorities to respond.

Catholic Relief Services (CRS) has organised a Conflict Early Warning and Early Response System (CEWERS) in Eastern Equatoria, parts of Western Equatoria, Northern Bahr el-Ghazal and Upper Nile states. It plans to expand to Unity and Jonglei and to link the Eastern Equatoria network into IGAD's regional Conflict Early Warning Network (CEWARN) via a national headquarters in Juba. The system includes the capacity to report issues, but developing the capacity to centralise and analyse those reports is more challenging. Likewise, the capacity and willingness to respond represents a greater challenge. County Peace Response Mechanisms bring together existing actors from administration, police and civil society; however, they are cumbersome and do not necessarily provide the resources to mount an intervention or the awareness of how to link responses to wider peacebuilding strategies.

5.5 Linkages to development and state-building strategies

Peacebuilding and development

The 2010 evaluation of support by the Multi-Donor Trust Fund (MDTF) for conflict prevention and peacebuilding activities was clear in its rejection of the theory of change that development and increased service delivery contribute to conflict prevention and peacebuilding: 'Lack of development might, at most, be a cause of disaffection that contributes to tension [...] but it cannot be cited as either a sole or significant cause of conflict.' It went on: 'the causal link between delivering services and abating violence is not found in Southern Sudan, despite this being the dominant paradigm that informs the aid operations.'[54]

While this research has found little evidence to contradict the MDTF evaluation's conclusion, it is worth reiterating two points. First, the prevalence of violent conflict in large parts of South Sudan

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54   J. Bennett, S. Pantuliano, W. Fenton, A. Vaux, C. Barnett and E. Brusset (2010). *Aiding the Peace: A Multi-Donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan 2005–2010,* Policy Brief, p.2.

has been and continues to be *the* major obstacle to social development, economic investment and national integration. Second, perceived inequalities in the delivery of development assistance favouring one tribe, clan, state, county, payam, gender or faction over another are refracted through prisms of historical grievance and do contribute to, if not cause, violent conflict in many parts of South Sudan.

Thus, how and where aid is delivered, infrastructure built and services extended, and by and to whom, matters very much to the human and physical security of the South Sudanese as well as to its experiment with simultaneous nation- and state-building. As a consequence, the need for the mainstreaming of **conflict-sensitive approaches to development** cannot be overstated. For example, a project which improves the value of cattle but fails to improve the value of farming in a given area will inadvertently strengthen the terms of trade of herders vis-à-vis farmers and may upset the local balance of power, reigniting enmity between ethnic groups. Regrettably, it is in contexts of extreme need where everything needs to be achieved in the shortest timeframe, and in which large sums are available to be spent quickly, that conflict-sensitive principles are most readily overlooked.

State-building and nation-building

Finally, it bears repeating that South Sudan is not only an extremely fragile and conflict affected state, but potentially the world's least developed middle-income country. The people may be extremely poor and disadvantaged. However, the state is believed to have been able to mobilise resources in excess of US$2 billion per annum since the beginning of the CPA period and has the potential to continue to do so while it can produce and export oil in volume.[55] Thus, while the GoSS/GRSS has struggled to build a civilian state administration from scratch since 2005, it has not necessarily lacked the financial resources to do so, at least until its voluntary suspension of oil production in January 2012.

Concentration of state resources in the security sector has heavily skewed that development – or rather, it has reinforced the trajectory of a parallel state-building process pursued by the SPLM/A for two decades before the CPA. The relatively strong political and security institutions that the SPLM and SPLA have built up over three decades may be antithetical to the building of a peaceful society. Thus, the security state is frequently seen as simultaneously the cause of and the solution to South Sudan's security dilemma. Encouraging the state to diversify its interests from security to services ranks alongside controlling corruption and building human capacity in the administration as the key challenge for donors who might wish to funnel their assistance through the GRSS.

Based on consultations at the state and county level, the **construction of visible state infrastructure – administrative buildings, courthouses, police posts, markets, community centres – in county and payam headquarters has relatively high impact**.[56] This is achieved both in extending the reach and accessibility of the state, and thus its ability to deliver services, and in demonstrating that the state has the will to reach out to its citizens in remoter areas. This may be especially effective where the community has a say in the prioritisation of infrastructure and a rewarded role in its construction. Conversely, the failure to maintain new buildings or to use them effectively to deliver administrative or social services sends a powerful message about the incapacity of the state to serve its citizens.[57] This may be a particular risk in times of austerity.

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55   The figure for GoSS oil revenue in 2010 was US$4.37 billion, or 97.8 percent of total revenue, according to the January 2011 budget speech.

56   This was particularly expressed by respondents in Jonglei (from Bor, Pibor, Akobo), Malakal and Rumbek in terms of the deficit of state administration visible in various parts of their states. The work of AECOM and the United Nations Development Programme (UNDP) in constructing visible administrative infrastructure was well regarded by respondents from Akobo, Aweil and Malakal.

57   UNDP construction of police posts in Eastern Equatoria was felt by some respondents in Kapoeta to be a mixed blessing: it was cited that the SSPS was not always able to man and operate small posts effectively to prevent cattle raiding between counties.

Meanwhile, nation-building is largely neglected. Other than within the SPLA or the higher levels of the bureaucracy and the SPLM, South Sudanese have quite limited interaction. They tend to focus on dissimilarities, inequalities and historic grievances between their groups, particularly in their access to power and resources. Rapid urbanisation and perhaps an expanding common media and information environment will change this over time. However, there is much more that government and donors could do to promote the peaceful mixing of the many peoples who make up South Sudan.

6. Conclusions and recommendations

Trajectories of peace and conflict in 2011–2012

In its first months of independence, South Sudan has made variable progress in state- and peacebuilding. While large areas of the country, principally in the south and west, have made fairly steady progress in consolidating peace and developing infrastructure, commerce and state institutions, there remain large pockets of high volatility, insecurity, sporadic and often extreme violence and displacement. The reality for the majority of South Sudanese is somewhere between fragile development and chronic insecurity. Many respondents to this assessment in the second half of 2011 were positive about their country's political and security trajectory since the CPA and optimistic about future development prospects. Others were more pessimistic and believed that their security and quality of life had already begun to deteriorate. Nowhere did we find sustainable, interdependent positive peace and rarely a clear vision of how South Sudan could unwind the spirals of instability built up over half a century of violent conflict.

Events since November 2011 indicate a worsening trajectory of violence and humanitarian crisis in parts of Jonglei and Warrap/Unity/Lakes as well as a crisis in relations with Sudan that is having major repercussions on the entire country in 2012. The securitisation of relations with Sudan will be a major distraction from economic development and political reform for the GRSS at a critical time. Moreover, with the suspension of oil production and exports in January 2012, Juba has frozen the vast majority of its financial resources and committed itself to a period of indefinite austerity. This is likely to reverse its attempts at civilian state-building and further undermine the well-being of its citizens, already suffering economically from the disruption of trade and supplies from Sudan and a poor growing season. From the perspective of most international humanitarian, development and peacebuilding workers consulted, South Sudan appeared to be heading towards their worst-case scenario planning assumptions for 2012. Thus, managing violent conflict rather than delivering peaceful development remains business as usual.

Drivers and dynamics of violent conflict

The drivers and dynamics of conflict since independence are mostly not new. The one factor that has been significantly strained by dynamics in 2011–2012 is the economy, and it is difficult to draw a causal link between this and actual manifestations of violence. Despite extreme levels of poverty, the people of the northern states have proved extremely resilient in peacefully absorbing price rises and waves of returnees and refugees. Structural problems of authoritarian governance, corruption and opaque revenue management, legacies of unresolved hostilities between identity groups, political and economic exclusion of women and minorities, impunity of elites, proliferation of small arms, and inadequate, insensitive or unequal provision of security have barely been impacted by independence or the deterioration in relations with Sudan.

However, the manifestations of violence that they have driven have evolved and become more extreme. This is particularly notable in the cycle of inter-tribal raiding and retaliation in Jonglei, and in the scale and targeting of raids in Lakes and surrounding areas. Militia activity has also become more intense, albeit remaining quite localised. This suggests a growing frustration and culture of violence among sections of society – notably, but not exclusively, among pastoralist young men, excluded from the real or anticipated social and economic dividends of liberation. Repetition and escalation of violence in key areas also suggests a failure of existing state-building and peacebuilding initiatives to tackle these structural drivers of conflict or achieve meaningful national reconciliation.

Peacebuilding challenges

Building peace in South Sudan is a formidable and necessarily a generational challenge in light of the dislocation of society and territory as well as the entrenched interests and identities of many key actors and institutions. On the one hand, the political, economic, security, justice and social structures that underlie most violence in the country have very deep roots in arguably Africa's longest and most destructive war and in a context of extreme underdevelopment and isolation. The few strong institutions that were defined through the experience of war and displacement – the SPLM/A, the Church, "traditional" leadership – are in some senses challenges to inclusive state-building, but in other ways are important and largely predictable sources of resilience and capacity. South Sudan is not being built from nothing. Recognising and working with what already exists and has legitimacy is a key challenge.

On the other hand, there is neither a single conflict nor any longer one dominant conflict in South Sudan. Instead, there are scores of mostly small-scale conflicts that pit the government, security forces, armed identity groups, criminals and foreigners against one another. Each conflict has its own dynamics and requires a bespoke response as well as an awareness of interlinkages to other conflicts. What helps to manage one conflict may aggravate another. The CPA resolved South Sudan's international status and provided some of the financial resources to (re)construct the country but left much else unresolved. From political inclusion to decentralisation to national reconciliation, the task of building a peaceful state and society is barely beginning.

The peacebuilding record

The CPA period was a time of experimentation in conflict management, as new conflicts emerged or were identified and strategies developed around them. The perceived failure of many interventions to bring lasting peace and stability reflects a dominant focus on reactive conflict resolution work in the aftermath of violence. It also reflects a lack of suitable human and financial resources beyond Juba to provide sustained follow-up or to work proactively to prevent conflict and build the capacity and enabling environment for peace. There are also notable omissions or gaps in overall programming, including national reconciliation, nation-building, development of the media and public information, access to security and justice for women, and inadequate engagement with young men and other perpetrators or potential perpetrators of violence.

However, there are also examples of good practice and provisionally successful outcomes to document. Examples of what seems to have contributed to preventing conflict or stabilising a situation, if not yet building lasting peace, include:

- Sustained engagement and dialogue with communities, especially perpetrators of violence or other "spoilers";
- Provision of alternative livelihood opportunities for excluded youth in both urban and rural areas;
- Construction and maintenance of visible and dignified state presence in county and payam headquarters, including courts, police posts, offices and community centres;
- Deployment of the police outside state and county headquarters in sufficient densities and with sufficient resources to deter or respond to violence;
- Regular engagement and dialogue between the security forces and the communities they protect;
- Focus on distinct high-risk locations with a reasonable assumption of sustained engagement, combining multiple reinforcing strategies.

This said, the primary determinant of successful conflict prevention and management identified by this research was the activism of local political leaders – governors, commissioners, chiefs – in engaging and reconciling their communities. Rarely can peacebuilders incorporate this personality and leadership factor into their planning.

Recommendations

Based on the findings of this assessment of the nature and determinants of peace and conflict in South Sudan along with its record of peacebuilding since the CPA, International Alert makes the following recommendations to support the government, donors, UN agencies, NGOs and South Sudanese civil society to develop a more effective peacebuilding framework of response.

How to build peace

1. Move from a reactive conflict resolution approach to proactive conflict prevention

There is widespread uncertainty in South Sudan about the nature and practice of peacebuilding. Much of what passes as peacebuilding has failed because it takes an ad hoc and reactive approach to conflict resolution as, when and where violence flares. This has entailed a wide dispersal of peacebuilding resources (if not staff), little preparation time and inevitably a lack of follow-up, as has been seen in the largely failed pursuit of local peace conferencing. Peacebuilders should take a proactive approach to conflict prevention, engaging with communities at risk of violence and working with them over the longer term to build trust and transform conflicts. Doing this will require training of government and civil society in the concepts and practices of longer-term peacebuilding, identifying the root causes of violence, and conducting more detailed peacebuilding analyses of specific sectors and geographic zones. These analyses could be done participatively as part of a training process. They could be used to develop locally and sector-specific peace plans by specialised actors working together. Local peace plans and conflict analyses need to be shared widely, discussed and considered in relation to the impacts of all local development and humanitarian projects, not just to inform discrete "peacebuilding" activities. Doing this effectively necessitates peacebuilding organisations with the capacity to assist local partners developing a sustained presence in their areas of engagement.

2. Reconfigure economic development for peace

South Sudan's economy as currently configured is not conducive to peace, with its dependence on cattle and oil, poor infrastructure, and limited livelihood opportunities. It should therefore be a priority to align the economy better with the needs of peace. This would entail, for example:

- Designing an economic development plan which includes *contribution to peace* as a core criterion – meaning not just economic growth, but *the right kind of growth*. Thus, for example, it would include steps to rebalance the economy away from extractives towards other production sectors, and ones with a greater potential for added value in country. The plan would need to focus on issues such as balancing development investment in different parts of the country, thus contributing to a sense of fairness; and maximising employment and self-employment opportunities;
- Improving the national infrastructure – roads, markets, telecoms, etc. – so that economic opportunities are widely available, not excluding or seeming to exclude certain regions or groups;
- Recognising that it will take decades for the private sector and investment to take off and provide sufficient opportunities, use oil revenue and donor funds (when these resume) to invest in labour-intensive public works over a predictable 15 to 20-year period, thus providing jobs *and* public goods.

Engaging with the international financial institutions towards a Poverty Reduction Strategy, as well as rebudgeting around the disruption of oil revenues, may provide entry points to think about and implement economic reconfiguration.

3. Conflict-sensitise all development

One of the most effective ways to contribute to peacebuilding in South Sudan is to harness the potential of development programmes over the next few years to deliver peace benefits as part of their impact. But as observed by the 2010 multi-donor study, this does not happen automatically. Indeed, many apparently "good" development programmes can unintentionally exacerbate conflicts and thus cause violence. It is therefore of utmost importance that donors, government, businesses and NGOs are all made aware of this and equipped to deal with it. In other words, they need to make their policies, programmes, projects and business ideas conflict-sensitive. Ways to do this could include:

- Training for donor, government and NGO staff, and for Members of Legislative Assembly (MLAs) in conflict analysis and methodologies to evaluate the likely interaction and consequences of proposed development projects;
- Harnessing local-level knowledge and expertise to conduct and update conflict analysis of a far greater granularity than previously utilised;
- Adopting processes in government and international funding institutions for reviewing proposed policies and programmes for their conflict-sensitivity as part of the approval process.

4. Focus on reconciliation and tackling impunity

Reconciliation has been largely neglected at the national level, and local-level initiatives have typically been ad hoc and linked to short-term conflict resolution activities. Recognising the government's wariness of overt transitional justice mechanisms and popular expectations for compensation, reconciliation should be prioritised as part of local conflict prevention work and encouraged to link in to a higher-level national reconciliation process. Local reconciliation processes – perhaps similar to peace committees – could be linked to the selection and implementation of development projects that benefit both/all communities and perhaps provide jobs and training in the process. These could be markets, community centres, water points, etc. Community members at risk of conflict should be encouraged to work together to plan, implement/build and maintain such facilities for the common good over the long term. It is also important to encourage and reward a discourse of reconciliation among leaders, to foster an open discussion of the need to reconcile and move on. The media and civil society have an important role to play, and the churches in particular.

Fostering the conditions for meaningful reconciliation in the longer term also means committing to tackling impunity in the near term and sending strong signals that the perpetrators of violence will face justice for their actions. This could mean resourcing and deploying mobile courts to areas where significant violence breaks out. It could also entail strengthening and regulating the statutory justice and penal systems at the state and county levels.

5. Prioritise nation-building

Construction of a common national identity has been neglected by the government and most peacebuilding interventions. This has been despite the fact that the lack of a common culture between peoples and regions has exacerbated horizontal rivalries since the war. South Sudan's default national identity can be summarised in terms of "not-Sudan", which in the absence of other positive elements creates an underlying incentive for continued poor relations with Sudan. Creating a more positive national identity will not happen by itself. There needs to be an explicit strategy, which reaches into many spheres. How education is provided is critical – for example, whether local languages or English are used, whether there is an attempt to encourage inter-ethnic mixing, the design of the curriculum and especially the teaching of history. Media policy is also important – for example, support for a national broadcaster with real capacity to report and deliver sensitively across the country.

Where to build peace

6. Decentralise peacebuilding resources from Juba to state and county level

Power in South Sudan is heavily centralised in Juba. This includes the power and resources to design and implement peacebuilding and conflict management interventions, from the UN system and donors, through the government and its agencies, to international and local NGOs. Few INGOs have a significant presence in even the state capitals, let alone at the county level, where most violence is played out. This means that programme design is often divorced from the reality of the local situation, and locally deployed staff lack the resources or autonomy to respond effectively to changing conflict dynamics. Programme funding and design should prioritise the deployment of high quality staff and adequate supporting resources to state and county headquarters in order to engage more effectively with local actors, partners and spoilers to understand local development needs and political dynamics, to build capacity for peaceful and constructive engagement, and to identify and respond to conflict as it emerges. A potentially important step in this direction is the UNMISS Civil Affairs' County Support Base initiative to develop co-location facilities for UN agencies with county administrations, providing space for international and national NGOs, traditional and community organisations in 35 counties (beginning with 19 considered most vulnerable).

As well as better understanding conflict, taking the peacebuilding and development resources of the town to the countryside will play an important role in encouraging accountability within lower-level political units, even ahead of political decentralisation. Independent civil society and media are prerequisites for democratic accountability in all 10 states. Both have important capacity gaps and frequently lack autonomy. They require sustained engagement from skilled partners to build their capacity and link them to national networks. With the right training, media and civil society can play an important role in developing and reporting on conflict and peace, as well as conducting local peacebuilding analysis. Empowered NGOs and media can help South Sudan to move from the politics of identity and of the belly to a policy-based politics.

7. Design peacebuilding interventions around conflict systems not political boundaries

South Sudan's internal boundaries have little legitimacy and as often divide as much as they unite. Conflict systems rarely know such boundaries, whether the international conflict that increasingly spans the new inter-Sudanese border, the multi-headed Wunlit conflict that spans three states, the interweaving conflict systems that inhabit Jonglei, or the micro-conflicts that characterise Eastern Equatoria. While peacebuilding and development resources need to be decentralised to states and counties to facilitate analysis and response, actual peacebuilding interventions should be designed around specific conflict systems regardless of whether they fit within a given political boundary. Thus, working "on" conflict in Jonglei from Bor is far less useful than working from Pibor and Akobo to address the Murle-Lou Nuer conflict, or working from Malakal or Fangak to address Dinka/Shilluk/Nuer conflict on Jonglei's northern border.

There is some evidence, although it is far from conclusive, that multi-sectoral engagements that combine, for example, dialogue, livelihoods, improved security, public infrastructure and public information strategies within limited geographic contexts of well-defined and analysed conflicts are more effective than scattershot approaches that treat all states as equally problematic. Decentralisation of peacebuilding resources to local levels can help provide a more nuanced understanding of local conflict systems rather than promoting a county-based approach to conflict management.

8. Target peacebuilding by balancing need with likely impact

Government, donors and implementing organisations need to be realistic about where they can have the biggest impact for the types of programming they are able to offer, rather than pursuing comprehensive or same-size programmes across the country. Shifting from quick impact conflict

resolution to long-term conflict prevention activities is necessarily labour intensive and is likely to require a focus on fewer areas in greater depth. Conflict risk assessments thus need to be honest in their assumptions about where sustained engagement is likely to be possible, balancing need with likely or realistic impact. Consolidation of relatively easy gains or "low-hanging fruit" like the Bahr el-Ghazals or Greater Equatoria should not be overlooked. Success stories have an important demonstration effect. Alternative and complementary strategies for stabilisation need to be developed for areas of the highest conflict risk, where a lack of continuity is most likely, in order to mitigate feelings of alienation and neglect.

Who to engage more in building peace

9. Young men

Young men in rural areas are the primary perpetrators of violence in South Sudan, whether they act for economic gain, revenge, self-defence, out of political persuasion, cultural expectations or simply boredom and frustration. More emphasis needs to be placed on engaging these disenfranchised youths in longer-term peacebuilding and development activities, including in research and dialogue to establish their interests, aspirations and motivations. Sustainable market-based livelihood opportunities also need to be developed. Youth leaders from outside the educated activist realm, for example cattle camp leaders, should be involved in peace committee type dialogues and confidence-building activities. Support could also be provided to the youth wings of political parties, to allow them to be peaceful activists within and outside their parties for young people's needs and perspectives, and to nurture a post-war generation of political leaders.

10. Women and girls

The role of women in building peace remains quite marginal, despite the existence of widespread women's networks and a large body of female parliamentarians. A greater and more independent role for women in peace dialogue – freeing them from ancillary support roles to male elder negotiators – is often desirable, recognising that women may as often be the inciters or rewarders of violent behaviour as peace advocates. A greater focus on meeting the specific needs of women and girls is also necessary, starting with improving access to justice and better awareness of women's security needs among police and customary security and justice providers. This means working with the police and traditional leaders to sensitise them, as well as reforming and disseminating specific protection legislation. Support also needs to be provided to women in political parties, to promote their active involvement and the promotion of women's needs and perspectives. Underlying all of this is a need for greater attention to women's needs in economic reconstruction and development, supporting girls' education and sustainable livelihoods for women.

11. Existing institutions

South Sudan is a highly fragile state with very new political institutions. However, these are constructed around or in parallel to some very robust formal and informal institutions forged through decades of struggle and isolation. Recognising that these wartime institutions will not easily give way to idealised peacetime institutions is an important starting point. Rather, it is necessary to engage with the SPLM, the SPLA and customary leaders on the understanding that they enjoy a relatively high degree of popular legitimacy, capacity and a range of interests that ultimately, although not exclusively, include the construction of a successful and peaceful state. Helping these actors to coordinate and cooperate to build stronger and more independent state institutions that are open to the participation and oversight of other actors is the key challenge in the medium term.

Given that these institutions are by their nature only partially representative and effective, they need to be engaged to work immediately to improve their representativeness, accountability and the effectiveness of the services they provide as the state. Meanwhile, the revision of the constitution offers very obvious opportunities to enshrine fairness, rule of law and democratic

participation in the governance structures of the state. Decentralisation of power to the counties offers another major opportunity for this in the longer term, although it is unlikely to occur in the context of austerity.

12. Security providers

In some areas, it may not be possible to engage in sustained peacebuilding or even effective conflict resolution in the near term. Recognising that some areas are likely to suffer sporadic acute disruption, security and humanitarian crises necessitates engaging with the security sector to improve its practice in pacifying and stabilising areas of violent conflict.

The SPLA is the only realistic responder to armed violence in the short term. It is important to provide the SPLA with training in civilian protection and gender sensitivity, and to put in place institutional incentives and culture that reward good practice and sanction poor practice. Moreover, it is important that training, sensitisation and accountability mechanisms reach outside of the central command and policy circles into the states and counties where the SPLA is most directly interacting with the people.

The SSPS should have primary responsibility for internal security but has a long way to go in training, resourcing, deploying and motivating its personnel to be effective providers of security outside towns. It also needs training and improved systems and culture. Good practices from within South Sudan – for example, Northern Bahr el-Ghazal, where there is a higher degree of community engagement with policing and the SSPS has been involved in peaceful disarmament and monitoring – and from abroad can be shared through training and mentoring. It will also be crucial to build the capacity of communities and civil society to engage with and hold the security forces accountable. This will be needed to encourage and sustain good practice in the longer term.

13. Media

Use of the media is a notable omission in the South Sudanese peacebuilding toolbox. There is a media and information vacuum over large areas of the country that could be bridged by the resourcing of local, perhaps community-owned, FM radio stations operating in vernacular and lingua franca languages. These could serve to connect communities to each other as well as to the state. At the same time, they could reinforce or multiply peacebuilding initiatives by broadcasting peace messages and discussions of controversial issues. Properly facilitated and monitored, radio programmes can act as pressure valves for local frustrations as well as providing a source of conflict early warning and response. Supporting the Fourth Estate at the local level should be increasingly important as a means to holding county and state administrations to account. It is also important for communicating development priorities if political and economic decentralisation is really to occur.

In the short term, this is likely to require:

- Financing and technical support for the provision and maintenance of production and broadcasting hardware;
- Training and mentoring of local journalists and producers in conflict-sensitive journalism and development;
- Support for the production of common programming that engages positively with social problems and promotes peaceful solutions, including translations into vernacular languages;
- Support to the regulatory authorities to allow them to monitor broadcasts for hate speech or incitement to violence and to respond to complaints;
- Political engagement with the national and state governments to promote a more open attitude to media expression and the legitimate role of media in holding the state to account.

What we need to know to build peace

14. Conduct further research into unknown variables

Further research should be conducted in localised zones of South Sudan to resolve questions raised by this assessment that are necessary to improve peacebuilding programming. This should include the following questions:

- What will be the likely short- and medium-term **consequences of austerity** for peace and conflict? Which groups and regions are likely to be worst affected? How can the negative consequences of austerity be mitigated? What constraints or opportunities might austerity present for the reorientation of economic development towards more sustainable peace?
- What are the **structures of youth organisation and leadership** in different cultures of South Sudan? How do they relate to other institutions of power and leadership? How can they be engaged constructively in development and peacebuilding?
- Is there a **causal link between youth employment schemes and reduction in armed violence**? For example, were youth engaged in construction projects in Akobo less likely to join raids against the Murle?
- What might be the consequences of **decentralisation** of political power to the states and counties? How might decentralisation contribute to peaceful outcomes?
- How might **informal community security** providers be linked or coordinated with state security forces? How might donors recognise and support good practice in local security provision?
- How is **conflict analysis** used by peacebuilding, development and humanitarian practitioners in South Sudan? What are the barriers to conflict analyses being used more effectively?

Annex A: Actors involved in peacebuilding in South Sudan

Briefly put, building peace in South Sudan is a societal challenge that should involve all sectors of society in every community. In practice, peacebuilding is a highly diffuse endeavour. However, it particularly occupies political and intellectual elites with access to information, modes of expression and especially international funds.

Governmental institutions

The Government of South Sudan bears primary responsibility for the consolidation of security and the construction of a more peaceful society on its own territory. Executive, legislative, administrative, commission and customary authorities are all involved at multiple levels of government.

National level

- The **president** (and his powerful, appointed advisors) plays a largely tactical role in conflict management and resolution – for example, in championing the relaunch of "consensual" disarmament in his native Bahr el-Ghazal. He is the primary actor in the establishment of governance, security and justice frameworks that should guide South Sudan's strategic development in the longer term. This includes the drafting of the Transitional Constitution, conduct of diplomatic and economic relations with Sudan and, as commander-in-chief, ultimate command and oversight of the security forces.
- **Vice-President** Dr Riek Machar plays a slightly less ad hoc role in conflict management and resolution, especially among his Nuer people and home Greater Upper Nile region. For example, in 2011 he promoted disarmament, attempted to mediate peace in Jonglei and made a personal apology to the Bor Dinka. The latter move appears to reflect an interest in promoting internal reconciliation, also expressed in other rhetoric.
- The **National Legislative Assembly Peace and Reconciliation Committee** is mandated to facilitate and oversee peace and reconciliation activities and has done so with some energy. However, the legislature is weak compared with the executive and has limited expertise and resources to make its own interventions or provide leadership. Numerous respondents across South Sudan were critical of the lack of interest that national parliamentarians showed in their home constituencies once elected. They also criticised their tendency to absent themselves from local political and peace issues in the absence of an internationally funded peace conference at which to promote themselves.[58] Members of Legislative Assembly (MLAs) cite the cost and difficulty of returning to remote constituencies without transport infrastructure, especially in the wet season when violence tends to spike.
- The **Ministry of Peace and CPA Implementation** – which was created in June 2010, absorbing the existing Southern Sudan Peace Commission – was dissolved in August 2011, following the formation of the new post-independence government. During the year of its existence, effort was put into developing the ministry structure and staff, and the ministry built on the activities of the preceding Southern Sudan Peace Commission, established in 2006. The ministry became the **South Sudan Peace and Reconciliation Commission** in 2011. Former minister Pagan Amun (Secretary-General of the SPLM) continues to negotiate outstanding CPA issues with Sudan but now outside the Commission. This represents a relative loss of influence for the peacebuilding agenda in government.

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58   Interviews, focus groups and informal conversations with civil society, elders and community members from Bor, Budi, Kapoeta, Malakal, Pibor (by telephone), Rumbek and Unity.

States level

- **State governors** are powerful figures in their own states and within the SPLM and the SPLA: eight of 10 governors elected in 2010 are former or serving senior SPLA commanders; SPLM endorsement of candidates was very widely seen as more significant than voter choice in their election. Governors set the strategy by which their state develops and conflicts within the state are prevented, managed or resolved. This ranges from infrastructural priorities through disarmament initiatives to peace conferencing or, as in Western Equatoria, the arming of "home guards" to offset the ineffective SSPS and SPLA. However, this agenda-setting power is in practice curtailed by the limited control of fiscal resources (received in small measure from Juba as block grants). Opinions varied widely on the effectiveness of governors as peacebuilders, but the response was generally correlated positively with relative peace of the state. The Governor of Northern Bahr el-Ghazal, for example, is widely seen as strongly engaged with peace and reconciliation initiatives. Conversely, conflict is highly prevalent in some states, especially multi-ethnic states of Greater Upper Nile, where the selection of the governor was strongly contested between tribal and political factions. Governors are sometimes identified as exerting the power not to intervene in situations of brewing or actual violence.
- **State legislatures** are broadly representative of tribes and regions. However, they remain weak bodies with very limited human resources capacity and very little power to hold the governor or security forces to account. Respondents shared similar perceptions of their state-level parliamentarians as national MLAs in their limited engagement with their constituencies.
- **Peace and Reconciliation Committees (PRCs)** exist in all the states under a commissioner. Much depends on the dynamism of the peace commissioner and his relationship with the governor, who controls resources, and the latter's **Peace and Security Advisor**. PRCs play an important role in organising peace conferences and particularly conflict resolution activities.
- Two national-level bodies have coordinators or focal points in all of the states to collect information and coordinate peacebuilding interventions. These are the **South Sudan Peace and Reconciliation Commission (SSPRC)** and the **Community Security and Small Arms Control Bureau** (CSAC), which is also supposed to have a presence at county level. Both CSAC and the old Ministry of Peace (MoP) conducted county-level conflict mappings and consultations in 2010–2011.

Intra-state level

- **County commissioners** are appointed but powerful actors in their counties, being answerable to the governor rather than constituents. Many were previously SPLA commanders. Commissioners can play an important role in setting development and peacebuilding objectives, although they have very limited resources of their own to mobilise. More often, they are associated with conflict resolution and peace conferencing initiatives within or between counties.
- **"Traditional" leaders** are the primary actors in dispute resolution within clans and between communities, either on their own or when mobilised by commissioners or governors to engage in larger processes or peace conferences. The actual influence of chiefs and elders varies by tribe and location and is often disputed or rivalled within a community. Influence over youth is widely seen to have waned during and after the war, although there are supposed to be formal linkages between youth cattle camp leaders and their boma leaders, for example among the Dinka.

Civil society

Civil society in South Sudan has an increasing capacity developed through wartime and diaspora experience, steady development in the CPA period and engagement with a growing range of donors. In particular, it is highly concentrated among the young, the educated and Equatorians. This said, it remains very weak relative to the government and is the subject of some distrust from the state.

Initiatives that aim to build the capacity of civil society oversight of the government, security forces and the private sector outside of Juba have often been frustrated by a tendency to be co-opted by, or to invite in, the state and county authorities. Examples of this include councils of elders and traditional leaders, community policing forums and Oil Task Forces in Greater Upper Nile.

- **INGOs** are the dominant actors in peacebuilding in South Sudan as well as providing much of the funding for conflict resolution and much of the capacity for humanitarian and development assistance. The number of INGOs increased rapidly through the CPA period, although much current peacebuilding work is done by large multi-mandate aid agencies that have been doing humanitarian work in Sudan/South Sudan for many years. This said, dedicated peacebuilding expertise is low. As one European development professional put it: '[post-independence] Peacebuilding is up there with gender and HIV; everyone talks about mainstreaming it, but no one really knows what it is and how it is done.' Unlike humanitarian assistance, peacebuilding INGOs and staff are heavily concentrated in Juba with very few senior (which often means foreign) staff in even the state capitals. Higher salaries and profiles mean many of the most educated South Sudanese work for INGOs (or the UN) rather than national NGOs or the public service.
- **National NGOs** are vital but often subordinate actors in peacebuilding in their own country. For most, INGOs are the gatekeepers to international funding. Therefore, it is much easier to attract funds in Juba than in a state capital let alone rural areas. South Sudanese civil society is very unequally distributed, being concentrated in Juba, large towns and the Equatorias. This reflects who in South Sudan is educated (in English) and exposed to civil society activism: urban elites and primarily Equatorians who were displaced to Kenya and Uganda. Civil society is thus reasonably developed in towns like Torit and Yei and largely unrepresentative of the pastoralist majority. Community-based organisations in smaller towns have very limited resources but are often effective at mobilising the voices of women, disabled people, and other socially and economically excluded groups. Some civil society activists believe they are viewed unsympathetically by the authorities because they are perceived as being staffed by those who went abroad for education rather than staying to fight Khartoum. They also attribute this lack of sympathy to blame for attracting development resources and qualified people away from government, and for being little interested in the rural/pastoralist hinterlands.
- **Church and religious groups** were the key peacemakers during the war, predating the activism of more specialist civil society groups. The (South) Sudan Council of Churches (SCC) remains the main actor, although all the main churches do some form of peacebuilding or conflict resolution work. Examples of such work include the church-state dialogue represented by the Kejiko II meeting in October 2010, the SCC's "peace mobilisers" project, and the "people-to-people" peacebuilding initiatives pursued in the 1990s (and proposed for revival now). The Church has strong moral authority over most sectors of South Sudanese society, including the president and ministers, and was widely cited as the most trusted intermediary by respondents.[59] It has clergy at all levels of society, is seen to be relatively autonomous of tribal or religious affiliation and foreign agendas, and is widely sought to facilitate peace conferences at county and states level. Muslim leaders are also sometimes engaged at local level, although they are seen by some as linked to Sudan. Many South Sudanese uphold traditional religious beliefs (often in parallel to Christianity). Examples were given where such "prophets" were powerful agents in mobilising communities for war. Nevertheless, it is unclear if this influence has ever been harboured for peacebuilding.
- **Academics and think tanks** have quite limited presence in South Sudan, as only one university was open normally in 2011 and many national academics worked abroad. The main peace research and teaching group is the University of Juba Centre for Peace and Development Studies (CPDS), which like NGOs is largely engaged in internationally financed projects.

59   Interviews with communities, civil society, government and judicial officials, Bor, Juba, Kapoeta, Malakal, Rumbek and Wau, August and September 2011.

International organisations

Aside from INGOs, a range of international organisations are involved in funding and implementing peacebuilding initiatives in South Sudan.

- The **UN Mission in the Republic of South Sudan** (**UNMISS**) has responsibility for peacekeeping, along with the **UN Interim Security Force for Abyei** (**UNISFA**). UNMISS has unrivalled capacity for conflict monitoring and analysis. It is also able to share some of its information and expertise with the peacebuilding sector. UNMISS Civil Affairs gathers and disseminates information as well as engaging in conflict prevention and resolution activities in association with INGOs and government offices. UNMISS provides crucial logistic and technical support to conflict resolution initiatives, as with the failed Jonglei process in late 2011. The **UN Development Programme** (UNDP) provides extensive support in the security sector, including to CSAC, the former Ministry of Peace and the SSPS, developing community policing structures and rule of law dialogue forums.
- The **African Union High-level Implementation Panel on Sudan** (**AUHIP**) provides mediation of post-CPA disputes between Sudan and South Sudan from Ethiopia and a liaison office in Juba. The regional **Intergovernmental Authority on Development** (**IGAD**) provides very limited input, including to conflict early warning.
- **Private development contractors** compete with or complement INGOs in delivering development and stabilisation programmes for international donors. Notable examples are AECOM, contractor for the South Sudan Transition Initiative of the United States Agency for International Development (USAID), and the Adam Smith Institute's work for the UK on security sector reform.
- **International donors and the World Bank administered Multi-donor Trust Fund** (**MDTF**) give large amounts of financing to conflict prevention and peacebuilding programmes in South Sudan, although few of them do much in the way of direct implementation. The Multi-donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities 2005–2010 concluded largely negatively about the allocation of funds by the MDTF and its donors during the CPA period and a lack of impact relative to US bilateral aid. As a member of the **g7+** and a pilot country for the **New Deal for engagement in fragile states**, South Sudan is likely to be the focus of continued high-level engagement in 2012, including development of a common government-donor-civil society vision, plan and compact for sustained engagement.

Annex B: Bibliography and resources

Major reports

Two reports are of particular importance for this assessment, given their focuses and detail. These are:

- *Southern Sudan at odds with itself: Dynamics of conflict and predicaments of peace*, published by the London School of Economics (LSE) in 2010; and
- *Aiding the peace: A multi-donor evaluation of support to conflict prevention and peacebuilding activities in Southern Sudan, 2005–2010*, published in 2010 by Channel Research and ITAD.

The LSE report of 2010 is, to date, the most detailed assessment of conflict and peace in South Sudan. Its declared aim was 'to provide evidence that will inform key actors in Southern Sudan in consulting Southern Sudan's citizens and in designing, implementing and prioritising policies and activities that support peace and stability'. The 121-page report is structured around three main sections:

- A first section entitled 'Southern Sudan at odds with itself';
- A second section entitled 'Dynamics of conflict'; and
- A third section entitled 'Predicaments of peace'.

These sections are illustrated with small case studies. The report ends with a one-page conclusion.

The report is a valuable piece of analysis. On conflict, the report says that it 'questioned established narratives about the influence of the government of Khartoum or "tribalism" being at the heart of the region's problems'.[60] The report found three "major themes" around conflict:

- *Scapegoating Khartoum* – by which the report meant the tendency in Southern Sudan to blame Khartoum for conflicts in the south when this was not accurate;
- *Creating "tribal conflicts"* – by which the report meant using the label "tribal" too widely, giving a misleading picture of the reasons for violence;
- *Establishing state structures that support conflict* – by which the report meant that the state-building approach prevailing in Southern Sudan (which has been to build strong central institutions at the same time as a decentralised system of government) has had a counter-productive aspect, because of a lack of accountability in the new institutions (especially local ones). According to the report, 'what are meant to be accountable, decentralised government structures have in reality begun to resemble ethnic fiefdoms'.

Regarding peace, the report found that among Southern Sudanese, perceptions of peace seem to come with two main expectations: personal security and access to resources – the latter meaning most of all tangible development progress (and possibly jobs). On peacebuilding, the report strikes a sceptical note, saying that peacebuilding has perhaps been used as a "palliative cure", with too wide a range of conflicts being lumped together under the label "conflict"; as a consequence, various approaches to peacebuilding have sometimes merged into one another. All the same, the report found indications that Sudanese involved in peace work would like or could benefit from taking a more analytical approach to the conflicts they address.[61]

60   London School of Economics (2010). *Southern Sudan at odds with itself: Dynamics of conflict and predicaments of peace*, pp. 5–6. Available at: http://www2.lse.ac.uk/businessAndConsultancy/LSEConsulting/pdf/southernSudan.pdf (5.7Mb PDF).

61   *Ibid*, p. 72.

A further observation of the report was that local peace conferences and peace agreements have been ineffective at resolving local conflicts. This, the report argues, was due to such conferences often working with 'traditional authorities that often lack the capacity and credibility to resolve complex disputes'. The report says that although local peace conferences may have helped to improve communication channels between groups, these channels have tended to break down after the conferences, and there has been no long-term strategy to follow up. The report therefore argues that 'a long-term local peacebuilding strategy is needed that will culminate in a broadly inclusive conference that is a product of peacebuilding – rather than just a dominant peacebuilding activity which becomes an end in itself'.[62]

The report on the multi-donor evaluation of support for conflict prevention and peacebuilding in Southern Sudan says less about the dynamics of conflict *per se* than the LSE report. However, it examines in more detail than any other document or report the programmes and projects that have sought to address conflict and peace. It also examines more than any other report the strategies of donors and organisations in this regard. Overall, the evaluation aimed to assess what progress the international community had made in supporting conflict prevention and peacebuilding. At the same time, it sought to provide recommendations on how to improve international engagement in this area.

In its analysis of conflict in Southern Sudan, the evaluation report observes that conflict factors which were present in 2005 were still present in 2010. Examples of such factors include: discrimination against areas or peoples lacking representation in political structures; urban/rural disparities; and competition between returnees and local residents for services.[63] In examining "localised conflict" in Southern Sudan, the report notes that (as of 2010) all states had been affected, with the exception of Northern Bahr el Ghazal. Other observations are that:

- 'The legitimacy of the state is particularly challenged in the remote rural areas, where the notion of a "peace dividend" is in stark contrast to reality';
- Clan fighting and cattle raiding has caused more displacement than any other factor;
- The ability of traditional leaders to mediate in disputes over natural resources appears to be reducing, allowing such conflicts to escalate more. The ability of the state to intervene through the police and judiciary is also still weak.

In its analysis, the report suggests that while some factors of conflict remained consistently present between 2005 and 2010, the following factors became more prominent:[64]

- Insufficient reintegration of demobilised soldiers, under-developed police and justice systems, and incomplete civilian disarmament;
- Tensions surrounding government centralisation and the weakness of governance structures in the states;
- The socio-economic impact of the returnees on areas of return.

Regarding peacebuilding (rather than donor coordination and funding methods), the evaluation's conclusions (summarised in the Policy Brief) were that:[65]

- Analyses of conflict in Southern Sudan need to be continuously revised, given the dynamic nature of the setting;

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62 *Ibid*, p. 10.
63 J. Bennett, S. Pantuliano, W. Fenton, A. Vaux, C. Barnett and E. Brusset (December 2010). *Aiding the peace: A multi-donor evaluation of support to conflict prevention and peacebuilding activities in Southern Sudan 2005–2010*, Channel Research and ITAD, pp. 36-41. Available at: http://www.oecd.org/dataoecd/3/40/46895095.pdf (8.5Mb PDF).
64 *Ibid*, p. 43.
65 *Ibid*, 'Policy brief' (2010), p. 5. Available at http://www.oecd.org/dataoecd/12/32/47063482.pdf (161Kb PDF).

- The Southern Sudan government and donors should produce 'a consensual model of what Southern Sudan as a "state" would look like in say, 10 years';
- Harmonisation, coordination and alignment are not a sufficient response to state fragility;
- Community reconciliation and peacebuilding efforts have 'largely been isolated events, rarely linked to national initiatives, and beset with problems of poor monitoring and follow-up'.

Resources on peace, conflict and peacebuilding in South Sudan

This is a list of mostly recent literature on South Sudan, arranged by category.

Abyei
- Permanent Court of Arbitration at The Hague (2009). *Final award*, ruling on Abyei.

Agriculture, land and food security
- D. Deng (2011). *The new frontier: A baseline survey of large-scale land-based investment in Southern Sudan*, report published by Norwegian People's Aid.
- Food and Agriculture Organization (2011). *Annual needs and livelihoods analysis 2010–2011: South Sudan.*
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Borders
- G. Carrington (2009). *Cross-border trade: Fuelling conflict or building peace?*, Conciliation Resources.
- Concordis (2010). *More than a line: Sudan's north-south border.*
- International Crisis Group (2010). *Defining the north-south border*, policy briefing note.
- D. Johnson (2010). *When boundaries become borders: The impact of boundary-making in Southern Sudan's frontier zones.* London/Nairobi: Rift Valley Institute.
- E. Thomas (2010). *The Kafia Kingi enclave: People, politics and history in the north-south boundary zone of Western Sudan.* London/Nairobi: Rift Valley Institute.

Business and trade
- World Bank and International Finance Corporation (2011). *Doing business in Juba 2011.*

Conflict, peace and peacebuilding
- J. Bennett, S. Pantuliano, W. Fenton, A. Vaux, C. Barnett and E. Brusset (December 2010). *Aiding the peace: A multi-donor evaluation of support to conflict prevention and peacebuilding activities in Southern Sudan 2005–2010*, Channel Research and ITAD.
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- M. Duffield (2010). 'Risk-management and the fortified aid compound: Everyday life in post-interventionary society', in *Journal of Intervention and Statebuilding*, Vol. 4, No. 4.
- London School of Economics (2010). *Southern Sudan at odds with itself: Dynamics of conflict and predicaments of peace.* Research team led by Mareike Schomerus and Tim Allen.

Oil
- European Coalition on Oil in Sudan (December 2010). *Post-referendum arrangements for Sudan's oil industry: How to separate Siamese twins.*
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- L. Patey (2010). 'Crude days ahead? Oil and the resource curse in Sudan', *African Affairs*, pp. 1–20.
- G. Shankleman (2011). *Oil and state building in South Sudan: New country, old industry.* Washington DC: United States Institute for Peace Special Report No. 282.

Security and Disarmament Demobilisation and Reintegration (DDR)
- International Crisis Group (December 2009). *Jonglei's tribal conflicts: Countering insecurity in South Sudan*, Crisis Group Africa Program Report No. 154.
- R. Rands (2010). *In need of review: SPLA transformation in 2006–10 and beyond.* Geneva: Small Arms Survey.
- Small Arms Survey (April 2007). *The militarization of Sudan: A preliminary review of arms holding and flows*, Sudan Human Security Baseline Assessment (HSBA) Issue Brief No. 6.
- Small Arms Survey (December 2009). *Supply and demand: Arms flows and holdings in Sudan*, Sudan HSBA Issue Brief No. 15.
- Small Arms Survey (May 2011). *Failures and opportunities: Rethinking DDR in South Sudan*, Sudan HSBA Issue Brief No. 17.
- Small Arms Survey (November 2011). *Fighting for spoils: Armed insurgencies in Greater Upper Nile*, Sudan HSBA Issue Brief No. 18.

SPLM and southern politics
- International Crisis Group (April 2011). *Politics and transition in the new South Sudan*, International Crisis Group Africa Report No. 172.
- O. Rolandsen (July 2007). *From guerrilla movement to political party: The restructuring of Sudan People's Liberation Movement*, PRIO paper. Oslo: International Peace Research Institute, Oslo (PRIO).
- US Institute for Peace (2011). *Towards a New Republic of Sudan.*

Statistics and demography
- Southern Sudan Centre for Census, Statistics and Evaluation (2010). *Statistical yearbook for Southern Sudan 2010.*