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An analysis of the exclusion of women from mediation leadership in the mediation process in South Sudan

By

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## **Dedication**

This is dedicated to God, for His Grace and mercies to conduct this research. It is dedicated to my late father, Rabele John Rabele Makoa, and my late mother 'Mamorena Aloysia Rabele Makoa, you both left us too soon and you are forever in my heart. To my husband, Ts'eliso Seth Polaki, for his support and his love throughout the years. His motivation and encouragement helped me throughout this research. Thank you very much, Honey.

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## Abstract

The study analyses the exclusion of women in mediation leadership in the South Sudan mediation process. Apart from the technicalities and minutiae affecting women's inclusion in mediation leadership in the South Sudan mediation process, the study will analyse the existing government measures on women, peace, and security to assess if these policies are implemented and whether they contribute to an inclusive mediation process leading to sustainable peace in South Sudan. The study uses a gender mainstreaming approach and gender perspective to understand the historical exclusion of women in mediation leadership in the South Sudan mediation process.

The conflict that lasted for several decades between North and South Sudan led to many mediation efforts by regional actors and international actors without meaningful inclusion of women in formal mediation leadership. The conflict-affected women disproportionately but when decisions were made, women were excluded from the mainstream leadership of peace processes, mediation, and peace negotiations. The effects of decades of conflicts with Sudan and the conflict that erupted post-South Sudan independence in 2011 led to further marginalization and exclusion of women in formal mediation leadership.

Although women have been active agents for peace and reconciliation at the grassroots and track three mediation processes, they remain excluded from formal track one mediation where decisions about peace and reconciliation are made. Using a qualitative approach, the study gained insight into the exclusion of women in mediation leadership in South Sudan mediation process, and how this impacts women's rights in South Sudan.

**Keywords:** mediation, UNSC resolution 1325, National Action Plan, gender mainstreaming, tracks of mediation, political will, commitment, patriarchy.



## LIST OF ABBREVIATIONS

ACCORD	African Centre for the Constructive Resolution of Disputes
AIDS	Acquired Immunodeficiency Syndrome
AISA	Africa Institute of South Africa
AMISOM	African Union Mission in Somalia
ANC	African National Congress
APSA	African Peace and Security Architecture
ARCRSS	Agreement on the Resolution of the Conflict in the Republic of South Sudan
AU	African Union
AUC	African Union Commission
AUPSC	African Union Peace and Security Council
CAR	Central African Republic
CCM	Chama Cha Mapinduzi
CEDAW	Convention on the Elimination of All forms of Discrimination Against Women
CEWA	Central Equatorial Women's Association
COH	Cessations of Hostilities
CRA	Compensation and Reparations Authority
CPA	Comprehensive Peace Agreement
CSO	Civil Society Organization
CTHR	Commission for Truth, Healing and Reconciliation
DDR	Disarmament, Demobilization and Reintegration
DIRCO	Department of International Relations and Cooperation
DOP	Declaration of Principles
DRC	Democratic Republic of Congo
ECOWAS	Economic Community of West African States
EPRDF	Ethiopian People's Revolutionary Democratic Front
EU	European Union
FBO	Faith-Based Organization
GAD	Gender and Development
GBV	Gender-Based Violence
GONU/GNU	Government of National Unity
GOSS	Government of South Sudan
GOS	Government of Sudan

GIMAC	Gender Is My Agenda Campaign
HLRF	High Level Revitalization Forum
HIV	Human Immunodeficiency Virus
ICC	International Criminal Court
IGAD	Intergovernmental Authority on Development
INGO	International Non-Governmental Organization
IR	International Relations
ISS	Institute for Security Studies
JMEC	Joint Monitoring and Evaluation Committee
LRA	Lord's Resistance Army
OAG	Other Armed Groups
OAU	Organization of African Unity
R-ARCSS	Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan
RAP	Regional Action Plan
RCC	Revolutionary Command Council
REC	Regional Economic Community
SADC	Southern African Development Community
SAF	Sudan Armed Forces
SCR	Security Council Resolution
SGBV	Sexual and Gender Based Violence
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SPLM-IO	Sudan People's Liberation Movement- In Opposition
SRSG	Special Representative to the Secretary General
SSCC	South Sudan Council of Churches
SSDF	South Sudan Defense Force
SSLM	South Sudan Liberation Movement
SSPL	South Sudan Police Service
SSR	Security Sector Reform
SSWAP	South Sudan Women Advocacy for Peace
SSWEN	South Sudan Women Empowerment Network
SSWIDAP	South Sudan Women Empowerment in Development and Peace.
SSWPN	South Sudan Women Peace Network
SWEP	Sudanese Women Empowerment for Peace

TB	Tuberculosis
TGNU	Transitional Government of National Unity
TOR	Terms of Reference
UK	United Kingdom
US	United States
USA	United States of America
U	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations Humanitarian Committee for Refugees
UNHRC	United Nations Human Rights Commission
UNISA	University of South Africa
UNMIL	United Nations Mission in Liberia
UNMIS	United Nations Mission in Sudan
UNMISS	United Nations Mission in South Sudan
UNSC	United Nations Security Council
UPDF	Uganda People's Defense Force
VAWG	Violence Against Women and Girls
VFC	Voice for Change
VOA	Voice of America
WAAF	Women Associated with the Armed Forces
WAD	Women's Action for Development
WPS	Women, Peace and Security

## **CHAPTER 1: Introduction**

### **1.1 Introduction**

Since post-colonial independence, many states in Africa have experienced political instability, military coups, and insecurity (Sugh and Ikwuba 2017; Agbalajobi 2009). They have faced challenges of insecurity due to, among other issues, poor governance, lack of accountability, the scramble over mineral resources, differing ethnic and religious ideologies, as well as the more pronounced extremist insurgent groups like Boko Haram and Al Shabab. This has caused untold suffering and taken a huge toll on the development of the continent (Agbalajobi 2009; Nathan 2004). The most vulnerable victims of these challenges to security are women (Agbalajobi 2010). Although women suffer disproportionately in times of conflict and make up more than fifty percent of the African population, their participation in the leadership of mediation processes remains minimal. According to Afolabi et al (2003) in Agbalajobi (2010: 75), “Women constitute over half of the world’s population and contribute in vital ways to societal development generally”. However, they remain excluded and voiceless, and in most cases left outside the areas of decision-making (Pankhurst 2010). The exclusion of women from the leadership of any meaningful mediation processes may affect the sustainability of peace (Hendricks 2011; Agbalajobi 2009).

There is a growing recognition that attention should be given to the role of women as actors and agents rather than passive victims of conflict. Despite the major roles women play in society, society has not given recognition to these roles and to the fact that women are discriminated against. This is because of cultural stereotypes, abuse of religion, traditional practices, and patriarchal societal structures (Agbalajobi 2010). According to Agbalajobi (2010: 75-76), “Women are regarded as weaker sexes, are social constructs owing to social value, norms and beliefs, which have neglected their meaningful contributions and have placed them in a subordinate position to men in the nation’s political system”. Agbalajobi (2009) argues that the issue of gender is integral to peace and violent conflict and that a gendered analysis of mediation is essential to preventing and mitigating new violent conflict in societies while helping them recover from current conflicts. Their exclusion from mediation leadership is arguably a factor that is contributing to the slow progress of the mediation process in South Sudan, which is the focus of this thesis.

The reality is that women continue to be excluded from the leadership of formal mediation processes, and their multi-faceted and profound contributions to mediation are neglected in official accounts of

the transition from war to peace (Dee & Freeman 2012; Noma et al 2012). Two decades after the adoption of the United Nations Security Council (UNSC) resolution 1325, women are still largely invisible in mediation leadership, including in South Sudan, except as supporting staff to the mediators and as victims (Haastrup 2019; Hudson 2017). This is in large measure because women's contributions are usually informal, ad hoc, and rarely part of formal mediation, so their stories and the role they could play in mediation leadership often remain unacknowledged (Noma et al 2012). Noma et al (2012) state that only by allowing women to lead the mediation teams and tell their own stories can we begin to understand the challenges and opportunities for women's active participation in mediation.

South Sudan has experienced violent conflict for almost six decades, in a struggle for self-determination and independence (Agbalajobi 2009). The establishment of South Sudan as an independent State on July 9, 2011, marked a historic milestone where South Sudanese thought they could enjoy their long-fought independence and the benefits of self-determination. However, the celebrations were short-lived as war broke out in South Sudan on 15 December 2013. Due to the conflict, the challenges that women face in South Sudan are enormous, including forced marriages, kidnapping and abductions, loss of livelihood, and exposure to sexual and gender-based violence, including rape and forced sex (Noma et al 2012; Pankhurst 2010;). In this case, sex is used as a weapon of war, exposing women and girls to unplanned and unwanted pregnancies and sexually transmitted infections including human immunodeficiency virus (HIV) (Hudson 2017).

Despite continuous interventions by the Inter-Governmental Authority on Development (IGAD), the African Union (AU), the European Union (EU), and the United Nations (UN), efforts to end the conflict in South Sudan have not been successful (Hendricks and Sigsworth 2018; Agbalajobi 2009). The approaches to mediation that have been used in South Sudan to date tend to be dominated by men, militaristic, and elitist and exclude women from the leadership of mediation teams. Support for leadership by women in mediation processes remains marginal in South Sudan and across the African continent (Hendricks and Sigsworth 2018). There is limited literature on women in the leadership of mediation processes and mediation across Africa, and in South Sudan in particular. The unique contribution this research is making is to address the gap in the literature regarding South Sudan's mediation process. There is little literature on women and mediation, and the policies that exist to support women in mediation, are not enough to change mediation practices. The driving research question is therefore why women continue to be excluded from the leadership of the mediation process in South Sudan, despite the policies to support their inclusion. The research has used a qualitative approach and exploratory case study design to answer this question.

## **1.2. Justification and research problem**

The Government of South Sudan has a 35% representation of women in the cabinet (Government of South Sudan 2016; UN Women 2015). This has been applauded as an achievement towards the country's affirmative action on women's empowerment. UNSC resolutions 1325; 1820; 1960; other subsequent UNSC resolutions (UNSC 2015; UN Women 2015), as well as the African Union (AU) protocol on the rights of women in Africa (Maputo protocol) call for women's inclusion in leadership, and their protection and participation in peace processes. The AU Maputo protocol urges State parties to ensure respect for women's rights, including their right to participation in conflict resolution, protection in armed conflict, and access to justice, among other issues (Hendricks 2011). However, women are perpetually excluded from mainstream decision-making processes such as the leadership of mediation teams across the continent, as seen in the South Sudan mediation process.

The literature reviewed argues that mediation processes all over the world tend to be gender-blind, overlooking and excluding women's leadership. With more than 60% of South Sudan's population being women, including women in leadership of mediation in the mediation process has been argued to be a critical priority, particularly as women are recorded as the group that is most affected (Pankhurst 2010). But the voices and experiences of women in South Sudan are not meaningfully incorporated into conflict resolution strategies (Haastrup 2016; Noma et al 2012; Pankhurst 2010). Hudson (2009) argues that discrimination against women increases the likelihood that a state will experience internal conflict. Similarly, "Feminists have argued that women's daily experiences and struggles enable them to articulate different perspectives on peacebuilding that challenges dominant male discourse on conflict and peacebuilding" (Adeogun & Muthuki 2018: 1). In this vein, this study contends that considering gender is a key part of effective leadership in the mediation process.

The impact of mediation is hypothesized to be more comprehensive and long-lasting if women play an active leadership role in the processes, given the gender-differentiated impact of war on women (Zeinab 2017; Noma et al 2012). This indicates that women have the potential to bring war-torn societies back to peace but are not fully utilized in mediation leadership within the continent broadly and in South Sudan specifically. Sugh and Ikwuba (2017) support that deeply entrenched patriarchal values perceive women as second-class citizens and undervalue their roles, to a large extent limiting women from being adequately recognised as key players in mediation processes. As Schiwy (2007) agrees, although women have been indirectly influencing mediation processes but unfortunately not leading them.

This unique contribution of this research is to address the gap in the literature concerning the exclusion of women from mediation leadership in the South Sudan mediation process. The study focuses on the on-going conflict in South Sudan and the mediation processes led by the AU and IGAD working with other partners in efforts to resolve the conflict in this young African nation.

### **1.3. Definition of concepts**

This thesis is interested in the concepts of mediation and gender, which will be briefly introduced here but discussed in greater depth in chapter 2, section 2.2. Mediation, which occurs in the broader context of peacemaking, peacemaking, typically involves dialogue and negotiation with a third party assisting disputant parties, with disputants' consent, to prevent, manage or resolve a conflict without resorting to force (Nathan 2014).

Peacemaking is defined as a process of brokering a peace deal and continues after conflict resolution (Duursma 2014; Nathan 2014; Park 2010). According to Reychler (2017:2), "Peacemaking is action to bring hostile parties to the agreement". Peacekeeping, which normally takes place before peacemaking, refers to the deployment of national or foreign forces to keep warring parties away from fighting (Reychler 2017). Peacebuilding refers to an on-going process and does not necessarily have to be triggered by conflict. Reychler (2017:2) states, "Peacebuilding is action to identify and support structures which will tend to strengthen and solidify peace to avoid a relapse into conflict".

Gender is a concept that refers to society's ascribed roles to men and women, and this changes from society to society over time. Phillips (2005: 1), defines gender as "A social construct and varies with the roles, norms, and values of a given society or era. Expectations about the imperative to bear children, the nature of parenting or the status associated with being a mother are more closely linked to gender roles and expectations".

Gender mainstreaming is defined as a process of ensuring the inclusion of gender in all areas of governance and decision-making, therefore making gender a very important part of all government policies and strategies (Schmidt 2012). Daly (2005:435) adds that gender mainstreaming "Seeks to institutionalize equality by embedding gender-sensitive practices and norms in the structures, processes, and environment of public policy". Meier (2006:1) supports:

Strategies to improve women's participation in politics and to promote their full citizenship not only focus on the physical presence of women on the political scene but also address the

achievement of gender equality through public policies. Public policies can indeed help women to overcome barriers to their entry in the political sphere, but they are especially targeted at achieving gender equality in society at large.

This study, therefore, seeks to address the academic problem of the limited literature on women in leadership roles in mediation concerning the mediation process in South Sudan, and as such is trying to contribute to responding to this challenge.

The subsections that follow discuss women and mediation in Africa, looking at the rationale for women's inclusion in mediation in Africa. The subsequent subsection discusses gender mainstreaming. Gender mainstreaming is discussed in line with women's inclusion in mediation and mediation leadership in South Sudan specifically and Africa broadly. The subsection after this discusses the conflict and mediation in South Sudan. In line with the thesis' research question on analysing the exclusion of women from the leadership of the South Sudan mediation process, the subsections below discuss women and mediation in Africa, gender mainstreaming as well as the conflict and mediation process in South Sudan.

### **1.3.1. Women and mediation in Africa**

Several arguments have been put forward as to why it is important to include women in mediation leadership, including that women contribute more to the socio-economic development of their communities, and therefore their experiences and voices should be considered in the leadership of peace processes such as mediation (Agbalajobi 2009). Reviewed literature argues that women have the potential to contribute positively to the political development of their countries through their active involvement as leaders in the peace and mediation processes. According to (Hendricks and Sigsworth 2018; Karam 2010), nothing is as important in the political economy of development as an adequate recognition of political, economic, social participation and leadership of women. This is supported by Limo (2018:1), "The absence or low level of African women's participation in mediation and at the peace table is the unfinished business of UNSCR 1325".

Significantly, women have been playing an active role during the liberation struggles across Africa in political participation in pre-colonial Africa (Kirungi 2017; Hendricks 2011; Hudson 2009). However, the gains made during the national liberation struggle were not translated into gender equality in the post-independence period (Hendricks, 2011:11-12). Hendricks postulates that interventions about masculinity and militarism are still the most virulent critique of the study on gender, mediation, and



post-conflict reconstruction in Africa. Women are cast in the role of the protected and defended, and men as the protectors whose 'manliness' is essentialized through militancy. Many women in conflict areas are advocating and working effectively with approaches to lasting positive peace that transcend traditional men-dominated structures and ideologies. Women are very much involved but get far less recognition than men.

Puechguirbal (2010) argues that the language of the United Nations (UN) documents that relate to peace operations highlight recurrent definitions of women as vulnerable victims, often being associated with children. The author demonstrates that the perpetuation of stereotyping language in these documents removes women's agency and maintains them in the subordinated position of victims. As a result, women are not seen as leaders and active agents within mediation and in the post-conflict reconstruction of societies. Despite the adoption of UNSC resolution 1325, the institution of the UN leaves the male monopoly of power unchallenged and presents gender mainstreaming as a non-political activity (Puechguirbal 2010; Hudson 2009). For the first time in its history, the UNSC acknowledged that women have a key role in promoting international stability, peace, and security with the passing of UNSC resolution 1325 on Women, Peace, and Security (WPS) in October 2000. This resolution calls on all parties to ensure women's participation in peace processes, in the prevention of conflict, to negotiations and post-war reconstruction, including mediation leadership (Hendricks and Sigsworth 2018). In support of the adoption of the UNSC resolution 1325, Hastrup (2019: 9) argues, "This global framework seeks to achieve gender justice for women by strengthening their participation and assuring their protection especially against sexual violence in violent conflict, ultimately to build inclusive peace".

This culminated in the establishment of the Women Waging Peace Policy Commission to examine peace processes with a focus on the contributions of women as a milestone of this achievement (Agbalajobi 2009). However, twenty years after the passing of this resolution, women remain far from being included in the leadership of mediation processes across Africa and South Sudan specifically (Puechguirbal 2010). The literature on women and mediation argues that while the role of women in post-conflict reconstruction is emphasized in terms of economic development, the role of women in leadership, setting priorities, developing policies, allocating budgets, strengthening the legal framework, and reforming the security sector is ignored (Noma et al 2012; Meier 2006). The reviewed literature indicates that the goal of preventing renewed violence often overshadows important issues such as women's inclusion in such processes (Noma et al 2012; Moser and Moser 2010). This is the case in South Sudan with the exclusion of women from leadership roles in the on-going mediation.

While the reviewed literature on women's leadership in mediation is limited in general, there is evidence of a relationship between a policy of gender equity and stabilization (Noma et al 2012). When women are included in areas of decision-making and policy formulation for mediation and development, a country has a higher propensity to be stable, such as Rwanda (Kirungi 2017; Hudson 2009). While many studies indicate that conflict occurs with the involvement or acquiescence of women, several studies portray women as a principal driving force in peace initiatives (Bushra 1995). However, mediation leadership continues to preclude their full participation (Adeogun and Muthuki 2018; Noma et al 2012).

### **1.3.2. Gender**

This concept is discussed briefly in this chapter as an introduction and is further discussed in detail in chapter two as part of the literature review. The thesis follows the ideas of Schiwy (2007) that gender does not refer only to women; instead, it refers to the ideas we hold about masculinity and femininity, women and men's appropriate roles, as well as the power relations between them. Rushton et al (2019) argue that the dominant discourse of gender focuses on the binary of woman or man, with limited research and inclusion of gender minorities. Although this indicates marginalisation and exclusion of other gender minorities the researcher based on the culture of South Sudan used the binary explanation of gender as referring to women and men throughout the entire thesis. A staff working at IGAD mediation support unit supported, "Gender in a wider perspective encompasses more than two types of genders. However, in South Sudan we are only concerned about women and men, any other sexual inclinations are criminal and punishable by law in South Sudan". (Interviewee 10: Skype- 16 July 2020).

### **1.3.3. Gender mainstreaming**

Gender mainstreaming is discussed briefly in this chapter as an introduction and is further discussed in detail in chapter two as part of the literature review. It is about advancing equality between women and men at all levels of decision-making, from the local to the international arena (Daly 2005). Although there are many different perspectives on women's participation in mediation and mediation leadership, the focus of this research is on the concept of gender mainstreaming. Gender mainstreaming, as a concept, talks about equality between men and women. Equality concerning gender means access to equal opportunities to participate in all areas of decision-making for both men and women (Schmidt 2012; Meier 2006; Daly 2005). Schmidt (2012:70) discusses gender mainstreaming as being about "Making women and men's concerns and experiences an important part of political, economic social policies and programs". Gender mainstreaming further addresses the experiences, needs, policies, and programs that could benefit everyone in society. In this research,

the study emphasizes that the experiences, concerns, and needs of women and men need to be considered to better understand issues of equality in the mediation leadership in the South Sudan mediation process (Agbalajobi 2009).

Hudson (2009) in (Hendricks 2011) states that the literature on gender mainstreaming can be divided into two models, namely, an integrative and an agenda-setting model. The former is interested in the ways women are incorporated into existing policy frameworks, while the latter is interested in how frameworks transform and change culture, structure, and behaviour. Hudson (2009) argues that gender mainstreaming may offer greater visibility for women in the political sphere such as in the leadership of the South Sudan mediation process. This emphasizes the importance of equal participation between women and men in all areas of decision-making, including in mediation leadership roles. This research study adopted a gender mainstreaming approach in analysing the exclusion of women in mediation leadership in the South Sudan mediation process.

#### **1.3.4. The conflict and mediation process in South Sudan**

This section briefly introduces the South Sudan context, which will be discussed in-depth in chapter four. In South Sudan, ethnic tensions seem to be at the heart of the conflict and are argued to have arisen, in part, due to weak institutions and weak national identity (Hendricks and Sigsworth 2018; Agbalajobi 2009). The country's most populous ethnic groups, the Dinka and the Nuer, were supposed to share power in the new government formed in July 2011, following a referendum election to secede from Sudan (De Vries and Schomerus 2017). Nearly two years after their independence from Sudan, war broke out within the government led by Salva Kiir and Riek Machar, after Kiir dismissed Machar from the office of vice president of the country in December 2013. According to Rolandsen (2014:1), "Popular explanations for the outbreak of a new civil war in South Sudan have centred on ethnic factors and leadership personalities. The conflict is rooted in deep cleavages within the ruling political party, the Sudan People's Liberation Movement (SPLM)".

Since December 2013, the Dinka and Nuer took up arms and engaged in a destructive and violent conflict that lasted until 2018 (De Vries and Schomerus 2017). The reviewed literature reiterates that the conflict has also been about who controls what land, in a country that has a long tradition of pastoralism and a very little history of statecraft. South Sudan is in chaos because it does not have, and never had, the strong institutions of the State necessary to ensure economic development and to give people a stake in the country, as opposed to their ethnic groups (Rolandsen 2014; Agbalajobi 2009). Given South Sudan's oil, many former freedom fighters expected a lot of money to come their way to rebuild the country and build up its institutions (Zeinab 2017; Rolandsen 2014). However, this

did not happen, and the conflict escalated, causing massive destruction and human rights violations among citizens especially women and children (Adeogun and Muthuki 2018).

Since war broke out in South Sudan in December 2013, IGAD's frontline States, including Kenya, Sudan, and Ethiopia, have engaged in peace talks and mediation processes to resolve the conflict in South Sudan (IGAD 2019; De Vries and Schomerus 2017; Rolandsen 2014). The Inter-Governmental Authority on Development (IGAD) has been at the forefront of driving these peace talks. IGAD is an eight-country trade bloc in Africa. Member countries include Djibouti, Ethiopia, Somalia, Eritrea, Sudan, South Sudan, Kenya, and Uganda. IGAD was established to promote peace and stability, prosperity, regional cooperation and to coordinate its programs with those of other Regional Economic Communities (RECs) and the continent among other objectives (IGAD 2018).

Apuuli (2015:1) articulates, "Since December 2013, IGAD has been mediating the current South Sudan conflict". Several other negotiation meetings were held since this time, followed by the signing of peace agreements that were not implemented by warring parties. Motsamai (2017:6) describes how, "On 26 December 2013, Ethiopian Prime Minister Hailemariam Dessalegn, who chairs IGAD, visited Juba with Kenyan President Uhuru Kenyatta to meet with Kiir". In the same year, IGAD appointed three special envoys from three of the main power brokers in the organisation: Ambassador Seyoum Mesfin of Ethiopia, which chaired IGAD and hosted the peace talks, and General Lazaro Sumbeiywo of Kenya and General Mohammed Ahmed Mustafa al-Dabi of Sudan (Motsamai 2017). In early 2014, negotiations were held in Ethiopia, led by the then Ethiopian Prime Minister Hailemariam Desalegne.

Following the January 2014 mediation, the mediation process resulted in the signing of "Two landmark agreements on the cessation of hostilities and the release of political detainees" (Apuuli 2015:1). After the 2013 conflict, and the split of the SPLM, when Riek Machar formed his SPLM-IO, a breakaway movement from the SPLM, a reunification process was convened in Tanzania to resolve the impasse between Riek Machar's SPLM-IO and Salva Kiir's SPLM. In October 2014, there was another internal SPLM negotiation process in Tanzania, but after several meetings, little was achieved (Rolandsen 2014). Relief Web (2015:1) articulates, "October 18, 2014, Tanzania's ruling Chama Cha Mapinduzi (CCM) party announced that it has extended an official invitation to South Sudan's rival leaders, President Salva Kiir and his former deputy, Riek Machar, to the launch of a joint dialogue process facilitated by the Tanzanian Government".

This followed an incident where troops from the South Sudanese army (SPLA) engaged in an armed struggle with rebel forces loyal to former vice-president Riek Machar. In January 2015, formal

negotiations were started to try to bring unity between forces loyal to Salva Kiir and those loyal to Riek Machar. These negotiations were led by CCM Secretary-General Abdulraham Kinana. Separate diplomatic efforts were convened by Kenya, Tanzania, South Africa, Uganda, and Ethiopia to reunify the SPLM (Deng 2015). Garang (2015:9) stipulates, “The inter-party process had been underway in Arusha, Tanzania and achieved a tripartite agreement and an implementation road map in January 2015”. These negotiation talks were convened by South Africa’s ruling party, the African National Congress (ANC), and the CCM, and they were led by CCM during the negotiation talks.

At the same time, in 2014, another mediation process was initiated by the AU to engage in negotiations between the main warring parties, the SPLM and SPLM-IO. Motsamai (2017:7) states, “On 5 December 2014 the AU established an ad hoc High-Level Committee comprising the sitting presidents of Algeria, Chad, Nigeria, Rwanda, and South Africa, to support the IGAD mediation”. Despite these mediation efforts, the conflict continued unabated in South Sudan (Rolandsen 2014: 6). As Muller and Bergmann (2020:4) state, “The conflict in South Sudan started as a struggle for leadership within South Sudan’s ruling party, the Sudan People’s Liberation Movement (SPLM), and has progressively evolved into a multi-level conflict that includes a series of armed actors who are also divided across ethnic lines”. In June 2015, “The AU chairperson appointed the former President of Mali, Alpha Oumar Konaré, as the AU High Representative for South Sudan, to strengthen its contribution towards ending the conflict” (Motsamai, 2017: 7).

According to De Vries and Schomerus (2017: 333), “After one and a half years of negotiations, and pressure applied by the international community, Government and opposition signed the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCRSS) in August 2015”. Following this, in August 2015, another mediation process was held in Ethiopia to intervene between SPLM forces and SPLM-IO forces loyal to Salva Kiir and Riek Machar respectively. This mediation was necessary, as the signed 2015 peace agreement was not implemented by the warring SPLM and SPLM-IO. This mediation is composed of IGAD and other Heads of State of other African countries including South Africa, Rwanda, Nigeria, Chad, and Algeria, known as IGAD Plus Five (Deng 2015). This was facilitated by the former prime minister of Ethiopia, Hailemariam Desalegne, to negotiate peace between SPLM and SPLM-IO (De Vries and Schomerus 2017).

Despite these agreements, conflict broke out again in July 2016 due to a lack of commitment from warring parties to implement these agreements (Vertin 2018; De Vries and Schomerus 2017). According to Apuuli (2015), IGAD’s mediation process was in danger of failing due to IGAD’s structural problems and lack of leverage to enforce its will on the warring parties. IGAD continued

to revitalize the mediation process following the 2016 conflict through a High-Level Revitalization Forum (HLRF) process. Muller and Bergmann (2020: 8) stipulate, “Although the ARCSS agreement produced a government of national unity, violent escalations between Government forces and the Sudan People’s Liberation Movement/Army In Opposition (SPLM/A-IO) forces erupted again in July 2016”. With the support of international actors in June 2018, Sudan's President, Omar Al-Bashir, hosted the mediation talks in Khartoum. The main international actors that were involved in peace negotiations in South Sudan were the Governments of Norway, the United Kingdom (UK) and the United States of America (USA), known as the Troika countries, and other African countries, including South Africa and Nigeria (Motsamai 2017).

Women were notably absent from all of the first mediation processes. With the politics of participation and inclusion in mind, the mediation process in South Sudan has been widely criticized for the lack of inclusion of women in leadership (Vertin 2018). The reviewed literature describes the involvement of women in mediation at local levels and the presence of women’s movements and their empowerment at local levels as evident (Hudson 2009). However, Adeogun & Muthuki (2018:1) articulate, “Although grassroots movements sustain peacebuilding at the local level, women must be included at multiple levels of mediation”. Understanding the continued exclusion of women from mediation processes, despite the policy frameworks to include them, is the focus of this thesis.

#### **1.4. Research questions**

Although efforts are continuously being made by the AU and IGAD and other partners to resolve the conflict in South Sudan, and policies are in place to support the inclusion of women in leadership of peace processes, there has been limited inclusion of women in mediation leadership in the South Sudan mediation process (Adeogun and Muthuki 2018). There is also limited literature on the reasons for the exclusion of women in the leadership of high-level mediation in the South Sudan mediation process. The research, therefore, seeks to answer the following main question: Why have women been excluded from leadership positions in South Sudan’s mediation processes? The research has the following questions:

- i) What are the factors that contribute to the exclusion of women from the leadership of mediation processes in South Sudan?
- ii) What are the challenges that women face in participating in the leadership of mediation processes in South Sudan?
- iii) What contributions could women potentially make to the leadership of mediation processes in South Sudan?

### **1.5. Significance of the study**

This study is of significant value to stakeholders interested in addressing women's political empowerment and understanding women's exclusion from the leadership of peace processes, particularly mediation leadership. The study is important to stakeholders interested in creating equality among women and men, and examining women's empowerment in line with the implementation of UNSC resolution 1325 and the WPS agenda in Africa. There is limited literature on the reasons for the exclusion of women from mediation leadership in South Sudan to assist us in understanding why the policy has not translated into action.

High-level mediation has been critiqued for being masculine and militaristic in its approach, not only in South Sudan but across the continent. Not much attention has been given to the relevance of women's inclusion in high-level mediation leadership in South Sudan, and how their inclusion might change the nature of the mediation process. The study provides recommendations to the Government of South Sudan, IGAD, the AU, the international community, and CSOs in South Sudan and on the continent. The study provides further information on the potential role of women in conflict mediation leadership in South Sudan. The study further highlights the challenges women face in mediation work and addresses the question of why women are excluded from the mediation leadership in South Sudan. It identifies some cases where women have actively participated in the leadership of conflict mediation across the continent.

### **1.6. Structure of the research**

*Chapter one* described the purpose of this research, namely, to analyse why women are excluded from leadership of mediation process in South Sudan and explored the challenges women face in mediation leadership in South Sudan specifically and across Africa broadly, which hinder their active participation in the mediation process in South Sudan and the African continent. This chapter focused on the justification of the problem and research questions and examined relevant literature that supports this study. The chapter introduced the conceptual framework of the study. The chapter also focused on gender mainstreaming, which talks about equality between men and women. Gender mainstreaming forms the lens for analysis and informing the argument the research is making. As such, this chapter examined the concepts such as mediation, gender equality, women's participation, and the role of women leaders in mediation about South Sudan.

*Chapter two* discusses the literature review of this study with the exclusion of women from mediation leadership across Africa broadly and in South Sudan specifically. The purpose of this chapter is to discuss the literature review concerning the different mediation tracks and the ways in which women

have been included and excluded from different mediation tracks. The conceptual framework that forms the analytical lens of the study is discussed.

*Chapter three* discusses the research methodology of this study. The purpose of this chapter is to discuss the approach to this study, methods used to collect data in the study, including the research methods and techniques, ethical considerations, sampling, and the study population. It also clarifies how the study was approached using a qualitative research methodology.

*In chapter four*, the history and evolution of South Sudan conflict is discussed, as well as the mediation processes, and what leadership role women have and can possibly play, and why they have been excluded from the leadership of mediation processes. The purpose of this chapter is to discuss the historical context of the conflict in South Sudan. A discussion on efforts that have been made to include women is included in this chapter.

*In chapter five*, a document analysis of the policy frameworks that support the inclusion of women in peace interventions is undertaken, including on the implementation of the National Action Plan (NAP), UNSC resolution 1325 in South Sudan, the IGAD Regional Action Plan (RAP) on women, peace, and security, as well as the African Union (AU) Maputo protocol on the rights of women in Africa. The purpose of this chapter is to discuss international, regional and national policy frameworks that support women's inclusion in peace interventions in South Sudan. The articles of the Maputo protocol that are discussed are article eight, article nine, article ten, and article eleven, which are the most relevant to the topic of this study. These articles are relevant to the women, peace and security agenda and UNSC resolution 1325, its subsequent resolutions and their implementation on the protection of women from armed conflicts, prevention of violence against women during armed conflicts, especially sexual violence, participation of women in conflict resolution and women's access to justice, especially for conflict-related human rights violations.

*Chapter six* discusses the findings from the interviews undertaken with experts in the field. The purpose of this chapter is to discuss the study's findings in relation to women's exclusion in mediation leadership in South Sudan mediation process. This study found out that women are excluded from the leadership of high-level mediation in South Sudan. The study revealed that although women are actively included in other tracks of mediation including at track three or informal- grassroots level mediation, they remain excluded and marginalized in leadership and participation at high-level mediation in South Sudan. Some of the reasons stated for this exclusion are patriarchy, culture, and religion, discrimination against women, lack of political will, and commitment of the Government to



ensure inclusion of women, age, and sex consideration of mediators. Other reasons cited included the on-going conflict and the selection criteria for appointment of leaders of mediation teams, which usually considers sitting or former Heads of State, army Generals, and senior diplomats who are often men.

*Chapter seven* concludes the thesis. The purpose of this chapter is to present the conclusion of the research findings and recommendations that emanated from the research findings and the reviewed literature on the topic of the exclusion of women from mediation leadership in South Sudan's mediation process. The chapter offers remedies that can be implemented by the Government of South Sudan, IGAD, and the AU to address the study's research question.

### **1.7. Conclusion**

Although there is a policy framework that supports women's inclusion in mediation, and the growing recognition that women's inclusion in peace interventions is necessary, women continue to be excluded from mediation leadership, including in South Sudan. As is clear from the data findings that will be discussed in chapter six, some of the reasons why women are excluded are discrimination against women by men in peace processes, especially in mediation leadership, and the lack of political will and commitment by leaders to ensure meaningful inclusion of women in the leadership of mediation processes in South Sudan and elsewhere in the continent. Other reasons for the exclusion of women include requirements for being a leader of a mediation process, which state that a mediator has to be a former or sitting Head of State, an army general, or a senior diplomat, who are mostly men. Women have also been excluded from leadership in South Sudan mediation because of a lack of education among women and the effects of culture, patriarchy, and religion, which dictate that women may not be involved in political work and peace processes, as these are men's domain.

The next chapter presents the literature review concerning the exclusion of women in the leadership of the South Sudan mediation process. The chapter presents key concepts for the study, including types of mediation, gender mainstreaming, and the obstacles women face in mediation.

## **CHAPTER 2: Literature review: Developing a conceptual framework**

### **2.1. Introduction**

Since the 1960s, Africa has been a fertile ground for conflict and has been plagued by violent intra- and interstate conflicts, more than any other continent. In this context, South Sudan has experienced conflict since its independence in 2011, following decades of fighting for independence from Sudan. That makes South Sudan one of the countries in Africa worst hit by violent conflict. According to the United Nations (UN) Refugee Agency (2018), at the end of 2018, there were more than two million refugees and asylum seekers from South Sudan (including women and children), and this represented a sixth of South Sudan's population. These conflicts affect women negatively more than men, but women remain excluded from leadership positions in peace processes such as mediation (Isike and Uzodike 2011). It is worth noting that as most world leaders are men, they remain key actors in the leadership of peace processes, while women are side-lined. The United Nations Security Council (UNSC) resolution 1325 on Women, Peace, and Security (WPS), passed in the year 2000, calls for the prevention of conflict against women, the participation of women in conflict resolution, and their increased protection from armed conflict. This resolution further urges Member States to increase the representation of women at all decision-making levels in national, regional, and international institutions (Hudson 2017; Sugh and Ikwuba 2017; Noma et al 2012). However, the inclusion of women in leadership in mediation and other peace processes remains marginal.

This chapter reviews the literature on women's roles in mediation processes broadly and South Sudan specifically. The chapter will also be discussing the concepts introduced in chapter 1 in more detail as a way of orienting the study. The role of women in conflict mediation leadership is also discussed. This chapter highlights the gap in the literature in terms of offering reasons for the exclusion of women from the leadership of mediation processes in South Sudan and Africa broadly. The study focuses on the ongoing conflict in South Sudan, and the mediation processes led by the African Union (AU) and the Inter-Governmental Authority on Development (IGAD) respectively with the support of the UN, the Troika countries, the European Union (EU), and other countries in Africa, including South Africa, Nigeria, and Chad. The study emphasises that the role of women as actors and agents, rather than passive victims in the South Sudan conflict, needs attention. Their exclusion from mediation leadership is arguably a factor that is contributing to the slow progress of the mediation process in South Sudan and ending the conflict in Africa broadly (Hudson 2016).

This chapter also describes the conceptual framework that will guide the analyses of the data. The following section discusses concepts that are used in this study concerning the mediation process in

South Sudan as follows: peace, peacekeeping, peacemaking, peacebuilding, and mediation. The thesis is also interested in gender, gender mainstreaming, mediation, and mediation tracks. The section further discusses key themes in the South Sudan mediation process, namely the nature of the dispute and the role of women in mediation in South Sudan. The final section discusses the role of women in mediation in South Sudan.

## **2.2. Conceptual framework**

The central concepts this thesis refers to include mediation, gender, gender mainstreaming, and mediation. Mediation is generally defined as a process of getting a third party to intervene in a conflict between two or more warring parties (Duursma 2020). According to Park (2010:1), “Mediation is a peaceful method of third-party intervention in resolving regional and international crises without resorting to seemingly inevitable war”. This could be led by local or international individuals or institutions that are accepted by the warring parties (Nathan 2014).

Gender, which will be discussed in more detail in section 2.2.4, is a concept that refers to society’s ascribed roles to men and women, and this changes from society to society over time. Rushton et al (2019) stipulates that gender is about socially constructed processes and differences that are often aligned with whether one is feminine, masculine, blended elements of both, or neither. As mentioned in chapter one, Schiwy (2007) supports the idea that gender does not refer only to women; instead, it refers to the ideas we hold about masculinity and femininity, women and men's appropriate roles, as well as the power relations between them. While the study on gender is not only limited to women and men, in the case of South Sudan this definition is applied as South Sudan recognises only women and men in defining and discussing gender, without focus on other minority genders. Rushton (2019: 1) adds, “The dominant discourse of gender within disaster focuses on the binary of woman/man or female/male”. According to Rushton et al (2019), gender played a role in how and why people were unequally affected by the conflict in South Sudan.

Gender mainstreaming, which will be discussed in section 2.2.5, is defined as a process of ensuring gender inclusion in all areas of governance and decision-making, therefore making gender a very important part of all Government policies and strategies (Schmidt 2012). Daly (2005:435) adds, that gender mainstreaming “Seeks to institutionalize equality by embedding gender-sensitive practices and norms in the structures, processes, and environment of public policy”. This study, therefore, seeks to address the academic problem of the limited literature on women in leadership roles in mediation regarding the mediation process in South Sudan, and as such is trying to contribute to responding to this challenge.

### **2.2.1. Peacekeeping, peacemaking, and peacebuilding**

Peace involves respect for human rights, alleviating all forms of poverty, preventing climate change and armed conflicts across the world to ensure sustainable development for the world's citizens, and environmental protection. Peace also is about the resolution of conflicts as they emerge (Galtung 1985; Galtung 1969). South Sudan can be argued to have no peace since there is no respect for human rights and high levels of poverty. The use of preventative diplomacy is central to achieving peace in the world and South Sudan specifically. Preventive diplomacy is the actions to prevent disputes from arising, preventing existing disputes from escalating into a conflict, and limiting the spread of a conflict, while putting maximum effort to resolve existing conflict all define peace (Galtung 1969). Peace is therefore not the absence of disputes, as stipulated in Nathan (2000). Conflict is inevitable in all societies that comprise different ethnic and religious groups, such as South Sudan (Nathan 2000). Peace is about preventing the escalation of disputes and timely resolution to ongoing conflicts, but this has not happened in South Sudan.

Galtung (1969:1) defines negative peace as “Any concept of peace including the absence of direct violence between States engaged in by military and others in general, and the absence of massive killing of categories of humans in particular. This situation is better than violence, but it is not fully peaceful because positive peace is missing”. In contrast to this, Galtung (1969) defines positive peace as including positive, harmonious relationships between genders, races, classes, and families. Furthermore, positive peace includes the absence of structural violence, which is the non-intended slow, massive suffering caused by economic and political structures of exploitation and repression (Galtung 1985). Peace also includes the absence of cultural violence that legitimizes direct and or structural violence. Similarly, in Sen's theory of development, freedom, peace is defined as the equitable distribution of economic opportunities, political freedoms, social opportunities, transparency guarantees, protective security, and freedom from direct violence for all (Sen 1999). Within this context, Boutros-Boutros Ghali introduced the terms peacekeeping, peace making, and peace building into the peace intervention discourse in 1992 with his document “An Agenda for Peace”.

Peacekeeping is described as “An effort to contain the violence of a conflict” (Hudson 2016: 3). For South Sudan, the violence has continued unabated since December 2013. Peacekeeping in South Sudan and any other conflict-ridden State could be done by national security agencies or international actors. This is often done to manage the violence with the hope that it will eventually stop, as there will be reduced interaction that could lead to alteration and violence. According to Adeogun &

Muthuki (2017: 9340), “Peacebuilding takes place at a particular point in time, during the post-conflict period”.

Peacemaking is described as a process of brokering a peace deal and it continues after conflict resolution (Duursma 2014; Nathan 2014; Boutros-Ghali 1992). Peacemaking is intended to end injustices, resolve conflicts and prevent existing and new violence. Karim and Beardsley (2016) argue that peacemaking is how armed conflict moves toward less armed conflict and includes among others negotiation and mediation. The process of peacemaking brings hostile parties to an agreement using peaceful means and includes negotiation and mediation processes (Boutros-Ghali 1992).

Peacebuilding is an ongoing process and does not necessarily have to be triggered by conflict (Nathan 2014; Reychler 2010). Former UN Secretary-General Boutros Boutros-Ghali in his 1992 report entitled "Agenda for Peace" defines peacebuilding as action to identify and support structures that strengthen and solidify peace to avoid a relapse into conflict (Jobbins and Ahitungiye 2016; Boutros-Ghali 1992). It encompasses attempts to understand and change the root causes of the conflict. Peacebuilding includes rebuilding war-torn institutions and infrastructure. This implies strengthening security and judiciary institutions, among others, building roads, bridges, clinics, hospitals, and schools. In the peacebuilding process, those who make decisions in government and other international institutions are male and exclude women from the decision-making processes. Based on women's needs for health, education, and livelihoods and how their needs can be prioritized, it is imperative that women are included in the leadership of all political decision-making spaces including in mediation (Hudson 2016). Peacebuilding without gender mainstreaming is argued to contribute to a greater disconnection across several of its processes. It is also argued that women's inclusion can be achieved through partnerships between local, national, political actors, and the international community (Hudson 2016). Adeogun & Muthuki (2017:9640) add, “Peacebuilding goes beyond political diplomacy or military peace-keeping, it deals with the root causes of conflicts and applies preventive measures as much as possible for it not to resurface”.

In South Sudan to date, peacekeeping has included patrols by military police as well as setting curfews and not allowing people to move as freely as they would want to between areas where there could be tensions leading to conflict. It has also included the deployment of national or foreign forces to keep warring parties from fighting, to reduce and maintain levels of armed conflict, and to relapse violent episodes (Karim and Beardsley 2016; Reychler 2010). A UN (2018) report by the UNSC argues that by adopting resolution 1996 (2011) on 8 July 2011, the Security Council determined that the situation in South Sudan continued to constitute a threat to international peace and security in the region. The

Security Council established resolution 2155 (2014) of 27 May 2014 to reinforce the United Nations Mission in the Republic of South Sudan (UNMISS) and reprioritize the protection of civilians and monitoring of human rights. The deployment of forces in the case of South Sudan through the UNMISS was led by frontline states in the IGAD region, namely, Kenya, Uganda, and Ethiopia (Zambakari 2013; Tarnjeet and Robert 2018). This peacekeeping mission was led by four men: The Special Representative of the Secretary-General, his two deputies, and the force commander. In the UN peacekeeping mission, there was only one woman in the leadership, occupying the position of police commissioner in the UNMISS. This was a position within the UNMISS, and not in the police service of the Government of South Sudan.

UN peacekeeping missions are usually made up of the army and police officers from different countries, and upon deployment, police are often given civilian-related protection roles, while those with a military background are deployed into the armed forces of the UN missions, and this was the case in South Sudan. Therefore, the position of police commissioner held by this woman was more junior to the three positions held by her male counterparts (UNMISS 2017). Of the 17,000 peacekeepers deployed in South Sudan by UNMISS, only 233 are women, comprising 1, 4% of the peacekeeping mission (UNMISS 2017).

Peacemaking processes normally include Demobilisation, Disarmament, and Reintegration (DDR), which are long processes requiring mutual trust and commitment from all parties concerned in the conflict. In South Sudan, the peacemaking process has been led by the AU, IGAD, and religious leaders, with little visible evidence of the DDR programs on the ground.

The main component of peacemaking, however, is preventive diplomacy through collective intervention by ending the violence and getting a peace agreement, as has been done in South Sudan and many other conflict-ridden states in Africa and globally (Reychler 2010). Several efforts have been made in South Sudan to resolve the conflict through mediation and bringing the warring parties to the table for negotiations. Mediation efforts were conducted by the AU, IGAD Heads of State, IGAD Plus Five countries (Nigeria, Chad, South Africa, Rwanda, and Algeria), the African National Congress (ANC) from South Africa, and Chama Cha Mapinduzi (CCM) of Tanzania. According to Nyadera (2018:5), “The latest efforts to bring an end to the brutal conflict in South Sudan culminated with the signing of a peace agreement on 12 September 2018 in Addis Ababa”. The 2015 peace agreement determined the formation of the Transitional Government of National Unity (TGNU) between Kiir and Machar but the deadline had been missed, indicating the slow progress in the implementation of the peace accord (Nyadera 2018). Other measures included the reunification of the

SPLM talks, which were led by CCM and the ANC in Arusha, Tanzania (Chama Cha Mapinduzi 2015).

Measures were put in place to help the country not to relapse into conflict; however, these peace-building measures have not been successful. The hybrid court in South Sudan was supposed to be established in 2014, but at the time of writing this thesis it was not established. This hybrid court was expected to be an opportunity to show a willingness to make peace and to act against impunity (Lucey and Kumalo 2017). The establishment of the AU commission of inquiry on South Sudan, which was led by former president Obasanjo, failed to bring lasting peace to South Sudan. Its creation was formally announced on 7 March 2014 (AU Commission of Inquiry on South Sudan 2014). Motsamai (2017:2) articulates, “Its major objective was to investigate gross human rights violations, war crimes and crimes against humanity committed since fighting broke out between the two South Sudanese warring parties on 15 December 2013. Its findings were released in October 2015”. One of the key recommendations of this commission was the establishment of a hybrid court in South Sudan.

Several women were part of the commission's work, including from civil society organisations across Africa and the AU special envoy on WPS. According to the AU commission of inquiry on South Sudan (2014), women were working alongside Obasanjo, although he was the chairperson of this commission. The report indicates that several women, including Madam Benita Diop, the AU special envoy on women, peace and security, and lady Justice Sophia A.B. Akuffo, judge, Supreme Court of Justice, and former President of the African Court on Human and Peoples' Rights, worked alongside former President Obasanjo, but none of them were chairpersons of this commission. The report further states that there were many more women who were working in the commission's secretariat under the overall direction of the Legal Counsel of the African Union, Professor Vincent O. Nmehielle, and again the secretariat was led by a man (Relief Web 2015).

Peacebuilding in South Sudan has involved building bonds of peace and trust between members of society that have been at war. The tensions require consistent peacebuilding efforts and commitment for the country to achieve unity and lasting peace. As discussed in chapter four of this thesis, the conflict in South Sudan has been centred on the ethnic divide between the Nuer and Dinka, and so peacebuilding means building trust and good relations between these two main groups (Hudson 2016). A report by Christian Aid (2018) emphasizes that the humanitarian crisis in South Sudan has become one of the worst in the world. The intractable conflict in South Sudan points to the importance of finding innovative strategies to facilitate dialogue beyond the elites and conflicting parties, to promote inclusivity, ownership, and transference of agency to communities (Liaga 2018). It is

important to note that peace-making and peacekeeping are there to stop the conflict and to preserve the peace that has been achieved so that there is no relapse of the conflict. International and regional actors who are often active in these processes have however not achieved much success in this regard (Nathan 2000).

### **2.2.2. Mediation**

According to Bercovich (1997: 130) in Muller & Bergmann (2020:1),

Mediation constitutes a process of conflict management, related to but distinct from the parties own negotiations, where those in conflict seek the assistance of, or accept an offer of help from, an outsider (whether an individual, an organisation, a group, or a state) to change their perceptions or behaviour, and do so without resorting to physical force or invoking the authority of law.

There have been increased efforts globally to bring in a third-party intervention through the deployment of mediators, to assist in resolving violent conflicts through engaging all warring parties in a mediation process (Park 2010). Such countries include Burundi, Sierra Leone, Liberia, the Democratic Republic of Congo (DRC), Ivory Coast, Somalia, and South Sudan. De Waal (2017 (b) articulates that armed conflicts need to be prevented, mediated, and resolved at multiple levels, from the local through to the national, regional, and trans-regional, with the active inclusion of women in its leadership. As such the importance of including all stakeholders, and those who are not fighting is important in efforts to resolve the conflict. In the case of South Sudan, although warring parties have agreed to the mediation process, there is no end to the conflict, which implies a continuing mediation process as there are no timelines set stating when the mediator should exit and what the exit strategy is.

The mediation process could be led by a local or international personality who is accepted by the warring parties (Nathan 2014; Park 2010). The mediation process is intended to allow peacemakers to make informed decisions about the conflict, to prevent and resolve armed conflict (De Carvalho 2017; Duursma 2014). The role of the mediator is to help dispute parties resolve their conflict amicably without resorting to force (Sugh and Ikwuba 2017). Mediation is a non-coercive, nonviolent and nonbinding form of intervention. The leaders of the mediation bring ideas, knowledge of their own or the group they represent and operate only on an ad hoc basis to assist in resolving the conflict in South Sudan. Muller & Bergmann (2020:6) clarify “Mediation support not only offers "efficiency"



gains but can also enhance mediation effectiveness and legitimacy”. Mediation is a process that is time-bound and resource-bound, as such should have a start and finish timeline, whether it is successful or not. Maundi et al (2006:11) support, “There are costs incurred in this exercise, these costs include financial, material and time”. With the limited resources available for the mediation process in South Sudan, this process has been ongoing since 2015, with no sign that it will come to a successful end anytime soon. The goal of mediation in South Sudan is to end the conflict, bring peace, and help in the post-conflict reconstruction of this war-torn society. This means brokering a ceasefire, buying time to reduce the level of hostility between the warring parties, and allowing for the warring parties to reduce the hostilities. This process is meant to allow warring parties to reconsider their options and a potential transition towards a peaceful settlement of their dispute.

This is what has been anticipated of the South Sudan mediation process, but it has not yielded a positive outcome. The introduction of a third party to negotiate peace between warring parties has been undertaken since 2013 in South Sudan (Apuuli 2015). IGAD frontline States have mainly led this process to try and produce a settlement between the warring parties. As stated in Apuuli (2015:1), “Since December 2013, the Inter-Governmental Authority on Development has been mediating the current South Sudan conflict. Arguably, the warring parties in South Sudan have been reluctant to accept that they will gain more by accepting mediation than rejecting it” (Greig and Diehl 2012). The mediation process in South Sudan has involved a facilitative form of conflict resolution that focuses on the warring parties led by President Salva Kiir from the Dinka and former Deputy President Riek Machar from the Nuer (Klein 2012). According to Muller & Bergmann (2020: 4), “The EU's mediation strategy in South Sudan has centred on the support for the Inter-Governmental Authority on Development (IGAD), an eight-country regional bloc, as lead mediator in the conflict”. The main aim of this process, to reach a mutually acceptable agreement and promote confidence in decision-making in South Sudan, has not been achieved (Klein 2012). But with all the mediation attempts and peace agreements signed, South Sudan has failed to reach political stability and peace and the process continues to exclude women from its leadership.

In addition, mediation in South Sudan was meant to help parties adhere to the agreements, settle any remaining issues and contribute to making transitional Governments workable. These processes gradually lead to more inclusive political processes and lasting peace (Papagianni 2010). In the South Sudan mediation process, as with other mediation processes, the power is embedded in the mediator's position and their role in the mediation to possibly use it to resolve the conflict. When dealing with people in conflict, the mediator may emphasize common goals, external reasons such as seniority, to motivate and facilitate compromise. The inclusion of women's leadership is important for third-party

involvement in the conflict management of disputes to increase the likelihood of reaching an agreement (Yiheng and Xu 2014).

In the case of the mediation by IGAD in South Sudan, IGAD has not been seen to be impartial. For example, “Neutral mediators, who are engaged primarily because of their interest to end the war, will have incentives to hasten the reaching of an agreement to the expense of its quality” (Svensson, 2009:1). In South Sudan, there seems to be an overlap and conflict of interests by the mediator. This is because of the close relationship between the Ugandan Government, which is a regional powerhouse, and the South Sudan Government. This has led some analysts to be concerned that Uganda is comfortable with the status quo, as that promotes Uganda’s interests (Lucey and Kumalo 2017). This could be a factor that contributes to the limited success of IGAD in the South Sudan conflict. Svensson (2009) adds that biased mediation processes lead to elaborated institutional arrangements that are generally considered conducive to democracy and durable peace, like power-sharing, third-party security guarantees, and justice provisions. This is the situation with the IGAD-led mediation in South Sudan. At times, the lack of resources, such as financial resources, impact the independence of the mediator as the mediator may have to rely on powerful actors who by themselves may have a biased interest in the conflict (De Carvalho 2017). This is likely another negative impact on the effectiveness of the mediation process in South Sudan, and no lasting solution to the conflict. It could be the warring parties’ plan to delay the end of the conflict, especially where one party benefits from the conflict (Schunemann 2019). In this process, they prolong the conflict and increase casualties and the suffering of citizens, in particular women and children.

There is a lack of commitment to the mediation process in South Sudan by the warring parties, namely the Government of South Sudan and the Sudan People’s Liberation Movement-in-Opposition (SPLM-IO). Apuuli (2015: 2) argues, “The authority's mediation process is in danger of failing due to several reasons, including the authority's structural problems and lack of leverage to enforce its will on the parties to the conflict”. This is another challenge that impacts negatively the mediation process in South Sudan. This lack of commitment is from the government of South Sudan as well as from the main opposition party in the conflict. In some cases, warring parties refuse to accept a mediator even if a mediator has a good reputation. In the case of South Sudan, none of the reviewed literature indicates an example where the mediator was rejected since the conflict erupted in 2013 to 2018; however, there has been little to no commitment on the side of the Government and the opposition warring groups to implement the peace agreements signed. Mulugeta & Ahadu (2020: 6) postulates, “Challenges that destabilize the efforts of solving the conflict before reaching to an agreement was the unwillingness of the two antagonist parties to respect what they have pledged and

signed for in the peace deals as it was seen in their repeated backslid into conflict”. This lack of commitment often means that the proposed mediator does get support from the Government in terms of allowing him the space to do his work in such a country. The mediator cannot engage all stakeholders in dialogues to get their views on such a conflict and how it could be resolved. Mediation requires acceptance from all different parties, and this has been a challenge in African mediation efforts (De Carvalho 2017).

There is a limited pool of mediators to draw from as mediators are typically Heads of State or former Heads of State. Specifically, mediators have been drawn from former presidents or prime ministers across Africa, who have left their offices peacefully and democratically, leading to peaceful transitions in their respective countries. Bekoe (2017) stipulates, “Among the continent’s fifty-four countries, only nineteen African incumbent leaders from eleven countries have been voted out of office since the end of colonialism”. There have been few women former Heads of State across Africa in general but they have not been appointed to the leadership of mediation processes (Songwe 2016). This selection criterion is problematic in that such reputable political leaders are few and they may not necessarily be available and properly informed of the context of the conflict to enable effective mediation on their part. They are further challenged as they are selected for deployment based on their work as Heads of State, without having acquired the necessary training and skills in mediation (De Carvalho 2017).

The section below discusses the different types of mediation approaches and engages on how different mediation tracks are used in the South Sudan mediation process. These tracks are track one mediation which is the formal high-level mediation, track two mediation which is informal and inclusive of Civil Society Organisations (CSOs), including churches and women’s groups and International Non-Governmental Organisations (INGOs). Track three mediation processes involve informal and grassroots mediation and participation of local people in efforts to resolve conflicts in their communities (Autesserre 2021).

### **2.2.3. Mediation tracks**

There are different strategies and platforms used to resolve the conflicts within mediation, referred to as mediation tracks. These are either formal and high-level or informal and more inclusive of stakeholders. They are also referred to as the different types of diplomacy. Goumenos (2018:3) explains,

Political peaceful methods of conflict resolution include more formal processes such as negotiations and peace talks, mediation, good offices and facilitation, conciliation, fact-finding missions, preventive diplomacy and early-warning measures to more informal practices, such as 'problem-solving workshops, confidence-building, consensus-building; truth and reconciliation commissions, restorative justice practices, informal meetings, dialogue process, unofficial contacts through intermediaries.

Women are often excluded from the leadership of formal conflict resolution processes such as mediation (Kumalo and Mullineaux 2019). In many formal mediation dialogues, the processes usually focus on the main warring parties, mediated by high-ranking political officers from Governments and international institutions, mostly represented by men. Women are mainly represented in the leadership of informal and grassroots mediation processes; that is however not where final decisions are made (Adeogun and Muthuki 2018). The section that follows discuss the different types of mediation tracks and interrogates the advantages and composition of each track concerning the mediation process in South Sudan.

*Track-one mediation* refers to official Governmental diplomacy, or “A technique of State action” (Allen 2003:1). The reviewed literature indicates that this track is formal and structured; it operates at the highest political level and is indispensable for the conclusion of a political agreement (Goumenos 2018; Richmond 2001). Representatives of the warring parties belong to this higher-level mediation track. It includes top decision-makers, Government officials, opposition leaders, and representatives of political movements (Goumenos 2018; Richmond 2001). The South Sudan mediation process includes Riek Machar, the leader of the SPLM-IO, and Salva Kiir, the President of South Sudan and leader of SPLM (Kumalo and Mullineaux 2019). The leaders of other warring parties and leaders of mediation teams who form this group, as track one mediation often involves the conflicting parties’ decision-makers (Lanz and Gasser 2013). This also comprises Heads of State of the IGAD Member States or their representatives, who are often senior Ministers of defence or foreign affairs, army Generals or senior diplomats, the representatives of the AU, the Troika countries, the United States of America (USA), Norway and the United Kingdom (UK). All of the mediators in South Sudan mediation have been men (Desmidt et al 2017; Allen 2003).

In this study, it is evident that that peace processes and peace agreements continue to take place in a context strongly dominated by men, in Africa in general and in South Sudan specifically (Motsamai

2017). Based on the criterion that appointment as a mediator is based on being a sitting or former Head of State, the continent has few women Heads of State or former Heads of State (Desmidt et al 2017). Given the criteria of participating in the track one mediation process in South Sudan, there have not been any women involved as leaders in this track one mediation process. Several women who were involved were in the capacity of advisors to the mediators and support staff to IGAD. In South Sudan, the literature reviewed argues that there have been some women from CSOs who were brought in through the Women Bloc in the negotiations from 2018 (Desmidt et al 2017).

However, there has not been much influence of women on South Sudan's track one mediation process. Pelham (2020: 1) articulates, “South Sudanese women have been championing inclusive peace and demanding their meaningful participation at all levels of decision making. However, women continue to confront obstacles to maintaining and increasing space to contribute particularly informal decision-making arenas”. According to Desmidt et al (2017:27), “Attempts were made by the IGAD mediation and by the AU to ensure the participation of civil society and women groups in the formal mediation process, as well as in informal reconciliation and community level mediation. A Women Bloc participated in the formal process but was seen as weak and co-opted”. Even where women are involved, Desmidt et al (2017: 23) argue, “Peace processes are delicate and sensitive, and can reinforce existing power structures. There is a risk that women that take part in negotiations reflect the concerns of women from elite communities and not necessarily that of poor or marginalized communities”. Thus, the inclusion of women is not only about the elite inclusion of women.

*Track one and a half mediation*, which is also known as the multi-track mediation, emphasizes that conflict resolution and peacebuilding should be multilevel processed (Goumenos 2018). It is at this track that other credible institutions are invited. It is a link between track one and tracks two mediation processes. It promotes and facilitates the complementarity of other tracks (Mapendere 2005). Track one and a half mediation is about those conflict resolution activities that lie between official and unofficial diplomacy and are intermediate and hybrid (Goumenos 2018). It has been specified as unofficial interveners working with official representatives of the warring parties. It is a public or private interaction between official representatives of conflicting parties mediated by a third, non-official party, and is a bridge between official and unofficial mediation activities. As Khadiagala (1999:115) stipulates, “Humanitarian crises by definition, lend themselves easily to the convergence of track one and track two diplomacies”. If official diplomacy is necessary for the conclusion of a peace agreement and unofficial diplomacy is valuable for the identification of the root causes of conflict and the development of deeper trust between ethnic groups such as between Dinka and Nuer

in South Sudan, then the coordination between actors at the intermediate level is important for a solid, long-lasting peace (Pinaud 2014; Allen and Strimling 2004).

The actors at this track consist of broad groups of officials and non-officials. Mediators at this track are non-officials, but they have connections to official actors, are trustworthy and influential, but do not have political power. Their role is mostly facilitative and could include research institutes, foundations, academics, Non-Governmental Organisations (NGOs), and foreign Government emissaries without an official position (Mapendere 2005). An example of such CSOs includes FemWise-Africa, which is established to gather female mediators from across Africa to participate in track one negotiations and act as a bridge between track one and other mediation tracks (Desmidt et al 2017). According to Mapendere (2005), the methods of conflict resolution at this track include capacity building, training in negotiation skills, round-table facilitation, and dialogue. Semi-official talks are used to prepare for formal negotiations. The advantage of this track is that it involves more flexibility and is more informal and interactive than official diplomacy.

*Track two mediation* is about more informal methods of intervening, including by unofficial actors, such as members of civil society, community and religious leaders, and Non-Governmental Organisations (NGOs). According to Kemper (2007), track two mediation involves unofficial, informal interaction between members of adversary groups, to develop strategies, influencing public opinion, and organizing human and material resources in ways that might help resolve their conflict. According to Utne (2001:10), “The immediate objective of such conflict resolution is to mend the broken or damaged relationship, and rectify wrongs, and restore justice. To ensure the full integration of parties into their societies again, and to adopt the mood of co-operation”. It assumes that one group cannot operate in harmony without the other and that the two complement each other. In South Sudan, these include women's groups, religious groups, and in some cases youth organisations. These groups forge alliances at the national and continental level through for example FemWise.

Khadiagala (1999) stipulates that African women have led campaigns to articulate alternative visions about conflict reduction and peacebuilding. In the South Sudan mediation process, women are represented in this track two mediation through women's organisations and they have been able to play a role to influence some decisions and processes in the track one mediation. They also engage in problem-solving workshops. According to Utne (2001:3), the elders are crucial, as they have “Gained their authoritative influence through wisdom and experience”. The elders are members of the AU Panel of the Wise, which acts as the advisory body to the Peace and Security Council and has a mediatory and preventative diplomacy role. The panel's five elders are chosen based on their

contributions to peace, security, and development. They work either at the request of the Peace and Security Council or on the panel's initiative (Mystris 2020).

The elders are relevant as they advise the AU Peace and Security Council on related matters and also engage in mediation across the continent. In addition, “Close collaboration between external and indigenous NGOs has nurtured track two activities by setting norms for conflict reduction through training and funding” (Khadiagala, 1999:122). Although the women's organisations represent women in South Sudan on this track, some reviewed literature cautions that this is an elitist group that does not have a constituency nor does it represent the most vulnerable women of South Sudan.

*Track three mediation* involves informal mechanisms and plays a key role in mediation at the grassroots level. The literature reviewed indicates that in South Sudan and elsewhere in Africa, women can influence conflict resolution using traditional means of resolving conflicts. According to Muthuki (2017: 9648), “The indigenous methods employed by women's associations in peacebuilding in South Sudan is prevalent among other African women in peacebuilding”. The formation of groups to look for a peaceful way forward in the form of storytelling, questions, and answers, mediation, and dialogue through the traditional chiefs. Muthuki (2017) adds that these have been used by women at the grassroots successfully and it would have succeeded if recognised by the Government at all levels, including at a high level. This is something that could be replicated to the formal mediation track one mediation process. These include traditional leaders, businesses, church leaders, and women's activists.

As stated in Kumalo and Mullineaux (2019), South Sudanese women have always participated in peace processes at the grassroots level and not at the front lines of negotiations. Kumalo & Mullineaux (2019:5) argue, “This is unfortunate because women’s effective engagement in peace-making processes, beyond symbolic representation, is essential to finding sustainable resolutions to the conflict”. At this track, communities use conventional mechanisms of traditional practices like using rituals, symbols, and interpretation of myths to bring conflicts to an end. Examples include the identification of a type of cattle and/or goat to be sacrificed to cleanse society of the evils of conflict from society (Utne 2001). This is the track where women in South Sudan could assert themselves and resolve the conflict since conflicts often erupt at the community level (Pelham 2020; Soma 2020). The importance of local community mediation has been emphasized because at the grassroots level there is an opportunity for equal participation. Nwoha and Were (2018) support that in South Sudan, women have been active in informal peacebuilding at the local level where peace means rebuilding

society. The thesis revealed that it is important to start at the grassroots for equal partnerships in the communities and to recognise all those stakeholders to play an equal part in ending the conflict.

Through this track three mediation process, individuals have opportunities to communicate with each other through workshops, this increases confidence and trust and leads to a better common understanding of the root cause of the conflict (Richmond 2001). It also helps in coming up with conflict management strategies and interventions, ensures inclusivity, and increases ownership of the conflict resolution process. Nwoha and Were (2018) argue that women's informal peace work in South Sudan is extensive and valuable, but it is often unrecognised. According to Hendricks (2011:11), these are “Local women negotiating for peace with their sons, brothers, and husbands; and the various organisations formed to support women survivors”. Here the emphasis is on the importance of indigenous actors and resources in the peace-building process. The emphasis on track three is on the importance of the bottom-up approach to peacebuilding from the grassroots. The advantage of this track is that it allows for community involvement, women, and other actors in a bottom-up approach (Autesserre 2021). Nwoha & Were (2018:3) postulate, “The grassroots organisations working on informal peacebuilding do so through everyday efforts to reconstruct society. Through practical support, women build peace from below and reconstruct and improve people's everyday lives”. The thesis indicates that it is on this track where women participate actively in conflict resolution, and this track must be strengthened in South Sudan to lead to lasting peace.

This section on mediation tracks discussed different mediation tracks concerning the mediation process in South Sudan. The study revealed that although women are excluded from the leadership of the track one and track two mediation tracks, women are active in track three mediation processes in South Sudan. The advantage of track three mediation is that it is a bottom-up approach where community members engage and resolve conflicts in their communities. The community members use local resources to engage in conflict resolution, as such there is ownership of the process and communities can mend broken relations.

#### **2.2.4. Gender**

As was discussed in chapter one, gender is a concept that refers to society's ascribed roles to men and women, and this changes from society to society over time. Gender does not refer only to women; instead, it refers to the ideas society holds about masculinity and femininity, the appropriate roles, and the power relations between the genders (Paxton and Hughes 2014; Schiwy 2007). The difference between men and women is thus argued to be created by culture and society. It is then passed on from one generation to the next, but it is not fixed, as it varies from society to society and can be changed.



This concept is argued to be about much more than just women-focused activities as the inclusion of men, lesbians, transgender individuals, and other minority sexual orientations (Rushton et al 2019; Hudson 2016). This broad definition makes gender a very important part of all government policies and strategies, including in the leadership of peace processes such as in South Sudan (Hudson 2016; Schmidt 2012). Gender involves socially constructed roles and responsibilities of both men and women, which are learned but can change over time.

Gender has further been argued to be the ideological and material relations that exist between groups of people (men and women, boys and girls) with women having less power than men do worldwide (Paxton and Hughes 2014; Steans 2006). This includes power in politics, decision-making, and mediation leadership. The equal participation of both men and women in society is anticipated to have a positive impact on societies, women, and poverty reduction anywhere in the world, in Africa and South Sudan specifically (Tedika and Asongu 2017). According to Zainab & Isike (2019: 139), “Women given their population and societal position in Africa are an integral part of these relationships and that they play their peacebuilding roles whether such roles are recognised or not”. The study argues for similar opportunities between men and women in peace processes, including the mediation process in South Sudan and other areas of decision-making (Reychler and Paffenholz 2001). Despite this argument, in the case of the South Sudan mediation process, men and women do not have equal access to the mediation leadership (Kumalo and Mullineaux 2019).

The reviewed literature argues that women are not prominent in conflict and peace processes decision-making in South Sudan and elsewhere on the continent (Hendricks and Sigsworth 2018; Hudson 2016). Unfortunately, the goal of preventing renewed violence often overshadows important ingredients such as gender mainstreaming, a mechanism used to achieve gender equality (Noma et al 2012; Moser and Moser 2010). This is the case in South Sudan with the exclusion of women from leadership roles in mediation. The literature encourages and recognises the importance of women as subjects and participants in the development process. Post-conflict societies such as South Sudan do not respect the rights of women to play a role in mediation leadership (Noma et al 2012). War causes poverty, underdevelopment, and ill health in poor countries among mostly women and children, including in South Sudan. The vulnerability of women increases much more when societies collapse as a result of conflicts. In the same manner, women in South Sudan bear the largest suffering due to the ongoing conflict and suffer disproportionately to men. Without being included in mediation leadership, women continue to remain marginalized from efforts to find lasting peace for South Sudan. Women in South Sudan experience displacement and are denied their right to education, also experiencing extreme poverty and lack of healthcare services (Stewart 2002).

In South Sudan's mediation process, as in so many mediation processes on the continent, all lead mediators have been men since the mediation process started in 2013, even though women often bear the burden of picking up the pieces after the conflict, dealing with rebuilding societies, coping with the psychological and emotional suffering of the people (Schnabel and Tabyshalieva 2012). They are often targeted for sexual violence, regarded as 'spoils of war', and further subjected to violent attacks from men during the heightened aggression. The protector-protected relationship makes women much more vulnerable than men to men's violence. Hudson (2016:2) argues, "People's responses to violent conflict and peace are shaped by their gender identity". This means that the way men and women respond to conflict depends and is influenced by their gender.

Concerning human security, the underlying gender hierarchies and their relevance for shaping societal practice are visible in South Sudan. There are no alternatives to overcoming insecurities in programs and policies to analyse the potential effects on both genders. This is important, as men and women experience the erosion of security differently. In no society are women secure or treated equally to men, and such is the situation in South Sudan. Personal insecurity shadows women from cradle to grave; from childhood through adulthood they are abused because of their gender (McKay 2004 (a)). Women's experiences and gender discrimination in the conflict in South Sudan increase their insecurity, as they are exposed to structural violence. According to Hudson (2016: 2), "Considering gender also includes seeing the differential impact of conflict on men and women and the unique knowledge and experiences that all groups (men, women, and gender minorities) bring to the peace table".

Gender is an important factor in understanding bargaining behaviour during the conflict in South Sudan, since women encounter discrimination often, such as not being welcome at the negotiating table. Men and women have different motivations for entering mediation, with women attaching greater weight to interaction-specific aspects of the mediation than men. By bringing women into the mediation leadership in the mediation process in South Sudan, women are more likely to value interaction-specific aspects and assist in resolving the conflict. The literature reviewed argues that women may have higher interpersonal orientations than their male counterparts (Klein 2012). It is important to understand the complex ways in which gender and rebuilding societies interact. The reconfiguration of gender roles is an integral challenge of rebuilding war-torn societies such as South Sudan (Isike and Uzodike 2011).

### **2.2.5. Gender mainstreaming**

As stated in Cheldelin & Mutisi (2016:171), “Gender mainstreaming is a process of assessing the implications for women and men of any planned action, including legislation, policies or programs in all areas and at all levels”. It is used to make women’s and men’s concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies so that women and men benefit equally. The ultimate goal of gender mainstreaming is to achieve gender equality between women and men. In mediation leadership, gender mainstreaming is enshrined in UNSC resolution 1325 on women, peace, and security. Applying gender mainstreaming gives equal opportunity to both men and women to be appointed leaders of the mediation process in South Sudan (Cheldelin and Mutisi 2016). The literature on gender mainstreaming can be divided into two models, namely, an integrative and an agenda-setting model. The former argues for incorporating women into existing policy frameworks while the latter seeks to transform the frameworks and is directed at changing culture, structure, and behaviour (Porter and Sweetman 2005). For South Sudan, this study argues for critically transforming the existing structures on mediation leadership and including women as leaders Hudson (2009) in Hendricks (2011).

Many of those interviewed argued that expanding the pool of female mediators and building their capacity are critical elements in the inclusion of women in mediation leadership, not only for South Sudan mediation but for the continent broadly. As Sugh and Ikwuba (2017) stipulate that there are too few trained female mediators in Africa. These women exist mostly at the grassroots, and are part of local mediations, but are absent from high-profile mediation or negotiations where major decision-making takes place. This situation emanates mainly from, among others, the low educational status of African women in most countries, perpetuated by patriarchal biases of sending male children to school and denying the girls formal education. When women are included in areas of decision-making and policy formulation for mediation and development, a country has a higher propensity to be stable, such as Rwanda (Kirungi 2017) because women are often portrayed as a principal driving force in peace initiatives (Bushra 1995). However, mediation leadership often precludes their full participation (Noma et al 2012).

### **2.3. Key themes in South Sudan’s mediation process**

Some of the key themes in the discussion of mediation as reflected in the relevant and reviewed literature that can be applied to the case of South Sudan are discussed in this section.

- a) The nature of the dispute and the nature of the mediator have a significant impact on the mediation process in South Sudan.

The conflict in South Sudan was historically based on ethnic tensions between the Nuer and the Dinka and the fight to control the oil resources of the country (Posthuma 2014; Park 2010). The war is currently of elites over control of hydrocarbon resources.

Under these circumstances, the mediator's characteristics are likely to affect the mediation process depending on the credibility of the mediator and whether the warring parties have confidence in the mediator (Vukovic 2014). This mediation process in South Sudan is intended to contribute to peacebuilding by working toward peace agreements that serve long-term governance and peace. If implemented accordingly and all warring parties agreed to a compromise peace agreement and implementation of the peace agreements, only then can South Sudan likely achieve lasting peace. Although there have been several efforts to implement peace agreements in South Sudan, since 2015 such peace agreements have not been fully implemented, leading to relapse into conflict. For mediation in South Sudan to be effective, there are various components of mediation and aspects of the critical mediators. The mediators' strategies should work beyond their personal preferences in resolving the conflict in South Sudan (Coleman et al 2017; Kugler & Chatman 2017). However, the Uganda-led mediation in the South Sudan mediation process has been reported to be biased. Uganda, with other IGAD Member States such as Kenya and Sudan, are blamed for aggravating the conflict in South Sudan (Lucey and Kumalo 2017; Johnson 2016).

b) The role of women in conflict mediation in Africa.

The selection of mediation leaders has often been based on deploying former Heads of State who have left their offices peacefully and democratically. These leaders led smooth transitions from the incumbent to another candidate in their political parties or to the opposition parties that would have won the election fairly. De Carvalho (2017: 6) supports, "The roles of former Heads of State like Joaquim Chissano from Mozambique and Thabo Mbeki from South Africa, through their mediation roles in Zimbabwe and Sudan, are examples". Although this is a highly commended practice, as it carries political legitimacy and capital to the process, it is mainly limited to men. These were often presidential candidates selected by different political parties running for elections.

Therefore, because more men are political party leaders and they eventually become Heads of State when they democratically leave their offices, they become candidates to serve as mediators across the continent. This makes the mediation leadership space exclusively a terrain for men as there are very few women former Heads of State in Africa, and even fewer women leaders in mediation. The former president of Liberia, Ellen Johnson Sirleaf is the first of a few former woman presidents in Africa who led a smooth transition when she lost the presidential election in Liberia in 2016 (Tedika and

Osungu 2017). She became the first woman to meet this selection criterion and was successful as a mediator in the Gambia following the 2016 presidential elections in that country (Hartmann 2017). It is imperative to increase and include more women in mediation leadership, even those who have not served as heads of state, to intervene as mediation leaders in Africa. This is because the voices and leadership of women are missing from the mediation leadership on the continent. The importance of inclusivity of the mediation leadership, particularly women, is for this to be seen as a critical step in ensuring that all parties can identify and address the effects of peace agreements (De Carvalho 2017). The many conflicts and mediation interventions needed across Africa currently require the inclusion of women as leaders of mediation teams. There is a higher chance of effective mediation and conflict resolution if women are included as leaders of mediation efforts. This study makes an assumption and analyses the exclusion of women from the mediation leadership in the mediation process in South Sudan specifically and in Africa broadly.

The reviewed and available literature on mediation indicate that women remain largely excluded from mediation leadership across Africa and as such their voices and experiences remain unacknowledged in peace processes and post-conflict reconstruction of war-torn societies (Hudson 2016). Besides being support staff to mediators, women are not playing a role in mediation leadership. According to Zainab & Isike (2019:136), “Women in Africa and elsewhere are the least represented at formal peace processes as signatories to peace agreements, delegates, witnesses, mediators or members of mediation teams”. The reasons cited in the reviewed literature on why women have been excluded from the leadership of peace processes and in mediation include the patriarchal culture in many African societies, the misconstrued agency of women during times of war and peace, and the underreporting of work women do informally to foster peace (Zainab and Isike 2019). Due to patriarchal African societies, women are seen as vulnerable victims who need to be protected rather than as active agents for peace. Adeogun & Muthuki (2018:88) articulate,

Patriarchy is an enormous issue that needs to be worked upon in South Sudan for the peacebuilding process to move on. Recently, the relapses of war eating up the new country could be attributed to the aggressive nature of patriarchal power which started between two individuals, that is, the president and former vice-president.

Even in cases where women take part in ending conflicts, their contributions are often underreported and at times not documented. The role Nelson Mandela and his wife Winnie Mandela played in South

Africa during apartheid is an example in point. While Mandela was hailed as a global hero, Winnie Mandela did not enjoy the same global status as her husband, yet she played an equally key, if not more important role during the liberation struggle against apartheid in South Africa (Hassim 2018). The fact that in Africa and elsewhere in the world, formal peacebuilding processes, including mediation, have been led predominantly by men indicates the unfortunate exclusion of women from the leadership of such processes.

Zainab and Isike (2019) argue that the exclusion of women is based on the idea that women are marginal actors in armed conflict and its effects. This biased narrative, unfortunately, continues even during the post-conflict reconstruction of societies, where women are marginalized as active agents in the leadership of peacebuilding processes such as mediation. There is a common practice of a gendered narrative of conflict on women's role, and this wrongly justifies the exclusion of women from the leadership of among others mediation processes such as in South Sudan.

#### **2.4. The literature with regards to the role of women in mediation in South Sudan**

In the South Sudan conflict, there is no mention of any leadership role that women played, while it is written about the experiences of the women in the struggle and the violence they experienced and how much they suffered. This narrative portrays the stereotype of women being victims not as agents for peace. McKay (2004 (b) argues that the key dimensions of women's security often omitted from discussions of human security are feminist critiques of human security. The ways girls and women experience insecurity and the conditions that must be met for them to be secure are often ignored. Throughout the conflict period, little regard has been given to women's human rights, their safety, and the active role they could play in the leadership of formal efforts to end the deadly conflict in South Sudan. Religion and culture often perpetuate exclusion and marginalization of women from the leadership of decision-making processes.

As in the case of Islamic Sudan, women hardly featured as agents in the negotiations for peace, and this was also worsened by the patriarchal Sudanese society. McKay (2004 (b) reiterates that women had little influence in decision-making about their own lives although they experienced different forms of violence in conflict situations. Women continue to experience both structural and physical violence in South Sudan like in many other conflict countries in Africa and globally. The UNSC recognises the links between security and women, children, and HIV/AIDS. Urbina et al (2019:1) reiterate, “Women and girls are at even higher risk of violence in conflict and humanitarian crises due to many factors, including displacement, the breakdown of social structures, a lack of law

enforcement, the potential further entrenchment of harmful gender norms, and the loss of livelihood opportunities for both men and women in the community”.

Women and girls are said to be especially vulnerable during these conflicts, and they experience gender-based violence such as rape, forced prostitution, and trafficking. Hove & Ndawana (2017:1) stipulate, “This study asserts that women’s rights are far from being recognised in South Sudan despite its efforts to include the rights of women in the Transitional Constitution after South Sudan attained independence from Sudan in 2011”. Women’s responsibilities during and after armed conflict are formidable. McKay (1998) articulates that women hold families and communities together through food production, economic activities, caring for children, and other family members. They act to preserve the social order, risk their lives by crossing minefields and braving shelling and bombing while seeking food, water, and firewood.

However, women are not often involved in the decisions leading to ending the conflicts. Women serve important roles in nurturing values of reconciliation in their children and must be allowed to lead efforts to end the conflicts in South Sudan. Hove & Ndawana (2017:1) argue, “South Sudan still has opportunities to advance the promotion of women’s rights if, among other things, the ongoing civil war ends and the guidelines of its Transitional Constitution are to be effectively enshrined in a new constitution of the country with a view of implementing them”.

## **2.5. Conclusion**

This chapter presented the conceptual framework guiding the thesis and reviewed the literature on women and mediation. The chapter argued that although women are involved in mediating conflicts in track three mediation and at the community level, they continue to be excluded from mediation leadership, despite the adoption of UNSC resolution 1325. The chapter discussed mediation tracks and their application in South Sudan concerning women's exclusion from the mediation leadership in the South Sudan mediation process. The chapter further discussed gender, gender mainstreaming, and gender equality and how these concepts relate to the inclusion of women in peace processes, particularly mediation leadership. The research question guiding this study is why women have been excluded from the mediation leadership in the mediation process in South Sudan.

The reviewed literature on women in mediation in Africa reveals that women are mostly appointed as support staff and advisers to leaders of mediation teams, who are mostly men. Despite women's knowledge and understanding of conflict resolution and the context in South Sudan, they remain sidelined in mediation leadership. The impact of conflict on women and the role that conflict mediation

could play cannot be underestimated, as women can address conflicts at the grassroots level (Hudson 2016). This is because of the disproportionate and distinct impact and effect of conflict on women, which are different from the effect of conflict on men, and because due to women's second-class status in most societies, their skills and contributions are often undervalued and underutilized (Klein 2012).

It is with this view in mind that the study focuses on analysing the exclusion of women from the mediation leadership in the South Sudan mediation process. When mediation is inclusive and involves different stakeholders that would likely be beneficial for conflict resolution and sustainable peace. This speaks to the inclusion of women in mediation leadership in South Sudan (Nathan 2017; Zanker 2013).

The next chapter discusses the methodology and research methods used in this study. The chapter gives a detailed account of the research sample and discusses the data analysis methods that were used to analyse the collected data for this study.



## CHAPTER 3: Methodology

### 3.1. Introduction

For nearly six decades, South Sudan has experienced violence and fighting in its struggle for self-determination and independence (Agbalajobi 2009). The establishment of South Sudan as an independent nation on July 9, 2011, marked a historic milestone. South Sudanese thought they would enjoy their long-fought independence and the benefits of self-determination. However, the celebrations were short-lived, as war broke out in South Sudan on 13 December 2013. Due to the conflict, the challenges that women face in South Sudan include forced marriages, kidnapping, and abductions. They are also exposed to sexual and gender-based violence, including rape and forced sex (Noma et al 2012; Pankhurst 2010). In this case, sex is used as a weapon of war, exposing women and girls to unplanned, and unwanted pregnancies, sexually transmitted infections, including Human Immuno Deficiency Virus (HIV) (Agbalajobi 2010). Despite continuous efforts by the Inter-Governmental Authority on Development (IGAD), the African Union (AU), and the United Nations (UN), there has not been a success in ending the conflict in South Sudan (Hendricks and Sigsworth 2018; Agbalajobi 2009).

In South Sudan, the approaches currently used in mediation are dominated by men, militaristic in nature, elitist, and exclude women from the leadership of mediation teams (Hendricks and Sigsworth 2018; Hudson 2016). The support for women leadership in mediation processes remains marginal. As such, this qualitative case study research asked the question of why women are excluded from mediation leadership in the mediation process in South Sudan. The study further assessed what contribution women could possibly make to mediation leadership in South Sudan.

This study adopted a qualitative approach and case study design. The researcher used face-to-face semi-structured interviews to collect data. For data analysis, the researcher used content analysis, document analysis, and triangulation (Denzin and Lincoln 2018). These methods applied to this case study on the analysis of the exclusion of women from the mediation leadership in the mediation process in South Sudan as explained in this chapter.

The subsections that follow firstly discussed the underlying assumptions for this study, as the inclusion of women in mediation leadership would ensure representation of different stakeholders and equal participation in decision-making. Following that subsection is a subsection on the approach of this study, which is a qualitative approach. That is followed by a discussion on the rationale for using a case study design and for using South Sudan as a case study. Sampling and data collection

techniques are discussed in the following subsection, including interviews and secondary data. This subsection further discussed data analysis of interview data through content analysis and document analysis. Document analysis focused on the South Sudan National Action Plan (NAP) on implementing United Nations Security Council (UNSC) resolution 1325, the IGAD gender protocol as well as the protocol to the African charter on human and peoples' rights on the rights of women in Africa (commonly known as the AU Maputo protocol). Lastly, the subsection discussed triangulation and ethical considerations for this study.

### **3.2. Underlying assumptions and research paradigm**

The assumptions included the types of problems that are studied, research questions asked, and data gathered. Assumptions informed the procedures the researcher followed in collecting and analyzing data collected from the field (Denzin and Lincoln 2018). Following these authors, the researcher came with the assumption that the impact of mediation would likely be more inclusive, comprehensive, and long-lasting if women played an active leadership role in the processes, given the gender-differentiated impact of war on women (Zeinab 2017; Noma et al 2012).

This study aligned with the interpretivist paradigm to avoid over-generalization of the data collected regarding the exclusion of women from the mediation leadership in the mediation process in South Sudan. This paradigm recognises the importance of the subjective human creation of meaning but does not reject objectivity (Baxter and Jack 2008). This paradigm applied to this research because it allowed close collaboration between the researcher and the participants. These enabled participants to tell their stories, describe their views of reality and enabled the researcher to better understand the participants' actions. This study, being qualitative, was based on an interpretivist approach. The researcher found this the best approach in dealing with the question of why women are excluded from mediation leadership in the mediation process in South Sudan. This interpretivist inquiry is described as phenomenological (Denzin and Lincoln 2018; Hathaway 1995).

The researcher engaged in this exploration of a phenomenon with a group of individuals who have all experienced the phenomenon, and the group comprised of eleven individuals. In line with Creswell and Cheryl (2018), some basic procedures were:

- The researcher determined whether the research problem could best be examined using this approach, as this approach was best suited for understanding several individuals' common experiences to develop a deeper understanding about a phenomenon;
- Collected data from individuals who have experienced this phenomenon using in-depth and multiple interviews;

- Generated themes from the analysis of significant statements made by participants; and
- Developed textural and structural descriptions.

Some challenges associated with phenomenology are that the ideas are often abstract and not easily seen in a phenomenological research study. This called for a careful selection of participants based on their experiences of the phenomenon. To overcome this challenge, the researcher selected participants who were well informed of the phenomenon of the exclusion of women in mediation leadership in the mediation process in South Sudan. For this study, this was not a problem as the researcher had working contact in these areas with organisations and institutions working on peace and security, including women's organisations. The researcher overcame this challenge by arranging interviews well in time before the scheduled dates and confirming that respondents were available for the interviews. Although the above challenges had been noted, for this study, the researcher confirmed all appointments with participants before the interview dates, to avoid a situation where participants were no longer available.

### **3.3. Qualitative approach**

The study used a qualitative research approach to analyse why women are excluded from mediation leadership in the mediation process in South Sudan. For this research, a qualitative research approach was used to collect data on the views and attitudes of people by asking respondents about their experiences, understanding, and perspectives on the phenomenon of this study. The research further sought to understand what challenges women in leadership of mediation processes face in Africa, and what contributions women could potentially make to the leadership of mediation processes, according to those interviewed. Within this approach, only a few respondents participated in offering in-depth and rich details on analysing the exclusion of women from the mediation leadership in the mediation process in South Sudan. The researcher was therefore careful not to generalise but to create knowledge on this phenomenon. Triangulation was used to overcome any challenges associated with this approach (Yin 2016; Denzin and Lincoln 1994).

The researcher collected data in the natural setting of the participants and the area under study to establish patterns or themes (Creswell and Cheryl 2018). This approach was applicable in this study as it relied on using multiple methods focused on participants' multiple perspectives, and presented a holistic and complex picture of the exclusion of women from the mediation leadership in the South Sudan mediation process. These complex details could only be established when talking directly to people and allowing them to tell their stories without being influenced by the assumptions and expectations of the researcher (Creswell and Cheryl 2018). The researcher systematically reflected

on who they are in the inquiry remained sensitive to their personality and on how their personality shaped the study. This introspection and acknowledgment of bias by the researcher, values, and interests or reflexivity typified qualitative research (Creswell 2003). The researcher was regarded as the most important person and remained at the helm of data collection and analysis in this study (Neuman 2006).

### **3.4. Rationale for using a case study design**

This research involved a case study on South Sudan. The reasons for the researcher to focus on South Sudan rather than any other country were that the researcher was interested in the process that led to South Sudan's independence in 2011 and the events that led to the eruption of the conflict barely two years after the independence of South Sudan and that despite the conflict, South Sudan, unlike more stable countries such as South Africa, developed a National Action Plan (NAP) for implementing United Nations Security Council (UNSC) resolution 1325 (2015-2020). This expressed the commitment of the Government of South Sudan to the Women, Peace, and Security (WPS) agenda and the implementation of UNSC resolution 1325. The commitment meant that the government of South Sudan recognises the active role of women in peace processes and the leadership of such processes, including mediation. The South Sudan NAP was due for a review at the time of writing this thesis in 2020, and the researcher was interested in understanding the progress made and challenges in this regard. This case study seemed relevant because it helped the researcher to ask questions on why women are excluded from the mediation leadership in the South Sudan mediation process, despite policies at the national and regional level to support their active participation.

There are several types of case studies, including the single, multiple, exploratory, descriptive, explanatory, instrumental, and collective case study, as outlined by Creswell and Cheryl (2018). For this research, an instrumental case study was discussed and used. The researcher selected one bounded case, in this case, South Sudan, and had a research question and sub questions. This was because the researcher required a general understanding of the phenomenon and got an insight into the questions by studying a specific case (Creswell and Cheryl 2018). The researcher got an insight into the question of why women have been excluded from mediation leadership in the mediation process in South Sudan and on the lived experiences of people affected by the conflict in South Sudan. A qualitative case study facilitates the exploration of a phenomenon within its context using different data sources, such as documents, face-to-face interviews, online interviews, and triangulation (Baxter and Jack 2008).

This applied to this study since it ensured that the phenomenon was not explored through one lens, but rather a variety of lenses, which allowed for multiple facets of the phenomenon to be revealed and understood. Case study research refers to an inquiry in which a researcher develops an in-depth analysis of a process that involves one or more individuals (Creswell 2014). In this study, this case study analyses the exclusion of women from the mediation leadership of the mediation process in South Sudan. A case study is the best approach for this research because it allows the researcher to collect large amounts of information on one case and go deeper to get more information on the case being analysed (Neuman 2006; Denzil and Lincoln 1994).

### **3.5. Positionality of the researcher**

The researcher has worked with international organizations and the diplomatic community involved in the South Sudan peace process from 2014 to 2018. Over this period, the researcher visited South Sudan several times and engaged with relevant stakeholders including government and civil society organizations, amongst them women's organizations involved in the peace work. The researcher worked with the African Union Commission on the Commission of Inquiry on South Sudan along with several experts from across the continent. This provided an opportunity for the researcher to travel and interact with IGAD officials, government officials and other senior mediators in the IGAD region, particularly those from Ethiopia, Kenya and Uganda. Although the researcher is an outsider, she has thorough knowledge and understanding of the Horn Africa politics and the East African community. She has established contacts across different stakeholders in different countries in the IGAD region, and has developed her interest in the subject over the years due to her work experience and engaging with people from South Sudan and the IGAD region.

### **3.6. Sampling**

This study used purposive non-random sampling. Purposive non-random sampling was applied to the study in that it allowed the researcher to conduct a few in-depth interviews to obtain rich and detailed data on the exclusion of women in mediation leadership in the South Sudan mediation process. In qualitative research, a sample describes the number of interviews or focal groups required to ensure that the findings contribute to rich data (Moser and Korstjens 2018). Hathaway (1995) explains that this assumption is informed by the identification of purposive sampling on a phenomenon, such as the exclusion of women from the mediation leadership in the mediation process in South Sudan (Yin 2016). The researcher selected a sample of eleven participants from civil society organisations in South Sudan, academia in South Africa, IGAD Secretariat's mediation unit, women, peace and security expert from South Africa, civil society organisations in South Africa working on the South

Sudan peace process, and the diplomatic community in South Africa supporting the South Sudan peace process. The research selected participants with experience of the phenomenon under study, such as the experiences of people in South Sudan about the ongoing conflict. The researcher did this by looking for participants who had shared an experience and differed in characteristics and their individual experiences of the phenomenon (Moser and Korstjens 2018). Single case sampling was used for this study to investigate the exclusion of women from the mediation leadership in the mediation process in South Sudan. This involved individuals, a group, or an organisation who have information on a phenomenon under study. In this research, the sample involved individuals who work on the phenomenon (Flick et al 2004; Von Kardoff and Steinke 2004).

This research used a sample of eleven respondents to get detailed rich data on why women are excluded from the mediation leadership in the South Sudan mediation process (Flick et al 2004). Moser & Korstjens (2018: 2) state, “Sampling is the process of selecting or searching for situations, context and/or participants who provide rich data of the phenomenon of interest”. The sample size was applicable in this study as it covered a variety of settings and participants to obtain rich data on the exclusion of women from mediation leadership in the mediation process in South Sudan. This involved a small sample of participants, which was done deliberately. This was applicable again because the purposive non-random sampling technique allowed the researcher to select a case that illustrated some phenomenon the researcher was interested in, namely the exclusion of women from mediation leadership in the South Sudan mediation process (Hoyle et al 2002; Harris and Judd 2002).

Key informants were carefully chosen due to the special and expert knowledge they hold about the phenomenon under study and were willing to share information and insights with the researcher (Moser and Korstjens 2018). The researcher selected South Sudan and South Africa because South Sudan was a case study. Because this study investigates a specific phenomenon, the researcher interviewed South Sudanese affected by the conflict and those working on peace and security in South Sudan, and those based in South Africa. The researcher selected South Sudanese working at the IGAD secretariat in the mediation unit because of their work experience and the experience of the conflict as a South Sudanese. South Africa was selected because there are academics and civil society organisations that work on women, peace, and security, and know and insights on women and mediation in South Sudan.

This was done through the selection of five civil society organisations working on women, peace, and security in South Sudan and South Africa. The researcher interviewed diplomatic experts in the field from South Africa, IGAD mediation unit staff, academics in South Africa, and an expert on women,

peace, and security in Africa, based in South Africa. The academics have experience in the field of women in mediation, peace, and security in South Sudan and Africa broadly. The biases of the researcher were recognised in this research as the researcher had been an “insider” and “outsider” concerning the phenomenon under study, having worked on the phenomenon for several years. The researcher had worked with civil society organisations in South Africa and South Sudan on raising issues affecting women in conflict. Therefore, the researcher developed an interest in the topic. The researcher has contacts in civil society organisations working with women, peace, and security in South Sudan and South Africa. So that these biases did not impact the research, the researcher adopted a descriptive research design and an interpretive approach. These allowed for meanings to be derived from the participants and the context. In this case, the researcher presented data using content analysis, and not the researcher's understanding. The steps in carrying out each stage of the research had been recorded and replicated to deal with any biases.

The selected sample had working experience in South Sudan and had expertise working with peace and security in Africa, including in South Sudan. They applied to this study as they all helped in unpacking and answering the research question on why women are excluded from mediation leadership in the mediation process in South Sudan. This sample was selected because of their relevance in the work they do on peace and security. This selection was also based on the available resources that the researcher required to meet with them and to avoid data saturation. Data saturation is a situation where the collection of qualitative data is attained, new data gives redundant information and at this point, a sense of closure is attained (Saunders et al 2018). This study sought settings and individuals where the phenomenon being studied was more likely to occur, such as in South Sudan. In order to address the sensitive nature of this topic, the researcher sent the interview schedule to participants in advance, so that participants could go through the questionnaire and decide whether they were comfortable to carry out the interview.

### **3.7. Data collection**

The researcher used both primary and secondary methods of data collection. These methods of data collection were applied to this study because primary data was collected directly from the respondents through face-to-face interviews with participants with five interviewees in South Africa and six online interviews with participants in South Sudan. The researcher interacted with the respondents and probed for more in-depth responses (Neuman 2006). The researcher asked open-ended semi-structured interview questions to individuals selected as respondents (the interview schedule can be found under Appendix 4).

### 3.7.1 Interviews

The data collection entailed a single round of in-depth, qualitative interviews, conducted with eleven respondents. In this case study, the researcher developed open-ended questions to get an in-depth analysis of the exclusion of women in the leadership of the mediation process in South Sudan. This applied to this research because open-ended questions allowed for probing and follow-up questions. As case studies are time-bound and activity-focused, the researcher spent quality time with respondents collecting data through face-to-face interviews and online interviews, using platforms such as Skype, and recorded the interviews. Online interviews were conducted because the researcher could not travel out of South Africa due to the Covid-19 pandemic and the travel restrictions at the time of the study.

In this research, the interviews were conducted with a sample group of eleven participants in South Sudan and South Africa respectively. These two places were selected because South Sudan is the case where the conflict is ongoing. South Africa was selected because of academics, women, peace and security experts as well as the civil society organisations who work with women, peace, and security in South Sudan and in Africa that are based in South Africa. For all interviews with South Sudanese participants, the researcher had to conduct interviews online due to the Covid-19 pandemic, which limited international travel to South Sudan. All interviews with South African participants were conducted through face-to-face interviews both in Pretoria and in Durban. In this study, there were eleven interviewees. This number covered a cross-section of key stakeholders such as civil society organisations, women, peace and security experts, diplomats, academia, and regional institutions. The researcher argued that after eleven interviews, the study reached a saturation point. This meant that the data collected after the eleven interviews would likely keep repeating itself (Saunders et al 2018; Mouton 1996).

Marshall & Rossman (2004:101) define a face-to-face in-depth interview as “A conversation with a purpose”. Interviews were relevant for this study as they were used to explore the experiences of people in South Sudan with the conflict and the exclusion of women from mediation leadership in the mediation process in South Sudan. These interviews enabled the researcher to probe and prompt respondents to give more detail on the exclusion of women from the leadership of the mediation process in South Sudan. With interviews in qualitative research, the primary issue is to generate data that gives an authentic insight into people's experiences (Silverman 2004). This study adopted semi-structured interviews with open-ended questions by asking respondents these questions during the face-to-face interviews and some online interviews (Denzin and Lincoln 2018; Yin 2016). In addition, semi-structured interviews were applied to this study as they consisted of several key questions that



helped to define the areas to be explored. They also allowed the interviewer to digress to pursue an idea or response in more detail on the exclusion of women in mediation leadership in the mediation process in South Sudan (Gill et al 2008).

Neuman (2006: 323) articulates, “With open-ended questions, the respondent had the liberty to choose their own appropriate words, decide on the length of the answer and on what is important enough to be included in the response”. The fact that these interviews were semi-structured allowed the researcher to ask questions in a way that enable a wide range of responses, perceptions, cultural stories, and anecdotes (see Appendix 4). Semi-structured interviews are flexible, and they allow for the discovery and elaboration of information that is important to participants but may not have previously been thought of as important by the researcher (Gill et al 2008). This enabled the researcher to get a deeper understanding of the social phenomenon of why women are excluded from mediation leadership in the mediation process in South Sudan mediation. Interviews were recorded on Skype and were transcribed with the prior consent of the respondents. The collection of data in this study included anticipating ethical issues relating to getting permission, developing procedures for recording information, and securely storing data. The research identified and located individuals gained access to them and build a working trusting relationship with the participants in the study (Creswell and Cheryl 2018).

In terms of secondary data, reviews of available official documents such as the Government of South Sudan's policy documents on women, peace, and security, the National Action Plan (NAP) on implementing UNSC resolution 1325 (2015 - 2020) were undertaken (Hudson 2016). Further, reviews of the AU and IGAD policy documents on women, peace, and security were done. This applied to this study as secondary data analysis was a cheap and quick method of collecting data since the documents are readily available. The use of secondary data was applicable in this study as it enabled the researcher to compare what is in the documents with the primary data collected on a phenomenon.

### **3.7.2. Secondary data**

The researcher further collected secondary data in the form of desktop research. This was applicable in this study since the researcher acquired more knowledge to supplement the information that was gathered through face-to-face interviews. This was the data collected by individuals, agencies, or institutions other than the researcher themselves (Welman 2007). With the use of secondary data, the researcher gained access to facts and figures that did not emanate from the face-to-face interviews, and facts that are normally found in academic writings such as journals. This was important in the analysis of the exclusion of women from the mediation leadership in the mediation process in South

Sudan. These techniques and procedures used to generate data were preferred as they allowed more flexibility and responsiveness to themes that emerged for both the interviewer and the respondent (Jackson; Darlene and Sakile 2007). These techniques were applicable in this study and used a case study to analyse the exclusion of women from mediation leadership in the mediation process in South Sudan. This was done by placing the researcher at a distance from the context under examination and studying the phenomenon by collecting multiple kinds of data. These included face-to-face interviews and secondary sources of data. These enabled the researcher to answer “how” or “why” questions on the phenomenon (Jackson et al 2007).

### **3.8. Data analysis: The interviews**

In this study, the researcher used qualitative content analysis involving interpreting and making sense of the data collected from face to face interviews and those conducted online with participants from South Africa and South Sudan respectively. Content analysis is a method used to describe and interpret artifacts of society (Marshall and Rossman 2006). Maree (2007:111) explains that “Content analysis is a systematic and replicable technique for compressing many words of text into fewer content categories based on explicit rules of coding”. In this study, the researcher analysed the transcribed texts from interviews conducted with participants on the exclusion of women from mediation leadership in the mediation process in South Sudan.

Content analysis was applicable in this study because the researcher broke the data down into segments that were categorized and coded, and then established a pattern for the entire data set by relating the categories to one another (Jackson et al 2007; Flick et al 2004). The researcher recorded everything that was said by respondents and took notes, which were later grouped into themes for further analysis and interpretation. The use of content analysis enabled the researcher to use the collected data and check for patterns in the responses. The researcher then classified these patterns into themes, which were then analysed and interpreted. Content analysis was used in this study as it allowed the researcher to test theoretical issues to enhance understanding of the data collected and to distil texts into fewer related content categories. It was applicable because it made replicable and valid inferences from the data to the context of the respondents, and provided knowledge and new insights on the exclusion of women from mediation leadership in the mediation process in South Sudan. The researcher used content analysis to attain a condensed and broad description of the exclusion of women from the mediation leadership in the mediation process in South Sudan.

There are two types of content analysis techniques in qualitative research, namely inductive and deductive techniques (Elo and Helvi 2007). Inductive content analysis was applicable in this study as

the researcher was guided by research questions to narrow the scope of the study, to explore the phenomenon of women exclusion from the mediation leadership in the South Sudan mediation process (Gabriel 2013). According to Thomas (2006), the steps for content analysis are:

- i) Selection of subtext;
- ii) Definition of content categories;
- iii) Sorting material into categories; and
- iv) Concluding the results.

The data analysed on the exclusion of women from the mediation leadership in the mediation process in South Sudan was understood by the researcher as embedded in its context of communication with respondents. This was done by summarising content, sorting the data into themes, and ensuring that essential contents were preserved and produced manageable, short text (Flick et al 2004).

### **3.9. Data analysis: The documents**

Coffey and Atkinson (1996) refer to documents as ‘social facts’, which are produced, shared, and used in socially organized ways. Documents for this study included Government policies, background papers, books and brochures, diaries and journals, regional official documents on the subject (in other words, printed outlines), and institutional files. In document analysis, the researcher evaluated documents in a way that empirical knowledge was produced and understanding developed (Bowen 2009). Document analysis was applicable in this study as it complemented the content analysis above. The researcher engaged in document analysis by examining and interpreting available documents to elicit meaning, gain understanding, and develop empirical knowledge (Bowen 2009). Document analysis was used in this study to review relevant Government and institutional policies on women in peace processes. The documents that were analysed were the South Sudan NAP on implementing UNSC resolution 1325, protocol to the African charter on human and people's rights on the rights of women in Africa (AU Maputo protocol). The researcher analysed articles eight, nine, ten, and eleven of this protocol. The researcher further analysed the IGAD gender protocol. This was done to derive an understanding and to analyse what available documents say about women's leadership in peace processes and mediation in South Sudan.

### **3.10. Triangulation**

The researcher used triangulation to improve the credibility of the findings on why women are excluded from the mediation leadership in the mediation process in South Sudan. According to Flick et al (2004: 185), “The use of complementary methods, theories, data or investigators in a research intended to compensate for any one-sidedness or distortion that may result from an individual method,

theory, database or research”. Triangulation was applicable in this study as it combined different methodologies in the study of the same phenomenon (Denzin and Lincoln 1994). The researcher used multiple methods of data collection and multiple data sources for enhancing the credibility of the data collected and to withstand critique. Triangulation typically uses at least three ways to verify or corroborate findings (Yin 2016). For this study, secondary sources, face-to-face interviews, and document analysis were used to answer the question of why women are excluded from mediation leadership in the mediation process in South Sudan. The study used this technique to ensure that data was constituted from more than one perspective on why women are excluded from the mediation leadership in the mediation process in South Sudan (Maree 2016; Denzin and Lincoln 1994).

### **3.11. Limitations of the study**

There were several challenges concerning data collection. As a result of the Covid-19 pandemic, the researcher had to conduct some interviews via Skype because there was no international travel at the time scheduled for fieldwork outside South Africa. Four of the interviews with respondents in South Sudan were conducted over Skype and were recorded and transcribed accordingly. The researcher had to extend the time for data collection due to the Covid-19 pandemic which impacted the researcher's travel plans. Other challenges were that it was difficult to set up and confirm interviews via emails because of poor internet connectivity in South Sudan. Interviewees delayed responding to emails to confirm interview appointments. Furthermore, during interviews, there were constant interruptions due to electricity cuts and poor internet connections in South Sudan. Appointments were changed several times because of this. There were also instances where interviews were not completed on one Skype call, forcing the researcher to make arrangements for the following day. This affected the researcher's train of thought and the interviewees also changed their opinions in the next round of interviews. However, all interviews were eventually conducted, recorded, and transcribed.

### **3.12. Ethical considerations**

The researcher went through a detailed planning process to ensure reliable results by creating a list of texts to explore in the form of an interview schedule such as population, sample, and respondents. The researcher acknowledged and addressed biases, considering strategies for ensuring credibility. This was done so that the researcher knew the data they were searching for (Bowen 2009). This was helpful in this study as the researcher focused on sensitive topics like violence, trauma, and human rights abuses. The researcher considered and observed all ethical consideration issues in line with the University of Pretoria's research ethics. These included seeking permission and consent from respondents before they could participate in the interview (See appendices 2 and 3). The researcher had worked with civil society organisations in South Sudan and had a broad network of potential

respondents who contributed to this research. Permission to conduct interviews was obtained before conducting both face-to-face interviews in South Africa and online interviews with respondents in South Sudan. The researcher abided by the rules of confidentiality and accurately recorded the respondents' views and opinions on why women are excluded from the mediation leadership in the mediation process in South Sudan. According to Maree (2016: 44), "An essential ethical aspect is the issue of protection of participants' identities", which the researcher is aware of and abided by.

The researcher was familiar with the ethics policy of the University of Pretoria and acted accordingly throughout the study. Following ethical rules ensured that respondents were not compromised, that they remained anonymous, and that there was no falsification and plagiarism in the study and its findings. The interviews were conducted in an environment that was not secret but a safe space during face-to-face interviews, for both researcher and respondents to feel comfortable. This was applicable in this research because the researcher requested respondents in advance to participate in the study. The purpose of this study was clearly explained to them before seeking their consent, and they were informed of their right to decline to participate in the study.

### **3.13. Conclusion**

This chapter discussed the methodology used in exploring the phenomenon of the exclusion of women from the mediation leadership in the mediation process in South Sudan. This research used a qualitative case study approach with semi-structured face-to-face and in-depth interviews. This study was conducted in South Sudan because this was the area of the study where the research interviewees, namely the representatives from South Sudan civil society organisations working on peace and security, and South Sudanese official working at the IGAD mediation support unit, are based. The study was also conducted in South Africa with academics and civil society organisations working with women, peace, and security, using a selected sample size of eleven participants. Non-random purposive sampling was used. Each participant had expert knowledge on issues about women, peace, and security in Africa and particularly on women in mediation leadership in the South Sudan mediation process. They were able to share deep insights and knowledge of the phenomenon of the study.

This was a phenomenological study that used content analysis to group the text into themes that were analysed to provide brief and rich data. The researcher recorded and transcribed responses on why women are excluded from the mediation leadership in the mediation process in South Sudan. This data was then analysed using content analysis. The researcher used secondary data from the government of South Sudan's NAP on implementing UNSC resolution 1325 and other relevant

materials that were in the public domain. This was done to supplement the data collected from face-to-face interviews and ensured the credibility of the study. The use of several approaches employed as stated in triangulation ensured the credibility of the findings on why women are excluded from the mediation leadership in the mediation process in South Sudan. In line with the triangulation of data collection techniques, the researcher engaged in document analysis by reviewing official and policy documents such as the South Sudan NAP on implementing UNSC resolution 1325, the IGAD gender protocol, and the AU Maputo protocol on the rights of women in Africa. This was applicable, as it helped the researcher to get in-depth and rich data on the phenomenon of exclusion of women from the mediation leadership in the mediation process in South Sudan.

The time of writing this thesis in 2020 marked twenty years after the establishment of UNSC resolution 1325, and there continues to be a dearth of women occupying senior peacemaking positions, including mediation leadership. While women are involved in community-based peacebuilding, their participation in peace processes continues to be limited at national and international levels. Although the need for inclusive peacebuilding has been recognised on the continent, the pace of implementation of UNSC resolution 1325 has been slow, particularly regarding women in mediation leadership.

The following chapter discusses the evolution of the conflict in South Sudan, starting with the pre-independence era of Sudan and the conflicts that were fought between the Northerners and Southerners. It also discusses the conflict after Sudan's independence until the secession of Southern Sudan from Sudan and the independence of South Sudan that followed. Lastly, the chapter discusses the post-independence conflict in South Sudan from 2013 and interrogates the literature gap about women in mediation leadership during the conflict.

## CHAPTER 4: Evolution of the conflict in South Sudan

### 4.1. Introduction

This chapter discusses the history of the conflict in South Sudan, with a particular focus on the exclusion of women in mediation leadership in the South Sudan mediation process. The reviewed literature on the history of the conflict in Sudan and South Sudan reveals that there have not been any women in leadership in resolving the conflict at a high level, although women continue to be involved at the community level as agents of peace.

The history of South Sudan is a story of the resilience of a people that fought Sudanese domination, harnessing and mastering the geographical, climatic, economic, and social context in which the people found themselves (Rolandsen and Daly 2016). South Sudan is a country with harsh climatic conditions, with high temperatures and humidity, making people extremely vulnerable to water-borne diseases and malaria. These natural conditions in a war-torn country that has not developed sufficient health and education services and infrastructure, affect the people badly. Due to a weak formal State, political power in South Sudan is mainly vested in informal patronage networks within the civil administration and the army. The control of government revenue is said to be another source of informal power. This continues to make State capture by the different Sudan People's Liberation Movement (SPLM) factions attractive (Johnson 2016). This State capture by the elite led to a lack of transparency in the power structures and the difficulty in establishing the relative influence of political factions (Rolandsen 2015). Zambakari (2013) notes that the rise in ethnic violence across South Sudan and the border regions is a result of the colonial State inherited from Great Britain in the late 20th century.

The first section of this chapter gives an overview of the conflict in Sudan, between the North and the South. This is followed by a section discussing the geopolitics of South Sudan's conflict, in that it shares borders with Kenya, Ethiopia, the Democratic Republic of Congo (DRC), Uganda, and the Central African Republic (CAR). One does not have to look far to assess the stability in this region, with most if not all of these countries being politically unstable. The conflict in South Sudan and between Sudan and South Sudan is also discussed in terms of the religious conflict between Sudan's Muslim Northerners and Christian Southerners. The section that follows discusses South Sudan's independence and the conflict that followed, which was characterised by military coups in Khartoum and fighting with Southerners. This is followed by a section on the negotiation and mediation efforts by different actors in the Sudanese conflict, both international and African. The negotiations led to a Comprehensive Peace Agreement (CPA) signed in 2005 to give some autonomy to the Southerners,

allow for a referendum election in which Southerners voted massively to secede from Sudan (De Waal 2017 (a); Zambakari 2015). The section that follows discusses the process of Sudan's independence and the conflict within South Sudan that followed independence. This is followed by a section discussing the fighting that happened post-independence and the mediation efforts that took place thereafter.

#### **4.2. Conflict in the pre-independence period**

According to LeRiche and Arnold (2013), the first civil war started on the eve of Sudan's independence from colonial powers in 1955, until 1972, where Southerners were fighting and contesting the unity of the South into Sudan. The South Sudan conflict can even be traced back to the fighting that started in the colonial era of Sudan before the 1950s (Rolandsen and Daly 2016). The negotiations for self-determination in the early 1950s proved that Southerners feared Northern domination (Kebbede 1997). Over the years, Sudan has been ravaged by civil wars because of the dominance of the Muslim Sudanese from the North, over the Christian Sudanese from the South. The Northerners exercised more power and control over resources, including land and mineral wealth. The conflict between what is now Sudan and South Sudan led to the secession of South Sudan from Sudan and is traced through the history of Sudan itself (Muller and Bergmann 2020).

The Sudanese population has historically been divided between the current Sudan, who have been influenced by Egypt, mostly Islamic religion, and the Southerners, who were non-Islamic (Deng 1995). The Southerners were practicing mainly their African religions and Christianity. War became a means of livelihood and survival for many South Sudanese as they fought for recognition and independence from the North. During the 1820s, Egypt conquered Northern parts of Sudan and developed the ivory and slave trade (Deng 1995). This was followed by Nationalist revolts, which were led by Muhammed Ahmad Al Mahdi and formed an opposition to Egyptian and British rule. It was during this time that Egypt was under British occupation in the 1880s (Water for South Sudan 2018). After the British and Egyptians were defeated in 1885, Al Mahdi established a theocracy in Khartoum. In the 1890s, Britain regained control of Sudan with military campaigns led by Lord Kitchener, and then in 1899, Egypt and Britain agreed to form a joint government of Sudan.

In 1930 a "Southern Policy" was declared stating that the North and South, will be governed as two separate regions because of their cultural and religious differences (Deng 1995). The Arabs from Egypt invaded the South's richer lands beyond the Nuba area and forced deals on local rulers who undertook to assist Arab merchants financially. They also allowed the preaching of Islam (Johnson



2016). Many of the Arabs settled among the communities in Sudan and cultivated the fertile alluvial soil (Kebbede 1997).

The South was systematically marginalized in terms of social and economic development (Kebbede 1997). The oil resources in the South were extracted to benefit and develop the North, while the South remained deprived of necessary development, thus escalating the conflict between the North and the South. The North manipulated the situation to perpetuate Northern hegemony and to speed up the process of Islamisation in the South (Nyaba 1996; Deng 1995). As Kebbede (1997: 18) stipulates, “The Northern elite leaders of the newly independent Sudan vigorously pursued the process of Arabization and Islamization of Southern Sudan with little or no regard to the interests of the non-Arab and non-Islamic peoples of the region”. The country was further associated with war and human suffering as a result of external factors including colonialization and the Islamic influence by Egypt.

#### **4.3. Geopolitics and the Southern Sudan conflict**

Southern Sudan, which is now known as South Sudan, shares borders with Kenya in the West, Ethiopia in the East, Democratic Republic of Congo (DRC) and Uganda in the South, Central African Republic (CAR) in the West and Sudan from the North (Deng 1995). Sudan was known for violent conflicts and human rights abuses for many decades. For a long time, there was exploitation and slave-raiding by the “Arab” North against the “African” South, which led to Britain and Egypt's imperialist meddling in Sudan's internal affairs (Deng 1995). Sudan and South Sudan's conflicts are further explained in terms of religion, race, economic exploitation, leadership crisis, and colonialism (De Vries and Schomerus 2017; Deng 1995). These are the major elements in the crisis. According to Vhumbunu (2018: 156), “different political and socio-economic factors in the pre-colonial, colonial and post-colonial Sudan have caused, perpetuated and sustained conflict within Sudan”.

The decision by Britain and Khartoum to merge North and South into one administrative region in 1946 escalated the conflict. According to Justin and De Vries (2017), borders were contested between Sudan and South Sudan pointing to an important aspect of the colonial heritage of African boundaries that is less studied. These colonial borders continue to be a source of tension and conflict in South Sudan, because of the link between identity and territories which is important in determining how land ownership and land access are regulated (Deng 1995). This was common across the many African States at the time. Arabic was made the official language of administration in the South with Northerners holding positions there. Justin and De Vries (2017) argue that before Sudanese independence in 1956, Southern elites lobbied for a federal system as an acceptable alternative to Southern independence. This was rejected by the Northern political elites. The new international

border between Sudan and South Sudan was based on borders created by the British colonial authorities. These borders further escalated the tension even after South Sudan's independence. This led to Southern insurgents' mutiny in 1955 in anticipation of independence and fearing domination by the North (Deng 1995).

The early rebels developed a large secessionist movement in the South, called the Anyanya. They struggled with a lot of internal factionalism and instability until 1972 when all rebel factions came together under the Southern Sudan Liberation Movement (SSLM) (Johnson 2016; Deng 1995). They came together to negotiate a peace agreement with the Sudanese Government. This negotiation led to the signing of the Addis Ababa agreement that gave the South some autonomy and part of the natural resources (Deng 1995). Addis Ababa has remained instrumental and strategic in signing all failed peace agreements on Sudan and South Sudan until the 2017 High-Level Revitalization of the peace process. This could be because of the strategic role Addis Ababa plays in bringing all warring parties together in the Horn of Africa region, and Addis Ababa is the African Union (AU) Head Office (Johnson 2016).

It was during this time in the 1970s that oil was discovered in the Unity Region, Southern Sudan. With the discovery of oil in the South, Khartoum tried to redraw the boundaries of Southern Sudan, so that they could have access to the oil field in the South, but they failed and Khartoum took these areas by force. The conflict was triggered by discovery and desire to control the oil resources of the South. From the late 1970s, there were continuous violations of the Addis Ababa agreement by the North, and these led to more unrest and violence in the South. In June 1983, the Sudanese Government abolished the Addis Ababa agreement, divided the South into three regions, and dissolved the Southern regional Government (Water for South Sudan 2018; Deng 1995).

#### **4.4. Sudan's independence**

Sudan gained independence on January 1, 1956. The rebellion against Sudan continued for decades with the anti-Sudan regime led by Sudan People's Liberation Movement (SPLM)'s John Garang and his militia, after Sudan's independence. This fighting continued after the SPLM was formed in 1983 (Johnson 2016). According to LeRiche and Arnold (2013), the Dinka and Nuer formed the majority of the forces fighting for the independence of the South from Sudan North. As the rebellion against the Sudanese regime continued, it was led by Sudan People's Liberation Movement/Army (SPLM/A) under John Garang in 1983.

In May 1969 Nimeiry seized power through a coup and became the President of Sudan. He had promised reconciliation between the Northerners and the Southerners (LeRiche and Arnold 2013). However, Nimeiry instituted a major Islamicisation campaign, to transform Sudan into a Muslim Arab State (Johnson 2016; Deng 1995). Mutinies occurred throughout the South and rebel forces grew and formed the Sudanese People's Liberation Army (SPLA), led by John Garang in Ethiopia (Deng 1995). Throughout the 1980s civil war continued in the South as the SPLA fought government forces in an attempt to gain control of the South. Villages in the South were repeatedly attacked and destroyed, resulting in many people being killed, internally displaced, while many others fled the country. There were increasing cases of gender-based violence, rape, and forced sex used as a weapon of war (McKay 2004 (b)). In 1988, Sudan experienced yet another military coup that was led by former president Omar Al-Bashir. As Kebede (1997) stipulate, Omar Hassan Ahmed Al-Bashir led a coup with his IS-member Revolutionary Command Council of National Salvation (RCC). Following the coup, Al Bashir suspended the 1986 transitional constitution, banned all political parties and human rights organisations among other things (Deng 1995). These led to the deterioration of human rights and the conflict worsened in Sudan as the Southerners intensified the fight against recognition and independence from Sudan.

The continued attempt by the National Islamic Front (NIF) Government to enforce Islamic orthodoxy on Sudan's diverse population resulted in massive human rights violations against its citizens, and destabilization activities against its neighbours (Johnson 2016; Deng 1995). These events isolated the country internationally, with Sudan being on the list of seven countries that the United States of America (USA) State department contended were sponsoring intentional terrorism (Kebede 1997). Nyaba (1996) argues that successive Governments in Khartoum broke promises and agreements relating to the governance of the South, as per the Addis Ababa agreement. The Northern-led Governments manipulated the situation to perpetuate Northern hegemony over the South and sped up the process of Islamization in the South. This further fuelled the resistance among the Southerners who felt oppressed and undermined by Khartoum. As villages were attacked and survivors fled, many of the refugees from Sudan went to the United Nations Humanitarian Committee for Refugees (UNHCR) Kakuma camp in North-Western Kenya (Johnson 2016). Although some peace initiative for Sudan was pursued by IGAD with Eritrea, Ethiopia, Uganda, and Kenya, that had little effect as the conflict continued to rage on for more years (Johnson 2016). While different peace negotiation attempts between al-Mahdi and the SPLA were made, they failed, and the conflict worsened (Johnson 2016).

In 1989 Sadiq al-Mahdi was ousted in a coup and Omar al-Bashir seized power, supported by the NIF (Johnson 2016; Deng 1995). Al Bashir's Government-enforced Islamic rule all over Sudan, banning trade unions, political parties, and other "non-religious" institutions. This led to complete disregard for human rights in Sudan. Sudan was also associated with human suffering and human rights abuses as a result of historical processes. During Al-Bashir's iron fist rule, Sudanese from the South experienced worsening human rights atrocities and marginalization. There were several reported cases of human rights violations against Al-Bashir's Government which led him to be indicted by the International Criminal Court (ICC) for all the human rights abuses his Government committed. According to Duursma & Muller (2019:893), "The indictment of Sudanese President al-Bashir is based on his alleged responsibility for atrocities in Darfur that constitute crimes against humanity". Al Bashir became Sudan's president for thirty years until he was ousted by civilian protest in March 2019 (Duursma and Muller 2019). These historical processes restricted proper institutional conditions, access to education by mainly the Southerners as they spent most of the time fighting and were shaped by external factors (Deng 1995).

The war worsened from 1983 until the Comprehensive Peace Agreement (CPA) of 2005, through to the transition to South Sudan's independence unabated in 2011. Adeogun & Muthuki (2017: 83) supports, "South Sudan was part of the country named Sudan, but after series of war South Sudan decided that it was time to become autonomous, this was not easy to come by, but it was later achieved in July 2011". The situation in Sudan deteriorated, with this deterioration, Southerners fought harder for independence and recognition as a sovereign and independent nation. Among other issues, the Southerners were fighting over the lack of infrastructure development in Southern Sudan despite the oil production revenue and cattle wealth in the region. The conflict worsened in Sudan despite the Organisation of African Unity (OAU) and the Inter-Governmental Authority on Development (IGAD) intervention, throughout 2011 when a referendum election was held, and South Sudan seceded from Sudan (Rolandsen 2015). According to LeRiche and Arnold (2013), peace talks were held in Abuja Nigeria in May 1992 with delegates from the warring parties from the South.

From 1993 IGAD began mediating between the warring parties and in 1994 achieved a Declaration of Principles (DoP), which stipulated the right of Southerners to self-determination. Over the following decade IGAD and AU engaged in negotiations with warring parties, and between 2003 and 2004 different thematic protocols were negotiated. The agreement on security arrangement and the power-sharing agreements were signed in 2003. These protocols made up the CPA of 2005 (LeRiche and Arnold 2013).

As a result of this conflict, an estimated 700,000 people were killed in Darfur. These militias were killing Southerners, raping women, and looting (Seegers in Coleman and Tiekou 2018). In this conflict Jimmy Carter stated that hundreds of thousands of Sudanese, mostly Southern civilians, died from fighting and famine in the ten-year civil war between Christians from the South and the Muslim-led Government in the North. In the process, many people were killed, infrastructure was destroyed leaving Sudan with high poverty and inequality levels. Vhumbunu (2018: 156) stipulates, “The Sudanese conflict as a result of the interplay of a motley of factors; the colonial legacy of geographical, socio-economic and political separation; economic marginalization by post-colonial Governments; ethnicization politics or politicization of ethnicity; competition over scarce resources, religious intolerance, and this struggle for power”.

#### **4.5. From Khartoum to Juba**

It took several mediation and negotiation efforts by African and non-African leaders such as Thabo Mbeki and Jimmy Carter to mediate the conflict between the north and the south (Vertin 2018). In 1993, Jimmy Carter arrived in Sudan to mediate the civil war between the military Government and rebels from the South. Carter was invited by Kenya's leaders. Despite the then US President George Bush appointing former U.S. Senator John Danforth as the president's special envoy for peace in Sudan, the conflict escalated (Johnson 2016; Deng 1995). Elder-statespersons such as Thabo Mbeki were invited as mediators because of their wisdom, stature, and leadership in previous leadership positions (Coleman and Tiekou 2018; Tafotie 2015). Mbeki had been invited by the African Union as a member of the African Union High-Level Implementation panel that played a key role in the peace process in Sudan. Thabo Mbeki contributed to preparations for the presidential election in Sudan in 2010 and led the warring parties to an agreement on the security regime in the border zone (Tafotie 2015). Other eminent persons such as the former Organisation of African Unity (OAU) Secretary-General Salim were invited as mediators in Darfur. He was appointed by the AU in 2005 as AU special envoy to Darfur (Relief Web 2015). Notably, although many other mediators took part in the Darfur peace process, no women were included in the leadership of these mediation processes (Khadiagala 2018, in Coleman and Tiekou 2018).

Peace was brokered between Southern rebels and the Government of Sudan in 2005. The Nairobi Comprehensive Peace Agreement (CPA) was signed and gave autonomy to the South for a six-year trial period, after which the South had the opportunity to vote to secede from Sudan, and the CPA scheduled a referendum to be held in 2011 (Water for South Sudan 2018). The referendum was to determine if Southern Sudan would remain part of Sudan or secede and be an independent State. The

people of Southern Sudan awaited their historic opportunity for peace and stability, after many years of conflict that killed about two million people (Johnson 2016). At this time in Darfur, the number of dead and displaced people continued to grow, including women and children, and the conflict raged on with no clear end in sight. This agreement called for a permanent ceasefire and sharing of oil revenues (Vertin 2018). This led to the signing of the Comprehensive Peace Agreement (CPA) in 2005.

The signing of the CPA in 2005 led to the ending of the conflict between people from Northern Sudan and those from the South of the country. Johnson (2016:163) stipulates, “The CPA was supposed to establish a system of Government that would correct the imbalances of the past”. The SPLM was then renamed the South Sudan Army (Khadiagala 2018 in Coleman and Tiekou 2018). Although the conflict ended, there was no justice for the victims of this deadly conflict (Vertin 2018; Lucey and Kumalo 2017). The Carter Centre reiterates that former president Jimmy Carter worked with the people of South Sudan as a mediator when that area was still part of Sudan until the 2011 elections. Since South Sudan's independence in 2011, Jimmy Carter assisted the newly established nation in resolving the conflict, negotiating, preserving peace, and eliminating devastating neglected diseases such as the guinea worm (The Carter Centre 2013).

As Southerners in Sudan were negotiating with Northerners whether to have a unified Sudan or secede through a referendum election, a prominent Southerner, John Mabior Garang died in a helicopter crash three weeks after he was sworn in as first vice president of Sudan, under strange circumstances. This led to riots in 2005 in Khartoum (Johnson 2016). During the Sudanese national elections in April 2010, the first national elections in over 20 years, Omar al-Bashir won the presidency of Sudan while Salva Kiir won the presidency of the Government of Southern Sudan. This election was conducted under the CPA agreement and it was the Sudanese election. Al Bashir had come to power through a coup and the 2010 national elections were the first elections conducted in that country in over 20 years. Al Bashir had been in power for 20 years without elections and was then voted in through the 2010 elections for another two terms.

Southern Sudanese then voted in a referendum as stipulated in the 2005 CPA to decide if the Southern region will separate from the North and become an independent nation or not (Johnson 2016). The people from the South voted overwhelmingly to secede from Northern Sudan. Al Bashir became Sudan's president for thirty years until he was ousted by civilian protest in April 2019. He was ousted when civilians' staged months of peaceful protests in a form of sit-ins outside the army barracks for several months. In February 2019, some elements in the military joined civilians who were protesting

against Al-Bashir's rule, and this caused division within the army. Eventually, the military forced Al Bashir to step down through a military coup (Duursma and Muller 2019).

On July 9th, 2011, the Republic of South Sudan celebrated its independence and became the newest and the 54<sup>th</sup> Member State of the AU. On July 14, 2011, South Sudan joined the UN as the world's 193rd nation (Water for South Sudan 2018, Johnson 2016). By joining the UN, South Sudan had to implement among other UN instruments the Women, Peace, and Security (WPS) agenda and UNSC resolution 1325 and its subsequent resolutions on women, peace, and security (McKay 2004 (a)). This marked a historic milestone for the people of South Sudan. South Sudanese thought they could enjoy their long-fought independence and benefits of self-determination but this was followed by a relapse into conflict just two years after attaining independence from Sudan. Adeogun & Muthuki (2017:1) add, "South Sudan got independence from Sudan in 2011 and up till now it has suffered from recurrent relapses of the conflict".

The section that follows discusses the conflict in South Sudan post-independence in 2011. This conflict erupted in 2013 December when there was a political crisis between different factions of the SPLM along ethnic lines. The Dinka and the Nuer took arms to fight in a conflict that destabilised this youngest country in Africa. This caused massive suffering among citizens in South Sudan and called for international and regional mediation to resolve the conflict between elements within the SPLM. The last subsection discusses mediation processes that took place in South Sudan post-2013 conflict led by IGAD, AU, IGAD-Plus Five, international actors such as the Troika, Jimmy Carter, and friends of the SPLM such as the African National Congress (ANC) Ethiopian People's Revolutionary Democratic Front (EPRDF) and Chama Cha Mapinduzi (CCM) (Booth 2016).

#### **4.6. Post-independence conflict in South Sudan**

The process of the liberation of South Sudan from Sudan was a difficult one, as has been described above. Adeogun & Muthuki (2017:83) state, "After South Sudan became independent it was time for peacebuilding which was going to take a long process because of the decades of war". South Sudan is said to be a country with a long tradition of pastoralism and a very little history of statecraft. It lacked proper functional state institutions. Land and livestock are a great measure of wealth for South Sudanese. Despite continuous efforts by IGAD, AU, and the UN, there has not been a success in ending the conflict in South Sudan (Hendricks and Sigsworth 2018; Johnson 2016; Agbalajobi 2009). Booth (2016:3) reiterates, "The engagement of IGAD's frontline States Uganda, Kenya, Ethiopia, and Sudan was critical to the parties' calculations and approach to negotiations". The new leadership and ethnic conflict in South Sudan left thousands of people internally displaced, thousands fled the

country and many more thousands of people were killed, including women and children (Lucey and Kumalo 2017).

Although South Sudan has more than sixty four ethnic groups, the ethnic tension between the majority Nuer and Dinka escalated the conflict and led to armed conflict between them. There were tensions between these two main ethnic groups before cessation, which escalated post-independence from Sudan leading to a bloody civil war in South Sudan. As stated in (Richardson 2011), the Dinka and Nuer, being two rival pastoralist groups, have often competed over grazing land and water for their cattle in the past, in a local context. In 2013, the dismissal of the former vice president Riek Machar, a Nuer, by the South Sudanese president Salva Kiir, a Dinka, functioned as a catalyst for mass violence in this young nation. During the CPA negotiations, the two main ethnic groups agreed to unite in their struggle for independence from Sudan (LeRiche and Arnold 2013). Sugh and Ikwuba (2017) articulate that conflicts are usually fuelled by deeply engrained divisions over resources, power, mistrust, and exclusionary politics.

After independence as a sovereign State, South Sudan elected Salva Kiir from the Dinka ethnic group as the president and Riek Machar as the vice president from the Nuer ethnic group (Vertin 2018; De Vries and Schomerus 2017; Lucey and Kumalo 2017). Tensions began to emerge between the president and vice president soon after the 9 July 2011 independence celebration and led to mistrust and eventually the conflict that broke out in December 2013 (Johnson 2016). The lack of trust between these two main ethnic groups and their leaders, corruption, and mismanagement of the country's resources led to the dismissal of Riek Machar as vice president. After South Sudan's independence, the civil war erupted once again between the factions of the SPLM. The reports of mistrust between Kiir and Machar led to Kiir dismissing Machar as his vice president in mid-2013. The consideration of both Machar and Kiir was done to unify the different groups after attaining independence (Johnson 2016; Rolandsen 2015). These ethnic groups and many other minority groups fought Sudan as a unified group of Southerners, however not much attention was given to power-sharing between these main ethnic groups post-independence from Sudan (Lucey and Kumalo 2017).

During this conflict in 2013, there were reports of ethnic cleansing in some areas of South Sudan using starvation, gang rape, and the burning of villages (UN 2018; Johnson 2016; Williams 2011). Ethnic tensions blew up amidst weak institutions and weak national identity. Given South Sudan's oil, many former freedom fighters expected a lot of money to come their way to rebuild the country, build up its institutions, and give fighters something to do than fight. However, this did not happen due to the conflict that erupted shortly after the independence of South Sudan from Sudan. Natsios (2015)



describes this as a red Christmas because the civil war began just a few days before Christmas 2013. The conflict was also about who controls what land, in a country that has a long tradition of pastoralism and a very little history of statecraft. Rolandsen and Daly (2016) support that by far the largest ethnic group today in South Sudan is the Dinka with Nuer second. Their two leaders were President and Vice President respectively until their fall out in December 2013 (Johnson 2016). This resulted in more fighting and the formation of other militant groups. The celebrations were short-lived as this oil-rich East African State broke into civil war on 15 December 2013. With one of the world's lowest population densities, South Sudan's population is estimated at more than sixty four ethnic groups (Deng 1995). The deadly civil war left massive destruction after they attained their independence from Sudan in 2011 (Johnson 2016; Rolandsen 2015).

South Sudan is said to be in chaos because it does not have strong institutions of State necessary to ensure economic development and to give people a stake in the country, as opposed to their ethnic groups. South Sudan faces a huge challenge of reforming the colonial State inherited during its independence. The country's leadership is said to have not been able to build an inclusive political community that effectively manages diversity, upholds the rule of law, and practices democracy in governance (Zambakari 2013). As stated, “The narrative of oil fuelling the civil war in South Sudan has been highly favoured by various scholars who argue that the warring parties are keen on controlling oil and other natural resources” (Nyadera, 2018:4).

As a result of the evolution of this conflict, generations of South Sudanese were born into conflicts, grew up to join the armed struggle, leaving them with little or no education. Most young men and women joined the forces to continue fighting for South Sudan’s liberation, a country that was established without much infrastructure development. Rolandsen (2015) summarises that South Sudan's point of departure following the signing of the peace agreement in 2005 was poor as State institutions and practices were shaped during the Anglo-Egyptian condominium. The Southern Government was overwhelmed by the struggle to gain control and the process of merging the two systems. There were also intense negotiations with the National Congress Party (NCP) in Khartoum over the implementation of the peace agreement, how to manage oil money, internal SPLM divisions, and increasing rural insecurity. These challenges severely hampered the establishment and strengthening of Government control in South Sudan.

Women and children were left vulnerable, many of the victims were exposed to sexual violence, rape, and forced marriages. Many people fled the country and many more were killed. Many of those who were born during the war and grew up to be fighters, did not have opportunities to get an education,

proper careers, and no opportunities to develop State institutions and infrastructure. This conflict like many other conflicts in Africa has cost the continent dearly, killed millions of people, and left generations of traumatized children and young adults (Williams 2011). This was seen as the marginalization of the Nuer by the Dinka-led administration of Kiir.

Some reviewed literature indicates that the conflict was mainly around controlling State resources after the discovery of oil in parts of South Sudan. The oil-producing States of Unity, Jonglei, and Upper Nile in South Sudan have experienced the worst of the civil war and the most intense combat operations. The rapid increase of access to State resources with oil revenues in South Sudan intensified the elite's domination and sharpened social differentiation among South Sudanese. As Rolandsen (2015) supports, the Government of South Sudan gets almost all its income from oil revenues, but South Sudan is a subsistence economy.

Corruption has increased within Government institutions and class formation to control and use State resources (Pinaud 2014). The role of corruption in countries such as South Sudan cements the entire system of political and class domination. This characterises South Sudan, where corruption binds and reinforces the system of political and class domination by the rich armed and mostly men (Harsch 1993). According to Agbalajobi (2009), this system also compromises the State's long-term survival, because it provokes class and ethnic conflicts as it excludes women, youth, and children. The conflict in South Sudan resulted in increased breakaway factions of warring parties. This is not uncommon on the continent, as Williams (2011) states that Africa's conflicts involve multiple armed factions that multiply as a result of pressures from Governments and their opponents (De Waal 2002). The continuous instability in South Sudan at the writing of this thesis makes South Sudan the world's fastest-growing refugee crisis that is an entirely man-made disaster. Reports indicate that there are four million people who have fled their homes since 2013 (UN Human Rights Commission Report 2018), the majority of them women and children.

Women are often regarded as material items used to show off wealth. Limo (2018) indicates that wealthy commanders would have many wives and many children, from forced marriages. This is regardless of a woman's consent on the number of children they want to have and whether they want to get married to such a person. Women and young girls mostly find themselves in polygamous marriages. The civil war has created new opportunities in the marriage market because the high numbers of men of marriageable age who were at the front lines or had fled the country made it easier for commanders to acquire new wives. Most SPLA commanders had multiple wives who have been sold off or forced into marriages (De Waal 2014; Pinaud 2014). They were reputed to marry numerous

women as many as fifty-one in some cases especially in the countryside, where levels of scrutiny were lower than in the towns.

#### **4.7. The mediation process in South Sudan**

Following the deadly 2013 conflict in South Sudan, there have been several mediation processes with different regional organisations and mediators involved in South Sudan (Booth 2016). To resolve the conflict that erupted in South Sudan in December 2013, the first IGAD mediators arrived in South Sudan on 19 December 2013. In line with the AU principle of subsidiarity, Regional Economic Communities (RECs) such as IGAD have a mandate to intervene in regional peace and security issues before the AU can intervene (Kaaba and Fagbayibo 2019). The principle of subsidiarity states that the AU intervenes if the objectives of the proposed action cannot be adequately achieved by the member states in a particular REC such as IGAD. The first IGAD delegation to mediate in the South Sudan conflict was led by both Ethiopia's senior diplomat ambassador Tedro Adhanom and Kenya's General Lazaro Sumbeiywo (Johnson 2016). As stated in IGAD (2013-2015) report, after the outbreak of the conflict, IGAD responded quickly within two weeks, mandated a mediation process that was led by three special envoys from Ethiopia, Kenya, and Sudan. The report states that this mediation process went through multiple rounds of talks and agreements. It concluded in August 2015 when the parties signed the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCRSS). Booth (2016: 2) states, "Issues came to the fore at many stages of the IGAD-mediated peace process for South Sudan, which facilitated talks between the warring parties from January 2014 to August 2015, when a peace accord was finally signed". This was the first attempt by the IGAD States to intervene following South Sudan's independence and the war that erupted in December 2013.

This was followed by IGAD-led mediation talks in Addis Ababa between the fighting factions of the Sudan People's Liberation Movement (SPLM). Riek Machar's delegation representing the Sudan People's Liberation Movement-In Opposition (SPLM-IO) was led by Pagan Amun, along with General Lazaro Sumbeiywo and Ambassador Tedro Adhanom representing IGAD as mediators. President Obama's special envoy to South Sudan, Donald Booth also came for this round of talks, with the mandate to support the mediation talks in South Sudan (Booth 2016). A few days later some Heads of State from the IGAD member countries, namely the Ethiopian Prime Minister Hailemariam Desalegn and President Kenyatta also arrived in Juba for follow-up talks (Johnson 2016). As has been the case, some mediation talks were led by special envoys appointed by respective IGAD member States, while in some cases sitting Heads of State led the mediation talks (Apuuli 2015). As was the

practice, mediation talks were either held in Nairobi, Addis Ababa, or Khartoum, which represented countries that were leading mediation efforts in the South Sudan conflict within the IGAD region.

From what is stated above all the mediators involved were men, with no women appointed by IGAD to join the leadership of the mediation teams. The other IGAD mediation talks followed in Nairobi, after the initial mediation talks held in Juba in December 2013 as discussed above. This was in early 2014 led by Heads of State from Kenya, Uganda, Djibouti, Somalia, Sudan, and South Sudan's foreign minister. The IGAD report (2013-2015) states that after the civil war broke out in South Sudan in 2013, IGAD convened an extraordinary Summit in Nairobi and the mediation process commenced, resulting in a comprehensive agreement that was signed by the parties two years later. None of the leaders were women, further indicating the phenomena of the exclusion of women from the IGAD mediation leadership in the South Sudan mediation process (Johnson 2016).

Several agreements were signed but were never fully implemented, leading to more fighting. IGAD (2013-2015) reports that on 23 January 2014 the Government of South Sudan and Sudan People's Liberation Movement-In-Opposition (SPLM-IO) signed a Cessation of Hostilities Agreement (CoH). In addition, "On 23 January, the parties also signed an agreement on the Status of Detainees" (IGAD, 2013-2015:12). The SPLM-IO is a breakaway faction of the SPLM, led by Riek Machar. Riek Machar formed this group with forces from the Sudan People's Liberation Movement (SPLM) that were loyal to him and mostly from his ethnic group the Nuer. Muller and Bergmann (2020:5) add, "In July 2013, President Salva Kiir dismissed his deputy Riek Machar, who was accused of attempting a *coup d'état*. As a result, the SPLM faction in the SPLM was led by President Kiir, and the "SPLM In Opposition" (SPLM-IO) led by Machar". The IGAD (2013-2015:13) report indicates, "Thereafter the IGAD special envoys focused on securing agreement on the main parameters of the talks. The result was an agreement signed on 9 May 2014, in which the parties agreed to the agenda of the talks, the principle of forming a transitional Government". Johnson (2016: 268) supports, "Another IGAD summit on 13 March 2014 ended with a communique reaffirming the need for an inclusive political dialogue which would involve the former detainees, political parties, civil society, and other stakeholders". It was not clear what the participation of other stakeholders entailed and how they were going to participate.

The other mediation efforts were by the ANC and CCM with different factions of the SPLM in January 2015 in Addis Ababa. According to Nyadera (2016:3), "As formal IGAD talks got underway, Tanzania's ruling CCM party, with support from South Africa's ANC, brought the three SPLM factions into an informal process to address its leadership dispute. This led to the January 2015 Agreement on Reunification of the SPLM. These were party-to-party efforts intended to reconcile

factions within the SPLM. The ANC and the CCM were the main mediators, these are liberation movements that shared struggle history with the SPLM and remain cordial with each other to date. The ANC is South Africa's ruling political party since 1994 when the country first had multiparty democracy. The ANC fought against apartheid in South Africa as a liberation movement. CCM is a ruling party in Tanzania and has been a liberation movement fighting against colonialism until Tanzania's independence. Johnson (2016) supports that these parallel efforts to reunify the SPLM did not go well until the ANC and the South Sudanese parties requested CCM to mediate.

ANC and the Ethiopian People's Revolutionary Democratic Front (EPRDF) had another mediation process planned between warring factions of the SPLM, but this was delayed because of the lack of commitment from leaders of warring parties in South Sudan. These parties together with the SPLM have been allies as liberation movements in their respective countries, and in solidarity, with the SPLM they decided to intervene on the party-to-party mediation level. With time passing, it became difficult for IGAD to successfully mediate the conflict in South Sudan due to a lack of political will and commitment from key actors as well as IGAD Member States' interests in South Sudan (Johnson 2016).

Besides these mediation efforts, the AU established a commission of inquiry on South Sudan, which was led by former President Obasanjo of Nigeria in 2014. According to Johnson (2016:285), the commission's mandate was "To investigate the human rights violations and other abuses committed during the armed conflict in South Sudan, and make recommendations on the best way and means to ensure accountability, reconciliation, and healing among all South Sudanese communities". While the report's recommendations were selectively, implemented, if at all. One of the key recommendations was the establishment of a hybrid court in South Sudan, which was never implemented due to challenges among others of lack of commitment, funding, human resource capacity, and location (Johnson 2016). Without the implementation of the report's recommendations, this reduced the chances for the conflict to be resolved as we saw in the years that followed. In all the mediation efforts mentioned above, all leaders were men, with no women appointed into leadership.

The 2015 peace talks held in Addis Ababa led to the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCRSS), and it was then signed in on 17 August 2015 in Addis Ababa. These mediation talks were led by IGAD and supported by the Troika, UN, and South Africa among other actors.

This agreement was not implemented in totality as the country relapsed into another conflict in 2016. The mediation talks saw the establishment of the Joint Monitoring and Evaluation Commission (JMEC) in November 2015, led by the former President of Botswana Festus Mogae. The commission's mandate was to oversee that the peace agreement which was implemented (Motsamai 2017, Booth 2016, Johnson 2016). However, as time passed, Mogae resigned from his position citing a lack of commitment and political will of South Sudanese leaders to implement the agreement. The study further indicates the exclusion of women in the leadership of these institutions.

In 2018 another agreement was signed on the revitalised peace process in South Sudan. The signing happened in Addis Ababa on 12 September 2018 (Vhumbunu 2018). This peace deal was an effort to revive the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) of 17 August 2015, which had been broken down due to the outbreak of a civil war in July 2016 in Juba. Vhumbunu (2018) states that after the resurgence of civil war in South Sudan on 7 July 2016, there have been efforts to ensure a return to peace in South Sudan through different initiatives at national and regional levels. The establishment of the High-Level Revitalization Forum (HLRF) by IGAD on 12 June 2017, was seen as instrumental in convening negotiating parties in South Sudan to revive the ARCSS.

As stipulated in Vhumbunu (2018: 3), the Revitalised Agreement on the Resolution of the conflict in the Republic of South Sudan (R-ARCSS) was preceded by five key agreements between the parties and stakeholders to the conflict in South Sudan". The agreements are as follows;

1. Agreement on the Cessation of Hostilities, Protection of Civilians and Humanitarian Access, signed on 21 December 2017 in Addis Ababa, Ethiopia;
2. Addendum to the Agreement on the Cessation of Hostilities, Protection of Civilians and Humanitarian Access, signed on 22 May 2018 in Addis Ababa, Ethiopia;
3. Khartoum Declaration of Agreement between Parties to the Conflict in South Sudan signed on 27 June 2018 in Khartoum, Sudan;
4. Agreement on Outstanding Issues of Security Agreements signed on 6 July 2018 in Khartoum, Sudan; and
5. Agreement on Outstanding Issues on Governance was signed on 5 August 2018 in Khartoum, Sudan.

Although not at a very high level, churches in South Sudan and South Africa also got involved in the mediation process in South Sudan with among others Desmond Tutu working closely with South Sudanese churches to end the conflict. Jeffrey (2018) reiterates that South Sudan's different churches

have remained one of the country's few stable institutions, in their work toward peace. They displayed a level of inter-religious cooperation rarely seen in the world. Ashworth & Ryan (2013:51) support, "Religious leaders engage in high-level negotiations and their goals tend to be limited and short-range as in South Sudan case". The South Sudan Council of Churches (SSCC) was invited by the warring parties negotiating in Addis Ababa, to assist them to get over their differences, which IGAD failed to do as a mediator (Jeffrey 2018). Little or no positive results were achieved in this regard. As stipulated in Ashworth & Ryan (2013: 53), "It is fair to say that the church's potential to contribute to strategic peacebuilding has hardly been fully tapped". This is supported by Jeffrey (2018) that churches in South Sudan have been less able to influence politicians and generals in South Sudan's civil war raging from 2013 to 2018 at the formal level. The church in South Sudan played a major role in protecting people, mobilizing humanitarian support, and in mediation at a local level, but it could not implement national-level initiatives (Jeffrey 2018).

Vhumbunu (2018:156) concludes "The conflict in South Sudan was caused by the pre-colonial practices of slavery, the colonial administrations' insistence on policies rooted in entrenching attitudes and perceptions of hatred, the failure by the British colonial administration to design and facilitate a smooth transitional process from colonialism to independence, left a ticking time bomb in Sudan". Nantulya (2016) emphasises that re-establish stability in South Sudan will require addressing the drivers of the recurring conflict. Civilian actors including women must be given a voice and continued peacemaking processes at the community level and security sector reform countrywide must be pursued.

#### **4.8. Conclusion**

This chapter gave a historical account of the conflict that engulfed South Sudan since the pre-independence period (Johnson 2016). The historical account outlined the wars that people from Southern Sudan which later became the Republic of South Sudan after the 2011 referendum elections fought. They fought against Sudanese domination, Islamisation of the State, and the domination of the Muslim religion over Christianity and other African religions. The domination of Islamic Muslims led to the underdevelopment of Southern Sudan, which triggered the conflict that lasted for more than five decades.

Since the conflict erupted in South Sudan in December 2013, IGAD was the first to intervene at the end of 2013, through Kenyan, Sudan, and Ethiopian heads of state. On 26 December 2013, Ethiopian prime minister Hailemariam Dessalegn, the then chair of IGAD, and Kenyan President Uhuru Kenyatta visited Juba to have meetings with Salva Kiir. IGAD convened an emergency summit on 27

December 2013 (Motsamai 2017). Throughout 2014, IGAD was using shuttle diplomacy with several mediation meetings between the warring parties in South Sudan. Throughout 2013 and 2014 mediation efforts by Kenya, Sudan, and Ethiopia, ambassador Tedro Adhanom, ambassador Seyoum Mesfin both from Ethiopia and deployed in different mediation processes, army General Lazaro Sumbeiywo of Kenya, and General Mohammed Ahmed Mustafa al-Dabi of Sudan were involved as mediators (Motsamai 2017). Motsamai (2017: 6) supports, “The IGAD mediation evolved steadily and the special envoys recommended that it be expanded to include other key actors on the continent and globally”.

In 2015, the AU further convened an ad-hoc high-level committee to mediate the conflict in South Sudan comprising of South Africa, Algeria, Rwanda, Nigeria, and Chad. These were led by Heads of State of the aforementioned countries who were all men. The AU further appointed the former president of Mali, Alpha Oumar Konare as the AU High Representative for South Sudan to contribute towards ending the conflict in South Sudan (Motsamai 2017). He was reported to have encouraged Salva Kiir to sign the peace agreement in 2016. In 2016 the AU continued with mediation in South Sudan and established a commission of inquiry on South Sudan led by Nigerian former President Obasanjo, in collaboration with IGAD. The IGAD Plus was also formed as a platform comprising the IGAD Member States, the AU ad hoc committee, the AU Commission, the UN, the EU, the Troika, China, and the IGAD partner's forum (Motsamai 2017). At this time still, no women were appointed into any of the mediation leadership positions.

After the conflict erupted again in 2016, IGAD mediated the conflict and on separate initiatives, political parties such as the EPRDF, ANC, and CCM held negotiations to reunify the SPLM, which unfortunately did not yield any positive result. The High-Level Revitalization peace talks were initiated by IGAD giving extension to the transitional Government in 2018. During the period 2013-2018, six peace agreements were signed in South Sudan, as outlined in this chapter, between the Government of South Sudan and warring parties, with the support of IGAD, AU other African countries, the Troika, and the EU. None of these have been able to lead to sustained peace for South Sudanese.

Although the history of the conflict in South Sudan presents mediation efforts by several prominent world leaders, there is no account of the role of women in mediation leadership in all those conflict mediation efforts. Khadiagala in Coleman and Tiekou (2018) postulate that elder statespersons have been critical actors in preventing and managing conflict in Africa. The list of such elder statespersons includes Thabo Mbeki of South Africa, Julius Nyerere of Tanzania, Quett Masire of Botswana, and



Olusegun Obasanjo of Nigeria, to name a few. This indicates that in historical mediation across Africa and South Sudan conflict, in particular, women have never been appointed to the leadership role in mediation processes, despite the research that argues that women need to be included, and the policy frameworks that support their inclusion.

## CHAPTER 5: Supporting the inclusion of women

### 5.1. Introduction

South Sudan, as a member of the United Nations (UN), African Union (AU) and the Inter-Governmental Authority on Development (IGAD), has committed to the international and regional instruments on ensuring advancement of the Women, Peace and Security (WPS) agenda and its implementation. Despite these instruments, the policy framework on the inclusion of women in peacebuilding has not been fully implemented, in South Sudan. As stated in Mutisi (2011:6),

Women play multiple roles in conflict and post-conflict situations well beyond those of caregivers and victims. It becomes crucially important to promote women's agency and build on their potential in peace processes by including them in all levels of participation including in peacekeeping; negotiations; mediation; socio-economic reconstruction; Disarmament, Demobilisation and Reintegration (DDR) and Security Sector Reform (SSR) processes.

To complement the thematic analysis in chapter six, this chapter analyses the policy framework that supports the inclusion of women in peacebuilding and mediation. The policies analyzed are the South Sudan National Action Plan (NAP) on implementing UNSC resolution 1325 (2016-2020), IGAD's Regional Action Plan (RAP) (2016) on implementing UNSC resolution 1325 and the African Union Maputo protocol on the rights of African women. The analysis took place at a time in the year 2020 when South Sudan's NAP on implementing UNSC resolution 1325 was in its fifth year and awaiting review, the AU commemorating "The decade of African women" (2010-2020) (Mutisi 2011). In 2020, UNSC resolution 1325 marked twenty years since it was adopted back in 2000. All these policy documents speak to the advancement of the WPS agenda in South Sudan. According to Mutisi (2011: 6),

United Nations (UN) Security Council Resolution 1325 was passed on 31 October 2000 by the UN Security Council. Resolution 1325 (UNSCR 1325) recognises the links between women, peace and security by highlighting the agency of women and mandating governments to ensure their inclusion in all processes affecting their peace and security.

All these milestones created an opportunity for South Sudan to recommit to the WPS agenda, prevention of violence against women, protection of women from violence during conflicts and ensuring participation of women in peace processes as active agents of peace. The reviewed literature supports that NAPs must be designed to focus holistically on prevention and inclusion of demilitarisation and disarmament, which are a major gap in the WPS agenda (Women's International League for Peace and Freedom 2020).

In line with the thesis' research question on analyzing the exclusion of women from the mediation leadership in South Sudan mediation process, this chapter is divided into several sections. The first section discusses South Sudan's NAP on implementing UNSC resolution 1325 (2015-2020) and its implementation or lack of implementation. It includes discussions on the inability of the South Sudan Government to implement the NAP on UNSC resolution 1325, lack of political will to implement the NAP, the ongoing conflict and how it has undermined implementation of the NAP in South Sudan, women's Organisation CSOs and the exclusion of women from the development of the NAP and its implementation. The discussion includes reflections on the involvement of women's CSOs in Juba but not upcountry, lack of awareness on the NAP among women and citizens at large, and the lack of research on monitoring and evaluating the implementation of the NAP in South Sudan. The second section discusses the IGAD Regional Action Plan (RAP) on implementing UNSC resolution 1325 and its implementation by IGAD in South Sudan.

Thirdly, this section discusses the implementation of the African Union protocol to the African charter on human and people's rights on the rights of women in Africa (Maputo protocol) and how it relates to the WPS agenda in South Sudan. The discussion focusses on four selected articles of the Maputo protocol that are most relevant to the WPS agenda and contributed to responding to this thesis' research question on analysing the exclusion of women from the mediation leadership in South Sudan mediation process. The articles discussed are article eight, on access to justice and equal protection before the law, article nine, on women's right to participation in political and decision-making processes, article ten, on women's right to a peaceful existence and the right to participate in the promotion and maintenance of peace, as well as article eleven, on protection of women in armed conflicts. These articles are relevant to this study and the IGAD RAP on implementing UNSC resolution 1325. These articles are also relevant to the South Sudan NAP on implementing UNSC resolution 1325. These articles, together with the IGAD RAP and the South Sudan NAP, contributed to responding to the thesis' research questions, including on challenges that women face in mediation and mediation leadership, and contribute to the gap in the literature.

## **5.2. South Sudan's NAP on implementing UNSC resolution 1325**

This section analyses the South Sudan NAP (2015-2020) on implementing UNSC resolution 1325 (Omotola 2020; Ndonga 2017). Hudson (2017:6) states, “The UN defines a NAP as a document that details the actions that a Government is currently taking, and those initiatives that it will undertake within a given time frame, in order to meet the obligations, set out in all of the WPS resolutions”. South Sudan, like many other members of the UN and signatories to UNSC resolutions, ratified this resolution and developed an NAP on its implementation. Two decades have passed but women's representation and inclusion in peace processes remain minimal in South Sudan, pointing to serious challenges of implementation of this resolution and the NAP. Scanlon et al (2020) argue that South Sudanese women continue to face many obstacles and outright resistance to their participation in peace processes. According to Wanjala (2019: 44),

In 2015, the South Sudanese, Ministry of Gender, Child and Social Welfare launched the South Sudan National Action Plan 2015-2020 on the implementation of the United Nations Security Council resolution 1325 and related resolutions.

Hudson (2017:3) argues, “National Action Plans have the potential to transcend the soft-consensus language of Security Council resolutions because they create new spaces for feminist engagement with policy and practice”. According to Wanjala (2019:14), “The successful implementation of resolution 1325 relies upon the respective United Nations Member States, CSOs, development partners and other key stakeholders. These NAP processes helps countries to identify priorities and resources, determine their responsibilities, and to hold the Government responsible”. In elaborating on UNSC resolution 1325, the Republic of South Sudan's NAP (2015) states that the resolution emphasizes the important responsibility of all parties to conflicts to include women in peace processes, to respect women and girls' rights during conflict, and to ensure women and girls' protection as well as fighting against sexual violence and abuse. The NAP (2015) articulates further that through UNSC resolution 1325 and its subsequent resolutions on women, peace and security, the UNSC urge all peace and security actors to end impunity and bring perpetrators to book. Scanlon et al (2020:2) state, “Since the adoption of UNSC resolution 1325, many national Governments have created National Action Plans (NAPs) to ensure domestic commitments to the goals of the WPS agenda”. South Sudan developed an NAP on implementing this resolution; however, despite what it states, the literature

reviewed indicates that women are not protected against the violence, and they are not included in the leadership of the mediation process in South Sudan.

Mutisi (2011) states that UNSC resolution 1325 calls on Member States to develop NAPs, to enable States to mobilise resources and to determine indicators for the implementation of this resolution. NAPs facilitate collaboration between Government, civil society and donors to implement UNSC resolution 1325, empower women and promote lasting peace. Hendricks (2016: 44) adds, “This resolution calls for the increased participation of women in peace and security decision-making, the prevention of violence against women and the protection of women and girls against sexual and gender-based violence”. Women remain vulnerable, the NAP is not taken into consideration in the peace process, and its implementation in South Sudan remains weak. A research respondent working on WPS in Africa articulated,

The NAP merely said women should be part of those mediation and peace keeping. If you don't have oversight mechanism to implement, if you have got no funding for it, if you have no drivers of it, if you do not have all the women backing it to ensure implementation to drive it, it won't get implemented. It's just to say we have it or so. So we are good and producing documents but not good at implementing our documents (Interviewee 3: Pretoria – 27 January 2020).

In emphasising the link between UNSC resolution 1325 and the NAP, the South Sudan NAP (2015-2020:12) states,

The National Action Plan is based on the mandate of UNSCR 1325 and the activities to be implemented fall under the four pillars of the resolution: Prevention: Reduction in conflict and all forms of structural and physical violence against women, particularly sexual and gender-based violence; Participation: Inclusion of women and women's interests in decision-making processes related to the prevention, management and resolution of conflicts; Protection: Women's safety, physical, mental health and economic security are assured and their human rights

respected; and Relief and recovery: Women's specific needs are met in conflict and post-conflict situations.

The NAP has been implemented to some extent, and it successfully contributed to increasing the numbers of women in some areas, as women were included in some delegations to the peace talks (Kumalo and Mullineaux 2019). According to Mutisi (2011: 22), "There have been achievements in the promotion of women in peace and security, especially since adopting UNSC resolution 1325 encouraged some countries to develop NAPs which provide a roadmap, indicators, timelines and modalities towards implementing and operationalising the resolution". According to a staff member at the IGAD mediation support unit,

This document is important. This is what I have been doing for the last 6 years, training by IGAD of the mediators and popularizing the NAP and UNSC resolution 1325. We moved from popularizing it within IGAD organs, the committee of ambassadors. We trained mediators, ambassadors CSOs within each member's groups, advocated for young women mediators, police, and armed forces. Women and men in uniform were also trained. All parties that have signed the 2018 peace agreement are aware of the NAP on implementing UNSCR 1325 (Interviewee 10: Online platform – 16 July 2020).

The thesis revealed that in South Sudan, there were areas that were successful in implementing the WPS agenda, which can be built on, such as the inclusion of women in the negotiations after the 2016 outbreak of the conflict. Kumalo & Mullineaux (2019:2) state, "While the Revitalised Agreement on the Resolution of the conflict in the Republic of South Sudan process allowed for women's participation, the quality of their involvement was insufficient". When the mediation started in 2013, women were not represented at the negotiation table, however with time some women were included into mediation delegations of opposition parties and CSOs (Kumalo and Mullineaux 2019). A research respondent working at the IGAD mediation support unit stated,

When we started the second mediation the revitalized peace agreement we had one mediator there was no woman mediator, in the mediation team, there was no direct support in terms of women in the mediation team. There was no direct involvement

of women in mediation leadership. Later on there were a few women who were part of the mediation teams from government, different political parties, and civil society organizations. Women who were active in advocacy were negotiators not mediators. However, in practice, not all parties implemented this. (Interviewee 10: Online platform – 16 July 2020).

In 2020, the president of South Sudan appointed one-woman governor out of the ten State governors (Voice of America News 2020). This is a positive step taken by the South Sudan Government to implement the NAP, although more is still expected. Omotola (2020) adds that despite slow progress, and still marginally low participation, women's participation in political processes and decision-making since the adoption of UNSC resolution 1325 has increased in countries like South Sudan, which is a post-conflict country. During the 2016 IGAD-led mediation, there were a few women included in the mediation process as negotiators, which was not the case in the first mediation in 2014, as stated in the literature review chapter of this thesis (Soma 2020; Kumalo and Mullineaux 2019). A research respondent working at the IGAD mediation support unit explained,

Women who were active in advocacy were negotiators not mediators. Women who were negotiators included the current Minister of General Education and Instructions in South Sudan (Madam Awut) and Machar's wife (Madam Angelina). Madam Angelina played a very instrumental role, she was the head of security of rebellion army. Others are Alliance of small political parties which is chaired by a lady, an alliance of 7 small parties. (Interviewee 10: Online platform – 16 July 2020).

In chapter two, it was indicated that some Government departments such as the Gender Ministry in South Sudan had women ministers appointed. However, the NAP is largely not implemented across many other Government departments. Wanjala (2019:16) argues,

Despite the concerted efforts made by South Sudanese women in promoting leadership and coordinating their engagement in the ongoing peace process, a lot remains to be achieved. Although progress has been made, the issues of women's underrepresentation in decision-making, their insufficient

involvement in peace processes, conflict prevention and Sexual and Gender-Based Violence (SGBV) persist in South Sudan. This is because the gaps continue to exist in the implementation of the commitments, limitations related to the framing of the resolution and the inherent disconnect between the declared intent of 1325 and the reality of domestic action in the country.

South Sudanese women are said to have played a critical role in efforts to achieve peace in their country although their contributions have been under-recognised and under-documented (Soma 2020). Ali (2011:11) argues, “South Sudanese women have developed remarkable peacebuilding skills and strategic thinking, emanating from their roles as spiritual and political leaders as well as their experiences of exile and displacement in war-affected areas, making their exclusion difficult to justify”. Ndonga (2017: 40) adds, “Women are the most vulnerable and victimized group during armed conflicts and it is only fair that this be equally reflected in their participation in peace-building processes”. Dahlstrom (2012) argues that although advancements have been made, there is lack of accountability and an inconsistency in implementing the NAP in South Sudan, and a lot of work still has to be done in the area of peace and security to include women in leadership. Hudson (2017: 3) emphasizes, “National Action Plans have the potential to transcend the soft-consensus language of Security Council resolutions because they create new spaces for feminist engagement with policy and practice”.

The section below is divided into subsections that discuss why the NAP has not been implemented, including the inability of the South Sudanese Government to implement the NAP on UNSC resolution 1325; lack of political will to implement the NAP; the way the ongoing conflict undermines implementation of the NAP in South Sudan; the exclusion of women’s CSOs from the development of the NAP and its implementation; the involvement of Juba-based women’s CSOs while grassroots organisations were marginalised; the lack of awareness of the NAP; and the lack of research on monitoring and evaluating the implementation of the NAP in South Sudan.

### **5.2.1. The inability of the South Sudan Government to implement the NAP on UNSC resolution 1325**

The year 2020 marked five years since South Sudan developed a NAP on implementing UNSC resolution 1325 and related resolutions (Republic of South Sudan NAP 2015). This year is also a key milestone as the UNSC resolution 1325 commemorated twenty years since it was adopted in October 2000 (Scanlon et al 2020; Soma 2020; UN 2001). It was also an opportunity to reflect on the



implementation of the African women's decade 2010-2020 (AU 2016; Mutisi 2011). These opportunities created space to reflect on progress that South Sudan has made in implementing the Women, Peace and Security (WPS) agenda, UNSC resolution 1325 and the country's NAP on implementing UNSC resolution 1325.

The end of this five-year plan in 2020 was an opportunity for South Sudanese Government to review the actions they had planned to take and assess the progress made on the implementation of the NAP. It was again an opportunity to review any challenges, lessons learned and to recommit to implementing the NAP on UNSC resolution 1325 after the historic first review. The NAP on implementing UNSC resolution 1325 is meant to ensure increased participation of women, parity at senior level, protecting women, inclusion of gender perspectives in planning policies and strategies on how to achieve sustainable peace and security (Scanlon et al 2020; Republic of South Sudan NAP 2015; Mutisi 2011). Without inclusion of women in peace processes and key decision-making positions, the other aspects of their development and needs cannot be easily achieved, as women's issues are likely not to be prioritized and their views not taken into consideration. Dahlstrom (2012:17) adds,

When women are not democratically represented, neither are their interests and their exclusion hence affects the whole society, threatening justice, development and political stability. In South Sudan, women's exclusion from social, economic and political processes is limiting their ability to voice their concerns which in turn alienates them from the nation and the State.

South Sudan has committed to ensuring women participate meaningfully in peace processes, in leadership and decision-making positions as stated in UNSC resolution 1325. The National Action Plan stipulates,

[women's participation/The NAP] will also help rally and coordinate the efforts of the various actors in implementation of the identified activities, projects and programmes, as well as the monitoring and evaluation of their impacts, with reference to the given performance indicators and guidelines. It will also facilitate the collection of data and documentation on significant changes made (South Sudan NAP, 2020-2015:13).

Other countries in the IGAD region that have successfully implemented their NAPs and reviewed them include Kenya and Uganda, with most NAPs in the Economic Community of West African States (ECOWAS) region to date (Hudson 2017). Scanlon et al (2020:4) adds, “30 African countries have adopted NAPs, making Africa the continent with the highest percentage of NAPs”.

In the SADC region, only the DRC and Namibia launched their NAP on implementing UNSC resolution 1325 (2019-2024 NAP) in June 2019 (Republic of Namibia NAP 2019). South Africa, Djibouti, Republic of Congo, Gabon, and Sudan are the latest African countries to adopt the NAPs on implementing UNSC resolution 1325 (Scanlon et al 2020). Out of the 193 UN Member States, only 79 countries have adopted an NAP on implementing UNSC resolution 1325 by December 2018. This shows that there has not been enough progress since 2015 on the implementation the NAP on implementing UNSC resolution 1325 in South Sudan (Wanjala, 2019).

It is noteworthy that South Sudan adopted an NAP, but it has several challenges hindering the realization of the WPS agenda, including the political will to implement UNSC resolution 1325, gendered roles, a lack of awareness of UNSC resolution 1325, patriarchy, cultural and structural challenges and the lack of recognition of women in peacebuilding (Dahlstrom 2020; Wanjala 2019; Mutisi 2011). The analysis points to the unwillingness of the Government of South Sudan to implement this NAP as a result of other competing priorities such as the peace process itself, which is prioritized over the implementation of the NAP. This is supported by ACCORD (2012) in Dahlstrom (2012), who notes that the women, peace and security issues compete with many post-conflict demands. The NAP (2015-2020:24) postulates,

Networking and the ability to share information on existing national legislation between the national legislature, state assemblies and local government are lacking. Harmonization between the formal legal system and customary laws that are concurrently practiced is also lacking, which allows the continuation of harmful cultural practices that undermine the rights and dignity of citizens, especially for women.

The inability of the South Sudan Government to implement the NAP fully is partly because the UNSC resolution 1325 is voluntary. Dahlstrom (2012) supports that some countries are against the resolution, and they regard women’s issues as “soft” issues. Dahlstrom (2012:7) reiterates, “Despite the

importance of the message of SCR 1325, it is argued that ensuring women's participation in peacebuilding often remains a political rhetoric with little impact on mainstream work and even though some progress is made, women, especially in conflict-affected areas, rarely see it". Shulika & Muthuki (2020:22) argue that another challenge women face in peace and security processes is "the inability of most Governments to translate adopted policies on women's inclusion in peace and security agendas into viable projects". The Government of South Sudan is not doing enough to ensure full implementation of the NAP. According to Dahlstrom (2012: 18),

If there is the political will, a new-national building process can "be used as a platform to rethink women's roles and open up possibilities for women's empowerment and participation. By ensuring gender equality and women's human rights, South Sudan can both meet important obligations and ensure a functional State, thereby setting an example for other post-conflict countries.

Hendricks (2016, 2011) state that despite enormous resources expended on gender activism, the adoption of more gender-related UNSC resolutions and NAPs, women's representation in peace and security institutions and processes remains minimal. Women's vulnerability in conflict and post-conflict situations persists and characterizes relations between men and women, as there is no political will to ensure implementation of the NAP. Implementation of this landmark NAP has been minimal in South Sudan, given the statistics and reports on women's rights abuses, including lack of access to justice services. Hendricks (2016:44) argues, "The majority of post-conflict reconstruction and peacebuilding programs are currently failing women on the continent as women continue to be subjected to the extremes of violence and abuse".

There seems to be a lack of buy-in and political will on the side of Government and other actors such as the SPLM-IO to implement the NAP, since the literature review indicates extremely minimal inclusion of women in their delegations to the peace talks (Kumalo and Mullineaux 2019). Dahlstrom (2012: 52) argues, "buy-in at the highest level of political leadership is also argued to be critical to ensure that women, peace and security issues are given support and resources. The second step is to dedicate adequate funding which is crucial for a successful and sustainable implementation".

### **5.2.2. Lack of funding to implement the NAP**

As the reviewed literature indicates, there is a need to allocate sufficient financial and human resources to the implementation of the NAP. The Government of South Sudan has not allocated sufficient resources, particularly funds to implement the NAP. The Government of South Sudan has not done enough and has not committed sufficient resources to support the implementation of the NAP. Mutisi (2011) stipulates that the lack of financial support to women's CSOs and CSOs in general has serious negative implications for the sustainability of peace, and further calls for specific funding targeted at the implementation of UNSC resolution 1325 at all levels. National and international peacebuilding and development agencies have not allocated sufficient funds specifically for the needs of women during the conflict in South Sudan. The funds targeted at peacebuilding do not include gender equality considerations in South Sudan, impacting negatively on the implementation of the NAP on UNSC resolution 1325.

Mutisi (2011) urges the Government of South Sudan to develop mechanisms for ensuring availability of flexible funding aimed at the protection of women in armed conflict, the increased participation and involvement of women in senior-level decision-making processes, and other UNSC resolution 1325-related activities. The analysis indicated that the South Sudan Government has not earmarked specific funds to support the implementation of their NAP. Ndonga (2017:43) highlights, "Despite the myriad of overlapping roles of women in conflict, women have not been considered to have the leadership skills necessary for peace building and reconstruction".

According to Tripp (2020: 2), "Peacebuilding is seen as costly and time-consuming. Therefore, a greater emphasis is put on stabilization and counter-terrorism strategies, further impeding women's efforts to influence peacebuilding". UN Women (2018) argues that the Secretary General António Manuel de Oliveira Guterres raised the dire need to reprioritise spending patterns, to enable effective coordination of funding instruments and to explore innovative forms of flexible financing for women, peace and security. The Secretary General has also called for funding and direct support to women's CSOs and local women's organisations based at grassroots level. According to Ginty and Firchow (2016) in Tripp (2020:4), "Peacebuilding efforts have focused on state-building and technocratic solutions and have generally excluded grassroots activities". Autesserre (2021: 175) adds, "To be successful, peace efforts must draw on the knowledge, perspectives, networks and assets of both insiders and outsiders".

Dahlstrom (2012:55) postulates, "There are inadequate funds and resources to support and facilitate women's groups, activities and aspirations coupled with the lack of infrastructure and transport to

reach grassroots women physically”. Funding could include capacity building of CSOs, especially grassroots organizations, to be able to understand, monitor and hold Government accountable on the implementation of the NAP. Dahlstrom (2012) reiterates that there is lack of funding to support the UNSC resolution 1325-related initiatives at grassroots level and at a national level in South Sudan. The study revealed that there is limited investment and funding to women’s organizations, and particularly grassroots women’s organizations. Autesserre (2021:117) stipulates,

The patrons of the peace process – Norway, the United Kingdom and United States keep insisting on high level negotiations and organizing high level conferences in countries like Ethiopia and that is where all the money goes. A lot of the funds end up in the pockets of the negotiating teams, the President and the main rebel leader through large daily allowances and accommodation in fancy hotels.

Autesserre (2021) emphasizes that where there have been efforts to involve people at the grassroots, a few activists are selected and told to represent their fellow citizens at elite conferences, and that this is not what grassroots involvement is. Crawford and Church (2020) argue that financing is problematic because domestic budgets are overstretched and under-resourced, and the capacity of the government to effectively raise financing from bilateral and multilateral donors is limited. They argue that this is because a fragile state like South Sudan usually struggles with corruption, lacks the pre-existing infrastructure needed to apply for funds and have lower levels of private sector activity. They refer to the fact that donors mainly feel obliged to support more immediate, humanitarian needs, like rebuilding roads and hospitals than the implementation of the NAP. As Case (2016:4) stipulates, “women’s networks have been working for peace but their sustained engagement requires dedicated funding”. Shulika & Muthuki (2020:22) state, “Politicisation and over-centralisation of the women, peace and security policies at national levels leading to the minimal inclusion of the grassroots women, where the bulk of women’s activism and motivation for peace resides”.

Committed funding could support regular convening of women and provide space for women’s organisations to receive information on implementation of the NAP, learn from technical experts, and plan strategies for advocacy to ensure effective inclusion and input into the implementation process (Autesserre 2021). However, the findings of this thesis revealed that this is largely missing in South Sudan. Haastrup & Hagen (2020: 136) assert, “NAPs can illustrate how states intend to fund WPS initiatives and determine which initiatives will receive funding”.

### **5.2.3. The ongoing conflict undermines implementation of the NAP in South Sudan**

The ongoing conflict in South Sudan is discussed in this section as undermining the implementation of the NAP in South Sudan. According to Urbina et al (2019: 5), “In South Sudan, one of the main challenges around involving different local actors was the current conflict between the Government, mainly representing one ethnic group Dinka, and the rebel armed group mainly representing another ethnic group Nuer”. The conflict has more specifically been between the SPM/A-IO and IGONU. The analysis revealed that the South Sudan Government is not prioritizing implementing the NAP in the midst of the conflict. A diplomat working on WPS argued, “The war has overshadowed the NAP, for obvious reasons the war made it difficult to look at the NAP on implementing United Nations Security Council resolution 1325. What happened next was the peace agreement in 2018 so it does not seem like the NAP has received a lot of traction and a lot of attention”. (Interviewee 5: Pretoria – 12 February 2020).

The analysis stated that perhaps only when the war has ended would the NAP be implemented fully, despite the disproportionate impact of the conflict on women. Crawford & Church (2020:1) emphasise, “Within contexts of conflict and fragility, it can be difficult to prioritize investing time and resources, both of which are often in short supply. Even with political buy-in, states struggling with instability may face a number of challenges in effectively planning and implementing actions”. Urbina et al (2019) stipulate that women in South Sudan are experiencing high rates of gendered violence because of the ongoing conflict, with little or no protection by the Government and State institutions such as the police (McKay 2004 (a)).

The ongoing conflict exposes women to violence, including sexual and gender-based violence. The provisions of the NAP and UNSC resolution 1325 on protecting women against violence remain a distant reality as women suffer the disproportionate impact of the conflict, human rights violations and extreme acts of humiliation. As Murphy et al (2019:182) stipulate, “Women and girls, in particular, have borne the brunt of the consequences of the conflict, including considerable amounts of Violence Against Women and Girls (VAWG)”. A research respondent working with CSOs in South Sudan on peace and security said, “Women are threatened of rape, harassment and intimidation. They are affected psychologically by the war”. (Interviewee 8: Skype – 13 July 2020). According to Urbina et al (2019: 4), “VAWG and non-partner sexual violence in particular was identified as a major problem in South Sudan”.

According to Crawford & Church (2020:3), “Projects and progress can be derailed by conflict; communities targeted by conflicts may have to flee, project staff may need to be evacuated, project resources may be damaged and funding priorities may shift”. They further suggest that the impacts of violent conflict are widespread and long lasting; it takes about twenty-two years for a country’s economy to recover from a major conflict. They argue that successful peace building involves addressing immediate post-conflict needs, creating legitimate institutions and addressing the root causes of the conflict, national disarmament and demobilisation and building the capacity of state institutions, which require long-term commitments and financing (Crawford and Church 2020). Mutisi (2011) stipulates that continued violence and impunity in South Sudan hampers the implementation of the NAP as women continue to be the target of violence in armed conflicts. Furthermore, “There has not been effective implementation of tougher penalties towards perpetrators of sexual and gender-based violence in South Sudan” (Mutisi 2011: 27-28).

Wanjala (2019:38) stipulates, “The high level of insecurity in South Sudan has also been an obstacle to women’s access and participation in peace processes”. South Sudan is failing to implement this NAP due to the ongoing conflict, which impacts the availability of data to support the implementation, monitoring and evaluation of the role women could play in implementing the NAP. The ongoing conflict undermines the implementation of the NAP in South Sudan as the Government has to deal with several priorities and overlook the implementation of the NAP. According to Crawford & Church (2020: 1),

For States struggling to prevent, mitigate or recover from conflict and fragility, the road to stability and sustainability is fraught with challenges. There are immediate needs that must be urgently addressed: ensuring security, relieving suffering, delivering clean water, and restoring energy, health, education and other public services. For governments, addressing these priorities is difficult at the best of times; doing so with limited resources, weakened capacities and under the threat of violence is exponentially harder.

The analysis argues that countries that are experiencing conflicts or are in post-conflict stages are more likely than more peaceful countries not to implement the NAPs. Dahlstrom (2012) supports that the security in South Sudan is an obstacle to implementing the NAP as the Government is prioritizing other issues such as the border crisis with Sudan and ethnic clashes over gender-related issues. Fitzgerald (2002) indicates that before independence, winning the war was prioritized and women’s

empowerment postponed until peace had come. Ten years after independence, the war rages on and women's inclusion remains a distant reality in South Sudan. At the time of writing this thesis in 2021, South Sudan commemorated ten years of independence from Sudan, with little to show for it in terms of political stability and socioeconomic development.

#### **5.2.4. Women's civil society organisations excluded from the development of the NAP and its implementation**

The exclusion of women's organizations from the development, implementation and monitoring of the NAP in South Sudan is analyzed in this section. According to Paffenholz (2014:1), "Civil society is generally seen as an important actor in peace processes. Most researchers argue that civil society participation makes the process more sustainable and democratic".

The analysis revealed that CSOs, especially grassroots CSOs, have been marginalized from the development and implementation of the NAP, with only a few selected elitist CSOs participating in the process of developing the NAP. According to Adeogun & Muthuki (2017: 83), "South Sudan is a nation still struggling with the issue of gender equality because of certain customs and traditions which encourage women's marginalization". For Haastrup & Hagen (2020:136), "CSOs are seen as an important aspect of capacity building for localization in the form of helping draft, update and share the NAP, however NAPs can be counterproductive when they simply endorse the State's narrative of the conflict, its marginalization and discrimination". According to Case (2016: 2), "The meaningful inclusion of civil society, particularly women, lends legitimacy to the process, increasing public buy-in. These structures must provide communities with a space to make their voices heard and ensure that the end results reflect their needs, priorities, and proposed solutions". The analysis revealed that consultation process in the development of this NAP was elitist and donor-driven, with no ownership of South Sudanese women, particularly those from the grassroots.

Women have been marginalized after the NAP was launched, even though they suffer disproportionately from the impact of the conflict. They are also excluded from the key decision-making areas on resolving the conflict and from mediation leadership. Ndonga (2017:40) adds, "The most dominant image in relation to women and conflict is that of vulnerability and victimization, ignoring the contribution they make in resisting invading forces and maintaining the society during conflicts. Women's role in formal and traditional peace negotiation is not sufficiently recognized". The analysis indicates that there has not been any commitment to the mainstreaming of women and their voices in the peace process, and in other sectors such as the judiciary and security sector, while their protection has also not been guaranteed. Dahlstrom (2012: 16) argues, "Women's peacebuilding



skills from civil society should be embraced and further cultivated". Case (2016) stipulates that women's organizations must be effectively consulted and involved in the implementation of the NAP, as this offers many opportunities for women to meaningfully engage, and these opportunities must be formalized.

Although the NAP states that women will be included in security sector reforms, many of those interviewed stated that as much as there is a high number of women in the police, there are far fewer women in the military, particularly those in senior leadership. The analysis based on the situation in South Sudan indicated that even with the gender quotas developed, these have not translated into more gender-sensitive policies such as laws against sexual and gender-based violence, as the quotas have not been strengthened to ensure access to justice for victims of human rights violations, and that makes the implementation of the NAP weak.

#### **5.2.5. Involvement of women's CSOs in the capital but not at the grassroots**

Grassroots women's organisations have arguably been marginalised more than urban organisations, in the development and implementation of the NAP in South Sudan. A CSO activist working on peace and security in South Sudan argued as follows,

There are women who were in the negotiation teams and the Women Bloc. But what would be women representation because it's those women who are marginalized who are facing a lot of challenges. The marginalized women were not represented, and these women who were in the negotiations were not representing the women of South Sudan, but their parties. (Interviewee 8: Skype – 17 July 2020).

Mutisi (2011:30-31) states,

Grassroots women's peacemaking and peacebuilding activities often predate UNSCR 1325, yet recognition of this reality seems to be nominal. The other paradox is that women at decision-making levels, who are supposedly more aware of UNSCR 1325, do not promote it effectively, nor do they take into account the perspectives and views at the grassroots level. This tendency to

ignore grassroots women poses the risk of lack of ownership of the resolution.

The efforts of women at grassroots level have been regarded as a positive step in increasing the prominence of women's perspectives on conflict and peace, but women's involvement remains limited (Kumalo and Mullineaux 2019). Aldehaib 2010 in Adeogun and Muthuki 2017:84) supports,

Historically, just before the foreign rule in Sudan in 1821, women are said to have held leadership roles such as religious leaders, clan leaders and political leaders especially in Southern Sudan. Women like Abudok from the Shiluk Kingdom and Man-Lang from Nuer kingdom were said to have held positions of religious power during this time and had ruled successfully.

Even when women are involved, there is a perceived distance between female representatives at the national level and women living in communities outside Juba. Despite a number of women's organisations in South Sudan, most of the main organisations operate in the capital Juba and do not have the support of the masses from the grassroots. This top-down approach with elitist women and donors working together has seemingly sidelined most women and has impacted negatively on the implementation of the NAP and harmed the WPS agenda in South Sudan by undermining the importance of local partnerships and ownership (Autesserre 2021; Iyaa and Smith 2018). Local ownership of women's networks could play an important role in designing the NAP, as the informal and rural women's networks remained largely underrepresented in such technical meetings. Despite formal representation of women, the country still falls short in terms of female representation, and in its ability to deal with deeper structural inequalities.

The majority of those interviewed asserted that women's organisations seem to be struggling to mobilise internally in South Sudan for a women's agenda with demands that they can take to a track one mediation process.

According to Iyaa & Smith (2018:12), "Real and perceived differences between "elite," "urban wealthy," and "grassroots" women have expanded the gaps between them when promoting women's issues and involvement. Many women outside Juba believe that the national representatives do not reflect their own priorities and perspectives". According to Adeogun & Muthuki (2017:9648), "Women's organisations in South Sudan embrace 'bottom-up' approach to peace building. The

indigenous methods employed by women's associations in peacebuilding in South Sudan is prevalent among other African women in peace building". Iyaa and Smith (2018) indicate that women in Mingkaman, Lakes State used theatre and radio as platforms for diverse, constructive, and non-violent dialogue around sensitive conflict issues such as gender-based violence. Women engaged in the non-violent transformation of the challenges their communities faced, based on understanding of human rights issues and non-violent transformation of conflict as well as access justice. According to the reviewed literature, these led to a reduction of the rates of rape and domestic violence in communities involved in theatre. This has led to women being considered when decisions affecting the whole community are being made.

Iyaa and Smith (2018) add that women also use radio to discuss peacebuilding-related content. These increased tolerant attitudes among different ethnic groups and knowledge of conflict resolution practices. However, the challenges are that there are fewer women who feel free to talk on radio and the access to radio in rural areas is an obstacle due to poor infrastructure in rural South Sudan. The NAP states the role that women's organizations and CSOs can play in and contribute to the WPS agenda, but very few have been included into the peace process at a national and regional level (Autesserre 2021). Nwoha & Were (2018:1) stipulate, "South Sudanese women have been grossly under-represented in formal peace negotiations. However, they have been active in informal peacebuilding at the local level where peace means rebuilding society".

Mutisi (2011:13) emphasizes, "In circumstances where they have been allowed at the negotiation tables, they are most often brought in as a result of pressure from civil society. Such peripheral and token approaches to women's participation in peace processes do not necessarily translate to gender-sensitive peace agreements". Ndonga (2017: 44) agrees, "Women do not participate in sufficient numbers, or sufficiently in influential positions, at forums where the terms of such processes are decided. And because their presence, opinions and experiences are routinely overlooked, vital opportunities to develop more accurate gender and age disaggregated pictures of conflict and conflict management strategies are often lost". Iyaa & Smith (2018:12) lament,

While there were some stories of women in leadership positions within their communities, there is a clear gap of women's participation in peace at the local level. To successfully engage women in peacebuilding, more women's participation is needed, and more diverse female participation is needed to include

women of different age groups, tribal affiliation, educational background, and geographic location.

A research respondent working on peace and security and the rule of law in South Sudan said,

The question is on what basis one signs a peace agreement: as a witness, guarantor – someone with a stick to coerce compliance, who were your constituency? There were also the women bloc appointed by politicians. They were interested in power sharing not peace agreement, this is problematic. The real women from rural communities are not included, who is representing them, where is their view? If you organize a workshop, who comes to that workshop? We need to be honest about the inclusion of women of South Sudan in the mediation process. (Interviewee 8: Online platform – 17 July 2020).

According to Nwoha & Were (2018: 2):

Grassroots peace activists face challenges, not only of continuous insecurity and violence, but also from an authoritarian state. Although they engage in informal activities, they have to register formally as organizations in a difficult registration process. These organizations' mission is often viewed by the government as anti-government, rather than pro-peace.

Autesserre (2021:72) adds, “Biases against women lead to overlooking valuable peacebuilding resources such as local organizations already working to resolve conflicts and the local people themselves whose knowledge and capacity for forgiveness can make a difference between success and failure”. Ivanciu (2016) stresses that by including traditionally marginalized groups in national planning and implementation, these groups could be able to ensure that their voices, needs and potential grievances are heard and addressed. Autesserre (2021) argues that in order to build lasting peace, local citizens must be given power. This will likely contribute to effective actions and support peacebuilding, by promoting trust and dialogue between actors who had not previously worked together.

Although the NAP intends to be inclusive and participatory, there are still some populations that are underrepresented, and these include grassroots women and their organizations (Autesserre 2021). Martin (2014: 16) stipulates that the Government of South Sudan must “Allocate funds to CSOs to work on WPS issues, including training in leadership and other relevant skills, and elimination of socio-economic, political, and cultural barriers to women’s participation at the household, community, and state levels”.

Ali (2011) reiterates the importance of collaboration between civil society and donors to promote women’s grassroots participation, including training in leadership and working to strengthen women’s self-esteem, identifying and eliminating political, and cultural barriers to women’s participation at state level. The NAP implementation does not seem to be aligned, mass-driven, participatory and gender-responsive. Martin (2014: 16) argues that the Government of South Sudan must “Ensure that UN entities support women CSOs to develop their institutional capacity in order for them to provide effective services to women”. The NAP implementation must involve multiple levels of governance, and be implemented to respond to the immediate, medium- and long-term priorities of the country (Crawford and Church 2020). Nwoha & Were (2018:2) postulate, “Organizing and mobilizing for peace in a militarized context is a challenge for grassroots women activists who feel the pressure of an authoritarian state. They also face challenges in securing international funding”. Dahlstrom (2012) argues that there is a gap between the diplomatic conceptions of prioritized gender perspectives and what occurs at grassroots level, as women are excluded from decision-making processes, and the implementation continues to be a challenge in South Sudan. The analysis indicated that the understanding of women’s rights issues is higher among the elite women than at the grassroots in South Sudan. According to Ndonga (2017), there is a need to include marginalized groups and their voices for building durable peace in South Sudan.

According to Iyaa and Smith (2018), although there have been increased incorporation of women into national level peacebuilding processes; women are still generally absent from local peacebuilding and conflict resolution mechanisms. They urge the international community, Government of South Sudan, and other actors to use localised initiatives to addresses conflict issues at the community level in an inclusive process of all stakeholders to the conflict. Women in South Sudan could be incorporated into local peacebuilding initiatives to promote inter-ethnic trust, non-violent dispute resolution mechanisms, and empower women as a constituency for peace in their communities.

### **5.2.6. Lack of awareness of the NAP**

This section notes how some of the challenges of not having access to the internet, illiteracy and limited education opportunities impact negatively on the implementation of the NAP in South Sudan. The NAP (2015-2020:25) stipulates, “There is a limited awareness of existing laws in the country, due to a lack of coordination between legislators and civil society organizations, and the limited involvement of community leaders and the general public”. The analysis indicated that the Government of South Sudan has not done enough to popularize the NAP. Mutisi (2011: 30) argues, “There are still paradoxes that exist in terms of the awareness and usage of UNSCR 1325 as an instrument. There is limited knowledge of this resolution at the grassroots level, although women at this level have been engaged in various activities that inadvertently promote the resolution”. In the interviews, it became apparent that many South Sudanese are not aware of the NAP, especially women in the rural areas, who are mostly illiterate. A CSO activist working on peace and security and the rule of law in South Sudan added, “There is high illiteracy in South Sudanese society”. (Interviewee 8: Skype – 17 July 2020).

A staff member at the IGAD mediation support unit argued, “There is need for popularizing it among all groups of South Sudan actors and academia. Also building capacity of women as mediators and advocates for women’s inclusion in leadership positions”. (Interviewee 10: Skype – 16 July 2020). The awareness, knowledge of the NAP and its message in South Sudan remain low among citizens particularly women (Dahlstrom 2012). The government of South Sudan has not done enough to popularize the NAP among women across South Sudan and make it easily available, with specific use of indigenous languages. Case (2016:5) adds,

All representatives and staff supporting the implementation of the agreement should receive training on women, peace, and security and gender-integration in policies. The need for training on women, peace, and security is great even among women who participated in the negotiations, as many were selected not for their gendered expertise but for tribal or party affiliation. All representatives and staff involved in the process male and female alike should be supported with technical capacity building around gender integration strategies and best practices in women, peace, and security policies.

Martin (2014:16) urges the Government of South Sudan to,

Ensure that the ministry of gender organizes, in partnership with CSOs, especially women's organizations, engage in campaign that raises awareness and knowledge on women and peace and security issues, and empower gender focal points in all ministries and institution to support gender mainstreaming and raise awareness of gender issues.

The language and terminology used in the NAP remains abstract and few South Sudanese women are aware of its content, as a result of high illiteracy among women in South Sudan. This makes it difficult for South Sudanese women to demand accountability from Government on its implementation. According to Suthanthiraraj and Ayo (2010) in Wanjala (2019:46),

Women's participation has been barred by several challenges and obstacles. The challenges identified by this study on South Sudan include, ethnic divisions, absence of a formal place for women at the peace tables, stringent traditional gender roles and expectation, cultural barriers that place peace and security as male-dominated agendas, absence of or limited female local leadership positions, high level insecurity and potential threat to the individuals, a disconnect between Government obligations, commitments and implementation of the obligation.

ACCORD (2012) recommends that UN Mission departments and agencies raise awareness to ensure political commitment to the full implementation of the NAP on UNSC resolution 1325. Raising awareness on the NAP is important for ensuring its implementation, and includes awareness within CSOs, grassroots organizations and all Government departments and mainstreaming the implementation across all Government departments. As stated in Dahlstrom (2012:29), "Government departments and implementing partners also need to be made aware of the commitments of SCR 1325".

Dahlstrom (2012) adds that raising awareness at grassroots level is crucial to enhance women's empowerment. The majority of those interviewed articulated that if grassroots organizations were aware of the NAP, they would be likely to hold their Government accountable for its implementation. Women are not recognized and are not afforded sufficient key roles in the management, prevention and resolution of conflict in South Sudan. This is contrary to what is stated in the NAP (2015:1),

which stipulates, “The purpose of this National Action Plan on UNSCR 1325 is to increase the participation of women in crisis prevention, conflict management and post-conflict peacebuilding and to protect them against any form of gender-based violence, and in particular sexual violence, in situations of armed conflict and in times of peace”.

Dahlstrom (2012) argues that the role of civil society is central to the implementation of the resolution, as it can observe and monitor governmental efforts. It is important that civil society groups know how to use the NAP. The analysis indicated that there is limited awareness of the NAP among the general South Sudanese, Government departments, CSOs, particularly grassroots organizations, and women’s organizations. As stated by Iyaa & Smith (2018: 13-14):

Many women across the country and at all levels have limited knowledge of the achievements of other women working for peace in their country. More can be done to amplify the achievements of these women leaders to inspire new leaders and link existing leaders to each other. Mentorship and networking programs are also opportunities to link women with skills and opportunities to participate in peacebuilding, conflict resolution, and justice activities. Through community-based organisations and women groups, mentorship in schools can help motivate young women to actively participation in community conflict transformation efforts.

#### **5.2.7. Patriarchy as a reason for why the NAP has not been implemented**

Following the argument made that patriarchal cultural values have affected the way women are perceived in society, this can similarly be cited as a reason for why the NAP has not been well implemented to date. According to Mutisi (2011:13), “Due to patriarchy, women in many African countries are still viewed as secondary to men, and as not possessing the attributes of a leader. As such, the concept of women as subordinates has tended to result in them playing peripheral and ancillary roles in peace processes”. It is widely seen in the different peace processes across Africa and in South Sudan that the number of women involved remains low (Mutisi 2011).

According to UN Women (2018:3), “Institutionalized patriarchal and militarized systems, that are not only based upon, but contribute to and perpetuate gender inequality, are one of the most basic and persistent barriers to women’s meaningful participation in efforts to resolve conflict”. Patriarchy,



traditional cultural practices and stereotypes related to gender roles are major challenges to implementing the NAP in South Sudan (Soma 2020; Mutisi 2011). The change in attitudes and mind-set towards women's empowerment needs to happen before the full implementation of the NAP can be realised in South Sudan. UN Women (2018:4) argue,

Women remain under and un-represented in all categories where international legal and normative commitments, including the WPS Agenda, envisage their full, equal and meaningful participation. The lack of women's presence and ability to meaningfully participate in these fora begin with ongoing failures to include women mediators and peacebuilders who stand ready to participate.

Dahlstrom (2012) argues that gender stereotypes hinder many women from taking part in peacebuilding initiatives at national level in South Sudan, to take on influential roles and from being taken seriously on the political arena. Mutisi (2011:29) argues,

Patriarchy prevents women from breaking from traditional gender norms and from occupying the public sphere. Women who attempt to break such barriers often find themselves being marginalised, stigmatised and labelled. As a result of patriarchy's enduring nature, even state structures, institutions and intergovernmental agencies such as the AU and the UN, have tended to replicate patriarchal practices. Such patriarchal values prevent women from participating fully and equally in peace and security issues, particularly in formal negotiations and peace-making processes.

As stated in Klein (2012), UNSC resolution 1325 recognises the importance of increasing the role of women in all aspects of maintaining peace and security, encouraging and appointing women to take an active role in resolving conflicts. A CSO activist working on peace and security and the rule of law in South Sudan argued as follows, "On UNSC resolution 1325, there is no coherence, there is fragmentation, silo approaches to implementation initiatives for nation building. There is no consistency in implementing UNSC resolution 1325". (Interviewee 8: Skype –17 July 2020). As a

result, women are relegated to more domestic chores and are seen as victims that as potential active agents for peace. According to Mutisi (2011:28),

Although there have been notable achievements in the implementation of UNSCR 1325 through UN initiatives and NAPs, there are limited changes at the macro-social level. The resolution does not deal with the structural issues that undermine gender mainstreaming. Systemic challenges, particularly the patriarchal ideology that is embedded in most societies, make it difficult to apply UNSCR 1325 fully. These structural prejudices against women are not only manifested during violent conflict, but are reflected in the everyday systematic marginalisation of women through various cultural practices and societal institution.

Ndonga (2017: 42) stipulates, “Women are typically left out in most of these conflict management processes, deliberately and this has had a negative impact on the attainment and management of sustainable peace”. According to UN Women (2018:6),

Persistent levels of gender inequality that predate and are exacerbated by conflict, such as prevalence of sexual and gender-based violence, lack of women’s equality before the law, access to rights in land ownership and tenure, lack of access to education and basic services, poverty, unpaid care work, food insecurity, parlous women’s political participation, and more, all contribute to women’s inability to meaningfully participate and the reality that those women who are included also carry distinct forms of privilege.

#### **5.2.8. Lack of research on WPS and the NAP in South Sudan**

Apart from all the other issues related to the implementation of the NAP, there is lack of reliable research, monitoring and evaluation of the NAP and its implementation in South Sudan. The analysis indicated that there is limited capacity to engage in research, monitoring and evaluation of the NAP and this has made the implementation poor. High illiteracy among women in South Sudan impacts negatively on the collection of written data and documentation. According to Dahlstrom (2012:14), “many studies point out a great lack of research, analysis and documentation on women,

peacebuilding and gender issues in South Sudan. This can partly be explained by the strong patriarchal dominance that has prevented the account of female leadership from being fully recalled”. As a result of limited research, women’s contributions to DDR have been ignored and undervalued in South Sudan, impacting negatively on the implementation of the NAP. As argued in Tripp (2020:6), “If women are seen only as victims, it is harder to make them equal partners in key decision-making bodies when negotiating peace. If women are not also seen as fighters, they are ignored by Disarmament, Demobilization and Reintegration (DDR) programs”. The analysis emphasized the importance of monitoring and evaluating the implementation of the NAP, to assist in determining areas for improvement.

The analysis indicated that the NAP is good on paper but practically the Government of South Sudan and other key actors have not seriously considered it for implementation. Hudson (2017) argues that despite an increasing normative WPS agenda, there is a gap in implementation, and as a result, the lives of women in conflict-ridden areas remain unchanged. Women continue to be marginalized in formal peace talks and even more marginalized in leadership of the mediation teams. The analysis pointed to poor gender mainstreaming of the NAP. Women’s voices remain marginalized from the negotiation tables and decision-making positions in politics, and that much focus has been on the peace process, peace agreements and their implementation more than the implementation of the NAP.

This section analyzed the South Sudan NAP on implementing UNSC resolution 1325. It argues that the Government of South Sudan has not fully implemented the NAP on UNSC resolution 1325 due to a lack of commitment and political will to building inclusive societies after the conflict, not reducing militarization, and not fostering a culture of peace. The section argued that the appointment of women to leadership in the security sector and key institutions of Government lags behind. Ndonga (2017:42) adds, “New strategies for peace need to be explored, incorporate the views and experiences of women and that women also participate more in preventing, managing and resolving conflicts in Africa”. Patriarchal culture and impunity place women at the lower structures of decision-making while they continue to lack basic services such as health and education. According to Urbina et al (2019:1),

Women and girls are at even higher risk of violence in conflict and humanitarian crises due to a number of factors, including displacement, the breakdown of social structures, a lack of law enforcement, the potential further entrenchment of harmful

gender norms, and the loss of livelihood opportunities for both men and women in the community.

The gender quota has not meaningfully translated into more gender-sensitive policies. Access to justice for the victims of sexual and gender-based violence during the conflict remains limited for many victims, despite pronouncements made in the NAP.

This section argued that the NAP consultation for its development and implementation has not been inclusive of CSOs broadly, and especially those representing women from the grassroots. According to Wanjala (2019), some obstacles women face in South Sudan include high illiteracy levels, which pose a challenge to their inclusion in peace processes, absence of proper communication and consultation networks between the women's organizations and the community, the lack of resources for women to contribute to promoting education and facilitating their training. South Sudanese women have been faced with many challenges, including illiteracy, poor healthcare, domestic inequalities and discriminative laws. These challenges affect women and reduce their ability to participate in decision-making regarding security and peacebuilding.

The NAP has had no major positive impact on women's representation and inclusion in decision-making and leadership positions. According to Omotola (2020:13), "Although UNSC resolution 1325 has been used by women and women groups as an advocacy tool for integrating gender perspectives into peace processes in Africa, much is yet to be achieved as its impact in the peace and security debate in Africa is uncertain". This is due to a lack of political will and commitment from the Government of South Sudan and emphasizes that the implementation requires allocation of sufficient financial and human resources, which South Sudan Government has not adequately done. The underlying conditions making women more vulnerable, such as impunity and greater lack of accountability have not been prioritized by the Government of South Sudan, and implementation remains dismal on the ground as the exclusion of women, their victimization and abuse are glaring in South Sudan.

### **5.3. IGAD's Regional Action Plan (RAP) on implementing United Nations Security Council (UNSC) resolution 1325**

This section analyses IGAD's implementation of United Nations Security Council (UNSC) resolution 1325 on women, peace and security. IGAD launched its Regional Action Plan (RAP) 2011-2015 on implementing UNSC resolution 1325 and Resolution 1820 in 2013, with an emphasis on the importance of preventing and dealing decisively with sexual and gender-based violence during and

after armed conflict (IGAD RAP 2013). A staff member at IGAD's mediation unit explained, "IGAD has a regional framework then RAP, seven members have national action plans, six adopted their own national action plans. Some countries doing the 3<sup>rd</sup>, South Sudan to do the 2<sup>nd</sup> and Uganda and Kenya doing the 3<sup>rd</sup> and 2<sup>nd</sup> reviews of their NAPs respectively". (Interviewee 10: Skype –16 July 2020).

According to the IGAD RAP 2011-2015, this is a tool for Member States to benchmark their responses and NAPs to the issues of women's participation and inclusion in decision-making processes in conflict prevention, resolution, and management, as well as the prevention of sexual violence against women and girls during armed conflict. The literature on the impact of the conflict in South Sudan on women, as discussed in chapter two of this thesis, indicates that women continue to suffer disproportionately from the impact of the conflict, and they remain marginalised in leadership of peace processes in South Sudan and in other conflict countries in the IGAD region (Soma 2020). The analysis indicated the weak implementation of gender mainstreaming of the IGAD RAP in the South Sudan peace process, particularly in mediation leadership.

According to Hendricks (2017), UNSC resolution 1325 deserves to be lauded as a historical moment for women's peace activism and the expansion of a global agenda on women, peace and security. The IGAD RAP (2013:1) postulates, "UNSCR 1325 urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management and resolution of conflicts". The RAP further states that article eight sets the tone for their involvement of women in peacemaking and conflict resolution. It calls for the inclusion of all relevant stakeholders in negotiating and implementing peace agreements and to adopting a gender perspective in all processes. These include the special needs of women and girls during repatriation and resettlement, rehabilitation, reintegration and post-conflict reconstruction. These gender perspectives also include supporting local women's peace building initiatives and indigenous processes for conflict resolution, as well as involving women in all of the implementation (Mutisi 2011).

Despite these provisions in the RAP, the literature reviewed and interviews conducted for this study indicated that women continue to be underrepresented as peace agents and delegates to the negotiations in South Sudan. Women are also excluded from SSR in South Sudan, which goes against the content of this RAP. The reviewed literature indicates that the implementation of the IGAD RAP is limited. Henneberg and Stapel (2020) argue that IGAD, although it managed to bring the conflicting parties to the table together with the Government of South Sudan and reached a power-sharing agreement, suffers from ineffective governance structures, poor communication, insufficient

resources, and a lack of qualified personnel. These make conflict resolution difficult and the implementation of the RAP in the IGAD region selective.

The RAP indicates the protection of and respect for human rights of women in relation to the constitution, the electoral system, the police and the judiciary, but the literature reviewed in chapter two of this thesis and the data analysed for this study indicate that women's rights are violated by the customary laws in South Sudan, they do not have access to a fair justice system and are underrepresented in the leadership of security institutions such as army and police.

Despite these instruments, many of those interviewed spoke of how women are excluded from the leadership of mediation and peace processes in the IGAD region to date. A staff member at the IGAD mediation support unit stated, "When we started the second mediation the revitalized peace agreement we had one mediator there was no woman mediator, in the mediation team, there was no direct support in terms of women in the mediation team. There was no direct involvement of women in mediation leadership". (Interviewee 10: Skype –16 July 2020).

As already discussed, IGAD led all the mediation processes in the South Sudan conflict, starting with shuttle diplomacy (Kumalo and Mullineaux 2019; Bereketeab 2017; Akoi 2014). Muller and Bergmann (2020) stipulate that IGAD has been the key mediator in South Sudan and appointed special envoys from Ethiopia, Kenya and Sudan to lead the mediation; however, the mediation in South Sudan became problematic from the start due to a number of issues such as the lack of inclusiveness of key stakeholders such as women. Sabala (2017:86) adds, "The question of inclusive participation is critical in any peace process. An inclusive process would allow more stakeholders, including women, to raise their concerns and grievances during the negotiations, instead of limiting the process to the interests of the belligerents alone".

According to Bereketeab (2019:7), "The IGAD region suffers from multiple interconnected pathologies, including conflict, underdevelopment, migration, a lack of democracy and the violation of human rights. These make the Horn of Africa region the most conflict prone on the African continent. The response of IGAD to meet these has not been adequate". This is supported by Healy (2011: 1), "IGAD's successes are more the result of regional power politics than of its institutional strength *per se*". The analysis indicated that the region continues to experience civil wars and exclusion of women from leadership of peace processes and mediation. "The critical issue remains the full implementation of national and international instruments on gender equality" (Sabala, 2017:84).

IGAD's RAP focuses on participation of women in decision-making, but there are shortcomings to the RAP in that it states very little about the leadership of women in peace processes, protection of women in conflicts and prevention of conflicts by women in the IGAD region. Some of those interviewed noted that although there is vast literature on peace and security in the IGAD region, not much literature is available on the RAP on implementing UNSC resolution 1325 by IGAD. This is despite the disproportionate impact of conflicts in the IGAD region on women. Wright (2017:11) argues "IGAD, as an institution, does not speak with a single voice and the mediation team was not entirely united due to the interference of their national interests".

The little that is known from the reviewed literature is that the RAP in IGAD focuses on women's participation in decision-making. The RAP (2013) indicates that developing the RAP for IGAD would enable a consideration of the key issues that form the basis for the implementation of UNSC resolution 1325 and 1820 and provide an appropriate regional response. The RAP deals with the role of women and their involvement in peace processes and the prevention of sexual and gender-based violence. However, the analysis is that there is little to show for this on the ground in the IGAD region and in South Sudan specifically.

According to Desmidt & Davis (2019: 25), "Some regions are strongly committed to UNSCR 1325 and follow-up resolutions, both at the national and the regional level (for example in West Africa and ECOWAS). Other regions have implemented a regional action plan for UNSC resolution 1325, but only a limited number of States have adopted NAPs 1325 (for example in the Horn of Africa and the IGAD)". An expert on the peace process in South Sudan argued,

ECOWAS has institutionalized the process of conflict mediation and prevention. All of that is institutionalized, dealing with it is institutionalized. They have built on what they have done- ECOWAS has policies and they stick to them unlike with IGAD. At IGAD, they got things in drafts and in this and that, it's not institutionalized. They would tell you they have the framework for IGAD but you would ask if I can see it, but it is not something for the institution, not institutionalized, the Heads of Government meeting are the one that decides at IGAD, whereas at ECOWAS there is all these little groupings that decides. (Interviewee 1: Pretoria – 22 October 2019).

Although IGAD's institutional framework for peace and security provides a forum to discuss peace and security at the highest political level, this excludes women. IGAD's challenges remain capacity development and institutional complexity. According to Levitt (2001), although IGAD has been involved in conflict mediation, the dynamics of those conflicts raise questions about IGAD's conflict prevention capacity in preventive diplomacy. The analysis stated that IGAD needs to strengthen their capabilities in conflict prevention and resolution. Wright (2017:12) argues, "The IGAD-led peace process was fraught with interference by regional interests. There were allegations of competition between Ethiopia and Kenya over who should lead the mediation. The Heads of State were divided based on mutual distrust". The security agenda and response in the IGAD region are defined and relies on security elites within all main countries in the Horn who are mostly men, leading to a very exclusionary process.

Bereketeab (2017) argues that this national interest-driven mediation by IGAD Member States in South Sudan was destined to fail. As stipulated, "IGAD was accused of playing three roles: mediator, imposer and party to the war" Bereketeab (2015:3). Omotola (2020:16) adds,

Although significant success has been achieved with the development of National and Regional Action Plans, with 23 countries out of 54 African countries developing NAPs as at June 2018, and some Regional Economic Communities also developing RAPs, success rate of implementation has been low. There are several challenges that constrain the successful implementation of the resolution in Africa such as inadequate funding and resource allocation, engrained negative cultural and social norms, lack of political will by State actors, State-centric implementation of resolution, lack of awareness and ownership by grassroots women groups, and intractable and brutal conflicts.

South Sudanese women were represented by the Women's Bloc during the 2016 peace talks, a coalition of the women-led organisations in the country formed to represent what they termed "the voices of the voiceless" (Kumalo and Mullineaux 2019). Gebru (2020:73) articulates, "Another major challenge of IGAD was the non-inclusive peace talks. The notion of an inclusive multi-stakeholder process was a major point of contention among conflicting parties and external actors in the conflict".



Another challenge to the mediation process in South Sudan has been the cost of the mediation, as mediators had limited access to resources. This leaves mediation sensitive to the availability and constraints of resources. The literature reviewed argues that the rise of cost encourages mediators to look for quick resolution of the conflict, which is often not the best approach. This causes them to limit the time for mediation, number of participants such as women and items on the agenda (Bereketeab 2017). Most of those interviewed stipulated that women were excluded from key parts of the pre-negotiation and were mostly relegated to the lower-level meetings. A research participant working on women, peace and security in South Sudan said, “Women don’t mediate at high level, but there is a lot that they do behind the scenes. At community mediation women are always at the forefront”. (Interviewee 1: Pretoria – 22 October 2019).

According to Bereketeab (2017:150), “A big number of participants in peace negotiation is not only expensive but also demands longer time to reach an agreement. Many stakeholders are excluded affecting long term sustainable solutions”. Gebru (2020:73) argues, “IGAD has been criticized for the limited scope of the negotiations and exclusion of other key stakeholders whose participation could have been necessary to restore and build sustainable peace in the country”. Sabala (2017:90) adds,

Despite the participation of the women’s bloc and membership in the other bodies involved in the peace process (i.e., civil society organisations, faith based organisations, the government, and opposition), women’s issues are not sufficiently reflected in the final agreement. Clearly, women’s participation in peace talks does not automatically guarantee a robust inclusion of women and women’s concerns in the final agreement. Part of this problem may be due to the fact that women’s participation is typically at the lower levels of the negotiation process.

Despite this, not much progress is seen or reported on implementation of the IGAD RAP when looking at the participation of women in peace processes and in mediation leadership in South Sudan. Young (2007) stipulates that both the IGAD mediation and the expanded IGAD-Plus peace processes were characterized by top-down approaches of peacemaking. Bereketeab (2015:1) agrees, “Mediation efforts under the auspices of the regional organization, the IGAD, have led to the signing of several ceasefire agreements. Nevertheless, so far this mediation and the ceasefire agreement have not yielded

enduring results”. According to Gebru (2020:75), “IGAD lacks the financial capacity for its peace processes”.

Conflict resolution progress is said to have been slow in South Sudan despite the Regional Economic Community (REC) having developed and adopted among other the IGAD Women, Peace and Security Forum board, supported by the African Centre for the Constructive Resolution of Disputes (ACCORD) (ACCORD 2015). Sabala (2017: 90) adds,

In the case of South Sudan, women were largely excluded from the pre-negotiation talks where the rules and agenda for subsequent negotiations were established. The limited provisions on women’s participation and shallow infusion of women’s concerns in the final agreement can be partly attributed to the fact that the mediation structure was male dominated. The main protagonists to the conflict, who were men, dominated the peace process at the expense of other stakeholders in South Sudan.

In conclusion, this section analyzed the implementation of the IGAD RAP on implementing UNSC resolution 1325 in South Sudan. The analysis is that although IGAD has an RAP on paper, from the literature sources, it remains unavailable, with very little reference made to it. It does not seem to be largely implemented in South Sudan or be familiar to the South Sudanese respondents to this study who work in the WPS space. According to Gebru (2020: 77), “Although IGAD has achieved considerable success in mediating the South Sudanese conflict, it has been challenged by the lack of a comprehensive regional security approach”. As stated in the literature review chapter of this thesis, the IGAD region continues to experience violent armed conflicts, victimization and marginalization of women from decision-making processes such as mediation leadership. Onditi et al (2018:42) stipulate,

Despite concerted efforts by IGAD-Plus (a group of IGAD Member states and the Troika of the United Kingdom, United States and Norway) and the African Union Ad-hoc Committee on South Sudan to structure the peace process within the framework of the Joint Monitoring and Evaluation Committee (JMEC) to foresee the ARCSS, sustainable peace remains elusive.

The peace processes across the IGAD region broadly and in South Sudan specifically lacks women's voices, representation and views in decision-making areas. Women are underrepresented in the government of South Sudan and in many other governments in regions such as in Somalia. Women are mainly excluded from in political posts, with few female personnel in the military leadership, police and other security institutions. The limited implementation of this RAP challenges the governments to enforce appropriate measures to increase women's representation and participation in governance (Mbae 2017). That could likely help address abuses and protect human rights, and address the priority needs of women in conflict- and post-conflict situations. The analysis indicated that very little has been done by the regional governments to implement the RAP and resolve the conflict in South Sudan.

According to Bereketeab (2015:4), "IGAD Member States have diverging interests in South Sudan. This self-interest affects IGAD's unity of purpose and ability to take firm and bold actions in the mediation efforts". The UN office in the Great Lakes Region (2018-2023) concludes that there are several structural reasons that impact negatively on the implementation of the RAP in East Africa and the IGAD region as follows: patriarchal systems and persistent gender inequality, nature of contemporary conflict, the shrinking political space and threats against women's human rights defenders, funding challenges and insufficient investment in gender expertise, limited recognition of women's expertise and lived experience, tension between transformative and technocratic approaches and knowledge gaps. These resonate with the thesis' findings both from the reviewed literature and interviews conducted.

This section discussed the implementation of the IGAD RAP on implementing UNSC resolution 1325 in the IGAD region, with a focus on its implementation in South Sudan. The study revealed that although IGAD has a RAP on implementing UNSC resolution 1325, this policy document has not been fully implemented in South Sudan, as women continue to be underrepresented in and excluded from the mediation leadership in the South Sudan mediation process. A number of reasons resonating with the ones stated on the slow implementation of the NAP on implementing UNSC resolution 1325 in South Sudan include a lack of political will by IGAD leaders, lack of funding and ongoing conflict in South Sudan. Furthermore, the study revealed that competing interests of IGAD Member States in South Sudan compromise the IGAD peace efforts and implementing of the IGAD RAP on UNSC resolution 1325 in South Sudan. The next section discusses the implementation of the AU Maputo protocol in South Sudan.

#### **5.4. The AU's African women's Maputo protocol**

The protocol to the African charter on human and people's rights on the rights of women in Africa, commonly known as the Maputo protocol or the African women's protocol, and its implementation in South Sudan, is discussed in this section. This protocol was developed to overcome challenges that women face in Africa, politically, socially, economically and culturally (Rudman 2018). However, there remains limited gender mainstreaming of the Maputo protocol in South Sudan. In line with this, the AU Assembly of Heads of State declared 2010-2020 the African women's decade (Rudman 2018). According to Sigsworth & Kumalo (2016:1),

The African Union's protocol to the African charter on human and peoples' rights on the rights of women in Africa (Maputo protocol) guarantees the rights and equality of women on the continent and complements the global women, peace and security agenda.

The analysis indicated that this situation has not changed for the better in South Sudan as the implementation of the Maputo protocol remains weak. Omotola (2020: 10) adds,

Similarly, in line with integrating the principles of UNSCR 1325 in the African Union, the protocol to the African charter on human and peoples' rights on the rights of women in Africa (Maputo protocol) calls on member States to take appropriate measures to ensure the participation of women in the structures and processes for conflict prevention, management and resolution at local, national, regional, continental and international levels and in all aspects of planning formulation and implementation of post-conflict reconstruction and rehabilitation, as well as the need for the protection of civilians including women in armed conflict.

According to Hudson (2017:11), "African Governments and regional organizations are increasingly recognizing the impact of both conflict on women and women's roles in peacebuilding". In recognition of the plight of women in conflicts across the continent, and in line with international protocols, the AU developed this protocol on the rights of women in Africa (AU 2003). Hendricks (2016:44) stipulates, "Gender mainstreaming was taken up by the AU as a key tool for the pursuit of regional commitments to peace and security. UNSC resolution 1325 was integrated into other gender-

related frameworks: the AU protocol to the African charter on human and people's rights on the rights of women". The protocol "Recalls the United Nations Security Council's resolution 1325 (2000) on the role of women in promoting peace and security" (AU, 2003:5).

There are noteworthy similarities between the Maputo protocol and the South Sudan NAP on implementing UNSC resolution 1325 as they relate to UNSC resolution 1325 and the global WPS agenda. The AU and RECs such as IGAD build upon the global UNSC resolution 1325 to develop regional and continental mechanisms meant to ensure prevention of conflict against women, participation of women in conflict resolution and all peace processes as well as protection of women in armed conflicts across the continent. The thesis revealed that these policy documents exist, but they are not fully implemented in South Sudan. The problem is the lack of commitment to implement such policy documents. Rudman (2018) argues that the implementation should be driven by willingness and commitment of States to make good on their ratifications, by domestication and access to remedies where there is non-compliance.

Besides the implementation of a 50% quota at the African Union Commission (AUC), where 50% of AUC commissioners are women, AUC (2016) report indicates that the AU has not enforced the implementation of this protocol among Member States. The reviewed literature points that to encourage compliance and implementation of the WPS agenda at national and regional level such as in South Sudan, the AUC has undertaken different activities to develop a continental framework, and to report on the current state of NAPs and RAPs on UNSC resolution 1325. Although there is progress in some countries such as Rwanda and South Africa, there is a long way to go in achieving the implementation of the Maputo protocol in other AU member States such as South Sudan. To support and lead this initiative, the AU appointed the first special envoy on WPS, Mme Benita Diop in 2014 (Haastrup 2019).

The AU further established the Network of African women in conflict prevention and mediation (FEMWISE) to reiterate its commitment to the WPS discourse among AU Member States (Ani 2018, AU 2016). According to Limo (2018:1), "In 2017 the AU, under the umbrella of the Panel of the Wise and the Pan-African Network of the Wise (PanWise), established the FemWise-Africa Network". FemWise was formed to promote women's effective participation in conflict mediation and to address women's specific needs in peacemaking efforts (Limo 2018). FemWise was formed with the aim to change the practice of the AU that all AU special envoys to conflict zones are men and mostly former Heads of State and other former senior officials (Ani 2018).

According to Ani (2018), FemWise-Africa consists of well-known personalities, youths and experts in mediation who could be deployed by the AU to support peace efforts in crisis States. The evidence from South Sudan mediation is that women have not been deployed by the AU specifically to lead the mediation in South Sudan. This indicated that a lot of work still has to be done to ensure that the AU implements the aim of establishing FemWise. Although the AU special envoy in her capacity has engaged with South Sudan government on implementation of the WPS agenda in South Sudan and supported the implementation of the NAP and RAP respectively, very little has changed to show the improved situation of women's political, economic and socio-cultural rights in South Sudan. There is resistance in South Sudan from Government and warring parties to change the attitudes and cultural stereotypes against women and women's right to leadership in peace processes such as mediation and conflict resolution at formal level.

South Sudan was the latest AU Member State to ratify the Maputo protocol (African commission on human and people's rights 2014). This protocol is legally binding to the government of South Sudan to implement, as it is to the other members of the AU. Nevertheless, there is little implementation of this protocol in South Sudan. According to Sigsworth & Kumalo (2016:1), "The AU needs to find innovative ways of working with national Governments, civil society and grassroots organisations to realise the full potential of this crucial instrument". In South Sudan, participation of women in peace processes, particularly mediation leadership, remains poor. For this study, the researcher analyzed the following articles of the Maputo protocol as they are the most relevant to the research question of this study: article eight, on women's access to justice and equal protection before the law; article nine, on women's right to participation in political and decision-making processes; article ten, on women's right to peace; and article eleven, on protection of women in armed conflict.

*Article eight* emphasizes that Governments commit to ensuring protection of women victims of any forms of abuse, including sexual and gender-based violence. According to Sigsworth & Kumalo (2016:5), "The Maputo protocol is a key continental instrument that recognises the links between gender equality, women's empowerment and the achievement of sustainable peace in Africa. Its full and effective implementation is key". The analysis indicated that there is limited reporting by countries and RECs on implementation of the Maputo protocol. According to the AUC (2016: 9), "At the continental level for instance, only three (3) Member States have reported on the measures they have taken to implement the Maputo protocol". Women are continuously excluded from the AU mediation leadership in South Sudan and elsewhere on the continent. Hendricks (2016:51) says,

We learned that we were working with a false assumption about why women were not participating in peace processes. It was not their lack of knowledge and skills, their capacity to participate, or their invisibility that were the inhibiting factors. Women are marginalized because of the way in which peacemaking and peacebuilding have been structured.

According to Sigsworth & Kumalo (2016:5), although “Many African States have ratified the protocol, implementation has been severely restricted if it has happened at all, by a lack of political will, an immense gap between high-level policy and awareness on the ground, where it matters most, and challenges in changing prevailing behaviours and attitudes that embrace patriarchy”. However, as stated in Sigsworth and Kumalo (2016), women are still targeted for violence and discrimination in countries experiencing ongoing conflicts such as South Sudan. Rape is used as a weapon of war by some armed groups, while many women are forced into prostitution or trafficked (Hove and Ndawana 2017).

This article eight states that Governments should commit resource facilities and services to ensuring access to justice by victims of violence and human rights abuses in South Sudan. This article recognizes that women and men are equal before the law and should have the right to equal protection and benefit of the law (AU Maputo protocol 2003). The AU Maputo protocol (2003: 10) calls for,

Effective access by women to judicial and legal services, including legal aid; support to local, national, regional and continental initiatives directed at providing women access to legal services, including legal aid; and the establishment of adequate educational and other appropriate structures with particular attention to women and to sensitise everyone to the rights of women.

According to Rudman (2018: 1), “The right of access to justice for women is a fundamental element of the rule of law, which is essential to the realisation of women’s human rights everywhere”. But as Rudman further discusses, “Access to regional and international human rights institutions usually is beyond the reach of millions of African women suffering from discrimination, violence and oppression” (Rudman, 2018: 321). The article includes a framework for establishing a Truth and Reconciliation Commission, healing and reconciliation measures (AU 2014). In South Sudan, a

hybrid court was supposed to be established in 2016, on the recommendation of the commission of inquiry on South Sudan led by former president Olusegun Obasanjo of Nigeria. As stated in Awiso (2018:1), “The 2015 Agreement on the Resolution of the Conflict in the Republic of South Sudan provides quite ambitiously and laudably for the creation of the hybrid court for South Sudan under the auspices of the African Union”.

The plan to establish the hybrid court on South Sudan in 2016 was meant to ensure access to justice by victims of violence, most of who are women and children, but that had not been done at the time of writing this thesis. A research respondent working on women, peace and security in South Sudan stated, “I doubt they are going to introduce transitional justice in South Sudan. We must be realistic about the country, we will spend a lot of money for South Sudan to learn lessons around the world, to get the best lessons on hybrid courts, reconciliation lesson but we are not going to get it”. (Interviewee 1: Pretoria – 22 October 2019).

Akoi (2021:1) explains, “The court was one of the mechanisms proposed to deal with past abuses committed during more than six years of conflict in the country, alongside the Commission for Truth, Healing and Reconciliation (CTHR), and the Compensation and Reparations Authority (CRA)”. A research respondent working with CSOs on peace and security in South Sudan emphasized that “the perpetrators who raped women were supposed to go to the hybrid court on South Sudan to address justice but that did not happen”. (Interviewee 9: Skype – 15 July 2020). The hybrid court was recommended to address transitional justice matters for violations committed during the conflict since 2013 (Awiso 2018).

The hybrid court on South Sudan has not yet been established to carry out its mandate, as there were challenges with its funding. As stated in Awiso (2018: 96), “AUC has the mandate of determining key aspects of the court such as location, funding, infrastructure, enforcement and personnel”. At the time of writing this thesis, these aspects had not been clarified and the hybrid court remains relevant only on paper. The delay in establishing this court is an act of denying justice to the victims and their families, and that goes against the Maputo protocol and other AU and UN human rights protocols. Most of those interviewed pointed out serious atrocities, crimes and human rights violations committed particularly against women during the conflict. According to Bubenzer & Lacey (2013:2),

Given the highly patriarchal nature of South Sudanese society, women suffer far more than men from the lack of access to services, including lack of maternal, child healthcare, limited



access to education and justice. The killing and violence aimed at women increased to a point where it could be said to have become standard practice.

Women in South Sudan experience marginalization and lack of access to justice from their judicial system, particularly the victims of violence related to the ongoing conflict and that indicates that this article of the protocol has not been fully implemented. Hove & Ndawana (2017:8) emphasize,

There is little remedy for women facing domestic violence, rape and sexual assault. With the state of police and judicial systems being almost defunct, any defensive laws are barely enforced, and women get modest help and security from State structures. Protection is left to customary law and customary courts, which too provide little security.

The reviewed literature indicates that access to justice is costly for women, many of whom are poor. According to Rudman (2018:321), “Access to resources, knowledge, legal aid and proficient legal representation are other major hurdles to women’s access to justice domestically and regionally”. Both the formal and informal justice systems operate in South Sudan, but both systems hold challenges for women. As Choper & Isser (2012: 342) describe,

Pushing women’s issues into the formal system in fragile states often means subjecting them to a dysfunctional system. The formal system may provide no better access to justice for women than other institutions, because they reproduce the social inequalities of the societies in which they function”. Where international standards are imposed without general societal consent, justice sector personnel, including the police, judges and prosecutors are likely to continue to act in accordance with the dominant social code. Beyond succumbing to social norms, formal systems are also vulnerable to politics and power interests, which may lead to compromising women’s rights.

The argument raised around this article of the Maputo protocol is that despite the outright violations of women’s rights, including sexual harassment, rape, forced marriages and kidnappings during the

conflict, access to justice remains minimal, as South Sudan customary law against women and does not take their concerns seriously. The institutions of Government such as the police are said to be weak with limited understanding of the justice system and this further exacerbates the plight of women in South Sudan regarding access to justice.

*Article nine* of the Maputo protocol urges state parties to take specific positive action to promote participative governance and equal participation of women in the political life of their countries through affirmative action, enabling national legislation and other measures. This implies that the Government of South Sudan should develop a quota system and affirmative action and implement them accordingly across all sectors of Government to ensure inclusion of women in governance. However, the study revealed that few women are appointed into leadership positions in South Sudan. Article nine states that women are equal partners with men at all levels of development and implementation of state policies and development programmes, including in peacebuilding and conflict resolution processes (AU Maputo protocol 2003). The AU Maputo protocol (2003: 10) calls on,

State Parties shall take specific positive action to promote participative governance and the equal participation of women in the political life of their countries through affirmative action, enabling national legislation and other measures to ensure that: women participate without any discrimination in all elections; States Parties shall ensure increased and effective representation and participation of women at all levels of decision-making.

This article has not been implemented in South Sudan, as women continue to be underrepresented in political and decision-making processes. Although women's participation is a right enshrined in South Sudan's transitional constitution, this is not practiced, especially in the security sector.

*Article ten* of the Maputo protocol is on women's right to a peaceful existence and the right to participate in the promotion and maintenance of peace (AU Maputo protocol 2003). This article discusses women's participation in preventing and resolving conflicts in their countries. As stipulated in this article, the AU Maputo protocol (2003: 11) stipulates,

State parties shall take all appropriate measures to ensure the increased participation of women in the structures and processes for conflict prevention, management and resolution at local,

national, regional, continental and international levels. State parties shall include women in all aspects of planning, formulation and implementation of post-conflict reconstruction and rehabilitation.

However, as has been discussed in the literature review chapter two of these thesis, women are marginalised and excluded from decision-making and leadership of mediation in South Sudan (Kumalo and Mullineaux 2019; Adeogun and Muthuki 2017).

*Article eleven*, on the protection of women in armed conflict, details the obligation and responsibility of South Sudan government to protect women against armed conflict and violence associated with armed conflict. This article articulates the protection of civilians, including women, irrespective of the population to which they belong, in the event of armed conflict. This protocol urges the Government of South Sudan to ensure that women participate in conflict resolution such as in mediation and to ensure that perpetrators of the violence are brought to book (AU Maputo protocol 2003). As stipulated,

State parties undertake to respect and ensure respect for the rules of international humanitarian law applicable in armed conflict situations, which affect the population, particularly women. States parties shall, in accordance with the obligations incumbent upon them under international humanitarian law, protect civilians including women, irrespective of the population to which they belong, in the event of armed conflict (AU Maputo protocol 2003: 12).

Despite these obligations, as discussed in the literature review chapter two of this thesis, women in South Sudan suffer disproportionately the impact of the conflict, including sexual violence (Hove and Ndawana 2017). According to Kane et al (2016: 2),

Women across all age groups report that they have little choice but to meet the childbearing demands of husbands and their families. Women, both young and old, and also elders, are frustrated about how men and society are letting them down and how they are left to bear the reproductive burden. The poverty and

chronic insecurity in South Sudan mean that many men have few sources of pride and achievement; conformity and complicity with the hegemonic practices accord both security and a sense of belonging and privilege to men, often at the expense of women's reproductive health.

In conclusion, this section analyzed the AU Maputo protocol on the rights of women in Africa in relation to women in South Sudan and the peace process in that country. The discussion focused on articles eight, nine, ten and eleven of the Maputo protocol because of their relevance to this study and the research question this study seeks to respond to. South Sudan has fallen short on implementing the Maputo protocol despite having signed and adopted this continental protocol. As stipulated, "GBV in South Sudan is widespread despite the country's achievement of independence from Sudan. In South Sudan, GBV disproportionately affects women and girls. It has been exacerbated by the country's continued experience of civil wars" (Hove & Ndawana, 2012:5).

The articles discussed above indicated that the AU and the South Sudan Government have not implemented the Maputo protocol in South Sudan. The AU developed this document for member states, but the study concluded that the AU is not engaging sufficiently to ensure implementation, monitoring and evaluation across Member States on compliance to the protocol. The AU has not been able to protect women from armed conflict, nor has it been able to provide access to justice to victims of atrocities committed during the conflict. This is seen in the slow progress to establishing the AU's hybrid court on South Sudan, among other issues. The section concluded that the AU has failed to increase meaningful participation of women in politics and decision-making, such as in mediation leadership in the South Sudan mediation process.

The AU continues to exclude women as active agents of peace in the management and prevention of the conflict at a high level in South Sudan. This is because the AU, in its history of intervening in South Sudan, has to this day not appointed and deployed a woman leader to South Sudan mediation. This is despite the Government of South Sudan having supporting documents on paper, the inclusion and participation of women in peace processes and the implementation remain dismal in the midst of the ongoing conflict, mainly due to lack of political will by the AU, IGAD and the Government of South Sudan to implement the WPS agenda and the AU Maputo protocol.

## 5.5. Conclusion

This chapter discussed and analyzed the mechanisms and strategies developed by the Government of South Sudan in the form of a NAP on implementing UNS resolution 1325 (2015-2020), and the IGAD Regional Action Plan (RAP) on implementing UNSC resolution 1325 (2013). This document was developed to enhance the implementation of the WPS agenda in the region. The chapter also included an analysis of selected relevant articles of the Maputo protocol on the rights of women in African. The articles of the Maputo protocol discussed were articles eight, nine, ten and eleven as they are relevant to the WPS, and the research question this thesis is responding to. The chapter concluded that although the continent, the IGAD region and South Sudan have developed policy frameworks, their implementation remains weak.

Many countries in the East and Horn of Africa experience some form of instability and do not prioritize women's rights in terms of protecting women against violence during armed conflict, preventing violence against women, management of the conflicts as well as in participating in resolving the conflicts. The chapter concluded that women are victimized; they suffer the disproportionate impact of the conflict, as they are not protected against the violence as a result of the conflict.

Reasons offered for the weak implementation of the NAP, the IGAD RAP and the Maputo protocol are similar and include the inability of South Sudan government to implement the NAP on UNSC resolution 1325; lack of political will to implement the NAP; the ongoing conflict undermining the implementation of the NAP in South Sudan; women's CSOs' exclusion from the development of the NAP and its implementation; involvement of Juba-based women's CSOs while grassroots organisations were marginalised; lack of awareness on the NAP; patriarchy in South Sudan and the lack of research on monitoring and evaluating the implementation of the NAP in South Sudan.

The chapter indicated that despite IGAD's mediation efforts in the South Sudan conflict, there is a lack of commitment and political will by IGAD member states to ensure women's inclusion in decision-making and peacemaking positions. The study noted that the region has never had women heads of state until recently, with Ethiopia appointing a female president. Even with that, she has not been deployed to lead any peace talks or mediation anywhere in the IGAD region. The chapter revealed that the IGAD mediation in South Sudan has been dominated by men and militaristic and IGAD Member States have interests in South Sudan, which compromises the mediation process. The implementation of the RAP in the IGAD region remains minimal, as the region continues to experience violent conflicts, including in South Sudan. This also reflects the lack of political will and

commitment by the regional Heads of State to ensure inclusion of women in peace and security efforts in their IGAD region.

This lack of commitment extends to the IGAD RAP, with only few countries in the IGAD region, like Kenya and Uganda, implementing their NAPs, whereas South Sudan and Somalia are among the worst-performing countries. The violent conflict in the latter two impact on government prioritising peace process over the WPS agenda. The chapter concluded that ending the conflict is important for stability and development and no country can achieve lasting peace with the exclusion of women from participation and leadership of peacebuilding processes, mediation and key decision-making positions.

The patriarchal culture in South Sudan and in many countries in the IGAD region impact negatively on women's agency in peace processes. The Government of South Sudan has not done enough to reduce the militarisation of the peace process, foster a culture of peace, and address patriarchal stereotypes that view women as victims more than as active agents of peace. There has not been any transformation of culture and attitudes towards women's rights agenda in South Sudan.

The analysis of the Maputo protocol focused on the following articles: article eight, on access to justice and equal protection before the law; article nine, on women's right to participation in political and decision-making processes; article ten, on women's right to a peaceful existence and the right to participate in the promotion and maintenance of peace; and article eleven, on protection of women in armed conflict. It was revealed that the AU Maputo protocol articles under study are not fully implemented in South Sudan, particularly in relation to the WPS agenda.

The year 2020 presented an opportunity to the Government of South Sudan to review their NAP on UNSC resolution 1325, the RAP, the Maputo protocol and to recommit resources and political will to ensuring the implementation of the WPS agenda. The year 2020 also marked the end of 2010-2020, the "African women's decade" (AU Decade of women, 2010) and 20 years since the adoption of the UNSC resolution 1325 by the UN Member States. These are missed opportunities by the Government of South Sudan to ensure women's empowerment in line with the national, regional and global protocols, as the implementation remains dismal. These were opportunities for IGAD and South Sudan to implement UNSC resolution 1325, the WPS agenda and South Sudan NAP on implementing UNSC resolution 1325, in a region and a country experiencing terrible violent conflicts in recent years.

## **CHAPTER 6: Perceptions on the reasons for women's exclusion from mediation leadership**

### **6.1. Introduction**

This chapter analyses the data collected through interviews held with interviewees from the following institutions: the IGAD mediation support unit, because of their active involvement as an office within IGAD, directly involved in the mediation process in South Sudan; the Institute for Security Studies (ISS), because of the work they do in South Sudan on women, peace and security; the Africa Institute of South Africa (AISA), because of their expertise on women, peace and security in Africa; the African Centre for the Constructive Resolution of Disputes (ACCORD), because of the work they do in South Sudan on conflict resolution and mediation; and the University of South Africa's (UNISA) Institute for African Renaissance Studies, because of their expertise in peace and security work in Africa.

Other interviewees were drawn from the University of Pretoria's political sciences department because of their academic experience and expertise on women, peace and security across the continent; the embassy of Norway in Pretoria, due to Norway's involvement in advancing the WPS agenda across the continent, including in South Africa and South Sudan. Norway supports and sponsors peace building efforts and the implementation on UNSC resolution 1325 in South Sudan; and different CSOs based in South Sudan working on peace and security and gender policy, because of their involvement and active engagement in efforts to call for end of the conflict in South Sudan and women's inclusion in peace processes in South Sudan.

This data analysis assisted the researcher to respond to the research question on why women are excluded from the mediation leadership in the South Sudan mediation process. Most of those interviewed felt that most of the literature portrays women as victims and not much attention is given to the role of women as active agents for peacebuilding, conflict prevention and post-conflict reconstruction of societies (Soma 2020; Kumalo and Mullineaux 2019; Adeogun and Muthuki 2018). Many of those interviewed stated that the main focus has often been on addressing sexual violence committed during the conflict in South Sudan instead of ensuring inclusive participation of women in decision-making.

As discussed in the methodology chapter of this thesis, content analysis was used. The data was divided into themes and subthemes, which were then used to address the research question (Maguire and Delahunt 2017). The themes that emerged from the data were categorised into the following broad

category themes and form the subsections of this chapter: mediation tracks and the exclusion of women from the leadership of the South Sudan mediation process; areas where women have been involved in mediation; reasons offered for the exclusion of women from mediation; no thought of women in Security Sector Reform (SSR) in South Sudan; the problem of equal opportunity: “women must be given space”; regional mediation and women’s exclusion; and patriarchy and women in mediation leadership in South Sudan. These themes advanced the key intention of the thesis, which was to analyse the exclusion of women from the mediation leadership in the South Sudan mediation process.

The themes also answered the research questions on why women are excluded from the mediation leadership in the South Sudanese mediation process, the importance of women’s inclusion in leadership of mediation and challenges women faced in mediation. This is important in contributing to the academic literature on the exclusion of women in mediation leadership in South Sudan specifically and in Africa broadly.

## **6.2. The mediation tracks and the exclusion of women in mediation leadership in South Sudan**

As discussed in the literature review chapter of this thesis, track one mediation involves high-level negotiations between leaders of warring parties, Heads of State involved or an appointed sitting or former Head of State (Desmidt et al 2017; Bohmelt 2010; Mapendere 2005; Nan 2003). In South Sudan’s track one mediation, women have reportedly been excluded. Desmidt et al (2017: 30) stipulates,

The inclusion of women’s groups, and civil society at large, in the mediation process led by IGAD has not been straightforward. Observers closely involved in the process assert that, while the IGAD-led mediation process was inclusive on paper, in reality, the inclusion of women’s groups, and civil society at large, was very limited.

Mbwadzawo and Ngwazi (2013) emphasise that the need to include women in peace processes and mediation leadership is widely acknowledged, yet most mediation teams exclude women and do not encourage the voices and representation of women. The literature reviewed further argues that it is important to promote women’s mediation leadership capacities, as this is critical for women’s development and security. Mapendere (2005:67) argues, “Track one diplomacy is usually considered to be the primary peacemaking tool of a State’s foreign policy. It is carried out by diplomats, high-



ranking Government officials and Heads of State. It is aimed at influencing the structures of political power”. As stated in the literature review chapter of this thesis, women are largely excluded from the leadership of track one mediation processes in many African countries and in South Sudan specifically (Krause et al 2018). The appointment is based on a set selection criterion of former or sitting Heads of State, leaders of warring parties’ senior diplomats, and senior army officials, who are often men. According to Aggestam & Svensson (2018:149), “There do not exist any systematic empirical studies which highlight women per se as international mediators specifically”.

On track two mediation, the reviewed literature stipulates that it is more inclusive than track one as it involves representatives of NGOs and CSOs, such as women’s organisations (Mapendere 2005). In South Sudan track two mediation, women’s groups included were the South Sudan Women’s Empowerment Network (SSWEN), South Sudan Women Peace Network (SSWPN), Women General Association, the Women Monthly Forum, Faith-Based Organisations (FBOs) and women entrepreneurs (Desmidt et al 2017). However, the study revealed that the warring parties were reluctant to include women in the mediation process, both as negotiators and as leaders and mediators. Desmidt et al (2017: 30) state, “While observers noted willingness, in principle, in the IGAD’s mediation efforts to include civil society, the warring parties (Government of South Sudan and the SPLM/M-In-Opposition) were seen as hesitant to include civil society representatives”.

Mapendere (2005: 68) articulates, “Track two diplomacy is intended to provide a bridge or complement official track one negotiations and involves grassroots and middle leadership who are in direct contact with the conflict”. Ten of those interviewed revealed that in South Sudan, women have been brought in as negotiators, although not as leaders of the mediation teams. Mapendere (2005) postulates that at this mediation track, participants have limited ability to influence decisions taken at track one mediation because they do not have political power to influence decisions. He further argues that track two mediation is ineffective in authoritarian regimes where leaders do not take advice from lower-level leaders and do not include the lower levels of society and many times lack coordination. This thesis revealed that this is the situation in South Sudan, where there seems to be limited coordination among stakeholders in the mediation process.

Limo (2018) argues that where women are involved in mediation, it is often at grassroots and in local mediation efforts, but women are mostly absent in the leadership of track one and formal mediation and negotiations. Sampson (2012) describes track three mediation as mediation at grassroots level, with more stakeholders and grassroots communities’ involvement. Many of those interviewed argued that it is at the community level where women in South Sudan play a key role in leading efforts to

resolve the conflict in their communities and they are invisible at leadership of formal mediation processes, which is where final decisions are made. Limo (2018:1) stipulates, “There is a disconnect between the available mediation capacities of women and the formal and informal peace processes”. Nwoha & Were (2018:1) add,

South Sudanese women have been grossly under-represented in formal peace negotiations. They have been active in informal peacebuilding at the local level where peace means rebuilding society. Such informal peacebuilding is radically different from formal peace negotiations where male warlords and political leaders in new positions of power divide the spoils of war.

On South Sudan, a member of staff at IGAD’s mediation support unit outlined who were involved in the mediation process, “The mediators themselves did not have women among them. The mediation that was led by IGAD immediately after the conflict in December 2013 consisted of only men, led by former minister of Foreign Affairs of Ethiopia ambassador Mesfin, seasoned mediator General Lazarus Sumbeiywo from Kenya and another General mediator from Sudan”. (Interviewee 10: Skype – 16 July 2020). A diplomatic expert on peace and security stated, “The people who brokered the mediation in South Sudan were elites like Thabo Mbeki”. (Interviewee 5: Pretoria – 12 February 2020). According to Young (2015:34), “IGAD intervened in the conflict and some of the same people that oversaw the negotiations, General Lazarus Sumbeiywo was co-chair with General Ahmed Mustafa from Sudan, and former Ethiopian Foreign Minister, Seyoum Mesfin, assumed the lead role”.

Kumalo & Mullineaux (2019:6) stipulate, “During the first phase of the peace negotiations, the SPLM-IO 10-person negotiating team included three women. The delegation of the Government of the Republic of South Sudan to the peace process consisted entirely of men. Women made up 9% of the witnesses to the peace negotiations”. Mutasa and Virk (2017) add that when the IGAD-led peace process started, it had few to no participation by women, as there were no women included in the South Sudanese Government delegation, and only three women included in the Sudan Liberation Movement-In-Opposition (SPLM-IO) delegation. According to Soma (2020:23), “Of the 10-member delegation invited to participate from each side in the January 2014 cessation of hostilities discussion, the Sudan Liberation Movement/Army (SPLM/A-IO) had three women while the SPLM/A in government had none”. This provided more leverage for women from the SPLM-IO to demand inclusion in the negotiations. These women included by SPLM-IO were parliamentarians: Angelina

Teny, Sophia Pal Gai, and Banguot Amum (Barsa et al 2016). These were prominent SPLM-IO members.

It has been a common approach in IGAD's mediation in South Sudan to have men in leadership and dominating at the negotiation table in numbers. Women did participate as advisors and as support staff in the process. Kumalo & Mullineaux (2019: 6) articulate, "Three envoys, all men, were appointed to head the South Sudan peace process. They were assisted by a team of political and technical advisers (eight women and twenty-four men) based in the IGAD Secretariat". Although the importance of women in track one mediation leadership is highlighted, a number of those interviewed suggested that the focus of researchers perhaps needs to change from concern about women being involved in track one mediation, to exploring and realising that women can assert themselves and influence other aspects of the mediation processes. As an expert on gender, peace and security argued,

Why are we so fixated around the mediator to begin with? We are fixated on the idea of a mediator because it's about inclusion, but we must look for different spaces where women can be included. Nobody is looking for the different space that women can be included, around the mediator that can influence how the mediator thinks. We are fixated at track one mediation. What has happened to track two and track three mediation. We don't spend enough time on those two forms of mediations. (Interviewee 4: Pretoria, 27 January 2020).

The tracks of mediation matter in this thesis because they indicate where participation of women and leadership has been strongest and where decisions are made regarding the peace process in South Sudan. A CSO activist agreed, "It's all men-dominated mediation, all over". (Interviewee 9: Skype – 15 July 2020). Limo (2018: 43) adds,

For peace initiatives to remain sustainable in the long term, women must be included in every level of the process. Current formal peace processes often remain largely male-dominated, while women are simply seen as war victims and/or are often not given enough space to engage effectively in peace processes.

This section discussed the different types of mediation tracks and the exclusion of women in track one mediation leadership. These tracks are important as they indicate where focus on mediation has been, which is at track one mediation process, ignoring other tracks of mediation and the role of women in those other mediation tracks such as track three. The next subsections discuss the other tracks of mediation in relation to South Sudan mediation process in greater detail. As Mbwadzawo & Ngwazi (2013:1) argue, “Women’s potential in mediation remains largely untapped and that organisations engaged in peace-making should improve their support for women’s increased capacity and participation in peace processes”.

### **6.2.1. Track one mediation**

Track one mediation typically involves Heads of State or their representatives, at times former Heads of State such as Thabo Mbeki and Olusegun Obasanjo, senior male diplomats or military Generals. According to Nan (2003:1),

Track-one diplomacy refers to official Governmental diplomacy, or a technique of state action, [which] is essentially a process whereby communications from one government go directly to the decision-making apparatus of another. Track-one diplomacy is conducted by official representatives of a state or state-like authority and involves interaction with other state or state-like authorities: Heads of State, State department or ministry of foreign affairs officials, and other Governmental departments and ministries.

Potter (2005) articulates that institutions that track one mediators are the United Nations and individual Governments like the United States or Norway, the European Union and the African Union. Looking at the decision-makers and leaders of the negotiating teams of all these various organisations, there is currently no woman involved in South Sudan mediation leadership. The majority of those interviewed stated that in mediation, leaders of mediation teams have been drawn from a pool of former Heads of State in Africa. A research respondent closely involved in women, peace and security in Africa argued, “The continent has few women former Heads of State and the IGAD region has no women former Heads of States”. (Interviewee 3: Pretoria – 27 January 2020).

A diplomatic expert on peace and security asserted, “The mediating team by all means you had women who were part of advisors but was still led by IGAD, which would be Heads of State and we know

IGAD Heads of State do not have women Heads of State”. (Interviewee 1: Pretoria – 22 October 2019). An academic in peace and security in Africa reiterated that “The problem with current mediation in South Sudan is that it is masculine and elitist”. (Interviewee 3: Pretoria – 21 January 2020). Following the first mediation after the 2013 conflict, women were not included in the negotiations until in 2016.

As discussed in the literature review chapter of this thesis, after the 2011 referendum and independence of South Sudan, the country plunged into a civil war that called for mediation to address the impasse between Riek Machar and Salva Kiir (Hove and Ndawana 2017; Pinaud 2014). The conflict compelled regional (African) leaders, and global leaders, to engage in the mediation process (Desmidt 2017 et al). A number of those interviewed argued that the mediation process resulted in several peace agreements that were not fully implemented by the Government and the warring parties, and no women were included in mediation leadership throughout all mediation processes. As described by Kumalo & Mullineaux (2019:6), “During the talks leading up to the 2015 peace deal, women lobbied for 40% representation in all institutions of the Transitional Government of National Unity, but these were considered to be of cosmetic value, as they could not influence decision-making process”.

A civil society expert working on women, peace and security in South Sudan stated, “Women were not part of the initial process. When they realised that, they got criticism because the first agreement did not include women, it was gender-insensitive, they co-opted some women groups, they put them there, but they did not meaningfully participate”. (Interviewee 1: Pretoria – 22 October 2019). Women were co-opted through the invitation of the Women Bloc to the negotiations. Desmidt et al (2017:27) adds,

A Women’s Bloc participated in the formal process but was seen as weak and co-opted. There has been an attempt by women’s groups to offer recommendations and issue joint positions to the African Peace and Security Architecture (APSA) bodies, such as by the Task Force on women’s engagement. However, structural support for women’s inclusion has been haphazard and weak, indicating a lack of commitment for meaningful participation of women’s groups. This has led to a lack of structural exchanges with women’s groups by the IGAD mediation and is reflected in the weak sensitivity to women’s issues in the 2015 August peace agreement.

These women were representing women's CSOs and they lobbied for a gender sensitive peace agreement. An expert on women, peace and security in Africa stated,

I remember well they had a Women Bloc that was going to participate in the revitalized peace process. There has not been much influence of women in South Sudan mediation. The idea that the space opened up for women is good to be included but when you have two powerful men fighting for power, women will always be used. (Interviewee 4: Pretoria – 27 January 2020).

Soma (2020) explains that the Women Bloc was a group of women who represented different women's groups from South Sudan who mobilized and came together to seek women's inclusion in the mediation process. This followed several efforts by different groups such as the South Sudan Women's Empowerment Network (SSWEN), Women Action for Development (WAD), and South Sudan Women Advocacy for Peace (SSWAP), some from the academia, independent women peace activists and those from Faith-Based Organisations (FBOs) to engage IGAD mediators individually without success. Mbae (2017:28) articulates, "South Sudan Women's Empowerment Network (SSWEN) is a non-profit organisation with a mission to empower Sudanese women both in South Sudan and diaspora through the formulation of policies that promote women's rights, education, policy advocacy, and organisational development". Sudanese Women Empowerment for Peace (SWEP) was formed with the main goal of stopping hostilities between the communities of the North and the South by using negotiation as a tool for conflict resolution (SWEP 2010). According to Mbae (2017:27),

In all its peace efforts, SWEP pushed for the inclusion of the agenda for women to create opportunities for women to participate in all the negotiations that took place prior to the signing of the Comprehensive Peace Agreement (CPA). It lobbied for women's participation in the peace processes and encouraged women to take part in peace building and development processes.

The Women Bloc was supposed to be formed through a forum, but that did not take place and members were selected randomly. The women who participated in the Women Bloc were from the different stakeholder groups. As stated,

Some women's groups and leaders were at first unsure of this newly formed group of women, so securing the endorsement and buy-in of existing groups was difficult. One of the reasons for suspicion was the view that they were not sufficiently independent of the warring parties. The women members had pushed heavily to join the talks as delegates but when they arrived at the peace dialogue, they found they were joining as observers and came to be known as the Women's Bloc. They had the opportunity to listen to the negotiations, but not the opportunity to engage in the formal discussions (Soma, 2020:26).

These women faced accusations of being co-opted and brought in as spies of the Government and opposition, as there was no trust among the warring parties (Soma 2020). Desmidt et al (2017) stipulate that the selection of civil society organisations and women's organisations to participate in the mediation process was reportedly ill-managed by IGAD. According to Soma (2020:4), "while a few women holding leadership positions within the SPLM/A were directly involved in the negotiations for the CPA and discussions around them, women were generally side-lined due to patriarchal norms. The inclusion of women was a token". This reportedly led to a flawed representation and much frustration and growing divisions among CSOs (Desmidt et al 2017). Eight of those interviewed stipulated that although women were eventually represented at the negotiation table, IGAD did not have a plan on how to engage women, select and invite them or ensure they were representative of different sectors in South Sudan, including those in the rural areas and most vulnerable and marginalised. Soma (2020:5) adds, "The mediation did not prioritise space for the contribution of women's groups and civil society at large".

An expert on women, peace and security argued, "On paper, South Sudan has recognised the role of women even in Special Forces they have appointed them but to what extent does this go deep into the communities?" (Interviewee 7: Durban – 25 February 2020). Ten of those interviewed reported that although women participated in the revitalised peace talks, no women were in the leadership of any parties and Government. An expert on women, peace and security noted, "In South Sudan you see these two patriarchal leaders with no inclusivity of women". (Interviewee 7: Durban – 25 February 2020). Some of those interviewed suggested considering co-mediation to include women at track one mediation leadership. Someone intimately involved in women, peace and security in Africa remarked, "Co-mediation [forces] SADC and AU to always send both a man and a woman. That can very easily be written into the Terms of Reference if they are serious about saying that they want more women as

mediators”. (Interviewee 4: Pretoria – 27 January 2020). Some of those interviewed argued that researchers miss other ways in which women influence the mediation process in other tracks of mediation, by being so ‘fixated’ on track one mediation processes. An expert on women, peace in security in Africa lamented,

So why are we so fixated around the mediator to begin with? We are fixated on the idea of a mediator because it’s about inclusion but we must look for different spaces where women can be included. So nobody is looking for the different space that women can be included, around the mediator that can influence how mediator thinks. (Interviewee 3; Pretoria – 27 January 2020).

### **6.2.2. Other tracks of mediation: Are we fixated on track one mediation and the lead mediator?**

This section analysed track two and three mediation processes in relation to women’s exclusion from the mediation process in South Sudan. According to Kemper (2007), track two mediation involves unofficial, informal interaction between members of adversary groups, with the aim of developing strategies, influencing public opinion, and organising human and material resources in ways that might help resolve their conflict. CSOs include women’s groups, religious groups and in some cases youth organisations. Nan (2003) explains that the unofficial interactions involve conflict resolution specialists, private citizens, organization, NGOs, or businesses. Many of those interviewed argued that groups forging alliances at the national and continental levels are an important part of track two mediation. Chigas (2003) adds that these are informal, or unofficial people who work outside official negotiation and mediation.

African women, broadly, have been recognised for leading campaigns to articulate alternative visions about conflict reduction and peacebuilding (Khadiagala 1999). Ten of those interviewed stated that in the South Sudan mediation process, women have been represented in track two and track three mediation through the women’s organisations. They further referred to the fact that these are groups of women who represent different women’s organisations in South Sudan. A staff member at the IGAD mediation support unit added, “Later on, there were a few women who were part of the mediation teams from government, different political parties, and civil society organizations. Women who were active in advocacy were negotiators, not mediators”. (Interviewee 10: Skype – 16 July 2020). According to Chigas (2003:3),



The process is designed to encourage the development of mutual understanding of differing perceptions and needs, the creation of new ideas, and strong problem-solving relationships. Normally, informal intermediaries are non-governmental actors, such as religious institutions, academics, former government officials, Non-Governmental Organisations, humanitarian organisations, and think tanks, among others. In some cases, however, governments or government officials can act as informal intermediaries when they facilitate discussions among non-officials, private citizens or groups of individuals from conflicting parties.

A staff member at the IGAD Mediation Support Unit stipulated, “The role of women was noticeable, they played important roles convening meetings as negotiators. Betty Bigombe from Uganda was also brought in as a special envoy to South Sudan. However, there was no direct mediation leadership involvement of women”. (Interviewee 10: Skype – 16 July 2020).

Betty Bigombe is currently Uganda’s special envoy to the South Sudan Peace Process since 2019. She has emphasised that other key stakeholders in conflict prevention must include women and local peacebuilders at the grassroots level. Bigombe argues that women are ignored although they have a better idea of what is going on in their communities than outsiders do, and that they are important in the early warning system (ACCORD 2021). Her role was also to look at the involvement of Uganda and Sudan in reconciling the SPLM and SPLM-IO. She encourages a more inclusive national dialogue in South Sudan to bring together the political elites, civil society and women’s groups (Crisis Group 2021). Adamson (2020: 2) reports on Betty Bigombe’s engagement in South Sudan during the Covid-19 global pandemic,

Bigombe has travelled back and forth to facilitate meetings and continue discussions about implementing the peace agreement even during the pandemic. Bigombe emphasizes the important role of women and community members in peacebuilding. She has advocated for the inclusion of community and cultural leaders in the peace process in South Sudan. She has worked to demonstrate the key role women play in peacebuilding and lift up

other marginalized voices and invited a delegation of women from South Sudan to show government leaders the pain of war.

ACCORD (2021) emphasises that Betty Bigombe has stressed that a military solution cannot bring sustainable peace in South Sudan, as this does not address the underlying causes of the conflict. Betty Bigombe encourages the inclusion of women in mediation as she has said a mix of men and women in mediation is crucial to conflict prevention. A research respondent closely involved in women, peace and security in Africa added, “The other option is to have co-mediation, so you force SADC and AU to always send both a woman and a man as leaders of mediation teams. That can very easily be written into the terms of reference if they are serious about saying that they want more women as mediators”. (Interviewee 4; Pretoria – 27 January 2020). USIP (2017) in Wanjala (2019:44) states,

Women’s experiences in informal peace processes are of high relevance for official peace processes. Due to barriers such as illiteracy, cultural, and traditional practices, not many South Sudanese women have been actively involved in official peace processes. They are, however, quite experienced in informal conflict resolution methods. This offers them a great opportunity to participate in the peace process. They gain experience as agents for change in local peace activism, which gives them an opportunity to reach out to other locals to spread the message of peace.

A research respondent intimately involved in women, peace and security in Africa remarked, “You have some very powerful women’s organisations in South Sudan; you have also very powerful external women supporting them like Madam Diop’s office, but we concentrate on the barriers”. (Interviewee 4: Pretoria – 27 January 2020). Madam Benita Diop’s office is the office of the AU special envoy on women, peace and security that was established by the then AU Chairperson Dr Nkosazana Dlamini-Zuma. Haastrup (2019:10) stipulates, “In 2014, former AU chairperson Nkosazana Dlamini-Zuma created the office of the special envoy for Women, Peace and Security, which has primary responsibility of implementing the WPS. Senegalese feminist activist Benita Diop was appointed as the first and as yet only special envoy”. This signified a great milestone for African women as Dr Nkosazana Dlamini-Zuma was also the first-ever woman chairperson of the AU since its formation, and she appointed the first AU special envoy on women, peace and security.

Although some interviewees stated that CSOs play a role in mediation at this level, they revealed that CSOs did not have any impact on outcomes of the mediation process, because decisions are made during track one mediation. A CSO activist working in South Sudan lamented, “There is lack of political pluralism, exclusion of women and relegation to junior positions”. (Interviewee 11: Skype – 17 July 2020). This is in part because they are not able to articulate a common agenda or because some of them are representing warring parties and political parties and they are not united as a women’s constituency. Eight of those interviewed felt that these women do not have a strong women’s constituency across South Sudan. Many of those interviewed revealed that women play an active role in mediation at community level, and these could be strengthened to impact the entire mediation and peace processes in South Sudan positively. They argued that women’s role is often through informal mechanisms in resolving conflicts in their communities and at grassroots level. A CSO activist asserted, “We need solidarity movements and regular workshops for South Sudanese women in the villages”. (Interviewee 9: Skype – 15 July 2020).

Women contribute to peaceful co-existence in the neighbourhoods and can influence conflict resolution using traditional means of resolving conflicts, and that this is something that can be replicated in the formal mediation track. Autesserre (2021) argues that there is a need to focus on what has gone well in grassroots and use that to resolve the conflicts. In this case, the use of local knowledge that has worked well. She emphasises the use of bottom-up approach to ending conflicts, working with people who understand the complicated local issues, politics and culture in their country. This is significant considering the growing argument that researchers focus too much on resolving the conflict at the national level, and not at the communal level (Liaga and Wielenga 2020).

Women across the East African region and the continent have historically played a key role in conflict resolution, such as in Uganda (Autesserre 2021; Hendricks 2011). In Uganda, the role of women in local peace processes is highlighted by the role of Betty Bigombe in intervening to have a dialogue with the Lord’s Resistance Army’s Joseph Kony. Betty Bigombe is a Ugandan peacebuilder who for more than two decades has been involved in negotiation and mediation efforts to resolve the long-running conflict between the Government of Uganda and the Lord’s Resistance Army (United States Institute for Peace 2020). Betty Bigombe led Ugandan women to have peace talks with the LRA during the conflict in Uganda which took twenty years (Jendia 2020; Quinn 2009). Betty Bigombe led the negotiations to end the conflict by having mediation talks with the rebels (Potter 2005).

In Uganda, women led the negotiations and dialogue with the Lord’s Resistance Army leaders in Northern Uganda (Hendricks 2011). Hendricks (2011) describes Betty Bigombe’s attempts to get

Joseph Kony to the peace table. The communities used traditional practices such as rituals, symbols and interpretation of myths to bring conflicts to an end (Utne 2001). An academic expert on women, peace and security stipulated, “We need to profile the informal work of women because women are involved in peacebuilding work across the continent, but it appears that when we talk about women’s involvement in peacebuilding we focus on the formal, there is the informal and this is where you find a lot of women”. (Interviewee 6: Pretoria, 18 February 2020). For Autesserre (2021: 129), “Stronger peace is built from the grassroots”. Seven of those interviewed argued that the importance of local community mediation is at the grassroots level, where there is an opportunity for equal participation. They further argued that it is important to start at the grassroots for equal partnerships in the communities and to recognise all those stakeholders in ending the conflict. Autesserre (2021: 185) states, “Bottom-up activism can help address the racial, ethnic, religious and political issues that divide war torn countries and non-war countries. Everybody has skills, knowledge and networks that can help them address their predicaments”.

An academic expert on peace and security in Africa remarked, “In our culture, you need to engage with mothers as equal partners, come with a humble approach and ask them what we should do”. (Interviewee 3: Pretoria – 27 January 2020). The thesis emphasised that in many conflict-affected countries, many of the disputes are resolved through mediation by local people. These complement and substitute formal systems of mediation (Gourley and Ropers 2012). Someone closely involved in the peace process in South Sudan remarked, “Women don’t mediate at high level, but there is a lot that they do behind the scenes. At community mediation, women are always at the forefront”. (Interviewee 1: Pretoria – 22 October 2019). Eight of those interviewed articulated that women’s organisations that were represented in the dialogues were not representing women from rural areas. A research respondent working on peace and security and rule of law in South Sudan said, “The real women from rural communities are not included, who is representing them, where is their view? If you organize a workshop, who comes to that workshop, we need to be honest about the inclusion of women of South Sudan in the mediation process”. (Interviewee 8: Skype – 17 July 2020).

Some of the reviewed literature points out that there are many challenges on the activism work of women organisations in South Sudan, including low capacity on fund raising and technical knowledge. This is said to limit outreach in rural areas. The other challenges identified in the literature review chapter of this thesis were ethnic conflict and lack of intergenerational dialogue between younger women and older women activists. These create competition, poor communication, and poor relations between women’s organisations and grassroots women. Some of the reviewed literature argues that there is competition between women’s movement and women political leaders, and that the problem

of high illiteracy among women in rural areas exacerbate the problem of exclusion of women. All these limit women's active engagement in peace processes, especially at the formal level. Although there are women's organisations and programmes in South Sudan, they do not cover the entire country. The women's organisations have to expand their geographical coverage (Hove and Ndawana 2017).

This section analysed the role of women in other tracks of mediation, namely track two and track three mediation processes. It showed that women are instrumental and active in leading peace and reconciliation efforts in the communities, and their role should be acknowledged and strengthened to impact track one mediation processes positively. The majority of those interviewed spoke of being 'fixated' on track one mediation and the lead mediator, thereby not giving careful consideration to the role of women in mediation leadership elsewhere such as in communities, which they argue is where conflicts erupt.

### **6.3. Women's inclusion in mediation**

As Adeogun and Muthuki (2017: 9644) stipulate, "Women played significant role in peace building at the grass roots during the two civil wars which overwhelmed Sudan (Northern Sudan and Southern Sudan) and after Southern Sudan became independent State (now South Sudan). Women have also made several contributions to peace building". Some of the communities where the women's organisations have worked between 2010 and 2013 are described in the literature to have been in Bari community, Torit village, women's unions like SWIDAP (South Sudan Women Empowerment in Development and Peace), and they conduct adult education in Tore in Yei county (Adeogun and Muthuki 2017).

The reviewed literature reveals that women in South Sudan have long been able to mobilise and gather support for the community, whether for socioeconomic, political, or cultural purposes. Nwoha & Were (2018:2) articulate, "South Sudanese women have been active in informal peacebuilding at the local level where peace means rebuilding society. Such informal peacebuilding is radically different to formal peace negotiations where male warlords and political leaders in new positions of power divide the spoils of war". According to Sabala (2019), women's activism for peace emanates from their experiences of conflict, and that fuels their passion and resolve to ensure society's return to the state of peace and security. Aldehaib (2010:5) reiterates, "Women participated in different ways in the liberation struggle. During the war, the SPLA promoted and encouraged the participation of women as combatants and as such, large numbers of women joined". Women have been involved at grassroots-level peace initiatives, including in South Sudan as stated in Autesserre (2021). Adeogun & Muthuki (2017: 9639) emphasize, "Women's organisations troop into this post conflict zones in

order to achieve a sustainable peace. Women at the grassroots formed groups/movements in order to help in the peacebuilding process”.

Eleven of those interviewed stated that during the 2018 revitalised peace negotiations, there were increased women participation representing Women Bloc and there were other women representing government and other warring parties such as the SPLM-IO political actors in the mediation process. Someone intimately involved in women, peace and security in Africa said, “I remember well they had a Women Bloc that was going to participate now in the revitalized peace process. I am not sure of the strength in terms of the numbers of that Women Bloc”. (Interviewee 3: Pretoria – 27 January 2020).

According to (Pelham 2020; Kumalo and Mullineaux 2019), some of the women were representing the Women’s Coalition, which is a coalition of different women’s organisations both in South Sudan and in the neighbouring countries. The Women’s Coalition was made up of South Sudanese women’s organisations (Mbae 2017). The Women’s Coalition was formed because IGAD wanted women’s groups to represent a wider constituency of women, so the women were increasing pressure on IGAD for increased representation of women in the peace talks. The coalition became official observers and ultimately signatories to the 2018 Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) (Pelham 2020). Pelham (2020:2) reiterates,

In September 2018, South Sudan’s latest peace agreement, the Revitalised Agreement of Resolution of the Conflict in South Sudan (RARCSS), was signed. While all those who signed on behalf of parties to the conflict were men, seven of the 17 civil society signatories were women. In South Sudan, women made up only 15% of delegates in negotiations that led to the 2015 peace agreement, and 25% during the 2018 negotiations. While this represents a higher level of women’s representation than in many peace processes around the world, it is still insufficient.

A CSO activist stated, “Women were making noise at the negotiations but in access to justice women are side-lined”. (Interviewee 9: Skype – 15 July 2020). An academic expert on peace and security said, “there are powerful women within South Sudan and the surrounding countries belonging to CSOs that can play a major role there as part of any structure”. (Interviewee 3: Pretoria – 21 January 2020). A respondent who works with CSOs in peace and security in South Sudan stipulated, “Women play a very active role, they are seen to be neutral and they have that soft power. Women try to balance things.

In any society where there is war, women are always victims. So, they can appeal to the leaders”. (Interviewee 8: Skype – 13 July 2020). Adeogun & Muthuki (2017:88) assert,

Women’s organisations are making efforts towards peace building and the involvement of the society, especially women at the grass roots, via the bottom-up approach as much as possible, this had once again confirmed that women's organisation in South Sudan are using participatory/inclusion in their peace building efforts.

During this war, many people were killed in Northern Uganda, including women and children. It was during this conflict that Betty Bigombe was a member of parliament in Uganda, and she was appointed the Minister of State for the pacification of North and North Eastern Uganda. She was tasked with seeking a peaceful end to the violent conflict there, and she was able to reach out to Joseph Kony, the rebel leader, and initiated talks that brought the rebel leaders and government ministers face to face for the first time. As stipulated by the Centre for Humanitarian Dialogue (2020: 1), “Betty Bigombe played a key role in bringing Joseph Kony, leader of the Lord’s Resistance Army, to peace talks during the early 1990s. She was a Government negotiator, engaging one of the most brutal armed groups the world has known in her efforts to end the civil war”. Adamson (2020: 3) adds,

Bigombe emphasizes the important role of women and community members in peacebuilding. During her work in Northern Uganda, Bigombe stayed in camps for internally displaced people, shared meals with them, and listened to their stories. She shared the essential role that grassroots women played in suggesting solutions and providing ways for her to connect with violent parties. Bigombe highlights these local women as “unsung heroes” within peacebuilding efforts. She has worked to demonstrate the key role women play in peacebuilding and lift up other marginalized voices.

Although the peace talks between Joseph Kony and the Ugandan Government collapsed, Betty Bigombe has been applauded for her efforts, which saw the violence decreasing in Northern Uganda for a long time. She has also continued to urge the rebel leader to engage in negotiations with the Ugandan Government. In South Sudan, organisations such as EVE Organisation for Women Development, Women’s Coalition, and the Women Bloc worked together to influence the peace

process at a formal level. As stated in Pelham (2020: 7), “Women from both civil society and political parties overcame barriers to participate, both formally and informally, in the pre-negotiation, negotiation and implementation phases of South Sudan’s peace processes. Their participation went beyond just being present in relevant fora; women critically influenced the processes and agreements”.

One of the organisations, as stated in Adeogun and Muthuki (2017), is the Central Equatorial Women’s Association (CEWA). CEWA is said to be an intermediary between the Government and the women at the grassroots and focuses on domestic violence at the grassroots, as women are still unable to move freely due to insecurity. Voice for Change (VFC) focuses on participation and protection of women. They work to ensure that there is adequate participation of women in policymaking, especially in the security sector, because they say there cannot be sufficient protection for women if women are excluded from participating in policymaking positions and in the security sector. VFC believes that if women are in top positions in this sector, they are likely to influence policies that would protect women in the society. Saint Monica women’s organisation provides training at the grassroots level to empower women and internally displaced people.

They engaged through their observer status at the ARCSS in 2015, R-ARCSS (Nwoha and Were 2018). Women were also directly represented at the peace talks (Pelham 2020; Kumalo and Mullineaux 2019). During the ARCSS, at the beginning of the negotiations, there were three women delegates out of the ten SPLM-IO delegates, while the SPLM/A did not have any women delegates. During the R-ARCSS, there was increased representation of women’s organisations (Kumalo and Mullineaux 2019). The High Level Revitalized Forum (HLRF) and subsequent peace agreement was more inclusive than the previous ARCSS. Due to the women’s advocacy for inclusion, more women participated as delegates and signatories representing women’s organisations and civil society (Pelham 2020). The reviewed literature indicates that the Women Bloc was also involved in monitoring the implementation of the peace process working together with the Joint Monitoring and Evaluation Commission (JMEC). Nwoha and Were (2018) state that the women’s organisations focused on advocating for the importance of integrating women’s voices in the implementation of the peace agreement. According to Pelham (2020:8),

The Women’s Bloc secured full delegate status. With each subsequent round of the HLRF, there was a steady increase in the number of women delegates for political parties and civil society, increasing from 11 out of 90 delegates (12%) in December 2017 to 39 out of 120 (32%) by the end of the Addis Ababa rounds of



talks in May 2018. 43 In total, seven of the 17 R-ACRSS signatories from the stakeholder group were women representing different constituencies (including women's groups, civil society and youth).

Despite many challenges women in South Sudan face, including being marginalised and underrepresented at formal peace talks, especially women at grassroots, they gather together to engage in community-level peace building projects (Autesserre 2021; Nwoha and Were 2018; Adeogun and Muthuki 2017). The women's movement is said to be too weak and fragmented, especially in the rural areas, to actively participate in the mediation and its leadership. This is due to limited funding opportunities for women's grassroots organisations. Adeogun & Muthuki (2017:88-89) stipulate, "Some of these women's organisations are funded by politicians who merely want use them as a campaign strategy, and by so doing, they become stooges simply following the instructions of these politicians, whether good or bad". This causes fragmentation and lack of unity and cooperation among women's organisations.

Eight of those interviewed reiterated that some women serve interests of politicians and do not have a women's agenda. An expert in women, peace and security in Africa asserted, "A number of women fragmented initiatives were mushrooming in South Sudan. The political context of South Sudan leads to the fractured society and women's movement. There were also distractor forces from the process". (Interviewee 7: Durban – 25 February 2020). Most of those interviewed emphasised that through the support of the AU, IGAD and other institutions, the South Sudanese women's movement can be strengthened through networks in the region and in the continent.

This section discussed the participation of women in the leadership of informal mediation processes and highlighted that women in South Sudan and in Uganda have played a key role in leadership of conflict resolution and mediation efforts in their communities. The discussion indicated that women have been successful in helping their communities resolve conflicts and argued that women's groups such as the Women Bloc and the Women's Coalition influenced the participation of women as observers and as signatories at the high-level mediation talks. However, this thesis argues that there is still for increased women's representation from grassroots and rural communities to be included in the peace talks. The section highlighted the lack of strong solidarity and women's movement in South Sudan and the IGAD region and revealed that lack of strong women's movement impacted negatively on women's lobby groups for inclusion in mediation leadership in South Sudan mediation process.

#### **6.4. Reasons for the exclusion of women from mediation**

This section discusses the reasons offered for the exclusion of women in mediation and mediation leadership in South Sudan and elsewhere in Africa. Kumalo & Mullineaux (2019:1) stipulate, “Women have actively participated as agents for peace at grassroots level, while they remained excluded from the leadership of and formal peace processes such as mediation in South Sudan”. As stated in (Kumalo and Mullineaux 2019; Nwoha and Were 2018), South Sudanese women have always participated in peace processes, although not at the front lines of negotiations. Limo (2018: 43) states,

While there has been marked improvement in inclusivity, challenges still exist that impede the involvement of women in peace processes. Some of these challenges include lack of access to formal processes by women mediators or women with mediation expertise. In some cases, women lack sufficient and sustainable funding to support the peace process directly or indirectly. Sometimes, women lack the capacity and experience in mediating conflicts, and this locks them out from opportunities to be involved in mediation efforts. There are insufficient trained women mediators in most African countries.

Many of those interviewed argued that women played a key role in peace process before the independence of South Sudan from Sudan. The thesis revealed that women in South Sudan played some key roles in the absence of men during conflicts and were able to break the traditional barriers that prevented them from joining any job formerly regarded as men’s domain. Farai (2011) in Adeogun and Muthuki (2017: 84) add, “During the second civil war (1983–2005), the then leader of the Sudan People's Liberation Movement (SPLM), the Late Dr. John Garang, sought to more formally incorporate women into the resistance movement and they were directly recruited into the army branch of the Movement with the help of women's Battalion, which was formed in 1984”.

Pinaud (2013) emphasises that women’s role post-independence has been fading because of among others the lack of political will of the Government of South Sudan to empower and include women in decision-making positions. The role women played during the civil war in South Sudan, especially by women ex-combatants, is being forgotten. In addition, Pinaud (2014) states that affirmative action measures were only used by the military elite to employ their women spouses and those of the lower stratum members to occupy crucial posts in the security sector and Government. Reasons offered for why women are excluded from mediation as discussed below include the following: discrimination

of women in mediation, on-going conflict and risk to women, age and experience consideration for a mediator, high illiteracy among women, and culture and religion.

#### **6.4.1. Discrimination of women in mediation**

The majority of those interviewed stated that there is discrimination of women in mediation based on their gender. Potter (2005:13) argues, “The process for putting the lists together is described as ad hoc, and usually involves brainstorming to produce a list of people we know”. The list referred to here is the list of women delegates to the peace talks. An academic in peace and security in Africa stipulated, “There is no reason under the sun why women cannot be good mediators in the conflict like that, but Machar and Kiir will never accept that because they don’t want peace”. (Interviewee 3: Pretoria – 21 January 2020). According to Potter (2005), discrimination against women is still high at track one mediation across the world, and this is visible in South Sudan mediation process. This discrimination affects the appointment of women and that selection committee’s show direct and indirect prejudice. Potter (2005: 10) argues,

It is still unusual for men to include women in their informal networks, perhaps expressed through group socialising, drinking or sports activity. Such activities are certainly an important part of conflict mediation, given the need to build relationships with and between the belligerent parties, the leaders of which will almost always be men, and may come from cultures where women’s participation in public life is not routinely accepted.

#### **6.4.2. Ongoing conflict and the risk to women**

This study reiterated that the ongoing conflict impacts negatively on women’s empowerment and inclusion in mediation, since women are often seen as victims of conflict rather than as active agents in their own peace processes. Potter (2005: 8) states, “The unpredictable, demanding and sometimes dangerous nature of the job might put her off accepting such a position”. The conflict has increased sexual violence and insecurity of women, making it difficult for women to even make themselves available for mediation roles. He further stipulates, “The darker side of the sexuality issues relates to the sexism, sexual abuse and personal-security issues which women mediators are more likely to face than are their male counterparts” (Potter 2005:11). According to Amedzrator (2014:16),

In mediating and participating in peace processes, people become targets of perpetrators of conflicts. Some participants are

threatened during negotiations. People's homes are bombed, and their relatives could be jailed or killed or simply uncertain of whether or not they will live to see the next day (Brownell, 2011). These risks can deter women from participating at levels they would have preferred to.

In support, Kumalo and Mullineaux (2019) state that women did not participate meaningfully in the mediation process in 2015 because of fear. Women are often more fearful and afraid of being intimidated, harassed with their families, sexually violated or even killed. A research respondent working on women, peace and security in South Sudan said,

When women come and convene a meeting there is someone from the National State Security (intelligence) sits there in the meeting and women get scared to speak, so how will I raise any issues? That is the case so it took a while for women to come together as a collective to nominate people to be part of process like that. (Interviewee 1: Pretoria- 22 October 2019).

Aldehaib (2010:8) stipulates, "Conditions for women in this time of peace, are often more difficult than they were at times of war, raising the question as to whether the women of South Sudan really gained liberation from the liberation struggle".

#### **6.4.3. Age and experience a consideration for a mediator**

The majority of those interviewed stated that women are excluded from mediation leadership due to their age and their lack of experience in mediation as women are said to have no mediation experience. As stipulated in the literature review chapter of this thesis, track one mediation considers older mediators who are mostly men, and exclude younger women even if they have the training. According to Potter (2005:9), "Track one mediators are typically aged between about 55 and 75 years". Although ten of those interviewed argued that women mediators have been trained in recent years, the problem remains that they are not deployed and therefore they do not have the opportunity to get field experience.

A research respondent closely involved with women, peace and security work in Africa said, "What movements like FemWise and the Department of International Relations and Cooperation (DIRCO) have done is to say it's because women are not trained. So they trained and trained X number of

women. It's not the training, training has been efficient but it's not the training that gets you there. You need to be deployed by AU SADC or UN, and their criterion is xyz. You are either ambassador level upwards". (Interviewee 4; Pretoria – 27 January 2020). The reviewed literature states that there is not enough attention given to grooming women in their thirties and forties for this role (Potter 2005).

#### **6.4.4. High illiteracy among women**

Most of those interviewed stated that in some instances, women are excluded from mediation leadership because of their lack of education. A CSO activist working in South Sudan stipulated, "Women are faced with the challenges of capacity issues, lack of education". (Interviewee 8; Skype – 13 July 2020). According to Adeogun & Muthuki (2017: 9643), "over 90 per cent of South Sudan women are illiterate". Hove & Ndawana (2017:10) stipulate, "Education and training for both men and women can be used as a vehicle for removing the barriers toward the protection of women's rights, gendered participation, and equitable representation in the decision-making processes".

The lack of formal education, together with social discrimination, reduces girls and women's chances of acquiring the skills needed to gain public decision-making positions and to participate in political processes such as mediation (Amedzrator 2014). Potter (2005: 10) articulates, "Negative stereotyping of women's capacity for leadership and lack of role models remain a problem". In addition, "High illiteracy rates coupled with prevailing cultural norms, especially in the countryside, effectively bar women from participating at all levels of political activity or decision-making" (Kumalo & Mullineaux 2019: 4). Even where women are educated and trained, they continue to be excluded, those that were interviewed argued.

#### **6.4.5. Culture and religion**

Many of those interviewed argued that peacebuilding work is perceived as men's domain in South Sudan where women are not expected to be actively involved. Adeogun and Muthuki (2017) and Potter (2005) identify culture as one of the reasons for women's exclusion. Amedzrator (2014:14) argues, "When women show interest in participating in local peace processes, they are seen by men as violating culture and tradition, which have either placed women at the margins of public decision making or has excluded them from decision making positions".

Most of those interviewed added that South Sudan is predominantly Christian and this is a space dominated by men in a highly unsafe country. A research respondent who works on peace and security and the rule of law in South Sudan stated, "The other challenge is patriarchy in South Sudan". (Interviewee 8; Skype – 17 July 2020). According to Potter (2005: 8), "Many men and some women

still find it hard simply to picture a woman in certain roles, leading often to unconscious preferences and choices of men over women for leadership positions”. Culture exerts a lot of pressure on women to take care of children, older and ill members of the families, thereby limiting women’s chances of public engagement and leadership. Potter (2005: 8) articulates, “Responsibilities of care for the younger and older generations of families remain disproportionately borne by women”. In addition, “culturally, women are supposed to stay indoors, and not to participate in any public debate or decision making” (Adeogun & Muthuki 2017: 9647). Kumalo & Mullineaux (2019: 4) state, “South Sudan is a highly patriarchal society in which women have a very low status”.

This thesis revealed that women historically played leadership roles, but the impact of patriarchy in South Sudan has decreased women’s leadership role in peace processes and in mediation. Aldehaib (2010:3) supports, “Historically, women have held some leadership positions in South Sudan. These leadership roles have included positions such as religious leaders, clan leaders and political leaders. Unfortunately, the patriarchal dominance has been so overwhelming that it has not allowed for recalling this history of women’s leadership”.

This section discussed some reasons offered for the exclusion of women in mediation and mediation leadership in South Sudan mediation process, which include discrimination against women, the ongoing conflict and risk to women, high illiteracy among women, culture and religion. The study concluded that although illiteracy has been identified as a reason for the exclusion of women in mediation, most of those interviewed stated that there are women who have been trained in mediation, meaning that there are women who are capable but that there is lack of political will and commitment to appoint women and to address culture and religious stereotypes against women in mediation leadership.

## **6.5. Women left out of SSR and DDR**

Not only are women excluded from mediation leadership, they are excluded and marginalised from Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR) in South Sudan. A respondent working on women, peace and security in South Sudan explained, “Most of the problems that exist within South Sudan is the CPA and it was because CPA did not focus on state building, the CPA did not focus on what South Sudan would look like. So that was very much dominated by men, and peace agreement driven by men”. (Interviewee 1 – Pretoria: 22 October 2019). Gordon et al (2015) state that women and men experience conflict differently and that they have different security concerns during and after conflict.

Security and justice sector institutions have to attend to women and men's concerns through integrating gender into SSR and DDR programmes throughout all stages. Women and men have to be included in planning, developing and implementing SSR and DDR programmes, be represented in SSR outcomes and have their needs attended to.

In the interviews, it was mentioned that women have not been sufficiently included in SSR and DDR, as evidenced by the limited number of women appointed to the leadership of security institutions such as the army and police. Munive (2013: 35) defines SSR as "A process aiming at the transformation of ineffective, unprofessional and unaccountable security institutions into effective and democratic ones". Many of those interviewed argued that the lack of implementation of the SSR and DDR of the 2005 Comprehensive Peace Agreement (CPA) are the causes of the continued exclusion of women from SSR and DDR in South Sudan. A staff member at the IGAD mediation unit stipulated,

There are a lot of things on the CPA that were not implemented. CPA should have prepared South Sudan for governance for the six years, but that was not done. CPA was comprehensive but the implementation – as they say the devil is in the details was a challenge. There was no political will to make sure it is implemented, also guarantors were selective in implementation. Three key issues that could have been ironed out were left out, were not addressed only one- right to self-determination was addressed, SSR and DDR were not addressed. (Interviewee 10: Skype – 16 July 2020).

Ten of those interviewed view SSR and DDR as key elements that go together, however in South Sudan, women remain largely excluded from these processes. A staff member at the IGAD mediation unit stipulated, "Equality is concerned about men and women, first recognizing that things are not running the way they should be where women have equal roles in terms of decision-making, governance and leadership". (Interviewee 10: Skype – 16 July 2020). According to Gordon et al (2015: 13),

Gender, even though viewed as a priority at the policy level, has not generally been prioritised by the international community in SSR programmes in South Sudan. Gender is applied if and when

other priorities are not too demanding or urgent, leading to a lack of systematic mainstreaming and implementation.

Lamb and Stainer (2018) articulate that in South Sudan, international and local attempts were made to facilitate DDR coordination in a fragile and complex political and operational environment. The DDR in South Sudan was meant for participants to choose any agriculture and livestock, including fishery and forestry, small business development, vocational training, and adult education. However, the implementation was problematic (Gordon et al 2015; Munive 2014).

Munive (2014: 334) stipulates, “The DDR process as stipulated in the security arrangement of the 2005 CPA was envisaged as an interim security measure to address the core issues of proportional force downsizing, rationalization and standardization in the formation of a national Sudanese army”. Most of those interviewed stated that this was not achieved, as many ex-combatants and women were side-lined and excluded from SSR and DDR in South Sudan. According to a staff member at the IGAD mediation support unit, “Equality requires affirmative action to ensure representation even into public offices. This is a process which we hope will reach where we hope it will reach”. (Interviewee 10: Skype – 16 July 2020). Lamb & Stainer (2018:2) confirm the importance of DDR in South Sudan,

The disarmament, demobilisation and reintegration (DDR) of former combatants are frequently key components of peace support operations. In basic terms, DDR is the process through which armaments (particularly firearms) are recovered from combatants, who are in the process of exiting their respective military organisations and becoming civilians. Support by international organisations, government and civil society organisations is usually provided for this transition.

This study revealed that there seems to be a disconnect between the SSR and DDR in South Sudan, as not all aspects of the SSR and DDR have been met and implemented in South Sudan. Onditi et al (2018: 43) state, “One of the strategic pillars in the CPA was the programme on DDR in South Sudan, it did not happen as planned for fear of skewed disarmament”. According to Lamb & Stainer (2018: 2), “The coordination of the DDR components and the synchronisation of DDR with other aspects of the peace support operation has been particularly complex and challenging”. Detzner (2017: 6) supports, “SSR provisions are increasingly included in peace agreements, usually drafted in



negotiations with the most powerful warring parties and those donors willing to fund such efforts. As a result, they often fail to address the security concerns of ordinary citizens or less powerful groups”.

According to Munive (2013), the DDR programme in South Sudan did not state specific implementation details and did not undertake any significant DDR operations, other than a small project for the elderly, disabled combatants, children associated with armed forces and minority groups. This is due to funding challenges as discussed in Detzen (2017) that, donors and Governments do not plan adequately for funding DDR and SSR, which can leave donors afraid of having to fund indefinitely in case they respark war. In indicating that women are marginalised at the DDR programme, Munive (2014: 334) states,

By late 2011, only 12,525 combatants and Women Associated with the Armed Forces (WAAF) had been demobilized (out of the projected 90,000), and even fewer were assisted with reintegration. The DDR faced serious delays due mostly to the broader but bona fide challenge of designing and implementing such a complex exercise in a difficult environment.

The inclusion of women in SSR and DDR has been emphasised as important in South Sudan. Mai (2015: 4) argues, “Women and their organisations could provide useful perspectives into security sector reforms (SSR)”. Detzen (2017) supports the direct integration of non-State security and justice actors, especially women, into DDR and SSR. This is an acknowledgment of their security provision role and as a step toward legitimising and establishing oversight over the programmes. There has been no coordination between women’s organisations and other key stakeholders in DDR and SSR to ensure inclusion of women in SSR and DDR programmes in South Sudan (Lamb and Stainer 2018; Gordon et al 2015). One of the key issues on SSR and DDR is the inclusion of women, and it has not been widely considered in South Sudan.

The study revealed that SSR and DDR in South Sudan are male-dominated, militaristic and influenced by patriarchy. According to Pugh (2001) and Gourlay (2000) in Lamb and Stainer (2018), military organisations are, hierarchical and martial in their nature, and they are often reluctant to actively collaborate with non-military organisations such as women CSOs. A diplomatic expert on peace and security in South Sudan argued, “In South Sudan although they have accepted this 35%, some sectors don’t have it. Security sector does not have 35% female representation while other sectors have more than 35% women. We can say it’s not fully implemented, there are flaws”. (Interviewee 5: Pretoria,

12 February 2020). According to Kumalo & Mullineaux (2019: 2), “while the 35% representation of women in transitional justice processes bodes well for women’s ability to shape these processes in a gender-sensitive manner, the delay in establishing relevant mechanisms is worrying”. The SSR and DDR programme have not succeeded, as there was lack of political will and commitment from the government of South Sudan to fund and support the DDR implementation in South Sudan. The political will necessary to endow existing institutions with power and purpose for their effective operation is lacking in South Sudan. Political will is required in implementing the 2018 revitalised peace agreement.

The reviewed literature states that the refusal by key actors to downsize their active-duty forces impacted negatively on the inclusion of women in the SSR and DDR programme in South Sudan. The government and warring parties are reluctant to do so, as none of the key actors ensured meaningful women’s inclusion in SSR and DDR in South Sudan (Detzner 2017; Munive 2014). An expert in military, peace and security pointed out, “South Sudan continues to be one area where DDR simply has not worked. No one has been disarmed and there are no assembly points for disarmament to take place. There is no central Government that is willing to do that”. (Interviewee 2: Pretoria, 30 October 2019). According to Detzner (2017: 1), in South Sudan,

There is failures to correctly assess the post-conflict security environment, failures to ensure local ownership of reform efforts, failures to devote sufficient resources and attention to disarmament, demobilisation and reintegration (DDR, a process with close ties to SSR and force integration), failures by donors to coordinate goals and resources, and failures to include critical parts of both the de jure and de facto security sector in reforms.

Only a few women are included in the leadership of security institutions such as army, police and intelligence. One of them is the current minister of Defence and Veteran Affairs – Angelina Teny, the wife of Riek Machar, who is South Sudan’s first vice president and leader of the SPLM-IO. Rebecca Nyandeng Garang, the wife of the late SPLM leader John Garang, is currently the fourth among the vice presidents of South Sudan (Government of South Sudan 2020). These two appointments indicate an improvement in women’s representation but there is still a long way to go for South Sudan to ensure inclusivity across elitists and grassroots women in SSR and DDR. The Japan International Cooperation Agency (2017: 9) stipulates,

Women's participation in the security sector is limited because of traditional perceptions that accord men with the role of protectors, and the minimum education level requirements for new recruits which many women cannot attain. It is estimated that women comprise less than 10% of the SPLA. No significant improvements were found in the recruitment of women into the security and law enforcement sector, or in women's participation in decision making.

Some of those interviewed argued that the exclusion of women continues in key leadership positions. An academic expert on military, peace and security argued, "I don't see Salva Kiir in the position desiring peace. We have got him where we have now because of pressure from outside sanctions. Political will continues to be absent. It's his game, no place for women". (Interviewee 2: Pretoria – 30 October 2019). There is exclusion of women from the leadership of security institutions such as the police in South Sudan. Relief Web (2012:3) postulates,

Unconfirmed official estimates suggest about 25 percent of the force is female, which is largely because of their presence in the SPLA and subsequent transfer. Their potential to contribute to improving the police service is being overlooked since they are often relegated to administrative roles, sewing, and making tea.

The operationalisation of the integrated DDR approach has not been a simple process in South Sudan. Tensions, conflict, inadequate communication, and incongruences in terms of organisational culture and priorities characterised the relationships between key organisations and institutions responsible for SSR and DDR. These undermine the effectiveness of the SSR and DDR coordination infrastructure, caused by external factors such as an unstable security environment (Lamb and Stainer 2018). Detzner (2017) adds that failure to implement is the problem with SSR and DDR in South Sudan due largely to a failure to coordinate the programme among all international and national actors involved.

Munive (2014: 335) argues, "South Sudan's DDR programme invisibilizes, obscures and ignores the ex-combatants' endogenous capacity for resilience and adaptation through eliding actual strategies of economic survival and evidence of people-led recovery". The literature reviewed indicates that the police lack capacity and training to deal with the population because most of them are illiterate (Gordon et al 2015). In addition, the police have not been able to address women's concerns on sexual

violence, as they continue to be ridiculed and mocked by the police when they visit the police stations to open cases of violation of their rights (Relief Web 2012). Detzner (2017: 3) stipulates, “Human security concerns are theoretically the heart of SSR, due to the destabilising effects of daily insecurity. However, the organs of the security sector most involved in this area the police, the prisons and the judiciary have been persistently neglected or omitted from African post-conflict efforts”.

According to Relief Web (2012: 2), “Training officers with an emphasis on police skills that are respectful of basic human rights is also an ongoing challenge. The South Sudan Police Service (SSPS) is addressing the fact that many of its members have little or no formal education by retiring elderly officers and the illiterate that it inherited from the Sudan People’s Liberation Army (SPLA)”. Detzner (2017: 4) argues, “The police have been used as a source of jobs for demobilised soldiers with minimal if any attempt at vetting or retraining, worsening already weak institutions”. The lack of coordination, research and evaluation of the SSR and DDR in relation to women’s inclusion in South Sudan impact negatively on the effective implementation of the programme as women continue to be side-lined and marginalised (Detzner 2017). Hendricks (2011: 1) stipulates, “There is lack of substantial research on women in African militaries, women in Security Sector Reform, the impact of peacekeeping missions on gender equality, and the roles of traditional institutions in the perpetuation or transformation of gender relations during and after conflict”.

The lack of local ownership of the SSR and DDR programmes in South Sudan impact negatively on women’s inclusion in these processes. According to Gordon et al (2015: 1), “Local ownership is one of the core principles of successful SSR projects and that local ownership without gender equality is meaningless”. In South Sudan the decisions on SSR and DDR are dominated by Government, mostly men and warring parties without much engagement of non-State actors and women’s organisations. Gordon et al (2015) argue that local ownership of SSR and DDR should be inclusive and not limited and dominated by men, State-level security, other political structures and elites. This is believed to further disempower women in South Sudan. According to Detzner (2017: 1),

In the absence of any alternative path to the same critical ends, i.e. stable, self-governing states in which citizens enjoy basic security and justice services, do not export security problems (refugees, militants, drug-traffickers, etc.), and do not require continual aid and periodic intervention, SSR remains indispensable.

The reviewed literature emphasises that if SSR programmes are not locally owned, they result in security and justice sector institutions that are not accountable or responsive to the needs of the local people. The local ownership has to include women for it to be effective, but in South Sudan women are not offered the opportunity to contribute, participate and to own the process on an equal level with men. Gordon et al (2015: 14) argue,

There are a number of examples of tension between gender and local ownership to be found in the South Sudanese context. One such example is the requirements by the international community that the SPLA is professionalised and that personnel serving are literate and educated. Since women are less educated than men, and often illiterate, they are frequently left out of initiatives and programmes.

Such institutions lack public trust and confidence in South Sudan (Gordon et al 2015). This further undermines the extent to which SSR and peacebuilding efforts can be successful. The importance of gender mainstreaming in SSR and DDR, if recognised, could likely promote gender equality in SSR and DDR in South Sudan (Gordon et al 2015).

The challenge of insufficient communication between Government and citizens in South Sudan regarding SSR and DDR impact on their implementation. Communication in this regard would be on how the SSR is done and who is involved in DDR as these two processes go hand-in-hand. This communication would contribute to getting local actors actively engaged in SSR processes, improve trust and confidence of the citizens in their Government, as well as allow local actors to input into security sector institutions, policies and their outputs. This would likely ensure that the SSR and DDR programmes respond to local needs, resonate with cultural values, and are accepted by most of the citizens. The reviewed literature indicates that in many cases security sector institutions and policies designed by outsiders and not aligned to local customs, traditions and practices have been rejected by the local population, further impacting on the success of the SSR and DDR programme (Gordon et al 2015).

For Munive (2014: 336), “A common challenge for all DDR programmes whichever model adopted is how to reintegrate ex-combatants into civilian life”. Lamb & Stainer (2018:1) support,

In South Sudan, coordination appeared to have been negatively affected by hierarchical, convoluted and inflexible organisational structures and arrangements. Further contributing factors included: inadequate communication; uncertainty over roles and responsibilities; and unequal access to financial resources. It was apparent that these arrangements and dynamics fostered inter-organisational tensions and eroded trust between stakeholders. This ultimately resulted in fragmented and sub-standard DDR outcomes.

There is a general lack of awareness of women's rights in South Sudan, including their right to be appointed to leadership positions in government and security institutions. Gordon et al (2015:12) articulate,

The South Sudanese security sector is male-dominated and gender discrimination is common. On the surface, local security actors do not oppose gender equality, but in reality little is done to empower women in the security sector and engage with women's organisations about security issues. Women's organisations are often excluded from security forums and decision-making processes.

Women's rights are also violated as they are denied access to justice by Government officials who may be ignorant and illiterate and may not be aware that women have rights. According to Gordon et al (2017: 2),

Failing to promote gender equality undermines the extent to which SSR programmes result in security and justice sector institutions that are representative of and responsive to the needs of both men and women. It can also perpetuate structural inequalities and conflict dynamics and, ultimately, limit the success of SSR and broader peacebuilding processes.

According to Hove & Ndawana (2017:3), "This is evident from the stigmatization of victims, pressure exerted by families, and inadequate training of the police and other stakeholders in the justice system,

and as a result many GBV cases go unreported”. Kumalo & Mullineaux (2019:5) explain, ‘A lack of access to legal recourse, and customary practices, further marginalise women’. Aldehaib (2010:8) argues, “South Sudanese women who were part of the liberation struggle have found themselves without the expected gains of equality and liberation. The institutionalisation of customary law in highly patriarchal shape fails to transform gender identity to accord with the celebrated peace and liberation”. This is supported by Gordon et al (2017:3), “SSR programmes need to ensure that women actively engage in SSR programmes for their specific security and justice needs to inform decisions about future security structures. Unless the specific security needs and concerns of the marginalised are addressed in SSR programmes, post-conflict security and justice will be illusory”.

This section analysed SSR and DDR in South Sudan and the exclusion of women from the SSR and DDR programme. The thesis revealed that there has been limited commitment, lack of political will and sufficient funding by the Government of South Sudan to effectively implement the SSR and DDR programme. Some of the issues that impacted negatively on the SSR and DDR programme identified are tensions, conflict, inadequate funding, inadequate communication, lack of local ownership, and inadequate research. These undermine the effectiveness of the SSR and DDR coordination infrastructure. This section further noted the exclusion of women from the leadership of security institutions in South Sudan such as the army, police and intelligence. This section concluded that an inclusive and gender-sensitive SSR and DDR are not promoted or implemented in South Sudan, despite the legal framework to support women empowerment and inclusion in SSR and DDR as enshrined in the NAP on implementing UNSC resolution 1325 among other instruments.

#### **6.6. The problem of equal opportunity: “Women must be given space”**

One reason women continue to be excluded from positions of power in general is the lack of access to equal opportunities for women, which is also evident in South Sudan. From a gender mainstreaming point of view, empowerment of men and women and the recognition that they have an equal and important role to play in resolving conflicts is key (Mai 2015; Hendricks 2011). A research respondent working on peace and security and the rule of law stipulated, “There are two explanations to equality, one from human rights and one involves structural and substantive equality such as affirmative action. We need to ensure that women enjoy the same rights”. (Interviewee 11: Skype – 17 July 2020). Equal opportunities involve considering the perspectives and behaviours of women and men (McKay 2004 (b)).

For a CSO activist working on peace and security in South Sudan, “there has to be equal enjoyment of human rights by women and men. Good opportunities for all in all aspects of life and inclusivity in

any leadership position. Women are important as they played an active role in the liberation. We should not undermine the role of women in any leadership positions”. (Interviewee 9: Skype – 15 July 2020). A diplomatic expert on peace and security similarly stated, “People should have the same rights and opportunities regardless of their gender. In an ideal world there wouldn’t be need for quotas because everything is equal, you need to fix the flaws that you have already made. So that you get to that perfect stage where there is no need for any quotas”. (Interviewee 5: Pretoria – 25 February 2020).

Most of those interviewed stated that equality is about taking into consideration perspectives of men and women on how the conflict in South Sudan can be resolved. A research respondent working with CSOs in peace and security in South Sudan stated, “Equality means balancing the number of women and men. Women must be given space”. (Interviewee 8: Skype – 13 July 2020). Seven of those interviewed indicated that alternatives to overcoming insecurities have to be developed by men and women to have equal opportunities to express their views and contribute equally and meaningfully in the process.

Many of those interviewed stressed that men and women must be equally involved in developing programmes for peace in South Sudan. A research respondent working on peace and security and rule of law in South Sudan stipulated, “These include women taking part in resolving conflicts. This can be done by appointing women into certain positions, and protect families, the principle of *Ubuntu*. Promote equality on the basis of dignity and allow women to participate like men”. (Interviewee 11: Skype – 17 July 2020). *Ubuntu* refers to “Fundamental principles of humanity and being aware that we are because of one another and that people should strive to do good for one another. Its most fundamental sense represents personhood, humanity, humaneness and morality” (Mokgoro, 1998: 2). As stipulated in the literature review chapter of this thesis, analysing the potential effects of conflict and its resolution on both women and men is important, as men and women experience the erosion of security differently and their different views and perspectives must be considered in finding lasting solutions (McKay 2004 (b)).

Most of those interviewed argued that women experience inequality in the mediation process in South Sudan, especially at leadership positions. An academic in peace and security in Africa stipulated, “You need to engage with the women as equal partners. Their answers may be different from what you have at that point”. (Interviewee 3: Pretoria – 21 January 2020). Research arguing for the inclusion of women indicates, “Gender-responsive strategy based on inclusion is conceived as working in concert with power-sharing approaches to conflict resolution, adding legitimacy and representation to peace processes” (Byrne & McCulloch, 2012: 4).



Inequality has to be addressed because it threatens women's rights and makes them more vulnerable (Mai 2015). According to Aldehaib (2010:1), "Despite the hopes of change that the CPA brought, narratives of violence against women in South Sudan have increased since the end of the war". In this case, it is important in terms of equality in power and decision-making, women's human rights, that women and men are actors and active agents of peace, not only women as victims (Mai 2015; McKay 2004 (b). According to a diplomatic expert on peace and security,

When it comes to peace agreement we need the female representation because it's such a large part of society, and you need representation from that part of society to address future challenges. If you want economic growth, you must find a way to include women to work rather than keep them at home or locked away. Even looking at the softer side, looking at the economy, including women into the discussion helps the agenda move forward. (Interviewee 5: Pretoria – 12 February 2020).

Hendricks (2011) supports that it is important to mainstream gender beyond the mere inclusion of more women in security institutions, to the imperative of transforming gender relations within those institutions and the processes of post-conflict reconstruction. For a CSO activist, "it is important to have women in the leadership of mediation process in South Sudan. In Rwanda, women are leading, there is economic reform. South Sudan has some women who are educated but the problem is that women are not given the opportunities. The opportunities are given to Generals". (Interviewee 9: Skype – 15 July 2020). A research respondent intimately involved in the peace process in South Sudan explained, "If you have more women in an agreement, women would think of what is important for society. If we follow what research says we should have more gender sensitive language. When you have more men, you have a more militaristic security focus and arrangement". (Interviewee 1: Pretoria – 22 October 2019).

It is significant that women were part of the liberation struggle, but since independence they have been side-lined and excluded from leadership of State institutions and mediation. A member of staff at the IGAD mediation unit asserted, "In South Sudan when people went to fight, women also went to fight, and we had women's battalions. Young women fought for the liberation of the country, but no symbolic moves were made into policy. Equality requires affirmative action to ensure representation even into public offices". (Interviewee 10: Skype – 16 July 2020). Pinaud (2015:373)

adds, “Women have supported, willingly or not, the Sudan People’s Liberation Army’s (SPLA) struggle of 22 years that led to the country’s independence in 2011 as part of the 2005 Comprehensive Peace Agreement”.

The creation of the only “girls’ battalion”, known as Ketiba Banat, became an incubator for the creation of a new female elite and it fulfilled political and social functions for the 22 years of the struggle. However, the challenge noted is that the SPLA lacked inclusion of women in its political agenda from the beginning and the long-term implications for its only girls’ battalion were not articulated (Pinaud 2015). The situation in the post-independence dispensation in South Sudan indicates very little inclusion of women in key decision-making positions within the Government of South Sudan, especially in security institutions. Pinaud (2015: 375) emphasises “Little information exists on women’s military history in South Sudan”. Women were not mentioned in the SPLA’s Manifesto and were not mentioned in advocating for equality (Pinaud 2015).

The constitution of South Sudan stipulates that all levels of Government should enact laws to combat harmful customs and traditions which undermine the dignity and status of women. Despite this, customary law in South Sudan discriminates against women (Ali 2011). This is worsened by high illiteracy levels among women in South Sudan. According to McKay (2004 (a): 158), “Gender injustice perpetuates inequality, violates fundamental human rights, hinders healing and psychological restoration, and prevents societies from developing their full potential”. A member of staff at IGAD mediation unit emphasised,

Women represent 52% of the population and they should be represented in all areas of decision making. But South Sudan government is still a long way from achieving this due to the nature of the alliance of the Government of National Unity (GNU) where every party has to be represented by a leader who is a man. (Interviewee 10: Skype – 16 July 2020).

Ali (2011:3) stipulates, “With political will, resources, and a clear gendered strategy, the process of State building can open up opportunities for stronger support of women’s human rights and gender equality in the long run, including through mainstreaming gender”. In addition to not having decision-making power or equal access to opportunities, Aldehaib (2010:1) argues, “An important factor that has contributed to the increase in gender violence is that both the formal (civil law) and the informal (customary law) justice systems fail to provide redress for women who are victims of gender violence”.

Women do not have access to justice when they report violations of their rights especially those related to SGBV. Ali (2011:9) articulates,

Women are often silent about and rarely report incidents of violence, especially sexual violence, because of the stigma that survivors of sexual violence face. When women report sexual violence, they often first approach traditional judicial structures, which favour negotiated and restorative settlement rather than punitive action. Customary law often dictates that a girl who is raped should marry the perpetrator. Women and their families continue to use the customary justice system, which consists of chiefs and heads of clans who implement traditional practices to restore justice as defined by communities because the police and the justice system are ill-equipped to meet community needs and because of the rigid legal framework. Police officers often lack training to address the complex needs of survivors and victims of GBV.

According to Edward (2014), in South Sudan, customary law and customary courts represented by county courts predominates and these customary laws are in unwritten form. The challenge with these laws is that they draw on the interpretations of chiefs and elders of the society who are predominantly men, to rule cases. These pose serious challenges in local customary courts when they are applied to issues affecting women's lives and act against women's chances of getting justice. They limit or delay women's chances to seek legal help in serious cases and life-threatening situations. According to Kumalo & Mullineaux (2019:5), "A culture of impunity, attributed to a lack of political will and weak institutions, mean that perpetrators are unlikely to be brought to justice".

Women do not have funds required to access the legal system and as a result they do not have access to justice. As stated in Edward (2014: 27), "Women like any other person under the law have the right to appeal any case deemed unfairly ruled, but their access to justice is hindered by their lack of financial resources to pay the fees for filing a legal case against their abuser either in customary or civil courts". Many women are unaware of their rights and the legal system due to high illiteracy, and they do not know where to demand justice. This is supported by Kumalo & Mullineaux (2019: 2), "Legislative reforms aimed at eradicating gender inequality have not improved the lives of South Sudanese women and girls".

In the opinion of Kumalo & Mullineaux (2019:1), “To achieve positive peace in South Sudan, women must have access to justice, resources and meaningful representation in positions of power”. An expert on women, peace and security in Africa stated, “They succeeded to get together the military rulers, but they fail to accommodate all the other stakeholders from CSOs and that includes the very important role of women. Once you go to CSOs you cannot exclude women”. (Interviewee 3: Pretoria – 21 January 2020). Seven of those interviewed stated that with the current political situation in South Sudan, which is highly militarised, it is difficult to debate equality. An academic expert in military, peace and security argued, “Until the bullets stop firing then we can start to talk about women and children”. (Interviewee 2: Pretoria – 30 October 2019).

Most of those interviewed argued that there is lack of political will by men who are often leaders to ensure inclusive processes. An academic in peace and security stated, “It goes back to the political will. How many of these women are deployed as mediators and in the military is a different ball game”. (Interviewee 6: Pretoria – 18 February 2020). Desmidt et al (2017: 38) stipulates, “The inclusion of women’s groups, and civil society at large, in the mediation process led by IGAD has not been straight forward”.

Some areas that women are excluded from in South Sudan include the leadership of the election management body. Since the referendum election in 2011, the country has not held a democratic election. Many of those interviewed stated that due to the conflict, there has been widespread human rights abuses in South Sudan and no respect for individual freedoms. Onditi et al (2018: 40) argue, “Such an arrangement can only perpetuate covert power sharing among the elites at the expense of the society”. A CSO activist agreed with this statement, “We need rule of law, human rights, democracy and good governance in South Sudan. There are so many challenges women face such as lack of access to decision-making processes”. (Interviewee 9: Skype: 15 July 2020).

Women face indirect violence and structural violence which prevent them from actively participating in governance. McKay (2004 (b):161) explains, “Women are excluded and marginalized within peace negotiations and post-conflict peace accords. Lack of decision-making authority within political and economic systems. Inability to participate in elections and public life”. An academic in peace and security in Africa stipulated, “As long as people who can vote are not there, then there cannot be a legitimate Government. There is no legitimacy for anyone. They are just warlords that became politicians”. (Interviewee 3: Pretoria – 21 January 2020).

Eight of those interviewed referred to the fact that women have not been given an opportunity to run for the presidency. A CSO activist argued, “Leaders in this region are selfish and do not allow women to lead, there is bias against women”. (Interviewee 9: Skype – 15 July 2020). Jauhari (2010:186) supports, “A socially cohesive society in South Sudan can only be built with the consolidation of the basic democratic institutions and with political consensus”. Women, despite making up most of the population, fail to make it as candidates and into parliament. The appointments to senior Government positions in strategic institutions are in the hands of more men, without any meaningful inclusion of women (Kumalo and Mullineaux 2019).

This section analysed equality between men and women in the leadership of the South Sudan mediation process, and the space given, or not given, to women to participate. In line with the study’s research question, the data indicated that women are not given equal opportunities to be leaders in governance institutions and in the mediation process in South Sudan and they experience inequality in accessing services such as justice due to the customary law. It argued that it is important for women and men to be given equal opportunities in conflict resolution in South Sudan and in leadership of Government institutions. The argument for equal opportunities for both women and men is based on incorporating social justice, economic equity for all citizens in South Sudan, and renunciation of violence and armed conflict in preference for non-violent change and conflict resolution (McKay 2004 (b)). The study revealed that there is lack of political will and commitment from the Government of South Sudan to address inequality between women and men in decision-making areas and in mediation leadership.

### **6.7. Regional mediation and women’s exclusion**

As stated in chapter four on the history of the conflict in South Sudan, IGAD led all the mediation processes in South Sudan since the conflict erupted in South Sudan in December 2013 (Kumalo and Mullineaux 2019). Frontline States in IGAD, namely, Kenya, Uganda and Ethiopia, have been leading the mediation in South Sudan, represented by senior Government officials who are men. Johnson (2016) describes how the leaders of Sudan and Uganda along with those of Ethiopia and Kenya were the ones leading the mediation talks to resolve South Sudan conflict. These leaders included Yoweri Museveni of Uganda and Omar Al-Bashir of Sudan to mention but a few.

Bereketeab (2015:2) argues, “Women were included just in the negotiations as participants and not where final decisions were made during the peace talks. Women’s participation occurred during the plenary session, which reduced their impact on the peace talks and the final agreement”. The literature review chapter of this thesis highlighted that across the IGAD region, due to outbreaks of armed

conflicts, there have been several mediation processes with very limited inclusion of women. Unfortunately, this seems to be the global norm. Kumalo & Mullineaux (2019: 7) add,

Globally, women's participation in peace processes tends to be low. Between 1990 and 2017, women constituted only 2% of mediators, 8% of negotiators, and 5% of witnesses and signatories in all major peace processes. South Sudan's peace processes follow this global trend and its processes from 2013, particularly in the early stages, were largely co-opted by the warring parties. Despite progress in numbers, the influence women were able to wield was still limited. Those representing party positions during discussions and to the media were mostly men, and woman delegates were relegated to less active participatory roles. None of the chairpersons or spokespersons were women. In general, while there was some improvement in women's involvement in peace processes, the quality of their involvement remained insufficient.

An academic in peace and security in Africa postulated, "IGAD has been dealing with these conflicts for quite a while without any inclusion of women in the leadership of regional mediation teams". (Interviewee 3: Pretoria – 21 January 2020). Most of those interviewed talked about the challenge of CSOs' exclusion from IGAD mediation processes in general. A CSO activist working on peace and security and the rule of law in South Sudan added, "But a key question is what a CSO in a country affected by war is? Is it CSO or a movement?" (Interviewee 8: Skype – 17 July 2020). According to Bereketeab (2019:12),

Compared to other RECs, particularly ECOWAS, IGAD is perceived as a weak link with regard to civil society engagement and activities in an organised and institutionalised peacebuilding process. IGAD has not demonstrated veritable efforts to foster, mobilise or engage CSOs. CSOs participation in IGAD is extremely weak, denying it popular support.

A CSO activist working on peace and security and the rule of law in South Sudan said, "The mediation worked within a framework influenced by IGAD and the warring parties. There is limited participation of churches". (Interviewee 8: Skype – 17 July 2020). There were no women involved in the first

mediation talks after the 2013 conflict erupted. General Lazarus Sumbeiywo was the lead mediator for mediation team of experts comprising three experts, (Lanz and Glasser 2013). The majority of those interviewed reiterated that in the 2015 mediation, IGAD did not comprise any women besides the IGAD secretariat, which provided support to the mediators with three women staff. A CSO activist working on peace and security and the rule of law in South Sudan stipulated, “The real women from rural communities are not included, who is representing them, where is their view?” (Interviewee 8: Skype – 17 July 2020).

Some of those interviewed argued that apart from IGAD’s failure to include women in the leadership of their mediation processes, there is also the issue of competing agendas, and the fact that those from frontline States who were involved in the mediation have their own problems to deal with back at home. An academic expert on military, peace and security emphasized,

Addis, Kampala, and Al-Bashir, in terms of their earlier alliance have disappeared. Addis is no longer interested in the external issues on South Sudan, there are more problems internal for Ethiopian Prime Minister Abiy Ahmed. And the same is true with Yoweri Museveni and so that has really changed the context of mediation in South Sudan. (Interviewee 2: Pretoria – 30 October 2019).

Most of those interviewed stipulated that the role of IGAD’s frontline States, Uganda, Kenya and Ethiopia, in South Sudan mediation has been appreciated to some extent with some critics highlighting that these countries are biased and also have interests in South Sudan. A CSO activist working on peace and security and the rule of law in South Sudan postulated, “The IGAD mediation has no idea on what to do with the situation in South Sudan”. (Interviewee 8: Skype – 17 July 2020).

Although IGAD has played a key role in South Sudan mediation, and has hosted some mediation and negotiation meetings, IGAD members are not in agreement on an approach to use in South Sudan (Muller and Bergmann 2019). An academic in peace and security in Africa stated, “IGAD has been playing a very prominent role in the current peace agreement on the table. But IGAD within themselves are not agreeing on what direction to follow, such as on women’s inclusion”. (Interviewee 3: Pretoria – 21 January 2020). An expert on the South Sudan peace process confirmed, “IGAD is the guarantor of the peace but they have their internal issues and so they are distracted from South Sudan and that explains the exclusion of women”. (Interviewee 1: Pretoria – 22 October 2019). An academic

who works on peace and security in Africa said, “There are other actors within IGAD, economic and political actors with different interests”. (Interviewee 6: Pretoria – 18 February 2020).

In addition, IGAD’s limited capacity is cited as a challenge to effective and inclusive mediation in South Sudan. There is lack of trust and confidence among IGAD Member States that they can act as neutral mediators in South Sudan. IGAD Member States are biased in South Sudan mediation and as such they fail to be objective and neutral in their approach. A research respondent closely involved with women, peace and security in Africa argued, “This is how complicated this has been. IGAD consists of the very countries that are party to the conflict. IGAD has a weak capacity to sustain any peace agreement”. (Interviewee 4: Pretoria – 27 January 2020).

IGAD’s region has experienced most conflicts in the recent years because mediation is not institutionalised within IGAD. A number of those interviewed discussed how unlike in the Economic Community of West African States (ECOWAS), peace and security are not institutionalised within IGAD. A research respondent intimately involved in the South Sudan peace process asserted,

IGAD has things in drafts, it’s not institutionalised. They would tell you they have the framework for IGAD, but it is not something for the institution, not institutionalised. The problem lies with its institutionalism and its role. IGAD does not have a good history of responding to conflict. (Interviewee 1: Pretoria – 22 October 2019).

Many of those interviewed argued that the AU plays a limited role in regional peace and security because of the rules on subsidiarity. Eight of those interviewed stipulated that although the AU plays a limited role, the continental body has been making calls for women to be included in the leadership of mediation, especially with 2020 marking the year for ‘silencing the guns’ in Africa and the twenty years’ anniversary of UNSC resolution 1325. A CSO activist stated, “The AU, UN and other bodies have cried about women inclusion in mediation. The AU should help South Sudan implement the revitalized peace agreement”. (Interviewee 9: Skype – 15 July 2020). Most of those interviewed stated that the rules on subsidiarity, on the contrary, give Regional Economic Communities (RECs) mandate to intervene and resolve conflicts in respective RECs. However, IGAD as a REC has failed to include women in mediation leadership not only in South Sudan but across the entire Horn of Africa region. An academic working on peace and security in Africa stipulated, “The AU should formalise women’s informal peacebuilding work and include the kinds of informal peacebuilding work they do into the



formal peace processes. When we do that the landscape of participation changes and would mean that women are more involved”. (Interviewee 6; Pretoria – 18 February 2020).

In conclusion, this section analysed the role of women in mediation in the IGAD region. The analysis indicated that despite the IGAD region having several armed conflicts, women have not been appointed by IGAD to lead any mediation anywhere in the region including in South Sudan mediation process. The mediation remains dominated by men as leaders with exclusion of women from the mediation leadership. The analysis pointed to a weak institutional capacity by IGAD and lack of political will to ensure the inclusion of women in mediation leadership anywhere in the region. Furthermore, the analysis indicated that IGAD Member States mediating in South Sudan do not have a common approach to resolving the conflict in South Sudan, as they are biased because of their respective economic interests in South Sudan’s resources, and that compromises the mediation efforts. The regional bloc is also accused of lack of trust among the mediating countries as they are alleged to be party to the conflict. The lack of political will and commitment to women inclusion in mediation leadership in South Sudan by IGAD had been highlighted as a key challenge.

An academic expert on military, peace and security stated, “I see a Government that only reacts almost to international pressure”. (Interviewee 2: Pretoria – 30 October 2019). A CSO activist working on peace and security in South Sudan argued, “Pressure from the international community forced warring parties in South Sudan to talk and sign the 2018 peace agreement. Something tangible has come up, which is the signing of the 2018 peace agreement, there was also some inclusivity. We need more pressure from the international community”. (Interviewee 9: Skype – 15 July 2020).

## **6.8. Patriarchy and women in mediation leadership in South Sudan**

This section analyses the culture of patriarchy and how it impacts on women’s inclusion in conflict resolution and the leadership of mediation processes in South Sudan. South Sudan is a highly patriarchal society with very little recognition and respect of women’s rights (Kumalo and Mullineaux 2019; Adeogun and Muthuki 2017). South Sudan has a patriarchal culture impacting negatively on women’s meaningful participation in politics, peace and security processes. Adeogun & Muthuki (2017:88) explain, “Patriarchy is an enormous issue that needs to be worked upon in South Sudan in order for the peace-building process to move on”. According to Shekhawat (2021: 1),

Two decades later since the passing of resolution 1325, patriarchal norms remain a constraint to female participation and inclusion in peace processes. Notwithstanding the intentions of

resolution 1325, women largely remain undervalued in peacebuilding. Their under-representation in peace processes is a harsh reality, despite NAPs and legislation in several States.

A research respondent working on peace and security and rule of law argued, “The challenges are patriarchy and violence”. (Interviewee 11: Skype – 17 July 2020). Adeogun & Muthuki (2017: 88) add, “Unless there is a re-orientation on the mind-set of the people of South Sudan towards the issue of patriarchy, there is a probability that there will always be relapses of war, which will negate the efforts of peacebuilders in the zone”. In the many cultures that make up South Sudan, it is a taboo for a woman to be involved in politics, as society expects a woman to take care of the home and children, and not to be involved in the predominantly masculine politics and peace work. According to Mai (2015:1), “The patriarchal nature of the South Sudanese society and the associated customary laws, the background on which peace-building works are to be executed, has in the past hindered (may still hinder) women’s participation in public life”.

Shekhawat (2021) emphasises that patriarchy is deeply rooted in South Sudan. States such as South Sudan run by patriarchal leadership do not do much to change the norms. A patriarchal mind-set is more common in traditional environments like South Sudan, and women in these traditional societies are excluded from claiming and demanding their rights to public space. Eleven of those interviewed supported that the patriarchal culture continues to impact negatively on women’s participation in politics and peacebuilding because of lack of support for women by their families. A CSO activist working on peace and security and the rule of law in South Sudan said, “The challenges are lack of education, patriarchy and violence”. (Interviewee 8: Skype – 17 July 2020). Aldehaib (2010:1) argues, “Customary law, which is protected by the CPA, continues to perpetuate gender inequality”.

Many of those interviewed emphasised that societies discriminate against women, those women who venture into politics are ridiculed and called names. Some of those interviewed stipulated that this continues to limit women’s participation and deny them an opportunity to contribute and share their perspectives on conflict resolution in South Sudan. A diplomatic expert in peace and security said, “Some cultures are more macho based on male leadership which is not a strength when it comes to finding durable solutions, and not a strength for a population as a whole. Including women in finding solutions is important”. (Interviewee 5: Pretoria – 12 February 2020).

Most of those interviewed postulated that women have little influence in decision-making about decisions taken at political and national level, and they have limited ability to be involved in political

decision-making processes. An expert on women, peace and security in Africa stipulated, “It’s been 150 years since men were leaders; it will take time. Patriarchy, structural challenges, cultural practices are a problem for women. South Sudan has the worst cultural and structural challenges”. (Interviewee 7: Durban – 25 February 2020). Shekhawat (2021: 3) adds, “The representation of women merely as victims and not as active agents of change is problematic”.

This section analysed the impact of patriarchy on women’s inclusion in mediation leadership, decision-making and peace processes in South Sudan. The analysis revealed the negative impact of patriarchy on women’s inclusion in mediation leadership in South Sudan. Women are ridiculed when pursuing political positions rather than being supported, and they are seen as victims and not agents of peace due to the impact of patriarchal culture which gives men more power in decision-making.

## **6.9. Conclusion**

This chapter analysed the data collected in line with the thesis’ research question on analysing the exclusion of women from the mediation leadership in South Sudan mediation process. The analysis was divided into broad themes as follows: the mediation tracks and the exclusion of women in South Sudan mediation leadership; areas where women have been involved in mediation; reasons offered for the exclusion of women from mediation; the absence of women from security sector reform in South Sudan; the problem of equal opportunity, “women must be given space”; regional mediation and women’s exclusion; and patriarchy and women in mediation leadership in South Sudan.

The study found that women are excluded from the leadership of the track one mediation process, despite women being active in resolving conflicts at informal tracks of mediation such as track three or grassroots level mediation. It further found that there is an overemphasis on track one mediation, while researchers could focus on other tracks such as track three mediation processes, where women play a leading role as agents for peace. The analysis indicated that women’s leadership at track three mediation could likely be strengthened, so that women can be assertive and be able to influence track one mediation processes. There seem to be a lack of strategies to strengthen track three mediation, where women are more assertive, so that they may influence track one mediation processes. The chapter further argued that women are excluded from track one mediation processes even after undergoing training on mediation across the continent because of a lack of political will to ensure inclusion of women in leadership of peace processes such as mediation and effective implementation of the WPS agenda. The analysis argued that this exclusion impact negatively on women’s active participation in mediation leadership and the peace process in South Sudan.

The chapter concluded that lack of political will and commitment from the AU, IGAD, South Sudan warring parties and Government of South Sudan to implement the WPS agenda are challenges to women's inclusion in mediation leadership in track one mediation processes. The analysis indicated that IGAD has not been able to support and deploy women in the region as leaders of mediation processes, despite several decades of armed conflicts in the region. The analysis highlighted the role of IGAD and RECs in ensuring inclusion of women in mediation and the leadership of mediation processes in South Sudan and across Africa. Although AU and IGAD have intervened, they have not been able to exert sufficient pressure on the South Sudan warring parties to effect change on exclusion of women from the mediation leadership in South Sudan mediation process and to ending the conflict in South Sudan. This chapter highlighted the reasons offered for exclusion of women in mediation and mediation leadership in South Sudan as follows: discrimination against women, ongoing conflict, age and experience consideration for a lead mediator, high illiteracy among women, and culture and tradition, which impact negatively on women's active participation in leadership of mediation processes.

In relation to SSR, it was discussed that women are excluded here too, and are hardly appointed into leadership of security institutions despite being there in those institutions and having served in the battalions during the struggle for liberation from Sudan. In line with the study's research questions, the data revealed that women are excluded from key leadership positions in peace processes because of among others the lack of equal opportunities for women to exercise equal right to leadership in the mediation process, lack of political will and commitment to inclusion of women from the SSR and in governance. These perpetuate marginalisation and exclusion of women from leadership in conflict resolution processes at a high level.

Women's agency is not recognised as they are regarded as less educated, they are overlooked, undermined and are seen as vulnerable victims that need the protection of men, rather than as active agents for peace. The analysis revealed that even in cases where women are educated, they are excluded because there is no political will to implement the WPS agenda across the IGAD region and in South Sudan specifically. The chapter further argued that women in South Sudan do not have equal access to the justice system for violations committed to them during the conflict due to the customary law in South Sudan.

The analysis concluded that the women's movement in South Sudanese and in the IGAD region is weak. The analysis argued that it is imperative that women mobilise across political affiliations, ethnic divides and across countries to speak in one voice and be able to influence the peace process

particularly the leadership of the mediation process and its outcomes. A contributing factor is that women remain underrepresented in the leadership of mediation due to the patriarchal culture in South Sudan. The study has revealed that despite some reasons offered on why women are excluded from mediation in South Sudan, there are many women in the continent who have been trained, some are highly educated in the field of mediation and diplomacy, but there is no political will and commitment to deploy women in any mediation leadership across Africa and in particular in South Sudan mediation.

Despite these reasons, the chapter also explored some areas where women have been included in mediation and found that women in South Sudan and in other countries such as Uganda, Sierra Leone and Liberia have been actively involved as agents of peace and mediators at grassroots and community level. This is where women's agency for peace has been visible as they engaged with the warring parties and assisted in resolving the conflicts. Twenty years after the adoption of UNSC resolution 1325, it is clear that international, regional and national actors need innovative ideas to solve conflict related challenges in South Sudan. A possible source of fresh perspectives and alternative approaches that remains largely excluded are women and should be used to contribute to sustainable peace in South Sudan.

The next chapter concludes the study and gives recommendations on related issues that emerged from its findings. It further gives recommendations on related issues that emerged out of the study on the analysis of the exclusion of women from the mediation leadership in South Sudan mediation process. The study's recommendations as discussed are for the Government of South Sudan, IGAD, CSOs in South Sudan, development partners and the AU.

## **CHAPTER 7: Conclusion and recommendations**

### **7.1. Introduction**

This thesis used gender and gender mainstreaming in mediation as the conceptual framework for analysing the exclusion of women from the mediation leadership in South Sudan's mediation process. The study investigated the reason for the exclusion of women from mediation leadership in South Sudan specifically and in Africa broadly. The study also evaluated the challenges women face in mediation leadership in South Sudan. The study highlighted where women have been involved in mediation across Africa and presented obstacles women encounter in mediation leadership in South Sudan specifically and in Africa broadly.

The study further analysed the National Action Plan (NAP) on implementing UNSC resolution 1325 in South Sudan, the Inter-Governmental Authority for Development (IGAD), the Regional Action Plan (RAP) on implementing UNSC resolution 1325 and their implementation in South Sudan as well as in the IGAD region respectively (Desmidt et al 2017). Lastly, the study analysed the AU Maputo protocol on the rights of women in Africa with a specific focus on articles relevant to the Women, Peace and Security (WPS) agenda in Africa broadly and in South Sudan specifically. The argument was made that despite a robust policy framework supporting the inclusion of women at high levels of mediation leadership, they continue to be marginalised.

The rationale for the study focused on the relationship between the adoption of the global WPS agenda, UNSC resolution 1325, and implementation of the resolution through developed RAP on implementing UNSC resolution 1325 and the NAP on implementing UNSC resolution 1325 in South Sudan (Hudson 2017). Although the UN has "Spearheaded efforts to take women and other vulnerable groups into account in terms of peace and security issues" (Desmidt et al 2017: 2). This has not had any significant results in the mediation process in South Sudan. As Desmidt et al (2017: 1) argue, "women have long been overlooked, not only as perpetrators of violence but also as agents of peace and as mediators, in conflict prevention and resolution". The argument made by the thesis is that it is in part because women continue to be perceived as victims and not agents in peace and conflict, that they are marginalised.

This chapter presents a summary of the research findings and offers recommendations. An overview discussion on the limitation of this study is provided. In addition, the rationale for further research to deepen the analysis of the exclusion of women in the mediation leadership in South Sudan mediation process and in Africa is provided. The subsections to be discussed include reflection of the study's

objectives, summary of the thesis chapters, and recommendations to IGAD, the AU, the South Sudan government, the UN, the Troika countries, CSOs in South Sudan and other development partners interested in South Sudan peace process.

## **7.2. Summary of chapters**

*Chapter one* presented an overview and research background on the concept of the exclusion of women from the mediation leadership in the South Sudan mediation process. The chapter argued that women are excluded from the mediation leadership in South Sudan despite the disproportionate impact of the conflict on their lives. The chapter argued that women are the majority population in South Sudan and therefore must be considered in terms of gender equality and gender mainstreaming discourse in peace processes and mediation.

*Chapter two* presented the conceptual framework and literature review. Key concepts were presented, namely peace, peacekeeping, peacebuilding, peacemaking, mediation and women in mediation leadership. The discussion on the mediation tracks revealed that although women are involved in track three mediation, they remain excluded from track one mediation. In the case of South Sudan, track three mediation efforts included NGOs and women's organisations, but they were not included in final decision-making processes, as final decisions are made during track one mediation. The role of women in conflict mediation in Africa was also presented in this study, with evidence showing that women are excluded from the mediation leadership, although some progress has been made in including women in delegations and as advisors to the mediators. The chapter highlighted cases of women's mediation in Uganda led by Betty Bigombe and showed the courage and potential that women have. However, as was revealed in the chapter, lead mediators have always been men. This chapter emphasised the importance of inclusion of women in mediation leadership. The study argued that ensuring that all parties including women can identify and address the effects of peace agreements is likely to bring lasting peace (De Carvalho 2017).

The chapter further discussed the concepts of gender, gender mainstreaming and gender equality and how they relate to the inclusion of women in the leadership of peace processes and in mediation leadership in the mediation process in South Sudan and in Africa specifically. The study emphasised equality between women and men in areas of decision-making, politics and mediation leadership so that women as the majority of the population have their voices heard and their contributions to peace recognised. Further to this, the chapter argued that gender mainstreaming in mediation leadership, as enshrined in UNSC resolution 1325 and the WPS, supports the active participation of women in mediation leadership. The importance of applying gender mainstreaming gives equal opportunity to

both women and men to be appointed leaders of the mediation process in South Sudan. However, mediation processes are often not gender-sensitive, they do not include women in leadership and do not serve the needs of women and men equally.

The chapter revealed that in the South Sudan mediation process, there is little recognition of the role women can play in mediation leadership besides just being advisors and support staff to the leaders, who are often men. The study acknowledges the UNSC resolution 1325 and the active role women can possibly play in conflict resolution, including in mediation leadership (Hudson 2016). This chapter argued that when given the opportunity, women could likely bring different issues to the table, like different views on how to share power, important gender-related issues such as gender-based violence, and a focus on the households headed by sole females which are often left behind. Desmidt et al (2017: 1) stipulates, “In 2012, UN Women noted that women’s participation in peace processes remained one of the most unfulfilled aspects of the Women, Peace and Security agenda”. This study presented that the situation has not changed much to accommodate more women in leadership of peace processes and the leadership of those processes, including mediation leadership at the time of writing this thesis.

According to Desmidt et al (2017:1), “Despite the establishment of these architectures, and seventeen years after the adoption of UNSC resolution 1325, there was a growing gap between global and regional commitments to ensure increased participation of women during the peace process, and the reality on the ground”. Inclusion of all stakeholders such as women in mediation leadership and other areas of decision-making and politics is important in resolving the conflict in South Sudan. This is also in line with the AU Maputo protocol on the rights of women in Africa, particularly articles eight, nine, ten and eleven, which highlight women’s right to protection from conflict, access to justice for violation of their rights during conflict and their right to a peaceful existence. Reference is also made to the South Sudan NAP on implementing UNSC resolution 1325, which has unfortunately not been fully implemented.

*Chapter three* discussed the methodology and design used to conduct the study. The research used an interpretivist paradigm, qualitative approach and an exploratory case study design on South Sudan. It collected data through face-to-face interviews and online Skype interviews with interviewees based in South Sudan. Secondary data was collected from policy documents such as the South Sudan National Action Plan (NAP) on implementing UNSC resolution 1325, the IGAD RAP on implementing UNSC resolution 1325 and the AU Maputo protocol on the rights of women in Africa. The researcher focused on articles eight, nine, ten and eleven of the Maputo protocol because of their



relevance to this study. This was interesting and less costly than fieldwork, as the documents were readily available online. These were analysed using content analysis.

*Chapter four* presented the history of the conflict in South Sudan. It presented the historical context of the conflict, tracing it back to the pre-independence period. The reflection on the history of the conflict in South Sudan was traced back to the 1880s conflict during the slave trade. The conflict was also explained in terms of religion, race, economic exploitation, and colonialism. The chapter highlighted the signing of the 2005 CPA and a series of mediation efforts between the North and the South, with some respected mediators such as Thabo Mbeki, Jimmy Carter and Desmond Tutu. These negotiations led to a referendum and secession of Southern Sudan from Sudan in 2011 (Duursma 2020; Desmidt et al 2017; Johnson 2016). This chapter further discussed the mediation efforts by the IGAD, AU and other international actors such as the USA, the EU and the Troika countries. The chapter concluded that throughout the decades of conflicts between Northern Sudan and Southern Sudan, women were not involved as mediators at any time during the peace negotiations. This chapter argued that throughout the conflict, women were excluded from the leadership of mediation processes.

*Chapter five* discussed the policy documents guiding the inclusion of women in mediation. The discussion and analysis focused on the mechanisms and strategies developed by the Government of South Sudan in the form of an NAP on implementing UNSC resolution 1325 (2015-2020) and the IGAD Regional Action Plan (RAP) on women, peace and security to ensure the implementation of the WPS agenda in the region. The IGAD regional framework was developed at the same time as South Sudan developed its NAP (2015-2020). The implementation of the RAP in the IGAD region remains minimal as the region continues to experience violent conflicts including in South Sudan. The chapter also discussed articles eight, nine, ten and eleven of the Maputo protocol on the rights of women in Africa because of their relevance to this study (Hendricks 2017).

The chapter concluded that although South Sudan has developed an NAP on implementing UNSC resolution 1325, there had been hardly any meaningful implementation of this NAP as it awaited its first review at the end of 2020 (Desmidt et al 2017), which at the time of writing in 2021 had not taken place. IGAD region remains weak in implementing the WPS agenda broadly, UNSC resolution 1325, and the RAP on implementing UNSC resolution 1325. This chapter concluded that there has been a lack of political will and commitment by the regional Heads of State to ensure peace and security in their region and the inclusion of women in the leadership of the South Sudan mediation process.

In relation to the NAP, the following factors were identified to have undermined its implementation: the lack of political will to implement the NAP; the ongoing conflict which makes it difficult to prioritise its implementation; the way in which women's CSOs are excluded from the development of the NAP and its implementation; the marginalisation of women's grassroots organisations; the general lack of awareness on the NAP; and a lack of research on monitoring and evaluating the implementation of the NAP. Furthermore, the chapter discusses that the lack of financing the NAP and gender-responsive budgeting cause the NAP to not be implemented fully.

The chapter revealed that the lack of trust between CSOs and Government impact negatively on the implementation, as Government does not consult widely and not all CSOs are represented in the peace process and on the implementation of the NAP (Hendricks 2017). There has been lack of collaboration between CSOs and Government, and especially community-based CSOs who would have a base in different parts of the country and more likely speak with authority and representation. The lack of mainstreaming WPS between ministries and collaboration with CSOs negatively impacts what could be more ownership from across different sectors.

The political will of the Government and allocation of resources has been insufficient for implementing the broader WPS agenda in South Sudan. This would likely enable data collection, implementation, monitoring and evaluation to ensure that the NAP and the WPS agenda in South Sudan are fully implemented. The chapter concluded that there is limited understanding by decision-makers on what the WPS agenda is, and this impacts negatively on its implementation as there is no ownership. The leadership, ownership, coordination, and continued consultation with CSOs are lacking and negatively impact on the implementation of the NAP in South Sudan (Hudson 2017).

The analysis of the Maputo protocol focused on article eight, on access to justice and equal protection before the law; article nine, on women's right to participation in political and decision-making processes; article ten, on women's right to a peaceful existence and the right to participate in the promotion and maintenance of peace; and article eleven, on protection of women in armed conflicts. The chapter argued that the AU Maputo protocol articles under study are not fully implemented in South Sudan, particularly in relation to the WPS agenda.

The chapter reiterated that the year 2020 presented an opportunity to the Government of South Sudan to review their NAP on UNSC resolution 1325, the RAP, the Maputo protocol and to recommit resources and political will to ensure the implementation of the WPS agenda. The year 2020 also

marked the end of 2010-2020, the “African Women’s Decade” (AU Decade of Women, 2010). The year 2020 also marked 20 years since the adoption of UNSC resolution 1325 by the UN Member States. All these are missed opportunities by the Government of South Sudan to ensure women’s empowerment in line with the national, regional and global protocols, as the implementation of these protocols remains dismal. These were opportunities for IGAD and South Sudan to implement UNSC resolution 1325, the WPS agenda and South Sudan NAP on implementing UNSC resolution 1325, in a region and a country experiencing violent conflicts in recent years.

*Chapter six* presented the findings of the virtual and face-to-face interviews. The findings presented highlighted the importance of women’s inclusion in mediation leadership in the South Sudan mediation process and the implementation of the NAP on implementing UNSC resolution 1325 in South Sudan, as women could contribute to an inclusive lasting peace in South Sudan (Desmidt et al 2017). The chapter’s findings revealed that women are sidelined and excluded from the mediation leadership in South Sudan mediation as all the warring parties were represented by men in the track one-mediation processes. The chapter concluded that women have been more involved in leadership of mediation and conflict resolution efforts at grassroots and community level- track three mediation than in high-level, formal track one mediation. However, the chapter also cautioned against being fixated on track one mediation process and the lead mediator, and highlighted how women’s agency at other tracks could be developed and built on. In this vein, the chapter looked at instances where women were included and active in terms of mediation interventions.

The chapter presented the reason women are excluded from the South Sudan mediation leadership as follows: the lack of political will and commitment from the AU, IGAD, the Government of South Sudan and all warring parties to ensure that women are in leadership of mediation delegations. The other reason cited was the selection criterion for appointing mediation leaders, which is having been a head of state, army general or senior diplomat. These positions that are often held by men. Another reason cited was the age and experience of mediators, where consideration is given to men who are above fifty-five years old, with no consideration for younger women. The lack of education and high illiteracy among women in South Sudan was also identified as another reason for the exclusion of women. Limo (2018:1) argues, “There are insufficient trained women mediators in most African countries; even where they exist, they are mostly involved at the grassroots and in local mediation efforts, but absent in high-profile mediation or negotiations”. In addition, South Sudan, like many African countries, is highly patriarchal and male-dominated in all areas of decision-making, politics, peace and security. The culture of patriarchy and the masculine nature of South Sudanese society

makes it difficult for women to venture into politics, peace and security work as they are ridiculed and called names.

Limo (2018:2) reiterates, “In most African contexts, patriarchy continues to play a key role in excluding women from formal and informal peace processes. Further to this, culture, perception and beliefs play a key role in entrenching the exclusion of women in peace processes”. Women are expected to stay at home and do domestic chores such as taking care of the family, children, elderly and the sick instead of being involved in public life, especially politics, peace and security work. This is supported by Agbalajobi (2010), who stipulates that women are excluded from politics, peace and security work because of gender roles and patriarchy, their perception of politics as dirty, discriminatory laws and custom and lack of affirmative action quota systems, among other measures. The chapter further argued that women in South Sudan do not have equal access to the justice systems for violations committed to them during the conflict due to the customary law in South Sudan.

Religion was also presented as another reason for the exclusion of women, in that South Sudan is a Christian society that believes in patriarchy and therefore women are further sidelined on religious grounds. The study further concluded that due to the ongoing conflict, women are scared to participate in public life. They are scared of being intimidated, harassed and violated and rather prefer to stay at home, limiting their chances of participating in conflict resolution measures such as mediation leadership in South Sudan. The study presented that women are discriminated against in mediation leadership due to the selection criteria, which prefers former Heads of States, rather than considering other qualities and equality in mediation leadership. Women are discriminated against in track one mediation. According to Ilesanmi (2018:5), “Men’s resistance and non-preparedness to share political power and decision-making processes with women is a global phenomenon”. The other reason presented was the age and experience of a mediator.

The criteria determine an older age and certain level of experience, which do not favor women, hence they remain sidelined. Limo (2018) discusses some of the reasons for the exclusion of women as lack of power and access to resources as well as culture and traditional stereotypes that relegate women to the margins of decision-making. According to Potter (2000), the argument is that women are discriminated against on the basis of religion. Lastly, the ongoing conflict in South Sudan has been cited as another reason for women’s limited participation in leadership of formal peace processes and mediation, as women are fearful for their lives and households.

The chapter presented the exclusion of women from Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR) in South Sudan. The study revealed that women are rarely appointed to leadership of security institutions despite being in those institutions and having served in the battalions during the struggle for liberation from Sudan. Some of the reviewed literature reveals that even when women have been actively recruited into combat, they experience significant backlash in the post-war society. Also, women who played an active role in the fight did not have the same possibility of being included in decision-making process as men did (Desmidt et al 2017). In line with the study's research questions, the data revealed that women are excluded from key leadership positions in peace processes because of among others the lack of opportunities for women to exercise equal rights to leadership in the mediation process, lack of political will and commitment to inclusion of women from the SSR and in governance. These perpetuate the marginalisation and exclusion of women from leadership in conflict resolution processes at high level.

Desmidt et al (2017) emphasise the failure to include female ex-combatants in reintegration programmes in post-conflict countries such as South Sudan. Women's agency is not recognised as they are regarded as less educated, are overlooked, undermined and seen as vulnerable victims that need the protection of men rather than as active agents for peace. The analysis revealed that even in cases where women are educated, they are just as excluded because there is no political will to implement the WPS agenda across the IGAD region and in South Sudan specifically. Hendricks (2011: 19-20) argues, "It is hard to obtain any information on how many women actually serve in the militaries in the respective African countries. There is very little scholarly material specifically dealing with gender and SSR".

The analysis concluded that the women's movement in South Sudanese and in the IGAD region is weak. The analysis argued that it is imperative that women mobilise across political affiliations, tribal divides and across countries to speak in one voice and be able to influence the peace process, particularly the leadership of the mediation process and its outcomes. Women remain underrepresented in the leadership of mediation due to the patriarchal culture in South Sudan (Adeogun and Muthuki 2018). South Sudan is highly dominated by men, with men generally holding key decision-making and governance positions. Women are often seen as vulnerable and not supposed to be involved in politics and decision-making roles. As a result of the patriarchal culture in South Sudan, key institutions of government such as the judiciary and the security sector are dominated by men, leaving little or no space for women to meaningfully participate in resolving the conflict in South Sudan and to access justice for violations of their rights.

The chapter argued that the international community must continue to put pressure on the warring parties in South Sudan to implement the WPS agenda and to include women in mediation leadership. The chapter revealed that despite some reasons offered for why women are excluded from mediation in South Sudan, there are many women on the continent who have been trained. Some are highly educated in the field of mediation and diplomacy, but there is no political will and commitment to deploy women in any mediation leadership across Africa and in particular in South Sudan mediation.

*Chapter seven* concludes the study by presenting the conclusion of the research findings and recommendations suggested by the researcher in the study. An emphasis for further research on this topic to deepen the analysis of the exclusion of women in mediation leadership, the reasons for women's exclusion in mediation leadership and the role that women can possibly play in mediation leadership is made.

### **7.3. Reflection on the objectives of the research**

The first objective of this research, which was to identify and analyse the factors that contribute to the exclusion of women from the leadership of mediation processes in South Sudan, was addressed in chapters two, three, five and six. It presented the nature and evolution of the conflict in South Sudan, the impact of the conflict on women and measures taken at national, regional and global level to end the conflict in South Sudan and to protect women. It also discussed strategies taken to ensure inclusion of women in conflict resolution efforts such as mediation, as well as in the leadership of such peace processes. As stated in chapter two of the study, women are disproportionately affected by the conflict, and their inclusion in peace processes is regarded as critical because women constitute the majority of the population in South Sudan and across Africa. As such, their views, experiences and voices matter in finding lasting peace in South Sudan and elsewhere in the continent.

These chapters argued that women are often seen as victims while their agency in peace processes is not considered because of, among other issues, the masculine nature of peace processes, discrimination and negative attitudes towards women in politics, lack of political will and lack of commitment on women's inclusion in leadership of peace processes such as mediation, as well as cultural stereotypes that exclude women from mainstream decision-making spaces in politics and peace processes. Some of the reviewed literature posits that it is important to include women in finding lasting solutions to the conflict in South Sudan. As stated in the literature (see for example Hudson 2017; Hendricks 2011; Agbalajobi 2009), the exclusion of women from the leadership of any meaningful mediation processes may affect the sustainability of peace in South Sudan.

The second objective, which was to identify the challenges that women face in participating in the leadership of mediation processes in South Sudan, was addressed in chapters two, five and six of the study. Gender mainstreaming and the inclusion of women in mediation leadership are important in ensuring that women's concerns and voices are heard in the leadership of peace processes such as in South Sudan mediation (Hudson 2017). Empowerment of women, as enshrined in the legislative policies in South Sudan, regional instruments and AU protocols, is meant to ensure that women's agency in peace is recognised and that women contribute to ending conflicts in South Sudan and elsewhere in the continent. Gender mainstreaming ensures that both women and men have equal opportunities to participate at all levels of decision-making.

As stated in the literature review chapter of this study, women make up more than 50% of South Sudan's population, and during the conflict they suffer the most human rights abuses such as forced marriages, abductions, displacement and rape, with sex being used as a weapon of war (Hudson 2017). Many women lost their livelihoods during the conflict, thus increasing poverty among women and woman-headed households, further exacerbating lack of access to services such as health and education. They are exposed to sexually transmitted diseases such as HIV, further putting their lives at risk. (Hendricks 2018; Hudson 2016). According to Pankhurst (2010), in situations of widespread insecurity, due to violent conflicts, there are often disproportionately high levels of SGBV on women and girls. However, when it comes to decision-making processes, women are excluded and marginalised. While men are not immune from wartime violence, women suffer from more types of violence than men do. Desmidt et al (2017:2) stipulate, "Women are often victims of both physical and psychological violence, including sexual violence, forced abortions, forced impregnations, forced sexual slavery, displacement. Women are often seen as the symbolic bearers of a people's culture and, thus, raping them equates to defiling that very culture". With more than 60% of South Sudan's population being women, including women in leadership of mediation in South Sudan mediation has been argued to be a critical priority, as women are recorded as the group most negatively affected by the conflict (Pankhurst 2010).

Despite South Sudanese women's agency and involvement in resolving conflicts at grassroots level, this study found out that women are excluded from the leadership of formal mediation processes, which are dominated by men. As stipulated in Desmidt et al (2017:1), "Women play crucial roles before, during and post conflicts, yet their participation and the acknowledgment of that role has been with mixed result and slow progress". In support of women's inclusion, some reviewed literature argues that the role of women, as actors and as agents rather than only passive victims in conflict, should be given attention. According to Agbalajobi (2009), that the issue of gender is integral to

peace, violent conflict and that a gendered analysis of mediation is essential to preventing and mitigating new violent conflict in societies, while helping them recover from current conflicts. However, in the case of South Sudan, at formal mediation level, which is where decisions on peace are taken, men who are leaders from Government and warring parties often dominate without any consideration for the inclusion of women. Desmidt et al (2017:1) supports, “While much effort has been spent in developing elaborate policy frameworks to support women in their peacebuilding role, the implementation on the ground has been fragmented. Commitment to include women in mediation processes has been limited, both in terms of time and scope”. The study also analyzed reasons offered as to why women are excluded from the mediation leadership in South Sudan mediation process.

The third objective of this study, which was to identify what contributions women could potentially make to the leadership of mediation processes in South Sudan, was addressed in chapters two, five and six of the thesis. The role of IGAD and the AU in relation to women’s inclusion in mediation in South Sudan as well as the implementation of the WPS agenda in the IGAD region and in Africa broadly were discussed, to strengthen the validity and reliability of the arguments that were presented. The findings revealed the dismal performance by IGAD and the AU in the area of women inclusion in mediation leadership, not only in South Sudan but across the continent. As stated, “The AU’s commitment towards gender parity is far from being achieved, in particular the number of women in leadership positions during peace processes” (Desmidt, 2017: 1).

#### **7.4. Recommendations**

This section discusses recommendations in relation to the exclusion of women from mediation leadership in South Sudan specifically and in Africa broadly. Lessons learnt from the South Sudan experience can be applied to other mediation processes across the continent to ensure inclusive peace processes, especially at leadership level and particularly in mediation leadership. The suggestions also offer reflections on policy directions to be followed to implement the WPS agenda across the continent by member states, RECs and the AU. The recommendations are for the South Sudan government, IGAD, the AU, the UN, the Troika countries, EU, CSOs in South Sudan as well as other development partners interested in the peace process in South Sudan specifically and in Africa broadly.

As discussed earlier, women are marginalised and excluded from the mediation leadership in track one-mediation processes in South Sudan, which is where decisions regarding the conflict, peace process, and future State building are made. The challenge is that there is no political will and commitment on the side of South Sudan Government, IGAD and the AU to enforce implementation



of the WPS agenda and specifically UNSC resolution 1325 in South Sudan. The Government of South Sudan has failed to allocate sufficient resources, both financial and in terms of personnel, for the effective implementation of the country's NAP on implementing UNSC resolution 1325. The South Sudanese Government has failed to ensure gender mainstreaming in DDR and SSR in South Sudan or to promote women's empowerment and leadership in key institutions of Government such as security and the judiciary. These have impacted negatively in respect of women's rights, their appointment to leadership positions and access to justice for violations of their rights due to customary laws in South Sudan, among other issues. This section discusses recommendations to promote women's inclusion in mediation leadership, not only in the South Sudan mediation process but across the entire African continent.

#### **7.4.1. Interventions in relation to mediation tracks for AU, IGAD and the South Sudan Government**

The first recommendation is that it is necessary to find a political solution for the political crisis in South Sudan and in other African States engaged in conflicts, rather than using a military solution to try to address political problems, as this has proven not to be effective. In addition, mediation in South Sudan, and across the African continent, has to have local ownership and be inclusive for it to be effective, as this would give citizens equal representation and participation as well as to hold Government accountable.

Women should be allowed to come into leadership positions and bring out their powers, values and the virtues that define their existence, which are said to be a missing link in a way that politics are validated currently in the continent, and men should see women as equals. In relation to this, co-mediation is recommended, where both a woman and a man are appointed to lead any mediation team. There are many women who are qualified to be mediators and fulfil this role. The study recommends implementing policies that enforce the RECs and the AU to appoint and deploy both a woman and a man as leaders of a mediation team and put this into the terms of reference to show commitment on inclusion of women as mediators and as leaders of mediation teams.

This would not be the first time IGAD would be forced to include women in mediation, as this thesis has touched on the involvement of the Women Bloc in the mediation negotiations. During the first mediation process, there were no women in the peace talks, but with pressure from the women's group the Women Bloc, some progress was made. So, this is also possible but it requires commitment and political will from the South Sudan government, IGAD and the AU.

The researcher recommends changing the mediation rules of engagement by the AU, IGAD and other RECs to allow for women's inclusion in track one mediation leadership, including training and deploying women ambassadors in conflict resolution and mediation.

In addition to co-mediation, the researcher recommends looking for different spaces where women can be included in support of the lead mediator, thereby influencing the direction in which the mediation process develops.

#### **7.4.2. Strengthening women's mediation role in other tracks of mediation**

The researcher recommends an intentional focus on strengthening the role of women in other tracks of mediation, such as track three mediation processes, so that their agency at the grassroots can ultimately influence peace throughout South Sudan and elsewhere in Africa and eventually their active leadership in track one mediation. The findings in this thesis confirm that women are active agents for peace at the grassroots and community level. Strengthening women's agency in grassroots and community level mediation can have trickle up effects for national-level conflicts. The other recommendation is to encourage use of indigenous ways of conflict resolution by IGAD and the AU not only in South Sudan but across Africa. This is because the study revealed that indigenous strategies of conflict resolution are effective as communities come into equal partnership and resolve their challenges.

#### **7.4.3. Capacity building for women**

The researcher recommends capacity building for women in South Sudan specifically and in Africa broadly, by experts from other African countries, the AU, the EU and the UN so that they are able to mobilize during a mediation process. This could be financed through the AU's partners such as the Troika, the EU and other friends of South Sudan and the African continent such as China and Japan. The researcher recommends the importance of building on the evidence of the work that women do in informal mediation through research. As stated, "Women would be even more supportive of electing more women to public office if they were knowledgeable about the extent of women's under representation" (Sanbonmatsu 2003 in Agbalajobi 2010: 76).

CSOs are encouraged to form networks of women mediators to be able to share knowledge and information. In the IGAD region, in South Sudan and in other African countries, women CSOs are encouraged to organise high-level women expert support teams, such as with Betty Bigombe, to advise all actors in peace processes and promote women's solidarity movements to be able to drive and advocate for the inclusion of women mediators in negotiation in their region. As stated in the

literature review, these initiatives would strengthen existing linkages and build new linkages among women mediators as well as create new opportunities for collaboration.

The researcher recommends peer exchanges between women in conflict-affected areas and experienced women mediators from across the continent for knowledge and experience sharing. The recommendation is that there should be support initiatives with a specific focus on women's political participation at local and national levels to ensure that adequate numbers of women are included in established pools of mediators.

Women's involvement in peace processes should be documented for drawing lessons and highlighting the evidence and impact of women's participation across the African continent and in South Sudan specifically. As stipulated in Agbalajobi (2010), there is inadequate knowledge of written and unwritten rules on protecting women's political rights. The need for engaging and following up on training and capacity building processes for evaluation purposes and sustainability is recommended as key. This includes the development of a database and roster of female mediators (Mbwadzawo and Ngwazi 2013). Limo (2018:1) articulates, "Much more needs to be done to further realise the optimal benefits of having women as mediators, part of mediation teams, and part of negotiating parties, as signatories, as observers and in other substantive roles in peace processes".

As this is a topical discussion within the UN Women's office, some recommendations drawn specifically from UN Women (2021) are that mediators should consider not only who is at the table, but who is missing, and create process mechanisms to ensure that those voices are heard and that there is inclusion. There must be intentional focus on strengthening women's role where they are already intervening. As stipulated, "Where some voices are clearly excluded from the process, the mediator should create dedicated mechanisms to enhance the breadth of democratic representation, including of women. These mechanisms may include special forms of selection process, both with thresholds suitable to the election of women as a group" (UN Women 2021:2).

#### **7.4.4. Implementation of the 2005 CPA**

The researcher recommends implementation of the 2005 CPA in totality by the Government of South Sudan as the study found that some key aspects of the CPA such as DDR and SSR were not implemented in South Sudan. The study recommends that the UN oversee the implementation of the DDR and SSR in South Sudan. South Sudan's conflict is arguably heavily influenced by the lack of implementation and selective implementation of the CPA, leaving out some critical security aspects. The implementation should include effective, centralised areas where weapons can be dropped off,

and there must be meaningful incentives given to those who are disarming. Those who may not be absorbed into the security institutions in South Sudan should be empowered with skills that will help them secure gainful employment. Other areas of the CPA that need to be implemented to avoid the country further sliding into violent conflict include unresolved border disputes in Abyei, Blue Nile and the Nuba mountains, which continue to cause tension in South Sudan.

The researcher recommends that the Government of South Sudan commits resources to support effective SSR and DDR, which includes women in South Sudan through the support of regional and global partners such as IGAD, the AU, the EU, UN agencies, as well as development partners (Duursma 2020). The SSR and DDR are linked to the international community and regional organisations, as these institutions can support the process with expertise and resources from other countries to ensure successful and effective SSR and DDR in South Sudan. The implementation of the CPA would likely ensure effective DDR and SSR, which should be inclusive of women. This can be done through bilateral agreements and support of Troika countries and other countries in Africa such as South Africa, Rwanda and Nigeria.

Although this was outside of the scope of the thesis, the researcher would recommend that the CPA implementation focus on State building and nation building and what South Sudan should look like as a nation. To achieve this, the researcher recommends ongoing technical support to South Sudan government institutions on State building. There is need for political will and commitment by the government of South Sudan to implement all sections of the CPA in full and the peace agreements have to be fulfilled as this is the main issue, after which others may be attended to.

#### **7.5. Implementation of the NAP on UNSC resolution 1325, IGAD RAP and the AU Maputo protocol on the rights of women in Africa**

The researcher recommends that the South Sudan government, IGAD and AU implement all national, regional and international protocols on WPS. This comes at a time during the writing of this thesis when the South Sudan NAP on implementing UNSC resolution 1325 was up for review, and the NAP had not yet been fully implemented.

The other recommendation for IGAD and the South Sudan Government is that the NAP together with the RAP be popularised by IGAD and the South Sudan Government using local languages among all stakeholders in South Sudan, including women and rural communities, to obtain community buy-in, and to allow for citizens, particularly women, to hold Government to account for the slow implementation of the WPS agenda in South Sudan.

The recommendation is also that challenges that women face should be addressed, including the culture of patriarchy and discrimination, which limits women's participation in the leadership of mediation processes in South Sudan. These should include ongoing awareness raising among South Sudanese on women's right to political participation and decision-making, to change the mind-set of society regarding women in peace work and politics. This should be done with the partnership of IGAD and the AU in collaboration with development partners and CSOs across South Sudan.

The researcher recommends that the UN, AU, IGAD and other African countries along with the Troika countries, EU and international organisations such as the Carter Centre continue to engage in peacebuilding and mediation in South Sudan in collaboration with CSOs. Women's organisations, in particular, together with churches and communities, should be included in leadership of mediation efforts in South Sudan, assisted with resources to be able to make a meaningful contribution in efforts to end the conflict in South Sudan and achievement of lasting peace.

Lastly the researcher recommends further research on the exclusion of women in mediation leadership in South Sudan and in Africa broadly. Further research on track 2 mediation as it is often neglected. This track can helpfully link track 1 and track 3. Further research on track 3 can be helpful in strengthening areas where women have been successful and drawing on lessons to impact on track 1 mediation.

## **7.6. Conclusion**

Although women have been active agents for peace at the grassroots and in track three mediation processes, they remain excluded from formal high-level mediation leadership. Hudson (2016) and Hendricks (2017) stress the importance of inclusion of women and gender mainstreaming in all peace processes and mediation leadership specifically. Agbalajobi (2010) points out that it is important to pay attention to the experiences of both women and men when designing successful conflict management and peacebuilding programmes, and that all Governments, including the South Sudan Government, must ensure that women are included in key peace negotiations at all levels.

Some of the reasons stated for the inclusion of women are so that the mediation process can be inclusive of all stakeholders such as women, for women to contribute to formulating policies to end the conflict, as well as designing new strategies for post-conflict recovery of their war-torn countries. Agbalajobi (2010) adds that there are many reasons why women are important to the peacebuilding process, as women constitute half of every community's population, and both women and men in

collaboration must do the difficult task of peacebuilding. Women are also said to be the central caretakers of families, and everyone is affected when they are excluded from peacebuilding processes. Agbalajobi (2010) specifies that women have played prominent roles in peace processes in the Horn of Africa such as in Sudan and Burundi.

Regardless of this justification and the development of the NAP on implementing UNSC resolution 1325 by the South Sudan Government, women remain largely excluded from the formal mediation leadership and high-level peace processes. The thesis identifies challenges that women face in peacebuilding and mediation in South Sudan as among others the lack of political will and commitment of the Government of South Sudan to implement the WPS agenda, and traditional and cultural stereotypes against women in the leadership of peace processes. As stated in Ilesanmi (2018: 1), “Concerns over women’s marginalization and invisibility in Africa policy-making, remains a fervent international discourse. These concerns are likely due to restrictive laws, cultural diversities and practices, institutional barriers, as well as disproportionate access to quality education, healthcare, and resources”.

There have been several mediation efforts by IGAD working with the AU, other African States, the UN and EU to negotiate a peace deal in the conflict in South Sudan between 2013 and 2018 (Muller and Bergmann 2020). Six peace agreements have been signed to date, with little implementation due to lack of commitment to the process by the warring parties. In all the negotiation processes convened by IGAD and partners, the leaders have all been men either from the region, the continent or globally, with no women in the leadership of the mediation team for South Sudan’s mediation process. This thesis stresses the need to rethink the selection criteria so that women are included in leadership of the mediation teams. Studies conducted indicate a lack of sufficient capacity and strategies for IGAD to deal with the conflict in South Sudan and to ensure inclusion of women in the leadership of the while other scholars point to biased mediators who compromise the negotiations and peace in South Sudan.

The thesis argues that women’s inclusion in mediation leadership in South Sudan can be enhanced through increased awareness and popularising the NAP on implementing UNSC resolution 1325 and the WPS agenda among all stakeholders and citizens in South Sudan. At the time of writing this thesis, South Sudan should be reviewing its first NAP on implementing in South Sudan UNSC resolution 1325; as such the international community and partners could assist South Sudan in reviewing the NAP and assist in ensuring that it is an inclusive and consultative process. The international community should also help see that implementation is prioritised and gender mainstreamed across

all sectors, including in the security sector (Haastrup 2019). The political will and commitment of the Government of South Sudan on the implementation of the WPS agenda can be enhanced by the Government's allocation of resources, both financial and human, to the implementation, monitoring and evaluation of the WPS and implementation of the NAP on UNSC resolution 1325.

Addressing religious, traditional and cultural stereotypes that hinder women from participating actively as agents in peace processes could help shed some light on women's rights to equal participation at decision-making level in South Sudan. Capacity strengthening of female CSO activists and women's grassroots organisations is equally important in ensuring ownership and that citizens, particularly women, can hold Government accountable. Strengthening women's grassroots peace work could help resolve conflicts at community level, since this is where conflicts often erupt, rather than focusing all the efforts at high-level mediation.

Lastly, the study recommends further research on the exclusion of women in mediation leadership across Africa to be able to gain more knowledge on the phenomena. The importance of research and documentation on women's experiences and views could assist in shifting the gender imbalance in the leadership of the mediation process, as women's views and concerns would be taken into consideration. The study believes that more research is needed to further understand the exclusion of women from leadership in the South Sudan mediation process and on the continent broadly. This would likely increase knowledge and assist in effecting change in South Sudan and in Africa regarding women's exclusion from mediation leadership in South Sudan and across the continent.

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## 8. Appendices

### Appendix 1: Letter of permission



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA

**Faculty of Humanities**

**Department of Political Sciences**

October 2018

To whom it may concern;

#### **RE: Letter of Introduction for Research Participants**

I am a student at the University of Pretoria, currently enrolled for my PhD, in the Department of Political Sciences. As part of the requirements for the fulfilment of my study, I am conducting a research on “An analysis of the exclusion of women in the mediation leadership in South Sudan mediation process”, and I would therefore like to invite you to participate in this research. If you agree to participate, you will be interviewed on this topic. The interview will take place at a venue and time that will suit you, so as not interfere with your personal, social, religious or administrative activities and time, and will not take longer than one hour. I will take notes and use a voice recorder to record our conversation. You do not have to participate in this research if you do not want to, and you will not be affected in any way if you decide not to take part.

If you decide to participate, but you change your mind later, you can withdraw your participation at any time. Your identity will be protected throughout this research. Only my supervisor (as signed below) and I will know your real name, as a pseudonym will be used during data collection and analysis. In my research report and in any other academic communications, your pseudonym will be used, and no other identifying information will be given, unless you prefer otherwise. Collected data will be in my possession and my supervisor’s, it will be locked up for safety and confidentiality purposes. After completion of the study, the material will be stored in University of Pretoria, Department of Political Sciences according to the university research policy. If you agree to take part

in this research, please fill in the consent form provided below. If you have any questions, do not hesitate to contact me by phone or email.

Kind Regards,

Litlhare Rabele

.....

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## Appendix 2: Consent Form for Interview Schedule



**Faculty of Humanities**

**Department of Political Sciences**

October 2018

I, \_\_\_\_\_ (your name), agree / do not agree (delete what is not applicable) to take part in the research project titled: An analysis of the exclusion of women in the mediation leadership in South Sudan mediation process. The researcher will be asking questions on the importance of women's inclusion in mediation leadership, reasons for the exclusion of women in mediation leadership in South Sudan mediation process and the factors that affect women in mediation leadership in South Sudan mediation process. I understand that I will be interviewed about this topic for approximately one hour at a venue and time that will suit me, but that will not interfere with my personal and official activities. The interview will be recorded and will be transcribed for analysis. I understand that the researcher subscribes to the principles of:

- Voluntary participation in research, implying that the participants might withdraw from the research at any time.
- Informed consent, meaning that research participants must at all times be fully informed about the research process and purposes, and must give consent to their participation in the research.
- Anonymity: the respondent's identity will not be disclosed in any written account of the research both during and after the completion of the research.
- Confidentiality; meaning that all collected data and research instruments will not be linked to the participants and will be kept strictly confidential.
  - Privacy, meaning that the confidentiality and anonymity of human respondents will always be protected.
- Trust, which implies that human respondents will not be responding to any acts of deception or betrayal in the research process or its published outcomes.

- Data Storage, the data collected will be stored and restricted only between the researcher and the supervisors. At the end of the study all data will be submitted to the department of Political Science, University of Pretoria to be stored and protected.
- Reuse of data for further research, the data collected will be made accessible to the school authority for reuse of data for further research.
- Participants will have the right to access data and the dissemination of data on request.

*I, the Undersigned, have read the above and I understand the nature and objectives of the research project as well as my potential role in it and I understand that the research findings will eventually be placed in the public domain. I voluntarily consent to participate in all discussions, to give my expert opinion and to provide details about my life history, keeping in mind that I have a right to withdraw from the project at any stage. I also grant the researcher the right to use my contribution to the research project in completing this project as well as other projects that may emerge in the future.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Thank you for your participation.

Litlhare Rabele (PhD Candidate) University of Pretoria,

Student Number: u 18350692

Cell number: +27838819095

### Appendix 3: Letter of informed consent



UNIVERSITEIT VAN PRETORIA  
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October 2018

**Dear Participant,**

**RESEARCH PROJECT:** An analysis of the exclusion of women in mediation leadership in South Sudan mediation process: A case study on Women mediation in South Sudan.

The proposed research is located in the growing debate on the role of women in mediation in exploring the role women in South Sudan can play in mediation, and the implications of these processes on transforming the attitudes, behaviours and structure of societies in post-conflict communities. The main aim of the research is to: identify the space and rationale for women's role in mediation in resolving conflict that are already present in the process, which may complement the reconciliation processes in South Sudan. Subsequent objectives ensuing from this broad aim are:

- Explore what role women can play in mediation process in South Sudan, and how they function.
- Identify the underlying assumptions and narratives of women in mediation among the government authorities in South Sudan.
- Establish the challenges women face, understand and interpret these challenges in the context of the practice of mediation.
- Assess the role government and international community can play in ensuring women play a role in mediation (i.e. official vs unofficial)?
- Explore how the government and community leaders facilitate women mediation at the national level.

Data for this research will be obtained through month-long fieldwork in Juba. The data will be gathered using qualitative ethnographic case study research techniques. Audio devices will be used to enhance data capturing as well as cross examination of data at later stages of the research.

Participant Signature .....

Date: .....

## Appendix 4: Interview schedule



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA

**Faculty of Humanities**

**Department of Political Science**

**An analysis of the exclusion of women in the mediation leadership in South Sudan mediation process.**

Time of interview: \_\_\_\_\_ Duration: \_\_\_\_\_

Date: \_\_\_\_\_ Place: \_\_\_\_\_

Interviewer: \_\_\_\_\_ Interviewee: \_\_\_\_\_

Pseudonym: \_\_\_\_\_ Male / Female: \_\_\_\_\_

*Pseudonyms will be utilised in the interviews, data analysis and the findings. The data collected in this study will serve for research purposes only and treated as confidential. Access to the data will be granted to the researcher and the supervisor only. Please sign the consent form at the back of this document.*

*Thank you for your participation*

.....

### **Interview questions for participants**

The proposed research is located in the growing debate on the role of women in mediation leadership and based on approaches dealing with issues of gender equality in mediation and peace processes. As well as the implications of mediation processes on transforming the attitudes, behaviours and structure of post-conflict communities. The main aim of the research is to: analyse the exclusion of women in mediation leadership in South Sudan mediation process.

1. Are you aware of any AU/ IGAD mediation processes that are used in South Sudan? (Explain if any)

2. Who are the actors involved in the mediation process?
3. Are there any women involved as leaders? (if yes, explain how)
4. Why should women be in leadership of mediation processes?
5. What issues does the mediation process address?
6. How is mediation conducted with women?
7. In your view, how effective are these mediation processes?
8. Are there any challenges encountered by women in mediation leadership? (If yes, explain).
9. In your view, is it necessary that women play are leaders in mediation process in South Sudan?
10. How can women play a role in mediation leadership?
11. What challenges do they face in mediation processes?
12. How can the challenges be addressed?
13. What is your understanding of the following concepts:
  - a. Mediation
  - b. Gender equality (explain)
14. How would you suggest the mediation leadership include women and be conducted?