

Protective measures

Local security arrangements in Greater Upper Nile

Since erupting in December 2013, the South Sudanese civil conflict has displaced nearly one million people and left more than 10,000 dead.¹ Much of the fighting has been concentrated in the Greater Upper Nile region—including around the strategic state capitals of Bentiu (Unity state), Bor (Jonglei state), and Malakal (Upper Nile state). Rich in oil, Greater Upper Nile is home to the Nuer supporters of the former vice president, Riek Machar, who currently leads the opposition and who hails from Unity.

The involvement of unofficial forces in the conflict appears significant. Both sides have recruited armed youths to supplement their fighting forces.² In Jonglei, thousands of armed Lou Nuer youths took control of Bor alongside rebel forces loyal to Peter Gadet in late December. Meanwhile, President Salva Kiir authorized the recruitment and training of thousands of youths for a Juba-based auxiliary force under his command, with many of the recruits drawn from the predominantly Dinka areas of Greater Bahr el Ghazal.³ The Sudan People's Liberation Army (SPLA) has also taken on new recruits from the Equatorias and Western Bahr el Ghazal to fight on the front lines in Unity and Upper Nile.⁴

The rapid recruitment of armed youths into the conflict reflects a demand for fighting power and a recognition of their roles as community security providers, often where official state security is absent. Local security arrangements (LSAs) are a long-time feature in rural South Sudan, and they have a particularly strong presence in Greater Upper Nile due to the marked security gap—the inability

of official state security forces to respond to the security needs of civilians. Local security concerns include persistent cattle raiding and militia group activity, as well as the effects of the long-term proliferation of weapons and ammunition.

This Issue Brief discusses the organization of LSAs in Greater Upper Nile and their impact on local security dynamics in the region, drawing on original research conducted in Mayom county in Unity, Uror county in Jonglei, and Fashoda county in Upper Nile prior to the outbreak of widespread

conflict in Greater Upper Nile. The tradition of LSAs in these areas was a factor leading to the rapid mobilization of armed youths at the outset of the recent crisis.

In particular, this Issue Brief focuses on the complex ways in which LSAs reflect local security dynamics and cultural norms surrounding the role of youths in providing protection for their own communities. It describes the security environments in the case study areas, LSA structures and functions, and the impacts of the LSAs on security levels. In doing so, it considers



state security policies and practices—including civilian disarmament campaigns—that influence LSA formation, as well some of the security dilemmas associated with LSAs.

Key findings include:

- While LSAs in Greater Upper Nile provide protection to civilians, they have also contributed to cycles of violence and revenge by committing human rights abuses, armed attacks on other communities, and extrajudicial killings in the process of responding to local threats to the community.
- Local government officials and traditional leaders in Greater Upper Nile are not providing the oversight and accountability required to allow LSAs to operate effectively and within the law.
- While traditional authorities may not have direct command and control over LSAs, and while their authority vis-à-vis local government officials has declined over time, they still possess a great deal of local legitimacy to negotiate between rival communities and resolve disputes non-violently.
- In the absence of stable and effective state security forces, forced disarmament may exacerbate insecurity by increasing the vulnerability of communities to armed attacks by rival communities, and by increasing hostility to the army.
- Politically marginalized groups, such as the Shilluk and Murle, often rely on LSAs to provide security, especially where state security forces have a record of repressive actions against them.
- The tradition of LSAs across the Greater Upper Nile region and the proliferation of small arms have contributed to the rapid mobilization of armed youths on both sides of the current conflict.

LSAs in South Sudan

Local security arrangements are a feature of many conflict-prone areas where the state does not or cannot provide sufficient security. LSAs can

form to close this 'security gap'. While some LSAs are officially recognized and sanctioned community forces that actively coordinate with state security providers, others are less formal arrangements that exist beyond state control. Yet, although they provide security services, LSAs around the world have also been shown to exacerbate insecurity by engaging in human rights violations, revenge attacks, and extrajudicial killings.⁵

In South Sudan, the army remains the primary state security provider. But its expected transformation from a rebel force into a nationally representative and civilian-controlled security provider is far from complete. While the army continues to grapple with command and control issues, ethically driven attacks on communities have been a recurring phenomenon in Greater Upper Nile, where Murle, Nuer, and Shilluk communities are based. The South Sudan National Police Service (SSNPS), envisioned as the local security provider over the long term, remains a weak and under-resourced presence, especially in rural areas. Nor is the SSNPS equipped to respond to large-scale security threats such as insurgent militias.

LSAs are not a new phenomenon in South Sudan. From the colonial period onwards, traditional leaders—chiefs, community elders, spiritual leaders, and youth leaders—were often engaged in the provision of security, justice, and local administration.⁶ They continue to provide these services today, although their authority has been undermined by the militarization of ethnic identities and their political marginalization by local government officials.⁷ The 2009 Local Government Act codifies the role of traditional authorities in local administration at the county, *payam*, and *boma* levels, but it also limits their autonomy and political influence by placing them under the administrative control of local government officials (GRSS, 2009).⁸ This relegation has negatively influenced their ability to advocate on behalf of their communities, especially among ethnic minorities such as the Murle and Shilluk.⁹

Since the end of the civil war, the government's emphasis on civilian disarmament as its primary security policy in violence-affected rural areas of Greater Upper Nile has deeply influenced the context for LSA activities. Civilian disarmament is ostensibly designed to reduce the number of weapons available for cattle raiding, insurgency, and revenge attacks. But the SPLA has not carried out disarmament in a balanced way, and has failed to provide protection in the wake of disarmament—at times leaving disarmed communities at the mercy of their rivals. Disarmament itself has often been repressive and violent, and inadequate systems for the collection, registration, and storage of weapons have reduced its effectiveness. For these reasons, chiefs and even some local government officials have claimed that civilian disarmament should only be carried out on the condition that security forces are able to provide a basic level of protection to their communities.¹⁰

In 2014, many communities in Greater Upper Nile and elsewhere have continued to rely on LSAs as their only source of security against cattle raiding and revenge attacks, although these groups tend to participate in activities that undermine their own long-term security. These cycles of violence and revenge are likely to intensify, even with the May ceasefire in place.¹¹ Indeed, a strong urge for revenge will persist among many Nuer in Greater Upper Nile if serious efforts are not made to address impunity for the killings that took place in December 2013, including the systematic killing of Nuer in Juba by Dinka forces loyal to Kiir at the outbreak of the conflict.

Unity state

Oil-rich Unity state shares a border with Sudan and the contested region of Abyei. The state continues to host thousands of refugees from the ongoing conflicts in South Kordofan and Blue Nile; it also received people who were displaced by the bombing of Bentiu by the Sudan Armed Forces in April 2012, although many have left since conflict erupted in December 2013.

As of June 2014, the UN Refugee Agency was hosting more than 70,000 refugees at Yida refugee camp, close to the border with Sudan.¹² While tensions with Sudan remain high, Unity’s pastoralist communities have long perceived cattle raiding as the most persistent source of insecurity.¹³ Local youths participate in these cycles of violence and revenge, which have intensified in recent years.¹⁴

Access to small arms and light weapons has exacerbated inter-tribal conflict in Unity. Legacy weapons from the civil war era, in which both armies provided arms and ammunition to communities, remain in circulation. Evidence shows that Southern security forces also allowed civilians to access additional weapons during the more recent siege of Hejlj, in March–April 2012.¹⁵ Moreover, illicit cross-border flows from Sudan are thought to contribute to civilian stocks in Unity.

Despite official claims to the contrary, the SPLA’s management of weapons collected during civilian disarmament efforts has been problematic. Due to the absence of effective systems for weapons collection, registration, and destruction, security forces have not been able to account for the total number of surrendered weapons or to ensure that they are not funnelled back into the communities.¹⁶ According to local SPLA commanders, some 11,000 weapons have been collected in Unity state over the last five years; of these, nearly 5,000 were handed over in 2013.¹⁷ Another 500 were seized in the first half of 2013, after armed youths killed eight police officers who were responding to a cattle raid in Koch.¹⁸ A recent review of the army’s surplus stockpile management policies and procedures found much room for improvement.¹⁹

Since long before the recent conflict, Nuer youths from Unity and Dinka youths from neighbouring Warrap state have been locked in a deadly cycle of cattle raiding and revenge attacks. Meanwhile, uneven civilian disarmament has exacerbated violence between communities and placed community leaders at odds with local government officials. The most recent forced civilian disarmament campaign

in Mayom county, Unity state, was suspended in June 2013, after an armed attack on the community by Dinka youths from Tonj North in Warrap state.²⁰ Previously, Nuer youths from Mayom had attacked a Dinka community in Gogrial East in Warrap, claiming the lives of 33 unarmed civilians, most of whom were women, children, and older people.²¹ Such cycles of violence and revenge highlight the need for—and current absence of—high-level coordination of security policy development and implementation at all levels.

The police are primarily responsible for responding to cattle raids but are often ill equipped to do so. In practice, the SPLA tends to take the lead in responding to security threats, but it lacks adequate training in human rights and legal standards. The SSNPS and the SPLA both suffer from poor access to vehicles and ammunition, low or delayed wages, and limited access to aircraft to patrol the vast landscape

where cattle raiding takes place. As a result, they are often unable to respond to the security needs of communities. In addition, the security forces are sometimes outnumbered and outgunned. As a result, the SSNPS and the SPLA may join forces with armed youths from the raided communities to recapture and return stolen cattle.²² This approach tends to blur the lines between soldier and civilian, army and police.

The ‘Sons of Mayom’

Mayom town is located less than 50 km from the border with South Kordofan, Sudan, and the disputed territory of Abyei. Exposed to insecurity as a result of its proximity to Sudan, the local community has also experienced the cattle raiding and revenge attacks described above. During the Hejlj crisis in April 2012, the Sudan Armed Forces dropped six bombs in Abiemnom town, just a few kilometres from Mayom. Four exploded, killing seven people.²³



Cattle raiding is particularly acute in the tri-state area formed by Lakes, Unity, and Warrap. The Bul Nuer of Mayom share an interstate border with the Dinka of Gogrial East, Twic, and Tonj North in Warrap state. The Bul Nuer are also affected by tensions with the nomadic Missiriya from Sudan, who cross the border each year, graze their cattle on Nuer land, and trade goods from Sudan.

In the absence of state security forces, the armed youths of Mayom function as an unsanctioned LSA, using weapons that they have hidden from disarmament campaigns or that

were provided to them by the security forces. Local chiefs often refer to the armed youths as the 'Sons of Mayom' and acknowledge that they both protect the community and participate in cattle raiding. The cattle camp youths usually respond to attacks by rival communities, led by youth leaders rather than local chiefs (see Box 1).²⁵ While the leaders support disarmament in principle, they are hesitant to enforce it in light of persistent security concerns and the inability of state security forces to protect civilians, particularly against cattle raiding.

Box 1 Lou Nuer cattle camps and leaders

In Lou Nuer society, the responsibility for the protection of the community and cattle—the community's most valuable collective resource—traditionally falls to the youths. In order for the cattle to survive, the Lou Nuer and other pastoralist communities have adopted a semi-nomadic lifestyle. The youths leave the village behind and set up temporary cattle camps, where they rest and sleep with the cows before taking off for new grazing lands the next day. Boys go to the cattle camp between the ages of 12 and 14 and may remain there until they are ready to get married. Even married men will sometimes return to the cattle camp. While village chiefs are vested with general powers, they serve primarily a judicial function in the villages and their authority does not extend into the cattle camps.

In the cattle camp, decisions are made by youth leaders who are chosen based on bravery, fighting skill, and leadership ability.²⁴ Youth leaders are responsible for making decisions concerning the health and well-being of the cattle, as well as for leading cattle raids and responding to raids from rival groups. A youth leader may be replaced at any time if he proves to be a poor decision-maker, but a respected youth leader with a great deal of experience may hold on to the position for many years, some into their forties.

The spiritual leader, or prophet, is another influential figure in Lou Nuer society. There may be several prophets at one time, all claiming lineage to the nineteenth-century prophet Ngundeng Bong. One of the current prophets, Dak Keuth, played a prominent role in mobilizing the Lou Nuer youths during attacks on Pibor in 2011; he also supported the SPLA 8th Division in Bor at the onset of the December 2013 conflict. The prophet will usually lead the youths alongside a youth leader.

The waning of traditional power

A number of factors have led traditional leaders to lose their grip on the dynamics of violence associated with cattle raiding. For one, local government officials have undermined their power and authority. Interviews reveal that the state government has occasionally removed locally elected chiefs and replaced them with chiefs chosen by the state governor. State government officials in Bentiu claimed that they removed illiterate local chiefs in the past, but that they no longer interfered in the selection of traditional leaders.²⁶ The Local Government Act, which remains to be fully implemented, clearly codifies the right of communities to select their traditional authorities, in keeping with custom and tradition.²⁷ The legislators recognized that the appointment of chiefs by the local government tends to undermine their credibility, as well as their ability to negotiate effectively between rival communities.²⁸

Another factor that has weakened traditional leaders is the militarization of armed youths. This trend has been accompanied by an escalation in the levels of violence, as cattle raiding has given way to revenge killings in which youths target entire villages rather than the cattle camps. In this violent climate, local chiefs no longer feel safe enough to travel alone and must be escorted by the SPLA or SSNPS.

To bring these cycles of violence and revenge to an end, the combined commitment of local chiefs, government

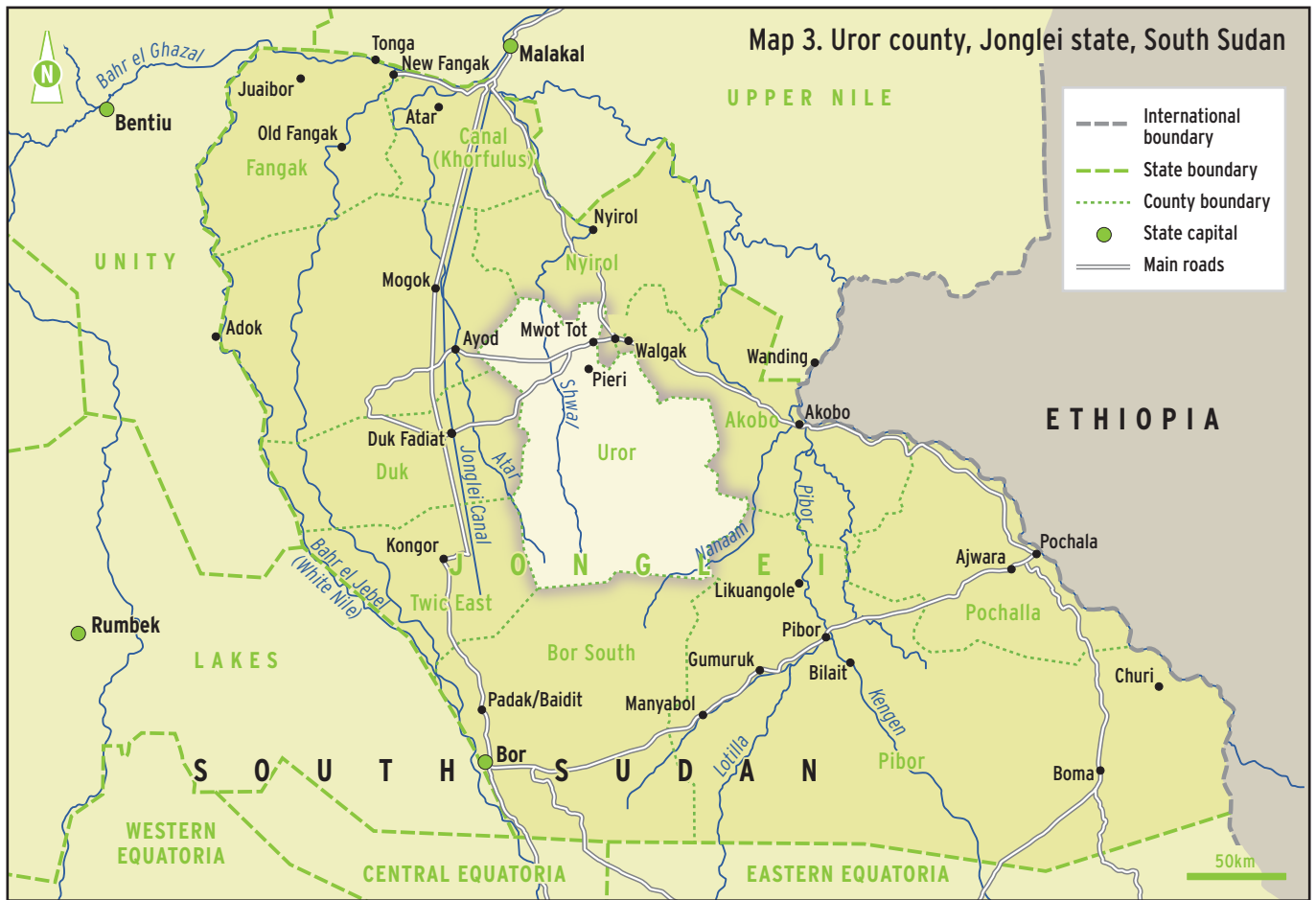
officials, and the security forces (formal and informal) is required in negotiations. Chiefs have a particularly important role to play in liaising with the SPLA in preparation for, and during, civilian disarmament campaigns; their active involvement may also help increase the number of weapons collected.²⁹

The UN Development Programme and other development and humanitarian agencies have recognized the importance of engaging with traditional leaders. But leaders' cooperation—as well as that of the youths—hinges on the provision of adequate security and the reciprocal disarmament of rival communities, as well as on assurances that collected weapons will not recirculate—which is fundamentally impossible without adequate registration and storage systems.

Jonglei state

Jonglei has experienced the most intense inter-communal violence in a decade due to cattle raiding and the insurgency of rebel leader David Yau Yau, who accepted a peace deal with the government of South Sudan in May 2014.³⁰ While unrelated at the outset, these two sources of insecurity have overlapped and intertwined in complex ways. So, too, have the policies for addressing the violence—civilian disarmament and counterinsurgency. During forced disarmament campaigns, the SPLA engaged in abuses—including torture and rape—of members of the Murle ethnic minority, who live almost exclusively in Pibor county, and other civilians, contributing to feelings of ethnic and political marginalization on which David Yau Yau had capitalized.³¹

On 15 July 2013, clashes between Murle and Lou Nuer youths in Pibor ended with more than 200 Lou Nuer being treated at the hospital in Bor. Injured Murle, estimated to be in the hundreds, fled into the bush.³² It was one of the deadliest attacks between these two parties in more than two years. Video taken by peacekeepers of the UN Mission in the Republic of South Sudan (UNMISS) in Manyabol,



Pibor county, in July 2013 shows thousands of youths, presumably returning from fighting in Pibor.³³ In 2011, at least 1,000 lives were lost in clashes between Lou Nuer youths and small bands of Murle fighters using guerrilla-like tactics against their much more numerous opponents.³⁴

The Lou Nuer cattle camp youths, sometimes called ‘white army’ (*jiech mabor*), comprise several Nuer youth brigades (*bunaam*) from each of the Lou Nuer counties that make up the Greater Akobo region, including Akobo, Nyirol, and Uror. These *bunaam* come together for community protection but also to retaliate against perceived threats to the community.³⁵ Nearly all Lou Nuer interviewed during this research rejected the name ‘white army’ in reference to the recent mobilizations of Lou Nuer youths. The term initially referred to the mobilization of *bunaam* during the civil war, after the 1991 split between John Garang and Riek Machar. Machar’s faction armed the Nuer youths with AK-pattern rifles as an auxiliary fighting force. His

commanders reportedly collected the weapons once the fighting had ended.³⁶

After the Comprehensive Peace Agreement was signed in 2005, the disarmament of the Lou Nuer youths became a top priority for the Sudan People’s Liberation Army (SPLA). Nearly 3,000 weapons were collected in northern Jonglei in 1996. Local Nuer considered the disarmament ethnically motivated, since the mainstream SPLA was mostly Dinka, the enemy of the Nuer since the 1991 split. Confrontations between the Lou Nuer and the SPLA resulted in 1,600 deaths, nearly one person killed for every two weapons collected.³⁷

There have been at least five successive waves of civilian disarmament in Jonglei, yet the inability of state security forces to control the illicit flow of weapons and ammunition has undermined the success of these efforts.³⁸ Sources of weapons and ammunition include illicit flows from Sudan, local traders across the border with Ethiopia, and SPLA soldiers who provide weapons and ammunition in exchange for

food and alcohol in local markets.³⁹ Local demand for weapons remains high, partly due to the uneven disarmament of warring communities and SPLA abuses.

The July 2013 mobilization of Lou Nuer youths in Jonglei took place in response to a number of serious attacks over the past year, including a large cattle raid in Akobo West on 8 February 2013 that resulted in more than 100 Lou Nuer fatalities. While the perpetrators have not been independently verified, Lou Nuer youths interviewed for this Issue Brief insisted that the attackers were Murle, a group they often equate with Yau Yau’s forces. These attacks left the Lou Nuer feeling deeply vulnerable and abandoned by state security forces.⁴⁰ As one youth remarked, ‘The Lou Nuer are like a people in prison—we have been disarmed and left with no way to protect ourselves.’⁴¹

Community police units

In response to Lou Nuer demands for increased protection, former state gov-

ernor Kuol Manyang Juuk signed a provisional order in January 2013 to create community police units (CPUs) at the boma level across the state. While the CPUs are not new to South Sudan, or to Jonglei for that matter, this is a significant step towards formalizing an LSA that may have implications for future peace and security in Jonglei. The mandate of the community police is to 'assist SSPS [SSNPS] by providing protection to unarmed civil population and their properties in Bomas and villages while the Regular Police shall continue to support this unit logistically and operationally'.⁴² It has already led to the partial establishment of CPUs in all counties of Jonglei except Pibor, where counterinsurgency operations against Yau Yau stopped at the end of 2013.

Each unit is made up of 40 young men aged 18–30, who are selected by local chiefs at the boma level. The communities are responsible for providing the CPUs with food and shelter, while the county chief inspector for police is tasked with providing training and oversight. The officer in charge at the payam level and the executive chief at the boma level also have oversight responsibilities.

The provisional order highlights the terms under which the CPUs are to have access to arms and ammunition: 'Each Boma administration shall be tasked with the provision of guns, uniform, shoes and minimum salary of 300 SSP (three hundred South Sudanese Pounds only) [USD 53] for each community police member'.⁴³

The order charges the SSNPS with the provision of ammunition and the registration of weapons, many of which had not been surrendered.⁴⁴

CPUs in Uror county

Uror county is at the heart of Jonglei state and is a gathering place for the Lou Nuer late in the dry season, when water becomes increasingly scarce. During interviews conducted for this study, youths, women, chiefs, and local government officials in Uror expressed considerable frustration regarding the security gap. One gov-

ernment official said he felt intense competing pressures to carry out forced disarmament on the one hand, and to respond to the security needs of his community on the other, knowing full well the limitations of the SPLA and SSNPS.⁴⁵ A group of youths conveyed their anger with Murle attacks over the past year, pointing out that they felt increasingly marginalized by the state government, which has responded poorly to insecurity in Lou Nuer areas.⁴⁶ The women said that they trusted their sons, rather than security forces, to protect them.⁴⁷

It is not uncommon to see dozens of armed youths along the main road in Uror. In fact, for the young men protecting the cattle camp, it would be extremely risky to move without arms. Yet the state government has led several waves of civilian disarmament to reduce armed violence linked to cattle raiding and revenge killings. While youths may have been cautious about openly carrying their weapons until the community police order was signed in January 2013, they have since come to understand that they may carry a weapon for self-defence. In interviews, some youths mentioned that they had been allowed to rearm sometime in early February, although it was not clear in what way—if at all—such permission might be related to the CPUs.⁴⁸ Local officials said they had not received any order to permit local youths to carry weapons and underscored the need for civilian disarmament as the only sustainable solution to inter-communal violence. The CPUs, they noted, would be used to close the security gap in the short term—and ultimately to support civilian disarmament.

Other potential benefits of the community police programme are the planned registration of CPU weapons and CPU personnels' involvement in addressing—and perhaps controlling—wider community access to weapons. Much would depend on transparency and accountability, which could be addressed by improved coordination and cooperation between community leaders, the youths, the police, and outside observers. The aim would be

to respect any ceasefire in place and, as already noted, to close the security gap while the SSNPS builds its capacity to provide protection to civilians.

By March 2013, the CPUs had been selected by the boma chiefs, although they had not received training, uniforms, or the code of conduct outlined in the provisional order.⁴⁹ According to follow-up interviews conducted in November 2013, the programme was suspended, although no additional disarmament had been conducted. In the worst-case scenario, the community police programme could rearm youths without providing training, oversight, or accountability.⁵⁰ Nevertheless, some state-level officials maintained their support for the programme as the most effective way to provide civilian protection and introduce registration and operation standards to youths in rural and remote areas.

The CPU programme presents other risks, however. First, the community police would rely on a SSP 100 (USD 18) annual tax to be paid by each adult.⁵¹ Previous efforts to support community security in Akobo at the payam and boma levels suffered from insufficient resources available for salaries, training, and uniforms to distinguish the community police from other armed youths in the community, not unlike more recent attempts to formalize community police.⁵² While interviewed community members said they would be willing to pay a small tax if it meant improved security, they suggested that a 50 SSP (USD 9) tax would be more reasonable. One advantage of this model is that the police would be based in their own communities, reducing logistical problems that adversely affect response rates.

The second hurdle is also budgetary. It is unclear where the resources for training would come from, since the SSNPS formerly relied on support from the UN Police and other international donors that are unlikely to support the CPUs. To carry out the initial training, the state government would need enough resources to cover transportation costs, accommodation, and food for the duration of the training course, at the very least. Additional

support is required to draw up the code of conduct and provide copies to local officials at the county, payam, and boma levels—including local chiefs.⁵³

Finally, without robust coordination and cooperation between local government officials, traditional authorities, youth leaders, and civil society organizations, there appears to be limited scope to implement effective oversight over the community police force, which operates without a clear command and control mandate. While the Local Government Act provides a framework for this kind of power-sharing arrangement, it has not been fully implemented. In the absence of local oversight and effective command and control, there is no way to prevent community police from participating in cycles of violence and revenge.

While Lou Nuer youths and community police represent distinct arrangements, they both draw on and reflect the social and cultural norms for Lou Nuer youths in the community, as well as the chaotic security environment in Jonglei. In response to reports of atrocities committed against Nuer civilians in Juba in December 2013, thousands

of Nuer mobilized in support of the nearly 9,000 soldiers who had defected with Gen. Peter Gadet from the SPLA 8th Division. While the Lou Nuer youths have since returned to their homes, they continue to control large parts of Jonglei and remain ready to fight in response to attacks on the community.⁵⁴

As the political and military crisis unfolds, the issue of civilian disarmament is likely to resurface, particularly with reference to Nuer militias. Meanwhile, the community police programme is unlikely to move forward in any formal capacity, but the security gap remains. Thus, alternative security measures should be carefully considered, drawing on the experience of the previous disarmament campaigns. One option is to encourage the CPUs to report security incidents and human rights violations to auxiliary units and to authorities via satellite phone.

Upper Nile

Upper Nile state is predominantly Nuer, although it is also home to the Shilluk Kingdom, which includes Fashoda, Malakal, Manyo, and Panyikang counties. The past few years have witnessed intermittent rebel activity along the border with Sudan. During the civil war, the Shilluk community was split between Sudan and South Sudan, with several prominent Shilluk leaders in the SPLA, including Pagam Amun and Peter Adwok Nyaba. Lam Akol was also a leading member of the SPLA, but he joined Riek Machar during the 1991 split.⁵⁵ Lam Akol was reintegrated into the SPLM/A in October 2003 and served as minister of foreign affairs during the interim period between 2005 and 2007. In June 2009, he created his own opposition party, SPLM–Democratic Change (DC), and ran against Kiir in the April 2010 general elections. Lam Akol’s party fared well in Shilluk areas, but received only 7 per cent of the vote in South Sudan.⁵⁶

The success of the SPLM–DC in Shilluk areas was followed by a violent civilian disarmament campaign and widespread allegations of human rights abuses committed by predominantly Nuer and Dinka SPLA, specifically

targeting young Shilluk men (HRW, 2011). Underlying Shilluk support for the SPLM–DC has been an ongoing land dispute between the Shilluk and the Dinka over what the Shilluk refer to as the three ‘occupied areas’, one on the Eastern bank of the Nile across from Kodok, the county capital of Fashoda, and the other two areas south of Malakal.⁵⁷

In April 2013, Johnson Olony, a key commander in the rebel South Sudan Democratic Movement/Army (SSDM/A) and prominent Shilluk, was offered an amnesty deal by President Salva Kiir, along with five other rebel commanders, to end all existing insurgencies in South Sudan. Having initially rejected the deal, Olony accepted it in September after having been granted a pardon by the Shilluk king for the murder of a Shilluk chief. Olony and his men demobilized in Fashoda and, following the outbreak of fighting in Unity in December 2013, they helped the SPLA secure Fashoda county, engaging the same troops that terrorized Shilluk communities along the west bank of the Nile following the 2010 election.⁵⁸

While the acceptance of the April amnesty by Olony might have provided a basis for improved relations between the SPLA and the Shilluk community, tensions have again flared during the ongoing crisis, this time between the Nuer and the Shilluk. On 24 December 2013, forces loyal to Machar took control of Malakal. On 20 January, the SPLA recaptured the strategic state capital with support from Olony’s forces. Since then, there have been widespread allegations of pro-government forces exacting revenge on Nuer civilians in Malakal, as well as Nuer targeting Shilluk in retaliation for Olony’s support of government forces in surrounding areas. The confirmed presence of Uganda People’s Defence Forces in Upper Nile has added another layer of complexity to the full implementation of the cease-fire agreement.

Ultimately, tensions are unlikely to be resolved until the underlying land dispute has been successfully negotiated and communities along both sides



Armed Lou Nuer youth, Jonglei state, March 2013.
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ment Act, the main function of the king is to adjudicate civil disputes according to customary law. He also collects taxes from nomadic Sudanese tribes that graze their cattle on Shilluk land. The king's police, similar to the chief's police under the colonial administration, also protect the king and help to enforce his judicial decisions. The resilience of the traditional system, as well as the order and stability it provides, suggests that the king and other traditional authorities may continue to play an important role in service delivery and local administration.

Some 30 members of the king's police reside in the village of Fashoda. Additional king's police reside in each village where the king spends a significant amount of time. During interviews, members of the king's police claimed to have been issued a rifle by the local government, along with three magazines of ammunition in order to perform their official duties.⁶⁵ While they do not have a mandate to respond to security incidents, they argued that they would respond alongside the security forces in cases of attacks against the community, particularly those that threaten the life of the king.⁶⁴ In contrast, the SPLA commanders in Fashoda insisted that there was no cooperation between the king's police and the security forces. In fact, a main source of insecurity in the Shilluk Kingdom concerns tensions between the local community and the SPLA.

The commanders of the SPLA division in Fashoda stressed that they would not tolerate any harassment of the civilian population by their soldiers and that any abuses should be reported to them at once. They also argued that in the context of the counterinsurgency, questioning and detaining young Shilluk men was justified. The army commanders expressed concern over Shilluk support for the SSDM/A as well as the SPLM-DC's purported endorsement of Olony, which SPLM-DC leader Lam Akol has denied. These factors have negatively affected cooperation between the SPLA and the Shilluk in Fashoda.

of the Nile—Dinka, Nuer, and Shilluk—have reconciled.

The Shilluk Kingdom is ruled by the king (*reth*). The Local Government Act grants the king formal authority over local administration and civil disputes under customary law. He is primarily responsible for the internal affairs of the kingdom, although local administration at the county, payam, and boma levels is similar to that encountered across South Sudan. He is potentially the community's best advocate but, because he is expected to be neutral, his ability to press the Shilluk case with other parties is limited.⁵⁹ In order for him to fulfil his administrative duties, the king maintains his own personal police force—the king's police—which operates as an informal LSA under the Local Government Act.

The seat of the Shilluk Kingdom is in Fashoda county, on the western bank of the White Nile. Sources of insecurity include tensions with the SPLA and cross-border raids on livestock, food, and locally brewed alcohol.⁶⁰ Food security is a major issue for the Shilluk, who are known for their expertise in cultivation. Shilluk crops are vulnerable to local pests, including great flocks of small birds that decimate crops. Community leaders have requested state support to be able to address the problem, but there has been no response from the state government.⁶¹

For the Shilluk, the king remains a central figure in the daily life of the community. Most interviewed women, youths, and local officials suggested that local traditions had not changed much at all.⁶² Under the Local Govern-

While Amnesty International and Human Rights Watch have documented human rights abuses, the international presence in the area has been limited since early 2012 due to SPLA security restrictions. In March 2013, UN peacekeepers made some progress towards setting up a presence in Fashoda, but with the recent crisis these areas were cut off once again. As a result of escalating tensions between the Dinka, Nuer, and Shilluk in Upper Nile, there is an urgent need for independent human rights verification and monitoring. The SPLA's detention policies, and human rights training for soldiers, are in need of review. International support could be leveraged in this regard, particularly through the presence of UN peacekeepers in the Shilluk Kingdom.

Impunity for human rights violations and limited access to information on the security situation are issues of serious concern, particularly in light of the recent crisis. The Shilluk have been disarmed and the strong presence of SPLA in Fashoda has come with its own security challenges. Yet, the climate of political intimidation is palpable. Interviews with youths were conducted in the evenings in private homes of fear of discussing politics in public. The division commanders were hesitant to meet, even with a letter of introduction from SPLA headquarters in Juba.

Lam Akol recently returned to politics in Juba and the SPLM-DC remains an active political party. Yet, over the last four years, there have been numerous accounts of intimidation and harassment against SPLM-DC party members, which does not bode well for the future of a multiparty system in South Sudan.⁶⁵ In Fashoda, youths feel deeply politically marginalized, and the king is often powerless compared to government officials. In particular, the settlement of the land disputes, access to development funds, support for local agriculture, and accountability for human rights violations are beyond the traditional authority of the king, requiring high-level government engagement and political representation at both the state and the national level.

Discussion

LSAs are one local response to the security gap—the inability of official state security forces to respond to the security needs of civilians. Across Greater Upper Nile, official security forces do not have sufficient resources or manpower to respond to the full breadth of security needs. LSAs tend to reflect local power dynamics, including the militarization of ethnic identities, which, among other factors, has undermined the role of traditional authorities in South Sudan. They receive weapons and ammunition from illicit flows across the Horn of Africa, state and local government officials, and from the SPLA and police. Despite efforts to disarm the local population, unknown numbers of surrendered weapons have been rechannelled to the communities from which they were collected.⁶⁶

LSAs can be formal or informal, reflecting the type of support they receive from local government officials and security forces. In some instances, as in Unity state, they may even respond to insecurity alongside the police and SPLA. Prior to the recent violence, there had been widespread allegations circulating for months of SPLA soldiers providing weapons and ammunition to both Nuer and Murle youths in Jonglei state.⁶⁷ Cooperation is less likely—or officially denied—between the SPLA and LSAs such as the Shilluk king's police.

Tensions between state security forces and the communities they aim to protect present a major challenge to civilian disarmament efforts and security sector reform in South Sudan. Based on the research conducted for this report, LSAs are often identified by their communities as a source of security and protection. Analysts have pointed out that 'since these groups are motivated to protect their families and communities, they tend to be less predatory and to have higher morale than state security forces'.⁶⁸

Overall, the effect of LSAs on security is mixed. While armed youths participate in cattle raiding and revenge killings, they also provide protection to their communities. Efforts to simultaneously disarm and reconcile rival

communities have been undermined by a lack of coordination and cooperation between local government officials and traditional authorities, as well as a lack of political will to fully implement the Local Government Act at the national level. The prominence of LSAs in South Sudan speaks to the lack of clarity between security policy and practice, needs and capabilities, official and customary roles and responsibilities, not just of the youths, but also of soldiers, the police, and local government officials. The government may also be less willing to provide formal security to areas that are under LSA protection.

For international actors focused on security sector reform in South Sudan, LSAs present a unique set of challenges and opportunities. The violent and dramatic turn of events in South Sudan has revealed the limited success of government and donor efforts to build stable and effective state institutions for governance and security sector reform. The march towards modernity and democracy should be understood as a gradual process that could benefit from hybrid forms of power and authority. South Sudan is currently faced with a set of complex challenges over how to manage decentralization alongside local forms of power and authority. Issues such as impunity for human rights violations, the political marginalization of ethnic minorities, and illicit arms flows are not new. South Sudan should carefully review past experiences and the current state of its security apparatus as it endeavours to meet the challenges at hand.

Conclusions

Viewed against the historical backdrop of the civil war, as well as localized efforts to provide community security, the prevalence of LSAs in South Sudan is not surprising. The militarization of ethnic identities and the use of armed youths as auxiliary fighting forces have come to characterize how LSAs operate in South Sudan. Traditional and military leaders have found it increasingly difficult to control these armed youths.⁶⁹ The violence associated

with cattle raiding, in particular, has escalated dramatically since independence.⁷⁰ In some cases, the cattle camps have become a proxy for political rivalries in Juba—through the acquisition of land, cattle, and property by force.

LSAs in South Sudan may be understood as a local response to the security gap that threatens the very peace and stability independence sought to achieve. Widespread insecurity but, more specifically, the ability of state security forces to provide protection of civilians has surpassed the training, resources, and capabilities of the SPLA and SSNPS. In some cases, this has resulted in both formal and informal security arrangements between local government officials and traditional authorities, while in others it has manifested in the resurgence of armed youth groups that seek not only to protect their communities, but also to participate in cattle raiding and revenge attacks that fuel cycles of violence.

LSAs may possess a great deal of local legitimacy, but they may also undermine the state's monopoly on the use of force, blurring the line between soldier and civilian, protection and violence. Forced disarmament has exacerbated insecurity and has burdened traditional authorities and local government officials with competing pressures to abide by state directives to disarm their own communities on the one hand, and to respond to their security needs on the other. The trust deficit between communities and the security forces is substantial and must be addressed in order for meaningful civilian disarmament to take place.

This examination of the formation, arming, and activities of LSAs sheds light not only on current security dynamics, but also on related challenges, such as the protection of civilians, civilian disarmament, impunity for human rights violations, and standards for the management of weapons and ammunition stockpiles. On the political front, major issues include the full implementation of the Local Government Act and the broadening of the political process to include traditional authorities, youth leaders, women, and civil society organizations,

particularly in direct dialogue and negotiations between rival communities. Meeting these challenges will require high-level political will, strategic planning, and strong leadership at the national level. Such efforts would not only improve local governance, but would go a long way in addressing the root causes of the recent violence as well.

In light of the limited presence of state institutions in rural and remote areas, there are good arguments for the government to partner with traditional authorities, youth leaders, women's groups, and civil society organizations to improve service delivery, security, and rule of law. The Local Government Act provides a framework for cooperation, as well as a legal basis for customary law in the settlement of civil disputes. Yet the act has not received significant support at the national level, particularly among members of the educated elite in Juba, who envision a modern democratic state divorced from the traditional ways of the past. Aside from the challenges described in this Issue Brief, the long-term impact of LSAs on peace and security in South Sudan will depend largely on the political process that unfolds in the wake of the current crisis. ■

Notes

This Issue Brief was written by independent consultant Justine Fleischmer, based on fieldwork conducted in February–March 2013, and subsequent interviews and research undertaken in November 2013 and January 2014. The analysis draws heavily on interviews with dozens of senior government officials, members of the security forces, local government officials, chiefs and headmen, youths, women, and civil society leaders, as well as UN and NGO staff with relevant background and expertise.

- 1 Kulish (2014).
- 2 UNICEF estimates that 9,000 child soldiers are involved in the current conflict (Kushkush, 2014).
- 3 ICG (2014, p. 6); *Sudan Tribune* (2014).
- 4 VOA (2014).
- 5 The literature is rich, featuring case studies on LSAs in Afghanistan, Ghana, Mexico, and Sierra Leone. See Asfura-Heim and Espach (2013); BBC (2007); IRIN (1999; 2008); Jones and Muñoz (2010).

- 6 The role of traditional leaders in local administration, specifically the courts, was formalized under British colonial rule. See Leonardi et al. (2010, p. 17).
- 7 Hutchinson and Jok (1999, p. 128).
- 8 Executive authority to remove locally elected chiefs is contested, but routinely practised. Chiefs may be appointed or removed for any number of reasons. At the same time, there are no safeguards in place to protect locally elected chiefs' political autonomy or their ability to be effective advocates for their communities. See Deng (2013, p. 12).
- 9 Local authorities still have considerable accountability. A team of South Sudanese researchers found that 57 per cent of respondents in 2009 believed that local chiefs are primarily responsible for community security. See Lokuji, Abatneh, and Wani (2009).
- 10 Author interviews with traditional leaders and youths, Unity and Jonglei, February–March 2013. For a recent review of the SPLA's civilian disarmament activities, see Small Arms Survey (2012).
- 11 As of late June 2014 the ceasefire has been repeatedly violated.
- 12 UNHCR (n.d.).
- 13 Cattle raiding may be motivated by economic, political, or cultural factors. Youths may participate because they lack educational or economic opportunities, are expected to pay a high bride price, or wish to demonstrate fighting skills.
- 14 See, for example, Mc Evoy and LeBrun (2010) and Saferworld (2011).
- 15 Author interview with an NGO staff member who served with the military and had more than five years' work experience in South Sudan, Juba, March 2013.
- 16 Author interviews with senior state officials, Bentiu, Unity, March 2013.
- 17 Author interview with an SPLA commander, Mayom, Unity, March 2013.
- 18 Kuich (2013b).
- 19 King (2014).
- 20 Kuich (2013a).
- 21 *Sudan Tribune* (2013).
- 22 Author interview with an SPLA commander, Juba, South Sudan, March 2013.
- 23 Author interview with an NGO aid worker, Mayom, Unity, February 2013.
- 24 Author interview with a youth group, Urur, Jonglei, March 2013.
- 25 It is often assumed that chiefs and elders have effective command and control over armed youths, when, in fact, they do not. Chiefs serve primarily a judicial function, and thus may help negotiate the return of stolen cattle or retribution for lives lost, but they cannot call off a raid as a military commander might call off an attack.
- 26 Author interview with Unity state-level officials, Bentiu, Unity, March 2013.
- 27 GRSS (2009, s. 117).
- 28 Author interview with traditional leaders, Mayom, Unity, February 2013.

- 29 Author interview with a senior Unity official involved in civilian disarmament, Bentiu, Unity, March 2013.
- 30 For more background on the dynamics of armed militias in Greater Upper Nile, see Small Arms Survey (2012).
- 31 For specific accounts of human rights violations committed by security forces during disarmament events, see HRW (2013a) and AI (2012).
- 32 HRW (2013b).
- 33 ITWWFSS (2013).
- 34 Small Arms Survey (2012, pp. 1–5).
- 35 Author interview with a youth group, Uror, Jonglei, March 2013.
- 36 Hutchinson and Jok (1999, p. 134).
- 37 The precise number of weapons collected is disputed but is thought to be in the range of 3,000. See Small Arms Survey (2007, p. 4) and Young (2007, pp. 24–29).
- 38 Small Arms Survey (2012, p. 8).
- 39 Small Arms Survey (2012, p. 4).
- 40 Author interview with Lou Nuer community members, Uror, Jonglei, March 2013.
- 41 Author interview with a Lou Nuer youth, Uror, Jonglei, March 2013.
- 42 Jonglei (2013).
- 43 Jonglei (2013).
- 44 Author interview with a senior state-level official, Bor, Jonglei, March 2013.
- 45 Author interview with a county-level government official, Uror, Jonglei, March 2013.
- 46 Author interview with a youth group, Uror, Jonglei, March 2013.
- 47 Author interview with a women’s cooperative, Uror, Jonglei, March 2013.
- 48 Author interviews with youths and women, Uror, Jonglei, March 2013.
- 49 Author interview with state officials, Bor, Jonglei, March 2013.
- 50 Follow-up author interviews with local government officials in Uror confirmed that the community police have not yet received any training and, as a result, are not yet active. Author telephone interview with a local government official in Uror, Jonglei, November 2013.
- 51 Author interview with state officials, Bor, Jonglei, March 2013.
- 52 Author interview with UNMISS expert on security sector reform, Juba, March 2013.
- 53 Author interview with state officials, Bor, Jonglei, March 2013.
- 54 Author telephone interview with a local government official in Uror county, Jonglei, January 2014.
- 55 Small Arms Survey (2011).
- 56 *Sudan Tribune* (2010).
- 57 Author interview with Shilluk community members, Fashoda, Upper Nile, March 2013.
- 58 Leff and LeBrun (2014, p. 33).
- 59 Radio Tamazuj (2013).
- 60 Some villagers alleged that the SPLA was responsible for these raids, and not the rebels. The Small Arms Survey was not able to independently verify these claims.
- 61 Author interview with a local government official and Shilluk community members, Fashoda, Upper Nile, March 2013.
- 62 Author interview with Shilluk community members, Fashoda, Upper Nile, March 2013.
- 63 Author interview with members of the king’s police, Fashoda, Upper Nile, March 2013.
- 64 Author interview with members of the king’s police, Fashoda, Upper Nile, March 2013.
- 65 *Sudan Tribune* (2012).
- 66 Author interview with disarmament experts, Unity, March 2013.
- 67 These widespread allegations have come from NGO and UN observers, although they have not been independently documented or verified by the Small Arms Survey. See also HRW (2013b).
- 68 Asfura-Heim and Espach (2013).
- 69 Hutchinson and Jok (1999, p. 135); author interviews with traditional leaders and local government officials, South Sudan, February and March 2013.
- 70 Saferworld (2011).

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HSBA project summary

The Human Security Baseline Assessment (HSBA) for Sudan/South Sudan is a multi-year project administered by the Small Arms Survey. It was developed in cooperation with the Canadian government, the United Nations Mission in Sudan (UNMIS), the United Nations Development Programme (UNDP), and a wide array of international and Sudanese partners. Through the active generation and dissemination of timely, empirical research, the project supports violence reduction initiatives, including disarmament, demobilization, and reintegration programmes, incentive schemes for civilian arms collection, as well as security sector reform and arms control interventions across Sudan and South Sudan. The HSBA also offers policy-relevant advice on redressing insecurity.

Issue Briefs are designed to provide timely periodic snapshots of baseline information in a reader-friendly format. The HSBA also generates a series of longer and more detailed *Working Papers*. All publications are available in English and Arabic at www.smallarmssurveysudan.org. We also produce monthly 'Facts and Figures' reports on key security issues at <www.smallarmssurveysudan.org/facts-figures.php>.

The HSBA receives direct financial support from the US Department of State, the Ministry of Foreign Affairs of Denmark, and the Norwegian Ministry of Foreign Affairs, as well as the United States Institute of Peace. It has received support in the past from the Global Peace and Security Fund

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