South Sudan crisis

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Executive summary

• In mid-December 2013, the newly formed country of South Sudan erupted into violence, creating a significant humanitarian crisis.

• Violence spread rapidly across the country, mainly along ethnic lines, and thousands were killed.

• The United Nations Mission in the Republic of South Sudan (UNMISS) came under attack with two Indian peacekeepers killed.

• The UN Security Council adopted a resolution on 24 December 2013 to significantly increase the military and police contribution to UNMISS.

• Australia contributes military and police personnel to UNMISS and recently provided additional support through strategic airlift operations.

• Despite a peace agreement being reached on 23 January 2014, which included terms for a ceasefire, the violence continues.

• Since the crisis started, 709,000 people have been internally displaced and 249,000 have sought refuge in neighbouring countries.

• Peace negotiations backed by the UN and the African Union are ongoing, but are yet to produce a sustainable solution to the crisis.
Historical background

The Sudan conflict has been one of the longest running in contemporary African history. Prior to Sudan’s independence in 1955, the United Kingdom and Egypt shared separate administrative arrangements over the north and south under the Anglo-Egyptian Condominium (1899–1955). However, before Sudan managed to achieve independence, conflict had already broken out between the north and south.

It took until 1972 for the main parties to the conflict—the Government of the Democratic Republic of the Sudan and the Southern Sudan Liberation Movement (SSLM)—to reach a tentative peace agreement. The Addis Ababa Agreement allowed for the regional self-government of Sudan’s southern provinces, which effectively ended hostilities, albeit temporarily.

In 1983, the Addis Ababa Agreement was abandoned as violence again erupted between the north and south, due to disputes over ‘resources, power, the role of religion in the state and self-determination’. By 1993, the Heads of State of the Intergovernmental Authority on Drought and Development (IGADD—which became the Intergovernmental Authority on Development in 1996) for the East African region began a protracted peace process that would eventually bring the main parties to the conflict together for talks. However, this was not

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6. UN Refugee Agency (UNHCR), ‘Intergovernmental Authority on Development (IGAD)’, UNHCR website, accessed 27 March 2014.
fully achieved until 9 January 2005 when the Comprehensive Peace Agreement (CPA) was signed between leaders of the north and south.  

The CPA acknowledged ‘that the conflict in the Sudan [was] the longest running conflict in Africa’ and there was an ‘urgent need to bring peace and security to the people of the Sudan’. Under the CPA, parties agreed to a permanent ceasefire, to form an interim national unity government, and for the people of South Sudan to ‘determine their future status’ via a referendum within six years. 

While a peace agreement had been reached between the north and the south, tensions among factions in the south threatened to destabilise the peace process. In April 2005 at a conference in Nairobi, Dr John Garang (signatory to the CPA and Chairman of the Sudan People’s Liberation Movement/Army (SPLM/A)) called for south Sudanese factions (involving up to 20 armed groups) to ‘put aside their differences and reconcile’. He appealed for dialogue rather than violence to ensure that the benefits of the CPA ‘are enjoyed by all Sudanese for a long time’. Garang emphasised that ‘this is a rare opportunity to create greater unity of our people’. The conference acknowledged that past disagreements among southern Sudanese leaders had created ‘many splinter groups, several of them supported by the Khartoum government’, which led to ‘divisions, tribalism and a breakdown of law and order’. 

In September 2005, an interim government of national unity was formed in Sudan with the swearing in of new cabinet ministers. Out of 29 ministerial positions, 16 remained with Sudanese President Omar al Bashir’s National Congress Party (NCP), nine went to the SPLM/A members and four positions ‘were divided among various other political parties in accordance with the wealth and power sharing quotas agreed to under the [CPA]’. Following the death of Dr John Garang in a helicopter crash in July 2005, Salva Kiir became the First Vice-President of Sudan’s national unity government.

Following a six year transition period, the peace process culminated in a referendum for the southern Sudanese with 98.83 per cent of the population voting for independence from Sudan. On 9 July 2011, South Sudan became the world’s newest nation with Salva Kiir (an ethnic Dinka) as South Sudan’s first President, Riek Machar (an ethnic Nuer) as its Vice-President and the national army referred to as the Sudan People’s Liberation Army (SPLA). 

To develop and support the peace and security of the fledgling nation, the UN Security Council established the United Nations Mission in the Republic of South Sudan (UNMISS) in July 2011.

However, underlying tensions among political and ethnic communities that were suppressed during the six-year transition period began to re-surface, particularly in the resource-rich areas of Jonglei State and Unity State.

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8. Ibid., p. xi.
9. Ibid., pp. xi, 2, 8.
11. Ibid.
12. J Garang, Chairman of the SPLM/A, quoted in OCHA, ‘Sudan: Garang urges southern factions to reconcile’, op. cit.
13. OCHA, ‘Sudan: Garang urges southern factions to reconcile’, op. cit.
15. Ibid.
Due to the new nation’s violent history and complex ethnic diversity, many predicted political instability would eventually deteriorate into civil unrest.  

**Country profile**

The Central Intelligence Agency’s World Factbook identifies around 18 different major ethnic groups, with Dinka listed as the most common group (35.8%) followed by Nuer (15.6%). The country is divided into 10 administrative states, which are governed by representatives appointed by the National Government. During the 1983–2005 civil war, many of these ethnic groups fought together to oppose the north. But now that South Sudan has achieved independence, its complex network of ethnic groups presents a challenge to unifying the nation.

South Sudan is rich in natural resources, particularly oil. However, as a landlocked country, South Sudan is dependent on pipelines running through Sudan to export its oil. According to the World Factbook:

South Sudan produces nearly three-fourths of the former Sudan’s total oil output of nearly a half million barrels per day. The government of South Sudan derives nearly 98% of its budget revenues from oil. Oil is exported through two pipelines that run to refineries and shipping facilities at Port Sudan on the Red Sea, and the 2005 oil sharing agreement with Khartoum called for a 50-50 sharing of oil revenues between the two entities. That deal expired on 9 July 2011, however, when South Sudan became an independent country. The economy of South Sudan undoubtedly will remain linked to Sudan for some time, given the long lead time and great expense required to build another pipeline. In early 2012 South Sudan suspended production of oil because of its dispute with Sudan over trans-shipment fees. This had a devastating impact on GDP, which declined by at least 55% in 2012.

On 3 September 2013, oil production in South Sudan recommenced following a meeting between South Sudan’s President, Salva Kiir, and the Sudanese President, Omar al Bashir.

The Government of South Sudan ‘is keen to cultivate and nurture a conducive investment environment in the country’ and has instituted strategies to encourage investment. However, given the decades of civil war, the government is faced with the challenge of starting ‘from scratch. The road network, housing, banking sector, insurance, schools and other amenities in the huge country all need urgent attention and the focus is on the donor community, the government, and above all, commercial investors’.

**Lead-up to the current crisis**

In March 2013, the political party of President Kiir, the Sudan People’s Liberation Movement (SPLM), held a meeting and ‘produced a new draft [party] constitution and manifesto for review by the party’s National Liberation Council’. According to the UN Secretary-General’s June 2013 report to the UN Security Council, these discussions led to ‘debate on the party’s leadership’. The report also mentions that in April, ‘the President issued a republican order withdrawing the executive powers delegated to the Vice-President’ and that the Vice-President’s responsibilities would be limited under the Constitution.

On 23 July 2013, President Kiir dismissed Vice-President Riek Machar, along with the national cabinet, and removed 17 high-ranking police officers from service. Kiir also suspended the SPLM’s Secretary-General and...
placed him under investigation for ‘alleged mismanagement of the party’s affairs and incitement to violence’. In August 2013, the UN Security Council ‘expressed grave concern over the increased occurrence of conflict and violence’ in South Sudan’s Jonglei State, an area commonly considered a flashpoint in ethnic tensions. At that time, reports had emerged of civilians being attacked and humanitarian aid looted, which resulted in ‘large-scale displacements of the civilian population’. UNMISS investigated ‘multiple incidents alleged to have occurred in Jonglei State between December 2012 and August 2013’ and other reports of killing and looting across the country. The allegations involved security forces and armed groups loyal to militia leader David Yau Yau.

In early December 2013, a senior UN representative, Kyung-wha Kang, reported the findings of her visit to South Sudan to the UN. Kang referred to the humanitarian situation as a crisis, noting that ongoing fighting in many regions, coupled with seasonal floods, prevented much-needed aid from reaching those in need. Ongoing discussions were taking place, brokered by UN and African Union (AU) representatives, with militia leaders such as David Yau Yau to facilitate the movement of humanitarian aid. Kang warned, however, that the long-term violence reported in Jonglei State could escalate during the dry season.

Current crisis

Tensions erupted in mid-December 2013 when fighting broke out in the capital Juba following a political dispute. The Government of South Sudan announced ten people had been arrested in relation to an alleged failed coup attempt. However, other sources have questioned the validity of this claim.

In a press statement on 17 December 2013, the Government named Dr Riek Machar as the leader of the alleged failed coup, and stated that he was still at large along with four other members of his group. Those arrested and those still at large were publicly named by the Government. President Kiir was eager to reassure the public that the violence was not due to ethnic tensions and reportedly held meetings with Nuer leaders and elders in an effort to:

... clarify the misleading information that Nuer as a tribe is being targeted ... The composition of the people involved dismisses this rumour ... these people are from various states of South Sudan with only one of them from the Nuer tribe ... this should be seen as a coup attempt by a group of people not a tribe.

The Government continued to call for calm and reiterated that the recent unrest was not due to an escalation in Dinka and Nuer tensions. Nonetheless, independent reports suggested the violence continued to escalate along ethnic lines. At that time, Human Rights Watch’s research team on the ground in South Sudan released reports about widespread killing based on ethnicity.
On 17 December 2013, UN Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous, advised UN Security Council members that up to ‘400–500 people may have been killed and 600–800 wounded’ during the initial violence.46

The situation worsened on 19 December 2013 when around 2,000 heavily armed ethnic Nuer attacked an UNMISS compound in Akobo, Jonglei State, killing 20 ethnic Dinka civilians who were seeking UN protection, as well as two Indian peacekeepers.47

In response to the escalating violence and the threat of further attacks on UN compounds, the UN Security Council adopted a resolution to temporarily increase the ‘overall force levels of UNMISS to support its protection of civilians and provision of humanitarian assistance’.48 UNMISS’s military component was increased by 5,500 to 12,500 and the police component increased by 440 to 1323.49 By 26 December 2013, plans were fully underway to bolster UNMISS with additional personnel and assets. While the exact number of civilian deaths could not be ascertained at that time, the UN estimated that more than a thousand people had been killed.50

The UN and AU supported the Intergovernmental Authority on Development’s (IGAD’s) attempts to broker peace talks between the parties to the conflict, which lead to talks eventually being held in Ethiopia in January 2014.51 Consequently, an agreement was reached on 23 January 2014 to end hostilities in South Sudan and negotiate the release of detained political leaders.52 While the agreement resulted in the release of some political leaders from detention, the violence perpetrated by all parties to the conflict continued unabated.53

At the time of writing, the most recent UN Office for the Coordination of Humanitarian Affairs (OCHA) report on the situation in South Sudan estimated that 4.9 million people were still in need of humanitarian assistance, with around 709,000 of them internally displaced, and a further 249,000 living as refugees in neighbouring countries (Kenya, Sudan and Uganda).54

On 21 February 2014, the Human Rights Division of UNMISS released an interim report on the human rights situation in South Sudan.55 The report provides a detailed description of events between 15 December 2013 and 31 January 2014, determining that all parties to the conflict engaged in:

... deliberate targeting of civilians, both nationals and foreigners, in extrajudicial and other unlawful killings, including mass killings, enforced disappearances, gender-based violence, such as rapes and gang-rapes, and instances of ill-treatment and torture by forces from both sides of the conflict.

... The effect on the human rights situation has been profound. Fighting between opposing armed groups took on ethnic dimensions and while some civilians were caught in the cross-fire, others were deliberately targeted along ethnic lines. A vicious cycle of retaliatory and revenge killings ensued. The number killed remains unknown, although it is likely in the thousands.56

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47. UN News Centre, UN mission in South Sudan mourns fallen peacekeepers, media release, 21 December 2013, accessed 31 March 2014.
49. Ibid.
50. J Hilde (Special Representative of the Secretary General and Head of UNMISS), ‘Situation in South Sudan’, transcript, 26 December 2013.
52. Ibid.
53. Ibid.
55. OCHA, ‘South Sudan Crisis’, Situation Report no. 28, 20 March 2014, accessed 31 March 2014. OCHA’s Reliefweb website also provides up to date reports on South Sudan from the International Organization for Migration, World Health Organization and UN High Commissioner for Refugees.
56. Ibid., pp. 5–6.
It is difficult to determine the approximate number of those killed as there is limited access to many of the affected areas where violence is still occurring. The Human Rights Division of UNMISS intends to release a more comprehensive report in April 2014.

By mid-March 2014, the situation in South Sudan had not improved. The head of peacekeeping operations, Under-Secretary-General Hervé Ladsous, described the situation as ‘grave’ and advised the UN Security Council at a meeting on 18 March 2014 that UNMISS:

... would suspend its current activities and re-focus on five priority areas ... protecting civilians, facilitating humanitarian assistance, monitoring and reporting on human rights, preventing further inter-communal violence and supporting the Intergovernmental Authority on Development (IGAD) [mediation] process as and when requested, and within available capabilities.

During the meeting, it was noted that anti-UNMISS protests were occurring across the country due to perceptions by the local population that the UN was supporting ’the other side of the conflict’. Ladsous stated that a ’systematic and organized (sic) negative campaign against UNMISS’ by ’some local and national officials’ had vilified the UN. As such, the UN Secretary-General asked the UN Security Council to ’augment the military and police components of UNMISS for one year, beyond the inter-mission cooperation framework’. The deployment of additional military and police personnel, under UN Security Council Resolution 3132 (24 December 2013), would occur in phases with around 2,800 military personnel and three mobile police units expected to be on the ground supporting UNMISS by June 2014.

**Australian support for South Sudan’s independence**

**Diplomacy**

Australia supported the referendum on independence for South Sudan by facilitating the participation of around 9,200 eligible voters in Australia in the referendum. On 9 July 2011, Australia recognised the state of South Sudan and established diplomatic relations. Australia also implements UN sanctions against Sudan, consistently with guidance from the UN Security Council Committee concerning Sudan, which has confirmed that the sanctions do not apply to South Sudan.

**Community**

Sudan-born and South Sudan-born refugees have been resettled in Australia after fleeing drought, famine and war, with arrivals peaking between 2002 and 2007. According to data from the 2011 Census, a large proportion of South Sudan-born people living in Australia reside in Victoria. The Census recorded a total of 3,487 South Sudan-born people across Australia, with 1,118 located in Victoria, 715 in Queensland, 561 in New South Wales, 489 in Western Australia, 390 in South Australia, 80 in the Australian Capital Territory, 71 in Tasmania and 62 in the Northern Territory. Given the Australian Census data was collected one month after South Sudan gained independence, some of the figures for Sudan-born and South Sudan-born people in Australia might not reflect this change.

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57. OCHA, *The mass graves of Bor, South Sudan*, IRIN news service, OCHA website, 24 February 2014, accessed 31 March 2014.
60. Ibid.
61. Ibid.
62. Ibid.
63. Ibid.
67. Ibid.
68. The 2011 Census recorded a total of 19,369 Sudan-born people in Australia: Ibid.
Aid
South Sudan is a recipient of Australia’s Direct Aid Program (DAP), which provides small grants to progress development objectives.69 Australia also contributes to the World Food Program and aid programs that help children’s education (particularly former child soldiers) and the health of women and children.70

Prior to the recent unrest, there were three Australian Civilian Corps personnel working in-country with the UN and the Government of South Sudan on law and justice issues.71

Military
When the UN Security Council established the UN Mission in Sudan (UNMIS) on 24 March 2005, Australia contributed a contingent of 17 military personnel (six military observers and 11 specialists in air movements, aviation safety and logistics) in support of the mission known as Australian Defence Force (ADF) Operation AZURE.72 Australia also maintained a contribution of eight military personnel to the African Union/United Nations Hybrid Operation in Darfur (UNAMID) under Operation HEDGEROW.73 Following South Sudan’s independence, Australia’s military contribution to UNMIS transitioned to UNMISS under Operation ASLAN on 23 September 2011. Operation HEDGEROW is no longer operational. As at 28 March 2014, approximately 20 ADF personnel were deployed on Operation ASLAN.74

Policing
Similar to the Australian military contribution, the Australian Federal Police (AFP) contributed personnel to UNMIS from 2006, which then transitioned to UNMISS in August 2011. The AFP assists ‘with development of police training and evaluation programs, and the provision of assistance in the mentoring and training of members of the South Sudan Police Service’.75

AFP’s Annual Report 2012–13 noted that the in-country contingent ‘helped establish the Police Women’s Network for the United Nations Mission in South Sudan, the success of which has led the United Nations to consider introducing a women’s network into all its missions’.76 As at 28 March 2014, approximately 10 AFP officers were deployed to South Sudan.77

Australian support for the current crisis
On 26 December 2013, in response to the UN Security Council’s Resolution 2132 (24 December 2013), the Australian Government announced additional temporary military support to UNMISS in the form of strategic airlift by the Royal Australian Air Force (RAAF).78

The RAAF completed its final airlift mission on 12 January 2014. In that time, the RAAF conducted eight C-17A Globemaster flights and two C-130J Hercules flights delivering personnel and around 200 tonnes of goods to South Sudan’s capital Juba.79

On 31 January 2014, the Australian Government announced it would provide an additional $3 million to the $40 million it had already pledged towards emergency assistance for South Sudan via the UN’s Common Humanitarian Fund.80

76. Ibid., p. 217.
At the time of writing, the Australian Government had made no new announcements that would change Australia’s contribution to UNMISS; Australia continues to maintain its existing military and policing deployment levels.

**Conclusion**

Given anti-UNMISS sentiment in South Sudan and the UN’s protracted efforts to bolster the UN mission, considerable pressure will be placed on peace talks that are currently underway in Ethiopia to find a peaceful settlement.

The IGAD mission supported by the UN and AU commenced phase two of the peace process in Addis Ababa on 25 March 2014 in an attempt to mediate political dialogue between the parties to the conflict. However, the peace process has already received some negative press about the key negotiators seemingly getting it ‘all wrong by projecting the talks in a wrong direction’.

Doubts persist as to whether IGAD can broker a sustainable peace agreement in the near future. Until such an agreement is reached, conflict will continue in this already volatile state. Should negotiations stall, the humanitarian situation is likely to worsen. If that happens, additional demands may be made of the international community, particularly countries like Australia that have a seat on the UN Security Council and contribute personnel to UNMISS, to increase support.

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