



CAPE TOWN, SOUTH AFRICA

THE PEACEBUILDING ROLE OF CIVIL SOCIETY IN SOUTH SUDAN

Tshwane (Pretoria), South Africa

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Rapporteurs: Kudrat Virk of the Centre for Conflict Resolution (CCR), Cape Town, South Africa; and Fritz Nganje, former CCR Research Consultant, and Post-Doctoral Research Fellow at the South African Research (SARChI) Chair of African Diplomacy and Foreign Policy at the University of Johannesburg

Editor: Adekeye Adebajo of CCR

2 DIXTON ROAD, OBSERVATORY 7925, CAPE TOWN, SOUTH AFRICA ■ TEL: +27 21 689 1005

FAX: +27 21 689 1003 ■ E-MAIL: mailbox@ccr.org.za ■ WEBSITE: www.ccr.org.za

[f](#) CCR_CapeTown ■ [t](#) CCR_Africa

Introduction

The Centre for Conflict Resolution (CCR), Cape Town, South Africa, hosted a two-day policy advisory group seminar at Burgers Park Hotel in Tshwane (Pretoria), South Africa, from 11 to 12 December 2015 on the theme “The Peacebuilding Role of Civil Society in South Sudan”.

The meeting brought together about 30 key – mainly South Sudanese – civil society activists and scholars, as well as senior officials from South Africa and major external organisations, including the African Union (AU) and the United Nations (UN), to reflect critically on the record of, and prospects for, civil society in peacemaking and peacebuilding efforts in South Sudan.

1. The Role of Civil Society in South Sudan: Challenges and Opportunities

The nature and role of civil society in South Sudan has been largely shaped by a Western narrative that equates civil society with non-governmental organisations (NGOs), while tending to ignore existing institutions such as local chiefs and traditional authorities. There are over 5,000 registered NGOs in South Sudan today, including some so-called “briefcase NGOs”, which have been formed mainly to access donor funding. Furthermore, most external funding has gone to Juba-based NGOs, with the result that South Sudanese community-based organisations often operate without adequate financial or technical support. Western NGOs such as Oxfam and World Vision, in particular, have faced criticism for diverting peacebuilding resources from local organisations.

This heavy reliance on, and competition for, scarce donor resources has contributed to the inability of many South Sudanese NGOs to define an independent agenda, while undermining the prospects for collaboration among them. Many local civil society organisations are over-stretched and lack clear objectives, while the sector as a whole suffers from a dearth of subject-specific expertise, knowledge, and skills. The civil war that erupted in December 2013 has further damaged relations within and between South Sudanese NGOs, by sharpening divisions based on political and ethnic affiliations.

Both the South Sudanese government and the rebels have also sought to co-opt, and at times infiltrate, national NGOs. This was made evident during the political negotiations of the August 2015 Addis Ababa peace accord. Since December 2013, pre-existing tensions between the media and government too have worsened, with several journalists killed in targeted attacks. South Sudanese civil society organisations thus operate in a climate of fear, intimidation, and harassment, which poses a significant challenge to their peacebuilding role.

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SOUTH SUDANESE NEWSPAPER EDITOR, NHIAL BO, READS REPORTS ABOUT THE KILLING OF JOURNALIST, PETER JULIUS MOI, IN SEPTEMBER 2015.

Image source -Committee to Protect Journalists
<https://cpj.org/africa/south-sudan/>

2. Civil Society and Peacebuilding: Local and National Processes

Initially a struggle for power and ethnic dominance within the Sudan People's Liberation Movement (SPLM), the December 2013 civil war sparked an array of local intra-ethnic conflicts fuelled by political motives. To a significant extent, this represented the failure of traditional conflict resolution mechanisms and authorities in South Sudanese local communities, which have been undermined by the proliferation of ethnic-based NGOs and the empowerment of elites within formal civil society. For example, high-level peace conferences and initiatives have, by and large, failed to include adequate grassroots participation. Lack of resources and physical infrastructure, as well as weak advocacy capacities, have further constrained local peacebuilding efforts.

After December 2013, South Sudanese civil society played an important role in the delivery of humanitarian aid and basic services, as well as in bringing security concerns to national and international attention, though these multiple roles over-stretched the sector's capacity. Church groups, in particular, have been an influential peacebuilding actor. For example, in November 2015, church leaders mediated three agreements between the government and local communities: two in Western Equatoria state, and one in Central Equatoria state. However, the church has limited capacity and its peacebuilding efforts, too, have been constrained by the ethnic nature of the South Sudanese conflict.

The economic context is an important influence on both national and local peacebuilding processes. Oil wealth distribution, in particular, is a crucial issue, having been a cause of conflict and insecurity even before December 2013. However, the space for local civil society activism on tackling oil exploitation and promoting greater government accountability has been significantly curtailed by the conflict, even as the need for it was highlighted by the escalation of violence centred on South Sudan's oil fields from December 2013 onwards. A key challenge thus relates to how civil society can best be supported in developing an independent critical function in the militarised and polarised context of South Sudan.

3. Gender, Peace, and Security

South Sudanese society has historically been characterised by severe gender disparities in terms of access to services including education, justice, and healthcare; as well as employment opportunities. An estimated 84 percent of South Sudanese women, for example, are illiterate. Furthermore, the scale and severity of sexual and gender-based violence has only increased since December 2013, with the UN documenting countless incidents of such violence, particularly against women and children.

Government and civil society interventions to improve the plight of women in South Sudan have been inadequate. Although women make

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PARTICIPANTS IN A PEACE CONSULTATION WITH THE SOUTH SUDAN COUNCIL OF CHURCHES AND THE WORLD COUNCIL OF CHURCHES (WCC), IN ADDIS ABABA, ETHIOPIA, IN APRIL 2015.

Image source - World Council of Churches
<https://www.oikoumene.org/en/press-centre/news/south-sudan-on-brink-of-major-humanitarian-crisis-church-leaders-report>

up 27 percent of the South Sudanese National Parliament, they are under-represented in the cabinet, judiciary, governorships, as well as the leadership of national commissions, businesses, universities, and NGOs. Furthermore, South Sudanese women in senior political positions have not only shied away from their responsibility towards marginalised women, but have also, at times, played a major role in instigating violent conflict. Targeted interventions in priority areas such as psycho-social support, entrepreneurial development, gender-based violence, and participation in electoral politics, thus need to be undertaken to promote the meaningful empowerment of South Sudanese women.

Greater efforts are similarly needed to address the disconnect between the experiences of rural and urban women in the country. The South Sudan Women's Lawyers Association (SSWLA), for example, provides *pro bono* services to rural women. UN Women has also established a leadership institute for women at the University of Juba, and sponsored the creation of a parliamentary caucus that encourages female politicians and policymakers in Juba to identify and engage with their rural counterparts.

4. Accountability, Reconciliation, and Justice

For over five decades (1956–2005), South Sudan was engaged in a violent struggle for independence, with trauma transferring from one generation to another and reinforcing ethnic identities. By one estimate, 68 percent of South Sudanese have witnessed or experienced conditions that have caused trauma, with the figure as high as 92 percent for Western Bahr El Ghazal state.

The proliferation of small arms has further abetted a reliance on violence as an instrument for the acquisition of wealth, power, and food security, as much as for the achievement of revenge-based justice. Many traditional mechanisms for reconciliation and justice have collapsed in South Sudan, while new institutions such as the Dinka Council of Elders, the Equatoria Elders Forum, and the Nuer Peace Council are state-designed, and thus, heavily politicised structures. The August 2015 peace accord provides for the creation of a Hybrid Court for South Sudan (HCSS); a Compensation and Reparation Authority (CRA); and a Commission for Truth, Reconciliation, and Healing (CTRH). Civil society has a critical role to play in ensuring that legislative processes for the creation of these new institutions are not hijacked by political motives.

The pursuit of reconciliation and justice, though, needs to be a multi-layered process that addresses the national and local community levels differently. The Hybrid Court, for example, is based on criminal retributive justice and focuses on individual accountability. It cannot fully address all the root causes of conflict or provide community justice. Reconciling the often competing imperatives of justice and peace is another major challenge. Also, reconciliation cannot be assumed, but is a deliberative process that requires planning and engagement with all levels of South Sudanese society.

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SOUTH SUDANESE REFUGEES COLLECT FIREWOOD AND BARS OF SOAP AT THE RED CROSS DISTRIBUTION SITE AT LEITCHOUR REFUGEE CAMP IN THE GAMBELLA REGION, ETHIOPIA, IN JULY 2014.

Image source -ICRC
Photo - CC BY-NC-ND/ICRC/ERCS/B. Gezahegne
<https://www.icrc.org/eng/resources/documents/feature/2014/07-04-ethiopia-south-sudan-conflict-refugees.htm>

5. The Role of Civil Society in Implementing the 2015 Peace Accord

The August 2015 Addis Ababa peace accord calls for extensive restructuring of South Sudan's governance architecture and for the establishment of a new Transitional Government of National Unity (TGoNU). This reform process, however, faces a number of challenges, including the influence of "spoilers" such as South Sudan's many warlords and the so-called Jieng Council of Elders. Decades of violent conflict and inter-ethnic tensions have also undermined the trust and social cohesion required to implement the August 2015 agreement. An additional challenge relates to President Salva Kiir's unilateral decision in October 2015 to establish 28 states out of South Sudan's existing 10, seen by many as a violation of the implementation of the peace accord.

South Sudanese civil society could have an important role to play in advancing the political reforms that the August 2015 agreement codifies and in ensuring local ownership of its implementation. Several NGOs have instituted educational exchange programmes to allow South Sudanese to interact with their counterparts in African countries such as Kenya and Rwanda who have gone through similar experiences. Civil society organisations have also been vocal in raising concerns about delays in implementing key aspects of the peace accord, while drawing the attention of external actors – including the Troika comprised of the United States (US), Britain, and Norway – to political posturing that could jeopardise the peace process.

In order to continue to contribute in positive ways to local and national peacebuilding processes, South Sudanese civil society actors need to forge constructive partnerships with their counterparts, as well as other influential actors, in the region. These partnerships could be a vital source of support for their domestic peacebuilding endeavours, though the generally under-developed culture of cross-border linkages in Africa's civil society sector poses a major obstacle in this regard.

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SOUTH SUDAN'S PRESIDENT, SALVA KIIR, (SEATED), FLANKED BY KENYA'S PRESIDENT, UHURU KENYATTA, (LEFT), AND ETHIOPIA'S PRIME MINISTER, HAILEMARIAM DESALEGN, (SECOND LEFT), SIGNS THE ADDIS ABABA PEACE AGREEMENT IN THE SOUTH SUDANESE CAPITAL OF JUBA, IN AUGUST 2015.

Image source - ENCA
<https://www.enca.com/africa/new-peace-pact-south-sudan>

6. The Peacebuilding Role of External Actors

The Intergovernmental Authority on Development (IGAD) has led external efforts to end the current conflict in South Sudan, including the mediation of the August 2015 peace agreement. This IGAD-led peace process has been supported by regional and international organisations such as the AU, the East African Community (EAC), the UN, and the European Union (EU); as well as national actors such as Ethiopia, Sudan, Uganda, Tanzania, South Africa, China, Japan, and the Troika countries. Yet, these external actors also have disparate national interests, ranging from the protection of economic interests – as in the case of China – to the pursuit of security interests in the region, as in the case of the US. The role of Uganda, in particular, is disputed, with many questioning its unilateral military intervention in support of President Salva Kiir's government.

South Africa's position on the political crisis in South Sudan has primarily been informed by its commitment to the principle to peaceful resolution of conflicts. In addition to diplomatic support for the August 2015 agreement, Tshwane has supported a parallel peace initiative in the form of an intra-party dialogue known as the Arusha Process. Alongside Tanzania's Chama Cha Mapinduzi (CCM) ruling party, South Africa's ruling African National Congress (ANC) is a co-guarantor of this process, which is aimed at reconciling the various factions of South Sudan's ruling party.

External actors have a critical role in building an enabling environment for sustainable peace in South Sudan through supporting the establishment of credible state institutions. External donors need, though, to provide political, financial, and technical assistance, not only for the implementation of the August 2015 accord, but also for social and economic development projects in South Sudan. Drawing on the experience of African countries such as Liberia and Sierra Leone, South Sudan should, furthermore, consider seeking expertise from among its large Diaspora to bridge capacity gaps.

On the ground, the 16,147-strong United Nations Mission in South Sudan (UNMISS) is the main organised framework for external engagement in South Sudan. Its capacity to respond effectively to the humanitarian crisis since December 2013, though, has been stretched, with 2.78 million South Sudanese displaced and tens of thousands killed in the fighting. Since August 2016, the mission's mandate also provides for a 4,000-strong Regional Protection Force, but progress towards its deployment has been slow, with the South Sudanese government only accepting the participation of neighbouring countries in the force in November 2016.

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UN PEACEKEEPERS AT A MEMORIAL SERVICE IN THE UNMISS COMPOUND IN JUBA, SOUTH SUDAN , IN DECEMBER 2013.

Image source - YAHOO! News
<https://www.yahoo.com/news/apnewsbreak-us-military-aircraft-hit-sudan-113624192.html?ref=gs>

Policy Recommendations

The following 10 key policy recommendations emerged from the Tshwane policy seminar:

1. The root causes of South Sudan's multiple conflicts need to be better understood by key domestic, regional, and external actors through greater engagement with local communities, as well as more robust and rigorous conflict analysis in order for conflict resolution and peacebuilding efforts to have greater impact and sustainability.
2. National NGOs in South Sudan need to focus on specialisation in key areas (for example, human rights, women's empowerment, youth development, and HIV/AIDS programmes); on strengthening their technical capacities in these areas; and on becoming more professional rather than on pursuing donor agendas to obtain funding.
3. It is vital for South Sudanese women's groups not only to strengthen the linkages among themselves, but also to collaborate and form partnerships with other civil society organisations and international NGOs working on issues such as health and education that affect women in order to maximise their impact.

Greater collaboration among civil society groups within South Sudan could help maximise the influence of the sector as a whole on national peacebuilding processes.



PARTICIPANTS AT A TWO-DAY CAPACITY-BUILDING TRAINING PROGRAMME FOR CIVIL SOCIETY ORGANISATIONS (CSOS), IN JUBA, SOUTH SUDAN, IN MARCH 2015.

Image source - UNDP
http://www.ss.undp.org/content/south_sudan/en/home/presscenter/pressreleases/2015/03/30/undp-conducts-capacity-building-for-civil-society-organisations.html

4. External donors need to reconsider funding strategies that are overly focused on supporting Juba-based NGOs, and provide greater resources for strengthening community-based grassroots organisations which are accountable to their local communities. They must also focus more on the aspirations of South Sudanese civil society itself.
5. South Sudanese civil society organisations should forge and strengthen relationships with NGOs and other forms of civil society in Eastern Africa and the wider continent, which could serve as an alternative source of technical support as well as provide experiential learning, while helping them to engage more actively with key regional bodies such as IGAD, the EAC, and the AU. In addition, greater collaboration among civil society groups within South Sudan could help maximise the influence of the sector as a whole on national peacebuilding processes.
6. The pursuit of transitional justice and reconciliation in South Sudan needs to be a two-fold process, with the reconciliation of elites driven by renowned African leaders, while community reconciliation is prioritised by community-based and civil society organisations who also need to be empowered to find innovative ways to promote accountability within their local communities.
7. It is vital for trauma-healing, trauma-counselling, and mental health support to be included, and treated as a priority, in programme interventions aimed at promoting accountability, reconciliation, and justice in South Sudan.
8. South Sudanese civil society has a crucial role to play in providing evidence-based guidance on the implementation of the August 2015 peace accord by drawing on its local knowledge and on-the-ground presence; and in serving as a watchdog to ensure that the agreement's prospects of success are not harmed by the vested interests of powerful political actors, warlords, and other spoilers.
9. International as well as local actors involved in peacebuilding processes in South Sudan need to make greater efforts to increase the participation of representatives from smaller, rural communities in their interventions, including policy dialogues and capacity-building workshops. In this context, the vital role played by local chiefs, and traditional and religious leaders in grassroots conflict resolution and peacebuilding efforts also needs to be better understood and supported.
10. External political, financial, and technical support for peacebuilding processes in South Sudan must be long term, and go beyond isolated interventions to focus on the systematic provision of sustained support for the building of durable state institutions.