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Anatomy of civilian disarmament in Jonglei State

Recent experiences and implications

Despite the end of the second Sudanese civil war in January 2005, South Sudan has remained volatile and insecure. This is due, in part, to the widespread proliferation of small arms in the hands of both armed groups and civilians.

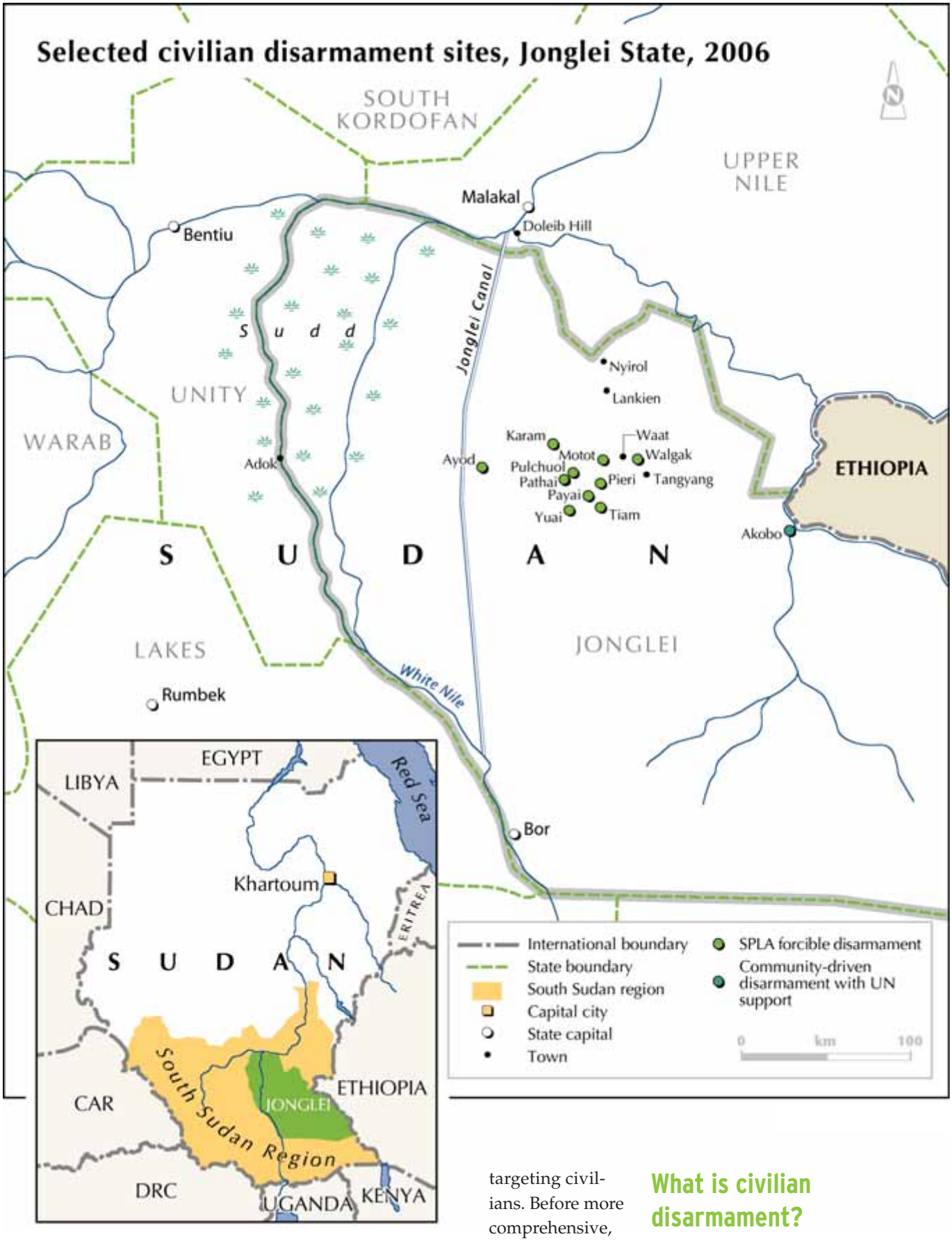
But while the Comprehensive Peace Agreement (CPA) calls for the disarmament, demobilization, and reintegration (DDR) of so-called Other Armed Groups (OAGs),[1] it provides comparatively little guidance on the question of disarming civilians.[2] Yet civilian disarmament is an essential step in bringing security to the region, and the Sudan People's Liberation Army (SPLA), now operating under the auspices of the fledgling Government of South Sudan (GoSS),[3] is actively conducting it. In some instances, its efforts have had devastating consequences for human security.

This *Issue Brief* examines two recent experiences of civilian disarmament in Jonglei State. Both interventions generated weapons surrenders but had substantially different human security outcomes. By looking closely at the local contexts, design, and execution of these two campaigns, important lessons are highlighted for future civilian disarmament and security improvement efforts in South Sudan. These lessons are particularly timely given that the United Nations, together with government and non-governmental partners, is preparing major conventional DDR and community security programmes for 2007.

The *Issue Brief* finds that a range of internal and external pressures are acting on the SPLA that continue to steer it towards a militaristic and coercive approach to civilian disarmament. These pressures must be taken into account in evaluating its past efforts and anticipating future campaigns. It



A UN observer surveys civilian small arms surrendered in Akobo, Jonglei State, in August 2006. © Mohamed Nureldin Abdalah/Reuters



also finds that due to current constraints in the mandates and capacities of various UN agencies on the ground, the international community is poorly positioned to support a voluntary approach targeting civilians. Before more comprehensive, pacific civilian disarmament can be achieved, a deeper understanding of local dynamics affecting the SPLA's approach, and the unwillingness of certain communities to disarm, is required.

What is civilian disarmament?

Civilian disarmament is a generic concept that encompasses a wide variety of interventions. These range from tightened regulatory mechanisms for private arms possession and forcible firearms seizures, to public awareness

and sensitization campaigns and weapons buy-back, collection, and destruction programmes. Along with DDR, civilian disarmament is increasingly considered to be a mainstay of post-conflict recovery programmes.[4]

Within this broad spectrum of activities, practitioners and analysts distinguish between coercive and voluntary efforts:

Coercive civilian disarmament is often pursued as part of crime reduction, peacekeeping, or peace support operations. It is usually administered exclusively by security structures—including formal law enforcement, military, or peacekeeping personnel. In many cases, arms are collected and destroyed, while in others, weapons are recycled into newly reconstituted armed forces or policing services.

Voluntary civilian disarmament is decentralized, and often combines both collective and individual incentives. It may be conducted as part of a formal crime or peacekeeping intervention or can be designed to accompany a development programme. Such activities frequently employ amnesties, weapons buy-backs, or 'weapons for development' activities.

Whatever the material and development incentives provided in either type of effort, a crucial difference is that coercive disarmament carries the threat of punitive measures for non-compliance, while voluntary efforts do not. Nevertheless, voluntary disarmament is often combined with, or in some cases precedes, coercive disarmament of the same community. This point is particularly relevant in the case of recent civilian disarmament efforts in South Sudan.

There is no standard template for civilian disarmament. But lessons learned reveal that efforts should be embedded in an appropriate normative framework, be preceded by a sensitization campaign, and combine clear criteria for surrendered weapons. Adequately resourced procedures for compensation and weapons destruction are also preferable wherever possible.[5]

Coercive disarmament is only seldom undertaken by the UN, specifically by the Department of Peacekeeping Operations, pursuant to a Chapter VI or VII mandate. In Sudan, there remains considerable debate within the UN over whether all SPLA disarmament initiatives are coercive or not.

Civilian disarmament in northern Jonglei (December 2005–May 2006)

The SPLA-led disarmament campaign in northern Jonglei[6] was launched against a backdrop of simmering tensions over common property resources and politicized inter-ethnic rivalries.[7] Problems emerged in December 2005 after Lou and Gawaar Nuer pastoralists requested permission from the Dinka Hol and Nyarweng from Duk county to graze cattle on their lands. The Dinka civil authorities requested that the Nuer pastoralists surrender their weapons before grazing their livestock. The Lou Nuer summarily refused, noting that disarmament had never been a precondition. Informal meetings were held with representatives of the white army,[8] the Dinka from Duk county, Nuer from Ayod and Fangak counties, and the Jonglei State government. During these meetings it was stressed that a forcible campaign would take place if weapons were not surrendered voluntarily.

One reason many civilians were reluctant to disarm was that the terms of the campaign were never entirely clear. Compensation was offered by the Jonglei governor, Philip Thon Lek, a Nyarweng Dinka from Duk county, for voluntarily returned arms, but details concerning the source of these funds were lacking. Not surprisingly, the Lou and Gawaar Nuer refused to hand over their weapons, arguing with some justification that they needed them to defend themselves against neighbouring Murle, who retained their weapons. Simultaneous disarmament was not on offer.

A rash of minor skirmishes between the white army and the SPLA erupted during the early stages of the disarmament campaign in January 2006.[9] Crucially, clashes included members of a group within the South Sudan Defence Force (SSDF) led by Simon Gatwitch that had joined the SPLA following the Juba Declaration. In the ensuing mayhem, SPLA forces were scattered, many dying of thirst and hunger. Wutnyang Gatkek, a spiritual leader of the Nuer from Fangak and, more critically, a former white army member, was one of the first people killed when he went to Yuai on behalf of the SPLA to sell the disarmament programme.[10] His death amounted to a symbol of the SPLA's ineffectiveness in convincing local youth to turn in their weapons. It also threatened the onset of inter-clan conflict between the Nuer and the Dinka, further intensifying demands within the SPLA for military retaliation.

Following the white army attack on the SPLA, the Juba leadership of the SPLM/A was seized with the issue. GoSS Security Committee members were divided between those calling for swift retribution against the white army, and those urging restraint. These tensions mirrored deeper splits, between supporters of the previous SPLM/A leader John Garang and those of his successor, Salva Kiir, the current president of the GoSS.

A conference on 27 February–7 March was rapidly organized in the heart of Lou Nuer territory to convince the white army to surrender their arms to the SPLA voluntarily. The result was

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far from encouraging. Meanwhile, Military Intelligence of the Sudan Armed Forces (SAF) reportedly began to take advantage of the escalating tension by stirring up violence in neighbouring Upper Nile State and supplying the white army with weapons and ammunition, even while allegedly destroying symbolic stocks for the UN Mission in Sudan (UNMIS).[11]

The wider consequences of the coercive disarmament campaign did not fully emerge until later, in May 2006. A major confrontation occurred in the triangle of Motot, Karam, and Yuai on 18 May when at least 113 white army fighters were killed[12] against one SPLA soldier, after which the white army realized it could not defeat the SPLA. In their retreat, the white army plundered cattle and property from civilians. The pursuing SPLA also carried out widespread looting, including that of the white army members in flight. The decisive defeat of the white army drove them into retreat toward Dolieb Hill in Upper Nile State. But rather than follow them, the SPLA called a meeting of chiefs and local authorities on 20 May to organize disarmament. Chiefs rapidly mobilized their communities, and weapons were passed through them, to local authorities, and then on to the SPLA.

Measured in terms of weapons collected, the northern Jonglei disarmament was a success. The two-month campaign was described by local authorities as 95 per cent effective. The UN estimated that 3,300 weapons were acquired.[13] Local SPLM authorities claim that they and the chiefs acquired 3,701 weapons in the Nyirol area alone—a significantly higher number than contended by the UN.[14] Some of these weapons were taken by the SPLA to unknown destinations, others are reportedly still being held locally. Disarmament of other areas, such as Ayod, was still incomplete as of late August 2006, owing to persistent insecurity and the presence of mines and unexploded ordnance in the area.

There is considerable uncertainty over what will happen next. Though Governor Philip promised compensation for voluntarily surrendered weapons, it was never clarified who would provide compensation and in what form. Local authorities would like to receive collective (i.e. development) benefits for turning over their community's weapons. Major priorities identified include schools, clinics, and water systems. Meanwhile, many households continue to believe that weapons possession is an inalienable right, though they supported the disarmament.

By most standards, the human costs of disarmament in northern Jonglei were high. Though it is impossible to establish the exact numbers, an estimated 1,200 white army and 400 SPLA soldiers were killed over the course of the campaign. Officials from SPLM Nyirol County report at least 213 civilian deaths. There was pervasive looting and houses were burned in the villages of Karam, Gogoak, and Chuai Dok, which were perceived as the centres of resistance. Another unanticipated consequence of the coercive disarmament was chronic food shortages: the white army raided cattle and goats from the community while the SPLA also lived off the land during their interventions.

UNMIS, despite its early support, did not participate in or actively support the disarmament in northern Jonglei. As noted above, the UN does not typically engage in coercive civilian disarmament. Furthermore, in the case of Jonglei, certain UN components held to a narrow reading of UN Security Council resolutions and the CPA, which focuses heavily on DDR of armed groups—not civilians. Certain key actors within the UN's integrated DDR Unit have readily endorsed a community security approach,[15] but others within UNMIS remain firmly focused on conventional DDR of armed combatants as prescribed by the CPA. Moreover, the military component of UNMIS was unable or unwilling to engage in civilian disarmament in northern Jonglei.

Civilian disarmament in Akobo (March–August 2006)

Prior to the disarmament campaign in the north of the state, between 2004 and 2005 a small UN contingent worked quietly with local government administrators and SPLA counterparts to develop what was expected to be a voluntary civilian disarmament in Akobo county, to the south-east. There they identified pilot areas, and by July 2005 a project involving the SPLA, civil authorities, women, and youth organizations was established. Key preconditions included security guarantees, appropriate compensation, and a neutral third party to broker voluntary civilian disarmament. Due mainly to capacity limitations, the UN was unable to play a more robust role.

Akobo commissioner Doyak Chol, with vocal support from Jonglei Governor Philip, put the civilian disarmament programme in motion in early 2006. In the wake of the violence in northern Jonglei, he had to work fast. Sources indicate that SPLA commander Bol Kong initially gave Chol two weeks to generate visible results before Kong would move the army in and do the job himself—with possibly the same outcomes as in northern Jonglei. Doyak and Philip petitioned the Juba leadership for traditional authorities, teachers, and youth leaders to be primarily responsible for undertaking disarmament—without direct SPLA involvement.

In March 2006, after intense bouts of violence, a ceasefire was arranged between local Lou Nuer and Murle chiefs in Akobo.[16] Against a backdrop of internal SPLA tensions, the NGO Pact-Sudan mediated a peace process between the Lou Nuer and Murle chiefs in May and June 2006.



Civilians carry weapons to a disarmament collection point in Akobo, August 2006. © Mohamed Nureldin Abdalah/Reuters

A plan for reciprocal disarmament began in July 2006, organized through chiefs and administered by county, payam, and community-level disarmament committees. Schoolteachers were trained to safely clear, register, and store the weapons in ten disarmament centres. 'Mobilization teams' were also created, and public sensitization programmes were launched, supported by the UN, with many travelling along the Pibor and Agvei Rivers.

The Akobo disarmament programme generated some important and visible successes. By 30 July, an estimated 1,400 serviceable rifles, machine guns, rocket-propelled grenades, and mortars were turned in.[17] Despite concerns that SAF-backed Murle militia might disrupt civilian disarmament by agitating locals to resist the process, it took place relatively peacefully. According to observers, weapons are no longer carried openly and the authorities have asserted control over the territory for the first time.[18] Others, including the SPLA itself, are less positive in assessing its success. According to former SSDF officials now with the SPLA, less than one-quarter to only 'a small fraction' of the actual number of weapons in the area were collected.[19]

The impending Murle disarmament had weighed heavily on both the GoSS and UN actors in the region. Unlike the Lou Nuer of Akobo, who are aligned with the SPLM/A, the main leader of the Murle, Major-General Ismael Konyi, was aligned with the SAF at the time and was a senior figure in the SSDF. This alliance persisted despite repeated efforts by many in the SPLM/A, chiefs, and members of the international community to convince Ismael to join the SPLA and reduce the likelihood of more coercive, and probably violent, disarmament. The Murle leadership, finally recognizing that disarmament could not be postponed, announced on 22 September that it had joined the SPLA and that disarmament could proceed.

Most chiefs taking part in the civilian disarmament process were anxious to convince the SPLA that an effective, peaceful, and voluntary process could take place in Jonglei. They were also keen to regain authority in their communities and reduce the influence of the white army. Further, UN engagement in the process was held to add legitimacy and ensure that meetings, communications equipment, and safe transportation of weapons would take place. From the UN perspective, participation in the Akobo campaign provided UNMIS with a pilot for voluntary civilian disarmament, though there were concerns internally that most agencies and state entities were insufficiently prepared.[20]

The Akobo disarmament experience highlights the confluence of coercive and voluntary disarmament. Though it was designed as a voluntary process,

Akobo residents held no illusions about what lay ahead should they refuse to participate voluntarily. Thus it is not correct to interpret the Akobo disarmament campaign as an exclusively voluntary process.[21]

But it was the implied, rather than the de facto, coercion that played a decisive role in the overwhelming participation of civilians. It should also be noted that the UN found itself in a delicate situation, as it is unable to endorse anything less than a fully voluntary process.

Factors affecting the SPLA approach to civilian disarmament

A range of factors are shaping SPLA decisions to engage in civilian disarmament in the South. Some of these are internal to the SPLA itself. Others are external, and tied to the broader aspirations of various groups in the region, including the SPLA. In order to ensure that tragic mistakes are not repeated, it is crucial that the UN, donors, and others acknowledge and understand these competing motivations. Some, but not all, are listed below:

Internal factors

The SPLA is overstretched and suffers from weak command and control. In the wake of former SPLA leader John Garang's death, there has been a scramble for positions, tensions with the SSDF, settling of old tribal scores, in-fighting between the Dinka heartland and Lakes State, and the usual challenges of transforming a rebel group into a conventional army. Some progress has been made in military restructuring, including the provision of supplies and in some cases the provision of 'incentives' to certain staff[22]; but is worth underscoring that SPLA forces deployed to northern Jonglei to disarm civilians were forced by lack of supplies to subsist on cattle from local inhabitants—a major factor contributing to discontent in the region.

Persistent tensions within SPLA leadership. A deep rift divides those close to former leader John Garang and those surrounding Salva Kiir. The SPLA military high command remains dominated by Bor Dinka 'Garangists', while the SSDF members who went into the SPLA as a result of the Juba Declaration are largely Nuer, support Salva, remain deeply suspicious of the Garangists, and were upset by their marginalization during the northern Jonglei disarmament. Suspicion of the objectives of the SPLA disarmament was even greater in the countryside, home to many in the SSDF and to the white army.

Narrow militaristic orientation of the SPLM/A. The SPLM/A, though embracing a political agenda, has long been dominated by a militarist ideology, was led by military men, and gave scant attention to political struggle, including administration and the development of a guiding political ideology.[23] From the movement's inception in 1983 it saw itself as engaged in a revolutionary struggle that would lead it to victory. Military officers take the lead in dealing with all manner of problems, particularly in the countryside, and their approach is likely to be authoritarian and ultimately to involve the use of force to implement decisions. It is contrary to an approach expected by a civilian administration; and it was such an approach that dominated the northern Jonglei disarmament.

External factors

Hegemonic ambition. Ever since the signing of the CPA, the SPLM/A has been eager to assert its hegemonic position in the South. It won its present status through negotiations with Khartoum that excluded all other southern actors, some of whom were angry at being left out. The SPLM/A leadership felt that the safest route to absolute authority was to force friends and enemies alike to accept that its army alone had the right to retain weapons. The SPLM assumed that only the strong presence of its army would convince southerners to turn over their weapons; hence the threat of violence, or its actual application, was part of the process.

Countering northern agitation. The SPLM/A is acutely conscious that the SAF has for years infiltrated, influenced, controlled, and supplied a range of armed groups in the South. Khartoum's continuing support for 'rump' SSDF and other elements has led senior SPLM/A officials to approach unknown civilian groups with a high degree of suspicion.[24] Certainly, some or all of the armed groups opposed to the SPLM/A are viewed as fifth columnists to be eliminated.

Territorial aspirations. SPLM/A-led disarmament appears to be part of a broader struggle against the SAF in the northern and oil-producing borderlands, where the national army is increasingly taking up offensive positions. Before the SPLA can confront this challenge, it has to ensure the security of its territory and eliminate elements that may be under the influence and direction of the SAF.

Legacy of inter-tribal mistrust. The northern Jonglei disarmament campaign reawakened memories of the horrific attack on the Bor Dinka in 1991 by the Nuer that occurred after the SPLM/A leadership split between Riek Macher and Garang, himself a Bor Dinka. There is little doubt that the pain and anger have not been resolved and continue to affect relations between Dinka and Nuer as a whole. While there is little evidence that, as some have claimed, this legacy shaped the violent response of the SPLA to the white army's attack, these sentiments are likely to have surfaced during its course.

Conclusions

The issue of civilian disarmament was not adequately addressed in the CPA, yet it remains a key requirement for future stability in South Sudan. The widespread possession and use of small arms and light weapons among civilians exacerbates local insecurity and inhibits the influx of development assistance and personnel to the region.

To date, the civilian leadership of the GoSS has yet to moderate the heavy-handed tactics of the SPLA, whose

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actions are influenced by deep internal political and tribal conflicts. The absorption of the Nuer-dominated SSDF into the army, and the resistance to it from Dinka in its ranks, is the latest factor affecting the dynamics of disarmament.

At the same time, the GoSS has not set out a comprehensive civilian disarmament plan that the international community can legitimately support.

Although discussions are under way for cooperative disarmament through the Community Security and Arms Control programme,[25] the SPLA's current de facto strategy is primarily a military one: to do what it must to neutralize the SSDF, eliminate all armed civilian groups in the South, and position itself to confront the SAF in the border and oil areas. Many within the SPLA unquestionably believe that reaching these goals calls for all the tools of war, including coercion and violence against civilians.

Viewed in this light, the UN's current stance on civilian disarmament in South Sudan cannot be maintained. Because its mandate is tied to the CPA, UNMIS may only monitor and observe disarmament activities, rather than actively engage in them. Its local reputation suffered greatly when it offered no official condemnation of the violence accompanying disarmament in northern Jonglei.

Following that episode, the UN was eager to associate itself with what it hoped and expected would be peaceful and voluntary disarmament in Akobo. The collaboration among the UN DDR Unit, UNDP Sudan, and leading local officials boded well—and when widespread violence did not take place, the success of the effort was widely proclaimed.

But the campaign was in fact far less than fully voluntary, and this has led to a fierce debate within the UN about whether it can fully support similar efforts. As of the time of writing, these issues have not yet been thoroughly aired or resolved.[26] ■

Notes

This Issue Brief *was authored by HSBA team members and benefited from consultations with Sudanese government representatives and UN officials.*

1 The CPA stipulates that no armed groups allied to either party may continue to exist. OAG members have the choice of either being integrated into the SPLA or joining a variety of services (such as wildlife or the civil service) and being disarmed. This *Issue Brief* focuses on the disarmament of armed civilians, not OAGs.

2 The CPA's only reference to civilian disarmament is in section 14.6.5.15 of the agreement on permanent ceasefire and security arrangements implementation modalities (31 December 2004), which empowers the Ceasefire Joint Military Committee (CJMT) to 'monitor and verify the disarmament of all Sudanese civilians who are illegally armed'. This passage gives rise to two particular problems. First, there is a lack of clarity about what constitutes 'illegal' in this context, since gun laws have not yet been enacted in South Sudan. Second, the boundary between civilians and armed groups is far from clear, as the case of the so-called white army—ad hoc groupings of armed civilians—demonstrates.

3 In accordance with the CPA, the SPLM controls 70% of positions in the GoSS, the other southern parties 20%, and the National Congress Party 10%.

4 See Small Arms Survey (2005) and Muggah (2006).

5 See Faltas et al. (2001) and Muggah (2005).

6 The area referred to here as 'northern Jonglei' includes Wuror and Nyirol counties of Jonglei State. This region formed a part of what was formerly known as the 'Central Upper Nile' region, although it is not part of Upper Nile State.

7 The account of the northern Jonglei disarmament campaign and its descent into violence is based largely on Small Arms Survey (2006).

8 'White army' denotes loose collectives of armed civilians (typically youth) who mobilize in response to local concerns. It is predominately composed of Nuer.

9 Coercive and uneven disarmament was also being carried out by the SPLA along the Sobat and Baro river system, which reportedly resulted in a handful of deaths among civilians and SPLA members.

10 See Pact-Sudan (2006).

11 See Small Arms Survey (2006).

12 The numbers are disputed. In an interview conducted in January 2007, a payam administrator in Yuai reported that 228 people had lost their lives.

13 Ibid.

14 SPLM officials, Nyirol County (Motot, 26 August 2006).

15 There is no standard definition of what constitutes a 'community security' programme. In practice, it refers to a host of interventions designed to generate safe, weapons-free environments in post-conflict contexts. Such interventions may combine military and policing activities with customary authority structures and pre-existing local security arrangements. The UN is increasingly pursuing community security programmes to complement DDR, including in Haiti and Sudan (Muggah, 2005; 2006).

16 Local peace committees claim that 60–70 people had been massacred between January and February 2006.

17 The UN official closest to the process, David Lochhead, contends that, given the relatively small number of young men in the community, the 500 that joined the SPLA and hence kept their weapons, and the number of gun-owning men who were out of the community at the time of the intervention, the programme generated high returns of weaponry. Commissioner Doyak contended that fewer than 200 weapons remained in private hands at the time this research was carried out.

18 Communication with David Lochhead, November 2006.

19 See Small Arms Survey (2006).

20 Communication with senior UN DDR officials.

21 An UNMIS (2006) press release announcing the conclusion of the Akobo campaign greatly overemphasizes the voluntary aspect of the effort.

22 Ongoing pre-registration of SPLA will probably generate a register as a basis for payrolls, which will also allow for budgeting and potential downsizing.
23 See Small Arms Survey (2006).
24 For an account of 'rump' SSDF since the Juba Declaration, see Young (2006).
25 This would likely involve the presidency, police, Interior Ministry, DDR, SPLA, UNDP, UNMIS, and NGOs.
26 Communication with senior UN DDR officials.

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HSBA project summary

The Sudan Human Security Baseline Assessment (HSBA) is a two-year research programme (2005–07) administered by the Small Arms Survey, an independent research project of the Graduate Institute of International Studies in Geneva.

It has been developed in cooperation with the Canadian Ministry of Foreign Affairs, UNMIS, the UN Development Programme, and a wide array of international and Sudanese NGO partners. Through the active generation and dissemination of timely empirical research, the HSBA project works to support disarmament, demobilization, and reintegration (DDR) programmes, security sector reform (SSR), and arms control interventions to promote security. The assessment is being carried out by a multi-disciplinary team of regional, security, and public health specialists. It will review the distribution of armed violence throughout Sudan and offer policy-relevant advice to redress insecurity.

Sudan Issue Briefs are designed to provide periodic snapshots of baseline information. Future issues will focus on a variety of issues, including armed groups, the trade and transfer of small arms into and out of Sudan, and victimization rates. The HSBA also generates a series of timely and user-friendly working papers in English and Arabic, available at www.smallarmssurvey.org/sudan.

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