

Impact of the Sudanese Revolution on South Sudan

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Overview

1. This memo analyzes the impacts of the current Sudanese political transformations on political dynamics in South Sudan, based on a review of Sudanese involvement in South Sudanese mediation around the R-ARCSS.
2. Given the central role played by Khartoum in engineering the Revitalized Agreement on the Resolution of Conflict in South Sudan (R-ARCSS) in 2018, it is reasonable to suppose that regime change in Khartoum will have major implications for peace in South Sudan. The deal underpinning R-ARCSS was a classic political marketplace bargain: an intricate political payout camouflaged behind a formal text. The demise of the R-ARCSS sponsors generates political uncertainty in South Sudan. However, Sudanese influence had already diminished before the April uprising.
3. While Khartoum's mediation focused on the informal elite deal, the internationals (Troika, EU, IGAD and UN) are more concerned with implementing the R-ARCSS by the book. A shift from the informal to the formal means that tricky issues are faced head on, and postponement and evasion becomes trickier. Internationals should appreciate that the South Sudanese principals are making a strategic bet on continued turbulence and unpredictability.
4. The Sudanese revolution is reconfiguring regional power relations. For the governments of north-east Africa and the Middle East, South Sudan is a low priority, and their policies towards South Sudan are derivative of something else. Sudan's provincial governance capacity is declining and the its relations with Chad and Central African Republic are also being reset, all of which may have implications for lawlessness on South Sudan's borders.
5. Some South Sudanese (especially in the diaspora) see hope in copying the Sudanese popular uprising as a route to democracy. However, the path to South Sudanese civic

change will be distinctive, drawing on South Sudanese repertoires of protest, not a copycat of the Khartoum protests.

Khartoum's Role and Strategy 2018-2019

6. In order to understand fully the implications of the fall of Pres. al-Bashir on South Sudan it is first necessary to understand how Sudan's role was playing out prior to the Khartoum uprising.

7. Following the collapse of the first ARCSS during 2016 and the unsuccessful attempts to marginalize Riek Machar, it became evident to IGAD and the Troika that peace in South Sudan required the active engagement of Khartoum and perhaps even Sudanese leadership. In the lead-up to the R-ARCSS there was a sharp change in IGAD's mediation tactics. This occurred through a conjunction of circumstances. First, there was a leadership change in Addis Ababa, and the new PM Abiy Ahmed, in his capacity as Chairperson of IGAD, tried to reconcile Pres. Salva Kiir and Riek Machar. He did not succeed, and had priorities other than the IGAD peace process. He was therefore ready to cede leadership to Pres. al-Bashir, who had already been active in deal-making among South Sudan's leaders. There was also a new understanding between Pres. al-Bashir and Pres. Yoweri Museveni, which relocated the negotiations to Khartoum. On 25 June 2018, Pres. al-Bashir facilitated negotiations between Pres. Kiir and Machar.

8. Pres. al-Bashir's role as lead mediator was not IGAD's plan. In fact, its plan was to shift the venue to Nairobi for Pres. Uhuru Kenyatta to facilitate the third round of Kiir-Machar talks. However, Pres. Kenyatta agreed for Pres. al-Bashir to continue, and progress was made in the succeeding rounds of negotiations.

9. Khartoum had a clear material interest in South Sudan's peace, specifically in the reopening of the Unity oilfields and the fees that would accrue to Sudan from use of the pipeline. Joint Sudanese-South Sudanese control over the oilfields would also give Khartoum its own military and intelligence presence on the routes used to supply the SPLM-North and other Sudanese rebels. The deal-making also increased Sudan's standing in western capitals, especially Washington DC.

10. The strength of the al-Bashir/Gosh mediation was their close knowledge of the South Sudanese parties and material leverage. The weakness was that the two men were focused on short-term gains, and as soon as they had secured those, their attention waned (especially in the context of internal crisis in Sudan).

11. Two additional features of Pres. al-Bashir's facilitation are particularly significant. One is that key elements of the deal were not public, for example those relating to the details of Sudanese supervision of South Sudanese security arrangements, the personal security of Riek Machar, and financial details of oil transshipment and other payments. Shortly after the core deal was made, the Ministry of Defence in Juba signed a procurement deal for SSPDF supplies with a company named 'Lou for Trading', run by a crony of Pres. Kiir, for an amount many times greater than the SSPDF's annual budget for supplies. Other direct beneficiaries include NSS-related commercial companies. The second is that Pres. al-Bashir characteristically postponed the most difficult issues, preferring an indeterminate formula that would allow for future bargaining. Among those issues left ambiguous were the number of states and the modalities of decentralization. The concrete elements of the deal included inducements of cantonment for armed groups as well as multiplying the available seats in the executive office, the cabinet and the parliament.

12. These ambiguities and half-hidden agendas created frictions, among the parties (especially those excluded), and with the internationals and UNMISS. For example, the proposal to include Sudanese troops within the Regional Protection Force was a recipe for confusion. The implementation of governance provisions, such as state demarcation, caused follow-on talks to stall. Partnership between Sudanese mediators and international donors was not smooth.

13. The period from October 2018-April 2019 showed a marked slackening of Sudanese engagement in the R-ARCSS. This was due to factors including: the weakening power of Pres. al-Bashir, due to his domestic problems; the fact that Khartoum had achieved its core goals (oil flows and security); and Sudan's weak capacity for working on implementation details. In any event, the outcome was a shift in the centre of gravity of the mediation back to IGAD and the UN.

Implementing the R-ARCSS

14. The R-ACRSS is a paradigmatic political marketplace deal, carefully designed to bring a broad swathe of South Sudan's political-military elite into a political settlement, each of them rewarded in accordance with his political weight, with additional resources for the needed political payout obtained from increased oil production. Pres. al-Bashir and Gen. Gosh were masters of this kind of retail politics. Tut Kew Gatluak, al-Bashir's adopted son, a South Sudanese from Unity State, was already a security advisor to Pres. Kiir; his elevation to chair of the National Pre-Transitional Committee (NPTC) Juba was the culmination of this deal.

15. In common with other Sudanese and South Sudanese peace agreements, the R-ARCSS consists of an elaborate document and a backroom pact. Few among the South Sudanese elites and the public believed that R-ARCSS would be implemented to the letter and that it would reform the nature of the political system.

- a. R-ARCSS had many common features with the 2005 Comprehensive Peace Agreement. The elite deal behind the CPA was implemented, but the restructuring of power in the document's wording was not.
- b. It was clearly the June 2018 deal (on oil and security pact, reflecting the deepening political-economic crisis) and not the later signing of R-ARCSS that reduced fighting.
- c. R-ARCSS was intentionally ambiguous about key political questions. This allowed a broad political spectrum with contradicting ideals to imagine that R-ARCSS would favour their various desired outcomes.

16. With the diminution of Sudanese engagement in South Sudanese affairs over the last six months, IGAD and UN partners have been more involved. In February, IGAD engaged in the controversial step of facilitating the redrafting of the constitution. SRSR David Shearer met with Machar to discuss progress of pre-transitional period measures and his return to Juba, and Ethiopia urged the IGAD envoy to bring the National Salvation Front back to the negotiation table. The IGAD-facilitated talks on 2-3 May led to an extension of the pre-transition period for six months. The 11 May visit to Juba by the UN USG for Peace Operations, AU Peace and Security Commissioner and the IGAD Special Envoy to South Sudan were conducted without key Sudanese official involvement, marking the clear transition from the Khartoum-mediated process to one more heavily owned by IGAD and monitored more closely by the Troika, EU and the UN.

17. However, the shift in leadership from Khartoum to the international actors also represents a shift from focusing on the elite pact towards a by-the-book implementation of the provisions of R-ARCSS. This means that the informal mechanisms and deals essential to reducing violence may be neglected, and the South Sudanese principals will need to press harder to obtain the flexibility that they want. The characteristic South Sudanese/Sudanese approach to peacemaking involves recurrent delays, and postponing tricky issues. The internationals are more likely to insist on deadlines. This has the advantage that tricky issues may be faced head on, but that holds risks.

18. It will be important for the internationals to ensure fuller and more transparent engagement from Khartoum in the future, to avoid a situation in which power struggles within the military-security leaders within the TMC lead to one actor taking action that deliberately or inadvertently destabilizes South Sudan.

Impact on South Sudanese Elite Calculations

19. The South Sudanese political elites spent 2017 and 2018 investing in close relations with the Government of Sudan. All those relationships are now uncertain: *all* South Sudanese involved in R-ARCSS are weaker. The government and SPLA-IO all hope for a continuation of business as normal. This helps explain the otherwise-puzzling decision by Pres. Kiir, that his delegation to meet the TMC should be headed by Tut Kew Gatluak. The delegation met Gen. Abdel Fattah al-Burhan on the same day that al-Bashir was transferred to Kober Prison. The best interpretation of the role of advisor Tut, is that Kiir was signaling, 'no change on our side.'

20. Machar has lost his protector. Without al-Bashir's guarantees it will be harder for him to return to Juba, and for SPLA-IO troops to participate in the unified brigade. By the same token, however, it is more difficult for him to return to war. There is no other actor that can provide the security backing for Machar, whatever course of action he takes. Meanwhile, the SSOA is weakened by the sudden death of Gen. Peter Gatdet, its most capable military commander (although he had few troops by early 2019). However, there are many others in the TMC who have links to South Sudan, and may have their reasons for supporting opposition groups.

21. While the state-to-state elements of the R-ARCSS remain, Pres. Kiir may have lost core elements of the informal deal. Because the details of financial and security support were secret, the degree of loss is hard to calculate. Pres. Kiir is probably stronger relative to Machar, but his calculations will be obscure. The same uncertainty arises concerning key secondary figures such as Taban Deng and Paul Malong. One key point to bear in mind is that all South Sudanese actors have a tactical interest in procrastination, to see how events unfold in Sudan. More widely, the Sudanese revolution has underlined the fact that turbulence and unpredictability are the norm in the region, and so that strategic indeterminacy is always a valuable posture.

22. The decision to extend the pre-transitional period for six months indicates the convergence of parallel tactical calculations by Kiir and Machar on delay. For Kiir, a longer period of the status quo (now up to November 2022) keeps him in power longer with extended control over state resources. For Machar, a postponement allows him time to study the unfolding situation in Khartoum, hoping that a new sponsor may emerge from the turmoil within the Transitional Military Council.

23. Pres. Kiir's coup-proofing strategy resembles Pres. al-Bashir's, and is likely to have been influenced by his experience in Khartoum and his Sudanese advisors. It includes

developing the power of the NSS and bringing paramilitary forces to the capital as a balance against the army.

Regional Reconfigurations

24. Members of the South Sudanese political-military elite will certainly be looking for alternative external sponsors. However, South Sudan is a policy priority for none of the countries of the region or the Middle East, and for most of them their policies towards South Sudan are derived from something else, such as the Nile Waters or positioning vis-à-vis Sudan or Ethiopia.

25. The regime change in Khartoum represents gains for Saudi Arabia and the UAE, and losses for Turkey and Qatar. Egypt's position is generally strengthened. Of these actors, only Egypt and the UAE had a visible policy or presence in South Sudan prior to April. It is unlikely that their priorities will change.

26. The regional balance of power has shifted in favour of Uganda, Kenya and Ethiopia. Fortunately for the peace process, this shift has happened at a time when all are aligned in support of the R-ARCSS. Their commitment is not just a paper commitment but arises from a common recognition that their interests in South Sudan are best pursued by strategic coordination for peace rather than seeking tactical gains. Ugandan politicians will become increasingly preoccupied by their national elections and less focused on South Sudan.

27. A host of internationally-sponsored or facilitated mechanisms for Sudan-South Sudan relations have become suddenly more significant. Among these are: UNISFA and the mechanisms for managing Abyei; the joint border monitoring and verification mechanisms; and the Joint Political and Security Mechanism for managing relations between the two countries (facilitated by the AUHIP).

28. The change in regime in Khartoum is leading to a less intrusive governance of Sudan's peripheries. This is likely to mean a relaxation of controls on the border between Sudan and South Sudan. If the border is to become less policed, South Sudanese assume there would be an increase flow of goods into South Sudan that would reduce prices and make life more affordable. However, it could also open up complications of new, illicit trade routes and border crossings by nomadic groups (which would occur in the dry season of early 2020).

29. The turmoil in Khartoum has implications for Sudan's western borders. The Sudan-Chad relationship was based in substantial part on a strong understanding between Pres. al-Bashir's and Pres. Idriss Déby. By contrast, Gen. Hemedti is a Darfurian Arab of Chadian

ancestry, who has family and political ties to the Chadian opposition, and who is distrusted by many in the Darfurian opposition. (Hemedti tried and failed to make an agreement with Abdel Wahid al-Nur during his 2008-09 mutiny.) Hemedti's past nemesis was the Justice and Equality Movement (JEM), which resembles his Rapid Support Force (RSF) in being a tactically adept, flexible and mercenarized fighting force with unlimited ambition, capable of defying its sponsors. Juba needs to monitor JEM closely and treat it with extreme caution. The mutual distrust and antipathy between RSF and JEM is a secondary but potentially explosive element in the current political-security mix.

30. The Sudan-Central African Republic relationship was strengthened in recent months by the Khartoum agreement for the CAR, facilitated by Sudan with backing from Russia. The combination of reduced governance capabilities in Southern and Western Darfur and the disappearance of the sponsor of the CAR deal may contribute to lawlessness on South Sudan's western frontier.

Popular Protest in South Sudan

31. South Sudanese democracy activists, at home and (especially) in the diaspora, have cheered the non-violent popular uprising in Sudan. Some hope this will inspire others to repeat the feat in South Sudan. There were calls for 'Red Card' protests on 16 May. These did not turn out to be significant. However, the security forces mobilized heavily to prevent them. This may signal the NSS fears about popular protest or it may have been a pretext for intensifying the crackdown on dissent.

32. There is, however, a long tradition of civic protest in South Sudan with its own methods and patterns. This history is often neglected. For example, while the 1955 Torit Mutiny and its violent repression are well-remembered, the non-violent protests among workers in the Zande Scheme immediately beforehand are widely forgotten. There are many instances of labour strikes, stay-at-home days, protests by camp dwellers, and discreet civic mobilization by community associations and church constituencies. There are many current initiatives, mostly headed by women and youth. Among these we could especially mention the 'New Tribe', Ana Taban's music and murals, women's marches for peace, #SouthSudanIsWatching, and Taking Tea Together. However, many South Sudanese are themselves not well-informed, either about their own repertoire of non-violent mobilization, or about the numerous kinds of civic action deployed by their counterparts across sub-Saharan Africa, and therefore tend to be unnecessarily pessimistic about the prospects for such protests.

33. South Sudan's transactional, monetized politics and its multi-pillared security arena have historic roots and parallels in the Sudanese system of peripheral governance. The

protesters in Khartoum have challenged this system, even if the final outcome is yet unclear. For many South Sudanese this is a stark, hopeful reminder that popular protest can confront even the most long-serving, militarised regime. However, the social differences between Khartoum and other major Sudanese towns, and South Sudan, point to the unlikelihood of a directly comparable popular uprising and especially one that forces the army to 'side with the people'. The protesters in Sudan were drawn from a well-rooted professional class, which explicitly sought to transcend ethnic differences, with strong social ties to the officer corps of the army. The protesters were supported by a sophisticated commercial infrastructure that could provide them with the material means of sustained sit-ins, in addition to a well-developed local social media capacity. The fact that the young people on the streets were the sons and daughters of the social peers of senior army officers (and sometimes their very own children) created a dynamic that could not be broken by orders from on high to use force. Moreover, the heads of different security/military agencies were not willing to use force against one another.

34. These factors are not replicated in South Sudan. There are fewer restraints on South Sudanese security forces using force against protesters and the government has been explicit that it would be willing to violently suppress protests, though there are likely to be divisions within the security apparatus as to whether this should be done. A larger number of soldiers have been deployed in Juba since the suggestion of protest. Ethnic divisions are salient. Calls for protests in Juba on social media are being criticised by others on social media for being ethnically driven, and for adopting the narrative of the armed opposition that emphasises the government killing of civilians in Juba in December 2013. This alienates unarmed opponents of government who are non-Nuer. The attempt to link civic protests with the armed opposition limits their appeal and stops them finding support among a broader South Sudanese public, especially in Greater Bahr al Ghazal. Social media posts are also critical of diaspora members calling for protests when they are themselves absent from Juba. Neither the warring parties nor significant civil organisations, such as the church, are backing calls for protests in Juba at this time. Part of the reason is that they fear that it will undermine the peace process.

35. Outside Juba there are signs that popular dissatisfaction is being publicly demonstrated. For example, recently in Greater Bor there was a popular boycotting of chiefs' attempts to collect government taxes. This month in Bor, during an NGO-organised wrestling match, the large crowd chanted against the governor when he stood up to address the crowd. When he continued to talk, the crowd dispersed. This opposition among the Dinka Bor is important because of their significant influence in the SPLA and the potential for such protests to divide the government security forces.

36. South Sudanese civic leaders will follow their own template. The key lesson from Khartoum and elsewhere is that protest movements need to be shaped for the specific contours of the society from which the protesters are drawn and the social composition of the regime they are facing. In the recent past, South Sudan has seen student protests and strikes by judges, doctors, journalists and oil workers. There are numerous cases of effective non-violent protest in hybrid patrimonial regimes across sub-Saharan Africa, whose methods do not resemble the 'Khartoum Spring' model. Examples range from the Kenyan Green Belt movement, the Ugandan 'walk to work' protests, to the Cameroonian 'dead cities' boycotts. South Sudanese will find their own ways of using non-violent methods to challenge their government.

37. Pres. Kiir has made public threats against protesters. The NSS has been expanding its powers and activities. More assertive condemnations by international actors against such threats and abuses are always helpful.

Conclusions

38. The fact that the central deal in the R-ARCSS in June 2018 was a political marketplace bargain, and that the leading engineers of that bargain have been removed from power, is cause for concern for the stability of South Sudan. The existing perils within the R-ARCSS remain unchanged. However, two main considerations indicate that the regime change in Sudan does not in itself undermine the R-ARCSS.

- a. First, Pres. Bashir had already become less central to the R-ARCSS, so his removal changes the balance of power within South Sudan incrementally rather than fundamentally.
- b. Second, the support mechanisms for the R-ARCSS have been broadened and deepened, and the internationals are well aware of the dangers associated with the security arrangements plan.

39. Those involved in mediation in South Sudan should reflect on what is lost through the absence of Pres. al-Bashir and Gen. Gosh, in particular the Sudanese leaders' skill in utilizing indeterminacy and delay to help find a way to manageable solutions.

40. Civic activists and leaders in South Sudan can take inspiration from the Sudanese protesters, but should also learn lessons from other civic routes to democracy, including their own under-appreciated repertoire of non-violent protests.



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