



# AFRICA CENTER FOR STRATEGIC STUDIES

## NATIONAL SECURITY STRATEGY DEVELOPMENT WORKSHOP: NORTH AND EASTERN AFRICA

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### South Sudan: The Case for National Security Strategy Development

#### OVERVIEW

**Population:** 13.8 million (WB, 2017)

**Life Expectancy:** 56.3 years (WB, 2017)

**Adult Literacy Rate:** 32% (IRIN, 2015)

**Ethnic groups:** There are about 64 ethnic groups. The Dinka is largest ethnic group followed by the Nuer. Other major ethnic groups include Bari, Azande, Shilluk, Murle, Toposa and Luo.

**GDP:** current USD 2.6 billion (WB, 2017), GDP per capita, current USD 189.4 (WB, 2017)

**International Poverty Rate (\$1.9),** 82% (WB, 2018)

**Inflation Rate:** 362% (WB, 2017)

**Revenue:** Oil (98% of annual budget).

**Language:** English (official); Arabic and other national languages of 64 ethnic groups

**Religion:** Majority Christians, then followers of traditional African religions and Muslims.

**Food Security:** In 2018, 6.3 million people (nearly half of population) face famine and severe food insecurity.

**IDP and Refugees:** 4.2 million people are displaced, including 2.2 million who left for neighboring countries.

**United Nations Mission in South Sudan:** Established in July 2011; current strength is 17,000 troops, including 4,000 for the Regional Protection Force.

#### 1. INTRODUCTION

South Sudan is a landlocked country in East Africa with the fourth-largest proven oil reserves on the continent. The country gained its independence from Sudan in 2011 after decades of violent conflict that ended in 2005 with the signing of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement (SPLM). Following the death of Dr. John Garang, the founding leader of the SPLM, immediately after the signing of the CPA, Salva Kiir (Dinka) became the leader of the SPLM and President of South Sudan, and Dr. Riek Machar (Nuer) became his deputy in the party and the government. In less than two and half years, a power struggle between President Kiir and former Vice President Machar brought to the fore unresolved ethnic divisions. Machar commandeered the Sudan People's Liberation Movement in Opposition (SPLM-IO), and the country was plunged into

civil war. With a death toll of about 400,000, over 4.3 million displaced, and nearly 7 million people face food crisis and the risk of famine persists, the war has brought about unprecedented levels of human suffering.

With the efforts and mediation of Intergovernmental Authority on Development (IGAD), the warring parties signed in 2015 the Agreement on the Resolution of Conflict in South Sudan (ARCSS), resulting in the formation in April 2016 of Transitional Government of National Unity (TGoNU) headed by Kiir as president and Machar as first vice president but with more power. Within less than three months of the

formation of TGoNU, violent conflict broke during the meeting of presidency in Juba, the capital city of South Sudan, resulting in the militarization of communities and emergence of many armed groups and militias throughout South Sudan. Under the mediation of IGAD, all the warring parties except few signed the Revitalized ARCSS (R-ARCSS) in September 2018 that was celebrated in Juba in October 2018 with attendance of Salva Kiir and Riek Machar and they declared their commitment to work together this time around and to put South Sudan on the path of peace and stability. As the parties failed to implement the provisions related to security arrangements, the TGoNU was not formed in May 2019. The parties have agreed again to form the TGoNU in November 2019 but yet there is no much progress in the implementation of security arrangements. However, many observers cast doubt about the viability of this peace agreement; as the mediation process was seen as coercive and reinstating Kiir and Machar to work together in their previous positions is viewed as a recipe for another violent conflict. Since the signing of the R-ARCSS, progress in its implementation impaired by lack of political will and mired by infighting in several areas; particularly in the Equatoria region between the government forces and forces of Gen. Thomas Cirilo, the leader of National Salvation Front, who rejected the R-ARCSS.

## **2. SECURITY ARCHITECTURE AND GOVERNANCE**

In South Sudan, the components of the uniformed security sector are:

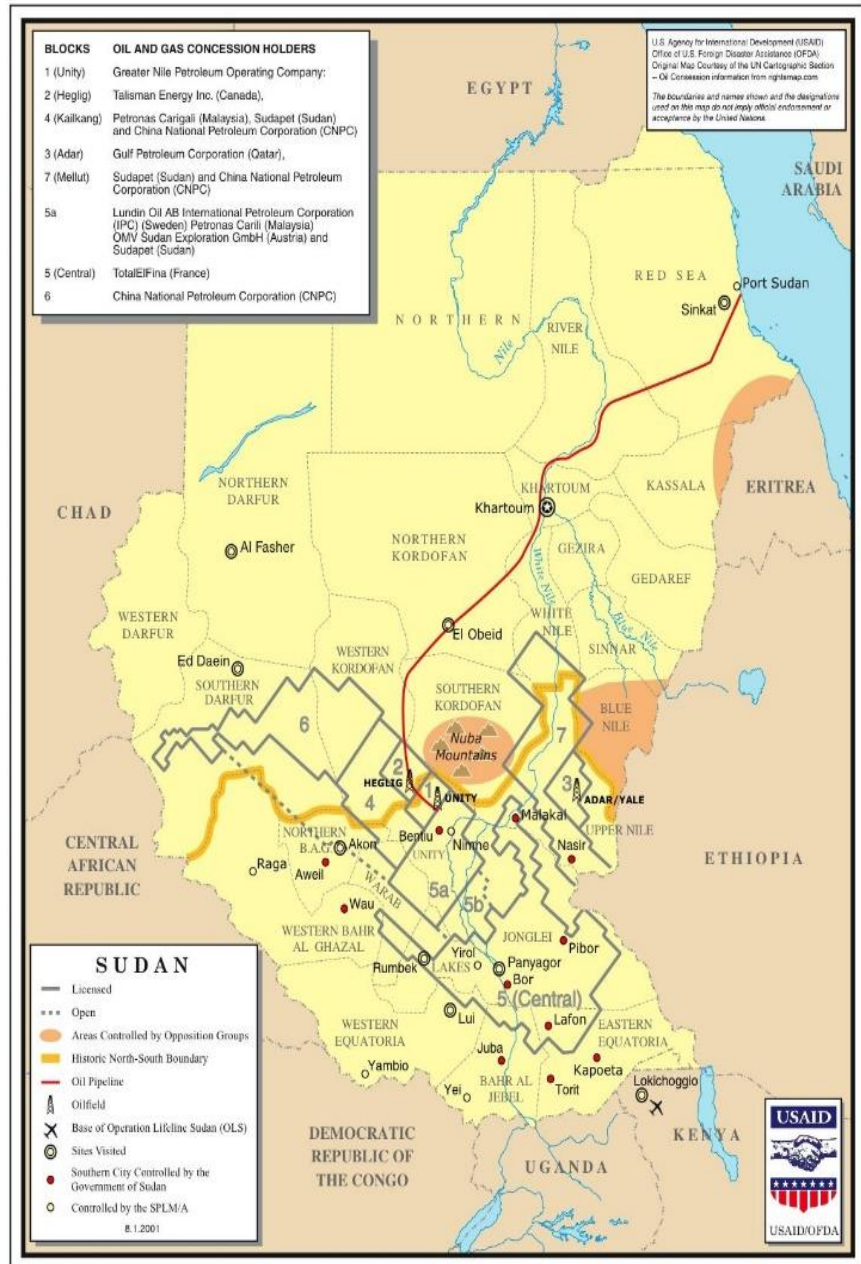
- Sudan People's Liberation Army (SPLA) (now renamed as South Sudan People's Defense Forces (SSPDF))
- National Security Service (NSS) (the intelligence organization)
- South Sudan National Police Service (SSNPS)
- National Prisons Service of South Sudan (NPSSS)
- South Sudan National Wildlife Service (SSNWS)
- South Sudan National Civil Defence Service (SSCDS) or fire brigade (all of which are armed)

These security institutions and agencies are headed by senior civil servants and under the political supervision of ministers and their responsibilities and roles are defined by various legislations and laws. The National Security Council headed by President is charged with security sector interagency coordination and collaboration.

### 3. SECURITY CHALLENGES:

#### *Internal Security Challenges:*

*Politicization of Uniformed Security Sector*<sup>1</sup>: One of the enduring characteristics of the SPLA and other uniformed security sector is their close relationship with the SPLM, the ruling party, of which it was the armed wing during the war of liberation. Today, it is commanded by officers who dabble in politics, while politicians tend to maintain militia loyal to them. The relationship between the SPLA and the SPLM party is deep and structural, in part because the CPA power-sharing gave the SPLM to staff the uniformed security sector services from its military wing, the SPLA and made President to be both the commander in chief of the SPLA and the chair of the SPLM party. Moreover, many officers are politically active with politicians tend to have their own militias or command loyalty from sections of the Army. This has resulted in the militarization of public and political life in South Sudan.



*Lack of Professionalism*<sup>2</sup>: All components of the security sector in South Sudan have been accused of serious human rights violations, including the use of rape as a weapon of war, the killing of innocent people on the basis of ethnicity, the recruitment of children, the forced displacement of populations, and looting during the conflict. Political leaders and senior military leaders in the SPLA – which has acquired the reputation of a tribal army dominated by ethnic Dinka – also stand accused of land grabbing and ethnic

<sup>1</sup> Kuol, D. (2018). “Confronting the Challenges of South Sudan’s Security Sector: A Practitioner Perspective”. *Special Report No. 4: Envisioning A Stable South Sudan*. Washington: Africa Center for Strategic Studies (ACSS).

<sup>2</sup> Ibid

cleansing. In particular, the police service became the dumping grounds for unwanted officers and soldiers from the SPLA. The absorption of untrained and mostly illiterate officers from the other armed militia groups meant the majority of the police force was functionally illiterate. The Police Service lacks a culture of democratic policing and adopts instead paramilitary style of policing, with its officers continuing to see themselves as part of SPLA<sup>3</sup>. The National Security Service has a reputation of being the “political police” of the President and is alleged to have participated in illegal renditions of regime opponents from neighboring states. The security institutions and agencies have become sources of insecurity of citizens and security situation is degenerating to *Hobbesian state*<sup>4</sup>.

*Weak Institutions and Emergence of “Gun Class”*<sup>5</sup>: The nature of power-sharing agreements that reward those with guns created a “gun class” before the independence of South Sudan and in the early stages of state formation and transition to statehood. The dominance of the SPLA, which won independence at the edge of a sword in 2011, has precluded the building of effective institutions. The lack of commitment to reforming the military, intelligence, and law enforcement agencies has caused stagnation and quick atrophy at an embryonic phase of state formation. Instead, the SPLA has morphed into a degenerative gun-toting aristocracy that straddles the sociocultural, political, and economic spheres like a colossus. The fusion of security leaders with political power, class, and ethnicity—is at the heart of the predatory governance system that has taken root in South Sudan. As such the security sector has become not only the driver of insecurity but it empowered the political class to thrive by nurturing this insecurity and instability<sup>6</sup>.

*Overlapping of Roles and Responsibilities*<sup>7</sup>: Although different laws and legislations have clearly spelled out the roles and responsibilities of the uniformed security sector, the 2014 National Security Act that was promulgated during civil war has usurped most powers and functions of security sector agencies and institutions and given them to the National Security Service (Intelligence). Rather than having the normal functions of gathering and analyzing intelligence and advice the relevant authorities as provided for in the constitution, the Act gives the National Security Service (Intelligence) the power to maintain security, protect the Constitution and national social fabric and safety of South Sudanese from any internal and external danger. The Act also makes division of labor in security sector blurred and overlapping. The Act has given the National Security Service the constitutional powers of police to arrest, detain, seize and search. The intelligence organization has also become “a parallel army” equipped with tanks, heavy artillery pieces, and multiple rocket launchers. Also, the national army’s military intelligence that is responsible for all collected information during army mission has also encroached into the civilian powers of police to arrest, detain, seize and search. The “security” has become synonymous with “intelligence”. The decades of conflicts in South Sudan have eroded the separation of roles and mandates between the political class and security actors, leading to a deliberate and disastrous convergence. One of the results of this entanglement is that security agencies have become central to politics, as have politicians in military and security matters.

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<sup>3</sup> HSBA (2017). “Policing in South Sudan: Transformation Challenges and Priorities”. *Issue Brief No. 26*. The Human Security Baseline Assessment (HSBA).

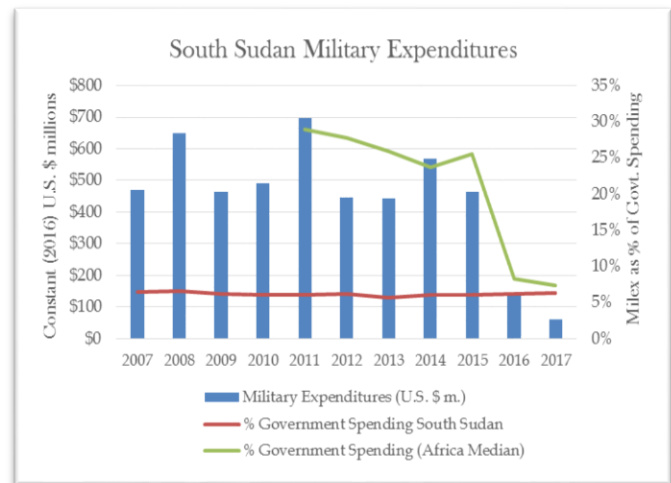
<sup>4</sup> Kuol, L. (2018). “Three Trajectories Facing South Sudan”. *Special Report No. 4: Envisioning A Stable South Sudan*. Washington: Africa Center for Strategic Studies (ACSS).

<sup>5</sup> D’Agoot, M. (2018). “Taming the Dominant Gun Class in South Sudan”. *Special Report No. 4: Envisioning A Stable South Sudan*. Washington: Africa Center for Strategic Studies (ACSS).

<sup>6</sup> Miamingi, R. (2018). “Durable Stability in South Sudan: What are the Prerequisites”. *Special Report No. 4: Envisioning A Stable South Sudan*. Washington: Africa Center for Strategic Studies (ACSS).

<sup>7</sup> Ibid

*Ethnic Dominance and Proliferation of Militias and Arms:* The size of Sudan People’s liberation Army (SPLA) that was only about 40,000 at the conclusion of CPA in 2005; by 2010, that number had reached 195,000, including a phenomenal increase in the number of untrained and sometimes illiterate officers (Mande, 2011). It is estimated the size of the SPLA was about 200,000 active personnel at the outset of the civil war; its numbers have dwindled amid defections and battlefield casualties. The early formation of SPLA and power-sharing arrangements allowed both Dinka and Nuer ethnic groups to dominate the



SPLA rank-and-file. Nuer reportedly made up 70 percent of the SPLA at the start of the in 2013 but mass defections, desertions, and skewed recruitment policies have transformed the SPLA to Dinka-aligned ethnic militia. As of September 2017, IGAD had documented 41 armed ethnic groups and militias in South Sudan and with considerable proliferation of licit and illicit small arms in the hands of citizens that is estimated to be not less than 720,000. South Sudan’s defense forces, meanwhile, reportedly wield 250,000 firearms, while police are said to possess 48,200 to 67,200 firearms.

*High Security Expenditure:* The SPLA alone without other uniformed services such as police and prison services constituted about 55 percent of all salaried employees at independence. Before the eruption of civil war in 2013, their salaries accounted on average for more than 60 percent of total personnel spending, constituting an average of 40 percent of total public expenditure<sup>8</sup>. The share of salaries relative to total expenditures for the SPLA increased from 16 percent in 2006 to 87 percent by 2011<sup>9</sup>. The same pattern is also observed in other uniformed services. Until 2016, South Sudan devoted roughly a quarter of government spending to its military constituting more than six times the average for the continent (2.1% of GDP), this was the second highest in the world behind Oman (SIPRI, 2017). Despite a significant decline of military spending in recent years, additional security spending is believed to be off-budget. With collapsing economy, soldiers and other uniformed services and other civil servants have been experiencing several months delay in their salaries resulted in off-taking activities and surge of crimes.

*Collapsing Economy*<sup>10</sup>: With 3.75 billion barrels of oil, South Sudan has the fourth largest proven oil reserves of on the continent, and is among the most oil-dependent countries in the world. Nearly 100% of the country’s hard currency is derived from oil. Before the war, South Sudan used to export 250,000 barrels of oil per day; production fell to 130,000 after eruption of violent conflict in 2013. Five years of civil war, along with declining global oil prices, maturing oil fields and below-average agriculture production, the economy contracted by about 6.9 percent, inflation reached 362 percent, South Sudanese Pound (SSP) depreciated by 90 percent and 70 percent of population became poor in 2017. The economic outlook remains dire with GDP is projected to further contract, depreciation of SSP will continue and

<sup>8</sup> Nunber, B. (2015). “South Sudan’s Civil Service Challenges”. *Working Paper*. London: International Growth Center.  
<sup>9</sup> Gedima, A., 2011. “From a Guerrilla Force to State Military: An Assessment of the Transformation of the Sudan People’s Liberation Army (SPLA) from 2006-2010”. Monterey, CA: Naval Postgraduate School.  
<sup>10</sup> World Bank (2018). *South Sudan*. Washington: The World Bank Group

level of poverty and food insecurity worsening further. Even after signing the R-ARCSS, South Sudan continues to lose much of its oil proceeds through compensation agreements and defense expenses. According to the World Bank, South Sudan is virtually trapped in a worsening cycle of debt; as most of its oil coming out of the ground already sold, or going to service debts to Sudan.

*Deteriorating Social Cohesion and Trauma*<sup>11</sup>: Five years of civil war, coupled with weak institutions—particularly the security sector, which is dominated by the two major ethnic groups (Dinka and Nuer)—has seen relations between state and society, and between and among various ethnic groups, deteriorate. Fragility indices (social, economic and political) point to a decline in social cohesion, particularly following eruption of violent conflict in 2013, with vertical relations deteriorating more than horizontal relations. Also the sense of belonging to State of South Sudan started fading away with citizens associating more with their tribes or regions than with the state. These developments may threaten the unity of South Sudan if civil war persists. Besides the deteriorating social cohesion, some studies have found high levels of trauma and trauma associated mental disorders such as PTSD, depression and anxiety that are comparable to levels of countries that experienced genocide such as Cambodia and Rwanda.

*Corruption*: According to corruption perception index, South Sudan is ranked among the most corrupt countries and scored in 2018 only 13 points out of 100 points of the index. Many reports have established strong link between oil, security services, ethnic militias, corruption and escalation of violent conflict. The recent 2018 Global Witness Report shows how the state-owned oil company, under the direct control of the President and the head of the South Sudan’s powerful internal security service, has been fueling civil war by funneling millions of dollars in oil revenues to security services and ethnic militias with limited oversight and accountability.

*Gross Human Rights Abuses and Arbitrary Detention*: Since the start of South Sudan’s internal armed conflict in December 2013, there have been serious crimes against humanity and war crimes committed that reached almost the level of genocide or ethnic cleansing. Even after the signing of the R-ARCSS, Amnesty International<sup>12</sup> has reported hundreds of people, mostly men, have been detained under the authority of the National Security Service (NSS) and Military Intelligence Directorate in various detention facilities across the capital city, Juba and subjected to torture and other forms of ill-treatment. Others have been forcefully disappeared. Many of those who have been detained have been held under the category of “political detainees” on allegations that they have communicated with, or supported the opposition.

*Humanitarian Crisis and Death Toll*: Despite the recently signed peace agreement that offers new livelihood opportunities, the UN<sup>13</sup> reported that the cumulative effects of years of violent conflict and destroyed livelihoods have left more than 7 million people or about two thirds of the population in dire need of humanitarian assistance and protection. The violent conflict continues to force people to remain on the move with limited access to humanitarian assistance. Almost 4.2 million people have been displaced including 2.2 million in neighboring countries and 2 million internally with nearly 6 out of 10 people are expected to be severely food insecure, 2 out of 5 children under age 5 are malnourished and 2 out of 5 pregnant or lactating mothers are malnourished. According to the report published by the London School of Hygiene and Tropical Medicine<sup>14</sup> about 400,000 have died as a result of civil war with half of the dead

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<sup>11</sup> Kuol, L. (2018). *South Sudan: The Quest for A Resilient Social Contract*. Oslo: United Nations Development Program (UNDP).

<sup>12</sup> Amnesty International, 2018. “South Sudan: Broken Promises: Arbitrary Detention by South Sudan’s Intelligence Agencies Continues”. <https://www.amnesty.org/en/documents/afr65/8823/2018/en/>

<sup>13</sup> <https://www.unocha.org/south-sudan>

<sup>14</sup> <https://crises.lshtm.ac.uk/2018/09/26/south-sudan-2/>



were killed in fighting and other half died from disease, hunger and other causes exacerbated by violent conflict.

### *External Security Challenges<sup>15</sup>:*

*Regional Politics:* On the basis of subsidiarity principle, the IGAD has been mandated by the African Union (AU), with the support of the Troika countries (Britain, Norway, and the United States) and the broader international community, to resolve the violent conflict in South Sudan. IGAD has so far been unable to elicit required conduct from the warring parties in South Sudan to end crisis largely because of competing regional interests that have instead exacerbated the current crisis. The predicaments of violent conflict, social fracturing, and economic turmoil faced by South Sudan could have been ameliorated if the region and international community acted in greater unison. The failure of IGAD and international community to develop common approach for addressing the crisis in South Sudan has inhibited a robust response and allowed the warring parties to constitute violating the ceasefire and committing more gross human rights abuses. This crisis is festering because of the narrow interests of regional players and the inability of the international community to take firm actions.

*Economic Interests:* The economic interests of South Sudan's neighbors constitute a key prism through which to view not only these neighbors' evolving roles in South Sudan, but also the jockeying for alliances by parties to the conflict. South Sudan attracted both small and big investors into various sectors of its economy from Sudan, Kenya, Uganda, Ethiopia, Eritrea, Egypt, and multinational companies; particularly from China, Malaysia, France and India. The subsequent engagements by these countries were generally informed by their desire to protect their investing nationals, although the intensity of such interests has varied from country to country. The politics around the Nile waters and construction of the Grand Ethiopian Renaissance Dam (GERD), oil pipelines and enormous investment opportunities have made South Sudan a competing ground for regional and international economic interests that exacerbated the current crisis.

*Political and Security Interests:* The independence of South Sudan created political challenges that have become detrimental to its survival. Its independence was accepted reluctantly by Sudan, as it occasioned the loss of a quarter of its territory and three-quarters of its export earnings (approximately \$13 billion) but it was seen as western project imposed against its will. Since the independence of South Sudan, the Islamist ruling elites in Khartoum; despite apparent economic interests in stable South Sudan, have been keen to reverse such independence and started working to destabilize the new state. Within less than one year, Sudan and South Sudan entered into war over the contested border oil rich area. South Sudan has been accused of supporting the Sudanese rebel movements in the Darfur, Nuba Mountains, and Blue Nile regions. The competing political and security interests of the IGAD members is clearly reflected in the proliferation of initiatives (Sudan, Kenya, and Uganda) aimed at addressing the crisis in South Sudan. The region is divided into camps: Uganda/Egypt and Ethiopia/Sudan. While Uganda and Egypt are for the reunification of the SPLM and to sustain status quo in Juba, they are indirectly undermining the leadership of Ethiopia in the IGAD and to limit the influence of the Sudanese Islamic ruling elites and Ethiopia in South Sudan. On the other hand, Ethiopia and Sudan are interested in changing the status

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<sup>15</sup> Kuol, L. (2018). "Navigating the Competing Interests of Regional Actors in South Sudan". *Special Report No. 4: Envisioning A Stable South Sudan*. Washington: Africa Center for Strategic Studies (ACSS).

quo in Juba through revitalization of the Peace Agreement and bringing back Dr. Machar into power in Juba as a way of limiting the influence of Uganda and Egypt in South Sudan. The 2018 peace agreement came as a result of mediation of Sudan and Uganda and provides the two countries a more inclusive role in oil and security sectors than other member countries of IGAD that is designed to serve their vested national interests in South Sudan. With these arrangements some analysts described South Sudan as virtually under the condominium of Sudan and Uganda.

*Donors Fatigue:* With the eruption of violent conflict that resulted in unprecedented enormous humanitarian needs, almost all external assistance has been shifted to address the deepening humanitarian crisis and increasingly challenging and costly operational environment. The UN estimated the total humanitarian assistance requirement for South Sudan in 2018 to be about \$1.7 billion, of which only \$700 million (41 percent) has been raised. The key donors include USA (40.9 percent), United Kingdom (14.2 percent), European Commission (5 percent), Canada (3.8 percent) and others (4.9 percent). If the ARCSS is to be implemented, at least \$400 million in donor assistance would be required to stabilize the fiscal and monetary situation in the first year of transitional arrangements. With unmet humanitarian needs, increasing violations of human rights, restricted humanitarian access, increased death toll of humanitarian workers and peacekeepers, and recently signed peace agreement that was coercively mediated, and the donors are reluctant to provide assistance for the implementation of the revitalized peace agreement.

## **SECURITY SECTOR OPPORTUNITIES**

*Security Sector Reform:* Although past attempts by donors to reform South Sudan's security sector failed to achieve meaningful change, the political and legal framework they created could underpin future efforts to professionalize the SPLA. These have included the 2008 SPLA Defense White Paper; the draft 2013 National Security Policy; and various legislations for all uniformed services (the 2009 SPLA Act, the 2009 Police Service Act).

*Global Oil Prices:* The considerable increase in the prices of Brent crude oil and the current deal reached between the warring parties in Khartoum to secure and resume oil production with involvement of Sudan will increase the revenue envelope for South Sudan and subsequently the resources for the security sector.

*Civil Society:* There is a growing role of civil society in South Sudan, particularly during the negotiations and implementation of the 2015 ARCSS. Unlike other peace agreements, the civil society organizations have been engaged in the negotiations of security arrangements of the ARCSS that are usually left for the military and gained representation in the architecture and mechanisms for permanent ceasefire and review and transformation of security sector. Also traditional institutions continue to play even in the middle of civil way a critical role in maintaining order and access to justice in the rural South Sudan.

*East African Community<sup>16</sup>:* The admission of South Sudan to the East African Community (EAC) in 2016 will contribute to overcoming some of hindrances to its economic development as a land-locked country with poor domestic infrastructure. With its accession to the EAC, South Sudan will be able to reduce transport costs by benefiting from the on-going and future regional infrastructure projects such as Lamu Port in Kenya and the EASSy cable, a 10,000km submarine fiber-optic cable along the coast of eastern and southern Africa. However, South Sudan may face some short-term costs such as the rise in the cost of

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<sup>16</sup> Haas, A. (2016). "What South Sudan will gain from joining the East African Community". *The CONVERSATION*. May 3.



living due to likely increase in the customs tariff and high labor costs due to low levels of education and skills.

*The 2018 Revitalized Peace Agreement*<sup>17</sup> (R-ARCSS): Most of the warring parties signed the R-ARCSS in September 2018 with exception of National Salvation Front and other few parties. Although the R-ARCSS faces the same challenges that have ruined past peace efforts, there are reasons for hope as many South Sudanese see this Agreement as the only way for silencing guns. Like the ARCSS, the R-ARCSS remains on paper and not been implemented but it identifies security sector transformation (SST) as one of the most crucial issues that need to be addressed if South Sudan is to attain peace. It provides a holistic roadmap for transforming security sector through a multi-stakeholder Strategic Defense and Security Review Board (SDSRB) that includes representatives of the warring parties, other political parties, parliament, faith-based leaders, academia, youth, women and civil society organizations. The SDSRB is tasked to (i) examine the military and non-military security challenges (internally and externally), (ii) clarify the responsibilities of different security sector institutions and agencies in responding to these security challenges including the management and oversight of the security sector, (iii) identify mission, vision, specific role of national army, and outline the program and doctrine for its unification and modernization, (iv) assess the requirements of the national army. All these tasks are meant to inform the *formulation* of the national *Defense and Security policies*. It retains the main provisions related to transformation of security sector and it recognizes the need to replace the current uniformed forces of the warring parties including the SPLA with new professional national uniformed services that reflect the diversity of South Sudan. Also, the Agreement maintains provisions of transitional justice including the establishment of Hybrid Court for atrocities and crimes committed during civil war.

*Political Change in Sudan*: The recent political development in Sudan that resulted in ending 30 years of misrule by former president Bashir may provide new opportunity for forging new relations between South Sudan and Sudan. Bashir was instrumental in imposing the 2018 peace agreement on the South Sudanese warring parties with the aim of reasserting his control over the oilfields in South Sudan. Although the political situation in Sudan is still fluid, the new transitional government that may emerge in Sudan will be keen to see a stable South Sudan and the implementation of R-ARCSS.

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<sup>17</sup> Apuuli, P. (2018). "Durable Stability in South Sudan: What are the Prerequisites". *Special Report No. 4: Envisioning A Stable South Sudan*. Washington: Africa Center for Strategic Studies (ACSS).