



SOUTH SUDAN'S ENDLESS POLITICAL TRANSITIONS

Ahmed Hersi | July 2024

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Overview

It has been five years and 10 months since the Implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) began. Despite three extensions, critical tasks that are necessary for holding general elections at the end of the transitional period are still pending.

South Sudan is currently facing uncertainty and high risk of the return to conflict, which would subsequently lead to a loss of the momentum initiated by the [Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan](#) (R-ARCSS) signed in September 2018.

Historically, elections serve as pivotal milestones and indicators of political transitions, and nowhere is this significance more keenly felt than in South Sudan. The anticipation surrounding these elections is palpable, not only among the South Sudanese but also within the regional and the international community, who stand poised to extend their support, much like they did during the negotiation and implementation phases of the Revitalized Agreement for Resolution of Conflict in South Sudan (R-ARCSS) or the “Peace Agreement”.

The long-awaited elections hold the potential to reshape the dynamics of engagement on a global scale. Yet, there looms the spectre of a perilous regression into conflict should these

electoral processes falter or fail to materialize—a concern that weighs heavily on the minds of many astute political observers within South Sudan.

In February 2022 and owing to the delays in the implementation of the Revitalized Transitional Government of National Unity (RTGoNU), a Roadmap was diligently crafted and subsequently endorsed on 2nd August 2022. This Roadmap, formally referred to as “the Agreement on the Roadmap to Peaceful and Democratic End of the Transitional Period of the Agreement on the Resolution of Conflict in South Sudan (R-ARCSS), delineated a comprehensive framework for advancing the peace process.

As Lakhdar Brahimi, the eminent former UN envoy to Afghanistan, astutely articulated, that the timing of electoral events within the broader sequence of peacebuilding activities is paramount. His assertion underscores the nuanced interplay between elections and the broader peace process—a sentiment that resonates profoundly in the context of South Sudan’s political landscape.

Constitution-Making and Electoral Processes

In December 2022, the Revitalized Transitional Government of National Unity undertook the crucial yet overdue step of reconstituting the National Constitutional Review Commission (NCRC) which is mandated to spearhead the permanent constitution-making process. Other essential agreement entities such as the National Electoral Commission (NEC) and the Political Parties Council (PPC) were also reconstituted. However, these agreement mechanisms are faced with serious financial constraints to effectively discharge their mandates. While the NEC and PPC have received some seed money, it is far from sufficient to make them fully operational. The NCRC on the other hand has not received any funding from the RToNU thus far.

Under normal circumstances, a census is a requirement and needed for the conduct of elections, although this could be overridden by the political consensus of the political parties to register voters right away on the basis of the 2008 census. The conflicts in 2013 and 2016, along with natural disasters, have displaced over 4 million people in South Sudan, which is one-third of the population. The registration of political

parties, to be overseen by the Political Parties Council (PPC), is also behind schedule, with only SPLM registered it is unlikely that other parties will meet the requirements in the remaining months. In the minds of the regional and international interlocutors involved in South Sudan from the very design of the September 2018 Peace Agreement, the RTGoNU was and is still expected to primarily finance the elections, just like any other tasks in the Peace Agreement. This expectation was set to ensure "national ownership and responsibility" of the peace agreement through having the R-TGoNU fund the peace agreement's most important tasks. However, the R-TGoNU has been faced with "endless political transitions" since September 2018. This has rendered the international interlocutors powerless and has reduced their role to "encouraging and advising" the RTGoNU. However, they have expressed concerns about the slippage of the timelines in the implementation of the roadmap.

Heavy is the Burden, Weightier are the issues

South Sudan's pre-civil war oil exports were approximately three thousand barrels per day, but there has been an almost 50% drop in production and exports through the Sudan oil terminal. This presents diminishing revenues from oil exports even before the start of internal strife in Sudan in April 2024. What this means is that South Sudan's capacity to fund the elections is severely waning, and even meeting minimum requirements will be a challenge.

On the humanitarian side, as of March 31, 2024, more than one million individuals had voluntarily returned to the

country following the signing of the Peace Agreement in September 2018, according to the [Office of the United Nations High Commissioner for Refugees \(UNHCR\) in South Sudan](#). This figure includes South Sudanese people who were severely affected by the ongoing conflict in Sudan. Their return underscores a significant humanitarian dimension at a time when the country is experiencing economic hardship, coupled with high numbers of Internally Displaced Persons (IDPs) in South Sudan awaiting resettlement in their former communities.

The Oil Politics

The oil proceeds payment structure allocates a share of nearly 60% of production to oil companies, while Sudan claims a hefty portion as part of the settlement agreed upon during independence. Logically, it follows that South Sudan is left with a smaller share of the revenue for allocation in the national budget.

On March 16, 2024, [Sudan's Energy Minister sounded the alarm bells](#), invoking force majeure in response to a "catastrophic rupture" on the crucial pipeline responsible for ferrying South Sudan's

precious crude to the bustling Red Sea hub of Port Sudan for global export. That "rupture" reportedly occurred on a pipeline shipping crude oil through Port Sudan as a result of "military activity", euphemistically referring to a clash between Rapid Support Forces (RSF) and Sudanese Armed Forces (SAF).

Another constraining burden is the thousands of South Sudanese "displaced" back into South Sudan after the start of the Sudanese hostilities in April 2023 and counting on meagre

government support.

While funding is undeniably a challenge for the December 2024 elections, it can be argued that the real crisis is the deep-seated lack of trust between the parties to the Peace Agreement. At the heart of this turmoil are President Salva Kiir and Vice President Riek Machar, whose bitter mistrust jeopardizes the entire constitution-making electoral process. How can a nation move forward when its leaders are so irreparably divided?

With that comes a lack of “political will” to finance implementation, compounded by the significant challenge of corruption and the misallocation of state resources, which diverts much-needed funds from essential implementation efforts.

In the realm of transitional security arrangements, numerous crucial tasks ought to have been accomplished by now, yet these remain unaccomplished to this day. These include the training and deployment of the second batch of thirty-three thousand Necessary Unified Forces (NUF) critical to the transitional security arrangements needed to keep the country together both in the interim and the future.

In an election management, a provision of election security nationwide is crit-

ical, failure to which voters would feel unsafe. Unlike post-conflict countries such as the DR Congo, Liberia, and Sierra Leone, where the international community facilitated elections, South Sudan’s transition is solely the responsibility of its current transitional government, mandated to guide and lead until December 2024. The entire South Sudanese populace, along with regional and international stakeholders, demand a smooth and timely election. However, this process is plagued by significant challenges. The constitutional, legal, financial, and political conditions must align to make the election feasible.

[A 2023 report by the Friedrich Ebert Foundation](#) underscores these obstacles but asserts that a delay of the elections beyond December 2024 may be necessary to ensure a credible and fair process.

A Way Forward

The feasibility of South Sudan's December 2024 elections is highly questionable. Since gaining independence in 2011, the nation has yet to see a robust electoral or security framework essential for fair and credible polls. Furthermore, deep-seated disagreements among Parties could further complicate the situation. The time to address these critical issues is running out, as South Sudan has only six months to the elections.

Therefore, immediate steps need be undertaken, which could include the following:

- Engaging in dialogue among the leadership of all Parties to determine the way forward is suggested here that this could be done by the regional leadership of IGAD.
- Identifying the tasks that need to be completed before the elections and establishing clear timelines to prevent a relapse into conflict and ensure a smooth transition. This cooperative approach is essential for South Sudan's stability and democratic progress.
- The Transitional Government of National Unity of South Sudan should expedite much-needed funding and to scale up the implementation with particular emphasis on security and electoral mechanisms. The Transitional Government of National Unity of South Sudan should engage regional and international stakeholders immediately to obtain funds for the implementation of critical and outstanding tasks.
- Reuniting SPLM: South Sudan is currently abuzz with rumors that first vice president Riek Machar and president Salva Kiir are considering a joint ticket, with Machar as Kiir's running mate. If true, it could re-unite the country and put it on the path of stability.

About the author:

Mr. Ahmed Hersi is a Senior Researcher at ISIR Institute, and an experienced Peace and Security Expert involved in conflict mediation efforts in South Sudan under IGAD. He is also a Regional Maritime Specialist, focusing on areas including the Red Sea, the Gulf of Aden, and the Western Indian Ocean. Mr. Hersi has led and coordinated regional organizations (EAC, COMESA, IOC, and SADC) on international maritime security initiatives through IGAD during times of increased maritime insecurity. He is a member of the International Association of Maritime Security Professionals (IAMSP) in the UK.

Mr. Hersi is committed to advancing peace and security in the region as his work primarily focuses on the Horn of Africa and provides lectures on Conflict and Security at the International Peace Security Training Centre (IPSTC). He has previously worked with various United Nations agencies and is passionate about working in the public sector at the senior policy level in peaceful and transitional environments, advocating for regional integration.

Citation.

Mr. Ahmed Hersi (2024) South Sudan Endless Political Transitions. *Published at, the Institute for Strategic Insights and Research (ISIR).*

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