

In Need of a Critical Re-think

Security Sector Reform in South Sudan

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EXECUTIVE SUMMARY

Past attempts at security sector reform (SSR) and disarmament, demobilization, and reintegration (DDR) in South Sudan have made no significant contribution to ‘right-sizing’ the Sudan People’s Liberation Army (SPLA) and were unable to sustainably change South Sudan’s security apparatus. Taking into account lessons learned from previous DDR and SSR attempts, this *Working Paper* provides hints as to what the key aspects are that need to be re-considered to improve on security sector transformation in South Sudan. The authors argue that DDR and SSR, if not reinvented and reconsidered in a more radical way, are very unlikely to lead to significant change. The government of South Sudan (GoSS), and the SPLA and SPLA In Opposition (SPLA-IO) in particular, continue to function as highly centralized patronage systems. The country’s military is used as a tool to secure the position of key individuals, advance the interest of particular ethnic groups, and to bring wealth and status to their members. Without breaking these patronage networks and addressing the power nodes, any attempt at security sector transformation will be bound to fail.

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Main Findings

A window of opportunity to reform the security sector in South Sudan was missed following the signing of the CPA

The success of DDR and SSR efforts depends to a large extent on timing—in the case of South Sudan, a historic window of opportunity to address this challenge existed in the first two years after the signing of the Comprehensive Peace Agreement (CPA).

Following three decades of civil war between different Southern groups, as well as with the government in Khartoum, the population welcomed the presence of international forces and the prospect of peace and development. At the same time, the international community had considerable leverage with the newly formed government in Juba, as the latter depended on its political backing in the negotiation with Khartoum. While the provisions of the CPA with regard to DDR and SSR were somewhat unclear, they could have served as a road map for a more fundamental transformation of security arrangements in the country had the UN and its international partners acted more quickly and decisively.

South Sudan's security sector is a crucial element of the government's patronage network

Both the SPLA (as well as the different paramilitary forces, such as the police, the wildlife and the prison services) and the SPLA-IO (in opposition) remain an agglomeration of different ethnic factions, often territorial in nature and personally loyal to their commanding officers. The distinction between professional soldiers (uniformed and paid by the government) and local self-defence groups remains blurry as SPLA (and police units) often engage in inter-communal conflict over access to natural resources (water, grazing land and cattle). Following the failure of the UN to demobilize the different militias in South Sudan in line with the provision of the CPA of 2005, the government in Juba adopted the so-called Big Tent policy vis-à-vis

military and political opponents, in essence offering integration into the security sector (with its access to social status and material benefits) in exchange for political acquiescence. While this policy bought the country a modicum of peace and political stability in the inter-war period (2005-2013), it came at a high price as the continuing divisions between the different elements of the security sector significantly contributed to the outbreak of civil war following the political crisis of December 2013.

DDR and SSR efforts need to have clear goals, be based on a realistic assessment of the situation and connected to wider political processes in the country

The example of South Sudan shows that different donors have different and sometimes contradictory goals in their programming. For example, a radical reduction of the size of the security sector, while beneficial in the long-term, would have increased political tensions and potentially violent conflict in the near future. Some international partners (as well as the Juba government itself) were also interested in building South Sudan's military strength as a deterrent to a perceived threat from North Sudan. A fundamental reform of the security sector would have—at least temporarily—weakened the SPLA's ability to operate effectively on the battlefield. In this situation, the international community decided to support different piece-meal approaches to DDR and SSR, such as reintegration programmes for the so-called special needs groups as well as capacity-building efforts for the security sector. In doing so, the country's international partners assumed that there was genuine political will among the ruling elite to change the precarious status quo. Failing to understand (or choosing to ignore) the inherently political nature of the problem, the international community offered only technical solutions to security sector reform, which were not connected to broader political processes, thereby perpetuating the situation.

Alternatives to the traditional DDR and SSR approach in South Sudan exist, but they would be costly both politically and materially

It has often been said, that there are no alternatives to the path chosen by the international community in dealing with the political leadership of South Sudan when it comes to reforming the security sector. While this is, without doubt, the most sensitive policy sector in the country and donors, who are accustomed to getting their way (in exchange for a significant resource commitment) in other sectors, such as health or agriculture, are not used to the amount of push-back and double-play from the South Sudanese elite, have in the past preferred to stay away from security-related matters. At the same time, reform in this sector is an obvious precondition for any sustainable peace settlement. It is therefore worthwhile to look at the experience of countries such as Liberia, where radical reforms of the security sector took place against the stated wishes of wartime military leaders. Such reforms are possible, but they depend on the willingness of the international community to effectively guarantee the security of the people of South Sudan through an international peacekeeping force (something the UN has not been able to do since 2005), effectively creating an international protectorate.

The current peace deal is bound to make similar mistakes as they were made during the CPA period

The international community largely imposed on the warring parties the August 2015 peace deal, which is a power-sharing agreement like the CPA. Even prior to the most recent eruption of violence in July 2016, the SPLA and SPLA-IO have shown very little trust in the process. While the CPA was criticized for doing too little too late in terms of security sector reform, the implementation of the provisions of this peace deal has so far been equally slow (for instance, the creation of the national architecture to put the

agreement into effect has lagged behind the envisioned schedule). It took the international community very long to exert meaningful pressure on the two sides to execute crucial elements of the deal, which resulted in tremendous delays particularly around enforcing the security arrangements—delays that are unfortunately all too familiar from the CPA period. The peace deal and the subsequent security workshop also did not provide sufficient clarity regarding the cantonment and demobilization process (e.g. the number and location of cantonment sites, but also the eligibility of certain IO forces to go into cantonment). These unresolved elements not only slowed down the deal's implementation but at the same time also played into the hands of hardliners on the SPLA and SPLA-IO side. To end the current state of suspense, one needs to get the national architecture envisioned by the peace deal functional as quickly as possible to finally promote thorough and drastic reform of the security sector that the country is in dire need of.

Policy recommendations

Reconstitute the security sector and then abolish the practice of buying short-term peace by integrating militias into the army

Given the current divisions in the country, which largely followed infighting and divisions inside the SPLA and the political system, the South Sudanese security sector will in reality need to be built up from scratch. This will include proportional representation on the basis of ethnicity and a dismissal of generals found responsible for gross human rights violations. Once that has been achieved, ensure that rules and regulations for promotions within the military are in place and adhered to (these should be based on military success, loyalty, and education). Consider having generals' appointments being approved by parliament. Moreover, militia integration should in principle be banned. One should avoid by all means making similar mistakes like in the past, opting for an open-ended integration process and integrate again all types of armed actors into the national armed forces. Unfortunately, Kiiir's most recent incorporation of friendly militias into the army in 2015 indicates that this kind of policy is still the SPLA's fallback option for dealing with unrest. However, in light of the economic collapse, the sinking oil prices, and lack of international donor support, even as a short-term strategy South Sudan can simply not afford 'buying peace' in such a manner.

Treat the security sector as part of a broader political challenge facing the country

Donors should see their engagement with South Sudan as a complete package, whereby SSR and DDR cannot be technical interventions separate from broader political processes. Setbacks in one area (civil society harassment, financial transparency) should have repercussions for support to the security services (training and equipment, invitations to international courses and seminars). Donors should also

understand that their support helps maintain the current practice of using the SPLA and SPLA-IO to form and maintain political patronage networks. This needs to be abolished if security sector transformation efforts are to succeed. Donor support over the years has come to supplant social services, freeing up additional resources for the security sector in the process. Support of social services cannot continue unabated while government budgets for the security sector go up. Downsizing activities (whatever form these might take in future) should not be regarded as a social benefit programme to serve the interests of certain commanders and small groups of people but as a tool of building a sustainable security apparatus. Introducing biometric registration is a first step.

International assistance to South Sudan's security sector should involve more conditionality and focus on enhancing accountability mechanisms

'Train and equip' programmes should only be supported if they are closely tied to accountability measures. Priority ought to be given to enhancing military justice. Donors should also introduce conditionalities within projects, whereby receiving the next tranche of financial support is dependent on first achieving certain concrete results. For example: Submission of biometric data is a precondition for candidates being accepted. Coordination is crucial: Different donors can support different aspects of the professionalization drive, but political objectives need to be aligned in order to avoid being played out against one another.

Interventions targeting South Sudan's security sector ought to take the current state of the SPLA and SPLA-IO as a baseline to work with

Interventions should not aim at an ideal type military apparatus. Instead, policy planners should work primarily from what is possible and feasible and combine that with realistic estimates for what

institutions can achieve within the South Sudanese context. It is obvious that neither the SPLA nor the SPLA-IO have a profound interest in downsizing their forces. In light of this challenge, it is essential to compromise on a way forward and taking note of the incentives of the parties to retain or reduce their forces. In addition, observers and practitioners, including donors, should not shy away from examining individual and group relations inside the security services and between the political and military realm in order to understand the impact of their interventions.

Membership of political parties must be outlawed for the SPLA and SPLA-IO

The political and military sphere in the Republic of South Sudan is still very much inter-connected. The only sustainable way to promote a demilitarization of the South Sudanese society and to break political patronage is to disconnect the security services from the SPLM. An army that serves the unity of the country and defends each and every South Sudanese ought to be apolitical. Therefore, members of the organized forces should not be allowed to be a member of any political party. The usage of military titles for civilians should be prohibited.

To increase community security and protection, the role of the SSNPS needs to be strengthened vis-à-vis the SPLA and the SPLA-IO

SSNPS's ability to protect the life and property of the citizens remains limited due to limited capacity, training, infrastructure, equipment and funds. Above all, the military in the past has assumed tasks and responsibilities that should in fact be assigned to the police. What is needed in future is a gradual withdrawal of the military from the sectors that have to be managed by SSNPS. Concurrently, SSNPS' role and image ought to be promoted to build trust between the police and the population. Benefits for SSNPS should be indexed against (a reasonable rate of)

inflation while SPLA benefits should remain flat. Consider more flexible forms of policing based around local security arrangements. This, combined with increasing movements of SPLA units around the country, will make it more interesting for youth to either engage with, or become part of SSNPS instead of SPLA. Furthermore, military commanders engaging in law enforcement operations should be formally answerable to civilian authorities and the police. Civilian disarmament (e.g. in form of a weapons linked to development approach) may only start once the SSNPS is able to guarantee a modicum of security in the rural areas to be targeted for disarmament.

Implement youth-at-risk programmes and other employment schemes in regions with a high concentration of mobilized youth and adults

The current crisis has revealed the fragility and division of the country and has shown how easy it is for individuals to mobilize and incite large numbers of people. Reports from various regions in South Sudan indicate that youth groups like the White Army gathered to engage in the conflict. This quick mobilization of (youth) groups was possible partly because many of them have been excluded from the benefits of the country's independence. In the framework youth-at-risk projects, young people should be targeted especially in those regions with a high concentration of mobilized youth. To ensure a peace dividend, quick impact employment schemes such as labour intensive projects or public works programmes (separate from the military) at grassroots level ought to be initiated. Ideally, these would aim at youth as well as adults.

Introduction

In December 2013, following political tensions between South Sudan's President Salva Kiir and members of an opposition faction of his own political party, the Sudan People's Liberation Movement (SPLM), armed conflict erupted between Nuer and Dinka elements of the presidential guard in the capital Juba. Kiir was quick to announce that his former Vice President Riek Machar, a member of the Nuer ethnic group, was behind the clashes and had attempted a coup against the President—an allegation Machar denied. The conflict quickly escalated, spreading into Jonglei, Upper Nile and Unity States. With entire divisions of the Sudan People's Liberation Army (SPLA) defecting and splitting their allegiances mostly along ethnic lines between the government and Machar's camp (known as SPLA in Opposition, SPLA-IO), the army quickly fell apart. Although the warring parties signed a number of ceasefire agreements, starting in January 2014, these were largely ignored, and the conflict continued relentlessly. All over South Sudan, various other armed groups joined the fighting, turning the conflict into a fully fledged civil war fought on the ground largely along ethnic lines, which has since its start in December 2013 killed at least tens of thousands of people and left over two million people internally displaced (OCHA, 2016; Bohnet, forthcoming).

Under the threat of international sanctions, and following several rounds of negotiations supported by the Intergovernmental Authority on Development (IGAD), President Salva Kiir and SPLA-IO leader Machar signed a peace deal in Addis Ababa on 17 August 2015. This deal offers the SPLA-IO the post of the first Vice-President and stipulates the formation of a Transitional Government of National Unity (TGoNU) to govern for a period of 30 months at the end of which elections are to be held. It moreover requires all military forces to leave the capital Juba, to be replaced by a Joint Integrated Police. A Commission for Truth, Reconciliation and Healing is to investigate human rights violations, and a hybrid court is to be established to try those responsible for human rights abuses and war crimes during the recent civil war (IGAD, 2015).

This is as far as the theory goes; the reality looks quite different: Not even a year after its adoption, the peace deal is on the brink of collapse. The renewed outbreak of violence in Juba in July 2016, which left several hundred people dead and triggered a new wave of internal and external displacement, exemplifies the weaknesses of the peace process and calls into question both the seriousness and the ability of the conflict parties to bring and to maintain peace. Both sides make no secret of their lack of confidence in the deal, which they say is mainly a result of intense international pressure. In the months leading up to the most recent outbreak of violence, the parties have, where possible, delayed the implementation of the permanent ceasefire and transitional security arrangements (PCTSA). The TGoNU, for instance, was only formed after significant time lags, in April 2016, after Machar's return to Juba. Despite calls of the international community on the rival forces to demilitarize the capital and limit the number of government troops in the city, the demilitarization process has been incomplete, and international monitors were not given the chance to verify the process. Efforts to establish a joint integrated police command in Juba were only pursued half-heartedly and far from ready by the time the TGoNU was formed (author interviews conducted in Juba in June 2016).

These delays in implementing the security arrangements came along with never-ending disputes over the number and location of cantonment sites, particularly in the Greater Bahr el Ghazal and Equatoria regions.¹ In the past months, this has hindered the separation of forces and has stalled any constructive dialogue on the national security arrangements (author interviews conducted in Juba in June 2016). While the preparations for a cantonment process were underway, fighting intensified in most major towns of Western Equatoria (Yambio, Mundri, Maridi) and Western Bahr el Ghazal (Raja,

¹ \ The government under the leadership of President Kiir has been denying the presence of SPLA-IO forces in Greater Equatoria and Greater Bahr el Ghazal and has hence objected to an establishment of cantonment sites in these areas.

and Wau), which previously had been largely untouched by the fighting. This might be an indication that local armed opposition groups are affiliating with the SPLA-IO in an attempt to gain access to the cantonment process with its promise of material benefits and possible integration into a future national army.

At the time of writing, it is hard to see when and how the rival parties can overcome their disagreements and start rebuilding the country and its security sector. The fact that Machar fled Juba after the intense fighting and was, in his absence, replaced by Taban Deng Gai, the former Minister of Mining, is a sign of serious divisions within the opposition.² The United Nations regard the nomination of Gai as a violation to the peace deal (UNSG, 2016). This brings another complicating layer to the already seemingly irresolvable conflict in South Sudan. It also perfectly illustrates that the recent civil war, despite having taken an ethnic dimension, is at least as much driven by a power struggle between influential military and political power-brokers.

The SPLA has always been a tool and the major prize in this struggle for power and influence. So far, the country's military has functioned to secure the position of key individuals, advance the interest of particular ethnic groups and to bring wealth and status to their members. These patronage systems and the use or the threat of violence as a bargaining tool are at the heart of South Sudanese politics. The prevalence of clientele networks and the persisting ethnic divisions in the armed forces point to the failures of the 2005 Comprehensive Peace Agreement (CPA) and security sector reform (SSR) initiatives to reconstitute the SPLA as a national army and guardian of the population.

Although the CPA, by not recognizing any other armed force in Sudan outside the Sudan Armed Forces (SAF) and the SPLA, aimed at establishing the SPLA's monopoly over the legitimate use of force, other

armed groups continued to destabilize the country and dispute such a monopoly. Threatened by various armed actors inside the country who could potentially derail the independence referendum stipulated in the CPA, the SPLA chose to integrate these militias into its ranks. This policy clashed with broader security sector reform initiatives in the post-CPA period, which aimed at downsizing the military and transforming the SPLA into an accountable and affordable force. SSR and disarmament, demobilization and reintegration (DDR) programmes overlooked, or rather ignored, this dilemma in which the South Sudanese military found itself: Security sector reform in the sense of a centralized, top-down imposition of force structure was a very difficult and—from a South Sudanese military perspective—even dangerous thing to do in an environment under continuous threat of destabilization and contestation.

The previous point, however, only partly explains the reluctance of the SPLA to seriously commit to institutional reform of the army. Changing the status quo and promoting a broader security sector transformation process meant interfering with the very lucrative personal patronage networks run by senior military commanders and triggered internal resistance from potential losers.

Given this lack of political will to promote SSR, the security apparatus in South Sudan has not fundamentally changed over the past decade. Despite their formal hierarchies and command and control structures, the SPLA and SPLA-IO remain an aggregation of clientele networks in which recruitment, and command and control works largely along ethnic lines. The recent conflict has well exemplified how fragile the political accommodation is upon which these networks rest. Once the flows of money, positions and weapons dry up, and they break down, they form the principal threat to peace and security in the country.

While any attempt to promote transformation of South Sudan's army and other organized forces is without any doubt a challenging endeavour, restructuring the army so that its primary purpose becomes protecting its citizens, is arguably the key to

² \ Gai, who was dismissed from the party membership by Machar a few days before being sworn in as new first Vice President, has been accused of defecting to Kiir's faction.

promoting lasting peace in the world's youngest nation. The main question is how to 'do it right this time' and not to fall into the same traps as previous SSR and DDR attempts. The objective of this *Working Paper* is to demonstrate how past experiences can teach the international community what the key aspects are that need to be re-considered to improve on security sector reform in South Sudan.

To overcome the deep-rooted defects of South Sudan's security apparatus, it is essential to understand the SPLA history and internal logic as well as the context it operates in. Against this background, the present *Working Paper* outlines the SPLA's development from rebel militias to a national force in Chapter 2. Based on this historical overview, the authors then provide a brief and critical analysis of previous DDR and SSR programmes and approaches (Chapter 3) and identify key issues to be taken into consideration in the implementation of the recent peace deal (Chapter 4) and long-term security sector transformation in South Sudan (Chapter 5).

The authors argue that past SSR and DDR efforts had a very limited impact as they did not systematically attempt to break down the control of predatory military elites over their patronage networks. What is needed in future is a different approach to addressing the problems of South Sudan's security sector. The first step that needs to be taken in this respect is to put into question the standard security sector reform templates that were implemented in South Sudan in the past. The international community in particular will need to focus on how to break the existing patronage networks as they have been the major stumbling block in transforming South Sudan's security apparatus. Without addressing the power nodes of these networks, any security sector transformation attempt will be hamstrung.

Evolution of the Sudan People's Liberation Army

Fusion and fission (1982–2006)

The peace deal signed in Addis Ababa on 17 August 2015 follows a long tradition of power sharing agreements between the various Southern Sudanese factions that form the ruling SPLM and its armed wing, the SPLA. After its inception in 1982, the SPLM managed to expand its support base amongst various ethnic groups both on the territory of today's South Sudan and beyond.³ Operating from bases in Ethiopia and later in Southern Sudan, the SPLA was able to militarily challenge the Sudan Armed Forces (SAF) in numerous parts of the country.

In 1992, two prominent Nuer politicians, Riek Machar and Lam Akol, broke away from the movement, criticizing its iconic leader, John Garang de Mabior, for leading in an increasingly authoritarian fashion. Machar and Akol formed the SPLA-Nasir, named after the town in Upper Nile State where they were based. The Nuer White Army youth militia, commanded by the SPLA-Nasir, was subsequently responsible for a massacre that took place in 1991 in Bor, at that time part of Upper Nile State and nowadays the capital of Jonglei State. An estimated 2,000 people were killed, mostly Dinka civilians; these atrocities had serious repercussions on inter-ethnic relations between the Dinka and Nuer (Jok/Hutchinson, 1999).

Map 1: South Sudan



Sources: Natural Earth 2106; Maplayout: Marianne Wargenau
 The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the Bonn International Center for Conversion (BICC) or the authors.

3 \ As a matter of fact, the SPLM/A's founder and long-term leader John Garang had envisioned a liberation movement appealing to marginalized people across Sudan, including among the Arabic-speaking population beyond the borders to today's South Sudan. As a result of shared grievances, a number of armed groups in the Nuba Mountains, as well as in Darfur and in the Red Sea region of Sudan chose to join forces with the SPLM/A. The SPLM/A (North) with its power base in the Nuba Mountains and in Blue Nile State continue to wage a separate civil war against the government of Khartoum, which was re-kindled after the end of the CPA period and the independence of South Sudan in 2011.

Over the course of the years, numerous Southern militia and local defence movements emerged, largely based around ethnicity, which for various reasons resisted the SPLA or would fight for local interests that could at times conflict with the broader political

objectives of the SPLA.⁴ The government in Khartoum, grappling with limited control over areas where its footprint was historically limited and infrastructure almost non-existent, decided to back some of these local groups to fight the SPLA as proxy forces. Its own armed forces focused on holding garrison towns (such as Juba, Malakal and Wau), and the rural areas were left to the local militias, which to different extents received logistical support from Khartoum. These groups were never able or willing to form a united front against the SPLA, until in 1996 the government of Sudan initiated the Khartoum Peace Agreement with various rebel movements, leading to (nominal) integration of the different Khartoum-aligned militias into the newly-formed South Sudan Defence Forces (SSDF). Riek Machar became the movement's leader.

Under the terms of the Agreement, the 'head-quarters' of the different militias were relocated to Khartoum under the SSDF umbrella. Although the different constituent parts of the SSDF relied on the ruling National Congress Party (NCP) for weapons and ammunition, their allegiance was not with Khartoum and its Sharia-inspired leadership. Khartoum was neither able to fully unite the different factions, nor did it even want to. A strong, centrally led SSDF could potentially pose an alternative threat to the NCP regime, which had adopted a 'divide and rule' approach to conflicts on the periphery of Sudan. In fact, one of the reasons Machar and Akol fell out with Garang was that they did not share his vision of a united, secular, and democratic Sudan, instead opting for self-determination and future independence of Southern Sudan as their rallying cry.

Despite its thirty different militias officially swearing allegiance to Machar, the SSDF never showed the internal coherence required to realize its full military potential. One of its most powerful commanders, Paulino Matip, found himself frequently at odds with Machar's leadership, up to the point where his forces raided Machar's home town of Leer. Other militias, such as the Equatoria Defence Forces (EDF) and those under the command of Gordon Kong, Klement Wani, Ismael Konye and Gabriel Tang-Ginye, were also only nominally taking orders from Machar. The majority of militias came from the Greater Upper Nile region, which nowadays consists of Upper Nile State, Jonglei, and Unity State.

Notwithstanding their internal differences and weaknesses, the various components of the SSDF did constitute a considerable fighting force, able to match the SPLA on the battlefield. SSDF forces controlled the strategic oil fields of Unity State (and were responsible for driving much of the local population away) and provided security to SAF-controlled garrison towns in the South. The SPLA's lack of military superiority, combined with the lack of roads and subsequent inaccessibility of large parts of Southern Sudan, meant that a purely military solution to the conflict, both between the SPLA and SAF and between the different Southern factions, was always out of the question. Garang understood this and knew he had little choice but to try and unite different Southern opposition forces if the SPLA was to stand a chance against the NCP regime. After behind-the-scenes negotiations, Machar re-joined the SPLA in 2002 and was given a senior command position. Lam Akol, who himself had split off from the Machar earlier, followed suit one year later (Young, 2006).

The SPLA during the CPA period (2005–2011)

The 2005 Comprehensive Peace Agreement (CPA) between the SPLA and the NCP government in Khartoum marked the start of the interim period that would lead up to the referendum on South Sudan's

4 \ To many militia leaders, fighting was not about the broader political conflict, or even about the clash between the SSDF and the SPLA, as their main constituency was their own clan or tribe, with their young male members the main source of new militia recruits. Many of the youth would share time between joint operations with the militias and cattle keeping or cattle raiding—another form of interethnic conflict that had only limited links to the broader political conflict (Leff, 2009). The Nuer White Army was and is a prime example of this sharing of objectives, with their participation in Riek's ventures usually of limited duration and based on a temporary convergence of interests with the SPLA-IO (Young, 2016, p. 12).

future. At the time, it was far from certain that Khartoum would actually allow the referendum to take place, let alone that it would allow the South to secede. A few weeks after the signing of the CPA, John Garang died in a helicopter crash. His deputy Salva Kiir Mayardit took over his positions as the leader of the SPLA, as President of Southern Sudan and as First Vice-President of Sudan. Rick Machar became the Vice President of the government of Southern Sudan and the Sudan People's Liberation Movement (SPLM) Co-Chair of the Joint Executive Political Committee.

The CPA mandated the establishment of joint integrated units (JIUs), which were to be composed of SPLA and SAF elements. These units were supposed to form the nucleus of the new, integrated security forces of the autonomous South Sudan. However, as it turned out, although the JIU would use a shared command structure and shared barracks, there was little interaction between the forces on the ground, and each side would take orders only from its own headquarters in Khartoum or Juba. During the CPA period, they played no role in the maintenance of law and order in South Sudan and remained largely confined to their barracks.

This situation was only compounded by the 2006 Juba Declaration that led to the full integration of the remaining SSDF elements into the SPLA. Paulino Matip, the leader of the SSDF, was made Deputy Commander in Chief of the SPLA, nominally second only to Salva Kiir. The role was outside of the formal hierarchy structure of the SPLA though, and relations between Matip and Kiir were sometimes rocky, culminating in Matip accusing Kiir of trying to have him assassinated (Garang, 2009).

The Juba Declaration was part of Salva Kiir's 'Big Tent' policy, meaning that instead of fighting the militias, Kiir opted for integrating them into the ranks of the SPLA, assigning their leaders various command posts and artificially inflated its payroll. In the end, this led to a bloated military structure.⁵ The balance

5 \ It has often been stated that there were no alternatives to transforming the SPLA into South Sudan's national army. This is not quite correct—following the end of Liberia's civil war in 1997, the UN demobilized more than 100,000 members of the different armed groups (Paes, 2005).

between the number of officers, non-commissioned officers (NCOs) and enlisted men was lost to the extent that South Sudan's army reportedly boasted, apart from one hundred major-generals 'uncountable brigadier-generals'.⁶ The SPLA general headquarters and units were filled with high-ranking officers, often without the corresponding troops numbers but including the commensurate salaries and other privileges.⁷

Despite their formal integration, the different factions within the SPLA remained just that—factions. Ethnic integration and mixing of units did take place to a certain extent, and there were attempts to relocate former militia leaders to parts of the country other than those where they would come from, but to little avail. Soldiers would show limited respect for central command as they continued to take orders given by their own leaders, who were also the ones paying out their salaries. Because the majority of integrated militias originated in the Greater Upper Nile area, this meant that particular ethnic groups, especially the Nuer, were overrepresented in the army. Given the dominance of Dinka, the traditional core constituency of the SPLM/A, in other government positions this meant that smaller ethnic groups, particularly those from the Equatoria region were clearly underrepresented in powerful positions, leading to grievances persisting until the present day.

When Liberia's new national army was formed in later years, none of the former combatants were allowed to join, which resulted in the fact that effectively a new military force was created from scratch, untainted by the patronage networks of the past. This clean break with the past undoubtedly contributed to the relatively stable political development of the West African nation in the past two decades. But this successful policy came with high political (essentially turning Liberia into an UN protectorate) and financial (a large peacekeeping mission) costs. In South Sudan, the international community has not been willing to pay such a high price

6 \ According to former SPLA Chief of General Staff James Hoth Mai in testimony to the AU Commission of Inquiry on South Sudan (CoI) (Africa Confidential, 2015). The final version of the CoI report had Hoth Mai's name redacted from the piece. The number of generals has further risen since the statement was made, following numerous promotions by both the SPLA and the SPLA-IO.

7 \ In addition to fairly high salaries (by regional standards), senior officers in the SPLA enjoy free housing, unlimited access to government vehicles as well as educational and health care benefits for themselves and their families.

The integration of different militias into the SPLA had a ballooning effect on the number of soldiers and officers. Estimates vary considerably, but many claim the figures between 2005 and 2009 would have ranged roughly between 140,000 and 190,000 women and (mostly) men (Global Security, 2014). All commanders had an interest in misrepresenting these figures, as it would mean effectively being in command of a larger army and thus being entitled to higher ranks and more government salaries. Many of them therefore were ghost soldiers, i.e. people (often related to senior military leaders) receiving a salary without actually wearing a uniform or, in some cases, they even used purely fictitious names. A leaked US Cable from the Khartoum embassy in 2006 quotes a military contractor saying that the actual number of combat-ready forces at the time was in fact 45,395; 4,599 of them officers (Wikileaks, 2006).

This means that the number of 180,000 men used as the basis of the initial DDR programme (see below) was never a realistic one. With a planned electronic pay-roll system never fully adopted and a lack of biometric data, there has never been an accurate financial administration in the SPLA. Salaries are high compared to other public service jobs, and that difference further increased when in the run up to independence, President Kiir decided to almost double them. As a result, security sector expenditure skyrocketed. Military expenses already accounted for roughly 40 per cent of the government budget, but actual expenditure was likely much higher, reaching almost 60 per cent. Spending on the security sector is even larger and as a share of total government expenditure has only increased. Although exact figures are not available, security spending at the time of writing should amount to over 80 per cent.⁸

Although the SPLA never was the force it was supposed to be on paper, it did grow following the Juba Declaration and continued to do so as the Big

Tent policy was carried on targeting additional armed actors. After two more amnesties in the period from 2005 to 2011, additional militia leaders were integrated, with some, such as Peter Gadet and David Yau Yau, defecting multiple times, only to be reintegrated later.⁹ Reasons to walk away from the SPLA would generally include dissatisfaction with ethnic marginalization (David Yau Yau, Johnson Olony), election results (George Athor, again Yau Yau), lack of a political appointment (Gatluak Gai) or ranks offered in the SPLA (Gadet).

These militia leaders were very successful at recruiting fighters among the members of their own ethnic group, the majority of whom joined voluntarily. The dire economic situation (high inflation, lack of employment opportunities) meant that integration into the SPLA became a highly attractive option for local youth who had joined the ranks of militias. It provided a relatively reliable government salary that was significantly above what an (usually) unschooled and illiterate young man could hope to earn in a government job. Disaffected youth also had little alternative, as in South Sudan there are very few private sector jobs. In addition, most militias would only operate in their home region, doubling as a local security provider.

This made the challenge for DDR programmes in the country so daunting. They were up against a system in which many youth had no education or formal skills, no work experience outside the militias, and in which youth traditionally have a very strong role as providers of protection to their communities, particularly those with combat experience. To offer incentives that would outweigh those factors would always be an enormous challenge.

8 \ This is partially because the size of the national security service (NSS), and therefore expenditure, has increased dramatically since the outbreak of the civil war. Expenditure is difficult to monitor as it falls under the classified budget for the Office of the President (UN Panel of Experts, 2016). NSS has, since its inception, largely been left out of any discussion related to SSR and DDR.

9 \ Many of the more prominent current commanders have a background as militia commanders integrated into the 'regular' forces of SPLA and IO, such as Shilluk General Johnson Olony and Bul Nuer General Matthew Pul Yang.

South Sudan's Armed Forces after independence (2011)

After a large majority voted in favour of Southern independence in the 2011 referendum, the Republic of South Sudan became an independent state on 9 July 2011. Following independence, many diplomats, particularly from Western countries, noted how the government's stance towards them had changed. During the CPA-period, the government needed the international community to exert pressure on Khartoum not to block the referendum as well as technical and financial support to its newly created institutions. South Sudan, its rulers said, was a 'baby nation' that needed help until it was able to walk on its own two feet. After 2011, and particularly after South Sudan's 2012 attack on Sudanese forces around Heglig (an area most diplomats acknowledged to be part of Sudan), this honeymoon was over. The donors were swift to issue condemnations for the alleged invasion of Sudanese territory, leaving the South Sudanese puzzled as to why the West would back the same regime they had up to now only vilified. By that time, the government had gradually become less and less interested in the critique of its human rights record and addressing the burgeoning corruption, which donors expressed concerns about, but they were never willing to genuinely push back. It was the beginning of a rift nonetheless.

For a long time, these political differences did not translate into diminished financial and technical support. In fact, international involvement in the state-building project would only grow after 2011. Billions of funds were channelled through donor trust funds that were supposed to build the capacity of a wide array of new institutions: Line ministries, independent authorities, the newly established police, wildlife and prisons services, inexperienced or non-existing local government at four different levels, the bicameral parliament and the Bank of South Sudan.¹⁰ International technical advisors would draft

new legislations and regulations, the underlying principles of which frequently clashed with existing cultures based on trust, oral communication and limited individual accountability. The new rules required changes in behaviour and structure beyond what could realistically be expected from civil servants who had only received limited tertiary or even secondary education and had not necessarily been appointed on the basis of merit.¹¹

The result was that many of the new bodies showed an outward appearance of a respectable institution with ministers, directors, stamps, seals, letterheads and an ever-increasing number of rules and internal procedures in place to guide the institution in a fair, accountable and transparent manner. However, actual decision-making would take place behind closed doors, and many offices would effectively exist in order to distribute jobs, cash, and power—a process described as isomorphic mimicry (Larson et al., 2013).

Budgeting for the security services was a primary example of this process: The 2011 budget allocation for the SPLA, police, wildlife and prisons service amounted to an already staggering 40 per cent of total expenditure (De Waal, 2014). However, actual spending on the security sector turned out to be closer to 60 per cent. Despite the enormous discrepancy, the Minister of Finance was never questioned in parliament why procedures and restrictions on budget overspending, drafted in close collaboration with donors, had been so egregiously violated.

The budget was never used as a benchmark, as money was spent on the basis of what was available, not what was budgeted for. This in turn was primarily a function of oil production and international prices for crude oil. Intentionally or not, the budget process became a charade, designed to provide a front office for willing donors.

Some diplomats looking for systems and structures they recognized and understood were fooled by this elaborate ploy but others who did recognize the

10 \ The USAID website allows tracking of the amounts spent by the US government (by far South Sudan's largest donor) in assistance to South Sudan. For example, in 2006 this was US \$213,778.00. In 2013 it was US \$627,074,958.00. Apart from humanitarian aid (left out in the 2006 figures as Sudan was still one country), this was mostly spent on governance (USAID n.d.).

11 \ The Gurtong website lists the wide range of completely new laws of South Sudan adopted either in the interim period (2005-2011) or after independence in 2011 (Luak, 2016). Most are neither widely distributed nor read and have little meaning outside of Juba, such as the Personal Income Tax Act, or the Public Premises Eviction Act.

problems, believed it was a necessary step on the ladder of institutionalism: That as the rule-making process intensified it would increasingly exercise pressure on the government to put limits on the excessive corruption, nepotism and limited accountability. There was very little hard evidence to back up this theory.

The SPLA was the quintessential example of outward appearance without substance. The different integrated militias were now formally part of the same national army that was supposed to protect the nation and its people. In slogans, billboards, and government propaganda, the SPLA was portrayed as the country's unifying defender, ready to withstand attacks from the North that would pose a threat to the South's newly won autonomy. The newly born nation did indeed desperately need some form of unity, and the SPLA was probably the closest thing to a national institution—one potential explanation why the SPLA-IO sticks so stubbornly to its current name. Undermining the SPLA's prestige by acknowledging parts of its past or exposing its flaws (including massive corruption) became tantamount to undermining Southern unity and thus the entire independence project. Paulino Matip, upon his death in 2012, was hailed by the government as a man known as a 'champion of peace and reconciliation', glossing over the fact he was well known for the deliberate targeting and killing of civilians around the oil fields in Unity State when he was on the payroll of the government in Khartoum (BBC, 2012).

The Big Tent policy created the impression that whether or not one was punished or rewarded for opposing the government in Juba depended on two factors: Political ambitions and military effectiveness. As long as a militia's activities were of a small scale and had little broader political implications, the SPLA would attempt to fight it—with the intensity of its actions fluctuating. Smaller militias spent long periods of time fighting the government with differing degrees of success, mostly involving control over or the ability to move around rural areas of little strategic importance. Large-scale fighting would only rarely occur.

However, larger, more powerful commanders who threatened core government interests would be accommodated. The logic was that instead of using the SPLA to counter a threat on the battlefield, it was the act of incorporating the rebel commanders and their men that would serve to neutralize the threat. Matip was integrated because in the wake of the CPA the newly established government of Southern Sudan was struggling to establish its legitimacy and, for the first time, would lose revenue as a result of the actions of Matip's forces around Unity State's Thar Jath oil fields. The next round of amnesty, to which Peter Gadet and David Yau Yau responded, came in the run-up to the referendum, followed by another one during President Kiir's independence speech almost one year later. The latest example was again the integration of David Yau Yau in 2014 and the establishment of the Greater Pibor Administrative Area to accommodate him. In 2013, Yau Yau had been almost the last remaining rebel, and the government seemed in no hurry to sign a deal with him, instead sending out SPLA units to push his forces out of the Pibor area. However, the outbreak of civil war forced its hand as the government could not fight two major rebel groups in Jonglei State at the same time.

Other, less overly political outbreaks of fighting that would regularly occur were hardly seen as a central government concern, particularly inter-ethnic cattle raiding.¹² Senior government of Southern Sudan politicians and SPLA commanders would facilitate this form of violence by distributing arms and ammunition to their constituencies in return for cattle and status. Some would use their control over SPLA units as a tool to loot and retaliate against other communities.

12 \ Interethnic cattle raiding, however, was at least as frequent and could lead to a greater number of casualties than violent acts that had a more over political motivation. Over the Christmas and New Year period of 2012, an estimated 8,000 Lou Nuer marched on the town of Pibor in Jonglei, threatening to "wipe out [sic] the entire Murle tribe from the face of the earth" (Human Rights Watch, 2012). Moreover, although cattle raiding has existed for a long time in South Sudan, prior to the outbreak of the conflict in December 2013 it had already taken on increasingly violent ethnic overtones, with women and children the targets of abductions, rape and killing.

To counter local level violence, international organizations and NGOs promoted local peace conferences and conflict-sensitive development programmes. Whereas some donors understood the need to involve local armed actors, particularly in the CPA period, after 2011, most would exclusively approach such projects from a developmental point of view, not wanting to involve the SPLA or other armed groups.

Instead, local security was deemed the prerogative of the police. Despite the fact that the newly established police (as well as the wildlife and prisons services created at the same time) were, especially in their early days, used entirely as means to formally reduce the size of the SPLA while retaining a reserve that could be called upon in times of crisis. The South Sudan National Police Service (SSNPS) were primarily stationed in urban areas and their reach beyond country headquarters (one administrative level below the State) ranged from limited to essentially non-existent (van de Vondervoort, 2014).

The SSNPS neither had the means nor the political backing to deal with most cases of high-intensity interethnic conflict. Instead, the conflicts would be allowed to fester until the SPLA was sent in to forcefully disarm perpetrators, which frequently resulted in widespread human rights abuses and the loss of life at a large scale. The commonly held view in South Sudan that the SPLA sided with certain ethnic communities at the expense of others during those conflicts created further grievances and contributed to the outbreak of civil war in December 2013.

Security sector reform (SSR) and DDR: Lessons learned

Security sector reform in South Sudan: An uphill battle

International support

The fact that the SPLA was not sufficiently internally streamlined and reconciled made security sector reform (SSR; sometimes called security sector transformation) an incredibly difficult undertaking from the start. The term itself misrepresents the actual situation as the country was actually tasked with security sector construction, not reform.

Structural international support for the security services mostly targeted the SPLA and SSNPS (wildlife and prisons services and the fire brigade were of secondary importance). Interventions followed the two traditional approaches to SSR: Increasing the accountability of, and democratic control over the armed forces and increasing its operational efficacy.

The first component (mostly supported by European countries) would include developing a national security policy and legislation covering the armed forces; training on human rights, strengthening the oversight role of parliament and civil society, building the capacity of the military justice system and increasing transparency over military expenditure. Major players in this field were the United Nations Mission in South Sudan (UNMISS through UNPOL and its SSR section), UK consultancy firm Adam Smith International (ASI; funded by the UK Department for International Development), Switzerland (which had an SSR team based at the SPLA) and Norway. Implementing partners conducted trainings, had mentoring programmes and provided equipment to strengthen transparency and accountability within and over the different security services.

The other component of internationally supported SSR, roughly speaking falls under 'train and equip' or 'enhance and enable' programmes. Such programmes were aimed at strengthening the operational capability of the SPLA to fight a foreign enemy, mostly the kind of military-to-military confrontations between South Sudan and the Republic of the Sudan that SPLA operational doctrine was designed for. The United

States in particular had a strong presence at Bilpham, the SPLA headquarters near Juba. A team of contractors paid for by the US State Department was helping the SPLA to internally restructure i.e. its operations, administration, logistics, engineering and setting up military training schools. In general, the US assistance programmes were multi-year, multi-million dollar endeavours that in financial volumes eclipsed all other SSR programmes—notwithstanding the fact that there was no direct provision of military equipment (Sudan Tribune, 2013). Sometimes, the two components (accountability and enhancing effectiveness) were integrated in the same programme. This, for example, was the case with the ASI project, which included mentoring and advice on strengthening operational capacity, as well as providing training to civil society and parliament on how they could hold the security services to account.

Increasing oversight and accountability

SSR as a concept makes a clear distinction between the civilian and the military realm, with the latter being accountable to the former in the form of the Ministry of Defence, the president, and ultimately, parliament. In South Sudan, this distinction has never existed. As outlined above, civilians frequently participate in military-style campaigns. Conversely, even regular soldiers (of either side) generally live with their families and are only on duty part-time.

At the political level, most elites with any influence on security policy have a background in the SPLA-(IO), and most will proudly continue to call themselves 'General', despite no longer serving in the army. The SPLM has not been so much a political party with a military wing, as the SPLA has been a military force with a political party, making civilian control over the military a paper exercise.¹³ Outside oversight of the security sector has been equally spurious. Civil society is, generally speaking, weak and

¹³ \ The strongest example of this reality in South Sudan was arguably (inadvertently) given by Salva Kiir himself. When after the outbreak of fighting in Juba in 2013 he made his first address to the people, his main pitch was that Riak Machar had attempted to take control of the country by use of force, overthrowing a democratically elected government. For the occasion, he chose to wear a military attire.

divided, with some of the most vocal opposition forces simply not heard as they were never members of the SPLA-(IO) and thus have ‘no right’ to speak up against those who ‘liberated the country’ in the view of the country’s political elite.

Against this background, donors were in a bind when having to prioritize either operational effectiveness or strengthen accountability. Reform of the security services on the scale envisaged for South Sudan would have to go hand in hand with reduced operational capacity as soldiers and commanders would have to get used to new procedures, rules, and command chains. Troops would have needed to be withdrawn from the frontlines for retraining, other units relocated across the country at significant expense. This at a time, when the threat from the government in Khartoum was perceived to be very real. Many individual commanders, especially former militia leaders, would often be reluctant to engage enemies outside of their areas of origin as they had little to gain from such operations, except when acting as a proxy forces on behalf of tribal interests.

In recent years, the National Security Service and SPLA Military Intelligence in particular have begun to intimidate, harass, jail, assault and likely kill critics of the security services and the government in general (OHCHR; 2016). Reflecting on recent events therefore begs the question whether an operationally effective SPLA without commensurate progress in increasing accountability and transparency would have been a desirable outcome. The security forces have been used increasingly as tools to exercise control and defend core elite interests against the general wellbeing of the population. These interests included power, access to resources (land, cattle) for privileged communities, prestige or (faced with threats from Sudan, powerful militias, or crime inside Juba) the ability to appear as a functioning state.

The patronage network

Continued access to government coffers is another key elite interest the SPLA needs to defend. The GoSS and the SPLA in particular, function as highly

centralized patronage systems. The fact that the government had direct control over more than 90 per cent of its revenue through the oil pumped up in the Greater Upper Nile region meant that being part of the government implied a chance to partake in this system. The oil wealth flowed directly into the government coffers and was distributed largely through the military, which absorbed most of it in salaries or arms procurement. With little alternative options to access wealth (cows are generally not sold for cultural reasons) or jobs, the government and the SPLA became the two central nodes in a gigantic patronage network, effectively choking off all alternative options for businesses or industry to thrive.

Individual commanders in particular had a personal interest in keeping administrative control at the unit level. The Ministry of Defence does not have an accurate system to register the number of soldiers and officers. Commanders have an incentive to keep it that way as artificially inflating numbers allowed them to pocket the salaries of so-called ghost soldiers. They therefore would block donor reforms that aimed to increase operational effectiveness and financial transparency by introducing a salary payment system linked to biometric data.¹⁴

The insecurity about force size has persisted up to today. Only recently did South Sudan’s Presidential Advisor on Military Affairs, Daniel Awet Akot, reveal to the South Sudanese media that there was no reliable data available outlining the exact numbers of soldiers in the country and that the number of ghost names on the SPLA payroll may be even higher than that of the actual soldiers (Eye Radio, May 2016).

The history of fighting, rebellion and integration in effect led to a divided, ineffective army that was an enormous burden on the national budget. However, the system was organised in such a way that no individual would be able to change it without upsetting

¹⁴ \ Uncertainty about the real strength of the army has been an important factor in the recruitment drive that occurred in the wake of the outbreak of hostilities late 2013. After it was hit by a wave of defections the army had little knowledge of the effective forces it still controlled. The safest bet was to start a large-scale recruitment drive in government-friendly territories and to buy as many guns, helicopters and armoured vehicles as possible.

the balance. Bringing genuine command and control, as well as accountability to the armed forces risked upsetting the shaky bargain between Southern elites on which the SPLA's internal stability was based. As one international UN staff member observed when talking about DDR: "Those Kiir is willing to get out of the army are the ones he does not control, and those he controls he is not willing to get out of the army".¹⁵ And as long as the oil kept flowing at least everyone was benefitting.

But in 2013, political rifts within the SPLM started to become public, and a coalition of powerful members of the SPLM Political Bureau, led by Machar and by John Garang's former wife, Rebecca, spoke out against the President, who in turn called upon his own military strongman, the then Governor of Northern Bahr El Ghazal and current Chief of Staff, Paul Malong, to recruit Dinka youth from Bahr El Ghazal to serve as a paramilitary force. This force, the Mathiang Anyoor, including its equipment, training and supply existed completely outside of the former army structures and without permission from the then Chief of Staff, James Hoth Mai. The Mathiang Anyoor played a crucial part in the ethnic violence that swept the city in December 2013, once again proving that ethnicity and power politics remained dominant factors in the South Sudanese military-political landscape.¹⁶

Disarmament, demobilization and reintegration in South Sudan

Flaws and challenges of the CPA DDR Programme

As mentioned earlier, as a means to create an enabling environment for human security and favourable conditions for peacebuilding, the CPA foresaw a DDR programme to be led by national institutions (Turyamureeba, 2014, p. 1). Although the DDR process was set to start by mid-2005, shortly after the signing of the CPA, the full-scale DDR programme was only

launched in 2009. This delay was due to the prevailing instability and external threats from Sudan, difficulties in deploying an effective UN presence and establishing national DDR institutions and, crucially, a lack of internal consensus on what DDR in South Sudan should look like. The biggest challenge was that South Sudanese politicians assessed the economic situation of the country and saw hardly any attractive economic reintegration opportunities for the members of SPLA outside of the armed forces. The government at the same time did not improve the economic situation, which it could have done by investing the riches at its disposal in facilitating job creation outside of the public sector.

Due to this lag in implementing a full DDR programme, the window of opportunity provided for by the CPA was closed by the time DDR/SSR efforts finally took off in mid-2009. Whereas the soldiers of the SPLA received no significant salaries and were frequently under-supplied during the time of the 'struggle', after 2005 they started to receive comfortable salaries to provide for themselves and their families. DDR practitioners—despite significant financial commitment by the international community—had difficulties in developing a programme that would offer sufficient incentives for people to leave the army. Voluntary DDR was, for very evident reasons, simply out of the picture.

In the end, the CPA-DDR programme that had aimed at demobilizing 90,000 combatants in the South (and another 90,000 combatants in other parts of Sudan), only demobilized 12,525 individuals, a fraction of the intended caseload, and made no significant contribution to 'right-sizing' (i.e. downsizing) the armed forces. As mentioned earlier, the army continued to grow, and so did the total expenditure on the security forces.

Criticism also emerged regarding the eligibility and verification process that these individuals were subjected to. At times the master list (detailing those formally enrolled in the programme) would not correspond with information obtained on the ground or wrong names would be used on IDs. The means to rectify these shortcomings were limited as reliable

¹⁵ \ Author conversation with former UNMISS DDR staff (March 2016).

¹⁶ \ The outbreak of the violence in Juba has been investigated extensively in particular by the AU CoI, as well as the UNMISS Human Rights Division (2014). The existence of the Mathiang Anyoor was first publicly reported in a Radio Tamazuj investigative article (9 March 2014).

points of reference (such as military ID cards) were absent. Given these shortcomings it seems likely that a fair number of ineligible people were able to get their name on the demobilization lists produced in the CPA period.

Despite calls from the international community for greater accountability, the SPLA did not make any serious attempts to improve candidate selection and screening. The unwillingness to tackle this problem was only a symptom of the deep-rooted rejection of the CPA-DDR programme, which was perceived by the SPLA more as a risk to security than a factor contributing to stability. This was likely due to the fact that, as former rebels were integrated who often had no background in the SPLA and limited training, the sitting SPLA leadership did not want to further dilute the share of the total force they actually controlled (and trusted) by selecting them for DDR.

Due to SPLA's limited will and intention to downsize its active-duty forces, many efforts to implement DDR were only pursued half-heartedly. Instead, the commanders used DDR as an expensive social benefits programme for a limited group of people (HSBA, 2011a). Mostly special needs groups were targeted, such as underage soldiers, the disabled and the elderly as well as women associated with armed forces (WAAF), and these were usually not on military payroll.

Largely resulting from the military's lack of support for the process but also due to the foundation that was laid by the CPA, DDR as a concept was not connected to the overall security sector transformation process. The programme's objectives were mostly limited to social and economic reintegration, and it had little impact on stabilization and security in the country. At demobilization, ex-combatants would receive a reinsertion package consisting of food for three months, cash (800 Sudanese Pounds) and non-food items (such as blankets, buckets, etc.) from UNMIS. In the following reintegration phase, DDR participants were then offered a civilian training programme for life skills and a literacy and numeracy training. They could moreover choose from the following reintegration

options: agriculture and livestock, small business development, vocational training and accelerated learning.

Disarmament as such was no integral component of the CPA-DDR programme. At the point of pre-registration, programme participants (those who had indeed owned a weapon, this excludes WAAF) had already been disarmed by the SPLA. This implied that the international community not only had very little understanding of how the actual disarmament was done but also was not aware of what happened to the weapons that had been collected from individuals taking part in the programme. There was no international oversight of the disarmament process (STHLM Policy Group, 2010).

Overall, the programme's impact on the lives of the DDR participants remained very limited. While the programme was in line with UN DDR principles at the time, it was hardly adequate for the South Sudanese context—for starters, the beneficiaries were already in their communities when the programme began, so they had little need for the non-cash elements of the reinsertion package. As a result, makeshift markets appeared outside of the gates of the UN demobilization sites, where beneficiaries sold the items received just hours earlier, often at a considerable discount to what the UN had previously paid. The same was true for reintegration assistance, which was often delivered with a significant delay (six to eight months after demobilization)—the educational programmes were too short and too superficial (usually not exceeding a few hours of learning per day over a maximum of six weeks) to enable most beneficiaries to significantly improve their socio-economic situation.¹⁷ This was mostly due to the programme's insufficient linkages to the different local economic and social realities, lack of entrepreneurial skills, limited employment opportunities in the

17 \ It should be noted however, that most beneficiaries stated that they were satisfied or even very satisfied with the quality of the training received, according to client satisfaction surveys conducted by UNDP and its implementing partners. Having said that, these surveys do not independently measure the impact of the programming in terms of improving the socio-economic situation of the beneficiaries, nor did they allow the stakeholders to measure the cost efficiency of the programme.

country, insufficient start-up capital, inadequate agricultural extension services as well as difficulties to access land that could be utilized for entrepreneurial activities (BICC, 2013).

The conceptual disconnect between DDR and the military was further accelerated by the fact that the CPA-DDR programme was steered by a civilian institution, the South Sudan DDR Commission (SSDDRC, from 2013 onwards National DDR Commission, NDDRC). Created by presidential decree, the Commission, which has been led since 2009 by a former UN employee, Canadian-South Sudanese William Deng Deng, was designed to act as an interface between GoSS, the different UN agencies and the donor community. However, the Commission has only very limited access to the senior SPLA leadership, which is in charge of security policymaking.

To make matters worse, the Commission's relations with the international counterparts working on DDR matters in South Sudan were at times problematic. Even though the SSDDRC, on paper, had been created to design, implement and manage the DDR programme, in reality, the government had only limited control over implementation and resource management decisions. The SSDDRC felt that it did not really own the process and was often merely a bystander of what was supposed to be a GoSS programme. The United Nations Development Programme (UNDP) administered the donor funds, while other international partners (like GIZ or IOM) as subcontractors actually implemented it. Almost all international funds were channelled through UNDP structures, which meant that the SSDDRC had no real budget lines for executing the programme it supposedly owned (STHLM Policy Group, 2010). While donors committed very significant resources (according to some estimates in excess of 130 million US dollars) to the CPA DDR programme (which included DDR activities in Sudan, in addition to the current territory of South Sudan) between 2009 and 2011, financial management and international oversight were weak. An internal UNDP audit

confirmed that both procurement and hiring procedures had been violated, while significant assets had disappeared.

Combined with the very limited effectiveness of the programme, the discontent of the donor community was responsible for ending demobilization in South Sudan in April 2011 (the programme continued in the rest of Sudan for several years thereafter). Since November 2010, the UN and the DDR commission had started planning for a new DDR programme, which would take into account the lessons learned during the CPA phase and would allow for real national ownership while implementation of the reintegration components of the CPA-DDR programme continued until late December 2012.

DDR (pilot) programme

Talks between the SSDDRC and the SPLA about the design and objectives of the new DDR programme in the Republic of South Sudan started at the end of 2010; from April 2011 onwards, the discussions also involved the United Nations partners, UNMISS and UNDP, as well as members of the donor community. BICC also provided technical advice in the context of a project commissioned by the German Federal Foreign Office. On 23 September 2011, as a result of these strategic talks, a national DDR policy document was developed and approved by the South Sudanese Council of Ministers. The DDR policy served as the foundation for the subsequent development of the DDR strategic plan (2012-2020) and the programme document, which would serve as guides for the planning and implementation of the new DDR programme. In order to boost national ownership of DDR, the new programme was guided and supervised by GoSS with the SSDDRC taking the lead.

The official aim of the new DDR programme was to assist in significantly downsizing South Sudan's security forces, thereby reducing the fiscal burden on the government. During the period 2012 to 2020, the strategic plan foresaw to demobilize 150,000 people; 80,000 SPLA soldiers as well as 70,000 members from other organized forces (wildlife, prisons services and

the police).¹⁸ The idea was to first test the chosen implementation approach by conducting a pilot targeting 4,500 people and setting up one transition facility in each of the Greater regions (Greater Bahr el Ghazal, Greater Equatoria, and Greater Upper Nile). This number was anticipated to increase incrementally in the subsequent years; the aim was to build ten transition facilities in all of the ten states of South Sudan. All of the target beneficiaries were supposed to be active-duty members of their forces and on payroll. With this objective, DDR planners responded to the major criticism phrased in the CPA period about the DDR programme's ineffectiveness in contributing to the reduction of military expenditure.

However, faced with enormous financial and logistical constraints in setting up the first transition facility in Western Bahr el Ghazal, the envisioned pilot of 4,500 ex-combatants was scaled down to a pilot of 500 people in one transition centre in Mapel (Western Bahr el Ghazal). Donors and implementing partners understood that in the planned fashion, the DDR programme would not be fundable and implementable in the given timeframe. The scaled down pilot was conducted with the overall aim to test reintegration approaches and modalities and to develop actionable lessons that would inform and improve future DDR programming (Jinghua Zhou, 2014). The pilot programme was implemented by UNMISS (responsible for the Mapel facility as well as for some reinsertion activities) and the World Bank (responsible for the reintegration component) with funding coming from the DPKO mission budget and from the German Federal Foreign Office. In contrast to the CPA phase, GoSS continued to pay the salaries of the ex-combatants for a period of one year, which certainly helped with the transition from military service to civilian life.

In the end, the participants selected by GoSS to join the DDR pilot process only included 292 individuals from SPLA's war wounded heroes department

(the *de facto* veteran's administration), who had been pre-selected by the SPLA to go through the DDR programme. The reasons for the smaller than anticipated caseload were twofold: 1), the SPLA, when asked to present a master list, failed to present sufficient suitable candidates, 2), some people who were sent to the transition site, when checked against the payroll data presented to the DDR commission in Juba, failed to meet the set eligibility criteria. This on the one hand shows that some of the screening mechanisms that were put in place in the aftermath of the CPA-DDR programme had started working. At the same time, however, this also exemplified the persisting lack of support from the SPLA, even at a time when GoSS was in name taking the lead in the implementation of the DDR programme.

The establishment of a new higher-level political authority, the National DDR Council did not change much in this respect. The Council was put in place to oversee the DDR process, to ensure that the DDR programme would get the necessary backing from the military and political elites, and to interlink DDR with programmes of other line ministries. However, the procedures involving the Council turned out to be lengthy. At times it would take the SSDDRC very long to get the Council to meet and take strategic decisions. In the end, therefore, one major problem identified in the CPA-DDR programme persisted even in the new DDR programme: The slow work of the DDR Council coupled with limited support, particularly of the SPLA, turned DDR more into a technical exercise than a political endeavour (supported by the military) to help build a fundamentally different security system in South Sudan.

As for the disarmament part, the pilot faced similar challenges as the CPA-DDR programme. The fact that the pilot targeted war wounded heroes implied that the participants had in fact handed in their weapons long before entering the programme. In this sense, there was again no arms control element connected to the DDR process. This was despite the fact that the DDR policy had made very explicit that

18 \ At that time, official government estimates of the SPLA's strength were as high as 220,000 soldiers, with at least another 120,000 members of paramilitary and police forces. In retrospect, these numbers were certainly significantly inflated due to the presence of 'ghost soldiers' in those formations.

disarmament should be the first step in the implementation of DDR. According to the DDR policy, the SPLA and other security forces were anticipated to issue a plan for the collection or retrieval of weapons and ammunitions held by combatants selected for DDR. The destruction of unusable weapons and ammunition was—at least on paper—to be conducted under the supervision of the international community. Since the programme only targeted war wounded heroes and was suspended after the outbreak of civil war, it never managed to broaden its scope to include a disarmament component. That said, it is highly questionable whether the SPLA, with its history as a rebel movement in constant need for serviceable firearms, would ever have agreed to the disposal or destruction of a functioning rifle.

While most participants reported in post-training surveys that they utilized the training skills they acquired through the DDR programme (especially those that had attended agriculture and carpentry classes), some ex-combatants were unable to implement what they had learned in the course. This is because some skills taught in the reinsertion centre (e.g. driver training, masonry, plumbing) were simply not relevant for starting businesses in the rural communities of return (Finn/Breitung, 2014).

The decision to provide reinsertion trainings in a centralized facility like Mapel was mainly taken at the request of the SPLA, who deemed this approach most feasible. The Mapel experience has, however, well exemplified that this centralized, resource-intensive approach, whereby people are kept in assembly/transition sites for longer periods, is simply unaffordable and not feasible from a logistical point of view, especially if these sites are in very remote areas that are difficult to access.

This is not to say that the pilot did not consider decentralized community-based reintegration assistance. To the contrary, in accordance with the strategic plan, the initial trainings in Mapel were followed by reintegration support in the areas of return. The DDR documents envisioned this reintegration assistance,

which also included projects benefiting the larger communities (largely boreholes), to be implemented in line with broader national capacity development programmes. To the extent possible, the reintegration services (targeting individual ex-combatants and communities) had to be implemented through other line ministries utilizing national institutions and facilities, with the assistance of implementing partners. Although collaboration between the SSDDRC and the line ministries were rocky in the beginning and remained difficult at a national level throughout, important but small breakthroughs were made in working with the line ministries at State level (for instance, agricultural extension workers from the State line ministries facilitated trainings for ex-combatants). However, despite this progress, overall the DDR pilot—in the same way as the CPA-DDR programme—still appeared to exist in an isolated area of programming. This was not so much a mistake made by the SSDDRC, which in fact desperately tried to coordinate and connect its pilot activities with other line ministries and the SPLA, but it was more a matter of lack of investment of political capital in the process and absence of political will to assign DDR a cross-cutting role in stabilization and peacebuilding.

What would have been needed in the first place to ensure that DDR could overcome this isolation and connect it to wider stabilization and reconstruction efforts was political and military buy-in. This, however, was never achieved, as DDR and SSR largely remained concepts demanded by internationals, to whom the SPLA and other opposition groups were not accountable.

The recent peace deal and its potential for security sector transformation

When looking closely at how the August 2015 peace deal is perceived by the South Sudanese government and opposition, mistakes from the past are bound to be made again. The peace deal in its current form is, like the CPA a decade earlier, a power sharing agreement that has largely been imposed on the South Sudanese by the international community. The conflict parties show little trust in the process, culminating in the most recent eruption of violence in July 2016. Prior to the new outbreak of fighting in the capital, observers noticed increased tensions between the conflict parties, with both sides threatening each other in direct encounters or via the media and fighting continuing in different parts of the country.

In view of the recent outbreak of violence and Riek Machar fleeing the capital, it is highly questionable whether the current deal and its underlying mechanisms of power and wealth-sharing can indeed bring the long awaited sustainable peace to South Sudan. Although for the moment, the South Sudanese and the international community still appear to hang on to the document, its utility is increasingly put into question not only because of the recent eruption of conflict but also because of the terribly slow implementation of the document's provisions, particularly the security arrangements, in the past months.

In an unstable situation like that of South Sudan, time is of essence. Unfortunately, after the signing of the peace deal, the international community took too long to exert meaningful pressure on the principals to implement it. The fact that Riek Machar returned to Juba in April 2016, a starting point for its implementation, was only a result of very lengthy diplomatic negotiations. While the CPA was hugely criticized for doing 'too little too late' in terms of security sector reform and DDR (Nichols, 2011), one can see a similar tendency with the present peace deal. For instance, the Strategic Defence and Security Review (SDSR) Board that, according to Chapter II of the deal, should spearhead and provide the roadmap for the security sector transformation process (including details for unification of the army and security forces, future command, function, size and composition of the

army, and the subsequent DDR/SSR process), has only met several times and is regarded by observers close to the process as not functional. Just days before the outbreak of the conflict in Juba, the SDSR board was still assessing the requirements of the National Defence Forces of South Sudan (stage I of the Strategic Defence and Security Review), a process that was initially supposed to last for four months only (author interviews conducted in Juba in June 2016).

Other institutions foreseen by ARCSS¹⁹ are equally crippled and lag behind the envisioned implementation scheme. The Joint Military Ceasefire Commission (JMCC) that is supposed to coordinate activities around cantonment, for example, is not functional either. The Area Joint Military Ceasefire Committees (AJMCC) designed to address cantonment issues on the state level have not yet been established. At the time of writing, the JMCC had failed to present detailed plans that are necessary to coordinate movement of forces into cantonment and their upkeep at these sites. Meanwhile, fighting continues. The schizophrenia of the situation has been summed up neatly by the head of the JMEC, Festus Mogae who complained that the JMCC had been unable to continue its work since the government general chairing the body was too busy planning military operations against the Opposition (JMEC, 2016).

Major questions around the cantonment exercise, particularly the number and location of the sites, but also the eligibility of certain IO forces to participate in the process, have also not yet been answered. Even if the necessary political will had been available, it seems doubtful whether the conflict parties (and their international partners) had the technical skills available to do their job properly. The JMCC, for instance, will clearly need significant technical sup

19 \ It is noteworthy that the National DDR Commission that has played a key role in steering DDR activities in the past, is not listed in the peace deal amongst the commissions to be reconstituted (although it is mentioned at a later stage with regard to the demobilization of special needs groups). While the reasons as to why the NDDRC was omitted from the list of important commissions have not been stated publicly, it leaves the Commission in a state of uncertainty concerning its future role.

port to coordinate the activities required to manage forces in cantonment (screening, biometric registration, identification of child soldiers, etc.).

For the moment, cantonment is seen as an interim stabilization measure rather than a first step towards DDR. However, it will be very hard to dismiss individuals or lead them into a DDR programme once they are inside the sites as they expect being integrated into the security services. Neither the peace deal nor the subsequent security workshop managed to provide sufficient clarity regarding some of these elements, despite the fact that they are key to initiating cantonment and demobilization. The documents, for instance, neither mention eligibility criteria for cantonment²⁰, nor do they indicate the projected caseloads required to be cantoned and demobilized. Exact information about how many people are expected to be registered in the cantonment sites is also very hard to obtain. It seems likely that, as outlined before, even the main actors do not exactly know the exact size of their forces. Agreeing on these numbers will be a contested process, and it can be assumed that both sides will inflate the numbers to maximize expected benefits. This was already visible in late 2015, when youth recruited by the IO were moved up to the Sudanese border around Blue Nile State to prepare them for integration under the cantonment process. Another point that will require careful analysis in this respect is how to deal with the great number of militias (like, for instance, the white army) or other armed groups affiliated to both sides. The peace deal had not sufficiently addressed this point either.

The unresolved elements of the peace deal left room for the conflict parties to constantly re-negotiate cantonment issues and, at the same time, also played into the hands of hardliners on both sides who use the current state of suspense to further their own objectives. Over the course of the war, Kiir and his closest allies have integrated thousands of primarily Dinka youth into the security forces (UN Panel of Experts, 2016). Once the war is over, other communities

will demand greater representation in the army; both because their youth requires jobs and to increase their own security. The only alternative to expansion that can help achieve proportional ethnic representation, which is downsizing, would then disproportionately affect the Dinka groups who have over the last few years consistently been told they were needed to join and defend the country. Dismissing them in favour of mostly Nuer and Equatorians is almost certain to lead to renewed violence.

The past has shown that despite political leaders announcing in public their backing for downsizing and re-structuring South Sudan's armed forces, in reality there has been limited political and military buy-in to this endeavour. The experience with the DDR Council demonstrates that the international actors and donors' strategy to set up institutions as a means to contain what are essentially political problems can only work if all principal stakeholders enter the process, accept its strategic objectives and are willing to seriously engage in it.

²⁰ \ These were allegedly discussed at a security workshop in Addis Ababa in 2015 but not included in the IGAD documents.

Conclusions

The overview of SPLA's history has illustrated why reforming (or rather building) South Sudan's security sector has been such a profoundly difficult task. The SPLA (and SPLA-IO) is a conglomerate of various ethnic factions with different goals and trajectories; groups that at times have fought each other, and that have come together to fight a joint enemy only to split up again and again, forming various allegiances throughout South Sudan's long journey towards self-determination. This history and the burden that goes along with it have come to the surface again very clearly with the outbreak of the recent civil war. The Big Tent policy espoused by President Salva Kiir (and his predecessor John Garang) has bought the country unexpected and much needed peace during the period between 2005 and 2013, but it came at a great cost in terms of military professionalism. The international community shares some of the responsibility for this development, as the UN missed the small window of opportunity to start DDR and SSR efforts immediately after the signing of the CPA, encouraging South Sudanese policymakers to turn the integration of opposition militias into the SPLA. While at the time of independence, there was still hope that the deep cracks within the SPLA could be filled by a sense of nationalism and unity, this hope literally went up in flames in Juba in December 2013 and again in July 2016.²¹

The primary reasons for why the SPLA could be drawn so easily in what started as a purely political conflict are twofold: First, and this has been extensively discussed in the chapter about SPLA's history, there is a strong interconnectedness between the military and civilian realm. Influential political elites have a history in the SPLA and use it to form and

21 \ It should also be noted that Salva Kiir's policy of creating an ever larger patronage network to neutralize potential opponents, while creating some short-term gains in terms of political stability during the inter-war period, would not have been sustainable even if the split between him and Riek Machar had not escalated to civil war in December 2013. The patronage networks depended on the continuing flow of oil revenues (which were largely diverted to grease the wheels of the political machine) and the willingness of donors to pick up the tap for the necessary infrastructure investments in South Sudan. The end of the honeymoon period in donor relations after the failed Heglig adventure in April 2012 combined with decreasing oil revenues made a continuation of this policy increasingly difficult, even before civil war erupted again.

maintain their personal patronage networks and power. Second, the SPLA was never reconciled because there has never been a nation-wide healing process by which these deep rifts could have been addressed in an adequate manner.²² Combined with this, the question as to which role ethnicity plays and should play in the national armed forces has not been discussed in an open and transparent manner.

The SPLA's fragmentation, which has become even more pronounced through the recent conflict, implies that there is little respect for central command. The main constituency military leaders worry about are their own clan and tribe. Within the system of constraints they face, security sector reform is next to impossible. Although key leaders may have felt that downscaling and professionalization of their forces was indeed beneficial to the overall development of their country, there have been simply not enough personal and institutional incentives in place for meaningful reform.

Even though DDR/SSR policymakers were aware of the existing challenges and the clientele networks, these were not sufficiently and openly addressed with the highest levels of government. By focusing on less sensitive areas of development and humanitarian activities instead of tackling South Sudan's core problems with regard to its military, donors also played their part in this.

DDR and SSR approaches instead wrongly proceeded on the assumption that the government would be willing to reform its military (which was not the case) and able to take charge of protecting its citizens and promoting (human) security, and even to

22 \ As a matter of fact, the foundational myth of South Sudan in the inter-war period between 2005 and 2013 was that during the three decades of civil war preceding the CPA, the SPLA/M representing the united political forces of the Southerners fought a heroic war of liberation against the Arab-dominated military under the command of the government in Khartoum. However, as described in this *Working Paper*, the reality of the civil war was a lot more complex, with much of the bloodshed due to violence between different South Sudanese militias, including the SPLA. As these conflicts have left deep scars in the collective memory of the people of South Sudan, ethnic conflict was bound to re-emerge after independence was gained in 2011. It is not clear whether a genuine process of truth and reconciliation would have prevented those developments, but it is fair to say that no serious attempt was made at the national level.

fill the gap that will inevitably appear as a result of reform processes. Hence, mostly technical solutions were developed for what in essence is a political problem.

In lieu of focusing the discourse on what is likely to happen or politically possible, DDR and SSR programmes worked on the basis of what should happen. Discussions between the government and its partners culminated in a range of policy documents (DDR policy, SPLA White Paper on Defence, Objective Force 2017). These gave the impression that SSR/DDR in the ways these were foreseen would have a chance to be implemented and support wider stabilization. But setting up procedures, rules, and allocating responsibilities (on paper) is one thing, actually getting individuals and whole institutions to accept change and alter behaviour, follow those procedures and come to terms with the concept that rules are not only intended to limit society or citizens, but also the military and what now counts as government representatives, is an entirely different challenge.

Currently, there seems to be little appetite on the South Sudanese side to actually work to answer these questions. The past months have illustrated how hesitant both conflict parties are in implementing the security arrangements of the current peace deal. Political leaders in South Sudan still have little interest in changing the status quo and giving up the patronage networks through which they are able to maintain their power and status. But it is exactly these networks that need to be broken if security sector transformation in South Sudan is to be successful.

But while DDR and SSR programmes may have proceeded on the basis of erroneous assumptions or flawed technical designs, this does not mean that the underlying questions the concepts try to deal with have become irrelevant. To the contrary, strengthening the military's command and control to ensure that the policies decided at the Juba level are indeed implemented in the States is important, as is truly civilian oversight and control over the actions of the military, and accountability in case this goes wrong. Similarly, the current military payroll is indeed unsustainable,

and the thousands of youth engaged in militias deserve a chance at an alternative livelihood and a move away from fighting. Government actors and the international community are legitimately preoccupied with these questions, and finding good answers is what is required irrespective of whether these fit in neatly with the current templates of SSR and DDR. There is a future for these concepts in South Sudan only insofar as they prove sufficiently flexible, adaptable, nimble, and politically humble with regard to the objectives they need to achieve and the people they need to serve.

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LIST OF ACRONYMS AND ABBREVIATIONS

ARCSS	Agreement on the Resolution of the Conflict in the Republic of South Sudan	ARCSS
BICC	Bonn International Center for Conversion	BICC
CoI	AU Commission of Inquiry on South Sudan	CoI
CPA	Comprehensive Peace Agreement	CPA
DDR	Disarmament, demobilization and reintegration	DDR
GIZ	Gesellschaft für Internationale Zusammenarbeit	GIZ
GOSS	Government of South Sudan	GOSS
IGAD	Intergovernmental Authority on Development	IGAD
IOM	International Organisation for Migration	IOM
JIU	Joint Integrated Units	JIU
NCP	National Congress Party	NCP
NDDRC	National Disarmament, Demobilization and Reintegration Commission	NDDRC
SAF	Sudan Armed Forces	SAF
SPLA	Sudan People's Liberation Army	SPLA
SPLA-IO	Sudan People's Liberation Army in Opposition	SPLA-IO
SPLM	Sudan People's Liberation Movement	SPLM
SSDDRC	South Sudan Disarmament, Demobilization and Reintegration Commission	SSDDRC
SSDF	South Sudan Defence Forces	SSDF
SSNPS	South Sudan National Police Service	SSNPS
SSR	Security sector reform	SSR
TGoNU	Transitional Government of National Unity	TGoNU
UNDP	United Nations Development Programme	UNDP
UNMISS	United Nations Mission in South Sudan	UNMISS
WAAF	Women associated with armed forces	WAAF

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