Diplomacy: A Key to Ending the Worsening Crisis in South Sudan

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Introduction

The Violence in South Sudan worsened in the month of April amidst reports of mass atrocities against civilians in Bentiu just days after the rebels gained control of the town, and in what seems like a revenge attack, a pro-government angry mob broke into a UN base where thousands of the people displaced by the war are taking refuge in Bor, butchering over fifty innocent civilians according to the United Nation Mission in South Sudan (UNMISS). The conflict generally has escalated in a worrying manner, which, barring a robust international intervention, suggests it might turn into uncontrolable ethnic killings. This turn of events is a cause for grave concerns internationally, and stokes a lot of fear across the country. Both the government and the opposition have not been able to show restraint of their forces to spare innocent lives. Attempts to speedily find a sustainable resolution to this unconscionable conflict have been largely unsuccessful, as the talks to institute and deploy the much-needed deterrent force to contain carnage have remained rhetorical than reality. The US and the UN, the two leading partners of the Government of South Sudan, have largely failed to take a lead in ending the crisis and evasively deferred to IGAD. Now that the crisis has seemingly spiraled out of control, the US and the UN have finally given the crisis the diplomatic primacy it deserves, showing positive results already.

For months now, as the conflict has been raging in many parts of South Sudan, the United States and the United Nations have been very ambivalent diplomatically regarding the need to end the crisis in South Sudan. They seem to have bought into the notion that “African problems need African solutions”, a mantra that is difficult to realize largely due to a number of inherent weaknesses found within the African institutional setup. This paper argues that the United States and the United Nations have missed the opportunity to end this crisis by deferring to Intergovernmental Authority on Development (IGAD) despite their known leverage over the conflicting parties. The paper highlights some of the diplomatic tensions that exist between the government and the US/UN that might explain the reticence the two powers have shown thus far when it comes to ending the crisis.
Further, the reprehensible state of diplomacy in South Sudan and the diplomatic ambivalence of the US and the UN towards South Sudan allowed this crisis to reach this stage. The latest United States and UN diplomatic surge, including recent high-level diplomatic visits from the UN and the US to South Sudan, have positively influenced the parties and brought them close to resolving this crisis. These high-level engagements from the US and the UN must be sustained even after any agreement. Similarly, a mere threat of sanctions that is divorced from a robust diplomatic engagement might be unhelpful as such threats stand to either force the parties to reach an agreement haphazardly or elongate the conflict, especially if the affected parties read them variably.

Regional Reaction to the Violence

The violent events of December 15 tested the government’s relationship with the region and the international community. Using what is widely considered as wobbly evidence, the government blames the conflict on what it claims was a failed coup attempt\(^1\), which turned into a rebellion. Naturally, the government had expected the region and the international community to condemn the coup in strongest terms possible and show support. The rebels and opposition forces deny the coup narrative and instead blame the government for orchestrating the violence to purge political adversaries\(^2\). They had expected a wide condemnation of the government that is seemingly targeting political opponents. How the United States and the UN responded to this situation somewhat angered the South Sudanese government and resulted in rocky diplomatic relations. We review the reactions of various African governments in relation to the international community.

In Africa, the African Union (AU), in response to the crisis, sent a delegation four days after the violence, to convey to President Kiir AU’s support and its desire to help the government end the crisis\(^3\). This response was considered an important diplomatic gesture because it established a channel of communication that allowed both parties to know each other’s position. The AU, however, took rather less prominent role in ending the conflict and deferred to IGAD countries. This was not necessarily the best diplomatic strategy, as the AU should have remained engaged at high level with the mediators and the parties to the conflict. The creation of the Commission of Inquiry to investigate atrocities committed during the violence was certainly a good step, but a high level committee to defuse the violence should also have been formed. Important countries on the continent like Egypt, South Africa and Nigeria came out publicly and condemned the attempted coup.

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\(^3\) [http://www.reuters.com/article/2013/12/19/us-southsudan-unrest-idUSBRE9BH0I620131219](http://www.reuters.com/article/2013/12/19/us-southsudan-unrest-idUSBRE9BH0I620131219)
Regionally, the IGAD countries were among the first to respond to the crisis, coming out publicly and condemning the purported attempted coup, followed by a visit of the presidents of the Sudan, Uganda, Kenya and the Prime Minister of Ethiopia to show solidarity with Juba. The regional body threatened to take action against the rebels if they did not lay down their weapons. IGAD’s response was definitely reassuring for the government, but it was considered partial and interfering by the rebels, although its offer to mediate the conflict was welcomed by both parties. IGAD mediation efforts were quickly mired by Uganda’s involvement in the conflict, especially on the side of the government. There were also allegations of competition between Ethiopia and Kenya over who should be leading the mediation. When IGAD countries saw that Uganda’s presence in South Sudan was a potential obstacle to negotiations, they promised to send in a deterrent force with contribution from different regional countries. The force was supposed to deploy in April, but lack of funds apparently delayed the process, in addition to vehement opposition from the rebels. The IGAD’s mediation efforts were also slowed by a number of preconditions that the rebels put on the table including the need to free political detainees. Although the warring parties signed the Cessation of Hostilities Agreement late January, violence escalated even further. In essence, IGAD’s efforts have been very deficient at best partly because other important players like the UN, US, Troika, and AU have taken a back seat.

**UN Reaction of the Violence**

At the international level, the United Nations Secretary General reacted to the crisis by calling for an immediate ceasefire and support for IGAD led mediation efforts. This was followed by a phone call to President Kiir. The UN chief did not explicitly condemn the alleged coup, but did not show direct support for Juba either. The UN chief took the right step to speak directly to the head of state and indicated his desire for peaceful resolution to the conflict. Much of what restrained the relationship between the world body and the South Sudanese government was not so much over the response from the UN Headquarters in New York, but the attitude or inactions the institution’s staff showed on the ground.

However, the fact that the UN Secretary General and the UN Security Council did not publicly condemn the coup was probably a bitter pill for Juba. It has to be recalled that in the Democratic Republic of the Congo, the UN mission there collaborated in 2013 with the government to quell M23 rebellion. It is plausible that Juba had expected the same

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7 [http://www.newnationssouthsudan.com/features/you-cannot-force-a-president-to-step-down-at-gunpoint-%E2%80%93-vp.html](http://www.newnationssouthsudan.com/features/you-cannot-force-a-president-to-step-down-at-gunpoint-%E2%80%93-vp.html) revealed recently by South Sudan Vice President on this interview.
response from UNMISS. Perhaps out of frustration with the UN position, President Kiir led a charge against the world body on January 21, 2014, suggesting that UNMISS was running a parallel government. This was followed by barrages of similar accusations from senior government officials. These charges forced Hilde Johnson, the UNMISS chief, on April 3, 2014, to hold a press conference, followed by a press release disputing 12 allegations labeled against the international body by the Government of South Sudan during this crisis.

What is startling is that in many instances, these allegations suggested that UNMISS seemingly had failed to communicate sufficiently with Juba during the crisis. Poor communication apparently created a suspicious environment about the actions and intentions of UNMISS and all its activities were for the first time under microscope. The UNMISS Chief is perhaps responsible for any miscommunication with the government, a diplomatic failure on the UN. Although UNMISS has successfully dismissed all the allegations labeled against it, the damage has already been done and the civil population remains apprehensive about its role in this crisis, partly because of media propaganda the government launched against the institution. Hence, the UN image remains tarnished and so it must do more to demonstrate transparency in its operations and intentions to rebuild its relationship with the host government. Most of these allegations would not have surfaced had there been an effective communication. For example, the UNMISS’ mislabeling of weapons was admittedly a strategic mistake at a time when it’s relationship with the government was at its worst.

The UN, despite the shortcomings of UNMISS, responded urgently although not adequately, to the crisis. The Security Council quickly moved to authorize the increase in the size of the force from 7,000 troops to 12,500 troops in an attempt to provide adequate protection to citizens essentially trapped at the UN bases. This was an appropriate response, however, there was no tangible diplomatic effort from the world body that aimed at getting the belligerent parties to talk and resolve the crisis immediately. There were various appeals in the media, but more could have been done. Needless to say that the UN had been a long time partner of Juba and it took no clear action when the fighting within the SPLM was threatening to set the whole country ablaze. It makes people wonder what peace the UN intends to keep in the country if such conspicuous actions by the local parties did not alarm it.

The shaky diplomatic relations between the government and the UN were not the making of the UN alone. The government carries a lot of blames for vilifying UNMISS in the media and accusing it of supporting the rebellion. UNMISS does not support any party in this conflict and that remains the fact until hard evidence emerges otherwise.

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Some of the public statements by government officials against the UN body were uncalled for, and resultant harassment of UNMISS staff probably related directly to this media propaganda. These indefensible actions by the state against the world body are indeed indicators of what appears like an immature diplomacy.

The tensions between South Sudan and UNMISS are a natural progression of many other instances of disagreement prior to the crisis. South Sudan took a hit diplomatically between 2012 and 2013 concerning how it managed David Yau Yau’s rebellion in the restive state of Jonglei. The crisis put the government and the UN at odd over reported human rights abuses and the heavy handedness of the military intervention. The government also received excruciating criticisms from the US Congress as well as the State Department and the White House over the abuses. Restrained coordination and communication between the UNMISS and the SPLA led to the unfortunate gun down of UN helicopter allegedly mistaken for an enemy plane dropping supplies to David Yau Yau rebels in 2012.

In summary, it is important to reiterate that the restrained relations between the UN and the Government of South Sudan are a result of how the UN responded to the crisis. It can also be attributed to both the attitudes of UNMISS staff and underachieving GoSS diplomats who callously felt the need to bark at anyone not in sync with their feeling about the crisis. These tensions happened within the context of an already restrained relation over the crisis in the Pibor area. GoSS and the people of South Sudan stand to lose if these relations do not improve. UNMISS is doing its part protecting innocent civilians under very difficult circumstances and it should be commended, not condemned. The UN body is operating in a very difficult situation, but its role is crucial both to sustaining lives and averting catastrophic humanitarian conditions in the country, which the government needs to recognize.

The President’s message on Easter Sunday was reassuring and marked perhaps a departure away from the sharp rhetoric directed at the UN body at the beginning of this crisis. The UN has reciprocated these positive gestures through high level visits from the UN Secretary General and the Commissioner for Human Rights12. The results of these engagements are producing positive results already and should be maintained. Improving relations between South Sudan and the UN is not only necessary for the protection of civilians; it is also strategically important for diplomacy, a key to ending this crisis.

**United States’ Response to the Crisis**

The Government of South Sudan had not only struggled to maintain a good relationship with the UN during this crisis, it has also experienced a difficult relationship with its major supporter, the United States. The thorny relationship between the two countries is partly a result of how the US responded to the current crisis and some residual diplomatic stumbles during the two and half years of independence. The United States did not condemn the alleged coup initially. President Obama’s response to the crisis was an

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appeal for South Sudanese leaders to consider people’s interest above their own to reach a political compromise. This was definitely a measured statement and it went right into the heart of the matter. South Sudanese had expected, however, a stronger US reaction to the crisis given its investment in the country and its perceived leverage over both parties. Particularly, Juba expected Washington to strongly condemn any attempt to topple an elected government and take additional steps to warn those in opposition to cease subversive violent activities. The response was at best timid and ambivalent, but not antagonizing to any party at least. Conceivably, the US was not sure who was the bad guy (an American way of dealing with crisis is to know who the bad guy is) and it probably took time to study the situation.

On January 10, 2014, however, Linda Greenfield, the head of African Affairs Bureau, came out publicly and declared that there was no enough evidence to support the attempted coup claim. This was a diplomatic turning point for the two countries because not only did the United States deny the coup narrative, it did so in direct contradiction with the government’s narrative. Negating Juba’s narrative was not the only issue; there was also a threat of losing the United States as an ally if the conflict was not abruptly ended. This was also the first time the United States revealed having suspended bilateral support to the government, consistent with finding the bad guy notion. While there was such a contradiction, there was also the assurance that the United States would not support a violent overthrow of an elected government. Nevertheless, there was a feeling that the US was being hypocritical. Since the US claims to have brought about the birth of South Sudan (a claim that seems to invalidate the sacrifices of millions of South Sudanese who died in their struggle for freedom), it should have noticed the looming crisis within the SPLM and asserted its authority to prevent it.

Further, in addition to disclaiming the coup assertions, the US spent considerable amount of time pushing the government so hard to release a dozen detained politicians. It did this well aware that it was one of the first preconditions the rebels brought to the table. Repudiating the coup claim and placing one of the rebels’ preconditions at the center of its diplomatic efforts, put Washington at odd with Juba. The government felt that the US was prejudice against it and it could no longer be trusted as an honest and impartial arbitrator. Many South Sudanese feel that the primacy given to the issue of detainees was a misallocation of priority and as a result a crucial time elapsed over it, which has after all, proven inconsequential in terms of the resolution of the conflict. This is not to suggest that these political figures should have been left in jail. Rather, the magnitude of the crisis was weightier, making little convincing of the release of the detained persons as a pressing priority at the time. Most of such time should have been spent on engaging the belligerent parties and perhaps threats of sanctions could have been used then to get the parties to cease hostilities if they did not cooperate. The US obviously lost an important leverage for taking an ambivalent diplomatic approach during this crisis. If the United

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States is going to take credit for a successful birth of South Sudan, it must also take responsibility for a delinquent behavior of its child, which is why it is expected to do more diplomatically to sway the parties; so far, it has not done much in this regard.

This begs the question, why has the United States not taken aggressive diplomatic measures using its leverage over the parties to end the crisis? Watching from outside, it seems that the United States lost leverage on South Sudan for a number of reasons. First, it did not buy the attempted coup narrative. It is understandable if the US was not sure about the circumstances leading to the violence on December 15, but three days after the violence, the rebel leader stated clearly that he intended to topple the government\(^\text{16}\). To Juba, Washington’s silence on the matter meant only one thing: the US could be behind the coup attempt. Observers would go even further to contend that the US had the capacity to halt the political crisis that was brewing within the SPLM before it hit the boiling point. The failure of the US to intervene when the crisis within the SPLM was spiraling out of control remains a mystery despite so many vivid warning signs that the internal party crisis had the potential to engulf the country. For those who hold their suspicions of the US involvement in the rebellion, this inaction confirms their misgivings.

Second, although understandable, given events at the US Embassy in Benghazi, the US was the first country to announce the evacuation of its nonessential staff in South Sudan two days after the violence\(^\text{17}\). On January 3, 2014, nearly all the US staff at the Embassy were withdrawn and the rest of its citizens asked to leave South Sudan before many other countries followed suit. These evacuation plans were announced for what was clearly a deteriorating security situation in the country. Nonetheless, these were seen in Juba as unnecessary and signaled a sense of abandonment, raising questions about the US role in the alleged coup. Juba, however, had explicitly assured its citizens and international partners that it was in control of the security situation, especially in Juba. The evacuations went ahead anyway and many organizations working with the USAID suspended their operations and subsequently left.

Third, as discussed above, US’s push to release political detainees was treated with suspicion by the government and further restrained the relations between the two countries.

Fourth, although Secretary of State, John Kerry, has been engaged since the start of crisis, there are no reports of direct communication between President Kiir and President Obama on this crisis. President Obama’s lack of communication with President Kiir could be interpreted in Juba as a sign of bad relations. Although their relationship was reportedly sore, it would have been good had President Obama reached out to President Kiir immediately after the crisis, at least, to wish him well and urge him to do everything necessary to resolve the crisis peacefully.


Fifth, immediately after the violence, it was alleged that Riek Machar had sought refuge at the US Embassy, a charge later denied by US authorities in Juba. The fact that there was such an allegation shows that the government had some misgivings about Washington’s role in the crisis.

Finally, there are flying rumors, which only the United States must clarify, that the US and some members of Troika are pushing to bring to power the former detainees, claiming that they are clean from the current crisis. This is interpreted as an attempt by the US to choose whom the US wants to lead the nation. This also feeds into the suspicion Juba may have about US role in the violence.

**Pre-Crisis Relations**

On the flip side, the United States has a number of grievances that might have discouraged its continued commitment to South Sudan. First, the United States invested a lot of resources to support South Sudan’s independence and worked diligently during the interim period to ensure its stability. The fact that this whole system came down crumbling amidst power struggle seems hard for the US government to swallow and so there is a sense of bitterness, hardly looking at the situation objectively. This is on top of US diplomats’ frustration with Juba’s lack of appreciation for US investments and diplomatic efforts.

The US government feels that South Sudanese leaders do not listen to their advice and have lied to them on a number of occasions. These include the alleged encounter between President Obama and South Sudanese President in 2012 where President Kiir reportedly told Obama that his government does not support SPLA North rebels. Kiir’s repudiation of the reported support was perceived in Washington as a lie. The second incident involved South Sudan’s invasion of Heglig (Panthou). Rumor has it that President Obama had called President Kiir to restrain the SPLA not to attack Heglig, an advice President Kiir purportedly agreed to but failed to deliver upon. These two incidents seemingly severed the relations between the two heads of states.

Similarly, there was a growing concern in the US circles that the Government of South Sudan was deeply corrupt and that President Kiir had been unable to hold anyone accountable. The US allegedly circulated a list of 35 individuals supposedly considered the most corrupt in the country. It reportedly advised President Kiir not to reappoint these individuals in the new government after independence. The advice was obviously not taken and some of these persons were allegedly reappointed. In 2012, President Kiir wrote a letter to 75 individuals suspected to have stolen 4 billion US dollars over the course of the interim period. The letter instructed those individuals to return the money to a bank account opened in Kenya. The President’s admission of such a huge amount having been stolen in his government was indeed a giant step, but did nothing more that indicated his seriousness to pursue the alleged culprits.

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After independence, South Sudan took a step backward in terms of its democratic gains. Policy analysts within the US diplomatic corps thought that President Kiir was becoming more repressive and displayed signs of autocracy and authoritarianism. American diplomats constantly cited the kidnapping and torture of civil society activists like Deng Athuai, the killing of Isaiah Abraham, a political commentator and a sharp critic of the president, forced disappearance of people, threat against journalists, and the fact that the President was running the government through presidential decrees. This is on top of growing incidents of human rights violations that were widely reported in Jonglei, which caused the US Congress to write to President Kiir directly in 2013.

Finally, the nature of conflict, its ethnic dimension, makes it difficult for any government including the American’s to take sides, which explains a seemingly ambivalent diplomatic approach the US has taken since the beginning of this crisis. As the crisis worsened, the US has understandably sanctioned two military leaders from both sides\(^\text{19}\). This can best be seen as Washington’s frustration with both parties, with similar actions being reportedly considered in Europe and at the UN Security Council. This came as negotiations in Addis Ababa, Ethiopia, stalled over the participation of former political detainees and the apparent failure of both parties to the conflict to adhere to January 23, 2014 agreement on cessation of hostilities.

The visit of the US Secretary of State, John Kerry, marks another turning point in the diplomatic relations between the US and South Sudan. Secretary Kerry struck a more reconciliatory tone, suggesting that perhaps the US has reconsidered its diplomatic approach. Kerry is the highest ranking US official to have visited South Sudan nearly three years after independence. His visit is seen as an embodiment of how high a priority South Sudan’s crisis is to Washington. Kerry’s visit has already produced two important results; he got President Kiir and Riek Machar to meet face-to-face for the first time since the conflict struck, and got the parties to recommit themselves to the cessation of hostilities and agreed to pursue dialogue. This makes the possibility of achieving peace a reality. It also confirms the fact that the US has a lot more influence over both parties than anyone we have seen so far. Moving forward, it is going to be critical for the United States to keep up the diplomatic pressure on both parties and to remain more engaged.

**Conclusion and Recommendations**

In conclusion, the high level attention the crisis in South Sudan is getting both at the UN and the United States is a welcomed development. This diplomatic engagement is already producing positive results as discussed above and it should be sustained. The government and the rebels should seize this opportunity to engage the international community and speedily end the crisis. The way out of this crisis is through negotiations in Addis Ababa and so all efforts must be wielded to this effect.

\(^{19}\) [http://www.voanews.com/content/obama-signs-executive-order-south-sudan-accuses-us-of-meddling/1886103.html](http://www.voanews.com/content/obama-signs-executive-order-south-sudan-accuses-us-of-meddling/1886103.html) accessed on April 12, 2014 at 6:26 pm
The Sudd Institute offers the following recommendations to improve South Sudan’s relations with the US and the UN as one of the ways to bring a peaceful and speedy end to the crisis.

1. The Government of South Sudan, although in the last few weeks made improvements, must improve its diplomatic posture if it wishes to work with other nations. It must recommit itself to working with the UNMISS in good faith. The steps taken by the President, delivering a reconciliatory speech on Easter Sunday, signal a new direction towards improving the country’s relations with UNMISS and partners.

2. In light of Secretary Kerry’s visit, the government should capitalize on this good gesture from the US and follow through with the commitments it agreed to. As a gesture of goodwill, the government should draw a reasonable plan to end the crisis peacefully and invite its international partners including the UN and the US to help in the process. It should show its willingness to embrace an all-encompassing reform and a transformative agenda both within the government and the party, opening political space.

3. Riek Machar and his rebel group could help in ending this violence by first realizing that spilling of our people’s blood must stop. Dr. Machar’s recent face-to-face meeting with President Kiir is welcomed news and the group should do more by ceasing hostilities and dropping some of their conditions in order to create an atmosphere of trust and forgiveness. Dr. Machar should take it upon himself to decompress the heightened ethnic hatred that has been pumped into the White Army, and should pacify the internally displaced persons at the UN bases to embrace peace. The bloodletting in the country will breed more hatred and shatter South Sudanese social fabric.

4. The UN should respect its relationship with the host government while maintaining its neutrality throughout this conflict, deploying all its instruments of influence to help both parties and the mediators arrest the situation exigently. The world body should sustain high-level engagements to bring this conflict to an end.

5. The United States must reassert its influence over both parties and begin to take a more central role in ending the crisis. Deferring the responsibility of ending this crisis to IGAD parties was ill-conceived in the first place. No other country has more influence over both parties than the United States, but such influence seems to be waning because of the ambivalent diplomacy the US has adopted since the beginning of this crisis. The new diplomatic push has produced results and it should be maintained.

6. The US should avoid the use of sanctions against a handful of politicians or warlords because these can no longer stop the crisis. Sanctions are not going to be
seen publicly as done in good faith and the US may lose public support both in the rebel and government controlled areas. This is too much of a risk and its results will not change the game on the ground. Instead, the US should engage both parties by applying diplomatic pressure with regional powers. Sanctions may make it difficult for the US to engage more constructively with the parties in ending the crisis. Sanctions are most likely to actually prolong the conflict.

7. It must be further realized that liberal assumption of peace, that is, “when the guns are silent the war is over”, is a farce. The war is no longer between Riek Machar and President Kiir, so a liberal peace agreement between the two principals will not end the violence completely. It did not work with the CPA between Khartoum and Juba and there is no reason to believe it will work now. Therefore, necessary mechanisms should be put in place for non-state actors to be a part of the negotiations in Addis Ababa as well as the implementation of any agreement reached. This is because experience shows that warring parties may not have the will or the capacity to keep the peace.

About Sudd Institute
The Sudd Institute is an independent research organization that conducts and facilitates policy relevant research and training to inform public policy and practice, to create opportunities for discussion and debate, and to improve analytical capacity in South Sudan. The Sudd Institute’s intention is to significantly improve the quality, impact, and accountability of local, national, and international policy- and decision-making in South Sudan in order to promote a more peaceful, just and prosperous society.

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