



BRIEFING PAPER / October 2022

Challenges to small arms and light weapons control in South Sudan

Acknowledgements

This briefing paper has been produced as part of a joint CACDA-Saferworld-SRIC project on 'Africa-China-Europe dialogue and cooperation on preventing the diversion of arms and ammunition in Africa'. The project is being undertaken with the generous support of the European Union.



European Union funded
Council Decision (CFSP)
2019/1298 of 31 July 2019

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The views in this paper are those of the authors and do not necessarily reflect the views of Saferworld or our donors.

Abbreviations

ATT	Arms Trade Treaty
CACDA	China Arms Control and Disarmament Association
CPA	Comprehensive Peace Agreement
DDR	Demobilisation, disarmament and reintegration
NSS	National Security Service
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in South Sudan
SALW	Small arms and light weapons
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SPLM/A-IO	Sudan People's Liberation Movement In Opposition
SRIC	Security Research & Information Centre
SSNPS	National Police Service
SSPDF	South Sudan People's Defence Forces
SSR	Security sector reform
UNROCA	UN Register of Conventional Arms
WAM	Weapons and ammunition management

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Weapons collected from civilians in Jonglei State.

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Community members in Pariak, Jonglei State, engage in brick-making as part of a pilot phase of a disarmament, demobilisation and reintegration programme.
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Introduction

As part of a joint CACDA-Saferworld-SRIC project a non-governmental Africa-China-Europe Expert Working Group was set up in 2019 to increase awareness and engagement on issues related to the illicit trade and diversion of arms and ammunition into and within Africa. The uncontrolled proliferation of small arms and light weapons (SALW) is one of the main factors sustaining armed violence on the continent – particularly in over 35 non-international armed conflicts in Sub-Saharan Africa. The Expert Working Group engages in policy dialogue, consultations with officials and civil society, fact-finding visits and research. South Sudan is one of three countries selected for comparative analysis on the problems associated with the proliferation of SALW and challenges to arms control, and for identifying areas where actions need to be taken by national and international stakeholders to tackle those problems.

South Sudan gained its independence on 9 July 2011; two years later, it became embroiled in a civil war.¹ The on-and-off five-year civil war fuelled an unprecedented armed violence crisis and massive national and sub-national insecurity. A peace agreement (the Agreement on the Resolution of the Conflict in the Republic of South Sudan, ARCSS) was signed in 2015 and ‘revitalised’ in 2018 after repeated outbreaks of civil war. The agreement’s provisions on security arrangements, security sector reform (SSR), and demobilisation, disarmament and reintegration (DDR) of the armed forces are yet to be implemented.² This legacy of conflict has left SALW in the hands of civilians and former combatants in the absence of capacities to control and regulate their use.³

The Comprehensive Peace Agreement (CPA) of 2005 between the Government of Sudan and the Sudan People’s Liberation Movement/Sudan People’s Liberation Army (SPLM/A)⁴ foresaw a holistic DDR programme for the entire SPLA. However, governments in both Khartoum and Juba undermined the implementation of the CPA in fear of becoming vulnerable to counter attacks.⁵ The partial implementation of the DDR programme under the CPA failed to disarm combatants. When South Sudan became independent, these combatants kept their arms and either returned to civil life or joined state security forces or non-state armed groups.⁶

Despite international support, the transformation of the SPLA – the military wing of the SPLM – into the South Sudan People’s Defence Forces (SSPDF)⁷ was constantly disrupted as political leaders sought to secure power and consolidate their client-patron networks through the abuse of the SSR and DDR processes.

This case study does not provide new data on SALW proliferation and arms transfers to South Sudan. Instead, it explores the current risks of SALW proliferation and diversion and the main challenges to national and international arms control measures in the country. This exploration was carried out primarily through desk research, with a limited number of key informant interviews with international experts on armed groups and sanctions in South Sudan and with South Sudanese academics, government officials and former military officers.⁸ The report also reviews current national arms control capacities, legislation and institutions. It investigates the state of research and data on the prevalence of small arms, factors and vectors stimulating the proliferation of arms, and existing national laws and international measures to curb the circulation of arms. The main argument presented here is that while arms control measures tend to focus on the supply side of SALW proliferation, there is a need to pay more attention to the demand side and explore what can be done to reduce such demand. The report looks at the implications of demand-driven SALW proliferation for arms control, concludes with a reflection on what the findings mean for the objectives of the Africa-China-Europe project on small arms, and offers recommendations for moving forward.

It is also important to highlight that there are gendered aspects to the issues raised in this report in relation to the proliferation and misuse of SALW in South Sudan, including the high incidence of gender-based violence and violence against women and girls, and the links between rising ‘bride prices’ and related cattle raiding using SALW. A full analysis of these issues is beyond the scope of this case study, but it is important to note that efforts to curb and mitigate the proliferation and misuse of SALW will not be sustainable or effective unless they respond to the gender dimensions of the problem.

Historical background and context

The second Sudanese civil war (1983–2005)⁹ ended with the signing of the CPA 2005.^{10, 11} In 2013, two years after gaining its independence, South Sudan descended into a bloody and catastrophic civil war that provided a stage for endless cycles of violence that have lasted to the present day. Even during the brief, repeated phases when the main protagonists agreed to a cease fire, armed clashes occurred between ethnic or tribal armed groups and militias. Between 2013 and 2018, armed violence resulted in nearly 400,000 excess deaths, the displacement of over two million people within South Sudan, and the movement of 2.5 million refugees to neighbouring countries, most notably Uganda.¹²

The evolution of armed violence and insecurity and the proliferation of SALW in South Sudan are closely linked to the nature of the country's security context¹³ – which is marked by an excess of armed groups, ethnic and tribal militias, local self-defence groups, and widespread ownership of firearms among cattle herders and young people. Several studies analyse South Sudan through a political marketplace lens, 'which refers to the diverse array of political actors that have military capability, including those who formally qualify as state security providers as well as insurgents and others, who collude and compete (including through armed violence) for power, profit and position'.¹⁴ Although this arguably oversimplifies more complex social and cultural factors driving politics, conflict dynamics and notably SALW proliferation, it is a useful framework for understanding the role of SALW and its tight link with SSR and DDR processes in South Sudan.

It is possible to gain a more balanced view between supply-side dynamics (that are often over-emphasised in analysing SALW proliferation) and demand-side forces. For example, in contrast to the situation in Libya that was strongly supply-side driven, South Sudan's SALW proliferation is marked by demand-side dynamics within the political marketplace. This has led to a situation with dominant politico-security actors vying for control of the centre and the capital, who lack interest in the situation at the community level – allowing the mushrooming of small, localised, and ethnic/tribal entrepreneurs of violence. This situation has sustained a dynamic and illicit SALW market.

The second civil war left Sudan and South Sudan awash with SALW. Estimates of firearms in civilian possession in Sudan prior to the separation were as high as 1.9 to 3.2 million.¹⁵ A cornerstone of the CPA was the integration of the multiple armed groups and militias under the SPLA umbrella towards a regulated and orderly security sector under the civilian control of the South Sudanese government.¹⁶ The CPA further foresaw the demobilisation and reintegration of armed groups and militias and also aimed at disarming fighters and civilians, by introducing arms control measures and containing the proliferation of SALW.¹⁷ However, most of the disarmament campaigns were ad hoc and barely took into consideration the local context, in which ethnic and tribal armed groups were not willing to return their firearms without guarantees that other community defence groups would do the same.¹⁸

In 2013, only two years after independence, South Sudan's civil war began amid an overabundance of armed groups and SALW availability. The 2013 conflict occurred in an environment where arms and ammunition circulated freely and with little control from the state and security sector institutions, such as the police, prisons, the SPLA and wildlife services.¹⁹ The factions within the SPLM/A persisted without proper command structures. Most armed groups within the SPLM/A were not integrated; they remained within their own territory responding to their tribal commanders.²⁰ Efforts to professionalise the SPLA made little progress and, before the required changes could take place, the 2013 civil war started.²¹ The war was spurred by the competition between President Salva Kiir and Vice-President Riek Machar; the latter split from the SPLM/A with units loyal to him and formed the Sudan People's Liberation Movement In Opposition (SPLM/A-IO).

While the 2018 revitalised agreement generated a short-lived break in the fighting, it placed reform of the security sector at its core. On paper, the aim was still the formation of professional unitary national defence forces. In 2017, in light of the negotiations of a new ceasefire culminating in the signing of the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), President Kiir announced the transformation of the SPLA into the SSPDF. The change in name was supposed to reassure the opposition and the international community that SSR efforts would become a reality. Analysts suggest that it was part of a broader move by President Kiir to strengthen his hold on power. It focused the monitoring of SSR and DDR efforts (agreed upon in the R-ARCSS) on the SSPDF and armed groups from the opposition. Yet it excluded the National Security Service (NSS), which the President built up as the regime's main armed and security forces. It might also have been a response to the UN arms embargo imposed on South Sudan, which requires the government to conduct a comprehensive review of its security architecture and develop a substantive reform of the security sector and the building of weapons and ammunition management (WAM) capacities, in order to re-establish the possibility of arms imports.

Looking at South Sudan through a political marketplace lens enables an understanding that a group's status, wealth and survival depends on its access to the state and the posts, funds, spoils and protection that come with it. This is a fundamentally political problem to which there is no simple technical solution, whether in terms of SSR, DDR or arms control. For armed groups, the SSR process is a distant promise of integration into the formal security forces and to benefit from the redistribution of wealth. To have a chance of integration, armed groups need to have weapons and have access to SALW supplies. Both state-affiliated and opposition armed groups have incentives for supplying SALW to local and tribal militias and defence groups in order to secure their allegiances through the prospect of future spoils, including through integration in the formal security forces. All this comes at the expense of building capable law enforcement agencies that are necessary to address the illicit flows of SALW and build national arms control capacities.²² In summary, the current political marketplace dynamics drive the demand for SALW, offer no incentives to tackle the supply of SALW, and divert resources away from arms control capacities.

The state of research and data on SALW proliferation

Conducting field research on SALW proliferation in South Sudan has become increasingly difficult, and the current state of data and research on SALW proliferation in the country is relatively poor. The latest substantive research and data available is from 2018, before the UN Security Council established an arms embargo on South Sudan. This is reflected by the fact that UN Panel of Experts reports of 2019, 2020 and 2021 contain little information on investigations of non-compliance with the arms embargo (see section on ‘UN sanctions and arms embargo’ on page 11). Furthermore, as one informant interviewed in Juba explained, the recurrence of conflict at both the local and national level has made research into SALW increasingly dangerous. He explained that communities were less and less responsive to inquiries because of their lack of trust in foreign and national organisations. In addition, the lack of trust in the state’s capacity to provide security translates into communities relying on arms illicitly obtained to protect their lives, cattle and properties.²³ This explains their unwillingness to share information on the firearms they own. Between 2003 and 2018, several think tanks and research projects – including Conflict Armament Research, the Human Security Baseline Assessment (HSBA)²⁴ and Saferworld – conducted research on SALW and their ammunition. These constitute the main sources of information on SALW in South Sudan. To our knowledge, none of these organisations have collected data on SALW since 2018.²⁵ Most research focuses on insecurity, armed violence, conflict dynamics and armed groups.²⁶

Trade data

There is also a dearth of public data on arms transfers concerning South Sudan. Although UN Comtrade data does not represent a comprehensive listing of weapons sales and transfers, it is useful for assessing whether authorities act transparently and have appropriate administrative capacities to collect and report their export and import data. Sudan has provided regular reports on its arms transfers to Comtrade; according to these reports, from 2001 to 2011 – the year of South Sudan’s independence – it imported SALW from at least 34 countries,²⁷ which represented 44 per cent of its total arms imports by value, with SALW ammunition comprising another 3 per cent.²⁸

South Sudan, however, has never reported imports to Comtrade, nor to the UN Register of Conventional Arms (UNROCA). For the period 2016 to 2021, Comtrade lists transfers of conventional weapons and SALW to South Sudan as reported by exporting countries, most of which are likely contributions to the UN mission. They include reports from Austria, Germany, Norway, Thailand, China, the US and Kenya, for a total value of less than USD\$2.7 million.²⁹ The only report from UNROCA of SALW exports to South Sudan comes from Ukraine in 2016, for 170 light machine guns and 88 heavy machine guns.³⁰ The absence of any data and reporting from South Sudan suggests that the country may lack proper arms control

mechanisms. It makes risk assessments for countries issuing export licences very difficult, with little to suggest the South Sudanese authorities have the capacities to mitigate diversion risks.

Diversion of arms transfers to South Sudan

Diversion of arms transfers into and within South Sudan, notably from and by the SPLA, is a recurrent theme dating back from the years between the CPA and independence. The CPA stipulated clear restrictions on the SPLA and other parties with regards to purchasing military equipment. The aim of the CPA was to disarm and demobilise armed groups and consolidate the security sector. The interdiction of a large shipment of military equipment at sea off the Somali coast on 25 September 2008, including infantry weapons and SALW from Ukraine to Kenya, shed light on a sizeable contract for at least three deliveries transiting through Kenya.³¹ South Sudan’s lack of a seaport necessitates the transit of large deliveries through the ports of neighbouring countries, as deliveries by air are inefficient and extremely expensive. While the contract with Ukraine clearly indicated that the materiel’s end destination was South Sudan, the broader pattern of diversion indicates that deliveries to South Sudan from neighbouring countries are in most cases re-transfers that are in breach of end-user undertakings. SALW and ammunition from diversion through neighbouring countries, including Chad, Libya, Uganda, Ethiopia, Eritrea and Kenya, have originated from state and commercial arms suppliers from Belarus, China, Israel, the EU, Ukraine and the US. Research suggests that Ugandan authorities procured materiel from Bulgaria and Slovakia on behalf of the South Sudanese government to circumvent the EU embargo on Sudan and South Sudan.³² These commercial transfers involved brokers registered in the EU; their activities were non-compliant with the EU’s arms embargo.

In the period before South Sudan’s independence, the pattern of SALW and ammunition in the hands of armed groups was similar to Darfur. Since 2009, SALW in the hands of non-state actors both in Sudan and South Sudan have mainly originated from the inventories of the Sudanese government’s various armed and security forces.³³ Other important sources are private illicit markets fed from neighbouring countries and the broader region, including from Egypt, Kenya and the Democratic Republic of Congo. SALW and ammunition often accompany the transfer of weaponised pickup trucks and armoured personnel carriers. Diversion from UN and African Union peace operations has been another small but not inconsequential source of SALW.

In the CPA period, the SPLA also benefitted from train-and-equip programmes (mostly vehicles) from the US and other countries. It also scaled up its trade relations with Ethiopia, including on armament and military equipment and preparing the ground for post-independence rearmament.

Israel – which has a long-standing tradition of providing military aid in the region – has provided training and equipment to South Sudanese security forces,³⁴ and it



A collection of guns in Terekeka, Central Equatoria. © Media Drum World/Alamy Stock Photo

seems that the NSS benefitted primarily from Israeli training and equipment. In 2016 the UN Panel of Experts documented Israeli firearms in South Sudan in the hands of the Mathiang Anyoor militia.³⁵ These Israeli ACE rifles were marked before export for delivery to the NSS.³⁶ The Panel also identified Micro Galil rifles being used in the conflict. Israel sold the rifles to Uganda in 2007, which then re-transferred the weapons to South Sudan's NSS in 2014.³⁷ Additional reporting suggested that Israel stopped issuing export licences for firearms to South Sudan in 2013 but that export licences for surveillance equipment to the NSS continued.³⁸ It is, therefore, not clear if the NSS has succeeded in procuring further materiel, although it continued to benefit from Israeli training.³⁹ According to the UN Panel of Experts on South Sudan the NSS also procured SALW and ammunition from Sudan in 2019,⁴⁰ and trained armed groups through the services of an international private military company.⁴¹

After 2011 the Government of South Sudan was able to legally purchase military equipment on the international market from countries including Canada, the United Arab Emirates, China and South Africa. It signed several contracts and received deliveries until 2014. However, the breakout of the civil war resulted in a number of countries reviewing their export policies and no longer granting licences.⁴²

In summary, the proliferation of SALW in South Sudan must be assessed in its regional context and considering local conflict dynamics and economics. The major challenges are the re-transfer of SALW from neighbouring countries, multiple armed conflicts in the broader region, weak WAM, and the distribution of SALW and ammunition to local (deputised) non-state armed groups and militias. Opaque commercial intermediaries further complicate the picture and hinder 'the capacity of national export control authorities to make full diversion risk assessment prior to export'.⁴³

Illicit SALW market and cross-border trade

Small arms trafficking in South Sudan prevails through small-scale transactions with neighbouring countries at markets on the South Sudanese border and within the country itself through individual, informal transactions. One expert interviewed noted that South Sudan remains awash with weapons and ammunition from the legacy of the second Sudanese civil war and other armed conflicts in the region, which flow into South Sudan through cross-border networks:

*"There are weapons and ammunitions everywhere and easily available for sale at the black market. This happens within South Sudan, within community networks and also from cross-border sources such as the border between Sudan and South Sudan in Northern Bahr El Ghazal State, the border between Uganda and South Sudan in Eastern Equatoria State and also Unity State border with the Sudan."*⁴⁴

Another important source of SALW and ammunition for non-state armed groups, self-defence groups and civilians are local illicit markets supplied by the 'ant trade'⁴⁵ from neighbouring countries. In 2006, the Sudanese authorities seized around 4,250 handguns, 540 self-loading rifles and over 16,850 rounds of small calibre ammunition.⁴⁶ The majority of the SALW in the hands of local armed groups and young people come from local and regional illicit markets. The essential problem is that these markets are well-established and difficult to address.⁴⁷ The fact that borders are often guarded by armed groups affiliated to the government forces that are badly and irregularly paid complicates their control of the borders. For these groups, the border represents a predatory economic resource. In border areas such as in Northern Bahr El Ghazal it is not unheard of for armed groups in charge of border protection to rob travellers,⁴⁸ participate in informal trade and illicitly trade in arms. The same applies to the borders of South Sudan in areas of Jonglei, Unity State and the Pibor Administrative areas bordering Ethiopia.⁴⁹ From around 1999 into the early 2000s, local people exchanged guns for cows at a market on the Eastern Equatoria border between Southern Sudan and Uganda. This exchange can be observed occasionally even today.

Main factors driving SALW proliferation

Civil wars, conflicts and state armament of non-state armed groups

The prevalence of firearms in South Sudan is in part the legacy of the civil wars that have ravaged Sudan, especially since the 1970s.⁵⁰ As mentioned earlier, Khartoum relied on militias to fight armed opposition and suppress communities in the south of Sudan and Darfur. Several informants attributed the origin of the huge increase of SALW proliferation in South Sudan to the civil wars and to the massive recruitment of militias, such as the Janjaweed, by President Omar Al-Bashir during his military rule in order to wage a war in Darfur since 2003.⁵¹

One expert highlighted the link between the proliferation of SALW and militias:

“While the Janjaweed were being armed, the then Al-Bashir government conducted a disarmament in Darfur in 2012, which left the Baggara in Darfur without guns to protect themselves. Additionally, the Misseriya and the Rezeigat buy their guns from the Dinka in South Sudan. The rearmament of the two groups is facilitated by their interaction with the Dinka in South Sudan from 2013 and 2014, when South Sudan was in conflict. The Dinka in Gok Machar, a border town market at the border of South Sudan and Sudan, took advantage of the conflict and sold guns in the night. The night sale and exchange of arms between the Dinka in Gok Machar is an old trade, which the groups have engaged in since 2012 when the Misseriya and the Rezeigat were disarmed by the Al-Bashir government. So, each time the two groups lose arms, they look to the Dinka in South Sudan for rearmament. Even when the Baggara lost their guns, they looked to South Sudan to replenish their dwindling stock of arms.”⁵²

Another legacy from the civil wars is the large amount of SALW that flow into the hands of armed groups and civilians as a result of battlefield capture. Some non-state armed groups have proven particularly adept at capturing weapons from state forces in the battlefield. The HSBA analysed: ‘With decreasing support from external actors, the Sudan Revolutionary Front has maintained a sizeable arsenal through its military victories against Sudan Armed Forces (SAF). In South Kordofan, the SPLM-N captured hundreds of thousands of rounds of small- to medium-calibre ammunition as well as more than a dozen vehicles and tanks from SAF in 2012.’ Finally, defections from state and non-state armed groups also add to the proliferation of arms in South Sudan.⁵³ A common approach of the SPLA is to co-opt rebel commanders by integrating them into the SSPDF and arming them and their groups. However, these military commanders’ allegiance is often fleeting and, when defecting from the SSPDF, they do not return their weapons.⁵⁴ The next time the government negotiates these rebels’ reintegration into the SSPDF, the same commanders then sell their guns and register for new arms. There is no accompanying arms control process that would register, collect and safeguard the weapons.⁵⁵

Vicious circle of insecurity

Between 2006 and 2008 the Small Arms Survey’s HSBA programme conducted a series of household surveys on civilian firearms possession. Over 38 per cent of respondents in Sudan reported owning a firearm. In one county more than 50 per cent of respondents who reported owning a firearm said they had received their weapon from the SPLA.⁵⁶ The HSBA estimated SALW holdings of state, non-state armed groups and civilians in all of Sudan (prior to independence) to have reached 2.7 million firearms, out of which 2 million were in the hands of civilians.⁵⁷

In the National Small Arms Assessment in South Sudan conducted by the Small Arms Survey between May and July 2016, 15 per cent of respondents reported that their household had at least one firearm.⁵⁸ The assessment concluded that in 2016, civilians in South Sudan held around 600,000 firearms. The percentage and distribution of firearms holdings differ considerably from one county or state to another (for example, 21 per cent in Jonglei State and 4 per cent in Western Equatoria State). Over 50 per cent of respondents stated that self-loading rifles (AK47 pattern) were used in their local area. The survey underlined previous findings, noting that around a third received their weapons from the military, the police or other armed groups, while over 40 per cent purchased their firearm (for example, from the illicit market). According to Saferworld community security assessments in Rumbek and Kuajok in 2017, around 80 per cent of households owned at least one firearm.⁵⁹ While these assessments used a less representative type of data collection, they nonetheless suggest that respondents in the national assessment may have underreported firearm ownership.

Pastoral communities acquire guns on the illicit market that have been diverted from government stockpiles. Their lack of trust in the state’s capacity to provide security and safety encourages them to get firearms to keep themselves and their cattle safe.⁶⁰ The weaker the state appears, the more communities obtain and stock firearms for their protection from other communities, roaming bandits or armed cattle keepers.⁶¹ This leads to a vicious circle of insecurity and a security dilemma, where armed groups and communities seek more and more powerful weaponry to protect themselves from each other. Today, around 64 per cent of armed violence leading to deaths or injuries is perpetrated by self-defence and non-state armed groups.⁶² As the UN recently noted, ‘The nature of intercommunal conflict is evolving and is now often carried out with military-style tactics and military-grade weapons.’⁶³

This dynamic then easily spreads to or is exploited in sub-national and national conflicts, and further undermines community safety and the rule of law.⁶⁴ In recent years the logic of political violence and insecurity has therefore shifted from major armed groups at the national level to more localised conflicts. According to the UN Commission on Human Rights in South Sudan the violence ‘perpetrated by organised tribal militias exceed[s that in] the violent conflict of December 2013’.⁶⁵ At the local level, political violence has escalated because national actors provide ethnic and paramilitary groups with military equipment. These

groups then attack communities under the cover of cattle raids. The communities in turn respond with reprisals and revenge killings, leading to a never-ending vicious circle of violence and insecurity.⁶⁶

Predation economy and illicit SALW markets

Weapons have been smuggled into the former Southern Sudan region and from SPLA-controlled areas since the 1990s. In the absence of civilian disarmament in the CPA and post-CPA eras, civilians kept weapons acquired during the civil war. Failed DDR and the eruption of civil wars in 2013 and 2016, including a spike in sub-national violence, increased the proliferation of arms into the hands of civilians, tribal militias and deserters.⁶⁷

The economic factors driving the proliferation of arms emerged a long time ago in South Sudan. As one interviewee remembered, ammunition became a form of currency:

“In the late 1990s, outstanding school-going children were rewarded with bullets to recognise their outstanding performance in school. Bullets were used to pay school fees and this phenomenon demonstrates the normalcy with which arms and ammunitions were and are viewed in South Sudan. Pastoralist communities in Eastern Equatoria and in many parts of South Sudan have amassed arms and ammunitions and what they have at hand may be more than what the government has. For instance, in 2016, many government soldiers looted guns and bullets, and made their way to the villages to sell the arms.”⁶⁸



A Dinka herder walks by cows in Terekeka, Central Equatoria. © Media Drum World/Alamy Stock Photo

Against South Sudan's desolate economic background, armed actors sell SALW as a source of additional income. Personnel from security sector institutions like the SSPDF, the NSS, police, prisons and wildlife services, as well as members of militia and community defence groups, are active in reselling weapons.⁶⁹ For example, armed groups controlling the South Sudan border in Northern Bahr El Ghazal, close to Gok Machar, engage in gun trade to survive.⁷⁰ Soldiers deployed to guard the border do not receive their salaries on a regular basis as the government struggles to pay its troops. They seize weapons or buy them from fleeing fighters and resell them to local cattle keepers. In Eastern Equatoria State, exchanging weapons for cattle is common.⁷¹ According to one interviewee, officers of the Criminal Investigation Department (CID) and the Military Intelligence (MI) divisions are engaged in illicit trade in a more systematic manner at the South Sudanese border with Sudan.⁷²

The prominent role of armed and security forces in illicit SALW markets, other illicit activities and informal trade is an essential factor of the political marketplace dynamics that sustain the proliferation of SALW. The regime relies on these client-patron networks to co-opt and secure support from the commanders of armed groups (both state and non-state), who simultaneously depend on their deployment at the border and other postings to gain access to spoils and maintain control over the members of their armed group.

Socio-cultural drivers of SALW proliferation and associated impacts

It is common for pastoral societies to be armed. Many cultural norms, rituals and beliefs evolved as a result of adapting to the scarcity that defines nomadic and semi-nomadic lifestyles. The protection of the herd and the ritualistic resolution of disputes were key features of these coping mechanisms, often centred on the notion of passage from childhood to adulthood. However, in most cases the use of violence was highly regulated and part of conflict management between communities. Furthermore, while young men in charge of protecting the herd used to be armed, firearms were the exception rather than the rule.

Through the proliferation of SALW and the practice of arming local militias, firearms became ubiquitous however and soon replaced traditional weapons. As firearms are far more lethal, the rituals of passage and performative violence therefore turned bloody – undermining the function of traditional conflict mitigation. This has led to the erosion of traditional dispute resolution without effective alternatives, as state services are deficient.

Today – in Eastern Equatoria, for example – many men possess a firearm. Owning a gun is viewed as conferring prestige.⁷³ Firearms have also become popular for use in traditional dances, with bullets fired to cause excitement. One interviewee noted:

“In a traditional dance, guns must be fired. If there is a traditional dance and guns are not fired, you will hear women saying that the dance is very boring. Firing bullets in the air during traditional dances is a sign of bravery and wealth and many women are attracted to such things. For the men, firing a gun at a traditional dance serves as a warning to those who would want to fight them. It is a warning that in the event of a fight, they are ready to kill... Those who do not have cows to buy guns travel to Uganda to buy a locally purified alcohol to be exchanged for guns. The rate of gun purchase shows that it is only a few households with no guns. The result of this is too many deaths, leading to a rise in the number of blood compensation, a form of payment made for cases of murder. Guns have become friends of the people.”

Cattle raiding is a long-standing phenomenon among pastoralist communities and a widespread problem in South Sudan. In Unity State as well as in neighbouring communities, cattle raiding is one of the main drivers of conflict. Cattle provide wealth and are a source of pride, and are exchanged for the payment of bride price and blood compensation. The increasing rates of cattle raiding and the level of violence associated with it are attributed to a range of factors, including lack of alternative livelihoods, the wide availability of firearms in the hands of civilians, and especially the need for young men to pay the high rates of bride prices required by families before marriage. Similarly, the scale and the impact of gender-based violence and abuse towards women are intensified and exacerbated by the widespread misuse of small arms.

Rules, regulations and national arms control

The framework of the R-ARCSS provides for SSR, including a review of several of South Sudan's security sector laws. These include the Police Act 2008, the National Security Act of 2012, the Police and Prisons Act, and the SPLA Act 2009; all these pieces of legislation are at varying stages of review. In 2008, the Bureau for Community Security and Small Arms Control ('the Bureau') was established as an independent government body under the jurisdiction of the Ministry of Internal Affairs. Its intended focus was to promote and coordinate community security and arms control in South Sudan;⁷⁴ however, the Bureau has struggled to fulfil its mandate.

The SPLA Act 2009 criminalises several arms-related offences committed by uniformed personnel; for example, unauthorised firing⁷⁵ and failure to protect war materiel and equipment.⁷⁶ Additional offences include supplying⁷⁷ and possessing weapons for the purposes of insurgency,⁷⁸ unlawful possession of dangerous weapons, and instigating violence while armed.⁷⁹ Several other offences such as possessing arms while dealing dangerous drugs are also criminalised.⁸⁰

In addition to the Penal Code Act 2008 and the SPLA Act 2009, several other pieces of legislation provide legislative frameworks to control possession and transfer of arms, such as the Police Act 2008, including the Police General Regulations 2003;⁸¹ the Code of Criminal Procedure Act 2008;⁸² and the National Security Act of 2012.⁸³ Nonetheless, all of these laws and regulations only offer incomplete rules for national arms control and WAM.

To respond to calls for comprehensive regulation of firearms and physical security and stockpile management, South Sudan adopted the National Policy on SALW 2012, the Firearms Act of 2016 and the Firearms Regulations of 2017.⁸⁴ These policies and regulations provide a comprehensive framework to regulate arms export, import, brokering and stockpile management, as well as marking and record-keeping. The Firearms Act of 2016 further details offences relating to firearms and ammunition and also prescribes punitive measures against those found in breach.

The Firearms Act 2016 provides a legal framework that covers most aspects of the private use of firearms, as well as multiple aspects of SALW used by the military and national security agencies. The Act designates the army's Firearms and Explosives Division and the National Police Service (SSNPS) as the primary agencies responsible for the administration, enforcement and implementation of firearms and explosives laws, rules and regulations.⁸⁵ It mandates the SSNPS to establish a Central Registry of Firearms in the CID at the police service's headquarters. The Inspector General of Police acts as the Registrar of Firearms and has responsibility for the creation of an accurate, electronically administered register.

Private ownership and use are subject to a licence that is valid for one year and limited to people over 45 years of age without a criminal record, and to .22mm calibre guns, shotguns and tranquiliser firearms. Any other firearm is by law deemed to be state-owned and should be seized, collected and warehoused.

The Act also regulates the establishment of a WAM system. All firearms – not only those in private use – must be marked and registered centrally. Public warehouses should be established to safely stock privately used firearms. The Act requires a yearly physical stocktaking of all military and national security armouries and of public warehouses. Surpluses must be destroyed, and transfer for private use is prohibited.

Only registered gunsmiths, brokers, dealers and importers can be involved in the trade of firearms and ammunition. Any import of weapons and ammunition is limited to prescribed places authorised by the Ministry of Interior; a licence is required and weapons and ammunition must be inspected and certified by the Firearms and Explosives Division.

The Ministry of Interior also issued the Firearms Regulations in 2017. Formally, South Sudan therefore benefits from comprehensive rules and regulations for national arms control. The key issue, however, is that – according to the people we interviewed – hardly any of the provisions of the Act are implemented.

National and international efforts to curb the diversion of SALW and ammunition

Security sector reform, and disarmament and demobilisation

The framework of the R-ARCSS provides for SSR as well as disarmament and demobilisation of the armed forces.⁸⁶ The lack of progress in restructuring and transforming the SSPDF from a liberation force into regular, national armed/security forces is not a technical but a political problem, however. As a broad range of analysis on South Sudan has concluded, along with the oil sector the security sector is one of the main mechanisms of patron-client relationships and one which maintains elite rule.

A key dilemma of the ARCSS 2015 and the R-ARCSS 2018 is that they project a future security sector that does not correspond to the current reality. The major weakness of the R-ARCSS is that it failed to reduce the armed forces, integrate fighters individually into the diverse security forces, or clearly demarcate the mandates of military and law enforcement actors.⁸⁷ Notably, SPLA-IO and other armed groups in the opposition have inflated the numbers of their troops to be able to integrate more fighters than they currently have. They do so to mobilise the support of ethnic fighters or local non-state armed groups by promising to help integrate them into the security sector, which offers the prospect of future income and spoils.⁸⁸ The stakes are therefore high in the SSR process for the opposition. This has led to regular tensions among the opposition and offered ample opportunities to President Kiir and the SPLA to co-opt different opposition leaders. As noted earlier, many non-state armed groups receive firearms when they join the armed forces and fail to return them when their integration fails.

These badly conceived SSR and DDR processes have therefore contributed little to the reduction of SALW proliferation in South Sudan. In contrast, they may have contributed to the uncontrolled diffusion of SALW from the state to non-state armed groups. Another factor is the active use of the NSS to circumvent the SSR process. The National Security Act of 2014 usurps most powers and functions of security sector agencies and institutions, providing the NSS with a mandate to maintain security and to protect the constitution, the 'national social fabric' and the safety of South Sudan from any internal or external threat. It has blurred the division of the responsibilities of the security sector, giving the NSS policing powers such as search and seizure, arrest and detention.⁸⁹ The NSS has also become a 'parallel army' operating heavy military

equipment including tanks and artillery. As mentioned earlier, the NSS, together with other organised forces, is also responsible for distributing SALW to non-state armed groups to secure their support against the opposition.

UN sanctions and arms embargo

UN Security Council Resolution 2206 (2015) established a sanctions regime on South Sudan, targeting individuals and entities undermining the transitional agreements, peace and stability and committing human rights abuses and international humanitarian law violations. The scope of the sanctions regime was further expanded by UN Security Council Resolution 2428 (2018), which authorised an arms embargo on South Sudan. The resolution demands that all member states take the necessary measures to prevent the direct or indirect supply, sale or transfer to the territory of South Sudan of arms, military equipment and related materiel of all types. One of the main reasons for the arms embargo is a high risk of diversion from the South Sudanese authorities to non-state armed groups. Therefore, the Security Council has linked the review of the UN arms embargo to the progress made by the South Sudanese authorities in reforming its security sector and establishing concomitant WAM capacities. Reports have indicated that the South Sudanese authorities have not complied with the sanctions' provisions.⁹⁰ In addition, South Sudan has failed to respond to the Security Council's demand in Resolution 2577 (2021) for progress on: key benchmarks, including on the Strategic Defence and Security Review process contained in the R-ARCSS; a unified command structure and training for the Necessary United Forces; the development and initiation of a DDR plan; and the building of WAM capacity.

Arms Trade Treaty

States that are party to the Arms Trade Treaty (ATT) are obliged to apply detailed risk assessments before granting export licences. The existence of a sanctions regime such as the one on South Sudan raises red flags to States Parties to the ATT, because it signals a high probability that the transfer would pose problems with respect to the criteria set out in Article 7(1) of the Treaty. The sanctions regime also implies the need to increase scrutiny of export controls for transfers to neighbouring countries or other countries with a track record of brokering, selling, or re-transferring arms and military equipment to South Sudan, on the basis of an elevated risk of diversion (Article 11 of the ATT), including through unauthorised re-transfer or fraudulent use of end-user certification.

Conclusion

Lacking access to novel field data, this case study provides an overview of the current state of research on SALW proliferation in South Sudan. It also looks at South Sudan's national arms control legislation and its capacities, and critically reflects on the challenges and limitations of the peace agreements and notably the SSR and DDR processes they entailed. For this purpose, the study adopts a political marketplace lens. The study concludes that in a context like South Sudan, peace agreements do little more than securing a ceasefire, failing to address the underlying drivers of SALW proliferation and armed violence.

The legacy of the Sudanese civil wars has created conditions for a strong and dynamic demand for SALW and ammunition. The DDR and SSR processes designed as part of the peace agreements failed to take into account the reality in the country. Three negotiated agreements – the CPA, the ARCSS 2015 and the R-ARCSS 2018 – all contained provisions to counter the proliferation and misuse of SALW in South Sudan, yet in each case the implementation of SSR, DDR and the transformation of

the army fell short because they clash with the interests of both the regime and the opposition.

In the process, the presence of widespread SALW in the hands of civilians has increased insecurity, forced displacement of communities, exacerbated violent conflict between pastoral and agrarian communities, and increased incidences of gender-based violence and cattle rustling-related deaths. Insecurity and armed violence have led to the mushrooming of local, tribal and community defence groups and increased demand for weapons and ammunition. This drives these defence groups to become involved in illicit activities to sustain themselves. In turn, national leaders and armed groups in the regime and the opposition seek to co-opt these groups and gain their support by providing them with weapons and ammunition, mostly diverted from government stockpiles. This diversion results from the lack of control of SALW by the security sector, battle captures, and defections from the SSPDF to armed rebellions. It requires national and international efforts, acting at multiple levels and in different areas simultaneously, to break this vicious circle. Individual approaches are unlikely to have any impact.



South Sudanese, led by deputy Vice-President James Wani Igga, commemorate the International Day of Peace in Juba, September 2018. © UNMISS/Isacc Billy

Recommendations

Against this background, it is clear that actions to curb the harmful proliferation of SALW must address both supply and demand, provide for meaningful integration of gender perspectives across all interventions and responses, and require multiple actors – government agencies, civil society organisations, and inter-governmental organisations at national, regional and international levels – to play their part. The recommendations below are aimed at strengthening the national capacity of arms control in South Sudan, but can be applied to different actors depending on the context of their engagement.

Addressing the supply side of SALW proliferation

National arms control

- Improve support for national arms control capacities on monitoring and reporting to UNROCA and Comtrade.
- Enhance the financial and human resource capacities of the Bureau for Community Security and Small Arms Control ('the Bureau'), so it can better execute its mandate on formulating policies curtailing civilian access to arms and to establish linkages with transitional processes and institutions such as DDR, the SSPDF, and security sector institutions, in order to provide a holistic framework of responses to the problems associated with SALW.
- Advocate and provide support to the government to implement the provisions of the Firearms Act 2016 and the Firearms Regulations 2017. This would include:
 - setting up enforceable weapons and ammunition import controls
 - the establishment and systematic maintenance of the Firearms Registry and public warehouses
 - systematic marking of firearms and SALW in general, including weapons seized or collected and surpluses designated for destruction
- Provide an independent agency such as the Bureau with the mandate and capacities to assess progress on the implementation of the Firearms Act 2016 and conduct or participate in the monitoring of the provisions on WAM, presenting recommendations for more effective implementation of the provisions.

International arms control

The main role of the arms embargo, in addition to preventing direct supply into South Sudan, is to signal to arms exporting states that their export control measures must be alert to the high risk of diversion of arms transfers of weapons and military equipment to South Sudan. Until there is a substantial improvement in the situation in-country, the arms embargo should be maintained and updated. It is important that arms exporters also develop

a smarter assessment of arms exports, taking broader regional dynamics into account – in particular the risks of diversion of SALW to and in South Sudan. For example, an assessment of a prospective arms transfer to Uganda must consider the risks of diversion to South Sudan. A detailed paper should be prepared that elaborates on the diversion risks, to assist export licensing authorities in this regard.

Addressing the demand side of SALW proliferation

Addressing the issue of supply without simultaneously addressing the factors that influence the demand for weapons will undermine any efforts to control the proliferation of SALW. Primary among these factors is the sense of insecurity. The current state of the SSR process provides little reason to expect an improvement of security provision by the government in the short to mid-term.

Therefore, the priority should be stabilisation and community security measures. These should include community dialogues and the development of community security plans; support in building and strengthening dispute resolution capacities; and creating incentives for community security and reconciliation through the provision of community-based livelihood programmes (such as cash grants and vocational training) and infrastructure investment (for example, the renovation or construction of public buildings such as schools).

In the context of high levels of armed violence, community security measures must be accompanied by mental health and psycho-social support. Trauma and post-traumatic stress disorder (PTSD) are often major obstacles to sustainable community safety and reconciliation processes. Community security measures should also aim at attitudinal and behavioural change in communities in South Sudan where owning a weapon is seen not only as culturally acceptable but also as a positive sign of masculinity.⁹¹ This requires advocacy and community dialogue on the exacerbating impact of the misuse of firearms on community security and on vulnerable groups such as women and girls, as well as concrete measures to improve the safe and responsible use of firearms and to transform harmful cultural and traditional gender norms and practices.

Cattle rustling is a major driver of insecurity and armed violence in South Sudan. A potential avenue to make cattle theft less lucrative would be to make the sale and use of stolen cattle more difficult. This could be done through the introduction of innovative solutions, requiring verification of ownership and better regulation of local cattle markets and abattoirs.

Additionally, the demand for SALW is undisputedly fuelled by lack of trust in the state's capacity to provide security and the fear that violence is imminent. It is crucial that political and military leaders at the helm of security sector institutions revamp institutional frameworks that aim to prevent the easy flow of arms into the hands of civilians, and to strengthen justice institutions at the lower levels of government

DDR and SSR reforms

As this study reiterates, the current DDR and SSR processes embedded in the R-ARCSS have proven counter-productive to curbing SALW proliferation and to mitigating diversion. There is an urgent need for a complete revision and rethink of the SSR approach underlying the R-ARCSS.⁹² This requires a review of the state security sector, and an assessment and baseline survey of non-state armed groups. The review and assessment would create a benchmark for the (real) total number of armed fighters that need demobilisation and reintegration and the maximum number that can meaningfully be absorbed in the armed and security forces.

Any further efforts to review and rethink approaches to the DDR and SSR processes should emphasise the collection and destruction of SALW and ammunition and link the process to WAM in security sector institutions. The gendered dimensions of DDR should be factored into the design and implementation of programmes, with full consideration of the different real and perceived roles played by women and men in the context of the cultural understandings of masculinity and femininity, including their links to rehabilitation and livelihoods, and the way different groups might be perceived on the basis of gender. Community defence groups should be included in future SSR for a meaningful reduction of illegal arms in the hands of unauthorised groups. Any fighter joining the armed and security forces must receive training and undergo an evaluation after at least 12 months' service before gaining access to a firearm and ammunition.

Reform of the unified armed forces

The political will to transform the SPLA into a new and modern defence force and integrate the SPLA-IO as stated in the R-ARCSS remains weak, despite minor progress – such as the designation of cantonment sites, the partial selection of forces for training, and some recent training and graduation of the unified forces. The key issue is that the defence forces have maintained the structure and character of the SPLA. Superficial changes will continue to make the integration of opposition and non-state armed groups unattractive and will not stop the future defection of armed groups and the concomitant diversion of SALW from the defence forces.

The transitional national political leadership has consistently referred to financial resource constraints as an impediment to the process. To make the establishment of the defence forces sustainable, there is a need for a strategy and concrete plan to transform the defence forces away from the SPLA and towards a professional army. Parties to the R-ARCSS should speed up the training and graduation of the unified forces, deploy them, and ensure the forces are maintained in their respective barracks with decent payment and reasonable housing conditions, in order to stop arms being diverted into the hands of community defence groups and the civil population.

Annex 1

Timeline of the armed conflict in Sudan and South Sudan

1899–1955: South Sudan is part of Anglo-Egyptian Sudan, under joint British-Egyptian rule.

1955: Mutiny of the Equatorial Corps at Torit marks beginning of the first Sudanese civil war.

1956: Sudan gains independence.

1962: Civil war led by the Southern separatist Anya Nya movement begins with Northern Sudan.

1972: Government concedes a measure of autonomy for Southern Sudan in a peace agreement signed in Addis Ababa.

1978: Oil discovered in Unity State in Southern Sudan.

1983: Second civil war – the government, dominated by Northern Sudanese, adopts aspects of Islamic Sharia law and later, martial law. Relations with mostly Animist and Christian South deteriorate. Fighting breaks out again between North and South Sudan, under leadership of John Garang's Sudan People's Liberation Movement (SPLM), after Sudanese President Jaafar Nimeiri abolishes South Sudan's autonomy.

1989: Military seizes power in Sudan.

2001: Sudanese Islamist leader Hassan Al-Turabi's party, the Popular National Congress, signs memorandum of understanding with the Southern rebel SPLM's armed wing, the Sudan People's Liberation Army (SPLA). Al-Turabi is arrested the next day.

2002: Talks in Kenya lead to a breakthrough agreement between Southern rebels and Sudanese government on ending the civil war. The Machakos Protocol provides for the South to seek self-determination after six years.

2005:

January: North/South Comprehensive Peace Agreement (CPA) ends civil war; deal provides for a permanent ceasefire, autonomy for the South, a power-sharing government involving rebels in Khartoum and a South Sudanese referendum on independence in six years' time. The agreement shares oil revenues between the North and South, sets up a coalition government, and promises elections, scheduled for 2010. In addition, the South and the oil-rich Abyei region will be able to vote in a 2011 referendum on possible secession.

July: Former Southern rebel leader John Garang is sworn in as first vice-president. A new Sudanese constitution which gives the South a large degree of autonomy is signed.

August: South Sudanese leader John Garang is killed in a plane crash. He is succeeded by Salva Kiir Mayardit. Days of riots follow, killing 100 people.

2006:

November: Fragile peace – hundreds die in fighting centred on the Southern town of Malakal, the heaviest between Northern Sudanese forces and former rebels since the 2005 peace deal.

2008:

March: Tensions rise over clashes between an Arab militia and SPLM in the disputed oil-rich Abyei region on the North-South divide – a key sticking point in the 2005 peace deal.

2009:

July: North and South Sudan say they accept ruling by arbitration court in the Hague, shrinking disputed Abyei region and placing the major Heglig oil field in the North.

December: Independence referendum – leaders of North and South reach deal on terms of referendum on independence, due in the South by 2011.

2011:

January: South Sudan's precarious independence – the people of South Sudan vote in favour of full independence from Sudan.

February: Clashes between the security forces and rebels in Southern Sudan's Jonglei State leave more than 100 dead.

May: North occupies disputed border region of Abyei.

June: Governments of North and South sign deal to demilitarise the disputed Abyei region and let in an Ethiopian peacekeeping force.

9 July: Independence day.

August: UN says at least 600 people are killed in ethnic clashes in Jonglei State.

2012:

January: Shut down of oil production – South Sudan declares a disaster in Jonglei State after some 100,000 flee clashes between rival ethnic groups. After weeks of border fighting, South Sudan troops temporarily occupy the oil field and border town of Heglig before being defeated. Sudanese warplanes raid the Bentiu area in South Sudan.

2013:

March: Sudan and South Sudan agree to resume pumping oil after a bitter dispute over fees that saw production shut down more than a year earlier. They also agree to withdraw troops from their border area to create a demilitarised zone.

July: South Sudan's civil war – President Salva Kiir dismisses entire cabinet and Vice-President Riek Machar in a power struggle within the governing SPLM.

December: Civil war erupts as President Kiir accuses his former Vice-President Riek Machar of plotting to overthrow him.

Rebel factions seize control of several regional towns, thousands are killed and many more flee. Uganda troops intervene on the government's side.

2014:

January: A ceasefire is signed but is broken several times over subsequent weeks, and further talks in February fail to end violence that displaces more than a million people by April.

2015:

August: The Sudan People's Liberation Movement and Army in Government (SPLM/A-IG) and SPLM/A in Opposition (SPLM/A-IO), represented by President Kiir and Riek Machar respectively, sign the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS). The agreement seeks to end the deadly civil war that broke out in South Sudan in December 2013.

2016:

April: Riek Machar finally returns to Juba and is sworn in as first vice-president in a new unity government – but is sacked in July after further conflict, and goes back into exile.

July: Violence erupts after an attack outside where President Kiir and Riek Machar are meeting in Juba. Fighting spreads throughout the city. Over 300 people are killed and more than 40 are injured, including civilians. In the following week, 26,000 flee to neighbouring Uganda. Machar flees Juba after the clashes.

2017:

February: A famine is declared in parts of South Sudan in what the UN describes as a man-made catastrophe caused by civil war and economic collapse.

May: President Kiir declares a unilateral ceasefire, and launches national dialogue.

August: The number of refugees fleeing violence in South Sudan to Uganda passes one million, according to the UN.

2018:

March: Nine opposition groups (but not including SPLM-IO) join to form the South Sudan Opposition Alliance (SSOA) to collectively negotiate with the government.

July: An arms embargo on South Sudan is imposed through the UN Security Council, following a 2016 failure, with Russia and China abstaining from voting this time.

August: President Kiir signs power-sharing agreement with Riek Machar and other opposition groups in a bid to end the civil war. The deal will see Machar return to government as one of five vice-presidents.

September: President Kiir signs a peace deal with main rebel leader Riek Machar, formally ending a five-year civil war.

2019:

August: Three rebel groups who were not signed up to the peace agreement – that of Cirillo's, whose rebel group is now known as the South Sudan National Democratic Alliance (SSNDA), SS-UF of Paul Malong, and the Real Sudan People's Liberation Movement (R-SPLM) of Pagan Amum, resolve to unite their activities under the United South Sudanese Opposition Movements (SSOMA).

2020:

February: President Kiir and Riek Machar agree to a peace deal and form a national unity government.

August: Disarmament campaigns led by the government lead to resistance, with clashes killing more than 100 people in two days in north-central Tonj.

2021:

August: Machar is deposed as head of the SPLM-IO and its chief of staff, First Lieutenant Simon Gatwech Dual, is declared interim leader.

2022:

August: Parties to the peace deal again delay the transitional period by two years, further delaying the country's first elections since independence until December 2024.

Notes

- 1 Geleta Dessalegn A (2017), 'The Cause and Consequence of Conflict in South Sudan', *International Journal of Political Science and Development* 5 (1), pp 15–21.
- 2 Ibid.
- 3 Ibid.
- 4 The Sudan People's Liberation Army (SPLA) was founded as a guerrilla movement against the government of Sudan in 1983 and was a key participant of the second Sudanese civil war, led by John Garang. After Garang's death in 2005, Salva Kiir was named the SPLA's new Commander-in-Chief. Following South Sudan's independence in 2011, Kiir became president and the SPLA became South Sudan's regular army. In May 2017 there was a restructure and the SPLA took on the name of South Sudan Defence Forces (SSDF), with another change in September 2018 to South Sudan People's Defence Forces.
- 5 Mutangadura C (2021), 'Deadly cost of South Sudan's Delayed Security Reforms', Institute for Security Studies, September (<https://issafrica.org/iss-today/deadly-cost-of-south-sudans-delayed-security-reforms>)
- 6 The transformation was aimed at turning a rebel force into a new professional national armed force that is loyal to the state and not just a political movement. See: Turyamureeba R (2014), 'The CPA-DDR Program in South Sudan: What went wrong?', African Leadership Centre Research Report No.7, October (<https://africanleadershipcentre.org/attachments/article/43/ALC%20Research%20Report%20No.7%20Robert%20Turyamureeba.pdf>)
- 7 Taarifa (2018), 'SPLA Becomes South Sudan People's Defence Forces (SSPDF)', 3 October (<https://taarifa.rw/spla-becomes-south-sudan-peoples-defence-forces-sspdf/>)
- 8 The original methodology, which included visits by Expert Working Group members to South Sudan to conduct interviews and collect data on SALW and arms control measures, had to be adapted due to travel restrictions.
- 9 The second Sudanese civil war was fought between the Southern rebels, the Sudan People's Liberation Movement/Sudan People's Liberation Army (SPLM/A) and successive Sudanese regimes in the North. The second civil war started in 1983 and officially ended with the signing of the Comprehensive Peace Agreement between the SPLM/A and the National Islamic Front regime of Al Bashir in 2005. Much of the conflict was fought in the South, leaving many young men, communities and tribal militias with a large number of small arms and ammunition in their hands.
- 10 International Crisis Group (2016), 'South Sudan: A Civil War by Any Other Name', 10 April (<https://www.crisisgroup.org/africa/horn-africa/south-sudan/south-sudan-civil-war-any-other-name>)
- 11 A timeline of conflicts in Sudan and South Sudan can be found in Annex 1.
- 12 London School of Hygiene & Tropical Medicine (2018), 'War in South Sudan estimated to have led to almost 400,000 excess deaths', 26 September (<https://www.lshtm.ac.uk/newsevents/news/2019/war-south-sudan-estimated-have-led-almost-400000-excess-deaths>); Checchi F et al. (2018), 'Estimates of crisis-attributable mortality in South Sudan, December 2013–April 2018. A statistical analysis', London School of Hygiene & Tropical Medicine, September (<https://www.lshtm.ac.uk/south-sudan-full-report>)
- 13 This paper adopts the 'security arena' concepts used by Alan Boswell, Nanaho Yamanaka, Aditya Sarkar and Alex de Waal. Boswell A et al. (2019), 'The Security Arena in South Sudan: A Political Marketplace Study', Conflict Research Programme, December (http://eprints.lse.ac.uk/102894/1/De_Waal_the_security_arena_in_south_sudan_published.pdf)
- 14 Ibid; de Waal A (2019), 'Sudan: A Political Marketplace Framework Analysis', Occasional Paper No. 19, August (http://eprints.lse.ac.uk/101291/1/De_Waal_Sudan_a_political_marketplace_analysis_published.pdf)
- 15 Small Arms Survey (2007), 'The Militarization of Sudan: a Preliminary Review of Arms Flows and Holdings', Human Security Baseline Assessment (HSBA) Sudan Issue Brief No. 6, April.
- 16 International Crisis Group (2016), op. cit.
- 17 A disarmament and demobilisation process was laid out in the 2005 CPA. Women, veterans who are disabled, and some 'Red Army' soldiers (the so-called 'lost boys' of Sudan, who fled from conflict during Sudan's second civil war to refugee camps in Ethiopia, Kenya and Uganda and who were recruited and trained by the SPLA in the 1980s) were demobilised, but the rest of the DDR framework as it was stipulated failed. This was largely due to the fact that the SPLM/A wanted to keep all of its army and militia active to counter the Sudanese army, should the National Congress Party want to abrogate the CPA – similar to the abrogation of the 1972 Addis Ababa agreement that left the Anya Nya rebels vulnerable and at the mercy of the Nimeiri regime in Sudan. In 2008 the Bureau for Community Security and Small Arms Control (BCSSAC) was created to address the challenges of SALW and community security in Southern Sudan. The Bureau was situated in the office of the vice-president, but later moved to the Ministry of Interior. See: Saferworld (2012), 'Civilian disarmament in South Sudan: A legacy of struggle', February, p 12.
- 18 Ibid, p 9.
- 19 Tisdall S (2013), 'South Sudan: Challenge of disarming a nation when no one trusts the state', *The Guardian*, 4 July (<https://www.theguardian.com/world/2013/jul/04/south-sudan-disarming-a-nation>)
- 20 Silva Kiir's Juba Declaration of 2006 aimed at creating a unified force under the SPLA by integrating other armed groups – although Kiir's 'co-optation' of armed groups led to an even more factionalised SPLA, as the groups were rarely appropriately integrated. International Crisis Group (2016), op. cit., pp 5–6.
- 21 Rands R (2010), 'In Need of Review: SPLA Transformation in 2006–10 and Beyond', HSBA Working Paper 23, Small Arms Survey, November.
- 22 On the impact of SSR and demobilisation and reintegration on policing, see Small Arms Survey (2017), 'Policing in South Sudan: Transformation Challenges and Priorities', HSBA Issue Brief No. 26, March.
- 23 Interview with an academic (University of Juba), 1 October 2021.
- 24 The HSBA for Sudan and South Sudan has, over the years, generated empirical evidence on the political situation and conflict dynamics in the two countries. This is the main research initiative that has supported the dissemination, highlighting issues of DDR and SSR. Small Arms Survey, 'Human Security Baseline Assessment for Sudan and South Sudan' (<https://www.smallarmssurvey.org/project/human-security-baseline-assessment-hsba-sudan-and-south-sudan>)
- 25 Interview with a researcher on South Sudan communal violence dynamics, Juba, 24 September 2021.
- 26 A good example is the Mapping Actors and Alliances Project in South Sudan (MAAPSS), which provides up-to-date information on over 400 actors, and charts connections among political and military alliances and armed groups. MAAPSS is part of the broader Human Security Baseline Assessment for Sudan and South Sudan project.

- 27 Between 2001 and 2011, Sudan reported to Comtrade imports of SALW from 46 countries and regions: Australia, Austria, Bangladesh, Burundi, China, Cyprus, Czech Republic, Denmark, Egypt, Eswatini, Ethiopia, France, Germany, Greece, Hong Kong, India, Iran, Italy, Japan, Kuwait, Lebanon, Malaysia, Netherlands, Pakistan, Qatar, Republic of Korea, Russian Federation, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sweden, Switzerland, Syria, Thailand, Tunisia, Turkey, the Turks and Caicos Islands, Ukraine, United Arab Emirates, UK, US and Yemen. During the same period, the following 34 countries reported to Comtrade exports of SALW to Sudan: Australia, Austria, Bangladesh, Burkina Faso, China, Cyprus, Czech Republic, Egypt, Ethiopia, Finland, France, Germany, India, Iran, Kenya, Kuwait, Lebanon, Lithuania, Malaysia, Netherlands, Pakistan, Republic of Korea, Russia, Senegal, Serbia, Slovakia, Spain, Switzerland, Tanzania, Thailand, Turkey, Uganda, United Arab Emirates, and UK.
- 28 Leff J, LeBrun E (2014), 'Following the Thread: Arms and Ammunition Tracing in Sudan and South Sudan', HSBA Working Paper 32, Small Arms Survey, p 32; Small Arms Survey (2007), op. cit.
- 29 UN Comtrade Database: <https://comtrade.un.org/data>
- 30 UNROCA: <https://www.unroca.org/>
- 31 Lewis M (2009), 'Skirting the Law: Post-CPA Arms Flows to Sudan', HSBA Working Paper 18, Small Arms Survey, September, p 39.
- 32 Conflict Armament Research (2018), 'Weapon Supplies into South Sudan's Civil War: Regional re-transfers and international intermediaries', November, p 9; UN Security Council (2016), 'Interim report of the Panel of Experts on South Sudan established pursuant to Security Council resolution 2206 (2015)', S/2016/963 (<https://undocs.org/S/2016/963>)
- 33 LeBrun E (2016), 'Small Arms and Armed Violence in Sudan and South Sudan: An Assessment of Empirical Research Undertaken since 2005', HSBA Synthesis Report, Small Arms Survey, October, p 20.
- 34 Jacob A (1971), 'Israel's Military Aid to Africa, 1960-66', *The Journal of Modern African Studies* 9 (2), pp 165-187 (<http://www.jstor.org/stable/159439>)
- 35 UN Security Council (2016), 'Final report of the Panel of Experts on South Sudan established pursuant to Security Council resolution 2206 (2015)', S/2016/70, para. 71 (https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2016_70.pdf)
- 36 Conflict Armament Research, op. cit., p 25.
- 37 UN Security Council (2016), S/2016/70, op. cit., para. 81. According to the report, Israel said it did not receive a request from Uganda for the transfer.
- 38 Goldenberg T, Lynch J (2016), 'Israel's role in South Sudan under scrutiny amid violence', *The Times of Israel*, 10 September (<https://www.timesofisrael.com/israels-role-in-south-sudan-under-scrutiny-amid-violence/>). According to Human Rights Watch, South Sudan's National Security Service and army acquired key military and surveillance equipment in 2014 from Israel, including wiretapping devices and aerial drones and cameras. Human Rights Watch (2020), "'What Crime Was I Paying For?' Abuses by South Sudan's National Security Service", 14 December (<https://www.hrw.org/report/2020/12/14/what-crime-was-i-paying/abuses-south-sudans-national-security-service>)
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ISBN 978-1-912901-39-5

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