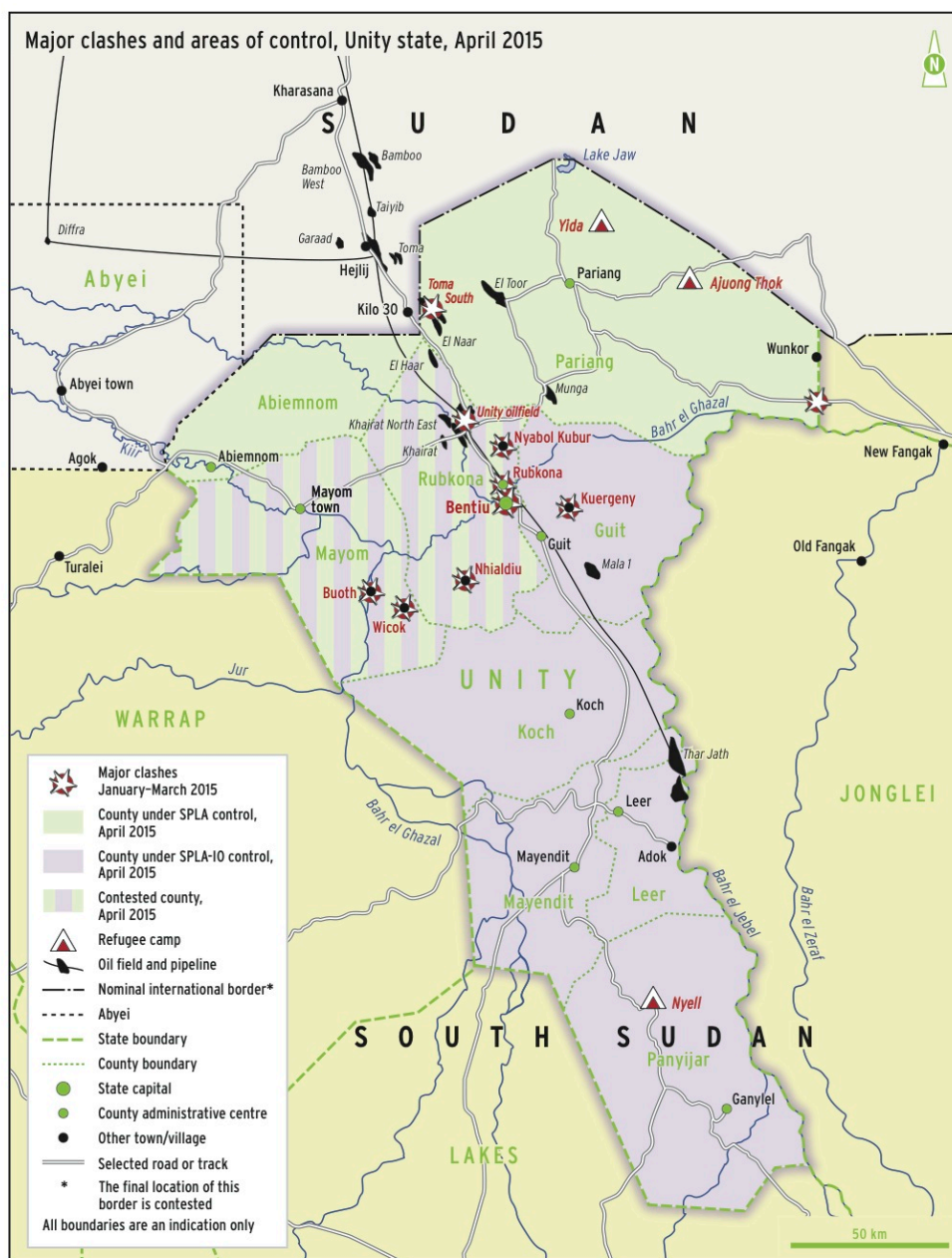


## The Conflict in Unity State

*Describing events through 9 April 2015*



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The past two months have seen an intensification of the conflict in Unity state, despite frequent attestations by the Sudan People's Liberation Movement/Army (SPLM/A) and the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) that their forces are adhering to the Cessation of Hostilities (CoH) agreement that they signed in Addis Ababa on 23 January 2014. In February and March 2015, most of the clashes were concentrated in Mayom county and to the south and east of Bentiou, the state capital. These clashes are intermittent altercations rather than the result of a concerted military push by either side. Thus far in 2015, no territory has changed hands. The SPLA maintains control of the northern and western counties of Pariang

and Abiemnom, as well as of Bentiu. The SPLA-IO controls Unity's southern counties, and much of Guit and Rubkona. Mayom, a strategically important county that contains the road from Warrap state—along which SPLA reinforcements could travel—is largely under the control of government forces. The situation could soon change. The end of March saw heavy fighting around Bentiu, and there are strong indications that the conflict in Unity will intensify in the coming months.

The Intergovernmental Authority on Development (IGAD)—the regional trading bloc overseeing peace negotiations in Addis Ababa—gave the SPLM and the SPLM-IO until 5 March to reach a final peace agreement. Adding to the pressure, on 3 March, the United Nations Security Council (UNSC) signed Resolution 2206, which created the framework for a system of sanctions to be put in place if the peace talks failed. Despite three days of face-to-face talks between South Sudanese President Salva Kiir and the leader of the SPLM/A-IO, Riek Machar, there was no accord between the two sides, and the gap between them on a whole host of critical issues—federalism, the organization of the military, the division of executive power in a transitional government—remains as wide as ever. The UNSC is now creating a Panel of Experts to implement targeted sanctions on individuals involved in the conflict that are found to be blocking the peace process or having violated international humanitarian law. IGAD is planning a new round of negotiations, to take place in April, under the moniker IGAD-plus, which will broaden the international presence in Addis Ababa to include representatives from the African Union, the UNSC, and the Troika countries: America, Britain, and Norway.

These talks are likely to be just as unsuccessful as the yearlong negotiating process that recently concluded in Addis Ababa. Both sides are convinced that a military solution to the conflict is possible, and neither is weak enough to be forced into making meaningful concessions at the negotiating table. On 24 March, the South Sudanese parliament passed a constitutional amendment guaranteeing Salva Kiir three more years in office, and thus suspending the need for national elections, which were tentatively postulated for June 2015. Since the collapse of the peace negotiations in Addis Ababa, Kiir has been bellicose—repeatedly making statements that indicate his willingness to launch a full-scale assault on the SPLA-IO. In two speeches he made at the end of March, Kiir told his audience that the best way to deal with Machar is to destroy his forces and make him come home, just like in 2002. The invocation of this date is a reference to a split within the SPLA that lasted from 1991–2002, and that ended with Machar rejoining the rebel movement. For Kiir, as for much of the country, the current civil war has reopened old antagonisms from this period.

As was often the case during the second civil war, the end of the dry season (April–June) should see an intensification of the current conflict as both sides seek to maximize the territory under their control before the rains begin. The SPLA are better placed to take advantage of this period. With the important transport corridor from Warrap to Unity now dry and passable, the coming months are crucial for the SPLA; it has access to the heavy weaponry and vehicles that would enable it to profit from the dry season conditions. SPLA sources say that if the army does not attack now, it risks missing a window of opportunity, and becoming entangled in rainy season skirmishes with the SPLA-IO.

Both sides are preparing for an intensification of the conflict in the coming months. The SPLA has positioned forces in Bentiu and Mayom. The SPLA-IO is heavily recruiting in the southern counties of Unity, and moving its recruits—including children—north to the frontlines around Bentiu, with hundreds traveling up from Panyijar, often on foot, and often without weapons.

While the SPLA-IO is struggling with internal political divisions in Upper Nile, the SPLM is facing unrest in Unity. There is a campaign to remove Joseph Nguen Monytuel, the current governor, reportedly supported by Matthew Puljang, the head of the South Sudan Liberation Army (SSLA)—a militia allied to the SPLA—and one of the most important military commanders in the state.

### **The battle for Bentiu**

January saw continuous clashes around the state capital, which intensified toward the end of the month, when the SPLA attacked rebel positions to the south and west of Bentiu, while simultaneously striking at SPLA-IO bases in Buoth and Wicok in Mayom. IGAD's Monitoring and Verification Mechanism (MVM), which is designed to monitor the CoH agreement, did not assign responsibility for these clashes, other than to say that SPLA-IO forces had shelled Bentiu town on 1 February. The reports released by the MVM are cursory, not comprehensive, and do not name those involved in violating the CoH agreement.

Intermittent fighting around Bentiu continued throughout February, and the SPLA-IO frequently shelled the state capital. Most of these clashes involved altercations between the SPLA forces stationed in Bentiu and Rubkona, and the SPLA-IO forces based south and east of the state capital, notably at Thow Mangor, Thaon, and Guit. Such clashes are not part of a strategic military plan by either side. Often, they are the result of tactical ambushes, or patrols accidentally encountering each other.

The character of these clashes changed at the end of March. On 23 March, SPLA forces moved out from Bentiu, attacking SPLA-IO positions to the south and east of the state capital, and making some headway against the rebels. The clashes continued on the next day, when the SPLA forces moved further south towards the SPLA-IO base at Nhialdiu in an effort to consolidate their hold on the area immediately south of the capital. SPLA forces also moved east toward Guit, clashing with the SPLA-IO at Kuergeny, some 20 km away from Bentiu. In these clashes, some 12 SPLA soldiers and three SPLA-IO soldiers were killed.

Both sides make competing claims over which force began the clashes. The SPLA claim that the rebels were shelling southeast Bentiu, and advancing on the capital from Guit, and they were thus forced to respond. The SPLA-IO claims that the SPLA is attacking their positions outside Bentiu. Neither claim is completely accurate. Both sides have violated the CoH agreement over the last three months, and the SPLA-IO is certainly responsible for shelling Rubkona and Bentiu, and launching ambushes on SPLA patrols in the surrounding area. More recently, however, the SPLA is actively taking the fight to the SPLA-IO, as Kiir has threatened to do in recent speeches. The area around Bentiu is the most likely ground for an intensification of the conflict in Unity in April, with the SPLA intent on moving south towards Leer and the Thar Jath oil field, and the SPLA-IO focused on trying to take Bentiu.

### **PoC politics and the control of humanitarian actors**

On 6 February, following a visit to the Rubkona Protection of Civilians (PoC) site, the UN assistant secretary-general, Ivan Simonovic, stated that the civilians at the site were well protected. In practice, this has not been the case. During intensive shelling of Bentiu on 23–24 March, the SPLA prevented civilians in the city from reaching the site. The army feels that the inhabitants of the PoC are at the very least rebel supporters if not rebels themselves. On 9 February, the UN Office for the Coordination of Humanitarian Affairs noted that civilians in Bentiu were reporting an increase in assault and harassment by SPLA soldiers. This situation is not helped by the fact that during prior SPLA-IO occupations of the city, some civilians did leave the PoC to assist the rebel forces.

Political tensions are also felt within the camp, with fighting on 9 February, for instance, between youth in PoC 1 (the area of the camp where those aligned with the SPLA stay, along with the majority of the Bul Nuer) and PoC 5. There is a great deal of hostility in the PoC towards the Bul Nuer, who form the bulk of the SSLA supporting the SPLA. Leik and Jikany Nuer from Rubkona and Guit counties feel a sense of betrayal, as the Bul Nuer sided with the government in a conflict that has involved extensive pillaging and sexual violence against Nuer communities in Unity state. In Bentiu and Rubkona, Dok Nuer from Leer talk openly about taking revenge against the Bul Nuer when the political conflict has ended.

Civilians in the PoC feel the effects of the conflict raging around them, and have become direct targets. On 17 March, a shell landed in the PoC. Subsequently, an SPLA patrol was ambushed at Nyabol Kubur, some 10 km north of the PoC, killing 13 soldiers and leaving nine injured. The SPLA, which thought some of the SPLA-IO had sought shelter in the camp, then entered the PoC, killing one civilian, and abducting another. The UN Mission in South Sudan (UNMISS) condemned the SPLA's entry to the camp post-facto, but did not prevent it.

The civilians in the PoC are also subject to multiple political pressures. The Unity state administration would like everyone to go home. On 9 March, Joseph Nguen Monytuel asked the people of Unity to return from the PoC in Juba, and promised to renovate their houses if they were destroyed in the conflict. There are also reasons that Monytuel would also like civilians to leave the Rubkona PoC. In addition to the army's belief that the PoC's residents are rebels, it is something of a public relations disaster for the SPLM/A that an estimated 52,908 people (UNHCR estimate, 19 March 2015) are seeking protection, largely from the very army that is supposed to be defending them. The PoC also centralizes aid distribution, and the Unity state government has put pressure on NGOs to distribute in Bentiu town, where food can be redistributed to the SPLA and soldiers' families.

The civilians in the PoC are thus at the centre of a struggle to control flows of aid and people. The SPLA and SPLA-IO have long experience in manipulating aid flows, the control of which, during the second civil war, became essential to the SPLA's economic base.

Both sides are attempting to control humanitarian actors, in order to obtain food aid, control local populations, and gain resources. On 11 March, the South Sudan Relief

and Rehabilitation Agency (SSRRA)—the branch of the SPLM/A-IO that oversees humanitarian activities—announced that it would now charge a 5% income tax on the salaries of the South Sudanese staff of aid agencies working in the areas under its control. This is the fifth such claim that the SSRRA has made in as many months. It is as unlikely to be effective as the prior attempts: the SPLA-IO lack the capacity to systematically collect taxes, and the rebel organization needs the NGOs far more than they need it. Both the SPLA and the SPLA-IO are reliant on international organizations to provide food and services in many of the communities within their territory. Both have equally attempted to control the movement of these agencies: on 22 March, the SSRRA announced it would begin issuing certificates to humanitarian agencies operating in its territory. Following UNICEF's claim that the SPLA and associated militias was recruiting child soldiers in Upper Nile, the SPLA has made similar moves to control aid organizations.

### **The struggle for Mayom and tensions in the SPLA and SPLA-IO**

Mayom is a strategically crucial area in the west of Unity that provides the SPLA with a vital supply route into Warrap. It is also politically central to the struggle for Unity, and is home to both Joseph Nguen Monytuel, the current state governor, and Peter Gadet, until recently the SPLA-IO's military governor of the state. It is principally inhabited by the Bul Nuer. The county is currently contested. The SPLA-IO maintains positions inside Mayom on the Rubkona and Koich county borders, while the SPLA controls Mayom town and the town of Mankien, home to many of the Bul Nuer's spiritual leaders.

Since the end of January, there has been intermittent fighting in the county, as the SPLA has clashed with SPLA-IO forces in the south of the county, at Buoth and Wangkai. In order to maintain its occupation of Bentiu, control of Mayom is strategically crucial for the SPLA, as it keeps the road open to Warrap. Control of the county is also politically significant. The county as a whole largely remains under the control of Matthew Puljang, the head of the SSLA, and a Bul Nuer.

There were rumours in December and January that Puljang would switch sides and join the SPLA-IO. This seems unlikely: there is also a great deal of hostility towards Puljang's SSLA, and the Bul Nuer more generally, among the Nuer populations of southern Unity that constitute the bulk of the SPLA-IO in the state. However, recent tensions have emerged between Puljang and Monytuel.

Joseph Nguen Monytuel is the brother of Bapiny Monytuel, one of the most important SSLA commanders, and his appointment as governor—following the dismissal of Taban Deng Gai—was partly a means of ensuring that the SSLA stayed loyal to the government. The governor is not popular. In January 2015, Monytuel was accused of embezzling state funds, failing to maintain the roads, and appointing close relatives to positions in the government. In the last week of January, a youth organization from Mayom county demanded his resignation.

Monytuel's lack of support has been increasingly evident in recent months. In February, Unity state's technical advisor, Tungwar Gatluak, defected to the SPLA-IO. Monytuel denies this defection, and claims that his advisor was visiting his family in Khartoum. However, sources close to the SPLA-IO confirm the defection. In Pariang,

Monytuel is also facing dissent. The county commissioner recently dismissed a number of key local officials, as part of an ongoing dispute between the SPLM in the county and political leaders loyal to the former county commissioner, and current deputy governor, Stephen Mabek Lang. Monytuel has called for these officials to be reinstated, without success.

More problematically for Monytuel, it seems that Matthew Puljang supported the call for his removal; John Madeng Gatduel is being touted as a possible replacement as state governor. A former commissioner of Mayom County, Gatduel was appointed by Taban Deng Gai to replace Charles Machieng, a deeply unpopular commissioner and relative of Taban Deng who defended the SPLA in 2011, after it had burned down houses in Mayom county in clashes with Peter Gadet's militia forces. If the SSLA has indeed turned away from Monytuel, his principal advantage as state governor has been removed; whoever replaces him, however, will need the militia's approval.

### **Recruitment in southern Unity**

The southern counties of Mayendit, Leer, and Panyijar are firmly under SPLA-IO control. The rebels have formalized the political administration of these areas, though the county commissioners and their staff effectively form a military administration. The last two months have seen high levels of recruitment in the south, following the SPLA-IO's announcement of a recruitment drive on 2 February in anticipation of intensifying hostilities. Some of this recruitment is voluntary, while in other cases the SPLA-IO is rounding up young men, who then travel north in lorries, or, in many cases, on foot.

### **Pariang and the oil industry**

The conflict in South Sudan has affected relations across the border. It is now the height of dry season, and traditionally the time when Missiriya herders move south through Abyei and into Unity state in search of grazing for their herds. Since 2005, this migration has often proved difficult due to hostile relations between the pastoralists and the host communities that stem from second civil war era confrontations.

The current civil war in South Sudan has not improved relations. On 9 February, there were clashes between the Awlad Umran section of the Missiriya and the Bul Nuer in al-Din, South Kordofan, just north of Unity state. The SPLA-IO presence in South Kordofan, at Kilo 30 and Kharasana, has meant that South Sudanese host communities have associated Sudanese groups with the rebel force, and this has been detrimental to cross-border relations. Equally, given the uncertain security situation and impoverished economic climate, a more general rise in raiding in Unity state is due to armed groups needing to support themselves, and the absence of state-backed sanctions. In this case, however, the Mayom county commissioner, John Bol, reported that some of the cattle that were stolen from the Missiriya were found in Rubkona county, and then returned to the northern pastoralists. Hamid Al Dodo, one of the chiefs of Awlad Umran, confirmed that some of the cattle had been returned, but a far larger number were taken. He further claimed that the thieves were not criminals—John Bol's contention—but members of the SPLA.

While cross-border migration was disrupted by the conflict in the past two months, the SPLA's control of the oil fields in the north of Unity state remains unaffected. Early January saw heavy clashes around these fields, with the SPLA suffering losses to SPLA-IO forces moving south from their rearguard bases in Sudan. Since then, Pariang, along with Abiemnom county, has firmly been under the control of the SPLA. On 25 February, SPLA-IO troops moved from their base at Panakuach and attacked the Toma South oil field, but were beaten back and have not attempted another attack.

None of the oil fields in Unity state are currently operational after they were shut down in December 2013 and January 2014 at the beginning of the conflict. While there has been fighting at the fields over the last year, none of the oil production sites were extensively damaged and looting has largely been limited to copper and electrical wiring, all of which is relatively easy to replace. The pipelines were damaged, however, when they were rapidly shut-off at the beginning of the conflict, and the security conditions are still not in place that would allow repairs to begin. Damage to the pipelines around the Thar Jath and Mala oil fields in the east of the state has caused oil pollution to affect the water table. A recent study by geologists from Germany and South Sudan found that the water used by a population of 180,000 was contaminated to such an extent that it is no longer safe to drink.

That the Government of the Republic of South Sudan (GRSS) derives no income from the Unity oil fields contributes to its greatly straitened financial circumstances. The South Sudanese Pound lost more than 50% of its value in 2014, and the GRSS struggles to pay civil servants and the army. It is currently trying to negotiate a reduction in pipeline fees, which it pays to Sudan to exports its oil through Port Sudan, though given Sudan's own financial difficulties this is unlikely to be successful. In the meantime, on 25 March the South Sudanese parliament authorized the GRSS to borrow USD 500 million from the Qatari National Bank. This is, however, not a sustainable way of funding the civil war.

Such financial difficulties are another reason it is likely the next two months will see intensified clashes in Unity state, as the GRSS attempts to put in place the security conditions around the Unity oil fields that would allow production to resume. With talks in Addis Ababa concluded, and both sides convinced of the possibility of military success, the next two months should see increased violence in the state.

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