

# Challenges and Future Prospects

## United Nations Mission in South Sudan (UNMISS)

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*Over the last seven decades, UN Peacekeeping Operations (UNPKOs) have helped conflict-ridden societies attain sustained stability and economic progress. The United Nations Mission in South Sudan (UNMISS) has entailed considerable efforts from the UN Country Team and international organisations. This article highlights and examines the role of UNMISS and its challenges in ensuring lasting peace in South Sudan. The article provides historical background, analyses the root causes of the conflict in South Sudan and traces the evolution of UNMISS's mandate. Despite steady progress and agreements such as Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ACRSS) in 2018, South Sudan remains ravaged principally due to ethnic conflicts. The affiliates of both President Kiir and Vice President Riek have been at the helm of systematic cyclic violence against each other, increasing the threat matrix for the mission—ethnic conflict, protection of civilians, disarmament and gender-based violence. This article attempts to understand the complexities of the challenges UNMISS faces and underscores the prospects for peace as South Sudan stands at the crossroads of peace and perpetual violence.*

**Keywords:** *United Nations Mission in South Sudan (UNMISS), Peacekeeping Forces, Ethnic Conflict*

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## INTRODUCTION

A conflict that stretched for over a decade led to the formation of South Sudan as an independent country separate from Sudan in 2011. Following 40 years of protracted civil war between the north and south regions of Sudan, South Sudan became the newest country in Africa after a referendum favouring secession. To guarantee the execution of the peace accord struck between the Government of Sudan and South Sudan's People Liberation Army (SPLA), the United Nations Mission in South Sudan (UNMISS) was established on 9 July 2011 by UNSC Resolution 1996 (2011).<sup>1</sup> The UN established a peacekeeping mission in the country to develop sustainable peace. UNMISS faced multiple challenges as the internal tensions in 2013 led to a civil war. The massive killings, gross human rights violations and the rising number of refugees required the global community to act. Hence, the UN changed its mandate and priorities of overseeing the transition from interstate to intrastate conflict to protecting civilians and ensuring robust peacekeeping.<sup>2</sup> Since the adoption of its first resolution in 2011 the peacekeeping mission in South Sudan has been extended every year. With the efforts of the peacekeepers, the intensity of the violence has reduced over time, but civilians continue to bear the brunt of heightened inter-communal tension. The mission also strives to ensure the resumption of civic and political space expansion. Since independence, political leaders have only made devious attempts at establishing a democracy.<sup>3</sup> The power-grabbing manoeuvres at the uppermost level have prevented the values of electoral democracy from reaching the ground level. Constitution-making has been woefully slow. Tribal conflicts and ethnic rifts have marred any progress made through negotiations.

The stakeholders and their interests in the conflict present multiple challenges to the mission. Its oversimplification further complicates the situation. Conflict in South Sudan is due to ideological differences, power struggles, ethnic conflict and governance issues. Despite the dire humanitarian crisis and the absence of peace, the prospects of peace are plausible. Agreements mediated by the Intergovernmental Authority of Development (IGAD), African Union (AU) and Troika (the US, UK and Norway) such as the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) in 2015 and the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) in 2018 provide a framework for achieving peace and state-building.<sup>4</sup> The year 2024 is crucial as the country aims to hold its first general election. Specific outstanding issues such as making a permanent constitution, unified military command

and genuine politics will continue to pose a big question for the electoral process.<sup>5</sup>

This article examines UNMISS in light of the unstable past of the country's turbulent history. The article traces the mandates and the role of UNMISS before delving into the background and looking at the causes of conflict. The article delves into the challenges faced by UNMISS, such as ethnic conflict, protection of civilians, disarmament and gender-based violence. Finally, the article underscores the importance of UNMISS in ensuring lasting peace and stability through adaptable methods and collaborative efforts.

### UNMISS AND THE EVOLUTION OF Its MANDATE

A civil war broke out in the country in December 2013, owing to ethnic tensions aggravated by the conflict between the government and opposition forces. Realising the need to protect civilians, preserve human rights and deliver humanitarian assistance, the Security Council passed Resolution 2155 (2014), which extended the mission. Resolution 2677 (2023) has extended the mandate until 15 March 2024.<sup>6</sup> Further, the Security Council adopted Resolution 2729 (2024), extending the mission until 30 April 2025. UNMISS is a multidimensional peacekeeping operation, meaning it may be required to fulfil multiple duties depending on its mandate. According to the handbook released by the Department of Peacekeeping Operations, United Nations, 'assisting in implementing a Comprehensive Peace Agreement (CPA), monitoring a ceasefire or cessation of hostilities to allow space for political negotiations, providing a secure environment encouraging a return to normalcy; prevent the outbreak or spillover of conflict across borders; lead states or territories through a transition to stable government based on democratic principles, good governance and economic development; and administer a territory for a transitional period, thereby carrying out all the functions that are typically the responsibility of a government'.<sup>7</sup> Therefore, UNMISS aims to not only maintain peace and security, but also facilitate the peace process and assist in disarmament and the reintegration of combatants.

UNMISS is a hybrid peacekeeping mission under Chapter VII. It has almost 20,000 peacekeepers from around 73 countries who work to implement the mandate. The disagreements emanating out of ethnic fault-lines have led to bloodshed among various tribes and have resulted in factionalism. Therefore, the UNMISS's mandate prioritises establishing a credible electoral process and expanding South Sudan's civic and political space. Over time, the mandate has undergone multiple additions, all of which are inseparably

connected to the 22 years of civil war of independence. The foundational structure and fundamental objectives have been preserved, enabling the retention of the mission's core elements within its mandate. The mandate renewal in April 2024, which highlights the accentuated focus on the first-ever post-independence elections, stands as proof. The core elements of the mandate are: (i) the Protection of Civilians (PoC), (ii) creating the conditions conducive to the delivery of humanitarian assistance, (iii) supporting the implementation of the R-ARCSS and the peace process and (iv) monitoring, investigating and reporting on violations of international humanitarian law and violations and abuses of human rights.<sup>8</sup>

### HISTORICAL BACKGROUND AND EVOLUTION OF THE CONFLICT

Conflict in Sudan and South Sudan traces its origins to colonial times and external influences. Since the days of the Anglo-Egyptian condominium, Sudan has been divided based on religion—the north is predominantly Arab and Muslim, and southern Sudan follows Christianity.<sup>9</sup> After Sudan's independence in 1956, southern Sudan remained marginalised and economically weak. Southern Sudanese tribes grew resentful towards the north but remained deeply engrained in tribal intricacies. The active fighting took place around the oil-rich regions of Darfur, the southern Kordofan and the Blue Nile.<sup>10</sup> Oil provided an incentive for the rebel South Sudanese tribes to rise over tribal loyalties and to gain control over the territories from the Government of Sudan. The history of control over oil resources, tribal kingship rivalry and power struggles between leaders have hugely influenced the prospects for peace in South Sudan.

Society in Sudan was divided according to religious and tribal identity. Northern Sudan followed Islamic culture due to its affinity with Egyptian rulers, whereas southern Sudan, under the influence of British Colonialism, followed Christianity. Northern rulers assented the southern elites towards a federal system as the British began to exit Sudan. However, the northern government attempted to model a state with one religion and culture. Islam and Arabism became prominent, resulting in massive resentment in southern Sudan.<sup>11</sup> Soon after Sudan's independence in 1955, the military took over in a bloodless coup in 1958. General Ibrahim Abbud took over the country and facilitated the spread of Islam and Arabic language, marginalising the southern Sudanese. In 1962, a widespread strike broke out in southern Sudan, resulting in anti-government sentiments, which morphed into rebellion against the military rule. Southern tribal rebels organised themselves

in the form of Anya Nya in 1963. The Anya Nya was a group of South Sudanese separatist rebel tribes led by Joseph Oduho. Failed governance and trust deficit led to rebellion by Anya Nya in the first Sudanese Civil War (1955–72).<sup>12</sup> The prospect of peace seemed possible briefly under General Nimeiri's reign (Sudan's second military dictator). Southern Sudan Liberation Movement (SSLM), the political wing of Anya Nya and General Nimeiri, signed the Addis Ababa agreement in 1972. The agreement saw success at first. However, differences among tribes led to a consolidated peace after the Addis Ababa agreement. South Sudan's largest tribe, Dinka, disagreed over the agreement; their perennial problem of cattle raiding and opposition from Equatorian tribe (Tribes from erstwhile Equatoria province of Sudan) torpedoed the peace Addis Ababa agreement.<sup>13</sup>

The second phase of the conflict began with the rise of Dr John Garang, a Dinka colonel who defected from the Sudanese National Army to SPLA. Born out of mistrust, the SPLA always had an authoritarian bent and was dominated by Dinka tribal leaders. Tribal rivalry grew in the early 1990s when Nuer (second largest tribe after Dinka in South Sudan) and Dinka tribes fought amongst each other. Throughout the 1990s, Sudan saw escalated violence levels and unabated killings of civilians. Leaders such as Riek Machar, a Nuer, and Lam Akol, a Shilluk, broke away from SPLA due to a centralised power under John Garang and a lack of support for secession from Sudan. The infighting ensued between tribes due to sheer brutality, control over oil resources and destruction of crops. Riek Machar, supported by other tribes such as Shilluk, opposed the Dinka-led SPLA and formed the South Sudan Defense Force (SSDF).<sup>14</sup> The government in Khartoum supported the SSDF, which formed local self-defence militias. South Sudan's neighbours also played their role in further aggravating the conflict. A new political party, the National Islamic Front of Sudan (NIF), came to power in 1989. NIF tried to subvert neighbouring countries such as Uganda and Kenya over their support to SPLA and also declared war in the south—given the hardline Islamic ideology of NIF, evangelical Christians in the US, Uganda and Kenya and American liberals successfully rebranded SPLA under Garang as a force fighting for the persecuted Christians against the Islamic regimes in Khartoum.<sup>15</sup> The multifaceted conflict in Sudan took the shape of religious conflict, and Western lobbyists continued to overlook SPLA's history of gross abuses of human rights and tribal conflict.<sup>16</sup> The blatant whitewashing by the pro-SPLA factions in the West led to the mainstreaming of SPLA and limited the scope of the unified southern Sudanese response against the Government of Sudan (GoS).<sup>17</sup> SPLA got divided over ethnic lines.

Despite escalated violence levels, neither SPLA nor the GoS could break the stalemate. The growing humanitarian crisis also played a role in bringing SPLA and the GoS together towards a peaceful resolution of the conflict. After a long negotiation process, peace talks between the GoS and Sudan People's Liberation Movement (SPLM)/SPLA bore fruit in the early 2000s, with the negotiation facilitated by regional groups such as IGAD. With great optimism in 2005, SPLA and the GoS signed the historic CPA agreement. CPA was a collection of negotiated agreements between SPLA and the GoS to end the conflict in southern Sudan. The parties committed to ending the conflict, the formation of national unity, a six-year interim period and holding a 'popular consensus' in southern Kordofan and the Blue Nile.<sup>18</sup> It took six years for the referendum to take place. With a majority of 98 per cent of the country, South Sudan came into existence in 2011.<sup>19</sup> The journey of the first decade of South Sudan's independence is intertwined with President Salva Kiir, a Dinka commander who took over SPLM after John Garang's death and became the President of South Sudan, and Riek Machar, a Nuer commander who took over as Vice-President of South Sudan.

The peace process created an illusion that Sudan was responsible for much of the trouble in South Sudan. However, President Kiir's authoritarian bent with a 'large tent' approach—he used oil resources to buy off politicians and ethnic militia leaders.<sup>20</sup> Despite agreeing to a transitional democratic process, South Sudanese politicians could not overcome tribal, ethnic and governance issues. Soon after the much-celebrated 2011 secession, South Sudan descended into a brutal civil war in 2013. Unlike popular opinion, the civil war in South Sudan was not a direct rule-of-power tussle between Salva and Riek, it had more to do with SPLA's inability to govern the country and the government-aided pogrom against the Nuers in Juba following a disagreement over the disarmament of the Nuer component of the Presidential Guard.<sup>21</sup> In late 2013, the continuation of political strife between the government and opposition forces turned into a civil war situation. Hate, anger and resentment pushed the Dinka and Nuer tribes towards a protracted civil war. The peacekeeping mission was extended with a renewed focus on protecting civilians, monitoring human rights violations, creating favourable conditions for humanitarian assistance and supporting the implementation of the Cessation of Hostilities Agreement.<sup>22</sup>

Regional rivalries have influenced the prospects of sustainable peace in South Sudan. Neighbour countries such as Sudan, Uganda and Ethiopia have all played their roles in the long-haul conflict by supporting proxies in South Sudan to advance their vested interests. The vested interests of

IGAD members in the conflict became a point of contention. IGAD and AU advocated for the 'African Solutions' approach. Local ownership is essential for advancing African solutions to developing development challenges.<sup>23</sup> Subsequently, IGAD and AU played a vital role in signing peace agreements such as the ARCSS in 2015 and the R-ARCSS in 2018.<sup>24</sup> However, they had limited success in the implementation of these agreements.

Regional players are vital for sustainable peace in South Sudan. Local leaders have questioned the impartiality of the UN in several instances. Regional partners such as the AU and IGAD can ensure consensus towards greater scrutiny of South Sudanese elites who continue to amass wealth. However, internal disruptions and vested interests, centralised decision-making, the lack of institutional memory and the inability to reach out to wider stakeholders crippled the peace initiative by IGAD.<sup>25</sup> The need of the hour is to form a consensus among the external factors towards an ingenious community-based solution.

## CHALLENGES FOR UNMISS

Many push and pull factors will decide the prospects of peace in South Sudan. These challenges hinder the successful implementation of the UNMISS initiative. As new threats continue to emerge, the below-mentioned causes will continue to dictate the country's peace prospects in the future.

### **Ethnic Conflict and Conflict Management**

The labyrinthine nature of the conflict and the complexities involved in seeking political solutions can be understood by how the multitudes of tribes try to assert their interests. The various tribes include Dinkas, Shilluk (Chollo), Luo, Bari, Azande, Anuak, Murle, Kuku, Kakwa, Mandari, Murle, Ndogom Lndi, Lango, Didinga, Dungatona, Acholi, Baka, Fertit, Bviri, Kreish, Bongo, Jiek and Nuba.<sup>26</sup> The majority, formed by the Dinka community, is responsible for asserting its dominance. The community forms approximately 35.8 per cent of the population. As practitioners of cattle herding or subsistence farming, the communities of South Sudan have their social structures defined by customary laws. According to the UN Population Fund (2011), 'more than 90% of criminal and civil matters in South Sudan are determined through customary law. The respect and recognition of customary law become integral to protecting traditional knowledge against misuse and misappropriation by others'.<sup>27</sup> The journey of the tribes into a modern world equipped with technology and political institutions has been

painfully twisted. External influence from multinational corporations such as the China National Petroleum Corporation and Malaysia's state-owned oil company, Petronas, has left the native people devoid of their rights to natural resources. The traditional subsistence lifestyle has undergone a loss of self-sufficiency. With survival becoming a daily struggle, the expression of cultural traditions has turned into violent acts. Cattle raiding is when a neighbouring tribe ambushes a community to take their livestock and resources. These violent interactions frequently result in death since weapons are so widely available. When a cattle raid occurs, the tribe that is targeted typically wants retaliation. There has been an unprecedented increase in this practice.

### **Protection of Civilians and Disarmament**

UNMISS has a significant military component, and because protecting civilians is a prominent feature of the mandate, an appropriate civilian component has also been added to the mission. South Sudan has one of the highest armed populations in the world. The proliferation of Small Arms and Light Weapons (SALW) has been a critical driver in the unabated violence and instability that has brought the country to its knees. The cyclic violence in the country has made protecting civilians arduous, with some peacekeepers becoming victims of ruthless killings between two or more ethnicities in the region. The direct, regular engagement of UNMISS's civilian component with the civilian population at risk provides succour and assurance to the population.<sup>28</sup> The other significant ways to ensure sustainable peace include disarmament, demobilisation and reintegration of combatants. Despite the UN arms embargo and overwhelming evidence of the proliferation of arms, the country cannot address the illicit arms influx. Currently, South Sudan has the highest number of child soldiers in armed conflict across the world, with more than 2.8 billion students out of school (UNICEF).

### **Peacebuilding in South Sudan**

The peacebuilding process includes augmenting institutional capacity at all levels and fostering long-term state-building and economic capability. UNMISS is mandated to build institutions such as judicial and parliamentary reforms for all tribes and civil society, protect civilians and implement peace agreements. In addition, UNMISS cooperates with IGAD, AU and Troika on matters related to South Sudan in the UNSC. UNPKOs complemented by the other UN agencies and funds is never an alternative to the state



and its public services. The words of the First Secretary of the Permanent Mission of India to the UN, Sandeep Kumar Bayyapu, are apt in this regard: 'Peacekeeping serves primarily as a tool to support a viable political process. The peacekeeping operations should not be used as a substitute for addressing the root causes of conflict'. Developing a conducive environment for free and fair elections to ensure better representation of all parties is one of the core commitments in the UNMISS mandate. UNMISS documented at least 20 individuals affected by undue restrictions of fundamental freedom, including through continuous censorship, harassment, arbitrary arrests, detention and ill-treatment of individuals expressing critical or divergent views by security forces.<sup>29</sup>

The idea that democracy cannot be established without the promise of equal and adequate representation of all diverse groups is guiding the peacekeepers to extend technical assistance and advocacy for protecting the rights of exercising civic and political freedoms. In September 2023, UNMISS engaged with over 163 Civil Society Organisations (CSOs) representatives in the Third Quarterly Meeting of the CSOs. The progress in constitution-making has seen constant setbacks such as SPLA-IO (main opposition) backing out and boycotting the constitutional business proceedings and the government's unilateral passing of controversial bills. The passing of bills without thorough discussions with the opposition leads to disruption in the political process, which fuels the cycles of violence. Such instances reflect the absence of community consensus in decision-making. The 2024 Election is a crucial milestone for the mission. However, the government of South Sudan must complete some tasks before the elections—census, demarcation of constituency boundaries and essential legislation. It is unrealistic to assume that South Sudan can have the constitution in the stipulated time before the elections in 2024; therefore, the UN mission must enforce the credibility of the overall election process.

### **Violence Against Women**

The worst affected victims of this scourge have been women and children. The heinous crimes perpetrated against the women of South Sudan include mass gangrapes in full view of others, forceful marriages after the kidnapping and, in some instances, they get brutally beaten at the hands of multiple men. Sexual slavery and torture are so prevalent that the United Nations Commission on Human Rights in South Sudan, in its report released in March 2022, stated it as a 'hellish existence for women and girls'. The UN Women Strategic

Plan 2018–21 focuses on eliminating Violence Against Women in Politics (VAWP) by ensuring greater participation and leadership in governance. Increasing the involvement of women in peacekeeping missions has been efficacious, as they have contributed to the Women, Peace and Security (WPS) priorities.<sup>30</sup> WPS is a policy framework that recognises that women must be critical actors in all efforts to achieve sustainable international peace and security. It was formalised as a political commitment in the Secretary General's Action for Peacekeeping (A4P) initiatives. Following the Policy of Gender Responsive United Nations Peacekeeping Operations (2018), the Department of Peacekeeping Operations (DPKO) and Department of Field Support (DFS) personnel have integrated gender equality across all work areas. Women in peacekeeping play a vital role in building community confidence among women and children, reaching remote communities and spreading greater awareness concerning accessing the support extended by UN agencies, funds and programmes.

#### ROAD AHEAD FOR THE UN MISSION

UNMISS continues to provide succour and scourge to the victims of the 2013 civil war. It is noteworthy to appreciate the efforts of UNMISS in the protection of civilians in 2013 as well as in 2015 communal violence. However, the UN mission must build the capacity of the government of South Sudan to deliver justice and accountability for crimes committed during the civil war. Both the ARCSS and R-ARCSS agreements call for the establishment of three accountability mechanisms to address human rights abuses and atrocity crimes—the Commission for Truth, Healing, and Reconciliation (CTHR), the Hybrid Court for South Sudan (HCSS) and the Compensation and Reparations Authority (CRA).<sup>31</sup>

The 2015 report of the African Union Commission of Inquiry into the war in South Sudan, headed by former Nigerian president Olusegun Obasanjo, presents a case for an Africa-led mechanism. For a country that aspires to transition from an endless power-sharing path, it is vital to address the shortcomings of the judiciary and bring the perpetrators of violence and atrocities during the civil war to light. The crackdown on members of civil society, critics of the government and others in opposition through continuous censorship, harassment, arbitrary arrests and detention for expressing their opinions violates the fundamental human rights of the citizenry. The UN needs to build the capabilities of the state judiciary to strengthen systems for

justice and accountability, protect affected communities and expand civic and political space.

One of the biggest challenges for UNMISS is to ensure peace and equality as civilians continue to bear the brunt of the violence in South Sudan. The data substantiates the view. Between April and June 2023, the mission documented 222 incidents of violence against civilians (including 128 children), whereby 395 civilians were killed, 281 injured, 166 abducted and 29 subjected to Conflict-Related Sexual Violence (CRSV).<sup>32</sup> Conflict in South Sudan further challenges the peacekeepers to ensure that the Internally Displaced People (IDP) are secure from community-based militias or civil defence groups. Securing areas susceptible to communal violence such as Warrap, Jonglei, Upper Nile and Equatorian states, is necessary.

One of the major tasks ahead for the UN mission is to take serious steps to strengthen the capability of the National Mine Action Authority to clear out cluster munition remnants and undisposed mines to mitigate the threat and help in achieving the safety and security of civilians in their daily lives.

## CONCLUSION

UNMISS in South Sudan has faced multifaceted challenges in the past decade, particularly in dealing with ethnic conflict and protection of civilians, disarmament and gendered violence. The country remains ravaged by the protracted war. President Kiir and Vice President Machar continue to amass wealth and remain at loggerheads despite agreeing to bury their hatchet. Instead of using non-military democratic methods to resolve differences, leaders in South Sudanese polity have used ethnic violence as a tool to incur damage to their opponents. UNMISS and IGAD remain committed to ensuring a peaceful transition. However, numerous challenges remain. The protection of civilians, the making of the constitution, the making of a unified army, the building of capacity and peaceful elections by the end of the year are some of the UNMISS priorities. However, there exists a need for more political will. The warning by Francis Deng, South Sudan's first ambassador to the US, concerning the failure of the people of South Sudan to be their 'brother's keeper' is prophetic because different political formations and ethnic groups could not ensure peace.<sup>33</sup> The forthcoming elections could be the defining moment for the country and the UN mission. Politicians frequently resort to violence post-polls, and any discrepancy in elections could

lead to widespread violence when polarisation takes place on ethnic lines. The challenge is in the execution of the elections. Technical and logistical support is one way to ensure transparency in the country. This study has analysed the United Nations Mission in South Sudan and infers that regardless of its challenges, UNMISS has continued to protect civilians and build the state's capacity. Conducting integrated peace operations in a complex environment has been a trial for the mission's success. With the prospects of a democracy established in the country, UNMISS should continue functioning. The South Sudanese society, along with UNMISS, AU and IGAD, must unite to ensure human security for themselves and, in the process, ensure that they and their culture are preserved through sustainable ways of living that they traditionally followed.

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