



Transitional policing in South Sudan's peace agreement: Joint Integrated Police

Reflections from civil society, May 2016

Introduction

The formation of a new Joint Integrated Police (JIP) unit – mandated by South Sudan's August 2015 peace agreement – is now well under way. The unit, which is charged with providing security in some of the most fragile locations in the country, has a potential role to play in enhancing stability. However, challenges related to training, vetting and deployment mean that not only does the JIP risk failing to deliver on its policing mandate but it also risks actively contributing to conflict dynamics.

The peace agreement signed by the warring parties in South Sudan in August 2015 includes a series of commitments aimed at addressing the conflict, such as a Transitional Government of National Unity (TGoNU) and security, justice, accountability, reconciliation, and healing processes. One small yet significant transitional security measure is a new police unit known as the Joint Integrated Police (JIP). The JIP unit will be deployed to towns that have been among the most heavily affected by the civil war that erupted in South Sudan in December 2013, namely Juba, Bor, Bentiu and Malakal.¹ It will consist of 5,400 police personnel in equal numbers from the government and the Sudan People's Liberation Movement/Army-in Opposition (SPLA-IO). The United Nations Police, operating under the United Nations Mission in South Sudan, is expected to provide support for the institutional development of the JIP.²

Expectations are high as to what the JIP will deliver. According to a senior police official, the JIP will create a model for policing in South Sudan that should be adopted by the wider police service after the expiry of the two year transitional period established by the

agreement.³ Their stated vision is to build trust with communities, rehabilitate the image of the police, and provide law and order, while upholding international human rights standards.⁴ The JIP could potentially play a role in enhancing security among the most vulnerable communities and increasing public confidence in the peace agreement. However, the composition of the JIP – including of military personnel who have until recently been fighting each other – and its deployment to fragile, divided population centres also carry considerable risks.

This briefing outlines some of the potential difficulties associated with the JIP and some of the challenges the unit is likely to face in delivering security for communities. It is intended to inform those planning to support the JIP and the security sector reform process in South Sudan going forward.

These findings have been gathered from presentations and group discussions during a two-day civil society workshop organised by Saferworld over 25-26 February 2016, as well as the Agreement on the Resolution of the Conflict in the Republic of South Sudan and the workshop minutes of the Permanent Ceasefire and Transitional Security Arrangement (PCTSA).⁵ Our workshop was attended by 24 participants, including civil society organisations from across the country and representatives from Juba-based civil society. It was also attended by senior police officials and officials from the Juba City Council.

Conflict risks associated with the JIP

According to planning documents shared with civil society organisations, the JIP will be made up of two contingents of combatants party to the recent civil war

¹The Agreement on the Resolution of the Conflict in the Republic of South Sudan (2015), Chap II, article 5, page 24

²United Nations Mission in South Sudan "SSNPS prepares to form Joint Integrated Police Unit"
<http://unmiss.unmissions.org/Default.aspx?tabid=3481&ctl=Details&mid=6047&ItemID=10464361&language=en-US>

³ Senior police official's presentation at Saferworld CSO Networking workshop, 26 Feb 2016

⁴ *Ibid.*

⁵ Minutes of Permanent Ceasefire and Transitional Security Arrangements (PCTSA) workshop September 13-18 2015, <https://radiotamazuj.org/sites/default/files/Minutes%20of%20Security%20Workshop.pdf>

– one from government (to be drawn from the national police service) and the other from the SPLA-IO.⁶ The brutality of the violence that has characterised the conflict in South Sudan since 2013, including in each of the areas of JIP deployment, has been widely reported.⁷ The political environment in South Sudan remains deeply fragile and polarised as a result of the violence; these tensions are likely to be reflected in the JIP.

A unit of 3,000 JIP personnel, made up of 1,500 from each of the warring parties, is expected to be deployed to Juba (of which 25 per cent must be female according to the PCTSA minutes, though it is unclear how this will be achieved), with a further 800 to Bor, Bentiu and Malakal respectively.⁸ In addition to police and SPLA-IO personnel, the JIP is likely to include former members of the South Sudan Democratic Movement/Army – Cobra Faction, which has recently been integrated into the SPLA and the police.⁹

Command of the unit is set to rotate between the conflict parties every nine months until the military and security forces are ‘effectively unified’. Civil society organisations recognise the importance of balancing command leadership, which can help avoid perceptions of partisanship and promote buy-in on both sides. However, rotations such as this over the longer term are likely to reinforce divisions between the parties and put off the harder task of building a unified service. No clear process has yet been outlined for integrating the two sides prior to or during deployment. In light of this, workshop participants highlighted fears that skirmishes could break out within JIP ranks and that these could easily lead to wider conflagrations.

The return of combatants implicated in abuses to locations that have suffered heavily in the conflict also raised serious concerns. In Bor, government and opposition forces are accused of committing atrocities during the first few weeks of the conflict.¹⁰ The memory of violence among Nuer communities – over 2,000 of whom are in the Bor Protection of Civilians site – and Dinka communities in Bor town manifests

⁶ Senior police official’s presentation at Saferworld CSO Networking workshop, 26 Feb 2016

⁷ UN Human Rights Council (11 March 2016) ‘South Sudan: UN report contains “searing” account of killings, rapes and destruction’ <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17207&LangID=E#sthash.9qycGpSL.dpuf>; see also reports by International Crisis Group, Human Rights Watch and Amnesty International.

⁸ Minutes of Permanent Ceasefire and Transitional Security Arrangements (PCTSA) workshop September 13-18 2015, <https://radiotamazuj.org/sites/default/files/Minutes%20of%20Security%20Workshop.pdf>

⁹ Gurtong (12 January 2016) “YauYau Dissolves Party And Officially Joins SPLM” <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/18307/Yau-Yau-Dissolves-Party-And-Officially-Joins-SPLM.aspx>

¹⁰ Final report of the African Union Commission of Inquiry on South Sudan, 2014 <http://www.peaceau.org/uploads/auiciss.final.report.pdf>

in high levels of inter-ethnic tension. Therefore the ethnic composition of JIP personnel deployed to the town will be an extremely sensitive issue. No clear plan has been communicated yet about how ethnic balance will be handled and how any public backlash to JIP deployment will be mitigated and managed.¹¹

The JIP has been tasked with providing a civilian policing service. However, the military background of many JIP commanders and personnel and the short timeframe for training on civilian policing means that the JIP is likely to be heavily military in identity, ethos and operational approach. Workshop participants also raised concerns that conflict parties will ensure that close allies are selected as commanding officers within the unit as a way of maintaining control, raising risks that the JIP will become deeply politicised. Planning for the JIP will need to recognise these risks and include the development of a strategy for moving personnel towards a common identity as a single police service.¹²

Workshop participants also discussed the need for the JIP to reflect the diversity of the people of South Sudan, in order to promote impartiality and trust among communities. Promoting integration and ethnic diversity within JIP units was a major priority for meeting participants and in their view essential if the JIP is to be a future model for policing.

Selection, vetting and accountability

Workshop participants highlighted concerns about the selection process for JIP personnel, particularly related to vetting for past abuses. In a presentation at the workshop, a police official working on the implementation of the transitional security arrangements outlined that only those with a clean record of human rights violations will be eligible for the JIP. However, it is currently unclear how selected individuals will be properly vetted to confirm this.

The participation of individuals implicated in past abuses due to an inadequate vetting process has the potential to further undermine trust in the unit amongst affected communities. It increases risks that those deployed to conflict-affected locations will resort to force and perpetrate fresh abuses, and that they will be received poorly by communities. This in turn increases risks of stand-offs between elements of the JIP and between JIP personnel and local populations.

It will also be a challenge to hold JIP personnel accountable for abuses. This is not just an issue for the JIP; accountability and oversight mechanisms are minimal within the existing police and military services. The difficulty in holding JIP personnel accused of human rights violations to account will

¹¹ Group discussion 1 at CSO Networking workshop, 25-26 Feb 2016

¹² Senior police official’s presentation at CSO Networking workshop, 26 Feb 2016

undermine its credibility with communities and lay a basis for a cycle of abuses and impunity.

Those supporting the JIP should consider including civil society and communities in the selection and vetting process for JIP personnel. Establishing a role for South Sudanese civil society in providing oversight of the police, whether formally or informally, will encourage the transparency and accountability of the unit and policing more widely.

Training in civilian policing

The issue of training was raised as a significant challenge for the JIP and an issue on which their contribution to stability in South Sudan would hinge. The eligibility criteria outlined in the minutes of the PCTSA workshop in September 2015 requires that JIP personnel are current or former members of the South Sudan National Police Service (SSNPS). In practice, however, it is unclear how the JIP command will process and vet personnel to ensure that this criterion is met.¹³

The police in South Sudan are normally required to undergo training for at least 6 months prior to their deployment. However, the JIP training programme shared by a senior police official outlined that personnel will receive just 21 days of training.¹⁴ The training programme set to be covered during this period is ambitious, comprising education on the Police Act, Penal Code and other relevant laws, human rights, community policing, and trauma healing.

Workshop participants raised major concerns that sufficient time and training will not be provided to transform JIP personnel from their recent roles as combatants into impartial officers able to protect civilians of all ethnic backgrounds as a unified, professional police unit.¹⁵

The legacy of war and widespread exposure to serious human rights violations among JIP personnel mean that many members are also likely to be affected by trauma.¹⁶ It is unclear what plans are in place for providing psycho-social support for the personnel beyond the brief reference to the inclusion of a 'trauma healing' component to the JIP's training programme.

Responding to complex security environments

The JIP will be deployed to very complex security environments, which will make it challenging for them to provide adequate security for communities or prevent conflict from breaking out. Their numbers and capacity will be relatively small compared to the scale of the security challenges and the size of the population they are supposed to serve. For example, 3,000 JIP personnel will be put in charge of security for Juba, which is inhabited by over 564,300 people.¹⁷ There are also large numbers of security personnel in the capital from each of the warring parties.¹⁸

All of the deployment locations – Juba in particular – are experiencing very high levels of criminality in part due to the economic hardships faced by the population. There is also widespread proliferation of small arms among civilians in the areas where the JIP will operate. The quantity of small arms among the civilian population is estimated to be 720,000-3,000,000 with 28.23 firearms per 100 people.¹⁹

Competition amongst security providers

Group discussions also highlighted a risk that the establishment of the JIP will create competition with other security providers. Workshop participants mentioned rumoured disquiet among some individuals within the SSNPS about the JIP taking up their role in providing security in the capital or receiving more resources.

It is uncertain how the JIP will work in relation to the rest of the SSNPS or wider processes around police reform. As the JIP will be operating within the 25 km radius in Juba, and in Bor, Bentiu, and Malakal, cooperation with the SSNPS would likely help to increase security more broadly. However, competition between the SSNPS and the JIP due to perceptions of preferential treatment for the JIP under the peace agreement would make this more difficult.²⁰

It is also unclear how the JIP will interact with existing non-state security actors as well, such as the *Galweng*²¹ or the White Army. These groups are often more numerous and better equipped than the police. They may pose security risks to some communities or may be providing them with an informal, and

¹³Minutes of Permanent Ceasefire and Transitional Security Arrangements (PCTSA) workshop 13-18 September 2015, <https://radiotamazuj.org/sites/default/files/Minutes%20of%20Security%20Workshop.pdf>

¹⁴Senior police official's presentation at Saferworld CSO Networking workshop, 26 Feb 2016

¹⁵Group discussion 2 at Saferworld CSO Networking workshop, 25-26 Feb 2016

¹⁶*Ibid.*

¹⁷World Gazetteer, 2013 estimate

¹⁸Radio Tamazuj (3 May 2016) Embassy cable: Juba 'more dangerous than ever' <https://radiotamazuj.org/en/article/embassy-cable-juba-more-dangerous-ever>

¹⁹Gun Policy, "South Sudan — Gun Facts, Figures and the Law" <http://www.gunpolicy.org/firearms/region/south-sudan>

²⁰Civil society presentation at CSO Networking workshop, 26 Feb 2016

²¹Saferworld, (April 2015), "South Sudan's Galweng: filling a security gap, or perpetuating conflict?", <http://www.saferworld.org.uk/news-and-views/case-study/58-south-sudan-galweng-filling-a-security-gap-or-perpetuating-conflict>

potentially competing, security service. Workshop participants also highlighted that politicians have used the concept of 'community policing' to arm civilians in their area and place them on government payrolls.²² Planning for the JIP, and security sector reform more broadly in South Sudan, should attempt to account for the full range of security actors.

Support for the JIP

The discussions highlighted the need for consistent political support for the JIP from its constituent groups so that it might carry out its mandate. Participants also highlighted that, as with civilian policing more broadly in South Sudan, it will likely be a challenge for the JIP to secure adequate facilities and resources for its operations. The current SSNPS continue to lack adequate facilities and resources partly due to the economic crisis facing the country as well as the priority placed on the military.²³ However, support for the JIP from the donor community should be conditional on better training and planning with longer timeframes. Without this, the risk that the JIP will do more harm than good is simply too high. International donors should resist the urge to push towards meeting deadlines for the JIP at the expense of effectively managing the conflict risks associated with its deployment.

Recommendations

International donors should:

- Accept longer timeframes for the establishment and deployment of the JIP to allow for more comprehensive training and planning;
- Make financial support to JIP operations conditional on concrete steps to mitigate the conflict risks associated with the JIP's establishment and deployment to affected communities. This should prioritise a transparent vetting and selection process, adequate training in civilian policing, a clear process for force integration, psycho-social support programmes, and clear accountability mechanisms for the JIP;
- Support civilian oversight mechanisms for the police;
- Complement any support for the JIP and other security arrangements with support to the broader national reconciliation, healing and reform processes.

The JIP should:

- Clarify the process for integrating the conflict parties within the JIP given their recent status as combatants;

- Establish dialogue forums with communities and take measures to build confidence and enhance partnerships with local communities, including by clarifying accountability mechanisms;
- Coordinate where possible with the SSNPS to ensure more effective civilian security provision.

Civil society should:

- Support community forums where the JIP will operate so that communities might provide feedback and raise concerns about the unit;
- Provide oversight on the progress and activities of the JIP and advocate for adequate training as well as transparent selection and vetting processes for JIP personnel.

Communities should:

- Engage with the JIP in community forums to encourage the peaceful co-existence of the JIP and communities.

Joint Monitoring and Evaluation Committee should:

- Monitor the formation of the JIP to ensure that there is a transparent vetting process;
- Conduct auditing and screening of the forces drawn into the JIP from the conflict parties.

About Saferworld

Saferworld is an independent international organisation working to prevent violent conflict and build safer lives. We are a not-for-profit organisation with programmes in nearly 20 countries and territories across Africa, the Middle East, Asia and Europe. Saferworld has been working on conflict prevention in South Sudan since 2002 and established an office in 2007. Our programmes include improving community security, strengthening small arms controls, addressing gender inequality, and advocating on policy issues, such as for conflict sensitivity, peace processes and China-South Sudan engagement.

We are operating in 10 locations in eight states across South Sudan and in partnership with nine South Sudanese civil society organisations.

Saferworld South Sudan – Hamza Inn opposite Notos Restaurant, Juba Town, Juba, South Sudan
 Tel: +211955032575/+211927955353/+211912825397
 Email: jubaoffice@saferworld.org.uk
 Web: www.saferworld.org.uk/southsudan

²²Senior police official's presentation at CSO Networking workshop, 25 Feb 2016

²³*Ibid.*