Securing a Space: Civil Society Influencing of Peace Agreements in South Sudan

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Executive Summary

The input of civil society is recognized as crucial for peace building and the process of democratizing a security sector. Indeed, there is some evidence pointing to growing engagement of civil society, and not just elites, in Security Sector Reform/SSR/ processes. Yet while frequently invoked in SSR circles, civil society tends to be understood superficially, discussed in narrow terms, and is the subject of little systematic research. Currently we do not know enough as the evidence base for and scholarship on what is happening to SSR in peace agreements, and how CSOs negotiate inclusion, is insufficient. Nor has there been enough analysis and research on how civil-society groups or popular movements have been able to support broad-based peace and security-related interventions in mediation processes. This study traces the process through which South Sudanese Civil Society Organizations (CSOs) succeeded in finding their own niche in the country's successive peace processes, how their interventions were developed and consummated in the insertion of SSR provisions in the final document. In achieving this South Sudanese CSOs applied several mechanisms to overcome the risk of fragmentation within their own ranks as well as exclusion by political and armed groups. These include early intervention and effective coordination, including the extraordinary use of technologies of mass communication. Sheer persistence, laudable grasp of the subject matter, and alliance building among themselves and with international actors also played a critical role.

By establishing partnerships with external actors, South Sudanese civil society opened up new avenues in terms of international finance and access to expertise, increasing their ability to act. This is proof that groups with single issues can achieve greater results. It is a testimony to the fact that strategic level participation by civil society requires CSOs to be knowledgeable, at least able to engage on a par with the parties negotiating SSR issues. However, the absence of mechanisms of long-term engagement, a particular lack of attention paid to security at the local level such as implementing individual components of larger policy document while the peace process is ongoing constitute major gaps. The study acknowledges that empowering CSOs in high profile political and security roles is no simple task, as there are great power imbalances and little incentives for national and regional actors to accept the new operating environment. Since South Sudanese CSOs engaged in broader policy issues, their inputs were however in general terms stressing on the need to reform core security institutions than addressing immediate grassroots security issues, such as linking it with how people experience insecurity at the local level.

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Acronyms

R-ARCSS	Revitalized Agreement on the Resolution of the Conflict in South Sudan
R-TGONU	Revitalized Transitional Government of National Unity
IGAD	Intergovernmental Authority for Development
CTSAMM	Ceasefire and Transitional Security Arrangements Monitoring Mechanism
SPLM-IO	Sudan People's Liberation Movement-in-Opposition
CSOs	Civil Society Organizations
SSR	Security Sector Reform
GRSS	Government of the Republic of South Sudan
SSANSA	South Sudan Action Network on Small Arms
CPJ	Citizens for Peace and Justice
CEPO	Community Empowerment for Progress Organization
HLRF	High-Level Revitalization Forum
SSCSF	South Sudan Civil Society Forum
SSOA	South Sudan Opposition Alliance
HoS	Heads of States
PDF	Protection and Deterrence Force
CoHA	Cessation of Hostilities Agreement
AU	African Union
UNSC	United Nations Security Council

Introduction

"Civil society occupies a unique space where ideas are born, where mindsets are changed, and where the work of sustainable development doesn't just get talked about, but gets done."

-Former United Nations Secretary General Kofi Annan

In September 2018, South Sudan's parties signed the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). The agreement which is aimed at ending the civil war in the country was signed by Civil Society representatives besides the main protagonists, namely, the government of South Sudan under President Salva Kiir, the SPLM/A-IO led by Dr.Riek Machar and other armed and unarmed political actors. This was a first. The fact that civil society was among the signatories to the agreement was the result of the myriad direct roles they played in the peace process dating back to 2014, when the original peace agreement , the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) was negotiated and signed. An agenda for reforming the country's security sector was among some of the main issues that civil society strongly--- and almost singlehandedly-- pushed to be included in both the ARCSS & the R-ARCSS.

South Sudan was born in 2011 with disparate security organizations urgently in need of integration and reform. This reform agenda is not only embraced by Civil Society Organizations (CSOs). The need to transform the army has already been articulated in the Constitution of South Sudan (2011).[1].However, despite some efforts by the government of South Sudan and civil society with the support of international partners, minimal progress was made by December 2013, when the country descended into a violent internal conflict. This conflict still persists at the time of finalizing this report, despite a short pause between October 2015 and July 2016.

Besides the inability and unwillingness of the government to provide adequate protection to citizens, the failure of security institutions (the army in particular) to transform from a collection of ethnically organized former militias into a professional force was one of the main causes of the armed conflict South Sudan has experienced since its birth, including the major violence that broke out in 2013. A retired lieutenant general who led the 2012 civilian disarmament in Jonglei State even argued that the widespread unprofessional behavior of uniformed personnel was

[1] Section 151 (2) of the Constitution says as follows: "The Sudan People's Liberation Army shall be transformed into the South Sudan Armed Forces, and shall be non-partisan, national in character, patriotic, regular, professional, disciplined, productive and subordinate to the civilian authority as established under this Constitution and the law".

partly responsible for the demand for arms for self-protection among many communities in South Sudan.[2] The four years that followed saw further decay in the security sector. The Sudan People's Liberation Army (SPLA) disintegrated into several armed groups, with law enforcement agencies also getting involved in military combat. Evidence shows security forces engaged in gross misconduct such as direct attacks on civilians, rape, and systematic looting.[3]

The IGAD-led peace process provided a good opportunity to fix South Sudan's security sector. However, the commitment of key stakeholders (such as top military and political leadership in government, as well as opposition groups) to Security Sector Reform remained limited and selective. South Sudanese civil society made SSR one of the vital areas to influence in the peace process. They sought to secure mandates and frameworks that would make SSR an integral part of and major milestone in South Sudan's broader pathway to peace. This was largely motivated by their own preliminary assessment that the texts of the Peace Agreement would eventually supersede other legal instruments, and would determine the overall direction of governance, including the structure and control of the security sector in the aftermath of the conflict. As can be seen in the final agreement texts, Chapter VIII of both ARCSS & R-ARCSS contains a clause that gives priority to the Agreement in the event of conflict with any existing South Sudan legislation.[4]

This report focuses on major conflicts and corresponding peace processes since 2013 in South Sudan, namely, the armed conflicts between (a) the Government of the Republic of South Sudan (GRSS) and the Sudan People's Liberation Movement/in Opposition (SPLM-IO), led by Dr.Riek Machar[5] and b) the Government and the South Sudan Democratic Movement/South Sudan Defence Army (SSDM/SSDA-Cobra Faction), led by David YauYau[6]. However, given that civil society's role in the talks between the government and the SSDM/A – Cobra Faction was limited (to secretariat support and monitoring of cessation of hostilities), this report will dwell rather on the peace process between the government of South Sudan, the SPLM/A-IO and the myriad

[2]Kuol Diem Kuol: Confronting the Challenges of South Sudan's Security Sector: A Practitioner's Perspective: Washington D.C.: Africa Center for Strategic Studies, 2018. There is a need for proper and complete footnotes. Please decide which of the conventional formats you want to employ

[3] See Report of the Commission on Human Rights in South Sudan, March 2018)

[4] The Agreement on the Resolution of the conflict in South Sudan as contained in Chapter VIII (2) says; "This agreement shall be fully incorporated into the Transitional Constitution of South Sudan (2011)…."; and Chapter VIII (3) says: "This agreement shall take precedence over any national legislation, and in the event that the provisions of a national legislation conflict with the terms of this Agreement, the Agreement shall prevail". The same provisions are contained in the Revitalized Agreement on the Resolution of the conflict in South Sudan (2018) in Chapter VIII (8.2 & 8.3).

[5] See The Human Security Baseline Assessment(HSBA) (2015) for background to the SPLA/M-IO rebellion; Available here; http://www.smallarmssurveysudan.org/facts-figures/south-sudan/conflict-of-2013-14/splm-in-opposition.html

[6] See HBSA (2013) for background to the rebellion of David YauYau; Available here; http://www.smallarmssurveysudan.org/de/facts-figures/south-sudan/armed-groups/southern-dissident-militias/ssdma-cobra-faction.html.

armed and unarmed groups that emerged between December 2013 and 2018. It reviews the role played by South Sudan CSOs in influencing SSR in the context of peace processes and efforts by national, regional and international partners (including the African Security Sector Network (ASSN) to encourage and empower them to play this role in the aftermath of the internal conflict in South Sudan in December 2013. I

The report also provides an analysis of the SSR provisions of the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) and later the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) and how CSOs positioned themselves in their attempts at influencing political actors, local, national, regional, international, and non-governmental bodies engaged in SSR. It describes success stories and persisting challenges to CSOs when influencing SSR in the context of peace agreements. Moreover, it includes recommendations on how civil society can effectively be supported to play an active role in influencing the implementation of the R-ARCSS and current opportunities for security sector reform.

Definitional Matters

The report recognizes the value of the comprehensive definition of SSR as a system and set of institutions by the Organization for Economic Co-operation and Development-Development Assistance Committee (OECD-DAC) which has become internationally established.[7] However, for the purpose of this report SSR as a process is defined according to the Geneva Centre for the Democratic Control of Armed Forces (DCAF) backgrounder on Security Sector Reform[8];

"… the political and technical process of improving state and human security by making security provision, management and oversight more effective and more accountable, within a framework of democratic civilian control, rule of law and respect for human rights. The goal of SSR is to apply the principles of good governance to the security sector."

[7] The OECD-DAC define the security system as including:"...core security actors (e.g. armed forces, police, gendarmerie, border guards, customs and immigration, and intelligence and security services); security management and oversight bodies (e.g. ministries of defense and internal affairs, financial management bodies and public complaints commissions); justice and law enforcement institutions (e.g. the judiciary, prisons, prosecution services, traditional justice systems); and non-statutory security forces (e.g. private security companies, guerrilla armies and private militia). For detailed definition, See OECD DAC Handbook on Security System Reform, Supporting Security and Justice (Paris: OECD DAC, 2007), Available at https://issat.dcaf.ch/fre/download/478/3015/OECD%20DAC%20Handbook%20on%20SSR.pdf

[8] The SSR backgrounder is available at ttps://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_2_Security%20Sector%20Reform.pdf

The South Sudan Non-Government Organizations Act, 2016 defines civil society as *"a non-governmental and a non-profit organization that has presence in the public life, expressing the interests and values of their members or others, based on ethical, cultural, scientific, religious or philanthropic considerations"* However, for the purpose of this report, civil society is defined as those organizations and movements that are not part of the government or its related organs, and do not belong to the armed or unarmed opposition, business, or formal religious institutions.

Instruments & Frameworks for Civil Society Inclusion in Peace Processes

Civil Society situates the relevance of its participation in several regional and international instruments which stress the importance of inclusive processes of peace building. These instruments provide the framework for some important sections of the Civil Society to get involved in the process of conflict resolution and conflict prevention. For instance, the UN Security Council (UNSC) Resolution 1325 (200) underscores the importance of increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict[9]. Additionally, UN Resolution 2250 emphasizes the vital role of youth in decision making at various levels – from local to international – and functions including in countering violent extremism, conflict prevention and dispute resolutions and peace processes[10]. Moreover, a World Bank and UN report "Pathways to Peace" also demonstrates that inclusive decision making is fundamental to sustaining peace at all levels, as are long-term policies to address economic, social, and political aspirations. Fostering the participation of young people as well as of the organizations, movements, and networks that represent them is crucial.[11]

At the AU level, the Livingstone Formula was adopted to facilitate CSO engagement with the AU commission in peacemaking in the context of the search for solutions to violent conflicts. This includes civil society providing advisory support to mediation teams during negotiations, and promoting citizen engagement with peace processes through awareness creation on ongoing peace efforts.[12]African Union Policy Framework starting from its conceptualization to its recent adoption of operational guidelines stipulates that to be truly national SSR engagements at the national level must include civil society organizations including women and youth groups and the local media. Indeed, the AU SSR Framework is essentially a civil society led process, and by

[9] See UNSC Res 1325 (31 October 2000) UN Doc S/RES/1325

[10] UNSC Res 2250 (9 December 2015) UN Doc S/RES/2250

[11] United Nations and World Bank. 2018. "Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict." Conference Edition. World Bank, Washington, DC.

[12] See; The Livingstone Formula; AU (2008): Available at; https://au.int/sites/default/files/documents/30974-doc-psc_conclusion_-_livingstone.pdf

extension proves the resourcefulness of African CSOs.[13] The Intergovernmental Authority on Development/IGAD/ does not have a standalone SSR document but the role of civil society is highlighted in peacemaking in all its peace and security strategies.[14] Needless to say CSO role in peace building is recognized[15] in other parts of the world as well.

Methodology

This report is based on both desk study and semi-structured interviews with key stakeholders conducted in South Sudan during December 2018 and January 2019. The desk study focused on literature review of the documented work of civil society in influencing SSR provisions of peace processes and their impact in peace agreements. Documents reviewed include minutes of civil society discourses on influencing SSR provisions, influencing strategies, and civil society policy recommendations on SSR shared with stakeholders during peace negotiations processes. Primary sources include conversations with a selected group of informants. This involved semi-structured interviews with key stakeholders to assess the role of civil society in influencing SSR provisions in the peace agreements. Interviews were conducted with members of the civil society delegation to the peace talks, their technical advisers, civil society lobbyists and others involved in managing the influencing activities of CSOs. Other key stakeholders interviewed include faith-based leaders involved in the peace process and representatives of international organizations that supported CSO engagement in the peace process. The findings are then analyzed against other case studies on the role of CSOs in peace agreements.

The paper is divided into four sections. Section one maps out the South Sudanese CSOs active in peace processes at various levels (local, national, regional) since 2013. Section two assesses the roles played by those CSOs engaged in the peace processes. Section three provides analysis of recommendations of CSOs in regard to SSR provisions in the peace processes. Finally, section four provides an overview of support provided by African and International partners to CSOs in their efforts to influence SSR provisions in the peace agreement, followed by recommendations for the future of CSO engagement in matters of SSR in peace agreements.

Civil Society Groups active in the South Sudan Peace Processes

Following the outbreak of the civil war in South Sudan in December 2013, CSOs engaged in numerous influencing activities including media outreach and political lobbying to seek an end to the hostilities that were quickly engulfing the country. These activities were manifest at the local, national, regional and international level. For instance, immediately after the outbreak of

[13] Medhane Tadesse, The African Union and Security Sector Reform: A review of the Post-Conflict Reconstruction & Development (PCRD) Policy Friedrich-Ebert-Stiftung, ©2010. https://library.fes.de › bueros › aethiopien › 07117-book

[14] IGAD Peace and Security Strategy 2016-2020. Djibouti, December 2015.

[15] An example can be sited from Oreljeula, C. 2003. "Building Peace in Sri Lanka: A role for civil society? "Development,
40(2). pp. 195-212.

the violence, nationally, CSOs issued several joint and individual press statements urging the parties to immediately cease hostilities[16]. Some CSOs lobbied the Intergovernmental Authority for Development (IGAD) and others at the AU levels in a bid to end the bloodshed in South Sudan. Regionally, in January 2014, a group of South Sudanese CSOs, academics and friends of South Sudan convened in Nairobi and similarly urged the warring parties to end hostilities and get to the negotiation to reach a pacific settlement[17].

The ARCSS

On 3 January 2014, IGAD convened peace talks aimed at terminating the violence and reaching a negotiated settlement. The IGAD-led Mediation Process was launched with proxy talks between the two warring parties, namely. The Government of the Republic of South Sudan (GRSS) and the SPLM-IO, in Addis Ababa. In this context, many CSOs were motivated to take action, not only to end the hostilities but also to push for a number of reforms ranging from respect for human rights to justice and Security Sector Reform[18]. Initially CSOs were not invited to the talks. However, they responded by launching a strong lobby to sway the mediation team and the conflict parties--both of which were less open to the idea of CSOs joining direct talks--to accept the participation of civil society. On 17 January, over 60 civil society representatives representing CSOs, Lawyers Associations, concerned private citizens, think tanks and academics demanded direct participation of civil society in the IGAD led talks. The group not only demanded space at the table but also highlighted what they would bring to the table. For instance, they specifically called for the IGAD mediators to grant CSO representatives accreditation to actively participate at all meetings of the parties; contribute proposals for consideration in the talks, including draft language for any agreement texts; and offer their expertise and advice to the mediators[19]. They had relative consensus and clarity on what they would offer to the talks.

Besides, civil society also lobbied diplomats --especially those funding the talks-- to support the call for inclusion. Enlisting the support of external donors in their quest for inclusion was

[16] See the various calls by CSOs for the warring parties to cease hostilities; Joint Civil Society Statement on the Current Situation in South Sudan (20 December 2013); SSuNDE Urges the warring parties to end hostilities (23 December 2013); Second Joint Civil Society Statement on the Political Crisis in South Sudan (28 December 2013). See also, Statement on the Crisis in South Sudan by Citizens for Peace and Justice (15 January 2015).

[17] See; Statement on the Crisis in South Sudan by Citizens for Peace and Justice (CPJ) (15 January 2015).

[18] See for instance, this CPJ statement expanded quite radically from a preceding statement in that, from emphasis on cessation of hostilities, it now called for a wide range of reforms including; Empowering local government, Harnessing resources for the benefit of the people, disincentivizing violent behavior, supporting democracy, embracing multi-party system and allowing space for political and civic engagement for comprehensive governance reforms. Available here; http://mytribeissouthsudan.org/images/reconciliation_statements/20140217_CPJ_Statement.pdf.

[19]See the 17 January press statement of CPJ at: http://mytribeissouthsudan.org/images/reconciliation_statements/20140217_CPJ_Statement.pdf

critical. IGAD mediators were initially adamant about the need to include civil society earlier in the peace process because of the instruction on approach to the mediation they received from the IGAD Heads of States (HoS). This can be elaborated by a review of outcomes of successive IGAD HoS summits in the immediate aftermath of the outbreak of the conflict in South Sudan. In its first summit on December 27, IGAD HoS declared undertaking urgent measures in pursuit for an all-inclusive dialogue to resolve the conflict in South Sudan in its 23rd extra-ordinary session. The same meeting appointed two Special envoys for South Sudan, who would later lead mediation of the peace talks. However, initially the parameters of inclusivity were not clear.[20] This was further complicated by the approach to the mediation including sequencing, which first sought to secure a Cessation of Hostilities Agreement (CoHA), and then deployment of an enforcement force namely, Protection and Deterrence Force (PDF) to provide the conditions for a multi-stakeholder dialogue.

After securing a CoHA on 23rd January 2014, IGAD attempted to sell the idea of PDF, however the idea didn't get adequate buy-in from the international community, especially Troika and the African Union (AU), who were the primary targets of IGAD for support to the PDF. IGAD heads of state later dropped the enforcement element and directed the IGAD Special Envoys to develop a framework for a multi-stakeholder dialogue with a view to involving a broad range of South Sudanese government, political, and civil society actors[21]. This was the entry point for civil society to be included in the peace process[22]. There was clearly a misunderstanding of the approach of the mediation on the side of civil society; however, the mediation did not transparently communicate their plans and approach, which were dictated by the IGAD HoS. This could be further substantiated by the fact that even during the HLRF, parties were often served agenda of the talks on daily basis since it had to be approved by authorities in IGAD higher than the special envoys. This is an indication of the centralized aspect of the IGAD mediation process. This is critical as it points to the extraordinary resolve with which CSO's tried to secure access to the talks as key participants.

When the time was ripe to consider the demand of CSOs to be represented, the IGAD-led mediation accredited four CSO representatives to directly take part in the peace talks in the Ethiopian capital Addis Ababa. All four came from the Citizens for Peace and Justice (CPJ) Coalition. In retrospect, one could argue that the parties accepted the entry of the CSOs partly because they thought CSOs were coming in as observers. But later problems ensued as their

[20] Communiqué of the 23rd Extraordinary Session of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan: Nairobi, 27 December 2013.
[21] Communiqué of the 24rd Extraordinary Session of the IGAD Assembly of Heads of State and Government on the Situation in South Sudan: Addis Ababa, 31st January 2014.
[22] The 24th IGAD HoS summit particularly, instructed IGAD Special Envoys "to organize a series of public consultations with a wide range of South Sudanese actors with the aim of generating input for a framework of political dialogue and national reconciliation. These consultations might include political parties, traditional and religious leaders, and groups representing women, youth, intellectuals, refugees and IDPs, business communities and other stakeholders"

status was clarified as equal parties. The government side initially wanted the CSOs to only sit in sessions of Governance and Economy but not security, citing the lack of expertise since civil society did not have army. This largely failed as CSOs exhibited solid understanding of security issues to the extent of exclusively championing the SSR agenda surrounding the talks. Still, tensions ensued when the parties and mediation held different positions with regards to the idea of civil society joining direct talks. Though the prevailing assumption among CSOs and IGAD, including its external partners was that civil society represented a non-party to the conflict and were coming in with neutral voices, representing a broader set of people affected by the conflict and could make suggestions for sensitive reforms such as transitional justice and security sector reform.

To help strengthen the case for inclusivity, in June 2014, IGAD organized a multi-stakeholder symposium in Addis Ababa that brought together more than 250 South Sudanese representing the government, the opposition, political parties, faith-based groups and civil society organizations. The symposium was also attended by international experts who made presentations on thematic issues, including transitional governance arrangements and interim institutions, justice, reconciliation and healing, constitutional reform, security arrangements and security sector reform. During the symposium, it was recommended that CSOs should be given seven seats in the subsequent direct talks. At the same time, apparently in a move to preempt the entry of independent CSOs into the talks, the government had flown around 30 representatives to Addis Ababa in the name of CSOs.

During the 2014-15 IGAD-led peace process, there were two main CSO coalitions that engaged frequently with the mediation, namely the Citizens for Peace and Justice(CPJ) with a delegation of 14 people and Civil Society Alliance with 30 representatives, These two groups disagreed on who should take up the slots given to Civil Society to represent them. For the mediators, civil society was incorrectly perceived as a unified body with one voice that should be able to nominate representatives easily. However, given the varied nature and internal agendas involved, CSOs failed to agree on whom among them to take up the seven slots granted to them to participate in the direct talks. However, after a long process of internal disorder, all the slots went to one coalition, the Civil Society Alliance. After several months into the talks, the mediation decided to grant four more slots to the CPJ team, partly to assuage the suspicions of the government.

Soon suspicions flared on the side of SPLM/IO as to why the additional four CSO representatives all flew in from Juba. One can argue that the perceived partisanship of civil society actors is an important variable in any negotiation of this kind. The independence of DRC CSOs in the peace negotiations which is claimed to have been undermined by entanglements with various armed groups is a case in point. Members of the SPLM-IO claimed that the CSOs accredited to participate in the direct talks [23] lacked real independence, unable or unlikely to

[23] Interview with member 1, of Civil Society Delegation to the peace talks.

speak truth to power, either because they were government loyalists, or vulnerable to government pressure once they returned home to Juba.[24] They, therefore, demanded the inclusion of CSOs which were based in SPLM-IO controlled areas or from the Diaspora. Disagreement on the selection criteria of CSOs would eventually lead to indefinite adjournment of the talks. Consequently, talks were adjourned from 14 June until 3rd of August 2015. Within this period, the IGAD mediation oversaw the nominations of CSOs from the Diaspora to be included in the talks. Eventually, there were 7 members of the Civil Society Alliance, seven members from the Diasporas and four representing the CPJ[25].These complex and challenging attempts at civil society inclusion are important to highlight because they had the potential to both derail and contribute to progress. Participation had the potential to include the various grassroots perspectives of the people but, by itself, does not guarantee effective representation or successful outcomes. For example, in this process civil society's neutrality and credibility was diluted by the government's and the opposition's successful attempts to fill civil society's slots with groups allied to their respective causes. As in other contexts, CSOs in South Sudan are still plagued by issues of representation.

In the face of this South Sudanese CSOs continued to push for organized representation invoking the principle of inclusivity implied in the debates during the June symposium. This might be considered a breakthrough as IGAD mediators were making the point that they were not necessarily against the idea of inclusion when the time is ripe since the priority was to first secure a CoHA and then move to inclusive dialogue. Despite these encouraging examples, greater involvement of civil society largely depended on donor support and funding. Short of creating 'a group of friends' as happened in other contexts, such as the El Salvadorian peace process, alliance building with external partners can help in securing access not only in the peace process, but also in the subsequent and crucial implementation phase. The focus by donors on engaging the civil society did contribute, albeit slowly, to a shift in perspectives on the engagement of non-state actors in the peace process. A major factor is however the persistence of CSOs. It is largely their insistence that has forced the opening of spaces in which the mediation team and its external partners were reluctantly receptive.

Besides, the opposition could not have been adamant enough to oppose CSO role in security issues. Being at the receiving end usually makes them interested in security sector reform issues and in seeking local allies to voice their interests. Though fragmented the evidence elsewhere fittingly supports this assertion: much of the hard pressure for including SSR in peace agreements has usually been exerted by rebel formations, civil society and women organizations, and local groups mostly affected by violence[26]. However, this cannot be totally delinked from the

[24] Interview with member 1, of Civil Society Delegation to the peace talks.
[25] Ibid
[26]Eboe Hutchful, Security Sector Reform Provisions in Peace Agreements, Birmingham: University of Birmingham Press for Global Facilitation Network on Security Sector Reform (GFN-SSR) and African Security Sector Network (ASSN), 2009.

unusual grasp exhibited by South Sudan CSOs on the issue. To the extent that groups dealing with single issues achieve public recognition because of their acknowledged focus it can be argued that South Sudanese CSOs were well prepared. They also availed themselves right at the early phase of the talks. Beyond applying innovative methods, such as the use of social media, the timing of CSO involvement was critical. As orthodox SSR is inherently state-centric, CSOs are often brought in late in the process, after major changes in the discussions have occurred. Involving these organizations much earlier on and not simply as observers is crucial, which was exactly the case here. This coupled with the use of new instruments of communication seems to have helped South Sudan CSOs gain visibility and traction at the earliest phases of the peace talks.

The role of CSOs in the fall of communism in Central and Eastern Europe[27] is a case in point. Hence, the role of networking and the advent of new technologies of mass communication need to be noted. No doubt, the vital role CSOs play in the development of broader policy process, particularly providing practical suggestions to help initiate and sustain security sector reform as well as oversight is widely accepted.[28] What is less established is initiating and championing SSR in framing peace agreements. The only available examples are not comprehensive enough including Guatemala, El Salvador and the Democratic Republic of Congo/DRC/. In the case of the DRC, despite obvious limitations, CSO participation in the Inter-Congolese Dialogue was critical in placing SSR on the agenda.[29] Even so, we know next to nothing about the conditions under which CSOs can play a prominent role in inserting SSR into peace agreements. This is exactly where the contribution of South Sudan CSOs to the debate lies.

Be as it may, it is not outlandish to state that external actors played an important role in ensuring that the voices of CSOs were included in the peace process. A major consideration is thus CSOs involved in security sector issues, mainly in post conflict situations where there is global attention, should strive to build partnerships and forge alliances with international actors because such partnerships can add to the legitimacy of CSOs demands and can thereby increase the impact of their activities. It may also offer some protection and an incentive to form alliances. On the other hand, the reliance on external assistance also means that the focus on the security sector by some organizations is not sustainable as will be the case here. A common challenge is however the resistance from political authorities. But the political context seems to have enabled CSOs to continue offer a challenge as the prevailing security situation was not dominated by the government. Potentials for CSO are generally conducive in transitions when regime consolidation is far from real, where serious mediation process is under way, and where chances for solving or containing conflicts are good. It is therefore important to plan and if possible reach

[27] UNDP, Public Oversight of the Security Sector: A Handbook for Civil Society Organizations. UNDP, 2008.
[28] Ibid;
[28]United Nations, Security Sector Reform: Integrated Technical Guidance Notes, UN SSR Task Force, 2012
[29] Hutchful, Security Sector Reform Provisions in Peace Agreements.

agreement on security sector reforms during the phase of cease-fire and peace negotiations (as was the case for instance in the 1992 Rome Accord for Mozambique).[30] However, there is often not sufficient mutual trust to be able to embark on comprehensive reforms during the conflict mediation phase. In achieving this support of external partners is key.

As discussed earlier civil society development and support has been a key part of the liberal peace building agenda and the SSR concept as happened, for instance, in Bosnia following the war as international funds poured in[31]. The same is true with South Sudan as a plethora of non-governmental organizations (NGOs) positioned themselves to support both the peace process and CSO involvement in it. At the regional level, the International Organizations that engaged in the peace process included Justice Africa, Open Society Initiative for Eastern Africa, PAX, Cordaid, Oxfam and Crisis Action. Their influence efforts included a mix of separately lobbying the mediators and stakeholders involved, organizing lobby meetings for CSOs and representatives of diplomatic missions, providing advice to CSOs in regards to the dynamics of the peace processes, and providing capacity building and funding to support the influence efforts of civil society.

Towards the R-ARCSS

The collapse of the ARCSS in July 2016 necessitated a return to the negotiating table for the former warring parties, namely GRSS and the SPLA/M-IO and other parties to the ARCSS. However, parties did not return for talks until December 2017. This yawning gap saw widespread violence across the Equatoria region leading to massive displacements and alarming human right abuses and violations. It also saw the emergence of several new armed groups such as the National Salvation Front, led by former SPLA Deputy Chief of Staff Lieutenant General Thomas Cirillo and South Sudan National Movement for Change, led by Former Governor Joseph Bakosoro and the National Democratic Movement, led by Dr. Lam Akol.

The High Level Revitalization Forum (HLRF) was launched on December 18, 2017 in an attempt to initiate yet another political process to bring the warring parties back to the negotiating table. This was partly because both the conflicting parties and the results of the previous peace processes were already discredited. The current security transition process is perceived as biased, state-centered and unbalanced, hence revitalization meant incorporating non-armed groups in the new process. This was the context in which civil society was formally invited to take part in the second round of talks. There already was a great deal of frustration, if

[30] McCartney, C., Fischer, M. & Wils, O. (eds.) 2004, 'Security Sector Reform - Potentials and Challenges for Conflict Transformation', Berghof Handbook Dialogue Series No. 2, Berghof Research Center for Constructive Conflict Management, Berlin

[31] Caparini, Marina (2005). "Enabling Civil Society in Security Sector Reconstruction." In Security Governance in Post Conflict Peace Building, edited by A. Bryden and H. Hänggi. Geneva, Switzerland: Geneva Centre for the Democratic Control of Armed Forces. Another detailed account of CSO role is provided in Belloni, Roberto (2001). "Civil society and peace building in Bosnia-Herzegovina." Journal of Peace Research 38, no. 2: 163–180.

not remorse, on the part of regional and external players that armed groups had failed to deliver. Given that most of the civil society representatives were those who took part in the 2014-15 talks, it is plausible that IGAD invited them to build up on past efforts to include CSOs in the peace process. This included a mix of CSO representatives who were in the previous round of talks and those that were members of the institutions established by the ARCSS. For instance, among those represented at the HLRF were the youth representative to the Joint Monitoring and Evaluation Commission (JMEC) under the arrangement of ARCSS, the Civil Society Alliance that represented civil society in the previous round of talks, and the Women's Bloc.

In addition, over 40 women leaders from diverse professional, organizational, and ethnic backgrounds formed a new consortium, called the "Women's Coalition"to engage with the HLRF.The eventual but robust inclusion of women must have been a positive voice to the process as evidenced by somewhat similar cases in other parts of Africa. The most notable is the active participation of women's constituencies to ensure the inclusion of women's issues in the peace accords in the Mano River Union (Guinea, Sierra Leone and Liberia) or the defense reform process in South Africa.[32]Besides, findings of a research conducted by the Graduate Institute in Geneva from 2011 to 2015 shows that in cases where women's groups are able to exercise a strong influence on the negotiation process, there is a much higher chance that an agreement would be reached than when women's groups exercised weak or no influence.[33]Women groups met in Entebbe in the run up to the Forum and came up with communiqué containing their expectations and demands of the HLRF.Among their demands was that a representative of the coalition be granted a seat for direct participation at the HLRF talks.

Another group of Civil Society networks and CSOs launched the South Sudan Civil Society Forum (SSCSF) in November 2017 to engage with the HLRF. Besides, parallel attempts were made to increase the preparedness of South Sudan CSOs in the talks, including sensitization programmes on SSR policy interventions.[34]In a nutshell, civil society was more organized and united in the R-ARCSS peace talks than in the first process of ARCSS in 2014-2015. Both the SSCSF and the Women's Coalition were able to draw membership from a diverse group of South Sudanese including those based in the country and in exile or in refugee communities[35]. CSOs also formed civil society networks at the state level to engage on issues of security sector

[32]OECD DAC Handbook on Security System Reform (SSR) Supporting Security and Justice. OECD 2007.

[33] Paffenholz et al., "Making Women Count - Not Just Counting Women: Assessing Women's Inclusion and Influence on Peace Negotiations," Geneva: Inclusive Peace and Transition Initiative (The Graduate Institute of International and Development Studies) and UN Women, April 2016.

[34] In the run up to the Entebbe CSO meeting and the launching of the R-ARCSS Medhane Tadesse of the ASSN had to engage in mentorship and training exercises aimed at optimizing CSO contribution. This was supported by South Sudan Oxfam office as part of its Strategic Partnership project with selected CSOs.

[35] Interview with a representative of INGO that supported civil society's engagement in the HLRF.

reform and the peace process. These networks facilitated the flow of information in two directions: from the peace talks to the grassroots level; and vice versa, bringing ideas from the grassroots to the talks. The networks also engaged on confidence building between the parties to the peace agreement. For instance, in November 2018, the CSO network in Western Bahr-el-Ghazal facilitated a dialogue between the SPLA and SPLA-IO commanders on the permanent ceasefire. The network also organized a learning visit for the state parliamentary committee on Security and representatives from the Army, Police and CSOs. This is a good example of how civil society efforts on the ground can help build trust among SSR actors[36].

Assessment of the Role Played by CSOs in the South Sudan Peace Process

During the process towards the ARCSS, CSOs engaged in the peace process through a triangular feedback loop which included connections between CSO representatives at the negotiation table in Addis Ababa; CSOs at the national level, and CSOs at the sub-national level. The impact of new communication modalities adopted by CSOs has already been mentioned. This proved to be quite effective as there was a three way flow of information. Issues emerging from the talks were communicated by CSO representatives to their constituencies back at the capital and at local level, after which discussions were held and emerging issues were reverted back to the talks. This ensured that citizens were aware about the issues that were deciding their future that were being decided in the Ethiopian capital. As discussed in the previous section, CSOs organized themselves in various different forms during both the 2014-2015 process and the 2017-2018 process, resulting in umbrella groups and networks such as the CPJ, SSCF, Alliance, and Women's Coalition. However, the roles these networks have played are quite similar and can generally be classified under the following analytical categories.

- *Advisory and technical support;* Ahead of the HLRF, a group of 19 CSOs submitted an options paper to guide the mediators 'approaches to the talks, including inclusivity, the various tracks of the talks and the timeframe. For instance, one of the recommendations focused on how to distinguish between the various armed groups across the country, given their various nature, structures and motivations. This distinction was important as, for example, some of these groups were community defense groups, while some have a national political agenda. In this regard, the CSO group offered to help the mediation in mapping out the armed groups and identifying their political positions and relevance to the HLRF. Feedback from the mediation team indicated that the paper was a useful guide during the HLRF. Besides, mapping of prospective stakeholders to participate in the HLRF was later one of the processes undertaken by the mediation in the preparation of the IGAD led mediation towards the HLRF[37].

[36] Interview with a civil Society leader working for CEPO.

[37] Civil Society Options Paper On The IGAD High-Level Revitalization Forum (September 2017); Available here; http://www.centrepeacejustice.org/wp-content/uploads/2017/10/CSO-OPTIONS-PAPER-ON-REVITALIZATIOIN.pdf

- *Direct participation and contribution during the negotiations;* CSOs could take the floor and make interventions in both general plenaries and thematic working group meetings. The feedback loop helped CSO delegates, particularly the Civil Society Forum/SCF/ and Women's Coalition/WC/, to solicit inputs form their CSO colleagues who were outside the talks. The SCF and WC have demonstrated by their substantive written inputs that were lauded as useful and independent voices by the mediation and some of the parties. Crucial here is the notion of meaningful, as the involvement should encompass more than merely the buy-in of local actors to already designed agendas, but rather their active involvement in shaping those agendas. During the process towards the R-ARCSS, this interaction was more functional with the presence of a technical team comprised of thematic experts who provided round the clock advice to their CSO colleagues at the negotiation table. Thanks to the use of WhatsApp, communication was smooth. The delegation used this to maintain real-time contact with their technical team.

  Delegates were able to use both the written submissions and real-time inputs from colleagues to remain equipped to engage during the talks. For instance, even if the issue of civilian disarmament was recommended by CSOs in their submission, it was not included in the final text of the 2015 agreement. However, this was again raised by a civil society delegate during thematic session on Chapter II (which deals with security issues) and, eventually it was included in the Khartoum Declaration of Agreement between Parties of the Conflict of South Sudan, signed in June 2018[38].

- *Written Submissions;* during the 2014 -15 talks, CSOs made a submission on Security Sector Reform and Defence Transformation. The submission comprehensively provided the consensus reached among civil society on the requirements for adequate provisions to embark on SSR[39]. They also provided technical inputs to agreement texts that were under consideration. This included a ceasefire implementation matrix and earlier draft of Chapter II of the July Proposed Compromise Agreement on the Resolution of the Conflict in South Sudan of 2015[40]. Chapter II deals with Permanent Ceasefire and Transitional Security arrangements. This is the chapter that contains provisions relating to SSR. Although not all recommendations of civil society were incorporated in this chapter, a fair amount of the provisions were informed by the submission of CSOs. For

[38] See; Khartoum Declaration is the agreement on permanent ceasefire signed by the warring parties when the talks moved from Addis Ababa to Khartoum.

[39] Civil Society Submission on Security Sector Reform and Defense Transformation (February 2014); Available here; http://ssansa.net/wp-content/uploads/2017/04/142402-Civil-Society-Submission-on-Security-Sector-Reform-Defense-Transformation.pdf

[40] See; Civil Society Comments On Chapter II Of The July Proposed Compromise Agreement On The Resolution Of The Conflict In The Republic Of South Sudan (August 2015); Available here; http://ssansa.net/wp-content/uploads/2017/04/Civil-Society-Comments-of-Chapter-II-of-Proposed-July-Compromise-Agreement.pdf

instance, the process of the overhaul of the entire security sector was reflected upon by a Strategic Defence and Review Board to undertake a longer term analysis and come up with how to embark on comprehensive reforms.

- *Providing secretarial support during thematic group sessions;* members of the CSOs delegation sometimes served as rapporteurs of the breakout sessions during both rounds of talks. This gave them the opportunity to influence the language of the agreement texts partly because they were well versed with SSR issues than most of the signatories.

- *Strategic lobby with key stakeholders*; Beyond the conflicting parties CSOs engaged in lobbying guarantors, multilateral organizations such as the African Union (AU), UN, EU, China and the IGAD Partners forum particularly in the second phase of the peace talks. This was partly because revitalization also meant increasing involvement of additional organisations such as the AU. This enabled them to share insights on how to better support efforts of South Sudanese to end the war beyond the specific focus on SSR related issues. Feedback from a diplomatic mission to the Civil Society delegates showed that their engagements were useful for the diplomatic missions supporting the peace process[41]. CSOs also engaged in lobby meetings with the negotiating parties on the side-lines of the talks. This enabled them to understand the various positions of the parties and rationales behind including fears of the parties. These include the sense that the agreement gives unprecedented political leverage to one party. There were also fears to be taken to court before they even serve in the transitional government and issues related to security of tenure in general. This helped inform the development of alternatives and strategies for further lobbying. The CSOs met with both opposition groups and government delegates as a neutral partner to discuss contentious issues and urge parties to compromise.

- *Media outreach and public campaigns;* CSOs created a successful public campaign called #SouthSudanIsWatching to create awareness about the peace process with citizens and convince them to put pressure on the parties. It was both off and online but the online presence was big with significant political actors using the hashtag. This included the IGAD secretariat, Chairperson of the AU commission and the British envoy to South Sudan and Sudan. As pointed, earlier regional and international actors usually seek to influence the SSR process and have been able to find innovative entry points and methods to engage CSO dealing with security issues in general and the security sector in particular[42]. More interesting to point out is however the linkages to the effective use of social media. It is now common for civil society activists to turn to social media

[41] Feedback from a civil Society Delegate to the HLRF

[42]Branka, Marijan (2017). The Gradual Emergence of Second generation Security sector Reform in Bosinia-Herzegovina.Center for Security Governance/CSG/.

platforms, such as Twitter and Facebook, to share their concerns about different security institutions, most often the police.[43]

The same applies to influencing policy and advocacy on SSR policy agendas. While the use of social media as a form of oversight in the security sector is typically spontaneous and not organized, it represents an important platform to engage the public, particularly the youth, on SSR issues.[44] CSOs also made short films with citizens' voices calling for peace. The films were shown to delegates to bring voices of the ordinary citizens to the peace process[45]. South Sudan CSOs also collected regional voices for peace and shown them to delegates. For instance, ahead of the face to face meeting between Dr.Riek Machar and President Kiir, they produced a message by Prof.P.L.O. Lumumba in which he spoke directly to the two protagonists calling upon them to stop the war[46].

- *Mediator and trust building role;* At times when the gaps between the parties were wide and there was no progress, CSOs would engage informally with the various parties and foster indirect conversation among them. At some point when the government delegation walked out of the talks, CSOs engaged them and successfully lobbied them to return to the talks. Such efforts helped building trust among the parties. This underscores the value of sensitizing through outreach and information campaigns to ensure all parties achieve a shared understanding of the language and issues of SSR during negotiations. It also contributes to fill the knowledge gap on SSR, and security issues at large prevalent among armed opposition groups. Several cases including South Africa or Sudan reveal the lack of expertise on the part of armed groups, even mediation teams themselves, on the details of security arrangements let alone the specific knowledge on SSR. There is also the lack of a level playing field as non-state armed groups lack capacity to understand security issues.

- *Public forums on SSR;* CSOs also organized several public forums to foster dialogue on SSR in the context of the peace process. In October 2015, the South Sudan Action Network on Small Arms (SSANSA) organized a public forum, titled *"Next Steps for SSR in South Sudan".* Among the speakers in the forum were MedhaneTadesse and Kellie Conteh, experts from ASSN, and a former spokesperson of the SPLA, Col. Philip Aguer. CEPO and SSANSA have organized a series of local level security dialogues to identify local security priorities, which eventually fed into the advocacy strategies of CSOs to

[43] Ibid; Personal observations;
[44] Branka, 2017.
[45] See, short films here;
https://www.facebook.com/CSOForumSSD/videos/vl.1698913990196181/687453238312541/?type=1 ; https://twitter.com/CSOForumSSD; and here; https://www.youtube.com/watch?v=AuWIDLnqLkg.

[46] See Video of Prof.P.L.O Lumumba here; https://youtu.be/Q8krSPfDuT8.

influence the peace process on issues related to SSR. This turned to be extremely helpful as will be discussed in some detail below.

Overview of Support Provided to CSOs by ASSN and other Partners on SSR in Peace Agreements

It is widely argued that building CSO technical capacity to provide policy advice is paramount to the success of SSR[47]. In their influencing efforts, CSOs benefited from a range of support from their regional and international partners. CSOs play important role only when they are able to take full advantage of opportunities to voice their demands and to put their security and justice needs on the agenda. The *Security Sector Reform: Integrated Technical Guidance Notes by United Nations SSR Task Force* stipulates that strategic level participation by civil society require CSOs to be knowledgeable regarding SSR issues, hence providing training for CSOs, including women organizations to gain knowledge of SSR issues, so that they have the competence to engage on a par with the parties negotiating SSR issues.[48] Only then they will be able to make a pivotal contribution. These include trainings on SSR, technical support, capacity building, funding for strategy and coordination of participation in the peace process, networking and echoing of the calls of CSOs by their partners. This is exactly what transpired in South Sudan.

International partners which helped CSOs on this path included international partners Norwegian People's Aid, Cordaid, Berghof Foundation, PAX, UNDP, Oxfam, Global Network of Women Peace builders, Crisis Action, UN Women, SUCCESS Program and Justice Africa. At the continental level was the Africa Security Sector Network/ASSN/. Donor partners formed an informal group to coordinate their support to CSOs. The group included Oxfam, Justice Africa, Crisis Action and the Norwegian People's Aid. A representative from one of the INGOs explained that *"we did our best to coordinate and collaborate with each other in relation to our support to civil society engagement in the peace process. An informal working group was established to ensure our support to the civil society was well thought out and didn't create tensions or more challenges like competition and double funding etc. All support was then agreed and communicated with most activities being supported by more than one INGO. This proved to be very helpful"*[49]. This doesn't mean donors did not have their own specific relationships with particular civil society actors. As the evidence from elsewhere suggests CSOs can be disconnected from the local populations and focused more on donor preferences.[50] Many

[47] One can refer to the OECD DAC Handbook on Security System Reform (SSR) Supporting Security and Justice. OECD 2007

[48]Security Sector Reform: Integrated Technical Guidance Notes by United Nations SSR Task Force, 2013.

[49] Interview with a representative of INGO that supported civil society's engagement in the HLRF.

[50]Caparini, 2005.

were also established to exploit the influx of aid and tended to be short-lived as donor attention turned to other issues.

Furthermore, while international actors were keen to engage civil society in other areas of peace building, the SSR process was initially focused on technical aspects and institution building than immediate security concerns of citizens. It notes that "externally brokered and assisted reform has primarily addressed the warring parties rather than the forces advocating peace" and that there is a "feeling that security sector reform in a broad sense does not necessarily address the immediate security needs.[51] " However, in this case there has not been a mismatch as the involvement was basically on broader policy than specific programmatic issues. Evidently, some donors had the tendency to highlight some achievement/activity of the Forum as only supported by them by not mentioning other organization that pooled funds to the process. This reflects the scramble for glory and influence peddling on the side of the donors. However this was not to the extent of conspiring against collective CSO activism partly because much of the task at hand required looking for organizations that can be of use on ad hoc basis than institutional partners, often as a form of box ticking to demonstrate inclusiveness.

The support of the ASSN was notable but mainly geared to technical assistance. There were also in-kind donations by way of facilitating their resource persons to travel to help South Sudanese CSOs in training, formulating their ideas, influencing strategies and so on. In this respect, in October 2015, SSANSA with support from PAX, CORDAID and ASSN convened three day training on Security Sector Reform (SSR) for civil society representatives in South Sudan. The training covered normative frameworks as well as experiences of other countries in their SSR efforts. It particularly included experiences of Sierra Leone in its SSR path following the end of the armed conflict in the early 1990s. There was a spotlight on how civil society organizations engaged in that reform process. It also unpacked the SSR related provisions of the recently signed 2015 peace agreement, specifically Chapter 2, with the aim of mapping out areas where civil society should focus on to maximize impacts on reforms. The theme for the training was "*Towards concerted and sustained civil society engagement in Security Sector Reform in implementation of the South Sudan Peace Agreement".*

Following the October training, the South Sudan Law Society and CEPO with support from Oxfam also convened several trainings for CSOs which were also facilitated by experts from ASSN. This included facilitation of a preparatory planning meeting with civil society organizations in Juba in July 2017 to gain understanding of the civil society dynamics in South Sudan, knowledge base on SSR and develop priorities for SSR basic training. Following that, ASSN facilitated four days Basic SSR training for civil society in Juba in December 2017. In the same year, ASSN also coordinated a study visit for representatives of South Sudan civil society actors working on SSR to learn from the Liberian experience. In addition, ASSN facilitated

[51] Ibid.

lobby meetings of South Sudan civil society members with AU and IGAD members in Addis Ababa. Finally, the International Republican Institute supported establishment of Civil Society Centers that facilitated feedback loop among CSOs from Addis Ababa to Juba to the state levels. IRI also supported communications allowances to a CSO liaison person in Addis Ababa. CSOs also benefited from independent advisers, such as former advisers to an SSR program which was running in South Sudan before the eruption of the civil war.

SSR Provisions recommended by CSOs and Contributions Made by External Partners

The peace agreements contained explicit provisions for SSR in Chapter II of both the ARCSS & R-ARCSS. Although the agreement refers to it as Security Sector Transformation, it is an adequate mandate for overall reform of the security sector. For instance, Chapter II (6) established the Strategic Defense and Security Review Board (SDRB), which is charged with the task of conducting a comprehensive security assessment within which SSR shall be situated and subsequently making recommendations on critical sign posts and goals for reforms. The assessments include DDR requirements, the future command, function, size, composition and budget of the national army and other security forces[52]. Also, it was agreed that out of thirteen members of the SDRB, two shall be drawn from CSOs, as well as one youth and two women, from the Women Bloc and the Women's Coalition. Under the functional definition of CSOs for the purpose of this report, five members of the Board can be classified as civil society representatives. This also means there is more CSO membership in the SDRB under the R-ARCSS compared to the ARCSS. For instance, there was one slot each for women and CSOs in the 2015 agreement but these numbers increased to two each under the September 2018 agreement. Given the state of disorganization and politicization of the security sector – which emphasizes the need for reforms – the achievement in securing SSR mandate in the agreement is a big win for CSOs. However, they need to step up efforts to push for full implementation of the agreement and make sure their representation in the SDRB is effective. CSOs also successfully pushed for inclusion in the R-ARCSS, resulting in a quota of 35% women representation in all levels of government[53]. If implemented, this would mean there will be more women in governmental institutions engaging on matters relating to security, including security committees at the county, state and national level. There is an ongoing conversation on how to apply this rational in the organized security forces as this is a target that many modern western armies, for example, also do not attain. Nonetheless, this is another tangible result of civil society's influence efforts in the peace process.

Furthermore, CSOs introduced the need to have a discussion on dealing with armed civilians in the context of the peace process. The parties ignored this matter as they have lumped disarmament of civilians together with the disarmament of the armed groups in the context of DDR. This had been the case in the Comprehensive Peace Agreement of 2005 (CPA), leading to

[52] See Chapter 2 of Agreement on the Resolution of the Conflict in the Republic of South Sudan (2015).
[53] See R-ARCSS (2018); Article 1.4.4.

haphazard disarmament efforts by the government, which fell far short of their goals. In contrast, CSOs now called for the agreement to address separately the issue of civilian disarmament in their submission on SSR in the 2014-2015 process. However, this was once again not included in the ARCSS. However, during the 2017-2018 peace process, it was revisited , which resulted in the incorporation of a reference to disarming civilians in the agreement on outstanding issues of security arrangements.

A Summary of Success Factors in Civil Society Influence

The first relates to Alliance building: The influencing efforts of CSOs involved building coalitions. This boosted their legitimacy in the eyes of other stakeholders. For instance, the Civil Society Submission on Security Sector Reform and Defense Transformation was submitted on behalf of 19 CSOs. Statements delivered by the SSCSF were on behalf of over 200 member organizations, and that of the Women's coalition on behalf of 40 members. Besides, CSOs enjoyed higher confidence of citizens in regards to representation of ordinary people's interest. A November 2018 survey on citizens' perception of the peace process found a higher level of support for CSOs from citizens than all the other unarmed and armed groups at the HLRF including eminent persons and the former detainees[54]**.** A second advantage is **credible expertise:** Civil Society's presence in reasonable number, the knowledge and skills CSOs came with had put pressure on the parties to take the talks seriously[55].Would it be fair to say that this ensured CSOs were able to position themselves in the talks as thematic experts, so that they were seen by key stakeholders as a well-respected source of information and ideas? With a forgivable exaggeration the response would be yes. Third, **Effective communication and coordination:** Real-time communication between CSO representatives at the negotiating table and their technical team ensured timely back and forth flow of information that enabled delegates to maintain substantive engagement[56]. **Fourth, Leverage through concrete contributions:** The support given by CSOs to the parties in drafting Chapter II in turn conferred leverage to ensure that the evolving agreement text contained explicit and adequate SSR provisions. However, other political contextual issues such as the increasing disposition of opposition armed groups to have a say in the security sector, the interests and incentives of external partners to pursue democratic governance, early preparation and engagement as well as the use of social media by CSOs have invariably contributed to success.

[54] When respondents were then read a list of all the stakeholders that participated in the HLRF and asked which actors represented their interests as a citizen of South Sudan in the peace process. These were the findings; TGONU (44%) and SPLM-IO (42%), followed by faith leaders (32%), women's representatives (27%), civil society (25%) and youth representatives (23%), with progressively less confidence expressed for 14 other groups at the HLRF including FDs, SSOA and imminent persons. See; Revitalizing Peace in South Sudan; Citizen Perception on the Peace Process; Civil Society Forum; November 2018, http://csoforumsouthsudan.org/wp-content/uploads/2018/12/Revitalizing-Peace-In-South-Sudan-Citizen-Perceptions-of-the-Peace-Process-Civil-Society-Forum-November-2018.pdf.

[55] Interview with a representative of INGO that supported civil society's engagement in the HLRF.

[56] Interview with member 1, of Civil Society Delegation to the peace talks.

Challenges of Participation of CSOs in the talks

Even when CSOs have a clear idea of their possible contribution, several factors may hinder their effective involvement in these processes as happened in several other contexts, such as West Africa. First the **fragmentation** of civil society can disperse strengths and make it difficult to optimize work and impact of CSOs. Yet the sheer number of CSOs can also generate tension and competition that makes all organizations less effective.[57] Some civil society representatives were not consistent with their advocacy messages and the constituency they represent. For instance, in 2014, a focal point sent by CSOs to link them up with the talks abandoned the mission and joined one of the armed groups, the SPLM-IO. At the time, CSOs were not represented at the negotiating table and needed a focal point to facilitate updates and lobbying.

Similarly, in 2016, a member of the civil society who represented CSOs from the opposition held areas was later nominated to represent the SPLM-IO on the National Constitution Amendment Committee. Then, following the collapse of the agreement, this same individual went back to the civil society. This brings up satirical names like CSOs-in government, CSOs-in opposition, which tarnishes the image of CSOs and likely undermined their efforts to influence the peace process positively. It may therefore be advantageous to CSOs to build partnerships between and amongst themselves to pool their strengths, bridge any gaps and be more effective. Second, a tradition of state sovereignty has long meant that security was the exclusive preserve of the fighting groups. The knack of CSOs therefore depends largely on the ability to establish **constructive partnerships.** As argued, the focus by donors on engaging the civil society did contribute to a shift in perspectives on the engagement of non-state actors in the security field. By establishing partnerships with external actors, CSOs open up new avenues in terms of international finance and access to expertise, increasing their ability to act. It might also be useful to do an inventory of the actors involved in a bid to define the strength sand weaknesses of each member of the coalition right at the start.

South Sudan CSOs faced a dilemma between sticking rigidly to principle, on the one hand, and fear on the other hand that lack of flexibility could undermine progress in the negotiations or even risk their accreditation being withdrawn on the pretext of slowing down progress. For instance, CSOs advocated for the peace agreement to contain provisions for justice and accountability, in addition to calling for punitive measures against those groups violating the cessation of hostilities or the permanent ceasefire. This did not sit particularly well with the government delegation, as demonstrated by their refusal to sign the Declaration of Principles[58], during the beginning of the February 2018 session of the HLRF, even as other parties signed. This was not new as there was already a pattern of behavior on the part of CSOs to focus on

[57] Augustin Loada and Ornella Moderan, Civil Society Involvement in Security Sector Reform and Governance: Toolkit for Security Sector Reform and Governance in West Africa. Geneva: DCAF 2015

[58] Government declines to sign Declaration of Principles; Gurtong Trust (10 February 2018), http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/21285/Government-Declines-To-Sign-Declaration-Of-Principles.aspx

accountability issues. However, this also points to the potential for **confrontation** with political leaderships, a common problem for CSOs[59].

A CSO group aligned with the government threatened mediators that if they were not included in the talks, they would protest. Such lack of constructive engagement broadly affected the relationship and trust between CSOs and the mediators. CSOs had to struggle to convince all the parties that they were knowledgeable on security related matters in the peace process. The parties generally held the view that since the CSOs had no army, they should leave security related issues to the Generals. This was mentioned by a member of the government delegation and even echoed by a delegate from the faith-based delegation.[60] There was lack of trust between CSOs from Juba and the ones representing the Diasporas[61]. Those in the Diaspora often referred to CSOs from Juba as those who would not speak truth to power because, from the talks in Addis Ababa, they would need to return to Juba. The same argument was used by some members close to the SPLM-IO. Yet, parties manipulated the term 'civil society' for their own devices as previously discussed, where government and opposition preferred the participation of particular CSOs, of their choice. All this undermined the unity of CSOs at the talks.

This fragmentation of civil society, fundamentally undermining the ability of organizations to advocate collaboratively on issues related to security and the security sector, is thus a recurrent problem. This is compounded by 'short-termism'. Focusing only on the policy process-as CSOs are often criticized for doing- and winning the short-term goal of immediate legislative or policy reform leads to the danger of ignoring necessary long-term efforts to sustain and deepen such gains. This opens a larger debate on *processes* versus *projects* and how CSOs position themselves. Invariably this is related to what is referred as the "projectization" of civil society work, denoting the heavy reliance of civil society actors on donor-funded projects that do not always support sustained attention to issues. In this regard the option of engaging in partial implementation of pilot projects while negotiations are ongoing is recommended. Implementing individual components of larger SSR initiatives while the peace process is ongoing can highlight progress, raise confidence, and maintain momentum. In this regard, activities such as setting up a DDR commission, supporting community based policing and organizing human rights training for security institutions could be envisages.

A major impediment is however the character of civic space itself. As South Sudan civil society sought ways to terminate the hostilities and secure reform-- including those relating to the security sector--domestically there were a number of challenges that they had to navigate in relation to their very existence and operations. From the outbreak of the civil war in 2013 to the signing of the R-ARCSS, the operating space for civil society has been progressively shrinking. In 2014, the National Security Services Bill was adopted. Then, in 2016, the South Sudan Non-

[59] Van Leeuween, M. (2010). 'To Conform or to Confront? CSOs and Agrarian Conflict in Post-Conflict Guatemala.' Journal of Latin American Studies Vol. 42: 91-119. [Database Search]
[60] Interview with a youth representative to the HLRF
[61] Interview with a member of the Faith-based delegation to the HLRF.

Governmental Organization (NGO) Act 2016 and the Relief and Rehabilitation Act (RCC) were enacted. Even if well intentioned, parts of these laws have been used to encroach on the space for civil society. For instance, the RRC Act gives the Relief and Rehabilitation Commission (RRC) excessively broad authority to deny registration if an organization is involved in "tribal and political differences in the country." This is particularly sensitive for CSOs working on advocacy related issues and even more sensitive for civil society actors focusing on SSR, given that SSR is a highly political process. For example, a CSO reported being served with a letter to seek registration with the political parties' council, the RRC having cited the political nature of their work.[62] However this issue was later resolved and the organization was granted RRC registration.

It is not uncommon for activities of CSOs to be halted arbitrarily and for rights defenders to practice self-censorship out of fear of reprisals. In 2016, the National Security Service (NSS) shut down one youth meeting and in 2018 another youth meeting to raise awareness on the peace process was also ordered to shut down by alleged NSS personnel. Additionally, even if not a requirement of the law, the NSS habitually require CSOs to apply for clearance and sometimes even submit agendas for their workshops in advance for events taking place in venues other than their office compounds. Moreover, NSS personnel often sit in on CSO meetings, thereby inhibiting open discussion. At the time of the writing of this report, a civil society activist was under detention by the NSS for over 8 months without charge. That is in apparent contradiction to South Sudan's constitution, which stipulates that arrested persons must be presented to the courts within 48 hours of their arrest.

All these challenges in one way or the other undermine civil society efforts in playing active and full roles in peace processes. However, through solidarity, information sharing on recent incidents relating to space and attempts to change the law, civil society is still able to operate. Furthermore, it is a big win that review of both the NGO Act and security laws are part of the reforms that civil society advocated for during the peace talks and these appears in the final text of the R-ARCSS.

[62] The 2016 CSO Sustainability Index For Sub-Saharan Africa, USAID, Washington DC. (p 219), Available here: https://www.usaid.gov/sites/default/files/documents/1866/2016_Africa_CSOSI_-_508.pdf

Conclusion

Civil Society engagement in SSR in the context of peace processes is a work in progress as both their efforts to shape the provisions in peace agreements and how to best play their roles at implementation stages are developing. However, from their attempts to influence SSR related provisions and processes over the past four years, certainly there are best practices that they and others can learn from. While context is king, CSOs elsewhere could learn from the myriad of influencing tools and tactics used to engage with a variety of actors to exert their civilian influence on stakeholders in the peace process. Among critical success factors were the powers of building coalitions, bringing substantive alternatives to the negotiation tables, consulting with their constituency and offering practical help by way of documentation and facilitating working groups. Initially CSOs were not invited to the talks. However, they succeeded in launching a strong lobby. By establishing partnerships with external actors, NGOs and the regional body IGAD, South Sudanese CSOs managed to open up new avenues in terms of access increasing their ability to act. Their aptitude therefore depends partly on the ability to establish constructive partnerships with regional and international as well as some national players.

It is difficult to measure how much of the scope of the agreements can be attributed to the participation of civil society. However, it is clear that civil society has contributed substantially to those sections related to SSR by raising grassroots security priorities, bringing local voices to the discussions, reaching out informally to conflict parties in times of stalemate, and by offering concrete technical advice, suggestions and even drafting specific parts of the agreements and provisions. This does not discard the fact that South Sudanese CSOs are still plagued by issues of representation and legitimacy. This is particularly true of processes that are seen to be elitist, and externally and supply driven. The need to go beyond top-down approaches and elite-level interventions to meaningfully engage local civil society organizations and the broader community also means that those who engage at the national or regional level are not necessarily representative of the broader society and some of them may not have links to the community. This opens the risk of co-option of ‘civil society’ (in particular, specialized expert groups in formal security institutions) which is not only a phenomenon in developing countries, but is clearly visible in most Western states as well. In other words, the study clarifies that beyond the commendable role South Sudanese CSOs played in shaping and framing a road map on SSR at the national level, there is a need to mobilize larger coalitions and include the broader community, particularly the more marginalized segments.

Lastly, as with all agreements that civil society managed to influence, it is equally crucial that they continue to play a role as a critical but constructive partner in the implementation of the SSR related parts of the peace agreement. This requires South Sudan CSOs to redefine their own role and become a voice for all groups confronting insecurity at different levels.