

## Policing in South Sudan

### Transformation Challenges and Priorities

#### Introduction

Over the past three years, ongoing conflict in South Sudan has fundamentally reshaped donor engagement with the security sector. In the wake of the conflict that began in December 2013, major bilateral donor support was suspended to the security services, including the police. More recent efforts to support transitional security arrangements under the terms laid out in the Agreement on the Resolution of the Conflict in South Sudan (ARCSS), signed in August 2015, have been met with criticism in the face of persistent conflict and human rights abuses.<sup>1</sup>

Although the South Sudan National Police Service (SSNPS) is meant to serve as the lead agency for internal security, some operational responsibilities have fallen to competing security services and ethnically aligned militias. These include rival factions within the Sudan People's Liberation Army (SPLA) and the National Security Service (NSS). The SSNPS is among the weakest and most under-resourced security services in South Sudan.

Even before December 2013, donor efforts to support police transformation were fraught with challenges. While donors piloted a community-focused approach to police reform, the SSNPS essentially continued to operate as a paramilitary force.<sup>2</sup> Police recruits receive paramilitary training, use military ranks, and are legally mandated to support the SPLA by order of the president.<sup>3</sup> Interviews with police commanders suggest that the high number of militias integrated into the SSNPS after independence has also had a negative impact on overall command and control.<sup>4</sup> In addition, the economic crisis facing South Sudan has intensi-

fied predatory behaviour towards civilians in an environment that lacks accountability for human rights abuses.

In the absence of broader political and economic reforms, donor engagement with the police under the terms laid out in the ARCSS is unlikely to curb rampant insecurity and crime. Based on extensive in-depth interviews with the police leadership, rank-and-file SSNPS, donors, legal and security experts, and civil society groups, this Issue Brief reviews the state of the police in South Sudan in order to draw attention to shortcomings that may be addressed as part of ongoing donor engagement with the SSNPS.<sup>5</sup>

Key findings of this Issue Brief include:

- South Sudan lacks a culture of democratic policing. Police officers generally do not have a clear enough understanding of their mandate to distinguish themselves from the SPLA. Since the conflict erupted in 2013, high levels of insecurity throughout the country have reinforced a paramilitary style of policing.
- The SSNPS faces many of the same challenges as the SPLA, including low salaries and delayed payments, high levels of illiteracy, inadequate training on human rights, and a culture of impunity. The SSNPS has far less access to resources and essential equipment than the SPLA.
- In the absence of adequate oversight and accountability, some police officers form predatory relationships with the very communities they are charged to protect. There is little access to justice for victims of human rights violations, which has reinforced a culture of impunity.
- Cronyism and entrenched patronage networks undermine the overall effectiveness of the police force. In some cases, favouritism prevents promising junior officers from advancing while permitting militia members to be integrated into the SSNPS. As a result, it is even more difficult to professionalize the police force and to establish clear lines of command and control.
- The formation of the Joint Integrated Police (JIP), a transitional security arrangement required by the ARCSS, has proceeded without due transparency measures or consultations with communities or civil society groups. Moreover, it is unclear how opposition forces will participate in the JIP given the split within the Sudan People's Liberation Movement-in-Opposition (SPLM-IO).
- Donor efforts to implement the transitional security arrangements laid out in the peace agreement despite ongoing conflict in South Sudan are unlikely to succeed in the absence of renewed political negotiations and broader political and economic reforms.

#### Background

Police are a relatively recent introduction in South Sudan. After Sudan achieved independence in 1956, few southerners were accepted into the police training college in Khartoum.<sup>6</sup> It was not until after the signing of the Addis Ababa Agreement, which ended the first Sudanese civil war (1955–72), that a police force was created for the Southern Sudan Autonomous Region. The first regional police commissioner,

Ruben Mach, a Dinka Bor from Jonglei state, commanded approximately 6,000 men. Between 1972 and 1983, the number of southern officers who graduated from the police training college in Khartoum rose slowly. Many of these officers would later join the SPLA; they currently form the officer core of the SSNPS. They are commonly referred to as 'police by profession' to distinguish them from officers who were drawn from the SPLA and lacked prior policing experience.

At the start of the second Sudanese civil war (1983–2005), many southern police joined the SPLA. Those who did not were either transferred to the north or they served in the southern garrison towns that were controlled by the Sudan Armed Forces. In SPLA-controlled areas, military commanders took on all administrative, political, and judicial functions. The civil war not only eroded traditional authority but also established the authority of the SPLA.

There was practically no police force to speak of during the second civil war era; the SPLA enforced everyday security. The police who had received training in Khartoum prior to the war were taught the laws and procedures of Sudan, which are understood and interpreted through the lens of sharia law. For police business in South Sudan, Arabic was—and remains—the predominant language.<sup>7</sup>

During the six-month transition period following the signing of the Comprehensive Peace Agreement in 2005, the Southern Sudan Police Service (SSPS) was formed. Senior SPLA officers—including professional police trained in Khartoum—were assigned to the SSPS and other security services and were able to retain their military ranks. In addition, some of the militia members who had been integrated into the SPLA, including those who had previously fought against the SPLA during the civil war, were transferred into the police service. According to numerous senior police officers, the initial training for those who were reassigned to the police force was military in nature and insufficient to establish an operational police force.<sup>8</sup> As a result, the police functioned as an auxiliary service to the SPLA. Command and control structures from the SPLA

were never fully dismantled, which led 'police' officers to remain loyal to their individual military commanders, often along ethnic lines.

In 2009, the Southern Sudan Police Service Act came into force. It was the first dedicated legislation to outline the mandate, structure, and authority of the SSPS. It instituted a hierarchy from the president to the minister of interior to the inspector general of police (IGP) and established the president as the supreme commander of the SSPS. It also gave the president the power to appoint both the IGP and the deputy IGP (DIGP). The Police Act formalized the ability of the SSPS to merge with the SPLA in response to internal and external security threats.<sup>9</sup>

The Act is also the source of some confusion, as it allows for individual community members to serve as 'community police' so as to 'help the Police Service in the performance of its functions and duties and to mobilize the people for the preservation of law and order'.<sup>10</sup> Such a status for community police, or militias, tends to further blur the line between soldiers, police officers, and civilians.

By 2010, the size of the SSPS had reportedly reached 33,000: some 3,000 each for the ten states and another 3,000 at Buluk police headquarters and the ministry of interior in Juba. In preparation for the 2011 referendum on southern self-determination, the SSPS requested and received authorization to recruit additional police. The number of new recruits is widely disputed but lies somewhere between 6,000 and 12,000 for the period 2011–13. At least 6,000 were recruited to be trained at Rajaf, a new unified police training centre on the barren outskirts of Juba, set back from the banks of the Nile (see Box 1).

For the referendum, the police were able to capitalize on an outpouring of unity and public support to mobilize volunteers to help ensure security at the polling stations.<sup>11</sup> Nevertheless, it is unclear how the SSPS would have fared under more volatile security conditions. It is also unclear to what extent security incidents were reported and responded to by the SSPS.<sup>12</sup>

By 2013, the size of the police payroll had swelled to more than 50,000. An audit by UNPOL and the UN

#### Box 1 The 2010–11 Rajaf police training scandal

In December 2010, a journalist visiting Rajaf police training centre with a team from the UN Development Programme uncovered evidence of human rights abuses at the training centre, including reports of sexual violence against female recruits.<sup>13</sup>

When the scandal broke, a number of key donors—including the United Kingdom and the United States—immediately suspended their support.<sup>14</sup> In response, the UN launched an investigation into why the United Nations Police (UNPOL) at the training centre had not reported the abuse. President Salva Kiir also appointed an investigative committee, whose inquiry resulted in the removal of the top leadership of the SSPS, including the IGP and the DIGP. The trainers responsible for the abuse were never publicly held accountable but were reportedly transferred to other units within the police or the SPLA.<sup>15</sup>

In interviews conducted for this research, former police officials and recruits who were present at the training centre confirmed the reports of abuse and sexual violence. One eyewitness recounted how some recruits who could not swim were forced to enter and stay in the Nile until they drowned. Recruits were also made to climb the mountain outside of the training camp while carrying heavy stones. Moreover, they reportedly suffered from poor sanitation and hygiene standards, inadequate medical facilities, and a lack of access to clean drinking water, all of which may have been factors leading to the death of recruits. The former IGP reportedly embezzled funds earmarked for building facilities at Rajaf, according to other police officials involved in training and procurement at the time, although the Small Arms Survey could not independently verify these claims.<sup>16</sup>

Despite the scandal, Rajaf was modernized with donor support in 2013 and remains the primary intake centre for new police recruits outside of Juba.<sup>17</sup> Donors built new dormitories, classrooms, a computer lab, and other facilities. The UN had also started work on the road between Rajaf and Juba to allow professors to travel from the University of Juba for academic courses on law and human rights.

Donor support was once again suspended in December 2013, due to the outbreak of conflict. Rajaf has recently become a cantonment site for SPLA-in-Opposition (SPLA-IO) police and functions as the primary site for JIP training.

Development Programme revealed nearly 16,000 ghost names on the police payroll and brought the number of active-duty SSNPS down to just over 35,000.<sup>18</sup> While that number is also disputed due to some irregularities in the screening and registration process, particularly in rural and remote areas, the current conflict has led to widespread defections and new recruitment, which have probably skewed the police payroll.

## SPLA-SSNPS relations

While the SPLA receives the bulk of state resources and is widely perceived as the liberator of South Sudan, there is no similar historical narrative around the role of the SSNPS. The relationship between the SSNPS and the SPLA is primarily defined by the subservience of the former to the latter. The SSNPS receives far less funding than the SPLA and is thus operationally disadvantaged, with more limited access to vehicles, radio communications, and weapons and ammunition.<sup>19</sup> As a result, some police cannot perform their duties without the assistance of the SPLA.

The relationship between the SPLA and the SSNPS is also marred by conflicting mandates and areas of responsibility. Consequently, the SPLA, along with the NSS, has taken over certain policing roles and responsibilities. In Juba, for instance, there is a heavy SPLA presence, in addition to that of the NSS and SSNPS. One former senior police officer interviewed noted that the harmonization of roles and responsibilities was among the most pressing needs facing the security services.<sup>20</sup>

In fact, as part of its increased role in policing Juba, the NSS has grown in size and strength over the course of the current conflict. This growth is not surprising in light of the terms laid out in the peace agreement, which limits the number of uniformed personnel in Juba.<sup>21</sup> Competition between the security services in Juba has thus been exacerbated and, as some observers suggest, the security situation has deteriorated.<sup>22</sup>

In rural and remote areas, the relationship between the SSNPS and the SPLA is less adversarial, although still challenging, given diverse security threats facing local communities. In many rural areas, the main challenges

facing the police are logistical: a lack of cars, poor or non-existent radio communication, and a lack of weapons and ammunition. Partly because of these constraints, police in rural areas sometimes respond alongside the SPLA and local security arrangements (LSAs) composed of community members and armed local youths.<sup>23</sup> This is especially true wherever armed conflict and cattle raiding threaten local communities.

## Force composition

Information about SSNPS force composition and structure—as provided by interviewees and planning documents prepared in 2013—is difficult to corroborate. Data on salaries is also difficult to verify, especially in light of the large discrepancies between official, published salaries and those reported by interviewed members of the police. It is clear, however, that the police force has grown continuously since 2011, mainly due to the integration of militias and new recruits. While an unknown number of militia members have been integrated into the SSNPS, one senior police officer suggested that they could account for nearly half the police force, although this claim cannot be independently verified and has been contested by other senior police sources.

According to interviews with police officers and SPLA-IO officials, up to one-third of the police force in the Greater Upper Nile region may have defected after the conflict began in 2013.<sup>24</sup> In response to defections across all of the organized forces, the SPLA undertook an aggressive recruitment campaign, focused mainly on the Greater Bahr el Ghazal region.<sup>25</sup> The vast majority of the new recruits from this region were Dinka, fuelling the potential for ethnic divisions within the security services in South Sudan. Their numbers have not been reported and remain unknown.

## Leadership structure at the national and local levels

SSNPS operations are led by the IGP, who is appointed by the president, along with the DIGP, as noted above. Under the IGP and the DIGP, six assistant IGPs are in charge of training,

operations, administration, logistics, traffic, and the Criminal Investigations Division (CID). Two directors general oversee customs and immigration.<sup>26</sup> The SSNPS leadership sits in Juba at multiple sites, including at the ministry of interior and at Buluk police headquarters.

At the state level, the highest police authority is the state police commissioner. The county chief inspector of police, the local *payam* (district) police inspector, and the *boma* (village) police-officer-in-charge hold administrative and operational authority at the local level. These officers have direct interactions with local communities and very little communication with the police leadership in Juba. At the local level, there may not be a strong police presence and communities may continue to rely on the SPLA and LSAs for security and protection.<sup>27</sup> The inability of the police to access vehicles and communications equipment has also hampered their ability to meet the needs of the rural communities they are charged to protect. The security needs of communities thus remain largely unmet by the police.

Community members in a remote part of Mayom county, Unity state, reported that there had been no police presence for weeks or months at a time. The county chief inspector of police, who echoed their assessment, explained that he kept his forces with him at county headquarters to ensure they would not 'cause problems' with the local community.<sup>28</sup>

While the Police Service Act sets out a centralized police command structure,<sup>29</sup> the reality on the ground in South Sudan is quite different. Power and authority tend to be highly decentralized and logistical challenges make it difficult to deploy a police presence in rural areas.

## Key challenges for police transformation

### Economic hardship, illiteracy, and impunity

The SSNPS suffers from many of the same setbacks and challenges as the SPLA, including low salaries and delayed payments, high levels of



illiteracy, and impunity for human rights abuses.

As noted above, the police are particularly under-resourced; their limited access to equipment and vehicles regularly hampers their capacity to perform their duties. Ongoing conflict has exacerbated many of these challenges and has had consequences for the mental health of police officers (see Box 2). Complicating matters further is the growing economic crisis facing South Sudan; booming inflation rates have stymied government spending, leading to the non-payment of salaries for months at a time. In 2016, SSNPS salaries were raised for the entire police force and then again for the rank and file, but these adjustments have not kept up with inflation.

High levels of illiteracy also prevent the police force from fulfilling its mandate. Illiteracy limits the ability of police to file reports and understand the rule of law. One review of the SSNPS revealed that only 48 per cent of the force is literate in either English or Arabic. Police commanders interviewed suggested that up to 80 per cent of the police force may be functionally illiterate. As many of the experienced detectives were trained in Khartoum, they are only literate in Arabic. Out of

1,000 CID detectives passing through the screening process in 2013, only around 400 passed literacy standards for advanced police training.<sup>30</sup>

Impunity for human rights violations and predatory behaviour towards civilians has also contributed to insecurity and crime. In this context, attempts to curb the phenomenon of ‘unknown gunmen’ in Juba have been widely unsuccessful. Civil society groups suggest that members of the security forces may be the primary perpetrators of these attacks.<sup>31</sup> There is little recourse for victims of human rights abuses, arbitrary detention, and criminality, which has reinforced a culture of impunity in South Sudan.

Efforts to hold police accountable for misconduct remain opaque, and no related information has been made public. After the December 2013 conflict began, then IGP Pieng Deng Kuol commissioned an investigation into the alleged involvement of police in the extrajudicial killings of Nuer civilians in Juba.<sup>32</sup> The IGP delivered the report to the office of the president;<sup>33</sup> it has not been made public, nor has any public disciplinary action been taken based on its findings. President Kiir dismissed Pieng Deng Kuol in January 2016.<sup>34</sup>

## Cronyism and entrenched patronage networks

The already sensitive dynamics of ethnic diversity in South Sudan have become even more deeply politicized as a result of the conflict that erupted in December 2013. As mentioned above, there were large-scale defections among the police in the Greater Upper Nile region the month the fighting broke out. As a consequence, the government launched new recruitment campaigns, focusing mainly on the Greater Bahr el Ghazal region, the power base of government loyalists and their patronage networks.<sup>41</sup> Some young police officers interviewed for this study suggested that cronyism plays a significant role in promotions and the allocation of sought-after assignments, such as attending regional security meetings and summits.<sup>42</sup>

## Strategic planning documents and new leadership

Between 2011 and 2013, donors provided the SSNPS leadership with support and technical assistance to undertake a strategic review and assessment of police transformation priorities and objectives. A string of documents emerged from these efforts, including the 2013 Comprehensive Institutional Needs Assessment (CINA), the 2013–18 Strategic Plan, and the 2013–14 Annual Plan.<sup>43</sup> The recommendations in these documents were never implemented, however, and the individuals who championed them are no longer in power. The CINA, for instance, has been referred to as an ‘aspirational’ document that did not take into consideration the resources available for police transformation.<sup>44</sup> As a result, the CINA placed multiple demands on donors that could not possibly be met.

It is unclear if any of the strategy documents devised in 2011–13 may still be relevant. In fact, when the ministry of interior was handed over to the SPLA–IO in April 2016, all relevant documents were removed from the offices, including procurement contracts and other financial records. Alfred Ladu Gore, the former SPLM–IO-appointed minister of interior, was forced to issue a ministerial order halting payment on all outstanding

### Box 2 Alcohol consumption and PTSD

Alcohol is widely available in South Sudan and, according to police commanders and civil society advocates, excessive consumption is commonplace among the security services, including uniformed rank-and-file police. While offenders may be subject to disciplinary action, there is very little awareness about alcoholism or how it may mask issues such as post-traumatic stress disorder (PTSD) or depression; one police officer simply noted that ‘alcohol removes stress’.<sup>35</sup> Civilians and civil society advocates suggest that intoxicated police are more likely to endanger public safety and engage in predatory behaviour towards civilians. But in a country where mental health services are poor to non-existent, alcohol remains a cheap analgesic. One civil society advocate commented that ‘alcohol is like food’, pointing out that it can be less expensive than bottled water.<sup>36</sup>

A number of police commanders interviewed openly acknowledged the impact that war and related psychological trauma have had on the force.<sup>37</sup> One commander observed that there were simply no services available to treat PTSD; if there were, he noted, the majority of his force would probably qualify. Despite this acknowledgment, social stigmas remain powerful disincentives to seeking treatment for mental health conditions, particularly within the security forces.

One survey carried out in Juba in 2009 revealed that 36 per cent of the 1,242 civilian adults surveyed met criteria for PTSD, and 50 per cent met criteria for depression.<sup>38</sup> A 2015 survey conducted by the United Nations Development Programme and the South Sudan Law Society across six states and the disputed territory of Abyei found that 41 per cent of 1,525 respondents met criteria for PTSD. At the protection of civilians site in Malakal, the rate was 53 per cent.<sup>39</sup> These issues are examined in a recent report by Amnesty International.<sup>40</sup> These studies all focus on civilians, yet it should be noted that members of the security forces are routinely exposed to the brunt of armed conflict, including human rights abuses, which they both experience and perpetrate.

contracts after he found all of the corresponding paperwork missing. The strategy documents outlined above had also been removed from the minister's offices.<sup>45</sup>

## The ARCSS and police transformation

### Political will to transform the police force

The future of the implementation of the ARCSS and the transitional security arrangements it contains remains uncertain. Despite donor efforts to support the implementation, fighting continues across much of South Sudan.

Deep mistrust among the security forces and the political split within the SPLM-IO have undermined prospects for the demilitarization of Juba. Ongoing political instability and insecurity have also delayed the formation of the JIP units. The demilitarization of Juba is now unlikely to take place, even if the JIP units are deployed.

### Strategic and operational control over the JIP units

While the ARCSS is rather vague with regard to police reform, it clearly mandates the establishment of the JIP units. The JIP programme has two stated objectives: 1) to build confidence between the forces on both sides, and 2) to build trust between police and communities. The units are to bring government and opposition police personnel together for intensive training before they deploy to protect communities. The parties to the ARCSS agreed, as part of the agreement's ceasefire and transitional security arrangements, to deploy 4,500 officers in the JIP units. That total comprises 3,000 for Juba and another 500 each for Bentiu, Bor, and Malakal.

The forces originally assigned to the JIP units were jointly identified by the government and the opposition prior to the fighting in July 2016. Information on the selection criteria is not readily available, however, and it is not clear to what extent police from the opposition remained in Juba for JIP training after the July split in the SPLM-IO.

In addition to concerns involving the meaningful participation of the opposition, there are a host of other uncertainties regarding the JIP units. Since the peace agreement is somewhat vague on issues of operational control, the Joint Monitoring and Evaluation Commission, tasked with overseeing the implementation of the peace agreement, has made some suggestions for improving operational transparency and accountability, and for mitigating the potential for conflict within the police force. These recommendations have the JIP units reporting not only to the minister of interior and the IGP, but also to the Joint Management Team and the Joint Operations Centre. The latter includes representatives from the security forces on both sides, as well as international monitors from the Ceasefire and Transitional Security Arrangements Monitoring Mechanism. In theory, the Joint Operations Centre would be tasked with preventing conflict between opposing forces deployed in Juba.<sup>46</sup>

Given the split within the SPLM-IO, it is now unclear to what extent such measures are still necessary and whether the opposition leadership in the government will still demand separate lines of command and control.

## UNPOL policing and donor support

While the international community attempts to salvage the ARCSS, the UN Mission in the Republic of South Sudan (UNMISS) and UNPOL continue to take responsibility for the protection of nearly 2 million internally displaced persons (IDPs) on UN bases in Bentiu, Bor, Juba, Malakal, and other locations.<sup>47</sup>

### UNPOL

Police reform is a relatively new area for the UN Department of Peacekeeping Operations (DPKO). Prior to the release of the Brahimi Report in 2000,<sup>48</sup> UNPOL was under the same line management as military peacekeepers.<sup>49</sup>

A recent report by the International Peace Institute notes that UN support for police reform faces three significant hurdles: 1) finding enough of the right

expertise, 2) advancing democratic principles, and 3) maintaining quality in the selection of recruits.<sup>50</sup> Other challenges include: retaining institutional memory and both the trust and respect of local counterparts despite frequent rotations of personnel; developing intelligence-led policing; dispelling the notion that police are substitutes for troops in unstable settings; and ensuring discipline within UNPOL ranks.<sup>51</sup>

Currently, the top ten police-contributing countries to the UN are (in descending order): Bangladesh, Jordan, India, Senegal, Nepal, Pakistan, Nigeria, Rwanda, Egypt, and Burkina Faso.<sup>52</sup> Each of these countries has its own policing standards and procedures, and these may differ from those of the UN or a particular UN mission.

After the conflict began in December 2013, the UNMISS mandate was revised to focus almost exclusively on the protection of civilians. The UN Security Council has authorized up to 2,001 police personnel, including individual police officers and formed police units (FPUs).<sup>53</sup> The latest renewal of the UNMISS mandate allows the mission to support the SSNPS in general, and the JIP specifically, while UNPOL leads the training for the JIP units.<sup>54</sup>

The individual UNPOL officers are primarily responsible for policing the protection sites, interacting with community leaders and victims of crimes, and calling on the FPUs to intervene in situations that have become violent. The FPUs have the authority to detain suspected individuals or use force, if necessary. Individuals detained for violent or major crimes may be held without due process as the UN has no judicial authority and, in some cases, is unable to hand over suspected criminals for prosecution by the national legal system due to human rights concerns. For minor crimes, the Informal Mitigation and Dispute Resolution Mechanism allows communities to apply traditional dispute resolution practices in IDP camps.<sup>55</sup>

Other security threats include intercommunal violence and political protests or riots, which can quickly spiral out of control. UNMISS conducts random weapons searches but is unable to prevent soldiers in civilian clothing from entering the POC sites from time to time.<sup>56</sup>



SSNPS immigration officers graduate in a ceremony at Juba Stadium, 21 May 2013. © UN Photo/Isaac Billy

## Bilateral donor support

After the scandal at Rajaf, the SSNPS lost significant financial support from donors (see Box 1). The UK has been at the forefront of donor efforts to develop a community policing strategy in South Sudan and has encouraged dialogue with the SSNPS on gender-based violence and other community issues. The country has also worked to improve communications, coordination, and cooperation among donors, the SSNPS, and UNPOL. In 2014, the UK seconded four senior British police officers to UNPOL to assist with the strategic implementation of a community policing pilot programme, as well as to support overall police reforms. These efforts were focused on aligning donor support and resources by helping UNPOL, which provided direct assistance to SSNPS counterparts through advisers and mentors.<sup>57</sup>

Just before fighting began in December 2013, the United States was about to begin a phased approach at Rajaf. US support was coordinated primarily through the Department of State's Bureau of International Narcotics and Law Enforcement Affairs.<sup>58</sup> Globally, US support for police reform is generally linked to specific foreign policy objectives, including reducing the threat posed by transnational terrorism and crime; the assistance is focused on training and assistance for projects that are 'small, tactical, and winnable'.<sup>59</sup> Prior to the conflict, the United States was invested in a number of public safety

and security initiatives that involved the police, including a road safety project along the Juba–Nimule highway and support for specialized units in the police, including the livestock protection unit and the diplomatic protection unit. US police officers were also deployed as part of the peacekeeping mission and were instrumental in coordinating bilateral and multilateral assistance to the police.<sup>60</sup>

## Democratic policing?

UK, US, and UN support to the police has been broadly based on the doctrine of 'democratic policing', a concept that was first outlined by the UN's International Police Task Force with reference to Bosnia and Herzegovina in 1996.<sup>61</sup> Democratic policing has been defined as the purview of a police force that is subject to the rule of law, publicly accountable, and only able to intervene in the lives of people in limited and controlled ways.<sup>62</sup> Simply put, democratic policing is based on the rule of law and respect for human rights.<sup>63</sup> In contrast, 'regime policing' serves to maintain the regime in power and is characterized by impunity for human rights violations.<sup>64</sup>

In promoting democratic policing, the UN places an emphasis on democratic principles and the rule of law.<sup>65</sup> Indeed, support for the rule of law and police reform are two sides of the same coin. One of the main challenges for the police is to perform their duties in a

manner consistent with South Sudan's civil and criminal codes, including gathering intelligence and evidence necessary to hold individuals to account and prevent crime. Within a democratic policing framework, 'community policing' has emerged as an important modality for supporting and promoting interactions between police and the communities they serve.

While the SSNPS leadership had agreed to roll out a community policing pilot project prior to the December 2013 conflict, donors introduced superficial liaison structures between communities and the police—in the absence of cultural shifts that would be necessary for a genuine transition towards a democratic police force. In view of the conflict and allegations of human rights abuses, serious concerns also linger over donor support for the JIP units. In addition, the term 'community policing' has been misused in order to gain donor support for projects that may not actually address the core challenges related to police recruitment, training, salaries, and logistics.

In some contexts, calls for 'community policing' have been used to justify the arming of community defence forces that may operate without adequate oversight or accountability. One example is the community police project that was launched in Jonglei prior to the conflict that erupted in 2013.<sup>66</sup> The project essentially allowed for a certain number of youths to be armed by local government officials to protect the community. In the absence of broader reforms that strengthen the rule of law and create consequences for predatory behaviour towards civilians, it will remain difficult for the police force to adopt a culture of democratic policing.

Furthermore, conversations with civil society groups suggest there have been limited formal consultation or engagement with donors and the police leadership on efforts to improve public safety and security.<sup>67</sup> Donor efforts to support the JIP units and consultations with the police leadership under the terms of the peace agreement have not translated into inclusive or transparent conversations with high-risk communities, such as IDPs, or other community groups.<sup>68</sup> It



remains difficult for individuals to file complaints against officers or to seek redress for human rights violations. Thus cooperation and information sharing between the police and the communities they claim to protect—the very principle on which the concept of community policing is based—remains institutionally absent. In the short term, it may be better to avoid use of the term entirely.

## Conclusion

Ongoing conflict in South Sudan has hamstrung efforts to transform the police from a paramilitary force into a civilian police force. The conflict itself has re-entrenched the primacy of the SPLA and the role of the SSNPS as an auxiliary force. The most pressing challenges facing the police include low salaries and delayed payments, limited access to equipment and logistics for patrolling, and inadequate training to perform law enforcement duties. Impunity for human rights violations and inadequate command and control have in some instances reinforced predatory relationships between the police and the communities they are charged to protect.

As the bulk of state resources continues to be allocated to the SPLA, the government needs to clarify the roles and responsibilities of the police vis-à-vis the SPLA and NSS. Joint patrols currently deployed in Juba may improve security in the short term, but they further complicate the mandate of the police to provide internal security based on the rule of law and respect for human rights. In the short term, the SPLA will continue to assume the work of the police without adequate training to perform in a civilian context.

At the end of the day, police transformation cannot take place in the absence of broader political and economic reforms necessary to prevent the police from being used as a tool of repression and intimidation, and to ensure that the police are able to effectively curb insecurity and crime. To be effective, police transformation will require political will at the highest level to redefine the way security is provided to the people of South Sudan. ■

## Notes

- 1 AU (2014); UNSC (2016a; 2016b).
- 2 A police trainer suggested that the job of the police was to support the SPLA (author interview with an SSNPS trainer, Rajaf police training centre, Juba, November 2013).
- 3 GRSS (2009, para. 14).
- 4 Author interviews with police officers, Juba, November 2013.
- 5 This Issue Brief is focused on the SSNPS leadership and rank-and-file police tasked with addressing insecurity and crime. It does not cover the specialized directorates charged with customs enforcement, immigration, or passport issuance.
- 6 This section is informed by author interviews with South Sudanese police officials, including senior police officers in Juba, November 2013.
- 7 The use of Arabic remains predominant in everyday police business, from taking reports and filling out forms, to filing court cases. In South Sudan, Arabic is still more widely used and more accessible than English. In rural areas, however, other local languages are also used.
- 8 Author interviews with senior police officers, Juba, November 2013.
- 9 GRSS (2009, para. 14).
- 10 GRSS (2009, para. 15).
- 11 Author interview with a former SSNPS officer, Juba, November 2013.
- 12 The SPLA played a key support role in managing security for the referendum, as it had done during the 2008 population census and household survey and the 2010 general elections.
- 13 See Kron (2011).
- 14 Author interview with a Western diplomat, New York, March 2014.
- 15 Author interview with a former UNPOL member, Juba, November 2013.
- 16 Author interview with a senior police officer, Juba, November 2013.
- 17 Author interviews with police recruits and trainers, as well as UNPOL officers from Uganda and Rwanda, Rajaf police training centre, Juba, February 2013.
- 18 Author interview with a former SSNPS officer, Juba, June 2016.
- 19 In June 2012, the Small Arms Survey documented a container of rifles that the government had provided to the police in Bor, the capital of Jonglei state, South Sudan. Most of these weapons had been collected from civilians as part of the civilian disarmament campaign and were unserviceable.
- 20 Author interview with a former senior police officer, Juba, March 2016.
- 21 Under the terms of the peace agreement, the government received control of the ministries of defence and national security, while the SPLM-IO received the ministry of interior.
- 22 Author interview with a former senior police officer, Juba, March 2016.
- 23 Fleischner (2014).
- 24 In Bentiu, Bor, and Malakal, up to 15,000 SSNPS may have defected (online author interview with an SSNPS commander in New York, March 2014, and author interview with an SPLA-IO official, Juba, May 2016).
- 25 Online author interviews with security experts in Juba and New York, February–March 2014. See also Atit (2014).
- 26 As noted above, these two directorates are not specifically reviewed as part of this Issue Brief.
- 27 See Fleischner (2014).
- 28 Author interviews with local police and community members, Mayom county, Unity state, February 2013.
- 29 GRSS (2009, art. 21).
- 30 Author interview with an international adviser involved in police reform, Juba, November 2013.
- 31 Author interview with a civil society leader, Juba, April 2015.
- 32 HRW (2014).
- 33 Author interview with Pieng Deng Kuol, Juba, April 2015.
- 34 Radio Tamazuj (2016a).
- 35 Author interview with a police officer, Juba, December 2016.
- 36 Author interview with a civil society advocate, Juba, November 2013.
- 37 Author interviews with police commanders, Juba, November 2013.
- 38 Roberts et al. (2009).
- 39 Deng et al. (2015).
- 40 AI (2016).
- 41 The trend of ethnic-based recruitment has reportedly continued, although it is difficult to verify. See Radio Tamazuj (2016b).
- 42 Author interviews with police officers, Juba, June 2016.
- 43 SSNPS (2012; 2013a; 2013b).
- 44 Author interview with a legal expert, Juba, November 2013.
- 45 Author interviews with security and legal experts, Juba, November 2013.
- 46 These recommendations are contained in a proposal to the Joint Monitoring and Evaluation Commission that was reviewed by the author.
- 47 OCHA (n.d.).
- 48 One of the key findings of the report was that in the absence of a standing army or police force, UN peacekeeping is ad hoc and at the will of member states (UNSC, 2000).
- 49 Durch and Ker (2013, p. 10).
- 50 Durch and Ker (2013, p. 3).
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- 53 Author interview with an UNPOL officer, Juba, November 2013.
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- 55 Author interview with an UNPOL officer, Juba, April 2015.
- 56 Author interview with a UN staff member, Bentiu, April 2015.
- 57 Author interview with a Western donor, Juba, November 2013.
- 58 Saulino (2011). For a more in-depth analysis of US police assistance, see Downie and Cooke (2013).
- 59 Author interview with a Western donor, Juba, November 2013.
- 60 Author interview with a Western donor, Juba, November 2013.
- 61 Durch and Ker (2013, p. 20); IPTF (1996).
- 62 Marx (2001).
- 63 See DCAF (2009, pp. 13).
- 64 For more on the principles of democratic policing, see DCAF (2009). See also Marx (2001).

- 65 See OSCE (2008).  
 66 See Fleischner (2014, pp. 5–7).  
 67 Author interviews with representatives of community security and civil society organizations, Juba, November 2013 and December 2016.  
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## HSBA project summary

The Human Security Baseline Assessment (HSBA) for Sudan and South Sudan is a multi-year project administered by the Small Arms Survey, a global centre of excellence located at the Graduate Institute of International and Development Studies in Geneva, Switzerland. It was developed in cooperation with the Canadian government, the United Nations Mission in Sudan, the United Nations Development Programme, 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, and 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](http://www.smallarmssurveysudan.org). 'Facts and Figures' reports on key security issues can be accessed at [www.smallarmssurveysudan.org/facts-figures.php](http://www.smallarmssurveysudan.org/facts-figures.php).

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## Credits

*Series editor:* Emile LeBrun  
 ([emile.lebrun@smallarmssurvey.org](mailto:emile.lebrun@smallarmssurvey.org))

*Copy-editor:* Tania Inowlocki

*Additional editing:* Matt Johnson

*Proofreader:* Donald Strachan

*Design and layout:* Rick Jones ([rick@studioexile.com](mailto:rick@studioexile.com))

## Contact details

For more information or to provide feedback, please contact Khristopher Carlson, HSBA Project Coordinator, at [khristopher.carlson@smallarmssurvey.org](mailto:khristopher.carlson@smallarmssurvey.org)

Sudan Human Security Baseline Assessment  
 Small Arms Survey  
 Maison de la Paix  
 Chemin Eugène-Rigot 2E  
 1202 Geneva, Switzerland

t +41 22 908 5777 f +41 22 732 2738

