

ROLE OF IGAD IN RESOLVING THE CONFLICT IN SOUTH SUDAN

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DECLARATION

Declaration by Candidate

This research project is my original work and has not been presented for a degree in any other University.

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Declaration by the Supervisor

This research project has been submitted for examination with my approval as University Supervisor;

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DEDICATION

Dedicated to my wife Norah whom in my absence during the period of study was able to step into my shoes and steer the family matters ably and provided leadership to both the children and extended family.

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LIST OF ABBREVIATIONS

AU: African Union

CPA: Comprehensive Peace Agreement

DRC: Democratic Republic of Congo (DRC)

EU: European Union

IGAD: Inter-Governmental Authority on Development

IPF: IGAD Partners Forum

NATO: North Atlantic Treaty Organization

SPLM: Sudanese People Liberation Movement

UN: United Nations

USA: United States of America

ABSTRACT

The South Sudan conflict is one of the longest in global history. Right from the independence of Sudan from the British colonial government in 1956, the government of Sudan was overly dominated by Northern Arabs and it entered into an armed conflict with South Sudanese rebels. The conflict lasted up to 2005 when a Comprehensive Peace Agreement was signed. South Sudan attained independence in 2011 but a short two years later, the country was entangled in another civil war this time between factions within South Sudan. The conflict is unresolved to date with IGAD involved in resolving the conflict. However, unlike the approach of international actors, IGAD has pursued a mediation strategy. This study assessed the role of IGAD in resolving the conflict in South Sudan. In this regard, three objectives formed the foundation of the study; the factors behind South Sudan conflict; the role of IGAD in resolving the South Sudan conflict and the challenges facing IGAD in resolving South Sudan conflict. The theoretical foundation of the study is the Ripeness theory as proposed by William Zartman in his study of conflict resolution in studies starting from the 1980s. The Ripeness theory is helpful in identifying the conditions that frustrated or facilitated various agreements that have been reached in South Sudan conflict. Exploratory research design was used to explore the issues related to role of IGAD in resolving the conflict in South Sudan. The study undertook documented review of journal and articles highlighting the role of IGAD in resolving the conflict in South Sudan. The study used secondary data obtained from published works and researches on role of IGAD in resolving the conflict in South Sudan. The study used qualitative data analysis methods to analyze the information gathered from documented review of articles and journals. Findings of the study established that the factors behind the conflict in South Sudan are deeply embedded in the history of Sudan. In addition, racism, religious fanaticism and political and economic discrimination of people of South Sudan have been propagated by the government in Khartoum. The main factors behind the conflict in South Sudan may thus be summarized as; marginalization through religious and economic lines, political and economic factors and contribution of Sudan People's Liberation Movement (SPLM). The study established that IGAD has escalated the use of mediation in resolving the conflict in South Sudan. IGAD was successful in mediation efforts since it led to end of the violent conflict between South Sudan rebels and the Government of Sudan. The agreement paved way for South Sudan's referendum. The civil war that had lasted for over 20 years between South and North Sudan came to an end. Eventually, South Sudan conducted a referendum on July 9, 2011 that resulted to South Sudan being declared an independent nation. The study established that the challenges facing IGAD in mediation of the conflict in South Sudan emanated from the fact that conflict was a very complex one. The study recommended that understanding the factors behind the South Sudan conflict is crucial in establishing the genesis of the conflict and possible solutions to the conflict. The study recommends that IGAD should be accorded the mandate of using the East Africa Standby Force (EASF) to enforce the resolutions and agreements made.

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

The world is dominated with conflicts. In Syria, fighters from more than 100 countries are embroiled in the country's war that started as a civil war but which has escalated to be a theatre for all. By 2018 close to half a million people had been killed in the eight years' war and millions displaced. Mexico is harboring its own conflict with drug lords lusting for territory, money and power. The more than 54 cartels execute power with ruthlessness which has resulted to more than 80,000 deaths by 2016. The victims include thousands of police officers, politicians seen obstructive of the cartels objectives, judicial officers and ordinary citizens.¹

Afghanistan is a country that has seen violent conflict for many years. Though United States of America has more than 9,000 troops in the country to defeat terror groups such as the Taliban, the country remains a major global conflict zone. Additionally, between 2015 and 2017, more than 7,600 people had been killed in conflict in Yemen. The conflict has left more than seventy percent of civilians in Yemen in need of humanitarian aid.²

The 2003 US led invasion in Iraq started a conflict in the country that has killed up to one million Iraqis to date. Iraq has remained a haven of armed conflict since then. Hardly a week passes without news of suicide bombing and other terror atrocities that have devastating effects on the security of the country.³

¹ International Crisis Group, (2015). *South Sudan: Keeping Faith with the IGAD Peace Process. African Report*. International Crisis Group, Brussels Belgium.

² Fetsch, F (2017). *Global Conflicts*. Palgrave MacMillian. New York.

³ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

In Africa, major conflicts are spread all over the continent.⁴ In Mali, when President Ibrahim Boubacar took over the leadership of the country, Al-Qaida linked terrorists took control of the north of the country. The resulting conflict has so far resulted to more than 4,000 people killed. Though the French troops have managed to slow the pace of the terror group, violent conflict is still a concern for the country especially in the North.⁵

Since the Arab Spring uprising and subsequent overthrow of Muamar Gaddafi of Libya, the country has witnessed more than 35,000 people killed in the ensuing civil war. The involvement of NATO forces that backed the rebels in Libya escalated the violence to what it is today. Democratic Republic of Congo (DRC) has more than 70 groups fighting for territory and control of resources in the country despite the presence of more than 20,000 UN troops in the country. Though the conflict in DRC has been there for many years, the refugee crisis resulting from Rwanda's 1994 genocide made the situation worse. Two million Hutus who had committed genocide in Rwanda fled to DRC and formed rebel groups that have been enjoined in the country's civil war.⁶

Somali is perhaps the worst conflict case in Africa. The country has been involved in armed conflict pitting different clans against each other since early 1990s when then President Siad Barre was overthrown, hundreds of thousands of Somalis have been killed in the conflict with millions being displaced to different parts of the horn of Africa especially Kenya and Ethiopia⁷.

⁴ Cantekin, A. (2016). Ripeness and readiness theory: Conflict management and resolution. New York: McMillian.

⁵ Cantekin, A. (2016). Ripeness and readiness theory: Conflict management and resolution. New York: McMillian.

⁶ Duursma, A. (2014). The success of mediations in conflict zones. Conflict Management, 2, (1), 20-23.

⁷ Cantekin, A. (2016). Ripeness and readiness theory: Conflict management and resolution. New York: McMillian.

Sudan is riddled with conflicts running for over hundred years. These resulted to civil wars and change of regimes. The conflicts are dominated by attempts by one group or the other trying to dominate and marginalize others. Different regimes used state power to accumulate resources, divide the nation across ethnic and religious lines. The state was deliberately unwilling to address exclusion of some sections of the country that had resulted to their economic under development.⁸

Following independence, South Sudan was immediately disadvantaged. The region was politically underrepresented and was unable to mount any challenge to laws that favored the majority north to their disadvantage. Economic and military power was retained in Khartoum out of reach of the south. The government did not initiate any development projects in the South. The northerners in power made policies that would personally benefit them. The marginalization of the Southern part of Sudan by Northern dominated governments resulted to civil strife in Sudan.⁹

The government of Sudan was embroiled in a damaging war with Sudanese People Liberation Movement (SPLM) led by John Garang. The military positions and weight in the battle kept oscillating between the South Sudan rebels and Government of Sudan forces. When the south appeared to be winning enough to threaten the elite powers in Khartoum the government of Sudan appeared more willing to negotiate the demands of the rebels. When the Government of Sudan was on the winning phase, they added fire to their ruthless and radical political programs.¹⁰ The SPLM was a formidable force in the late 1980s capturing major provincial

⁸ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

⁹ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

¹⁰ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

capitals from the government's control and disrupting supply lines and infrastructure in the region. However, the Sudanese forces were in control in early 1990 to mid-1990s. The SPLM regained control from there on until there was the signing of Comprehensive Peace Agreement (CPA) after Inter-Governmental Authority on Development (IGADs) intervention.¹¹

IGAD has been involved in Sudan conflict since 1994. The Intergovernmental Authority on Drought and Desertification was established in 1986 with a focus on drought and desertification, and re-launched in 1996 as the Intergovernmental Authority on Development (IGAD) with an expanded mandate that included conflict resolution.¹² IGAD intervened in the Sudan conflict mainly through mediation. IGAD's involvement in South Sudan can be divided in two major phases. Pre and post South Sudan's independence; in the pre independence phase, IGAD's interventions in Sudan can be further divided into two major phases. In pre independence period, the first phase of IGAD's involvement was short lived since civil strife immediately engulfed the whole country.¹³

On July 9, 2011, South Sudan held an internationally recognized referendum to determine her independence from Sudan. However on 13th December 2013, South Sudan descended into another civil war this time between factions within South Sudan. IGAD having the experience of involvement in Sudan for more than 20 years was seen as the best option to negotiate a peace agreement in the country. IGAD appointed former Ethiopian foreign minister Seyoum Mesfin,

¹¹ Waihenya, W. (2007). *The mediator: General Lazarus Sumbeiywo*. East African Educational Publishers, Nairobi: Kenya.

¹² Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

¹³ Madut, A. (2006). *The Conflict in Sudan: Roadmap to Peace* North Charleston, SC: BookSurge.

who was joined by mediators from Kenya, General Lazaro Sumbeiywo, and Sudan, General Mohammed al-Dabbi. IGADs Heads of State were the overseers of the mediation process.¹⁴

In June 2015, through an Africa Union (AU) summit resolution it was agreed that IGAD team leading negotiations between the warring SPLM parties be expanded to established what was branded as IGAD plus. IGAD-PLUS members include the African Union (AU), United Nations (UN), European Union (EU), the Troika (U.S., UK and Norway), China and the IGAD Partners Forum (IPF).¹⁵

1.2 Statement of the Research problem

South Sudan conflict has been one of the longest in global history. Since the independence of Sudan from the British colonial government in 1956, Sudan government, which was dominated by Northern Arabs, entered into an armed conflict with South Sudanese rebels. The conflict lasted up to 2005 when a peace agreement was signed. South Sudan attained independence in 2011 but a short two years later, the country was entangled in another civil war this time between factions within South Sudan. The conflict is unresolved to date with IGAD involved in resolving the conflict.¹⁶

As compared to military strategies and economic sanctions that have been used by international actors to force conflicting sides to step down from hostilities, IGAD have pursued a mediation strategy. Mediation as a strategy of international conflict resolution is widely used globally but has dismal results. For example, of the 382 mediation efforts to international conflicts from

¹⁴ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

¹⁵ Knolf, A. (2016). *Ending South Sudan Civil War*. Council of Special Reports.

¹⁶ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

1945 to 1995, only five percent had the conflict fully resolved with fifty two percent ending up in total failure.¹⁷

IGAD involvement in South Sudan conflict offers mixed results. Though the conflict between North and South Sudan was one of the most complex in the World with roots way back since 1870¹⁸, driven by a myriad of factors from religious ideologies, political upheavals to economic marginalization, it is one of the few conflicts globally to have been mediated and fully resolved. IGAD negotiated for a peaceful agreement that resulted to independence of South Sudan. However, IGAD has struggled to resolve the second conflict between factions within South Sudan. It is with this background that this study investigated involvement of IGAD in South Sudan conflict.

1.3 Research Questions

1. What factors have driven the conflict in South Sudan?
2. What role has IGAD played in resolving the conflict in South Sudan?
3. What challenges have IGAD faced in resolving South Sudan conflict?

1.4 Objective of the Study

The main objective of the study is to assess the role of IGAD in resolving the conflict in South Sudan.

1.5 Specific objectives

1. To examine the factors behind South Sudan conflict.
2. To assess the role of IGAD in resolving the South Sudan conflict.

¹⁷ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

¹⁸ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

3. To establish the challenges facing IGAD in resolving South Sudan conflict.

1.6 Literature review

This section is divided into three sections. The first section focuses on the background of South Sudan conflict. The second section looks at the role of IGAD in mediating peace in South Sudan conflict while the last section reviews the challenges IGAD has faced in resolving the South Sudan conflict.

1.6.1 Genesis of South Sudan Conflict

Sudan is riddled with conflicts running for over hundred years. These resulted to civil wars and change of regimes. The conflicts are dominated by attempts by one group or the other trying to dominate and marginalize others. Different regimes used state power to accumulate resources, divide the nation across ethnic and religious lines. The state was deliberately unwilling to address exclusion of some sections of the country that had resulted to their economic under development.¹⁹

The marginalization of the Southern part of Sudan by Northern dominated governments resulted to two civil wars, which engulfed the country until it was temporarily resolved in 2005.²⁰ However, the conflict between Northern and Southern Sudan is deeply embedded in the history of Sudan. Its genesis start from the conquest of the country by Egyptian and Turkish Arab rulers, and splintered further during the Anglo-Egyptian domination of the country.²¹

¹⁹ Quinn, D. Pelin, E. Quinn, S. and Wilkenfield, J. (2009). *Power play: mediations in symmetrical and asymmetrical International Crises*. Washington, DC: Routledge.

²⁰ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

²¹ Iyob, R. and Khadiagala, M. (2006). *Sudan : The Elusive Quest for Peace*. Boulder, CO: Lynne Rienner.

After independence of Sudan, those in leadership continued the divisions through “Arabization” and “Islamization” efforts.

Modern history of Sudan begins with the Turco-Egyptian conquest of 1821 when Muhammad Ali conquered the central and Northern parts of Sudan. He later conquered the South in 1870.²² The Turkish rule came to an end in 1882 with the defeat of Ahmad Muhammad , a man who believed had been sent by ‘Allah’ led a popular revolution that conquered the regime.²³ Muhammad and his followers attempted to establish a government ruling under the Quran. The British with support of Egyptian conquered Sudan from the theocratic state established by Muhammad Ahmad. The British-Egyptian domination in Sudan lasted from 1899 to 1955 when Sudan was given independence from the duo.

The marginalization of the southern parts of Sudan started with Turco-Egyptian reign. The Turkish and Egyptian regimes favorable the Northern parts of Sudan and concentrated development there. The government supported the Arab north and European business men to exploit the South. The government supported capture and sale of South Sudanese as slaves to Europe and other parts of the West. To facilitate commerce in the North the Turco-Egyptian government established education, security and communication infrastructure but totally neglected Southern Sudan.²⁴

With the British conquering Sudan, they made attempts to stop Islamization of the region. Specifically they tried to stop Islam spreading to South Sudan but allowed sharia law to govern

²² Cantekin, A. (2016). Ripeness and readiness theory: Conflict management and resolution. New York: McMillian.

²³ Khalid, M. (2010). *War and Peace in Sudan: A tale of two countries*. New York, Routledge.

²⁴ Edward, P.L. (1972). Mediation in International Politics: A Universe and some Observations. *Journal of Peace Research Society*, 18, 33.

aspects of northern lives.²⁵ Though for quite some time Britain remained unengaged in the South of Sudan, it became heavily involved from 1930 when it pushed through ambitiously, a policy that ensured christianization of the south with the aim of having that region having no identity with the North.²⁶ Even with this massive campaign, most of development remained in the north of Sudan with the popular perception being that the south did not want development.²⁷

Following independence, South Sudan was immediately disadvantaged. The region was politically underrepresented and was unable to mount any challenge to laws that favored the majority north to their disadvantage. Economic and military power was retained in Khartoum out of reach of the south. The government did not initiate any development projects in the South. The northerners in power made policies that personally benefitted them.²⁸

1.6.2 The role of IGAD in resolving South Sudan Conflict

In pre-independence of South Sudan, the first phase of IGAD's involvement was short lived and lasted up to the end of the year 1994. The much longer second phase lasted eight years from June 1997 to January 2005²⁹. The mediation involved the act of dissolving of hostilities involving the government and support militias and the official rebels led by SPLA/SPLM. THE chair of the meeting was Moi, then the Kenyan president. The other members of the committee were Meles Zenawi of Ethiopia, Isaias Afewerki of Eritrea, and Yoweri Museveni of Uganda. A ministerial committee representing the four countries was charged with directing the

²⁵ Frank, K. (2015). Ripeness and the 2008 Djibouti-Eritrea Border Dispute. *Journal of North Eastern Studies*, 15 (1), 113-138.

²⁶ Edward, P.L. (1972). Mediation in International Politics: A Universe and some Observations. *Journal of Peace Research Society*, 18, 33.

²⁷ Frank, K. (2015). Ripeness and the 2008 Djibouti-Eritrea Border Dispute. *Journal of North Eastern Studies*, 15 (1), 113-138.

²⁸ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

²⁹ Iyob, R. and Khadiagala, M. (2006). *Sudan : The Elusive Quest for Peace*. Boulder, CO: Lynne Rienner.

mediation talks. Then Kenyan foreign minister Kalonzo Musyoka, chaired the mediation team³⁰.

During the summit, the negotiators from SPLM and Government of Sudan agreed to negotiate on ceasefire first and later discuss the constitutional issues that would address the deeper issues of their conflict.³¹ In September 1994, there was no agreement on any way forward with Sudan government firmly holding on its hardline position of Arabization and Islamization of entire Sudan, North and South.

The IGAD phase two lasted from 1997 to 2005. However, the phase was divided into two major sections. The first was from June 1997 to July 2001 and the second phase was from August 2002 to January 2005. Negotiations of IGAD phase 2 started in Nairobi in July 1997. In these round talks, the mediators presented the conflicting parties with proposals, referred to a Declaration of Principles (DoP). Some of the issues in the DoP were not accepted by the government of Sudan such as self-determination of South Sudan if there was no guarantee that human rights abuses and marginalization of the South continued. The government of Sudan while accepting to sign the DoP also stated that it had the right to reject individual principles. However a major achievement was that the government of Sudan accepted to South Sudan's self-determination. They however maintained that in the transition period, Sharia law would be used in entire Sudan³².

In another round of talks in May 2003, IGAD presented more critical issues on security, presidency, political representation and location of capital cities. No major decisions were

³⁰ Iyob, R. and Khadiagala, M. (2006). *Sudan : The Elusive Quest for Peace*. Boulder, CO: Lynne Rienner.

³¹ Iyob, R. and Khadiagala, M. (2006). *Sudan : The Elusive Quest for Peace*. Boulder, CO: Lynne Rienner.

³² Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillan.

made. In July 2003, another round of talks started in Nakuru Kenya. IGAD presented a document with outstanding issues that needed discussions in an attempt to regain momentum of the Machakos discussions which had happened earlier in the year.³³ The framework supported South Sudan's autonomy.

In September 2003, IGAD held another series of talks between SPLM and Government of Sudan. Eventually Sudan Government and SPLM signed the Comprehensive Peace Agreement (CPA) on 9th January 2005. The agreement paved way for South Sudan's referendum.³⁴ When South Sudan collapsed into another civil war in December 2013, IGAD was seen as the right mediator to reconcile the warring functions. IGAD had an experience of more than a decade mediating between South Sudan and North Sudan before South Sudan's independence in 2011. IGAD had good understanding of internal issues in South Sudan.³⁵

1.6.3 Challenges of IGAD in South Sudan Conflict

Though the determinants of a successful mediation to a conflict are many, and there is no agreement on the most significant one, the complexity of the issue under discussion is one of the major determinants of chances of success. The conflict between Sudan was a very complex one. By the time IGAD were starting the mediation process in 1994, they were looking at a conflict whose history run for almost a century.³⁶

The government of Sudan, whether in truth or for political mobilization believed that it was their duty to spread Islam all over Sudan and that it was position they were not ready to

³³ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

³⁴ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

³⁵ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

³⁶ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

compromise on. Indeed during an IGAD mediation attempt in September 1994, one of the delegates from Sudan government Ghazi Salah al-Din Atabani stated that it was the opportunity then of Sudan to spread Islam all over Africa since European colonization of the country and the continent at large had previously disrupted them.³⁷

At different points in the conflict between the rebels and Khartoum government, there was hardly a time that both parties had almost equal power. In almost the entire period, the Government of Sudan had the dominant hand in the military front over SPLM. This made Government of Sudan fail to take mediation seriously. They believed they had a possibility of subduing South Sudan through violence and without yielding to any demands of SPLM. This frustrated IGADs mediation efforts.

In fact most of the times Government of Sudan accepted to come to the negotiating table or agree to any accords was when the international community applied adequate pressure. In most cases the government appeared in those sessions to entertain the world with no intentions of making any serious concessions.

1.7 THEORETICAL FRAMEWORK

1.7.1 Ripeness Theory

Ripeness theory is one of the most influential theories in mediation and conflict resolution. The proponent of this theory is William Zartman in his study of conflict resolution in studies starting from the 1980s. He published several studies on this theory (for example: 1986, 1989,

³⁷ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

1995, 2000, 2001).³⁸ Zartman stated that the timing of the substance of the proposals presented in mediation and timing of the mediation process have the biggest impact on mediation results.

According to Zartman, ripe moments in mediation determine the success or lack thereof of mediation efforts. Ripe moment is that right timing to resolve a conflict by mediation. It is that moment that belligerents as the most appropriate and self-preserving way to achieve their objectives as compared to pursuing violent conflict.³⁹

Ripe moments happen when the parties in a conflict realize that continuation of violence will hurt them than help their cause and realize the importance benefits accruing from agreeing to participate in the negotiations. The parties in the conflict understand clearly the benefits of agreeing to negotiate. Mediators can influence situations so that mediation is seen by conflicting parties to be the best alternative to achieving their goals. They can create a situation that makes violence very hurtful to the parties or create incentives that make mediation be the best opportunity to attain their goals.⁴⁰

This theory suggests that the first necessary element in mediation is the parties' perception of a Mutually Hurting Stalemate (MHS). When the parties find themselves locked in a situation from which they cannot escalate to victory and this deadlock is hurting both of them, they look for a relief. The hurt or pain is not necessarily in equal degrees or for the same reasons.⁴¹ MHS

³⁸ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

³⁹ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillan.

⁴⁰ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

⁴¹ Zartman, W. (2000) Ripeness: The hurting stalemate and beyond. In Paul Stem discourse. *Journal of International Conflict Resolution*, 2 (2), 225.

can be described in short as lengthy periods of violence, from which neither of the fighting parties are likely to get out of through a unilateral victory, a state of military stalemate.⁴²

The second element is the perception of way out where both parties must have a perception that a way out of the conflict is possible. They want a solution out of the conflict but they don't know how to get to one. The time is ripe for mediation when parties are in a mutually hurting stalemate and have a perception that a way out is possible through other means other than violence.⁴³

Even though the situation is a hurting stalemate, it is possible the parties in conflict perceive it as so. It is hence important for the parties to see the stalemate as so if the mediation process is to work. The mediators should see and seize the ripe moment and turn it into mediation and negotiations. The theory of ripeness introduces a concept called pre-negotiations. This is that moment when the parties realize mediation is a possible way of resolving the conflict and one party reaches out to the other for this possibility.⁴⁴

Initial ripeness paves the way to the mediation and negotiations. If the conflict is not ripe for solution, efforts are generally fruitless. One of the main conditions relies on the ripeness idea that parties resolve their conflict when they are ready to do so.⁴⁵ Emergency of concrete proposals is an important aspect of for mediation to be a success. There needs to be a willing, acceptable resourceful mediator capable of bringing concrete proposals to the table according

⁴² Schrodtt, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

⁴³ Frank, K. (2015). Ripeness and the 2008 Djibouti-Eritrea Border Dispute. *Journal of North Eastern Studies*, 15 (1), 113-138.

⁴⁴ Lilja, J. (2011). Ripening Within: Strategies Used by Rebel Negotiators in Ethnic War. *Negotiation Journal*, 27 (3), 311-342.

⁴⁵ Sisk, T. (2004). *Peacemaking in conflicts: case studies of global civil strife*. Palgrave, McMillian, New York.

to Zartman. The mediator should focus on the positions and generate possible substantive proposals to give a real way out to the party's.⁴⁶

A Mutually Enticing Opportunity (MEP) is another condition necessary for mediation to result to full resolution of the conflict. The opportunity for a solution grows more attractive as the issue of the conflict becomes older, no longer justifying hostile relations with the other party. An MHS is the necessary and insufficient condition for negotiation or mediation to start. But the negotiators must provide the prospects for a more acceptable, attractive future in order to pull them out of their conflict.⁴⁷

Most Hurting Situation is a push factor while Mutually Enticing Opportunity is a pull factor. The push factors must be replaced by pull factors. The pull factors could be in form of a formula for agreement or prospects for a resolution that both parties agree in the course of mediation. Mediators should be on the lookout for ripe moments even at the peak of the conflict.⁴⁸ The theory of ripeness is relevant in the study of IGAD's mediation process in South Sudan conflict. It is helpful in identifying the conditions that frustrated or facilitated various agreements that have been reached in South Sudan conflict.

1.8 Hypotheses of the Study

H₀₁: There exist no significant factors behind conflict in South Sudan.

H₀₂: There exists no significant role of IGAD in resolving the conflict in South Sudan.

⁴⁶ Schrod, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

⁴⁷ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

⁴⁸ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

H₀₃: There exist no significant challenges of IGAD in resolving the conflict in South Sudan.

1.9 Methodology

The methodology in this study mainly included the proposed research design, population, sampling, data collection tools, data analysis and presentation procedures.

1.9.1 Research Design

This study used an exploratory research design. This type of research design is undertaken to inquire where the aims of the research are to find out the extent of a given situation, problem, or behavior. The intention of using this design is to ensure that issues related to role of IGAD in resolving the conflict in South Sudan are fully analyzed and interpreted.

1.9.2 Target Population of the Study

The population in this study comprise of documented review of journal and articles highlighting the role of IGAD in resolving the conflict in South Sudan.

1.9.3 Data Collection

The study used secondary data obtained from published works and researches on role of IGAD in resolving the conflict in South Sudan.

1.9.4 Data Analysis

The study used qualitative data analysis methods to analyze the information gathered from documented review of articles and journals.

1.9.5 Scope and Limitations of the Study

This study focused on role of IGAD in resolving the conflict in South Sudan. The study was limited by reliance of secondary sources of data. Accurate referencing and citations of the data assisted in validating this information.

1.10 Chapter Outline

Chapter one introduces the topic of our research study, by first setting the broad context of our research study, the statement of the problem, objectives of the study, literature review, hypotheses, theoretical framework, and the methodology of the study. Chapter two provides the highlights on the factors behind South Sudan conflict. Chapter three assesses the role of IGAD in resolving the South Sudan conflict. Chapter four examines the challenges facing IGAD in resolving South Sudan conflict. Chapter five finally provides the conclusions of the study, recommendations and provides suggestions on areas for further study.

CHAPTER TWO

GENESIS OF SOUTH SUDAN CONFLICT

2.1 Introduction

Sudan as a nation has been riddled with conflicts running for over a hundred years. These conflicts have resulted into civil wars and change of regimes. The conflicts are dominated by attempts by one group or the other trying to dominate and marginalize others. Different regimes used state power to accumulate resources, divide the nation across ethnic and religious lines. The state was deliberately unwilling to address exclusion of some sections of the country that had resulted to their economic under-development which acted as the genesis of the conflict⁴⁹.

2.2 Genesis of the Conflict in South Sudan

The marginalization of the Southern part of Sudan by the Northern Arab-dominated governments has resulted into unending cycles of war that have engulfed the entire country for many years⁵⁰. However, the civil strife between Northern and Southern Sudan is deeply embedded in the history of Sudan. The conflict started with the conquest of Sudan by Egyptian and Turkish Arabs, and splintered further during the Anglo-Egyptian domination of the country⁵¹. After independence of Sudan from British colonization in 1956, those in leadership continued the divisions through “Arabization” and “Islamization” efforts.

In all the history of Sudan, the causes of the civil war has usually revolved around religious, ethnic and racial discrimination with the Arab North discriminating and oppressing the

⁴⁹ Quinn, D. Pelin, E. Quinn, S. and Wilkenfield, J. (2009). *Power play: mediations in symmetrical and asymmetrical International Crises*. Washington, DC: Routledge.

⁵⁰ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

⁵¹ Iyob, R. and Khadiagala, M. (2006). *Sudan : The Elusive Quest for Peace*. Boulder, CO: Lynne Rienner.

southern based black communities. The government in Khartoum made attempts to control the periphery through violence and marginalization to the benefit of few elites.⁵²

Modern history of Sudan begins with the Turco-Egyptian conquest of 1821 when Muhammad Ali conquered the central and northern parts of Sudan. He later conquered the South in 1870.⁵³

The Turkish rule was over with dethroning of Ahmad Muhammad, a man who believed had been sent by 'Allah' led a popular revolution that conquered the regime.⁵⁴ Muhammad and his followers attempted to establish a government ruling under the Quran. The British with support of Egyptian conquered Sudan from the theocratic state established by Muhammad Ahmad. The British-Egyptian domination in Sudan lasted from 1899 to 1955 when Sudan was granted independence from the duo.

There are a number of issues that have defined and helped in shaping the history of Sudan as a country especially in the pre-colonial and colonial period. The issues have led to tension conflicts and sometimes all out wars. These issues range from international interventions from outside powers that have somehow led to oppression of the local community. This has led to cycles of conflict involving the government and its population.⁵⁵ This has particularly been witnessed in the south where issues emanating from international interventions like religion have been used to divide communities leading to civil strife. Religion has been at the centre of marginalization of non-Arab populations in Sudan especially in southern parts of the country.⁵⁶

⁵² Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

⁵³ Zartman, W. (2001). The timing of peace initiatives. The global view of ethno politics. *Peace and Conflict Studies*, 20 (1) 27-57.

⁵⁴ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

⁵⁵ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

⁵⁶ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

2.2.1 Religious and Economic Fault Lines

The marginalization of the Southern parts of Sudan started with Turco-Egyptian reign. The Turkish and Egyptian regimes were favorable to Northern parts of Sudan and concentrated development there. The government supported the Arab north and European business men to exploit the South. The government supported capture and sale of South Sudanese as slaves to Europe and other parts of the West. To facilitate commerce in the North the Turco-Egyptian government established education, security and communication infrastructure but never touched Southern Sudan.⁵⁷

With the British conquering Sudan, they made attempts to stop Islamization of the region. Specifically they tried to stop Islam spreading to South Sudan but allowed sharia law to govern aspects of Northern lives.⁵⁸ Though for quite some time Britain remained unengaged in the South of Sudan, it became heavily involved from 1930 when it pushed through ambitiously, a policy that ensured Christianization of the south with the aim of having that region having no identity with the North.⁵⁹ Even with this massive campaign, most of development remained in the North of Sudan with the popular perception being that the South did not want development.⁶⁰

2.2.2 Political and Economic Factors

When British granted Sudan independence in 1956, it favored the North leaving the South on its own fate and this greatly infuriated the southern leaders. In the Juba conference of 1955, the

⁵⁷ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

⁵⁸ Zartman, W. (2001). The timing of peace initiatives. The global view of ethno politics. *Peace and Conflict Studies*, 20 (1) 27-57.

⁵⁹ Quinn, D. Pelin, E. Quinn, S. and Wilkenfield, J. (2009). *Power play: mediations in symmetrical and asymmetrical International Crises*. Washington, DC: Routledge.

⁶⁰ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

Northerners gave lip service to the south. They gave assurances that if Sudan became independent, both north and south, were to be united and there would be equality and freedom for all regardless of race. However, the dissent of South Sudan representatives was largely ignored.⁶¹

Following independence, South Sudan was immediately disadvantaged. The region was politically underrepresented and was unable to mount any challenge to laws that favored the majority from the north to their disadvantage. Economic and military power was retained in Khartoum out of reach of the south. The government did not initiate any development projects in the South. The northerners in power made policies that personally benefited them.⁶²

There were political upheavals in Sudan after the 1956 independence that resulted in regime changes. At independence, a democratically elected civilian government took power from British colonialists. However, its reign was short lived. In 1958, a military coup overthrew the government and installed a dictatorship government. Later in 1964, a popular uprising occurred that led to overthrowing of Abbud from power installing a transitional government. This government was again overthrown by Jaafar Numeiri in a military coup of 1969. Numeiri remained in power up to 1985, when he was eventually overthrown by a group of military officer who established Transitional Military Council to rule the country. The council later gave way to a coalition government led by Sadiq al-Mahdi as Sudan's prime minister. He was to stay

⁶¹ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

⁶² Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

in power for four years when Turabi and Omar Bashir led a military coup that overthrew his regime.⁶³

The new regime was heavy handed against political opposition. The Arabization and Islamization policies continued.⁶⁴ However unlike previously, National Islamic Front of Bashir used Islam as a veil to crack down on political dissident and mobilize popular support. Bashir sought complete and unchallenged control of the state.⁶⁵ Those who controlled the government continued to undermine those in the south periphery. The government enacted Arabic as the single national language in Sudan and Islam as the single acceptable national religion. This only served to alienate South Sudan further. Political rights continued to be curtailed aggressively raising further tensions in the south. Eventually a civil war broke out in 1955 that lasted up to 1971.⁶⁶

President Jaafar Numeiri negotiated for limited autonomy for South Sudan in Addis Ababa. South Sudan was allowed some independence on certain policies like education, policing, development, and independent budget. Numeiri was to later retract from the Addis Ababa accord and implemented tough Sharia laws through that were referred to as September laws.⁶⁷ He concluded that the south was not keen on development and had to be forced to a civil lifestyle.⁶⁸

⁶³ Schrodt, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

⁶⁴ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

⁶⁵ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

⁶⁶ Schrodt, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

⁶⁷ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

⁶⁸ Quinn, D. Pelin, E. Quinn, S. and Wilkenfield, J. (2009). *Power play: mediations in symmetrical and asymmetrical International Crises*. Washington, DC: Routledge.

When Numeiri ended South Sudan's autonomy, the second civil war between South Sudan rebels and Sudan government broke out in 1983. There was a window of peace opportunity when Numeiri was deposed in 1983. The Koka Dam Declaration brought a chance to stop the civil war. However, a peace resolution was drowned by internal political competitions in the North Sudan between National Islamic Front (NIF) and Democratic Unionist Party (DUP).⁶⁹

In 1988, Democratic Unionist Party (DUP), through the Sudanese peace initiative, attempted for reconciliation with SPLM. They tried to abolish Islamic laws. However, the National Islamic Front vehemently opposed the move. When an attempt was made in parliament to change the constitution so to drop its Islamic basis, the move was defeated on the floor.⁷⁰ Concerned that Mahdi, the prime minister of Sudan under Democratic Unionist Party (DUP) would enter into a permanent deal with South National Islamic Front, Turabi and Omar Bashir overthrew his government in 1989.⁷¹ The new regime suspended the constitution and enacted major changes in the military and political leadership of the country. They replaced personnel in the civil services and with an iron fist brought down business leader who they did not consider supportive of NIF.⁷² Turabi, who was the leader behind the scenes heavily militarized governance in Sudan and started a program to spread Islamic governance and Arabanization of the entire Sudan.⁷³

⁶⁹ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

⁷⁰ Zartman, W. (2000) Ripeness: The hurting stalemate and beyond. In Paul Stem discourse. *Journal of International Conflict Resolution*, 2 (2), 225.

⁷¹ Cantekin, A. (2016). Ripeness and readiness theory: Conflict management and resolution. New York: McMillian.

⁷² Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

⁷³ Collins, R.O. (2008). *A history of modern Sudan*. Cambridge, MA: Cambridge University Press.

2.3 Sudan People's Liberation Movement (SPLM)

Throughout 1980s the government of Sudan was embroiled in a damaging war with SPLM led by John Garang. The military positions and weight in the battle kept oscillating between the South Sudan rebels and Government of Sudan forces. When the south appeared to be winning enough to threaten the elite powers in Khartoum the government of Sudan appeared more willing to negotiate the demands of the rebels. When the Government of Sudan was on the winning phase, they added fire to their ruthless and radical political programs.⁷⁴ The SPLM was a formidable force in the late 1980s in the Sudanese conflict, capturing major provincial capitals from the government's control and disrupting supply lines and infrastructure in the region. However, the Sudanese forces were in control in early 1990 to mid-1990s. The SPLM regained control from there on until there was the signing of Comprehensive Peace Agreement after IGADs intervention.⁷⁵

SPLMA was bedeviled by internal divisions throughout its rebellion. Its governance was authoritarian with it being accused of massive abuses of human rights. The movement did not have clear political objectives they were fighting for and through which they could engage the North. Nonetheless, the movement demonstrated resilience and determination that sustained it in the battle field up to independence of South Sudan in 2011.⁷⁶

2.4 Mediation Efforts pre-IGAD Involvement

Intergovernmental Authority on Development (IGAD) did not get formerly involved in negotiating peace between South Sudan and Northern dominated government of Sudan until

⁷⁴ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

⁷⁵ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

⁷⁶ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

1994. However, there were other attempts to reconcile the warring functions before then. They were led by the African Union (AU). The most prominent were the Abuja peace talks led by the then Nigerian President Ibrahim Babangida. The negotiations which lasted from 1992 to 1993 became popularly known as Abuja Peace Conference. The Abuja process is critical in understanding IGAD peace attempts that followed because IGAD picked from what was achieved in this intervention.⁷⁷

The Abuja peace talks happened in two faces. The first was between 26th May to 4th June 1992. The second one started on 26th April and only lasted up to 18th May of 1993. SPLM were split into two groups. One was led by Torit and hence referred to as SPLM-Torit and the other was headed by Nassir hence called SPLM-Nassir.⁷⁸ The issues that were central to the mediation process in Abuja were religion and governance, national identity and self-determination.

The Government of Sudan refused to allow neither the issue of self-determination nor any changes to the constitution that would make Sudan a secular state. The government maintained its position that Arab had to be maintained as the one language for entire of Sudan ignoring its alienation of the non-Muslim and non-Arabic South. The SPLM functions all rejected Islamic and Arabic primacy of the nation maintaining their demand of a multi lingual, multi religious, secular and democratic state. SPLM perceived Arabic use as a way of alienating the South and erasing their cultural identity.⁷⁹

⁷⁷ Schrod, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

⁷⁸ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

⁷⁹ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

There was division among the rebel on the issue of independence of Sudan. One wing supported a united Sudan with political and religious changes where all people had equal rights. It was only if Sudan government failed to guarantee these that South Sudan would be allowed to self-determine. SPLM-Nassir was more direct on South's cessation from the North. They did not see why South Sudan needed to be forced into staying united with the North.⁸⁰

In the second phase of Abuja Conference, the same issues that the conflicting parties had presented in Abuja one remained. The mediators in this conference proposed a middle ground for SPLM and the government of Sudan. They proposed partial use of Sharia law to be used on social matters such as marriage, and other family issues with people having the right to determine if they wanted to subject themselves to the laws or not. The mediators proposed gradual secularization of the constitution and removal of religion from fundamental legal systems of the country. Both sides vehemently rejected the proposals.⁸¹

The Abuja conference did not bring an end to hostilities. The Government of Sudan felt it had the military superiority to subdue the SPLM. Many commentators of the Abuja peace process were of the opinion that Government of Sudan perceived SPLM to be the party suffering the most from violent conflict. The government hence had no much need for negotiations other than to entertain the international community. The mediators were not able to influence the parties. They did not have resources or capacity to gain favourable opinion of the parties in

⁸⁰ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

⁸¹ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

conflict.⁸² The Abuja Conference, however, helped to clarify issues that were driving the conflict and which would form the basis of the following mediations by IGAD.

2.5 Post-Independence Conflict

On July 9, 2011, South Sudan held an internationally recognized referendum to determine her independence from Sudan who had a Northern dominated government.⁸³ However on 13th December 2013, South Sudan descended into another civil war this time between factions within South Sudan. There had been political struggles between president of South Sudan Salva Kiir and his first vice president, Riek Machar over the leadership of the country's governing party, SPLM. The political tensions erupted into a military confrontation in Sudan Capital city, Juba, between forces loyal to Kiir and Machar. President Salva Kiir alleged that Riek Machar and a group of other elite politicians he had dismissed from the government were attempting a military coup against him. Riek Machar fled from Juba. Soon the conflict escalated into a tribal warfare across the country.⁸⁴

When war broke out, President Salva Kiir ordered the arrest of prominent politicians who were previously in his administration. They were historic Sudan People's Liberation Movement/Army (SPLM/A) leaders who had prominent roles in the security services, cabinet and SPLM. Four of those were later charged in Sudan for their alleged involvement in the coup. However, they were later released to Kenyan government.⁸⁵

⁸² Zartman, W. (2000) Ripeness: The hurting stalemate and beyond. In Paul Stem discourse. *Journal of International Conflict Resolution*, 2 (2), 225.

⁸³ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

⁸⁴ Zartman, W. (2000) Ripeness: The hurting stalemate and beyond. In Paul Stem discourse. *Journal of International Conflict Resolution*, 2 (2), 225.

⁸⁵ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

2.6 Summary of the Chapter

The chapter has highlighted the genesis of the conflict in South Sudan. It has established that factors related to marginalization of the Southern part of Sudan by the Northern Arab-dominated governments as the trigger to the conflict and the resultant two civil wars. The chapter has expressed the contribution of religious and economic factors to the escalation of the conflict. It has further illuminated the role of political and economic factors in the conflict. The contribution of SPLM under John Garang and Government of Sudan forces has also been highlighted. Finally, the efforts of IGAD in mediating the conflict have been explained.

CHAPTER THREE

ROLE OF IGAD IN MEDIATION IN SOUTH SUDAN

3.1 Introduction

The Intergovernmental Authority on Drought and Desertification was established in 1986 with a focus on drought and desertification, and re-launched in 1996 as the Intergovernmental Authority on Development (IGAD) with an expanded mandate that included conflict resolution.⁸⁶

3.2 Mediation Strategy

As compared to military strategies and economic sanctions that have been used by international actors to force conflicting sides to step down from hostilities, IGAD have pursued a mediation strategy in South Sudan conflict.⁸⁷ Mediation has been used throughout history to get solutions to conflicts. Between 1860 to 1960, international actors mediated through 300 international conflicts.⁸⁸ Between 1945 to 1995, about 382 mediation were conducted by international actors worldwide.⁸⁹

Since the end of cold war, 46% of all international crises have been resolved through mediations. Between 1990 and 2005 about 69% of violent conflicts in Africa have been settled through mediation.⁹⁰ Though mediation is the preferred option for international conflict resolution, a majority of the efforts ends up not being successful at all or with only partial

⁸⁶ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

⁸⁷ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

⁸⁸ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

⁸⁹ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

⁹⁰ Pelin, E. Quinn, D. and Wilkenfield, J. (2012). *Delivering Peace: Options for mediators in African Intrastate conflicts*. Boulder: Paradigm Publishers.

successes. Of the 382 mediation efforts to conflicts between 1945 to 1995, only five percent had the conflict fully resolved with fifty two percent ending up in total failure.⁹¹

IGAD mediation in South Sudan conflict is in the small minority since it ended the violent conflict between South Sudan rebels and the Government of Sudan. It is hence necessary to look into the mediation strategies IGAD used over the years, their successes and challenges. IGAD's involvement in South Sudan can be divided in two major phases: Pre and post-South Sudan's independence phases of conflict. In the pre independence phase, IGAD's interventions in Sudan can be further divided into two major phases. Those phases are further subdivided to provide a better picture of the progress of mediation and IGAD's interventions up to date. In pre independence period, the first phase of IGAD's involvement was short lived and lasted for nine months. The much longer second phase lasted eight years from June 1997 to January 2005.⁹² IGAD 2 happened in two major phases. The first was from June 1997 to July 2001 and the second phase was from August 2002 to January 2005 when the process ended.⁹³

3.3 Pre independence IGAD Intervention in South Sudan Conflict

3.3.1 IGAD Phase 1

The first phase of IGAD's intervention in South Sudan started from January 1994 and lasted for nine months up to September of that year. It was in form of mediation between the Government of Sudan and the rebels from South Sudan who had split into two functions, SPLM mainstream and SPLM united. The then Kenyan president, Daniel Arap Moi chaired the IGAD Standing Committee. The other members of the committee were Meles Zenawi of Ethiopia, Isaias

⁹¹ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

⁹² Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

⁹³ Zartman, W. (2001). The timing of peace initiatives. The global view of ethno politics. *Peace and Conflict Studies*, 20 (1) 27-57.

Afewerki of Eritrea, and Yoweri Museveni of Uganda. A ministerial committee representing the four countries was charged with directing the mediation talks. Then Kenyan foreign minister Kalonzo Musyoka, chaired the mediation team.⁹⁴

The IGAD delegation initiated contact with Government of South Sudan and the two functions of SPLM. SPLM Mainstream was under the leadership of John Garang while SPLM united was under Riek Machar. The first round of talks started in March 1994 and continued in May, July and September of the year.⁹⁵ Prior to negotiations, the SPLM functions agreed on joint issues to push for during the mediation, self-determination for South Sudan that would be done through a referendum in South Sudan, interim arrangement for transition period and a ceasefire that would allow for humanitarian aid in South Sudan.⁹⁶ The Government of Sudan agreed to negotiate but was highly hesitant of the issues of self-determination.⁹⁷ The negotiators from SPLM and Government of Sudan agreed to negotiate on ceasefire first and later discuss the constitutional issues that would address the deeper issues of their conflict.⁹⁸

Surprising to SPLM Mainstream, when the issue of self-determination was brought to the table SPLM United led by Riek Machar, who had an agreement with John Garang on the issue, aligned itself with the Government of Sudan in its opposition.⁹⁹ In this round of talks, there was nothing substantive that was agreed on that would result to lasting peace. However, all sides agreed to have their areas of control open to international observers. They also agreed to open land and air routes to facilitate delivery of humanitarian aid to suffering populace in all regions.

⁹⁴ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

⁹⁵ Iyob, R. and Khadiagala, M. (2006). *Sudan : The Elusive Quest for Peace*. Boulder, CO: Lynne Rienner.

⁹⁶ Cantekin, A. (2016). Ripeness and readiness theory: Conflict management and resolution. New York: McMillian.

⁹⁷ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

⁹⁸ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

⁹⁹ Iyob, R. and Khadiagala, M. (2006). *Sudan : The Elusive Quest for Peace*. Boulder, CO: Lynne Rienner.

The second round on IGAD led negotiations happened in May of 1994. The same issues that had been raised in the first round of meeting were brought up in this meeting.¹⁰⁰ In this round IGAD have a few issues that proposed the way forward that would drive the debate forward. They proposed for a united Sudan based on secular constitution that is grounded in democracy, respect for human rights and which decentralized power. However, the proposal also provided for self-determination of South Sudan if a united Sudan proved unachievable.¹⁰¹

This proposal elicited sharply divided responses from SPLM and Government of Sudan. SPLM welcomed the proposals and stated they would form the basis of any future negotiations with Government of Sudan. However, the Government of Sudan was vehement in its opposition firmly stating that they had no option but to result to military means of ending the conflict.¹⁰² . Analysts observed that the government of Sudan felt it had the military might to sustain a confrontation that would subdue the South Sudanese rebels.

The conflicting parties met again in July 1994. The government of Sudan was stuck with a rule of law based on Islamic religion and Arabization of the whole of Sudan. SPLM firmly held to the idea of self-determination and expansion of political space. The same issues that SPLM and Government of Sudan had raised in May remained. The parties signed the Declaration of Principles document and a ceasefire was agreed on reducing hostility.¹⁰³ This second round of IGAD 1 talks was a major win for IGAD mediators. Though it did not completely stop the violence in South Sudan and the agreement was on peripheral issues rather than issues central

¹⁰⁰ Iyob, R. and Khadiagala, M. (2006). *Sudan : The Elusive Quest for Peace*. Boulder, CO: Lynne Rienner.

¹⁰¹ Madut, A. (2006). *The Conflict in Sudan: Roadmap to Peace*. North Charleston, SC: BookSurge.

¹⁰² Madut, A. (2006). *The Conflict in Sudan: Roadmap to Peace* North Charleston, SC: BookSurge.

¹⁰³ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

to lasting peace, it demonstrated that the warring parties could agree on some issues. Though peace was still miles away, small steps towards that had been made.¹⁰⁴

The final IGAD mediation process for this phase happened in September 1994. This one was frustrating for IGAD. The Government of Sudan sent a delegation of hardliners, who were opposed to any sort of mediation. Perhaps Omar Bashir was concerned that his government had given in too far in the July 1994 conference.¹⁰⁵ The opening remarks by Sudan's delegation effectively ended the conference before it started. Ghazi Salah al-Din Atabani stated that the duty of Sudan's government was to spread Islam throughout the African continents since the colonial process had interrupted the realization of this goal. Atabani further added that unity in Sudan would only be achieved by force and any other way was a waste of time. This flabbergasted the conference attendees forcing it to end before South Sudan delegation made its opening remarks.¹⁰⁶

3.3.2 IGAD Phase 2 Part 1

The IGAD phase two lasted from 1997 to 2005. However the phase was divided into two major sections. The first was from June 1997 to July 2001 and the second phase was from August 2002 to January 2005. Negotiations of IGAD phase 2 started in the year 1997 in Kenya. Sudanese authorities were unwilling to participate but pressure from international community forced them into the negotiating table. Indeed, between 1994 and 1997 a hiatus in which IGAD was not involved in mediating peace in Sudan, Sudan government had made several attempts to seek a mediator other than IGAD. They made contact with South Africa, Malaysia, and World

¹⁰⁴ Madut, A. (2006). *The Conflict in Sudan: Roadmap to Peace*. North Charleston, SC: BookSurge.

¹⁰⁶ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

Council of Churches amongst others but none was willing or capable of taking IGAD's position.¹⁰⁷

International powers had started appreciating the plight of South Sudanese and increasingly perceived North Sudan as the axis of evil in the conflict. International assistance to SPLM had strengthened the rebel's military capability and Sudan government forces were incurring heavy losses in the battle field. For example, United States was now offering SPLM what they referred to as non-lethal military assistance which either way helped position SPLM army better in the battle field. SPLM also entered into military agreements with other factions in South Sudan. The Chukudum Accord united SPLM and UMMA movement in the North. The Asmara Declaration forged unity between SPLM and National Democratic Alliance (NDA). These alliances gave SPLM military and political capability to take on National Islamic Front.¹⁰⁸

Besides military pressure from SPLM, the Government of Sudan was under poor international light after attempted assassination of Egyptian president Hosni Mubarak in 1995 where Sudan was perceived as a facilitating party. There were also massive human rights abuses in Sudan that were openly criticized by United Nations. These factors made Sudan a pariah state. The above explained factors are important to IGAD's mediation efforts because they impacted on Sudan's government negotiation position and eventual outcome of the process.¹⁰⁹

In this round, the mediators presented the conflicting parties with proposals, referred to a Declaration of Principles (DoP). Some of the issues in the DoP were not accepted by the

¹⁰⁷ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

¹⁰⁸ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

¹⁰⁹ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

government of Sudan such as self-determination of South Sudan if there was no guarantee that human rights abuses and marginalization of the South continued. The government of Sudan while accepting to sign the DoP also stated that it had the right to reject individual principles. However a major achievement was that the government of Sudan accepted to South Sudan's self-determination. They however maintained that in the transition period, Sharia law would be used in entire Sudan.¹¹⁰

The international pressure and loss in the battle field had started making Government of Sudan start perceiving a resolution to the conflict through mediation as a better option as compared to military confrontation. This ripe moment was however to last just a short time because a few months later, with Sudan Government perceiving its military capacity raising again, moved back to its hardline positions.¹¹¹ IGAD made another mediation attempt in October 1997. The violence that had now regained momentum was not abated by the mediation efforts.¹¹²

In fact the parties left the conference bitter and perhaps more divided. The government of Sudan accused SPLM of separatists and extremists actions while SPLM accused Sudan Government of deception by signing self-determination agreement it had no intentions of honoring. It was commented that the Government of Sudan had signed the Declaration of Principles to appease the International community while buying itself time to reorganize militarily to swing the balance against SPLM army.¹¹³

¹¹⁰ Cantekin, A. (2016). Ripeness and readiness theory: Conflict management and resolution. New York: McMillian.

¹¹¹ Duursma, A. (2014). The success of mediations in conflict zones. Conflict Management, 2, (1), 20-23.

¹¹² Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

¹¹³ Duursma, A. (2014). The success of mediations in conflict zones. Conflict Management, 2, (1), 20-23.

There were no major IGAD led negotiations between South Sudan and their Northern counterparts for a number of years after this event. However, there were several attempts on the same from mid-1999 up to mid-2000. However, no major progress was made and none of the parties changed their positions. For example, there was a meeting between IGAD and the two conflicting sides in January 2000 that resulted to no much. Another meeting in May of the same year failed to start after SPLM refused to attend, protesting bombing of South Sudanese civilians by the Sudanese government.¹¹⁴ The next attempt a few months later also failed this time the Government of Sudan failing to participate accusing the SPLM of violating an earlier cease fire agreement.

In September 2000, some serious negotiations led by IGAD started. IGAD proposed federal government in Sudan with each state reserving the right to decide its religious legislations. IGAD introduced a more central issue at this point, wealth sharing between North and South Sudan. However, there was little discussion on this issue in this conference. Nonetheless it indicated that IGAD mediation process was slowly moving beyond discussing peripheral issues to addressing issues pertinent to the conflict.¹¹⁵ The next meeting planned for October 2000 failed to happen. In the eve of the mediations, SPLM launched a major offensive against Sudan military declaring to IGAD and Sudan government that they had capacity to meet force with even more lethal force.¹¹⁶ Though Government of Sudan called for a cease fire, SPLM refused to the call. The talks ended after one day.

¹¹⁴ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

¹¹⁵ Young, J. (2012). *The fate of Sudan: the origin and the consequences of a flawed peace process*. New York: Zed Books.

¹¹⁶ Young, J. (2012). *The fate of Sudan: the origin and the consequences of a flawed peace process*. New York: Zed Books.

3.3.3 IGAD Phase 2 Part 2

The next phase of IGAD 2 started in May 2002 and lasted up to January 2005. General Lazarus Sumbeiywo from Kenya was fronted by then Kenyan President Daniel Arap Moi as the chief IGAD mediator.¹¹⁷ The government of Sudan was represented by Dr. Ghazi Salahuddin Atabani. SPLM was represented by Salva Kiir Mayardit.¹¹⁸ In these negotiations IGAD had greater support from the international community who were now pressing the conflicting parties harder for them to come up with a solution. In fact, a forum known as IGAD's Partner Forum (IPF), Troika, made up of United States of America, Britain and Norway were a part of the observers in the mediation process in Karen and Machakos.¹¹⁹

Observers commented that during this round of talks, the environment was ripe for a sustainable settlement. What experts call Most Harmful Situation (MHS) had started depicting itself in the battle field. Neither Sudan government military nor SPLM army had a major domination in the battle ground. It was starting to appear that violent confrontation was going to be a never ending stalemate that would offer no side decisive victory. The support of IGAD mediators by international community also gave them more authority that affected the seriousness with which both SPLM and Sudan Government afforded them.¹²⁰

In this forum, issues of self-determination by South Sudan versus remaining as a united nation were broadly discussed. In the next round of talks in Machakos, Kenya, the Government of Sudan voiced its support of a federal system of government within a united Sudan but one

¹¹⁷ Waihenya, W. (2007). *The mediator: General Lazarus Sumbeiywo*. East African Educational Publishers, Nairobi: Kenya.

¹¹⁸ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

¹¹⁹ Waihenya, W. (2007). *The mediator: General Lazarus Sumbeiywo*. East African Educational Publishers, Nairobi: Kenya.

¹²⁰ Schrodt, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

which had religion still embedded in its governance. However SPLM was now firmly focused on self-determination through a referendum by South Sudanese.¹²¹

Observing an impasse around federal government and religion, IGAD mediators developed a comprehensive compromise proposal. Amongst other issues, the proposal laid out how religion would be displayed in Sudanese government. It was suggested that there be a federalism system of government with the application of Sharia law only in North Sudan. It was suggested that self-determination would be pursued through a referendum but not before 6 years transition period ended. This framework was found agreeable between Sudanese Government and SPLM. The two sides signed an agreement called Machakos Protocol on 20 July 2002. This was a major achievement by the IGAD team. After the signing of the protocol, both Omar Bashir, the president of Sudan and John Garang, the defacto leader of South Sudan met for the first time ever and agreed to continue with the peace talks.¹²²

In the next round of talks in August 2002, more substantive issues were up for discussion. SPLM and Sudan government started negotiations on power and wealth sharing. Changes in the constitution were also up for debate. Key regions that were sensitive to both parties, namely Abyei, Nuba Mountains and Southern Blue Nile were discussed too. There were no substantive agreements this time around. Mediation was disrupted by South Sudan's attack of Torit and refusal of a cease fire demand made by President Omar Bashir.¹²³

¹²¹ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

¹²² Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

¹²³ Young, J. (2012). *The fate of Sudan: the origin and the consequences of a flawed peace process*. New York: Zed Books.

In April 2003, IGAD organized another meeting between President Omar Bashir of Sudan and John Garang. The two agreed to commit to the peace process and in fact settled for a time frame for negotiations. By April 6th of the same year, both parties had resumed negotiations which went on for two weeks up to April 16th. Wealth sharing was now substantively discussed. This round of talks incorporated experts from the World Bank, International Monetary Fund (IMF) and others who educated the participants on technical aspects of wealth sharing. It is noted that expert's involvement was very helpful in bridging the gap between SPLM and Sudan Government on the wealth sharing issue. However a lot of wealth related issues were left unresolved.¹²⁴

In another round of talks in May 2003, IGAD presented more critical issues on security, presidency, political representation and locationing of capital cities. No major decisions were made. In July 2003, another round of talks started in Nakuru Kenya. IGAD presented a document with outstanding issues that needed discussions in an attempt to regain momentum of the Machakos discussions which had happened earlier in the year.¹²⁵ The framework supported South Sudan's autonomy. This issue was not received well by the Government of Sudan or the heavy handed nature the Government perceived IGAD mediators to have. In fact Sudan government, in an African Union forum that happened soon after, made a formal protest and requested to have South Africa take over from IGAD mediation team.¹²⁶ SPLM on the other hand welcomed the IGAD draft but was uncomfortable about security and oil sharing

¹²⁴ Schrod, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

¹²⁵ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

¹²⁶ Schrod, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

recommendations made. Eventually the Government of Sudan walked away from the summit in protest.¹²⁷

In September 2003, IGAD held another series of talks between SPLM and Government of Sudan. This time around, perhaps smelling success, John Garang himself represented SPLM while Omar Bashir sent a very senior government official, called Taha. General Sumbeiywo continued to chair the IGAD mediation team. This time around, IGAD kept the negotiations low profile, keeping away IPF, Troika, International experts and the press. Issues of power sharing and security were discussed at length. Though Taha needed to consult Sudanese President often for final decisions, he was senior enough to make many decisions alone. John Garang did not need to consult much within SPLM and indeed made decisions alone. Eventually John Garang and Taha put their signatures to the agreed accord.

From this point on John Garang and Taha took complete charge of the IGAD led mediations. In the following one and a half years, there was agreement on many issues that had stuck unresolved over the years. The two agreed on wealth sharing, political power sharing, location of the capitals and a permanent ceasefire.¹²⁸ Finally, the moment the world had been waiting for arrived. Sudan Government and SPLM signed the Comprehensive Peace Agreement (CPA) on 9th January 2005. The agreement paved way for South Sudan's referendum. The civil war that had lasted for over 20 years between South and North Sudan came to an end. Eventually, South Sudan conducted a referendum on July 9, 2011 that resulted to South Sudan being

¹²⁷ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

¹²⁸ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

declared an independent nation. IGAD had made one of the biggest achievements in mediation history.¹²⁹

3.4 IGAD Involvement in Sudan Post Independence

When South Sudan collapsed into another civil war in December 2013, IGAD was seen as the right mediator to reconcile the warring functions. IGAD had an experience of more than a decade mediating between South Sudan and North Sudan before South Sudan's independence in 2011. IGAD had good understanding of internal issues in South Sudan.¹³⁰ IGAD appointed former Ethiopian foreign minister Seyoum Mesfin, who was joined by mediators from Kenya, General Lazaro Sumbeiywo, and Sudan, General Mohammed al-Dabbi.

IGADs Heads of State were the overseers of the mediation process. The functions in dispute were at three levels; President Salva Kiir of South Sudan, and former Vice President Riek Machar at one level. The other level was made up of the leadership committee attended by the parties' chief mediators, Nhial Deng Nhial, Juba; Taban Deng Gai, SPLM/A-IO; and a former detainee member. The last level had the technical or thematic committees.¹³¹

The IGAD's Heads of States body agreed to prioritize cessation of hostilities through a Cessation of Hostilities (CoH) agreement between the conflicting parties in South Sudan. The Heads of States also agreed on a regional "Protection and Deterrence" force (PDF) to create conditions necessary for negotiations and to enforce the CoH. A CoH was signed in January

¹²⁹ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

¹³⁰ Sisk, T. (2004). *Peacemaking in conflicts: case studies of global civil strife*. Palgrave, Mcmillan, New York.

¹³¹ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

2014.¹³² The IGAD mediation team kicked off on a slow start in January 2014. Due to the multi stakeholder nature of the conflict resolution process and the negotiation of CoH, the parties in conflict took time to stake out their positions. However, by August 2014 a document on agreed principles of negotiation had been prepared, approved by Heads of States and formed the basis of negotiations. Indeed, a number of agreements between the conflicting parties had been reached though differences on core issues like leadership and security remained.

It was hoped that politically transformative agreement through a “multi-stakeholder” process would be arrived at. However, this was set aside in late 2014 for a simpler power sharing agreement that would form the basis for a wider political agreement later. However, even this simpler target proved harder to reach. Deadlines kept being missed and the conflicting parties demonstrated little willingness to move forward with the mediation process. IGAD kept the process alive through mechanisms such as a cessation of hostilities workshop and party consultations that failed to overcome core differences but helped prevent a return to major conflict.¹³³

IGAD team negotiated with the warring functions in South Sudan for one and a half years from early 2014 to early 2015. By December 2014, IGAD mediation team had started sending indication that a stalemate of leadership and security issues would not be resolved through negotiations. In March 2015, IGAD through Ethiopian Prime Minister Hailemariam Dessalegn declared the mediation process a failure.¹³⁴ By March 2015, the government of South Sudan

¹³² Pelin, E. Quinn, D. and Wilkenfield, J. (2012). *Delivering Peace: Options for mediators in African Intrastate conflicts*. Boulder: Paradigm Publishers.

¹³³ International Crisis Group, (2015). *South Sudan: Keeping Faith with the IGAD Peace Process. African Report*. International Crisis Group, Brussels Belgium.

¹³⁴ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

and Sudan People Liberation Army in Opposition (SPLA-IO) restarted their armed conflict this time with much greater intensity than seen before. The government was determined to recapture lost territories and put up a military offensive that demonstrated some of worst war atrocities witnessed in South Sudan.¹³⁵

In June 2015, through an AU summit resolution it was agreed that IGAD team leading negotiations between the warring SPLM parties be expanded to established what was branded as IGAD plus. IGAD-PLUS members include the African Union (AU), UN, European Union (EU), the Troika (U.S., UK and Norway), China and the IGAD Partners Forum (IPF). IGAD plus provided the parties in conflict with a draft of proposals to the conflicting parties that suggested power sharing arrangements that the parties could discuss further and hopefully develop a central point of agreement.¹³⁶

The UN threatened sanctions against the combatants in the south Sudanese conflict especially on their key figures if they refused to negotiate amicably. The UN even threatened to impose a restriction of selling weapons to the country. The resultant fear forced Salva Kiir and Riek Machar to commit to a pact by mid-August 2015. The pact was enforced by IGAD and it guaranteed cessation of hostilities and possibility of peace in the country.¹³⁷

The agreement called for power sharing transition government with political, economic and security reforms as key pillars for cessation of hostilities. There was also agreement on new constitution and elections to put in place an inclusive government. The agreement penned sought for the return of Riek Machar in Juba for the formation of an interim governing

¹³⁵ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

¹³⁶ Schrod, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

¹³⁷ Sisk, T. (2004). *Peacemaking in conflicts: case studies of global civil strife*. Palgrave, Mcmillan, New York.

authority. However, in July 2016, the calm was shattered when the two rival groups traded fire in Juba leading Machar to flee from Juba and collapse of the agreement resulting into more violence and killings.¹³⁸

3.5 Summary of the Chapter

The chapter has highlighted the role of IGAD in mediation in South Sudan. The chapter has made a comparison of military strategies and economic sanctions that have been used by international actors as mediation strategies in South Sudan conflict. The chapter has illuminated the pre-independence IGAD Intervention in South Sudan Conflict. The post-independence involvement of IGAD in the South Sudan conflict has also been explained.

¹³⁸ Sisk, T. (2004). *Peacemaking in conflicts: case studies of global civil strife*. Palgrave, Mcmillian, New York.

CHAPTER FOUR

CHALLENGES FACED BY IGAD IN MEDIATION OF SOUTH SUDAN CONFLICT

4.1 Introduction

Though the determinants of a successful mediation to a conflict are many, and there is no agreement on the most significant one, the complexity of the issue under discussion is one of the major determinants of chances of success.

4.1 Complexity of the Conflict

The conflict in Sudan was a very complex one. By the time IGAD were starting the mediation process in 1994, they were looking at a conflict whose history had run for almost a century.¹³⁹ Marginalization of South Sudan started in 1870s when Turco-Egyptian reign moved to South Sudan from the North. When the British with the help of Egyptians started colonizing Sudan, they continued marginalization of the region. The Sudan regimes that took over from the colonialists all continued the policy of south Sudan's marginalization.

Researchers hold that if a conflict is driven by ideology or has many moving parts, then its resolution becomes complex and a big task.¹⁴⁰ If the conflict issues are highly emotive, or subjective, it provokes fear, resentment and mistrust that make mediation very challenging.¹⁴¹ Northern Sudan, whether in truth or for political mobilization, believed that it was their duty to spread Islam all over Sudan and that it was position they were not ready to compromise on. In

¹³⁹ Schrod, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

¹⁴⁰ Sisk, T. (2004). *Peacemaking in conflicts: case studies of global civil strife*. Palgrave, Mcmillan, New York.

¹⁴¹ Sisk, T. (2004). *Peacemaking in conflicts: case studies of global civil strife*. Palgrave, Mcmillan, New York.

deed during an IGAD mediation attempt in September 1994, one of the delegates from Sudan government Ghazi Salah al-Din Atabani stated that it was the opportunity then of Sudan to spread Islam all over Africa since European colonization of the country and the continent at large had previously disrupted them. This was despite the fact that a major point of conflict with South Sudan was Islamization of South Sudan by Northern Arabs.¹⁴²

A critical dissection of the groups in conflict is necessary so that internal issues that would have a bearing on the mediation process can be brought to the fore. Such issues include the power balances within the groups, the presence of hardliners who are willing to fight to death and whether there are moderates who can be exploited to create space for negotiations. Sudan government was riddled with hardliners who only believed that peace would be achieved through war. In September 1994's mediation attempts by IGAD between Sudan's government and SPLMA one of the hardliners deliberately sent by Omar Bashir to frustrate the mediation process openly stated that the only time there would be an end of the conflict in Sudan is by military conquest and Bashir's government was ready for that. This hardline position made it impossible for the mediation process to go any further.¹⁴³

It is important to look at intra party differences. Here one check if there are differences within the parties in regards to the objectives of engaging in the conflict, If there is lack of cohesion objective agreement, the parties are likely to pull in different directions to satisfy varying interests making successful mediation rather challenging. Negotiation delegations receiving

¹⁴² Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

¹⁴³ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

instructions from different quarters may make it hard to satisfy the interests of either party in the conflict.¹⁴⁴

SPLM had internal differences almost throughout the conflict period. Their differences played out openly during the different phases of IGAD mediation and made it very difficult for mutually agreeable positions to be arrived at. As Peter Adwok Nyaba wrote SPLM was a group whose internal conflicts more than once resulted to internal armed conflicts.¹⁴⁵ Though different functions in SPLM sought national liberation, what that meant to different sections of the movement differed and this complicated negotiations with Sudan's government. In Abuja conference of 1992, SPLM was represented by two functions that had opposing objectives of the engaging in confrontations with Northern dominated government of Sudan.

Waithaka Waihenya observed that though John Garang, the leader of SPLM supported a united Sudan that was multi lingual, multi religious, democratic and with enhanced political space, many in SPLM wanted South Sudan's cessation from the North.¹⁴⁶ Michael and Diehl wrote that when some of SPLM members joining Garang realized he was for an idea of united socialist Sudan they defected.¹⁴⁷ A united Sudan did not have much support with politically engaged Southern Sudanese.

4.2 Power Symmetry

The power that each of the parties in conflict hold over the other determine how successful the mediation is or is not. Sisk observes that mediations under conditions of power symmetry is

¹⁴⁴ Sisk, T. (2004). *Peacemaking in conflicts: case studies of global civil strife..* Palgrave, Mcmillian, New York.

¹⁴⁵ Zartman, W. (2013). *Ripeness: beyond intractability.* Boulder, CO: Conflict Information Consortium.

¹⁴⁶ Zartman, W. (2013). *Ripeness: beyond intractability.* Boulder, CO: Conflict Information Consortium.

¹⁴⁷ Kleiboer, M. (1996) Understanding Success and Failure of International Mediation. *Journal of Conflict Resolution*, 2, 368.

much easier than when one holds more power.¹⁴⁸ Greig and Diehl add that conflicts amongst equals are likely to result to ceasefires and partial agreements than those involving parties with varying strengths.¹⁴⁹ Fisher states that some level of power asymmetry is necessary for negotiations to be successful before a third party gets involved to mediate the conflicting sides.¹⁵⁰ In situations of power parity, both sides recognize that they have equal might and so they stand little chances of overhauling the other militarily. They then appreciate that mediation is the easiest option to achieve their conflict objectives.¹⁵¹

At different points in the conflict involving the authorities in Khartoum and the rebels, there was hardly a time that both parties had almost equal power. In almost the entire period, the Government of Sudan had the dominant hand in the military front over SPLM. This made the Government of Sudan fail to take mediation seriously. They believed they had a possibility of subduing South Sudan through violence and without yielding to any demands of SPLM. This frustrated IGADs mediation efforts.

In fact most of the times the Government of Sudan accepted to come to the negotiating table or agree to any accord was when the international community applied adequate pressure. In most cases the government appeared in those sessions to entertain the world with no intentions of making any serious concessions.¹⁵²

¹⁴⁸ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

¹⁴⁹ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

¹⁵⁰ Cantekin, A. (2016). Ripeness and readiness theory: Conflict management and resolution. New York: McMillian.

¹⁵¹ Kleiboer, M. (1996) Understanding Success and Failure of International Mediation. *Journal of Conflict Resolution*, 2, 368.

¹⁵² Cantekin, A. (2016). Ripeness and readiness theory: Conflict management and resolution. New York: McMillian.

4.3 Perceptions of Mediators

What effects a mediator has on the final outcome of the mediation process is unclear with researchers coming out with conflicting findings. Amy and David observe that mediator's ability to influence the parties involved plays an important role in dictating the direction of mediation process and outcomes.¹⁵³ It is observed that though a mediator is a neutral party, he also has his own interests that add to a previously two party clash of interests. The third party's interests are therefore crucial in determining the direction of the mediation process.¹⁵⁴

In situations where parties have not clearly defined the objective of engaging in conflict or in mediation, a mediator plays a very crucial role. Touval and Zartman agree that a mediator plays a crucial role in mediation process. The party's perception of the mediator is crucial in determining how they perceive the entire mediation process.¹⁵⁵ Bercovitch argument is that the ability of the sponsored mediators usually depends on the instructions given to them as well as the power delegated to them. Resources available to them is also important.¹⁵⁶

The identity of the mediator plays a crucial role in influencing mediation outcomes. Scholars identify legitimacy or perception offered to the mediator by conflicting parties and the power or leverage the mediator has over the parties in conflict.¹⁵⁷ The parties must perceive the mediator as allowed to prescribe behavior and that derives from the disputants norms as agreed on in the mediation process.¹⁵⁸ Leverage of the mediator results from the resources he controls related to the mediation process. These define the extent to which he can enhance cooperation between

¹⁵³ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

¹⁵⁴ Collins, R.O. (2008). *A history of modern Sudan*. Cambridge, MA: Cambridge University Press.

¹⁵⁵ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

¹⁵⁶ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

¹⁵⁷ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

¹⁵⁸ Carnevale, P (2002). *Mediating from Strength*. Palgrave Macmillan. New York.

the conflicting parties and balance power between the parties.¹⁵⁹ Amy and David note that if a mediator lacks commitment, credibility or resources, the mediation process is likely to be a failure.¹⁶⁰ The power and delegated authority gives credence to a mediator to provide the disputants with options, proposals and ready solutions as well as pulling the parties to positions of agreement. The mediators in Sudan conflict sometimes lacked requisite resources to forge ahead in resettlement of the peace process.¹⁶¹

In several cases during the IGAD led mediation processes and even with the Abuja initiative, mediators were often criticized by the conflict participants as biased or not in total charge of the mediation process being influenced by some of the parties to certain directions.¹⁶² In fact mediators in Abuja were accused of doing little to polarize positions of the warring parties in the Sudan conflict.¹⁶³ Lesch and Wondu noted that the mediators were being pushed around by the parties.¹⁶⁴

During the Abuja mediations, both the government of Sudan and SPLM factions perceived the Nigerian mediators as legitimate and acceptable to both sides. However, the mediators lacked leverage over the parties in the conflict. Right from Abuja negotiations, the mediators lacked any powers to influence the conflicting parties to a desirable direction. They failed to offer solutions to push the parties out of deadlocks.¹⁶⁵

¹⁵⁹ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

¹⁶⁰ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

¹⁶¹ Micheal, J.G. and Diehl, P.F. (2012). *International Mediation*. Policy Press, Cambridge, UK.

¹⁶² Madut, A. (2006). *The Conflict in Sudan: Roadmap to Peace*. North Charleston, SC: BookSurge.

¹⁶³ Madut, A. (2006). *The Conflict in Sudan: Roadmap to Peace*. North Charleston, SC: BookSurge.

¹⁶⁴ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

¹⁶⁵ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

In IGAD 1 mediations, the Government of Sudan accused IGAD mediators of open bias in favor of Sudan and even sought alternative mediators from South Africa and out of Africa.¹⁶⁶ When the Declaration of Principles, a set of proposals that IGAD mediation team had established was laid out to the parties in 1997, Sudan government found the document favourable to SPLM and immediately accused the mediators of bias. They abandoned the negotiations and escalated their military campaigns.¹⁶⁷

IGAD mediators were accused of lacking control of mediation processes as well. The mediators had little control on belligerents and could not coerce them to accepting even simple solutions that would have out rightly worked.

4.4 Timing of Mediation

Mediations success is highest during ripe moments. It is that moment that belligerents as the most appropriate and self-preserving way to achieve their objectives as compared to pursuing violent conflict. One of the biggest challenges to mediation is bringing the parties in the conflict to the negotiation table just at the moment when their conflict is ripe for mediation. The challenge with a disconnect between mediation and right timing suggests that mediators expend resources mediating conflicts that will not yield through mediation. When mediations fail due to poor timing, it communicate to the disputants that their conflict cannot be resolved through mediation making them put more effort in militaristic options. This spoils for future mediation opportunities¹⁶⁸.

¹⁶⁶ Cantekin, A. (2016). *Ripeness and readiness theory: Conflict management and resolution*. New York: McMillian.

¹⁶⁷ Madut, A. (2006). *The Conflict in Sudan: Roadmap to Peace*. North Charleston, SC: BookSurge.

¹⁶⁸ Schrod, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

Zartman introduces a concept he refers to as mutually hurting stalemate (MHS).¹⁶⁹ This condition happens where both parties are hurting and none of the parties has the capability of heightening it to victory. The disputants then start perceiving mediation as the most desirable option to end the conflict. Other than at the tail end of IGAD involvement in SPLM Sudan conflict, almost all the other mediations efforts were done at the wrong time. Both parties in conflict never felt they were in a stalemate that was hurting them. In fact they would appear the negotiating table while holding a perception behind the scenes that they stood a good chance militarily. Even when the parties were on the losing side of the pendulum they approached negotiations not to establish lasting peace but to buy time so they get organized militarily and oscillate control back to them.¹⁷⁰

In the initial AU and IGAD negotiation attempts, power asymmetry was clearly against SPLM and this gave Government of Sudan no incentive to participate in mediations. In 1982 when OAU led negotiations started in Abuja, Omar Bashir's military had just seized the military headquarters of SPLM-Torit with assistance from SPLM-Nassir. The government was in high spirits believing they were close to dismantling SPLM. Their delegation hence approached the peace talks with disdain and disinterest.¹⁷¹ On the other hand SPLM was in a destitute and panicked position. They held their position of self-determination and self-governance as a matter of life and death afraid that yielding to the dominant Sudan Government was as good as

¹⁶⁹ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

¹⁷⁰ Lesch, A. M. (1998). *The Sudan: Contested National Identities*. Bloomington: Indiana University Press.

¹⁷¹ Lesch, A. M. (1998). *The Sudan: Contested National Identities*. Bloomington: Indiana University Press.

accepting their end in the hands of Bashir. The rebels were very weak since they were suffering from massive internal divisions that further weakened it against the Government of Sudan.¹⁷²

4.5 Poor past Mediation Experiences

Lesch concluded that repeated mediation processes do not increase the chances of mediation success.¹⁷³ In fact they may diminish that especially if the mediation results are repeatedly negative. Disputants start perceiving their conflict as so entrenched and the kind that can only be resolved by total subduing of one of the opponents through other means including violence. However when the outcomes are positive, it tends to encourage the conflicting parties to continue with mediation.¹⁷⁴

IGAD picked up mediation processes on Sudan conflict from a failed OAU led process in Abuja. In 1992 during the Abuja Conference, the mediation process was very heated. The government held its position on a Sharia based constitution and Arabization of entire Sudan while SPLM firmly held on self-determination. In three weeks it was apparent to all that there was no meaningful progress being made and mediations were called off having achieved nothing.¹⁷⁵ Immediately after Abuja conference, fighting between Sudan forces and SPLM escalated. Lesch further noted that the failure of Abuja mediation made the fighting parties give up on negotiations as a way out of their conflict.¹⁷⁶

¹⁷² Collins, R.O. (2008). *A history of modern Sudan*. Cambridge, MA: Cambridge University Press.

¹⁷³ Lesch, A. M. (1998). *The Sudan: Contested National Identities*. Bloomington: Indiana University Press.

¹⁷⁴ Knolf, A. (2016). *Ending South Sudan Civil War*. Council of Special Reports.

¹⁷⁵ Madut, A. (2006). *The Conflict in Sudan: Roadmap to Peace*. North Charleston, SC: BookSurge.

¹⁷⁶ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

4.6 Poor Leadership

One of the biggest obstacles IGAD had in striking an agreeable deal between government of Sudan and SPLM was the mediators desire to come up with an agreement that stood to benefit the larger citizenry of the two sides against powerful functions within Sudan Government as well as in SPLM who were looking to satisfy their own interests even when such were at the detriment of the good of the people behind them. Sudan's government realized that if they allowed secular constitution that did not have Islamic grounds, they would lose an effective tool of political mobilization and marginalization that benefited the interests of the elite.¹⁷⁷

On the other hand, SPLM was led by John Garang who was known to be brutal to any opposition. When Gai Tui, the leader of Anya Nya 2, a splitter group from SPLM appeared to threaten SPLM positions in a significant extent, Garang ordered for his murder in 1984. It was observed that SPLM though claiming to fight for South Sudanese did little to facilitate development in the areas they liberated.¹⁷⁸ SPLM had an elite leadership that was devoid of any sense of accountability, who abused their authority to promote their personal interests. Satisfaction of personal interests drove the mediation interests of SPLM.¹⁷⁹ It was the concern of IGAD mediators that unless the parties negotiating develop an honest interest in the issues that affected their populations, a long lasting agreement was impossible to achieve.

¹⁷⁷ Schrodt, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

¹⁷⁸ Schrodt, G. Phillip, A. Omur, Y. and Deborah, J.G. (2003). *Evaluating mediated conflicts in Balkans, Middle East and West Africa*. International Studies Association, Portland: Oregon.

¹⁷⁹ Zartman, W. (2013). *Ripeness: beyond intractability*. Boulder, CO: Conflict Information Consortium.

4.7 Undermining of IGAD

In order to apply greater pressure on warring parties in Sudan to come to a peace agreement, the United States of America, Britain and Norway attempted bilateral negotiations with the parties in conflict. Duursma commented that even though international community has stated their support for IGAD, they have severally acted in ways communicating their lack of confidence in the body to solve conflicts in the region.¹⁸⁰

IGAD operated under a lot of pressure from bodies such as IGAD Partners' Forum who pushed for quick resolution of Sudan's conflict. This led to a point that IPF and Torit demanded direct roles in the mediation process. This is evidenced by their involvement in IGAD 2 mediations in 2002 mediations in Kenya. Both SPLM and Government of Sudan felt their involvement too intrusive.¹⁸¹ The civil war that broke in South Sudan in December 2013 presented another challenge for IGAD in mediating the warring factions, the government of South Sudan and SPLA-IO. IGAD started mediation process in January 2014 but made little head way after almost one and a half years of negotiations.

To demonstrate greater International support and coordination in resolving South Sudan crisis, IGAD mediation team was expanded in June 2015 to include African Union (AU), UN, China, U.S., UK, European Union (EU), Norway and the IGAD Partners Forum (IPF) to have what was rebranded as IGAD plus. The wider international community however has shown little support to IGAD in its mediation efforts in South Sudan. They have failed to offer IGAD with

¹⁸⁰ Duursma, A. (2014). The success of mediations in conflict zones. *Conflict Management*, 2, (1), 20-23.

¹⁸¹ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

the right resources that would give it power to influence conflicting parties to come to the negotiating table.¹⁸²

Individual nations within IGAD have continued to undermine IGAD mediation team in the eyes of the South Sudan government and SPLA-IO. The warring functions, realizing the toothlessness of IGAD mediation team, have started negotiating with individual Heads of States. They have traveled to Kampala, Khartoum and Nairobi in this pursuit. SPLM has launched its own mediation processes on the side of the IGAD process. They have engaged South Africa and Tanzania for example. The 2014 Cessation of Hostilities agreement have often been violated by the warring sides in South Sudan with impunity. They are aware that IGAD mediating team can do little with some member states unwilling to apply any sanctions to violating parties.¹⁸³

4.8 Internal Divisions within IGAD

The conflict in post-independence South Sudan has demonstrated in the most clear of ways the internal tensions within IGAD. When the IGAD meditating team presented their recommendation to IGADS Heads of States to approve, internal competitions delayed an agreement at their level which resulted to escalation of violence in South Sudan. International Crisis group in its report on South Sudan conflict observes that rivalry between Uganda and Ethiopia over their respective influence on regional security has colored the mediation process.¹⁸⁴

¹⁸² International Crisis Group, (2015). *South Sudan: Keeping Faith with the IGAD Peace Process. African Report*. International Crisis Group, Brussels Belgium.

¹⁸³ Knolf, A. (2016). *Ending South Sudan Civil War*. Council of Special Reports.

¹⁸⁴ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

Uganda sent its military in South Sudan following the breakout of civil war in 2013. Observers however have suggested that Uganda's incursion into South Sudan have motives beyond maintaining peace. It may be seeking to gain political leverage at the regional level. In fact Uganda is seen as satisfied with the status quo in South Sudan that is conflictual. Its forces in Uganda have not helped IGAD in pushing warring sides into an agreement for peace.¹⁸⁵

Uganda has also put many redlines that IGAD mediators cannot cross limiting the possibilities available for peaceful resolution to the conflict. Kampala is not opposed to a deal yet it has also failed to solidly promote a political solution, leaving IGAD without the full support of one of its critical members as it establishes the parameters of a peace agreement, including transitional governance arrangements and third-party security.¹⁸⁶

Competing national interests are also limiting the extent to which IGAD countries can be engaged in South Sudan. For example, Ethiopia's restive Gambella state, inhabited by Anuyak and Nuer. The Nuer tribe is also in South Sudan and is one of the major tribes fighting on Riek Machar's SPLA-IO front. Ethiopia is worried that getting too aggressively involved may provoke Nuer tribe in its territory to revolt worsening an already tense situation in Gambella region.¹⁸⁷

4.9 Summary of the Chapter

The chapter has highlighted the challenges faced by IGAD in mediation of South Sudan conflict. It has started by expressing the complexities of the conflict before and after IGAD

¹⁸⁵ Berkovitch, J. (2005). *Mediation in the most resistant cases*. Washington, DC: United Institute of Peace Press.

¹⁸⁶ International Crisis Group, (2015). *South Sudan: Keeping Faith with the IGAD Peace Process. African Report*. International Crisis Group, Brussels Belgium.

¹⁸⁷ Johnson, H.F. (2011). *Waging peace in Sudan: the inside story of the negotiations that ended Africa's longest civil war*. Portland, OR: Sussex Academic Press.

commenced the mediation efforts. The factors that contributed to the complexities of the conflict have been illuminated ranging from power symmetry, perception of mediators, timing of mediation, poor past mediation experiences, poor leadership, undermining of IGAD and internal divisions within IGAD.

CHAPTER FIVE

CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

The chapter highlights the summary and conclusions of the role of IGAD in resolving the conflict in South Sudan. It also provides the recommendations and areas for further studies.

5.2 Summary of the Study

The conflict in South Sudan conflict is one of the longest in global history. Right from the independence of Sudan from the British colonial government in 1956, the government of Sudan was overly dominated by Northern Arabs and it entered into an armed conflict with South Sudanese rebels. The conflict lasted up to 2005 when a peace pact was signed. South Sudan attained independence in 2011 but a short two years later, the country was entangled in another civil war this time between factions within South Sudan. The conflict is unresolved to date with IGAD involved in resolving the conflict. To resolve the conflict, military strategies and economic sanctions have been used by international actors to force conflicting sides to step down from hostilities. However, unlike the approach of international actors, IGAD has pursued a mediation strategy. IGAD involvement in South Sudan conflict has offered mixed results. Though the conflict between North and South Sudan was one of the most complexes in the World, IGAD negotiated for a peaceful agreement that resulted to independence of South Sudan.

It is in this resolve that this study assessed the role of IGAD in resolving the conflict in South Sudan. In this regard, three objectives formed the foundation of the study; the factors behind South Sudan conflict; the role of IGAD in resolving the South Sudan conflict and the

challenges facing IGAD in resolving South Sudan conflict. The theoretical foundation of the study is the Ripeness theory as proposed by William Zartman in his study of conflict resolution in studies starting from the 1980s. The Ripeness theory is helpful in identifying the conditions that frustrated or facilitated various agreements that have been reached in South Sudan conflict. Exploratory research design was used to explore the issues related to role of IGAD in resolving the conflict in South Sudan. The study undertook documented review of journal and articles highlighting the role of IGAD in resolving the conflict in South Sudan. The study used secondary data obtained from published works and researches on role of IGAD in resolving the conflict in South Sudan. The study used qualitative data analysis methods to analyze the information gathered from documented review of articles and journals.

5.3 Conclusion of the Study

The study attempted to test three null hypotheses: H_{01} : There exist no significant factors behind conflict in South Sudan; H_{02} : There exists no significant role of IGAD in resolving the conflict in South Sudan and H_{03} : There exist no significant challenges of IGAD in resolving the conflict in South Sudan. All the hypotheses have been rejected.

5.3.1 Factors behind South Sudan conflict

The study has established that the factors behind the conflict in South Sudan are deeply embedded in the history of Sudan. In addition, racism, religious fanaticism and political and economic discrimination of people of South Sudan have been propagated by the government in Khartoum. The main factors behind the conflict in South Sudan may thus be summarized as; marginalization through religious and economic lines, political and economic factors and contribution of Sudan People's Liberation Movement (SPLM).

Marginalization of the Southern Sudan started with Turco-Egyptian reign. The Turkish and Egyptian regimes favored the Northern parts of Sudan and concentrated development there. The government supported the Arab north and European business men to exploit the South. The government supported capture and sale of South Sudanese as slaves to Europe and other parts of the West. To facilitate commerce in the North the Turco-Egyptian government established education, security and communication infrastructure but never did so in Southern Sudan.

Even when Britain conquered Sudan, they initially made attempts to stop Islamization of the region. Specifically they tried to stop Islam spreading to South Sudan but allowed sharia law to govern aspects of Northern lives. However, even with this massive campaign, most of development remained in the North of Sudan with the popular perception being that the South did not want development. When British granted Sudan independence in 1956, it favored the North, marginalizing and annexing the south against the wish of South Sudan politicians. In the Juba conference of 1955, the Northerners gave lip service to the south. They gave assurances that if Sudan became independent, both north and south, were to be united and there would be equality and freedom for all regardless of race. However, the dissent of South Sudan representatives was largely ignored.

Even after independence, South Sudan was immediately disadvantaged. The region was politically underrepresented and was unable to mount any challenge to laws that favored the majority from the north to their disadvantage. Economic and military power was retained in Khartoum out of reach of the south. The government did not initiate any development projects in the South. The northerners in power made policies that personally benefited them. Post

independent governments of President Jaafar Numeiri, Hassan Turabi and Omar Bashir heavily continued with militarization of governance in Sudan and started a program to spread Islamic governance and Arabanization in South Sudan.

The damaging war involving the government of Sudan with SPLM led by John Garang escalated the conflict in South Sudan. When the south appeared to be winning enough to threaten the elite powers in Khartoum the government of Sudan appeared more willing to negotiate the demands of the rebels. When the Government of Sudan was on the winning phase, they added fire to their ruthless and radical political programs. The conflict was further widespread since SPLMA was bedeviled by internal divisions throughout its rebellion. Its governance was authoritarian with it being accused of massive abuses of human rights. The movement did not have clear political objectives they were fighting for and through which they could engage the North.

5.3.2 Role of IGAD in resolving the South Sudan conflict

The study established that IGAD has escalated the use of mediation in resolving the conflict in South Sudan. IGAD was successful in mediation efforts since it led to end of the violent conflict between South Sudan rebels and the Government of Sudan. The first phase of IGAD's mediation process in South Sudan started from January 1994 and lasted for nine months up to September of that year. Prior to negotiations, the SPLM agreed on joint issues to push for during the mediation, self-determination for South Sudan that would be done through a referendum, interim arrangement for transition period and a ceasefire that would allow for humanitarian aid in South Sudan. The Government of Sudan agreed to negotiate but was highly hesitant of the issues of self-determination.

The IGAD phase two lasted from 1997 to 2005. The Government of Sudan was unwilling to participate but pressure from international community forced them into the negotiating table. By this time, international powers had started appreciating the plight of South Sudanese and perceived North Sudan as the axis of evil in the conflict. International assistance to SPLM had strengthened the rebel's military capability and Sudan government forces were incurring heavy losses in the battle field. The major achievement was that the government of Sudan accepted to South Sudan's self-determination. The next phase of IGAD 2 started in May 2002 and lasted up to January 2005. In this forum, issues of self-determination by South Sudan versus remaining as a united nation were broadly discussed in the next round of talks in Machakos, Kenya. The two sides signed an agreement called Machakos Protocol on 20 July 2002. Sudan Government and SPLM signed the Comprehensive Peace Agreement (CPA) on 9th January 2005. The agreement paved way for South Sudan's referendum. The civil war that had lasted for over 20 years between South and North Sudan came to an end. Eventually, South Sudan conducted a referendum on July 9, 2011 that resulted to South Sudan being declared an independent nation.

When South Sudan collapsed into another civil war in December 2013, IGAD was seen as the right mediator to reconcile the warring functions led by Machar and Kiir. In August 2015, largely as a result of the threat of targeted UN sanctions against senior individuals on both sides of the conflict and of the imposition of a UN arms embargo, Machar, then Kiir signed a power-sharing agreement which had been mediated by IGAD. The agreement facilitated Machar's return to Juba in April 2016 and the subsequent formation of the Transitional Government of National Unity (TGoNU).

5.3.3 Challenges facing IGAD in resolving South Sudan conflict

The study established that the challenges facing IGAD in mediation of the conflict in South Sudan emanated from the fact that conflict was a very complex one. By the time IGAD were starting the mediation process in 1994, they were looking at a conflict whose history had run for almost a century. Marginalization of South Sudan started was the precursor to the conflict. Marginalization started in 1870s when Turco-Egyptian reign moved to South Sudan from the North. Similarly, when the British with the help of Egyptians started colonizing Sudan, they continued marginalization of the region. Post-independent Sudan regimes that took over from the colonialists all continued the policy of south Sudan's marginalization thus widening the conflict.

IGAD has been confronted by power plays especially between the authorities in Khartoum and the rebels. The differences played out openly during the different phases of IGAD mediation and made it very difficult for mutually agreeable positions to be arrived at. In almost the entire period, the Government of Sudan had the dominant hand in the military front over SPLM. This made the Government of Sudan fail to take mediation seriously. They believed they had a possibility of subduing South Sudan through violence and without yielding to any demands of SPLM. This frustrated IGADs mediation efforts. Criticism of IGAD mediation efforts was a challenge throughout the mediation process. In several cases during the IGAD led mediation processes and even with the Abuja initiative, mediators were often criticized by the conflict participants as biased or not in total charge of the mediation process being influenced by some of the parties to certain directions.

One of the biggest obstacles IGAD had in striking an agreeable deal between government of Sudan and SPLM was the mediators desire to come up with an agreement that stood to benefit the larger citizenry of the two sides against powerful functions within Sudan Government as well as in SPLM who were looking to satisfy their own interests. SPLM had an elite leadership that was devoid of any sense of accountability, who abused their authority to promote their personal interests. Satisfaction of personal interests drove the mediation interests of SPLM. International Crisis group in its report on South Sudan conflict observes that rivalry between Uganda and Ethiopia over their respective influence on regional security has undermined the IGAD mediation process. Uganda is seen as satisfied with the status quo in South Sudan that is conflictual. Uganda has also put many redlines that IGAD mediators cannot cross limiting the possibilities available for peaceful resolution to the conflict.

5.4 Recommendations

Through the findings the recommendations of the study is that: there is necessity for a more inclusive approach in an attempt at containing and managing the security challenges in the East African region. Understanding the factors behind the South Sudan conflict is crucial in establishing the genesis of the conflict and possible solutions to the conflict.

The study recommends that though IGAD has been successful in escalating the use of mediation in resolving the conflict in South Sudan, it has no overall power of making the combatants adhere fully to the resolutions made. Therefore, IGAD should be accorded the mandate of using the East Africa Standby Force (EASF) to enforce the resolutions and agreements made.

The study recommends that understanding the challenges facing IGAD mediation of the conflict in South Sudan is crucial in resolving the current conflict in South Sudan. This may also be applicable in resolving other conflicts in Eastern African region like the conflict in Somalia.

5.5 Areas for further research

1. The study on the role of IGAD in resolving the conflict in South Sudan should be escalated to establish the role of IGAD in resolving Somalia conflict.
2. A study should be undertaken to establish the failure of IGAD in resolving the conflict in Somalia.

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