

Shots in the Dark: The 2008 South Sudan Civilian Disarmament Campaign

By Adam O'Brien



HM Government



NORWEGIAN MINISTRY
OF FOREIGN AFFAIRS

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Note on the maps

County lines have been revised in the aftermath of the Comprehensive Peace Agreement (CPA). Unfortunately, cartographic data are not yet available to allow the new counties to be accurately mapped in this report.

About the author

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Abstract

In an effort to consolidate its authority, eliminate rival bases of power, and reduce inter-tribal violence, the president of the Government of South Sudan (GoSS) authorized the Sudan People's Liberation Army (SPLA) and state authorities to conduct a six-month civilian disarmament campaign across South Sudan from June through the end of November 2008. The campaign followed previous local ad hoc civilian disarmament initiatives in Lakes and Jonglei States in 2006 and elsewhere before that. This *Working Paper* reviews the implementation of the 2008 civilian disarmament campaign, with a special focus on three states: Lakes, Western Equatoria, and Unity. Each of these states presents a different set of security concerns and dynamics. The *Working Paper* finds that disarmament was generally poorly planned and sporadically implemented in the three states reviewed, and had a minimal impact on security. The number of weapons collected is probably a small fraction of the total holdings in each of the affected communities. Most crucially, the decision-making process that led to the campaign, as well as its implementation, highlights concerns about GoSS governance and the ongoing need for reform within the SPLA.

Acronyms and abbreviations

| | |
|---------------|--|
| CAR | Central African Republic |
| CPA | Comprehensive Peace Agreement |
| CSSAC | Community Security and Small Arms Control |
| DDR | disarmament, demobilization, and reintegration |
| DRC | Democratic Republic of the Congo |
| FAPC | Forces armées du peuple congolais |
| GoSS | Government of South Sudan |
| GoU | Government of Uganda |
| IDP | internally displaced person |
| JIU | Joint Integrated Unit |
| LRA | Lord's Resistance Army |
| NCP | National Congress Party |
| PDF | Popular Defence Forces |
| SAF | Sudan Armed Forces |
| SPLM/A | Sudan People's Liberation Movement/Army |
| SSRRC | South Sudan Relief and Rehabilitation Commission |
| UNDP | UN Development Programme |
| UNMIS | UN Mission in Sudan |
| UPDF | Uganda People's Defence Force |
| WES | Western Equatoria State |

I. Executive summary

Despite the 2005 Comprehensive Peace Agreement (CPA),¹ insecurity remains pervasive and multifaceted in South Sudan. Pastoralists continue to clash over cattle and access to resources. Relations among ethnic groups have become politicized, fracturing the diverse demographic landscape with mistrust and competition. After decades of war and proxy arming by all sides, firearm ownership is widespread.

Struggling to transform itself from a rebel movement to a representative government and civilian-controlled army, the Sudan People's Liberation Movement/Army (SPLM/A) has been slow to consolidate control and deliver a peace dividend. The army suffers from a lack of command and control over poorly disciplined soldiers, who are periodically a source of grievance to the people they are tasked to defend. Courts and customary chiefs lack capacity to mediate disputes. Local security forces are under-equipped and stretched thin. The market for small arms thrives with strong demand and supply, undermining stability and threatening the fragile peace.

As part of its campaign to consolidate its power and improve security, the GoSS has from time to time engaged in civilian disarmament. During the first half of 2006 the SPLA conducted a forcible civilian disarmament operation in northern Jonglei State that collected 3,000 weapons. But the campaign was ethnically focused (on the Lou Nuer) and politically motivated, not based on community-level security dynamics. The approach was militaristic, poorly planned, and included few security guarantees. For these reasons, some of the target community rebelled and more than 1,600 lives were lost in the ensuing battle. The Jonglei campaign turned into one of the bloodiest military actions in South Sudan since the end of the second civil war and failed to improve long-term security.²

As that experience illustrated, civilian disarmament in South Sudan is complex and hazardous. While reducing the circulation of small arms is essential

in order to yield a peace dividend, disarming the civilian population in a fragile post-conflict environment presents many pitfalls. The Jonglei experience showed that the GoSS's narrow tactics were not tied to a broader strategy of building community security by addressing the root causes of conflict. It also demonstrated that decisions about how to address insecurity and weapons proliferation were made by a small number of high-level actors operating under political and budgetary constraints. For these reasons, the GoSS's history of civilian disarmament efforts has been limited in scope and yielded mixed results.

Two years after the Jonglei campaign, on 22 May 2008 GoSS president Salva Kiir issued an Operational Order (equivalent to an executive decree or directive) calling for comprehensive civilian disarmament across all ten states in South Sudan (GoSS, 2008a). Supported by the SPLA, state governors were tasked with collecting all civilian weapons within a six-month window that closed on 30 November. If fully implemented, it would have been the largest such exercise ever conducted in South Sudan, involving thousands of soldiers with a completely open mandate and an authorization to use force in response to non-compliance.

Based on fieldwork in five states, this *Working Paper* reviews how President Kiir's order was implemented between June and November 2008, and provides a preliminary assessment of some of its security impacts. The absence of robust baseline security indicators in many states and the paucity of data collected by the main actors limit the number of conclusions that can be drawn. This *Working Paper* is thus intended as a snapshot of an ongoing process that captures the core dynamics of civilian disarmament and outlines future trajectories. Key findings include the following:

- The disarmament campaign was poorly planned, highly decentralized, and inadequately supported by the GoSS. Lacking an overarching policy or clear legal framework, implementation was erratic and outcomes widely diverse. Five out of the ten states largely ignored the directive. State officials in Warrap reported that 15,000 weapons were collected, but it has not been confirmed that all of these weapons were obtained during the June–November period. No other states where research was conducted have formally announced yet how many arms were amassed.

- Launched by a top-down order backed by little consultation and few resources, the narrowly defined disarmament initiative failed to build buy-in from local communities or provide security guarantees. The decentralized nature of the campaign reinforces concerns that the GoSS's overall policy to increasingly 'devolve' administration to the states is translating into uneven and, in places, ineffective governance.
- The process was largely non-violent, mainly due to weak implementation in many areas. Violent outbreaks occurred in Lakes State, where SPLA soldiers went on a rampage in the state capital that enflamed political tensions and weakened security, and in Eastern Equatoria State, where disarmament in two villages flared into violence that killed at least 8 SPLA soldiers and 11 civilians. Overall, the SPLA's participation revived questions about the army's training, discipline, respect for the rule of law, and command and control procedures.
- Initial evidence suggests that disarmament had little or no impact on armed violence among southern civilians, particularly inter-clan clashes over access to resources during the dry season. In early 2009, clashes in Lakes, Jonglei, and Central Equatoria killed at least 35 (Mayom, 2009; Dak, 2009).³
- Lack of communication, information collection, and collaboration were key constraints on the disarmament campaign. Crucially, President Kiir's order was issued before the Community Security and Small Arms Control (CSSAC) Bureau had obtained a legal mandate and could play an active role in coordinating the process.
- The UN Mission in Sudan (UNMIS) and the UN Development Programme (UNDP) participated in the campaign by monitoring disarmament, assisting the CSSAC Bureau to become operational, providing storage containers for collected weapons, and generally promoting a peaceful disarmament. However, the coercive aspect of the campaign circumscribed the scope of the UN's contribution.
- Declining confidence in the CPA, rising mistrust between the SPLM and National Congress Party (NCP), and the collapse of the Lord's Resistance Army (LRA) peace process created a difficult climate for civilian disarmament, particularly in the oil-producing areas along the contested North-South border and Western Equatoria State (WES).

- On 2 January 2009 the GoSS Council of Ministers resolved that civilian disarmament should continue, but as of the time of writing, President Kiir's decree has not been formally extended or replaced by a new decree.

This *Working Paper* proceeds by reviewing the circumstances surrounding the issuance of President Kiir's disarmament order, and highlighting actors and institutions involved in its implementation. It then proceeds to review the specific circumstances of disarmament in Lakes, Western Equatoria, and Unity States, followed by a series of concluding observations. 📄

II. The 2008 civilian disarmament campaign

The disarmament order

On 22 May 2008 GoSS president Salva Kiir issued *Operational Order No. 1/2008: Disarmament of Civilian Population in South Sudan*. The stated objective of the order was to have civilians in all ten states within South Sudan ‘peacefully’ turn over firearms to state authorities and SPLA forces within a six-month period starting on 1 June (see Box 1). The order did not call for the collection of ammunition.

According to the order, disarmament was to be conducted jointly by the state authorities and the SPLA. Responding to enquires about the SPLA’s precise role, GoSS officials subsequently clarified to UN officials that the army would be providing background security and support for the operation, while state authorities would have overall responsibility for designing and implementing the process. Despite the desire for a peaceful process, the SPLA was authorized to use ‘appropriate force’ against anyone who refused to relinquish a weapon. Similar to previous disarmament campaigns, then, the order provided for coercive measures.

The order provided a rather oblique legal basis for the campaign. Article 103(1) of the Interim Constitution, referred to in the decree, indicates that the president of the GoSS is both head of the southern government and commander-in-chief of the SPLA. Article 159(2) states that the permanent ceasefire provided for by the CPA shall be ‘internationally monitored and fully respected by all persons in South Sudan’. The implication appears to be that armed civilians are an inherent threat to the ceasefire. Beyond these provisions, the order gave no legal basis for disarmament.

Whether there is in fact a legal basis for civilian disarmament is unclear. While there is no South Sudan firearms law, there are a range of provisions in the Interim Constitution⁴ and in pre-CPA law⁵ that are relevant to questions of civilian arms possession and control. A new Penal Code, which reportedly contains at least some provisions relating to weapons possession,⁶ has been



Box 1 **Operational Order No. 1/2008 (official English version)**

In exercise of the powers conferred upon me under Articles 103(1) and 159(2) of the Interim Constitution of South Sudan, 2005, and after consultation with the various stakeholders, I, General Salva Kiir Mayardit, President of the Government of South Sudan and Commander-in-Chief of the Sudan People's Liberation Army (SPLA) hereby issue this Operational Order for disarmament of the civil population in all the ten (10) States of South Sudan.

- A. This operation will be conducted jointly by the state authorities and SPLA forces to be deployed by the SPLA Chief of General Staff in each state.
- B. The overall objective of the operation is to peacefully have all civilians in the ten (10) states surrender any kind of firearm in their possession to the state authorities and the SPLA forces who conduct this operation.
- C. A form will be provided for recording the details of the firearms and individuals who voluntarily hand them in.
- D. In the event that any individual or group of individuals refuse(s), and exhibit resistance that can be construed to endanger the lives of the forces and/or the State officials conducting this exercise, appropriate force must be used to cause the collection of all arms from the resisting individual or group of individuals.
- E. The storage and protection of the collected arms shall be the responsibility of the SPLA General Headquarters and the State Governors.
- F. Each State Governor and the SPLA Chief of General Staff to send routine reports on the progress of this operation and a final report at the end of the operation.

This operation is to last for six months with effect from 1st June 2008.

(signed)

General Salva Kiir Mayardit
President of the Government of South Sudan and
Commander-in-Chief of the SPLA

passed by the South Sudan Legislative Assembly, but it is still not signed into law or publicly available. Finally, there is the ambiguous section of the CPA that allows for the 'disarmament of all Sudanese civilians who are illegally armed'.⁷ Regardless of these possible precedents, President Kiir's order was an executive decree based on his authority rather than any specific legal provisions.

The order was silent on a rationale for the campaign, such as the need to reduce armed violence or a desire to make communities weapons free. This

reflects the fact that the GoSS had not yet developed a policy framework for addressing issues of civilian small arms control, including disarmament—although some policy development work went on in parallel to the campaign through the CSSAC Bureau (see below).

Implementation modalities were similarly unspecified in the order. The only directions given on the mechanics of disarmament were that all collected weapons must be registered and that both the state governors and the SPLA divisional commander in each state must send 'routine reports on the progress of [the] operation'. Responsibility for designing and implementing the disarmament process was entirely delegated to state authorities and SPLA forces, which explains the widely different outcomes in each of the states (see Box 2).⁸ Notably, although the order gave responsibility for implementation to both state authorities and the SPLA, it did not mandate training on how to conduct a peaceful disarmament process.

What is clear is that the order took a narrow approach to the problem of small arms control, focusing solely on the collection of firearms. There was no mention of security provisions for disarmed communities or compensation for turned in weapons. The very short timetable is also telling. Six months is more appropriate for a focused military operation than a complex, ongoing effort covering an area of more than 500,000 square kilometres. By creating a highly decentralized process where authority for implementation is delegated to states, the order did not attempt to create any coordination mechanisms among state authorities to deal with issues such as cross-border cattle raiding⁹ and insecurity related to dry season migrations.¹⁰

Actors and interests

While the order covered all of South Sudan, the actual motivation appears to have come from one specific state.¹¹ The impetus and timing of the order arose due to pressure from Kuol Manyang Juuk, the governor of Jonglei State.¹² Faced with previous failed disarmament campaigns and pervasive insecurity, Governor Kuol sought authority to conduct another weapons collection operation that would target areas and groups that had not been disarmed previously, particularly the Murle, before the start of the dry season in December. He hoped

to use disarmament to improve security, facilitate economic activity, and ensure peaceful CPA-mandated elections in 2009.

In addition to these state-level interests, the GoSS and SPLA hoped to use civilian disarmament to defuse an increasingly precarious security environment.¹³ Confidence in the CPA and trust between the SPLM and the NCP was at its lowest point since the agreement was signed in 2005. Kiir's order was issued while Abyei, a strategically central border town in an oil-rich area, was still smouldering after destabilizing clashes between the SPLA and the Sudan Armed Forces (SAF) over the period 14–20 May.¹⁴ The North–South border demarcation process had stalled with neither side conceding ground. Instead, the area had become increasingly militarized. With International Criminal Court arrest warrants pending against Sudanese president Omar al-Bashir,¹⁵ ongoing disputes over census results¹⁶ and border demarcation, and slow preparations casting increasing doubt on the presidential, parliamentary, and legislative elections slated for 2009, there is a tremendous amount of uncertainty over the 2011 referendum on southern self-determination.

As a result, the order was issued in a climate of military rearmament and troop build-ups. In July 18 SPLA tanks crossed from Ethiopia to Blue Nile State in North Sudan (UNSC, 2008, p. 4). At the end of September a Ukrainian vessel carrying 33 T-72 tanks allegedly destined for South Sudan was seized by Somali pirates (BBC, 2008). In early October an Ethiopian cargo jet laden with crates of ammunition and small arms ostensibly intended for display at a trade fair landed at Juba International Airport (*Sudan Tribune*, 2008b). The SPLA has a significant number of troops in South Kordofan and Blue Nile, despite being required by the CPA to redeploy its forces to south of the 1956 North–South border. Similarly, there have been reports of a surge of SAF forces in South Kordofan since the summer (Henshaw, 2008).

Within this fragile context, the SPLM/A has a clear interest in strengthening its position in advance of 2011. The SPLM would like to consolidate control by delivering a peace dividend of services, economic development, and political stability, particularly prior to the 2009 elections. Faced with pervasive insecurity, the SPLA is also seeking to gain a monopoly on the use of force, neutralize potential spoilers, and fend off threats from the North while preventing internal fragmentation.

Box 2 Preliminary outcomes of civilian disarmament in other states¹⁷

While this *Working Paper* focuses primarily on the states of Lakes, Western Equatoria, and Unity, a number of reported outcomes have been obtained for the following other states (Jonglei State is addressed in Box 3):

Eastern Equatoria. About 1,000 weapons were collected through November and an additional 360 in December. Disarmament committees were established on a state and county level and conducted sensitization in seven of 8 counties. In early June, at least eight SPLA members and 11 civilians were killed and some 4,300 people forced to flee as a result of resistance to disarmament in Iloli and Oguruny villages in Hiyala *payam* (district) (Mc Evoy and Murray, 2008, p. 33).

Central Equatoria. Limited disarmament took place in three counties—Yei, Morobo, and Lainya—from 28 July to 2 August. Disarmament committees were established, radio station announcements were made to notify the public, and 30 collection centres were designated in various *payams* for civilians to voluntarily submit their weapons. A total of 40 arms were collected: 21 AK-47s, 15 G3s, and 4 other rifles. State officials reported that widespread concern about the LRA among local communities had curtailed significant weapons collection.

Upper Nile. No civilian disarmament was reported in Upper Nile, the only state in South Sudan to have an NCP state governor. Some state officials called for a renewed push for disarmament in January 2009.

Western Bahr el-Ghazal. No disarmament took place. In August, State Governor Mark Nypouch Ubang expressed an intent to disarm Jur, Wau, and Raga Counties using the SPLA's 15th Division, but this did not occur during the operational order's time frame.

Northern Bahr el-Ghazal. On 4 June police conducted a one-day search and seizure in Aweil town. A total of 206 weapons were reportedly collected and redistributed to the police. State authorities subsequently announced that no further civilian disarmament was necessary.

Warrap. State authorities organized disarmament teams composed of local government authorities and security forces (police, prisons, wildlife, national security, and one company of SPLA). The SPLA led the teams and stored collected weapons. The teams were dispatched to at least three counties: Tonj North, Gogrial East, and Gogrial West. By 8 August state officials reported that 5,000 weapons had been collected in Gogrial West alone. By December it was announced that 15,000 weapons had been collected. When UNMIS delivered four weapons storage containers in early December, the acting governor and minister of health of the state, Achuil Akoch Magardit, announced that a total of 15,000 weapons had been collected. However, there has been no confirmation that all of these arms were obtained during the 2008 campaign.

Although it is presented as the result of consultation with stakeholders, President Kiir's order does not make clear which parties were consulted, under what circumstances, and whether the order represents a consensus of any kind. In fact, the recent trend towards fragmentation and divisiveness within the higher echelons of the GoSS suggests that different personalities in the government—representing different interests and constituencies—had conflicting ideas about the nature, goals, and prospects for civilian disarmament that remained unresolved at the time of the order. A lack of coordination between the president and vice president's offices played out most tellingly with regard to the CSSAC Bureau.

In December 2007 GoSS vice president Riek Machar announced that the CSSAC Bureau would be created within his office to promote coordination, information collection, and collaboration within the GoSS for all community security and small arms control initiatives in South Sudan. However, there was little progress in the formation of the Bureau during the first half of 2008. When President Kiir announced the civilian disarmament order on 22 May, it did not mention the Bureau, which in turn was not given its legal mandate until 31 October 2008—a month before the close of the six-month campaign. CSSAC Bureau officials were, therefore, not consulted and no plan was proposed for how the Bureau could support the process. Rather than use the order as an opportunity to build the Bureau's capacity, it essentially became a spectator to the disarmament process. This may have been due to a calculation that disarmament had to begin immediately and the Bureau did not have the mandate or ability to play a productive role. On the other hand, it may have been a deliberate effort to sidestep a more transparent, accountable process.¹⁸

Headed by Dr Riak Gok Majok, the Bureau began training staff and deploying them to a small number of states over the summer. Although these staff did attend meetings of the state-level security and disarmament committees, their actual involvement in coordinating weapons collections and monitoring how the process was progressing was slight. The Bureau's state-level community security officers had limited official authority and capacity to influence how the disarmament process was carried out at the state level.

The UN took several actions to assist the process. Firstly, to secure weapons collected during the disarmament and ensure that they did not leak back into

circulation, UNMIS signed a memorandum of understanding (MoU) with the SPLA in late September to loan ten weapons storage containers. The containers were transported and set up over the next two months in Lakes, Unity,

Box 3 **Disarmament in Jonglei State**

Jonglei, the largest state in South Sudan, has experienced pervasive armed insecurity both before and since the CPA was signed. There have been three previous disarmament attempts in Jonglei. From December 2005 to May 2006 the SPLA launched a coercive campaign after local Dinka groups demanded that the Lou Nuer disarm before migrating with their cattle to grazing grounds during the dry season. The Lou Nuer refused and the 'White Army', a loosely organized militia composed primarily of Nuer, resisted the SPLA's attempt to collect weapons. The disarmament operation soon escalated into a violent confrontation, with the SPLA eager to assert its authority and consolidate control. A total of 3,000 weapons were collected and an estimated 1,600 people were killed (Small Arms Survey, 2007; Young, 2007).

Concerned that disarmament-related violence could spread within Jonglei, the UN worked with the community in Akobo to promote a peaceful firearms collection programme that was implemented through local disarmament committees from April to August 2006. Although the process was officially 'voluntary', there was an explicit threat of coercive force if civilians in Akobo refused to turn over their firearms. Some 1,200–1,400 assault rifles, machine guns, RPGs, and mortars were collected without casualties. Finally, 1,126 weapons were collected from four *payams* in Pibor County from January to May 2007. The latter process was largely aimed at the Murle, who were not previously disarmed and have a feared reputation as cattle raiders. The 'voluntary' campaign was led by local civil society organizations and supported by UNDP, UNMIS DDR, and the South Sudan DDR Commission.

The 2008 disarmament campaign netted about 2,000 arms in Jonglei, mostly surrendered from Akobo, Pibor, and Duk Counties. The overall success of the campaign was hampered by the failure of the SPLA to deploy in large numbers throughout the state to protect disarmed populations, combined with widespread concerns about ongoing insecurity. In Pibor, disarmament occurred in all *payams* and *bomas* (the smallest unit of local government) except Lekwengolei, where people refused to comply with the order for fear of being attacked by Lou Nuer and Toposa from Eastern Equatoria. In Duk, local officials expressed concern over ongoing cattle-raiding attacks from Lou Nuer in Uror County and limited deployment of SPLA forces. No disarmament was reported in Nyirol and Pochalla Counties. According to local officials, continued cattle raiding by Murle, particularly in the area of Kolnyang, made civilians wary of cooperating and prompted some youths to purchase firearms for protection. State authorities are now attempting to organize county-level peace meetings to address conflicts among communities.

Warrap, and Jonglei States, supplied on the explicit condition that only weapons collected voluntarily—not coercively—would be stored in them. The role of UNMIS in the campaign was justified in the MoU by reference to its CPA-designated mandate on disarmament, demobilization, and reintegration (DDR).

Secondly, to more effectively support and monitor a peaceful disarmament, UNMIS launched a regional planning cell to enhance coordination and information sharing among the UN military and UN police and civilian sections. Thirdly, UNMIS officials helped facilitate a meeting among the state governors of Warrap, Unity, and Lakes to coordinate their disarmament efforts. Fourthly, UNMIS worked at the GoSS and state levels to promote a peaceful disarmament. Finally, both UNDP and UNMIS worked to help build the CSSAC Bureau’s mandate and capacity.

The campaign presented the UN with several serious constraints, however. The GoSS did not consult the UN before the order was issued. While UNMIS attempted to develop its internal capacity to share information and monitor disarmament, there were no formal mechanisms for information sharing and coordination between the UN and state authorities. Finally, the threat of force that underlay the nominally voluntary disarmament meant that the UN could not become too closely associated with an initiative that could result in violence similar to that which occurred in northern Jonglei in 2006 (see Box 3).

On 2 January 2009 the GoSS Council of Ministers resolved that civilian disarmament should continue and that the Ministry of Internal Affairs should commit additional police forces to assist in the operation (GoSS, 2009). The Council provided no further comment on the campaign so far, however, nor called for any alterations to its implementation. Neither has President Kiir’s order been officially extended or replaced. 📄

III. Case studies

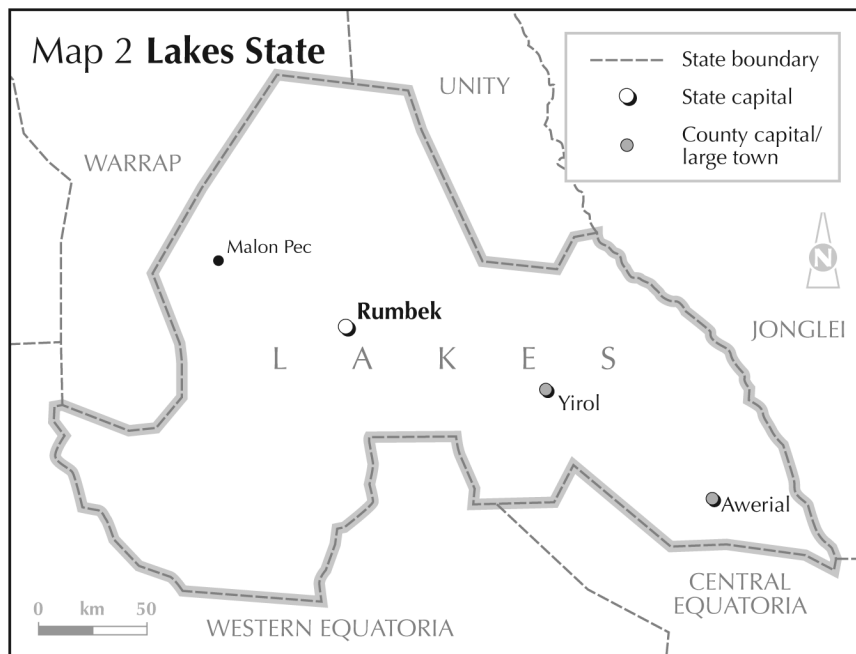
A. Lakes State

Lakes State enjoys a number of geographic and social advantages not shared by other states in South Sudan. It is buffered from the contested oil-rich border to the north, sheltered to the south from the spillover of conflicts in northern Uganda and the Democratic Republic of the Congo (DRC), and populated by a single ethnic group. Yet communities in the state have nevertheless been mired in a cycle of violent inter-clan conflict and forcible civilian disarmament that has exacted a high human toll. Although the disarmament campaign in Lakes looked promising on paper, it was implemented militaristically and without effective security guarantees, enflaming political relations and complicating security in a state where civilians were already vulnerable.

Security and small arms

Armed cattle raiding, conflict over scarce resources, and tribal clashes are the major forms of insecurity in Lakes State. Although Lakes is ethnically homogenous, the roughly 880,000 Dinka agro-pastoralists within its borders are broken up into many different sub-groups and clans.¹⁹ As with most Dinka communities, cattle are at the centre of the economy and the social fabric of many clans in Lakes. During the dry season in particular, competition for water, grazing grounds, and cattle camp grounds sparks clashes that can precipitate violence and revenge attacks. Most of the violence occurs internally, but cross-border cattle raiding is also a persistent problem.

The toll from this violence has been steady and severe.²⁰ In April 2005 more than 75 people were killed and 4,000 reportedly displaced in Yirol East, Yirol West, and Awerial Counties (IRIN, 2005). Between September and the first week of October in 2006, 41 people were killed across Cueibet County, prompting the World Food Programme to temporarily suspend operations (UNWFP, 2006). In April 2008 nearly 150 people were killed in cross-border cattle-rustling



clashes between rival Dinka clans in Lakes and Warrap (Mayom, 2008b).²¹ The violence continued in January 2009, when 15 people were killed in Wulu County in three separate incidents (Vuni, 2009) and further clashes were reported between communities in Lakes and Warrap (IRIN, 2009).

In 2006 nearly 35 per cent of people surveyed in Lakes indicated that they or someone in their compound owned a firearm (Small Arms Survey, 2006, p. 2). AK-47s and G3s were the most commonly reported weapons, although more heavily armed cattle-raiding parties equipped with RPGs and mortars have also been reported.²² An AK-47 costs approximately seven cows—a considerable investment.²³ The price reflects strong demand, driven by persistent insecurity and the potentially lucrative nature of cattle raiding. Weapons are easily available from surrounding states and local security forces, especially SPLA soldiers, who are understood to be a significant source of small arms and ammunition supply. The combination of pastoralist tensions, weak state and security institutions, and porous borders creates an environment where small arms proliferate.

The greatest source of armed insecurity in Lakes State is the *gelweng* (cattle guards). As internal splits within the SPLM/A in the early 1990s triggered a series of civil conflicts and an explosion of militias in South Sudan, the SPLA decided to arm local youths to protect their cows and communities from internal threats, freeing up the army to remain focused on the fight with the North. Daniel Awet Akot, a Gok Dinka who served as SPLA zonal commander in Bahr el-Ghazal during the war and is now governor of Lakes, was instrumental in creating and arming *gelweng* in 1992 to protect the area against the White Army and other Nuer militias.²⁴ When the war ended, the *gelweng* lost their function but retained their weapons. Poor, uneducated, and with little prospect of being integrated into the army or absorbed into the economy, the *gelweng* continued to guard cattle and turned their weapons against each other. Ironically, Awet now seeks to disarm the same civilians that he originally armed.

Two previous large-scale disarmament campaigns targeted the *gelweng*. The first occurred in 2000, during the civil war. Following fierce clashes between the Dinka Agar and Gok, the SPLA deployed three brigades to conduct a forcible disarmament campaign in Tonj, Cueibet, Rumbek, and Yirol Counties. The SPLA collected nearly 4,000 weapons using heavy-handed tactics that provoked bitterness among the local community (Nyaba, 2001).

Subsequent to the end of the civil war, a second attempt at disarming the *gelweng* began in September 2006. Following separate cattle rustling incidents that killed nearly 80 people in July 2006, President Kiir removed former state governor John Lat on 5 September. Lat was accused of corruption and inciting inter-clan fighting, a charge intermittently levelled against many politicians in Lakes (Mayom, 2006). The Cueibet County commissioner was also implicated in the July 2006 incident, and three county secretaries were suspended in June 2005 by John Garang for provoking cattle-raiding clashes (Sudan Radio Service, 2005). Appointed by President Kiir in September, Governor Awet had a clear mandate to stamp out armed sectional conflict and improve the image of Lakes politicians that had been tarnished by association with cattle raiding. Consequently, Awet quickly announced a campaign to disarm the *gelweng*.

In February 2007 the governor marked the end of this second disarmament campaign by displaying 3,602 weapons in Rumbek's Freedom Square, collected through a process that reportedly mixed consultation with coercion (Mayom,

2007). The State Legislative Assembly provided a legal framework by passing legislation that prohibited the possession of firearms and provided a penalty of two years' imprisonment and a fine of ten cows for violators (Mayom, 2007). Members of the legislature then travelled to their constituencies along with traditional chiefs to sensitize the population about the weapons collection programme.²⁵ However, SPLA brigadier Bol Akot, a strong-arm commander with a feared reputation in Lakes, was ultimately responsible for conducting the disarmament. Rather than destroy the large cache of collected weapons, Governor Awet kept them in his compound. Interviews in Rumbek suggest that 4,000–4,500 weapons remained stored there as of late 2008.²⁶

Despite these disarmament initiatives, inter-clan attacks continued unabated and community security remained poor.²⁷ Lacking incentives and security guarantees, both collection programmes failed to induce many people to willingly turn in their weapons. As long as a portion of the community remained heavily armed, violence continued, the demand for weapons remained, and collected firearms were quickly replaced. Both Dinka and Nuer in surrounding states turned into opportunistic merchants who profited from these weapons collection campaigns, first attacking the disarmed clans in Lakes, and then taking advantage of insecurity and fear by selling weapons to local people.²⁸

Moreover, a convergence of political and economic interests seems to have helped insulate the cattle camps and their *gelweng* from meaningful disarmament. 'If you look at who owns the cattle camps,' said a source close to the disarmament process, 'you will find powerful people.'²⁹ These individuals have a heavily vested interest in ensuring that their investments are protected and profitable. As long as there are high levels of violence and local organized security forces are weak, the *gelweng* and their firearms meet a need.

In April, one month before President Kiir's order, Governor Awet acknowledged that more disarmament was needed. During a public speech, he claimed that there were still 18,000 weapons in circulation among the *gelweng*. He announced that 1,000 SPLA soldiers were en route to conduct a disarmament campaign targeting Rumbek East County, and assured the audience that any resistance would be forcefully quelled (Mayom, 2008a). It is unclear whether this effort was conducted with foreknowledge of the pending presidential order or independent of it.

Disarmament

When the presidential order went into effect on 1 June, Governor Awet distributed copies of the decree to the State Assembly, the State Security Committee,³⁰ county commissioners, and state ministers. These top-level officials in Rumbek distributed the decree down to the *payam* and *boma* levels. Though notification of the impending disarmament seems to have filtered down to the general public quickly and thoroughly, there was little attempt to consult with the community about their security concerns and to include this information in the policy-planning process. Instead, Awet issued *State Provisional Order No. 16/2008* (see Appendix A), which called for a six-month weapons collection initiative. The order was passed by the Council of Ministers on 5 July.³¹

The order aimed to collect arms, build security, and deter violence. In addition to disarming all civilians, it attempted to staunch the sale of weapons from SPLA soldiers to civilians—a problem it identified as one of the main sources of small arms acquisitions—by ordering forces to keep their arms in their barracks. It also sought to curb demand by providing security guarantees and promoting an end to revenge attacks. State border posts, manned by police and military, were to be established after disarmament (ending 31 December 2008) to prevent cross-border cattle raiding, and the police force was to be boosted through a recruitment drive. All individuals accused of murder were ordered to turn themselves in to police and all murder cases were to be resolved immediately by the judiciary. Finally, the order outlined penalties of prison time and cattle fines for carrying, selling, and buying illegal firearms.

While the order outlined the urgent need for disarmament and the broad goals of the campaign, its sparse two-and-a-half pages contained no details of how the process was to be planned or implemented. In approving the order, the Council of Ministers stipulated that an executive committee for disarmament, composed of the same members as the State Security Committee, would formulate the mechanisms and means by which disarmament would be carried out. As a result, the State Disarmament Committee created county-level disarmament committees to direct implementation.³² These local bodies reported directly to the state governor rather than the State Disarmament Committee, a feature that added efficiency, but eroded oversight by emphasizing the individual rather than institutional nature of the process. As of the middle of

October, the State Security Committee had only met twice, suggesting that it was not taking an active role in overseeing the disarmament process.³³ It was the governor who created and distributed the registration forms to the county commissioners to allow them to account for each weapon collected.³⁴

In practice, the disarmament effort was marked by inefficiency and marred by grave misconduct by the SPLA, forcing the governor to completely revise the plan in mid-September. The Lakes State campaign fell into roughly three stages: voluntary turn-ins, involuntary operations, and finally the use of collection teams. Each is described below.

Phase 1: voluntary

The first stage of the disarmament process, conducted in July and August, was voluntary and authorized through the governor's disarmament order. Local chiefs were tasked with establishing collection centres in their *payams* and gathering weapons from local people. In practice, this usually meant asking people with firearms to bring them to the collection centres, or dispatching *gelweng* leaders to the cattle camps to collect them.³⁵ Involvement by security forces was minimal: police helped transfer and store weapons in the county police headquarters, while the SPLA provided additional security at the storage sites.³⁶

Governor Awet has not released a preliminary tally of weapons collected, but anecdotal estimates based on interviews with chiefs and county commissioners suggest that relatively few weapons were collected during this voluntary phase.³⁷ In Rumbek East County, an area hard hit by inter-clan conflict, the commissioner claimed that he had collected roughly 200 weapons.³⁸ The price of an AK-47 reportedly decreased dramatically from seven cows to three in most counties over the course of the disarmament campaign, a reduction that reflects some temporary concerns that purchasing a weapon during the disarmament was a poor investment that could be confiscated.³⁹

The meagre collection was the result of several fundamental flaws. Firstly, the state provided no additional security guarantees, such as increased numbers of SPLA or police, to convince armed civilians that they would be protected from people who did not give up their weapons. The order called for the creation of border posts to block threats from neighbouring states, but only after the disarmament process had been concluded. Secondly, no indi-

vidual or collective incentives were offered to entice civilians who had invested in a firearm to give them up. Finally, disarmament was not uniform. Cattle camps—home of the *gelweng* and the locus of firearms within Lakes State—as well as the border areas—the gateway for cattle raiders from Unity, Warrap, and Jonglei—were yet again left largely untouched.⁴⁰

As a result, inter-clan conflict persisted. In August, for example, 15 people were killed and another 20 wounded in an incident between two clans north of Rumbek (Reuters, 2008b). Without a reciprocal, integrated strategy for weapons collection, the voluntary, chief-led initiative failed to collect many weapons or improve security.

Phase 2: involuntary

Following two months of ineffective voluntary disarmament, Governor Awet held a conference with executive chiefs and *gelweng* at the State Secretariat General in Rumbek from 30 August to 5 September. Acknowledging that state insecurity is still deteriorating at all levels, the conference participants issued resolutions calling for a more coercive disarmament process (Lakes State, 2008). The resolutions ordered the complete disarmament of all *gelweng* between 10–20 September and mandated an expanded role for the SPLA: fifty SPLA were to be required to accompany the executive chiefs and police during the collection process. Non-complying chiefs would be dismissed, and individual resisters would face arrest and the confiscation of twenty cattle (Lakes State, 2008).

Early on the morning of 8 September, two days before the new involuntary phase of the disarmament process was set to begin, three battalions of SPLA soldiers surrounded and sealed off Rumbek as part of a coercive search for weapons that sparked an outbreak of violence. At 6 a.m. the deputy governor announced on radio that everyone in town should remain indoors while the SPLA conducted house-to-house searches. By midday, soldiers in the market began drinking. Fuelled by the alcohol and freed of commanders who fled as the situation deteriorated, the SPLA soldiers went on a day-long spree of shooting, looting, and harassment.

The most reliable reports suggest that SPLA soldiers raped one woman, killed two people, wounded seven others, and stole the equivalent of thousands of US dollars, though some interviewees insisted there were no fatalities.⁴¹

The soldiers confiscated UNMIS radio equipment,⁴² disarmed local security forces (including police and prison wardens guarding the jails), and beat up the deputy speaker of the State Legislative Assembly.⁴³

Initially, local authorities announced that 333 weapons had been collected on 8 September and stored in police headquarters.⁴⁴ When UNMIS attempted to verify these arms nearly a month later, they found only 111 weapons, mostly AK-47s and a few G3s.⁴⁵ According to local officials, the missing weapons had been claimed by legitimate owners, mostly the local security forces who had been disarmed by the SPLA soldiers.⁴⁶ However, no registration forms or documentation were provided to verify this claim.

While there is some confusion about the decision-making process, Governor Awet seems to have ordered the shift from a chief-led voluntary disarmament in the surrounding counties to a SPLA-driven cordon and search operation in Rumbek.⁴⁷ The official reasons given for the operation were twofold. Firstly, officials believed that weapons were flowing out of villages and concentrating in Rumbek to avoid disarmament. This happened during the 2006–07 disarmament, when large stockpiles of weapons, including RPGs and mortars, were discovered in the town.⁴⁸ Secondly, there was concern that many of the arms in Rumbek were held by former members of organized security forces who might be particularly unwilling to give them up and who could only be effectively disarmed by the SPLA. More generally, the cordon and search model for the disarmament of state capitals and large towns seems to be the general practice. Unity State conducted a similar operation in Bentiu/Rubkona on 23 September without incident, and comparable tactics have also been used in other towns, including in Juba in 2007.

The events in Rumbek highlight the risks of using military logic to solve the problem of civilian disarmament. To avoid tipping off armed civilians and giving them an opportunity to leave town or hide weapons, no advance notification was given prior to the deputy governor's radio announcement at 6 a.m. However, whether intentionally or not, police, prisons, and wildlife security officials were also left uninformed—as were members of the State Legislative Assembly. When the SPLA showed up on the morning of 8 September to collect weapons, there was resistance and resentment from those who felt they should have been included in the planning.⁴⁹

The 221st, 222nd, and 223rd Battalions conducted the disarmament. While the 221st is a local battalion composed primarily of Dinka soldiers, the 222nd and 223rd are composed of primarily Nuer soldiers who had been based in Abyei and participated in the fighting that occurred with SAF units on 14–20 May before being redeployed as part of the 8 June Road Map⁵⁰ agreement. From a purely military perspective, relying on outside forces that are unlikely to be swayed by personal attachments or communal affiliations is logical. However, using a large number of Nuer soldiers to lead an involuntary disarmament in the heart of Dinka territory showed a lack of sensitivity to the complex historical and social context of South Sudan. On a practical level, Nuer soldiers also had linguistic problems communicating with the local population in Rumbek.

Finally, resorting to military means was especially problematic as the available forces were inadequately prepared. Hastily shifted from a battle in Abyei to a civilian disarmament campaign in Rumbek, the soldiers had no recovery time and received no specific training on managing a peaceful weapons collection.⁵¹ Many Nuer in the 222nd and 223rd Battalions were former members of the South Sudan Defence Forces or other militias that broke away from the SPLA in 1991, and were only reabsorbed in the months following the Juba Declaration of January 2006. Despite the ill-preparedness of the Nuer soldiers, eyewitness reports suggest that it was the local Dinka soldiers who began shooting and caused civilian fatalities.⁵² Once the campaign went awry, both Dinka and Nuer soldiers joined in the drinking, looting, and harassment. Ethnic dynamics may have exacerbated the situation, but the violence in Rumbek was undoubtedly sparked by poor planning, coupled with a general lack of discipline and command and control within the SPLA.

Facing scrutiny from the GoSS and anger from the State Legislative Assembly, Governor Awet made a political decision to withdraw all SPLA forces based in Lakes, placing primary security responsibilities in the hands of a weak police force already angry over the way in which they had been intimidated and sidelined on 8 September. With limited numbers, poor training, and few resources, the police struggled to carry out the task. The SPLA's departure from Lakes, which began on 10 September, was promptly followed by three inter-clan clashes within a space of four nights, all located near areas where the army had been based.⁵³ On 24 September a car belonging to Yirol County SPLM

secretary Ater Deng was reportedly ambushed, killing him and a bodyguard. The Yirol County commissioner and six others were also injured in the attack (*Sudan Tribune*, 2008a). Media reports have speculated that Nuer soldiers who deserted after the 8 September incident were responsible, but neither the UN nor local officials have confirmed these accounts. Reports of subsequent inter-clan attacks have continued. During the first two weeks of October, nine people were killed in two separate clashes in Rumbek East and Cueibet Counties (Mayom, 2008c). On 18 October two were killed and two wounded in cattle-raiding clashes in Rumbek East (Mayom, 2008d).⁵⁴

The coercive disarmament of 8 September also had political fallout, by increasing mistrust and hardening battle lines between the state governor and a divided State Legislative Assembly. The roots of the divide lie in individual rivalry, clan factionalism, and partisan power politics. Though the SPLM remains dominant in Lakes, active opposition parties in the State Legislative Assembly have gained ground by forming unofficial alliances, recruiting from the SPLA, and blocking assembly action. Prior to the disarmament campaign, the executive was locked in a battle of wills with the emboldened opposition faction of the legislature, which sought to sack the state finance minister. Half of the assembly, led by the speaker and deputy speaker, wanted to impeach the state finance minister for corruption, while Governor Awet and the remaining half opposed this. The matter was referred for an investigation and audit by the GoSS ministry of finance and economic planning, which concluded that there was evidence of corruption.

When the deputy speaker was beaten up on 8 September, many local observers concluded that Governor Awet was using the disarmament exercise to reaffirm his authority and punish opposition. Almost two weeks later, the speaker and deputy speaker tabled a motion to impeach the finance minister. Awet called an emergency session of the State Legislative Assembly on 24 September and orchestrated the pre-emptive impeachment of the speaker and deputy speaker. President Kiir travelled to Rumbek on 8 October, personally intervening to overturn the governor's manoeuvre by reinstating them both.

Phase 3: collection teams

Following the events of 8 September, Governor Awet temporarily froze disarmament activities throughout Lakes and reformulated the procedure in a new

Provisional Order 18/2008 (see Appendix B). The revised scheme called for each of the eight counties to create weapons collection teams headed by local executive chiefs and composed of 15 police officers, 10 prison wardens, 5 wildlife authorities, and 20 *gelweng*. Echoing President Kiir's order, the revised document contained threats of coercive force and sanctions. While the earlier Lakes order had called for a fine of 20 cows to be levied against any civilian who failed to turn over a firearm, the new order decreased the penalty to 10 cows.

The order set an ambitious timetable and itinerary for disarmament. Collection teams were to set out on 22 September and travel by foot along the road that cuts east-west through Lakes between Yirol West and Malon Pec, a total of 130 km, concluding this phase of the disarmament within ten days. After canvassing the central sections of the state, the order called for the collection teams to disarm the border areas during November and December. The order further stated that collected weapons were to be stored at each county commissioner's headquarters, in containers to be provided by the state authorities.

At the time of writing, the weapons collection teams had not been created or deployed. While local officials interviewed in Rumbek in October all knew that collection teams were going to be responsible for implementing disarmament, there were different accounts of how the teams would operate and widespread uncertainty about when the teams would be start their foot patrols.

Conclusion

In the last eight years, Lakes State has been the site of three civilian disarmament campaigns that have primarily targeted the *gelweng* and collected roughly 4,000 weapons, while also sparking violence and instability. None has included an integrated approach to building community security. Without building the capacity and improving the professionalism of the security forces, it is clear that people will not trust the state government's ability to provide the necessary security guarantees and will be reluctant to disarm. Without tackling supply, civilians will rearm. In the absence of economic development, residents will also keep clashing over scarce resources, and without support for customary and formal mechanisms able to mediate inter-clan conflicts, they will clash and seek revenge.

The 2008 plans contained positive, participatory elements, but these often fell by the wayside in the implementation phase. There was notification and participation, but not necessarily consultation and partnership with the community. Formal mechanisms like disarmament committees were established, but they did not necessarily provide inclusive, transparent decision-making. Ultimately, individuals, not institutions, made key decisions. The collection process was civilian-led and voluntary at the start, but soon resorted to military tactics and coercion. The state government promised security guarantees, but delivery was unclear, uneven, and untimely.

Further time and data are needed to draw a final conclusion, but initial indications suggest that the six-month campaign did little to diminish inter-clan conflict in Lakes or the threat posed by the *gelweng*. Indeed, rather than disarm them, at the end of October officials in Yirol County formulated a plan to turn the militia into a uniformed security force that would assist police in collecting taxes, executing court verdicts, and preventing illegal cattle trading (*Sudan Tribune*, 2008c). Moreover, the violent disarmament operation of 8 September clearly stirred up the state's already unsettled political landscape and reduced the likelihood of a civilian-led voluntary disarmament process with adequate input and oversight from representative political institutions. The turmoil has not been resolved. Tensions between the executive and the State Legislative Assembly continue, leaving it paralysed with factionalism. It has been suspended three times since 8 September and as of writing had failed to pass a budget for 2009. Despite these setbacks, the executive is in the process of preparing a new disarmament order for approval by the legislature to continue collecting weapons.

B. Western Equatoria State

No civilian disarmament took place in Western Equatoria State (WES). State officials concluded that the President Kiir's order was the wrong plan at the wrong time as long as the LRA continued to destabilize the region. While inter-clan violence and small arms proliferation are not rife in WES, civilian possession and trafficking of weapons are problems that need to be addressed through an integrated community security strategy tailored to the state's unique needs.



Security and small arms

The LRA, the long-standing Ugandan rebel group led by Joseph Kony, is the central security challenge in WES.⁵⁵ Squeezed out of their safe haven in Eastern Equatoria State following the signing of the CPA, pressured by improved Ugandan People's Defence Force (UPDF) effectiveness in northern Uganda, and faced with arrest warrants from the International Criminal Court, the LRA began spreading westward in September 2005, eventually taking root near the DRC's Garamba National Park. Supplied by Khartoum during Sudan's civil war in retaliation for Ugandan president Yoweri Museveni's support for the SPLA, the LRA are armed with a diverse array of assault rifles, machine guns, and RPGs.⁵⁶ Moving fleetly through the remote forest canopy of the border areas, they have wreaked havoc by raiding poorly protected villages for food and supplies, and abducting children. Though attacks in WES diminished when the GoSS-brokered peace negotiations with the Government of Uganda (GoU)

Box 4 **Spurning peace: recent LRA attacks**

The failure of Joseph Kony to sign a final agreement with the GoU led to a resumption of reported LRA attacks that reinforced scepticism about the commander's commitment to peace and ultimately prompted a regional military response. Among the recent attacks blamed on the LRA are the following:

- In February and March 2008 clusters of LRA combatants began moving north-west from their base near Garamba National Park in the DRC towards CAR, looting goods and abducting children on the way. In WES, they reportedly attacked Source-Yubo on 19 February, killing 7 SPLA soldiers and 3 civilians, and abducting 27 others. On 12 March they raided Ezo, kidnapping 70 people.
- On 4 and 5 June 2008 LRA combatants in the DRC crossed the border and attacked the Sudanese villages of Nabanga in WES. Twenty-three people were killed, including 14 SPLA soldiers and 6 children.
- On 18 September 2008 roughly 100 combatants attacked SPLA soldiers stationed in Sakure village, 45 km south-west of Yambio town in WES. During the 90-minute fire fight, one SPLA soldier died and two were wounded, two civilians were wounded, and a six-year-old child died after being thrown by LRA rebels into a burning hut.
- Between 17 and 18 September 2008 attacks were reported in the DRC villages of Duru, Bitima, Bayote, Nambia, Kiliwa, and Bangbi in Haut-Uélé Province. In Duru, according to eyewitnesses, a large group of combatants walked into the town early in the afternoon, razed much of it, and abducted 65 children from the local school. As a result of these attacks, nearly 4,800 Congolese refugees crossed into Sudan.
- On 1 November 2008 the LRA attacked Dungu in the DRC Province of Haut-Uélé, causing the town's 50,000 residents to flee.
- Following the resumption of military operations on 14 December 2008, LRA forces killed at least 620 people and abducted more than 160 children in a spate of attacks on DRC towns, including Doruma, Faradje, and Duru in Haut-Uélé, all conducted between 24 December and 13 January. An estimated 135,000 people have been displaced by attacks in the DRC since September. In Sudan, they have killed at least 43 people and abducted 61 since the operation began. In January 2009 aid agencies reported that a further 22,527 civilians had been displaced by attacks in Western and Central Equatoria.

Sources: ICC (2008a; 2008c); UNHCR (2009); UNOCHA (2009)

began in Juba in July 2006, the LRA has continued to terrorize the local population and disrupt economic development, just as WES residents expect to enjoy a peace dividend from the CPA (see Box 4).

After 20 years of brutal conflict and 20 months of often-stalled negotiations, representatives of the GoU and the LRA concluded negotiations in Juba by signing a series of agreements in February 2008. Yet Kony snubbed mediators by failing to show up at several signing ceremonies in April and then in November in Ri-Kwangba, along the Sudan–DRC border. As the peace process stagnated, LRA attacks resumed in the DRC, the Central African Republic (CAR), and WES. The GoU and the GoSS had given Kony a deadline of 29 November 2008 to sign, promising military action if the LRA leader did not take advantage of a last opportunity for peaceful settlement. On 14 December the UPDF, the SPLA, and the Forces armées de la République démocratique du Congo launched a joint military operation as a result. Attack helicopters and MiG-21s were used to bombard and destroy LRA bases in the DRC, while UPDF commandos moved in on the ground to capture or kill Kony. However, most LRA had left the camps and fled into the forest prior to the bombing, leaving a trail of abductions, killings, and looting in their wake.

The Ambororo are often mentioned in the same breath with the LRA as a major source of armed insecurity in WES. Nomadic cattle keepers who most likely originate from West Africa, the Ambororo migrated through CAR, Chad, and Sudan, following seasonal grazing routes that cut as far south as the DRC (see Box 5). They are often armed with assault rifles, but the extent of their small arms supply is unclear.⁵⁷ Although few clashes between the Ambororo and WES residents have been reported, the Ambororo and their caravans of cattle can be a threat to livelihoods by trampling farming grounds and destroying crops.⁵⁸

Geography and climate have played a large role in preventing armed violence from taking a bigger toll in WES. The state lacks many of the elements—vast grasslands, stark dry seasons, and pastoralist migrations—that provide tinder for resource-based inter-clan conflicts. WES's thick vegetation and milder seasons enable sedentary farming and the production of surplus crops for the primarily Zande inhabitants. Since cattle are not a central part of the economy or local cultures, WES is not a major target for cattle raiding.

Box 5 **The Ambororo riddle**

Elusive and enigmatic, the Ambororo most likely originated in Nigeria or Cameroon. Some speak Arabic, but they do not appear to be Muslim. Some sources suggest that they also speak Hausa. Although many people interviewed in WES claim that these nomads arrived in 2005, it is more likely that they began arriving earlier. They tend to avoid contact with state and security officials, bartering their cattle for goods with local traders. Interviews in the DRC village of Dungu also suggest that some have been involved in poaching.⁵⁹

Facing pressure from a population already feeling unprotected and helpless against LRA attacks, WES officials have attempted to reap political capital by mounting a campaign to stigmatize and drive out the Ambororo. In July 2008 the state governor banned all commercial trade with them, even though local traders lobbied on their behalf. On 6 October three SPLA soldiers were killed by Ambororo near Ringasi *payam*, 45 km north-west of Yambio. Local officials reported that the troops were killed while passively monitoring Ambororo movements, a claim that they did not recant even after subsequent investigations revealed that the troops had been shot while attempting to steal cattle.⁶⁰

The reclusive community lacks a voice to counter some of the more spurious accusations brought against them. WES state officials have asserted that they are 'enemies of the peace' and accuse them of being a heavily armed *janjawid*-style militia that is funnelling supplies to the LRA and fomenting instability in WES.⁶¹ Reports have circulated that the Ambororo wear combat uniforms, carry satellite phones, and coordinate their migrations with LRA movements. However, there is no evidence to support the claims that they are allied with the LRA, proxies for Khartoum, or a nomadic conduit between the two. While they are perceived as being a serious security threat by many in WES, this is probably exaggerated by xenophobic fear manipulated for political benefit.

A marginal theatre during the civil war, WES's heavy forestation and frequent rainfall also created an inhospitable climate for direct combat between large ground forces. The SPLA captured all government garrisons in WES by 1991, one year after first launching major operations in the area (Johnson, 2003). The civilian population was never organized into self-defence militias armed by the SPLA, and the SAF never channelled large amounts of weapons into WES to prop up local proxies. Neither the LRA nor the Ambororo have been involved in selling their weapons to civilians in local arms markets. As a result, the civilian population of WES is not as saturated with firearms as many other states in South Sudan.

However, WES is not an unarmed island of internal stability. In November 2005 ethnic clashes between Zande and Dinka internally displaced persons (IDPs) erupted across the state. In Ezo, according to UNMIS reports, ten civilians were killed along with a 'substantial' number of SPLA soldiers. At least 600 huts were razed (UNMIS, 2005). In Yambio, 350 huts were burned, at least 23 people killed, and the World Health Organization's compound was ransacked. Almost 600 Bor Dinka households fled temporarily to Yei (UNHCR, 2006).

Poorly disciplined SPLA soldiers have also triggered ethnically charged civil unrest. On 6 November 2007 SPLA soldiers opened fire on a police station after guards refused to turn over a detained soldier.⁶² Nine people were killed, including six top police commanders. Angry civilians took to the streets, protesting at a perceived lack of respect for the rule of law by the primarily Dinka soldiers. Thirty SPLA soldiers were detained and the local Joint Integrated Unit (JIU)⁶³ was redeployed to pacify the population. Similar street riots occurred in Tambura in November 2008, when an SPLA soldier killed a police officer who refused to turn over a prisoner.⁶⁴ Shootings in Yambio market involving SPLA soldiers reportedly occur on a regular basis each month.⁶⁵

Tensions between the Dinka and Zande are a legacy of the war. When the SPLA forces took WES in 1991, they were greeted with more suspicion than support (Johnson, 2003). SPLA soldiers were deployed to the area and Bor Dinka previously displaced from Jonglei soon followed. After the CPA was signed, tensions mounted when the displaced Dinka remained in WES and Dinka pastoralists in Lakes State began encroaching south. 'Dinka have bought a lot of property in the town centres', said a local official in Yambio. 'If they hold onto that property, there will be more problems in the future'.⁶⁶ Although a large number of the Dinka IDPs were forced out by November 2005, resentment lingers and is easily triggered by poorly disciplined SPLA forces who are also often Dinka. 'The Dinka', argued one WES resident, 'simply don't respect our land, our customs, or our rules'.⁶⁷

More of a trickle than a flow, small arms trafficking occurs around several markets along the porous borders of WES, the DRC, and CAR (Marks, 2007). Supplies largely come from South Sudan, where former and current SPLA members sell weapons and ammunition. Most of the demand originates in the DRC. During its civil wars, rebel groups such as Jerome Kakwavu's Forces

armées du peuple congolais (FAPC) were large buyers at the markets.⁶⁸ Today, poachers are the main purchasers. Poaching in and around Garamba National Park is big business: according to one park official, 20–25 elephants are killed a month for ivory there.⁶⁹

No large-scale civilian disarmament efforts have taken place in WES. According to local officials, the SPLA conducted house-to-house searches in Yambio at the beginning of 2008 to collect weapons, but this was not part of any comprehensive campaign.⁷⁰

Disarmament

During the six-month period mandated for civilian disarmament, neither state officials nor the SPLA took any significant steps to implement the president's operational order. There were no provisional orders by the state governor or legislative acts by the State Legislative Assembly. No disarmament committees were created on a state or county level. WES's DDR commissioner proposed a state-wide initiative to sensitize the local population about the dangers of illegal firearm ownership in preparation for disarmament, but the plan was not adopted.⁷¹ No weapons were collected or registered.

WES officials concluded that it was not prudent to implement the president's operational order while the LRA remained armed and active, particularly since the order coincided with a breakdown in peace talks and resumption of military operations against the rebels.⁷² Even if Kony were to capitulate and sign the Final Peace Agreement, the LRA is unlikely to disarm and demobilize immediately, but instead to keep its weapons and assemble along the Sudan–DRC border. Given the LRA's penchant for stalling and Kony's propensity for being unreliable and elusive, the people of WES will likely be living under the uncertain shadow of an armed LRA for the foreseeable future. Faced with a rising tide of killings, abductions, looting, and refugees, WES officials decided that civilian disarmament was not a high security priority.

More generally, the operational order was seen as a hastily announced and poorly planned campaign with little relevance to WES's security landscape.⁷³ Instead of training undisciplined soldiers and deploying them to secure the border and protect civilians from external threats, it was considered that civilian disarmament would divert attention towards a futile search for a few weapons

that were causing little internal conflict. Based on this calculation of interests and needs, disarmament was dismissed.

The call for civilian disarmament also tapped into continuing frustration over the GoSS's policies towards the LRA and the Ambororo.⁷⁴ Top WES state officials have been sceptical of the Juba peace process from the beginning. There is resentment that the GoSS continued to negotiate and feed the LRA while they regrouped, got stronger, and continued to attack civilians in Sudan and the DRC. There is also a preference for a decisive military approach over prolonged and inconclusive negotiations.

In the same vein, in October 2007 a group of Ambororo was escorted from Mundri County, WES to Damazin in Blue Nile State in North Sudan, ostensibly for humanitarian and security reasons. The plan was developed by Vice President Riek Machar and supported by UNMIS. Machar's assistance to the Ambororo angered WES state officials, who saw the scheme as an attempt by the vice president to support a proxy of the North.⁷⁵ By talking with the LRA, escorting the Ambororo, and asking WES civilians to disarm, WES officials concluded that the GoSS had its policies and priorities wrong.

Finally, the Dinka–Zande fighting that took place in 2005 is still fresh in many memories. People seem to be wary of being disarmed by the SPLA when poorly disciplined, primarily Dinka soldiers and armed Dinka cattle keepers along the border with Lakes are perceived as a threat.

Conclusion

As one of the five states that largely chose to disregard President Kiir's disarmament order, the case of WES illustrates the challenge of having a simultaneous disarmament process across all of South Sudan when each state has its own security needs and agenda. For WES officials, the order of priorities is clear: deal with Kony; discipline the SPLA; develop the state's economy and infrastructure; and then disarm civilians.

However, the course chosen by WES officials raises several concerns. While part of the GoSS's motivation for pursuing disarmament was to consolidate control by improving security and neutralizing potential spoilers, WES's failure to implement the order demonstrates that the GoSS at times lacks control over state authorities. The president's order was not optional, but required state

officials to make regular progress reports to the GoSS. WES's actions have set a precedent that state authorities can pick and choose which decrees to observe. On the other hand, by resorting to a top-down approach that relied on no consultation or input from the states, the GoSS invited this kind of challenge from the authorities tasked with implementing the order.

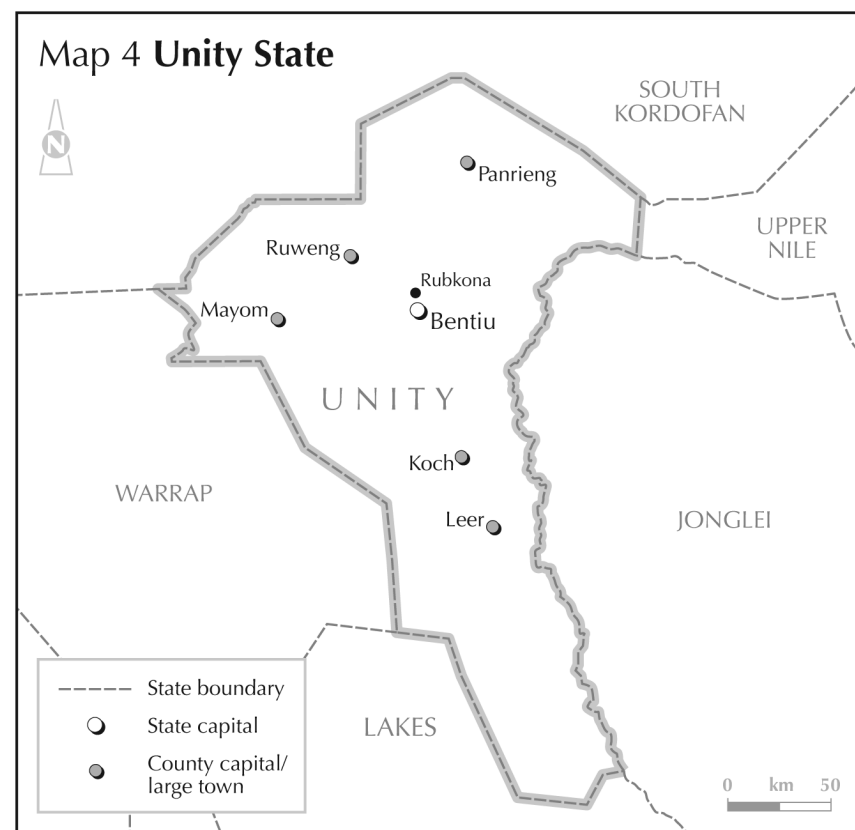
Moreover, ignoring the order is not a substitute for dealing with the security problems facing the state, of which the LRA is just one. Tensions, for example, with Dinka soldiers and settlers can emerge at any time and carry much greater risks if small arms are easily available. State authorities have yet to effectively address these root causes of conflict.

C. Unity State

Civilian disarmament in Unity took place in a climate of escalating militarization and waning trust along the oil-rich, disputed border between North and South Sudan. The SPLA commanded the process by conducting cordon and search operations in each county within Unity except Mayom. A narrowly defined military operation aimed primarily at consolidating control of a strategic flashpoint, disarmament failed to improve security on the ground, fell short of the needs of the civilian population, and reinforced the perception that Unity lacks political leadership.

Security and small arms

Unity is a state of fault lines. Ethnically, it is dominated by Nuer, who constitute 80 per cent of the population and occupy the major positions of political power. Dinka tribes—mainly the Dinka Paneru—make up the remaining 20 per cent and primarily live along the northern border areas of Panrieng and Abiernom. Since Dinka and Nuer are both pastoralists, conflict between them over cattle, water, and grazing grounds is common. When the dry season comes in December, armed Arab nomads known as the Misseriya migrate from South Kordofan into Unity, bringing their cattle and generating further competition for resources. While these seasonal migrations were largely peaceful during the war, they have become increasingly politicized and problematic since the signing of the CPA in 2005.



Geographically, Unity lies along the divide between North and South Sudan. Although the border was supposed to be demarcated by the Technical Ad Hoc Border Committee during the CPA's pre-interim period, a lack of funding and political will have postponed the process. On 15 November 2008 the chairman of the committee announced that disagreements among members over the demarcation of the border between White Nile and Upper Nile states would delay submission of the committee's report, which had been scheduled for 17 November (UNMIS, 2008). Demarcation is particularly sensitive because most of Sudan's oil fields straddle the border. For the GoSS, controlling Unity's oil fields is essential for financing its budgets: it receives 50 per cent of all revenue from oil fields located south of the border, a sum that makes up an estimated 97 per cent of its current budget (GoSS, 2008b).

The president's disarmament order came at a time when tensions were rising in this strategically pivotal area. In April Misseriya tribesmen allegedly backed by the SAF cut off an SPLA garrison in the town of Kharasana, about 40 km north of Abyei, killing 12 soldiers and wounding 26 (Reuters, 2008a). Following the clashes, the state governors of Unity and neighbouring South Kordofan signed an agreement on 28 April calling for the SPLA to withdraw from Kharasana. Between 14 and 20 May fighting between SAF and SPLA forces in Abyei claimed 89 lives and displaced more than 50,000 people (UNSC, 2008). Again, SPLA soldiers were forced to withdraw as a result of the fighting and were redeployed south of the border. In December the SAF further heightened tensions along the border by reportedly moving six battalions of soldiers into South Kordofan (Henshaw, 2008).

In September, UNMIS and the SPLA also discovered that the SAF was using oil installations in Unity to store weapons and house plain-clothed soldiers.⁷⁶ The oil installations are supposed to be demilitarized, with JIUs—comprising SAF and SPLA contingents—providing security outside while state police and private security provide security inside (Small Arms Survey, 2008). UNMIS received reports that JIUs were being barred entry into three oil installations in Unity, and security within these locations was instead being handled by armed SAF soldiers in civilian clothes. After notifying and obtaining permission to enter the facilities from the state governor, UN military observers found a large cache of weapons—AKs, RPGs, and heavy artillery—in an oil facility in Rubkona.⁷⁷ The SPLA confiscated the evidence and then cleared out the other two oil installations before UNMIS could visit them. Faced with clashes, troop build-ups, and infiltrations, the overriding security imperative for state authorities and SPLA forces in Unity is strengthening their position in case the CPA breaks down.

Small arms are so prevalent in Unity that the SPLA is sometimes outgunned. During the war, Khartoum flooded Unity with arms and proxy forces like the Misseriya and Paulino Matiep's militias to displace the civilian population and secure the oil fields.⁷⁸ In 2007 the state governor and the SPLA conducted a limited disarmament campaign in Rubkona and Mayom in response to clashes between the two areas. Only 150 weapons were collected from civilians and, according to one county commissioner, on one occasion some SPLA forces were

surrounded and disarmed by more heavily armed civilians.⁷⁹ Additionally, cattle-raiding parties from Warrap took advantage of the disarmament campaign and launched attacks into Unity after the SPLA had concluded its operations.⁸⁰ One local chief said that the Warrap cattle raiders, armed with AK-47s, RPGs, and mortars, 'looked like an army'.⁸¹ As the clashes in Kharasana illustrate, the Misseriya also have sufficient weapons and support to seriously challenge the SPLA.

Disarmament

Process

Unity State governor Taban Deng convened a meeting of the State Security Committee in July to notify its members that a civilian disarmament initiative would be launched.⁸² Concerned that armed civilians would hide their weapons if they knew a disarmament campaign was imminent, Deng reportedly advised committee members to keep this information within the confines of the committee.⁸³ Deng then delegated responsibility for executing the president's operational order to the SPLA. No consultation occurred with community leaders or civil society to develop a plan for disarmament, no legal or policy framework was created to guide implementation of the process, and no disarmament committees were created to oversee the implementation. Although the SPLA was given full responsibility for conducting the disarmament campaign, soldiers were not given any specific training on how to peacefully and effectively collect the firearms.

In practice, the disarmament process was conducted as a discrete series of military operations. In advance of the campaign, the governor's office dispatched individual agents by car throughout the state to gather information on small arms ownership among civilians and to report back to the SPLA.⁸⁴ Based in part on this reconnaissance, the SPLA then moved into an area the night before a planned disarmament operation, notified the county commissioner, and requested further information on suspected weapons locations. They cordoned off the designated areas overnight and conducted house-to-house searches the following morning. Collected weapons were loaded onto military trucks and transported for storage at the 4th Division headquarters. No registration took place at the point of collection, but state officials claimed that a detailed inventory of the weapons was taken at SPLA headquarters.⁸⁵

The SPLA divided Unity into three zones and assigned a brigade from the 4th Division to each. No extra forces were brought in for the purpose of conducting the disarmament operations or increasing security. The first collections took place in September in the areas of Koch, Leer, and Mayardit. The exercises were largely peaceful, except for a small clash in Leer, where two civilians were wounded.⁸⁶ On 23 September the SPLA conducted house-to-house searches in Rubkona, reportedly collecting 21 assault rifles.⁸⁷ In October they began focusing on the northern border areas around Panrieng.⁸⁸ By December they had covered all of Unity's nine counties, except Mayom.⁸⁹

Problems

There was a stark contrast between how the disarmament was described by officials and how it was perceived by local communities. According to the deputy state governor, the disarmament process was inclusive, efficient, and highly effective.⁹⁰ The SPLA worked in close coordination with chiefs and community leaders to locate and collect illegal weapons, which were voluntarily turned over. In contrast, many people interviewed in Unity described a problematic process that was more coercive than collaborative and increased fears of insecurity.

The decision by state officials to delegate authority over the disarmament campaign to the SPLA reinforced the popular perception that Unity is run by an absentee governor and an unaccountable military. Governor Deng is widely unpopular and the subject of accusations of corruption (Vuni and Gatdek Dak, 2008). When the SPLA withdrew from Kharasana, the governor lost credibility among many in Unity who believe that this area is part of South Sudan. Facing hostile crowds and frequent calls for his resignation, Deng spends little time in the state, creating a void that was apparent during the disarmament campaign. 'There is nobody to coordinate or consult with', said one local official, 'the governor's absence slows everything down.' Chiefs, *payam* administrators, police, DDR officials, and civil society representatives all complained that they were simply spectators and occasional informants for the SPLA's campaign. 'The government has never asked us to participate in disarmament,' claimed one chief, 'and I've never heard of any attempt to sensitize the community about what is going on.'⁹¹

In the absence of political leadership to promote consultation and transparency, the disarmament campaign was highly militarized. In the Dinka Paneru area of Panrieng, local officials and civil society reported that the SPLA harassed civilians and threatened administrators.⁹² According to one prominent chief in Rubkona, people were settling personal scores by making false claims to SPLA troops, who then beat the accused with sticks to extract information about the location of weapons.⁹³ Alienated and antagonized by the disarmament process, many people hid their weapons instead of cooperating.⁹⁴

The UN's ability to monitor and support the process was also constrained by the SPLA's lack of openness. State officials shared very little information with UNMIS officials during the course of the campaign, who tried unsuccessfully to lobby for a weapons destruction programme. During an August meeting with a senior UNMIS DDR official, Governor Deng stated that he had 3,000 'illegal' weapons in storage.⁹⁵ The state governor did not say how, why, or from whom these weapons had been collected. When UNMIS proposed that the UN could help destroy the weapons, Deng initially expressed interest. UNMIS officials tried to follow up with the governor's staff to plan a destruction ceremony, but were subsequently told that Deng had been mistaken and had no weapons in storage⁹⁶.

The problems with a militarized approach to civilian disarmament were most pronounced along the border with South Kordofan. Firstly, many Dinka Paneru in this northern region of Unity State, particularly those displaced from Kharasana, viewed disarmament as another misguided policy by the state governor that would make civilians vulnerable to attacks by Misseriya and the Popular Defence Forces (PDF), the pro-Khartoum paramilitary organization. By failing to provide security guarantees and beginning the collection of weapons just prior to the dry season migrations of northern nomads, the disarmament initiative created few incentives for voluntary cooperation and increased resentment towards state authorities.

Secondly, because President Kiir's disarmament order theoretically required all civilians in South Sudan to be disarmed, SPLA commanders decided that any Misseriya from South Kordofan who wanted to migrate south into Unity during the dry season would also have to disarm. With the facilitation of UNMIS, several peace meetings among the Misseriya, Reizigat, Dinka, and

Nuer were held to ensure a peaceful migration. While these meetings yielded general agreements, there was no consensus on implementation mechanisms for the disarmament of the Misseriya. As a result, when they began moving south towards Unity State, reportedly accompanied by PDF forces armed with heavy weapons, the SPLA initially blocked their entry. Small groups were allowed to cross into Unity, but the main migration was delayed pending further negotiations.

The potential for future trouble is great. Any attempt to coercively disarm the Misseriya or block their seasonal migration could spark destabilizing violence that brings the SPLA into direct conflict with the PDF. On the other hand, if the Misseriya and PDF are allowed to travel through Dinka Paneru areas with their weapons, the migration could also escalate tensions between the Dinka and their Nuer governor.

Conclusion

At the time of writing, state officials have not released figures on the total number of weapons collected during the disarmament programme. The entire process was marred by a lack of inclusiveness, with detrimental results. By opting for a top-down, militaristic approach, state officials and the SPLA sowed resentment rather than securing control of an economically and strategically vital area that has been on the front lines of conflict for decades.

The situation in Unity State contrasted sharply with that in Lakes, where a more considered approach prevailed as part of which committees were established and state directives were issued. In Unity, no attempts were made towards inclusive discussion. As a result the state government apparatus was largely bypassed by the SPLA forces involved, revealing a fundamental breakdown in democratic processes. 🗑️

IV. Conclusion

President Kiir's disarmament order continues the tradition of incompletely planned and non-transparent civilian disarmament initiatives in South Sudan. The order was issued in the absence of the necessary legal and policy frameworks, with poorly defined objectives, and without adequate guidelines (for either the state governors or the SPLA) on how to implement it. Indeed, the manner in which the campaign was conceived—in consultation with just a few powerful individuals within the GoSS and SPLA—raises many questions about the motivations underlying it. If its real goals were to consolidate power prior to elections or to diffuse escalating militarization it is questionable whether this kind of campaign was an appropriate strategy to adopt.

Without a real plan, a transparent rationale, and wide consultation both within the government and targeted communities, any disarmament effort is vulnerable to abuse, above all through selective targeting. It is important to recall in this context that key players in the SPLA and GoSS have long histories in the civil war, support from different constituencies, and numerous and competing interests. The politicized nature of civilian disarmament in South Sudan has long been apparent.

Indeed, the lack of coordination within the GoSS and the manner in which the campaign was managed are indicative of wider governance challenges within South Sudan. Competition between the president's and vice president's offices appears to have hindered the development of the administrative body tasked with clarifying the policy framework and modalities of the campaign. It was only towards the end of the six-month effort that the CSSAC Bureau finally obtained funding and established a physical presence outside of Juba. Should disarmament continue—and early indications are that it will—an expanded role for the Bureau with a transparent mandate would be welcomed by a range of stakeholders, including targeted community members.

The GoSS's policy of decentralization is also important to consider. Notably, several states declined to implement the order at all. As far as is known, this

has not had any specific political repercussions, which says much about the lack of cohesive governance in South Sudan. In the end, the GoSS's 2008 disarmament effort may reveal as much about the state of decision-making and governance in South Sudan as it does about its overarching security objectives. It remains to be seen whether continued disarmament campaigns will follow a similar flawed pattern. 📄

Endnotes

- 1 The text of the CPA consists of six protocols signed between July 2002 and May 2004, with a final chapeau incorporating all previous agreements signed in January 2005. The texts are available at <<http://www.unmis.org/English/documents/cpa-en.pdf>>.
- 2 For an overview of the Jonglei disarmament operation, see Small Arms Survey (2007).
- 3 These incidents should be considered a small sample of ongoing violence. Most of South Sudan's inter-ethnic clashes go unreported.
- 4 Schedules C and D of the Interim Constitution empower states to issue firearm licences, for example.
- 5 These include customary law; the 1986 National Arms, Ammunition and Explosives Act; and the 2003 New Sudan Laws.
- 6 Communication with Sarah Preston, Saferworld, 22 January 2009.
- 7 Operational Order Section 14.6.5.15 of the *Agreement on Permanent Ceasefire and Security Arrangements Implementation Modalities* empowers the Ceasefire Joint Military Committee to 'monitor and verify the disarmament of all Sudanese civilians who are illegally armed'. However, this provision only refers to monitoring and verification; it provides no guidance on who can conduct disarmament, what arms are legal or illegal, or how disarmament can and cannot be implemented.
- 8 Devolving civilian disarmament to state and local authorities appears to follow the general strategy of decentralizing government promoted by President Kiir (communication with Ryan Nichols, UNDP community security and arms control adviser, Juba, 6 February 2009).
- 9 See Mc Evoy and Murray (2008) on cross-border cattle raiding between Kenya and South Sudan.
- 10 The dry season typically runs from December to April.
- 11 Interviews with officials close to the disarmament process, Juba, October 2008.
- 12 Interviews with officials close to the disarmament process, Juba, October 2008.
- 13 See Small Arms Survey (2007) for background on targeted disarmament in response to insecurity.
- 14 See HRW (2008) for background on the Abyei violence.
- 15 See ICC (2008b) for background on the case against Bashir.
- 16 The census was undertaken in April 2008; the results are forthcoming.
- 17 This is a summary of the available information as of January 2009.
- 18 Despite the struggles in getting the CSSAC Bureau operational, it has secured a 2009 budget line and offices are in the process of being established. Now located in the Ministry of Internal Affairs, its main focus remains coordination with the relevant GoSS ministries, commissions and law enforcement agencies, state and local government, civil society, and partners in order to promote the Bureau (communication with Ryan Nichols, UNDP community security and arms control adviser, Juba, 6 February 2009).

- 19 Among the major groups of Dinka found in Lakes are Agar, Gok, Luac, Atuot, Ciec, Aliab, Pakam, and Apak-Atwot.
- 20 It is important to reiterate that most clashes go unreported.
- 21 Interviews with security sources in Rumbek indicated that the total number killed was 150, not 95 as initially reported in the media.
- 22 Interview with chiefs in Rumbek, October 2008.
- 23 Interview with chiefs in Rumbek, October 2008.
- 24 Interview with State Governor Daniel Awet Akot, Rumbek, October 2008.
- 25 Interview with State Legislative Assembly member, Rumbek, October 2008.
- 26 Interview with security sources, Rumbek, October 2008.
- 27 Interview with chiefs, Rumbek, October 2008.
- 28 Interview with chief, Rumbek, October 2008.
- 29 Interview with person close to the disarmament process, Rumbek, October 2008.
- 30 The State Security Committee meets weekly. It is chaired by the state governor and composed of the heads of the police, prison service, and wildlife service; an SPLA representative; the deputy governor; and the security adviser to the state governor. The state CSSAC Bureau officer also attends as an observer.
- 31 The scope and use of provisional orders are described in Article 86(1) of the Interim Constitution of South Sudan. They are meant as temporary acts issued when the State Legislative Assembly is in recess. The assembly must approve any provisional orders when it reconvenes, or the order lapses. In practice, since the assembly only votes ‘yes’ or ‘no’ on a provisional order, the executive appears to use these orders as a way to push through laws with minimal input from the legislature. The proliferation of provisional orders is seen by some as a tool of pragmatic expediency and by others as a trend towards undemocratic governance.
- 32 Each county-level disarmament committee is headed by the county commissioner and composed of representatives from the SPLA, police, and wildlife service.
- 33 Interview with state security adviser, Rumbek, October 2008.
- 34 The governor created the forms despite the president’s order specifying that the GoSS would provide them to the states (interview with State Governor Daniel Awet Akot, October 2008).
- 35 Interview with Rumbek County acting director, Rumbek, October 2008.
- 36 Interview with Rumbek County acting director, Rumbek, October 2008.
- 37 Interview with Rumbek East County commissioner, Rumbek, October 2008.
- 38 Interview with Rumbek East County commissioner, Rumbek, October 2008.
- 39 Interviews with chiefs from Rumbek Central, Rumbek East, and Cuibet Counties, Rumbek, October 2008.
- 40 Interview with security sources, Rumbek, October 2008.
- 41 Interview with state government officials, Rumbek, October 2008.
- 42 The head of UNMIS, David Greesly, went to Rumbek as part of a contingent led by the GoSS internal affairs minister shortly after and regained possession of the UNMIS property.
- 43 The SPLA soldiers disarmed local security forces, as well as State Legislative Assembly members and their bodyguards, in what appears to have been a vigorous interpretation of the governor’s sparse provisional order. The order states that ‘all organized forces must keep their arms in the barracks and all constitution post holders (Executive and Assembly) . . . must have their firearms registered . . . and kept with the police until disarmament is over’ (see Appendix A).
- 44 Interview with UNMIS officials, Rumbek, October 2008.
- 45 Interview with UNMIS officials, Rumbek, October 2008.
- 46 Interview with acting Rumbek County executive director, Rumbek, October 2008.
- 47 The SPLA’s director of operations in Juba sent the brigadier commander and state governor three letters on 4, 5, and 6 September, although their content remains unknown.
- 48 Interview with UNMIS officials, Rumbek, October 2008.
- 49 Interview with security source, Rumbek, October 2008.
- 50 See NCP/SPLM (2008).
- 51 Interview with State Governor Daniel Awet Akot, Rumbek, October 2008.
- 52 Interviews with local residents and security sources, Rumbek, October 2008.
- 53 Interview with security sources, Rumbek, October 2008.
- 54 Governor Awet’s September disarmament order, discussed below, claimed that 198 had died in disarmament activities, but it is unclear what period this covers. See Appendix 2.
- 55 For an account of the LRA in Sudan, see Schomerus (2007; 2008).
- 56 For a more detailed summary of types of firearms used by the LRA, see Schomerus (2007, pp. 41–43).
- 57 When UNMIS assisted a GoSS initiative to escort a group of Ambororo from WES to Damazin in Blue Nile State beginning in October 2007, UNMIS personnel did not observe any weapons among the Ambororo.
- 58 Interview with town residents, Yambio, November 2008.
- 59 Interviews with local officials, Dungu, DRC, September 2006.
- 60 Interview with security source, Yambio, November 2008.
- 61 The state governor labeled the Ambororo ‘enemies of the peace’ at a town hall meeting in Yambio on 20 October and during a speech given to the WES State Legislative Assembly on 21 October 2008.
- 62 Interview with UNMIS official, Yambio, November 2008.
- 63 As mandated by the CPA, JIUs are military units composed of both SPLA and SAF forces; see Small Arms Survey (2008).
- 64 Interview with UNMIS official, Yambio, November 2008.
- 65 Interview with security source, Yambio, November 2008.
- 66 Interview with local government official, Yambio, November 2008.
- 67 Interview with local resident, Yambio, November 2008.
- 68 Interview with local official, Dungu, DRC, September 2006. The FAPC was a DRC militia based in Aru that splintered from L’Union des patriots congolais.
- 69 Interview with security official, Garamba National Park, September 2006. Some of the poachers are organized and run by former SPLA soldiers. Most of the ivory is shipped through Uganda to Europe and Asia.
- 70 Interview with *payam* administration and South Sudan Relief and Rehabilitation Commission (SSRRC) official, Gangura, November 2008.
- 71 Interview with DDR commissioner, Yambio, November 2008.
- 72 Interview with SSRRC official, Yambio, November 2008.
- 73 Interview with SSRRC official, Yambio, November 2008.
- 74 Interview with security source, Yambio, November 2008.
- 75 Interview with security source, Yambio, November 2008. In August 1991, Machar, Lam Akol, and Gordon Kong Cuol announced the creation of SPLA-Nasir (also known as SPLA-Unity),

a breakaway faction of the SPLM/A that pledged to fight for South Sudan's independence while at the same time accepting support from Khartoum. Machar rejoined the SPLM/A in January 2002.

- 76 Interviews with security sources, Bentiu, October 2008.
77 Interviews with security sources, Bentiu, October 2008.
78 A Bul Nuer from Unity, Matiep was commander of the South Sudan Defence Forces (SSDF), an umbrella group of Khartoum-backed militias, prior to the signing of the CPA. Matiep became deputy commander-in-chief of the SPLA after the SSDF signed the Juba Declaration on 8 January 2006 and agreed to be integrated into the SPLA.
79 Interview with Rubkona County commissioner, Rubkona, October 2008.
80 Interview with chief, Rubkona, October 2008.
81 Interview with chief, Rubkona, October 2008.
82 As in other states, the security committee is composed of the state governor, deputy governor, security advisers, SPLA representatives, police officials, and county commissioners.
83 Interview with the Rubkona County commissioner, Rubkona, October 2008.
84 Interview with the Rubkona County commissioner, Rubkona, October 2008.
85 Interview with the deputy state governor, Bentiu, October 2008.
86 Interview with DDR official, Bentiu, October 2008.
87 Interview with DDR official, Bentiu, October 2008.
88 Interview with local government officials, Panrieng, October 2008.
89 Until recently Unity State had seven counties; it now has nine, but as noted on page 6, revised cartographic data is not yet available.
90 Interview with deputy state governor, Bentiu, October 2008.
91 Interview with chief, Rubkona, October 2008.
92 Interviews with local officials and civil society representatives, Panrieng, October 2008.
93 Interview with chief, Rubkona, October 2008.
94 Interviews with *payam* administrators, Panrieng, and chiefs, Rubkona and Bentiu, October 2008.
95 Interview with UNMIS official, Bentiu, November 2008.
96 Interview with UNMIS official, Juba, December 2008.

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Appendix A

Lakes State Provisional Order No. 16/2008*

Date: 5th July 2008

No: SG/CM/LSR/32.A

Resolution No. 14/2008

Subject: Provisional Order No. 16/2008 for 2nd Disarmament of the Civilians carrying arms in Lakes State

After deliberating on the provisional No. 16/2008 submitted by H.E. the Governor of Lakes State regarding the 2nd Disarmament of civilians carrying arms in the State.

The council of Ministers in its regular meeting No. 13/2008 held on Saturday July 2008 Resolved and passed the provisional order for the 2nd Disarmament with effect from 1st July 2008 and for six months.

The main executive committee for disarmament, Commissioner of Lakes State Counties, Commander of Army, Public Security, Commander of Police, and Commander of Prison Forces shall take the necessary steps to implement this resolution.

(signed)

Akech Machek Yor

Secretary General, Lakes State – Rumbek

Date: 1st/07/08

No: GOSS/LSR/1.A.1

State Provisional order No. 16/2008

Second Order of Disarmament of civilians carrying fire arms, disable and loitering officers, NCOs, men from organized forces (army, Police, Prison and Wildlife).

* This appendix reproduces verbatim the English version of the order, including any errors of language.

The presence of arms, garnets, pagas and iron sticks has caused tremendous damage to the lives of the innocent people, properties and organized forces stealing in the area. More than 128 people have been killed in half a year (from January–June 30th / 2008).

This will be the second disarmament after the formation of the state Government since 2005. The first was carried out under the State Provincial Order No. 4/2006 approved by the State Legislative Assembly. It went on smoothly. I hope this second disarmament will be accepted as the first one and without any violation since it was an order from the President of the GoSS and C-in-C of the SPLA. This time it will be all over the ten states of Southern Sudan.

Causes for the increase of fire arms in the hands of civilians:

1. Revival of hidden rifles during the first disarmament;
2. Secrete sales of fire arms by the organized forces (SPLA, Police, and Prison) to the Gelweng in the cattle camps;
3. Arms from the SPLA soldiers who have deserted their units (front line) and integrate themselves into the civil population (Gelweng); yet they are not being reported by their relatives;
4. Murderers who killed and do not report themselves to the police or disobey open arrest and resort to hiding amongst the population in the area while others run to Khartoum, Juba, Kenya and Uganda, even those with means from their relatives try to go abroad (America, Canada, and Australia). Relatives of the deceased resort to buying arms for revenge.
5. Thieves who exploit the chaotic situation by acquiring guns for robbery camouflaged in the military uniforms;
6. Serious influx of arms from across the borders of our state for sell to those who buy them without knowing their numbers are reducing;
7. Militias of unknown origin cause the sabotage within the state;
8. Unorganized disabled left out because was not found to be real soldier and got wounds joined the act;
9. Some individuals or groups disgruntled because of lack of employment misled the masses that state Government doesn't provide proper protection and hence urged them to buy/acquired fire arms;

With the above violations, I consider it indecent and not going with our Constitution of Southern Sudan under Article 155(2) sub-Article (a), (b) & (c)

regarding the code of conduct from the SPLA and conscious civilians; Hence, in the exercise of powers conferred on me by the Comprehensive Peace Agreement (CPA), the Interim Constitution of Southern Sudan and the State Interim Constitution with reference to its' Articles 101, sub Article (two A) and Article 84, sub Article 1; I Lt. General Daniel Awet Akot, the Governor of Lakes State, do hereby issue Provisional Order No. 16/2008, and shall have the force of law when the State Assembly pass it.

Under this Provisional Order:

1. All civilians carrying all forms of fire arms must be disarmed;
2. All organized forces (SPLA, Police, Prison and Wildlife) must keep their arms in their barracks;
3. All deserters (army, police, etc) must be rounded up and put under detention within their barracks till they are sent to their units. Those who resisted shall be Court Martial;
4. All Gelweng must comply with the disarmament laws by giving full details of where they have acquired their fire arms;
5. All constitution post holders (Executive and Assembly) with licensed or unlicensed fire arms must have their fire arms registered with police and keep them (kept by police) until disarmament is over;
6. Random shooting into the air by either organized forces (army, police, prison and wildlife) or anybody is strictly prohibited;
7. All accused prisoners (murderers) must report to police station and failure to do so, they will be arrested by force;
8. All the 2007 murder cases settled by the court of law (Judiciary) must be finished immediately with compensation of 31 cows while murder case for this year 2008, the compensation is 51 cows;
9. Those who sales and buy illegal fire arms if arrested must face seven years imprisonment and a fine of not less than five thousand Sudanese pounds (5,000 SPDs);
10. Soldiers found selling or possessing illegal fire arms shall be Court Martial;
11. The so-called no units or out law militias are strictly prohibited and if found shall face 5 years imprisonment;
12. After the disarmament all SPLA forces shall go back to their barracks as from 31st/12/2008;

13. State Borders Posts shall be established immediately after the disarmament. The force that will maimed those out posts shall be mixture of police and the military;
14. Random movement of the organized forces in the market while wearing their uniforms is strictly prohibited;
15. Any civilian found carrying fire arm after disarmament shall face a jail term of 3 years and a fine of 20 cows;
16. Young people/Youth shall be encourage to join law enforcement agencies such as police, prison, wildlife and fire brigade instead of theft and killing of themselves;
17. There is great need for restoration of the traditional authority that will bring discipline to our youth and encourage traditional cultures that will bring peace and reconciliation amongst our selves.

Made under My Hand in Rumbek on this 1st Day of July 2008.

(signed)

Lt. General Daniel Awet Akot
Governor of Lakes State – Rumbek

Cc: Council of Ministers;

Cc: Speaker of the State Assembly;

Cc: County Commissioners;

Cc: Secretary General;

Cc: File

Appendix B

Lakes State Provisional Order No. 18/2008*

Date: 18/09/2008

No.: GOSS/LSR/1.A.1

To: Security Advisor Leader of Main Committee for Disarmament

Attention: To all Commissioners as heads of the Committees in their respective Counties, Chiefs and Gel Weng

Subject: Provisional Order No. 18/2008 for disarmament

Having finished yesterday with Gel Weng and also having calm down the incident of 8/09/2008, I will continue with disarmament as ordered by our President No. 1/2008, 2/5/08 and my provisional orders 16-17/2008 of 1/7/08 which was not carried out for obvious reasons you are aware of.

First, the information to our local population so that they are not also to be surprised.

Second, the continuous self-killing of which 198 have died up to today I am writing this order, we always accept that arms are to be collected and be in the HQS of every County. Containers will be given to you in your HQS. Disarmament will cover along the main roads 40 miles each side from Yirol West to Malon Pec. We will finish along the borders in November 2008 by 31/12/08, we would have finished.

We are carrying out a peaceful disarmament. It is going to be carried in the following manner:

1. in the Counties – each County will provide
 - a. 15 Officer, NCOs, men and Police
 - b. 10 Officer, NCOs, men Prison
 - c. 5 NCOs and men Wildlife
 - d. 20 Gel Weng each executive chief
 - e. Security personnel from National and Public Service and UN member.

2. The force of 50 men plus security personnel will collect from each Boma, Payam, and County within 10 days as from Monday 22/09/08. Most of the work will be on footing to cattle camps and villages. If we work in good faith in carrying our resolutions from our Conference I think we will finish the disarmament in a very peaceful manner

Those who will hide the guns we will collect 10 cows and will be divided among the forces collecting the guns. Each Commissioner will lead his team; each Executive chief will lead his area or cattle camp. This will ease fighting on one another if guns are collected. Gel Weng will continue after that as stated in their future out work.

All guns will be registered in the forms provided. Forms of Gel Weng for guns in their hands will be collected and directed to me by their Executive chiefs.

Above are some term sof reference along the collection as we agreed with Gel Weng to finish within ten (10 days) along the roads. Any guns along the road whether Pakam, Paloc, Nyang will be collected except near the border which is over our reach now.

This is done under my hand on September 18th, 2008

H.E Lt. General Daniel Awet Akot
Governor of Lakes State and Chairman of the SPLM
Rumbek, Lakes State

* This appendix reproduces verbatim the English version of the order, including any errors of language.

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