

Article 46 on South Sudan

Developments in South Sudan Conflict: Updates and is Bahir Dar starting to reverse Addis's Failures?

Our Articles 1 to 3 and 5 to 45 were situation analyses of the conflict in South Sudan. Our articles 4 (A), 4 (B) and 4 (C) were the first of our series on "Who is Who". This article 46 is dedicated to updates on the Peace Talks and the Landscape of the Conflict.

Background

On 26th of June 2014 a young bright analyst with IGAD asked us "I am just wondering why you are in Ottawa and not here, and why your name doesn't come up when we are looking for people?"

We replied on June 26th "May be an additional answer to why my name does not come up is that I do not lobby outside the limits of dignity for work and do not solicit aggressively to prove my presence or value. In the long run, doing such things does not pay. I would not be happy to be a "Likely Suspect" whenever names or issues come up."

That has not changed. We are still in Ottawa and the Process has only moved from Addis to Bahir Dar "horizontally" and we are waiting for it to move "vertically".

On August 28th 2014, an active member of the IGAD team wrote to us in response to our article # 41 of 23/09/14 "...your article about the Envoys "dismounting", circulated around the Leaders Committee meeting and caused a lot of chuckles. The parties saw it and had a field day..... "

While we were glad that our articles are re-circulating, and certainly happy that we amused the leaders, we were dead serious that if the Mediators do not deliver they should go home.

That will not be the first time for Mediators going home:

1. Eritrea and Ethiopia before and after independence of Eritrea moved from Yemen, to East Germany, to Russia then to Carter, to Algiers among others.
2. Burundi moved from Nyerere to Mandela
3. Sudan/SPLM/A moved from Ethiopia to Nigeria to IGAD/Kenya
4. As for Palestine/Israel: Who can keep track?

Either through some impact of our articles now standing at 48 with the Who is Who, or through newly acquired sense of dignity and esteem, the GRSS represented by Maulana/ Michael Makuei did two very admirable things:

1. In his opening address to Stage 2, Round 6 in Bahir Dar on 22nd of September he concluded "telling" Mediation to do or not do 10 things: Listen, listen, listen; Build trust

between parties; Build confidence in the mediation process; Focus on parties' needs, not positions; Not lecture nor preach; Not threaten nor bully; Be fair and supportive; Be patient and persistent; Ensure parties own the agreement; OR Be ready to withdraw. Brilliant! **That is his right.** That is the right language. What he needs to do is to keep at it. Insist on it. Always put Ato Mesfin and company where they belong: No more than "Mediators" paid to serve the two parties. Do not buckle Maulana!

2. On October 1st 2014, and as reported by Capital News from Nairobi, Makuei said" "For Lazarus to be put under somebody who never mediated any process even in his homeland that was wrong, this is a misuse of the seat of the IGAD. And this is why we are unable to achieve peace is South Sudan up to now." Lueth says that Gen. Sumbeiywo is better suited, explaining he previously mediated talks between Al Bashir and John Garang to sign the Comprehensive Peace Agreement which ended two decades of civil war. "We are appealing to the region and especially the Kenyan Government. Kenya is the centre for everything here in the region. This is where our message should be carried from," he said. "We want peace for our people, not other interests. The problem of South Sudan should not be used for serving others interests. Those who want to overthrow the Government of South Sudan should seek other avenues but not through the mediation."

That is serious stuff from a Dinka ranking as one of the two strongest Dinka ministers of Dinka Bor in the Government. Some winds of change are blowing!

But then we were rather surprised to hear the SPLM/A-IO having a totally different tone:

1. Next day on October 2nd 2014 as reported by Tesfa Tekle of Sudan Tribune from Addis Ababa, the SPLM/A-IO comes out through a statement issued by Mabior Garang stating that they were happy with Seyoum Mesfin. Yes sir!
2. We quote" "The SPLM/SPLA [in Opposition], though deeply shocked by these statements, is not surprised by this lack of seriousness from the other party to the conflict (the South Sudanese government), as this is part of their modus operandi," said the statement signed by Mabior Garang de Mabior, chairperson of the rebel faction's national committee for information and public relations.
3. The group has also accused the government of deliberately delaying the ongoing peace process aimed at finding a durable political settlement to the more than nine-month-old crisis. It said such tactics were an indication that the government is not serious about reaching a peace deal and is an abuse of the goodwill shown by IGAD, the AU and Troika states.
4. The rebel statement said that since January the South Sudanese government ""has continuously been undermining the peace process in Ethiopia, and this is just the latest delaying tactic in a strategy to ensure the failure of the peace process".
5. Moving the peace talks from Ethiopia, the group said would cause unnecessary delays to negotiations and only prolong the suffering of the people of South Sudan. The opposition group expressed its **full confidence in the IGAD-led peace process in Ethiopia and in the leadership of the current chief negotiator.**
6. It has called on the international community to condemn the latest actions of the government and exert further pressure against Juba to continue with negotiations in good faith.

There are several comments on this statement:

1. We read this as “reaction” just to go against the statement of the GRSS. Embracing an opportunity to hit back. Where did all the bullying, insults and belittling that Ato Seyoum Mesfin practiced over 10 months gone?
2. Just contrast that with what Gadet Dak said on September 18th in Sudan tribune and we quote: “IGAD seems to mishandle the peace against the majority opinion of the stakeholders who should have been the owners of agenda or any document that emerges from the peace process”. He is right. Was Mabior aware of what Dak and many others said in stark criticism of the Mediation Envoys?
3. Neither Mesfin nor his Ethiopian Government and Country are permanent partners of South Sudan. The only permanent partners that the SPLM/A-IO has are the GRSS/Kiir faction. No love lost? Yes, but you have to live with it.
4. Then comes the professional credibility. Mesfin is actually abominable as Mediator. He has no clue about mediation. The change we so far see in the consolidated document developed on September 22nd by IGAD and the reduced verbal abuse and threats should not have been there in the first place. He and his team get no credit for that. They have only made right a big wrong.
5. There is no comparison in capacity, quality of retreats, supporting institutions, and people’s intimacy with South Sudan that are available in Kenya when compared to Ethiopia.
6. Those in the SPL/A (Both IO and GRSS) who seem to have short memory need to remember that the same EPRDF in July 1991 ordered the SPLM/A out of Ethiopia and late Dr. Justin Yac had to march from Debre Zeit through Itang and Asosa to collect your folks and then out to Moyale in 3 days or else!
7. People running from Itang and Asosa got swept by the hundreds in Sobat River.
8. The same people in the SPLM/A with short memory (Both IO and GRSS) need to remember that it was the same late Justin Yac and the late hero (and what a hero that the people of South Sudan have failed) Martin Manyiel who laid the foundation for the transition into Kenya and set up Narus Camps and Nairobi hosted from John Garang to Justin Yac, to John Luk to Ambrose Rinj, to Clement Mboro, Dhol Acuil, Elija Malok..... and the list goes on into thousands. Are you still there Bethuel Kiplagat?

This was not the right way or right issue to be used by Mabior to win short term points against the GRSS.

SPLM/A-IO visit to China

“Our delegation of SPLM/SPLA led by the Chairman of External Relations Committee Dr Dhieu Mathok Diing has left Addis Ababa for Beijing on Saturday evening,” Machar’s spokesperson James Gatdet Dak stated in a press release seen by *Sudan Tribune*.

Among the delegation also include Hussein Mar Nyuot, chairperson for humanitarian committee and Richard K Mulla, chairperson for justice and human rights committee.

Very little has come out about this visit. What was “Strategic” about it? What was “tactical”? Did that have anything to do with freezing the supply of arms from China to GRSS? Is the oil which is mostly in Nuer/Opposition held areas a factor?

SPLM/A-IO spreads their wings into Canada

SPLM/A-IO has presence in Canada headed by an active Dinka supported by an enthusiastic team of young men for all tribal backgrounds. The South Sudan Relief and Rehabilitation Association (SSRRA) is emerging in Canada as well and will establish itself as a humanitarian arm for the SPLM/A-IO.

The Ugly face of Uganda is showing up:

On September 17th in Kampala, Amama Mbabazi, Prime Minister of Uganda threatened to expel South Sudanese from Uganda if the threat of the South Sudanese Labour Minister was to go ahead. But then Mbabazi goes on “If Juba continue to threaten our citizens in South Sudan, we will ask our forces or UPDF to come back home” and right away Juba swallows their pride and retracts from the decision to expel foreign workers.

Does that look like blackmail?

The Process in Bahir Dar

The talks have been moved to Bahir Dar in Addis Ababa Hotel on Arba Meter Road. It seems that funds are short as the two better hotels Homeland and Kuriftu have not been selected to host the talks. But that is not an issue.

A big surprise and a possible swing to the better came at the start of the 6th Session of Stage 2 of the talks in Bahir Dar. The first glimpse we had that there could be a “process” came from a document dated 22 September 2014 and titled “Text Arising from the 25th August Protocol and Stakeholders Positions, Draft I”. This is a long 76 pages document. Massive effort went into it.

The document consolidated the various positions discussed by the various parties and committees of the Process. Colour coding was used to identify easily who said what and what positions they hold. The document is attached to this article 46 as we have received it from 3 credible sources with no restriction of confidentiality from 2 of them.

You will notice in the text of the consolidated document the reference to 9 appendices in the sections relating to the SPLM/A-IO. The appendices are not incorporated in the consolidated document which is a big drawback. We asked an official in IGAD to share the appendices with us but he declined and we appreciated his/her position. Then....

Bingo! They come from a very reliable source with a condition of confidentiality and hence we are not able to share them with you. Today only we received clearance to use them for analysis.

Analysis of the appendices of the SOLM/A-IO as referenced in the consolidated document of the IGAD

1. They are 10 appendices and not 9. The one missing in the consolidated document of IGAD is Media Reform which no one else but IO talks about in the consolidated document.
2. It is regrettable that we learnt that these detailed appendices were not discussed with the GRSS and hence they remain only “Positions” of the IO. It will take ages to discuss them with the GRSS and without that we see no credible political settlement coming out of Bahir Dar.
3. The spider and the web again and the focus on “government” and personalising positions to individual actors too early. This is in contrast to focusing on “Governance” and elements of Nation Building.
4. The appendices developed by the IO are: Governance and Power Sharing, Permanent Ceasefire and Security Arrangements, National Armed Forces, Joint Presidential Guard, Joint National Security, National Security Service, Federal Police Service, Joint Police Service and Economic and Financial Management.
5. Then comes the Media Reform as #10 appendix.
6. The Economic and Financial Management appendix is a masterpiece of intellectual work. The oil revenues and their equalization will be a major issue to be resolved as it is going to rock the current corrupt and dictatorial fiscal policies of the GRSS.
7. The equalization proposition on page 18 of appendix VII is a job well done. Some states/counties will now have to get off their big butts and work or eat coal..... Including Northern Bahr El Ghazal!
8. The Security Arrangements and the dual approach to “joint Security” during the transitional period and then “permanent” national bodies will soon work their way up to the top of the priorities.

What we see missing as vital appendices and what we see as shallow and problematic in the consolidated document.

1. Disarmament of civilian Population is not in the radar screen. The White Army, Kiir’s and co militias, Maban Militias and others fall in this category.
2. Foreign Policy Guidelines do not seem to have featured anywhere. There is no appendix for that in IO documents.
3. The status of traditional law and tribal modalities important in the very weak judiciary in South Sudan has not features as an issue.
4. Water, Nile and Water resources and their policies and politics have not featured anywhere. This is the same mistake that the CPA has done. Now that Ethiopia has put Egypt where it belongs, this issue should no longer be taboo. South Sudan can make more money and sustainable money from Sudd water than from oil. Sudd swaps fall in both Dinka and Nuer Land. At least 10 billion Cubic Meter of water out of the 30 billion per year wasted can be drained without affecting the ecology.
5. We also noticed that the issue of “Government” and “Security” has dominated ALL positions. This could be fatal for a durable agreement.

6. Look at the figures and demands of the Ex- Detainees highlighted in yellow in the consolidated document. They are 9 people and are asking for 25% of the political portfolios!

We will do more on analysis once we get clearance from our sources to share the 10 appendices with you for reference to our additional analysis.

Some conclusions

1. The big questions: Is there too much on the plate for 13.10.2014 or even 2015!!
2. Did anyone else (stakeholders negotiating) really do his homework other than IO? 10 appendices that are not in circulation and that have not been discussed with GRSS are an arm and a leg. With no other similar products for the Mediation to work on will make an agreement more challenging.
3. When will the primary stakeholders (GRSS and the SPLM/A-IO) do something about the ex-detainees who are still there claiming 25% for 9 people?
4. Some serious research and scenario building work needs to be done on the prospects and trajectories if the dry season comes and no solid agreement is reached? Dry season is war season as now circulating in Juba?
5. Real experts in harmonising positions and generating options from the vastly diverse positions in the consolidated document need to be on the ground in Bahir Dar helping mediation..

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