War to peace transition and arms trade regulations

Case study South Sudan

Harriet Alice Lommer

Dissertação

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WAR TO PEACE TRANSITION AND ARMS TRADE REGULATIONS

CASE STUDY SOUTH SUDAN

HARRIET ALICE LOMMER

ABSTRACT

KEYWORDS: Arms trade, DDR, civil war, South Sudan

This thesis examines arms trade regulations and Disarmament, Demobilisation and Reintegration (DDR) programs with a case study on South Sudan. It offers an overview of different approaches towards regime theory and discusses the concept of DDR as security regime. It includes an analysis of the South Sudanese war to peace transition, after the signing of a comprehensive peace agreement with Sudan in 2005, as well as the causes for the relapse into civil war within South Sudan in 2013. The thesis adds the dimension of arms availability and design of the DDR program to the debate. It addresses the underlying historical, economic and social causes for outbreak of civil war, as well as failures in the statebuilding and DDR process. It also provides an overview of the interests, which international and regional actors pursued in South Sudan. It specifically addresses arms sales to the South Sudanese government and non-state actors and highlights the issues small arms and light weapons pose to the country. The thesis finds, that all international actors, providing arms or military support, contributed with their actions to the spread of SALW and to a higher militarization of the country in the years before the relapse into conflict. It concludes that the establishment of an arms trade regime is impossible under these circumstances and that a solution for more regulation might be found on a regional level.
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<th>Description</th>
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<tbody>
<tr>
<td>ABM</td>
<td>Anti-Ballistic Missile Treaty</td>
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<td>ATT</td>
<td>Arms Trade Treaty</td>
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<tr>
<td>AU</td>
<td>African Union</td>
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<td>AUCISSL</td>
<td>African Union Commission of Inquiry South Sudan</td>
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<td>BCSSAC</td>
<td>South Sudan Bureau for Community Security and Small Arms Control</td>
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<td>CASA</td>
<td>Coordinating Action on Small Arms</td>
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<tr>
<td>CFE Treaty</td>
<td>Treaty on Conventional Forces in Europe</td>
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<td>CNPC</td>
<td>China National Petroleum Corporation</td>
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<tr>
<td>COCOM</td>
<td>Coordinating Committee for Multilateral Export Controls</td>
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<tr>
<td>CPA</td>
<td>Comprehensive Peace Agreement</td>
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<tr>
<td>CSCE</td>
<td>Conference for Security and Cooperation in Europe</td>
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<td>DRC</td>
<td>Democratic Republic of the Congo</td>
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<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>EU</td>
<td>European Union</td>
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<tr>
<td>GEMAP</td>
<td>Governance and Economic Management Assistance Program</td>
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<tr>
<td>GoNU</td>
<td>Government of National Unity</td>
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<td>GoS</td>
<td>Government of Sudan</td>
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<td>GoS</td>
<td>Government of South Sudan</td>
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<td>HSBA</td>
<td>Human Security Baseline Assessment for Sudan and South Sudan</td>
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<td>IANSA</td>
<td>International Action Network on Small Arms</td>
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<tr>
<td>ICBL</td>
<td>International Campaign to Ban Landmines</td>
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<tr>
<td>IDDRS</td>
<td>Integrated Disarmament, Demobilisation and Reintegration Standards</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>IDP</td>
<td>Internally Displaced People</td>
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<td>ISS</td>
<td>Institute of Security Studies</td>
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<td>ITI</td>
<td>International Tracing Instrument</td>
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<td>JDF</td>
<td>Joint Defense Board</td>
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<td>JEM</td>
<td>Justice and Equality Movement</td>
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<td>JIU</td>
<td>Joint Integrated Unit</td>
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<tr>
<td>MANPAD</td>
<td>Man portable air defense system</td>
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<td>MDRP</td>
<td>Multi-Country Demobilisation and Reintegration Program</td>
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<td>MDTF</td>
<td>Multi Donor Trust Funds</td>
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<tr>
<td>MIC</td>
<td>Military Industry Corporation</td>
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<tr>
<td>NATO</td>
<td>Nord Atlantic Treaty Organization</td>
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<td>NCP</td>
<td>National Congress Party</td>
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<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>NPC</td>
<td>National Petroleum Commission</td>
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<td>NISS</td>
<td>National Intelligence and Security Services</td>
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<td>NRDF</td>
<td>National Reconstruction and Development Fund</td>
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<td>LRA</td>
<td>Lord’s Resistance Army</td>
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<td>RECs</td>
<td>Regional Economic Communities</td>
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<td>RESCA</td>
<td>Regional Centre for Small Arms and Light Weapons</td>
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<td>SADC</td>
<td>Southern African Development Community</td>
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<td>SAF</td>
<td>Sudan Armed Forces</td>
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<tr>
<td>SIPRI</td>
<td>Stockholm International Peace Research Institute</td>
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<tr>
<td>SLA</td>
<td>Sudan Liberation Army</td>
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<td>SLM/A</td>
<td>Sudan Liberation Movement/Army</td>
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<td>SPLA</td>
<td>Sudan People’s Liberation Army</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>SPLA/M</td>
<td>Sudan People’s Liberation Movement/Army</td>
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<td>SPLM-N</td>
<td>Sudan People’s Liberation Movement–North</td>
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<td>SRF</td>
<td>Sudan Revolutionary Front</td>
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<td>SRF</td>
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<td>SRF</td>
<td>Sudan Revolutionary Front</td>
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<td>SDM</td>
<td>South Sudan Democratic Movement/Army</td>
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<td>SSDTP</td>
<td>South Sudanese Defense Transformation Program</td>
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<td>SSLM/A</td>
<td>South Sudan Liberation Movement/Army</td>
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<td>SSPS</td>
<td>South Sudan Police Service</td>
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<td>SSR</td>
<td>Security Sector Reform</td>
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<tr>
<td>SSRDF</td>
<td>South Sudan Reconstruction and Development Fund</td>
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<tr>
<td>TFG</td>
<td>Transitional Federal Government</td>
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<tr>
<td>UNCOMTRADE</td>
<td>United Nations Commodity Trade Statistics Database</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Program</td>
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<tr>
<td>UNMISS</td>
<td>United Nations Mission in South Sudan</td>
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<tr>
<td>UNPoA</td>
<td>UN Program of Action to Prevent, Combat, and Eradicate the Illicit Trade in SALW in all its Aspects</td>
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<tr>
<td>UNROCA</td>
<td>UN Register of Conventional Arms</td>
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<td>UNSC</td>
<td>United Nations Security Council</td>
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<tr>
<td>USSR</td>
<td>Union of Soviet Socialist Republic</td>
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<tr>
<td>WA</td>
<td>Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies</td>
</tr>
<tr>
<td>WMD</td>
<td>Weapons of mass destruction</td>
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INTRODUCTION

“The death toll from small arms dwarfs that of all other weapons systems - and in most years greatly exceeds the toll of the atomic bombs that devastated Hiroshima and Nagasaki. In terms of the carnage they cause, small arms, indeed, could be well described as weapons of mass destruction.” (Annan, 2000, p. 52)

This statement was made by then UN Secretary-General Kofi Annan in 2000 and again during the United Nations Conference to review progress made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July 2006. Now, twelve years later, the problem persists. Small arms and light weapons (SALW) are the weapon of choice in civil wars.

The research question of this thesis is:

To what extent can Disarmament, Demobilisation and Reintegration (DDR) programs and arms trade regulations contribute to the consolation of peace in post conflict societies and how can they prevent a relapse into conflict?

It will be answered by examining the South Sudanese DDR program in the context of the relapse into conflict, the state experienced in 2013. The case study provides an insight into possible causes of relapse into conflict in a state with high arms’ proliferation.

South Sudan and Sudan signed a comprehensive peace agreement (CPA) in 2005. Part of the agreement was the establishment of a DDR initiative (see chapter 6.2, p.77) and the possibility for South Sudan to hold a referendum after a transition period of six years. In January 2011, the South Sudanese people voted for independence and South Sudan became a sovereign state. Unfortunately, after the President Salva Kiir Mayadit (who identifies with the ethnic group Dinka) accused Vice president Rieck Machar (who identifies with the Nuer ethnic group) of plotting a coup d’état, civil war broke out in December 2013.

This thesis uses regime theory as its theoretic framework. First the term regime is defined, further on different theoretical approaches towards regime building and importance of
regimes in the international system will be outlined. Then this thesis will proceed to introduce the concept of DDR as security regime and evaluate its impact on the war to peace transition. The chapter will include a section on post-conflict statebuilding and issues to be addressed in the process.

In addition, the thesis tries to answer following questions: What caused the conflict? How to understand its evolution and its conduct? Which are the main lines of cleavage within South Sudanese society that help us understanding the conflict?

The reasons for the South Sudanese relapse into conflict are addressed by different scholars. Johnson (2016), LeRiche and Arnold (2013) include the historical and cultural dimension as well as ethnic division into their analyses. De Waal focuses on the clandestine economy and misappropriation of revenues by elites, similarly Pugh analyses corruption in context of statebuilding (2013b, pp. 79–91) Rolandsen and Kindersley (2017) and Nascimento emphasize structural inequalities (2017), Ylönen draws attention to the nationbuilding process (2016).

This thesis adds the dimension of arms availability and DDR programs to the analysis.

It will examine the failure of the DDR program, the outbreak of civil war and the underlying structural problems of the country, as well as interests of regional and international actors in the context of arms proliferation in the region.

Arms trade and arms availability have an impact on peace and conflict, on development and stagnation of a country. Only few authors challenge the assumption that higher arms availability contribute to more violence in countries.¹ Most do see proliferation of arms as a threat to development and human rights, which is directly linked to prolongation and intensification of conflicts (Lamb and Dye, 2009, pp. 69–70).

There is no universally accepted distinction between the terms “arm” and “weapon”. In this thesis the terms are used interchangeably. The same applies for the terms armed conflict and war. Some authors only refer to a war, if one of the parties in interstate conflict has declared war, others use it for any armed hostility between states or within a

¹ see Lott (2010, p. 4)
state (Malone, 2008, p. 127). In this thesis both terms are used to define the outbreak of hostilities between different groups in South Sudan. The exact number of casualties of the South Sudanese civil war is difficult to estimate. According to Amnesty International tens of thousands of people died during the first two years of war, 1.4 million people were internally displaced and 500,000 fled to neighboring countries (Amnesty International, 2015, p. 336).

The methodology used is Qualitative Data Analysis. The data I have collected derives from both qualitative and quantitative research. The thesis is based on secondary evidence as reports, books, articles, speeches and treaties. To illustrate the problem of DDR programs and arms trade regulation in the ambit of a war to peace transition, I conduct a deductive, theory based, single case study.

Data regarding arms flows is difficult to retrieve. Even the legal arms trade often lacks transparency. So, the data for this thesis relies on investigations conducted by few entities as the Small Arms Survey and the Stockholm International Peace Research Institute. This poses a problem to the research, which might seem one-sided in terms of sources and thus restrictive in its approach. However, the data used is reliable, as governments and international organizations tend to base their evaluations on these sources.

In chapter 1 this thesis will introduce different approaches to regime theory to analyze in chapter 2 DDR programs and arms trade regulation. It will also discuss the statebuilding process. Chapter 3 gives an overview of the causes for the South Sudanese civil war and its conduct. The next chapters 4 and 5, focus on international and regional arms trade regulation, as well as the phenomena of arms trade in the South Sudanese context respectively. The thesis continues to identify the principle actors of arms trade and their interests. The last chapter examines DDR programs and arms trade regulation in the context of statebuilding in South Sudan, as well as the implications of the economy in South Sudan and its relapse into war. The thesis will put forth the argument, that all

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2 Qualitative data analysis are processes and procedures whereby one moves from the qualitative data that has been collected to an explanation, the search for patterns in textual data followed by an explanation and the examination of common ground and differences of a phenomenon
international actors, providing arms or military support, contributed with their actions to the spread of SALW and to a higher militarization of the country in the years before the relapse into conflict. It concludes that the establishment of an arms trade regime is impossible under these circumstances and that a solution for more arms regulation might be found on a regional level.

CHAPTER 1 – REGIME THEORY

Chapter 1 provides a short overview over the concept of regime theory, its definition and the debate evolving around regime formation and function. This is followed by an analysis of the regime theory in relation to DDR programs as security regimes.

Regime theory assumes that the international system has an anarchical character and that within the international system power is distributed among different political actors. This refers to both state and non-state actors, as non-governmental organizations, intergovernmental organization, as well as multinational companies. It is important to note, that states remain the most relevant actors. Regime theory examines the power relations between the actors and the reasons for cooperation between them.

First it is important to define the term regime. Further on the different theoretical approaches concerning the role of regimes will be discussed. The definition for the term “regime” by Krasner is the most commonly used. Krasner defines regimes as

“sets of implicit or explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given issue-area”

(Krasner, 1982, p. 185)

According to Krasner international regimes are based on four pillars:

“Principles, norms, rules and decision-making procedures.” (Krasner, 1982, p. 182)
Principles are common beliefs of fact in the working area of a regime, about the reason and effects of a problem regarding the work and criteria for evaluation. Norms are commonly accepted standards of behavior and define social conduct, they lead to rights and obligations. Rules are the specific instructions for action and behavior. Decision-making procedures, are established proceedings for the revision of a regime, the participation in a regime, for conflict solution or sanctions. Especially the information-, decision- and conflict solution procedures support the confidence building between members of a regime and are beneficial for the success of a regime (Wesel, 2012, pp. 70–71).

Rittberger refers to Krasner when defining an institution. According to him there are two different types of international institutions: international regimes and international organizations (Rittberger et al., 2013, p. 20). Similarly, Hasenclever writes, that regimes can be perceived as a “special case” of international institution (Hasenclever et al., 2004, p. 1). There are clear differences between organizations and regimes. Unlike organizations, regimes are no actors themselves. Organizations can operate in more than one field, while regimes cover specific areas of international relations as trade, security, proliferation of nuclear weapons, environmental protection or finance.

So, regimes are flexible political institutions, created on the common or harmonizing expectations of the actors, common principles, norms and rules, defined communication process, decision making process and working process to coordinate activities and to cooperate to achieve or avoid a certain condition. Only the existence of international organizations and regimes makes multilateral cooperation possible (Wesel, 2012, p. 1).

Regime theory is based on the neoliberal idea of institutions affecting the behavior of states and other actors. However, both the neoliberal and the neorealist regime theorists agree on the state as rational and unitary actor, as well as the anarchic character of the international system. As central actors in the international system, states are responsible for the establishment of regimes. Both perspectives see states behavior as being rooted in power and interests. Both believe, that the establishment of regimes derives from cooperation in the international system and that regimes promote international order. (Reus-Smit and Snidal, 2008 // 2010, p. 203).
The regime theoretical debate revolved around different questions. Why is the creation of regimes possible and how are they formed? How can regimes persist, how can they change and avoid disintegration? How can success, efficiency and effect of regimes be ensured?

Different scholars of international relation theories have analyzed and developed the regime theory to answer those questions. Most locate the theory of international regimes within the schools of neoliberalism and neorealism (Wesel, 2012, p. 54). Others see this classification as a simplification. Hasenclever, Mayer and Rittberger for instance include cognitivism into their work about regime theory (Hasenclever et al., 2004). They distinguish between three different approaches to analyze regime theory. The power based (realist), interest based (liberal) and knowledge based (constructivist) approach. In the next section these different schools of thought will be outlined.

Neorealist (power based) approach

Realism examines power relations, realists believe that power is at the core of both cooperation and conflict.

From a neorealist perspective, the anarchic character of the international system means that there is no higher institution which can decide norms or impose norms. In this environment sovereign states are worried about their own survival and try to maximize their security. The only possibility for states to survive, lies in the accumulation of more power. To avoid war, states or alliances of states must balance their power with other states or alliances in a way that all hesitate to attack (Rittberger et al., 2013, p. 29).

Neorealists believe, that the amount of power resources which actors have, has a direct impact on the nature and effectiveness as well as durability of the regime. Other theorists generally question the effectiveness of international regimes, because of the obstacles created through the considerations of relative power (Hasenclever et al., 2004, pp. 4–5).

Neorealists believe that states, politicians and military are rational actors, who make decisions based on costs and gains of possible actions and work towards specific goals, which generates mistrust between the states. International organizations do not have a
significant impact on this struggle for power. They are only used as tools by powerful states to implement their interests (Wesel, 2012, pp. 42–47).

Establishment and efficiency of an organization depends on a powerful hegemon. Even if a regime or organization would benefit all states, states want to assure that no other state will benefit more from it than they do, which makes cooperation difficult. Only if one state is so powerful it can tolerate relative gains from other states to achieve absolute gains itself, cooperation is possible between states (Rittberger et al., 2013, pp. 28–30).

Neorealists believe that duration and persistence of a regime depends on the distribution of power between the participating states. Every change in the distribution of power hinders cooperation in the regime. So, the neorealist approach has difficulties to explain multilateral cooperation and the appearance of security regimes, especially without the presence of a hegemonial power (Wesel, 2012, p. 43).

**Neoliberal (interest-based) approach**

Neoliberalism focuses on the constellation of interests. Depending on the author neoliberalism is also called institutionalism or neoliberal institutionalism. In one of the first books about regime theory³, Keohane referred to it as institutionalism.

Institutionalists believe, that regimes enable states to collaborate and negotiate, that they promote globalization, the common good and a liberal world order (Baylis et al., 2017, pp. 289–299)

Institutionalists examine possibilities and necessity of multilateral cooperation in international organizations and regimes. While states are perceived as the main actors, institutionalists agree on the importance of Inter-governmental organizations and in newer approaches also on the significance of Non-Governmental Organizations (NGOs) and International Companies/Multinational Companies (Wesel, 2012, p. 44).

Like neorealist, institutionalists see states as rational egoists, which are interested in gains. But they think that the chance for absolute gains is more important than the

³ See: *After Hegemony* by Keohane (1984)
possibility to not gain as much as others. Globalization with its transnational interaction and economic dependences makes spread of violence contra productive and gives possibility for cooperation and influence on others. (Wesel, 2012, p. 44).

Institutionalist believe that international regimes and international organizations gain importance in a world with growing complex interdependences in many areas of international politics. Organizations have mechanisms to monitor and even sanction states, which assures everyone that the other will comply to the cooperation. In this way international regimes and organizations make cooperation between states favorable or at least easier (Rittberger et al., 2013, p. 34).

Institutionalists have used models from the game theory and economic theories of institutions to explain interests, leading to the creation of regimes and factors contributing to a condition under which states cooperate (Hasenclever et al., 2004, p. 4).

One “game” or situation often used is the Prisoners dilemma, which can be summarized as follows:

Two thieves are caught and interrogated. They have two options. A: They do not say anything (cooperate with the other thief) or B: they confess (defect from cooperation). If one confesses he can leave, while his accomplices is going to prison. If both confess they are going to prison for some years, if none of them confesses they both go to prison for some month. So, there are four different results possible: both cooperate (AA), none of them cooperates (BB), or one cooperates while the other does not cooperate (AB or BA).

This model can, for instance, be used to explain arms race between states (Rittberger et al., 2013, p. 35), (Zagare, 2013, p. 46).

Axelrod explains cooperation in the context of a prisoners´ dilemma situation, with the practice of tit-for-tat. In a reoccurring prisoner´ dilemma situation, one actor starts with a good move and the other is returning the good, which then can start a spiral of cooperation. That is a way states gain confidence in one another, especially when they also have shared interests.
Another factor which makes cooperation favorable is called *shadow of the future*. Axelrod argues, that if actors know they will meet again in the future, their actions today might also determine the results of interactions in the future, because the actions of today might influence the decisions of others in the future (Axelrod, 2009).

In the opinion of institutionalists states cooperate today to avoid an unfavorable outcome in the future and regimes function as tools to realize shared interest. So, in contrast to the neorealists position, they do not believe that a hegemon needs to pressure other states to cooperate, but that states benefit from the establishment and preservation of international institutions.

Institutionalism also questions the role of international institutions in the mitigation of conflict. According to Keohane and Axelrod institutions can influence state preferences and behavior. Regimes support confidence building between states, through organized exchange of information. They build political reliability, by assuring legal security and security of conduct. They can create incentives which support cooperation as trade agreements or disincentives which oppress cooperation, for instance trade sanctions. In that way institutions can change the international environment and redefine state roles, without changing the anarchic character of the international system. Important for institutionalism is the acknowledgement of transaction costs. Costs are described for instance as cost of protecting rights, policing and enforcing agreement as well as costs regarding information transaction. Regimes can reduce those costs and therefor are desirable (Narvari, 2013, p. 39).

Neoliberal theories of regimes portray regimes as effective and resilient. Effectiveness is measured by the so-called *regime strength* which shows the way regime members act according to the regimes´ norms and rules and its effectiveness regarding the achievement of its objectives. The degree of resilience is shown by the way regimes react to change of power of their members. If they stay consistent in situations of power shifts within their members they are resilient (Hasenclever et al., 2004, p. 2).

**Constructivist (knowledge-based) approach**

Constructivism analyses knowledge´s dynamics, identity and communication.
Constructivists believe that relations between the states are socially constructed and that the identity and interests of states is based on self- or foreign images from the international system. For them the international system is not dominated by material interest, but by ideologic structures. It is dominated by norms (shared idea about appropriate behavior), identities (perception of who we are) and values and by the communication about those ideologic structures. Norms, identities and values are not only influencing behavior, but also establishing new standards and criteria. Social norms are therefore not only guiding the behavior of actors, but also their interests and identities. Actors’ behavior and the ideological structures are influencing each other. The goals and priorities of actors can change through interaction and communication. Similar to people, also states try to “do the right thing”, to fulfill expectations and social norms, for instance comply to human rights.

As Part of the English School, Buzan differentiates between international system and international society. The international society develops from the international system. “the development of international society can be seen as a rational long-term response to the existence of an increasingly dense and interactive international system” (Buzan, 1993, p. 334).

Buzan introduces two approaches on how an international society is formed, drawing from sociologic conceptions of “gemeinschaft” and “gesellschaft”.

The gemeinschaft model, what he calls the civilizational model, uses the traditional notion, that societies grow along time and are not made (Buzan, 1993, p. 336). The gesellschaft model, what he calls the functional model, uses the idea that society is “contractual and constructed rather than sentimental and traditional. It is more consciously organizational: societies can be made by acts of will.” (Buzan, 1993, p. 333).

He defends, that in a postcolonial world the functional model is prevailing, because a “a global international society can only be multicultural”, which indicates elements of constructed reality rather than traditional growth (Buzan, 1993, p. 336).

For constructivists international institutions are significant, because they influence the international system. So, institutions are not only tools used by states, but can shape or
change the perception of states, their identities and interests. International organizations can establish and stabilize common values and norms between states. This is essential for the maintenance of order in international relations (Wesel, 2012, pp. 45–47).

In the following the thesis will analyze disarmament, demobilisation and reintegration (DDR) programs from a security regime’s lens. As stated before, according to Krasner a regime is based on principles, norms, rules and decision-making procedures. The underlying principle of DDR is that disarmament, demobilisation and reintegration of a war-torn society is going to establish a sustainable peace. Rules in case of a DDR regime are related to peace agreements in which is written what the parties must do in the coming post-conflict years to establish peace. The Peace Agreement is then monitored by regional or international organizations.

CHAPTER 2 - POST CONFLICT STATEBUILDING AND DDR PROGRAMS

This chapter will provide a short insight into the concept of post conflict statebuilding and analyze the DDR program as security regime to explore its advantages and problems in the ambit of a war to peace transition.

Security and disarmament are the classic fields of international regimes and the first area in which political experiences with regimes were made. Horn defines three different concepts of multilateral security policies: collective defense, collective security and cooperative security (Horn, 2005, pp. 10–15).

An example for the concept of collective defense is the Nord Atlantic Treaty Organization (NATO), a military Alliance, based on the right of states to defend themselves in the case of an attack.

An example for the concept of collective security is the United Nations (UN): Collective defense is based on three different elements, the prohibition of the threat or use of force (chapter II), an instrument for peaceful settlement of disputes (chapter VI) and a mechanism for collective (self)defense (chapter VII). If the ban on violence is ignored and the conflict solution does not work, the mechanism for collective defense is activated.
In a best-case scenario this means, that the states do not have to compete by acquiring arms anymore, because if one of the states is attacked, the others are going to defend it. The problem of this concept is, that it only works if states have the same understanding of a threat.

The concept of cooperative security is the most interesting one for this thesis. It is based on cooperation between actors instead of competition between states. This cooperation stems from acknowledging self-interests. The main goal is the prevention and de-escalation of conflict, which also includes disarmament and peacekeeping operations. One example for successful cooperative security was the Conference for Security and Cooperation in Europe (CSCE), which contributed to the peaceful disintegration of the USSR. The UN is an institution preoccupied with the concept of cooperative security, with the prevention of wars and establishment of conditions under which peace thrives.

The UN Charter is based on the concept of conflicts between sovereign states. Chapter VI and VII of the Charter provide tools for conflict solution in traditional wars. The “new wars” (Kaldor, 1999) or asymmetrical wars (Chinkin and Kaldor, 2017) and the concept of peacekeeping are not included in the Charter.

Article 34 and 39 are the basis for the United Nations Security Council (UNSC) to decide about intervention in case they believe the international security is threatened. But the Charter does not provide guidelines about measures, type and time for a peace keeping intervention. So, the UNSC bases its decisions on its resolutions. The lack of a coherent concept means, that the UNSC often negotiates quite spontaneously when a conflict emerges. It then has to make a lot of compromises and often political interests and power constellations have an impact on the decisions (Wesel, 2012, pp. 210–211).

In the ambit of peace and international security, arms pose a structural problem. When it comes to disarmament, states must implement disarmament measures to reduce uncertainty. This contradicts the assumptions of the security dilemma. The security dilemma is a realist concept to explain relations between states. In the anarchic international environment, every state must assure its own security. Through military arming it shows others, that it is capable of defending itself in case of an attack. To achieve this, it can also build alliances with other states. This can have a threatening
character for states outside the alliances or with less military capability, which then start to arm themselves to assure their security resulting in an arms race. This dynamics of fear and threat can only be stopped with trust building, rules and control mechanisms which only international regimes and organizations can provide (Wesel, 2012, p. 194).

Disarmament, Demobilisation and Reintegration (DDR) programs and procedures are implemented in the ambit of peace operations. *Peace operation* is an umbrella term, under which objectives and activities such as conflict prevention, peacekeeping, peacemaking, peace enforcement, and peacebuilding are summarized (Pugh, 2013a, p. 410). After the Cold War peace operations became broader in their approach to transformation. However, the attempts often lacked sustainability and were criticized when questions of accountability and the meaning of peace missions emerged (Pugh, 2013a, p. 420).

Key tasks of peace operations are the collection of weapons, the monitoring of elections and human rights, assistance with rebuilding governmental institutions, judicial reform and the training of police forces (Weiss and Kalbacher, 2013, p. 340).

The term *peace operation* is debated. The word peace implies the opposite of war, but there is no guarantee that the peace operation will end in negative peace⁴ or positive peace⁵. Military imposition in order to create peace, as in the case of Afghanistan, is also described as peace keeping and falls under the term of peace operations (Pugh, 2013a, p. 409). This could be seen as an euphemism, to hide the fact that many people, for instance in Afghanistan, experience violence as consequence of a peace mission.

In the focus of DDR are societies in the transition from conflict to peace. Goal of these programs is to stabilize and secure a country after a period of conflict, so it can recover, reconcile and develop further. DDR programs aim at the ex-combatants who, after armed conflict, are often left without sustainable lively hoods. Often their only remaining

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⁴ Negative peace can be understood as absence of war, Pugh (2013a, p. 409)
⁵ Positive peace means structural change, which implements non-violence into the system, Pugh (2013a, p. 409)
social networks are their old comrades, which can state a risk to the newly established peace process (United Nations Department of Peacekeeping Operations, p. 4).

In this thesis the definition of the UN regarding DDR is used. The UN defines DDR as following:

*Disarmament* is the collection, documentation, control and disposal of weapons, small arms and light weapons (SALW), ammunition and explosives from combatants as well as from the civilian population. This normally happens in assembly areas, where former combatants are asked to hand their arms over. These weapons are then destroyed or handed over to the national army

*Demobilisation* is the formal, administrational release of combatants from armed forces.

Sometimes *Reinsertion* is mentioned as an additional step, which functions as transitional period where ex combatants are assured their basic needs, so the focus remains on short-term help right after the conflict as opposed to the long-term reintegration process happening afterwards

*Reintegration* is a long-term process with complex social and economic dimensions. During the process ex-combatants acquire civilian status and gain sustainable employment and income. It is normally addressed on a local level (United Nations Department of Peacekeeping Operations, p. 4).

There are various dimensions to the process of DDR. Traditionally it was perceived as merely military and technical activity (Council of the European Union and European Commission, 2006, p. 4).

Former peace keeping operations were built on ceasefire agreements between two conflict parties and UN soldiers protected the ceasefire line. After the Cold War DDR programs became more complex. There was more attention paid to other elements of peacebuilding as rule of law, security sector reform and economic development. The Brahimi report issued in 2000 emphasized the importance of a broader approach towards DDR. It also paid more attention to cross-border issues as arms flows and trade in SALW. Measures for the destruction, reduction and management of weapons were established. This can be
voluntary weapons collections from civilians, capacity-building of security forces, lotteries and the introduction of a framework for weapons possession (McCandless, 2010, pp. 4–5).

In 2006 the Integrated Disarmament, Demobilisation and Reintegration Standards (IDDRS) were published by a UN inter-agency working group. It addresses political, military, socio-economic and humanitarian issues and is defining the roles of national, local and international actors. An additional guide on the connection between DDR and Security Sector Reform (SSR) as well as transitional justice was published in 2009 (McCandless, 2010, p. 10).

The success of DDR processes is bound to specific preconditions and assumptions, such as the signing of a peace agreement, which provides a legal framework for DDR, trust in the peace process, willingness of the conflict parties to engage in DDR and a minimum guarantee of security. Unfortunately, DDR programs are often implemented without these necessary preconditions. As the UN report notices, DDR has increasingly to be implemented in regions where these preconditions are not in place. Another guide on practical measures regarding the implementation of DDR, when preconditions are bad would be helpful. The paper therefor calls to analyze the issues leading to less political will and the impact other armed groups besides the warring parties might have. If there is no peace agreement a joint strategy should be developed, regarding the DDR framework. If there are parts of the country with ongoing conflict, security concerns should be analyzed and motives for people to be armed should be identified (McCandless, 2010, pp. 10–13).

This new approach towards DDR, which was developed in the beginning of this century, is often referred to as “Second Generation DDR”. It includes a variety of aspects as security, human rights, elections, economics and good governance (Berdal and Ucko, 2013, p. 317).

DDR processes are implemented by different actors, as the UN, the bank and regional organizations, but also governments in a bilateral process and NGOs World (Council of the European Union and European Commission, 2006, p. 5). The implementation of DDR
programs is difficult, especially the reintegration part is a complex task for outsiders (Berdal and Ucko, 2013, p. 317).

One problem is to estimate the number of combatants, because lists derived from commanders can exaggerate in terms of personnel. Another important question is whom to classify as combatant. The EU classifies not only people who carried an arm as combatants, but also “non-fighters associated with armed groups”. This includes people of all genders and ages who worked as messengers, cooks etc. in the context of armed groups, as well as women and children who, for instance through marriage, were directly connected to armed groups (Council of the European Union and European Commission, 2006, p. 8).

There is the need for a broad interpretation of the term combatant, as women and girls must be included into DDR programs. They are often affected by sexual abuse and forced marriages. After the end of conflict, it is particularly difficult for girls and women to reintegrate into society, where traditional gender roles might affect them further (Banholzer, 2014, p. 28). Therefore, the promotes a gender equal approach to DDR, which is supposed to assure that women and girls benefit from the DDR process (Council of the European Union and European Commission, 2006, pp. 8–10).

A special focus should also be drawn to children in armed forces. The EU advises a release process including family reunification when possible, as well as physical and psychological rehabilitation and trauma healing (2006, p. 9).

The funding of DDR programs often occurs in the ambit of a UN peacekeeping missions with UN funds as well as trust fund mechanisms and through development programs. DDR related to children is often funded by humanitarian assistance, as it has to be implemented quicker than the rest of the DDR (Council of the European Union and European Commission, 2006, p. 5).

Most DDR programs have been struggling at one point of the process with funding issues. A coordination of funds as well as a connection of funds to a peace-building framework is necessary to ensure continues flow of funds. The Stockholm Initiative on DDR recommended to do DDR funding through a multi-donor Trust Fund (MDTF) mechanism
with pre-committed financing. The proposal was for assessed contributions to support main issues of DDR such as security related issues and to split the MDTF into two different parts. One for the long term reintegration process of ex-combatants and one to support communities affected (Ministry for foreign affairs, 2008, p. 34).

The EU paper from 2006 recognizes that DDR is more effective, if connected to a political and social peace process, including transitional justice, good governance and development related efforts. The EU advises to establish national security or military forces to guarantee the implementation of a DDR process. If there are no efficient national forces international forces should help to make the DDR process possible (Council of the European Union and European Commission, 2006, p. 4).

Theoretic frameworks often acknowledge the importance of conflict sensitivity, however, in praxis DDR processes lacked an appreciation of countries social, historical and political background.

Berdal and Ucko (2013) argue, that policy makers still use a technocratic approach to DDR, instead of examining conflicts individually. They advocate for a “customized implementation of DDR and especially of the reintegration process, instead of a templated or standardized approach. They consider outside actors, which impose a technocratic roadmap for peacebuilding on a country, as a threat to the peace process (Berdal and Ucko, 2013, pp. 317–320).

According to Berdal and Ucko, DDR should not be perceived as linear process. The different components of DDR can occur at the same time in accordance with a country’s needs. They argue that a disarmament and demobilisation of soldiers, irregular forces and civilians can be destabilizing when political conditions are unstable (2006, p. 318).

However, donors seem to prefer a fast downsizing of the security sector. Berdal and Ucko write that they falsely assume that a formal end of conflict leads automatically to development and stability (2013, p. 318). According to them, the disarmament component is not always the most urgent one. They give the example of Uganda, where the best way to create peace in an unstable region was to acquire the help of the military
and control of police forces. The authors conclude, that a fast downsizing of the security sector is not always beneficial (2006, p. 318).

In some cases, the UN has substituted state functions because existing infrastructure of state administration was too weak to implement peace after a period of conflict. Outcome of peacebuilding missions is mixed and long-term commitments are essential for a success (Weiss and Kalbacher, 2013, p. 340).

Berdal and Ucko advocate a long reintegration process, understanding it as societal transformation, which might suffer setbacks years after formal peace was established. They write, that a local or national ownership of the DDR process is necessary for its success. There is a need for the understanding of conflict dynamics and specific political and social characteristics of a society in conflict. The acknowledgement of regional dimensions of DDR is important as well, as a lot of issues cannot be addressed in a “one size fits all” approach (2013, pp. 318–319).

A lot of conflict related issues have a regional dimension, such as trafficking and recruitment of children or border crossing by ex-combatants, who then might engage in neighboring conflicts. Another issue is cross border arms trade and trafficking. DDR programs normally do address the regional dimension and should generally be implemented while considering regional issues, if possible with the help of regional organizations.

One successful example of a regional DDR process, is the Multi-Country Demobilisation and Reintegration Program (MDRP), implemented in the Great Lakes Region. It includes the demobilisation and reintegration of ca. 450,000 ex-combatants in seven central African countries; Angola, Burundi, Central African Republic, Democratic Republic of Congo, the Republic of Congo, Rwanda and Uganda (Council of the European Union and European Commission, 2006, p. 8).

The MDRP has around 400 million dollars in funds, it is a multi-agency program by 11 different donors with 30 partner organizations, managed by the World Bank. It provides technical and financial assistance and coordinates initiatives and supports national as well as regional programs and activities (Ministry for foreign affairs, 2008). In case of the
MDRP, the EU Commission is responsible for donor coordination (Council of the European Union and European Commission, 2006, p. 14).

The efficiency of peace operations and DDR programs is difficult to measure. According to the Human Security Report, there was a decline of violent conflict due to peace operations (Mack, 2006, p. 155).

The Stockholm institute sees several advantages in the establishment of a regional DDR program as the MDRP. Regional programs can establish standardization, communication, knowledge sharing, confidence and capacity building between different governments and in so doing, strengthening the regional stability and addressing trans-national issues such as ex-combatants in neighboring countries (Ministry for foreign affairs, 2008, p. 40).

The success or failure of a DDR initiative depends on different factors. First, it is important that all parties and individuals, who participated in the conflict are addressed in the program. That is specifically important when classifying people as combatants. Women and children must be included in the programs and a special focus should be lying on the integration of child soldiers.

DDR processes should also be linked to efforts addressing the spread of SALW. An overflow in SALW can jeopardize political stability and disarmament efforts by increasing insecurity. However, it should be noticed that the mere collection of weapons is not enough. The DDR process includes the dismantling of chain of command of armed groups, so relapse into armed conflict becomes less probable.

While DDR is directed at combatants, statebuilding is a process directed more towards institutions of a post conflict country. The statebuilding process aims to stabilize and secure a post war state to make a relapse into conflict less probable.

Berdal and Zaum write, that literature regarding statebuilding often considers state weakness as main driver of conflict. They believe the root cause of conflicts lies not in struggle for control of the state, but rather in the allocation of resources. The distribution of state services, jobs and public goods can lead to tension within the state. The authors emphasize, that state weakness or failure is experienced differently by different social groups. Some social groups might be discriminated against of marginalized in the process.
of allocation. The unequal distribution of these resources fuel conflicts (Berdal and Zaum, 2013, p. 10).

The authors believe that in order to understand sources of violence in post war states, one has to understand the political economy in war time and the impact of statebuilding on the political economy. It is also crucial to comprehend the way in which statebuilding has an impact on different social groups within the state. In chapter 3 and 6 the question of resource allocation and the political economy in context of the South Sudanese civil war, are further discussed.

War economies and informal structures established during war, are difficult to change. Especially outside actors are limited in their time and resources when they try to change the economic landscape in a state. They might be limited by following different interests approaches towards economy as well as traditionally paying more attention to institutions, than the nature of the war economy (Berdal and Zaum, 2013, pp. 10–11).

According to Benner and Soares de Oliveira, western governments and donors have three priorities regarding resource management in a post conflict situation. They try to prevent that resources fall in hands of “spoilers” to prevent a relapse into conflict, they try to make the government receive revenues from resources for capacity building and economic development, as well as ensuring that the resources build the “right kind of state and society” by managing revenues and spending (Benner and Soares de Oliveira, 2013, p. 94).

In the past, states with statebuilding missions did not manage resources better than states without those efforts.

In the 1990ies the importance of resource management in post conflict states was increasingly recognized by the public and policymakers. Studies showed that the extractive industry disturbed environment and communities where they operated. They argue that this is not a mandatory outcome, as Norway and the UK both have large extraction industries. The problem therefor lies in the governance of resources (Benner and Soares de Oliveira, 2013, p. 96).
International companies and the local government elites, private and state companies are equally responsible for the impact of the industry on communities (Benner and Soares de Oliveira, 2013, p. 97).

Western donors and governments saw a link between good governance and economic development supported by state institutions. That led to rising concerns regarding corruption and in 2004 the UN Convention against corruption was adopted. At the same time the image of multinational enterprises operating in the extraction industry worsened and NGOs pressured governments for more regulation. These developments made governments focus on promoting transparency in the energy sector of development countries (Benner and Soares de Oliveira, 2013, pp. 97–98).

One policy project addressing was the EITI launched in 2002 by the government of the UK. It included companies of the extraction economy and investing departments, governments and civil society. However, implementation of the framework is voluntary as it follows a so called soft reformist approach and according to the author it is unlikely to have a strong impact on governments which rely on neo-patrimonial networks (Benner and Soares de Oliveira, 2013, pp. 100–101).

In contrast, a hard reformist approach was practiced in Liberia, where the transitional government was pressured to agree upon a governance and economic management assistance program (GEMAP). Goal was to fight corruption and support economic development in the statebuilding process. After the end of the program, it became clear that its impact on capacity building was limited and corruption remains a severe issue in the country. Resource management was not a priority for international actors involved in the statebuilding process and the elites remained resilient against changes suggested by the program. According to the author that is the reason why similar programs where not implemented in South Sudan, even if the country has similar characteristics regarding corruption and problem with capacity building (Benner and Soares de Oliveira, 2013, p. 104).

In Angola’s case no reformist approach was adopted. The country nonetheless agreed to some measures, increasing transparency. The reason was that some measures suggested by foreign actors as the IMF would increase revenues and at the same time the attempt to
improve transparency would be positively recognized by western states and as result improve relations with them, even if the outcome was little (Benner and Soares de Oliveira, 2013, pp. 106–108).

Benner and Soares de Oliveira conclude, that all approaches towards better resource management in post conflict states have not had significant impact. In statebuilding missions, donors did not prioritize the issue of transparency and good governance of the extraction industry or were more concerned with the relation they had with local politicians. It might also be a question of interference into other states matters (Benner and Soares de Oliveira, 2013, p. 108).

The implications of corruption on statebuilding efforts in post-conflict states is a decisive issue, not only for the extraction industry, but also in terms of capacity building. What exactly corruption is, is difficult to define and to measure. Philp writes, that in the scientific literature authors would agree that corruption is a case in which:

“a public official, acting for personal gain, violates the norms of public office and harms the interests of the public to benefit a third party who rewards the official for goods and services which he/she would otherwise not obtain.” (Philp, 2016, p. 45)

Philp adds, that there are cases which do not follow this scheme, but nonetheless are considered corruption. Every case considered corruption means, that some actor has violated the norms or rules or expectations of the office she/he occupies. The view on what exactly defines corruption can differ in various parts of the world, because government and business practices are different. In some places public offices are undefined, or based on patrimonial or familiar structure, which could be considered corrupt in other places (Philp, 2016, pp. 47–48).

This makes an international measurement of corruption difficult. There is no universally applicable framework for measurement in place (Pugh, 2013b, p. 89). The struggle to track corruption has also to do with the reward which is given. It can be simply monetary, but also a favor, protection from third parties or violence towards others.
Pugh analyses the relationship between statebuilding and corruption. The main argument used in the literature is, that measures against corruption are a crucial element of good governance and support the neoliberal development of a state (Pugh, 2013b, p. 79).

In most cases economic assistance after crisis requires states to follow a neoliberal framework within the logic of the liberal peace. States which receive aid, must adjust and develop their economy to be able to compete on the free market. They have to use tools of the liberal market; micro-financing of entrepreneurship, privatization and financialization of public goods and export-led growth. However, the author notes that there are states as China and Nigeria, which do not follow the neoliberal market ideals and still experience economic growth (Pugh, 2013b, 79,83).

For the existence of corruption, there must be a system in place, which can be corrupted. In statebuilding processes, the establishment of institutions also enables corrupt behavior. Foreign aid and structural adaption can rise the likelihood of corruption. Foreign aid is often not monitored enough and without bureaucratic regulation it might fuel corruption. So, economic assistance might create tension in systems established during wartime and in itself be a driver for corruption (Pugh, 2013b, pp. 90–91).

The most devastating impact of corruption on the statebuilding process according to Pugh is the loss of state revenue. The revenue could otherwise be used to support infrastructure and social services, to foster economic development and support employment creation. So corruption has a direct impact on the people because it widens the gap between the rich elites and the rest of the population (Pugh, 2013b, pp. 86–87).

The process of statebuilding derives from the idea, that state institutions provide a fundamental structure to maintain or achieve peace in a state. The assumption is, that better state capacity leads to more human security.

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6 The liberal peace theory assumes that democratic governments are unlikely to enter in conflict with each other. It is an argument used by statebuilders for the implementation of a democratic system in a post-conflict environment, in hope for stable peace

Tom (2017, p. 73)
According to Ylönen apart from capacity building it is also important to address the identity of the state in the process of statebuilding. The so called nationbuilding is based on the idea, that a common national identity legitimates a certain government. Nationbuilding is a long-term project, executed by the elites of a state to homogenize its inhabitants. Peacebuilding processes normally focus on statebuilding rather than nationbuilding, as they look for more short-term approaches for the stabilization of a state. However, according to Ylönen especially fragmented states could benefit from an inclusive form of nationbuilding. In post-conflict societies, where certain groups were marginalized and excluded, nationbuilding could bring legitimacy and authority to newly established institutions and in the long term provide a stable peace (Ylönen, 2016, p. 216).

DDR programs are implemented to support societies in the transition from conflict to peace. They should enable the country to recover from conflict, reconcile and develop further. DDR programs address former combatants, helping them to reintegrate into society after a period of conflict. To decide, who classifies as combatant is crucial to the success of a DDR program. DDR processes were criticized in the past for lacking an appreciation of the countries´ social, historical and political background. A lot of conflict related issues have a regional dimension, such as trafficking and recruitment of children or cross border arms trade. It is therefore necessary to understand the regional context in which DDR is conducted. Statebuilding in a post-conflict setting, aims at the establishment and stabilization of institutions. Unequal distribution of resources among different social groups can destabilize states. Corruption has a devastating effect on statebuilding because it results in loss of state revenue, which otherwise could be used to invest in social services, infrastructure and development. It therefore widens the gap between elites and the rest of the country. Transparent management of resources is key to achieve stability and tackle corruption.

The implications of DDR programs, arms trade and resource allocation on the South Sudanese statebuilding process and war to peace transition, are subjects of the following chapters.
CHAPTER 3– CONTEXT AND CAUSES OF THE SOUTH SUDANESE RELAPSE INTO CONFLICT

This chapter seeks to analyze the context in which the civil war in South Sudan erupted in 2013 and its development until the end of 2015. It provides a short insight into the social and political background of South Sudan to understand the dynamics behind the conflict. It also serves as a base to explore in following chapters the impact of the arms trade and international actors on the outbreak of the conflict as well as possibilities of disarmament programs in a war-to-peace transition context.

3.1 Historical background

South Sudan is the world’s newest country. After signing a peace agreement in 2005 and gaining independence from Sudan in 2011, it fell back into civil war in December 2013.

Around nine million people lived in South Sudan by 2008. It is a very diverse state, how many different ethnic groups are in South Sudan and how many different languages are spoken is difficult to estimate. Dinka are the biggest ethnic group in South Sudan followed by Nuer. Common languages are Dinka and Nuer as well as English as second language (LeRiche and Arnold, 2013, pp. 4–5).

It is important to note, that the different ethnicities are not as demarcated as it might seem. Historically, people of different ethnicities married each other, people migrated to other places and traded with each other. However, belonging to an ethnic group can provide a safety network of social security, protection and responsibility (Rolandsen and Kindersley, 2017, p. 2).

The fragile state index of 2014 and 2015 both list South Sudan as the world’s most fragile state (Haken et al., 2014; Messner et al., 2015) and the Human Development Index classifies it as one of the 10 Least Developed States worldwide (United Nations Development Programme, p. 204).
Around 80 per cent of the population lives in rural areas. Most are subsistence farmers, pastoralists or agriculturalists (Rolandsen and Kindersley, 2017, p. 3). Only one third of the population is literate due to a lack of schools, teachers and material, which is related to the decades of civil war the country endured (LeRiche and Arnold, 2013, p. 167).

South Sudan is a resource rich country with fertile agricultural land. Its most important resource is oil. Sudan started to export oil in 1999, with most of the sources located in the southern part of the country. With 98 per cent of the national budget originating from oil revenues, South Sudan depended heavily on the oil industry after 2005 (Rolandsen and Kindersley, 2017, p. 15). With independence South Sudan became a landlocked state and had therefore to find a new way to access seaports (see figure 1,p.36) (Dias, 2013, p. 7).

Around 1820 Egypt occupied parts of the territory of today’s Sudan. From 1885 onwards, the Islamic national Mahdist revolt broke the Egyptian rule. Britain occupied Egypt in the 1880s. In the following years, together they subjugated Sudan. Since 1899 Sudan was ruled as an Anglo-Egyptian condominium (Johnson, 2016, pp. 6–9).

The Sudanese territory grew, because the colonial powers occupied surrounding areas and made deals with other colonial powers and Ethiopia to gain land. Khartoum was center of the state but had only limited influence on the peripheries. The colonial powers ruled indirectly through local administration and imposed in southern Sudan English language, dress code and the Christian religion (Ylönen, 2016, pp. 217–218).

In 1956 Sudan became an independent state. At the time, there was no agreement on whether it should be a unitary or federal state and if the constitution should be based on Islam or whether it should be secular. So, the constitution drafted with help from British experts remained temporary (Johnson, 2016, p. 30).

The political elite after independence, had been already part of the colonial government beforehand and continued to rule in a similar way. They based the governance on their Arab Muslim identity, excluding people of other religions or origins in Sudan. The elites also tried to impose Islam on people of other religions as well as not letting them

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7 South Sudan shares borders with the Central African Republic, the Democratic Republic of the Congo, Ethiopia, Kenya, Sudan and Uganda LeRiche and Arnold (2013, pp. 40–43).
participate in the national government. People living at the peripheries had also less access to economic development. This form of inequality between the Arab-Muslim elites from Khartoum and the people of other origins and religions living in the peripheries, has nurtured tension and conflict until today (Ylönen, 2016, p. 217), (Johnson, 2016, p. 75).

Figure 1: Oil pipelines in the Horn of Africa

Exploitation of southern Sudan by authorities from the north, as well as direct abuses and oppression lead to the Torit mutiny in 1955. Today it is considered the start of the south Sudanese separatist insurgency movement (Rolandsen and Kindersley, 2017, p. 4).

In following years civil war broke out with clashes between the southern guerilla fighter named Anya-Nya and forces of the military government. Johnson dates the beginning of
the first civil war to 1961-62, because it was in that time that the movement became more organized (2016, p. 31). A peace agreement was signed in 1972. It granted regional administration for South Sudan (Rolandsen and Kindersley, 2017, p. 4).

In 1983 the authorities dismissed the deal and Sudan fell into the second civil war. In that year the Sudanese People’s Liberation Army (SPLA), which as a political movement is called the Sudan People’s Liberation Movement (SPLM), was formed. The SPLA/M was led by John Garang de Mabior, belonging to the Dinka ethnic group (LeRiche and Arnold, 2013, pp. 62–64).

Garang fought against the policies of the Sudanese government, but envisioned a unified Sudan in which the South has an equal statute to the North and therefore more opportunities for development (De Waal, 2015, p. 77).

In 1990 most of southern Sudan was under control of the SPLA. The SPLA split in 1991 and in following years different branches fought each other. The main opposition to Garang was Riek Machar, identifying with the Nuer ethnicity. There were several other militias fighting under warlords, connected to certain regional or ethnical groups. In 1997 parts of those militias build the South Sudanese Defense Forces (SSDF) (Rolandsen and Kindersley, 2017, pp. 4–5).

In 2002 the Intergovernmental Authority on Development (IGAD) negotiated the signing of the Machakos Protocol. It laid the cornerstone for South Sudanese independence and set the start for the interim period in 2005 which would last until 2011. In 2004 the parties signed additional agreements and protocols regarding power sharing, wealth sharing and conflict resolution. The conflict parties agreed to establish both a national Sudanese government, where both South Sudanese and Sudanese participate, as well as a separate Government of Southern Sudan (GoSS). They also agreed on sharing oil revenue. South Sudanese oil producing states were to get two per cent of oil revenue, the remaining revenue was to be split equally between Sudan and South Sudan. Protocols on the conflicts in Blue Nile and Southern Kordofan were signed to support the consolidation of peace in both states. The protocol on the conflict in Abyei (where oil fields can be found),

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8 IGAD is a regional organization of north-east African states: Djibouti, Ethiopia, Kenya, Somalia, Sudan Uganda and Eritrea.
made the region part of both Sudanese Southern Kordofan and South Sudanese Northern Bahr el Ghazal (see figure 2, p.38) (el-Mukhtar Hussein, 2006).

Figure 2: Map of South Sudan 2011

[Accessed 10. May 2018]

In 2005 IGAD arranged the signing of a comprehensive peace agreement (CPA), also called Naivasha agreement, between northern and southern Sudan. It was based on the Machakos Protocol and the additional agreements signed between 2002 and 2005. Part of the peace agreement was the establishment of a DDR program in South Sudan (Small Arms Survey, pp. 40–42).

After successful conclusion of the CPA the interim period started in July 2005. John Garang was President of the autonomous government of South Sudan as well as Vice
President of Sudan. He died in an Helicopter accident shortly afterwards and his deputy Salva Kiir Mayadit became his successor (Johnson, 2016, p. 169).

Salva Kiir was a founding member of the SPLM/A, he identifies with the Dinka ethnicity and was Vice President of the South Sudanese autonomous region and of the SPLA from 1997-2005 (USAID, 2015).

The CPA allowed South Sudan turning into a semiautonomous region for the following six years and to hold a referendum about independence afterwards (Johnson, 2016, p. 168). In September 2005 the Government of National Unity (GoNU) was established and followed by the autonomous Government of Southern Sudan (GoSS) a month later (LeRiche and Arnold, 2013, p. 115).

The referendum took place in January 2011. A majority of 98.8 per cent of South Sudanese people voted for a secession from Sudan. In July 2011 South Sudan declared independence, which marked the end of the interim period (Gettleman, 2011). Shortly afterwards the new state was recognized internationally and became member of the UN (A/RES/65/308. UNO, 2011).

The political environment in the new state remained unstable. Various armed actors posed a threat to the new government and the SPLA itself was not a united force. At the same time, the humanitarian situation hardly improved. Almost half of the population depended on food aid. The economy struggled with border closures and transit impediments (LeRiche and Arnold, 2013, pp. 141–145).

After secession of the south, major issues as the costs of oil transportation from south to north, the question of the border and what will happen to people residing in the other Sudan, remained unsolved (Rolandsen and Kindersley, 2017, p. 5).

In December 2013, two years after South Sudan gained independence, president Salva Kiir belonging to the Dinka ethnic group, accused the South Sudanese vice president Riek Machar, belonging to the Nuer ethnic group, of planning a coup d’état. That was the beginning of a relapse into civil war, this time portrayed as a conflict between different ethnic groups in South Sudan (USAID, 2015). Nascimento criticizes too simplistic explanations for conflict in Sudan, which blame religious or ethnic differences for the reoccurring war (Nascimento, 2017, pp. 125–129).
For the colonial powers ethnic affiliation was a way to organize the territory. People who did not belong in a clear territory or had no authority, were forced to move and someone was declared as a state’s authority. This mechanism, which proved to be useful in times of colonialism, until today is used by politicians to achieve support from communities to exploit resources and gain power (Rolandsen and Kindersley, 2017, p. 3).

### 3.2 Internal causes for the conflict

LeRiche and Arnold write that the interim period was meant to enable South Sudan to establish a regional government and lay out a first economic strategy. According to the authors the CPA was interpreted as a cease-fire rather than as a peace agreement by the government, which delayed the statebuilding process. This process only began after the referendum in 2011 (LeRiche and Arnold, 2013, p. 142).

The SPLM/A played a major role in South Sudan as a political actor as well as the main driving force behind the construction of infrastructure and administrative structures. Those structures were underlying the constant pressure and aid of external actors, mainly international aid organizations. During the years of the Sudanese civil war some of the structures collapsed, others were preserved under the coordinating Council of South Sudanese States (COSS) in Khartoum (Öhm, 2014).

A cause for the malfunctioning of the South Sudanese state is that it relied solely on a small elite for defining institutions and policies. There was a lack of human capacity in lower and middle level civil services and administration of the GoNU. Estimates for 2005 show 86 doctors, 600 nurses, 23 judges and less than 100 lawyers living in the region (LeRiche and Arnold, 2013, p. 147).

Both under G.W. Bush and Barack Obama, the USA advocated the South Sudanese independence. The capacity building with the help of other states, did not take into account the number of people needed as civil servants and military personnel to manage the tensions. The SPLA itself was fractured and not capable to fully stand behind the idea of a united south Sudanese state (Haken et al., 2014, pp. 16–17).

The period between 2005 and 2011 was of relative stability because of Kiir’s *big tent strategy*, which describes the way Kiir included and united various political currents and
opponents inside the SPLM. LeRiche and Arnold claim that the creation of the transitional Constitution was as much about balancing different political currents, as about the technical act of establishing a Constitution (LeRiche and Arnold, 2013, p. 145).

De Waal writes that this big tent strategy was based on oil supplies. According to him the SPLA/M had not sufficient military or political strength to stabilize South Sudan after the CPA. The south Sudanese feared that the northern Sudan would not hold on to the agreement and either prevent South Sudan from conducting the referendum or not respecting the decision for secession. The Sudanese Armed Forces (SAF) and other militia groups were three times larger in numbers than the SPLA, which created a problem after the successful conclusion of the CPA. With the Juba declaration⁹ the South Sudan Defense Force (SSDF), the largest militia group, was melted with the SPLA. The SPLA forces became the best paid military in Africa. 80 per cent of the defense budget was spend on salaries. The SPLA also bought arms and military spending rose from 556 million in 2006 to an estimated 1.6 billion dollars in 2011 (De Waal, 2015, pp. 63–79).

Kiir’s strategy was to outbid Sudan by simply spending more money on buying loyalties from militia than Sudan did. So, he started to buy loyalty, using money of the oil industry. This is what De Waal describes as the rentier militarized political marketplace (De Waal, 2015, pp. 78–94).

De Waal criticizes that even if public expenditure per capita was relatively high after independence, instead of investing in infrastructure, in the health service or other economic development, it was spent on the military or misappropriated by elites (Noel and De Waal, 2016). Within the South Sudanese military and civil administration individuals received revenues from a corrupt informal economic system (Rolandsen and Kindersley, 2017, p. 18). In chapter five the implications of corruption on South Sudan’s state building process are described further.

Most of public expenditure was spend on salaries and the army rather than on national infrastructure or to build state institutions. However, LeRiche and Arnold note that this behavior contributed to a reconciliation process during the interim period, as it included

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⁹ The Juba Declaration on Unity and Integration between the Sudan People’s Liberation Army (SPLA) And the South Sudan Defense Forces (SSDF) was signed on 8th January 2006 in Juba, South Sudan Rolandsen and Kindersley (2017, p. 5)
different political/military currents in the SPLA (LeRiche and Arnold, 2013, pp. 147–148).

In states where the budget depends on oil revenues and outside sources rather than taxes, de Waal sees a danger of politics of identity. The author does not see the reason of an outbreak of conflict in the ethnic division itself, but rather in the lack of a professionalized, institutionalized army. The army was split in different sections based on personal loyalty to the commander, which created ethnically based units within the army. Riek Machar could mobilize the white army, a Nuer militia, quickly and without high costs. The political leaders fell back on ethnic mobilization, after the outbreak of war, because it was the easiest and cheapest way to defend their position (Noel and De Waal, 2016).

After this brief analysis of the causes of war, the next chapter will address the conduct of war in South Sudan.

3.3 Human rights violations and accountability in the South Sudanese civil war

As result of the relapse into civil war in December 2013, in 2015 Amnesty international reported tens of thousands of deaths, 1.4 million Internally Displaced People (IDPs) and 500,000 South Sudanese refugees in neighboring countries (Amnesty International, 2015, p. 336).

At the beginning of the conflict in December 2013 Human Rights Watch reported a massacre of 200-400 men belonging to the Nuer ethnicity by Dinka government forces (Wheeler, 2014, p. 36). The 2015 report from the African Union Commission of Inquiry South Sudan (AUCISS) indicates that it might have been 15,000-20,000 ethnic Nuer people who were killed in the first three days of war (African Union, 2015, p. 114).

The conflict started in the South Sudanese capital Juba and within a month it had spread to Jonglei, Unity and Upper Nile states (see figure 2, p.38) (Amnesty International, 2015, p. 336). As a response to the conflict, the UN Security Council (UNSC) increased troops of the UNMISS to 12,500 and the police to 1323 in the end of December 2013 (Amnesty International, 2015, p. 337).
In January 2014 the town of Bor mainly home to Dinka was attacked by armed men belonging to the Nuer ethnicity who burned houses and attacked civilians (Wheeler, 2014, p. 46). Around 19,000 People fled Bor and were seeking shelter at the UN base and around 100,000 became Internally Displaced People (IDP) in Lakes state north from Bor (see figure 2,p. 38) (Wheeler, 2014, p. 46).

In the following month both the government as well as the opposition forces and their allies disregarded international human rights and international humanitarian law.

One severe incident was the Bentiu massacre in April 2014. The mostly Nuer dominated Sudan People Liberation Army in opposition (SPLA-IO) forces, killed people in the town of Bentiu, based on ethnicity and nationality according to a UNMISS press release. (UNMISS, 2014). They specifically attacked non-Nuer people and ordered the rape of women who did not belong to the Nuer ethnicity but also killed Nuer people who did not cheer for the forces when they entered town. More than 400 people were killed, most in places of worship and hospitals. The rebels claim, that a lot of the victims were Sudanese belonging to the Justice and Equality Movement (JEM)\(^\text{10}\), which was accused of supporting the South Sudanese government forces. A Sudanese NGO says, that the people killed were civilians (Copnall, 2014), (UNMISS, 2014).

Under international humanitarian law attacks on civilians are a war crime (Wheeler, 2014, p. 81). In South Sudan civilians, UN employees and aid workers were attacked by armed forces from either side who also destroyed homes, hospitals, humanitarian infrastructures, churches and food stores. The towns of Malakal, Bor and Bentiu suffered severe destruction (Amnesty International, 2015, pp. 336–339).

People were targeted and killed by government forces based on ethnic origin and political alliance. Human rights violations as mutilation of bodies, burning of bodies, and forced cannibalism were committed by both parties to the conflict (African Union, 2015, pp. 111–117).

Sexual Violence and gender based violence was part of a broad attack against a civilian population and the AUCISS concluded in its report that with a high likelihood rape was

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\(^{10}\) The Justice and Equality Movement (JEM) is a Sudanese rebel group, which also participated in the Darfur crisis
used as a weapon of war (African Union, 2015, p. 116). While the deadliest fights occurred between December 2013 and April 2014, there is no exact number of people killed in that period (African Union, 2015, p. 118).

In January 2017 the UN children’s fund (UNICEF) estimated that 17,000 children were recruited since the fighting started in December 2013. And while both parties of the conflict signed an agreement to not continue using child soldiers, only 2000 had been freed until the end of 2016 (UNICEF Canada, 2017).

Numerous ceasefire agreements were signed, however with little effect. The clashes of armed forces continued through 2014 and 2015. Jonglei, Unity and Upper Nile states were the most affected South Sudanese regions.

The UNSC sanctioned South Sudanese individuals with travel bans and asset freezes who they suspected of having committed severe human rights abuses or pose a threat to the security of the country (Amnesty International, 2016).

In the first half of 2014 IGAD attempted various peace negotiations between the SPLA/M and the SPLA/M in opposition (SPLA/M-IO). In June 2014 IGAD invited stakeholders to join the peace talks. SPLA leaders, members from civil society, churches and political parties participated (Amnesty International, 2015, pp. 336–339).

De Waal claims that the IGAD forum was used by north-east African countries rather to secure their political business and power interests, than for mediation of the conflict. Uganda send troops to South Sudan, intervening in favor of Salva Kiir. Ethiopia and Kenya did the same to assure their position in relation to the other two countries.

Sudan supported both sides of the war by keeping the oil money flowing to the capital and at the same time providing arms and money to Riek Machar to prevent him from intervening in the oil industry. With support from the USA Ethiopia became chief mediator and force commander of UNMISS. (De Waal, 2015, pp. 63–79)

When mediating became more difficult IGAD issued the following sanctions: asset freeze, travel bans and arms embargo. Ethiopia, Kenya and Rwanda went further, declaring in a statement that they would intervene to protect life and restore stability. De Waal interpreted this position as a way those states impose militarized regional governance on South Sudan (De Waal, 2015, p. 79)
Amnesty international points out a lack of accountability, a need of thorough and impartial investigation in relation to human rights abuses in South Sudan. The committee established by Kiir to investigate human rights abuses which allegedly occurred during the attempted coup was completely dependent on the government, it was funded by the government and had to report to the president (Amnesty International, 2015, pp. 336–339).

South Sudan does not make part of any of the following human rights treaties established under the African Union (AU) or United Nations: the African Charter on Human and Peoples’ Rights; the AU Convention, Governing the Specific Aspects of Refugee Problems in Africa; the UN Convention on the Rights of the Child; the UN Convention against Torture; and the UN Convention on the Elimination of All Forms of Discrimination against Women (Amnesty International, 2015).

These treaties therefore do not impose binding obligations and South Sudan cannot be prosecuted under international treaty law. However, the customary international law is binding, even if states do not ratify it.\(^{11}\)

The colonial powers shaped Sudan’s social, political and economic environment in the past century. The inequality between Khartoum as center and the peripheral areas remains a problem in the countries. The relapse into civil war showed the instability derived from corruption and dependence on one resource. The big tent strategy to stabilize the country by providing access to oil and in return receiving political loyalty, failed. An unsuccessful DDR process and lack of capacity due to past civil wars, hindered the statebuilding process. Political leaders fell back on ethnic mobilization in a war fought about power and resource allocation.

The humanitarian situation, high numbers of arms and easy accessibility to them might have been drivers for violence as well. The next chapters 4 and 5 add the impact of arms trade, arms trade regulations and interests of external actors to the process of war to peace transition in South Sudan. In chapter 6, different dimensions of the war to peace transition in South Sudan will be discussed further.

\(^{11}\) Statute of the International Court of Justice, Article 38 (1)
Chapter 4 provides a short overview of the history of international and African conventional arms trade regulation. It functions as foundation for the understanding of global arms trade regulations. The thesis evaluates the role of the trade in small arms and light weapons (SALW), which are a component of DDR programs, because they are the weapon of choice in civil wars. In contrast, weapons of mass destruction have a different history of regulation and non-proliferation measures and play a bigger role in interstate wars and are not relevant to the analysis of the case study.

4.1 International arms trade regulations

Other than weapons of mass destruction, conventional arms and trade of conventional arms were often not recognized as an issue to be regulated. Governments saw conventional arms as legitimate goods, used for different purposes as sport, hunting and the security industry.

In the past decades this view changed. After the Cold War, the problem of conventional arms came more to the attention of policy makers. Intrastate wars are fought with conventional weapons. Terrorists, armed non-state actors as militias and gang members use conventional arms as small arms and light weapons (SALW).

There is no common definition for SALW, but one common criterion of the definition is that SALW must be portable by one person or a group of people. In this thesis the UN definition of 1997 is used. According to the UN Panel of Governmental Experts, Small arms are “revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns and light machine guns” and light weapons are “heavy machine guns, handheld under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems; man portable air defense systems (MANPADS); and mortars of calibers of less than 100 mm” (Dahinden, 2002, p. 6).

There are various economic and political reasons for governments to become involved in arms trade. Arms trade can be used to assure relations with allies in geopolitics. Another
reason for arms sales is to sustain their national defense industry. Arms producing
countries produce more weapons than they need for their own use, so their industry relies
on exports to other countries.

In the 19th century private companies traded arms without any kind of supervision. The
run up to World War II provoked a shift towards more control by governments. In this
period governments started to recognize the political advantages of arms trade and began
to promote arms trade through agencies, offices and publications. They also invested in
the creation of new arms and started to support weapon manufactures, who then became
their collaborators.

With the involvement of governments into the weapon industry, regulation and licensing
became necessary to ensure interests. Laws and regulations were established, so
governments could monitor arms trade movements and strategically interfere by deciding
to whom arms should be sold (Stohl and Grillot, 2009, pp. 16–17).

In past centuries, arms trade laid under the sovereignty of the states and the idea to control
the legal arms trade with international treaties only gained importance after the Second
World War. In 1949 NATO members founded the Coordinating Committee for
Multilateral Export Controls (COCOM) to prevent the trade of strategic goods to
communist states. It was one of the first attempts of an organization to control
international trade in weapons.

During the Cold War the fear of a nuclear attack was imminent. In attempts to mitigate
the conflict and prevent a nuclear catastrophe, different non-proliferation treaties
regarding nuclear weapons were negotiated. The SALT talks between the USA and the
USSR. started in 1969 and lead to the establishment of the Anti-Ballistic Missile Treaty
(ABM Treaty) in 1972 (Görtemaker, 2000).

After the Cold War, in 1990, 22 states of NATO and of the former Warsaw pact signed
an agreement for the control of conventional arms. The Treaty on Conventional Forces in
Europe (the CFE Treaty) was a milestone in the history of arms control. The states agreed
upon having a certain maximum number of arms in five different categories\textsuperscript{12} and destroying the excess arms.

Iraq received arms from European states and the USA, which were shipped to the state without any kind of control. The 1991 Gulf War made states realize that a better control and more transparency on the international arms market was needed. The UN's Register of Conventional Arms was established in 1991. It was built to monitor arms imports and exports, which was a first step towards more transparency. States could now report voluntarily their exports and imports of all kind of weapons and arms. (Stohl and Grillot, 2009, pp. 25–39).

In the beginning of the 1990s the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (WA) was created and replaced the COCOM. It was the only international organization campaigning for more transparency in the conventional arms trade as well as dual-use goods and technologies. Signing parties of the WA agree to share their data on arms trade which contributes to more careful trade and enables others to see if there is a dangerous accumulation of arms in a certain country. The organization has also published guidelines for the export of SALW. It encourages its member states to not approve export licenses for trade in SALW if they might be used for terrorism, human rights abuses or generally endanger stability in other countries. Signatory countries also agreed on notifying the original export state, if they are going to sell them to third states or non-state groups. (Stohl and Grillot, 2009, p. 154).

After the Cold War, a rising number of civil wars in the 1990ies, lead to higher procurement of SALW. As the way of warfare changed from interstate war to intrastate war\textsuperscript{13}, the demand for arms changed too. Nowadays the main part of arms trade is the trade in SALW (Avant, 2013, p. 441). The international agreements until the 1990ies mostly focused on the control of larger weapons and military systems. The control of the international trade in small arms and light weapons is a recent development.

\textsuperscript{12} The five categories: armored combat vehicles, battle tanks, combat aircraft, attack helicopters and large artillery Stohl and Grillot (2009, p. 143)

\textsuperscript{13} See Kaldor (1999)
In 1992 a coalition of sixty NGOs established the *International Campaign to Ban Landmines* (ICBL) to fight against the use of landmines. In five years more than 1000 NGOs from 90 countries joined the network. From December 1997 onwards the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction*, was open for signature and is now known as Ottawa treaty or Mine ban treaty. In 1999 it became legally binding (Stohl and Grillot, 2009, pp. 176–177) and 163 countries signed and ratified it until 2017. However, 32 states\(^\text{14}\) are still not party to the treaty, including USA and Russia (International Campaign to Ban Landmines, 2017).

The UN conventional arms register does not provide enough information about the trade in SALW. So, in 1995 the UN started to research the traffic in SALW and created various panels and expert groups to tackle the problem. In 1999 an internal UN mechanism was established, the *Coordinating Action on Small Arms* (CASA).

The *UN Program of Action to Prevent, Combat, and Eradicate the Illicit Trade in SALW in all its Aspects* (UNPoA) was adopted by all UN member states in 2001. It provides guidelines and recommendations for states to implement national and regional control to combat the trafficking of illicit SALW and is a non-binding agreement.

The USA among other governments, pressured to make the UNPoA less restrictive and according to Stohl and Grillot its implementation was not very successful, because of its voluntary nature. However, it was an important step to start a dialogue about SALW in the international ambit. One example for this is the International Tracing Instrument (ITI) which was adopted in 2005 by UN member states. It allows states to trace and identify SALW (2009, p. 149).

In 2001 UN member states adopted the *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition* (Firearms Protocol) with the resolution 55/255 of the General Assembly. It entered into force in

\(^{14}\) Armenia, Azerbaijan, Bahrain, China, Cuba, Egypt, Georgia, India, Iran, Israel, Kazakhstan, North Korea, South Korea, Kyrgyzstan, Lao PDR, Lebanon, Libya, Micronesia, Mongolia, Morocco, Myanmar, Nepal, Pakistan, Russia, Saudi Arabia, Singapore, Syria, Tonga, United Arab Emirates, United States, Uzbekistan, Vietnam
2005 and was the first international binding treaty on control of SALW (Stohl and Grillot, 2009, p. 148).

In 2005 the EU SALW strategy was adopted by the European Council. Its goal is to combat illicit accumulation and trade of SALW and ammunitions. The focal point is the support of peacekeeping missions by the UNSC in the ambit of SALW, specifically the destruction and collection of SALW to ensure complementarity and consistency between EU actions implemented in different areas (Council of the European Union and European Commission, 2006, p. 18).

The arms trade treaty (ATT) of 2014 is the first international legally binding treaty on arms trade. It bans the selling of arms into areas of civil conflict, where the possibility of human rights abuse exists. In 1995 the idea of an international initiative to control arms trade was suggested by members of the Nobel Peace Laureates group. They made a first draft of a code of conduct on arms transfers, which later became the arms trade treaty.

In 2003 Amnesty International, the International Action Network on Small Arms (IANSA)15 and Oxfam launched the Control arms campaign in 70 different countries worldwide, to bring attention to the issue of legal arms trade and create awareness. The goal was to convince the UN to establish a treaty on arms trade (Amnesty International and IANSA, 2012).

The idea of an ATT was first shared by NGOs which pressured governments until in 2004 the UK, a major arms producer, started to support the idea. In the following years all EU member states and states of the Economic Community of West African States (ECOWAS)16 as well as some Latin American states where in favor of an ATT and brought it into the UN (Stohl and Grillot, 2009, pp. 153–154).

Two years later the one million faces petition was handed over to Kofi Anan, then the UN Secretary General. The one million faces petition was signed by one million people in 160 countries worldwide, who plead for a better control of SALW. In the same year, 2006, 153 countries of the general assembly voted to approve a resolution starting the

15 IANSA is a coalition of NGOs working to stop the proliferation of arms and to promote human security

16 ECOWAS was established in 1975 with the treaty of Lagos, it has 15 member states and the main goal is economic integration, ECOWAS (2016)
development of an ATT. Between 2009 and 2012 four negotiation conferences took place and in July 2012 the treaty was created at the final conference (Stohl and Grillot, 2009, p. 153).

It was adopted in July 2013 and entered into force in December 2014. In the UN General Assembly almost all countries voted in favor of the treaty. Only Syria, Iran and North Korea voted against it. The major weapon producers Russia and China abstained from voting (Kellman, 2014, pp. 699–701).

The treaty sets important guidelines to impede the transfer of arms to places, where they might be used for human rights violations. Article 6 of the treaty prohibits the violation of UN embargos and other international agreements on arms trade. Article 7 prohibits arms trafficking into regions, where they possibly are used for human rights violations, terrorism or organized crime. Article 6.3 says that states, which deliver arms into such regions and know at the time of authorization that they could be used for crimes against humanity, are to make responsible and are violating the ATT. The treaty also advises governments to take measures for preventing illicit arms trade and to reduce the existence of grey markets (Kellman, 2014, pp. 704–710).

During the process of the ATT creation Amnesty International underlined the importance of all those points. With the document “Key Elements for implementation of the Arms Trade Treaty”, Amnesty International explained their point of view and tried to convince UN members of the importance of the human rights dimension as well as the mitigation of illicit arms trade (Amnesty International, 2011).

The USA signed the treaty without ratifying it and other key countries, for the arms trade important countries as China, Russia and India, did not even sign the treaty. A common claim of governments which lobbied against the treaty was, that arms trade is an issue which should remain under the states´ sovereignty (Picarelli, 2013, pp. 455–456).

The ATT is the first ever legally binding treaty of the UN on arms trade. As most UN treaties and agreements, the ATT remains vague, but does create an important framework for rules on arms trade and sets standards which did not exist before. Its relevance for the case study will be discussed in more detail further on in the conclusion.
4.2 African arms trade regulations

There are several regional arms trade agreements covering sub-Saharan Africa. All of them were negotiated in the past three decades and established in the ambit of Regional Economic Communities (RECs).

In southern Africa the Southern African Development Community (SADC) *Protocol on the Control of Firearms, Ammunition and Other Related Materials* was signed in 2001. It was the first legally binding agreement regarding SALW on the continent. The protocol focuses mainly on the collection and destruction of SALW. In collaborative actions the Mozambican police together with South African forces destroyed over 45,000 SALW and over 24 million ammunitions in Mozambique. The initiative occurred under the name *Operation Rachel* between 2001 and 2006 (Lamb and Dye, 2009, p. 78).

In west Africa the *Declaration of a Moratorium on Importation, Exportation, and Manufacture of Light Weapons in West Africa* was signed in 1998 by members of the ECOWAS. Its goal was to prevent arms sales to non-state actors and to hamper the proliferation of SALW in the region. It was not very effective, because it was a legally non-binding moratorium and its language was vague, which made it difficult to implement sanctions against states not obeying the moratorium. Because of continued difficulties with the moratorium, heads of states decided in 2003 to start a process towards a legally binding convention. They were supported by regional NGOs, Oxfam and the West African Action Network on Small Arms. Two NGOs drafted the convention, because the process of drafting by governments went too slow. In 2006 the *Economic Community of Western African States Convention on Small Arms and Light Weapons, Their Ammunition, and Other Related Materials* became the first ever legally binding treaty against the proliferation of SALW within ECOWAS. It entered into force in 2009 (Stohl and Grillot, 2009, pp. 161–163).

The East African region has several regional agreements to mitigate proliferation of arms. One of them is the *Bamako Declaration*, which entered into force in 2000. AU member states held a conference in Bamako to find a common position on SALW, before the UN meeting in New York 2001, which resulted in the implementation of the UNPoA. The Bamako declaration recognizes that proliferation of SALW is a regional issue, which can only be addressed by multilateral cooperation. It also recommends a greater capacity to
address the problem and asks arms exporting countries to only sell arms to governments and licensed traders (Dye, 2009, pp. 1–2).

In 2000 ten states of the Great Lakes region and the Horn of Africa met to sign the Nairobi Declaration. It was a legally non-binding document with which states acknowledged the problem of proliferation of SALW in the region and committed to address the issue. In 2004 The Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region, the Horn of Africa and Bordering States (Nairobi Protocol) was signed by twelve states and in 2006 it entered into force. The Nairobi Protocol makes the demands of the declaration legally binding. Its aim is to encourage states to establish better national legislation for more arms control and to harmonize legislation in the region regarding the use of SALW. It also deals with the management of stockpiles and recommends the registration and destruction of SALW (Vines, 2007, p. 1120).

The Nairobi Protocol lead to the establishment of the Regional Centre for Small Arms and Light Weapons (RECSA). RESCA coordinates, monitors and evaluates the implementation of the protocol. It also assists with fundraising and has developed best practice guidelines regarding arms trade between states, to assure compliance to human rights and UN arms embargos (Lamb and Dye, 2009, p. 79).

According to the Institute of Security Studies (ISS), the states of the Horn of Africa have made progress in mitigating the proliferation of SALW through cooperation with each other, even if national implementation of the protocol went slow. The ISS also notes, that states lacked technical knowledge and resources, rather than political will (Dye, 2009, p. 5).

Another form of arms trade regulation, besides national control and international treaties, are arms embargos. Embargos are sanctions, imposed on certain states or regions by international bodies. Arms embargos normally are imposed by the UNSC. There are two

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17 Burundi, Democratic Republic of Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Sudan, Tanzania, Uganda

18 Burundi, Democratic Republic of Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, Seychelles, Somalia, Sudan, Tanzania, Uganda
different types of arms embargos, mandatory and voluntary embargos. They can be distinguished by the language used by the UNSC. If the UNSC “calls upon all states “for an embargo it is a voluntary embargo. Voluntary embargos have a more symbolic character as they are not legally binding. When the UNSC “decides that all states shall implement an embargo”, it is a mandatory embargo. Mandatory embargos are legally binding under the UN charter (Vines, 2007, pp. 1108–1110).

Sanctions usually are overseen by a sanction committee created through a UNSC resolution. Member states, other UN agencies, NGOs and intergovernmental organizations can report violation of a specific embargo to the committee (Vines, 2007, p. 1109).

The effectiveness of embargoes is disputed. China and Russia, part of the UNSC permanent five, became skeptical about the use of embargos in the past decade. China has declared in speeches that it does not consider embargos part of a solution to resolve issues in countries as Sudan, Myanmar and Iran (Vines, 2007, p. 1108). This is particularly relevant in the context of this thesis because China was one of the main arms’ provider to South Sudan and this position further undermines external initiatives to bring about change.

Authors from the Stockholm International Peace Research Institute (SIPRI) analyzed the effectiveness of 27 UN arms embargoes and concluded that they have more a symbolic value than any practical effect (Fruchart and Strandow, 2007, p. 5). Embargoes are not monitored efficiently, and violations of embargos are not being prosecuted. Additionally, there is often a lack of political will of states, including UNSC members, to impose embargos effectively. It is also due to a lack of resources from African states to monitor compliance of those agreements, as well as creating strategies to prevent proliferation of SALW in the regions. It is a problem of border porosity and corruption as well(Vines, 2007, p. 1121).

Independent monitoring groups might not provide enough information for juridical prosecution, but according to Vines they can initiate juridical prosecution. Sanctions are more efficient, when applied together with other diplomatic measures and should only be imposed if absolutely necessary (Vines, 2007, p. 1112).
Nowadays there are many international treaties and agreements regarding arms trade. However, the obedience of those treaties in contexts where the state has no monopoly of the legitimate means of violence and its ability to ensure protection is reduced. Conflicts in the region pose a challenge for the success of arms regulation. They raise the demand for SALW also in the civilian population who wants to acquire SALW for self-defense.

Conflicts have regional spill-over effects which makes arms spread to neighboring regions and hinders the progress of arms control. According to Dye proliferation of SALW is not the cause of conflicts, but it increases their lethality. Traditional arms control has more political and legal implications, than socio-economic. The author claims, that governments prefer to engage in arms control efforts rather than tackling the underlying political and socio-economic problems. According to Dye arms trade agreements fail to address the root causes of conflicts. She suggests that democracy and equal distribution of pastoral land as well as water access would mitigate conflicts in the region and automatically reduce the demand for SALW (Dye, 2009, pp. 9–10).

Addressing the root causes of armed conflicts as Dye suggests, would make arms trade agreements more effective and in the long term contribute to sustainable peace in the Horn of Africa and Great Lakes region. However, it is difficult to convince governments to sign and obey agreements with such radical implications.

It might be more effective and easier to address the issue of SALW proliferation step by step. First, it is necessary to create a legal framework, so states can act accordingly. Arms trade agreements as the Nairobi Protocol, are valuable engines for the development of such frameworks and best practice guidelines. Intergovernmental organizations as RESCA, hand governments the tools to implement effective measures for the mitigation of SALW proliferation. Monitoring, technical and financial aid by a regional organization, pressures governments to develop further and may lead to a wider change of policies, which benefit the people.

In order to agree upon measures to regulate the legal arms market, states had to acknowledge, that conventional weapons indeed have a negative impact on international security, human rights and development. So, even if regulatory measures are not always efficient, they are a step forward in recognizing the impact conventional arms can have on international security and development. Even “weak” agreements regarding arms
proliferation are better than not having any, because they bring the issue of arms trade and the impact of SALW to the conscious of policy makers and communication about the problem. Indeed, this is a gateway towards more comprehensive treaties.

Efforts to regulate arms trade of SALW are quite recent. The first international treaty on SALW regulation was signed in 2001. In following years different agreements and treaties were made but had limited efficiency. The arms trade treaty of 2014 is the first international legally binding treaty on arms trade. It bans the export of arms into areas of civil conflict, where the possibility of human rights abuse exists. Unfortunately, major arms exporting countries did not ratify it, nonetheless it was an important step towards better arms control. It does create an important framework for rules on arms trade and sets standards which did not exist before. On a regional level the Nairobi Protocol, signed by countries of the Horn of Africa and Great Lakes region, was an important milestone. The legally binding treaty aims is to encourage states to establish better national legislation for more arms control and to harmonize legislation in the region regarding the use of SALW.

The following chapters address the characteristics of the South Sudanese arms trade and actors involved in it.

CHAPTER 5- THE CHARACTERISTICS OF ARMS TRADE IN SOUTH SUDAN AND SOUTH SUDANESE RELATIONS TO ARMS SUPPLYING COUNTRIES

Chapter 5 seeks to analyze the characteristics of arms trade in South Sudan and to identify types of weapons, the country of origin and the main actors related to arms flows as well as their possible interests. The knowledge of arms flows enables politicians and civil society to understand conflict dynamics and interests of actors and can be used to mitigate conflicts.
Arms trade is conducted on three different, but interconnected markets: the legal market, the grey market and the black market. At this point it is also important to remember, that a legal transaction does not mean that it is morally right as well.

The legal market has a turnover of around 60 billion dollars a year and provides many work places in arms producing countries (Stohl and Grillot, 2009, p. 95). In the period from 2013-2017 the five largest arms exporters were: USA, Russia, China, Germany and France. Together they controlled 74.2 per cent of the market (see figure 3). The largest importer were India, Saudi Arabia, China, United Arab Emirates and Egypt (see figure 4) (Fleurant et al., p. 1).

Since 2003 the volume of international arms transfers has grown continuously. During this period from 2013 to 2017 the arms’ transfer increased by 10 per cent compared to the period of 2008-2012 (Fleurant et al., p. 1).

Figure 3: Global share of major arms exports by the 10 largest exporters, 2013-2017
The so-called grey market is a market of individuals and governments, which use loopholes in the law or intentionally ignore international law to sell arms. On the grey market, governments make clandestine arm deals with other countries’ non-state actors. Under the governments’ own law, this might not be considered illegal, but at the same time, they might violate international embargos (Picarelli, 2013, p. 458).

On the black market, the illicit trade of conventional weapons makes an estimated turnover of one billion dollars a year (Stohl and Grillot, 2009, p. 98). An important tool
for arm sellers on the grey and black market are real or forged end-user certificates. These certificates are used to ship arms legally from one country to the other, where they are sent to a third country. There are different ways illicit small arms and light weapons (SALW) enter conflict areas. Often there is a continuous supply of small amounts of arms, which after some time accumulate and can have a destabilizing impact on the region (Hartung, 2013, p. 356).

Illicit arms trading routes are often used for other kinds of illegal activities, as human trafficking and drugs trafficking. People involved in illicit trafficking are often also legally trading goods. And in some regions arms are used as a currency to be traded for diamonds, minerals or coffee (Stohl and Grillot, 2009, pp. 112–113).

Arms trade has three different dimensions: the trade in major systems as tanks, ships and aircrafts, the trade in SALW and the trade in dual-use goods, which could be used to construct weapons but are for civilian usage as well. The best monitored, and controlled trade dimension is the one of major systems. After the Cold War, the trade in SALWs increased. SALWs are cheaper, easy to transport and difficult to track. They are used preferably by non-state actors as terrorists, organized crime members, militias and by insurgency movements, in civil war. As the new wars emerged, the demand for SALWs increased (Avant, 2013, pp. 442–448).

Tracing the trade of SALW is much more difficult, than tracing the trade of conventional heavy arms. Unlike heavy military supplies, SALWs are difficult to detect and international monitoring mechanisms are weak.

There is little transparency when it comes to trade in SALW. To understand trade patterns, different sources can be helpful: national arms export reports, publicly available trade databases as the UN Comtrade, the UN Register of Conventional Arms (UNROCA), and the Stockholm International Peace Research Institute’s (SIPRI) Arms Transfers Database and Media and research reports.

Illicitly traded arms can only be traced with serious research effort. In the case of South Sudan, the data is rare and depends on few investigation reports. However, these sources are reliable, and the projects are conducted by impartial investigators. The Small Arms Survey is one of them. It is an independent research project located at the Graduate Institute of International and Development Studies in Geneva which launched in 2011 the
Human Security Baseline Assessment (HSBA) arms and ammunition tracing desk. The project identifies sources of arms and ammunition in Sudan and South Sudan.

When tracing arms back to a certain origin, the model, the serial number and the manufacturer of the arm are important leads. The manufacturer or factory marc can be the name of the factory, symbols or numbers. The best way to identify an individual arm without forensic research, is by serial number. Serial numbers are registered in transfer records. There are no international standards for either serial numbers or manufacturer marcs and there is no institution which provides a complete database. This makes the identification of arms difficult for those carrying out investigations (Leff and Lebrun, 2014, pp. 11–14).

In criminal cases serial numbers are often removed to prevent tracing of the arm. In the context of civil wars this is rather unusual, however investigators found increasing amounts of arms without serial numbers in South Sudan and Sudan. There is reason to believe that the government of Sudan (GoS) wanted to hide its arms supplies to South Sudanese rebel groups by handing them unmarked arms (Leff and Lebrun, 2014, p. 14).

The tracking of ammunition is equally important. When there are already large quantities of arms in a certain area, ammunition is an important good. This is the case in both Sudan and South Sudan. Often arms are traded together with their ammunition, as certain arms only work with specific ammunitions. So, identifying ammunition can give clues on arms´ origin. There are different characteristics of ammunition as the shape or function (ball, soft-point, hollow-point etc.) of cartridges and the caliber (normally depending on the measurements of the projectiles diameter and length of the cartridge case). Other distinctive features are the material and case type of the cartridge. The best way to identify ammunition is with the numbers or symbols on the bottom of the cartridge case, called headstamp. Headstamps can indicate the origin, producer and time of production of the ammunition (Leff and Lebrun, 2014, p. 15).

The following section addresses the characteristics of the South Sudanese arms trade in order to evaluate the impact of arms trade and arms trading countries on the South Sudanese war to peace transition. It is difficult to retrieve exact numbers regarding arms imports and exports as well as movement of arms between different actors.
The government of South Sudan did not report their arms purchases and many arms are held by non-state actors, which participate in clandestine trade. However, different reports from organizations as the Small Arms Survey and Saferworld provide estimates of the number of arms in circulation, based on inquiries and in-field research. The estimated numbers are sufficient, to show a pattern of cooperation between actors and interests which may lie behind the arms trade.

5.1 Characteristics of the South Sudanese arms trade

This section is identifying types and quantity of arms which were used by different stakeholders in South Sudan in the years between 2005 and 2015. In the end of 2009 a total of around 2.7 million SALW circulated in Sudan/South Sudan according to the Small Arms Survey. Two thirds of them were believed to be in the hands of non-state actors (Small Arms Survey, 2009).

The SPLA used arms deals both as mean to bribe others with arms procurement deals as well as for deterrence (De Waal, 2015, p. 67). During the interim period 2005-2011 the GoSS could not purchase arms without approval by the Joint Defense Board (JDB). Half of the JDB was made up of SPLA representatives the other half of Sudan Armed Forces (SAF) members. Because the SAF representatives would have vetoed any arms purchases by South Sudan, the GoSS never requested any. When South Sudan gained independence in 2011 these bans were lifted. However, data from SIPRI shows that the GoSS started to purchase arms shortly after the CPA in 2005 (Small Arms Survey, 2012, p. 2).

Despite the arms’ ban for the GoSS during the interim period, the SPLA started an arms procurement program in 2006. The main priority at that time was to secure the northern border to Sudan. What type and which quantities of arms where purchased is difficult to measure, because South Sudan did not report its imports to the UN Register of Conventional Arms19 or the UN Comtrade Database20, neither have the exporting countries reported their exports (Small Arms Survey, 2012, p. 2).

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19 The UN register of conventional arms UNROCA is a database tool registering arms transfers, which supports the concept of transparency in armament

20 The UN Commodity Trade Statistics Database provides global trade data. It is a database of official international trade statistics
Another obstacle in tracking the arms’ flow was the decentralized structure of the SPLA, which resulted in an incoherent strategy when purchasing arms, as well as the absence of an inventory.

International traders were able to meet the high demand on arms in South Sudan. In the interim period, the SPLA was the main driver of arms imports to South Sudan according to the small arms survey. With an estimated number of 210,000 members, an estimated 250,000 SALW belonged to the SPLA by 2012 (Small Arms Survey, 2012, p. 2).

Apart from the SPLA, the South Sudanese government had to pay around 84,000 to 90,000 police, prison warders and wildlife forces (De Waal, 2015, p. 81). South Sudan Police Services (SSPS) were established in 2005 to maintain internal order in South Sudan. It was composed of former police members, demobilized SPLA members and SPLA soldiers who were transferred to police services. The Small Arms Survey estimates the number of SSPS members at around 50,000 men, stating that by 2012 they had one weapon per officer. A third of those arms were brought from former SPLA services, the rest was imported and mainly was from Ukraine. In 2011 the imported rifles were marked with a code and registered in a database belonging to the Regional Centre on Small Arms and the South Sudan Bureau for Community Security and Small Arms Control (BCSSAC) (Small Arms Survey, 2012, pp. 5–6).

Not only government forces, but also non-state actors as militia and ethnic affiliated rebel groups acquired arms. Over the past decades of civil war in Sudan and South Sudan, non-state actors were supported by neighboring countries within the Horn of Africa (Dias, 2013, p. 4). While Ethiopia and Uganda supplied the SPLA with arms, Eritrea transferred arms to the Eastern Front, a coalition of rebel groups in east Sudan, and Libya and Chad supplied arms to Darfur rebel groups in Sudan. Evidence found by the Small Arms Survey indicates that Sudan is the main supplier of arms to militia groups as the South Sudan Democratic Movement/Army (SSDM/A) and South Sudan Liberation Movement/Army (SSLM/A). Militia leaders held close ties and personal contacts with Khartoum. The type of arms and ammunition and the fact that they were new, suggests a transfer from Sudan which prior imported the arms from China or Iran, Sudan’s main suppliers. (Small Arms Survey, 2012, pp. 4–5). In past decades proxy arming was a strategy in the region and various countries have supported their enemies’ enemy with arms, reproducing a pattern
of power that has marked the region’s security dynamics (Dias, 2008, pp. 229–238). Ethiopia and Uganda supported Sudanese militias and Sudan did the same in Ethiopia and Uganda to destabilize the countries (Cascão, 2013, p. 145).

After the South Sudanese independence, rebel groups in South Sudan increased their power and as a result purchased more expensive and complex weapons. They obtained their arms from different sources: directly from other states or from capturing arms on the battlefield. South Sudanese non-state actors have acquired arms and ammunition from the SPLA. In 2012-2013 the Yau Yau rebel group captured machine guns, mortars and vehicles in the state of Jonglei from the SPLA (Leff and Lebrun, 2014, p. 107).

Many people belonging to militia groups were former SPLA members and simply brought their arms with them. Other arms were acquired in battles against government forces. But there are also arms which seem very new and in good condition, which indicates a supply chain to those rebel groups (Small Arms Survey, 2012, p. 4).

The South Sudan Liberation Movement/Army (SSLM/A) is a Nuer militia located in Unity state. They claim to have an 8000 people strong personnel, but according to the Small Arms Survey they were around 1.800 people strong in 2011. Fights in November 2011 and March 2012 between the SSLM/A and the SPLA resulted in hundreds of casualties. It is unclear what kind of armament the SSLM/A has and where the arms come from. The Small Arms Survey suggests that they are supplied with arms by Sudan, but evidence is insufficient. Apart from large numbers of SALW they also have anti-tank mines, supposedly to use against SPLA forces (Small Arms Survey, 2012, p. 5). Parts of the SSLM/A integrated into the SPLA, while others sided with the SPLA in opposition when civil war broke out in December 2013 (Leff and Lebrun, 2014, pp. 35–36).

It is important to note, that most of the weapons used by militia are older arms, circulating in the region from past decades of conflict. The states´ inability to control their peripheries adds to this problem (Dias, 2013, p. 4).

Arms are stolen easily due to inadequate storage and registration. Beside this fact, and the supply from Sudan, the government forces of South Sudan seem to have supplied militia forces with arms in many cases. Especially in the state of Jonglei, where the SPLA was fragmented, arms where supplied to different militias. The SSPS for instance, handed
arms to support Dinka groups fighting against Lou Nuer in July/August 2011 (Small Arms Survey, 2012, pp. 7–8).

To mitigate arms proliferation, one must understand which countries provide them and what interests the supply was based on. In the case of South Sudan there are various actors and sources which contribute to the overflow of arms in the country.

Arms do have a long life. The arms left from the Cold War period of soviet support for actors in the region are still available. Another problem related to the Cold War period were the remaining stockpiles of arms in former eastern bloc countries. In the early years of the 1990ies the stockpiles were exported for low prices to areas of conflict in Africa.

Vines criticizes, that the United Nations Security Council (UNSC) approach respond to the issue of illegal arms trade, because it shows that they are still holding on to the idea of East European arms flooding the African market (Vines, 2007, p. 1117).

According to him the problems related to African illicit arms trade are not caused by outside actors but are home-grown. Arms are easily available and cheap, due to the porosity of borders they circulate easily, and bad stock pile management and corruption are contributing to the problem. He defends that the main source of SALW distribution are African governments and other regional political actors (Vines, 2007, p. 1117).

In the case of South Sudan, all of the named issues related to easy accessibility of arms on the African market are applicable. Nonetheless, it is important to consider the international implications and dynamics of arms trade and to understand who benefits from the regional dynamics of uncontrolled arms trade.

One of the biggest arms exporters to South Sudan is Ukraine. An Ukrainian Parliamentary Commission found in 1998, that with the end of the Cold War stockpiles of weapons remained with an estimated worth of 89 billion dollars. In the following six years Ukraine reported the export of SALW worth 11 billion dollars. At the same time arms worth 32 billion dollars were stolen from these storages and sold on the black market (Stohl and Grillot, 2009, p. 84).

During the interim period Ukraine was South Sudan´s major arms supplier according to the small arms survey, which based this finding on witness statements, cargo manifests, photographic evidence and interviews with security experts. Especially the SPLA
received arms supplies from Ukraine (Small Arms Survey, 2012, p. 2). This shows, that the problem of former soviet arms being used in African civil wars, is still an issue.

Ukraine collaborated with the Kenyan Ministry of Defense. The military supply for South Sudan arrived the landlocked state via Kenya´s port of Mombasa and was then transferred on land routes through Uganda. One incident shows the way and type of armament which entered South Sudan. In 2008 a ship was hijacked by Somali pirates on its way from Ukraine to Kenya. On board were military supplies, SALW, ammunition and tanks. In the transport papers, its destiny was clearly marked as South Sudan. The South Sudanese government objected to have ordered the arms, because the ban on military purchases was still in place.

The Horn of Africa´s regional dynamics influenced arms flows as well. In the past decades of civil war Uganda and Ethiopia supported the South Sudanese SPLA and Eritrea the Sudanese Eastern Front, while Libya and Chad armed Darfur rebel groups. This shows how interwoven rebel movements and militia groups are and how entrenched is the principle of mutual interference in each other’s domestic affairs (Dias, 2008, p. 229).

The arms supply via transit countries such as Kenya, Ethiopia and Uganda thrived during the interim period. Airplanes coming from Uganda with military supplies have been reported to land in the South Sudanese capital Juba. Another source of arms for the SPLA was Ethiopia. Four shipments of military supplies have arrived South Sudan in 2008 coming from Ethiopia (Small Arms Survey, 2012, p. 2).

An increase in arms over the years is also due to South Sudan’s porous borders. Rebel groups from neighboring countries crossed into the state to regroup and shelter. This so-called spillover effect brought even more arms and violence to the country. One example is the case of Ugandan Lord’s Resistance Army (LRA) which moved between countries to fight the Ugandan government and distributed weapons to South Sudanese civilians (Mears et al., 2011, p. 19). South Sudanese pastoralist communities have traveled into neighboring countries as well and obtained arms to protect their cattle (Leff and Lebrun, 2014, p. 107).

The Sudanese government also plays a role in the proliferation of arms in South Sudan. Foreign arms are still in the majority but Sudan´s arms industry grew in the past decades.
China, Iran and previously Bulgaria have provided technical support to establish Sudanese arms factories (Leff and Lebrun, 2014, p. 37).

Sudan has supplied military equipment to non-state actors in South Sudan, probably to undermine Juba’s power. David Yau Yau, a Murle militia leader who controlled the South Sudan Democratic Movement/Army (SSDM/A), contributed to the influx of arms into the state of Jonglei in 2012 (Leff and Lebrun, 2014, pp. 103–104). His troops were equipped with Chinese manufactured CQ rifles, which have never been observed in South Sudan before. The Sudan National Intelligence and Security Service (NISS) reportedly transferred weapons to him by air and by land between 2012 and 2013 (Leff and Lebrun, 2014, pp. 42–43).

But not only neighboring countries and international actors play a role in the arms trade with South Sudan. The EU arms embargos on Sudan and South Sudan21 were violated by European individuals and companies, which offered brokering services for arms deals.

The small arms survey predicted in 2012, that a steady influx of arms for all parties might intensify and prolong conflicts in South Sudan. It also predicted three possible cooperation partners for arms imports in the following years: Russia, China and the US (Small Arms Survey, 2012, p. 3).

The US and Sudan have a relationship since the cold war. In 1977-78 Sudan was struck by economic crises and depended on the US to negotiate debts and to receive aid. USAID spent its largest budget in Sub Saharan Africa on Sudan. It was a country of interest to the US in the Cold War to counterbalance Libya and Ethiopia, which had ties to the USSR (Johnson, 2016, p. 67). Sudan made part of the US Rapid Deployment Force, a joint military force which made the US able to do maneuvers on Sudanese soil and defend their position in the region. Even if the US was expressing criticism on imposition of Islamic law in the south of the country, the Cold War agenda was more important to them and they continued military support.

This changed when the new Sudanese government started to get military support from the Gulf States. In 1989 the National Islamic Front (NIF) gained power in Sudan and the

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21 The EU arms embargo on Sudan is in place since 1994 (council decision 94/165/CFSP), since 2004 it also covers technical and financial assistance and in 2011, in the context of the South Sudanese independence it was amended for South Sudan with the council decision 2011/423/CFSP
US supported leaders of the neighboring states: Museveni of Uganda, Meles Zenawi of Ethiopia and Isaias Afwerki of Eritrea, to contain Sudan’s power and the expansion of militant nationalism. Relations between the US and Sudan worsened in following years. Sudan received military support from Iraq and Iran and had ties to the Hamas. In 1993 the US declared Sudan a state sheltering terrorists. (Dias, 2013, p. 8).

Within the US, Christian fundamentalist and anti-slavery groups lobbied to further pressure Sudan with political and economic means (Johnson, 2016, p. 142). In 1997 the US banned companies and individuals from having any business relation with the Sudanese government.

In the late 1990s Sudan started to develop oil and Canadian, Malaysian and Chinese companies became involved in the oil business (Johnson, 2016, p. 162).

After the 09/11 attack terrorism was a priority of the US foreign policy. At the same time IGAD re-started peace negotiations with support from the US, UK and Norway (Johnson, 2016, p. xiv).

Both under G.W. Bush and Barack Obama, the United States advocated the South Sudanese independence. In the years leading to the independence the US provided support for the South Sudanese military forces in different ways and spent billions on aid for South Sudan. From 2006 onwards the US invested an estimated amount of 150-300 million USD in the South Sudanese Defense Transformation Program (SSDTP) (Small Arms Survey, 2012, p. 3).

The US supported the South Sudanese security forces and SPLA. Projects included inter alia the construction of a new SPLA headquarter, the training of the presidential guard and development of the riverine force. They also established a training advisory team for administration, military intelligence and engineering (Rands, 2010, pp. 30–31).

It is important to note, that during the interim period South Sudanese soldiers were involved in human rights abuses. A Human Rights Watch report describes an incident in 2008 in the state of Eastern Equatoria (see figure 2, p. 38), where SPLA soldiers killed, arrested and tortured people. Initially, the SPLA was sent to solve the conflict related to cattle raiding between two villages. The soldiers were attacked by villagers and hit back violating international law by attacking civilians, destroying their property and stealing their livestock (Human Rights Watch, 2009, pp. 23–24).
In 2012 US president Obama signed a presidential memorandum, allowing the export of defense articles and services to South Sudan in the hope to “strengthen the security of the United States and promote world peace” (Obama, 2012).

Similar to other states of the former USSR, Russia primarily followed economic interests when it sold arms to South Sudan. In 2011, three months after independence and shortly after a meeting between the US and South Sudan, a delegation from Russia’s Federal State Unitary Enterprise- Rosoboronexport met with South Sudanese President Salva Kiir to discuss military cooperation between the states. After the meeting, the president of Rosoboronexport declared on South Sudanese television a cooperation to enhance South Sudan’s defense capacity. In the past Russia was a supplier for Sudan and it is unclear if it will continue to supply both states with arms, as Ukraine did (Small Arms Survey, 2012, p. 3).

In a UNSC meeting in 2012 Russia along with China vetoed efforts to sanction both Sudan and South Sudan because of tension between the countries.

Sudan/South Sudan and China have historical and economic bounds which date back to the establishment of diplomatic ties in the 1950s but intensified from the 1990s onwards. Especially with the investment in the Sudanese oil industry in 1997 Chinese-Sudanese relations became closer. China is South Sudan’s biggest investor and importer of oil. When analyzing the role of China in South Sudanese politics it is important to note, that China is the biggest trade partner of Sub-Saharan Africa and most South Sudanese weapons can be traced back to China (Small Arms Survey, 2014).

In 2014 South Sudan’s oil reserves were three times bigger than Sudan’s. Most of the oil is under control of Chinese state-owned companies as the China National Petroleum Corporation (CNPC). It has a majority stake in the two biggest oil companies which are working in South Sudan (Hodzi, 2017, p. 3). With 80 per cent of South Sudanese oil exports consumed by China, China was South Sudan’s biggest customer in 2012. After the outbreak of war, the oil production in South Sudan dropped from 245,000 barrel per day in 2013 to 163,000 barrel per day in July 2015 (Tiezzi, 2015). And in the years from 2011 to 2016 the oil revenues dropped from 7.4 billion USD to 4.2 USD in 2016, which meant huge losses both for China and the government of South Sudan (Hodzi, 2017, p. 3).
China is a key supplier of SALWs worldwide and among the least transparent suppliers, as it does not declare the number or value of exported SALW to the UNROCA. Due to a lack of transparency it is difficult to find exact numbers of arms transfers from China to African countries. Between 2001 and 2012, 58 per cent of SALW, ammunition and conventional weapon imports to Sudan were of Chinese origin (Leff and Lebrun, 2014, p. 38). According to SIPRI estimates, China sold military rifles in the value of 1.8 million US$ to Sudan in the period between 2006 and 2010 (Bromley et al., 2013).

Chinese ammunition found its way to South Sudan in large quantities as well. The SPLA owns arms of Chinese origin, but it is unclear if they were imported directly or arrived through third parties. (Small Arms Survey, 2012, p. 7). These SALW could have been stolen or acquired on the battlefields from government forces. In many cases it seems likely that third states have imported these SALW and then transferred them to non-state actors (Bromley et al., 2013). Both Sudan and South Sudan obtained a variety of Chinese weapons, however, even the approximate number of Chinese weapons in South Sudan remains difficult to estimate. The most common supply of Chinese origin in both countries is small-calibre ammunition made between 1967 and 2011 (Leff and Lebrun, 2014, p. 40).

Between 2011 and 2013 investigators of the small arms survey documented large quantities of Chinese ammunition circulating in the conflict prone states of South Kordofan, Blue Nile and in the hands of the Sudan People Liberation Movement-North (SPLM-N)²³, the South Sudanese SSDM/A and the SSLM/A in South Sudan (Leff and Lebrun, 2014, p. 40).

A reason for the high number in supplies of SALW is that China follows a competitive pricing policy which includes soft loans and mining concessions (Bromley et al., 2013). Especially Chinese SALW are affordable, as the assault rifle AR-56 which is an alternative to the Russian AK-47 (Mears et al., 2011, p. 46).

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²² assault rifles, general-purpose and heavy machine guns, RPG-7-pattern launchers, automatic grenade launchers, antitank missiles, various types of rockets, and small-calibre ammunition
Leff and Lebrun (2014, p. 39)
²³ Sudanese rebel group, founded in 2011, fighting against GoS
Leff and Lebrun (2014, p. 27)
There is no big competition with other arms suppliers on the African continent and Chinese weapons are cheap. Another advantage is that China does not question to human rights issues (Mears et al., 2011, p. 49). China’s marketing efforts specifically target African military, paramilitary and police forces and is seen by SIPRI as a strategy to increase arms’ sales in Africa. Despite being a major supplier for SALW to sub-Saharan Africa, different sources suggest that China does not gain high revenues from these sales (Bromley et al., 2013, pp. 41–42).

Saferworld assumes that African and Chinese defense ministries and military negotiate arms deals. There are few Chinese enterprises which are licensed to export firearms. Namely NORINCO, CXXC, China Poly Group Corporation, which are owned by the state and hold close ties with politics and military but do act as enterprises with interest in profit making (Mears et al., 2011, p. 49).

According to a UN interim report the South Sudanese government obtained 20 million USD worth of arms from Chinese NORINCO in 2014, including a 100 HJ-73D anti-tank guided missile-launchers (plus 1,200 missiles), 9,574 automatic rifles with 2 million rounds of ammunition, 2,394 grenade launchers, and 40,000 type-69 high-explosive anti-tank rockets. The report also explicitly underlines that arms supplies were prolonging and escalating the conflict in South Sudan (Panel of Experts on South Sudan, 2015, p. 20, 2015).

China has signed international agreements regarding goods which could potentially be used for weapons of mass destruction (WMD). Saferworld writes in its 2011 report, that China has made efforts to control SALW export and signed various international agreements against the proliferation of SALW, as the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in 2001 (Mears et al., 2011, pp. 47–48). China officially acknowledges the destabilizing effects of SALW on peace, security, economy and development. However, according to SIPRI China still lacks transparency in providing information regarding its

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24 China signed The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in 2001 and The UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms in 2002. Mears et al. (2011, p. 48)
export licensing process for SALW and as of 2013 has not provided information to UNROCA on exports of SALW (Bromley et al., 2013, p. 54).

The main legislation regarding arms exports in China is the *Regulations of the Peoples Republic of China on the Administration of arms exports* from 1997. According to this legislation, arms importing states should use them for their self-defense, the arms should not jeopardize peace, stability and safety of the region and arms exports should not be used to interfere in the states politics (Mears et al., 2011, p. 48). However, China’s main foreign policy principle is non-interference, which in some cases means that it does supply arms to countries without regard to a possible misuse of these arms (Bromley et al., 2013).

As stated in a 2015 interim report by the UNSC, China has declared that it stopped selling arms to South Sudan. (United Nations Security Council, 2015, pp. 19–20). But through capture, re-selling and re-distribution the arms will remain in the region and have a negative impact on civilians. Until today there is no UN embargo on South Sudan in place, which means that arms supply to South Sudan remains legal. The next section is going to address motivations for this supply.

### 5.2 Motivation of arms supplying countries

While it is arguable that some countries as Ukraine sell arms to South Sudan out of economic interests, there seems to be a more complex reasoning behind the supply of arms for others.

Due to its geographical position South Sudan depends on its neighboring countries for import and export of goods. This is also the case when it comes to arms trade. The Kenyan port of Mombasa is crucial for the arrival of goods into South Sudan. Domestic politics and conflict in the Horn of Africa are interconnected with each other (Dias, 2013, p. 7). South Sudan’s neighbors are aware of their position and influence on South Sudanese domestic politics. They use arms trade mechanisms to influence the regional political dynamics.
Kenya hosted peace talks and acted as mediator, because it was perceived by both Khartoum and Juba as neutral. Its border city Lokichogio hosted NGOs and UN humanitarian aid offices during the second South Sudanese civil war (see chapter 3, p. 34). It turned into a lifeline for South Sudan. During the interim period Kenya strengthened its economic ties with South Sudan. Kenyan businesses in the areas of construction, services and trade of basic goods flooded the market. In 2010 it became the second biggest economic partner of South Sudan (LeRiche and Arnold, 2013, p. 202).

Similarly, Uganda has provided aid to South Sudan in the years of the civil war. The country also received many refugees from South Sudan and continues to do so. During the first years of the interim period it was allowed to fight the Lord’s Resistance Army (LRA), an Ugandan rebel group, within South Sudan. In 2010 it became South Sudan’s biggest business partner and Ugandans where the biggest foreign minority with around 12,000 Ugandans living in South Sudan. In the future it might face similar problems as South Sudan, both are landlocked states with oil sources and might develop infrastructure as pipelines together (LeRiche and Arnold, 2013, p. 204).

Ethiopia was decisively involved in the creation of the CPA. Together with the African Union it helped mediating between Juba and Khartoum in issues such as the border conflict in the Abyei region. The Ethiopian advisors to the SPLA and peacekeepers deployed under the UN or AU influence South Sudan’s future. (LeRiche and Arnold, 2013, p. 205).

As a longtime ally of Sudan and with economic interests in the South Sudanese oil industry, China has a difficult position. China’s trade with South Sudan connects its economic with its political interests. China declared full cooperation with South Sudan after independence in 2011, which according to the small arms survey might be related to the fact that after independence the power over oil sources laid in South Sudan rather than Sudan (Small Arms Survey, 2012, p. 9).

Saferworld claims that the “Oil for arms” theory is a too simplistic explanation even if it might be true in some cases. They argue, that the arms trade with African countries is used to strengthen diplomatic ties. The arms´ transfers are one of the ways China uses to
support political stability and therefore secure economic interests, even if this behavior
does not support the principle of non-interference (Mears et al., 2011, p. 50).

Apart from the importance of the oil business there are other fields, mainly in the
construction and communication sector, where Chinese private state-owned companies
operate. The conflict forced the companies to evacuate their workers, which means loss
of profit for both China and South Sudan (Hodzi, 2017, p. 4).

Additionally, South Sudan’s geographical position in east Africa also matters to China.
A spillover effect of the South Sudanese conflict to its neighbors Uganda, Kenya and
Ethiopia would also have negative consequences for Chinese trade interests. China
invested in Ethiopians manufacturing and infrastructure projects, in Kenya China
invested into the railway construction which similarly links the capital Nairobi to the port
of Mombasa, facilitating trade in the region.

Interestingly the policy of non-interference was challenged with the outbreak of the civil
war in South Sudan. It did not fully follow a strict non-interference principle, but
defended its own interests in the region and even deployed troops under the UN
peacekeeping mission in South Sudan to stabilize the country (Hodzi, 2017, p. 3).

Two weeks after the conflict broke out in December 2013, Chinese diplomats met
officials from the SPLA-IO led by Riek Machar. Probably to gather information about
the conflict and to secure investments in the oil fields in Unity State and Upper Nile State,
which both fell under control of Riek Machar. China was also involved in peace talks
organized by IGAD in 2015. While South Sudanese and Ethiopian officials praised the
Chinese participation, a Norwegian official said that China was not contributing to the
talks and suggested that they came to acquire information regarding the conflict (Hodzi,
2017, p. 5).

China seemed to follow a strategy of trying to stick to non-interference policy and on the
other hand defending economic interests in the region while supplying arms to different
factions in South Sudan, which further escalated the civil war.

The US supported different groups in Sudan and South Sudan in the past decades, always
in accordance with domestic interests and their international agenda. They had temporary
arms embargos on Sudan, but nonetheless contributed to militarization and arms
accumulation with their policy. In the Cold War supporting Khartoum and in recent times financing the SPLA with large scale security reform programs aiming for influence and presence in the region.

South Sudan’s neighboring countries influence South Sudan’s domestic politics by supporting armed groups within Sudan and South Sudan. They provide transport routes for goods and especially Kenya and Uganda have strong economic ties with South Sudan.

After the CPA the South Sudanese SPLA and militia groups had interest in receiving more armament instead of disarming in accordance with the DDR program. Different international and regional actors were able to satisfy the request and provide SALW to different factions of the country, following their own economic and political interests. The following chapter will analyze different dimensions of arms trade in South Sudan, on order to identify issues in the statebuilding process which might have led to the relapse into war.

CHAPTER 6- INTERNAL AND EXTERNAL DIMENSIONS OF ARMS TRADE REGULATIONS AND DDR IN SOUTH SUDAN

Chapter 6 examines Disarmament, Demobilisation and Reintegration (DDR) programs and arms trade regulation in the context of the South Sudanese relapse into war.

The following section addresses issues experienced on different levels in the South Sudanese state building process, which ultimately might have contributed to the failure of the DDR program and the relapse into conflict. First the international context and influence of external actors on DDR will be discussed and the DDR program itself will be analyzed. Then the economic context as well as the internal dimension of statebuilding, the role of the community and of individuals will be examined.

The factors for success or failure of DDR programs are difficult to determine. The Stockholm Initiative states that:

“the DDR programme should ideally influence and contribute to a secure environment that can provide minimum basic conditions to enable long-term development without the immediate threat of violent conflicts” (Ministry for foreign affairs, 2008, p. 4)
The small arms survey found that in the case of South Sudan, the DDR program has “had no discernible impact on security in South Sudan.” (Stone, 2011, p. 1). Disarmament of government forces, or a so-called re-sizing was not effective, and the country experienced a relapse into war. This was caused by different factors on different levels. In the next sections the international context, the implementation of the program itself and the internal circumstances of arms trade regulations and the south Sudanese DDR program are discussed.

6.1 The International context

Arms trade is an international trade business, which lacks an international regime to regulate it. One side of the consequences can be seen in South Sudan. According to Stohl and Grillot arms proliferation can have a negative impact on the success of peace keeping efforts (Stohl and Grillot, 2009, p. 125). South Sudan was flooded with SALW in decades of civil war leading up to the CPA in 2005. Without national laws regulating arms imports or possibilities of monitoring arms flows, arms spread uncontrolled. At the same time there was no international binding treaty preventing the proliferation of SALW. During the interim period a ban on acquirement of military equipment was imposed. But even then, against the provisions of the CPA, both Sudan and South Sudan acquired more arms (Small Arms Survey, 2012, p. 2).

The EU imposed an arms embargo on Sudan in March 1994 and after the secession of South Sudan in 2011, it covers the new state as well. After the outbreak of the Darfur war25, the UN imposed sanctions on the region in 2004, pressuring the GoS not to supply any militias with arms and to disarm the Janjaweed militias. However, this UN arms embargo was violated by all sides (Leff and Lebrun, 2014, p. 22). Until today, despite years of violent conflict, there is no global embargo on South Sudan in place.

25 In 2003 rebel groups attacked Sudanese government forces in Darfur. Both rebel groups, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) answered the attacks by arming militias named Janjaweed, which led to violence and a humanitarian crisis in the region. In April 2004 a peace agreement (N'Djamena Humanitarian Cease Fire Agreement) was signed and the African Union (AU) deployed an observer mission in the region Lamb and Dye (2009, pp. 75–76).
As discussed in chapter 5, different countries had economic and political interests in selling arms to South Sudan. While Ukraine seemed to profit only economically, China had a deeper interest in a close relationship with South Sudan. China seemed to benefit not only from the arms’ trade itself, but also from access to oil sources which lie in South Sudan and which largely operate under Chinese state enterprises.

For China, political stability is crucial for the success of its investments. However, political stability and state security do not always mean security for the people living in the state. Chinese arms were used by government forces and non-state actors to perpetrate human rights violations and crimes against humanity in the case of the South Sudanese civil war (Panel of Experts on South Sudan, 2015, pp. 20–24). Chinese arms trade guidelines did not prevent this from happening. Saferworld writes, that this is not only due to failures in terms of export laws but also a product of political failure in the lack of empathy when it comes to the harm arms trade causes (Mears et al., 2011, p. 70).

As described in chapter five, during the Cold War Sudan received military support to strengthen anti-USSR powers in the region. After militant Islamic groups grew stronger, the US canceled support and started to support other countries in the region to pressure Sudan. After 2001 and the fight against terrorism, the US started to focus on the South. The domestic policy supported the idea of an alliance with the oppressed Christian South and the Bush and Obama Administrations backed the ideas of the independence movement and contributed to the militarization of the SPLA with its Security Sector Reform (SSR).

Between 2006 and 2010 around one billion USD per year of international assistance were received by South Sudan. By using foreign agencies as missionaries and NGOs, the SPLA/M seemingly provided state services. Aid was misdirected to SPLA soldiers; food rations were sold on the markets (Rolandsen and Kindersley, 2017, p. 15).

The external actors supporting South Sudan during the interim period, were reinforcing the monopoly position of the SPLA/M. The South Sudanese government was established by SPLA/M commanders and officials who dominated the nationbuilding efforts and inherited the key positions in politics and military. They mirrored the system which was formerly imposed by Sudan. The government elite had an exclusive approach to
governing, which divided South Sudan along ethnic groups and territorial lines (Ylönen, 2016, pp. 218–219).

The external forces tried to secure their interests after the outbreak of the South Sudanese civil war. Uganda backed Kiir and sent troops to Juba, while Sudan supported Machar. The USA did not interfere into the war and focused on counterterrorism actions with its regional partners. While China tried to secure its investments into infrastructure and oil (Ylönen, 2016, p. 220).

In March 2015 IGAD-PLUS a coalition of regional and international powers, states and International Organizations, was established. The warring parties were pressured with sanctions by the coalition and signed a draft peace agreement in August 2015. Ylönen criticizes that the agreement still did not find a solution for wealth sharing and keeps SPLA/M members in the economic and political key positions. It therefor fails to achieve an inclusive approach to nationbuilding (Ylönen, 2016, p. 221).

All of the named international actors contributed with their actions to the spread of SALW and to a higher militarization of the country in the years before the relapse into conflict. According to Garcia the lack of an international framework or agency preoccupied with the issue of proliferation of SALW has a negative impact on political stability, human security and development. It destroys fragile peace agreements and enables human rights abuses (Garcia, 2011, p. 455, p. 477).

It leads to increased numbers of refugees and Internally Displaced People. It obstructs the work of relief agencies and aid workers and fuels regional arms races (Stohl and Grillot, 2009, pp. 117–118).

These negative implications of a lack of regulation could be felt in South Sudan. The proliferation of SALW in South Sudan between non-state actors and civilians in the CPA period, has undoubtedly contributed to the violence in the region. The ongoing supply of arms and retransfer within and between Sudan and South Sudan fueled the conflict (Small Arms Survey, 2009, p. 108).
6.2 The DDR program

The Comprehensive Peace agreement (CPA) was signed in 2005 between the South Sudanese SPLM/A and the ruling Sudanese National Congress Party (NCP). It was concluded after extensive negotiations, involving the Intergovernmental Authority on Development (IGAD) from the Horn of Africa. The CPA together with the Security Council resolution 1590 of 24 March 2005 set guidelines for a DDR program and a Security Sector Reform. The CPA also acknowledges two legitimate armed forces, the SAF and the SPLA (Tsadkan and Vrey, 2009, p. 70).

The Integrated Disarmament, Demobilisation and Reintegration Standards (IDDRS) adopted in 2006, were implemented as a pilot project in support of the Sudanese DDR process. The DDR in Sudan can be understood as nationally led process with logistical support and technical assistance by the UN (Tsadkan and Vrey, 2009, pp. 59–60).

The establishment of national DDR institutions in South Sudan was rather complicated, because they had to be created from scratch, which was difficult in a country lacking infrastructure (Stone, 2011, p. 3).

The implementation of the DDR in both Sudan and South Sudan was assisted by the United Nations Development Program (UNDP) and the United Nations Mission in Sudan (UNMIS).

The disarmament component was conducted by the SPLA. Demobilisation centers were supposed to be established in different states by the UN. And the South Sudanese DDR Commission (SSDDRC) together with UNDP was responsible for the reintegration component. A special focus was the DDR of child soldiers, with help of UNICEF children should return to their families.

In 2007 a total of 180,000 Sudanese and South Sudanese ex-combatants, were identified in a national strategic plan. All of them were supposed to take part in the DDR program. But DDR authorities stated that the number was unrealistic and included 35,000 people in the programs’ first phase until the summer 2010. By October 2010 less than 10,000 people took part in the program, so there was no impact of the DDR program on the actual military structure of South Sudan (Tsadkan and Vrey, 2009, pp. 60–61).
The SPLA white paper on defense, a policy framework endorsed in 2008, laid the ground for a broader SSR. The goal was to transform the fractured and guerilla like SPLA into a legitimate modern Armed Forces. The white paper on defense set transformation guidelines and defined the role, function and mission of the SPLA. It also analyzed the security context in which the SPLA operated (Tsadkan and Vrey, 2009, p. 76).

All projects regarding the security sector transformation were organized from the US Department of State. They supported the South Sudanese security forces and SPLA during the interim period. The program included training for the administrative sector, for the military intelligence and the field of engineering. (Rands, 2010, pp. 32–36).

The SPLA itself was not united, which led to problems in the disarmament process. Previous conflicts between groups of the SPLA and militias led to mistrust in the communities regarding the objectives of the SPLA. When president Salva Kiir advised authorities of all states to disarm civilians both forcefully and voluntarily, this mistrust hampered the disarmament process in some communities. Different ethnic groups traditionally had armed forces which were not allied with the SPLA. When the government asked them to hand in their weapons, some understood it as an attempt to weaken them (Human Rights Watch, 2009, p. 25).

Another issue of the DDR implementation, is the timing of disarmament. When one community/village is forced to disarm while their neighbors remain armed, the unbalance can lead to violence and conflict between communities. When some groups disarm while others do not, it affects the power balance between those groups. In a state with fractured military forces and insurgent groups, attempts of forced disarmament can be severely destabilizing. In South Sudan the fear of cattle raiders made communities resist disarmament efforts.

One particularly violent incident occurred in 2005-2006 when the Lou Nuer should have been disarmed and the SPLA refused to disarm the Murle ethnic group at the same time. The Lou Nuer had previously clashed with the Murle on different occasions, so they perceived the disarmament as an assault on their safety. The Lou Nuer white army with support from Sudanese forces then fought against the SPLA, which resulted in 1600 dead
soldiers and white army fighters as well an unclear number of civilian casualties (Human Rights Watch, 2009, p. 26), (Young and Griffin, 2007, p. 27).

The fragile character of the new autonomous region of South Sudan hampered the SSR. The Government of South Sudan (GoSS) itself was established with the CPA. So, there was not much expertise and a lot of structural challenges as the lack of skilled workforce in civil services. Institutions and administration were weak due to a lack of human capacity derived from the civil war, as well as corruption. The ongoing clashes on the northern border challenged the newly established security sector further (Tsadkan and Vrey, 2009, p. 70).

In a state with such low development and so much political uncertainty it is understandable that people try to secure their own interests and corruption and exploitation of state resources is a way to do so (LeRiche and Arnold, 2013, p. 171).

Rands writes that the failure of DDR in South Sudan is due to a lack of understanding and communication between the SPLA and organizations implementing the program. The problem in South Sudan was the weak economy in the CPA period which did not offer enough job opportunities for soldiers to consider leaving the army. The SPLA and Government of South Sudan were unwilling to accept DDR efforts unless there was an obvious benefit for them in the future. Rands blames the CPA framework for DDR to have failed to recognize the strategic challenges when it comes to the implementation phase. Most soldiers received a monthly salary from the SPLA. The vague promise of future employment possibilities was not enough for them to leave the SPLA and the reinsertion grant too low to convince them. Another problem was the integration of other armed groups into the SPLA which made power balancing within the SPLA necessary (Rands, 2010, pp. 41–43).

The report was published in 2010, before the outbreak of the civil war, which again showed the split between different factions of the SPLA, when internal disagreement in the SPLA/M led to a political power struggle (Dias, 2015).

According to Rands the investment of funds into military pension schemes or redundancy payments, would have been a more efficient method for disarmament, however there was always a lack of funding for this to become reality. The SPLA favored an approach in
which ex-combatants are working in the military production directorate or even in security companies (Rands, 2010, p. 44).

Rands criticizes that the CPA was based on the ruling party in Sudan (NCP) and the insurgent party of the South (SPLA). Hence it ignored other political and military forces in the region. This hindered a coherent DDR, because Disarmament and Demobilisation can only be effective if all parties are involved. Nascimento states, that the CPA was not comprehensive in its approach and failed to address other Sudanese conflicts (for instance in Darfur). The CPA was negotiated only between two parties (which both were not elected democratically), because of fear from stalemate of negotiations. The author claims that this undermined the peace process and was a source of instability (Nascimento, 2017, p. 93).

Reports and policy efforts from the years before the outbreak of the South Sudanese civil war focused on the tensions between Sudan and South Sudan. This is understandable because of the Sudanese history as well as the continuous clashes on the border between those former warring parties. However, it is possible that the CPA as well as donor efforts focused too much on the possibilities of a new north-south Sudanese war and overlooked the mitigation of tensions within South Sudan. It was also a reason for the SPLA to acquire more arms during the interim period, according to Rands. With the threat of a new war against Sudan in mind, the SPLA continued to strengthen its military after the conclusion of the CPA (2010, p. 7).

6.3 The economic context

In order to analyze the failure of statebuilding and roots of violence in post-war states it is important to understand the political economy in war time and the impact of the economy on statebuilding.

In the second civil war 1983-2005, South Sudan was administered by the Sudanese government as well as the SPLA/M. The Sudanese government controlled important cities and infrastructure in the South, the SPLA/M controlled smaller towns and kept military order and managed supply of resources. Both focused on the control of resources, revenues and military, rather than on infrastructure building and the provision of social
services. With the CPA in 2005 the SPLA/M took over the previous administration´s system and officials (Rolandsen and Kindersley, 2017, p. 15)

The CPA could have been a chance to reform the political economy and to reduce inequalities inherent in the system during the past 150 years. Part of the CPA was a wealth sharing agreement concluded in 2004. For the SPLA it was a possibility to gain more independence from Khartoum, which had power over resources in the past decades and exploited the South. 75 per cent of the oil fields lied in the South and according to the CPA revenues should be shared equally between the GoNU and GoSS under the management of the National Petroleum Commission (NPC) (El-Battahani and Woodward, 2013, p. 285). Four different reconstruction development funds should help the country to evolve. The South Sudan Reconstruction and Development Fund (SSRDF), the National Reconstruction and Development Fund (NRDF) as well as two Multi Donor Trust Funds (MDTF) for international donor efforts. A new banking system with a separate bank for South Sudan was established as well.

According to the authors the CPA can be seen as extended ceasefire agreement rather than a peace treaty, because both parties the SPLA and the NCP did sign it, but not with the intent to fully comply to it. Both continued to arm themselves with money from oil revenues.

The GoSS was established as a semi-autonomous government, but the author characterizes it as a parallel government with its own international representations, its own foreign policy and own army. In the interim period South Sudan turned into a state rather than making part of Sudan. This orientation pushed the 2011 referendum into the direction of secession (El-Battahani and Woodward, 2013, p. 283).

The CPA was meant to reform the political system of Sudan. According to Battahani and Woodward it failed to do so, especially in the attempt to create a national presidency, a united Sudan. (El-Battahani and Woodward, 2013, p. 289).

Besides the political economy there were other interests in signing the peace agreement. Both parties faced challenges. The NCP was fractured as parts of it formed a new Islamist party and the south experienced continued ethnic tension. At the same time the international community gained interest in Sudan´s politics. The USA were watching the Islamist movement and especially the Christian right under US president G.W. Bush
showed support for the peace agreement (El-Battahani and Woodward, 2013, pp. 283–284).

Together with Britain and Norway the US rallied for a peace deal. On a regional level IGAD was involved in the negotiations taking place in Kenya, which was also really engaged. Even if the process towards the CPA was not owned by Sudan, the authors believe that it offered advantages for both parties (El-Battahani and Woodward, 2013, p. 284).

While oil exploitation was in the focus for government parties, it had negative impacts for people living in rural areas. The exploitation created environmental problems and people were forcibly displaced. A rise of industrialized agriculture thanks to national and international investments had a further destabilizing effect on rural communities. People left to live closer to the growing cities or had to work in agriculture without owning land themselves (El-Battahani and Woodward, 2013, p. 285).

After the CPA was signed the military spending took up most of the state budget. The authors of the article state that international donor funding was not improving development and education in Sudan and South Sudan (El-Battahani and Woodward, 2013, p. 287). The government system which was in place in the interim period was too weak to use the rise in oil revenues for improvement of social services and infrastructure for the people. The massive income was distributed within the clandestine economy, as it has been before (De Waal, 2015, pp. 79–80).

Tensions between the two parts of Sudan during the interim period were based on oil distribution. Oil reserves in northern South Sudan are close to the border to Sudan as well as the Abyei region, which had an unclear status (LeRiche and Arnold, 2013, p. 177)

The oil shutdown in 2012 weakened the South Sudanese government. The oil revenues, which beforehand were used to pay different militias in order to stabilize the government and maintain the SPLA in power, declined (Rolandsen and Kindersley, 2017, p. 16).

De Waal sees the 2012 oil shutdown as the beginning of the government crisis. The system could not sustain itself without the oil revenues. The ministries could not continue their work and the political market collapsed (2015, p. 76).
Sale of resources as gold, timber and land provided income to various individuals. Between 2005 and 2011 five per cent of South Sudanese land was leased to external investors. Both the SPLA and SPLA-IO imposed informal taxes on goods, including humanitarian goods, which crossed their checkpoints (Rolandsen and Kindersley, 2017, p. 18).

As stated in chapter two the loss of state revenue due to corruption has a bad effect on the statebuilding process. The revenue could otherwise be used to support infrastructure and social services, to foster economic development and support employment creation.

By 2012 president Kirr said, that four billion USD has been diverted by individuals in government (Rolandsen and Kindersley, 2017, p. 16). During the interim period some infrastructure was built in in the South Sudanese capital and major cities. Governmental buildings and paved roads were constructed, and an electricity grid was installed in Juba. However, outside the cities there was little change and with independence South Sudan remained one of the least developed countries in the world (LeRiche and Arnold, 2013, pp. 171–172). The CPA failed to address underlying causes of conflict as it did not incorporate equality and socio-economic inclusion. (Nascimento, 2017, pp. 126–129).

Corruption was part of the state system and a way to keep the fractured SPLA/M leaders united. Leaders and loyalists of the SPLA/M and other armed groups which made now part of the SPLA/M were treated favorably. Everyone who was not fighting on the side of the SPLA in the previous war, who was not actively supporting the SPLA or have been critical, was excluded of participation (Ylönen, 2016, p. 219).

Tension with Sudan during the interim period as well as the South Sudanese civil war were fueled by the oil business. As Berdal and Zaum point out, wealth should be shared equally between different social groups in a state to prevent conflict. This was not the case in South Sudan. At the same time the reliance on oil revenues also attracted possibilities for corruption therefore contributed to instability. Corruption in South Sudan was deepening the divide of people and the gap between the rich elites and the rest of the population.
6.4 The internal dimension

Uncontrolled arms proliferation has a long-term impact on society as well. After war, weapons often continue to circulate and are used by criminals, insurgent groups and soldiers. Education is undermined when schools are destroyed or people are unable to attend classes because of ongoing conflict (Stohl and Grillot, 2009, p. 117). Without a functioning education system, there is a lack of trained people, able to rebuild the country after conflict and provide government services to strengthen the state. The lack of an education system also makes it more difficult for people to fight corruption.

SALW proliferation cannot be decreased by government and police forces only. It is important that governments work together with civil society, academic community and local stakeholders in order to implement efficient arms regulation.

To understand the problem of proliferation, one has to understand the demand for weapons in the region. The state often has not the capacity to exercise its power in peripherical areas. Police forces are often not sufficient equipped to access remote parts of the country and are receive very low salaries. Communities in rural areas have to provide their own security for instance by arming (illicitly or with government help) certain groups, which would protect them from others crossing the border.

The inability of the government to protect its own citizens also leads to violence in urban centers. People arm themselves to protect themselves from crime, which in turn leads to more insecurity because of high arms proliferation (Kiflemariam Gebrewold and Byrne, 2006, pp. 21–26).

Poverty in rural areas is driver for arms demand as well. People purchase arms to compete for scarce resources as agricultural or grazing land and water. Besides the political and economic factor there is also a cultural factor when it comes to arms demand.

Easy access to arms can change society and traditional structures and result in cycles of violence. The South Sudanese Nuer for instance experienced changes in their cultural habits, when arms became a symbol for wealth, power and masculinity. Arms now make part of rituals and ceremonies as the bride price (Stohl and Grillot, 2009, p. 122).
The South Sudanese society has endured decades of war. According to Human Rights Watch, these civil wars were not addressed in the statebuilding process and no one was held accountable for crimes committed in the wars (Wheeler, 2014). As discussed in chapter three, this situation led to anger in the population and made it easier for political leaders to mobilize ethnic based militia forces. South Sudan’s history of war and ethnic tension could be exploited by politicians to gain more power and earn support from civilians in the conflict.

The long raging civil war made the distinguishing between civilians and combatants difficult, as everybody was affected by it. A report from the German Development Institute emphasizes the need of a broad interpretation of the term combatant for a successful DDR process (Banholzer, 2014, p. 28).

Mackenzie argues that the omission of issues related to women and girls in DDR programs is not only hampering gender equality, but also the efficiency of DDR programs and ultimately restricts the chance for peace. She connects the failure of DDR in Angola, DCR and Sierra Leone to the false assumption that female combatants were not considered a security concern (Mackenzie, 2010, pp. 151–152).

DDR programs should consider female combatants needs and experience in the process. The role of women in conflict is complex, there are women who have been abducted, violated and oppressed. But it is also important to pay attention to women who participated in the conflict as agents and soldiers (Mackenzie, 2010, p. 164).

The South Sudanese DDR program focused on the vulnerabilities of women in conflict. It included the establishment of specific areas for women at demobilisation sites and provided female reinsertion packages. During wars, women as well participated in combat, but were mostly supporting male soldiers by cooking or caring for the wounded. The DDR plan classified them as “women associated with armed forces”, which made it possible to include them in the DDR process, where non-combatants are normally not considered eligible for the program. One success of South Sudanese DDR program was, that it provided education and livelihoods training to thousands of women (Stone, 2011, p. 7).
The small arms survey criticizes the “one size fits all” approach of the DDR program in South Sudan. Stone writes, that instead of focusing on the needs of South Sudan the developers of the DDR program were designing it according to structures learned from other programs (Stone, 2011, p. 1).

DDR programs and security sector transformation attempts failed due to a lack of political will, state infrastructure and lack of funding. In such an insecure environment it is difficult to ask people to hand in their arms. Around 80 per cent of South Sudanese live in rural areas and many are pastoral farmers (LeRiche and Arnold, 2013, p. 165). They use arms to protect their cattle. Handing in their arms, while neighboring villages or other ethnical groups continued armed, made them more vulnerable to attacks by cattle raiders. This creates, what in international relations is called a prisoners’ dilemma, briefly explained in chapter 1. It also shows how DDR initiatives have to consider the particular societal and political context of the conflict in order to be efficient. The collaboration with local or regional organizations might be helpful to deepen the understanding of the country’s needs.

Higher government presence in rural areas can have a disturbing effect on community dynamics. Besides the appropriation of resources by elites and ongoing power struggle in the government, there are other causes for the relapse into conflict according to Pendle.

Among the western Dinka authorities traditionally offered cattle to families of people dying from unlawful violence. The cattle provided livelihood to the family of the deceased and in spiritual terms let the deceased have an afterlife as it enables them to marry posthumously. Cattle compensation therefor was a chance to establish peace, hampering attempts of the grieving family to revenge the death.

The author analysis government involvement in the traditional system of revenge and compensation established by the Dinka, concluding that the deterioration of the compensation mechanism has implications not only on a local level, but on a national level as well.

After the CPA in 2005, government elites acquired large cattle herds, unbalancing to the tradition. When men related to the government had to compensate the death of someone with 31 cattle, it did not harm them as they owned so many. This also inflated the bride
wealth price, meaning that families could not use the compensation cattle to marry their family member posthumously (Pendle, 2018, p. 111).

Governments became increasingly involved in local customs of revenge and peace, trying to gain more authority and replaced them with national policies, ultimately leading to an increase in revenge actions (Pendle, 2018, pp. 100–101).

This government involvement led to violent conflict between Dinka and the cattle received by grieving families now has no spiritual value which would prevent revenge actions, but merely the material benefit of providing milk (Pendle, 2018, p. 112).

Chiefs and spiritual leaders on a local level feared oppression from the government in case they would have tried to stage elders´ meetings to prevent conflicts, without asking authorities for consent beforehand. There was a lack of political will from the government to restore compensation mechanisms after the CPA. Dinka and Nuer political leaders were divided within the higher government positions (Pendle, 2018, p. 114).

The process of Dinka- West Nuer compensation was obstructed by political hurdles in the past decades. When Riek Machar, belonging to the Nuer, split from the SPLA in the 1990ies both parties proceeded to mobilize ethnic based support and revenge actions against the other party (Pendle, 2018, p. 112).

The decline of compensation mechanisms had negative impact on Dinka-Dinka relations as well as Dinka-Nuer relations and ultimately a destabilizing effect on South Sudan as a country (Pendle, 2018, p. 115).

This chapter showed how different political, social and economic factors influenced the South Sudanese war to peace transition, hampering statebuilding efforts and leading to a failure of the DDR program. International actors had geopolitical and economic interests to sell arms or get involved in the regional politics. The DDR program itself did not succeed to disarm former combatants, due to the fractured character of the SPLA and lack of political will. Timing of disarmament and mistrust regarding the objectives of SPLA members made people refuse to hand in their arms. Corruption and dependency on oil weakened the new state and at the same time contributed to inequality between government affiliated groups and others.
The following chapter, the conclusion, examines the extent in which Disarmament, Demilitarization and Reintegration (DDR) programs and arms trade regulation can contribute to a transition towards peace and prevent a relapse into war in a post-conflict society on the example of South Sudan.

CONCLUSION

The research question for this thesis was:

*To what extent can Disarmament, Demobilisation and Reintegration (DDR) programs and arms trade regulations contribute to the consolidation of peace in post conflict societies and how can they prevent a relapse into conflict?*

This thesis shows, that the effectiveness of arms trade regulation and DDR programs depends on the political, social, historical and economic context of a state. Nonetheless, it is highly influenced by interests of governments, International Organizations and non-state actors both at the regional and international level. In South Sudan, the DDR program, established through the CPA in 2005, failed to decrease arms availability and did not succeed to stabilize the country. The statebuilding process, which started with the South Sudanese secession, did not result in peace.

The success or failure of a DDR initiative depends on different factors. First, it is important that all parties and individuals, who participated in the conflict are included in the program. That is specifically important when classifying people as combatants. In South Sudan 180,000 people were find eligible as ex-combatants in 2007. However, three years later only 10,000 people had handed in their arms. The problem in South Sudan was, that newly formed state institutions had no capacity to protect people. So, people hesitated to hand in their arms, because they might need them for protection. The same applies for the way disarmament is conducted. If only certain groups have to hand in their arms, while others remain armed the imbalance creates a security dilemma.

This also shows, that DDR processes should acknowledge the characteristics of the regional security landscape. As Berdal and Ucko write, DDR cannot be implemented with a “one size fits all” approach (2013, pp. 318–319). Interference of external actors, or even
actors from within the state, can lead to power imbalance in communities. Pendle describes the harmful effect, government involvement had on the compensation mechanism, established by Dinka communities. The author claims, that the deterioration of this traditional system of revenge and reconciliation, contributed to the destabilization of South Sudan (Pendle, 2018, p. 115).

DDR processes should be linked to efforts addressing the spread of SALW. According to Stohl and Grillot arms proliferation can have a negative impact on the success of peace keeping efforts (2009, p. 125). Similarly, Garcia claims that proliferation of SALW can jeopardize political stability, human security and development (2011, p. 455, p.477).

Without an international regime on arms trade, it is very difficult to prevent further proliferation of SALW. Previous civil wars left large amounts of arms in circulation. As it became clear throughout the thesis, different international actors had political and economic motivations for providing more arms to different actors within the country. Chapter 5 and 6 analyzed the relation of Ukraine, Russia, China, the US, Uganda, Kenya and Sudan with South Sudan. The Ukraine seemed to have only economic interests in selling old stock from the Cold War. China was interested in both the economic aspect as well as the geopolitical position of South Sudan and the securing its investments in infrastructure, which China made in the past twenty years. The US invested in a security sector program, supporting the SPLA forces.

This thesis demonstrates, that all of the named international actors contributed with their actions to the spread of SALW in South Sudan and to a higher militarization of the country in the years before the relapse into conflict. They contributed to arms accumulation, expecting to increase their influence in the region. As a result, international efforts to stop the arms flow towards South Sudan were reduced. The EU issued an embargo on arms sales to Sudan in the 1990s; however, the UN did not agree upon an embargo, even when violent conflict broke out in 2013.

The South Sudanese state institutions were too weak to control arms flows. They were not able to implement measures, as for instance, import/export control, better stock pile management and disarmament procedures, which would have limited the power of the arms trade industry and outside actors.
Both the legal and the illicit arms trade, as other issues of our globalized world, affect all countries, importers, exporters and states disturbed by the armed violence. War torn states have not the capacity to regulate arms imports and the more developed states contribute to the instability in other regions through uncontrolled arms exports, loopholes in laws and lax regulation of trade. An international regime on arms trade with international rules, treaties and agreements would hamper proliferation into countries which have no capacity to regulate the arms trade by themselves.

The ATT, as first every legally binding treaty on arms trade, was a first step towards an international regime on arms trade. While it remained vague, it created an important framework for rules on arms trade and set standards which did not exist before.

Unfortunately, major arms exporting countries were hesitant to support the treaty, claiming that arms trade is an issue, which should remain under the states’ sovereignty (Picarelli, 2013, pp. 455–456). The USA signed the treaty without ratifying it and other key actors of the global arms trade as China, Russia and India, did not even sign the treaty.

Similarly, the effectiveness of embargoes is disputed on a global level. China and Russia, part of the UNSC permanent five, became skeptical about the use of embargos in the past decade. China has declared in speeches that it does not consider embargos part of a solution to resolve issues in countries as Sudan, Myanmar and Iran (Vines, 2007, p. 1108).

China, which was one of the main arms’ providers to South Sudan, hampered initiatives to regulate arms trade in order to prevent arms from fueling civil wars. When major arms’ providers as the US, China and Russia do not find common ground on rules and norms for the arms trade, it makes the establishment of an international regime impossible. And the case of South Sudan shows, that the lack of a regime on arms´ proliferation has a negative impact on political stability, human security and development.

Governments must show political will to implement regulating measures. Regional arms trade agreements, as the Nairobi Protocol, can be seen as role models for the development of such a framework for regulation. The Nairobi Protocol lead to the establishment of the Regional Centre for Small Arms and Light Weapons RESCA, which provides guidelines for the effective implementation of measures regarding the mitigation of SALW proliferation. Monitoring, technical and financial aid by a regional organization, pressures
governments to develop further and may lead to a wider change of policies, which benefit the people.

In South Sudan statebuilding efforts had not the anticipated stabilizing impact. Institutions and administration were weak, due to a lack of human capacity derived from the civil war as well as corruption.

For a successful statebuilding process, it is important to address the causes which lead to the outbreak of the war. The CPA in 2005 ended the conflict between Sudan and South Sudan. As Johnson points out, the war between South Sudan and Sudan was caused by inequality and the peripheral position South Sudan, inherited from colonial powers. The war was a struggle for emancipation from Khartoum, which had implications on resource allocation and wealth distribution as well.

The oil shutdown in 2012 was caused by a dispute between Bashir and Kirr. The South Sudanese economy highly depends on oil and 98 percent of the state budget derived from oil revenues. According to de Waal, the state economy is based on a patronage system, which has its historic roots in the colonial times. The systematic appropriation of public funds by elites and the distribution of resources among their supporting groups hampered statebuilding attempts.

The attempt to turn a former militia force into a governing party failed. The dispute in 2012 showed the divide within the SPLA/M. The oil revenue had been used to pay different militias in order to stabilize the government. The government elites used ethnic mobilization to win the political power struggle and the SPLA/M did not show political will or capacity for statebuilding. The patronage system on which the government was based, did not change. The marginalization of groups was still at the epicenter of the problem. This shows that the root causes of the former conflict were not sufficiently addressed.

This thesis showed through the analysis of the case study material on South Sudan, that various factors have to be taken in consideration, when designing a DDR program. Especially in such an unstable environment as South Sudan, it is essential to understand the local and regional security landscape. The actors involved in the statebuilding process, in South Sudan the IGAD as well as the US with the SSR, should keep in mind the specific historical, cultural and economic characteristics of the state.
In the statebuilding process, the causes of the conflict have to be addressed in order to prevent a relapse into war. Transparent management of resources is key to tackle corruption. The case of South Sudan shows, that a state system of patronage is a security risk, because different forces in government will struggle to gain power over resources.

A rapid establishment of state infrastructure and the drawing of a Constitution, following the example of western democracies, are not sufficient to guarantee stability. In heterogenous post war societies, attention should be drawn to the creation of a common identity for the people to live in the state together. Nationbuilding might be the key for creation of sustainable stability, but it is a long-term process. It requires the balancing of different interests within the state and an inclusive style of governing with equal distribution of resources among different interest groups.

An unstable and weak state is similar to an unhealthy tree in a forest. If it loses branches, the neighboring trees will use their chance to get more light and nutrients to grow. The ill tree is becoming weaker as others use its weakness for profit.

Neighboring states can profit from South Sudan´s instability. They can widen their political influence and gain power over resources. This might bring benefits in the short term. From a long-term perspective, this behavior is counterproductive. Domestic politics and conflict in the Horn of Africa are interconnected with each other. The spillover effects of South Sudan´s conflict into contiguous neighboring states, is a threat which the South Sudan´s neighbors should consider.

Porous borders and pastoralist communities crossing them, make arms trade in the Horn of Africa a regional problem, which can be solved on government level but help of local stakeholders and civil society is necessary.

The regional forces must show political will to support the implementation of DDR programs and arms trade regulations and acknowledge them as step towards a more peaceful future. Without constructive efforts and a solution based on compromises of all participants, instability will remain. Ultimately, everyone can benefit from peace in the region.
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