



## REPORT OF PROCEEDINGS

5<sup>th</sup> August, 2016 at Protea Hotel, Kampala

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### Abstract

The resumption of armed violence in South Sudan between the forces loyal to President Salva Kiir and arch rival the First Vice President Dr. Riek Machar which broke out on Monday 8<sup>th</sup> July 2016 constitutes a threat to international peace and security and if not contained in a short time, it could reverse the social, economic and political gains in East Africa sub-region. Uganda and Kenya which are the leading trading partners to South Sudan are mostly likely to feel the economic impact of the resumption of hostilities which have so far left over 300 people dead<sup>1</sup>. It is against this background that the Advocates Coalition for Development and Environment (ACODE) held the 65<sup>th</sup> State of the Nation Platform to bring together key stakeholders for discussion on the “**Cost of Armed Violence in South Sudan: Implications for Regional Security.**” A number of recommendations emerged from the 65<sup>th</sup> STON key among them was the need to fast track the implementation of the Peace Agreement to restore peace in South Sudan.

<sup>1</sup> **Frederic Musisi**, ‘Museveni Calls for S. Sudan election’ Daily Monitor, Monday 18, July 2016.

## Introduction

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This dialogue report is for the 65<sup>th</sup> State of the Nation (STON) platform, which focused on the cost of armed violence in South Sudan and its implications for regional peace and security. The State of the Nation Platform is a national forum, which aims at promoting vertical and horizontal policy conversation on contemporary public policy and governance issues in Uganda and the region. The platform brings together individual leaders, professionals in the public sector, the private sector, civil society, media and other interest groups into an honest, focused and bipartisan discourse on contemporary public policy issues.

The 65<sup>th</sup> STON was held on Friday August 5, 2016 under the auspices of ACODE and the Uganda Peace Support Team (UPST). The dialogue brought together a delegation from South Sudan headed by Hon. Richard Mulla (Minister of Federal Affairs), Hon. Otim David Paul (Member of Transitional National Legislative Assembly of the Republic of South Sudan), Abraham Awolich, Senior Analyst, Sudd Institute, Juba (also member of Gieng Council of Elders). Also present was the South Sudan Government Spokesperson Ateny wek Ateny, and Ramathan Ggoobi (Lecturer at Makerere University Business School). The objectives of the 65<sup>th</sup> STON were as follows:

1. To build confidence among the parties and motivate them to seek political settlement to the violent conflict in South Sudan. To create a deeper understanding of the cost of armed conflict in South Sudan and implications to regional peace and security;
2. To generate alternative policy options and conflict resolutions strategies to resolve the protracted conflict in South Sudan;
3. To bring together a multiplicity of security experts, academics, civil society practitioners and policy makers to share experiences on how best to work together to respond to the ongoing crisis in South Sudan.

## Background

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South Sudan has had a tortured history characterized by ethno-racial tensions as a key feature of the political landscape for a long time. Following the independence of the South, the ethnic dimension playing out is between two main ethnic groups of the Dinka and Nuer. It is important to note that there is violence between sub-groups within each major ethnicity.<sup>2</sup> In August 2015, a peace deal was signed to unite the warring parties. The Peace deal was intended to pave way for permanent ceasefire followed by transnational government, drafting of a new constitution and finally organize democratic elections.

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<sup>2</sup> **Jason Burke:** *South Sudan: Is the Renewed violence the restart of civil war?* The Guardian, 12 July 2016

On Monday 8<sup>th</sup> July 2016, fighting erupted between bodyguards loyal to President Kiir and Vice President Riek Machar. Both President Kiir and Machar have called for a cease fire. However, observers believe that the Peace deal concluded in August 2015 between the two factions in South Sudan is only holding “by a thread.”<sup>3</sup> According to the UN, 1.69 million South Sudanese are displaced within the country and another 712,000 have fled to neighboring countries<sup>4</sup>. South Sudan is also threatened by famine and continued fighting would lead to suffering for very many citizens. The unrest has disrupted oil production, which is one of the government’s biggest sources of revenue hence exacerbating economic problems. It is estimated that South Sudan is likely to lose between \$22.3 and \$28 billion if the current conflict continues for another one to five years.<sup>5</sup> An estimated \$122-158 billion could be lost if the effects of the conflict were measured after a period of 20 years.

The persistence of war in South Sudan will also have far reaching implications for countries in the East African Community (EAC). For Uganda and Kenya, which are, the young nation’s major trading partners, reduction in export earnings are expected to result in loss of jobs, collapse of business and reduced tax revenue among others. Uganda reportedly loses US\$ 100 per day due to the conflict while Kenya lost close to Kenya shillings 27 billion in the last round of fighting. Indeed compensation of Ugandan businesses with contracts with the South Sudan Government as well as traders that operate in the country has taken center stage in discussions over government intervention into the economy. The conflict thus has humanitarian, economic as well as security implications for the EAC as a whole. Member countries of the EAC and their citizens can no longer remain disaffected by events in South Sudan. It is against this background that the 65<sup>th</sup> STON under the theme “*The Cost of Armed Violence in South Sudan: Implications for Regional Peace & Security*” was organised.

## Presentations

- **Keynote Address: Hon. Okello Oryem, State Minister for Foreign Affairs Government of Uganda**

on behalf of the Prime Minister, Hon Ruhakana Rugunda, Hon. Oryem delivered the Key Note address at the dialogue. Hon Oryem delivered his presentation in his own right as a citizen of Uganda who deals with issues of South Sudan on a daily basis. “*I am a bit emotional about the situation in South Sudan. It has impacted on my life, constituency and I am traumatised*”. This dialogue is an opportunity for stakeholders to develop alternative policy options to resolve the conflict in South Sudan. Hon. Oryem reminisced about 9<sup>th</sup> July, 2011 when South Sudan got independence and many of them were celebrating the major achievement and sharing a feeling similar to what Ugandans felt on 9<sup>th</sup> October 1962 when the British

<sup>3</sup> [www.bbc.com/news/world-africa](http://www.bbc.com/news/world-africa)

<sup>4</sup> **Jason Burke:** *More than 300 dead as South Sudan capital is rocked by violence.* The Guardian, 11 July 2016

<sup>5</sup> [www.sudantribune.com/spip.php?article53652](http://www.sudantribune.com/spip.php?article53652). [Accessed on 18<sup>th</sup> July 2016]

flag was brought down and the Ugandan flag flying high.

*“I was in Khartoum and thrilled when the late John Garang was being sworn in as the vice president of Sudan. With the killings, rape, looting and all the bad things that the late Garang would not expect to happen in South Sudan, it is clear that he is not amused in his grave in Juba”;* Hon Oryem said.

He noted that this was definitely not the vision that Garang had for Sudan and neither was it the hope for the millions of Sudanese and neighbouring countries who celebrated South Sudan's independence in 2011. He condemned the violence happening in South Sudan and regarded it as unacceptable. The Office of the Prime Minister spent a significant amount of money working in partnership with the Uganda Peoples' Defence Forces, to evacuate Ugandans and any other people who wanted to leave South Sudan. He said that the consequences of the conflict in South Sudan were evident in Uganda.

*“We had gotten rid of the Karamojong who were stealing our cows in the past but today there are armed robbers in Kitgum District who are stealing our cows. This can be explained by the entry of small arms from South Sudan into Uganda in areas such as Kitgum, Nwoya and Arua”.*

At the 56<sup>th</sup> session of the IGAD Council of ministers held in Nairobi in July, 2016 on the situation in South Sudan, the Council of ministers demanded for:

- a) An immediate ceasefire;
- b) Re-opening of the Juba international airport to be protected by UNMISS;
- c) Immediate return of all armed forces and weapons to their barracks;
- d) Opening of humanitarian corridors;
- e) Urgent revision of the UNMISS mandate to establish an intervention brigade and increase numbers of troops from the region to *inter alia* secure Juba;
- f) Accountability of those responsible for the breakdown of law and order; and
- g) Immediate implementation of the security arrangements as enshrined in the ARCSS



*Hon. Okello Oryem, Minister of State, Foreign Affairs giving key note address*

The 27<sup>th</sup> African Union Summit held

in Kigali on 25<sup>th</sup> July, 2016 endorsed the decisions taken at the 56<sup>th</sup> session of the IGAD Council of ministers with a few modifications notably the deployment of a regional protection force to separate the warring parties, protect major installations and civilian population and demilitarize Juba. Hon Oryem reiterated that

*“Uganda is committed to the IGAD resolution, President Salva Kiir was in Uganda recently to discuss with President Museveni about how to restore peace in South Sudan and the IGAD resolution was part of the agenda”*

He noted that the IGAD resolution had been implemented to some extent. For example, Juba International airport had been re-opened. However, there were still conflicts and fighting in some parts of South Sudan. He advised South Sudan delegation at the dialogue to travel back by road as opposed to air in order to interact with and understand the situation of the South Sudanese who have fled and are now at Uganda’s border with South Sudan at Elegu. Hon. Oryem emphasized the need for South Sudan to pull itself together.

*“I have heard stories that South Sudan is a young nation and just like a child, needs to be fed on milk. However, even a child reaches a stage when solid foods are introduced to their diet”* he retorted.

Hon. Oryem was of the view that what was needed in South Sudan was leadership. Leaders of South Sudan needed to take responsibility for their people and to allow expression of the views of the opposition. South Sudan needed to advise neighbours on how they could help to resolve the conflict and in what time frame this help could be offered. Hon Oryem noted that this was the only way South Sudan would enjoy peace. He reiterated that South Sudan needed to be assisted in generating ideas through the dialogue which would help thousands of refugees from South Sudan to return home and live confidently in their country. He lastly noted that unless there was peace in South Sudan, all of the countries in the region needed to prepare to forget about trade opportunities with South Sudan; and peace and tranquillity in the region.

- **Hon. Richard Mulla, Minister of Federal Affairs Government of South Sudan**

Hon. Richard Mulla made a presentation on the situation in South Sudan. In his presentation, he referred to Uganda as his second home. Hon. Mulla studied in Uganda in the 1960s through to the 1970s and went to Makerere University to pursue a degree in Law. Some of his university classmates included Hon. Amama Mbabazi, former Prime Minister of Uganda, and Hon. David Otim, a Member of Parliament in Juba. He noted that,

*“What happened in Juba was unacceptable, regrettable and disturbing.....up to today, nobody can tell exactly how it happened but I think the situation was triggered by a misunderstanding among the body guards of President Salva Kiir and Riek Machar.”*



He revealed that for some time, South Sudan had had two armies, one of President Salva Kiir and the other for the vice president Riek Machar. Despite the government of national unity that was formed, the soldiers from the two armies were disunited. However there was an opportunity to integrate the armies, after the strategic review.

President Salva Kiir and Riek Machar were set to have a meeting on 8<sup>th</sup> July, 2016 to discuss pertinent issues including the proposed 28 states. Before 8<sup>th</sup> July, an officer from Riek Machar army was killed which created a lot of tension.

Hon. Richard Mulla revealed that on 8<sup>th</sup> July 2016, President Salva Kiir, Riek Machar and the second vice president James Wani Igga were in the meeting, then the body guards of Riek Machar and those of President Salva Kiir had a misunderstanding and a shootout erupted. Four soldiers and one civilian, a Ugandan medical doctor, were killed. The shootout was at close range from the meeting venue at state house and took every body by surprise. He revealed that a committee had been set up to investigate what happened and it is yet to report the findings. The shooting continued for the next three days, leading to the escape of Riek Machar. Hon Mulla stated that Riek Machar's whereabouts were not known at the time and there had been no communication with him ever since his disappearance. He noted that a number of their colleagues had escaped and some had gone back to the bush while others came to Uganda and other neighbouring countries. However, he noted that it was important that implementation of the Peace Agreement is continued.

He noted that the disappearance of Riek Machar had left a leadership vacuum and finding a replacement for him was inevitable if the Peace Agreement was to proceed. The top leaders of SPLM-IO had nominated General Taban Deng Gai to fill the vacancy of Riek Machar. He observed that the nomination of General Taban Deng Gai had the legal backing in the Peace Agreement. Riek Machar was still relevant in the politics of South Sudan for as long as he did not trigger or start a fight. The Peace Agreement was signed on 20<sup>th</sup> July, 2002 between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army.



*Hon. Richard Mulla attending the 65th STON session*

The Peace Agreement provides for the assignment of a senior minister in case of temporary absence and for nomination of a suitable candidate in case of a vacancy. Riek Machar had been absent for weeks and his return date was still unknown. This meant his position in Government was vacant and this called for the top leadership of the SPLM-IO to nominate a suitable candidate, who in this case was General Taban Deng Gai. The Peace Agreement also provided for

the person who filled the vacancy, General Taban Deng Gai in this case, to carry on the Vice Presidential duties up to

the end of the transition period (2018). He appealed that Dr. Riek Machar needed to be rescued, helped and allowed to compete in the elections after the transition period in 2018.

Hon. Mulla noted that General Taban Deng Gai was not new in the politics of South Sudan. He had played a great role in the movement and participated in the negotiation processes. General Taban Deng Gai was versatile and could operate in very difficult circumstances, flexible and could make things move. General Taban Deng Gai had good comradeship in Salva Kiir and both of them were committed to work together to integrate forces.

Hon. Mulla remarked that everyone should support restoration of peace in South Sudan.

*“Most of my life has been in war, I studied in Uganda when my parents were in war, went back home to war, I am now an old man and my country is still in war. Please help South Sudan to grow and progress like other countries”.*

As he concluded his presentation, he noted some obstacles to implementation of the Peace Agreement:

- The Peace Agreement was not clear on the formation of the Legislative Assembly with members from Equatorial, regardless of the party where they belonged. The Peace Agreement provided for selecting a Speaker. The matter was referred to the IGAD Council for interpretation and it was clarified that selection of the Speaker meant that Government (and not the opposition) were to select a Speaker. The problem was solved and the speaker was sworn in on 4<sup>th</sup> August, 2016.



*Hon. Mao, Hon. Otim and Hon. Oryem at the session*

- The issue of the 28 states, up from the 10 states provided for in the Peace Agreement was another obstacle. President Salva Kiir had already announced 28 states based on the demand of the people. A committee was constituted to handle the matter.
- Cantonment was another obstacle. It was not yet clear whether cantonment should be done in the urban areas or throughout South Sudan.
- Problem of military intervention whereby Government was not in favour of military intervention. He concluded his presentation stating that there was need to stop fighting in South Sudan. *'I am surely going back to Juba after this dialogue because I think there is an opportunity to implement the Peace Agreement'*.
- **Mr. Ramathan Ggoobi, Lecturer at Makerere University Business School**



*Mr. Ramathan Ggoobi making his presentation at the session*

Ramathan presented the economic cost of South Sudan conflict on Uganda. He observed that between 2005 and 2010, Uganda and South Sudan had experienced a trade boom with informal exports growing from US\$ 9 million in 2005 to US\$ 930 million in 2008 before dropping to US\$ 630 million in 2010. Formal exports also increased from US\$ 50 million in 2005 to US\$ 246 million in 2008, then dropped to US\$ 208 million in 2010. The trade volume and revenue have reduced to a mere US\$ 79.5 million and US\$ 265 million in informal and formal trade in 2015. In 2012, Sudan was Uganda's second largest foreign exchange earner in the region with an export value of US\$ 115.06 million. By 2015, Sudan had dropped to the third position as Uganda's export destination with an export value of US\$ 79.5 million as shown in the figures below:





The decline in Uganda's export trade with Sudan can be explained by the security situation in Sudan. Relatedly, Uganda's exports of goods and services and performance of the economy were very low in 2009-2010 and 2013-2015 when South Sudan was at war. Other costs of South Sudan conflict to Uganda include a decline in growth of the economy by 0.5% per quarter; decline in total export performance; loss of sales revenue and income; increased unemployment, loss of property, reduced market opportunities; and failure by some Ugandan business persons to pay bank loans.

Uganda exports to South Sudan commodities such as raw sugar, wheat, cement, cereals flour, flavoured water, iron bars, cars, rice, palm oil, maize grain among others. South Sudan re-exports some of these commodities and consumes the rest. Uganda imports stone processing machines, rubber-working machinery, scrap iron, petroleum, gas, tractors, large construction vehicles, and liquid pumps among others, from South Sudan. The balance of trade between Uganda and South Sudan is doing well with Uganda exporting more than it imports from South Sudan. South Sudan is strategic for Uganda because of the market familiarity, proximity to Uganda, less stringent standard requirements and historic ties between Uganda and South Sudan.

• **Mr. Ateny wek Ateny, Spokesperson of the Government of South Sudan**



*Mr Ateny Wek Ateny presenting at the session.*

Mr. Ateny made a presentation about the current situation in South Sudan. He thanked Uganda and ACODE specifically for thinking about South Sudan and organising a dialogue to generate ideas on how to restore peace in South Sudan. He said that South Sudan was a victim of misconception and misdiagnosis. He noted that those who were expected to know South Sudan better tended not to know about it when they are speaking. He stated that he was in state house on 8<sup>th</sup> July, 2016 when the shooting started.

Prior to 8<sup>th</sup> July, 2016, President Salva

Kiir invited all media houses in South Sudan to address the media about South Sudan's 5<sup>th</sup> anniversary after a meeting at state house with the then vice president Riek Machar and second vice president James Wani Igga. On 8<sup>th</sup> July, 2016, Riek Machar arrived with twenty armed vehicles, more than thirty rocket-propelled grenades, four hundred men on the tracks and a pistol with fourteen bullets.

The shootout started when President Salvar Kiir, Riek Machar and James Wani Igga were still in a meeting at the presidential lounge at State House. When the shooting started, the team re-located to a protected room. When I went to the meeting venue, Riek Machar was seated on the left hand side instead of the right hand side where he is supposed to seat, thus breaking protocol.

James Wani Igga was seated on the right hand side. When I asked them why they broken protocol of the seating arrangement, there was denial. In a few minutes, the shoot-out began. President Salva Kiir got an armed vehicle for Riek Machar and Riek Machar left with seven body guards. Some of the soldiers on Riek Machar's team were foreigners (some of them Nuer) from other countries such as Ethiopia.

As South Sudan strives for peace, a few questions remain; notably whether the protection force is for an individual or for the entire South Sudan. He stated that in case Riek Machar appeared, he is an ordinary citizen and he can contest in 2018 as an independent.

Mr. Ateny concluded his presentation advocating for the two armies in South Sudan to unite. He noted that the government had previously advised IGAD to have the two armies amalgamated prior to the Peace Agreement but that piece of advice was not taken. The Peace Agreement was brought and there was no other option but to sign it. As South Sudanese strived to restore peace, he noted that they needed not rush to another miscalculated decision if they did not want disaster to strike South Sudan once again. If anyone wanted to help South Sudan, they should first



*(Front Row) A Delegation from South Sudan attending the session.*

find out from South Sudan what the problem was. Regional organisations like IGAD and the international community have misconceived South Sudan's problems. The problem had been exaggerated and he observed that even chiefs in South Sudan could solve the problem at hand.

## Other Contributors

- **Mr. Abraham Awolich, Senior Analyst, Sudd Institute in Juba and Member of Gieng Council of Elders**

Mr. Abraham Awolich made his remarks as an independent policy analyst. He noted that there was fighting in South Sudan a few weeks before the dialogue and this fighting had scared South Sudan, the whole region and world for fear of a resumption to war. However, he noted that a number of opportunities arose from that situation. According to Abraham, the appointment of Taban Deng Gai was an opportunity that needed to be tapped. The big question remaining to be answered was: What do you do with Riek Machar, especially after his position had been taken?

Another opportunity he saw was the fact that people of South Sudan were ready to proceed with the Peace Agreement with or without Riek Machar. There were two parties i.e. President Salva Kiir and General Taban Deng Gai who seemed to have a cordial working relationship and the desire to push South Sudan forward. He advocated for the countries in the region to trust and give a chance to government of South Sudan to protect its people. The question he posed was: How could this be done?

- **General Tut from SPLM-IO**

He noted that it was a disappointing situation to see his fellow South Sudanese and others running out of South Sudan. The Peace Agreement was meant to restore peace and recall the suffering. He said that they had nominated General Taban Deng Gai in order to proceed with the implementation of the Peace Agreement. He also observed that there was need to dis-engage forces from political players if the army was to be professional.

- **Hon. Otim David Paul, Member of Transitional National Legislative Assembly of the Republic of South Sudan**

Hon. Otim expressed gratitude to Uganda for support offered to South Sudan. When the Peace Agreement was signed, he noted that it was tried out in the trenches and shortfalls were identified. That was why they had signed a compromised Peace Agreement. He concurred that it was important to nominate someone to replace Riek Machar. Riek Machar's political power was very strong and probably beyond what was required to be implemented in the Peace Agreement. He said that there

were two options to deal with the situation in South Sudan; (i) to either use military confrontation or (ii) to sign the Peace Agreement. SPLM-IO was trying to contact Riek Machar to work with General Taban Deng Gai and wait for 2018 when he can contest in case he is interested.

## Conclusion

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The plenary discussions depicted the deep regret for the suffering of the people of South Sudan due to protracted conflict. There was agreement that peace in the war torn country is critical for peace and economic growth in the neighbouring countries. And while there was no agreement about the causes of the trigger for the latest round of fighting, several issues related to the peace agreement were cited as underlying problems that have to be dealt with.

One was the continued existence of two armies under different commands as provided for in the agreement. Presence of two armies in one country was noted to be untenable and could have been the most significant flash point leading up to resumption of full scale war. Second was the personality difference between President Salva Kiir and Dr. Riek Machar which remains a major challenge and the appointment of Gen Deng Gai presented as a solution to this impasse, in the spirit of taking the peace process forward. It was however acknowledged that Dr. Machar remains an important player in South Sudan who should be brought in the fold some how. There was a suggestion that he could remain out of the transitional government to let peace take root and prepare for the electoral process. This was however dimmed defective as Dr. Machar represents interests that may not be represented by Gen. Deng Gai.

Hon. Okello Oryem reiterated Uganda's commitment to the position of the Inter Governmental Agency on Development (IGAD) Council of Ministers and the amendment of the AU summit to have an intervention force with an expended mandate. The team from South Sudan expressed reservations for this force, which in their view would undermine the sovereignty of the country. It was agreed that discussions on such a force should continue until an acceptable position is reached. Other issues, which had to be dealt with going forward, included

1. Investigation and bringing to book persons responsible for escalating tensions that resulted into the recent round of violence
2. Fast tracking implementation of Peace Agreement
3. Integrating the two armies to avoid future misunderstandings and conflict within the army.
4. De-politicising the army so as to have a professional army.
5. Control of movement of arms in and out of South Sudan which if left unchecked could potentially increase insecurity in neighbouring countries.