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Natural Resource Management and Conflict Mitigation in South Sudan: Implications for National Reconstruction and Development

Joseph Kioi Mbugua

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Foreword

This publication is one of IPSTC's contributions to understanding the conflict situation in South Sudan. The role of the International Peace Support Training Center (IPSTC) as a regional center of excellence is to contribute to the preparedness of the Eastern Africa region in addressing peace and security challenges. This demanding and extensive task comprises two essential aspects; namely the ability to raise awareness about problems that may affect the region, and the identification of possible ways to address them.

The complex conflict situation in the Great Lakes region and the Horn of Africa calls for knowledge based policy making on pertinent issues of peace and security. Specifically the post conflict situation in South Sudan calls for profound research and analysis of the current conflict dynamics. Given the fragility of the new nation and the immense challenges of providing security and basic services to the entire country and initiating development amidst scarce resources; South Sudan requires reliable knowledge of conflict prevention, management and resolution.

Natural Resource Management and Conflict Mitigation in South Sudan: Implications for National Reconstruction and Development; discusses how resources acts as multiplier of conflicts and the opportunities they present for conflict management and development in South Sudan. The paper establishes the impact of ordinary resources such as water, grazing rights and land as drivers of domestic conflicts and oil as a strategic resource that can escalate or de-escalate inter-states conflicts.

The International Peace Support Training Center has made considerable contribution in research and training on peace support issues in the Great Lakes region and the Horn of Africa. The research products inform the design of our training modules.

I would like to thank the Government of Japan and the United Nations Development Programme (UNDP) for supporting the research and publication of this booklet.

IPSTC will continue to collaborate with development partners to publish high quality research products on topical issues of peace and security in the region.

Brigadier R. G. Kabage

Director
IPSTC

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1.0 Introduction

South Sudan comprises 10 states namely: Lakes, Central Equatoria, Eastern Equatoria, Western Equatoria, Upper Nile, Jonglei, Unity, Warrap, Northern Bahr el Ghazal and Western Bahr el Ghazal. Southern Sudan occupies an area of about 644, 329 Sq. Km. The country has a population of about 8 million. This means that the country is large and sparsely populated in most areas. It also implies that the country has abundant resources per capita. If these resources can be well managed, there are possibilities for enlarging the pie for state and nation building. This paper analyzes the role resources play in determining peace and security in South Sudan since the Comprehensive Peace Agreement (CPA) of 2005. The paper also examines the interactions between resources, proliferation of small arms and light weapons (SALW), ethnicity, and inclusiveness. The paper is divided into four sections. Section 1 presents the introduction where the purpose, scope, methodology and conceptual framework of the study are presented. Section 2 provides an analysis of the resource conflict situation in South Sudan. Section 3 outlines approaches to address resource-related conflicts. Section 4 provides the conclusion where the position of the paper as to the current situation on the role of resources in the South Sudan conflicts is spelt out.

Natural resources are: *“materi als that occur in nature and are essential or useful to humans, such as water, air, land, forests, fish and wildlife, topsoil, and minerals.”*¹ In this paper, resources are defined broadly to include anything obtained from the environment to satisfy human needs and wants. The paper argues that resources largely determine the evolution of conflict in South Sudan but not in the scale of countries where war economies have emerged such as the Democratic Republic of Congo (DRC). However, inclusive resource management would not only lead to peaceful conflict resolution but also mitigation. This is likely to have positive implications for national reconstruction and development in the long run. Equitable resource distribution in the country will determine sustainable peace and security and the potential for peaceful exploitation of high value natural resources such as oil. The management of resources that the majority of the rural people

¹ This definition is borrowed from ‘Natural Resource Conflicts and Conflict Resolution’, USIP, 2007, p. 4

depend on will determine the legitimacy of the GOSS across the states. The development of inclusive and equitable national policies for application across states, counties and ethnic groups is vital for sustainable utilization of resources and for long term peace and security in South Sudan. For this to happen, there is need for a combination of bottom-up and top-down approaches to peace and security issues in the country.

Among the multiplicity of factors that reflect the complexity of South Sudanese peace and security, resources are a key element of many grievances. Contentious issues range from their exploitation to lack of equity through marginalization and even exclusion. Thus, the real impact of resources needs to be examined thoroughly and candidly in order to identify sustainable solutions. Although oil remains the most often cited cause of conflict in South Sudan to date, it is currently not the main driver of conflict and therefore analysis must go beyond the oil factor. Though less strategic in importance, access to pasture, land and to water are the main cause of access to weapons and remain a challenge to international efforts at disarmament and peace-building. Conflicts in South Sudan are the result of complex interaction between ethnic, cultural, economic, political, and other issues. Many conflicts that appear ethnic-based at face value are informed by a multiplicity of reasons where competition for scarce resources plays a key-role. But the opposite is also true: conflicts over cattle or pasture may hide deeper cultural and ethnic issues that divide South Sudanese societies. These conflicts take place in a complex and dynamic situation characterized by environmental degradation, climate change and attendant drought, and migration that bring groups into conflict in search for and protection of livelihoods.

Although peace and security require a holistic approach to fully comprehend them, this paper focuses on the dual role resources play: as causes of conflict and as raw materials for post-conflict reintegration and reconstruction for sustainable peace and security in South Sudan. The long running war between the Government of Sudan (GOS) and rebel groups including the Sudanese Peoples Liberation Army/Movement (SPLA/M) lasted about 22 years, and was brought to an end by the Comprehensive Peace Agreement in 2005. Six years later, South Sudan was born as a new state after a referendum held in October 2011. The war left large parts of South Sudan

underdeveloped and plagued by insecurity as a result of inter-communal conflicts, partly resource-based. Cattle raiding and inter-communal conflicts based on access to water and pasture remain a major source of insecurity – and casualties – especially in the greater Upper Nile region, Eastern and Western Equatoria, Warrap and Lakes State. Since 2005, these conflicts brought about more casualties and victims than in Darfur, though not attracting the same attention from the international community.² The inter-communal conflicts in Jonglei affected about 170, 000 by July 2012.³ An estimated 7,000 were killed in Jonglei from 2005 to 2012, 2,500 in 2009 alone.⁴

Persistent violence in South Sudan undermines socio-economic development, displaces populations as well as causes thousands of deaths and suffering to innocent civilians. Oil remains the most strategic resource the control of which could generate conflicts both domestically and internationally. Most of the oil exported by Sudan is extracted in South Sudan. On the other hand, South Sudan depends on the North for transportation of crude oil and processing in refineries and facilities in Port Sudan. The recent dispute between the two countries over the use of an oil pipeline has shown how dramatic the consequences of this dispute can be. Though South Sudan is well endowed in natural resources, its capacity for effective exploitation and management of them is still very low.

1.1 Objectives of the Study

The objectives of the study were to:

- (i) Analyze natural resource management and its potential for conflict mitigation in South Sudan
- (ii) Establish the implications of equitable and inclusive resource management for national reconstruction and development

²Humanitarian Updates, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), July 2009

³Humanitarian Updates, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), July 2012

⁴Agereb Leek Chol: Jonglei State Conflict Analysis, Why Second Disarmament is not a Solution, South Sudan News Agency, 18 March 2012

- (iii)Examine the salient challenges and opportunities for sustainable peace and security through reintegration and reconstruction in South Sudan.

1.2 Scope and Limitations of the Study

To place South Sudan on a peace, stability, policy, institutional change and development course requires thorough analysis to understand the drivers of conflict and the prevailing capacity for conflict transformation and mitigation. Although it concentrates on the new state of South Sudan, the study casts a glance on the role of resources in the conflict between South Sudan and Sudan. It examines the unfolding of events since the signing of the Comprehensive Peace Agreements (CPA) in 2005. It also looks at the main actors who include the Government of Sudan (GOS); Government of South Sudan (GOSS); ethnic groups; traditional leadership and peace-building mechanisms; local and international civil society organizations; and development partners. Field research was only carried out in Central and Eastern Equatoria for a limited period due to logistical constraints.

1.3 Research Methodology

The research collected mainly primary qualitative data from a combination of randomly and purposively selected respondents from Central and Eastern Equatoria states of South Sudan. Literature review and questionnaire-based interviews were the main methods used for data collection. The primary data were accessed through interviews of senior government officials, local government leaders, representatives of international civil society and other organizations, and youth and women groups in both Central and Eastern Equatoria. Secondary data were accessed from official government documents and on-line publications.

1.3.1 Data Analysis

The collected data were subjected to qualitative content analysis by which responses were categorised and then compared and contrasted to establish the frequency of the dominant views. Inferences were then made based on the similarities and differences observed.

2.0 Theoretical Framework

This section defines the meaning and contexts within which resources breed conflict. It surveys the various theories that have been put forward to explain the relationship between resources and conflict. Natural resources can contribute to economic growth, employment and fiscal revenues but many resource-rich countries are poor and prone to conflict. Below, we examine some of the theories that attempt to explain the causes of resource conflicts.

2.1 Resource Abundance

According to Collier and Sambanis (2004), the presence of abundant natural resources may cause the emergence of organized armed groups aiming to take advantage of existing economic opportunities. This happens especially when there are lootable natural resources. The two scholars argue that many economic opportunities reduce the risk of rebellion while the existence of natural resources in low-income countries combined with polarization of society increase the risks of rebellion.⁵ This theory fails to identify the underlying conditions that make this happen. It is less informative in fully explaining the causes of conflict in places such as South Sudan. This model has been the foundation of theoretical explanations of the emergence of civil wars. It has however been criticised for ignoring the causes of wars of liberation and downplaying the role of inequality within states.⁶ This model also blames rebels for the emergence of civil wars and ignores government oppression and its role in provoking civil disorder. The GOSS has been accused of marginalizing periphery peoples while attempting to control the resource-rich areas. Such perceptions inform many conflicts in South Sudan although this model does not seem to adequately acknowledge them. Resource abundance is not necessarily a cause for conflict since it can boost

⁵Paul Collier, 'Doing Well Out of War: An Economic Perspective', in Mats Berdal and David M. Malone, eds., *Greed and Grievance: Economic Agendas in Civil Wars* (2000), p. 91-111

⁶Joao Gomes Porto, 'Contemporary Conflict Analysis in Perspective', in Jeremy Lind and Kathryn Serman, eds., *Scarcity and Surfeit: The Ecology of Africa's Conflicts* (Pretoria: Africa Center for Technology Studies and Institute for Security Studies, 2002) p. 13

public coffers to enable the government respond to perceived grievances from the periphery.⁷

2.2 Resource Scarcity

The theory of resource scarcity holds that groups will engage in conflict when the resources they need most for survival are threatened (Giordano and Wolf, 2005). Conflict vulnerability has often been linked to population growth in the less developed countries which have limited coping ability.⁸ Fearon (2004) argues that though resource scarcity has an influence on conflicts, it does not cause conflict in isolation. Due to ecological degradation among other factors, there has been a decline in access to water and pasture during dry seasons in places such as South Sudan.⁹ Pastoralists also engage in conflict among themselves or with sedentary farmers as is the case in Mvorol County of Western Equatoria between the Dinka and the Juru ethnic groups who have subsequently formed militias to protect their interests.

2.3 Marginalization and Exclusion in Resource Distribution

Marginalization and exclusion are aspects resource scarcity. Some scholars argue that groups engage in conflict to seek redress to gaps in the national distribution of resources. The ‘greed vs. grievance’ paradigm of conflict tends to blame the victim more than the government whose responsibility it is to exploit, manage and distribute resources equitably (Collier and Hoeffler, 2000). Greed refers to opportunistic and selfish appropriation of resources.¹⁰ Marginalization and exclusion refer to degrees of being left out in the process of power and resource distribution. They also refer to the policies

⁷ Paul Collier, Op. cit., p. 105

⁸ Tir and Diel, *Demographic Pressure and Interstate Conflicts: Linking Population Growth and Density to Militarized Disputes and Wars*, 1930-89, Vol. 35, No. 3 1998, pp. 319-339

⁹ Giordano and Wolf (2005), *International Resource Conflict and Mitigation*, Journal of Peace Research, Sage Publications, London

¹⁰ Le Billon, *Resources for Peace? Managing Revenue from Extractive Industries in Post Conflict Environments*, 2008

that accentuate this pattern.¹¹ Though the GOSS has no significant resources to distribute across the country, there are perceptions of marginalization of certain groups and regions especially in the Upper Nile region. Marginalization increases regional disparities and rural poverty. Unaddressed socio-economic grievances lead to emergence of armed groups as witnessed in the emergence of *Anyanya* and SPLM/A against the government of Sudan. Other scholars have proposed that armed groups can maintain and prolong civil wars out of greed. They hold that lack of access to particular resources can be a significant factor in explaining persistence of civil conflicts.¹² According to Collier, inequality, repression, ethnic and religious fractionalization, are inadequate to explain emergence of rebellion.¹³ In their research on civil wars in Africa, Eltigani and Ateem (2007) found out that conflicts in Africa cannot wholly be explained by ethno-linguistic differences but rather by high levels of poverty, failed political institutions and economic dependence on natural resources. Where the government is unable to listen to grievances from the periphery, armed groups are bound to emerge.

Günther-Baechler et al (2002), Homer-Dixon (1994), and Klare (2001), see a strong link between resource scarcity and violent conflict. They argue that population pressure, combined with natural resource scarcity contribute to violence especially in local or civil conflicts.¹⁴ However, Deudney (2007) argues that fighting to obtain scarce resources is rarely rational, since there are cheaper solutions like conservation, trade, and substitution.¹⁵ Collier and Hoeffler (2000) and de Soysa (2010), counter this argument with the opining that given certain social conditions, violent conflict is more likely if lootable

¹¹EltiganiSeisi et al, *The Root Causes of Conflicts in Sudan and the Making of Darfur Tragedy*, 2007, p. 18

¹²Indra De Soysa and Eric Neumayer, *Resource Wealth and the Risk of Civil War Onset*, p. 204

¹³Paul Collier, 'Doing Well Out of War: An Economic Perspective', in Mats Berdal and David M. Malone, eds., *Greed and Grievance: Economic Agendas in Civil Wars* (2000), p. 91-111

¹⁴Gunther Baechler et al, *Transformation of Resource Conflicts: Approach and Instruments*, 2002, Michael T. Klare (2001), *Resource Wars: The New Landscape of Global Conflict*, Homer-Dixon (1994): *Environmental Scarcities and Violent Conflict; Evidence from Cases*

¹⁵Daniel Deudney, *Examining Resource Scarcity; Omniviolence and State capacity*, 2007, Vol 13, Issue 2, P. 165

resources are abundant.¹⁶ In *The Political Economy of Armed Conflict: beyond Greed and Grievance* (2003), Ballentine and Sherman argue that there are more reasons why people opt for conflict than suggested in previous research. Poverty induced by exploitation may give rise to insurgency. Resources may finance and sustain the government or rebels during conflict, such as was witnessed in Angola.¹⁷ On other cases, natural resources are associated with shorter wars and more often end with victory for one party. External actors often intervene to restore the supply of the vital but scarce resource.¹⁸ Plentiful resources may provide sufficient revenues that the government can use to fund its army and co-opt the rebels.

According to the UN High Level Panel on *Threats, Challenges and Change* (2004), commodity shortages can help trigger social unrest and civil war. In 2009, the UNEP's Experts Advisory Group on Environment, Conflict and Peace Building found out that there was a significant potential for violent conflicts over natural resources to intensify in the coming decades.¹⁹ According to the Heidelberg Institute for International Conflict Research (HIK), resources are the predominant cause of conflict in Sub Saharan Africa, at 38%.²⁰ Some conflicts in Sudan have centred on the control of water and pasture.²¹ A high rate of population growth as opposed to finite resources as a cause of conflict has been challenged by advocates of innovation, resilience and technological adaptation.²² Population growth does not in itself contribute significantly to conflict but it is an important factor where there is more militarization in society. Conflicts occur where there are no institutions and frameworks for conflict management and mitigation. Fearon and Laitin (2004), and De Soysa (2010) found out that oil exporting countries are more likely to suffer from civil wars. Fearon (2004) also argues

¹⁶ Indra De Soysa and Eric Neumayer, *Resource Wealth and the Risk of Civil War Onset*, p. 206

¹⁷ Michael Renner, *Rethinking Global Security, An African Perspective*, 2002

¹⁸ Humphreys Macartan et al., *Escaping the Resource Curse: What is the Problem with Natural Resource Wealth?*, 2007

¹⁹ Report of UNEP's Experts Advisory Group on Environment, Conflict and Peace building, 2009

²⁰ Conflict Barometer, Sub Saharan Africa, 2010, p. 23

²¹ UNEP, Sudan Post Conflict Environment Assessment, 2007

²² Bjorn Lomborg, *The Sceptical Environmentalist*, (Lomborg challenges widely held beliefs about the environmental causes of conflict and offers a different model of understanding the conflict situation).

that the presence of precious commodities such as gemstones and narcotics tends to make wars last longer. Buhaug and Gates and Paivi (2009) demonstrate that the presence of certain minerals in conflict zones expands the geography of conflict.²³

Resource control or sharing is central to the hitherto perceived ethnic conflicts in Africa. Most conflicts in Africa are resource-induced, and there is a strong indication that behind the ethnic and nationalistic political mobilization there is a resource cause. Conflicts induced by resource contestation call for equitable and inclusive resource sharing formulae from responsive governance. In former undivided Sudan, the state operated an unjust system of distribution, the politics of exclusion, social injustice, deprivation, human rights violations, oppression, intimidation and domination. These became the hallmarks of the South Sudan-Sudan conflict. The ethnic factor in access to resources in South Sudan resembles pre-genocide Rwanda and Burundi, where access to public services was structured along ethnic lines. The contestation for power to determine the allocation and distribution of resources is an ideal nursery for social movements that may culminate in regional insurgency. This has definite implications for socio-economic and political development of a given country.

Competition over environmental resources contributes to intrastate conflict. Loss of livelihoods is linked to environmental degradation and resultant competition over access to and ownership of natural resources. Natural resources comprise about 40% of all intrastate conflicts in the past six decades.²⁴ Conflicts may arise in the struggle for livelihoods or may be a consequence of migration. Barnett and Adger (2007) argue that climate change-induced reduction in the quantity or quality of resources may cause conflict depending on other variables such as reliance on a primary commodity.²⁵ Much of previous research on the causal links between competition over natural resources and violent conflict has focused largely

²³Halvard Buhaug, Scott Gates and PaiviLujala, *Geography, Rebel Capability, and the Duration of Civil Conflict*, 2009, *Journal of Conflict Resolution*, Vol. 53, No.4, p. 544-569, Fearon James D (2004): *Primary Commodities Exports and Civil War*

²⁴This information appears in Blade D. Ratner et al, '*Resource conflict, Collective action, and Resilience: An analytical Framework*', CAPRI 2010, p. 1

²⁵ Barnett and Adger, *Climate Change, Human Security and Violent Conflict*, 2007

on high-value extractive resources such as oil, gems, other minerals, and timber.²⁶ There was little focus on conflict over the natural resources that underpin rural livelihoods – subsistence-based use of land, water, fisheries, and forests. There has also been growing state interest in securing ownership or long-term use rights for agricultural land and primary resource extraction which has increased attention towards poor people's resource rights and livelihoods.²⁷

Matthew, Brklacich, and McDonald (2005) argue that in understanding environment, conflict, and cooperation, analysts need to better engage research traditions on the roots of conflict and the dynamics and processes of cooperation.²⁸ Research carried out by Collier and Hoeffler (2000) demonstrates that many rebellions appear to be linked to the capture of resources such as diamonds in Angola and Sierra Leone, and drugs in Colombia.²⁹ Experts in resource management maintain that while a range of conflict management approaches and guidelines related to resource management exists, most are applicable to specific conflict situations and cannot be applied broadly as a general tool of analysis in different contexts. A number of strategies have proved effective in addressing resource conflicts. These include democratic governance, transparent revenue-sharing, corruption control, a stable investment environment, and the implementation of international control regimes.³⁰ It is interesting to note that most of these findings apply to Africa and the developing world because natural resources do not cause conflict in the United States and Canada, Western Europe and Russia in the same way. It is also important to examine the role of Western governments and their close allies, private mining companies and private military activities in resource exploitation and conflicts in Africa.

²⁶ Le Billon, *Resources for Peace? Managing Revenue from Extractive Industries in Post Conflict Environments* 2008

²⁷ Ibid p. 20

²⁸ Mather Richard, Brklacich Michael and Macdonald Byan, *Analyzing Environment, Conflict and Cooperation*, 2005

²⁹ Collier Paul and Hoeffler Anke, *Greed and Grievance in Civil War, Policy Research*, 2000

³⁰ Franke, Hampel, Milagrosa and Schure, *In Control of Natural Wealth?; Governing the Resource-Conflict Dynamic*, 2007

2.5 A Holistic Approach in Understanding Conflict

The above theories provide different lenses through which to observe the relationship between resources and conflict but none explains the phenomenon alone, hence the need for a holistic approach in understanding conflict. Many variables are at play in the generation of resource-based conflicts in South Sudan. These variables revolve around resource abundance, scarcity, greed, grievances, balance of power and governance. The probability of conflict is highly contextual. For example, the conflicts in the Upper Nile region exhibit interplay of group identity, scarcity of resources, abundance of oil and other resources along the Sudan/South Sudan border, policy, strategies of both countries and nature of the political leadership, among other factors. As a new-born country, South Sudan has to undertake state and nation building concurrently. For this to happen, equitable and inclusive resource management will enable smoother reintegration and reconstruction which will in turn put the new nation on a sound development path.

2.6 Livelihood-based Conflicts and Development

Though South Sudan is well endowed in agricultural potential and has significant oil reserves, it faces tremendous challenges of development. More than half of the population lives below the poverty line and the country continues to register low development indicators.³¹ Poor infrastructure hinders provision of basic social services including security and it also makes it difficult to develop markets for essential goods. The ethnic conflicts that have unfolded among many tribes in South Sudan in the past few years are largely about livelihoods. The recent cattle raids in the greater Upper Nile can be attributed to scarcity of natural resources, food shortages, disparities in access to water and grazing lands during the dry season and breakdown of traditional values. In Western Equatoria State, there are conflicts between the Moru and Mundari over Lake Reri in East Mundri County, and between the Juru and Dinka of Mvolo County. The Mundari and Bari in Central Equatoria often raid each other over cattle and so do the Dinka Atuat and

³¹ www.World Bank.org/South Sudan Development, retrieved September 25th, 2012

Dinka Agar in the Lakes State.³² Livelihood-based conflicts tend to dominate the dry seasons when there is less grass and water but political conflicts are perennial.

The Nuer (Lou, Laak, and Gawaar) and Dinka in Jonglei State fight over natural resources, despite the fact they are sedentary pastoralists and have many things in common. Revenue-producing resources such as timber, minerals, and oil cause the most problems, often called the “resource curse”. This is the paradox that countries with abundant natural resources often have less economic growth than those without them. Dependence on a few sources of revenue typically discourages diversification, leads to overheating of the economy and increases volatility of prices and revenue.³³ South Sudan was depending on oil to meet 98% of its annual expenditure before the shutting down of the oil pipeline in 2012. Agriculture in South Sudan has been neglected and most of the food consumed in urban areas is imported. If well managed, the oil in South Sudan can be a substantial asset for peace building, reconstruction, livelihood security, governance reform, and security improvement. In South Sudan, perceptions of inequality in the distribution of revenues and jobs easily trigger conflict. The intensity of the conflict increases if and when the ethnic factor creeps in such as in the Nuer/Dinka/Murle conflict. It has been observed that when natural resources are extracted industrially, non-state groups cannot get them, taxes can be collected and this reduces the risk of conflict.³⁴ Even when conflict gives way to fragile peace, control of natural resources and their revenues often stays in the hands of a small elite and are not used for the development of the country. It is recognized that transparent, equitable and inclusive governance of natural resources is vital to the consolidation of peace and prevention of renewed violence and that it is a fundamental precondition for successful post-conflict reintegration, reconstruction and development.³⁵

South Sudan has a wide variety of natural resources which include oil, minerals, forests and woodlands, grasslands, water including the River Nile

³² USAID-South Sudan: Land Tenure Issues in South Sudan, Page 185

³³ Snyder and Bhavnani, “*Diamonds, Bloods, and Taxes: A Revenue-Centered Framework for Explaining Political Order*”, p. 590.

³⁴ Ibid., p. 249

³⁵ Op. cit., p. 350

and the Sudd (the largest wetland in Africa), and wildlife conserved in national parks and game reserves. A number of challenges have been identified in the management of the country's natural resources. These include limited policy, legislative framework and institutional capacity for natural resource management; slow progression in the decentralization of the conservation sector; effects of development on natural resources; migration of people into South Sudan; climate change; commercial forest exploitation; and increasing demand for construction materials, firewood and charcoal.³⁶ It has been argued that the presence of capital-intensive, non-lootable natural resources can provide opportunities for peace-making because their exploitation depends on a certain level of security.³⁷ This was evidenced in the agreement on oil sharing between Sudan and South Sudan after the Heglig incident in 2012.

³⁶USAID, Environmental Threats and Opportunities Assessment (ETOA), South Sudan, 2003

³⁷Achim Wennmann, *Wealth sharing beyond 2011: Economic Issues in Sudan's North-South Peace Process*, 2009, p. 9

3.0 Challenges and Opportunities for Sustainable Peace

The problem of resources in South Sudan is accentuated by two major factors: an economy that lacks diversification, and governance that is still plagued by corruption. A combination of these structural and functional factors tends to generate instability. As has been noted,

“...the economy of South Sudan is vulnerable due to over-reliance on oil and some elements in the new administration are practicing corruption copied from neighbouring countries.”³⁸

3.1 Land Tenure and Related Issues

Land is considered the most abundant resource in South Sudan. A number of scholars have noted associations between conflict and land tenure in the country.³⁹ The land issue covers two aspects: use of land by large foreign companies; and the traditional land tenure systems and modern land use systems. Disputes related to access to land arise within families, between communities, between pastoralists and farmers, between traditional communities and state authorities, and between communities and returnees from Sudan. Land lease agreements have been reached with foreign governments (mostly Gulf States) to cultivate huge areas of agricultural land at low cost. Since the CPA in 2005, foreign investors have acquired 9% of South Sudan's total land area and without proper legal procedures and regulations, there is the danger that these acquisitions will undermine the livelihoods of rural communities. The communities whose land is taken are not always adequately compensated or sufficiently involved in the decision-

³⁸Rev. Mark Aketch Cien (Acting Secretary General) South Sudan Council of Churches (SSCC), interview with the author in Juba, 15th, August 2012

³⁹

making processes around these acquisitions. This also applies to acquisitions by security and government actors especially in Juba.⁴⁰

Land administration or management in the South was previously under traditional rules and mechanisms. The disregard of customary rights to land, livelihoods and human security is said to have been a major cause of the second rebellion in the South in 1983.⁴¹ This situation has persisted even after independence even though the GOSS has made a number of measures to address the situation. As noted,

“The displaced people have not returned to their original areas even after independence of South Sudan since violent conflict continues in these areas.”⁴²

Restitution of land to displaced persons is a herculean task due to lack of capacity among land administration organs. The Land Act established a process for addressing claims for restitution of rights to land and lost property as a result of forced displacement resulting from the civil war. The Act states that claims for restitution and compensation should be made to the Land Commission, traditional authority or any other recognized community representative within a specified period.⁴³ Given the lack of information about the Act, it may take a long time before all the cases are brought to the authorities.

3.2 Grazing Rights and Pastoralist Insecurity

As noted earlier, there is conflict among ethnic groups especially in Upper Nile, Unity and Jonglei states over grazing rights. The conflict pits the Rizeigat and Misseriya Arab nomads against the Malual Dinka, Lou Nuer and Dinka against the Murle. The Misseriya also contest ownership of the Abyei area north of Bahr al Arab/Kiir River because it has been difficult for them to access water and grazing areas in Abyei which are controlled by the

⁴⁰ *Land Tenure Issues in Southern Sudan; Key Findings and Recommendations for South Sudan Land Policy*, 2010, USAID, p. B-VI

⁴¹ Shanmugaratnam N, *Post War Development and the Land Question in South Sudan*, 2009, p. 4

⁴² Mathias DonasTombe, SSHRC, Interview: Juba, 13th, August 2012

⁴³ The South Sudan Land Act, 2009

Dinka Ngok. The Dinka Ngok and Misseriya differ over the future of Abyei with the Misseriya dismissing the Permanent Court of Arbitration (PCA) ruling and the CPA over Abyei. The Dinka insist on implementation of the PCA and CPA. Since the Abyei Referendum Law was enacted in 2010, there have been disagreements on implementation of the Act. The split of South Sudan from Sudan and the subsequent unresolved conflicts over Abyei, Blue Nile and South Kordofan has politicized the traditional grazing agreements. The presence of government security agents from both countries and organized armed groups complicate the security situation for the pastoralists. The Dinka/Juru conflict in Mvoro County of Western Equatoria, Lou Nuer/Dinka, Lou Nuer/Murle and Dinka/Murle conflicts in Upper Nile also revolve around access to water and pasture.

South Sudan's rural economy is essentially based on agriculture. Conflicts between pastoralists and farmers have existed for centuries in this part of the world. The conflict in Darfur and neighbouring countries is essentially of this nature.⁴⁴ In these Sub-Saharan areas, the need for water and pasture makes conflicts more common. Pastoralists are largely dependent on a sparse natural resource base in ecologically marginal areas. These areas are characterized by harsh weather, scarce rainfall and poor soils. Pastoralist insecurity in South Sudan has been increased by environmental degradation and war, overgrazing, and disruption of grazing routes. Decreased access to water sources for animals may primarily be attributed to climate change; many water sources are drying up due to drought or have become disused because of decreased pasture quality around them. Land degradation and desertification due to overgrazing and tree felling have also exacerbated the problem. Migration to other regions such as the Upper Nile state increased conflicts with the local people.⁴⁵ The GOSS's attempt to use force in disarmament was not effective as the people gave out just a few arms and retained the rest. Cross-border cattle rustling has graduated from a cultural event to organized crime with commercial or livelihood implications. This is evident in conflicts pitting the Toposa of South Sudan against the Turkana of Kenya. This takes place amidst a complex security situation as expressed below:

⁴⁴ Abdel Ghaffar M. Mohamed, *Transforming Pastoralism; A Case Study of Rufa' al Hoi Ethnic Group in the Blue Nile State*, Sudan, 2008, p. 7

⁴⁵ Ibid., p. 12

“The government has not yet registered its authority on the ground – cannot guarantee security to all the citizens at the grassroots level. There is no effective implementation of the rule of law, therefore people feel vulnerable to attacks from other armed groups.”⁴⁶

Cattle rustling is an old tradition but the availability of firearms has increased its magnitude. The country is yet to develop proper land tenure and administration systems. Pastoralists are unable to defend their land tenure rights due to political marginalisation and poor administration of land legislation. Due to this vulnerability, pastoralists all over the country carry arms to defend their rights because they do not trust the ability of the government to protect them.

3.3 Structural and Systemic Factors

Although they may not be direct causes of conflict, poverty, lack of public services, marginalization, depletion of pasture, and lack of strong institutions for peace building contribute to conflict escalation. Control of state power to determine distribution of resources creates rebel movements. The state is the major player in resource distribution yet poverty abounds. Though majority of the people in South Sudan are poor, the institutional mechanisms for enhancing equitable distribution of resources are still weak, human rights abuses are still rampant and there is ethnic polarization in a number of regions.

The problem of Abyei is an example of a structural problem that was brought about by the CPA and the division of Sudan into two states. For centuries, pastoralists have performed seasonal north-south migration in search of grazing land (“toich”). Traditional coordination mechanisms were put in place many years ago in order to solve or mitigate conflicts between farmers and pastoralists. Consultative committees defined the grazing and watering routes, the timing for moving the herds, and compensation procedures. The emergence of borders has raised the problem to an issue of legal jurisdiction.

⁴⁶ Geoffrey Lou Duke, South Sudan Action Network on Small Arms (SSANSA), Interview, Juba, 18th, August, 2012

Systemic factors such as desertification, ethnicity, unequal distribution of resources and climate change increase poverty and increased poverty contributes to escalation of conflict. Research has showed that there is higher likelihood of peace where there is high economic growth and less inequality.⁴⁷ According to a World Bank report, countries that are dependent on a single primary product for export are more likely to experience conflict due to fluctuation of commodity prices, more so during periods of economic decline.⁴⁸ This means that South Sudan has to reduce dependency on oil while progressively exploiting its immense agricultural potential.

3.4 Environmental Challenges

There has been significant change in temperatures (more than 1 degree Celsius) and reduction of rainfall by 10-20% in South Sudan.⁴⁹ This has affected food security through reduced crop yields and livestock husbandry. The drying up of permanent rivers and reduction of water in boreholes have also been recorded.⁵⁰ The Sahara desert has expanded between 50 and 200 Km southwards since the 1930s.⁵¹ Though the real contribution of climate change to conflict may not be explicit as of now, there is some coincidence in the sense that the areas most affected by climate change are also zones of conflict.⁵² Natural and man-made actions are responsible for environmental degradation is worsening climate change. Climate change undermines human security through reducing peoples' access to resources and the government's ability to provide services that help societies to sustain their livelihoods and build peace. This in turn increases the risk of violent conflict. Climate change in most cases occurs as the hidden hand in local conflicts because the parties in conflict cannot fathom the behaviour of nature. The capacity of local communities to avoid or adapt to the damages of climate change are

⁴⁷ Carnegie endowment for international peace, commission on preventing deadly conflict, Washington DC, 1997 p., xxxii

⁴⁸ P. Collier, *Economic causes of civil conflicts and their implications for policy*, World Bank, Washington DC, 2000, p.7

⁴⁹ *A Climate Trend Analysis of Sudan*, USAID, p. 1

⁵⁰ *Environmental Impacts, Risks, and Opportunities Assessment: Natural Resources Management and Climate Change in South Sudan*, GOSS and UNDP, p. 4

⁵¹ *National Adaptation Programme of Action for Climate Change*, 2007, UNEP, www.sd.undp.org/projects

⁵² GOSS and UNDP, Op. cit, p. 4

often limited. Vulnerability to climate change-induced conflicts depends on other factors such as income, natural resource endowment, population characteristics, ethnic and religious fractionalisation, education levels, geography, and previous conflicts.⁵³

South Sudan has vast and diverse forest and woodland resources that provide food, medicine, oils, timber, poles and firewood. However, some areas have been destroyed by decades of uncontrolled forest fires, over-grazing and over-exploitation of some species.⁵⁴ There is a strong linkage between environmental degradation, desertification and conflict. Environmental degradation is said to be a trigger of conflicts that are further fuelled by politics and ethnicity.⁵⁵ Sale of firewood and charcoal burning are rampant in all the states of South Sudan especially near urban centres.⁵⁶ Exploitation of these resources also attracts formation of organized armed groups that struggle to control the trade where there is high dependence on certain primary resources. The extraction of oil is said to bring about desertification due to chemical contamination from oil-related activities. There have been reports of increasing desertification in South Kordofan among other areas along the North-South border. This has made communities move further south thereby fomenting conflict as competition for scarce water and grazing land increases (e.g. Heglig area and Pariang County). Ecological degradation has been found to be a cause of conflict.⁵⁷

Population increase in many regions has also increased pressure on resources and increased deforestation at 1.4% per annum leading to fuel wood scarcity.⁵⁸ According to the 2008 National Census, the population of South Sudan was 8, 260, 490 people.⁵⁹ Population growth increases competition over natural resources and given the high level of illiteracy and limited skills

⁵³ *Climate Change, Population Pressure and Conflicts in Africa*, ISS Paper 178, January 2009

⁵⁴ Environmental Threats and Opportunities Assessment (ETOA) Sudan, 2012

⁵⁵ Salome Bronkhorst: *Climate Change and Conflict: Lessons for Conflict Resolution from the Southern Sahel of Sudan*, ACCORD / SIDA, p. 7

⁵⁶ Ibid, p. 10

⁵⁷ Rainfall has reduced by an average of 5% per year, Homer-Dixon: *Environmental Scarcities and Violent Conflict; Evidence from Cases*, 1994, Part 1

⁵⁸ Environmental Impacts, Risks and Opportunities Assessment; Natural Resources Management and Climate Change in South Sudan, GOSS and UNDP, 2011

⁵⁹ Sudan Tribune, May 21, 2009

among the youth, there is greater reliance on land, water and pasture for livelihoods. Water is required for animals, crops and human use. Many people have to walk far to fetch water. There have been instances of reduced rainfall in many parts of South Sudan. Drought has made groups move in search of pasture beyond their traditional settlements. This has brought about conflict with other groups especially along the South-North Sudan border. There are also conflicts based on unequal distribution of water between groups and regions. Many people and livestock concentrate in areas where water is available thereby causing environmental degradation and increasing the potential for group conflict.

Desertification causes decline in food production which in turn makes groups migrate or causes localised displacement of groups. The main causes of desertification in the region are overgrazing and excessive clearing of forests.⁶⁰ The Nile water resource has been influencing the political transformation of Sudan. Egypt did not support liberation and independence of South Sudan due to the 1929 Nile Waters Agreement. According to the agreement, Egypt was entitled to 65% of the Nile waters and the rest was to be shared among the other riparian states.⁶¹ The Nile Basin Initiative (NBI) that brings together all the riparian states is spearheading research and cooperation in the management of the Nile water resources for mutual benefits. There have also been conflicts over fishing at the Sobat basin between the Lou and Jikany Nuer. Commercialization of fishing through use of modern technology has interfered with the customary fishing arrangements. The Lou Nuer also migrate with their livestock to the areas near the Pibor River thereby increasing overgrazing in the surrounding areas and competition in fishing.⁶²

Unstable water supply and poor water management systems cause periodic shortages. The management of water is the responsibility of the Ministry of Water Resources and Irrigation (MWRI). The Strategic Framework for Water, Sanitation and Health was finalized in June 2011 and it is meant to

⁶⁰ See Environmental Impacts, Risks, and Opportunities Assessment: Natural Resources Management and Climate Change in South Sudan, GOSS and UNDP, p. 4. See also Ibrahim Abdel A, Range Management in the Sudan: An Overview of the Role of the State, p. 160

⁶¹ Joseph Kieyah, The 1929 Nile Waters Agreement; Legal and Economic Analysis, p. 7

⁶² Omer A. Egemi and Sara Pantuliano, The Political Economy of Natural Resources-based Conflict in South Sudan

implement the water policy of 2007.⁶³ Water-related conflicts can be addressed through customary and formal legal systems. There are customs that regulate movement of livestock during the dry season. Local people must be involved when policies on water management are being made. Decentralization of water management to the community level has been successful in Uganda.⁶⁴ A more integrated and conflict-sensitive approach to water management that brings together the private sector, international organizations and the GOSS may be more effective.

3.5 Urbanization

Since 2005, more than 500,000 people have returned to South Sudan. Most of them have gone to Juba (already with more than 500 000 people) and other towns such as Rumbek, Wau, Bor, Yei and Malakal. There has been a rise in the demand for resources such as water, building materials, charcoal and firewood. Sanitation has also been affected by the growth of slums that the government has occasionally forcefully demolished without offering sustainable alternatives.⁶⁵ As in other large African cities which developed exponentially within the last 20 years, the sudden influx of inhabitants could not be followed by commensurate infrastructure development, leading to the development of slums, areas that constitute a fertile ground for criminality and insecurity.

*“Management of waste disposal is poor. In all the towns of South Sudan there are no proper systems of waste disposal. This is a danger to both human and animal life. In some places, surface and ground water has been contaminated and diseases associated with poor sanitation are rampant. The development of infrastructure cannot match the rate of migration into towns.”*⁶⁶

⁶³Multi Annual Strategic Plan, South Sudan, 2012-2015, Page 11

⁶⁴ SIPA, *The Alchemist's Challenge: Natural Resources and Sustainable Peace in South Sudan*, p. 4

⁶⁵ Ellen Martin and Irina Mosel: *City limits, urbanization and vulnerability in Sudan*, Juba case study, p. 4-34

⁶⁶Mathias Tombe, South Sudan Human Rights Commission, Interview, Juba, 13th, August 2012

3.6 Governance Issues

When resources are not well managed, many people go without essential services provided by the state. The GOSS uses most of its resources in administration, not on the delivery of basic social services. There is no petroleum policy in place to guide use and distribution of the oil proceeds. The public does not access information on the amount of money accruing from oil and how the money is spent. The lack of a regulatory framework opens the possibilities of embezzlement and misuse of the income since there are no legally enforceable oversight mechanisms. The Auditor -General's reports on corruption in the public sector provide a cause for concern, though no further investigations or prosecutions have been undertaken.⁶⁷ The Parliament of South Sudan maintains Extra Budgetary Funds (EBFs) and excludes oil revenue from the national budget. This practice is against comprehensive budgeting and limits public accountability and transparency.⁶⁸ More public participation in the budgeting process is required to reflect the felt needs of communities and improve accountability. Government expenditure must stick to the priorities defined in the National Development Plan (NDP) in order to gain public confidence.

3.7 Poor State of Agriculture

Due to the long war, food security was undermined and reliance on food imports increased in South Sudan. Food insecurity is a major threat to the state. Approximately 2.7 million people will need food aid in 2012 according to the World Food Programme (WFP)⁶⁹. Malnutrition is also high and delivery of food aid is difficult during the rainy seasons.⁷⁰ About 80% of the population still live in rural areas and rely on farming or pastoralism for their livelihoods. Agricultural development is hampered by lack of relevant skills, low capacity of the relevant ministries, poor infrastructure and natural factors such as floods and drought. However, agriculture bears the greatest potential

⁶⁷Riek Machar, *Weak Institutions cause of corruption in South Sudan*, Sudan Tribune, 10, June 2012

⁶⁸Mbaku et al, *Anti-Corruption in South Sudan*, 2011, p. 3

⁶⁹Ulf Laessing, "South Sudan seeks food and farmland investments". Reuters. 2011-12-23. Retrieved 2012-01-15

⁷⁰Report of the Secretary General, *South Sudan*: United Nations Security Council, p. 18

for translating the country's natural resource base into improved livelihoods and social security among the population. Development of the agricultural sector is the responsibility of both the GOSS and the private sector.

The ownership and regulation of land and water affects agricultural development. The influx of returnees and acquisition of large tracts of land for private investment puts pressure on the available land for agriculture. Like in many other African countries, the role of women, in agriculture is crucial. The GOSS is working on land tenure issues to ensure optimal participation of women in agriculture.⁷¹ There are commendable efforts by the GOSS to improve agriculture as described in the land act, development plan and policies. The GOSS has projects to improve inputs, technology, infrastructure and markets to create employment, generate income and stimulate local entrepreneurship.⁷² A lot still needs to be done for agriculture to assume its place in the national economy and ensure food security and incomes for sustainable peace and security in the country.

3.8 Proliferation of Small Arms and Light Weapons (SALW)

In an insecure and unstable environment with only limited job opportunities, the abundance of small arms and light weapons (SALW) almost acts as an incentive for individuals to carry out criminal activities. The fading authority of traditional leaders and the prevalence of communal rather than national mind-sets, tend to foster rather than limit violence.

“Armed groups in South Sudan also use violence to control cross-border trade in precious woods. The rebels loot natural resources and extort local populations. There is no legislation for the management and control of illicit SALW.”⁷³

⁷¹ *Multi Annual Strategic Plan*, South Sudan, 2012-2015, p. 9

⁷² *Ibid.*, p. 28

⁷³ Geoffrey Duke: South Sudan Action Network on Small Arms (SSANSA), Interview, Juba, 16th, August 2012

Due to the GOSS's inability to provide security, the local communities keep arms for defence, without any control from the government.

“No registration or census of arms that people bear has been taken. Communities move their arms to neighbouring countries such as Ethiopia when the GOSS conducts disarmament, thereby limiting the success of disarmament initiatives.”⁷⁴

The forces of YauYau (Pibor), Peter Gadet and Oling are still active in the Greater Upper Nile region – Jonglei, Upper Nile and Unity states. Other areas vulnerable to organized armed groups bearing SALWs are Northern and Western Bahr el Ghazal.

“Organized armed groups are a challenge in some parts of the country. They force young people to join them, cause displacement and increase cattle raiding prevalent among the pastoralists such as the Boya, Toposa and Murle.”⁷⁵

3.9 The North-South Conflict

Though the conflict between Sudan and South Sudan formally ended with the CPA in 2005, there are many unresolved issues that continue to be sources of conflict between the two countries.

3.9.1 The Role of Oil

Although the conflict between North and South Sudan intensified in 1983 soon after oil was discovered within South Sudan in 1980, oil did not become a strategic issue until the late 90s, when it started to be exploited. Most of the oil is extracted in the border area between North and South Sudan (Upper Nile, South Kordofan, Unity and Jonglei) thus assuming economic and strategic importance. Although Sudan's oil exports started in 1999, the end of the war in 2004-2005 opened the door for more consistent

⁷⁴ Ibid

⁷⁵ Interview: Mathias DonasTombe, South Sudan Human Rights Commission (SSHRC), 13th August, 2012, Juba

and regular exploitation. The CPA established transitional provisions to share oil revenues, namely, South Sudan was to receive 50% from the revenues of the oil produced in the South (after deduction of 2% for producing states). Although the border was not defined and agreed upon by the parties, it is estimated that about 80% of the oil fields are in the South.⁷⁶ The precise determination of which ones are in the North and which ones in the South has become a subject of contention. This issue was eventually solved by a political agreement that returned the oil sharing mechanisms.⁷⁷ At this stage, oil accounted for 60% and 90% of Sudan's and South Sudan's national revenues respectively.⁷⁸ The economic crisis of 2008 dramatically affected Sudan. After the record peak of USD 145 per barrel in July 2008, the price of crude oil fell to its lowest point, USD 28-30 per barrel on 23 December 2008. Crude oil was traded between USD 45 and USD 95 between 2009 and 2011, and stabilized at around USD 110 per barrel in 2012.⁷⁹

The next challenge for Sudan is the sustainability of this resource. Apparently, Abyei oil fields (Blocks 1, 2, and 4) reached their peak production in 2005-2006 and are now on the decline. Production in Blocks 3 and 7 (Upper Nile) apparently reached its peak in 2011-2012 and is likely to decline in 2013 onwards.⁸⁰ With the independence of South Sudan, Sudan already lost about 75% of its revenues, and with the imminent decline in production, both countries will face greater challenges. Oil revenues in the South may be wholly used in growing the domestic economy between 2018 and 2024.⁸¹ Over-reliance on oil puts South Sudan in a difficult strategic position for the future. Further, it relies heavily on the North for exporting its oil which binds the two countries together in some common fate.⁸²

⁷⁶<http://crudeoilpeak.info/sudan-nile-blend-in-decline-why-we-should-be-concerned>, as accessed on 15 October 2012.

⁷⁷International Crisis Group, "Sudan's Comprehensive Peace Agreement: The Long Road Ahead", Africa Report N°106, 31 March 2006

⁷⁸Fuelling Mistrust; *The Need for Transparency in Sudan's Oil Industry*, Global Witness, 2009, p. 13

⁷⁹Goldman Sachs estimate, February 2012

⁸⁰⁸⁰<http://crudeoilpeak.info/sudan-nile-blend-in-decline-why-we-should-be-concerned>, as accessed on 15 October 2012

⁸¹World Bank; *Poverty Reduction and Economic Management Unit – Africa Region, Sudan — The Road Toward Sustainable And Broad-Based Growth*, December 2009, p. 60.

⁸²SIPA, *The Alchemist's Challenge: Natural Resources and Sustainable Peace in South Sudan*, p. 3

3.9.2 Borders and Resources: The Case of Abyei

The area of Abyei comprises oilfields Blocks 1, 2, and 4 and remains a subject of contention, despite the fact that oil production in these blocks has been declining since 2006. The boundaries of the Abyei area were to be determined by a commission of five international experts comprising the Abyei Boundaries Commission (ABC). The Commission presented their report in July 2005, but it was not accepted by the Government of National Unity (GoNU). Both sides agreed that the case be decided by an Abyei Arbitration Tribunal sitting at the Permanent Court of Arbitration in The Hague. The Tribunal rendered its final ruling in July 2009, redrawing the boundaries relative to the original ABC ruling and ceding key oilfields and grazing lands to the North.⁸³ As of 2012, the more than 2,000 km border between the two countries has not been formally demarcated. Beyond the case of oil, grazing rights and pasture remain a source of contention as Misseriya pastoralists have difficulty accessing their traditional grazing lands.⁸⁴

⁸³Op.cit; World Bank, December 2009, p. 63-64.

⁸⁴ Joshua Craze, *Creating Facts on the Ground: Conflicts Dynamics in Abyei*, HSBA, SWP No. 26, 2011, p. 39

4.0 Resource Management in State and Nation-building

This section examines the specific strategies and measures employed in addressing conflicts over land, water and pasture. Since oil will inevitably decline in the near future, affecting the economies of both North and South Sudan, strategies must be put in place to smoothen the transition from oil dependency to a more diversified economy. These strategies are multi-dimensional and the manner of their implementation will have implications for peace and security.

4.1 Resource Management and State-building

Addressing conflicts always requires a multi-pronged approach: a preventive prong that addresses the causes of conflict; a pre-emptive prong that aims at mitigating conflict and its impact; and a reactive prong that addresses conflicts as they appear. Although not explicitly defined by the Government of South Sudan, at least two pillars of the preventive dimension of conflict management can be identified. The first is related to state-building and aims at addressing natural resource management through cooperative and transparent processes by including local communities in establishing rules and mechanisms that would address long term issues, and mechanisms to ensure reasonable nation-wide wealth-sharing and inter-regional compensation mechanisms. The second one is creation of a sense of “South-Sudanese sense of nationality” that would reduce the impact of cultural, tribal and ethnic fault lines. This is essentially a nation-building process that would help to define common national values and interests.

4.2 The Nation-building Approach

In terms of conflict resolution, the South-Sudan Dialogue (SSD) initiated by the late John Garang to implement the CPA and integrate the various South Sudanese factions into the peace process paved the way for the Declaration of Unity in 2006 that reconciled the SPLM and the South-Sudan Defence

Forces (SSDF) led by the late General Paulino Matiep, who was appointed Deputy Commander of SPLA. Eventually, the initiative proved successful, even if some armed groups still remain outside the law. The SSD process has enabled more than fifty armed groups or factions to integrate since 2005.⁸⁵ Nation-building approaches and programs must be aimed at cultivating positive attitudes and healthy belief systems in South Sudanese culture, which can replace negative attitudes that reinforce a culture of violence. The hitherto warring ethnic groups (Dinka/Juru, Lou Nuer/Dinka, Lou Nuer/Murle, and Dinka/Murle) need to be emancipated from the culture of violence by being provided with the instruments for unlocking their own potentials and have a positive impact on their environment and other communities. This will enable capacity-building of national stakeholders to integrate human rights with the core values of non-violence and peace culture.

4.3 The State-building Approach

According to the South Sudan Development Plan (2011-15), the GOSS is implementing a number of legislative, policy and institutional initiatives to improve resource management in the country. The natural resource management legislations were developed in 2011 to guide various departments on government priorities in resource management. The Draft Mining Act and the associated regulations (minerals, title regulations and community development) are being developed. The investment promotion plan and guidelines for best practices in social and environmental management are being developed with support from development partners. A number of measures have been proposed for improving oil management such as petroleum licensing, monitoring of field production and market optimisation. This entails building capacity of the petroleum management sector. The government has also proposed establishment of an oil fund and implementing the necessary accounting systems.⁸⁶ A broad-based consultative process to instil ownership of the Southern Sudan Development Plan and Vision has also been started. Measures have been put in place to

⁸⁵ Communiqué; Resolutions of South- South Sudan Dialogue Conference, Juba, 8th, November 2008, Sudan Tribune, 17th November, 2008

⁸⁶ GOSS: South Sudan Development Plan, 2011-2015, Page 78

disseminate the laws and activities of the government. Strategic environmental impact assessments are also being carried out to identify the impact of resource exploitation. A number of measures are also being implemented to improve the agricultural sector such as strengthening crop diversification, food security policy, and enlightening traditional leaders on the land policy.⁸⁷

Plans are also underway to conduct baseline surveys of the natural resources in the country. GOSS plans to strengthen and institutionalize the Natural Resource Management inter-Ministerial Group and create similar structures in the states. The GOSS will establish a coordination mechanism of sectoral agencies in order to ensure compliance with the land and environmental protection policies. The GOSS will involve traditional rulers in land policy implementation and disputes mediation and arbitration.⁸⁸ The capacity of the Land Commission will also be strengthened. The rule of law will be harmonized with the existing traditional justice system of land administration and other property issues. The policy on wildlife and tourism is also being developed through participatory approaches such as co-management.⁸⁹ The GOSS is also strengthening management of protected areas starting with Badingilo National Park as a pilot project. The government has also created a Tourism and Hotel Management Board and built a number of hotels in Juba, Yei, Malakal and Wau to develop the tourism industry.⁹⁰ The Crop and Livestock Market Information System (CLMIS) and Sudan Integrated Food Security Information for Action (SIFSIA) which significantly improves food security management have been established with assistance from the Food and Agriculture Organisation (FAO).⁹¹ Natural resource education has been included in school curricula (primary and secondary level), especially (Agriculture, Forestry, Livestock, Fisheries, Wildlife and Environmental Sciences). Capacity is also being developed for the control of livestock diseases such as rinderpest.

⁸⁷ Ibid., p. 90

⁸⁸ Ibid., p. 136

⁸⁹ Ibid., p. 79

⁹⁰ Ibid., p. 79

⁹¹ GOSS: South Sudan Development Plan, 2011-2015, Page 92

South Sudan has inherited a number of environmental treaties and conventions critical to the protection of resources.⁹² Ratification and implementation of these treaties would provide the necessary protection of South Sudan resources. The International Tropical Timber Organization (ITTO) has developed a set of standards for sustainable management of tropical forests. The African Timber Organization (ATO) is a 14- member country organization that has 75% of the tropical forests in Africa. ATO promotes the production and trade of timber products within the framework of sustainable tropical forest management. ATO collaborates with ITTO to promote sustainable management of forests. The entry of South Sudan into this framework is a good beginning in sustainable forest management.⁹³

The Transitional Constitution of the Republic of South Sudan (TCRSS) (2011) recognizes the importance of environmental conservation. It states that citizens have, ‘...the right to a clean and healthy environment...and that right must be protected for the present and future generations through legislation and other measures to ensure: prevention of pollution and ecological degradation; promote conservation; and secure biological biodiversity and use of natural resources while promoting sustainable economic and social development. A measure that has to be considered in that context is the creation of a South-Sudan Wildlife Service, patterned on the model of the Kenyan Wildlife Service (KWS) that will ensure the enforcement of effective natural resource protection.

4.4 Land Management

The Comprehensive Peace Agreement (CPA) provided for the establishment of the *Southern Sudan Land Commission (SSLC)* to address the issues of land tenure and property rights in Southern Sudan. After independence, the SSLC was institutionalized to: develop land laws and policies; conduct research on land matters; arbitrate on land disputes; and advise various levels of government on land issues.⁹⁴ The organization is faced with the daunting challenge of resolving land issues at all levels. The Commission developed

⁹² Sudan *Post Conflict Environment Assessment*, UNEP, 2007

⁹³ African Timber Organization ATO/ The International Tropical Timber ITTO, 2003

⁹⁴ <http://www.goss-online.org/magnoliaPublic/en/Independant-Commissions-and-Chambers/Land-Commision.html> as accessed on 15 October 2012.

the Southern Sudan Land Bill, which was legislated by the Southern Sudan Legislative Assembly (SSLA). A land policy is being developed in consultation with communities and other stakeholders. The current procedure for acquiring land is confusing as it lacks form and rules for application. The procedure should be simple, clear and legally binding. The current institutions responsible for land administration both at GOSS, state government, and local government levels are weak and institutions such as the Land Registry, County Land Authority, and Payam Land Council are still non-existent.⁹⁵ A wide range of mechanisms for reduction and management of resource based conflicts has been proposed such as clear demarcation of land for pasture; separation of grazing from agricultural lands by local government and traditional authorities; establishment of permanent water sources such as dams and water holes; and retaining grazing or communal land under the jurisdiction of the traditional authorities.⁹⁶

4.5 Disarmament, Demobilization and Reintegration (DDR)

The ultimate goal of DDR is to socially and economically integrate former soldiers into their communities of origin. In the long run, DDR is a confidence-building tool for national healing and reconciliation.⁹⁷ By contributing to the establishment or restoration of state authority and the rule of Law, the DDR programme is a key part of the state-building process. It aims at denying ex-combatants the option of resorting to violence in solving inter-communal conflicts. The DDR's vision is based on a national policy that calls for right-sizing and reintegration of soldiers into the society on sustainable livelihoods, reducing military expenditure and removing under-age soldiers.⁹⁸ However, DDR is not a stand-alone activity and should be embedded in a national-level strategy of economic and social development. As emphasized by a respondent,

⁹⁵ *Sudan; Land Tenure*, USAID, p. 28

⁹⁶ *Ibid.*, p. 76

⁹⁷ William Deng Deng (Chairperson SSDDR Commission); *DDR in South Sudan and its Impact on the East African Region*, Paper presented to the IPSTC Annual Symposium, 1st, November 2012

⁹⁸ *Ibid.*, slide 6

“...though South Sudan is rich in natural resources, it is one of the poorest countries in the world with low per capita income and registering low rates in other development indicators. Some demobilized soldiers who have not yet found alternative sources of livelihood are known to resort to criminal activities.”⁹⁹

A comprehensive plan must drive economic development efforts, capacity building by developing skills, reducing the number of weapons and generating new jobs for demobilized combatants.

“The South Sudan Development plan provides priority areas for development that the commission observes. The DDR Commission will follow these priorities in resettling the soldiers: Livestock management, fisheries, tree planting, micro finance, brick making, and national youth service (like the one in Kenya) are some of the sectors that are being explored. So far, about 500 soldiers have been resettled in Bahr el Ghazal. The criterion for enlisting soldiers into the DDR programme is above board and based on one’s qualifications according to the laid down guidelines and rules – merit based.”¹⁰⁰

According to the Commission, there is lack of professionalism in the security sector. The GOSS is a major employer in the country and it is a delicate process to lay down people when unemployment is high. There is a great need for capacity building in leadership and management. There are other partners that are supporting DDR such as UNMISS.

“The impression of civil society is that DDR in South Sudan is faced with sustainability challenge for a number of reasons: short term approach (training soldiers for a short time then giving them send-off packages that only last for a while); no effective follow up to see how the

⁹⁹Dr. Sirisio Oromo, Center for Peace and Development, University of Juba, Interview: 18th, August 2012

¹⁰⁰William Deng Deng, Chairman SSDDR Commission, Interview: Juba, 19th, August 2012

soldiers have integrated into society. The period of orientation to change attitudes from military to civilian is short. Some people who committed crimes during the war would not like to return to their villages. Some people are also culturally alienated from the society. The community was not well prepared to receive the demobilized soldiers. The SPLA and integrated militias are illiterate or possess low education and lack professional military or policing skills. Most of them cannot speak English well though it is the official language.”¹⁰¹

4.6 The Pre-emptive Approach

Once a problem is identified, it should be possible to address it before it escalates to a point of no-return. The problem is not new and South Sudanese communities have established mechanisms to address potential conflicts between farmers and pastoralists. National and State-level institutional mechanisms have to be harmonized with existing traditional conflict resolution mechanisms at community level.

“The traditional councils of elders work in collaboration with local authorities to resolve resource based conflicts. Local authorities are indispensable middle level institutions between the national government and the grassroots. Their ability to work with traditional structures and to reach opinion shapers at the Boma level makes them effective organs of peace making.”¹⁰²

As we have seen, most of the resource conflicts in South Sudan occur at community level. In order to enhance ownership, community-level conflicts can hardly be solved from outside these communities. Therefore, the involvement of community mediators such as “*Banybith*” (Dinka) or the

¹⁰¹ Lokuto Bismarck and Saviour Wodcan, CEPO, Interview: Juba, South Sudan, 17 August 2012

¹⁰² Adauto Drali Jomason, Local Government Chief and Chairman Council of Traditional Authorities, Eastern Equatoria, Interview, Torit, 24 August 2012

“*KuarKwac*” (Nuer) must be fostered in order to “internalize” conflict resolution processes.

The long war in the country brought about a breakdown of the social fabric.

“There was a common feeling of hatred and victimhood against the Arab north but after independence new divisions have emerged. There is a long term work of rebuilding societal structures that held society together and mediated peace.”¹⁰³

Traditional structures in South Sudan maintained law and order and inter-communal peace for a long time. Today their authority has been eroded and they are not recognized in the new legal dispensation.

“Chiefs were misused by the Sudanese Peoples Liberation Army (SPLA) and the Government of Sudan (GOS) during the war such as being used to take peoples’ property thereby losing moral authority. The long war watered down the authority of elders in conflict prevention and management. However, the government is trying to rehabilitate them. Elders enjoy some influence but the youth are detached from them.”¹⁰⁴

Members of civil society explain the space of traditional conflict resolution mechanisms in contemporary South Sudan.

“Traditionally, cattle raids conflicts would be resolved through dialogue and compensation. The interface between the traditional authority and the modern formal government system has not been streamlined.”¹⁰⁵

¹⁰³Hon. Peter GwangAkich, Vice Chairperson, South Sudan Peace Commission, Interview, Juba, 18 August 2012

¹⁰⁴Dr. Sirisio Oromo; Center for Peace and Development, University of Juba, Interview: 18 August 2012

¹⁰⁵Lokuto Bismarck and SaviourWodcan, CEPO, Interview: Juba, South Sudan, 17 August 2012

5.0 External Factors and Actors in Management of Resource Conflicts

Foreign organizations can help to establish international standards that can assist to curb corruption, build trust, and prevent competing groups from fighting over natural resource wealth. Capacity building of the GOSS to enhance state and nation building can add value to the management of pastoralist conflicts. Efforts can also be made to enhance proper management of public resources/revenue and lay down a proper framework for management of strategic resources. The international development partners have been active in supporting security sector development in South Sudan. The United States, the UK and Norway were key supporters of the peace process and continue to implement a number of security sector programmes. The AU High Level Implementation Committee headed by former South African President, Thabo Mbeki, has also been instrumental in offering continental institutional support to the security sector. The UNMISS has also been implementing a comprehensive program on security sector reforms. Members of the GOSS have different views on the role of the international community.

“The international community is not very transparent when dealing with the GOSS. The GOSS does not know how much is in the basket of foreign funds to enable proper planning. On the other hand the government has been accused of corruption by development partners. The international community must listen to the people and develop joint priorities and strategies.”¹⁰⁶

South Sudan can benefit from well-established global resource management practices and regulatory frameworks already in place. The multinational companies operating in South Sudan should be made to operate under the international code of conduct and ethics. The international community has a vital role in helping South Sudan to begin on a sound foundation of resource management and avoid the pitfalls that have engulfed other African countries.

¹⁰⁶William Deng Deng, Chairman SSDDR Commission, Interview: Juba, 19 August 2012

5.1 The Nile Basin Initiative (NBI)

The Nile Basin Initiative (NBI) is an intergovernmental organization charged with the responsibility of ensuring equitable and sustainable management and development of the shared water resource of the Nile basin. The aim of this inter-state organization is to develop and implement a shared vision among the 10 riparian nations of the River Nile. A number of projects for enhancing electrical power trade, environmental conservation, and water resource planning and management are being implemented. NBI is yet to come up with a comprehensive agreement for all member states on the use and management of the Nile water resources. South Sudan is a major shareholder of the Nile water resources and it is poised to benefit from these initiatives.

5.2 The United Nations

The United Nations as the leading custodian of global peace and security accepted South Sudan as the 193rd member of the United Nations soon after declaration of secession in July 2011. The UN has been the leading funder of security and development assistance for South Sudan. The transitional UN Assistance Mission in Sudan that oversaw implementation of the CPA was soon transformed to UNMISS after independence. UNMISS has provided technical assistance in the constitutional review and peace processes in Upper Nile and Eastern Equatoria.¹⁰⁷ UNMISS has also assisted the GOSS to conduct voluntary disarmament that is well founded on the law and where human rights are protected. Support has also been provided to reforms in the police and correctional services through training and construction of infrastructure. UNMISS has made efforts to protect civilians through engagement with the GOSS during disarmament but this mandate has not been well fulfilled.¹⁰⁸ UNMISS has also been building capacity of the South Sudan Human Rights Commission and has been supporting the government on the process of ratification of international treaties.

¹⁰⁷ Report of the Secretary General, *United Nations Security Council, South Sudan*, June 2012, p. 8

¹⁰⁸ *Ibid.*, p. 12

5.3 China

Though China did not support SPLM/SPLA during the war, it cautiously followed the evolution of Sudan's politics and began rapprochement with SPLM in 2004 after the Naivasha agreement and as the CPA was crafted. China realized that the majority of its oil investments were located in the South. When South Sudan declared independence on July 9, 2011, China was among the first countries to recognize it. The significant contribution of oil to the South Sudan economy makes China an important partner in resource exploitation in South Sudan. As a member of the UN Security Council, China's principle of non-interference in the internal affairs of states and its long history of relations with Sudan make it a key mediator in Sudanese affairs. China has been providing behind-the-scenes support to the AU Panel mediation process to end the oil standoff. Although China's presence in Sudan remains discrete and understated, its influence must not be underestimated in fostering systematic and rational resource management for regional stability.

China has been advancing a delicate foreign policy strategy that encourages cooperation of the two Sudans for easier exploitation and management of the oil resource. It should be in China's and other countries' interests to encourage the development of a petroleum policy for South Sudan so that transparency in the management of oil dollars can be achieved thereby reducing suspicion and conflict. Lack of full disclosure of concession payments, royalties and bonuses paid by mining companies to the GOSS creates incentives for corruption which in turn reinforce predatory elite encroachment on public resources while denying the citizens critical information by which they might better hold their leaders to account.

5.4 The United States of America (USA)

The USA leads in providing support to the governance sector through capacity building in accountability in public administration. USAID supported the implementation of CPA and Civil Society Organizations (CSOs) working on peace building, women's participation and promotion of access to natural resources. There were also programmes for supporting local authorities' governance in Juba, Wau and Malakal and to the national

independent electoral commission. USAID also supported the Ministry of Environment, Wildlife Conservation and Tourism (MEWCT) to develop several laws for environmental conservation such as *The Wildlife Conservation and National Parks Act and the Wildlife Forces Act*.¹⁰⁹ USAID worked in collaboration with UNEP, UNDP, UN-Habitat, IFAW, NORAD and World Bank in a donor working group on environment to coordinate their activities. These organizations have been assisting the GOSS to develop a Geographic Information Systems (GIS) data base. FAO and UNDP established a Fisheries Training Project at Malakal to support capacity building in that sector.¹¹⁰ The US has a considerable leverage in South Sudan given its history of support to the SPLM/A and the CPA. Given its wealth of knowledge and experience in other Sub-Saharan conflicts, this asset can be prudently used in South Sudan. However, the US must relinquish the ‘Lone ranger’ attitude and consult extensively with local and international stakeholders for sustainable development assistance in South Sudan.

5.5 The World Bank

South Sudan joined the World Bank and International Monetary Fund in April, 2012. The World Bank has provided economic support to infrastructure and natural resource management. The World Bank has been coordinating the Medium Term Development Framework (MDTF) that provides support to police and prisons reforms, health, education, rural water supply, DDR, institutional capacity building, livestock and fisheries department, agriculture and forestry, private sector and gender. There were complaints of slow disbursement of funds, which saw DFID pull out from the pool but improvements have been registered to date.¹¹¹ The World Bank has also provided support in employment creation, healthcare, and finance for entrepreneurs, youth and women. The Bank is also supporting the implementation of the current government’s National Development Plan.¹¹²

¹⁰⁹ Southern Sudan Environmental Threats and Opportunities Assessment, USAID, Sudan, 2007

¹¹⁰ Gabriel Mayom, *FAO to Improve Fish Trade in South Sudan*, Gurtong, March 2012

¹¹¹ Oystein Rolandsen, Land, *Security and Peace building in the Southern Sudan*, PIO Paper, 2009, p. 15

¹¹² *South Sudan Development*, www.worldbank.org, retrieved 25th September 2012

The World Bank is a vital institution in helping the country to establish firm macro-economic management systems and long term funding support for infrastructure development and revitalization of the agricultural sector to improve food security.

6.0 Opportunities for Sustainable Peace and Security

Developing a culture of dialogue and consultations among all stakeholders including the government, local communities, civil society and international development partners is necessary for reforming the culture of violence and entrenching reintegration and reconstruction. Development of an administrative infrastructure is necessary to regulate natural resource use. Strengthening the constitutional and legal structures for the management of natural resources is the key to sustainable peace. This entails strengthening and consolidating the rule of law and governance systems that regulate use, access, and management of natural resources. The rights of citizens with respect to natural resources must be protected in line with the constitution. Enshrining the principles of natural resource management in the constitution is necessary to establish the basis for accountability. Harmonizing the formal and informal legal and governance systems is necessary to enhance access to justice. This is vital for the durable management of resources especially in the rural areas where customary practices still reign supreme. This would also provide traditional systems with the legitimacy necessary for conformity with international standards. In the long run, democratization of community-driven development initiatives can also influence customary practices towards transparency and greater participation of vulnerable groups in natural resource management. More importantly, there must be a national approach whereby natural resources need to be managed through inclusive principles and policies that include equity and sustainability.

7.0 Conclusions and Recommendations

This paper has attempted to analyze natural resource management and its potential for conflict mitigation in South Sudan. In this endeavour, it sought to establish the implications of equitable and inclusive resource management for national reconstruction and development. It also examined the salient challenges and opportunities for sustainable peace and security through reintegration and reconstruction of the new state. The study found out that the locus of conflict has oscillated been conspicuous high- value natural resources such as oil and basic means of livelihood. In this arena, peace is dependent on the emergence of effective and legitimate governance structures in the country which calls for concurrent state and nation building. The study also found out that resource conflicts cannot be clearly understood without adopting a holistic approach. Dwindling oil reserves and deteriorating quality of other available resources face both North and South Sudan. Water, pasture, forests and agriculture are threatened by natural forces such as climate change and unsustainable exploitation by humans.

In response to these and other challenges, the GOSS needs to develop mechanisms for preventing and mitigating conflicts over land. The GOSS can also reinforce land reform and protect the demarcated borders. The rights of the people from whose land vital resources are exploited must be recognized and compensated to prevent grievances. There is need to develop policies on pastoralism that enhance cooperation rather than competition among communities and target improving herd quality. The private sector needs to be sufficiently engaged in post-conflict reconstruction and recovery because it bears substantial costs of the insecurity in the country. It is high time this important social pillar is brought on-board in the governance of natural resources for peace, security and prosperity. The private sector is capable of stimulating economic growth outside the capital city by undertaking joint delivery of services with the government. South Sudan must base its resource management policy on a regional approach in addition to a national perspective given that many aspects of the problem have regional dimensions. The approach must also be based on a common understanding of the issue. The GOSS should lead the way in formulating

development planning that takes cognisance of the management of resource-based conflicts. Civil society and international development actors should participate in informing this process and the implementation of appropriate measures. South Sudan is a large country with a vast array of resources in the primary sector. Capacity-building of institutions that would contribute to optimizing these resources is an obvious priority in order to meet the challenges as they emerge. For instance, the agricultural sector has enormous potential in improving incomes, creating employment and ensuring food security but is in dire need of capacity building.

In this context, nation-building is mandatory since it will encompass the whole country in a single common effort, while employing mechanisms to counter-balance resource inequities within the country. To ensure that South Sudan's natural resource wealth serves as an engine of sustainable socio-economic development rather than a source of inter and intra-state conflicts and poverty, good economic, political, and private sector governance are of the essence. Investing in human security and development to improve health and education services will go a long way in reducing the risks associated with dependence on natural resources endowment in Africa. In the long run, providing adequate alternative means of livelihood and opportunities for social and economic advancement for the majority of the population will reduce resource-based discontent. The country's emerging democratic institutions including the nascent civil society and parliamentary systems can play an important role in promoting awareness of natural resource issues among the local populations thereby enabling them to hold the GOSS accountable for its actions. Improvement of budgetary transparency and disclosure of public information will enhance accountability in public administration. Enhancing the capacity of oversight institutions would go a long way in improving the management of public resources and provision of basic services thereby preventing future conflicts. Failing to address these challenges today could open the door for further violence in future some of which may have regional ramifications. Lastly, given the limitations in time and regional coverage, this study cannot pretend to have exhausted all the factors that have a bearing on resource distribution and peace and security in South Sudan. Further research is therefore needed.

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The Paper

Since the signing of the Comprehensive Peace Agreement in 2005, South Sudan has been grappling with various peace, security and development challenges. This paper discusses how resources acts as multiplier of conflicts and the opportunities they present for conflict management and development in South Sudan. The paper establishes the impact of ordinary resources such as water, grazing rights and land as drivers of domestic conflicts and oil as a strategic resource that can escalate or deescalate inter-states conflicts. The study explores the dynamic relationships between conflict and resources and how the latter can be leveraged for peace building.

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