

Building Peace in South Sudan: An Assessment of Peacebuilding Efforts & a Strategy for the Realization of the Independence Promise

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Abstract

The outbreak of violence in South Sudan in December 2013 has enlarged ethnic divides and reversed the development advances the young nation has struggled to achieve since independence; while the continued deadlock in the IGAD-led negotiation process provides little hope of a negotiated peace settlement. A peacebuilding strategy that takes into account the context-specific circumstances of this intra-state conflict enhances the opportunity for peace and development in South Sudan, and provides the international community an opportunity to contribute to peace in a meaningful way. Limited capacity, deep and persistent ethnic divisions, corruption and a long memory of brutality within the civilian population complicate prospects for peace in the country. An examination of recent peacebuilding efforts in South Sudan reveals a fragmented and provisional approach. Using the framework of Ali and Matthews, this paper outlines a peacebuilding strategy for South Sudan that addresses root causes, consequences and legacies of the conflict, while taking into consideration the unique country specific circumstances. Recognizing the need to move from negative to positive peace, this paper prioritizes security and political arrangements as essential prerequisites for success in economic development and justice and reconciliation. The role of the international community, regional/sub-regional organizations and global civil society.

The boundaries of preventive diplomacy, peacekeeping, and peace making efforts in consolidating peace and restoring confidence and well-being to those in post-conflict zones are vast. In recognition of these limitations, former UN Secretary-General Boutros Boutros-Ghali identified peacebuilding as a tool to consolidate these functions (Boutros-Ghali 1992). Recurring conflict in countries that have suffered civil war demonstrate the need for moving society from negative peace, defined as the mere absence of violence, to positive peace, a condition of stable and widening shared values whereby actors do not resort to violence to resolve differences (Ali & Matthews 2004). To achieve positive peace, activities focused on improving security, political arrangements, economic development, and justice and reconciliation became the means to do so (Ali & Matthews 2004). Identifying the priorities and the right combination of peacebuilding activities has emerged as the real challenge since root causes vary from country to country; however, doing so is essential to an effective peacebuilding strategy. Nowhere is this more evident than South Sudan. The country has been plagued by civil war spanning 1955-1972 and again from 1983-2005, which saw internal strife during both, and following independence in 2011 saw the outbreak of political and ethnic violence.

Despite peacebuilding efforts following independence, the political fighting between President Salva Kiir and former Vice-President Riek Machar transitioned to hostilities along ethnic lines, predominantly between Kiir's Dinka and Machar's Nuer, engulfing the struggling country in a civil war with no end in sight. Using the framework of peacebuilding scholars Taisar Ali and Robert Matthews, this paper outlines a peacebuilding strategy for South Sudan that addresses the root causes, consequences, and legacies of the conflict, while taking into consideration the unique country-specific circumstances. This paper will first discuss the sequencing of priorities by examining some of the literature and the circumstances in South Sudan and elaborating on Ali & Matthews' framework, making the case that security is the first priority and is linked to a political arrangement, with economic development as the next priority, and justice and reconciliation as the fourth priority. This will be followed by a discussion of the consequences of hostilities, highlighting ethnic diversity, the humanitarian crisis, low development indicators, the Intergovernmental Authority on Development (IGAD)-led negotiation process, and the outstanding issues with Sudan. Next, an in-depth examination of how to address the root causes in the security, political, economic development and justice and reconciliation spheres will be provided, including a discussion of the role of the international community, regional/sub-regional organizations and global civil society. Ensuring the right balance of participation by these actors is as important as determining the priority of the pillars and certainly worthy of further research. However, this paper will address the need for their participation in broad strokes, noting the importance of these actors to building lasting peace. Finally, lessons from other countries will be applied where relevant, as in the case of Zimbabwe's unravelling 2008 power-sharing arrangement, and how this experience can be used to strengthen political arrangements in South Sudan. This paper concludes with a word of caution on realistic expectations.

The Case for Sequencing & The Framework

There is significant variation within the peacebuilding literature regarding the importance of each of the pillars previously mentioned, especially whether security, political arrangements or the economy are a prerequisite to achieving success in the other spheres. While scholar Elizabeth Cousens asserts that the most effective self-enforcing peace begins with cultivating political processes and institutions that manage conflict with authority and legitimacy (Cousens & Kumar 2001), Paul Collier's statistical analysis yields results indicating that economic underdevelopment is the most salient factor in returning to civil war (Collier 2007). Scholars focusing on justice and reconciliation acknowledge its presence as paramount to achieving positive peace, but the means by which this is achieved are up for debate. Each account in favour of a pillar makes a sound argument, but the sequencing method applied by Ali and Matthews is the most persuasive.

In their 2004 publication *Durable Peace: Challenges for Peacebuilding in Africa*, Peacebuilding Scholars Ali and Matthews provide the concluding chapter to the empirical case studies set out in the collection of scholarly essays of the publication.⁸ Analyzing the contributions of their peers on peacebuilding efforts in ten African countries,⁹ Ali & Matthews recommend sequencing that prioritizes security in order to achieve a negative peace, since ending violence is often a prerequisite to success in the political, economic, and justice & reconciliation spheres (Ali & Matthews 2004). Acknowledging the necessity of achieving negative peace before positive peace can be secured, they posit that disarming, demobilizing and rehabilitating (DDR) large numbers of ex-combatants create the stability required for the other peacebuilding pillars to flourish (Ali & Matthews 2004). This is based on evidence that DDR allows for the reduction of military expenditures, thus allowing scarce resources to be reallocated to social and economic development, but also the movement of ex-combatants into peaceful and productive activities reduces the likelihood of spoilers recruiting them to derail the peace process (Ali & Matthews 2004). They further assert that reconstitution of the state with suitable political arrangements that provide all groups an effective voice can alleviate tension (Ali & Matthews 2004). They support providing an effective voice for all groups that "encourages ethnic accommodation, facilitates political stability and enhances prosperity," (Ali & Matthews 2004, 413). Further, commanding the loyalty of the majority provides the state with the authority necessary to manage the peace process and address underlying grievances (Ali & Matthews 2004). This is reasonable since without some degree of stability and predictability, the investments required for economic development will remain out of reach. Additionally, a justice and reconciliation process is also unlikely to be productive so long as hostilities continue and atrocities committed.

This does not mean that the lower priority pillars of economic development and justice & reconciliation are neglected altogether, since it is evident that these pillars have a role in the DDR process; merely it means that greater attention and focus in the transitional and early phases should begin with the prioritized pillars. This framework will be applied to South Sudan, with the caveat that given the ethnic

⁸ Ali & Matthews also provide the introduction and a comparative chapter on Sudan and Angola.

⁹ The countries examined include: Uganda, Ethiopia, Mozambique, South Africa, Zimbabwe, Angola, Sudan, Somalia, Rwanda and Liberia.

divisions and mistrust among the political leadership, sorting out lasting political arrangements is as important as security matters to ending the fratricide that broke out in December 2013; in effect, the two are closely interconnected. While security and political arrangements are necessary for the emergence of positive peace, they are not alone sufficient and will require efforts in the spheres of economic development and justice and reconciliation.

The Consequences of Hostilities

The December 2013 outbreak of violence can be traced back to the failure of the political elites to fulfil their obligations under a unity government arrangement. In July 2013, President Kiir of the largest ethnic group the Dinka, ousted Vice-President, Dr. Riek Machar, of the second largest ethnic group, the Nuer. Kiir insists that Machar's refusal to dismiss his Nuer-only protection detail in Juba were grounds for dismissal (Anonymous UN Source 2014), while Machar remains adamant that his efforts to uncover government corruption and Kiir's fear of Machar's increasing popularity were the reasons for his dismissal (Pelton 2014). Machar's presence was seen as vital to promoting ethnic unity, and instilled confidence in the Nuer population that their interests were taken into account by a government headed by an ethnic rival (Chothia 2013). Violence broke out in the nation's capital on December 15, 2013 in a state military barracks when soldiers of Dinka descent within the national army the Sudan People's Liberation Army (SPLA) attacked Nuer soldiers. Kiir immediately justified the violence as thwarting an attempted coup d'état, led by the ousted Machar and other political elites. Despite Machar's denial of these accusations, and suggestions that Kiir pre-emptively gave the order for what was a planned coup, hostilities intensified as the Dinka and Nuer bases of Kiir and Machar respectively, took up arms against one another. An egregious campaign of violence ensued in the initial weeks, replaced by sporadic violence across South Sudan during the rainy season and an anticipated increase in hostilities as the rainy season came to a halt.¹⁰

The humanitarian crisis in South Sudan is dire and has been classified as a 'class 3 emergency' by the UN – the highest level of need and priority (UN OCHA 2014). As of April 13, 2015, over 2 million people were forced to flee their homes (approximately 17% of the 11.5 million population) (UN Secretary-General 2015; CIA World Factbook 2014) – 1.5 million people were internally displaced and more than 500,000 had fled to neighbouring countries (UN Secretary-General 2015). 118,000 internally displaced persons (IDPs) are sheltered in UNMISS bases in search of protection from violence, hunger and disease (UN Secretary-General 2015). The hostilities resulted in a doubling of the number of food insecure South Sudanese during the same period in 2013 (UN Secretary-General 2014), meaning that the availability, access, stability, and utilization of food across the country (even in areas without fighting) are alarmingly low (FAO, IFAD & WFP 2014), which can lead to serious public and mental health problems. Despite attempts to reach a temporary cessation of hostilities agreement in the spring of 2014 to allow the activities required for growing season, the fighting continued; as a result, an estimated 2.5 million people are classified as severely food insecure as of April 2015 (UN Secretary-General 2015). Inhibiting crisis response provision to the 4.1 million people requiring assistance (UN

¹⁰ Human rights violations are well documented by Amnesty International, Human Rights Watch, the United Nations and the African Union, among many others.

Secretary-General 2015)¹¹ is the inability of the international community to provide the needed financial resources; in 2014, only 63% of necessary funding was provided - resulting in a shortfall of \$670 million (UN Secretary-General 2014), a trend that appears consistent in the first half of 2015 (UN Secretary-General 2015).

Ongoing violence will continue to deplete the human capital and minimal infrastructure the young state possesses. This year, South Sudan replaced Somalia as the number one fragile state on the Fund for Peace index (Messner 2014), a system that compiles the measurements of twelve social, economic and political indicators and uses data analysis to determine a score that reflects the pressures countries face (Fund for Peace Index 2015). Decades of fighting against the North left South Sudan with a legacy of underdevelopment, robbing it of a sufficient economy, a skilled work force, essential infrastructure, adequate expertise and strong government institutions. Only 27% of the population is literate (CIA World Factbook 2014), among the lowest in the world. At independence, South Sudan, a country the size of France, had only 100 kilometers of paved road (IMF 2011) and despite the discovery of oil, which comprises between 80-98% of recent annual budgets, the young country has been unable to make strides in economic development – a significant plight since oil revenues are expected to shrink as reserves are estimated to be depleted in a decade (Dewaal 2013). Worse still is that 85% of South Sudan's budget is applied to current government expenditure, leaving merely 15% for economic and social development (Anonymous UN Source 2014). With decreasing social, economic, political, and military indicators, and severe human suffering, ongoing violence is unnecessarily debilitating the progress in South Sudan and must be halted.

IGAD, the eight-member¹² trade bloc in East Africa, has been mediating the negotiation process since the outbreak of violence, by facilitating political dialogue between Kiir's Government of the Republic of South Sudan (GRSS), also the head of the Sudan People's Liberation Movement (SPLM) political party, and Machar's Sudan People's Liberation Movement – In Opposition (SPLM-IO). The group mediated several cease-fire agreements over the course of 2014 and 2015,¹³ all violated shortly thereafter by both sides but disproportionately by the SPLM-IO, and both parties to the conflict have stalled negotiation of a unity government in favour of re-arming and recruiting during the rainy season (UN Secretary-General 2014). In March 2015, the UNSC passed Resolution 2206 establishing a targeted sanctions regime against individuals violating and preventing peace and has since created a Panel of Experts on South Sudan for a period of 13 months to monitor and implement the measures of the resolution (Security Council March 2015). This was a decisive move by the Council, who had debated and disagreed on the merits of a sanctions regime since the outbreak of hostilities, while the US and the EU applied targeted sanctions to military commanders on both sides in an attempt to encourage the parties to negotiate in good faith (Wroughton & Mohammed 2014). IGAD has been criticized for favouring Kiir – elected President in a landslide election, receiving 93% of the vote in 2011

11 Currently there are 4 countries classified as level-3 crisis by the UN: Iraq, Syria, CAR and South Sudan. It may not be an unwillingness of the international community to respond to the needs of the South Sudanese, but merely an overwhelming number of needs.

12 Members include Djibouti, Ethiopia, Kenya, Somalia, Sudan, Uganda, Eritrea and South Sudan.

13 Cease-fire agreements were negotiated in January, May and June 2014; and January 2015.

(Sudan Tribune 2014) – and the motivations of IGAD members, especially Uganda, Eritrea and Sudan in perpetuating the conflict, based on alleged support of either side, have been called into question (Mesfin 2014). On March 6, 2015, IGAD indefinitely suspended mediation between the parties for a third time after failure to make progress on the structure of the transitional government, power-sharing ratios, portfolio allocation, composition of government bodies, transitional security, ceasefire arrangements and constitutional and institutional reforms, among many others (Secretary-General 2015). In an effort to revive negotiations, IGAD is expending efforts to create an “IGAD-plus” process that will comprise other regional actors, the UN, the AU, China and the Troika (Norway, the US and the UK) to strengthen the mediation process, but the Government of South Sudan (GRSS) is resisting involvement of those applying targeted sanctions regimes (Security Council Report May 2015).

Complicating matters further are a number of outstanding issues remaining between Sudan and South Sudan. Scholar Douglas Johnson questions the success of the 2005 Comprehensive Peace Agreement (CPA) by pointing out the unresolved border issues in South Kordofan, Blue Nile State and Abyei, and ongoing disagreement on oil revenue that must be pumped from South Sudan into Sudan (Johnson 2011). Abyei is of significant importance because of the potential oil reserves it holds, but also because of the nomadic nature of its residents throughout the year (Johnson 2011). Oil revenue has been a central source of tension between the Sudans with detrimental consequences for both countries, as evidenced by the impact of South Sudan’s 2012 shut down of oil when Sudan refused to stop pumping oil illegally (Dewaal 2013). The oil reserves were shut down for well over twelve months until the African Union and the US were able to mediate a negotiated settlement in April 2013 (Dewaal 2013). This had a devastating impact on South Sudan’s economy, but many accounts indicate that much of the population was not impacted since oil revenues are not dispersed to benefit the general population. While the unresolved Sudan-South Sudan issues prevent positive peace in South Sudan, the country must be united in order for any negotiated settlement with Sudan to be effective – if Sudan is covertly assisting Machar against Kiir, one must question what concessions Machar has indicated might be possible should he replace Kiir. With such uncertainty, Kiir is unlikely to reach any agreement with Sudan, who will hold out for a more favourable deal with Machar. Sadly Sudan is also dealing with a number of internal issues that prevent it from settling issues with South Sudan.

While acknowledging the need for resolution of these interstate issues for effective peacebuilding, this will not figure prominently in this strategy. A vast literature exists on the need for Sudan and South Sudan to reach a negotiated settlement in order to achieve positive peace; this paper aspires to contribute a timely strategy that assesses peacebuilding from independence to present, taking into account the current fighting in South Sudan with the intent to fill a gap in the literature. Thus it is beyond the scope of this paper to delve into the details of how such agreements might be reached between the two states, only that these issues must be settled because they are affecting attempts to build peace in South Sudan and vice versa.

A Peacebuilding Strategy

The next section of this paper will identify the root causes of the conflict, with a particular focus on the failure of strategies designed during the 2005 CPA and independence. Many of the root causes of the conflict have roots in colonialism, but coverage of the Sudanese civil wars provides comprehensive accounts of these causes. However, it is crucial to assess the persistence of these problems and the failure of South Sudan and the international community to address these concerns. Included in this analysis are parallel situations that provide lessons for building a more effective peacebuilding strategy for South Sudan; the role of the international community, regional/sub-regional bodies and civil society; relevant particularities for understanding peacebuilding in a South Sudan context; and solutions to a path of positive peace. The priority for South Sudan is moving from conflict to negative peace, necessitating consideration of security first.

Security

It must be noted that ethnic allegiances permeate each peacebuilding pillar. Annex I provides a map of South Sudan post-independence and Annex II provides an approximation of the geographic ethnic breakdown. It must also be noted that the South Sudanese have lived in relative insecurity for much of its documented history. Since 1955, the North and South have been engaged in hostilities; if the fighting in Abyei, South Kordofan and Blue Nile are included, the two sides have never stopped being at war. The atrocities the Southern Sudanese suffered at the hands of their Northern 'masters' during this period is well documented by Poggo and others, demonstrating gross atrocities that violate fundamental human rights and humanitarian law (Poggo 2009). The rebel group assembled to fight against Northern repression, the Anya Nya (an earlier manifestation of the SPLA) was equally brutal in its response to the Northerners, and a legacy of brutality remained in inter-ethnic interaction in South Sudan, demonstrated by intrastate fighting in the early 90's, the seasonal cattle raiding/skirmishes and the most recent eruption of violence. These deep-seated divisions and proclivity to violence to resolve differences limits the range of acceptable security agreements and directly impacts composition and total numbers within the security sector.

Security Sector Reform

The December 2013 outbreak of violence demonstrated the persistent weakness of the security sector in South Sudan. Fighting broke out in a state military barracks between Dinka and Nuer troops. Lauren Hutton, a research fellow specializing in conflict and fragility at the Clingendael Netherlands Institute of International Relations, authored a report that provides a detailed and timely narrative on the conflict in South Sudan, filling an analytical gap on the conflict (Hutton 2014). The report identifies ethnic mobilization and recruitment; mass desertions; mass internal deployment; fighting within and between communities; widespread looting and destruction by the armed forces; the breakdown of rudimentary command and control structures; and increased government spending on security as the worst case materializing (Hutton 2014). The ease with which the forces dispersed along ethnic

lines, its terrorization of the civilian population and the initial killing of soldiers without formal adjudication demonstrate the failure of security sector reform efforts, particularly the failure of the SPLA to transform from a rebel mindset to a national force. The legacies from this infighting, namely mistrust within the forces and the civilian population will further complicate security sector reform.

The SPLA faces a number of security sector reform challenges. Following the 2005 CPA and in anticipation for independence, the army of the GRSS increased from 50,000 to 200,000 soldiers (Hutton 2014). The South Sudanese government outlawed armed groups by requiring their integration into a unified SPLA, not a new national army (Hutton 2014). Salaries were regularized, but weaknesses in command, control and professionalism of the forces persisted as forces are highly localized and use of force is dispersed across state and non-state actors (Hutton 2014). Hutton's analysis is on point when she notes that the security challenges facing the country have prevented robust security sector reform (Hutton 2014). Despite the GRSS' stated goal of reducing the national force (Government of the Republic of South Sudan 2011), the security challenges caused by deep ethnic divisions and a menacing Northern neighbour have resulted in little effort to reduce the size of the SPLA. Additionally, the incentive that persuaded armed groups to join the SPLA in the first place, regularized salaries for troops, also prevents the GRSS from dismantling the forces (Small Arms Survey 2011), since there are few opportunities for former soldiers outside of the SPLA.

In order for the security sector to function effectively, a unified force must be the goal. As evidenced by the December outbreak of violence, a fragmented and highly politicized national force is detrimental to the state. That said, the ethnic divisions cannot be wished away – as an anonymous high-ranking UN official pointed out, Machar's Nuer-only protection detail ensured Machar's escape from Juba in December 2013 (Anonymous UN Source 2014). During the IGAD-led negotiations, each side tentatively agreed to the maintenance of two parallel forces during a transitional period, with Kiir reneging in later days (All Africa 2014). The most appropriate solution is a single unified military, with equal parts Dinka and Nuer at all levels and inclusion of other ethnic groups that match the ethnic composition of the country – a lesson learned from the failure of previous agreements between the Sudans. Both Kiir and Machar must be granted the right to maintain their own security detail outside of the national army – details that are to shrink over time as integration, de-politicization, professionalization and reduction of the military occurs.

Law Enforcement

The South Sudan National Police Force plays an integral role in the internal security of the country. A case study on Jonglei that examines cattle raiding as a source of communal violence is instructive in demonstrating the importance of the police force. Pastoral wars are a permanent feature in South Sudan, since the terrain and weather conditions vary by region and season (Richardson 2011). The dry season brings the migrating Nuer into direct competition for water and grazing lands in Jonglei province, on lands occupied by Dinka and Murle tribes (Richardson 2011). In these communities, cattle are an indicator of social standing and wealth (Richardson 2011); it is also how the population sustains itself (Hutton 2014). While cattle raiding is a longstanding problem in Jonglei (and other parts

of South Sudan), the absorption of armed groups into the SPLA following the execution of the CPA, robbed the local population of necessary protection and led to an escalation in the incidences and severity of violence in the following years (Richardson 2011). Cattle raiding further destabilizes the country by feeding the flow of small arms from Ethiopia where one to three cows can be traded for a rifle, compared to 2011 when the same trade required 15 cattle. This demonstrates the increasing ease with which small arms are acquired (Hutton 2014) and creates an organized criminal activity within the illicit meat market that deprives the state of much needed tax revenue (Richardson 2011). The presence of a police force to deter criminal activity and enforce property rights is essential to maintaining order.

The international community must continue to work with the South Sudan National Police Force to guarantee the security of the population and their property. The DPKO Mission in South Sudan, UNMISS, continues to work with the police force to ensure the protection of civilians (Loej 2014) and UNDP's 2013 annual report boasts of advances made in building capacity and training for police forces (UNDP 2013). This work must be continued, scaled up and extended to ensure effective property recovery for all ethnic groups.

Disarmament, Demobilization & Rehabilitation (DDR)

Failed DDR programs have contributed to the current outbreak of violence and have been rife with problems that need to be rectified to ensure enduring peace. One of the primary problems was the selective disarmament of the Lou Nuer in Jonglei, leaving them vulnerable to cattle raiding by the Dinka and the Murle in 2005 and 2006 (Richardson 2011). Before long, the Nuer rearmed in order to protect themselves and their property (Richardson 2011) – a sequence of events that could have been prevented by equally disarming the other ethnic groups. Simultaneously, the number of troops has increased four fold since 2005 and military spending has also increased. During the oil shut down of 2012-2013, strict austerity measures were imposed by the GRSS with cuts across all sectors except military spending – constituting 55% of pre-shutdown spending (Dewaal 2013). Eligibility for such programs is another significant problem – the GRSS mandated that only those enlisted in national security groups were eligible for DDR programming (Small Arms Survey 2013). With the SPLA at the helm of DDR programming, it is feared that the program will be used to reward loyalists, potentially fuelling ethnic tensions (Small Arms Survey 2013).

Current DDR programs are also not evenly dispersed throughout the country's ten provinces. The Graduate Institute of International and Development Studies notes that international efforts will focus on establishing DDR programs in Mapel, Western Bahr El Ghazal; Jonglei; and Torit, Eastern Equatoria (Small Arms Survey 2013). Much of the recent and most severe fighting has occurred in the oil powerhouse provinces of Unity and Upper Nile, yet neither has a prospective DDR program. While fighting persists with Sudan in these regions, South Kordofan and Blue Nile, the presence of a professionally trained SPLA is a much better alternative to armed groups like the White Army that perpetuate ethnic fighting (Pelton 2014). It is essential that these DDR arrangements be made to benefit these provinces.

The role of the international community in the provision of security and guarantees is significant. Despite engagement, there has been little commitment from the international community to fund programs and political wrangling over ownership has further stalled the process (Small Arms Survey 2013). It is critical that the international community provide adequate funding and pressure on the political leadership to implement a DDR program that benefits all ethnic groups and security guarantees. The AU should commit a rapid response force to intervene should any party attempt to gain advantage once the other disarms, while ensuring that no Ugandan, Ethiopian, Eritrean and Sudanese nationals comprise the force. The international community must assist the GRSS in designing and implementing the program. Furthermore, violators should be held accountable by the UNSC and sub-regional IGAD through a targeted sanctions regime. UNMISS can continue to play a monitoring and capacity building role. From local populations to political elites, all groups will need security guarantees from the international community to convince them to disarm and reform. A non-violent dispute resolution mechanism must be rolled out and the GRSS must move towards a monopoly on the use of force in order to achieve negative peace. Ensuring equal ethnic representation and safeguards in the political arrangements will provide ease to the parties on the state's monopoly on the use of force.

Political Arrangements

In the case of South Sudan, any improvement in the security situation is dependent on President and leader of the SPLM Salva Kiir and SPLM-IO leader Riek Machar reaching a political arrangement. Alliances made between different factions of the SPLM to ensure a smooth independence transition have run their course and are now dividing the country, as political elites stoke ethnic tensions to gain/maintain political power. According to Hutton, the international community overlooked political fracture at the highest level, preventing anticipation of the current outbreak of hostilities (Hutton 2014). The IGAD-led negotiations are at a standstill as neither party is willing to compromise on the terms of a power-sharing agreement. The international community, regional/sub-regional organizations, and local civil society have an important role to play in generating political will from both parties to enter into, implement, and abide by a power-sharing agreement. This section will analyze the root causes of the current political crisis and propose a power-sharing arrangement that allows Kiir to remain at the helm while providing a meaningful role for Machar – a compromise that meets both their interests and emphasizes the lessons learned from the 2008 Zimbabwe power-sharing arrangement between bitter political rivals.

Internal Legitimacy & Single Party Hegemony

The SPLM has struggled internally to achieve unity of purpose (Hutton 2014). It is the largest political party in South Sudan, holding 160 of 172 seats in the national legislature (Sudan Tribune 2014), but has increasingly deep divisions along ethnic and ideological lines. Poggo's account of the Anya Nya, the Southern Sudanese resistance group to Northern oppression, demonstrates that South Sudan has a long history of struggling to achieve unity of leadership (Poggo 2009). Utilizing anecdotal evidence

from major figures within and connected to the movement, he finds that only for a brief moment in 1972 were the Southern Sudanese able to present a united front at the negotiating table with the North (Poggo 2009). At independence the SPLM comprised four prominent and ambitious factions: Kiir's inner circle, Garang loyalists; SPLA-Nasir; and Machar's SSDF loyalists (Hutton 2014). These factions differ in ideology and in some cases ethnicity. The SPLM is viewed by the South Sudanese as liberators, and has the effect of raising ethnic suspicions since it is Dinka dominated (Hutton 2014). Since independence Kiir has played a political balancing game, attempting to pacify the different factions, but has begun to replace Garang loyalists with his own group of advisors – a move that permeates all institutions, including governors, civil servants and guards (Hutton 2014). As Hutton indicates, the current conflict is about control over the state and its material resources (Hutton 2014) - as perceived ethnic bias emerges. Kiir's dismissal of Machar as Vice-President in July 2013,¹⁴ based on Machar's non-compliance to relieve his Nuer-only protection detail and accept Kiir's presidential guard (Anonymous UN Source 2014), was a further step in his consolidation of power and was perceived threateningly by the Nuer population. The de-facto one-party state experiment has failed in South Sudan as the different SPLM factions publicly oppose President Kiir. A more diverse political landscape that is rife with divisions has emerged and a reflective power-sharing arrangement must be reached.

Power-Sharing

The Transitional Constitution of the Republic of South Sudan, 2011, provides for the dispersion of power among the three levels of government (The Government of the Republic of South Sudan 2011). The national government comprises three institutions of government: the legislature, executive and judiciary (The Government of the Republic of South Sudan 2011). The constitution does not take into account ethnic divisions in its governance structures, but establishes a strong executive branch - particularly for the president, presuming a harmonious and united cabinet. A suitable power-sharing arrangement must expand representation at the executive level, and contain safeguards that restrict powers between the parties in this branch.

President Kiir had originally embraced a failed Kenyan model of executive power sharing that comprises five executives and has the potential to be an innovative structure that could unite the country, with some tweaking. This model comprises a president, a vice-president under the president, a prime minister (isolated from the president) and two deputies under the prime minister; the SPLM-IO has rejected this model, claiming that it was inadequate in the Kenyan context and that South Sudanese society is more divided than Kenyan society (All Africa 2014). South Sudan is home to at least 18 ethnic groups (CIA World Factbook 2014) and 23 political parties (Sudan Tribune 2014); such diversity makes this an appropriate way to share power among different ethnic groups. As the two largest ethnic groups, the constitution should provide for a combination of Dinka and Nuer representation for the presidency and prime minister, with the majority vote holder granted the presidency. Representatives from the other political parties should fill the vice-president and deputy positions - a suitable candidate would be the leader of the SPLM-DC, Lam Akol, which is the second largest political party in South Sudan holding five seats (Sudan Tribune 2014). This arrangement secures leadership roles for both Kiir and Machar.

¹⁴ President Kiir dismissed his entire cabinet based on charges of corruption, per the Clingendael report.

Delineating the scope and interaction of each office is equally as important. With regards to political and judicial appointments, a joint decision-making mechanism must be established that also provides for ethnic quotas. The scope of each office is more difficult; Machar is concerned that Kiir will continue to abuse power and block reforms (All Africa 2014), while Kiir's landslide victory in the previous election endows him with the legitimacy of the office (Sudan Tribune 2014). Thus, it is essential that Kiir retain the highest level of power, but he will have to concede power to the prime minister in specific spheres of concern to the Nuer. Machar has identified the system for bidding on infrastructure projects and protection for minorities as areas of interest (Pelton 2014). Kiir should concede the infrastructure portfolio; provide space for the SPLM-IO in drafting the new constitution; and allow the new function of the prime minister a role in managing the police forces and prison system to offset the power the president will retain over the national military, under the conditions previously stated. For portfolios of joint concern that Kiir wants to retain under the presidency, bipartisan or third party audit commissions can be established to provide oversight, particularly over natural resource revenues. Separation of office – the complete isolation of the president and the prime minister from removal and appointment by the other - is absolutely essential. This breakdown, while not ideal to either party, serves the primary interests of both: Kiir retains power and Machar gains a meaningful leadership role.

Implementation and compliance with the terms of the power-sharing arrangement are of the utmost importance and provide a strong role for the international community. The 2008 power-sharing agreement between Zimbabwe's political rivals, President Robert Mugabe and Prime Minister Morgan Tsvangirai, demonstrates the temptation of the parties to violate power-sharing agreements when little attention is focused on them (Bratton 2010). While the power-sharing arrangement was never smooth, it brought economic gains and reduced violence in Zimbabwe (Bratton 2010). In 2010, President Mugabe unilaterally re-appointed his party's governors to the country's ten provinces, in violation of the power-sharing agreement that mandated he consult with his prime minister. Given the deep-seated hatred and mistrust between Kiir and Machar (Anonymous UN Source 2014), trusting the political rivals to comply with a power-sharing agreement on their own is impractical. The international community, regional and sub-regional bodies must be willing to apply targeted sanctions and other repercussions against violating parties to ensure accountability. Furthermore, initiatives aimed at strengthening civil society must be pursued to ensure sustainable local-ownership over the political process.

Economic Development

After decades of neglect, South Sudan emerged as an independent nation with a number of development challenges. A number of international players emerged to assist the young country. The GRSS circulated a 437-page development strategy that failed to prioritize any particular development objective – perhaps an indication of the array of needs. Peacebuilding in South Sudan will require concerted, long-term attention and resource commitment by the international community. Facilitating and financing capacity building in governance, infrastructure and human resources is critical. This component of the paper examines economic barriers to peacebuilding and remedies.

Oil

Management of natural resource revenue has at best been poor, and at worst, incredibly corrupt. In 2012, the GRSS shut down the oil when unable to agree on a price with Sudan; Khartoum began to illegally pump South Sudan's oil and sell it (Dewaal 2013). The shut down persisted until April 2013 and devastated South Sudan's economy, which the World Bank estimates comprises 63% of the country's total economy (World Bank 2013-2014). The GRSS imposed stringent austerity measures on all sectors (excluding the military), reducing spending by 26%. Development projects were put on hold; salaries were late; poverty increased; currency reserves were depleted; and South Sudan had to take out a number of high interest loans to finance their expenditures (World Bank 2013-2014). While the GRSS was able to reach an agreement with Khartoum that allowed the oil to begin flowing, the outbreak of hostilities again threatens oil production as the SPLM-IO vies for control of the resource; as of March 2014, output had been reduced to 150,000 barrels per day from pre-conflict levels of 240,000 (Davison 2014). Efforts at normalizing relations between Sudan and South Sudan are important to ensuring continued oil flow, providing the GRSS with much needed revenues to develop state and human capacity. With estimates indicating South Sudan's oil reserves will be depleted in the next decade, talks of building a pipeline to Kenya are becoming impractical (Davison 2014).

Corruption

Corruption is deeply embedded in South Sudanese politics and has a detrimental impact on confidence in the state. While it is unlikely that corruption can be fully eliminated in a short period of time, efforts at curbing corruption are necessary for economic growth. The World Bank and state authorities have identified systemic corruption within the government, especially in relation to oil revenues. South Sudan's Auditor-General was unable to account for \$1 billion in 2012; further, a total of \$4 billion in oil revenues (almost 1/3 of total revenue) was unaccounted for in the period 2005-2012 (Hutton 2014). While President Kiir wrote letters to 75 current and former officials accusing them of stealing state money and dismissed his entire cabinet in July 2013 on corruption charges, the Anti-Corruption Committee has recovered only \$60 million from fraudulent transactions and misappropriation of funds by government officials (Hutton 2014). This naturally leads to questions of the seriousness with which Kiir is pursuing violators, and the political allegiance of those being pursued. Steps to limit corruption, such as appointing bipartisan officials to the Anti-Corruption Committee; greater access to government accounts and documents; and international pressure to pursue violators and implement preventive measures will contribute to a lasting peace.

Informal & Illicit Economy

Kaysie Studdard asserts that incorporation of informal and illicit economies are necessary to achieving lasting peace (Studdard 2004). In the South Sudanese context, it is imperative that informal and illicit economic activities are regulated by the state. As oil revenues dry up, South Sudan will come to rely on revenues from informal agriculture and illicit mineral trade. Interestingly, Hutton points out that the formal sector in South Sudan is a facade, since only about 12% of the population depends on the

formal sector, with less than 4% engaged in entrepreneurial activities (Hutton 2014). She further notes that despite 50% of the wealthiest segment of the population depending on farming as their main source of livelihood, there is no evidence of domestic crop production (Hutton 2014). The GRSS must begin to adequately account for domestic crop production to bolster its economy and ensure it has the means to deliver essential services to the people. GRSS losses also occurred to the illicit economy - in 2013, the GRSS estimated that it lost \$200 million per year in illegal gold mining (Sudan Tribune 2013); it is estimated that approximately \$660 million of gold is bartered for low prices in markets and traded for goods in Kenya (Hutton 2014). Incorporating these informal and illicit economies into the formal economy is vital to economic development, and to achieving a positive peace.

IFIs and the Peacebuilding Commission

As expressed above, the role of the international community is substantial in building enduring positive peace, in terms of financing, expertise and guarantees. It is well established that addressing the economic development problems of post-conflict states differs from that of a stable underdeveloped state. While South Sudan is not a recipient of IMF loans (IMF 2014), a result of the breakdown of an IMF deal due to the currency devaluation debacle (Hutton 2014), it is the recipient of World Bank financing. The *World Bank's Interim Strategy Note for FY 2013-2014* demonstrates that the bank is cognizant of the unique needs of South Sudan, other international efforts and its area of expertise – in this case improving economic management and governance; and piloting public works and skills operation on livelihoods (World Bank 2013-2014). While privatization, deregulation of the market and encouragement of foreign direct investment will likely figure into economic management, the Bank acknowledges the importance of increasing access to basic services and empowering small local businesses (World Bank 2013-2014). Time will tell whether inappropriate economic strategies are imposed on South Sudan, but for the moment the World Bank seems cognizant of the unique needs of the fragile state.

In the case of South Sudan, a unique role exists for the Peacebuilding Commission (PBC). The PBC is very effective at attracting funding and maintaining awareness of the needs of countries on its agenda. In its *Interim Strategy Note* the World Bank notes that there is a “crowded donor and NGO presence” in the country, ranging from the AU, the African Development Bank, UNECA, UNDP, the African Capacity Building Foundation, the United States, Canada and a number of others (World Bank 2013-2014). Although the GRSS is working with donors to draw out the priorities from its Development Statement, there seems an urgent need for coordination – another activity the PBC purports to provide. Most importantly, the PBC can provide a watchful eye over South Sudan upon the cessation of hostilities and advocate for continued funding when international attention wanes. An anonymous source working within the PBC revealed to the author that there have been a number of serious discussions about adding a South Sudan country-specific configuration, but the political will of the GRSS dissipates before any official action is taken. Adding South Sudan to the PBC will instil confidence in the South Sudanese population and the warring parties that their needs will not be forgotten once hostilities cease. It will also act as a deterrent to violators, since the country will be under observation.

Justice & Reconciliation

In South Sudan, justice and reconciliation are very important to attaining positive peace. The ethnic diversity of the society, the deep-seated mistrust and fear make justice and reconciliation a very important tool for enduring peace. Measures for justice and reconciliation should commence as soon as possible, but should not be prioritized relative to the other pillars.

Ethnic Divisions

Decades of ethnic violence and competition have soured relations between the different ethnic groups, most notably the Dinka and the Nuer. As demonstrated above, ethnic competition permeates every aspect of security, political and economic life leading to mistrust and fear. Hutton describes a strong sense of duty and obligation existing within ethnic groups, but notes that for the most part it does not exist outside of the ethnic group (Hutton 2014). Bridging the gap between ethnicities is paramount, and to do so requires acknowledgement of wrong doings and forgiveness. Initiatives aimed at empowering local populations to participate in and organize truth and reconciliation commissions should be prioritized. The power of South Sudanese civil society is demonstrated by the New Sudan Council of Churches in February 1999, when women conducted their own version of shuttle diplomacy and organized the Wunlit Tribal Summit halting Dinka and Nuer fighting by negotiating shared rights to water, fishing and grazing; the return of prisoners; and guaranteed freedom of movement (Hunt & Posa 2001). The South Sudanese are a resilient people – as demonstrated by their shared hope and aspirations on independence despite decades of fighting and suffering, with a rich network of inter-ethnic connections.

The South African Conception of Justice

In South Sudan, the warring ethnic groups are both victims and perpetrators. The recent human rights and humanitarian law violations by government and rebel forces confirm that both sides are guilty of atrocities. South Sudan is faced with two models of justice and reconciliation: the truth and reconciliation process undertaken by South Africa, or the retributive justice process undertaken by Rwanda, as outlined by Graybil and Lanegran (Graybil & Lanegran 2004). Given the multi-ethnic diversity of South Sudan, and the pressures retributive justice placed on the Rwandan justice system, the truth and reconciliation commission process is more appropriate for South Sudan. Rwandan justice is proving to be more divisive than unifying, and healing at the individual/local level in a decentralized state like South Sudan must be made the ultimate objective of justice and reconciliation efforts.

Conclusion: Realistic Expectations

It is important to note one final caveat – even if South Sudan were to follow this peacebuilding strategy in its entirety, the young state will struggle with a fragile peace for years to come. Consistent

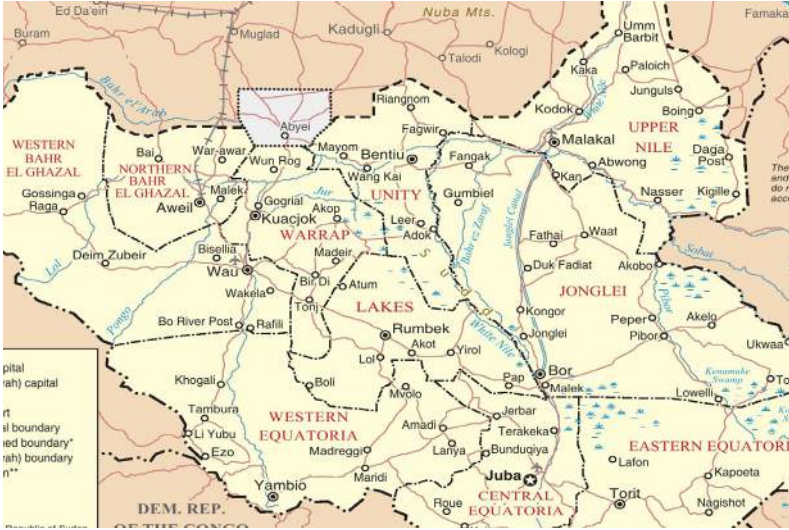
international attention and resources are vital to the cessation of hostilities and enduring peace. This paper has applied academic peacebuilding literature, case studies, South Sudanese history, current events and analysis of same to develop an appropriate, context-specific peacebuilding strategy with general and sometimes very specific solutions. This paper has not considered British or UN trusteeship of South Sudan, since this proposal is unlikely to receive support internationally, as the UN denies allegations that trusteeship is under consideration (Poni 2014).

In each of the spheres, this paper has demonstrated the need for greater engagement, better program planning and better coordination among peacebuilding actors in South Sudan to replace the seemingly piecemeal and patchwork efforts that have persisted. In the security space, peacebuilding actors might provide funding and programming for proportionate ethnic and geographical inclusion in the security sector and in DDR efforts. Incentives and assistance in training local police forces would alleviate local tension between the groups and deter violence. Incentives and pressure to ensure that political arrangements comprise broader inclusion of all groups at each level of decision-making and the protection of leaders representing various ethnic groups must be provided. Peacebuilding actors can provide technical assistance, funding and monitor resource management and corruption. Engaging with South Sudanese civil society organizations on how to effectively formalize agricultural and mining activities may further strengthen economic development. Although treated minimally, peacebuilding actors must recognize the importance of justice and reconciliation, the deep ethnic divisions in the South Sudanese context and the limited capacity of the justice system. Disparate and fragmented approaches by numerous peacebuilding actors were evident within each sphere, let alone across spheres.

Despite limited international engagement and political will to peacebuilding in South Sudan since the CPA in 2005 and the incredible state building challenges the young country faced, this paper has exposed gaps that permeate peacebuilding in most countries. Sustained engagement, context specific programming and coordination all remain problems across the peacebuilding space. There is some effort at the international level to ensure at least a minimal commitment to peacebuilding processes, culturally sensitive programming and coordination with the establishment of the UN PBC. The PBC strives to provide some coordination; awareness; and fundraising but its work and contribution are questioned as conditions worsen in the DRC and Burundi, both PBC countries. While this paper has called for South Sudan to come under the purview of the PBC as the best chance for better coordination and sustained engagement, the comparative study of peacebuilding efforts in several PBC countries and non-PBC countries (notably South Sudan) may provide better insight into how the PBC may enhance peacebuilding efforts.

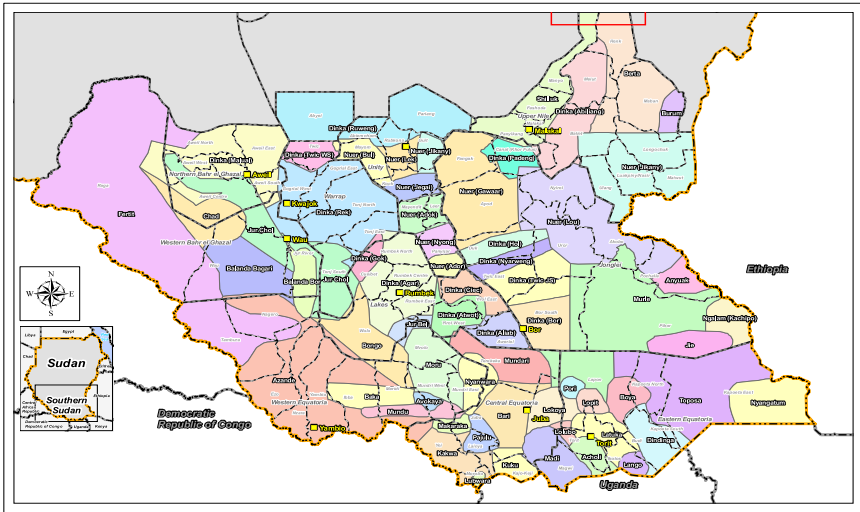
This strategy does not profess to solve all of South Sudan's problems, nor does it claim to be a comprehensive peacebuilding strategy. Peacebuilding strategies by their very nature change based on context and time, and a number of other variables. This strategy is a starting point – a way to think about how peacebuilding efforts might be conceived of in the young, struggling nation. Ultimately, this strategy aims to enlighten on the complexities of South Sudanese society, and the unique challenges it faces.

Annex I



(UN Department of Field Support, 2011)

Annex II



(UN OCHA, 2009).

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