

ISOLATION AND ENDURANCE

**Riek Machar and the SPLM-IO
in 2016–17**

John Young



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Cover photo: Sudan People's Liberation Movement-in-Opposition (SPLM-IO) rebels outside the town of Kaya, South Sudan, on the border with Uganda, after an assault on Sudan People's Liberation Army (Sudan People's Liberation Army) soldiers. © REUTERS/Goran Tomasevic

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List of abbreviations and acronyms

ARCSS	Agreement for the Resolution of the Conflict in the Republic of South Sudan
AU	African Union
CPA	Comprehensive Peace Agreement
CTSAMM	Ceasefire and Transitional and Security Arrangements Monitoring Mechanism
DRC	Democratic Republic of the Congo
FD	Former Detainees
FDP	Federal Democratic Party
FVP	First vice president
IDP	Internally displaced person
IGAD	Intergovernmental Authority on Development
JIP	Joint Integrated Police
JMEC	Joint Monitoring and Evaluation Commission
NDM	National Democratic Movement
NGO	Non-governmental organization
NSF	National Salvation Front
PDM	People's Democratic Movement
PoC	Protection of civilians
SPLM/A	Sudan People's Liberation Movement/Army
SPLM-IO	Sudan People's Liberation Movement-in-Opposition
SSDF	South Sudan Defence Forces
TGoNU	Transitional Government of National Unity
UN	United Nations
UNMISS	UN Mission in the Republic of South Sudan



... fighting has continued and spread, the humanitarian crisis has deepened, and the international peacemakers are reduced to making appeals to end the violence that are ignored.”

Introduction

Hopes that the August 2015 peace agreement between the Sudan People's Liberation Movement (SPLM) government of Salva Kiir and the Sudan People's Liberation Movement-in-Opposition (SPLM-IO) of Riek Machar would end the conflict in South Sudan collapsed with the return to fighting on 8 July 2016. A year later the fighting has continued and spread, the humanitarian crisis has deepened, and the international peacemakers are reduced to making appeals to end the violence that are ignored.

Southern Sudan experienced a series of wars that began with Sudan's independence in 1956 and—with a break between 1972 and 1983—continued until 2005. The region first gained international attention because of these wars and a series of humanitarian disasters. With no end in sight to the conflict, a group of Western countries led by the United States encouraged the Intergovernmental Authority on Development (IGAD) to mediate the conflict, and Britain, Norway, and the United States formed themselves into a Troika to support these efforts. The mediators concluded that the primary cause of the conflict was the disparity between an Arab Islamist regime in the north and the disenfranchised polyglot of Africans in the south, and that southern self-determination—and ultimately secession and the handing over of state power to an SPLM government—would both end the conflict and provide a basis for resolving other armed struggles afflicting Sudan.

But the 2005 Comprehensive Peace Agreement (CPA) that gave birth to South Sudan in July 2011 did not bring peace and stability to either Sudan or South Sudan, and it became increasingly apparent that the SPLM could neither resolve its own internal problems peacefully nor effectively administer the country. The outbreak of civil war in December 2013 was not a surprise, only the form it took of a government-orchestrated attack on Nuer civilians, and once again IGAD and the Troika launched a peace process. And like the one that led to the signing of the CPA, it focused on power-sharing and security arrangements, this time between the SPLM factions that had monopolized power in the country. When the peace process collapsed in March 2015 an expanded international mediation (IGAD-Plus) was created that produced an agreement in August 2015, the Agreement for the Resolution of the Conflict in the Republic of South Sudan (ARCSS) (IGAD, 2015). It was considered to have been forced on the parties because President Kiir made clear he only signed the agreement because of enormous international pressure and his government disagreed with critical parts of it. Meanwhile, after suffering a string of military defeats, the defection of many of its senior military commanders, and a lack of military logistics, the SPLM-IO readily endorsed the ARCSS (Young, 2015). Few were optimistic that the agreement would survive, however, and indeed it merely served as a stimulus for increased armed conflict in many areas of the country.

Although the government failed to implement key provisions of the ARCSS, including the security arrangements, the international backers of the peace agreement insisted that a reluctant Machar return to Juba and assume his position as first vice president

(FVP) in the Transitional Government of National Unity (TGoNU). With Machar's arrival in Juba on 26 April 2016 the TGoNU was formed, but it quickly proved dysfunctional, and tensions between the belligerents steadily grew, fighting broke out between the Sudan People's Liberation Army (SPLA) and SPLM-IO forces, and the latter, including Machar, fled to the Democratic Republic of the Congo (DRC).¹

In the wake of this chaos Taban Deng Gai and a handful of SPLM-IO dissidents broke from Machar, established their own faction, and elected Taban Deng as their chairperson. After claiming that Machar had disqualified himself by failing to fulfil his responsibilities as FVP, Kiir accepted Taban Deng as leader of the SPLM-IO and appointed him FVP. Initially the Joint Monitoring and Evaluation Commission (JMEC), IGAD, the African Union (AU), and the UN refused to recognize the legitimacy of this appointment, and called for Machar to resume his position as FVP. But under the influence of the United States, which accepted Taban Deng as FVP and urged Machar not to return to Juba, these organizations endorsed Taban Deng's appointment.

After going to South Africa for medical treatment in late 2016, Machar was placed under house arrest, but the hope of the international community that Taban Deng's appointment and Machar's marginalization would bring peace to war-afflicted South Sudan has proved to be badly mistaken. In the year since Taban Deng became FVP the war has spread, new armed and unarmed opposition groups have been established, the humanitarian crisis has deepened, a famine has been declared, and Machar continues to direct the SPLM-IO, which remains the lead organization in the armed struggle against the government.

This study follows on from an earlier Small Arms Survey paper by the author (Young, 2015). It begins where the earlier paper left off with the signing of the ARCSS and ends with the first anniversary of the agreement's collapse in July 2017. Like the earlier study, this research is based on many visits by the author and his assistant to Juba, Greater Upper Nile, Uganda, Kenya, Ethiopia, and Sudan to carry out interviews with SPLM-IO officials, Nuer civilians, and others; specific visits to Addis Ababa and Khartoum between 10 and 26 May 2016; attendance at relevant conferences; and an examination of the growing secondary literature and news reports on the conflict in South Sudan. The primary focus of the study is on the political development of the SPLM-IO, and no attempt is made to provide a comprehensive analysis of the organization's military activities or examine conditions at the local level. Out of concern for confidentiality, sometimes statements or information cannot always be attributed. ●

Key findings

- Riek Machar and the SPLM-IO embraced the ARCSS in the expectation that the agreement's international backers would ensure its implementation, given the SPLM-IO's military weakness, but this has not been the case. Meanwhile, the South Sudanese government viewed the ARCSS as granting the SPLM-IO concessions at the negotiating table it could not achieve on the battlefield, and worked to undermine the agreement and militarily defeat the rebels.
- President Kiir's announcement that the ten states on which the ARCSS was based would be replaced by 28 states and the government's refusal to implement key provisions of the security arrangements constituted a refutation of the peace agreement. But the response of IGAD, the Troika, and the JMEC was restricted to rhetorical condemnations, which encouraged a sense of impunity on the part of the government and set the stage for the ultimate collapse of the peace agreement.
- Under enormous international pressure, Machar took up his position as FVP in Juba, but it quickly became clear that the TGoNU was unable to function in the face of government obstructions. While the intensity of the war declined in Greater Upper Nile, in response to SPLA killing, raping, and the displacement of civilians in Greater Equatoria and Western Bahr al Ghazal, rebel activity increased in these areas, most of it under the banner of the SPLM-IO.
- Neither government claims that the outbreak of fighting between its forces and the SPLM-IO on 8 July 2016 was a result of an attempt by Machar to carry out a coup or kill Kiir, nor SPLM-IO claims that there was a plan to murder Machar at the presidential palace, can be confirmed. However, during subsequent fighting troops under the SPLA chief of staff, Lt. Gen. Paul Malong, made repeated attempts to kill Machar in Juba and during the SPLM-IO's flight to the DRC.
- In the wake of this chaos a group of SPLM-IO dissidents led by Taban Deng claimed that in Machar's absence they constituted the SPLM-IO, and 'elected' Taban Deng as chairperson of their organization. In what was probably a planned move, Kiir demanded that Machar return to Juba and resume his responsibilities in the TGoNU according to the terms of the ARCSS, and when the latter refused to comply without assurances of protection, Taban Deng was appointed FVP.
- JMEC, IGAD, the UN, and the AU initially refused to recognize Taban Deng's appointment and called for Machar to return to Juba, but without ensuring his security or sanctioning the government for its actions. However, within three weeks, and largely under the influence of the United States, which expected that Taban Deng would be a more effective agent than Machar to bring peace to South Sudan, all these organizations reversed their positions and accepted the new FVP.

- After gaining a degree of legitimacy in the region and internationally, Taban Deng worked to divide the mainstream SPLM-IO so that it could be militarily defeated by the SPLA. However, the SPLM-IO largely remained intact under Machar's leadership, even while he was held under house arrest in South Africa. Moreover, the conflict increased in intensity and geographical extent.
- Promises by the outgoing Obama administration that presidential sanctions on Sudan would be removed because of the country's support in the 'global war on terror' and if it did not provide military assistance to the SPLM-IO and other rebel groups or host Machar, largely proved effective in stopping Khartoum's previous minimal support to the SPLM-IO. The United States and Taban Deng exerted similar pressure on Ethiopia, the only other country in the region that had been favourably disposed to the SPLM-IO.
- While the SPLM-IO has not been able to meet the logistical needs of rebel forces under its banner in Greater Equatoria and Western Bahr al Ghazal, experienced Nuer in their ranks, the organization's early support of these insurgencies, and the inability of other rebel leaders to supply military logistics and qualified officers to lead the rebels help to maintain these forces' loyalty to the SPLM-IO.
- The various opposition politicians and groups are increasingly united in opposing the Kiir regime and Dinka hegemony and have released collective statements on various issues. However, prospects of a common front are hampered by Machar's refusal to disavow the SPLM, which the opposition politicians and groups oppose. Military cooperation is also unlikely because of the disproportionate military capacity of the SPLM-IO compared to that of the other rebel groups.
- Machar is undermining the political and military capacity of the SPLM-IO by opposing institutionalization, democratic accountability, and the formalization of policy, which he fears would threaten his overwhelming dominance of the organization.
- By recognizing Taban Deng as FVP and working to marginalize Machar, the United States has assumed the leading role in what is still officially called the peace process, but it has little faith in more negotiations and even less in reconstituting a government led by Kiir and Machar. As a result, a policy void has developed, which has been exacerbated by the slowness of the incoming Trump administration to announce policies and appoint envoys to deal with the issue.



Although President Kiir signed the ARCSS, the government's organization of anti-peace demonstrations and his long list of objections to the agreement led to pessimism about the prospects for sustainable peace.”

Machar's reluctant return to Juba

Although President Kiir signed the ARCSS, the government's organization of anti-peace demonstrations and his long list of objections to the agreement led to pessimism about the prospects for sustainable peace. Machar initially basked in the glory of being a peacemaker and seeing Kiir under international pressure. But the SPLM-IO was the weaker party to the agreement, given the poor state of its military, which left the organization largely dependent on the international community to ensure the implementation of the ARCSS. And once the international community had successfully forced Kiir to sign the ARCSS, the pressure was turned on Machar to take up his position as FVP, even though critical provisions of the peace agreement were not implemented.

Although South Sudan inherited the ten-state arrangement from Sudan at the South's independence, which was endorsed by the country's Transitional Constitution, and the ARCSS was based on the delegation of power to these states, on 2 October 2015 President Kiir announced that this arrangement would be replaced by a 28-state decentralized system (South Sudan, 2015). The government claimed that this initiative was designed to bring services closer to the people, but it had opposed all SPLM-IO proposals for federalism during the negotiations. Instead, the government's actions were meant to undermine the peace agreement; weaken the SPLM-IO, particularly by ending its control over the oil-producing Upper Nile and Unity states; and generally ensure that Dinka throughout the country would have greater authority over the non-Dinka population, which was consistent with the government's efforts to solidify territorial gains in non-Dinka regions. Lastly, the government wanted to undermine Machar's popularization of federalism and expand patronage.

As well as being in breach of the ARCSS, the establishment of 28 states was in contravention of South Sudan's Transitional Constitution. The constitution does not give the president the right to create states or alter the boundaries of existing states (South Sudan, 2011). Instead, Article 162(1) of the constitution holds that 'the territory of South Sudan is composed of ten states', and any amendment to that provision could only be decided upon by the National Legislature, while Articles 162(3) and (4) only grant the Council of States the authority to alter boundaries. As president, Kiir has the authority to initiate an amendment to the constitution, but did not do so.

Predictably, Machar called foul, but given the SPLM-IO's weak military and the opposition of the international community to the organization's walking away from the agreement, he was stymied. Machar had proposed a 21-state federal system (and had organized local administrations on this basis in areas under SPLM-IO control), but accepted the ARCSS provision that the form of federalism for South Sudan should be resolved after widespread consultation at the end of the 30-month agreement. The SPLM-IO's weakness left it largely dependent on the international community, and while IGAD, the Troika, and the JMEC condemned Kiir's announcement, they did not rule it to be an abrogation of the agreement, and instead called for the parties to reach a negotiated settlement after

Machar returned to Juba. When Machar visited the United States and met Secretary of State John Kerry and Presidential Envoy for Sudan and South Sudan Donald Booth on 3 October 2015, he was told that although the United States did not approve of the 28-state system, its priority was the advancement of the peace process, and this necessitated Machar's return to Juba and his assuming the position of FVP.²

“ . . . the SPLM-IO seriously erred in not accepting the original IGAD proposal that Juba be completely demilitarized.”

Machar reluctantly agreed to return to Juba and attempt to reach a compromise with Kiir on the number of states. However, many in the SPLM-IO opposed his return, particularly allies among the Shilluk and minority tribes who lost the most territory under Kiir's initiative, as well as SPLM-IO chief of staff Lt. Gen. Simon Gatwech and even Lt. Gen. Peter Gadet, who had defected from the organization, but remained a prominent figure in the Nuer community. Not only did Machar's willingness to negotiate with Kiir over the matter make clear the SPLM-IO's weakness, but he became complicit in undermining the ARCSS, because it held that the ten-state system was to continue until the end of the transitional period and that the final dispensation was to be the result of widespread consultation and not of an agreement between the leaders at the beginning of the process. In the event, Machar did not take up his position as FVP for another seven months, by which time the 28-state system was a *fait accompli*. Having faced only token opposition from the SPLM-IO, IGAD, the Troika, and the JMEC, the government went on to create 32 states in January 2017. While the international community complained about the belligerents' impunity, its failure to respond forcefully to this breach of the peace agreement reinforced the view that Juba would not suffer consequences if it did not abide by the ARCSS.

While the decision to create 28 states was a disaster for the SPLM-IO, it also created problems in the government camp, especially in Unity state. Although Kiir had proved remarkably effective in dividing the Nuer clans through his alliance with the South Sudan Liberation Army (Young, 2015), the establishment of 28 states led the Bul Nuer clan of Mayom county to lose much of their territory to the Pariang Dinka, and this seriously undermined the authority and territory of Kiir's key allies, Unity state governor Joseph Manytuil Wejang and his brother, Lt. Gen. Babiny Manytuil Wejang, SPLA deputy chief of staff for moral orientation. This would be a cause of Babiny Wejang's subsequent defection to the opposition, but although disaffected and known to detest Taban Deng, to date Joseph Wejang has remained with the government, which speaks to both the complexity of South Sudanese political relations and their tactical nature.

The second major obstacle to Machar's returning to Juba and taking up the position of FVP was the government's refusal to implement the ARCSS's security arrangements

provisions (see below). Government obstruction was primarily in two areas: the illicit stationing of security forces in Juba and the refusal to accept the cantonment of non-Nuer SPLM-IO forces (although in the event the government did not establish cantonment centres for Nuer forces in Greater Upper Nile either). Meanwhile, the SPLM-IO used the appeal of cantonment as a means to mobilize support in Greater Equatoria.

In retrospect, the SPLM-IO seriously erred in not accepting the original IGAD proposal that Juba be completely demilitarized, while IGAD and the Troika endorsed the government position opposing the parity of forces in the national capital. In the end it was agreed that the government forces (estimated to be more than 25,000) be redeployed 'outside a radius of 25km from the center of the national capital beginning thirty (30) days after the signing of this Agreement and complete after ninety (90) days' (IGAD, 2015, para. 5.1), while the demarcation was to be decided by a workshop. Even at the time it was contended that this measure would not stop the SPLA from quickly moving into Juba if needed and it allowed the national army to potentially block SPLM-IO escape routes in the event of a return to war. The government was also permitted to deploy 5,000 troops in Juba to guard various facilities and an additional 3,000 to participate in a joint integrated police force that would patrol the capital. Moreover, the National Intelligence and Security Service's large forces were not covered under the ARCSS, which was a serious SPLM-IO error of judgement.

More alarming, SPLA chief of staff Paul Malong, who had repeatedly voiced his objection to the peace agreement, was bringing militia forces into Juba from Bahr al Ghazal. The Ceasefire Transitional and Security Arrangements Monitoring Mechanism (CTSAMM), an agency that reports to the JMEC and is responsible for ensuring the implementation of the security arrangements, revealed that government forces were not cooperating with its monitors in implementing security arrangements. CTSAMM chair Maj. Gen. Molla Hailemariam said that he was 'not in the position to declare completion of transitional security arrangements in Juba, since the government has not declared its forces completely' (VOA, 2016). Parallel to the problems faced by the CTSAMM, national and state governments regularly refused to permit forces from the UN Mission in the Republic of South Sudan (UNMISS) to carry out patrols, even though under the Status of Forces Agreement with the government it had the right to patrol, move throughout the country, and use lethal force to protect civilians without government permission. In the final report of the UN Panel of Experts, the panel concluded that 'UNMISS personnel are regularly attacked, harassed, detained, intimidated and threatened' by the SPLA (UNSC, 2016a, para. 142).

Meanwhile, the government objected to the number of SPLM-IO soldiers permitted to return to Juba and the kind of weaponry they could carry. With IGAD's support it was ruled that the SPLM-IO could not bring with it anything larger than light weapons, in contrast to the SPLA, which had heavy artillery, tanks, armoured vehicles, and attack helicopters. Under these conditions the question must be asked why Machar agreed

to return to Juba. The answer is that having lost much of his military capacity because of the defection of the former South Sudan Defence Forces (SSDF) generals and the lack of equipment, especially ammunition (Young, 2015), the SPLM-IO was largely dependent on the international peacemakers to stand up to the government, which they did not do. Instead, Machar was under relentless international pressure to return to Juba, and his delays were held to be an obstacle to the fulfilment of the peace process. John Kerry was particularly aggressive, threatening to have sanctions imposed on Machar if he did not set aside his objections to the ARCSS's security arrangements provisions and return to Juba. Machar also received a similar message during his tour of African countries (Odhua, 2016). The pressure produced results, and on 27 October 2015 Machar signed (with reservations) the permanent ceasefire and transitional security arrangements, but it was still another seven months before he returned to Juba. ●



It did not take long before [the SPLM-IO Advance Mission] concluded that the government was not committed to the peace agreement and that without a robust military force to defend them, they were dangerously exposed.”

The SPLM-IO and Machar in Juba

In contrast to Machar, many of his followers shared the hopes of the international community that the ARCSS would bring peace to South Sudan and they would be able to pursue their party's reform agenda and gain positions in the transitional government. Although Machar failed to dissuade them, he agreed to send a 120-member SPLM-IO Advance Mission under Taban Deng to Juba in mid-December 2015, and in preparation for this two people were sent to make arrangements for the mission's arrival. They quickly discovered that the government had made no arrangements for the mission's arrival, and refused to provide accommodation or food, which had to be provided by USAID.³ They also found themselves again negotiating over the number of SPLM-IO forces, their weaponry, and even the composition of the Advance Mission. Meanwhile, mission members were only permitted to arrive at night—ensuring that they did not receive a popular reception—and it did not take long before they concluded that the government was not committed to the peace agreement and that without a robust military force to defend them, they were dangerously exposed.⁴

Taban Deng tried to reach a compromise over the issue of the 28 states, although his proposal that the government negotiate with the SPLM-IO (which was also the preferred solution of the international community) was decisively rejected at an extraordinary conference of the SPLM in January (to which Machar was not invited). However, Taban Deng's search for a compromise, together with secret meetings he held with government officials, angered his colleagues and forced Machar to call an extraordinary meeting of the SPLM-IO leadership in Pagak. At the meeting Taban Deng's call for agreement on a further increase in the number of states, which Kiir had led him to believe would be acceptable, caused some to demand his arrest.⁵ After considerable debate the SPLM-IO returned to the position of endorsing the original ten states of the ARCSS.

Taban Deng, however, continued to surprise. At a meeting of the Advance Mission on 10 January 2016 he announced that SPLM reconciliation—which had previously been widely opposed by the SPLM-IO membership (Young, 2015)—was a 'non-starter'.⁶ He concluded that with the government unwilling to compromise and committed to militarily and politically defeating the SPLM-IO, nothing could be gained from reuniting the party. While Machar continued to officially support SPLM reconciliation so as not to upset its South African and Tanzanian sponsors, he appointed Dhieu Mathok as secretary-general of the SPLM-IO with the rank of lieutenant general, which some understood to institutionalize the SPLM split, although Machar's position remained ambiguous.

Even after signing off on the security arrangements, Machar had problems organizing his disparate forces to accompany him to Juba. Obstacles included the government's refusal to accept SPLM-IO forces from Greater Bahr al Ghazal and Greater Equatoria because it denied there were any rebellions in these parts of the country, the UN's objection to flying armed SPLM-IO soldiers to Juba, government complaints about the SPLM-IO's weaponry, and the fact that long after the ARCSS was signed there were still disagreements over the number of SPLM-IO forces permitted to deploy in Juba. In the

event, Machar did not challenge the government's rejection of SPLM-IO Bahr al Ghazal and Equatorian forces, which led some to accuse him of not trusting non-Nuer. But the number of SPLM-IO soldiers to be sent to Juba remained unresolved, although Ethiopia offered to transport the SPLM-IO's armaments to the capital. After many false starts Machar and 1,300 SPLM-IO soldiers arrived in Juba on 26 April 2016 and were shortly followed by 450 police who were to form the SPLM-IO component of the Joint Integrated Police (JIP). But because the government feared a popular reception, Machar was only permitted to arrive in Juba late in the evening and the SPLM-IO was not allowed to hold a rally. Machar was sworn in as FVP of the TGoNU the next day and the cabinet took office in the following week.

The formation of the TGoNU did not serve to overcome SPLM-IO differences with the government over the number of states, security arrangements, and other issues. Nor did Machar's arrival in Juba resolve conflicts within the SPLM-IO—indeed, it fostered new ones. Alfred Ladu Gore was appointed minister of the interior and Richard Mulla became minister of federalism, without objection. But Taban Deng was very upset at his appointment as minister of mining and made clear his desire for the petroleum ministry, which was assigned to Dak Duop Bishop on the recommendation of Machar's wife, Angelina Teny, who trusted Bishop more than Taban Deng. The latter's dissatisfaction soon led to rumours that he would defect over the issue. Ezekiel Lol Gatkuoth was similarly aggrieved at not being assigned a ministerial position, and instead continued to serve as Machar's executive secretary. Another senior SPLM-IO member, Stephen Parr, was not given an official position, and so returned to the United States. There were also complaints from the Fanjak Nuer at their meagre representation in the cabinet. Machar's appointment of 50 members to the National Assembly upset the Nuer, who felt that their heavier burden in the war should be rewarded. He appointed 15 Nuer, 17 Dinka, 13 Equatorians, and 5 from other tribes. What was striking about these appointments—and Machar's earlier appointments of 21 governors under his federal system—were their relative youth and lack of experience, which made them largely dependent on the leader.

At the first cabinet meeting on 6 May 2016 Machar called for the release of prisoners of war, and for the government to take up the matter of the 28 states, cantonment across South Sudan, and the government's failure to implement the ARCSS security arrangements (*Sudan Tribune*, 2016a). The latter point was confirmed by Human Rights Watch, which estimated that 10,000–12,000 SPLA soldiers were hiding in Juba's residential areas dressed as civilians (HRW, 2015). The government studiously ignored these issues, and they were not sufficiently pressed by IGAD and the Troika.

Meanwhile, both parties continued to flout the ARCSS. Repeated clashes occurred between SPLA and SPLM-IO forces in Unity state (Craze, Tubiana, and Gramizzi, 2016), as well as in Eastern and Western Equatoria and Western Bahr al Ghazal (*Sudan Tribune*, 2016b; 2016c; 2016d). There was another crisis on 24 June, when three weeks after Kiir,



In the final days of the peace agreement security conditions in the country rapidly deteriorated.”

Machar, and Second Vice President James Wani Igga had reached an agreement on the establishment of cantonment sites for the SPLM-IO, Kiir refused to sign it (*Sudan Tribune*, 2016e). He also refused to accept the terms of reference for a committee to review the number of states in the country. In the final days of the peace agreement security conditions in the country rapidly deteriorated.

Tensions increased in Juba, exacerbated by roadblocks set up around the city that were supposedly designed to ensure security, but were viewed by the SPLM-IO as harassment. On 2 July two SPLM-IO soldiers were killed, including Lt. Col. George Gismalah, whom the SPLA accused of being a spy. In an effort to improve relations between the president and his FVP, Machar was given the honour of handing over Kiir’s daughter in marriage on 7 July. On the same day SPLM-IO soldiers bringing food to their comrades at Machar’s office were stopped at a checkpoint in the Gudele area of Juba and in the ensuing firefight two SPLM-IO soldiers were wounded and five SPLA soldiers killed, including the brother of Nhial Deng Nhial.

The meeting of the Council of Ministers scheduled for 8 July was cancelled and the JMEC chairperson called an emergency meeting between Kiir, Machar, and Igga at the presidential palace. During heated questioning Machar said that the officer responsible for the deaths of the five SPLA soldiers in Gudele had been arrested, but he was subsequently identified as part of Machar’s guards and shot, thus providing the stimulus for widespread fighting.⁷ The personal bodyguards of the president and two vice presidents maintained their composure, however, and there were no clashes in the room. With an apparent end to fighting outside the presidential palace, a joint SPLA–SPLM-IO force escorted Machar to his base.

No consensus has emerged on how these developments transpired, although government claims that Machar had attempted to carry out a coup or that he tried to kill Kiir can be dismissed, because SPLM-IO forces were too few and lightly armed for such actions compared to the superior forces of the SPLA. Meanwhile, SPLM-IO supporters claimed that, as was the case in December 2013, the government tried to assassinate Machar, but this too cannot be confirmed. International opinion was divided, but generally attributed the fighting to the growing tensions between the belligerents over the previous weeks. International observers were largely of the view, however, that the SPLA used the outbreak of fighting as a pretext to try and eliminate the SPLM-IO in Juba (CIVIC, 2016). An SPLA helicopter gunship targeted Machar’s house, and subsequently the United States would justify its efforts to bring sanctions in the UN Security Council against SPLA chief of staff Paul Malong by accusing him of attempting to kill Machar

(UNSC, 2016b). Within minutes of the outbreak of fighting at the presidential palace, Peter Gadet in Khartoum joined Simon Gatwech and James Koang in directing SPLM-IO forces.⁸

SPLA soldiers used the opportunity of the crisis to kill and abuse mostly Nuer civilians, rape NGO workers, loot the main warehouses of the World Food Programme (WFP, 2016), target people in the UN protection of civilians (PoC) camps in Juba, and kill more than 30 internally displaced persons (IDPs) (CIVIC, 2016, p. 19). Some IDPs left the PoC camps to fight with the SPLM-IO against the SPLA before later returning. SPLM-IO members of JIP also joined their comrades. The UN called for a cessation of hostilities on 9 July, but it failed to take hold. While the SPLA dominated the fighting with the support of Ugandan soldiers, SPLM-IO forces captured some barracks where they acquired weapons, which were distributed to their IDP supporters. They also captured some heavy artillery, which was turned over to their Equatorian allies during the retreat from Juba on 10 July. The retreating SPLM-IO force was joined by many largely Nuer and some Equatorian youths from the PoC camps. Hoping that a popular insurgency might take place in the capital, the SPLM-IO force stayed in the Juba area for a day or two before leaving. However, some of the Equatorian and Nuer SPLM-IO fighters stayed in Central and Western Equatoria, and, together with the captured heavy artillery, significantly improved the capacity of the local SPLM-IO-affiliated rebels to fight the SPLA. Too unfit to survive the retreat, Lt. Gen. Shayot Manyang (field name ‘Saddam’), the SPLM-IO governor of Adar, took refuge in a Juba PoC camp, where he remains, and served as governor of his state until he was replaced on Machar’s orders by Brig. Gen. Nhail Nyal Ding on 27 July 2017 (*Sudan Tribune*, 2016h).

Meanwhile, Machar and his retreating force of soldiers, politicians, and civilians marched for 30 days under SPLA ground and air attack before reaching safety in Garamba National Park in the DRC on 14 August (Small Arms Survey, 2017). Many died en route, and Machar had to be carried part of the way. He arrived emaciated and suffering from leg wounds. The condition of the survivors was so desperate that they continued to die even after receiving food and medical attention from the UN Organization Stabilization Mission in the DRC. Together with some family members and close colleagues, Machar was flown to Khartoum for more medical treatment, although the Sudanese government emphasized that his presence was based on the government’s humanitarian concerns and did not imply support for the SPLM-IO. An additional 139 senior and ill SPLM-IO members were evacuated to Khartoum on 24 August, but hundreds more remained in the DRC (Small Arms Survey, 2017, pp. 6–7). Their fate became the subject of international debate, with the SPLM-IO soldiers demanding they be returned to their families in rebel-occupied South Sudan or sent to neighbouring countries, while the South Sudanese government insisted they be returned to South Sudan. Festus Mogae, chairperson of the JMEC, followed the government position and urged that they be given amnesty and returned to South Sudan.

In late May 2017 there were still 631 fighters in the DRC, most of them Nuer, and according to their senior commander, Lt. Gen. Dheling Chuol, all loyal to the SPLM-IO and

Riek Machar, to whom Chuol regularly spoke.⁹ Only eight soldiers of the original 752 accepted an amnesty offer by the Juba government, and in June and July some managed to leave the DRC. After their arrival in the DRC, Taban Deng tried to convince the soldiers to return to South Sudan and the South Sudanese ambassador to the DRC attempted to talk to them, but they refused and insisted on being relocated to a country of their choice. ●

“Critical to the legitimacy of Taban Deng’s appointment was the attitude of the international community.”

Crowning Taban Deng as first vice president and marginalizing Machar

In the wake of Machar's departure for the DRC Taban Deng and a handful of disgruntled SPLM-IO officials remained behind in Juba, where it soon became obvious that they would make common cause with the South Sudanese government. As a result Machar dismissed Taban Deng from the party on 22 July 2016 (*Sudan Tribune*, 2016f). Taban Deng, however, brought together the frail Alfred Ladu Gore and Richard Mulla, who were unable to flee to Juba with the SPLM-IO forces; Dhieu Mathok, who was badly beaten and traumatized in his hotel by government police; Ezekiel Lol Gatkuoth, who had long been expected to join the Former Detainees (FD) group; Hussein Maar, who was aggrieved because he was not appointed minister of petroleum; and a handful of others. They held a meeting in Juba on 23 July, proclaimed themselves the SPLM-IO until Machar could resume his responsibilities as FVP, and 'elected' Taban Deng as chairman and commander-in-chief of the SPLM-IO (Craze, Tubiana, and Gramizzi, 2016). After calling on Machar to return to Juba and resume his position as FVP, Kiir recognized Taban Deng as leader of the SPLM-IO and on 26 July 2016 appointed him FVP, although the initial announcement referred to the appointment as 'interim' and 'temporary' (SABC, 2016). By so doing, Taban Deng and Kiir attempted to claim that their clearly illicit actions were consistent with the terms of the ARCSS.

Critical to the legitimacy of Taban Deng's appointment was the attitude of the international community. The JMEC chairperson, Festus Mogae, responded first, saying, 'We recognize First Vice President Riek Machar as the legitimate leader of the SPLM-IO', but went on to say that 'A change to the leadership depends on the [SPLM-]IO itself and we are not here to speculate as to any change of leadership' (EBC, 2016). On 26 July 2016 the UN warned President Kiir that Taban Deng's appointment as FVP constituted a violation of the ARCSS, although this was somewhat undermined by UN Secretary-General Ban Ki-moon, who said that the UN would continue to work with the TGoNU to ensure the implementation of the peace agreement (*Sudan Tribune*, 2016g). The response of the IGAD Heads of States Summit of 5 August was also confused, but it did not endorse Taban Deng as FVP. The IGAD statement said that the organization

Encourages H.E. Dr Riek Machar to rejoin the peace process and for H.E. President Salva Kiir Mayardit and the people of South Sudan to embrace a return to the spirit of long lasting peace in their country. In this regard, [it] welcomes the gesture of H.E. General Taban Deng Ghai to step down with a view of returning to the status quo ante in line with the ARCSS (IGAD, 2016).

The AU's Peace and Security Council also called on Taban Deng to step down so that Machar could be reinstated as FVP (*Sudan Tribune*, 2016i).

Three weeks later the virtual consensus around rejecting Taban Deng as FVP began to break down. First off the mark was US secretary of state John Kerry, who said after meeting with regional foreign ministers in Nairobi on 22 August 2016,

With respect to Machar, it's not up to the United States; it's up to the leaders of South Sudan and the people of South Sudan and the political parties and the political process, and their neighbors, to weigh in on what is best or not best with respect to Machar (*Sudan Tribune* 2016j).

He was followed by JMEC chair Mogae, who said that diplomats 'don't have an option' and that Taban Deng's appointment 'adds weight to efforts to realize peace in the country' (Associated Press, 2016). While calling for Machar to resume his position as FVP at its 5 August Heads of States Summit, IGAD pledged to abide by the South Sudanese government's decision to appoint Taban Deng to the post. The UN and AU took similar positions. Speaking to the US Congress on 7 September, Special Envoy Donald Booth said that Machar should not return to the post of FVP (Kelley, 2016). The consensus opposed to endorsing Taban Deng as FVP followed by a new consensus supporting him makes clear the overriding influence of the United States.

To pursue his agenda Taban Deng needed a loyal team, and he turned to the people who elected him as SPLM-IO leader. Thus, two weeks after his inauguration as FVP, Taban Deng appointed Alfred Ladu Gore as minister of land, housing and urban development, Richard Mulla as minister of federal affairs, Ezekiel Lol Gatkuoth as minister of petroleum, and Dhieu Mathok as minister of electricity and dams, while Hussein Maar (unhappily) held his old position of minister of humanitarian affairs. Taban Deng also placed supporters in key positions in the civil service, began building up a parallel party organization, and through financial inducements attempted to convince Nuer to leave Machar and join him.

Taban Deng's project crucially depended on his ability to out-compete Machar for support in the mainstream SPLM-IO. But the conclusion drawn by an earlier Small Arms Survey paper that Taban Deng's support is largely Juba based continued to be correct (Craze, Tubiana, and Gramizzi, 2016). Taban Deng has had some successes, but they can largely be attributed to the parallel US efforts to marginalize Machar by labelling him an obstacle to peace. During his recuperation in Khartoum after his flight from the DRC, the Sudanese government did not permit Machar to speak publicly, but he was able to call a meeting of the SPLM-IO Politburo in Khartoum on 20–23 September to chart a new direction in the wake of the SPLM-IO's forced departure from Juba. This meeting concluded that the ARCSS and TGoNU had collapsed; called on the international community to condemn the Juba regime as a 'rogue government'; asked IGAD to rapidly deploy the Regional Protection Force, which the international community had previously called for, in Juba and all major urban areas of South Sudan; and asked for cantonment centres that included all armed forces to be established throughout the country. The SPLM-IO reaffirmed that it was 'committed to peaceful resuscitation of the Agreement and reinstatement and reconstitution of the TGoNU', and to the implementation of the various ARCSS provisions (SPLM-IO, 2016a). But it also called for the



... even though it was the government that threw up the most obstacles to implementing the peace agreement, based on the SPLM-IO's Khartoum statement the United States contended that Machar, and not the government, was the primary obstacle to the peace process.”

conversations during his retreat to the DRC to agree on a ceasefire to protect the citizens of Juba—based on the SPLM-IO's Khartoum statement the United States contended that Machar, and not the government, was the primary obstacle to the peace process. Secretary of State spokesperson John Kirby ‘strongly condemned’ what he called Machar’s statements and said, ‘We find it inexcusable that he would continue to promote armed resistance’ (*Sudan Tribune*, 2016m). Condemnation of the SPLM-IO Politburo statement, which was presented as Machar’s words, was also taken up in the region¹⁰ and would provide the justification for a subsequent failed US attempt to sanction Machar in the UN Security Council. Belatedly realizing that he had been outflanked, Machar issued a statement that made no mention of war making and instead emphasized his commitment to peace and the personal risks he had taken to achieve peace, and laid out a proposal for advancing the peace process (SPLM-IO, 2016b). However, this did nothing to undermine what was virtually an international consensus that he was a major obstacle to achieving peace in South Sudan.

The United States and Taban Deng also pressured governments in the region, notably those of Sudan and Ethiopia—the only ones that had been favourably disposed to Machar and the SPLM-IO—not to host Machar. During his visit to Khartoum in late August Taban Deng said, ‘We hope Sudan wouldn’t serve as a launching pad for Machar’

reorganization of the SPLA (IO) so that it can wage a popular armed resistance against the authoritarian and fascist regime of Salva Kiir in order to bring peace, freedom, democracy, and the rule of law to the country (SPLM-IO, 2016a).

This inconsistency derived from an attempt to reconcile a continuing SPLM-IO commitment to peaceful means to end the conflict with the simultaneous belief that since the government had fatally undermined the ARCSS, the organization had no option but to pursue an armed struggle.

As international observers affirmed, even though it was the government that threw up the most obstacles to implementing the peace agreement—by initiating the July fighting in Juba, attempting to kill Machar, targeting SPLM-IO forces during their retreat to the DRC, and Kiir’s refusal of Machar’s request in repeated phone

(*Sudan Tribune*, 2016k), but given Taban Deng's sending of supplies to Sudanese rebels during his term as governor of Unity state and his inability to stop his own government from continuing to support the same rebels, his voice probably did not carry much weight. But the voice of the United States did. It had influence over Sudan because it held out the possibility that unilateral sanctions would be eased if Khartoum did its bidding. Thus, in the fading days of his administration, President Obama announced that some sanctions against Sudan would be lifted after 180 days because of its support for anti-terrorism measures, but the ruling also included a provision that Khartoum should not support any South Sudanese rebel groups (Gearan, 2017). Sudan also concluded that any initiative it might take would be misinterpreted by its enemies and thus its actions would only proceed as part of a collective effort, notably through IGAD.¹¹ The combination of US threats and promises worked, and although the Sudanese government did not pose any obstacles to SPLM-IO and other rebel officials residing in Khartoum, visiting the city, or even carrying out under-the-radar political activities, it made clear that Machar was not welcome. In the event the Trump administration added three months to Obama's order, which would have lifted sanctions on 12 July 2017.

Ethiopia had hosted Machar during the IGAD negotiations and is the main route by which SPLM-IO officials reach their field headquarters in Pagak, Upper Nile. Under Meles Zenawi the country had played a leading role in the region, but his successor, Haile-Mariam Desalegn, has been unable to bring to bear Ethiopia's considerable potential power in the region. Ethiopia's position has been further eroded by an ongoing internal political crisis, and the government did not want to annoy the United States. There were concerns in Addis Ababa that Juba would align with Cairo over the latter's opposition to the Renaissance Dam, and it was alleged that Egypt was supporting the Oromo Liberation Front and other dissidents that could threaten Ethiopia's security, and thus there was a desire to keep Juba on Ethiopia's side. Both the Addis Ababa office of the SPLM-IO and Taban Deng's representative to Ethiopia confirmed that by the end of 2016 government sympathies had shifted from the SPLM-IO to the Kiir government.

However, according to diplomats, what may have proved critical in Ethiopia's decision to refuse to host Machar were repeated phone calls by John Kerry and National Security Advisor Susan Rice to Prime Minister Desalegn and Minister for Foreign Affairs Workneh Gebeyehu urging them not to let Machar reside in the country. Ethiopia complied with this request, even while it subsequently permitted Lam Akol and Lt. Gen. Thomas Cirillo to live in Addis Ababa, leaders respectively of the National Democratic Movement and National Salvation Front, which—like the SPLM-IO—are committed to the overthrow of the Juba government. Nor did Ethiopia prevent Taban Deng from setting up his own office in Addis Ababa based on the fortuitous defection of the SPLM-IO's country representative, David Dang, to his camp. However, to date the Ethiopian government has not interfered with SPLM-IO leaders or stopped them from transiting the country to Pagak, perhaps out of concern for the sensitivities of the Nuer of Gambella in western Ethiopia, who are virtually united in support of Machar and the SPLM-IO.

Uganda backed the South Sudanese government, and Kenya had long been a close ally of the United States and hosted its military bases, so it was unlikely to be friendly territory for the SPLM-IO. Indeed, Kenya turned over the SPLM-IO's spokesperson, James Gadet, to the Juba government (*Sudan Tribune*, 2017b), while two other SPLM-IO officials—human rights lawyer Dong Samuel Luak and Aggrey Idri Ezbon—went missing from the Kenyan capital in January, and it is suspected that they are being held by South Sudan's National Intelligence and Security Service. Djibouti also hosts a major US military base and plays a key role in the US-led 'global war on terror' in the Red Sea area, and it could not be expected to oppose US interests.

Beyond the region, Taban Deng's priority has been the United States, which after July 2016 has become the leader of what was still called the peace process, even if it has not made clear where it wished the process to go. Taban Deng's task in Washington was to convince the United States that he was in control, had a workable plan to bring stability to South Sudan, and had support in the country. He also wanted to win the favour of the large Nuer community in the United States. Despite having largesse not available to Machar, he failed in this task, as he has with Nuer elsewhere in the diaspora and in South Sudan. Most Nuer organizations in Australia, Canada, and the United States, which have the largest Nuer populations outside Africa, were quick to come out in support of Machar and condemn Taban Deng, who was viewed as a traitor. His biggest success in East Africa has been that of organizing an office in Addis Ababa, which has attracted male Nuer youths who hope that their affiliation will enable them to obtain grants to study in Ethiopia. Taban Deng also has a small following in Gambella, which is home to many displaced Nuer. Despite conducive environments, he has not managed to establish offices in either Nairobi or Khartoum. He has attracted some youths from his western Jikany clan in Unity state to a militia he has established. But as noted above, his primary base remains in Juba, where he and Ezekiel Lol Gatkuoth, who has access to finances through his position as minister of petroleum, have bought support through the dispensation of patronage. Unlike Machar, who has tried—with some success—to make the SPLM-IO an ethnically broad house, Taban Deng has only attempted to win the support of the Nuer, and as a result can at best claim to be a tribal leader. Taban Deng is also believed to play an important role in the government's internal politics. He encouraged Kiir's decision to remove SPLA chief of staff Paul Malong, serves as a counterweight to the powerful Jieng Council of Elders, and supports SPLM reunification as a means to further marginalize Machar.

With Machar increasingly isolated, Taban Deng contended that unlike his former leader, he could work with Kiir to ensure the implementation of the ARCSS, even though his appointment was itself in breach of the peace agreement. Also in breach of the ARCSS, Taban Deng said there was no need for two armies in one country and that the SPLM-IO army would be immediately reintegrated into the SPLA. One year after this commitment the reintegration process has not happened. Taban Deng promised to ensure that cantonment centres would be established in Equatoria and Western Bahr al Ghazal,

but this has not been realized either, in the absence of the expected defecting rebels. He also hoped to revise the 28-state system, which unduly favours the Dinka, but here too he failed. He promised that he would attempt to advance the peace process in South Sudan, but in the year since his appointment the conflict has intensified. In May 2017 he managed to convince the CTSAMM to replace the SPLM-IO representatives with his claimed SPLM-IO representatives, thus fatally undermining the CTSAMM.

Meanwhile, after leaving Khartoum for South Africa in November 2016 to receive medical treatment, Machar was placed under house arrest in Pretoria.¹² The South African government has alternately claimed he is a 'guest', has been replaced as SPLM-IO leader, and is being detained to preserve peace. Machar is convinced that the United States is behind his detention, and this may be true,¹³ but South African deputy president Cyril Ramaphosa, who serves as President Jacob Zuma's special envoy to South Sudan, is close to the FD, holds Machar responsible for the division in the SPLM, often sides with Ugandan president Yoweri Museveni, and has shown sympathy for the Juba government. Machar attempted to return to the region, but found neither Ethiopia nor Sudan willing to accept him: since being placed under house arrest Machar reports that he has repeatedly tried to speak with the authorities in Addis Ababa and Khartoum, but they have not responded.¹⁴ ●



The defection of Taban Deng and his colleagues, their replacement, and Machar's detention in South Africa have changed the way in which power is organized in the SPLM-IO, but not as much as would be expected.”

Organization of power in the SPLM-IO

The defection of Taban Deng and his colleagues, their replacement, and Machar's detention in South Africa have changed the way in which power is organized in the SPLM-IO, but not as much as would be expected. Machar is no longer able to have face-to-face contacts with his colleagues and does not have the same capacity to conduct party affairs as in the past, but major decisions on foreign relations, political and military strategies, and the appointment and dismissal of SPLM-IO officials remain completely his prerogative, and he continues to micro-manage the organization. Machar claims that he talks to the SPLM-IO chief of staff, Lt. Gen. Simon Gatwech, almost every day, and other officials when needed. He said he played a critical role in arranging the release of captured oil workers in northern Upper Nile in late 2016 and has directly supported other humanitarian engagements. He claims that through WhatsApp he engages in more discussions with his followers than previously.¹⁵ More serious than his communications problems has been his inability to provide SPLM-IO forces with military logistics, and this has led to some loss of control, a focus by commanders on local-level conflicts, and a general fragmentation of the war.

The problems with Machar's leadership remain the same as before he was placed under house arrest: he continues to totally dominate the movement, is unwilling to share power, and has repeatedly thrown up obstacles to SPLM-IO institutionalization, which could undermine his authority. His lack of vision is manifest in the absence of convincing military and political strategies. These problems came to a head during his convalescence in Khartoum after the trek to the DRC, and some SPLM-IO leaders asked Machar for a leadership review. But he managed to ride out the storm, in part because with the organization in crisis, members felt a leadership struggle was to be avoided. However, the dissatisfaction continued among the SPLM-IO's intellectuals, including many among the leadership. These intellectuals are broadly made up of three groupings: the first group fully endorses Machar's leadership and is not prepared to entertain any idea of his replacement; a second group is made up of people who acknowledge his failures, particularly his usurpation of power, but do not think it is the right time to review his leadership; and a third group considers him an obstacle to the fulfilment of the SPLM-IO's objectives and contends that he should step down, although its members do not want to be publicly identified and have not rallied around any potential replacement.

While never popular among the intellectuals, Machar has long had a strong support base among the traditional Nuer authorities and the people, and there is no reason to think that this has fundamentally changed. The SPLM-IO conferences at Pagak were an expression of democratic will and provided a measure of accountability entirely lacking within the Juba government. But by controlling the agenda and overseeing the wording of the final resolutions, Machar only had to make minor concessions to popular sentiments, and forged ahead with SPLM-IO reconciliation and the peace process despite being opposed by most of the organization's membership (Young, 2015).

The only serious challenge to his power was by the former SSDF generals, and their departure was probably a great relief even though it did irreparable damage to the

SPLM-IO's fighting capacity. Appealing to Nuer solidarity, Peter Gadet has repeatedly proposed reconciliation and his own return to the SPLM-IO, but Machar has not responded positively. Since Machar has for so long held the mantle of Nuer leadership, there are few suitable candidates to replace him. Unless he agrees to step down (which seems unlikely), any attempt to displace him could lead to those planning to do so to be considered enemies of the Nuer and leave the tribe exposed to Dinka depredations. The former SSDF generals were considered heroes until they publicly challenged Machar, after which their own community rejected them (Young, 2015).

Angelina Teny has always been influential and, as noted above, she played a critical role in the assignment of SPLM-IO cabinet positions in the short-lived TGoNU. But her power is widely resented in the SPLM-IO. With Machar isolated in Pretoria, Teny has become a roving ambassador for her husband and the SPLM-IO, although diplomats dislike her almost as much as Machar, probably because she has a reputation for being hard-headed and uncompromising. She presently holds the position of secretary of the SPLM-IO's Security Committee, but her influence reaches far beyond security-related matters.

Chief of Staff Simon Gatwech is not comfortable in the political realm, has told others that he is too old to lead the war, and is not a candidate for Machar's position. Moreover, the SPLM-IO lost a string of towns in its heartland of Upper Nile. What was expected to be a major SPLM-IO challenge for control of the oil fields of northern Upper Nile led by Lt. Gen. James Koang in late 2016 instead produced a stronger SPLA presence in the region than at any time since the start of the war. However, the SPLM-IO claims that these government victories only translate into control of major towns, the government has little presence in the countryside, and few people outside the Dinka core support it. Meanwhile, political opposition to the government grows, the international community is becoming increasingly disenchanted with the Kiir government, and even some US allies are expressing dissent (albeit privately) at where support for Taban Deng and Machar's marginalization have taken the peace process.

New people have been appointed in the SPLM-IO to replace those who followed Taban Deng into the government, and Machar dismissed those he suspected of supporting Taban Deng, including Sobat governor Duor Tut, although it was later appreciated that the allegations against him were false. The most important appointment was Henry Odwar as deputy chairperson to replace fellow Equatorian Alfred Ladu Gore. Both appointments were meant to provide regional balance and assure Equatorians that the SPLM-IO was a national organization and not a Nuer-dominated one (in similar fashion to the Dinka domination of the SPLM). Odwar's authority, however, is undermined not only by Machar's fetish for control, but by his own health problems and geographical isolation in Canada, lack of a military background, rejection by some traditionally minded Nuer of any non-Nuer holding a position of leadership in the SPLM-IO, not being widely known in the organization, and a lack of charisma. On the positive side, Odwar is intelligent, competent, committed, and supported by international diplomats who have limited access to Machar and want alternative sources of power in the SPLM-IO. Crucially,



Despite weak political leadership and a perennial shortage of military logistics, the SPLM-IO has made major inroads in the Equatorian states, particularly Western Equatoria, and, it would appear, parts of Bahr al Ghazal, especially in the west with its large non-Dinka population.”

Machar made him responsible for coordination with other opposition groups (see below), which has given him a window into international affairs and a means to gain personal legitimacy.

Machar appointed Tingo Peter Regbigo, a Fertit from Wau, as secretary-general of the SPLM-IO to replace Dhieu Mathok, a Dinka from Northern Bahr al Ghazal. Regbigo is a former deputy speaker in the Western Bahr al Ghazal legislature and was involved as a community leader in the revolt against the Dinka-led government seven months before the December 2013 attacks on the Nuer in Juba. After fleeing to Juba, and subsequently to Khartoum, he met Machar in Addis Ababa, where they initially only talked about military logistics and not affiliation with the SPLM-IO.¹⁶ But convinced that Machar and his party were committed to a transformation of the South Sudanese state and to federalism, Regbigo joined and became SPLM-IO governor of Lol state.

Regbigo would like to begin constructing an alternative party to the SPLM, which his Fertit supporters abhor, but he has not gained Machar’s approval to establish a secretariat. Machar appointed the departmental secretaries in September 2016, but many of their staff have not been appointed and some of the secretaries do not view their positions as full time. Machar appointed a new SPLM-IO Politburo of 28 members after the loss of 7 members to the Taban Deng faction (10 from Greater Upper Nile, of whom 6 were Nuer, and 18 from Greater Equatoria and Bahr al Ghazal), which both reflects the changing course of the war and, like his earlier appointments to the legislature, Machar’s desire to bring non-Nuer to the fore. But perhaps out of fear that he could not control the meeting, the Politburo has not met since the ill-fated Khartoum meeting of September 2016. The SPLM-IO’s National Leadership Council has been equally inactive and there are no plans for an SPLM-IO conference. While finances and logistics pose barriers, most likely Machar fears a strong party organization and that holding party meetings could undermine his present unassailable authority. In this he is following the well-established path of John Garang and Salva Kiir, but it undermines the capacity of the SPLM-IO to mobilize people, develop programmes, and politically challenge the government, and it casts doubt on Machar’s claim to represent a progressive alternative

to the present regime. Machar's failure to commit to the formation of a new party reinforces doubts as to whether—and against the wishes of a large majority of SPLM-IO members—he still entertains the notion of SPLM reconciliation. That said, Machar claims that giving up the name 'SPLM-IO' would serve to leave it to Taban Deng's renegade organization, and thus urges caution and delay.

Despite weak political leadership and a perennial shortage of military logistics, the SPLM-IO has made major inroads in the Equatorial states, particularly Western Equatoria, and, it would appear, parts of Bahr al Ghazal, especially in the west with its large non-Dinka population. Meanwhile, popular Equatorial leaders like Joseph Bakosoro and Thomas Cirillo have arrived on the scene late in the day, have little or no weaponry to offer potential recruits, and do not have experienced officers in the field to lead the resistance. If these or other leaders could meet the needs of the rebels there could be significant defections from the SPLM-IO, particularly if these Equatorial leaders, and notably Cirillo, start campaigning among both the Dinka and the Nuer. There is also no denying fears—which also exist among the Nuer—that Machar could put his own leadership ambitions or attachment to the SPLM above the SPLM-IO's collective interests.

The SPLM-IO has made considerable efforts to maintain the loyalty of the Nuer internationally, which is curious, given Machar's attempts to build a multi-ethnic organization. As a result, SPLM-IO officials spend much time mobilizing and raising finances among supporters in Australia, Canada, and the United States, which also happen to be home for many of their families. They also meet with government officials, but their profile remains low and until recently few doors were open to them in Washington. Like all the parties to the conflict in South Sudan, the SPLM-IO is confused by a US policy that at the time of writing has not changed since the coming to power of the Trump administration, even though this policy has clearly failed. Although Washington continues to support Machar's detention, according to SPLM-IO representatives in Addis Ababa and Khartoum, US officials have recently begun to talk to him and the organization's officials.¹⁷

In the absence of the mass Pagak conferences, social media are assuming an increasingly important role in the affairs of the SPLM-IO. There is the SPLM-IO Forum for External Relations, an official channel largely controlled by Machar, who regularly participates in its deliberations. The SPLM-IO Liberation Council has its own forum restricted to members, all of whom Machar appointed. In addition, SPLM-IO supporter Manasseh Zindo established the Actors for Change as an independent forum in February 2017. Anyone can participate, and it includes senior SPLM-IO officials like Peter Adwok and non-party members like Lt. Gen. Thomas Cirillo, Governor Joseph Bakosoro, and Hakim Dario. Given the wide geographic dispersal of SPLM-IO members, including those stranded in the DRC, these forums play a crucial role in building solidarity, providing channels of communications between SPLM-IO leaders and supporters, facilitating dialogue within the leadership, and serving as a means for the membership to debate issues.¹⁸

Among the most widely debated issues of late is the government's proposed national dialogue, which the SPLM-IO, like other opposition groups and many in the international community, view as impractical, given the lack of basic freedoms in the country, Kiir's refusal to conduct it outside the country where rebels would feel secure, his unwillingness to release political prisoners, and his refusal to permit Machar's participation. Moreover, despite a national dialogue and officially announcing a unilateral ceasefire, the government has relentlessly carried on military campaigns throughout the country. Views are mixed on the demands of the international community for a ceasefire, with some thinking that the SPLM-IO cannot bluntly reject it and thus give further credence to the view that the organization only has a war strategy and not a peace strategy. But given the collapse of the peace process, the lack of confidence in the international community, and SPLA attempts to capture the SPLM-IO military headquarters of Pagak, laying down arms before a government that has repeatedly abrogated the peace agreement would seem suicidal. ●



Apart from the SPLM-IO, the only other groups that claim to have military wings are the NDM, NSF, and FDP, and these forces must be very small.”

SPLM-IO relations with other opposition parties

A part from ending Machar's political isolation, a leading SPLM-IO concern has been its relations with opposition groups calling for the overthrow of the government. Although there are a number of such groups, IGAD only recognizes the SPLM-IO. Others include the National Democratic Movement (NDM) of Lam Akol, the National Salvation Front (NSF) of Lt. Gen. Thomas Cirillo, the Federal Democratic Party (FDP) of Gabriel Changson, the South Sudan National Movement for Change of former Western Equatoria governor Joseph Bakosoro, the People's Democratic Movement (PDM) led by Hakim Dario, the FD led by Pagan Amum Okiech, and the tiny United Democratic Republic Alliance led by Thomas Tut Doap, a Lou Nuer from Akobo. Apart from the SPLM-IO, the only other groups that claim to have military wings are the NDM, NSF, and FDP, and these forces must be very small, while there have always been doubts as to the whether the FD can be considered a genuine opposition group, since leading figures in the group are ministers in Kiir's government: Deng Alor Kuol is foreign minister and John Luk Jok is transport minister.

While on a visit outside the country in July 2016 as the newly appointed minister of agriculture, Lam Akol resigned as chairperson of the Democratic Change party and formed the NDM with the hope that it would provide an over-reaching front for groups opposed to a 'totalitarian, corrupt and ethnocentric regime in Juba' (*Sudan Tribune*, 2016). While Akol initially expressed the hope that his organization could develop cooperative relations with the SPLM-IO and Peter Adwok attended a meeting to try and form a broad front, very quickly the two groups entered a competition for members, influence, and territory in Upper Nile that turned violent. Two former SPLM-IO generals, Maj. Gen. Gabriel Tang Gatwich Chan (field name 'Tanginye') and Brig. Gen. Chuol Gahga Yar, together with Maj. Gen. Yohanis Okiech, joined Akol's camp. But Tang and Okiech were killed during fighting with the SPLM-IO-affiliated forces of Johnson Olony in the Hamra area of northern Upper Nile in early January 2017 (*Radio Tamazuj*, 2017a). This seriously limited hopes that the NDM could become a significant force in the area, and largely left it to the SPLM-IO.

Joseph Bakosoro, a Zande, had close relations with Machar when he served as governor of Western Equatoria, and a representative of his attended a meeting organized by Akol to consider the formation of a broad opposition front, but, in the event, he formed his own independent group. In a social media post, however, Bakosoro said that he never had armed forces.¹⁹ His organization is largely made up of Zande and Kakwa people of Western Equatoria, and Bakosoro resides in the United States. Bakosoro's strength is his legitimacy and popularity as a political leader based on the fact that he may have been the only candidate for governor in the 2010 South Sudanese elections who legitimately won on the basis of a plurality of votes (Young, 2012).

If Bakosoro is the most popular politician in Greater Equatoria, Thomas Cirillo, a Bari from Central Equatoria, is probably the most popular military leader. His long-anticipated

defection from the SPLA in February 2017 was initially held to be a blow to the government, while his announcement on 6 March of the formation of the NSF was considered a potential military threat to the regime. But Cirillo lost some credibility because he failed to bring defecting soldiers with him, and the only known senior officers that joined him were already in the opposition. Gen. Butrous Khalid Bora, leader of the South Sudan Democratic Movement/Army-Cobra Faction, joined Cirillo and was followed by Gen. Faiz Ismail Fatur, a member of the SPLA-IO high command (Radio Tamazuj, 2017b), although it is not believed that any soldiers accompanied him. An SPLM-IO spokesperson, Col. William Gatjiath, said,

“While there have been claims of more SPLM-IO defections to the NSF during the year since the collapse of the peace agreement, there have been no known confrontations with the government.”

Some generals from SPLA-IO declared their allegiance to the (NSF) new movement. But we thought General Thomas Cirillo could have first consulted our leadership because we share the [same] objective (Xinhua, 2016).

While there have been claims of more SPLM-IO defections to the NSF during the year since the collapse of the peace agreement, there have been no known confrontations with the government, which appears to have surprised Kiir, who had taken Cirillo's defection seriously. Although his contact with the SPLM-IO has been limited, Cirillo has expressed a desire for positive relations.

The FDP is led by Gabriel Changson, a former cabinet minister and banker from Nasir. The organization was established as a break-away faction of the SPLM-IO and was initially linked to the former SSDF generals, but that relationship ended. With the assistance of Theopolis Ochang, former political leader of the Equatoria Defence Force and health minister in the South Sudanese government, Changson claims to have a small armed group, although there have been no reported clashes between these forces and those of the government. Changson is one of the most far-sighted leaders among the opposition, but his antipathy for Machar will make cooperation difficult.

The recently established PDM is led by Hakim Dario from the Didinga tribe of Eastern Equatoria. The PDM membership is largely from the diaspora, educated, and multi-tribal, but mostly drawn from the Equatorian states. Dario has no intention of establishing an armed wing and instead wants to use the superior education and communication skills of the PDM's members to make their mark in the opposition. As a result Dario has

been a strong supporter of the opposition parties' coming together to reach common positions and agreement on the way forward. Although he bears Machar no ill will and has often come to his support, Dario would not accept the PDM's assimilation into the SPLM-IO.

The members of the FD have never constituted themselves as an independent political party, frequently appear more divided than united, do not have a military force, and their relationship to the government is confused. Their strength derives from having powerful friends in Washington and the region, and a long history in the SPLM and SPLA leadership. Their antipathy to Machar is widely known, but in the past they tried to use him to achieve their ends, and recognize that he cannot be ignored. With the exception of the FD—and possibly Machar—the other opposition groups favour an SPLM-free South Sudan. ●



One obstacle to cooperation is that while all opposition parties, with the exception of the FD, are strongly opposed to SPLM reconciliation, Machar has repeatedly failed to disavow the party.”

Prospects of opposition unity

Lam Akol made the first efforts to foster opposition unity and establish a broad front in late 2016, but it did not take off for two reasons: firstly—and Akol acknowledges this—it was too ambitious at that stage for leaders to agree on a common set of principles, and, secondly, the premier opposition leader, Riek Machar, feared that Akol wanted to use such a front to gain control of the SPLM-IO, while Machar wanted other opposition groups and leaders to join the organization. Collaboration between the two groups had been proposed at the SPLM-IO Khartoum Politburo meeting in September 2016, but Machar and Teny strongly opposed this proposal.

But the political weakness of the insurgency, despite its taking root in much of the country, has again raised the issue of opposition unity. Of late, others in the region have pursued this theme, including the Kenyan government (no friend of the SPLM-IO), as the impasse created by the collapse of the peace process and Machar's isolation has become increasingly apparent. Meanwhile, the focus of present contacts among the opposition (including the FD) has shifted from trying to reach agreement on a common set of principles or operational unity to consensus on issues of the day. To date these efforts have produced three statements that addressed widespread reports of the SPLA's killing of civilians in Wau, the proposed national dialogue, the Mule killings, and the repression of University of Juba students protesting at declining living standards in May 2017.²⁰ On 7 May 2016 seven opposition groups, including the SPLM-IO, committed to work closely to oust President Salva Kiir's government (Political Opposition Forces, 2017). However, the FD refuted this commitment by meeting in Kampala on 25 and 26 May 2016 at President Museveni's instigation with the breakaway SPLM-IO of Taban Deng and the governing SPLM in an attempt to achieve SPLM reunification and the fulfilment of the Arusha, Tanzania, reunification agreement of 21 January 2015. Yet after this meeting the FD refused to sign the final document, arguing that ending the war and not SPLM unity must be the country's priority (*Sudan Tribune*, 2017a). Museveni has continued to press for SPLM unity, and at the time of writing the FD position has become ambiguous.

The SPLM-IO's Pierino Nathaniel Oyet said, 'In working together, our efforts—political, diplomatic, and military efforts—can be more effective than when we operate as different units'. Despite this optimistic note, based on interviews with some of the signatories to the three statements referred to above, it does not appear that military cooperation is likely in the near future and, indeed, tensions have grown between the rebel groups. It has been difficult to reach agreement on the statements released, and not all the opposition groups have agreed to each statement. There is, however, a conviction that, irrespective of developments on the battlefield, the government is extremely weak (a view that was strengthened in the wake of the quasi-rebellion of the dismissed SPLA chief of staff, Paul Malong, in May 2017) and thus there is a need for the opposition parties to improve their image domestically and internationally.

The SPLM-IO far outweighs the other groups in the military and political spheres, and as a result it will largely determine the shape and extent of opposition cooperation.

Machar said that he strongly supports cooperation among the opposition parties to ensure that they produce a united and strong message. He did not rule out military cooperation, but stressed that the SPLM-IO was ‘the only force on the ground . . . there are no other forces except us . . . if other groups launch insurgencies military cooperation is possible’.²¹ He said that collective preparation for a post-Kiir government among the opposition parties is not being considered, but there is a need ‘to see how far we can go’ and that ‘we are still developing’. A major limitation of present efforts at cooperation, he emphasized, was his own lack of freedom, which precluded face-to-face meetings with other opposition leaders.²² However, Machar fails to acknowledge that another obstacle is that while all the opposition parties, with the exception of the FD, are strongly opposed to SPLM reconciliation, he has repeatedly failed to disavow the party. Lastly, he has shown markedly more sympathy for absorbing other groups rather than cooperating with them on an equal basis, and in this he has the support of many of his followers. But it is precisely his domineering approach—which is evident in the way in which he runs the SPLM-IO—that leads other opposition leaders to be extremely cautious in their dealings with him and his organization. ●

“... the SPLM-IO retains the support of many marginalized, destitute, and repressed South Sudanese subjected to a Juba-led campaign of Dinka hegemony that has brought the country to its knees.”

Conclusion

The SPLM-IO formed almost spontaneously in response to the Juba massacre of Nuer in mid-December 2013 and Riek Machar's leadership was legitimized by the international community, which needed a peace partner (Young, 2015). In the wake of the breakdown of the peace process on 8 July 2016 the US-led international community attempted to revoke that legitimacy, but its efforts failed and Machar continues to control the SPLM-IO, which remains the largest opposition group and poses the greatest political and military threat to the South Sudanese government. The fear that the peacemakers' attempt to marginalize Machar would leave the SPLM-IO no option but to focus entirely on war, while the government would conclude that it had the blessing of the international community to direct its energies to militarily defeating the SPLM-IO, has been borne out. But in a pattern that goes back to 1983 and the start of the SPLA insurgency, none of the belligerents has demonstrated the capacity to conclusively defeat the other, and without strong and effective international interlocutors there is no credible track to end the war.

Although militarily dominant and still retaining Uganda's support, it is the Kiir regime, and not Machar and the SPLM-IO, that faces increasing isolation in the country, and as the quasi-rebellion of Paul Malong demonstrated, the Dinka are subject to their own divisions and power seekers that could yet prove crucial in bringing down the regime. The SPLM-IO is militarily weak because it lacks logistical support in the region, and is politically weak because Machar has concluded that weak institutionalization is the most effective means to ensure his grip on power and marginalize potential opponents. However, his opposition to giving the SPLM-IO a strong institutional basis not only alienates his intellectual supporters and undermines the party's ability to politically and militarily mobilize the opposition, but also undermines its capacity in any future government. Nonetheless, the SPLM-IO retains the support of many marginalized, destitute, and repressed South Sudanese subjected to a Juba-led campaign of Dinka hegemony that has brought the country to its knees. The SPLM-IO may not be able to militarily defeat the government while the latter has Uganda's support, but it (the SPLM-IO) also cannot be defeated, and this represents a victory of sorts for an organization that the international community had largely written off in the wake of the collapse of the peace process in July 2016.

The CPA's objectives of sustainable peace, viable successor states, democratic transformation, and a basis on which to resolve other conflicts were never achieved. IGAD's first attempt to peacefully resolve South Sudan's civil war broke down in March 2015, while its second attempt—the ARCSS—ended with the renewed outbreak of war in July 2016. In the year since then the international peacemakers have sat on the sidelines, making clear that, first, they have run out of ideas on how to confront the South Sudan conundrum and, second, they look to the United States to provide leadership. But Washington seems unwilling to play this role now after its previous failed engagement and the lack of interest or capacity of the Trump administration. Unfortunately, it is not

clear that, despite this long-running record of failure, the international community is prepared to acknowledge either the failure of its elite-driven model of peacemaking or the need for other approaches. ●

Endnotes

- 1 For a description of these events, see *Small Arms Survey (2017)*.
- 2 Author email correspondence with Riek Machar, 4 February 2017.
- 3 Author interview with Gabriel Gatluak Deng, a member of the pre-Advance Mission team, Khartoum, 20 May 2017.
- 4 Author phone interview with Duboal Lual, Juba, 9 January 2016, and subsequent meetings with him in Addis Ababa, 17–20 February 2016, after he had given up on the Advance Mission.
- 5 Author interview with Duboal Lual and other members of the SPLM-IO Advance Mission, Juba, 9 January 2016, and subsequent meetings with them in Addis Ababa, 17–20 February 2016.
- 6 Author phone interview with Bol Gatkouth, member of the SPLM-IO Advance Mission, Juba, 11 January 2016.
- 7 The above interpretation of events leading to the 8 July clash is based on many author interviews, but an accepted version awaits a thorough study.
- 8 Author interview with Lt. Gen. Peter Gadet, Khartoum, 20 May 2017. Gadet’s assertions were confirmed in subsequent interviews of SPLM-IO officials. A number of the SPLM-IO soldiers of the Advance Mission had previously served under Gadet and they promptly informed him of developments. He also had good relations with Lt. Gen. James Koang, which permitted him to play an active role in the unfolding events.
- 9 Author phone interview with Lt. Gen. Dheling Chuol, senior SPLM-IO commander in the DRC, 20 May 2017.
- 10 See in particular IGAD, Troika, and EU Partners of JMEC (2016).
- 11 Author interview with Elghani Elnaim Elkarim, under-secretary, Sudanese Ministry of Foreign Affairs, Khartoum, 22 May 2017.
- 12 Author phone interview with Riek Machar, 15 May 2017.
- 13 See, for example, *African Press (2017)*.
- 14 Author phone interview with Riek Machar, 15 May 2017.
- 15 Author phone interview with Riek Machar, 15 May 2017.
- 16 Author interview with Tingo Peter Regbigo, SPLM-IO secretary-general, Khartoum, 24 May 2017.
- 17 Author interview with Tingo Peter Regbigo, SPLM-IO secretary-general, Khartoum, 24 May 2017.
- 18 The political potential of social media was made clear when Machar spoke from South Africa via WhatsApp to a crowd of 700 people who had gathered at the Presbyterian church in Khartoum on 24 May 2017 to pray for his release.

- 19 Joseph Bakosoro, WhatsApp communication on 'Actors for Change', 18 May 2017.
- 20 The agreements are on file with the author.
- 21 Author phone interview with Riek Machar, 15 May 2017.
- 22 Author phone interview with Riek Machar, 15 May 2017.

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