

South Sudan Context Update

19 August 2024

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Tumaini initiative. A deadlock?

The Kenya-led Tumaini initiative South Sudan peace talks are not dead, according to Michael Makuei, the Minister of Information and rapporteur for the government delegation. Despite facing several disagreements and criticism, the process appears to be ongoing, although it raises questions about whether it hit a deadlock from the beginning. Launched on May 9, the Tumaini Initiative, seek to achieve lasting peace in South Sudan by incorporating groups that had not signed the Revitalized Agreement on Resolution of Conflict in South Sudan (R-ARCSS) in 2018. Since its inception, the initiative has encountered significant challenges and criticism.

First, The Secretary General of the ruling Sudan People's Liberation Movement (SPLM) party has highlighted the issue of non-recognition of R-ARCSS by the holdout groups as a major obstacle. While there are provisions in the agreement that are yet to be implemented, this non-recognition undermines the agreement's legitimacy and effectiveness, as it implies that these opposition groups do not fully acknowledge the authority of the government established under the agreement. Thomas Cirilo, leader of the National Salvation Front (NAS) and newly appointed Chairperson of the South Sudan Opposition Movement Alliance (SSOMA) along with members of the alliance, has refused to join the talks. While safety concerns were initially cited, SSOMA's August 16 press statement clarified that their refusal is due to the initiative's focus on reviving the R-ARCSS, which they were not part of. It also remains unclear what accommodation would be made for them in the existing power sharing structures.

In addition, some of the most relevant armed opposition groups are not involved in the talks and their absence fundamentally undermines the entire initiative. Notably, the Kitwang Faction led by Gen. Simon Gatwech, who is reportedly stranded at the Sudanese border and unable to travel to Nairobi due to restrictions by the Sudanese government (SAF); Gen. Thomas Cirilo along with other members of the Alliance (SSOMA). While the involvement of figures like Pagan Amum (Real-SPLM), who

previously served as the SPLM party's secretary general, Paul Malong (South Sudan United Front/Army), who was the Chief of General Staff of the SPLA (now SSPDF) from 2014-2017, and Stephen Buoy (South Sudan National Alliance), who has been involved in the liberation struggle since joining SPLA in 1982, is significant, the absence of Thomas Cirilo, a rebel leader and former Lieutenant General from SSPDF, and Simon Gatwech, leader of the Kit-gwang splinter group and former SPLA-IO Chief of General Staff, is significant as they control two of the largest armed opposition forces. Thus, the exclusion of the most relevant armed groups from these discussions makes the initiative unlikely to change the existing dynamics of political instability in the country. Indeed, the plethora of individually irrelevant, but collectively impactful armed groups still inhabiting the political space in the country remains a concern as the country moves toward election period.

To find ways to include opposition groups not involved in the Tumaini Initiative, the South Sudanese government, the Kenya-led mediation team, and the Community of Sant'Egidio held three days of consultative meetings in Rome from August 12 to 14. Facilitated by the Community of Sant'Egidio, the talks included SSOMA members such as Gen. Thomas Cirilo Swaka, Alex Yatta, and Emmanuel Ajawin. However, the effort fell short when SSOMA reaffirmed its refusal to join the Initiative.

Lastly, on July 16, the Political Bureau of Sudan People's Liberation Movement-In-Opposition (SPLM/A-IO), led by First Vice President (FVP) Machar, announced its withdrawal from the Tumaini initiative.

A statement from the SPLM-IO criticized the initiative for establishing alternative institutions that either replace or run parallel to those outlined in the R-ARCSS, and for repeating many provisions already covered by the R-ARCSS or existing national laws. The SPLM/A-IO argues that these protocols breach the R-ARCSS and undermine the current peace implementation efforts. This withdrawal is significant, given SPLM/A-IO's crucial role in the extension and effectiveness of the 2018 peace agreement.

On August 13, following a brief to the presidency, the Minister of Cabinet Affairs confirmed that the Tumaini Initiative must align with the R-ARCSS. There is a consensus that the structures in Tumaini talks conflicting with the R-ARCSS must be adjusted or removed to align with it. However, Pagan Amum of the Real-SPLM argues that Tumaini should remain separate, as it addresses issues unmet by the R-ARCSS.

The Tumaini talks therefore increasingly appear to be at an impasse. Proceeding with the talks without resolving the question of how this process aligns with the existing R-ARCSS agreement and incorporating all the significant armed opposition groups means it is difficult to see any kind of meaningful outcome in the short term. Moreover, the Tumaini talks could end up being similar to the Rome talks, which have dragged on for years without significant progress.

Will there be an election in December 2024?

South Sudan's National Election Commission (NEC) has set December 22, 2024, as the date for the country's first post-independence election.¹ The Political Parties Council has passed the Election Code of Conduct on August 13.² However, Riek Machar, the First Vice President and leader of SPLM-IO, has rejected the proposed election date due to ongoing inter-party discussions and a Kenyan-led peace initiative with some of the holdout groups. SPLM-IO had previously announced in March their intention to boycott the December elections, contending that holding the vote would breach the 2018 peace agreement. Despite Machar's concerns about the election's timing, the implications for SPLM-IO are significant. Also, given the recent trends, including Machar's declining influence and the multiple defections from SPLM-IO since 2023, and President Kiir's strong incumbency advantage, it appears likely that President Kiir may secure victory in the upcoming election. Kiir's established position as the current president provides him with a considerable advantage in the race. Should this outcome materialize, it could result in a change in Machar's current role as Vice President. On August 14, Nicholas Haysom, the Special Representative, and head of the United Nations Mission in South Sudan, expressed that the country is not ready to hold its first post-independence election in December. In his briefing to the UN Security Council, Haysom stated that the consultation makes it difficult to treat the election date of Dec. 22 announced by NEC as a definitive trigger in isolation from other critical factors.

On August 6, the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) addressed the reconstituted Transitional National Legislative Assembly (TNLA). During his speech, RJMEC Chairperson Amb. Maj. Gen. Charles Tai Gituai noted "insufficient progress" in implementing the Agreement during the second quarter of 2024. He remarked, "In RJMEC's assessment, there has been insufficient progress made in implementation of the R-ARCSS during the reporting period. Key tasks, such as the permanent constitution making, preparations for elections, and the unification of forces, remain largely at the same stage as they were at the end of the previous quarter."³ Additionally, following visits to South Sudan in July by Elizabeth Campbell, US Deputy Assistant Secretary of State for the Bureau of Population, Refugees, and Migration, and Josh Black, National Security Council Special Assistant to the President and Senior Director for Multilateral Affairs, both expressed frustration with the Government of South Sudan's lack of preparation for a credible, free, and fair general election scheduled for December 2024.

¹ <https://www.radiotamazuj.org/en/news/article/nec-declares-22-december-2024-election-day>

² [PPC passes Election Code of conduct - Eye Radio](#)

³ [Failure to implement critical tasks of the R-ARCSS hinders the prospects of credible elections, RJMEC tell TNLA \(jimecsouthsudan.org\)](#)

It is important to note that the roadmap outlines several critical tasks that must be completed before the elections can take place – a Permanent Constitution – Security Sector Reform (which includes DDR (not started), NUF deployment which is at a low level and extremely long delayed, and not unified, legislation governing the security sector and military – Judicial Reforms (required to address HLP, election disputes etc.) – Voter registration planned for June has not started. In fact, the GoSS proposes the use of the previous census (2008) and outlined in the Sudd report, which indicates that the majority of potential voters are in the Bahr El Ghazal and Warrap regions. While this may be coincidental, it could potentially offer early insights into the election dynamics, considering these regions are known to be supportive of the president. Also, while electoral bodies such as the Political Parties Commission (PPC), the National Elections Commission (NEC), and the National Constitution Review Commission (NCRC) have been established, they are underfunded at both national and state levels. The registration process for political parties is contentious due to a \$75,000 fee per party. Although a court has declared this fee illegal and noted that the PPC regulations for its implementation have not been adopted, the PPC has insisted on enforcing the fee. This decision is likely to exclude many parties from participating and contributes to an uneven civic space.

On August 15, at the president's request, the High-Level Standing Committee on the Roadmap of the Revitalized Transitional Government of National Unity (RTGoNU) issued a resolution instructing the electoral institutions—to submit a comprehensive report by August 22. This report should detail completed tasks, ongoing activities, pending tasks, challenges encountered, and provide a timeline and budget for addressing the remaining tasks. Although not explicitly stated, the findings of this report could potentially lead to an announcement regarding the postponement of the elections to a later date.

While the election commission has begun evaluating ground-level infrastructure and facilities to ensure a conducive environment for the elections, ongoing subnational violence continues to disrupt the relative stability. There are serious concerns about violent clashes in the Greater Upper Nile region, which have necessitated an increased UNMISS presence in Pariang. Additionally, there have been reports of alleged National Salvation Front abductions in Central Equatoria, as well as intercommunal violence and criminal activities affecting communities in Upper Nile, Warrap, Lakes, Unity, and Jonglei. Moreover, there is growing apprehension among civil society, political parties, the Commission on Human Rights, and the international community regarding the recently enacted National Security Act 2024. This law, which grants the National Security Service the authority to make arrests without a warrant, is seen as a threat to political and civic freedoms essential for holding

credible and peaceful elections. While all of these are true, the decision to hold the election ultimately lies with the president.

Under the current circumstances, whether or not the government proceeds with elections, there remains a significant risk of violence erupting in the country. While the scale of potential unrest is unpredictable, certain regions—such as Greater Equatoria, Upper Nile, Unity, and Greater Bahr el Ghazal—are considered more vulnerable due to factors like long-standing intercommunal violence, ethnic tensions, and political fragmentation. These areas have seen some of the most intense violence and displacement during both the civil wars before and after independence.

Controversial National Security Act

South Sudan's National Security Bill 2024, which permits for warrantless arrests and detention, was enacted on August 12, after the 30-day review period ended. First Vice President Machar has called on the president to reject the bill, particularly because Section 54 authorizes the National Security Service to make arrests and detain individuals without a warrant. Key opposition leaders involved in the Tumaini initiative have stated they will not sign any agreement unless the National Security Act is repealed. The enactment of the National Security Bill on August 12, 30 days after it was submitted to the president for approval, clearly indicates that the calls and threats from opposition groups, as well as the demands from civil society, the UN Commission on Human Rights, and Western diplomatic missions to reject or amend the bill, did not sway the President. Although he did not explicitly approve the bill, his silence and inaction suggest an unwillingness to change his mind.

The Act raises significant concerns as it may exacerbate fears and further constrict the already diminishing space for civil society. By granting National Security the authority to impose intrusive demands on civil society organizations, the Act could severely limit their ability to operate independently. The Act provides essentially complete impunity for the National Security Service and police to detain individuals without charges or a trial. Civil society in South Sudan has historically played a crucial role in conflict resolution, peacebuilding, and the provision of essential services such as education, healthcare, and community policing.⁴

Additionally, the NGO Act of 2016 Amendment Bill 2023 requires that NGOs hire South Sudanese personnel for 80% of positions at all levels, including managerial, middle, and junior roles. Although NGOs frequently remind their staff about the implications of their social media posts and public statements, individuals still sometimes express their opinions. In the past, NGO staff members have been detained for posting criticisms of the government on social media or expressing dissatisfaction

⁴ Center for Conflict Resolution: Building Peace in South Sudan 2017

in public forums. While such opinions do not necessarily reflect the stance of the organization, these incidents can disrupt operations and cause delays due to the resulting fear among staff.

With this Act in effect, we can expect an increase in the arrests or detainment of members of civil society groups, activists, journalists, and potentially NGO staff, as has occurred previously. In fact, there has already been a repressive atmosphere for civil society and media. The Civic Space Watch, an initiative of the Community Empowerment for Progress Organization (CEPO), reported a rise in violations of civic space from April to June 2024. This period saw six additional violations compared to the preceding quarter from January to March.⁵

Worst flood in 60 years

South Sudan is on high alert for its worst floods in 60 years, which are expected to push parts of the country to the brink of famine.⁶ As of August 10, severe flooding has affected 18 counties across seven states, impacting about 300,000 people. The National Ministry of Water Resources and Irrigation issued a flood alert in May, warning of significant risks to livelihoods, displacement, and infrastructure. In response, a flood monitoring task force has been established, and a Preparedness and Response Plan for 2024 has been developed to assist up to 3.3 million people.

Historically, floodwaters receded during the dry season from November to January, but after four consecutive years of severe flooding, this pattern has changed. The ongoing flooding has displaced hundreds of thousands, exacerbating asset losses from previous conflicts, and causing near-total livelihood collapse in some regions.⁷ Displaced individuals moving to higher ground risk land conflicts and increased tensions, as seen in past incidents in Greater Equatoria and the Greater Pibor Administrative Area.

With dead animals and damaged latrines contributing to the problem, the floodwaters create ideal conditions for the spread of waterborne diseases and mosquitoes that transmit malaria. According to the Ministry of Health, there was an increase in cases of acute watery diarrhoea, respiratory infections, malaria, and malnutrition in 2021. The impact of the floods extends beyond displacement; crucially, they have also damaged health facilities, complicating access for both patients and medical staff. A briefing note by ACAPS on the 2022 floods in South Sudan reports that an estimated 52 health facilities were affected nationwide. Additionally, many buildings, including homes, were damaged. Given that

⁵ <https://www.radiotamazuj.org/en/news/article/cepo-documents-15-violations-of-political-and-civic-freedoms>

⁶ <https://www.savethechildren.net/news/south-sudan-brink-famine-it-braces-worst-floods-60-years>

⁷ FEWS South Sudan - Food Security Outlook: June 2024 - January 2025

many houses are constructed from simple materials like straw, wood, clay, and plastic sheets, they are highly vulnerable to flood damage. Flooding severely restricts access to healthcare, water, and sanitation, and isolate communities. It disrupts essential services, including those provided by humanitarian actors, and worsens existing and already high protection risks in the country. In addition to affecting resident communities directly affected by the rising waters, communities of returnees and internally displaced people (IDPs) are especially vulnerable to risks brought about by secondary displacement.⁸ In July, the protection cluster has established flood protection guidance, preparedness and response plan that extends from June to December 2024, aligning with the primary rainy season in South Sudan, which spans June, July, August, and September.

Fragile Economy

The current situation in South Sudan is influenced not only by political instability but also by a highly fragile economy. This economic fragility impacts citizens' daily lives, making it difficult for them to afford basic necessities. More critically, the economy supports the patronage system that sustains the current political structure. If this economic system collapses, the country will face unprecedented challenges.

In February 2024, the conflict in Sudan damaged a crucial pipeline, impacting South Sudan significantly. While the full extent of the damage is unclear, experts estimate that repairs will take at least a year and require funds the government currently lacks. In April, the Ministry of Petroleum issued a statement downplaying the impact of the fighting on logistics and transportation of critical materials through Sudan's port to South Sudan's oilfields. Additionally, limited interest from Chinese experts in Juba is partly due to the ongoing political crisis in Sudan affecting repair costs. Sudanese sources aligned with the army have accused the Rapid Support Forces (RSF) of causing the pipeline damage, but the RSF denies these claims. Oil is vital for South Sudan, providing 90% of its foreign exchange earnings.⁹ The pipeline disruption has exacerbated economic strain, with soldiers and civil servants going unpaid for nine months, leading some to abandon their jobs for small businesses or potentially use their positions for profit.

In February, authorities introduced new taxes and charges at border crossings and within South Sudan as a strategy to increase non-oil revenue. However, the non-oil revenue system lacks transparency, with allegations of corruption among border officials diverting funds away from the treasury.

⁸ Protection Cluster South Sudan: Flood Protection Guidance, Preparedness and Response Plan, July 2024

⁹ [Sudan oil pipeline resumption imminent, says South Sudan official | Reuters](#)

Additionally, this revenue is insufficient to cover civil servant salaries. The new taxes and charges have significantly impacted humanitarian services, affecting over 60,000 people, especially in remote areas.¹⁰ In April, humanitarian partners, through OCHA, urged the government to remove these charges to facilitate the delivery of aid.

To address the economic downturn, the GoSS has announced a series of measures aimed at diversifying the economy. However, these initiatives are expected to take years, if not decades, to implement and produce results. Among the steps taken, the GoSS has further suspended salaries for civil servants, which were already significantly delayed. The country is facing accelerated currency depreciation due to inadequate foreign currency reserves. On August 17, social media reports indicated that the value of the South Sudanese Pound (SSP) had dropped to 5,000 SSP per \$1, marking a 100% decrease since May.

Although the Bank of South Sudan has not made an official statement, rumors are circulating that it plans to issue new 10,000 SSP notes to tackle economic issues. However, printing large-denomination notes often signals severe economic distress and drives inflation rather than solving underlying problems. This suggests that the efforts to stabilize the SSP are insufficient.

Compounding the economic strain and the issue of funds not reaching state and local levels, state authorities are increasingly demanding payments from CBOs, CSOs, NNGOs, and INGOs as a revenue-generating measure. In many cases, soldiers and police have also pressured NGOs to register their names to access assistance, including food and non-food items. In Western Equatoria, organizations are required to pay for acknowledgment certificates and renewals at the state level. In Maban County, Upper Nile State, local officials are asking organization staff to register when arriving from other areas, with a \$9 fee for short visits and a 10% deduction from salaries for those based locally. On August 14, the Office of the County Commissioner in Ulang, Upper Nile, issued a resolution instructing International and National Organizations operating in the Ulang Corridors to use USD or Ethiopian birr for training allowances, operational costs, and other mandatory activities. This directive stems from concerns over fluctuating market rates and dollar auctions in the county. This resolution contradicts a GOSS directive from February, issued through the Central Bank, which suspended the use of USD in public and private institutions. Despite this order, hotels, private schools, and landlords continue to accept USD instead of the local currency.

Another notable consequence of the ongoing crisis in South Sudan is the rise in criminal activities nationwide, with both national and international NGO compounds increasingly targeted. NGO staff

¹⁰ OCHA

are also frequent victims of robbery. The worsening economic and social conditions have driven up incidents of robbery, break-ins, extortion, and theft, primarily affecting NGOs and their personnel. As economic hardships deepen and resources become scarcer, these criminal acts have grown more frequent and severe. With the South Sudanese pound continuing to fluctuate, the country is likely to see a further increase in criminal activities and potentially protests in the capital and other regions. The ongoing instability in the currency further exacerbates economic difficulties, increasing desperation among the population.

Clashes in Nasir County, Upper Nile State

On August 14, clashes erupted between SSPDF soldiers and local armed youth also known as White Army in Doereg village, Dorading Payam, Nasir. The violence resulted in the deaths of two individuals and the displacement of civilians. Reports confirm that local armed youth shot and injured two SSPDF soldiers, prompting a military response. In the wake of this incident, the RRC coordinator for the county advised humanitarian workers to avoid traveling to Nasir. Nasir County lawmakers attribute the tensions to a lack of trust between the SSPDF and local communities, emphasizing the need for confidence-building measures. They are planning a peace mission, led by the Nasir County Commissioner, to address these rising tensions, build trust, and promote peace. However, they are currently facing logistical challenges.

The Ceasefire Transitional Security Arrangement Monitoring and Verification Mechanism (CTSAMVM) has expressed concern and urged prompt action to restore calm in Nasir County.

On August 15, violence flared up again when armed youth attacked an SSPDF barracks in Wei-Yar-Adiu, Nasir County. SSPDF Spokesperson Maj. Gen. Lul Ruai Koang reported the capture of armed civilians, with no casualties reported from this latest clash.

This is not an isolated event. On July 5, clashes between armed youth and SSPDF soldiers displaced at least 30,000 civilians. During an interview with Radio Tamazuj, the County Commissioner of Nasir explained that the conflict began after a civilian accidentally shot an SSPDF soldier on June 20. "Two local youths who were hunting accidentally injured a soldier. We transferred him to Juba for treatment, but he died from his injuries on Wednesday. When soldiers in Nasir learned of his death, they began shelling civilian areas, resulting in three wounded civilians, one critically."¹¹

¹¹ <https://www.radiotamazuj.org/en/news/article/civilians-fee-nasser-after-clashes-with-sspdf>

Similarly, on February 10, violence occurred between SSPDF soldiers and local armed youth after the military accused civilians of stealing their fishing nets. On February 15¹², a delegation of South Sudanese government officials and security officers visited Nasir County to investigate the clashes, but the results of their investigation have not been made public.

¹² <https://www.radiotamazuj.org/en/news/article/government-to-send-delegation-to-investigate-nasir-fighting>