



Civilian disarmament in South Sudan

A legacy of struggle



February 2012



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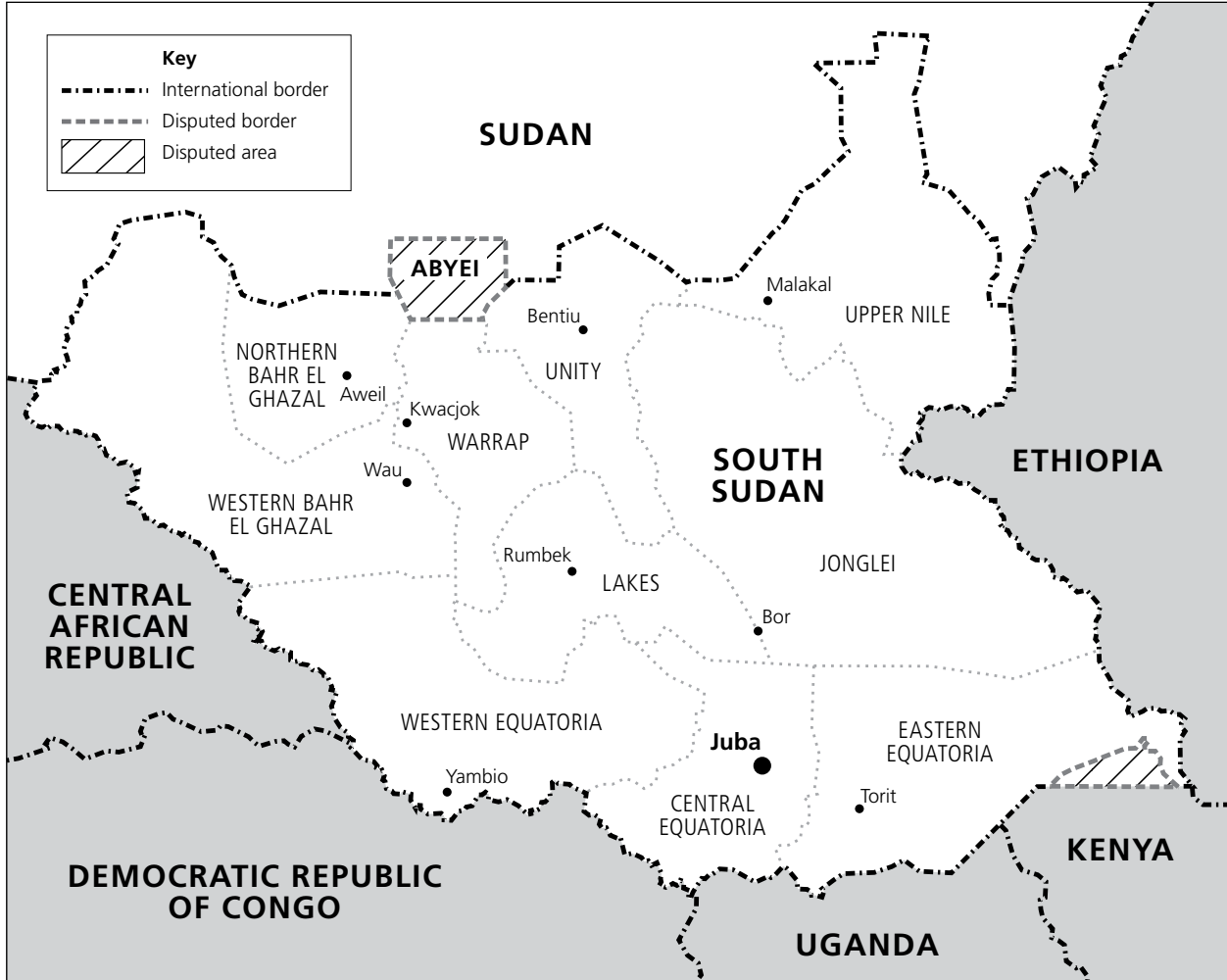
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South Sudan



This map is intended for illustrative purposes only. Saferworld takes no position on whether this representation is legally or politically valid.

Acronyms

| | |
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| BCSSAC | Bureau for Community Security and Small Arms Control |
| CPA | Comprehensive Peace Agreement |
| GoSS | Government of South Sudan |
| RECSA | Regional Centre on Small Arms |
| SALW | small arms and light weapons |
| SSDF | South Sudan Defence Force |
| SPLM/A | Sudan People's Liberation Movement/ Army |
| UN | United Nations |

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Introduction

AFTER AN EXTENDED STRUGGLE South Sudan succeeded in becoming an independent country on 9 July 2011. Independence however, does not represent the end of the effort, but the beginning of a struggle that may in some ways be more difficult than the conflict that preceded it. Among concerns of how the government will provide basic services to the population of South Sudan, there also exist worries over how the government will provide security to all citizens to assist in creating an environment that will foster growth and development. Currently, the Government of South Sudan (GoSS) does not have a monopoly on the use of force as arms are largely unregulated and are frequently used to commit crimes and create instability within the state by an array of actors.

The overall objective of this paper is to review civilian possession of small arms and light weapons (SALW) in South Sudan and processes to control this possession, including civilian disarmament. The paper begins with an overview of the history of South Sudan, followed by an analysis of the factors that have contributed to SALW proliferation and ultimately a 'gun culture' in South Sudan. It then provides an overview of the problems that SALW are currently causing in South Sudan, from increasing the levels of deadly cattle raiding to the (re)formation of armed groups such as the White Army. Approaches to control civilian possession of SALW are examined, including through civilian disarmament efforts, the formation of the Bureau for Community Security and Small Arms Control (BCSSAC) and regional arms control agreements. While not providing a comprehensive analysis of every civilian disarmament exercise within South Sudan, the paper examines selected experiences to draw out lessons that are relevant to the country as a whole.

Methodology

This paper is primarily based on desk research, benefiting from the numerous sources that have been published on the topic of SALW in South Sudan. The analysis also builds on previous Saferworld research on civilian disarmament in 2010–2011 and interviews with national and international stakeholders between July 2011 and January 2012.

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Background

IN ORDER TO TRULY UNDERSTAND THE CURRENT CONTEXT OF SOUTH SUDAN, it is important to highlight key historical events and processes that have shaped the young nation. South Sudan gained independence in July 2011 after more than 50 years of struggle. Before independence, South Sudan was referred to as southern Sudan and was part of the Republic of Sudan. Sudan gained independence from the British and Egyptians in 1956. Sudan's colonial history is important to emphasise when considering the current context in both Sudan and South Sudan.

In 1899 the colonial rule of Sudan by a coalition of the British and Egyptians was formalised into the 'Condominium' Rule. The British were the primary administrators of Sudan until independence. Britain had a dual policy towards Sudan in terms of administration and development; while northern Sudan was pushed to develop politically, economically, and culturally as an Arab-Muslim state, the southern region was largely left undeveloped.¹ The reasons for this dual policy are multi-faceted, ranging from the notion that there was a 'lower cost' of colonial rule in southern Sudan, to the idea that the British were 'protecting' southerners from advances of the north and Egypt. In fact, it was not until 1946 that Britain decided to link southern Sudan and northern Sudan into one sovereign country.²

In 1953 Britain and Egypt began to establish the institutions that would allow for self-governance in the south. Consequently, government positions in the south were given to northern Arabic speakers although the language of operation had previously been English.³ This created anxiety among the southerners about their future and created significant resentment among the educated class who expected to fill these government positions.

Due to the resentment that had been breeding for years, and combined with the fear of Arab domination as a result of the new administrative make-up imposed by Britain, a rebellion in the south erupted in the form of a low-intensity civil war. The rebellion was led by a group known as the Southern Sudan Liberation Movement and its army, the Anyanya, whose stated goal was the independence of southern Sudan.⁴ The civil war continued until 1972 when a peace agreement was successfully negotiated. The 1972 Addis Ababa Agreement promised a high level of southern autonomy, the guarantee that Islamic law would only be applied in northern Sudan, and that English would be the official language of the south.⁵

¹ Deng, F, 'Southern Sudan and the cultural change of governance' in *Conference on the current peace and security challenges in the Horn of Africa* (Addis Ababa, Ethiopia: Center for Policy Research and Dialogue on InterAfrica Group, 2007), p. 93.

² Collins R O, *A History of Modern Sudan* (Cambridge: Cambridge University Press, 2008).

³ Deng 2007, p 93.

⁴ *Ibid* p 93.

⁵ Collins 2008, p 111.

This period of peace lasted for 11 years until President Jaafar Nimeiri broke the agreement in 1983 by imposing Sharia law throughout the whole country. The end of the Addis Ababa Agreement led immediately to the second civil war between the Sudanese government and the Sudan People's Liberation Movement/Army (SPLM/A) under the leadership of John Garang de Mabior. During the civil war, two prominent leaders in the SPLM/A, Riek Machar and Lam Akol, defected from the rebel group to create a separate armed movement known initially as the Anyanaya II and then as the South Sudan Defence Force (SSDF).⁶ It has been widely accepted that the SSDF was financed by the north in order to preoccupy the SPLM/A. The SSDF was tasked with providing security to oil fields that had been closed due to insecurity. An interesting aspect of the splintering of the SSDF from the SPLM/A is that whereas the SPLM/A was seen as a predominately Dinka, the largest ethnic group in South Sudan, the SSDF was predominately Nuer, the second largest group.⁷

In 1986 Nimeiri's government was in negotiations with the SPLM/A and reportedly close to reaching an agreement that would bring an end to the civil war, when his government was overthrown in a bloodless coup by the National Islamic Front, the precursor of the National Congress Party, led by Omar al Bashir. With the change in government, the peace talks were halted, and the civil war continued until 2005, when the Comprehensive Peace Agreement was signed.

The history of the civil wars is important when considering small arms proliferation and disarmament processes in South Sudan. These periods of civil war were not only instances where arms flowed freely into the hands of civilians, but they were also a time when cultural and traditional norms were broken down and transformed. Some of the consequences of these processes were an erosion of control that communities historically had over young people, in addition to the development of a culture of violence in which small arms became an accepted method of dealing with conflicts. In addition, due to the split of the SPLM/A during the civil war and the formation of rival armed movements, loyalties broke down between ethnic groups and mistrust was reinforced and solidified.

⁶ Young J, 'The White Army: An Introduction and Overview' (Small Arms Survey, June 2007).

⁷ *Ibid.*

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SALW in civilian hands in South Sudan

ONE ONLY NEEDS TO READ THE NEWSPAPER on any given day to understand the problem that the proliferation of small arms has caused in South Sudan. For instance, armed robberies in urban centres, the hijacking of vehicles, aid vehicles being detained, hundreds killed in cattle raiding, hundreds more killed in revenge attacks – such incidents are devastatingly common throughout South Sudan. While the current security problems plaguing South Sudan cannot be solely attributed to the proliferation of small arms among civilians, these security problems are nonetheless exacerbated by the continued presence of small arms.

Nairobi Protocol: Definition of Small Arms and Light Weapons

“Small arms” are weapons designed for personal use and shall include: light machine guns, sub-machine guns, including machine pistols, fully automatic rifles and assault rifles, and semi-automatic rifles.

“small arms” shall also include:

“firearms”, meaning:

(a) any portable barrelled weapon that expels, is designed to expel or may be readily converted to expel a shot, bullet or projectile by the action of an explosive, excluding antique firearms or their replicas. Antique firearms and their replicas shall be defined in accordance with domestic law. In no case, however, shall antique firearms include firearms manufactured after 1899;

(b) any other weapon or destructive device such as an explosive bomb, incendiary bomb or gas bomb, grenade, rocket launcher, missile, missile system or mine

“small arms” shall also include:

“ammunition”, meaning the complete round or its components, including cartridge cases, primers, propellant powder, bullets or projectiles, that are used in a small arm or light weapon, provided that those components are themselves subject to authorisation in the respective State Party;

And “other related materials”, meaning any components, parts or replacement parts of a small arm or light weapon, that as essential to its operation.

“light weapons” shall include the following portable weapons designed for use by several persons serving as a crew: heavy machine guns, automatic cannons, howitzers, mortars of less than 100 mm calibre, grenade launchers, anti-tank weapons and launchers, recoilless guns, shoulder-fired rockets, anti-aircraft weapons and launchers, and air defence weapons.

There are various factors that must be considered when looking at SALW in the hands of civilians in South Sudan. While SALW possession unquestionably poses challenges to the peaceful development of South Sudan, such possession is by no means the only factor determining security in the current context. The underpinning assumption driving civilian disarmament campaigns is that removing SALW will have an immediate positive effect on security. This assumption has been disproven in the various disarmament campaigns that South Sudan has experienced to date. Disarming civilians may reduce the number of weapons available in the short term (assuming that people hand over all their weapons and not only those in bad working order). But on its own, civilian disarmament does virtually nothing to address the factors fuelling demand and supply of these weapons, which requires a much more complex and long-term strategy.

Supply of weapons to civilians

Prior to the separation of Sudan and South Sudan it was estimated that there were between 1.9 and 3.2 million small arms in circulation, with about two-thirds of these in the hands of civilians.⁸ A primary source of weapons to civilians throughout the civil wars (particularly the second civil war) was the government and/or military, for various reasons. For instance, in Lakes State the SPLA provided weapons to cattle keepers to enable them to protect themselves and their communities from cattle raiders. The arming of these youth groups, known as the *gelweng*, allowed the SPLA to shift their focus and efforts from community security to the ongoing war with the north. However, despite the end of the war with the signing of the CPA, the *gelweng* in Lakes State retained their weapons.⁹

Another example is the arming of southern rebel groups in Unity State by the Khartoum government. The Sudanese government reportedly armed the Misseriya, in addition to militia groups such as Paulino Matiep's armed movement and the SSDF led by Riek Machar and Lam Achol.¹⁰ Providing arms to militia groups was an effective way to engage the SPLA by proxy, therefore weakening the ability of the SPLA/M to meet its objectives as well as ensuring that the SPLA/M did not become a stronger, more unified force representing all of southern Sudan.

In addition to the direct distribution of weapons to civilians, another source of small arms in South Sudan has been the sale and/or leakage of weapons from soldiers to civilians on an *ad hoc* basis. The combination of poor training and poor pay contribute to a steady supply of weapons from the organised forces of South Sudan (including military, police, prison services, wildlife, and the fire brigade) to the civilian population. The flow of weapons from the organised forces has proved to be a problem following disarmament campaigns, as it has been alleged that the collected weapons are often leaked back to the population.

It is important to highlight that both Sudan and South Sudan are supplied with weapons by other countries. UN Comtrade data, which should not be viewed as a comprehensive listing of weapons sales and transfers, reports that between 1992 and 2005 at least 34 countries exported SALW to Sudan and approximately 96 percent of these transfers were from Iran and China.¹¹ More recent data shows that both Ukraine and Kenya have documented transfers to South Sudan in 2007 and 2008. The data that exists on arms transfers is incomplete and is often underrepresented by both the provider and recipient governments. It is also likely that there are other sources of transfers that are not represented.

⁸ Small Arms Survey, 'The Militarisation of Sudan: A Preliminary Review of Arms Flows and Holdings', *Sudan Issue Brief* no 6 (Human Security Baseline Assessment, April 2007).

⁹ O'Brien A, 'Shots in the Dark: The 2008 South Sudan Civilian Disarmament Campaign' (Small Arms Survey January 2009), p 25.

¹⁰ *Ibid* p 45.

¹¹ Small Arms Survey 2007, 'Militarisation of Sudan'.

Generally, civil wars in the region take on broader regional implications as foreign governments provide support in the form of SALW to whichever warring party they favour or conversely, to destabilise a government which is not seen as friendly to them. The civil wars in Sudan proved no exception to this trend – weapons flowed through the borders as regional governments provided support to either side of the warring parties. For instance, weapons were provided to the SPLA by Uganda, which then prompted Sudan to provide weapons to the Lord's Resistance Army. Ethiopia and Eritrea also contributed weapons during the war.¹²

Aside from national and international government provision of SALW, weapons also flow easily between civilians through porous international borders, either for the intentional purpose of selling or trading, or because armed nomadic groups travel throughout the border regions with their weapons. While not the largest source of weapons moving into South Sudan, this aspect of arms flows is very difficult to monitor and prevent due to the difficulty in properly monitoring a long border.

Existing international arms trade regimes and regulations mainly focus on addressing the supply of weapons. Although these measures are important and necessary, they are inadequate in curtailing the supply of SALW. While it is important for South Sudan to implement commitments contained in regional agreements such as the Nairobi Protocol¹³ and to continue engaging with organisations such as the Regional Centre on Small Arms (RECSA)¹⁴ on regional SALW control issues, the most important relationship that needs to be addressed is that between South Sudan and Sudan. This relationship continues to be characterised by mistrust, and both have the view (whether true or not) that the other is actively trying to destabilise them. Sudan contends that South Sudan is supporting the rebellion in the states of Southern Kordofan and Blue Nile (states that border the new country and that had close ties during the second civil war). South Sudan accuses Sudan of supplying arms to exacerbate inter-ethnic conflicts in Jonglei state.¹⁵ Without building a more positive and collaborative relationship between the two countries, no amount of work to regulate the supply of arms will be effective.

At the same time, only addressing the issue of supply without simultaneously addressing the factors influencing demand for weapons will undermine any efforts taken to control the proliferation of SALW. Primary among these is the need for the civilian population to be confident that the state will protect them and their property adequately – a structural issue relating to state security provision capacity. In addition, attitudinal change is necessary in many communities in South Sudan where owning a weapon is seen as both culturally acceptable and a sign of masculinity.¹⁶

Demand for weapons

When considering the demand factors for SALW in South Sudan it is important to recognise the significant security gap throughout the country. The inability of the security forces to provide security to all of the citizens of South Sudan is a significant motivating factor for individuals and communities to retain their arms and has also contributed to the formation or continuation of informal security providers.

¹² Young 2007.

¹³ The 'Nairobi Protocol for the Prevention, Control and Reduction of SALW in the Great Lakes Region and the Horn of Africa', signed in April 2004 and entered into force, following ratification by two-thirds of its signatories, in May 2006.

¹⁴ RECSA started as the Nairobi Secretariat on SALW following the Nairobi Declaration in 2000. It is responsible for developing and issuing implementation guidelines and instructions, monitoring implementation and evaluation the Nairobi Protocol in liaison with law enforcement agencies.

¹⁵ For examples see: www.southsudan24.com/south-sudan-president-blames-khartoum-for-insecurity/, and www.google.com/hostednews/afp/article/ALeqM5gHACyJcvCgMpc0CvM55zYHenne_Q?docId=CNG.f93648e502555ea3e976efe113d96c98.341

¹⁶ Saferworld, *People's Perspectives on Peace-making in South Sudan. An initial assessment of insecurity and peacebuilding responses in Jonglei State*, Briefing, September 2011; Saferworld, *People's Perspectives on Peace-making in South Sudan. An initial assessment of insecurity and peacebuilding responses in Warrap State*, Briefing, September 2011; Saferworld, *People's Perspectives on Peace-making in South Sudan. An initial assessment of insecurity and peacebuilding responses in Unity State*, Briefing, October 2011.

Although the civil wars between Sudan and South Sudan have ended, the demand for weapons persists. In South Sudan the factors that drive people to retain their arms are multi-faceted and overlapping. According to previous Saferworld research¹⁷, two of the reasons that are often cited are the protection of property (specifically cattle) and self-protection. Government security forces are generally unable to fulfil the security needs of the population. There are many examples of this reality throughout Warrap, Lakes, and Unity. Notably, the escalation of fighting in Jonglei state between the Lou Nuer in the form of the 'White Army' and the Murlehas resulted in the death of thousands of people between December 2011 and mid-February 2012. The SPLA and the police attempted to respond to the conflict but did not have the capacity to prevent the widespread loss of life that ensued.

Due to this 'security gap' communities develop their own mechanisms to protect themselves and their property. This reality is a significant deterrent to the surrendering of arms by civilians in disarmament campaigns. A common sentiment throughout South Sudan is, 'We will disarm, but only if all the other communities disarm as well'.¹⁸ The paradox is that small arms are sought out and retained by civilians for personal security, however it is these small arms that also create, heighten and maintain insecurity in the communities.

Cattle are a source of great pride in South Sudan while also a source of great strife. Many communities in South Sudan use cattle as a form of currency, as cattle denote wealth and are a sign of power. In addition, cattle are used in the payment of dowry, making them an integral part of the culture. The emphasis placed on cattle, at times referred to as the 'culture of the cow', has devastating ramifications when combined with the 'culture of the gun'. Whereas cattle rustling between communities used to be carried out using spears, respecting certain rules about not attacking women and children and therefore resulting in few deaths, the proliferation of small arms in South Sudan has transformed this practice and its outcomes. Present-day cattle raiding is carried out with small arms, resulting in much higher levels of injury and death. Such attacks give rise to revenge attacks, thus creating a vicious cycle of violence. Clashes are most common during the dry season when cattle keepers are moving with their cattle in search of water and pasture.

The culture of the cow and gun has also evolved in South Sudan to reflect masculinity – men are respected and celebrated in the community when they have successfully stolen cattle, and some groups will mark themselves with 'tattoos' to reflect how many people they have killed in battle. In her work on disarmament in South Sudan, Cecily Brewer notes, "[w]hile the abundance of arms is a product of war, as in many pastoral societies guns have long been a part of civilian culture and are now part of coming-of-age rituals."¹⁹

While more research is pending on this topic, it is clear that communities have attempted to fill the security gap by establishing 'informal' (i.e. non-institutionalised by the state) security groups. These security providers differ across South Sudan and their trustworthiness, effectiveness, and professionalism differ widely. One such example is the 'Arrow Boys' of Western Equatoria that formed in reaction to the threat that was presented from the LRA from Uganda. Furthermore, the White Army in Jonglei and Upper Nile has also claimed, that their aim is to protect their community from a perceived aggressor. The White Army was originally organised in order to protect and steal cattle during the second civil war, however the armed youth proved susceptible to political manipulations, and were active during the second civil war under the informal leadership of current Vice President, Riek Machar.²⁰ The re-emergence of the White Army has proved to be a challenge to the SPLA, and confirms that the SPLA does not currently have the monopoly on the use of force within its borders.

¹⁷ Saferworld, Report of Consultations on community-level policing structures in Jonglei and Upper Nile States, Southern Sudan, 2010.

¹⁸ Consultations in Lakes State, Sept 2011, conversations with CSSAC Bureau members.

¹⁹ Brewer C, 'Disarmament in South Sudan' (Centre for Complex Operations, Naval Post Graduate School, 2009), p 10.

²⁰ Young 2007, p 13.

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Attempts to address SALW in South Sudan

DUE TO THE WIDESPREAD PROBLEMS that are exacerbated by the prevalence of SALW in the hands of civilians, a key challenge for the GoSS, as well as international stakeholders, is how to combat these problems. As discussed, both the supply and demand factors for SALW ownership in South Sudan are complex issues, therefore any solution must be dynamic and address multiple factors. Addressing these types of challenges would be difficult for any government. However, the GoSS must attempt to address these issues while also dealing with a lack of basic infrastructure, pervasive underdevelopment, lack of health care and education facilities, and other pressing unresolved issues with Sudan.

Civilian disarmament

Civilian disarmament has been one of the government's favoured approaches in dealing with the surplus of weapons in civilian hands.

This section will provide an overview of various disarmament exercises in South Sudan leading up to the end of 2011. The disarmament campaigns are broken into three categories:

- 1) *Ad hoc* measures taken before 2008
- 2) The decree for disarmament across South Sudan, and
- 3) Disarmament since 2008.

The 2008 disarmament decree is taken as a reference point in terms of civilian disarmament as it is the only decree that was issued for all of South Sudan, and it was the impetus for the majority of the civilian disarmament activities throughout South Sudan.

Ad hoc measures

Although the problem caused by SALW in South Sudan has come to the forefront following the CPA, the problems were present before its signing. In Lakes State, armed cattle keepers began to clash in the year 2000, resulting in the deployment of three brigades of the SPLA to the area to forcibly disarm the population. The counties of Tonj, Cuibet, Rumbek and Yirol were disarmed using heavy-handed tactics, which reportedly resulted in the collection of 4,000 weapons.²¹ Disarmament of Lakes State

²¹ O'Brien 2009, p 25.

Mandate of Bureau: Principles of civil disarmament

The Bureau shall be guided by a number of principles in its approach to civilian disarmament, small arms control and community security:

- Disarmament must aspire voluntarism, facilitated through comprehensive sensitisation and awareness and consultation campaigns to the highest extent possible, and not generate community insecurity through the use of unwarranted force and/or lack of proper storage of collected weapons;
- Disarmament should enhance and not hamper the build-up of rule of law, and must therefore be carried out with full respect to the basic rights as captured within the Interim Constitution of Southern Sudan – while a legal basis for civilian arms possession should be established and adopted by the legislative body;
- A comprehensive approach capturing the interdependent aspects of security, peace dividends and small arms control measures and strategies;
- A people-driven and participatory approach, including community policing mechanisms.

was again attempted from 2006 to 2007, focusing on the *gelweng* cattle camp leaders who held weapons. This campaign was reported to be a mix of both consultation and coercion, and the number of weapons collected was approximately 3600.²²

The impetus for disarmament in Jonglei was also related to cattle. In late 2005, the Dinka of Duk county requested that the Lou Nuer disarm before crossing through their territory to graze their cattle. As this had not been a previous requirement for grazing, the Lou Nuer protested, creating tensions between the two communities. Disarmament of the Nuer was scheduled to begin in 2006, however the terms of the disarmament were unclear and the Lou Nuer feared that they would become vulnerable to neighbouring ethnic groups (such as the Murle) who were not being disarmed. In May 2006 the Nuer in the form of the White Army clashed with the SPLA, resulting in the death of one SPLA member and 113 White Army members. Following the clashes both the SPLA and the White Army began looting, stealing cattle and destroying property.²³

With this backdrop of violence, the County Commission of Akobo in Jonglei State requested that disarmament be completed voluntarily, with community leaders collecting weapons rather than the SPLA. In July 2006 the forced process gave way to a voluntary process supported by UNMIS where the community became involved in the disarmament process. School teachers were taught how to clear (the process of ensuring the weapon is in a safe condition with no ammunition in it), register, and store the weapons in disarmament centres, and mobilisation teams were created to provide information to the public.²⁴ Although approximately 1400 SALW were collected, the SPLA criticised the process, stating that the weapons collected were only a fraction of the weapons held by the community. Furthermore, despite the efforts taken to support a 'voluntary' process, civilians were reportedly pressured into surrendering their weapons and complying with the terms of disarmament: "Akobo residents held no illusions about what lay ahead should they refuse to participate voluntarily."²⁵

2008 Presidential decree

On 22 May 2008, the President of southern Sudan issued a decree announcing a six month disarmament period in all ten states in the south. Operations were to be conducted by the SPLA with the objective to, "peacefully have all civilians in the ten states surrender any kind of firearm in their possession," while noting "appropriate force may be used".²⁶ The decree did not provide any direction on how the process should be organised; therefore each state carried out the disarmament process using different strategies, resulting in varying outcomes.

²² *Ibid* p 25.

²³ Brewer 2009 .

²⁴ Small Arms Survey, 'Anatomy of Civilian Disarmament in Jonglei' *Sudan Issue Brief* no 3 (Small Arms Survey, November–February 2007).

²⁵ *Ibid*.

²⁶ GOSS, 2008 as quoted in O'Brien 2009.

In Lakes State, disarmament, as mandated by the Presidential decree, took three distinct forms. Initially, the State Governor decentralised the order to all the county commissioners and created a state-level disarmament committee to oversee the process. The local chiefs were tasked with the collection of weapons and the process was voluntary. However, few weapons were collected and cattle camps were left largely untouched. Due to the failure of this process, disarmament transitioned to a stage characterised by involuntary disarmament. Two days prior to the scheduled start, a radio announcement was broadcasted announcing that Rumbek town was surrounded by the SPLA and requesting people to stay in their homes. The SPLA, many of whom were from other regions of South Sudan, proceeded to conduct house to house weapon searches. Local police and prison officials had their weapons confiscated and the weapon searches became violent as many of the allegedly drunk soldiers beat people and stole items such as mobile phones and money. By mid-day the Governor ordered the end of the searches but the disorder within the town continued into the evening when intoxicated SPLA were involved in skirmishes in the town market. The following day the SPLA were ordered out of Rumbek and the Governor issued an apology for the poorly executed campaign.²⁷ Following the forced disarmament a revised scheme for voluntary disarmament was devised which included county-level disarmament committees and the involvement of the police, prison services, wildlife, and *gelweng*, however reports are unclear as to whether this third stage ever materialised.

In Unity State, plans for civilian disarmament were kept secret rather than shared among civilians within the communities. The Governor sent individuals to the communities to do a reconnaissance on where weapons were held and then this information was passed to the SPLA who independently confirmed the information with tribal chiefs. Once information was verified the SPLA surrounded the villages at night and conducted the disarmament in the morning. While the government reported that the disarmament was conducted effectively, the population reported that the process was coercive and increased, rather than decreased, their sense of insecurity.²⁸

In Jonglei State, the 2008 disarmament campaign was limited due to ongoing security concerns within the state. Nevertheless, approximately 2,000 weapons were collected from Akobo, Pibor, and Duk counties.²⁹ According to the 2009 Small Arms Survey report on the 2008 disarmament process, '[t]he overall success of the campaign was hampered by the failure of the SPLA to deploy in large numbers throughout the state to protect disarmed populations, combined with widespread concern about ongoing security.'³⁰

Although not explicitly part of the civilian disarmament decree, two communities in Eastern Equatoria State were forcibly disarmed in June 2008. The SPLA had been sent to the counties of Iloi and Oguruny to intervene in a conflict between the communities. When the SPLA arrived at Iloi, they were mistaken for enemy fighters and shots were fired at the soldiers by community members. The SPLA retaliated by storming the town and conducting house to house weapon searches. When the SPLA at Oguruny received word about the operations in the other town, they too began disarming the community. The actions of the SPLA were extremely heavy-handed, with homes reportedly destroyed in the process.³¹

In Western Equatoria State, the disarmament decree was rejected due to fears of the LRA. The state Governor felt that the order came at the wrong time and was not sensitive to the realities and security needs of the state at the time.³² In addition, there

27 Human Rights Watch (HRW), 'There is No Protection: Insecurity and Human Rights in Southern Sudan' (Human Rights Watch, 2009).

28 O'Brien 2009, p 45–46.

29 Small Arms Survey, 'Conflicting Priorities: GoSS security challenges and recent responses' *Sudan Issue Brief* no 14 (Small Arms Survey, May 2009).

30 O'Brien 2009, p 21.

31 McEvoy C and Murray R, 'Gauging Fear and Insecurity: Perspectives on Armed Violence Reduction in Eastern Equatoria and Turkana North' (Small Arms Survey, 2009).

32 *Ibid*, p 34.

were no civilian disarmament activities reported in Upper Nile or Western Bhar el Ghazal, and only a one-day exercise in Northern Bhar el Ghazal. Furthermore, the reported activities in Warrap State were unverifiable.³³

Disarmament since 2008

In 2011, the President of South Sudan issued a disarmament decree for the three states of Lakes, Warrap and Unity. These three states have experienced a great deal of insecurity stemming from cattle raiding, both internally and between the borders of the three states. As with previous orders, the SPLA were sent to carry out the disarmament activities.

Much like previous disarmament experiences, the three states all implemented the order differently. In Lakes State, teams composed of state officials, civil society, and tribal chiefs were mobilised to sensitise the population about disarmament. Chiefs were requested to register the weapons present within the communities, and were later requested to collect the weapons. Once collected, the weapons were then handed to the SPLA for transportation and safe storage. It was reported that over 3,000 weapons were collected. The process in Warrap State had a much slower start than the process in Lakes, however appeared to take on a similar, though less organised, operation. In Unity State internal security concerns stemming from militia groups largely prevented disarmament from taking place.³⁴

Civilian disarmament is being planned in 2012 for Jonglei as a result of violent clashes that escalated in 2011 and the beginning of 2012. Though no formal plans have been announced for the disarmament, indications from the government suggest that it will be forced disarmament carried out by the SPLA.³⁵

Lessons from civilian disarmament in South Sudan

Many civilian disarmament campaigns have been attempted in South Sudan, and they share a number of characteristics. Firstly, the decision to disarm is often reactive rather than proactive meaning that it is made with the goal of immediately improving a harmful situation that has already developed. An effective disarmament campaign must be a well-designed and well thought-out process that has the buy-in of all of the stakeholders, none of which is possible when a reactive, time-sensitive disarmament campaign is mandated. Therefore, this legacy of reactive disarmament has inherently limited the potential effectiveness of the disarmament campaigns.

Secondly, disarmament campaigns in South Sudan have been hampered by mobility challenges, particularly during the rainy season. Therefore, disarmament campaigns have been mostly carried out in the dry season. However, this presents another challenge as cattle raiding and subsequent clashes are intensified during the dry season, thus making it less likely that civilians will willingly surrender their arms.

Thirdly, ethnic divisions of South Sudan make planning disarmament campaigns difficult. The 2008 disarmament in Lakes State was carried out by soldiers from ethnic groups outside of the state. In theory, this can be a good strategy as it removes concerns over tribal connections or ethnic groups (i.e. one ethnic group in a given area disarming another ethnic group). However, in practice, linguistic difficulties and distrust of others can equally prove challenging when carrying out a disarmament process. Furthermore, the SPLA that were sent to participate in the Lakes State disarmament had recently participated in clashes against military from the north, an assignment which required drastically different skills and considerations than civilian disarmament.³⁶

³³ Small Arms Survey 2009, 'Conflicting Priorities'.

³⁴ Conversations in Lakes and Warrap states with state officials and community members, October 2011.

³⁵ See DDG, PACT and Saferworld, 'Disarmament Deja-Vu: Recommendations for Peaceful Civilian Disarmament in Jonglei' (2012) for more information, www.saferworld.org.uk/downloads/pubdocs/Disarmament%20Deja%20Vu.pdf.

³⁶ O'Brien 2009, p 31.

Fourthly, loss of life is a common result of civilian disarmament in South Sudan. While there is no evidence to suggest that this is a deliberate part of disarmament campaign strategies, past experience in South Sudan suggests that the more voluntary the civilian disarmament process is, the smaller the risk of civilian deaths. Similar lessons have been learned in Uganda, where the disarmament of civilians in the Karamoja region shifted from 'cordon and search' campaigns by the Ugandan army, to police-led campaigns, out of recognition of the high levels of abuses and deaths resulting from the forced disarmament strategy.³⁷ However, a voluntary process requires good co-ordination with local leaders and community groups, and takes more time, while disarmament campaigns have often been used in South Sudan as a reactionary measure to an escalating situation.

Perhaps the biggest challenge to civilian disarmament is the lack of sufficient evidence that civilian disarmament significantly increases community security and reduces levels of violence. Previous Saferworld research indicates quite strong support in some communities for SALW to be reduced in society,³⁸ but addressing the security gap experienced by many communities in South Sudan remains crucial for future civilian disarmament campaigns to have sustainable results.

Bureau for Community Security and Small Arms Control

In 2008 the BCSSAC was created to address the challenges of SALW and community security in southern Sudan. Initially the Bureau was situated in the office of the Vice President, but then moved to the Ministry of Interior. The Bureau only received its legal mandate in October 2008, six months after the decree was issued for national disarmament.

According to its mandate, the objectives of the BCSSAC are as follows:

- a. To contribute to the improvement of community security and human security
- b. To address the threat to security, peace, and development posed by civilian possession of small arms and light weapons, and
- c. To promote co-ordination, responses and policies to improve the rule of law, human security, community security, civilian disarmament and small arms and light weapons control.³⁹

The BCSSAC has been active in its efforts to increase community security and control the proliferation of small arms in South Sudan with the support of international partners including UNDP and Saferworld. In addition, the BCSSAC is leading the government in the process of drafting legislation on SALW to provide a solid legal backing for any future disarmament initiatives and subsequent controls on SALW possession. The BCSSAC has not yet taken a leading role in any civilian disarmament activities; however it has conducted awareness-raising activities at the state level and produced a concept note on civilian disarmament in South Sudan⁴⁰ and a Strategy document which outlines the role of the BCSSAC in disarmament activities.⁴¹

³⁷ Saferworld, *Karamoja Conflict and Security Assessment*, October 2010.

³⁸ For instance in Saferworld, Sept 2011, 'People's perspectives ... Jonglei'.

³⁹ Mandate of BCSSAC.

⁴⁰ BCSSAC, 'Concept Paper on Small Arms and Light Weapons Control', 2010.

⁴¹ BCSSAC, 'Strategic Plan 2010/2011'.

Mandate of Bureau: Powers, functions and activities of the Bureau

The Bureau may exercise the following functions, powers and activities in advancement of its objectives:

- a Co-ordinate the development of laws and regulations for the control of small arms and light weapons
- b Support the development of the rule of law, human security and small arms and light weapons control to improve community security
- c Enhance co-ordination and co-operation among:
 - 1 GOSS, state and local government ministries, commissions, and law enforcement agencies
 - 2 Civil society and non-governmental organisations, and
 - 3 Other relevant stakeholders
- d Strengthen information sharing and co-operation on issues of small arms and light weapons control shared by national, regional and international partners
- e In co-operation with civil society, support the development of strategies that address community security and small arms control concerns
- f Support the development of civilian oversight of community security and small arms control issues
- g Raise awareness and develop public sensitisation campaigns on community security and small arms control, the rule of law, peace and security matters
- h Co-ordinate, monitor and support the implementation of national, regional and international small arms control agreements
- i Co-ordinate with community security and small arms control stakeholders from GOSS, State Governments, Local Governments, civil society, non-governmental organisations, the private sector, international organisations, regional organisations and others
- j Develop policies, regulations, bills, guidelines, recommendations and other measures for the advancement of community security and small arms control
- k Conduct research on community security and small arms concerns, small arms and light weapons control best practices, and other issues
- l Advocate government and civil society to adopt community security and small arms control policies
- m Contribute to the analysis of small arms and community security risks
- n Support the development of a conflict early warning system
- o Co-ordinate working committees tasked with different aspects of community security and small arms control policy development
- p Co-ordinate the development of stockpile management policies, plans and procedures in collaboration with key stakeholders
- q Conclude memoranda of understanding or other agreements with stakeholders on matters of community security and small arms control
- r Provide peace dividends to communities through participatory processes
- s Support State and local government law enforcement agencies and partners on matters of community security and small arms control
- t Develop state and county community security and small arms control plans
- u Monitor and evaluate activities of the Bureau
- v Co-ordinate with national, regional and international stakeholders on matters of community security and small arms control
- w Develop policy recommendations on implementing community security and small arms provisions contained in the Comprehensive Peace Agreement (2005)
- x Report to relevant national, regional and international bodies on issues of community security and small arms control
- y Conduct other activities necessary or incidental to the fulfilment of the Bureau mandate, objectives and activities within the bounds of the law and the Interim Constitution of Southern Sudan.

Nairobi Protocol – Article 12

Voluntary Surrender

States Parties shall introduce programmes to encourage:

- a Small arms and light weapons in lawful civilian possession may be voluntarily surrendered their small arms and light weapons for destruction/disposal by the State in accordance with domestic laws;
- b Illegal small arms and light weapons holders shall surrender their small arms and light weapons for destruction. In such cases, the State may consider granting immunity from prosecution

5

Conclusion

CONTROLLING SALW POSSESSION AND USE by civilians in South Sudan requires a multi-faceted strategy that addresses supply and demand factors. Given the current deficits in state security provision, and the lack of basic infrastructure to enable more effective protection of civilians, responses have to include short-term measures to address immediate security threats as well as long-term measures to improve the structural issues facilitating civilian arms possession. Civilian disarmament campaigns can be a part of such an overall strategy, but needs to be undertaken alongside other interventions that reduce the demand for weapons and ensure community safety.

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Saferworld works to prevent and reduce violent conflict and promote co-operative approaches to security. We work with governments, international organisations and civil society to encourage and support effective policies and practices through advocacy, research and policy development and through supporting the actions of others.

COVER PHOTO: Weapons collected from civilians in Jonglei state. Some disarmament campaigns have been conducted forcefully by the armed forces and in these cases the disarmed communities have quickly re-armed for self-protection. However, public campaigns are raising awareness about voluntary civilian disarmament. © PETE MULLER



UK OFFICE

The Grayston Centre
28 Charles Square
London N1 6HT
UK

Phone: +44 (0)20 7324 4646

Fax: +44 (0)20 7324 4647

Email: general@saferworld.org.uk

Web: www.saferworld.org.uk

Registered charity no. 1043843
A company limited by guarantee
no. 3015948

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UGANDA OFFICE

PO Box 8415
4th Floor, NIC Building
Pilkington Road
Kampala, Uganda

Phone: +256 (0)414 231130

+256 (0)414 231150

SOUTH SUDAN OFFICE

Hamza Inn
Juba Town
Juba
South Sudan

Phone: +211 (0)907 333449

+211 (0)956 071123