AN ASSESSMENT OF IGAD's ROLE IN CONFLICT MANAGEMENT IN

SOUTH SUDAN (2011-2013)

JUDITH NDUNGE NGUNIA

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DECLARATION

This research study is my original work and has not been presented for the award of a degree in this University or any other Institution of higher learning for examination.

Signature…………………..   Date…………..……………….

JUDITH NDUNGE NGUNIA

R51/69011/2011

This project has been submitted for examination with my approval as the University Supervisor.

Signature ………………………………   Date ………………

DR. PATRICK MALUKI

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES UNIVERSITY OF NAIROBI

DEDICATION

This project work is dedicated to my husband, Peter, who has been a constant source of support and encouragement during the challenges of graduate school and life. I am truly thankful for having you in my life. A special thanks to my sons, Eric and Nzomo, the countless times I was away during important family occasions due to hectic schedules will not be forgotten. To my sisters, Cynthia, Betty and Diana who have always loved me unconditionally, and to my adorable nephews and nieces, and grandsons Nathan and Tevin, whose good examples have taught me to work hard for the things that I aspire to achieve. To my late Mother Milcah – thank you for allowing me time away from you to research and further my studies. I know you would have been proud of my achievement.

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ABSTRACT

South Sudan is blessed with an abundance of natural resources ranging from fertile land to oil. However, these resources have not been exploited to their full. Of significance here is the oil sector which has been abused by different factions in South Sudan's civil war. South Sudanese rebel groups recently claimed control of Upper Nile state. The link between armed groups, ethnic conflict, resources, cattle raiding and political fractionalization has created a complex security situation. In addition, the traditional structures that were important for upholding the society together have disintegrated because of the conflict situation n the country and the new value systems by the western nations. In sum the ability to deal with violence and criminality in South Sudan is low. The South Sudan Armed Forces (SSAF) and the South Sudan Police Service (SSPS) lack the necessary capacity to deal with this and thus provide security in the country. This study sought to assess IGAD's role in conflict management in South Sudan. The research deign used in this study was descriptive and explorative research. The research site was in Nairobi and possibly South Sudan. A number of data collections methods were used in this study and this included an open ended questionnaire for the key respondents. For the purpose of this study the target population was 50. It was stratified through the various groups as a target. The data collected was first be coded. After coding there was data entry and analysis whereby the data was analyzed using content analysis. The study concludes that the major factor that has been sustaining the conflict in South Sudan was tribalism/ ethnic intolerance driven by political incitements. The study concludes that the most common other possible solutions to the conflict in South Sudan engaging in home based negotiations like those that took place in Somalia (Fight against Warlords. The study concludes that breakdown of law and order in South Sudan creates security threats to the South Sudanese people and its neighbors. Based on the findings, the study recommends Galtung Johan's' theory of constructive, concrete and creative approach prognosis in mediating, negotiating and resolution of any conflicts situation. This could be the only situation to peaceful conflict transformation. The international bodies must provide interventions to prevent negative prognoses while the local actors must maintain and be clear to the needs, and rights of the people in bringing satisfaction peaceful culture and structure.

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CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

South Sudan gained its independence on July 9th 2011. Its entry into the world was marked with pomp and glamour both locally and internationally; it being the youngest and newest country in the world. However, despite the signing of the CPA 2005 and its independence it has been a country at war with itself. South Sudan is not only faced with criminal elements in society, ethnic animosity and rebellion, but also lacks the needed infrastructure and institutional mechanisms. All these factors affect the security in South Sudan. However understanding these complexities is significant for South Sudan's developmental goals.

There have been/still are a number of militia groups in South Sudan. These groups pose a great security threat to the nation. Since 2005 many deaths have occurred, property destroyed and displacement of people has occurred. This has led to poor development in South Sudan leading to a strain on the country's resources, delayed reconstruction and reconciliation efforts.

It is noteworthy to mention that such violence is caused by different groups whose main aim ranges from political to criminal all under the backdrop of ethnicity. This proposal explored the different dynamics of organized crime in South Sudan, how it affects the security situation and what the GOSS has done about it before narrowing down to the role that IGAD has played in conflict management between the periods 2011-2013.

1.2 Statement of the Problem

South Sudan is blessed with an abundance of natural resources ranging from fertile land to oil. However, these resources have not been exploited to their full. Of significance here is the oil sector which has been abused by different factions in South Sudan's civil war. South Sudanese rebel groups recently claimed control of Upper Nile state.

The end of the North-South war has given rise to complex issues of violence which is characterized by political interests, ethnicity and criminal actions. South Sudan's governance has been maturing; it has been receiving foreign aid, different opinions and criticisms that make it not only vulnerable to domestic security, but also prevent post-conflict reconstruction and socio-economic development from progressing.

The link between armed groups, ethnic conflict, resources, cattle raiding and political fractionalization has created a complex security situation. In addition, the traditional structures that were important for upholding the society together have disintegrated because of the conflict situation n the country and the new value systems by the western nations. In sum the ability to deal with violence and criminality in South Sudan is low. The South Sudan Armed Forces (SSAF) and the South Sudan Police Service (SSPS) lack the necessary capacity to deal with this and thus provide security in the country.

1.3 Objectives of the Study

1.3.1 General Objective

To assess IGAD's role in conflict management in South Sudan.

1.3.2 Specific objectives

1. To establish factors and historical roots underpinning the insecurities in South Sudan's conflict

2. To assess the implications of South Sudan's conflict on its people

3. To examine the possible solutions that has been tried by the government and community leaders to contain the conflict

4. To examine IGAD's role in dealing with the conflict.

1.4   Research Questions

1. What are the factors and historical roots underpinning the insecurities in South Sudan's conflict?

2. What is the implication of the South Sudan's conflict on its people?

3. What possible solutions have been tried by the government and community leaders to contain the conflict?

4. What role has IGAD played in the conflict management of South Sudan?

1.5   Justification of the Study

This research is intended to justify that intercommunity armed conflict in South Sudan is peacefully resolved. This can be done through disarmament of ex-combatants that have

melt into the communities either by deserting with the arms from the organized forces or through militias that were developed by the Khartoum government during the SPLA war. A number of initiatives by bodies like IGAD have been taken to contain the conflict. However, more still needs to be done. The exercise of DDR has also been carried out especially in places like Jonglei where organized crimes are prevalent. It has had its challenges, but despite them it has impacted positively on the lives of people since its initiation in South Sudan specifically Jonglei state. This research is further intended to see that these men who engage in such conflict lay down their arms so that they can support themselves through provision of skills for self reliance and sustainability in their day to day lives. For example, free education for their children, health care, reduction of poverty through provision of agricultural tools and seeds. When such services are in place this will ensure free movement of people across the state, intermarriages and unity among the people. It will also ensure that the law prevails across all the states so to avoid the communities from taking the law into their own hands. When the militias do this they will realize that war is bad.

Academically, this study will add to the existing literature dealing with conflict management in South Sudan, peace building and reconstruction. In terms of policy, it will serve as a reference point for policy makers in their different capacities to who are involved in peace building efforts.

1.6 Literature Review

The preceding literature review is divided under the following sub-sections: definitions of organized criminal groups in South Sudan, the causes underpinning the insecurities in South Sudan's conflic**t,** the implication of the South Sudan's conflict on its people, the possible solutions have been tried by the government and community leaders to contain the conflict and lastly the role that IGAD played in the conflict management of South Sudan?

Policzer (2005) defines state organized armed groups or rebels comprise as those entities that violently oppose the formalized status quo; be that an incumbent regime or any form of recognized authority and whose objectives are to acquire property by force or advance political or ethnic interests using violence.[1]Rebels challenge the existing status by violence and subversive means, mostly due to perceived marginalization in the political process. Organized armed groups are specific to the history and culture of a particular society or country

Organized criminality in South Sudan occurs as a result of armed groups pursuing political and economic interests using violence rather than political means such as

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[1] This definition is the author's adaptation of Pablo Policzer (2005), who defines NSAGs as "armed non-state actors" or "any armed actor operating outside state control that uses force to achieve its political/quasi-political objectives. such actors include armed groups, rebel groups, liberation movements and de facto governments"

negotiations. Organized crime occurs in much larger scale than other crimes with respect to the nature of economies and extortion.[2]

Armed groups have featured prominently before independence in 1956. They assumed more prominence in the early 1990s as they mobilized in opposition or support to either north Sudan or South Sudan. Today they remain a significant security and political factor in the new dispensation in South Sudan. The profile of these armed groups is always changing and many groups are fragmented depending on the political situation. Many of the armed groups are organized as either rebels; self-defence forces, cattle raiding parties, ethnic militias, foreign armed groups or criminal gangs.

After South Sudan gained its independence on July 2011, there have been a number of violent conflicts in Lakes state, Warrap, Eastern, Central and Western Equatoria, South Kordofan, Abyei, Jonglei, Upper Nile, Unity, Heglig and other parts of the North/South border. These conflicts have increased the flow of arms and ammunition in South Sudan and the EAC region as a whole.

According to a provision contained in the Comprehensive Peace Agreement (CPA) of 2005 it stated that no "other armed group" (OAG) would be allowed to exist by both Sudan People's Liberation Movement/Army SPLM/A, and Sudan Armed Forces (SAF).

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[2]Konrad and Skaperdas; The Political Economy of Organized Crime – Providing Protection When the State Does Not, UCLA, 2001

This was one year after the signing of the peace agreement.[3] The process of integration with SAF or SPLA has not been a bed of roses because most of the organized groups sprung from former civil war groups and these groups continue to exert their influence in the ongoing conflict between SAF and SPLA. These groups are based in five of the nine states of South Sudan namely: Jonglei, Unity, Upper Nile, Central Equatoria and Bahr el Ghazal.[4]

The effects of these conflicts have been heart-wrenching, causing some 1,400 deaths and displacing more than 167,000 by 2012. A UN report confirms that 800 people have died in violence and 94 000 people have been displaced since the beginning of 2011.[5] These conflicts only serve to deal the gains in the CPA. By September 2012, more than 167 000 people had been displaced; about 2.9 million people were in need of food aid and more than 650 000 south Sudanese had returned from Sudan since 2010.[6]

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[3] See the CPA: Status of Other Armed Groups (OAGs) in the Country (a) No armed group allied to either party shall be allowed to operate outside the two forces. (b) The Parties agree that those mentioned in 7(a) who have the desire and qualify shall be incorporated into the organized forces of either Party (Army, Police, Prisons and Wildlife forces), while the rest shall be reintegrated into the civil service and civil society institutions.
(c) The Parties agree to address the status of Other Armed Groups in the country with the view of achieving comprehensive peace and stability in the country and to realize full inclusiveness in the transition process.
[4] Oxfam 2011, Young, 2011, Lacher, 2012
[5] Quoted in Alison Giffen: Considerations for a new peace keeping force in South Sudan, Stimson Working Paper, April/May 2011, P. 1, see also South Sudan facing most violence since the end of civil war, OXFAM May, 2011
[6] The Humanitarian Situation; in Sudan and South Sudan; Current Issues for Congress and U.S Policy, 2012, P. 36

Sources of Insecurity in South Sudan

The top security concerns in South Sudan are cattle raiding, killing, armed robberies, abduction, rape and small arms and light weapons. Insecurity is still a great concern at the state and the national level. For instance in Eastern Equatoria, there have been regular cases of murder in places like Kapoeta, Ikotos and Budi Counties. There are negative traditional practices such as paying for the murder of a victim through giving another human being (usually a girl) to the family of the victims (Blood money or blood compensation). Girl child blood compensation is a hindrance to women's rights and education. The Interim Constitution of South Sudan provides that in case of conflict between the customary law and the Constitution, the latter prevails. At the state and the national level, the government has declared that abduction will be dealt with as a crime and traditional excuses will not be entertained.[7]

Other sources of conflict include the creation of new administrative areas, conflict over access to land for agriculture, grazing cattle, land grabbing for various purposes, political interference in inter community relationships and poverty. There has been a rise of criminals from neighboring countries who work with local criminals to engage in theft, fraud, money laundering and selling counterfeit goods. This is as a result of the borders being porous, long and difficult to monitor.

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[7] David Charles Ali Bilal, Senior Legal Council and Head of Legal Administration, Ministry of Justice, Eastern Equatorial State, Torit, Republic of South Sudan, Interview: August 24th 2012

The rate of crime both in urban areas and the country side is high while the capacity of the Criminal Investigation Department (CID) of the police is very low. The demobilized SPLA soldiers are a source of insecurity to the community. Women are also poorly represented in the national Parliament, only 5%.[8]

The absence of widespread and working education structures tends to push the youth towards quick money solutions, leading to criminal activities. Dissatisfaction of some leaders over distribution of power and resources for themselves or for their communities has led to an increase of violence to attract GOSS attention and bargain for better positions for themselves and their followers. GOSS is the main determinant of resource distribution in the country – it is perceived that the closer one is to the GOSS the more the perceived benefits. Because there are no properly functional and legitimate systems for distribution of national resources, organized armed groups emerge as an alternative bargaining tool.[9]

Some violent groups also emerged as a result of dissatisfaction with the outcome of the 2010 elections. There were perceptions that the elections were rigged by the GOSS in favour of their candidates in certain states. Armed groups tend to result from political elites competition for power and wealth, and do not offer a credible alternative vision for the country. None of them have manifestos that explain their political agenda.

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[8] General Acuil Tito Madut, Inspector General of Police, GOSS, Ministry of Interior, Juba, Interview: August 21, 2012

[9] Geoffrey Lou Duke, South Sudan Action Network on Small Arms (SSANSA), Interview, August 20th , 2012

Factors that affect insecurity in South Sudan are complex and all intertwined and therefore require a complex approach.

Other causes include: counterfeit currencies in Central (Juba) and Eastern Equatoria (Nadapal and Nimule), armed robbery in Juba and Eastern Equatoria. Sometimes there are collaborations between cattle raiders in Kenya and the one in Eastern Equatoria. Fpor example there was a case at one time of the Dinka going for cattle deep inside Uganda but they were arrested. There have been conflicts on access to river streams mainly about fishing rights among the clans of Latuka (Eastern Equatoria) and Nuer /Dinka in the Lakes state. In Bahr el Ghazal there are conflicts over the migration of the Misseriya Arabs who traditionally come south during the dry season.[10]

Low governance capacity and economic vulnerability

The GOSS is still unable to provide basic services to all such as health, water, electricity and education and many people are left to compete and fight over meagre resources. It does not appear to be felt in all the areas of the country. It has no capacity to handle ethnic conflicts through dialogue.

There is poor infrastructure that hinders provision of security and other services. There are credible complaints of corruption, bias and nepotism against the GOSS. The economy is still dependent on oil export or donor funding thus increasing its vulnerability to

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[10] Ibid

external shocks. The non oil sector economy is still dominated by cattle husbandry. There are no proper mechanisms for revenue allocation and resource distribution and therefore some sectors and regions feel short changed. Management of the available resources is also poor. There are perceptions of regional and ethnic domination.

The local authority administration is still weak to offer the alternative to public administration in the rural areas. There is resistance to effective federalism in some quarters (Juba) perhaps due to the need to create a cohesive South Sudan nation or fear of autonomy of some states such as Unity that contributes a lot to the national exchequer, being the main producer of oil.[11]

South Sudan is in the process of developing a new constitution. There have been calls for a more inclusive process that incorporates dissenting voices from the opposition. Accommodating voices from different ethnic groups is seen as positive for the long term security in South Sudan. A democratic governance structure within the SPLM is also paramount to avoid people from defecting and represent a unified multi-ethnic party. The opposition parties in South Sudan can come together and join the SPLM.

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[11] Geoffrey Lou Duke, South Sudan Action Network on Small Arms (SSANSA), Interview, August 20th , 2012

Maintenance of law and order

GOSS has a police force of about 28 000. This makes it hard for the government to maintain law and order in South Sudan because the officers are ill equipped and not well trained. South Sudan continues to experience serious insecurity concerns at the grassroots levels from the armed rebellion, militia activities and army defections manifest an unstable security sector.

The SSAF is faced with a number of obstacles such as the need for an effective transformation into a professional, inclusive and independent army with the right structures and discipline. South Sudan is still engrossed in conflict with the north and a number of internal armed groups are still in operation. There are no adequate funds to support reforms due to the conflict with the north over oil transportation.

SSAF is unable to engage in impartial intervention during ethnic conflict because of ethnic loyalties. The SSAF soldiers in the rural areas do not receive regular salaries and therefore sustain themselves through illegal taxation among other means.[12]

Arms proliferation, cycles of inter-communal conflict and the presence of armed groups threaten not only overall stability but subject the civilian population to severe levels of crime and violence. There has been serious inter-communal violence in several states

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[12]OystenRolandsen: Land, Security and Peace building in the Southern Sudan, PRIO Paper (Oslo, 2009)

partially fuelled further by forced civilian disarmament processes conducted by the SPLA between 2006 and 2009.[13]

Sharing of oil within South Sudan

Another source of insecurity in South Sudan is the lack of laws guiding the oil sector in South Sudan. For instance there is no Petroleum Act (2012) and Policy. There is also no local revenue allocation formula and regulatory mechanism. Furthermore there is corruption in the management of the oil sector; the oil money obtained from the sector can pose a major source of conflict. However, if is this is well managed, oil can enhance the country's developmental goals.

Proliferation of illicit small arms and light weapons

Though Small Arms and Light Weapons (SALW) do not cause conflict on their own, they raise the impact of conflict through the number of the dead and injured and also alter inter groups balance of power. The proliferation of SALW has caused many deaths of civilians mainly due to cattle raiding or ethnic conflict. Furthermore, SALW are available because of the insecurity situation in the country and the neighbouring countries. For instance they are traded as a means of livelihoods by the unemployed youth and militia groups. The GOSS has not yet developed a legitimate and comprehensive disarmament policy. Security services provision in most of South Sudan is still inadequate to convince the people to lay down arms voluntarily.

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[13]Lacher, 2012

A number of factors make South Sudan vulnerable to illicit SALW arms flow. These include a network of unmonitored trails, little or no state presence and a recent history of armed conflict along the border with North Sudan, Darfur, DRC, Ethiopia and Uganda. Rebel groups in South Sudan received arms from the Government of Sudan, Ethiopia, Uganda and Eritrea. It is worth noting that these countries went through long periods of civil wars and they still face low scale internal rebellions today. There have been reports of former and serving SPLA soldiers selling weapons in the market through motorcycles and bicycles even after the 2005 CPA.[14]

According to one Bishop in South Sudan who states that: Once guns have been taken from the warriors, the warriors should be compensated, incentives must be created to make the people voluntarily surrender guns rather than using force – use of force should be a last resort.[15]

The control of the proliferation of Small Arms and Light Weapons (SALW) faces a number of challenges, such as: weak governance capacity which facilitates the influx of SALW, low capacity in enforcement of the rule of law, the huge, long and unmarked border stretching over 2000 Km is a hindrance to close monitoring of influx of SALW. Influx of SALW is facilitated by organized armed groups. The Sudan continues to support militias along the border to undermine stability of South Sudan. There is collaboration in the buying and selling of SALW among cattle keeping ethnic groups

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[14] Reverend SarafinoOseyek (Assistant Bishop, Africa Inland Church, Torit), Interview: August 24th, 2012
[15] Reverend SarafinoOseyek (Assistant Bishop, Africa Inland Church, Torit), Interview: August 24th, 2012

such as Toposa in South Sudan, Nyangatom in Ethiopia, Turkana and Pokot in Kenya and Karamajong in Uganda. There are no infrastructures for supporting SALW and light weapons and reliable roads. Sections of the security service have old weapons and there is poor tracing and tracking of arms. There is no clear policy on disposal of SALW collected from the field.[16]

Their proliferation is used in human, drugs and arms trafficking. However, there have been improvements in disarmament operations. Community conflicts are gradually going down after a series of measures were carried out. Some of these initiatives include: the Bureau for Community Security and Small Arms Control (BCSSAC) which is in the process of developing systems of stockpile management and establishment of a data base system. Marking of arms is going on with the assistance of Regional Center for the Control of Small Arms (RECSA). The United Nations Program of Action (UNPoA) on SALW is set to provide assistance in the development of data base software. Needs assessment has been done in all the states.[17]

Political violence

There are still no strong institutions of resolving conflicts through peaceful means as a result of the existence of insurgent armed groups and a history of warfare. Inter-ethnic political competition and alignment is still based on ethnic and militia mobilization rather than an open political space for sharing different ideas and opinions. The presence of

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[16] John Chiek Bum Klzier: Deputy Director, Research and Analysis, Bureau for Community Security and Small Arms Control (BCSSAC), Interview, Juba, August 22, 2012
[17] Ibid

leaders competing with each other politically, alliances and personality clashes continue to come to fore within South Sudan.

In the GOSS, there are still no checks and balances, power is still not yet well divided between the executive, independent legislature and the Judiciary; there are no effective oversight systems and effective human rights and law enforcement mechanism. This can be attributed to the prevalence of armed conflicts that have weakened the power and legitimacy of state institutions, democracy and development. Criminal groups have exploited this scenario of events to provide alternative sources of leadership and employment to the people especially the youth in South Sudan.

The custom of applying military solutions to political problems still defines the politics in South Sudan. This can be seen by the violent revolts of former SPLA soldiers in 2010. The government spends about 40% of the budget on defence related issues due to the large number of SPLA soldiers. Capacity for creating alternative engagements for demobilized soldiers is low. The current leadership in South Sudan still draws many of its officers from the military background of SPLM/SPLA. Majority (80%) of state governors are former SPLM/A leaders.[18]The changeover from civilian to democratic leadership has not taken root and is paramount to its post conflict stabilization.

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[18] Wolfram Lacher: South Sudan, International State Building and its Limits, SWP Berlin, February 2012, P. 16

There is rising militarisation in the south and potential triggers of political confrontation and violent conflict abound. The process of disarmament which was carried out in 2005-6 faced resistance among the targeted communities, the next one carried out in 2008 was more cautious but it was still selective and targeted at communities or regions that were not supporters of SPLM/A.[19]Given the prevalence of cattle raiding practices among the communities, there is genuine concern of insecurity in some communities when their neighbours are not simultaneously disarmed.

Strains in North–South relations

The Republic of South Sudan (ROSS) views North Sudan as big threat to its security. This view is exacerbated by the failure to demarcate the North/South border, military mobilization by both countries and recurrent confrontations along the border. South Sudan rebels are seen as proxies of the Sudan Armed Forces (SAF). This continue to pose a challenge with the long unmarked border, the fate of the three States of Blue Nile, Abyei and South Kordofan is yet to be decided. The presence of valuable resources such as oil along the border has also escalated the conflict. These factors define the political dimension of the current insecurity, which has led to the emergence of several armed groups since 2005.[20]There are more than seven individuals who are currently leading active rebellions in Southern Sudan.

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[19] Conflicting Priorities, GoSS Security Challenges and Recent Responses, HSBA, Sudan Issue Brief No. 14, May 2009 P. 6
[20] Claire McEvoy and Emile Le Brun: Uncertain Future, Armed Violence in South Sudan, Small Arms Survey, HSBA, Working Paper No. 20, P. 20

Land tenure and administration

Control over land has been at the core of the conflict between North and South Sudan and by groups within South Sudan. During the war in the South, more than 4 million people were internally displaced while about 600 000 went out as refugees. This creates complex resettlement obstacles where different groups settled on land that did not traditionally belong to them while returning IDPs and refugees want land for settlement.[21] Lack of clear boundary demarcation among communities, Districts, Payams and Counties also compound the problem. The South Sudan Land Commission was entrusted with the responsibility of proper land management by the CPA. It is yet to register significant gains on the ground.

The Land tenure is a driver of conflict since the Land Act has not been properly disseminated and implemented. The customary law in practice has not been properly harmonized with the modern law thereby facing obstacles in implementation.

Democracy and management of elections

There is inadequate infrastructure such as roads. This limits communities" interaction and therefore space for removing mistrust, suspicion and prejudice is curtailed. There are no clear benchmarks for good governance. According to members of civil society, there is no collective vision of the country and its future. There are no structures to ensure

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[21] Land Tenure Issues in South Sudan, USAID, December 2010, P. 29

transparency and accountability and therefore corruption is still practiced in the public sector.[22]

Though there is freedom of assembly and expression, there are also threats that prevent the emergence of a democratic space where strong opposition political parties can thrive. Space has not been created for GOSS to engage in national dialogue about the future of the country. The functioning of the GOSS is still shrouded in secrecy and misplaced priorities. There is lack of civic education and illiteracy abounds thereby reducing capacity for demanding accountability of the government, hence promoting poor delivery of public services. People don't know their rights; therefore they are manipulated and used by politicians to promote their personal agenda.[23]

Engaging the people through dialogue is also a space for conflict resolution as many stakeholders learn to share ideas. The GOSS is conducting civic education and that is an indication that it is willing to engage the people. Though there are no open conflicts in some areas; there is latent conflict where people are not

Pastoralists' conflicts and states politics

Pastoralist insecurity in South Sudan has been occasioned by environmental degradation and war, overgrazing, agricultural expansion and disruption of grazing routes. The decreased access to water sources for animals arose as a result of expansion of

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[22] Interview: Geoffrey Lou Duke, South Sudan Action Network on Small Arms (SSANSA), August 20th , 2012
[23] Ibid

agricultural land; many water sources dried up because of drought, or became inaccessible because of decreased pasture quality around them. Land degradation and desertification partly caused by overgrazing and tree felling also exacerbated the problem. Migration to other regions such as the Upper Nile State increased conflicts with the local people, small scale farmers and large scale farmers.[24]

In 2009, the United Nations estimated that 2,500 people died in Cattle related ethnic violence in Southern Sudan. Given the prevalence of cattle raiding practices among the communities, there is genuine concern of insecurity in some communities where disarmament has not been consultative, inclusive, voluntary, and based on legal foundation. Modern cattle raiding has transformed into ethnic, political and commercial activity among ethnic groups in the Upper Nile region. Thousands of young men from the Lou Nuer attacked the Murle taking away thousands of cattle in Pibor (2012). This was a revenge attack and the purpose was not just to take cattle but to settle ethnic and political scores. The presence of SPLA and the UNMISS forces was not enough to prevent the conflict. There have been a number of conflicts between the Murle, Dinka and Nuer in Jonglei, Warrap, Unity and Upper Nile States where many people were killed in 2012. Attempts by the Sudan Council of Churches to mediate in the conflict were not successful.

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[24] Abdel G. Ahmed 2008

Human rights violation and lack of access to justice

Many people continue to lose their lives through internal conflicts in the country. Thousands of people have been displaced from Abyei, South Kordofan, Jonglei, Unity and Upper Nile states. In 2011 more than 200 000 people were displaced.[25] There is hardly any access to justice among the victims of organized crime. Impunity reigns supreme because of poor security and justice administration. There is rampant corruption in the public service. This undermines development of infrastructure and provision of basic services such as health and education. This sustains poverty and inequality thereby attracting formation of armed groups. There is still low transparency and accountability of the security sector. As the nation is still emerging from conflict there is low awareness on civic responsibilities in a democracy.

Patterns of organized violence

While the security situation has changed after the CPA (2005), South Sudan still suffers from violence associated with occasional flare-ups of internal and ethnic conflicts.[26] Though armed groups engage in criminal activities such as destruction of property, looting, killing and arson; these acts may cover a variety of realities.

Since the crimes are committed by large groups of people who cannot be readily brought to justice, more appropriate strategies are required to manage and prevent the conflicts. A

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[25] Annual Report 2011, South Sudan Human Rights Commission, P. 22

[26] United States Department of State, Bureau of Diplomatic Security , Sudan OSA Crime and Safety Report, March, 2011, P. 1

number of rebel organizations and militia enjoy the support of the local ethnic groups. This means that there are perceived political interests that the groups are pursuing on behalf of the ethnic group. The ethnic group will therefore bear responsibilities for the atrocities committed rather than the individual culprits who commit the crime. Organized armed groups in South Sudan engage in a number of criminal, political and economic activities as outlined below:

Cattle raiding

Cattle is held with significance value among communities in South Sudan. Cattle are used as living stock of one's wealth and are also valued for bride price. However, cattle raiding is an old practice among the communities in South Sudan and it has gained new dimensions. For instance raiders from Lakes states stole 7000 cattle from Unity state on 4th July 2011. In August 2011, the Murle ethnic group raided Jonglei and took away 30 000 cattle.[27]

According to U.N reports, there has been sporadic fighting related to cattle raiding and the use of natural resources by nomad herders along the border between the north and the south. In 2009, the United Nations estimated that 2,500 people died in cattle related ethnic violence in Southern Sudan. According to the GOSS lack of mobility for the police and other forces to move to the areas of conflict in robust ways hamper the ability to contain cattle raiding. Police also lack facilities for surveillance like helicopters and small

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[27] Annual Report, South Sudan Human Rights Commission, January – December 2011, P. 25

aircrafts. The vastness of the area to be covered is also a hindrance compounded by bad roads and lack of vehicles. The impact of cattle raiding is often heightened by proliferation of small arms and light weapons in the Horn of Africa. Cattle raiding often takes an inter community nature thereby escalating ethnic conflicts.[28]

The Lou Nuer and Murle communities were in conflict over cattle in 2012 where about 6,000 Lou Nuer fighters attacked the Murle in Lukuangole, Pibor County, and other towns, burning homes, hospital, government buildings, and seizing livestock.[29] More than 20 000 people were displaced and about 1000 were reported to have been killed.[30] The UN peacekeeping mission in South Sudan (UNMISS) deployed a battalion of about 800 troops in Pibor to reinforce government forces but they were heavily outnumbered by the attackers. Incidents of raiding often take place in areas where there is very little government presence.[31]

The inter-communal nature of the cattle rustling and the risk of the issue becoming ethnically fuelled require government to take a cautious response Fighting communities should all be disarmed to avoid a situation in which one side remains armed while another becomes vulnerable.

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[28] Ibid P. 22
[29] BBC Report, January 1, 2012
[30] Lisa Grande, UN Humanitarian Coordinator, South Sudan
[31] South Sudan: Cattle Rustling Becomes Increasingly Violent, ISS, February 2012

Cultural practices that fuel the theft of cattle such as high bride price are no longer the main motivation for cattle raiding. According to some researchers, the rise in cattle raiding can be attributed more to the general collapse of the norms and social order in many South Sudanese societies. This has become the basis for crime and disrespect for the norms and cultural practices of the communities, which required neighbours to live in peace and to respect and protect each other's property.[32]

Counterfeiting and money laundering

There have been reports of counterfeit medicine, currency, electrical goods and toys in a number of African countries including Sudan. South Sudan does have issues with the production of counterfeit currency; however, the counterfeit is of low quality and relatively easy to identify.[33]

South Sudan has low financial governance capacity and there have been reports of corruption especially in the oil sector. In March 2012 the GOSS introduced the Anti-money laundering Bill requiring financial and non financial institutions to report transactions of suspicious nature. The Bill also proposes to establish a financial intelligence unit to help banks identify suspicious accounts and transactions. South Sudan Anti-Corruption Commission (SSACC) is also working out modalities of collaboration with international banking institutions to rein in money laundering.[34]

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[32] Ding Yual: The Complex causes of cattle raiding in Sudan, ISS, May 2012, P. 2
[33] UNICRI, P. 2

[34] Sudan Tribune: South Sudan Criminalizes Money Laundering, March 17, 2012

Corruption

Some aspects of corruption have often been linked to organized crime and research has suggested that organized crime is facilitated by corruption and by collusion between the public and the private sector and criminals. Corruption within the government of South Sudan and especially SPLA and SPSS has been reported. Where law enforcement agencies demand or extort bribe to overlook crimes from certain individuals and groups, they abet the crime. Corruption therefore becomes not only a facilitator of organized crime but also part of it.

Conflicts and Criminality in South Sudan

Organized armed groups in Sudan are not all necessarily criminal elements but community armed forces with political and economic objectives. Fighting for communal political objectives is not perceived as committing crimes by the perpetrators. Therefore there is impunity for murder, arson, looting, abduction and rape committed by ethnic militias. These atrocities invite revenge among the warring groups thereby making the conflict cyclic. To break this cycle requires comprehensive measures to establish the rule of law, maintain law and order, enhance access to justice, provide health and education services among other development initiatives in South Sudan.

In handling ethnic conflicts, there is a need to distinguish between crimes and conflicts. Delivering justice through establishing breaches of the law for the suspects is absolutely fine in a peaceful polity but in a society in conflict, there is obfuscation between crime as defined in the penal code and causes of conflicts that question the very constitution upon

which the law is based. The priority in most African countries is to pursue peace among communities sometimes at the expense of victim's sense of justice or impunity of perpetrators. However compensation for atrocities committed during conflicts are fundamental aspects of restorative justice that is preferred in traditional African conflict resolution mechanisms.

Regional Distribution of Armed Groups

Organized armed groups in South Sudan are active in 7 out of the 10 states and are more prevalent in Jonglei, Upper Nile, Unity and Bahr el Ghazal States. This distribution is informed by ethnic identity and settlements, participation or non-participation in the liberation struggle, proximity to north Sudan, availability of resources and relationship with either the Government of Sudan (GOS) or the Government of South Sudan (GOSS).

There are a number of active armed groups in the Greater Upper Nile region and Bahr el Ghazal. Major General Atom Al Nour commands the Peace Defense Forces (PDF) in Western and Northern Bahr el Ghazal estimated at around 400 fighters. These forces comprised of Fertit ethnic groups though Al Nour is a Misseriya. The Fertit have occasionally been in conflict with the Dinka.[35]

Sultan Abdel Bagi Agyii is a notable Dinka political leader from Northern Bahr el Ghazal. Bagi fought alongside Sudan Armed Forces (SAF) during the civil war. He later

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[35] John Young; The South Sudan Defense Forces in the Wake of the Juba Declaration, HSBA, SWP No. 1, P.35

joined the SPLA after negotiations with SalvaKiir in 2006. He was dropped as a SalvaKiir advisor after the 2010 elections. Bagi teamed up with other rebels in March 2011 to fight the SPLM government but he soon accepted SalvaKiir''s amnesty in October 2011.[36]

South Sudan Liberation Movement (SSLM/A) was founded in the 1990s. It was a much smaller group than South Sudan Defense Forces (SSDF). This was a largely Nuer body, although its membership also included Annuak and Murle. It was founded by Michael WalDuany who had served as a Professor in the United States.[37] This movement was later led by James GaiYoach. James Gai is currently based in Khartoum and he is deputized by Monituel. Other notable rebel leaders like Mathew Puljang, Philip Bepean and KolcharraNyang have also led this organization. The force was estimated at about 2000 fighters in 2011. Activities of SSLA in Unity state subsided in 2012 after more active presence of SPLA. SSLA however retains a significant presence in the Mayom County of Jonglei state.[38]

Theoretical Framework

This study is based on the security theory as advanced by Weaver, Hobbes, Walt and R Rubin among others. Security as a concept has mainly been understood as the identification of threats to referent objects and the securitization of those threats both

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[36] HSBA, Facts and Figures, South Sudan Armed Groups, PDF, April 2011
[37] Small Arms Survey HSBA Working Paper 1, P. 20
[38] Report of UN Secretary General, 2012

military and non-military[39] To Weaver, security is kind of stabilization of conflictual relationships. While the liberals argue that too much security is destabalizing to economic development. According to Hobbes, the fear of death is the one truly human condition that should be dealt with under security. While, according to Walt security should seek cumulative knowledge about the role of the military force. The realist support Walt's view by pointing out that security of a state is what ultimately matters. Internal security of a state depends on the relationship between internal forces which stand behind the state order on one hand and on those which endeavor to weaken or overthrown this on the other hand this. External security depends on factors outside the state; it can be endangered or threatened by certain acts or actions permitted by foreign states or foreign organizations[40]

According to the Marxists ideology the practice of national security must be based on this theory and the operational visibility. Rubin sees security as a state of protectedness from danger; the security of the state and the security of the socio-and economic order; a condition in which the administering authorities' can perform their tasks undisturbed. Thus national security is the inseparable unity of the external and internal security of the state. It is expressed in the publications of criminal law and offenses against the state or practice between external and internal offenders against the state. The endemic factors which may engender security of a state include dissatisfaction and discontentment among groups such as ethnic minorities and other marginal groups.

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[39]Rostrup Morter, Artcile on 'Humaniatrian' and 'Military' Don't Go Together Republic of Trindad and Tobago Accounting for the Petrodollar 2007.
[40]International Affairs Vil 58. No. 4 pp 648-657.

National security requires one security consciousness among all sections of society in a state. This security consciousness involves an approach on three levels- ideological, philosophical and psychological. The psychological quality of security requires participation of all good people in the state that is like academic experts and other professionals. This psychological consciousness concentrates on human factors in international relations, security and national defense and how the security consciousness of humans manifests itself in various occupational fields including the remaining and implementing decisions on external and internal security.

According to Hobbes, there is an explicit recognition that the state is likely to be a major source of insecurity as well as the only source if order that could make a secure life for more or less equal individuals possible at all levels as they try to ensure national security as a national interest. There is therefore the need to look security to societal values and thus it becomes a very subjective issue. There have been two major concerns of security which are-: freedom from fear and freedom from want, but only freedom from fear ahs been given upper hand as compared to freedom from want. Basing on such a fact Buzan criticizes the militaristic assumption of security and argues that security should be broadened to include non-militaristic aspects like economic, social and political security
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[41] Klein S. Braedly, Strategic Studies and World Order (Cambridge: Cambridge Universty Preess, 1994) p. 18.

1.7 Methodology

This section provides the research methodology for this study. The research methodology is presented in following sequence: study design, study site, data collection methods, target population/sampling frame, sampling and sampling size, ethical issues, data analysis and presentation, scope of the study, limitations of research and chapter outline.

Study Design

Research design is a road map guide of how research itself was conducted. [42] It gives the methods, instruments for data collection and interpretation. [43] The function of a research design is to ensure that the evidence obtained enables us to answer the initial question as unambiguously as possible. [44] The research deign used in this study was descriptive and explorative research. The reason for choosing these research designs was because they are open, flexible; they provide opportunity for diverse perspectives into the research topic and are good for the open ended data collection instruments. This design obtained a lot of information through descriptive and explanatory by identifying variables and hypothetical constructs. The exploratory research design sought to assess IGAD's role in conflict management in South Sudan. The study involved mostly the use of open-ended questions for the primary data collection. The benefits of using these kind of questions is that it provides for respondents an opportunity to express themselves and allow more for details. They also give good answers because the respondents do not give their names. Secondary data was also sought from books, journals and articles.

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[42]Law J and Lodge. Science for Social Scientists. London, Macmillan, 1984; pp. 20-46
[43] Ibid pp. 29-35
[44] Ibid

Study Site

The research site was in Nairobi and possibly South Sudan. Nairobi and South Sudan have been chosen for key respondents on the study topic.

Data Collection Methods

A number of data collections methods were used in this study and this included an open ended questionnaire for the key respondents. Open – ended questions were used to obtain the respondents' opinions and beliefs about the study at hand. This presented an advantageous side to it because the responses were not limited in answering the questions. Secondary data was used in addition to primary data.

Target Population/Sampling Frame

The sampling frame or population in this study was the list from which the sample was selected. A properly drawn sample provides information appropriate for describing the population of elements composing the sampling frame.[45] This study considered the civil society, government agencies, professionals and business people. The target population was the specific pool of cases that the researcher wanted to study. [46] Thus the population should fit a certain specification, which the researcher is studying. [47] For the purpose of

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[45]Babbie, E & Mouton, J. 2006. The practice of Social Research: South African Edition. Cape Town: Oxford University Press p.184.

[46]Neuman W.L., 2006. Social Research Methods: Qualitative and Quantitiave Approaches. University of Winsconsin at Whitewater, p. 224.

[47]Cooper, D.R. and Schindler, P.S. (2003). Business Research Methods (8[th]edn)McGraw-Hill: New York, p. 35

this study the target population was 50. It was stratified through the various groups as a target.

Table 1.1: Target Population and the Sample Size

Target Sample	Size of Sample
Civil society	10
Government agencies	10
professionals	20
Business entrepreneurs	10

Sampling and Sampling size

The researcher used non-probability sampling method of purposive or judgmental sampling because the sample selection was based on the nature of the research objectives. Non-probability sampling implies that the sample is chosen due to its relevance to the study topic rather than their 'representativeness', which determines the way in which people to be studied are selected.[48] The sample size was 50.

Purposive sampling approach was used to ensure that reasonable representative sample is picked for the groups. The researcher then followed the principles from the Neuman's

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[48]Neuman W.L., 2006. Social Research Methods: Qualitative and Quantitiave Approaches. 3rdEdition. Allyn and Bacon, Boston, Massachusetts, USA. p. 560.

book for a small populace (under 100); a large sampling ratio (about 30%) is required for a high degree of accuracy. [49]

Purposive sampling generally considers the most common characteristics of the type it is desired to sample, tries to figure out where these individuals can be found and tries to study them. [50]

Ethical Issues

While doing research, the researcher was aware of what is considered acceptable and what is not. [51] Many times, carrying out social research presents an intrusion on the lives of the people from whom information is required. Neuman (1997) states that ethical research does not inflict harm of any sort, be it physical, psychological abuse of even legal jeopardy. [52] Taking these principles into account benefits not only the participants and the researcher but also those who get to read the research work.[53] It helps to establish credibility. Neuman (1997) further maintains that ethical conduct depends on the researcher.[54] The researcher had a moral and professional obligation to be ethical even when his research subjects are unaware or unconcerned about ethics. The researcher therefore did not take advantage of subjects' ignorance about ethics to harm them in any

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[49]Neuman W.L., 2006. *Social Research Methods: Qualitative and Quantitiave Approaches.*3[rd]Edition.Allyn and Bacon, Boston, Massachusetts, USA. p. 560.
[50] Ibid
[51]Babbie, E & Mouton, J. 2006.*The Practice of Social Research:* South African Edition. Cape Town: Oxford University Press p. 520.
[52]Neuman W.L., 2006. *Social Research Methods: Qualitative and Quantitiave Approaches.*3[rd]Edition.Allyn and Bacon, Boston, Massachusetts, USA. p. 129.
[53]Booth, C.W.; Colomb, G.G., & Williams, M.J., 1995.*The Craft of Research.*The University of Chicago Press. P. 258
[54]Neuman W.L., 2006. *Social Research Methods: Qualitative and Quantitiave Approaches.*3[rd]Edition.Allyn and Bacon, Boston, Massachusetts, USA. p. 129.

way. The researcher's questionnaires took into account confidentiality and upheld any information his respondents gave was only used for the sole purpose of academics. By stating this respondents felt at ease when answering the questions asked and were obliged to give more information.

Data Analysis and Presentation

The data collected was first be coded. Coding involves giving all statements numeric codes based on their meaning for ease of capturing data. After coding there was data entry and analysis whereby the data was analyzed using content analysis. The percentage distribution was then utilized and the results were illustrated in terms of explanation in a story form.

Scope of the Study

The study covers IGAD's role in conflict management in South Sudan. The study was limited to qualitative and quantitative methods of investigation.

Limitations of Research

This study was limited by certain challenges which may include sensitivity of information which many respondents may not be willing to provide.

CHAPTER TWO

HISTORICAL ROOTS UNDERPINNING THE INSECURITIES IN SOUTH

SUDAN'S CONFLICT

2.0 Introduction

Southern Sudan which holds roughly 85 percent of Sudan's oil, fought to achieve independence from 1955 to 1972 and again from 1983 until 1972 and again from 1983 until 2005. In its second liberation, the war in the south was fought by the Sudan's people liberation army (SPLA) which gained political legitimacy under the 2005 comprehensive peace agreement (CPA) and became known as the southern people's liberation movement (SPLM). The CPA gave the oil rich south autonomy for six years to be followed by the January 2011 referendum on secession. But ongoing disagreements between the opposition parties and the central government over the power could prevent positive developments from taking place in South Sudan.

There is no doubt that civil war, ethnic and religious differences and totalitarianism constitute a direct threat to the future survival of many thousands, if not millions of southern people. Their primary challenge is to apply inventiveness and ingenuity in making peace and in solving their economic, social, and political problems. Those who think this can be accomplished by imposing a Marxist ideology are mistaken. The primary resources for building southern Sudan's future lie within the historical, cultural, and religious context of the people themselves. Since 1994, the grassroots peace movement in southern Sudan has gained international recognition and assistance. Numerous local peace consultations have been effective in reconciling ethnic groups and

in beginning the process of economic and social recovery from the devastation of war. However, more still needs to be done.

2.1 Consequences of the Conflict in South Sudan

South Sudan has been in war for many years even after its secession from the North. However, of noteworthy of mention was the deadly turmoil that erupted in Juba last month which threatens to ignite a full scale ethnic civil war across South Sudan. If peace talks between the government and the White Army rebels fail to stem the violence, a potential genocide may result. Certainly, political risks for foreign investors and neighboring governments would increase under such circumstances. Given South Sudan's position as a regional oil producing country, a civil war would also close transnational energy corridors throughout Central/East Africa and negatively impact prospects for regional stability.

South Sudan's economy is the world's most oil-dependent, with Juba's oil exports accounting for 98 percent of the country's revenue (as of January 2012) and approximately 80 percent of its gross domestic product. South Sudan's GDP per capita of just $1,100 ranks low even by African standards, so control over oil production is naturally a contentious issue. When rebels seized control over the strategic town of Bentiu (the capital of the oil-rich Unity Province) last month, fears that a full scale war would erupt were a source of great concern. As is the case in Libya, South Sudan's government knows that it will lose power if non-state actors seize de facto control of the petroleum production facilities, as the national economy is held hostage.

But, how does China come into all this? Economically, China is the foreign country that stands to lose the most, either if the violence persists or full scale war breaks out, as the China National Petroleum Company (CNPC) is the largest foreign investor in South Sudan's oil industry. In 2012, approximately 80 percent of South Sudan's oil exports went to China. When forces loyal to President Salva Kiir and former Vice President Riek Machar began fighting last month, the Chinese government grew particularly concerned, and is currently trying to broker a deal between the government and Machar's rebels.

China has invested heavily in Sudan for a longtime. After the 2011 partition, 75 percent of Sudanese oil fell under the control of South Sudan, and the Chinese were forced to accept that the majority of Beijing's investments in Sudan were no longer under Khartoum's control. Since Juba's independence, China has sought to maintain its alliance with Sudan while establishing a close partnership with South Sudan, ultimately to ensure a continued flow of oil to China. This objective grew increasing challenging when tensions between the two Sudans prompted Juba to shutdown oil production from January 2012 to March 2013. The sources of hostility included border demarcation, ownership of the oil-rich Abyei region, transit fees from Sudanese pipelines, and Khartoum's allegations that Juba sponsored militias in southern Sudan operating against the Sudanese regime.

In contrast to Beijing's traditional 'non-interference' approach to foreign affairs, China played an active role in pressuring both Khartoum and Juba to resolve their disputes and resume the flow of South Sudanese oil to global markets via Sudanese pipelines. Beijing

substituted the oil that it lost from the standoff between Sudan and South Sudan with imports from Angola, Russia, Venezuela and several Middle Eastern countries. China's diplomatic efforts underscored the conflict between what had been Beijing's traditional ideological pillar of non-interventionism and becoming embroiled in foreign conflicts in order to secure access to natural resources.

It can be assumed that China will continue to diversify oil imports and decrease its dependency on Sudan/South Sudan's oil supply in light of escalating threats to Chinese interests in South Sudan. On December 20th the CNPC evacuated its workers to Juba and nearly 200 oil workers sought refuge at a UN base to escape the bloodshed. As White Army militants can be expected to continue attacks on the strategic oil fields, China realizes that its economic interests in both countries may be jeopardized for some time to come. But Beijing has also stated its interest in promoting a negotiated settlement to the conflict, similar to its mediation between Sudan and South Sudan during 2013. Yet with its variety of options for oil imports and tradition of non-interference in the affairs of other states, it remains to be seen how much effort Beijing will ultimately invest in restoring stability to South Sudan.

Abduction of Women and Children

The consequences of the South Sudan conflict has led to the abduction of women and children in conflict prone areas is a common practice in South Sudan. The highest cases have been recorded in Jonglei and Central Equatoria States. In August 2011, for example the Murle attacked Lou Nuer in Urur County of Jonglei State and abducted 180 children.

In December 2011 the Lou Nuer attacked Pibor County of Jonglei and an unknown number of women and children went missing.[55] Abduction happens for a number of reasons such as the need to boost the population of the ethnic group, increase the power of the ethnic militias or acquire women without paying the expensive bride price. Women and children are also abducted for sex and forced labour as domestic servants or animal herders. There have been reports of kidnappings in Juba for profit, including targeting foreign citizens. It is reported that the kidnap victims were chosen and surveyed before being kidnapped.

Arms trafficking

Due to prevalence of active conflicts in north and South Sudan, there has been a high demand and supply of small arms in the region. Due to the states inability to provide security to the majority of the rural population there are little incentives to hand over weapons to the State. Armed groups get their weapons from either SAF or SPLA. They also acquire arms from other countries in the region and from transnational suppliers. Some of the armed groups are composed of former SPLA soldiers who defected with their weapons. There have been reports that SPLA-North receives arms from SPLM/A for their insurgency in South Kordofan. Some observers suggest that Sudan supplied insurgents with assault rifles, machine guns, Rocket Propelled Grenades (RPGs), mortars, and ammunition.[56] These reports can however not be confirmed in anyway.

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[55] Annual Report, South Sudan Human Rights Commission, January-December 2011, P. 38
[56] Reaching for the Gun: Arms flows and holdings in South Sudan: HSBA, Sudan Issue Brief, No. 19 April 2012, P. 6

Unsafe SPLA stockpiles serve as a source of weapons at the community level. Outside Juba, arms and ammunition are mostly stored in unsafe conditions - in insecure mud huts, abandoned school buildings, hospitals and other facilities, and corrugated steel huts. These armouries are easy targets for attack by armed groups.[57] The cross border cattle trade with Ethiopia, Chad and Sudan for cash, weapons and ammunition has also encouraged proliferation.

Crime

The conflict has led to crime. South Sudan in general and Juba in particular, is rated critical for crime. From July to November 2011, there were about 153 deaths due to unlawful causes in Juba and surrounding areas. In July 2011, there were about 40 deaths in Juba city alone. In Eastern Equatoria women are attacked by armed men while fetching firewood. In June 2011, armed men broke into the offices of SSHRC and stole about 2000 South Sudan Pounds and 6 laptop computers.[58] These crimes are however not committed by large organized groups but by small gangs in both urban and rural areas.

Since the referendum in 2011, the U.N and NGOs have noted that there has been an increase in petty crimes. Often, these crimes are committed against soft targets such as taking items like bags, electronics, and money. However, there is a trend toward armed compound invasions, where perpetrators hold the occupants at gunpoint while looting the

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[57] Ibid, P. 9, this information was also corroborated by the Inspector General of Prisons during the field research in Juba
[58] Annual Report, South Sudan Human Rights Commission, P. 38

facility.[59]There is no large scale and sophisticated organized urban armed groups criminality but the police have noted an emergence of gangs from neighbouring countries who have recruited South Sudanese in their ranks[60]

Influx of money and increased international presence – including the deployment of a UN peacekeeping mission – in the urban centers such as Juba, Torit, Wau and Malakal, have induced criminality in the area. The illusion of "quick money" has attracted many southerners in Juba"s suburbs and generated incentives for low scale delinquency. Further, the absence of solid economic activity and unemployment tend to foster violence against foreign labour force. There is a growing xenophobia against foreigners especially from the neighbouring countries[61]

Pillage of Natural Resources

The war period and post-independence challenges and tension with Sudan, have resulted in environmental degradation, largely caused by rampant deforestation. Forests are cleared when private firms acquire large farms for farming and a culture of charcoal burning has taken root to provide fuel in the rapidly expanding urban centers of Juba, Torit, Malakal, Yei and Wau.[62] South Sudan is losing its forests and with no unified

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[59]Ibid. P. 1
[60]General Acuil Tito Madut, Inspector General of Police, Juba, Interview, August 21st, 2012
[61] The Citizen, August 16th, 2012, Juba
[62]Charlton Doki; International Press Service (IPS), Juba, May 26

policy to deal with the situation. Corruption also undermines the nascent regulatory framework.[63]

South Sudan has a wide range of unique flora and fauna. Some species of animals and birds are only available in this region. However, widespread poverty and conflict have left this population exposed to poaching, and exotic animal products (Ivory, Rhinocerous horns, hides and skins) command high prices due to high global demand, especially from Asia. Armed civilians move easily in and out of both countries along the DRC/South Sudan border and these movements go undetected. Poachers and a group of nomadic pastoralists, the Mbororo49, have crossed the border for years, rarely hampered by local authorities and ignored or tolerated by civilians.[64]

In Western Equatoria state there is the Lantoto Game Reserve that borders Garamba National Park in Democratic Republic of Congo (DRC) which contains savannah grassland and rich gallery forests.[65] On its 4,920 km2 expanse roam a range of highly prized animals that lure poachers from the Central African Republic (CAR), Sudan, DRC, Congo-Brazzaville, Chad, and Libya. [66]South Sudan soldiers have been suspected of engaging in poaching and the Ugandan Lords Resistance Army (LRA) is using

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[63] Claire McEvoy and Emile Le Brun: Uncertain Future, Armed Violence in South Sudan, Small Arms Survey, HSBA, Working Paper No. 20, P. 20
[64] See Joshua Marks: Border in Name Only: Arms Trafficking and Armed Groups at the DRC-Sudan Border, Small Arms Survey, HSBA, Working Paper No. 4, 2007
[65] UNESCO, 1984
[66] Ibid, P. 14

wildlife resources to sustain itself.[67] There are no reliable records of the number of animals killed per year but the trend portends negative prospects for the future given the current levels of insecurity and poverty.

The risk of a civil war in South Sudan also poses a grave danger to South Sudan's neighbours. Sudan also has economic and security interests at stake in South Sudan. Whereas Sudan's 2011 partition placed 75 percent of Sudanese oil outside of Khartoum's control, Sudan secured leverage by retaining control over the only pipelines capable of transporting South Sudanese oil to global markets. While the standoff was partially driven by Sudan's interest in utilizing this pressure over South Sudan to attempt to score concessions from Juba (related to transit fees and border demarcation), Sudan ultimately stands to lose out from a prolonged shutdown of South Sudanese oil, given the lucrative transit fees that Khartoum could gain should South Sudanese oil production reach maximum capacity.

Although Sudan seeks to finalize a permanent border demarcation agreement with South Sudan, such a resolution is not possible while South Sudan is immersed in civil war. While South Sudan has had a turbulent, hostile relationship with Sudan, the two states clearly have mutual interests in keeping the oil flowing. Sudanese president Omar Hasan al-Bashir understands that his own power circle has much to lose from decreased oil

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[67] Alexander Abad Santos; The Atlantic Wire, September 4, 2012, www.theatlanticwire.com

production levels in South Sudan, which is costing Khartoum revenue at a time when economic crises across Sudan fuel greater resentment against the ruling regime.

Ugandan President Yoweri Museveni also views the prospects for a civil war in South Sudan as unsettling. Since South Sudanese independence in 2011, Uganda has sought to position itself as an influential investor in the new country by integrating road, rail and energy infrastructure with South Sudan. Such investment will clearly be undermined by long-term instability in South Sudan. Given that Uganda's oil fields are situated within 200 miles of the South Sudanese border, Uganda's emerging economy similarly has much to lose from any spillover effects of the conflict. Museveni has stated that Kampala wants to play an active role in pushing both sides toward a peaceful settlement. Moreover, if the White Army militia does not abide by any ceasefire, Museveni hinted at a Ugandan military campaign to disarm the rebels. Kampala is clearly in favor of President Kiir maintaining power and South Sudan restoring greater stability, given Juba's role as a strategic ally of Uganda.

Rebellion

Disgruntled elements such as former SPLA senior commander General George Athor, resorted to violence against SPLA forces thus causing civilian casualties and displacement. Rebellion forms the highest aspect of organized armed groups in South Sudan. However, rebellion in South Sudan – and its legitimacy – is a controversial issue. Whether aspiration of rebel leaders reflects the aspiration of its followers, or if the followers support the aspiration of their leader are subject to debate. In many cases,

however, it appears that the driving factor for rebellion is the personal ambition of militia leaders. Therefore, rebellion tends to lack a consistent doctrine and the necessary legitimacy to trigger valid political debate and dialogue.

Rebellion is however a clear manifestation of the state failure to accommodate disparate voices in the country. As long as some ethnic groups and their leaders do not feel fairly represented in the polity or perceive that they are discriminated by the GOSS especially the security sector; there will be a tendency to resist pacification through violence as witnessed during previous disarmament exercise in Jonglei.

Impact of organized violence

According to a survey carried out by South Sudan Action Network for Small Arms control (SANSA) between 2009 and 2011, there has been an increase in the rate of deaths and injuries associated with proliferation of illicit guns. By May 2011, 5000 persons had lost their lives and thousands more had been injured due to conflicts within South Sudan. More than 200 000 persons were displaced by these conflicts in 2011 alone, whereby 43 000 of them were from Jonglei.[68]

Violent conflicts and poverty have affected women disproportionately. Women's rights are severely curtailed by the cultural practices and lack of education. In South Sudan approximately 50% of girls are married off before the age of 18 contrary to the provision

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[68] Wolfram Lacher: South Sudan, International peace building and its limits, SWP Berlin, February 2012, P. 9

of the constitution and the law. Though South Sudan has ratified Convention on the Rights of the Child (CRC) and has enacted the Child Act (2008), many children have been severely affected by violent conflict. Many children do not attend school while orphaned children are abducted and sold to other families. Young girls from poor families in urban areas engage in prostitution and fall prey to HIV/AIDs infections.[69]

The cost of living is high and the initial reception of the soldiers by the community was negative. There have been cases of women being targeted for killing in Eastern Equatoria. This may be due to the frustration of the demobilized soldiers who cannot take care of their families.[70]

There are many cases of orphaned or abandoned children belonging to the soldiers. Women are unable to take care of them. There are cases of children engaging in crime. Many of the cases involving children have not been concluded. There is proliferation of SALW. Pastoralists graze their animals while armed. There is a high level of illiteracy especially among the pastoralists. Women cannot engage in farming, collect firewood or freely fetch water. Young girls are taken out of school for marriage before or after completing primary school.[71]

SALW exacerbate inter community conflicts, cattle raiding and abduction of women and children, conflict over access to water points and pasture. Many lives have been lost

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[69] Ibid, P. 30
[70]Mrs Jane Surur – Secretary General, Women Association of Eastern Equatoria, Torit
[71]Mrs Jane Surur – Secretary General, Women Association of Eastern Equatoria, Torit

owing to the use of SALW. Armed militias have destabilized livelihoods of communities.[72] South Sudan remains one of the world's poorest countries, lagging behind on all socio-economic indicators as explained earlier.

According to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA), some 2000 people had been killed and more than 130 000 people displaced in ethnic conflict between January and October 2011 in the Upper Nile Region of South Sudan.[73] Insurgency conflict merged with traditional cattle rustling interests to produce devastating effects in the region as George Athor armed the Lou Nuer youth against their rivals.

Organized crime has undermined the rule of law through violence and corruption as witnessed in Jonglei and Upper Nile States. Generally organized criminal groups do not seek to overthrow governments but their actions can increase susceptibility of the state to insecurity. The activities of organized groups in South Sudan has made the country resort to the use of the military for policing activities; a feature that has increased human rights abuse and threatened personal liberty. Citizens also form local vigilante groups that often mutate into complex security threats.

The consequences of insecurity include large numbers of displaced persons, continuing food insecurity, disruption to social services and increased poverty. The GOSS has been unable to effectively address sources of insecurity or protect civilians from the violence.

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[72] Ibid
[73] UN OCHA Report, South Sudan, 9th November 2011

The capacity of SSPS and SSAF is inadequate in terms of equipment and training to address these challenges. Recourse to disarmament has not been successful for a number of reasons. Socio-economic development necessary for durable peace has been hampered.

The conflict has taken a tremendous toll on people's lives, causing mortality rates to increase. Atrocities committed during the conflict and still continuing up to now, including abduction of children, death of youth and women, torture, maiming, destruction of property, is profound for the economy of South Sudan;

Approximately 350 000 people have been internally and externally displaced from South Sudan. The majority of the displaced have limited access to land. Of those that have land, many have not been able to till their lands because of insecurity and have been dependent on external food aid. The result of food insecurity is chronic and acute malnutrition.[74]

What does the future hold for South Sudan?

As more than a thousand civilians have been killed and 200,000 displaced over the past three weeks of armed conflict in South Sudan, there is much potential for the violence to escalate should ongoing peace talks fail to yield peace. Part of the reason oil prices surpassed \$99/barrel last month was attributable to the violence in South Sudan, underscoring the international ramifications of the conflict. Given that Libya's oil

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[74] South Sudan Development Plan (SSDP) 2011-13, P. 32

production level is low and violence continues to rise in Iraq, a full-scale civil war in South Sudan will clearly impact the international oil markets negatively.

Since its birth not too long ago, South Sudan has endured nearly continuous conflict from its neighbor to the north as well as between its rival tribes. That the historic tension between the Dinka and Nuer was not resolved prior to 2011 does not bode well for the future. The killing of a South Sudanese Army General one day before peace talks began raises questions about the rebels' commitment to a negotiated settlement, which dims expectations of any resolution in the near or even medium term. Regrettably, political instability and ethnic violence look likely to become South Sudan's status quo, with potentially negative implications for all of its neighbors in the long term.

A war in the south may trigger another exodus of refugees southwards to Kenya and Uganda. This may take place much faster because of the communities' displaced last time round knows where to go. A war in southern Sudan is also likely to destabilize the neighboring countries due to the increased insecurity-courtesy of increased proliferation of small arms in the region. Assuming the region votes to form a separate state, the need for the SPLM- dominated government of southern Sudan to consolidate its authority could also lead to abuses by the security sector that would increase popular discontent at the local level.

Way Forward

The way forward will be determined by Kenya's strategic national interest. This could be achieved in the following possible ways: It is in Kenya's interest that South Sudan is peaceful as it will offer investment opportunities to Kenya companies provide market for Kenyan products and services and hopefully join the East African community. Thus Kenya must play an active role towards the attainment of peace in South Sudan but without offending the Khartoum government. Kenya can do this by using her soft power and quiet diplomacy targeting the masses in South Sudan. One way of doing this is to build the capacity of the Southern Sudanese leaders to abide by the agreement which they signed. Secondly Kenya must embark on capacity building for Southern Sudanese through training and public education on the value of the peace and stability in South Sudan. In addition Kenya should also guarantee president Kiir full support including military and economic assistance if necessary and should not take sides, but be a neutral mediator to the conflict.

In furtherance, to the above Kenya must also intervene to resolve the conflict between the various groups in Southern Sudan. Specifically the conflict between Lt-General George Athor, David Yauyau and GalwakGhai and the SPLM government of Salma Kiir. One way of doing this without being seen by the Khartoum government is to probe another friendly regional actor like Rwanda to spearhead the mediation talks while Kenya supports from behind by either funding the process or providing expert mediators. During the mediation President Kiir should be persuaded to accommodate or reward these three

leaders in a way that would make them abandon any possible relations with Khartoum. This is less likely to rattle the Khartoum government

Since there is a possibility of growing instability in states like Central Equatorial, Jonglei, Unity and Western Barhr el Ghazal, Kenya should device a strategy of having these issues raised at UN or AU levels. To do this Kenya can work with likeminded countries such as Uganda to petition the African Union and the UN to take action and prevent further conflict among the Southern States. Kenya can also approach the current AU chairman to raise the issue at the AU Peace and Security Council.

Kenya could advice the both sides to go slow on their demands so that each party can arrive at a win-win situation. Kenya could also influence legislation to create a more open society in South Sudan where fundamental freedoms and human rights are respected. The main aim is to create a window of opportunity that would create a high degree of reliance by Southern Sudanese on Kenya goods and services.

From the above mentioned conflicts, 2011-2013 the questions that beg and seek answers in the preceding chapter shall constitute how IGAD has played a role in conflict management in South Sudan.

CHAPTER THREE

THE ROLE OF IGAD IN THE SOUTH SUDAN CONFLICT

The 1996 IGAD Agreement included among its principles the peaceful settlement of conflicts, the maintenance of regional peace, stability and security, and the protection of human and people's rights. A new objective was 'promote peace and stability in the sub-region and create mechanisms within the sub-region for the prevention, management and resolution of inter and intra-State conflicts through dialogue'. The IGAD Secretariat was restructured to fulfill the new mandate and in due course it established a division responsible for peace and security. However, IGAD's institutional changes lagged behind real political processes within the region.

IGAD was very instrumental in the signing of the CPA on January 9, 2005. The CPA Includes updates and amendments to previous protocols. The CPA itself is comprised of six protocols concluded between 2002 and 2005[75]. The Machakos Protocol signed in Machakos, Kenya, on 20 July 2002, in which the parties agreed on a broad framework, setting forth the principles of governance, the transitional process and the structures of government as well as on the right to self-determination for the people of South Sudan, and on state and religion. A six-year Interim Period, at the end of which, the people of southern Sudan were given the right to vote in a self-determination referendum to decide whether to remain united with Sudan or to secede. There is also the Protocol on security

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[75] The comprehensive peace Agreement

arrangements signed in Naivasha, Kenya, on 25 September 2003 which provided a cessation of hostilities between the SPLA and the SAF, and the maintenance of SPLA forces in the south and SAF forces in the north[76].

The Protocol on the resolution of conflict in southern Kordofan/Nuba Mountains and the Blue Nile States was signed in Naivasha, Kenya, on 26 May 2004. The Protocol on Power-sharing was signed in Naivasha, Kenya, on 26 May 2004 and provides for power sharing arrangements between Sudan's two major political parties, the SPLM and NCP, as well as smaller parties, at the national and Southern Sudan levels of government. There is also the Protocol on wealth-sharing signed in Naivasha, Kenya, on 7 January 2004 which provides that, among other things profits from oil extracted in southern Sudan were split 50-50 between the national and southern Sudan levels of government. The Protocol on the resolution of conflict in Abyie signed in Naivasha, Kenya, on 26 May 2004led to the establishment of a special administrative status for the disputed Abyei area, as well as a referendum for the "residents" of Abyei, to be carried out at the same time as the Southern Sudan referendum.

In accordance with the provisions of the CPA, the people of Southern Sudan voted in the Southern Sudan referendum on January 9, 2011. Six months later, on July 9, 2011, the Interim Period came to an end and South Sudan became the world's newest nation. Despite this success, critical aspects of the CPA remain unimplemented. The Abyei area

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[76] Government of the Republic of South Sudan Development Plan 2011-2013 Börzel,

referendum never occurred, due to a disagreement between the two CPA parties over the definition of the term "resident" of the Abyei area. While some progress was made in carrying out popular consultations in Blue Nile, the process was never concluded. In South Kordofan, it never began. Today a new temporary agreement, concluded in June 2011, concerning the Abyei area remains unimplemented. In South Kordofan and Blue Nile, the GOS had launched a sustained military offensive against the civilians of the two states.

The SPLM leadership sought to maintain unity over time with mixed results. As the Republic of South Sudan emerged as an independent country, political rivalries may resurface and new groups may challenge the SPLM's leadership. In 1991, the SPLM faced its most serious internal crisis since its founding on 16th May, 1983 when a number of key commanders left the movement to form their own group. Following the split, several factions fought against the mainstream SPLM, often with the support of the Bashir government.[77] After years of reconciliation efforts, most of the key players in the different factions rejoined the SPLM.As SPLM began to confront the challenge of running a country without enough schools, hospitals or roads, the unity that had underpinned the referendum and declaration of independence dissolved.

The most ferocious of the infighting began in mid-December 2013 when President Salva Kiir accused his sacked deputy MrRiek Machar of plotting a coup. Fighting between

[77] Analysis: Political dimensions of the South Sudan crisis By Daniel Van Oudenaren (5 Mar.) https://radiotamazuj.org/en/article/analysis-political-dimensions-south-sudan-crisis

government troops and rebel factions erupted, and within weeks. The Sudan People's Liberation Army (SPLA) split between forces loyal to the Government and forces loyal to former Vice-President Riek Machar. The consequences for the civilian population have been devastating[78]. A UN report released in May 2014 said that "widespread and systematic" atrocities had been carried out by both sides in homes, hospitals, mosques, churches and UN compounds.

According to the report there are reasonable grounds to believe that violations of international human rights and humanitarian law have been committed by both parties to the conflict. In light of the widespread and systematic nature of many of the attacks, and information suggesting coordination and planning, there are also reasonable grounds to believe that the crimes against humanity of murder, rape and other acts of sexual violence, enforced disappearance, and imprisonment have occurred. Over one million South Sudanese have been displaced by the conflict. Despite the signing of a cessation of hostilities agreement on 23 January, fighting continues with little hope that civilians will see any respite from the relentless violence.

Since then the Intergovernmental Authority on Development (IGAD) which was instrumental in the conclusion of the CPA process in 2005 has continued to offer good offices for dialogue and supporting peace consolidation within South Sudan[79]. South

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[78] Analysis: Political dimensions of the South Sudan crisis By Daniel Van Oudenaren (5 Mar.) https://radiotamazuj.org/en/article/analysis-political-dimensions-south-sudan-crisis
[79] Martin Kimani, Head of CEWARN, Bakhita Radio, Juba, June 11, 2012

Sudan regards IGAD as the first point of call in regional peace initiatives. The current African Union led negotiations between north and South Sudan over the border conflict are being assisted by IGAD.

IGAD has been assisting South Sudan to integrate into the regional peace building architecture. The Conflict Early Warning and Early Response (CEWARN) mechanism of IGAD has been established in the South Sudan Peace building Commission[80]. There is a need for IGAD to play an active role in promoting peaceful co-existence between the two countries bearing in mind its credibility and mediation achievements. IGAD has coordinated the deployment of about civil servants from Kenya, Uganda and Ethiopia to offer technical assistance in several ministries, commissions and local governments. IGAD is supplementing assistance that is provided by the AU and other bilateral arrangements between Sudan and neighbouring countries. IGAD is providing this support in collaboration with UNDP. The most common other possible solutions to the conflict in South Sudan was found to be engaging in home based negotiations like those that took place in Somalia, this was followed by creating an all inclusive government, enhance the capacities of security measures, equal distribution of oil resources, bringing together of communities through ethnic intolerance driven by political incitements, bottom–up approach to resolution mechanisms, clan integration, having local dispute settlements like gacara courts in Rwanda, creation of compact governance, economic empowerment, sanctions carried out on rebels and individuals perpetuating conflict, return of people in

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[80] Martin Kimani, Head of CEWARN, Bakhita Radio, Juba, June 11, 2012

diaspora/ serious public sensitization and reconciliation campaigns at the grassroots, stable military that speaks with one voice and engaging IGAD, AU and UN security council[81].

IGAD'S Peacebuilding Role in South Sudan

Peace-building involves a range of measures aimed at reducing the risk of relapse into conflict, by strengthening national capacities at all levels of conflict management and laying the foundation for sustaining peace and development (OECD definition of peace-building). Peace building is a long –term process that focus on the transition from war or violent conflict to peace it involves; promotion of an inclusive peace process to end armed conflict and create the basis for a sustainable political settlement and conflict resolution in a non-violent way and institutionalized manner. Peace-building approaches address the causes of conflict and its effects that can lead to a recurrence of conflict. The Comprehensive Peace Agreement (CPA) has been the route map that GOSS and the Government of National Unity (GONU) and other development partners have followed to create an environment in which Khartoum and Juba could find enduring solution to the conflict. The CPA specifically provided a six-year interim period which Sudan will be governed. According to protocols on power-sharing and security, created state-wide government and legislative chambers in both regions, stipulated that general election will take place at all government level which happened April 2010, recommended on the following that 1956 border be delineated , that oil revenue be shared on 50% basis after

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[81] Adauto Drali Jomason – Local Government Chief and Chairman Council of Traditional Authorities, Eastern Equatoria, HQS Torit, Interview: August 24th, 2012

a 2% share to oil producing states, a joint integrated military units be deployed on border and a disarmament , demobilization and reintegration (DDR) process begin with UN assistance and popular consultations be made in Blue Nile state and South Kordofan for final settlement of grievances with the North. Generally CPA sought to address the root cause of conflict by establishing a frame work for governance through which power and wealth shall be sheared and human rights guaranteed.

IGAD played a leading role in diplomatic and peace negotiation such as post referendum arrangement between North and South as part of CPA implementation. Negotiation with dissident in Jonglei state (JS) Upper Nile State and State, reconciliation efforts and peace conferences facilitated by development partners (DPs) and NGOs. Creation of institution, such as former Peace Commission, South Sudan legislative assembly (SSLA), Committee of peace and state-level peace structures.

The common strategies IGAD has employed in the management of the conflict in South Sudan are; engaging high diplomatic mediation such as IGAD secretariat and peace ambassadors which has not worked, Building capacities of national security, making ultimatums for different leaders, use of Gacaca courts like the ones used in Rwanda and coming up with an early warning system for conflict eruption in South Sudan respectively.

Some of the measures IGAD has taken to mitigate the security threats in South Sudan are; IGAD has sent its mission in Sudan to help mitigate the crisis/ Offered

reinforcement, Employ early warning mechanisms to prevent conflict, Approval of Protection & Deterrence Force (PDF) to come to South Sudan, Special coordination with UNMISS peacekeepers battalion on conflicts zones, Deployment of Monitors through the Monitoring and Verification Mechanisms (MVM)[82], Built capacities of national security and Built capacity of South Sudanese security organs.

The biggest challenge IGAD has faced in its South Sudan conflict management efforts was political interference as well as External interference and interests from Uganda, Sudan, and other neighbouring countries. Others were; lack credibility since one of IGAD members is directly involve in the conflict and also lack of partiality in mediation processes, IGAD member states and Secretariat display their lack of a genuine grasp of South Sudanese socio-cultural dynamics, lack of public cooperation, lack of key security infrastructure in the country, lack of funds and resources and leaders not respecting peace agreements as well as bias from regional leaders. Few regional organizations or bodies have successfully intervened in the conflict between 2011-2013, however about 7,000 African Union troops have slowly been deployed in Darfur on a very limited mandate, The UN secretarial council has been consistent across the country and emphasizes protection of civilians, human rights reporting, EAC, SADDC, ECOWAS and Church based organizations also participate somehow in ending the ongoing conflict in South Sudan. Some of other possible solutions to the conflict in South Sudan engaging in home based negotiations like those that took place in Somalia (Fight against Warlords. In

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[82] South Sudan's Political Turmoil By: Susan Stigant, United States Institute of Peace, August 1, 2013

addition the best strategy IGAD has employed in the management of the conflict in South Sudan is engaging high diplomatic mediation such as IGAD secretariat and peace ambassadors which however has not worked. The measures IGAD has taken to mitigate the security threats in South Sudan are; IGAD has sent its mission in Sudan to help mitigate the crisis/ Offered reinforcement, Employ early warning mechanisms to prevent conflict, Approval of Protection & Deterrence Force (PDF) to come to South Sudan, Special coordination with UNMISS peacekeepers battalion on conflicts zones, Deployment of Monitors through the Monitoring and Verification Mechanisms (MVM), Built capacities of national security and Built capacity of South Sudanese security organs.

Additionally, the biggest challenge IGAD has faced in its South Sudan conflict management efforts was political interference as well as External interference and interests from Uganda, Sudan, and other neighbouring countries. Practice show that few regional organizations or bodies have successfully intervened in the conflict between 2011-2013, however about 7,000 African Union troops have slowly been deployed in Darfur on a very limited mandate, The UN secretarial council has been consistent across the country and emphasizes protection of civilians, human rights reporting, EAC, SADDC, ECOWAS and Church based organizations also participate somehow in ending the ongoing conflict in South Sudan.

CHAPTER FOUR

CRITICAL ANALYSIS OF IGAD'S ROLE IN THE MANAGEMENT OF THE

SOUTH SUDAN CONFLICT

4.1 Introduction

This chapter discusses the findings of the study. The purpose of the study was to assess IGAD's role in conflict management in South Sudan. Data composed was collated and reports were produced. Findings from open-ended questions were also presented in prose. The researcher made use of frequency tables, figures and qualitative analysis to present data.

4.2 Response Rate

Table 4.1: Response Rate

	Number issued	Number returned	Response rate
Questionnaire	50	49	98%

Source: Field data 2014

A total number of 50 questionnaires were sent out, and a total of 49 questionnaires collected. This gave a response rate of 98%.

4.3 General information

The study initially sought to ascertain the general information on the respondents involved in the study with regards to the gender, age bracket, educational background, Professional Affiliation and Nationality.

4.3.1 Gender

The study sought to establish the gender of the respondents and the findings are as shown

in table 4.2.

Table 4.2 Gender Distribution

	Frequency	**Percent (%)**
Male	31	63.3
Female	18	36.7
Total	**30**	**100.0**

Source: Field data 2014

From the findings, majority (31) of the respondents were male, 18 were female. This

implies that even though there was gender disparity most of the responses emanated from

males.

4.3.2 Age Bracket

The respondents were asked to indicate their age bracket. The study findings are

illustrated in figure 4.1.

Figure 4.1 Respondents age bracket
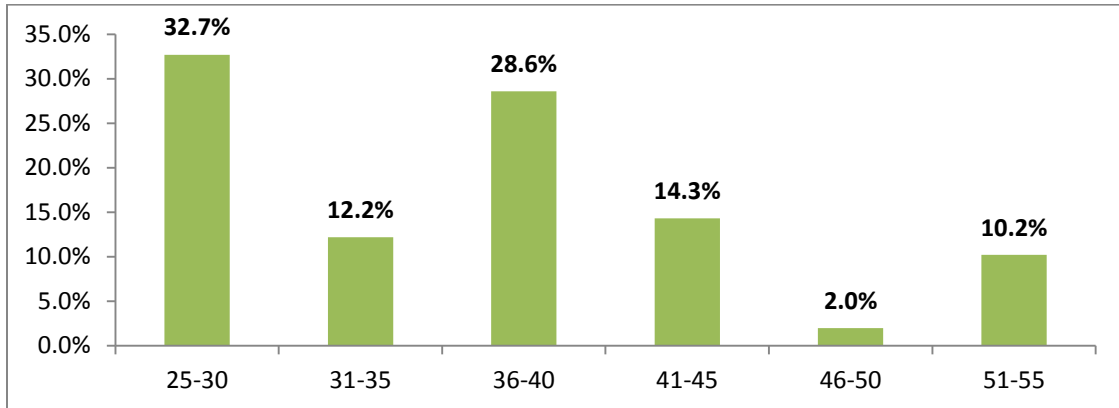
Source: Field data 2014

As per the findings illustrated above, majority (60.0%) of the respondents were 26-35 years old, 20.0% were 36-45 years old and the remaining 10.0% were below 25 years and 46-55 years. This depicts that most of the respondents were in their youthful years.

4.3.3 Educational Background

The study sought to establish the level of education from the respondents. The results are as tabulated in table 4.3 below.

Table 4.3 Respondents Educational Background

	Frequency	**Percent (%)**
Primary education	2	4.1
College education	9	18.4
University education	38	77.6
Total	**49**	**100.0**

Source: Field data 2014

From the findings, majority 38 of the respondents had University education, 9 had College education and 2 had Primary education. This implies that all of the respondents are educated.

4.3.4 Respondents Professional Affiliation

The respondents were asked to indicate their Professional Affiliation. The findings are shown in figure 4.2.

Figure 4.1: Respondents Professional Affiliation
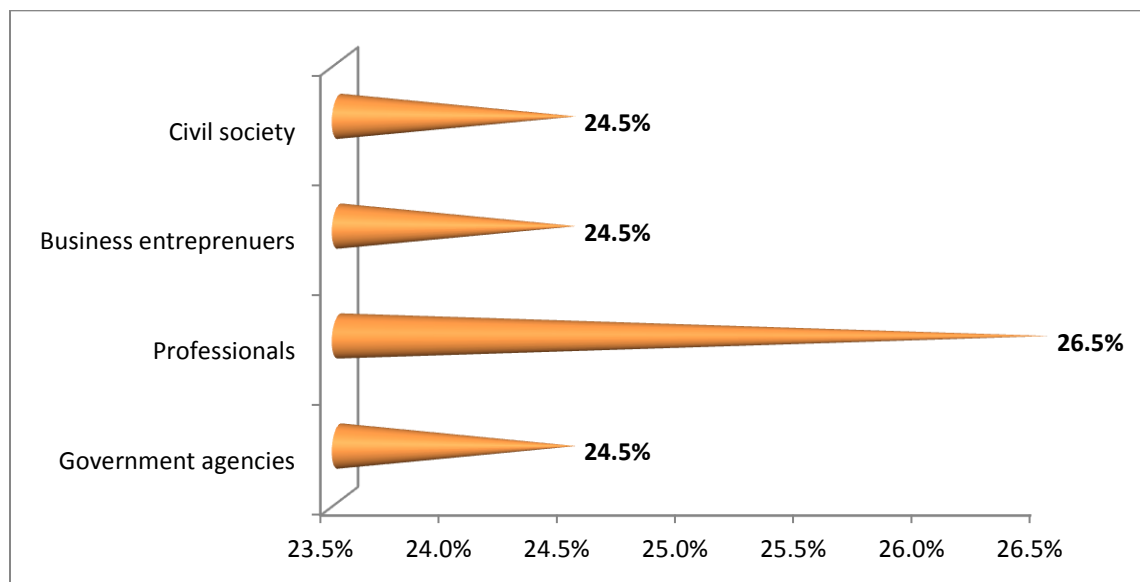
Source: Field data 2014

As per the findings above, 26.5% of the respondents are Professionals, while the remaining 24.5% are government agencies, business entrepreneurs and civil society each.

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4.3.5 Respondents Nationality

The respondents were asked to indicate their nationality. The findings are tabulated below.

Table 4.4 Respondents Nationality

	Frequency	**Percent**
Kenyan	31	63.3
South Sudanese	18	36.7
Total	**49**	**100.0**

Source: Field data 2014

From the study findings, majority of the respondents in the study (31) were Kenyans while 18 were South Sudanese.

4.4 Factors and Historical Roots Underpinning the Insecurities in South Sudan's Conflict

4.4.1 Factors Sustaining the Conflict in South Sudan

The study sought to investigate what factors have been sustaining the conflict in South Sudan. Accordingly, the major factor as reported by the respondents was found to be; tribalism/ ethnic intolerance driven by political incitements, this was followed by lack of will from the two crashing parties, external interference, greed for power/power struggle, pressure on a diminishing oil resource base from the local-level ethnic people, historical injustices e.g marginalization, colonialism, dependency syndrome, social cultural

dynamics and IGAD member states and Secretariat display their lack of a genuine grasp of South Sudanese (lack of neutrality of IGAD).

One of the respondents stated that "*The communities used to live in harmony with some few cases of cattle wrestling among them, but not very severe to an extent of mass killing.*"

4.4.2 Historical Roots of the South Sudan conflict

The study sought to establish the historical roots of the South Sudan conflict. From the findings, majority of the respondents indicated that the historical roots of the South Sudan conflict were; Skewed distribution of key resources especially oil and land, religious conflicts between Arabs and Christians, poverty, civil wars, ethnic conflict between the major tribes in South Sudan and dictatorial tendencies of the current South Sudan regime. Other historical roots mentioned were; weak institutional capacities, past injustices from the 20 year war with Sudan have not been addressed, concentration to state-building in-lieu of nation-building, North Sudan control of Sudan power, internal policies, external dynamics, lack of accountability and misapplication of formula of accommodation of political elites.

One of the respondents stated that "*While conflicts between groups were managed relatively successful in the past through customary land tenure systems, this is less and less the case today as a result of larger herds, reduced water and pasture, instability and prejudices stirred up by the war, and a proliferation of arms among herders. In addition,*

patron-client politics, weak natural resource management and development policies, and

top-down government institutions have encouraged ethnic polarization and social

divisions."

4.4.3 Oil Resources Helped In the Perpetuation of the South Sudan Conflict

The respondents were requested to indicate if oil resources have helped in the perpetuation of the South Sudan conflict. The findings were as shown Table 4.5.

Table 4.5 Oil resources helped in the perpetuation of the South Sudan conflict

	Frequency	**Percent (%)**
Yes	37	75.5
No	12	24.5
Total	**49**	**100**

Source: Field data 2014

From the findings, majority 75.5% of the respondents agreed that oil resources helped in the perpetuation of South Sudan conflict and 24.5% agreed that oil resources helped in the perpetuation of South Sudan conflict. This implies that oil resources helped in the perpetuation of the South Sudan conflict.

4.4.4 How Oil Resources Has Helped In the Perpetuation of the South Sudan Conflict

The respondents were asked to explain how oil resources have helped in the perpetuation of the South Sudan conflict. From the findings, majority of the respondents indicated that; oil resources have been used to spread incitement and also procure weapons, oil has led to competition of power and who has the control over it, leaders wanted to control the oil resources and thus the misunderstanding, rape cases and torture leading to a violation of human rights, poor education system and division of families.

One of the respondents stated that "*The conflict between the ethnic groups, government and militias was fuelled by the significant oil reserves developed by foreign companies. This exacerbated the conflict because the huge potential profits increased the incentives for control of the land, resulting in all kinds of human rights violations*."

4.4.5 Impact of the South Sudan Conflict on the National Security of the Country

The respondents were requested to indicate the impact of the South Sudan conflict on the national security of the country. From the findings, majority of the respondents indicated that; there has been proliferation of SALW across the horn of Africa, rape cases and torture leading to a violation of human rights, deplorable human living conditions as well as a very huge influx of refugees in the country's refugee camps, destruction of infrastructure in the region, distorted foreign relations with donor-states and investors, food shortage and a destabilized country since the government has not been able to protect its own citizens.

One of the respondent stated that *"following increased violence and food, the rate of new arrivals (refugees) grew dramatically (up to 1,000 per day). Population had quadrupled, reaching 64,000. While enough food was available, water and sanitation conditions were poor, leading to increased diarrhea diseases, which in turn contributed to severe acute malnutrition among children."*

4.4.6 Ways in Which South Sudan Conflict Perpetuated Cattle Raiding Activities in South Sudan

The respondents were requested to explain the ways in which South Sudan conflict perpetuated cattle raiding activities in South Sudan. From the findings the most common way in which South Sudan conflict perpetuated cattle raiding activities in South Sudan was through, lack of order/ insecurity situation, next came in; lack of patrols from security agents therefore victimization is on the rise, proliferation of small arms and light weapons which fuel cattle wrestling within communities, conflict between different tribes and the scarcity of resources has forced people to cattle raid so they can earn a living or substitute the little income they have.

According to one of the respondent, *"There is no comprehensive strategy to reduce cattle raiding and violence more generally, and disarmament efforts have only served to exacerbate tensions. The battalion responsible for disarmament was largely composed of officers, who took the opportunity to take revenge for earlier cattle raids on their communities by members of the other community."*

4.4.7 Respondents' Priority in Ranking of Insecurities of the South Sudan Conflict

The study sought to identify the respondents' priority in ranking of insecurities of the South Sudan conflict. The respondents were requested, in order of priority, to rank insecurities of the South Sudan conflict. The responses were placed on a five Likert scale where 1 =very high, 2=high, 3= neutral 4=low and 5=very low. A mean of above 3 is regarded to measure satisfaction on the test variables. Standard deviation was used to indicate the variation or "dispersion" from the "average" (mean). A low standard deviation indicates that the data points tend to be very close to the mean, whereas high standard deviation indicates that the data is spread out over a large range of values. The results are as tabulated in table 4.6.

Table 4.6 Priority rank of insecurities of the South Sudan conflict

	Mean	**Std. Deviation**
Cattle raiding	2.30	.939
Small arms and light weapons	1.40	.788
Tension with the North	2.73	.836
Abduction of women and Children	3.46	.793

Source: Field data 2014

From the finding above, the highest insecurity of the South Sudan conflict was; small arms and light weapons (mean=1.40), this was followed by Cattle raiding (mean=2.30), Tension with the North (mean= 2.73), and finally abduction of women and children (mean=3.46).

4.5 IGAD'S Role in Conflict Management in South Sudan (2011-2013)

4.5.1 Respondents Opinion on Other Possible Solutions to the Conflict in the South Sudan

The respondents were asked what in their opinion are the other possible solutions to the conflict in South Sudan. As per the findings, the most common solution mentioned is; engaging in home based negotiations like those that took place in Somalia (Fight against Warlords), this was followed by creating an all-inclusive government, enhance the capacities of security measures, equal distribution of oil resources, bringing together of communities through ethnic intolerance driven by political incitements, bottom–up approach to resolution mechanisms, clan integration, having local dispute settlements like Gacaca courts in Rwanda, creation of compact governance, economic empowerment, sanctions carried out on rebels and individuals perpetuating conflict, return of people in diaspora/ serious public sensitization and reconciliation campaigns at the grassroots, stable military that speaks with one voice and engaging Inter Governmental Authority Development, African Union and UN Secretarial Council.

One respondent mentioned that "*the leaders of the warring factions should agree to rededicate to the Cessation of Hostilities Agreement and to implement the Cessation of Hostilities Agreement in accordance with the "Implementation Modalities for the Cessation of Hostilities Matrix. Additionally, they should agree to immediate and comprehensive implementation of all aspects of the Cessation of Hostilities Agreement and other subsequent agreements thereafter*"

4.5.2 Respondents opinion on Strategies employed by IGAD in the management of conflict in South Sudan

The study asked the respondents what strategies IGAD has employed in the management of the conflict in South Sudan. In light of this, the respondents revealed that IGAD has; engaged high diplomatic mediation such as IGAD secretariat and peace ambassadors which has not worked, built capacities of national security, making ultimatums for different leaders, use of Gacaca courts like the ones used in Rwanda and coming up with an early warning system for conflict eruption in South Sudan.

According to one of the respondents "*The Sudan mediation under Special Envoy Sumbeiywo was widely appreciated for its effective management of the process and financial accountability, particularly when measured against earlier weaknesses of the IGAD mediation. The mediation was also applauded for its impartiality, success in maintaining the integrity of the process, the generally positive role of the advisors, resource people and ambassador envoys from the region, achieving good relations with the donors, and the steady production of protocols that culminated in the CPA.*"

Another respondent added that "*mediation linked together the parties to the conflict, IGAD as the regional organization, and elements in the international community in an innovative structure. However, the Sudan peace process is in a state of crisis which is not simply due to failures in the implementation of the agreement, but is a result of its narrow approach and short-sighted vision. By assuming a limited definition of peace, focusing solely on the north-south dimension of the conflict, refusing to involve other*

political parties and civil society, treating the media as a threat to the process, and leaving the fate of the process to SPLM/A leader."

4.5.3 Respondents Opinion on Measures taken by IGAD to Mitigate the Security Threats in South Sudan

The study went on to investigate what measures IGAD has taken to mitigate the security threats in South Sudan. From the findings, most of the respondents revealed that; IGAD has sent its mission in Sudan to help mitigate the crisis/ offered reinforcement, Employ early warning mechanisms to prevent conflict, Approval of Protection & Deterrence Force (PDF) to come to South Sudan, Special coordination with UNMISS peacekeepers battalion on conflicts zones, Deployment of Monitors through the Monitoring and Verification Mechanisms (MVM), Built capacities of national security and Built capacity of South Sudanese security organs.

A respondent said that "*the IGAD peace initiative introduced a well thought out DoP, workable relations with the belligerents, an institutional focus in the Sudan Secretariat, development of the system of ambassador envoys, political and financial support from the IPF, and international legitimacy. It also carried out considerable work on a wealth-sharing agreement and on resolution of the problem of the marginalized territories that would figure in the subsequent CPA.*"

4.5.4 Respondents Opinion on Challenges Faced By IGAD in its South Sudan Conflict Management Efforts

The study also sought to determine the challenges IGAD has faced in its South Sudan conflict management efforts. Accordingly, the respondents noted that the biggest challenge has been; Political interference as well as External interference and interests from Uganda, Sudan, and other neighbouring countries. Others were: lack of credibility since one of IGAD members is directly involve in the conflict and also lack of partiality in mediation processes, IGAD member states and Secretariat display their lack of a genuine grasp of South Sudanese socio-cultural dynamics, lack of public cooperation, lack of key security infrastructure in the country, lack of funds and resources and leaders not respecting peace agreements as well as bias from regional leaders.

In relation to the above, a respondent reported that "*The peace process never developed trust and understanding between the parties, and in its absence and the failure to commit to wide-ranging reconciliation, the mediation followed Western practice and emphasized legal requirements and time-tables. But the great number of bodies and commissions formed to regulate, monitor, and adjudicate disputes have not managed to overcome the lack of trust between the SPLM and the GoSS, and as a result the implementation of the agreement is far behind schedule.*"

4.5.5 Other Regional Organizations or Bodies that Successful Intervened in the Conflict between 2011-2013

The respondents were asked if there were any other regional organizations or bodies that successfully intervened in the conflict between 2011and 2013.

Figure 4.2: Other regional organizations or bodies that successful intervened in the conflict between 2011-2013
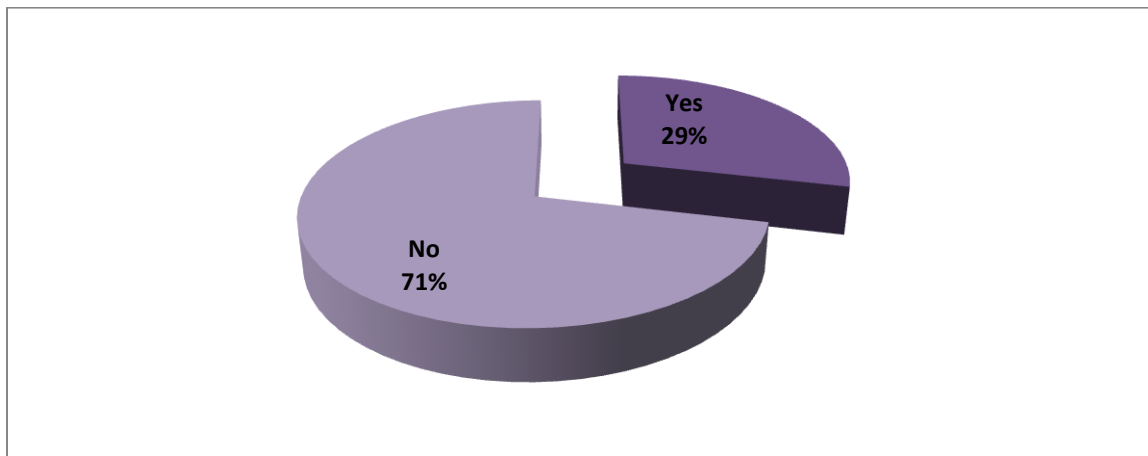
Source: Field data 2014

As illustrated in figure 4.3 above, majority (71%) of the respondents disagreed that there were any other regional organizations or bodies that successfully intervened in the conflict between 2011-2013 whereas 29% of the respondents agreed that there were. This depicts that few regional organizations or bodies have successfully intervened in the conflict between 2011-2013.

The respondents who agreed that there were any other regional organizations or bodies that successfully intervened in the conflict between 2011-2013 13 were asked to explain

their answer. From the findings, the respondents said that the about 7,000 African Union troops have slowly been deployed in Darfur on a very limited mandate, The UN Secretarial Council has been consistent across the country and emphasizes protection of civilians, human rights reporting, EAC, SADDC, ECOWAS and church based organizations also participate somehow in ending the ongoing conflict in South Sudan.

One of the respondent reiterated that "*Sudan has resisted strong western diplomatic pressure for the UN to take control of the peacekeeping mission.*"

4.6 Solutions that Have Been Tried by the Government and Community Leaders to Contain the Conflict

4.6.1 Role of Breakdown of Law and Order in South Sudan in Creating Security Threats to the South Sudanese People and its Neighbours

The respondents were asked if breakdown of law and order in South Sudan creates security threats to the South Sudanese people and its neighbors. The findings are as tabulated below.

Table 4.7 Role of Breakdown of Law and Order in South Sudan in Creating Security Threats to the South Sudanese People and its Neighbours

	Frequency	Percent
Yes	47	95.9
No	2	4.1
Total	**49**	**100.0**

Source: Field data 2014

From the findings, majority (95.9%) of the respondents agreed that breakdown of law and order in South Sudan creates security threats to the South Sudanese people and its neighbors whereas 4.1% disagreed that it did. This implies that breakdown of law and order in South Sudan creates security threats to the South Sudanese people and its neighbors.

The study probed the respondents who agreed that breakdown of law and order in South Sudan creates security threats to the South Sudanese people and its neighbors on how this happens. Consequently the respondents mentioned that; it leads to penetration of small arms into neighboring countries, refugees flock neighboring countries creating resource shortages and insecurity, the conflict can easily spread to hosting refugee countries and that any country with no law and order brings imbalance in the region/ neighbouring countries.

One of the respondent argued that "*Given South Sudan's position as a regional oil producing country, conflict would close transnational energy corridors throughout Central/East Africa and negatively impact prospects for regional stability.*"

Another respondent added that "*While there may be some positive impacts on the region (e.g. from investment being redirected from Sudan to other countries in the region), the evidence suggests that the net impact of conflict would be significantly negative.*"

4.6.2 Deaths and Displacements as a Result of South Sudan Conflicts

The study sought to determine if the South Sudan conflict has led to so many deaths and displacement of thousands. The findings are illustrated below.

Figure 4.3: Deaths and Displacements as a Result of South Sudan Conflicts
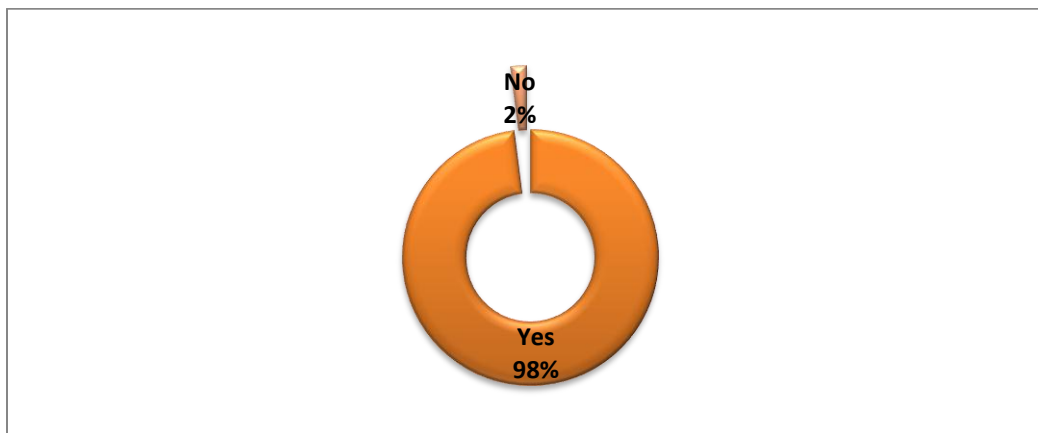
Source: Field data 2014

As per the findings illustrated above, 98% of the respondents agreed that the South Sudan conflict has led to so many deaths and displacement of thousands and the remaining 2% disagreed to this.

The respondents who agreed that the South Sudan conflict has led to so many deaths and displacement of thousands were asked to explain how it had. In view of that most of the respondents reported that; The conflicts have led to death of thousands of citizens and displacement of others, The ethnic conflicts have culminated in massive killings, Thousands of South Sudanese are either refugees or IDPs, There is no national security and the South Sudan communities are turning against each other leading to massive deaths because the government itself has been threatened to the extent of not being able to protect its citizens against the rebels, Of those displaced, 710,600 are within South Sudan, while 171,000 have fled to neighboring countries including Ethiopia, Kenya, Sudan, and Uganda.

One of the respondents revealed that "*Innocent children, men and women are killed in the process, others are rendered homeless, food shortage, diseases spread and outbreaks are common that kill many, it is estimated that about 20,000 people have been killed in the conflict, about 1 million displaced and 3.5 million prone to famine this year.*"

4.6.3 Possible Solutions that have been tried by the Government and Community Leaders to Manage the Conflict

The respondents were probed on the possible solutions that have been tried by the government and community leaders to manage the conflict. In this regard, the most mentioned solution was; Reconciliation of warring leaders and South Sudanese society through negotiation and mediation. This was followed by promoting peace among South Sudanese communities, peace-building campaigns, commissions of inquiry, ethnic leaders for peace treaty negotiations, use of community elders at the local level and peace inquiries at the national level and use of non-state actors like local churches, musicians as well as regional organizations such as AU and IGAD.

4.6.4 Measures the Government of South Sudan Has Taken To Solve or Contain the South Sudan Conflict

The study went on to request the respondents to, in order of priority, list the measures the government of South Sudan has taken to solve or contain the South Sudan conflict. Accordingly, the most prioritized measure was found to be; Negotiations with rebels, Engaging other multinational agencies like UN and IGAD-led mechanisms, peace talks through creation of peace-building commissions, Integrating different communities to leadership, equal distribution of resources, Forming all inclusive government, rebuilding of South Sudan, good offices, arbitration, dissolution of cabinet and self-defense in case of any attack from rebels.

One of the respondents asserted that "*The CPA of 2005 provided a framework for the National Congress Party (NCP), which holds power in Sudan, and the Sudan People's Liberation Movement/Army (SPLM/A), which formed the Government of South Sudan (GoSS), to pursue peace. It guaranteed South Sudan the right of self-determination while committing both parties to make the unity of Sudan attractive; it established an arrangement for wealth and power sharing, elections and constitutional reform; it offered a framework for careful handling of dynamics in the 'three areas' of Abyei, South Kordofan and Blue Nile; and it ensured processes for compensating the victims of war.*"

4.6.5 Challenges the Government of South Sudan Has Faced In Implementing Each of the Above Measures

The study sought to establish the respondents view on the challenges that the government of South Sudan faced in implanting each of the above measures. The respondents stated that the government has experienced; political interference, external donor pressure as well as external interests from neighbouring and international community this was followed by lack of resources, ethnic politics, illiteracy, corruption and lack of commitment by stakeholders/cooperation.

According to one of the respondents "*War has not stopped now and there is continuous bickering, accusations and counter-accusations by the warring parties.*" Another respondent added that "*Peace building and reconciliation efforts cannot be implemented without respect to cessation of hostilities agreement. There is a need for conducive-environment to do this. It is not always clear whether South Sudan fight back on self-defense or does attack rebels' positions.*"

CHAPTER FIVE

DISCUSSION, SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary

FACTORS AND HISTORICAL ROOTS UNDERPINNING THE INSECURITIES IN SOUTH SUDAN'S CONFLICT

The study found out that the major factor that has been sustaining the conflict in South Sudan was tribalism/ ethnic intolerance driven by political incitements. Others were; lack of will from the two crashing parties, external interference, greed for power/power struggle, pressure on a diminishing oil resource base from the local-level ethnic people, historical injustices e.g marginalization, colonialism, dependency syndrome, social cultural dynamics and IGAD member states and Secretariat display their lack of a genuine grasp of South Sudanese (lack of neutrality of IGAD).

The historical roots of the South Sudan conflict were found to be; skewed distribution of key resources especially oil and land, religious conflicts between Arabs and Christians, poverty, civil wars, ethnic conflict between the major tribes in South Sudan and dictatorial tendencies of the current South Sudan regime, weak institutional capacities, past injustices from the 20 year war with Sudan have not been addressed, concentration to state-building in-lieu of nation-building, North Sudan control of Sudan power, internal policies, external dynamics, lack of accountability and misapplication of formula of accommodation of political elites respectively.

The study further revealed that oil resources helped in the perpetuation of the South Sudan conflict. This is majorly through oil resources being used to spread incitement and also procure weapons. The other ways oil resources were found to have helped in the perpetuation of the South Sudan conflict were; oil has led to competition of power and who has the control over it, leaders wanted to control the oil resources and thus the misunderstanding, rape cases and torture leading to a violation of human rights, poor education system and division of families.

The impact of the South Sudan conflict on the national security of the country was found to be; proliferation of SALW across the horn of Africa, rape cases and torture leading to a violation of human rights, deplorable human living conditions as well as a very huge influx of refugees in the country's refugee camps, destruction of infrastructure in the region, distorted foreign relations with donor-states and investors, food shortage and a destabilized country since the government has not been able to protect its own citizens.

IGAD'S ROLE IN CONFLICT MANAGEMENT IN SOUTH SUDAN (2011-2013)

The most common other possible solutions to the conflict in South Sudan was found to be engaging in home based negotiations like those that took place in Somalia (fight against warlords), this was followed by creating an all-inclusive government, enhance the capacities of security measures, equal distribution of oil resources, bringing together of communities through ethnic intolerance driven by political incitements, bottom–up approach to resolution mechanisms, clan integration, having local dispute settlements like Gacaca courts in Rwanda, creation of compact governance, economic empowerment,

sanctions carried out on rebels and individuals perpetuating conflict, return of people in diaspora/ serious public sensitization and reconciliation campaigns at the grassroots, stable military that speaks with one voice and engaging IGAD, AU and UN Secretarial Council.

The study revealed that the strategies IGAD has employed in the management of the conflict in South Sudan are; engaging high diplomatic mediation such as IGAD secretariat and peace ambassadors which has not worked, Building capacities of national security, making ultimatums for different leaders, use of Gacaca courts like the ones used in Rwanda and coming up with an early warning system for conflict eruption in South Sudan respectively.

The study further found out that the measures IGAD has taken to mitigate the security threats in South Sudan are; IGAD has sent its mission in Sudan to help mitigate the crisis/ Offered reinforcement, Employ early warning mechanisms to prevent conflict, Approval of Protection & Deterrence Force (PDF) to come to South Sudan, Special coordination with UNMISS peacekeepers battalion on conflicts zones, Deployment of Monitors through the Monitoring and Verification Mechanisms (MVM), Built capacities of national security and Built capacity of South Sudanese security organs.

The study also found out that the biggest challenge IGAD has faced in its South Sudan conflict management efforts was political interference as well as external interference and interests from Uganda, Sudan, and other neighbouring countries. Others were: lack

credibility since one of IGAD members is directly involve in the conflict and also lack of partiality in mediation processes, IGAD member states and Secretariat display their lack of a genuine grasp of South Sudanese socio-cultural dynamics, lack of public cooperation, lack of key security infrastructure in the country, lack of funds and resources and leaders not respecting peace agreements as well as bias from regional leaders.

The study found out that few regional organizations or bodies have successfully intervened in the conflict between 2011-2013, however about 7,000 African Union troops have slowly been deployed in Darfur on a very limited mandate, The UN Secretarial Council has been consistent across the country and emphasizes protection of civilians, human rights reporting, EAC, SADC, ECOWAS and church based organizations also participate somehow in ending the ongoing conflict in South Sudan.

SOLUTIONS THAT HAVE BEEN TRIED BY THE GOVERNMENT AND COMMUNITY LEADERS TO CONTAIN THE CONFLICT

The study established that breakdown of law and order in South Sudan creates security threats to the South Sudanese people and its neighbors. The most common way in which this happens is by leading to penetration of small arms into neighboring countries, this was followed by refugees flock neighboring countries creating resource shortages and insecurity, the conflict can easily spread to hosting refugee countries and that any country with no law and order brings imbalance in the region/ neighbouring countries.

The study also found out that the South Sudan conflict has led to so many deaths and displacement of thousands. Additionally, The conflicts have led to death of thousands of citizens and displacement of others, The ethnic conflicts have culminated in massive killings, Thousands of South Sudanese are either refugees or IDPs, There is no national security and the South Sudan communities are turning against each other leading to massive deaths because the government itself has been threatened to the extent of not being able to protect its citizens against the rebels, Of those displaced, 710,600 are within South Sudan, while 171,000 have fled to neighboring countries including Ethiopia, Kenya, Sudan, and Uganda.

The study also found out that the most possible solutions that have been tried by the government and community leaders to manage the conflict was reconciliation of warring leaders and South Sudanese society through negotiation and mediation. This was followed by promoting peace among South Sudanese communities, peace-building campaigns, and commissions of inquiry, ethnic leaders for peace treaty negotiations, use of community elders at the local level and peace inquiries at the national level and use of non-state actors like local churches, musicians as well as regional organizations such as AU and IGAD.

The most prioritized measure the government of South Sudan has taken to solve or contain the South Sudan conflict was found to be; Negotiations with rebels, engaging other multinational agencies like UN and IGAD-led mechanisms, peace talks through Creation of peace-building commissions, Integrating different communities to leadership,

equal distribution of resources, forming all inclusive government, rebuilding of South Sudan, good offices, arbitration, Dissolution of cabinet and self-defense in case of any attack from rebels respectively.

Finally, the study found out that the challenges that the government of South Sudan faced in implanting each of the above measures was; political interference, external donor pressure as well as external interests from neighbouring and international community this was followed by lack of resources, ethnic politics, illiteracy, corruption and lack of commitment by stakeholders/cooperation.

5.2 Conclusions

FACTORS AND HISTORICAL ROOTS UNDERPINNING THE INSECURITIES IN SOUTH SUDAN'S CONFLICT

The study concludes that the major factor that has been sustaining the conflict in South Sudan was tribalism/ethnic intolerance driven by political incitements. The most influential historical roots of the South Sudan conflict is the skewed distribution of key resources especially oil and land. Moreover, the oil resources helped in the perpetuation of the South Sudan conflict. This is majorly through oil resources being used to spread incitement and also procure weapons. In addition, the biggest impact of the South Sudan conflict on the national security of the country is proliferation of SALW across the horn of Africa.

IGAD'S ROLE IN CONFLICT MANAGEMENT IN SOUTH SUDAN (2011-2013)

The study concludes that the most common other possible solutions to the conflict in South Sudan engaging in home based negotiations like those that took place in Somalia (fight against warlords). In addition the best strategy IGAD has employed in the management of the conflict in South Sudan is engaging high diplomatic mediation such as IGAD secretariat and peace ambassadors which however has not worked. The study further concludes that the measures IGAD has taken to mitigate the security threats in South Sudan are; IGAD has sent its mission in Sudan to help mitigate the crisis/ Offered reinforcement, Employ early warning mechanisms to prevent conflict, Approval of Protection & Deterrence Force (PDF) to come to South Sudan, Special coordination with UNMISS peacekeepers battalion on conflicts zones, Deployment of Monitors through the Monitoring and Verification Mechanisms (MVM), Built capacities of national security and Built capacity of South Sudanese security organs.

Additionally, the biggest challenge IGAD has faced in its South Sudan conflict management efforts was political interference as well as External interference and interests from Uganda, Sudan, and other neighbouring countries. The study also concludes that few regional organizations or bodies have successfully intervened in the conflict between 2011-2013, however about 7,000 African Union troops have slowly been deployed in Darfur on a very limited mandate, The UN Secretarial Council has been consistent across the country and emphasizes protection of civilians, human rights reporting, EAC, SADDC, ECOWAS and church based organizations also participate somehow in ending the ongoing conflict in South Sudan.

SOLUTIONS THAT HAVE BEEN TRIED BY THE GOVERNMENT AND COMMUNITY LEADERS TO CONTAIN THE CONFLICT

The study concludes that breakdown of law and order in South Sudan creates security threats to the South Sudanese people and its neighbors. The most common way in which this happens is by leading to penetration of small arms into neighboring countries. The study also concludes that the South Sudan conflict has led to so many deaths and displacement of thousands.

Moreover, the study concludes that the most possible solutions that have been tried by the government and community leaders to manage the conflict was reconciliation of warring leaders and South Sudanese society through negotiation and mediation. The study also concludes that the most prioritized measure the government of South Sudan has taken to solve or contain the South Sudan conflict is negotiations with rebels.

Finally, the study concludes that the challenges that the government of South Sudan faced in implanting each of the above measures was; political interference, external donor pressure as well as external interests from neighbouring and international community this was followed by lack of resources, ethnic politics, illiteracy, corruption and lack of commitment by stakeholders/cooperation.

Recommendations

Based on the findings, the study recommends Galtung Johan's' theory of constructive, concrete and creative approach prognosis in mediating, negotiating and resolution of any

conflicts situation. This could be the only situation to peaceful conflict transformation. The international bodies must provide interventions to prevent negative prognoses while the local actors must maintain and be clear to the needs, and rights of the people in bringing satisfaction peaceful culture and structure.

The past must be cleared for the better future as a matter of reconciliation, creating self-sustaining virtuous cycles of peace as an ideal option to peaceful relation. In power sharing a board of compromise must be drawn between the conflicting parties hence lasting solutions.

There is need to respect peace pact and respect on the agreement on power sharing for proper governance and power balance.

The approach of mediation, dialogue, conflict mapping, legitimizing and bridging the contracting goals must be reconciled amicably to sustain peaceful relations.
There is need to realize that the warring communities can always solve their problems without influence of external actors as the case of Sudan.

There is need to beef up the African Union force with extra resources and equipment as the first step in a three-phased proposal by the UN to ease the crisis deployment of several hundred soldiers and police officers to help the AU troops.

African troops should get UN logistical support and there should be substantial UN involvement in the command and control of the peacekeepers and special representative to lead the joint force appointed by the UN and the AU.

There is need for disarmament of civilians and border security control to avoid illegal import and export of small arms and light weapons.

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APPENDIX I : Interview Questionnaire

Dear Respondent,

My name is Judith Ndunge Ngunia, an M.A student at the Institute of Diplomacy and International Studies, University of Nairobi where I am pursuing an MA in Diplomacy. I am conducting a research on "*An Assessment of IGAD's Role in Conflict Management in South Sudan (2011-2013)."*

I kindly request you to participate in my research study. The information you will provide to me will be treated with extreme confidentiality and it will be strictly utilized only for academic purposes. Your participation is highly valued.

PART I: Bio data. Please tick the most suitable response.

1. Sex: [   ] Male   [   ] Female

2. Age: [   ] 25-30   [   ] 31-35   [   ] 36- 40   [   ] 41-45   [   ] 46-50

     [   ] 51-55   [   ] 60 and above

3. Highest level of education attained:

   [   ] Primary education   [   ] Secondary education   [   ] College education

   [   ] University education   [   ] Other _____

4. Please indicate your professional affiliation.

   [   ] Government agencies   [   ] Professionals

[   ] Business entrepreneurs   [   ] Civil society

5. Nationality: [   ] Kenyan   [   ] South Sudanese

PART II: FACTORS AND HISTORICAL ROOTS UNDERPINNING THE INSECURITIES IN SOUTH SUDAN'S CONFLICT

1. What factors have been sustaining the conflict in South Sudan?

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…………………………………………………………………………………………………

…………………………………………………………………………………………………

2. What are the historical roots of the South Sudan conflict?

…………………………………………………………………………………………………

…………………………………………………………………………………………………

…………………………………………………………………………………………………

3. The oil resources helped in the perpetuation of the South Sudan conflict

(a) Yes   [ ]   (b) No   [ ]

4. If yes explain

…………………………………………………………………………………………………

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5. What has been the impact of the South Sudan conflict on the national security of the country?

…………………………………………………………………………………………………

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…………………………………………………………………………………………………

6. In what ways has the South Sudan conflict perpetuated cattle raiding activities in South Sudan?

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7. In order of priority rank the following insecurities of the South Sudan conflict.

a) Cattle raiding [ ] b) small arms and light weapons [ ]   c) Tension with the North [ ]   d) Abduction of women and children   [ ]   e) Other………………[ ]

PART III: AN ASSESSMENT OF IGAD'S ROLE IN CONFLICT MANAGEMENT IN SOUTH SUDAN (2011-2013)

8. What are the other possible solutions to the conflict in the South Sudan**?**

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9. What strategies has IGAD employed in the management of the conflict in South Sudan?

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10. What measures has IGAD taken to mitigate the security threats in South Sudan?

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11. What challenges has IGAD faced in its South Sudan conflict management efforts?

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12. Were there any other regional organizations or bodies that successfully intervened in the conflict between 2011-2013?

13. If yes, explain

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………

………

PART III: SOLUTIONS THAT HAS BEEN TRIED BY THE GOVERNMENT AND COMMUNITY LEADERS TO CONTAIN THE CONFLICT

14. Breakdown of law and order in South Sudan creates security threats to the South Sudanese people and its neighbors.

    a) Yes [   ]   (b) No [   ]

15. If yes, explain

………

………

………

16. The South Sudan conflict has led to so many deaths and displacement of thousands.

    a) Yes [   ]   (b) No [   ]

17. If yes, explain

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18. What are the possible solutions that have been tried by the government and community leaders to manage the conflict?

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19. In order of priority list the measures the government of South Sudan has taken to solve or contain the South Sudan conflict

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20. In your view, what challenges has the government of South Sudan faced in implanting each of the above measures?

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THANK YOU