

Case Study 3

# WAITING FOR PEACE

A Review of UNMISS' Political Strategy  
in South Sudan

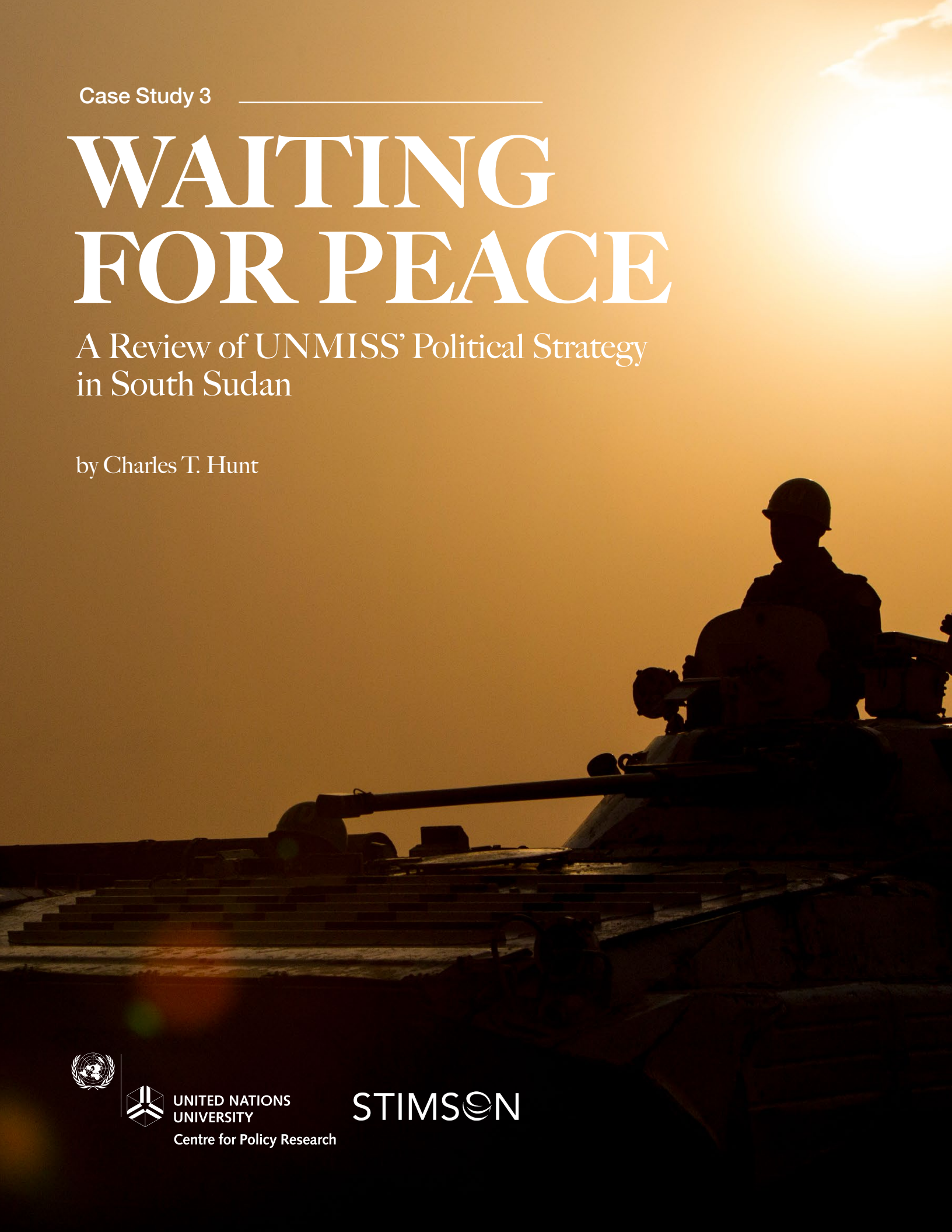
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**T**he United Nations Mission in South Sudan (UNMISS) was established in 2011 in a climate of optimism, immediately following the peaceful secession of South Sudan from Sudan. While UNMISS was in part designed to prevent a return to hostilities between Khartoum and Juba, its principal mandate was to build up the capacities of the South Sudanese State; one of the most ambitious and far-reaching State-building mandates in UN peacekeeping. With a USD \$1 billion annual budget and an extraordinarily broad remit to strengthen institutional capacities in the areas of rule of law, administration, and security sector reform (SSR), the first Special Representative of the Secretary-General (SRSG) of UNMISS declared that the UN's task in South Sudan was "literally building a country."<sup>1</sup>

The hubris and hope as UNMISS launched did not last long. The mirage that South Sudan could be held together by a complex patronage network soon evaporated and in-fighting within the ruling Sudan People's Liberation Army/Movement (SPLA/M) precipitated the outbreak of a brutal civil war in December 2013. In response, the Security Council mandated the termination of State-building activities and a reorientation towards physical, rights-based and humanitarian protection. Shifting mid-conflict from a peacebuilding mission to one focused primarily on protecting civilians was a radical departure from anything that had been tried before in the history of peacekeeping. UNMISS' cooperation with the Government deteriorated quickly and significantly, with freedom of movement

obstructed and impediments to basic operational functions commonplace in flagrant violation of the Status of Forces Agreement (SOFA). This was followed by years of broken ceasefires and peace accords facilitated by duplicitous neighbours and all without the genuine buy-in of the main parties. Despite the signing of the revitalized agreement on resolution of conflict in South Sudan (R-ARCSS) in late 2018 – paving the way for the formation of a Transitional Government of National Unity – pockets of violence endured. Threats to civilians are manifold as critical provisions of the accord, such as cantonment and security arrangements as well as the issue of the number and boundaries of States, face significant hurdles to implementation. As of the time of writing, there are still more than 190,000 displaced people inside UN-administered protection of civilians (PoC) sites and millions more displaced around the country and across borders in neighbouring countries. While the relative traction of the R-ARCSS offers hope, the limited role UNMISS has played in making the deal, and is envisaged to play in its implementation, means that its impact on the political solution to conflict dynamics in South Sudan is diminished.

This study examines UNMISS' political strategy in South Sudan with a specific focus on the Mission Concepts developed at key junctures throughout the mission's history. It is based on a desk review of reports of the Secretary-General, Security Council resolutions, Mission Concept and strategies as well as an extensive review of the scholarly literature. It also draws

on field research in Juba, Bentiu and Malakal in December 2018, as well as interviews conducted with dozens of key informants remotely in May and June 2020. The main questions addressed herein are: *How did mission leadership, in cooperation with the UN secretariat, interpret and translate the mandate handed down by the Security Council into political strategies for UNMISS; what factors influenced this process; and, how has the strategy evolved?* The study examines three key moments of the mission lifecycle to date: first, the establishment of the mission in 2011, creating what was primarily a State-building mission to consolidate the newly independent State;<sup>2</sup> second, the transformation of the mandate in 2014 following the outbreak of war, ceasing the State-building project and pivoting to a protection focused operation;<sup>3</sup> and, third, the emergence from the outbreak of violence in 2016 symbolized

by the signing and incremental implementation of the R-ARCSS. These moments were selected as having triggered significant adjustments to the mission's political strategy. At each of these key junctures, the study examines the intent of the Security Council, how a new strategic direction was derived from the Council mandate and how that strategic vision was articulated within the mission's guidance architecture – focusing specifically on the directives for the mission to support the political process. In addition, the study analyses how this political work was articulated with other key priorities of the mandate, including PoC, facilitation of humanitarian assistance, and human rights monitoring. Based on this analysis, the study concludes with a series of lessons for peace operations stakeholders, including mission leadership, parts of the UN Secretariat and Member States in the Security Council members.





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# Translating UNMISS' Mandate into Political Strategies

This part of the study examines three key moments of UNMISS' time in South Sudan. At each critical juncture, it analyses: the context, examining the Security Council's intent for the mission; the interpretation of that mandate and translation into a Mission Concept and/or strategy; and the implementation of that strategy. The analysis shows that in each of these stages the political space for the mission to influence and manoeuvre was limited, often by factors well beyond the UN's control. Consequently, UNMISS has played a limited political role in the peace process. Nevertheless, at some moments the mission has developed politically-driven strategies, helping it to carve out a political role, and has also proven innovative in

linking its local conflict resolution to the broader national political process.

## Phase I \_\_\_\_\_ Establishing the Mission (2011)

UNMISS' inaugural mandate was the product of a clear objective to build the capacity of the newly minted nation State and to work on outstanding Comprehensive Peace Agreement (CPA) issues that risked a return to all-out war with the north. This section argues that the political objectives

of the Council were fairly straightforward but left little room for building peace that predicated on anything other than central Government as the main guarantor. A lack of political leverage over the Government was compounded by a lack of buy-in to critical disarmament, demobilization and reintegration (DDR) and security sector reform (SSR) processes. This dictated that little progress was made on the political strategy to create a peaceful polity predicated on the rule of law and democratic principles before it descended into civil war.

## HISTORY AND BACKGROUND

The UN's role in South Sudan since 2011 is inextricably connected with what happened throughout the 22-year civil war of independence. Sudan's 'second' civil war<sup>4</sup> pitted the Khartoum Government against the SPLA/M fighting over wealth, power, the role of religion in the State and self-determination. Over the course of two decades, more than two million people were killed, four million were displaced and around 600,000 sought refuge in neighbouring countries as refugees.<sup>5</sup> In 2005, a CPA was struck between the parties,<sup>6</sup> bringing an end to the war, sharing wealth from oil revenues and making provision for a UN mission to support its implementation and oversee a referendum on the question of independence for southern Sudan. Through *Operation Lifeline* and other channels, western donors had been zealous supporters of southern Sudan in its war with the north, providing political support in addition to vast amounts of aid. Yet, they took a back seat as junior partners to the Intergovernmental Authority on Development (IGAD) as the chief brokers to this peace, with the UN having limited involvement.

Resolution 1590 in 2005 created the United Nations Mission in Sudan (UNMIS) as a multidimensional integrated operation with 10,000 troops and 715 police. Its three main objectives were to: (1) assist in implementing the CPA; (2) support security and justice sector reform; and, (3) protect civilians.<sup>7</sup> The Council explicitly mentioned a political role of UNMIS saying it should: "provide Good Offices and political support for the efforts to resolve all ongoing conflicts in Sudan."<sup>8</sup> It was given quite specific responsibilities relating to monitoring

and verifying the implementation of the ceasefire agreement. However, as the mission progressed its support to the implementation of the peace agreement was overwhelmingly focused on resolving the dispute over the oil-rich Abyei region and preparing for national elections in 2010 and the referendum in 2011.

It was widely agreed that without a meaningful transformation process, the SPLA/M rebel-group-turned-Government and more than 100,000 former liberation soldiers now responsible for security across the country posed high risks to civilians. The lack of progress on DDR and SSR would later contribute to the collapse of the fledgeling South Sudanese State in 2013.<sup>9</sup> The referendum on statehood for South Sudan was held in January 2011 resulting in an overwhelming majority (98.83% of participants) in favour of independence.<sup>10</sup> On 9 July 2011, South Sudan declared its independence marking the end of the CPA and the conclusion of UNMIS operations.

## MANDATING THE MISSION

On 8 July 2011, the Security Council unanimously passed Resolution 1996 mandating UNMISS to replace UNMIS.<sup>11</sup> Determining that the situation in South Sudan constituted a threat to international peace and security in the region, acting under Chapter VII of the Charter (Actions with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression), the Council authorized UNMISS with 7,000 troops and 900 police. It specified a range of capacity-building tasks to support the new Government of South Sudan in peace consolidation, thereby fostering longer-term State-building and economic development.

On the one hand, the Council's overall intent was reasonably clear. The strategy of the mission was to focus on "strengthening the capacity of the Government of the Republic of South Sudan to govern,"<sup>12</sup> including through the establishment of county support bases across the country. This approach was based on the assumption that this would contribute to extending State authority across its territory, consolidating a stable, viable State, capable of taking responsibility for providing basic protections and services to its population in a place that had only ever known war.<sup>13</sup> As one interviewee said, "the vision was



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simple: turn South Sudan into Sweden.”<sup>14</sup> This would be a State-building enterprise combined with huge levels of aid and funding from bilateral donors to the South Sudanese State. To a large extent, this is because the mission was designed to see potential aggressors and threats emanating from Sudan to the north, not due to internal division in SPLA/M.<sup>15</sup> The Council also envisaged that a gradual draw down of the uniformed component would be likely, noting that it “further decides to review in three and six months whether the conditions on the ground could allow a reduction of military personnel to a level of 6,000.”

On the other hand, the specific intent of the Council was more difficult to discern. In addition to the State-building focus, the mandate was very broad also directing UNMISS to undertake: PoC, DDR and SSR, police, rule of law and justice sector reform.<sup>16</sup> One interviewee suggested that at the time “the mandate was a peacekeeping copy-and-paste approach, not one tailored to South Sudan.”<sup>17</sup> This was much to the chagrin of

many South Sudanese who did not see the need for a Chapter VII authority and PoC mandate. How the mission should prioritise between this array of tasks was unclear. Furthermore, the resolution afforded UNMISS an important – though not exclusive – role in providing Good Offices, advice and support on all matters relating to the political transition, including addressing remaining conflict issues.<sup>18</sup> In practice, as with the CPA, the UN’s role in efforts to resolve outstanding issues between the north and the south – such as oil pipeline arrangements and the final demarcation and status of areas around the border, particularly Abyei,<sup>19</sup> South Kordofan and Blue Nile – was much more circumscribed. As it played out, this role was to be played by the Secretary General’s Special Envoy for the Sudan and South Sudan (SES/SS), in support of the African Union High-Level Implementation Panel. From the very beginning, the role and associated leverage of UNMISS in pursuing political solutions to conditions that warranted its deployment were in the hands of others.



## MANDATE INTERPRETATION AND TRANSLATION

According to the mission leadership at the time, UNMISS' first Mission Concept was drafted by the Integrated Operational Team (IOT) at Headquarters and communicated to Juba. The concept was primarily a restatement of the Security Council mandate, offering broad goals around: consolidation of State authority; support to the Government in resolving conflicts, building its capacity, implementing SSR; PoC; and, human rights monitoring. This concept was criticized by officials in the mission at the time for lacking nuanced analysis of the situation on the ground and was described by a Senior Mission Leadership official at the time as "quite shallow and very static."<sup>20</sup> Despite a back-and-forth between the mission Chief of Staff and the IOT, it was said that it never became clear how the document would help on the ground. One expert noted that "there is often a disconnect between how things are conceptualized and how they actually work on the ground."<sup>21</sup> The value, it was noted by several interviewees, was more in bringing people around the table to develop a common vision than in producing instructive strategic guidance for the mission as a whole in the circumstances. As a result, the concept did not necessarily find its way through to an elaborated mission-wide strategy or plan. It did, however, become an overarching framework document from which the other strategic documents and planning tools were developed.<sup>22</sup>

Given the capacity-building needs and directive from the Council, UNMISS leadership developed and prioritized a 'peacebuilding plan', providing a joint vision for the various components, primarily focused on capacity-building programmes underway with State institutions. Similar to the development assistance frameworks of its time, including the Group of Seven+ New Deal for Fragile States, this guided a close partnership with host authorities, and involved the Senior Mission Leadership meeting regularly with the Council of Ministers to discuss progress and challenges. It included a simple traffic light monitoring and evaluation system that became the basis for reporting to the Security Council informally as well as via the results-based budgeting (RBB) system.

When it came to translating the mandate into a strategy for the mission, the problem was not a lack of strategic planning, it was an overabundance of different strategies that did not adequately align with each other. Strategies on PoC, the County Support Base (CSB) concept, an early warning-early risk system as well as the 'peacebuilding plan' epitomized what Alan Doss has referred to as missions being "strategy factories."<sup>23</sup> To the extent that the peacebuilding plan constituted the dominant overarching strategy for the whole mission, there was a disconnect between this and other strategies such as PoC.<sup>24</sup> The PoC strategy existed in parallel but the two were not married and aligned. Experts interviewed for this study suggested that the creation of the new mission came as something of a surprise to key stakeholders – who expected an extension to UNMIS and a more protracted transition to a follow-on presence. Consequently, as one interviewee recalled, "the 'lay-down' for the mission was based more on the logistical capabilities of the previous mission than the security and protection challenges faced by the new one."<sup>25</sup>

Contrary to the ideal case where the Secretariat and the mission would work together to develop these strategic documents, interviewees noted that the relationship between Headquarters (i.e. the IOT and Under-Secretary-General - USG) and the Senior Mission Leadership in the field was not always a constructive and mutually reinforcing one. The SRS at the time had pre-existing relationships with key stakeholders in country and among influential Member States at the UN, including in the Security Council (e.g. the troika of the US, UK and Norway). As a result, certain strategic discussions and decisions on the overall mission strategy could be arrived at directly, circumventing (the need for) the IOT and the Secretariat as a bridge between the field and the Council. While in other missions the IOTs play an important role in informal negotiations with key members of the Council to shape a mandate, in the case of UNMISS the relationship between the IOT and the Council pen-holder (the US) was not so constructive. As one official explained, "[The US Mission to the UN] was a little more reluctant to allow the IOT to shape the mandate and, at times, it became an almost adversarial relationship."<sup>26</sup>



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## AN EXPLOSION OF VIOLENCE

During its first two years, UNMISS made very little progress on key aspects of its State-building mandate. With the SPLA/M unconvinced about ‘right-sizing’ the army (from more than 200,000) and State institutions still seen as illegitimate and ineffective, the lack of buy-in to DDR (let alone SSR) placed a glass ceiling over what UNMISS State-building efforts could achieve.<sup>27</sup> As one expert interviewed for this study explained: “The Government wasn’t really interested in this at all.”<sup>28</sup> By late 2013, the Government of South Sudan was in crisis. Relations between President Kiir and Vice President Machar had deteriorated, leading Kiir to allege a coup attempt and sack Machar. This precipitated an open clash between the two sides’ loyalist forces in Juba, marking the beginning of a civil war. Violence quickly spread across the country resulting in widespread and systematic attacks against civilians, including atrocity crimes and displacing hundreds of thousands – many of whom fled to UN bases to seek sanctuary.

In response to reports of widespread and systematic killings, the Security Council held an emergency session. Fearful that continued support to the Government could be seen as politicizing the mission - or worse being complicit in the abuses by the national security agencies - Resolution 2132 on 24 December 2013 increased the troop and police ceiling to focus on: “support its protection of civilians and provision of humanitarian assistance.” The signal from the Council was clear: stop State-building and focus on protection. A shift of this significance was unprecedented in the history of UN peacekeeping.

Less than two weeks after the outbreak of fighting in Juba – unusually quick for such delegations that normally wait for a ‘ripeness’ moment – IGAD deployed a mediation team to press for peace. A Council press statement affirmed its full support for IGAD’s mediation efforts.<sup>29</sup> In a subsequent statement, the Council welcomed the African Union (AU) Peace and Security Council’s creation of a commission to investigate human rights



violations.<sup>30</sup> The co-existence and cooperation with (sub)regional actors is not unusual in contexts of peace operations. However, the speed and supremacy with which IGAD, and to a lesser extent the AU, intervened was emblematic of the limited role UNMISS played in negotiations on the political process.

While the mission reeled in the early days of the conflict, some interviewed for this study argued that it also entered a period of effective problem-solving.<sup>31</sup> A core group came together and developed a more targeted streamlined strategy for repurposing existing resources to respond to the unfolding protection crisis and reconfiguration of the mission. Indeed, one interviewee said: “The documents we produced at that time were more simple, clear, succinct and easy to follow.”<sup>32</sup> Others recalled how this enabled the mission to innovate and respond more quickly in crisis response mode on issues around securing and managing the impromptu camps for internally displaced people that had been created at UN bases in particular. Another noted that “the mission performed better in that period than it ever did before or has since.”<sup>33</sup> However, as it became clear that this would not be a short-term contained dispute and violence escalated, “Everything the mission did became about PoC.”<sup>34</sup>

As Kiir’s ‘big tent’<sup>35</sup> was in tatters and his patronage networks disintegrated<sup>36</sup> fighting continued and spread. South Sudan was facing a dire humanitarian emergency. Around two million people had been forced to flee, including nearly one and a half million internally displaced persons and 400,000 refugees. More than 10,000 people had died in the conflict and over 97,000 had sought protection in impromptu camps within and adjacent to UN bases.<sup>37</sup> Both before but certainly after the outbreak of conflict, UNMISS’ mandate to monitor, investigate and report on human rights violations and abuses, as well as violations of international humanitarian law, was at times in tension with its political strategy. The human rights agenda “fell victim to what the political agenda was.”<sup>38</sup> By May 2014, the shift to a PoC focused mission was complete, bringing an end to the brief period of State-building for UNMISS.

## Phase II \_\_\_\_\_

### Shape-shifting in Response to Crisis (2014)

#### AN UNPRECEDENTED COURSE CORRECTION

In advance of the required mandate renewal date in July, the Security Council unanimously passed Resolution 2155 on 27 May 2014, renewing and extending UNMISS operation for six months.<sup>39</sup> Resolution 2155 formalized the changes that had occurred in the field since the outbreak of conflict, redirecting UNMISS to focus on four key pillars: (1) PoC; (2) facilitating the delivery of humanitarian assistance; (3) monitoring and reporting on human rights violations; and, (4) supporting the implementation of the ceasefire agreement.

At the same time, Resolution 2155 also adjusted the PoC mandate subtly but significantly to request that UNMISS “protect civilians under threat of physical violence, *irrespective of the source of such violence*”<sup>40</sup> – a phrase that has become code for acknowledging that Government forces were culpable for abuses. The Government of South Sudan was never particularly happy with the PoC and human rights aspects of the original UNMISS mandate and this contributed to a continued deterioration of relations between the UN and the Government.

The resolution also highlighted the Council’s endorsement of the 23 January Cessation of Hostilities Agreement and the emerging political settlement between the Republic of South Sudan and the SPLM (in opposition). In doing so, the Council highlighted that UNMISS should support the IGAD-brokered peace process. It went further to state its “readiness to consider all appropriate measures against those who take action that undermines the peace, stability, and security of South Sudan, including those who prevent the implementation of these agreements.”<sup>41</sup>

## PEACEMAKING FROM THE PERIPHERIES

The Council mandate placed UNMISS in a supportive role to the peace process but gave it no direct role in the mediation. Responsibility for negotiating the political settlement was left to, and led by, IGAD and the AU. While not expected to lead, a number of factors contributed to making it difficult for UNMISS leadership to play a more meaningful role on the political front. Despite a mandate to use 'Good Offices' for peace consolidation and PoC purposes,<sup>42</sup> and notwithstanding the well-known contextual knowledge and interpersonal relationships of the UNMISS SRSG at the time (Hilde Johnson), Department for Peacekeeping Operations' leadership instead decided that political engagement was to be handled by highly-regarded and well connected SES/SS, Haile Menkerios.<sup>43</sup> Perhaps most important, in the days following the outbreak of conflict, before the new mandate, the mission was preoccupied with reconfiguring from a capacity-building footing to a more robust PoC-focused posture. Between this and the conflict management activities required in and around the PoC sites, playing a meaningful role in mediating between parties who were increasingly accusing the mission of partiality was simply beyond UNMISS' capacity. UNMISS' role in the political process was largely restricted to coordinating with and providing security and logistical support to the work of IGAD's various mechanisms designed to monitor and verify the implementation of the ceasefire agreement.<sup>44</sup> As a result, the SRSG played a marginal role in the efforts to mediate and resolve the conflict. As one interviewee put it, in these circumstances, the "SRSG was void of a political role."<sup>45</sup>

A new SRSG was appointed in 2014 and the priority was clear from the Council: focus on PoC. As one interviewee recalled: "The focus of the mission was squarely on protection of civilians because of the big PoC sites. There were not a lot of 'political' elements in the mandate at the time."<sup>46</sup> The civil war had the effect of isolating the mission from the political leadership of both sides, as UNMISS had to protect civilians from, and report on human rights abuses by, all parties to the conflict. This was partially a conscious decision by the UNMISS leadership,

looking to maintain independence and counter perceptions of bias. The mission was also facing daily impediments to its freedom of movement and access to conflict-affected areas by the Government and the SPLA/IO forces. This led to a rapid deterioration in relations, including the decision of the Government to expel the Deputy head of mission, Toby Lanzer, and the seizure of assets and personnel by the SPLA (in opposition). With the parties adopting aggressive and obstructionist positions against the mission, there was no opportunity for UNMISS to act as a broker for political talks during this period.

In order to bring a more united international political front, regional brokers created the "IGAD-PLUS" mechanism – including the African Union (via the African Union High Representative for South Sudan, former Malian President and Chair of the AU, Alpha Oumar Konaré), the troika (US, UK and Norway), China, the European Union (EU), the IGAD Partners Forum (IPF) and the UN.<sup>47</sup> With UNMISS too caught up in the operational side of PoC to be viewed as an impartial actor, the UN was represented in this IGAD-PLUS format by the SES/SS. In effect, Addis Ababa became the centre of gravity for the political process and a semi-permanent site of talks. In contrast, UNMISS and its senior political leadership remained bogged down in-country and predominantly in the PoC sites managing everyday crises. IGAD, the AU and the parties welcomed UNMISS involvement in the mediation process but only really as transport and logistics partner (or as one interviewee put it: "a glorified travel agent"), not as a genuine player in the mediation. Any hope that this technical/logistical support role might grow into a more meaningful substantive one did not come to pass.

The regional arrangements leading the political process must be understood in the context that South Sudan's long history of conflict has often involved its neighbours, whether through direct military involvement, cross-border movement of resources or via large refugee flows.<sup>48</sup> Regional and subregional actors have continued to lead in mediating between the parties and facilitating political settlement. Despite claims of comparative advantage and political leverage vis-à-vis the UN, these efforts have not always been characterized by a unity of purpose. Regional actors have shown themselves far



more committed to advancing their own national interests than acting to safeguard and support the people of South Sudan. As one interviewee put it: “you had the neighbours – Sudan, Uganda and Ethiopia – all pulling in different directions, using their friends in the Council to make sure that UNMISS either did what they wanted it to do or did not do what they didn’t want it to do.”<sup>49</sup> Allied with different sides in the political crisis - reflecting their competing interests - the regional rivalries and power struggles between neighbouring countries have resulted in incoherent (sub)regional support. This has included all too common violation of the eventual arms embargo (see more below); imperiling the fragile peace accords along the way. These arrangements have tended to distance the UN from the process, hindering strategic coordination between these efforts and the UN.

The IGAD-PLUS formula eventually garnered sufficient regional and international pressure resulting in the signing of the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) in August 2015.<sup>50</sup> The Council adjusted the UNMISS mandate in October that year in Resolution 2241, extending the role of UNMISS in the political process to include: “supporting Implementation of the Agreement”.<sup>51</sup> Under this instruction, the Council further elaborated that this should include support and technical assistance to constitution-making, DDR and SSR activities. The resolution also envisaged notable logistical and security support to the work of the ceasefire and Transitional Security Arrangements Monitoring Mechanism to oversee cantonment of forces and the Joint Monitoring and Evaluation Commission to monitor implementation of the ARCSS.<sup>52</sup> In December, the Council further

increased the troop and police ceilings to 13,000 and 2,001 respectively in Resolution 2252.<sup>53</sup>

Despite this incrementalism towards greater support to the political process, the protection-focused mandate endured. As one official involved in mandate deliberations at the time put it: “In South Sudan, the PoC-focused mandate in 2014 was written as a temporary measure while the peace talks were going on. No one thought it was sustainable beyond a short turn of around six months and yet it has continued due to the political stalemate.”<sup>54</sup> In part, this reflected the reality on the ground where PoC threats are high and it is clear that political will is low and missions have limited political leverage. However, this narrow interpretation of the PoC mandate illustrated the challenges to aligning PoC and political strategies.<sup>55</sup>

## **OPERATING WITHOUT A STRATEGY**

On the ground, the mission worked on a new Mission Concept that might reflect the signing of the ARCSS but never ultimately settled on one as circumstances were changing month-to-month. As a result, the mission did not have a clear political strategy at that point. Despite improved working relations between the mission and Headquarters, UNMISS did not have time to develop a new whole-of-mission strategy in 2015-16. As quickly as the window of opportunity opened, it closed back shut. It took a long time to see the ARCSS take root, with critical provisions relating to security arrangements not agreed to until later. During that time, there were repeated violations of the peace agreement, including the 19 February 2016 attack on the PoC site in Malakal





resulting in 18 deaths. It was over a year before Riek Machar and a number of opposition forces cagily returned to Juba to join the Transitional Government of National Unity. However, it was only a few months before fighting again broke out again in Juba. While the principals may not have intended those events to lead to open war,<sup>56</sup> their lack of command and control over forces loyal to them – and/or a willingness to default to military confrontation – reignited violence across the country.

Hundreds of thousands of South Sudanese were being killed and the parties to the conflict were wilfully preventing humanitarian assistance reaching those doomed to die by starvation and ill-health: a clear indication that political commitment to the ARCSS was lacking among the parties. This relapse included critical moments in UNMISS' lifetime including the July 2016 attacks on PoC sites at UN House in Juba, on a World Food Programme warehouse, and on humanitarian workers at the Terrain Hotel to which the mission was unresponsive. Interethnic divisions were deepening as incendiary hate speech became commonplace. Government and opposition forces sought to take territory – particularly oil fields – while civilians continued to suffer the brunt with thousands displaced and killed.

These events starkly illustrated the inability of UNMISS to affect the calculus of the parties. Once again, the mission was stuck between a rock and a hard place.<sup>57</sup> Whatever political space there was for the mission/SRSG to operate in, the mission struggled to occupy the role envisaged by the Council for a range of reasons. First, UNMISS bandwidth – particularly that of the military and police components – was consumed with the PoC

crisis and sustaining the PoC sites. However, the lack of strategy and political direction limited the ability of the mission's externally facing components (such as Civil Affairs and Political Affairs) to make meaningful contributions in pressing for peace. As a senior official described the strategic vacuum at the time, "we did not have a solid political concept, let alone a strategy."<sup>58</sup>

Second, even if there had been an appropriate strategy and adequate capacity, the avenues to engage politically had mainly been closed off. The points of contact between UNMISS and the principals suffered due to the mission's decision to distance itself from the protagonists and their respective assemblages. This disconnect significantly limited the ability of the mission to use 'Good Offices' to advocate for protection and potentially prevent and deescalate situations that may otherwise have been possible.<sup>59</sup>

Third, the continued leadership by regional arrangements and important high-level delegations and representatives from IGAD and the AU continued to blur the lines of political authority.<sup>60</sup> As with earlier rounds of negotiations, IGAD/AU delegations – including significant powerbrokers from neighbouring countries – conducted the talks with the parties, working on substantive issues like an inclusive national boundary commission on the number of states. Former President of Botswana, Festus Mogae (Chair of the Joint Monitoring and Evaluation Commission), and the AU High Representative Konare – later joined by IGAD Special Envoy for South Sudan, Ismail Wais – would hold a range of bilateral pre-meetings with various stakeholders, confusing the lines of authority and political messaging.<sup>61</sup> Again, they all welcomed UNMISS

involvement as a transport and logistics partner but not as a meaningful third-party mediator. As one interviewee remembered it: “They did it deliberately. They didn’t want UNMISS to do anything except pay for things or fly people around.”<sup>62</sup>

Lastly, while the Council consistently messaged about UN support for the IGAD-led mediation, it was less instructive about the role it saw for the different components of the UN system. As one former UNMISS official put it, “there were so many envoys it created confusion and no clear instruction from UN Headquarters as to who was doing what!” As discussed above, the profile, gravitas and parallel mandate of the SES/SS (and to the AU) – first Haile Menkerios and later Nicholas Haysom<sup>63</sup> – often created points of confusion or tension for UNMISS. Interviewees noted an ambiguous hierarchy of authority that created a situation where it was not entirely clear whether or not the SRSO was to be seen as the undisputed emissary of the UN in Juba or not (i.e. the face on the ground of the Secretary-General, Security Council and Member States). A lack of division of labour and problems with coordination and communication further exacerbated this. The same disconcerted approach applied to Council members’ engagement. The troika expected privileged treatment by the mission leadership to the detriment of relationships with other influential Member States (e.g. France or China). Amid this confusion, one interviewee suggested that “The UN would have to clean up its own house first and then ask the others to clean up theirs.”<sup>64</sup>

While the starting position for UNMISS vis-à-vis the principals was already at a low ebb, the myriad of different actors occupying the political space undermined the authority and leverage of the SRSO and, in effect, relegated the mission to relative spectatorship in the political arena.

## FINDING THE WRONG STRATEGY

UNMISS was heavily criticized for its perceived inaction in the face of violence against civilians at the PoC sites in July 2016. However, the Council’s reaction to this – to add more troops – was not universally seen as a wise response. As one interviewee remarked, “It is as if the Security Council says ‘we have to do *something*

and they decide more troops are the answer.”<sup>65</sup> On 12 August 2016, Resolution 2304 further increased the authorized troop strength of the mission to 17,000 troops.<sup>66</sup> This included a Regional Protection Force (RPF) of 4,000 troops, proposed by IGAD, to be constituted by IGAD Member States along with Rwanda who were involved in the peace process. In addition to ‘doing something’, by authorizing the RPF, the intent of the Council was three-fold. First, it would protect itself and civilians in the short-term – in theory, the RPF would “promptly and effectively engage any actor that is...preparing attacks, or engages in attacks, against UN installations, personnel, humanitarian actors and civilians.” Second, it would stabilize Juba, including by securing key installations and access points such as the airport and major roads, creating the space for an inclusive (meaning including Machar and those in opposition) political process to unfold in the medium to longer term.<sup>67</sup> Third, despite the regional character of the proposed force, by placing the RPF under the command of the UN and UNMISS Force Commander, the Council would retain a degree of control.

While the US and some others on the Council supported the RPF concept, the mission and the Secretariat were reportedly not consulted meaningfully on the resolution. Senior Mission Leadership and members of the IOT had advised against it, partly because it was highly contentious in the eyes of the South Sudanese Government who rejected it as a violation of sovereignty and the “thin end of the wedge.”<sup>68</sup> Furthermore, the original rationale for the force – i.e. risk of open conflict in Juba – quickly disappeared after the departure of Riek Machar and opposition forces making the RPF role in creating conditions for a revival of the ARCSS agreement redundant. Despite these changing circumstances, a high-profile September 2016 Council delegation visit to South Sudan and Addis – co-led by US Permanent Representative to the UN Samantha Power – resulted in the eventual (albeit caveated) acceptance of the RPF by the Government of South Sudan. Arguably, what remained was a symbolic act of ‘doing something’ by the Council and the mission was compelled to do the bidding of particular Member States rather than responding with what was needed to deliver on the ground. The Government continued to obstruct mission efforts, meaning

the troop surge destined for the RPF was significantly delayed and ultimately reassigned to expand UNMISS presence with extra boots in the Equatorias that had experienced new waves of violence and forced displacement at that time.<sup>69</sup> The RPF consumed lots of political capital, energy and resources – securing land for bases, visas and getting agreement for equipment such as attack helicopters – for minimal gain. Moreover, it further strained the relationship between the mission and the Government and became a misguided effort focused on Juba when the real root causes were elsewhere. The debacle was also a clear signal that in the absence of genuine host State consent, there is little a robustly worded mandate for an RPF can do.

In this phase, apart from a fleeting moment where the ARCSS was in place and the transitional Government under formation, the mission never really had a chance to formulate a mission strategy to reflect the new circumstances. As one interviewee described: “we didn’t really have a political framework to work within, and to support, so we were caught. Peacekeeping is not an intervention force...and can only work in support of a peace agreement, and we were really lacking that in South Sudan.”<sup>70</sup> UNMISS clearly struggled to influence the parties and bring about a settlement. Its ability to protect civilians and prevent human rights violations beyond the PoC sites were also limited. Nevertheless, UNMISS provided sanctuary for hundreds of thousands of civilians and its presence may have prevented worse or more widespread violence. As a senior UN official described: “For a long time all [UNMISS] could do was protect the people in the camps. And it did quite well at that. What it could not do was project any kind of political role outside of our own bases.”<sup>71</sup>

## Phase III

### The Emergence of a Peace to Support (2017)

With Riek Machar out of the country and an increasingly fragmented opposition, President Kiir overhauled the leadership of the opposition in the Transitional Government of National

Unity, appointing Taban Deng Gai as First Vice-President. This move cast doubt upon the legitimacy of the transitional institutions and arrangements and the inclusivity of the political process, including among other non-Dinka groups beyond Machar and the opposition’s predominantly Nuer constituency. Despite this bleak outlook, a revitalized peace agreement was struck that allowed UNMISS to formulate a strategy based on a political process. This section looks at how UNMISS carved out a greater role in political engagement and developed a streamlined, iterative and field-focused strategic planning process to guide the mission’s strategic approach, while continuing to focus on the PoC, human rights and facilitating the delivery of humanitarian assistance aspects of the mandate.

## REDOUBLING EFFORTS ON THE POLITICAL PROCESS

Concerned by the political deadlock, the Council requested a strategic assessment of the situation in South Sudan that reported back in late 2016. The review raised questions over the continued viability of the ARCSS, noting that the IGAD-PLUS formula had not generated momentum towards resuscitating the deal. It further noted that UNMISS had been unable to influence the political process to bring an end to hostilities, concluding that “efforts to engage the parties have been desultory and unsynchronized.”<sup>72</sup> It recommended that the UN Secretariat with the AU and IGAD develop a “comprehensive political strategy” toward ending hostilities and reviving an inclusive political process.<sup>73</sup> The review further recommended that the SRSG “engage with the members of IGAD-PLUS, or any future political formation, and other partners on the peace process in South Sudan to ensure coordination and promote sustained and unified political engagement with the parties and to encourage a return to a credible political process and the establishment of inclusive governance. Such efforts would be carried out with support from [the] Special Envoy for the Sudan and South Sudan and [the] Special Representative to the African Union based in Addis Ababa.”<sup>74</sup> In observations based on the review, the Secretary-General implored that: “Immediate steps must be taken to reassert the primacy of the political process.”<sup>75</sup>



However, the timing of the review limited its ability to suggest a political strategy for UNMISS.<sup>76</sup> As one interviewee (one of its chief architects) noted, “the 2016 strategic review came at a time when [the incumbent SRS] had already tendered her resignation and we didn’t know who would be coming to replace her. So, it was a difficult strategic effort gravitates around the persona of the SRS.”<sup>77</sup> This points to the personality, skill-set and management style of particular SRSs as being critical to what might be achievable on the political aspect.

When the new SRS, David Shearer, took office in January 2017, South Sudan was gripped by political volatility, widespread violence and associated displacement, massive human rights violations and a crippling humanitarian crisis.<sup>78</sup> Over 200,000 people were living inside the PoC sites while the remaining nearly one and a half million internally displaced persons were exposed beyond the gates. Disease and malnutrition were compounded by severe food insecurity and looting of humanitarian supplies.

Picking up on the tone and recommendations of the 2016 strategic review, and in an explicit attempt to empower the SRS politically, the Council renewed the UNMISS mandate in December 2016, reauthorizing the RPF and augmenting existing language about the SRS providing the lead for the UN system by reaffirming “the critical role that the UN plays, in coordination with regional organizations and other actors, to advance political dialogue between parties and contribute to achieving an enduring cessation of hostilities and lead the parties to an inclusive peace process.”<sup>79</sup> This was reinforced frequently in Council Press Statements underscoring the need for UNMISS to work closely with IGAD and the AU towards a political solution.<sup>80</sup>

The arrival of new SRS also coincided with the change of the US administration at the beginning of 2017. According to many of those interviewed, this led to a shift in influence over UNMISS’ strategic direction from the Council to the field. While the US Mission to the UN remained engaged on the UNMISS mandate and supportive of the mission, the file no longer had the significance it once did and fell down the list of priorities

resulting in a relative lack of interest or ideas as to what to do on the mandate compared with the previous Administration.<sup>81</sup> As one observer at the time put it: “the new administration had no view at all on South Sudan.”<sup>82</sup>

This combination of Council political backing and the change in US Administration resulted in more autonomy in the mission, allowing the new SRS and Senior Mission Leadership to engage more in ‘managing up’ to a disempowered IOT and relatively disinterested Council. It also, however, meant less robust political support by the pen-holder and traditionally dominant voice on UNMISS in the Council. However, UNMISS still “found it very difficult in 2017 and 2018 to find a hook into the politics between the conflicting parties.”<sup>83</sup> In the region, IGAD continued to drive the political process, supported by the AU and the UN SES/SS. On 18 December 2017, IGAD initiated a High-Level Revitalization Forum on the peace agreement under the stewardship of Dr Ismail Wais of Djibouti. The Forum convened the ARCSS signatories together with a range of newly formed opposition groups for the first time. It quickly generated a new Agreement on Cessation of Hostilities, Protection of Civilians, and Humanitarian Access (ACOH) on 21 December. Following the ceasefire, a second phase of the high-level revitalization forum focused on revising the ARCSS and associated timeframes.

The confluence of changing dynamics in the Council and the opening of a possibility for political settlement heralded a renewed attempt to engage in the political process more substantively by UNMISS. This was a deliberate strategy of Senior Mission Leadership who also lobbied for an enhanced political role to be reflected in the mandate.

## **CARVING OUT MORE POLITICAL SPACE FOR THE MISSION**

While UNMISS’ mandate has swollen with an inflated set of tasks, the core foci have remained the same since 2014. Therefore, while nothing much changed in terms of UNMISS’ specific role in the peace process, a change in leadership and political circumstances led to renewed attempts to carve out a greater role for UNMISS in mediating a political solution to the conflict and



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“gaining a foothold in its own destiny.”<sup>84</sup> Precisely how UNMISS should ‘support the political process’ (i.e. the fourth pillar of mandate) was, however, unclear. In order to translate this into a political strategy for the mission, a new Mission Concept and strategy were developed.

The way this was done constituted a departure from convention in several important ways. First, it was principally developed by the mission rather than the IOT at Headquarters. As one official involved in the process explained: “The IOT and Headquarters didn’t really have anything to do with it.”<sup>85</sup> Second, this Mission Concept was imagined as more of a ‘living’ document than a polished finalized strategy with clear and timebound end states. As one of its architects described: “what is most important is that people in the mission look in the same direction and understand how their work relates to the overall strategy for the mission; not having a finished strategy document. In a fluid context like South Sudan, it’s important that we repeat and iteratively reflect on the strategic vision – this is an ongoing process not a product.”<sup>86</sup> Third, it was a much more straightforward, action-oriented,

succinct and clear vision for the mission. The concept set out a dual-track approach – setting priority action areas of: (1) PoC and (2) building durable peace – under which all other activities and substantive efforts by UNMISS should fall and contribute to those strategic priorities.

Derived from this concept, the Senior Mission Leadership then developed what was referred to as a ‘strategic approach’ for the mission.<sup>87</sup> This, too, followed an unorthodox process whereby consultations across the mission were held and a request was made to each component and substantive section to identify how their respective goals aligned to the two overarching goals in the Mission Concept. An important innovation in this strategy has been acknowledging the significance of field sites and devolved decision-making and management responsibility to heads of field offices. This approach empowered them – each acting as ‘mini-SRSGs’ - to set local priorities and develop an effects-based or outcome-oriented plan as well as enabling them to be more agile and able to intervene politically and mediate in local-level disputes.



This cascading set of strategic initiatives had several effects. First, it diverged from previous practice in innovative ways. Second, it proved useful in ensuring that all mission activities were aligned to strategic objectives and (to some extent) the political strategy of the mission, pegged to the R-ARCSS. Third, it sought to connect this strategic vision to an outcomes- and impact-oriented approach to monitoring and evaluating progress. As noted in the 2018 strategic review, this approach “altered the status quo and sharpened the focus of leaders and managers on the analysis of their operations and what they are or are not achieving.”<sup>88</sup>

In a clear commitment to the primacy of politics, the Secretary-General remarked in the observations section of this review: “I believe that progress in the peace process, leading to a sustainable political resolution of the conflict, should be the key objective of the United Nations in South Sudan, as that is the only way towards a viable exit strategy for UNMISS.”<sup>89</sup> Further noting that there had been a tendency to strengthen the uniformed component rather than its support to the political process, he said: “I encourage the Security Council to continue exerting increased political leverage on the parties, in coordination with regional organizations.”<sup>90</sup>

## SECURITY COUNCIL (DIS)UNITY

At times, the Council has been united on South Sudan - remaining ‘seized of the matter’ throughout the crisis: requesting reporting every 90 days, authorizing six-monthly renewals, getting behind important decisions and passing significant resolutions. For instance, despite the

contentious nature of sanctions in the Council (in general, but also specifically regarding South Sudan later on), Resolution 2206 on 3 March 2015 creating a sanctions regime was passed unanimously (15-0-0). A few months later, in July, a US proposal co-sponsored by the UK and France, imposed targeted sanctions including travel bans and asset freezes on three command-level individuals on both sides (SPLA and in opposition). The Council demonstrated its continued commitment to resolving the crisis in South Sudan through repeated presidential and press statements to pursue negotiations “in partnership with relevant partners,” including IGAD and the AU.<sup>91</sup>

Yet there have also been moments of significant disunity at critical junctures. For example, while the Council was able to find a working majority to pass Resolutions 2241 and 2252 as discussed above,<sup>92</sup> there was a simultaneous difference in opinion between the Permanent Three and others on the Council (China and Russia but also Elected 10 members, Venezuela and Angola) about adding additional individuals to the sanctions list, including then head of the SPLA, Paul Malong. This example is illustrative of a more generalized disagreement on how to approach, leverage and coerce compliance from the parties to adhere to the various ceasefire and peace agreements. The passage of Resolution 2428 in 2018, imposing an arms embargo and expanding a list of individuals subject to targeted sanctions, further evidenced this dynamic.<sup>93</sup> This could be seen as a sign that growing diplomatic pressure was being backed by tangible measures. However, importantly, this resolution was not passed unanimously but with six abstentions. In addition to receiving only the minimum number of affirmative votes





required for passage, one of the members who abstained was Ethiopia – a neighbouring country and influential member of IGAD and the AU. The precarity of Council consensus on this issue – albeit coloured by other dynamics in the Council on the issue of sanctions – further underscores that Council intent about the best way to support the political process and resolution of the conflict in South Sudan was not always a unified, shared and uncontested position. This division in the Council provided ammunition for the parties to resist accommodation and seek to make further territorial gains rather than come to a settlement. It also further undermined the ability of UNMISS to influence a political solution. As one veteran of many missions and Headquarters roles said: “There is nothing worse for peacekeeping than not to have the unanimous support of the Council behind you.”<sup>94</sup>

### **THE ARRIVAL OF A PEACE AGREEMENT**

In late 2018 a number of the main parties to the conflict – including the Government and opposition leadership – signed the ‘Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan’. The deal provided a roadmap for the composition of a new Transitional Government of National Unity with associated security arrangements and an agenda for major programmes including DDR and SSR. While some questioned the process, representation and genuine buy-in of sufficient opposition forces in this deal, a mandate renewal in March 2019 adjusted UNMISS’ fourth priority to support the implementation of the Revitalized Agreement and the peace process.<sup>95</sup> The resolution elaborated specific roles for UNMISS

to play in continued support and participation in ceasefire monitoring and verification through support to the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism and implementation tracking through the Reconstituted Joint Monitoring and Evaluation Commission. It further directed UNMISS to support other implementation mechanisms, including at the subnational level, and the mandate added an explicit role for UNMISS and the SRSR to use “Good Offices to support the peace process, including advice or technical assistance, within existing resources.”<sup>96</sup> The Council backed this up through issuance of a number of Presidential Statements calling on parties to expedite the implementation of the Revitalized Agreement.<sup>97</sup>

The fact that the 2017 Mission Concept was more of an iterative ‘living’ document meant that there was no need to overhaul or replace it, but rather the concept and the strategic approach could be updated in line with advancement in the political process. This approach also allowed for more frequent rebalancing of the political aspects of the mandate with other priorities, including PoC and human rights monitoring and reporting. The two-pillared approach sought to capture a dynamic balance – more violent conflict tips the balance toward PoC, while deescalation and periods of stability resulted in more focus on efforts to build durable peace. Furthermore, UNMISS sought to develop a comprehensive approach to PoC by articulating its PoC mandate to the UN system as a whole in South Sudan as well as a range of different non-governmental organizations partners that also have complementary protection mandates and responsibilities. Making this work has presented

numerous challenges, particularly in the context of UNMISS-UNCT collaboration on internationally displaced persons returns and resettlement from the PoC sites. However, there is a lot that can be learned from this approach. The 2018 strategic review noted that regarding human rights, “public reporting of violations has been relatively scarce and slow.”<sup>98</sup> Member State pressure resulted in mandate language encouraging more public reporting on human rights violations. In response, UNMISS restructured its human rights division to focus more on increasing mobility, pushing higher ranking and more people out to field locations, and shifting the thematic areas of work within the division.<sup>99</sup> Despite continued obstruction by Government and opposition forces denying access to sensitive areas, since then the mission has displayed a greater willingness to go on the record with human rights reports including those critical of the Government.<sup>100</sup> Other studies have shown that UNMISS has increasingly used – rather than avoided – reporting as a way of exerting leverage for movement on political process.<sup>101</sup>

## **DEMARCATING POLITICAL SPACE, “LEADING FROM BEHIND” AND GOING LOCAL**

As different personalities moved through the regional envoy’s office and the SRSG became more established, including in relation to the President and other principals, the mission carved out additional political space to engage the parties. Constructive working relationships between UN special representatives allowed for a clearer demarcation of turf. The SRSG held political authority and representative duties for the UN in Juba, while the SES/SS led on engagements with regional envoys from neighbouring countries, IGAD and the AU in Addis Ababa as well as parties who were residing outside of South Sudan.<sup>102</sup> This more definite division of labour facilitated the incremental growth of the political mandate for UNMISS and the growing role of the SRSG’s ‘Good Offices’ in supporting the implementation of the Revitalized Agreement. For example, UNMISS brokered and supported (logistically) commander-level meetings between government forces and opposition in field sites around the country. These meetings were an opportunity for UNMISS to facilitate rapprochement and build confidence in the peace process.

The political arena remained crowded and additional players entered the fray, including mediation performed by the Community of Sant’Egidio to foster political dialogue between signatories and non-signatories of the Revitalized Agreement.<sup>103</sup> However, contrary to earlier accounts of crowding out, some interviewed suggested that having other actors leading the political process – in particular IGAD in the lead of the high-level revitalization forum – also benefitted the mission at times. By “supporting initiatives but not getting in front of them”, the mission was able to “lead from behind.” For example, UNMISS could provide enabling logistical and technical support while taking a back seat during major statements by the high-level forum on the peace agreement via IGAD Council of Ministers and other regional leaders during the African Union summit held in Addis Ababa in 2018).<sup>104</sup> Furthermore, citing the likelihood that UNMISS would be *in situ* for some time to come, a number of those interviewed emphasized that this helped the mission retain some distance from the political bargains being struck, and with it a greater claim to impartiality towards the various parties.

The Revitalized Agreement led to a reduction in clashes between formal parties but continued intercommunal deadly violence, including farmer-herder clashes and widespread sexual violence. In response, the mission came up with an innovative approach predicated on deeper political engagement beyond Juba with local authorities and communities. This was for two main reasons. First, to compensate for the reduced leverage in the national-level political process. Second, because there was a realization that intercommunal violence was not distinct or separate from national conflict dynamics. As a member of Senior Mission Leadership put it: “local level conflict was invariably linked to national-level conflict dynamics.”<sup>105</sup> Experts also point to a “diverse set of local-level conflicts that relate to the national crisis in different ways and to different extents.”<sup>106</sup> For instance, there are clearly interconnections between cattle-related conflict across the country and powerbrokers in Juba who own approximately 80 per cent of the cattle in the country. Consequently, the mission developed a strategy to nurture “more peace at any level” using the SRSG’s Good Offices to engage politically with local-level

authorities.<sup>107</sup> UNMISS also carved out a role in local-level conflict resolution and mediation, working toward peaceful coexistence, social cohesion and reconciliation at the community level – primarily through the work of civil affairs, supported logistically by the force and UN police. These efforts have included convening (e.g. conferences and workshops) and mediation efforts spearheaded by the heads of field offices, reducing the immediate effects of intercommunal tensions and contributing from the bottom-up to the overarching peace process.<sup>108</sup> Nevertheless, many still believe that without tackling the macro-level conflict drivers – including arms and ammunition – that support cycles of intercommunal violence will continue.<sup>109</sup>

## **A FRAGILE PEACE AND THE WAY AHEAD/OUT**

At the time of writing, it seems there is a small but perceptible growth in UNMISS' role in the political process – albeit in implementing someone else's bargain. Questions have been raised over how inclusive and voluntary the Revitalized Agreement agreement was. Some interviewed for this study suggested it came as a *fait accompli* from Khartoum/IGAD; favouring the Government and incentivizing the agreement of Riek Machar but not in a way that will bring along many of his followers or previously loyal forces.<sup>110</sup> Consequently, segments of the Nuer population may view UNMISS as too close to the Government to warrant their trust and support. At the same time, some pro-government actors continue to accuse UNMISS of supporting the opposition by maintaining the PoC sites. While the Agreement may offer the best hope for stability and an immediate end to violence in the short-term, question marks remain over its

ability to provide this over the sustained long-term. In this case, UNMISS' mandate to support its implementation may be a way of addressing the proximate triggers and fast-track to an exit strategy. However, it may not be adequately addressing the root causes and underlying grievances that could lead to recidivism in the future.

Recent mandate renewals have further expanded the SRS's political role to include "advice or technical assistance, within existing resources" as part of the mission's Good Offices to support the peace process.<sup>111</sup> They have also instructed the mission to work on the rule of law sector, community reconciliation, service delivery, and durable solutions for internally displaced persons/refugee returns. These developments suggest that a return to forms of capacity-building will accompany continued progress on the Revitalized Agreement implementation. The bitter lessons of history should dictate that this does not happen quickly or wholesale, but rather incrementally and subject to the strict application of the Human Rights Due Diligence Policy. It is also unlikely that the political appetite exists in the Council for expensive large-scale State-building. Nevertheless, such a return will bring a modicum of political capital and leverage that the mission could use to build out its political influence and strategy.

Time will tell if UNMISS can position itself in a way that makes it more essential to, and in control of, the political process at the heart of its destiny and ultimate exit. In support of this, the lessons identified in the following section may be useful to Member States in the Council, the IOT and others in the Secretariat and mission leadership in the field.





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## II

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# Key Findings

UNMISS was designed as a peacebuilding mission with add-ons. It was transformed on the fly to, in theory at least, become an archetypal multidimensional peace operation. The imperative to protect civilians and the parallel mandates of other peacemakers (such as IGAD, the AU and even other parts of the UN) combined to ensure that UNMISS has played only a peripheral role in the political process. With no peace to keep and no seat at the peacemaking table, the keys to creating a durable protective environment and sustainable peace in South Sudan have been largely out of UNMISS' control. Lacking consistently unified political support – from the Council as well as the region and neighbouring countries – UNMISS has not been empowered to play a more proactive and potentially influential role in the negotiations that led to cessation of hostilities agreements and both the ARCSS and Revitalized Agreement. Until recently, UNMISS has been 'waiting for

peace' overwhelmed by the practical challenges associated with overlapping milieus of violence and the extraordinary phenomenon of the PoC sites. Consequently, UNMISS has been in a position of extreme vulnerability – susceptible to being instrumentalized by many sides – unable to leave but not in control of its destiny. It also runs counter to a cardinal lesson identified in the Brahimi report – if a peace operation (*in situ* or to be established) is to be part of implementing a peace agreement, then the UN should always have a significant role and a seat at the table.<sup>112</sup>

This predicament made it extremely difficult for the mission to develop a mission-wide political strategy that could guide the work of all its components. Over the course of the three moments analysed above, the translation of Council mandates into Mission Concepts/strategies has varied significantly. At mission start-up, the mission was required to develop

key concepts and plans to interpret an ambitious and wide-ranging mandate that quickly became redundant. Following the outbreak of civil war and widespread violence, the mission was forced to adapt quickly and reconfigure in the absence of relevant overarching strategic guidance documents. Later, the mission was able to implement a more methodical and inclusive process to set the course for the mission and gradually carve out space for a more significant, albeit still limited, political role for UNMISS.

However, despite – indeed, because of – the fact that UNMISS’ contributions in the political domain have been circumscribed in these ways, the mission offers several significant and potentially translatable findings for a peacekeeping mission’s political role in situations where there is little or no peace to keep. Given that similar scenarios have afflicted the UN at different times in all of the so-called Big Five missions, the following lessons learned may have utility beyond UNMISS for peacekeeping more generally.

## 1 Process as important as product

When translating Security Council mandates into Mission Concepts and strategies, particularly in mission settings when the political and security context changes regularly and rapidly, key stakeholders (IOT, Senior Mission Leadership) should emphasise how this is done as much as what it produces.

The act of engaging in a mission-wide process to think through the mission strategy, including its political objectives and how all mission efforts align to a political solution, is often as important as any final product. Bringing together key figures across the mission (uniformed, civilian, substantive, support, etc.) at multiple levels (including field sites) in and of itself generated significant cohesion. It shared understanding across the mission, including how each part fits within the mission and relates to each other. Indeed, maintaining this as an iterative process has been both necessary (e.g. due to rotating contingents) and useful (adapting to rapidly changing events). While a simple written-down vision for the mission is generally thought to be

a good idea, the aim of an extensive finalized Mission Concept/strategy – often requiring a lengthy approval process – was seen as useful for compliance purposes but too static and inflexible for planning and guiding mission work. “The value of those paper exercises is in bringing people around the table to set out a common vision rather than the end product,” one interviewee noted.

## 2 Peace in pieces

When sidelined from meaningful engagement in regional and national-level mediation/negotiations, missions should focus on more political engagement aimed at resolving local level disputes that can ‘trickle up’ and contribute to the broader peace process.

While still supporting and cajoling political solutions at the (trans)national level, UNMISS leadership were creative in targeting some of their political work at the local level. Before, during, and (tentatively) after the civil war, intercommunal clashes have accounted for a significant portion of violent deaths in South Sudan. UNMISS recognized that these often have linkages to national-level politics and therefore addressing them could contribute to national-level processes. Even at the extremely local-level peripheries, intercommunal disputes frequently have connections to the centre. For example, roughly 80 per cent of the cattle spread across the vast territory of South Sudan are at least partially owned by elites in Juba, meaning that even the most distant cattle rustling reverberates through powerbrokers in the capital.<sup>113</sup> The lines connecting local and national actors are often invisible to external observers, though crucial to developing effective conflict resolution strategies and supporting the peace process. The most recent work of the mission includes efforts to engage uniformed commanders at the local level to build confidence between parties to the conflict at a subnational level. These initiatives to resolve violence at a local level are more closely linked to the Revitalized Agreement peace process.<sup>114</sup> As a recent study of UNMISS noted: “Understanding how struggles within the SPLM elite [play] out at the local level [has been] key ... to engaging constructively/proactively in the peace process.



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While the regional/national level political process is a *sine qua non*, a key lesson from UNMISS is the need to understand the links between the local and national politics/conflict, and how risks and opportunities may present themselves in both spheres.”<sup>115</sup>

### 3 Too many cooks spoil the broth

Lack of clarity over the division of labour between the UN’s various special representatives, and between UN and (sub)regional arrangements, leads to incoherence, dissociation of a mission from a guiding/enabling political strategy and undermining of the authority and political leverage of SRSs to hold parties to any accord once signed. In the case of UNMISS, this has also led to forum shopping and manipulation by parties with no real political will for peace.

Consecutive SRSs have been repeatedly hamstrung by how crowded the political space is in South Sudan. First, lines of responsibilities between SRSs and the SES/SS in mediating have

been unclear. This has become less problematic as the situation has moved from negotiating to implementing the Revitalized Agreement though in practice has remained to a large degree personality-driven. A reality helped by a more proactive approach by the Senior Mission Leadership, underwritten by more expansive mandate language on the political process and support from the Secretariat, and clearer demarcation of political ‘turf’ between the SRS and Special Envoys. Second, the leading role played by regional arrangements – primarily IGAD but also the AU – in multiple bouts of mediation and peacemaking contributed to limiting the role of the UN and UNMISS. At times, this has rendered the mission a ‘glorified travel agent’, dependent on someone else’s success and in effect ‘waiting for peace’. However, once a viable peace is agreed, it may serve the mission to “lead from behind” allowing for greater perception of impartiality towards parties, including those who may be excluded or disenfranchised by any deal.

UNMISS experience suggests at least two key mitigation strategies. First, ensuring clarity and



consensus on the appropriate delineation of responsibilities between the different UN and non-UN stakeholders. Second, providing clear guidance on a 'ripeness' criterion for political engagement by an SRSG in a fragile/tenuous peace process. When that criterion is not met, redirection of attention and resources can contribute to conflict resolution that can trickle up and deliver against mandated objectives to support the peace process (see above). Ensuring that the potential Good Offices and political engagement of an SRSG are not undermined will likely be critical to effectively prioritizing politics in mandate implementation.

## 4 Putting de-centralization at the centre

The simultaneous localization (including splintering of parties to the conflict) and transnationalization/regionalization of conflict dynamics make strategies that focus political engagement exclusively on capitals and formal political elites likely to be ineffective. Such a shift is particularly important when national processes are stalling, and there is potential to get better traction at a local level that can promote improved protection for civilians and create an atmosphere more conducive to peace nationally.

Consequently, there is a need to de-centralize political engagement by missions. Based on UNMISS experiences, such a policy should be pursued through: (1) the creation of additional political liaison offices in capitals of key neighbouring and regional countries; (2) more methodical engagement in local political spheres through delegation of authority/devolution to heads of field office under an overarching unifying mission strategy; and, (3) increased collaboration between mission political and civil affairs departments while undertaking more focused and strategic work.

## 5 Bringing PoC and political strategies into alignment

For much of its existence, UNMISS has been preoccupied with saving lives and supporting a more protective environment for vulnerable

populations. The absence of a viable political process has dictated that the mission has had little to align its overall strategy to that looked beyond the short-term horizon.

While the clarion call for the primacy of politics needs to be anchored, and operationalization pathways highlighted, there remains a dilemma at the heart of it. The desire to see a political process sustained - despite the ongoing, sometimes escalating, levels of violence in abrogation of ceasefire agreements - has at times been tantamount to self-delusion for an organization that has a core human rights mandate enshrined in its Charter. Missions need to find ways to ensure that political engagement remains core business but pursued in ways that reinforce rather than undermine operational gains on other mandated priorities such as PoC. Tiers 1 and 3 of the PoC concept reinforce the need to engage politically to pursue political solutions that do not undermine PoC imperatives but instead can be the foundation for a sustainable protective environment. The more recent attempt in UNMISS strategy to counter-balance building durable peace with PoC acknowledges this relationship. However, it remains to be seen if it would be sufficiently robust and decisive when needed most - for example, if the South Sudan People's Defence Forces were to attack a PoC site again. There is a need to interrogate what primacy of politics means when a mission with PoC mandate must risk jeopardizing political relationships and capital to meet its cardinal protection obligations. Tier 2 PoC activities can make political engagement more challenging at times and detract from a mission's ability to negotiate a ceasefire that might save more lives than physical protection. However, when missions are not influential political actors and where violence is likely, focusing on physical protection may be the only choice. Any shift away from prioritising Tier 2 PoC over PoC through political engagement should then occur over time. UNMISS' more recent increase in human rights reporting does not appear to have weakened their political position and, if history is any gauge, relegating protection and human rights is unlikely to be a fast-track to sustainable peace.

## 6 Getting enabling relationships between Member States, IOT and Senior Mission Leadership right

Ineffective, dysfunctional and sometimes openly antagonistic relationships between key actors in the peace operations system – influential Member States, senior headquarters bureaucrats and mission leadership – have made a difficult situation on the ground worse and militated against a clearer political vision and role for missions and all their personnel.

‘Primacy of politics’ at all levels requires better functioning and more consistent relationships between Member States, IOTs and Senior Mission Leadership. At crucial moments in UNMISS’ lifetime, the relationship between the IOT and UNMISS mission leadership has been ineffective. On occasion, it has been wholly dysfunctional. At times the IOT has been influential and, via in-house support from the relevant USGs, held sway over the political role carved out for the mission and afforded to the field level leadership. At other times, mission leadership has circumvented the IOT, leveraging close working relationships with influential Member States on the South Sudan file (e.g. troika). As one interviewee put it: “SRSGs can use their own political leverage to reach around the IOT and into the offices of USGs or even the [Secretary-General] to deal more directly with leadership at Headquarters.”<sup>116</sup> Neither scenario has worked particularly well for smoothly transmitting and interpreting the intent of the Security Council into a strategy for the mission and implementation on the ground. Similarly, the relationships between key Member States, the IOT and the mission have also at times been difficult in the case of UNMISS. As one interviewee explained the relationship between the IOT and the pen-holder (US) “was at times adversarial.” At other times, such as following outbreak of violence in July 2016, Council members largely ignored the IOT and mission leadership. At different points still, for instance following change of the US Administration, power has shifted towards the field, allowing UNMISS to ‘manage up’ to both the IOT and the Security Council. The variation and shifts in these dynamics point to the need for more coherent and joined-up vision for a mission across constituencies and for strong

leadership that can undo bureaucratic blockages but also mediate interpersonal tensions within the chain of command/between field missions, Headquarters and Member States.

## 7 Keep it simple, stupid

‘Christmas tree’ mandates are not an effective means for the Security Council to signal their political intent. They transfer too many priority-setting responsibilities to SRSGs and are not conducive to translation into clear mission strategies and subsequent operationalization into workplans to guide the political work of a mission.

Despite the fact UNMISS started as a complex and ambitious State-building mission, the relatively streamlined seven and a half pages in the original Resolution 1996 had more than doubled to 16 pages by Resolution 2514.<sup>117</sup> This is the archetype of the so-called “Christmas tree mandate”. As per the Secretary-General’s suggestion in launching the Action for Peacekeeping, the time has come to pare back these unwieldy mandates and change the ‘copy-and-paste’ culture.<sup>118</sup> Experts interviewed for this study regularly stated that clear and concise mandate resolutions made for more effective translation into mission strategies. Short is not good if it means ‘thin’, leaving mission leadership without enough sense of the Council’s intent. However, the 6,000-mile screwdriver approach is not helpful either if a litany of taskings obfuscates clear political direction.

## 8 United we stand, divided we fall

Unity in the Security Council is critical to providing clear strategic guidance to missions but also in supplementing mission mandates with complementary actions and resolutions such as arms embargos and targeted sanctions.

As one veteran of many missions and Headquarter roles interviewed for this study said: “There is nothing worse for peacekeeping than not to have the unanimous support of the Council behind you. If we don’t have the Council solidly behind us, it has a very detrimental effect on what we can actually achieve.” In the case of UNMISS, the Council has been divided at critical

moments and on critical issues. The US as pen-holder has not always been on the same page as rest of the Security Council leading to cognitive dissonance when reading and interpreting the mandate alongside US/Member State opinion and influence through other channels. Such discord creates competing demands on mission leadership to dance to the tune of different pipers seeking to simultaneously meet the demands of the pen-holder/Permanent Three, the Council as a whole, and the people on the ground. Division in the Council was also in evidence with the July 2018 US-sponsored arms embargo resolution on which Ethiopia abstained. Stakeholders often exploit this disunity in the mission area. As one interviewee said: “Host country or belligerent parties can suss out very quickly that we have a divided Council and tries to create from fissures grand canyons.” Avoiding this scenario also requires the Council to back its resolutions seriously (see next).

## 9 Back mandates with robust politics

Security Council members must back their own resolutions – i.e. those mandating UNMISS, authorizing the arms embargo, imposing targeted sanctions, etc – more steadfastly (or at least not flagrantly undermine them). Doing so requires strong diplomatic pressure, making clear what the costs and consequences of non-compliance are in order to influence the political calculations of principals, empower/embolden missions and mission leadership to take difficult decisions and smother the drivers of conflict that threaten to unravel fragile settlements. Otherwise, the Council will continue to give missions an impossible mandate while providing incoherent and equivocal support.

A clear political strategy for missions needs to be backed by firm, reliable and consistent political support from the Security Council. A lack of consensus and collective political support from the Council can neuter missions. While the Council devotes much effort when it comes to establishment or renewal of mandates, it often steps away from giving its own instruments full political support. As one UN peace operations veteran put it: “The Council invests heavily in

dollar terms but not political terms.”<sup>119</sup> Too often political strategies for missions are weakened or undermined due to a lack of united political back-stopping by the Security Council.

The UNMISS experience shows that in the absence of more robust political backing from the Council, particularly around key aspects such as demanding accountability for SOFA violations<sup>120</sup> and enforcing arms embargoes,<sup>121</sup> achieving inclusive and durable political solutions to conflict is likely to continue to be a challenge.

## 10 Not everything is political but DDR and SSR are

The Government of South Sudan has largely avoided DDR and SSR since the beginning of the predecessor UNMIS mission, presenting a significant roadblock to any durable peace. Missions require a holistic political vision that situates DDR/SSR at the heart of a long-term strategy rather than an approach that views these efforts as technical add-and-stir programmes to be prioritized/sequenced amongst the many other competing programmes and plans.<sup>122</sup> In the longer term, peace operations are unable to do these things alone but can be instrumental in coordinating the UN system and the broader set of development partners. In the short-term, re-engaging in even small-scale capacity-building and reform after a hiatus has the potential to provide political leverage over parties that should be harnessed and exploited by missions.

UNMISS shows that ensuring the primacy of politics also requires being very clear about what the political work of the mission includes. For example, DDR and SSR are political, not merely technical. Removing of weapons and disbanding of forces alters the battlefield balance of power so – even if hostilities are (temporarily) ceased – is a profoundly political undertaking. So, too, is reorganizing and potentially de-militarizing the security sector (writ large to acknowledge that the public security and justice sectors are also part of this system). Too often, despite the ubiquity of these aspects in peace agreements, peace operations underplay them, seen as too difficult or something to be sequenced and tackled ‘later’ or become moth-balled due to government indifference or resistance.



On the contrary, the establishment of a mission – when parties are (usually) most willing to consent to deployment – is the time when deeply political reforms such as these can be incorporated into a mandate and aligned and prioritized appropriately in a political/mission strategy. As one expert interviewee put it: “when the country is on its knees and really needs a peacekeeping operation, that’s the time when you can extract a commitment to do (or not do) certain things. If you can’t do it when a country’s weak then when can you?”<sup>123</sup> A UN mission such as UNMISS may not be able to undertake such programmes alone. Indeed, they need to be nationally owned to a large extent. However, an *in situ* peace operation can: (1) play a much greater coordination role including maintaining political consensus; and (2) be a fulcrum for sustained political pressure from the UN, Council and major donors. Without genuinely transformational change in the security sector – writ large – whatever political process is underway is unlikely to lead to a political solution that can allow a mission to exit leaving behind a stable protective environment.

Any return to capacity-building by missions in settings where government forces have been culpable for atrocities must be consistent with civil harm mitigation principles and subject to Human Rights Due Diligence Policy and other donor oversight mechanisms. The promise of these activities, however, presents missions like UNMISS with a rare moment of increased political leverage. Donors may be sceptical of re-engaging too quickly and the economic climate is not conducive to the large-scale aid seen in earlier periods in South Sudan. However, the resources that will flow from support to State institutions and the legitimacy a more effective governance/public service architecture could afford the government in the eyes of the population, are significant incentives for the government and therefore provide substantial political capital for the UN. As with focusing on the initial mandating process, major shifts in mandates (particularly when they involve increased financial and material support to signatories of peace agreements) should be exploited to gain leverage, access and influence in the political processes to which mission success and exit are beholden.

## 11 From little things, big things grow

When different permutations of the peace agreement in South Sudan were struck, UNMISS has mostly not been at the table. Short of deeper involvement, missions should use the limited political space they are able to occupy to find entry points that can be developed and expanded to exert more influence over setting expectations for their eventual role in implementation.

Throughout its history, the relationship between UNMISS and the South Sudanese Government has been dynamic. They have been working in close cooperation, direct confrontation and often both at once. Similarly, the interaction with a range of opposition groups has taken different forms at different points in time. These relations have constrained the political space available to UNMISS. It is therefore essential that missions are provided with clear guidance on what Good Offices might look like in circumstances where the political space to operate is small and the relationship to the host government and other parties to the conflict are fraught. The lesson here is that seemingly negligible entry points may lead to more substantive roles. Optimizing these opportunities can eventually get the UN/mission to the table where it can influence the substance of the political process. From this position, missions can also develop a more specific set of shared expectations around its role in implementation that will inevitably become a significant hinge in its exit strategy.

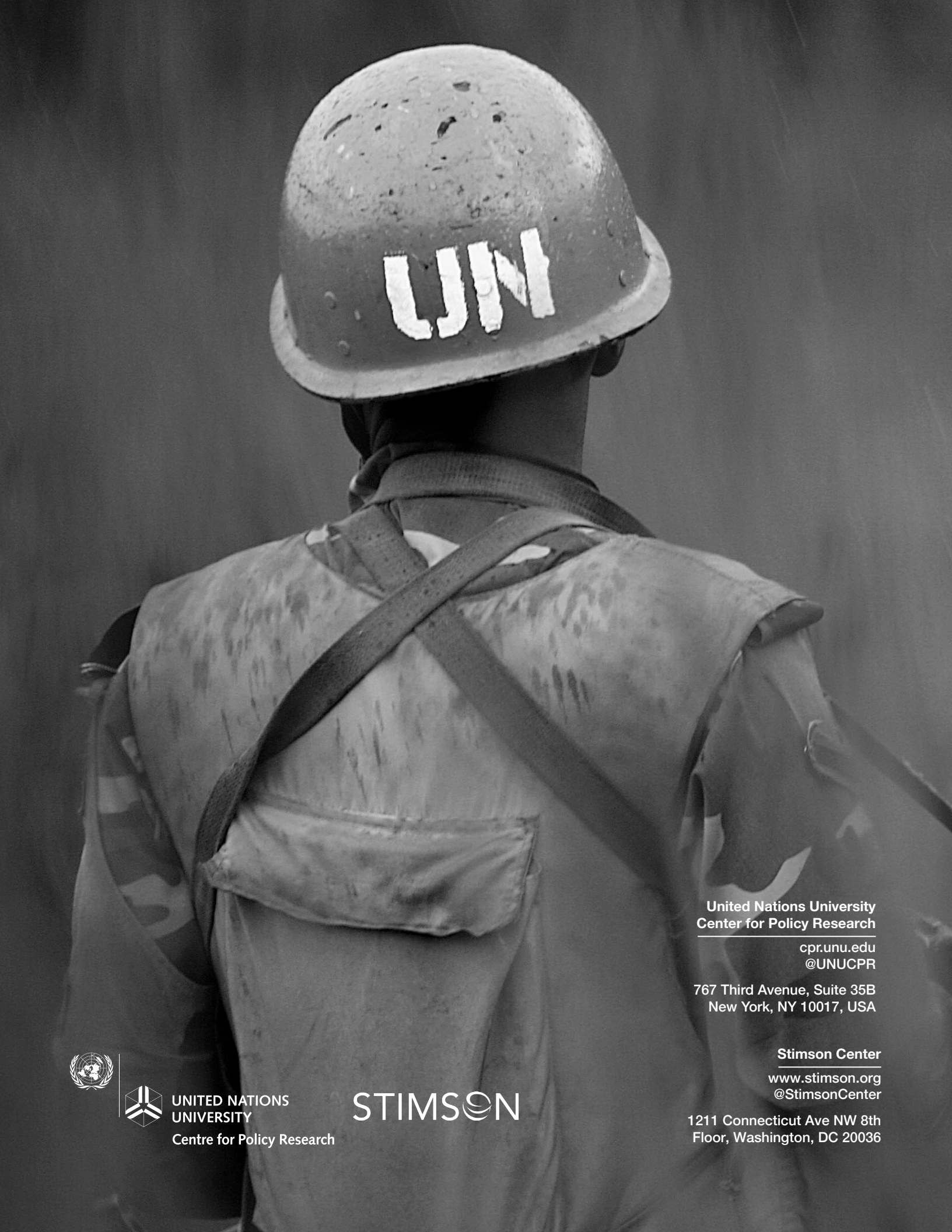
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- 13 NB: this was different to Secretariat's advice at the time that had recommended a mission less contingent on support to the host government (Interview, May 2020).
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- 40 Ibid: para. 8(a)(i).
- 41 Ibid: para. 1.
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- 44 i.e. Joint Technical Committee (JTC), MVM, and Monitoring and Verification Teams (MVTs).
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- 50 IO signed first then latterly government.
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- 53 United Nations Security Council, "Resolution 2252, adopted by the Security Council at its 7581st meeting," United Nations, 15 December 2015. It also gave the mission a role in training and providing advisory support to a new Joint Integrated Police (JIP).
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- 55 They are discussed further below.
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- 62 Interview, May 2020.
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- 67 Some interviewees noted that Juba viewed the RPF's mandate as more about the ability to evacuate diplomats and foreign officials if needed, and much less about stabilising Juba for political progress. Interviews – June 2020.
- 68 Interviews, May 2020. NB: Unlike additional infantry units, the RPF was authorized by the Council with enablers including attack helicopters, two rapid reaction companies, a level two hospital, two engineering companies and one unmanned aerial vehicle unit.
- 69 NB: RPF remained in mandate until 2020 which retains some of the functionality but not the name.
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- 71 Interview, May 2020.
- 72 United Nations Security Council, "Special report of the Secretary-General on the review of the mandate of the United Nations Mission in South Sudan," United Nations, 10 November 2016, S/2016/951: para. 5.
- 73 Ibid: para. 22.
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- 75 Ibid: para 62.
- 76 Interview, May 2020.
- 77 Interview, May 2020.
- 78 United Nations Security Council, "Special report of the Secretary-General on the review of the mandate of the United Nations Mission in South Sudan," United Nations, 10 November 2016, S/2016/951: para. 22.
- 79 United Nations Security Council, "Resolution 2327, adopted by the Security Council at its 7840th meeting," United Nations, 16 December 2016, S/RES/2327: para. 12. This clause was carried forward in all subsequent mandates. NB: Since the initiating resolution 1996, the UNMISS SRSG has been explicitly mandated by the Council to: "direct the operations of an integrated UNMISS, coordinate all activities of the United Nations system in the Republic of South Sudan, and support a coherent international approach to a stable peace in the Republic of South Sudan," in United Nations Security Council, "Resolution 1996, adopted by the Security Council at its 6576th meeting," United Nations, 8 July 2011, S/RES/1996: para 2. Similar formulations appear in every mandating resolution since).
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- 89 Ibid: para. 48.
- 90 Ibid.
- 91 United Nations Security Council, "Security Council Press Statement on South Sudan," United Nations, 5 November 2014, SC/11631-AFR/3005; United Nations Security Council, "Statement by the President of the Security Council," United Nations, 15 December 2014, S/PRST/2014/26.
- 92 NB: voting included abstentions from Russia and Venezuela on both occasions.



- 93 Having been thwarted earlier by the US in 2013, discussed again in 2015 (e.g. United Nations Security Council, “Statement by the President of the Security Council,” United Nations, 24 March 2015, S/PRST/2015/9), rejected in a US-proposed resolution of December 2016 (NB: pushback may have been due to resolution coupling embargo with new sanctions listings), recommended by Panel of Experts (8 December 2017 briefing), threatened again in resolution 2418 (NB: with six abstentions, May 2018), the Council eventually in Security Council Resolution 2438 (13 July 2018), imposed an arms embargo on South Sudan until 31 May 2019 (subsequently renewed) and designating two additional individuals to be subject to targeted sanctions.
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- 118 NB: it is important that does not result in important functions being dispensed with. See: Alexander Bellamy and Charles T. Hunt, “Benefits of Paring Down Peacekeeping Mandates Also Come With Risks,” *Global Observatory*, 15 March 2019, <https://theglobalobservatory.org/2019/03/benefits-paring-down-peacekeeping-mandates-come-with-risks/>.
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- 120 SOFA violations are reported every month to the Council yet generate little reaction beyond routine condemnation and demands for reports in mandate renewals that result in no political costs of recalcitrance.
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