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Dealing with Contingencies in South Sudan

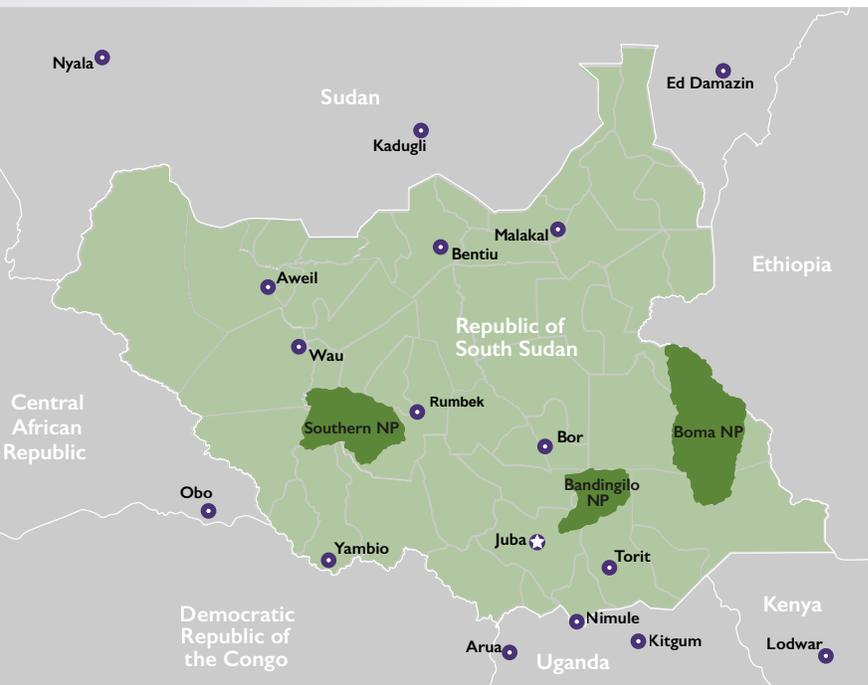
The conflict in South Sudan is unlikely to cease in the near future, and there are indications that it is turning into a protracted one.

The United Nations Mission in South Sudan (UNMISS) was established by UN Security Council Resolution 1996 (2011) to “consolidate peace and security, and help establish conditions for development in the Republic of South Sudan.”¹ Over the past few years, however, UNMISS has been highly criticized by the international community for failing to carry out its mandate. The Security Council’s mandate tasks the peacekeepers with protecting civilians, deterring human rights violations, creating conditions conducive for the delivery of humanitarian aid, and supporting the conflict resolution agreement in South Sudan. These tasks are all of equal importance, and UNMISS has made a great deal of progress in implementing each of them. Nevertheless, critics believe that UNMISS has mismanaged recent crisis situations or in some cases, completely failed in its response. Specifically, UNMISS has been accused of failing to protect civilians in Malakal, Upper Nile State, in February 2016 and of being useless in Juba, the nation’s capital, when serious fighting broke out among South Sudanese factions in July 2016.

As a result of these incidents, the UN Security Council decided to send a Regional Protection Force to the young African nation and increase UNMISS’s troop level by 4,000.² Many of those who monitor the security situation in South Sudan are asking, “Will the Security Council’s mandate be better implemented with a larger UNMISS force? Will the additional force become a ‘game changer’ and improve the performance of UNMISS?” Although it might sound discouraging, the short answer to these two questions is no. The additional force might temporarily, and to some degree, stabilize the security of Juba, but it will not improve the overall performance of UNMISS or contribute significantly to the implementation of the mandate without several further improvements to the force’s capabilities.

Background

After more than five decades of struggle, the people of South Sudan managed to gain their independence, and a new nation, the Republic of South Sudan, was born on 9 July 2011. At the same time, a new UN peacekeeping mission, the United Nations Mission in South Sudan, was established. South Sudan, however, enjoyed relative peace and stability for only two years. In December 2013, President Salva Kiir, a member of the Dinka tribe, accused his deputy, First Vice President Riek Machar, a Nuer, of plotting a coup and attempting to seize power and dismissed him from office.³ The accusation was justified, and violence broke out in the capital city, Juba, on 15 December, when ethnic Dinka





UN team visits Tonga, Upper Nile State in November 2015. This is a group photo of the team with SPLA-iO leaders. (Faces have been blurred for privacy.)

and Nuer soldiers opened fire on each other. The violence quickly spread to other parts of South Sudan and became a civil war that, over a period of two years, took the lives of more than 50,000 people, most of whom were innocent civilians, and displaced approximately 800,000 others.

The rival leaders signed a peace agreement in August 2015, after many months of peace talks and negotiations held in neighboring capitals. Riek Machar finally came back to Juba in April 2016. The two sides formed a Transitional Government of National Unity, and the opposition leader once again became First Vice President of South Sudan. This time the peace lasted only three months. Things went terribly wrong in July 2016, when some of the government's Sudan People's Liberation Army (SPLA) soldiers, manning a checkpoint in Juba, clashed with a patrol of Machar's Sudan People's Liberation Army in Opposition (SPLA-iO). Over the following days, the clash turned into full-scale fighting with heavy weaponry including tanks, large caliber guns, and attack helicopters. Ironically, the fighting took place in the capital city over the country's Independence Day. More than 300 people lost their lives, thousands sought protection in UN camps in Juba, and several thousand fled the country.⁴

The situation in South Sudan remains volatile and uncertain at present, and in many analysts' assessments, the country is again on the brink of an all-out civil war. Despite the peace agreement and various international

arrangements, including the ones facilitated and supported by the so-called Troika (Norway, the United Kingdom, and the United States), the African Union's Peace and Security Council, and the Inter-Governmental Authority on Development, the government of South Sudan and the opposition are unable to resolve their differences. In addition, the conflict is further deepening rifts between the Dinkas, Nuers, Shilluks, Mabanese, and other tribes of South Sudan. The conflict is unlikely to cease in the near future, and there are indications that it is turning into a protracted one.

UNMISS's Problem

There are two primary reasons, among many, for UNMISS's ineffectiveness in controlling the violence: the first is its inability to move freely and intervene where needed, and the second is that it lacks the means to "see and hear" the operational environment. UNMISS is unable to move freely because both the government of South Sudan and the opposition intentionally use their respective forces to prevent UNMISS from being able to reach and intervene in conflict areas. The South Sudanese place restrictions on UNMISS's ground, air, and riverine movements so frequently that UNMISS has faced difficulties in recent years just moving the supplies and personnel it needs to sustain its bases. Peacekeepers are often being denied access to conflict zones by SPLA and SPLA-iO soldiers, and there have been instances when well-equipped and armed peacekeepers

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were stopped and turned back just a few meters away from their own bases. UNMISS's complaints of movement restriction, which they consider violations of existing status of forces agreements, are usually ignored by both the government and the opposition.

Most, if not all, movements of supplies and people require UN military personnel to provide force protection and liaison support, but the restrictions persist, so having a large peacekeeping force—currently 12,760 strong—is no help to UNMISS. Although some say the peacekeepers are not up to their tasks and are not capable of doing anything, this is not the case. They are quite capable of fulfilling their tasks when they know and understand their operating environment. UNMISS's peacekeepers are reluctant to force their way through SPLA and SPLA-iO checkpoints because they do not know what to expect down the road or on the way back to base. They are hesitant to secure an airport without assurances that the SPLA or SPLA-iO are not going to come back with a heavier force. They are not willing to stand their ground without knowing that they will succeed in their mission. In short, UNMISS's peacekeepers do not want to take unnecessary risks when they are unsure that they can prevail over their adversaries. What the peacekeepers need is foresight and information—intelligence—on terrain, water, weather, population, and most importantly, on the adversary. UNMISS needs to be equipped with an adequate intelligence, surveillance, and reconnaissance (ISR) capability to be effective and able to deal with challenging situations, including restriction of movement.

A Solution to the Problem

ISR capability is absolutely necessary for UNMISS to be effective in South Sudan. ISR would improve the mobility and intervention capacity of the peacekeeping force by reducing uncertainty, improving situational awareness, and increasing the confidence of the peacekeepers when they are faced with obstacles such as restriction of movement. ISR would also significantly improve the overall performance of the troops in protecting civilians, deterring various threats to UN personnel and

humanitarian aid providers, and supporting cease-fire agreements, all of which will contribute to the full implementation of the Security Council's mandate.

The following three incidents demonstrate the urgent need for UNMISS to have ISR capability. The incidents took place in the past few years, and it is very likely that others like them will occur in the future. Each event resulted in the loss of not only UN property and supplies, but also many lives, and the outcomes damaged the credibility of the United Nations and its peacekeeping force. Each one could have been averted had UNMISS possessed an adequate ISR capability.

The Kaka Crisis

In late October 2015, SPLA-iO forces took UNMISS personnel hostage and seized UN transport ships



Indian Army contingent commander in Renk briefs Sector North Commander. Renk, Upper Nile State, December 2015



UNPOL briefs Sector North Commander on the situation in the POC site in Bentiu, Unity State, January, 2016.

with vital supplies in Kaka, Upper Nile State.⁵ UNMISS relies on barge convoys to transport and deliver bulky items, supplies, and heavy equipment along the Nile River to bases in remote areas of South Sudan. In early October 2015, a convoy of UN barges moved from Mangalla to Malakal, where it offloaded its main cargo. The decision was then made to deliver goods and materials to Melut and Renk in Upper Nile State, where other UN bases were located, using the same barge convoy. On 24 October 2015 the barges and some boats—codenamed LifeLine 14—sailed north from Malakal to Melut. After reaching and offloading at Melut, the LifeLine convoy continued its journey northward on 26 October, intending to deliver supplies to the UN base in Renk, a city located close to the border with Sudan, collect some equipment there, and sail back upriver.

Shortly after leaving Melut, the LifeLine crew observed a major SPLA-iO installation on the western bank of the river, and several vessels and barges docked in front of it. One of these barges had a T-55 tank on it. There were approximately 1,500 rebel soldiers on the river bank, all of them armed, along with artillery and anti-aircraft guns. A speedboat with SPLA-iO troops onboard approached the LifeLine convoy and signaled for them to stop. Some of the SPLA-iO vessels were observed to have their engines running, apparently ready to prevent the UN convoy from moving forward. The SPLA-iO troops pointed their weapons, including artillery, machine guns, and the tank gun, at the UN's barges. The soldiers immediately started searching the UN barges and boats. Protests from the UN personnel had no effect. Later, the UN personnel, including military liaison officers, members of the Bangladeshi Force Marine Unit (BanFMU) Force Protection (FP) element, and crew members were taken ashore, disarmed, searched, interrogated, and placed in custody.

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Over the following three days, the SPLA-iO offloaded the LifeLine barges, seizing 55,000 liters of fuel, two machine guns, five AK-47 assault rifles, an inflatable boat, a generator, communication equipment, ammunition, and many other items belonging to the UN and its personnel. On 1 November, after days of negotiation with the local SPLA-iO leadership, the

barges, some of the boats, the UN personnel, and the crew were released. Though the SPLA-iO promised to return the seized UN property, equipment, and weapons, efforts to collect them have been fruitless.

This incident illustrates the fact that UNMISS was oblivious to the SPLA-iO's plans and that the knowledge it thought it had about the force was not enough. The episode could have been prevented had UNMISS had current intelligence on the SPLA-iO in Kaka. In fact, the Kaka incident is evidence that the SPLA-iO has good knowledge of UNMISS, its personnel and forces, and its movement of goods. The concentration of SPLA-iO forces on the river and the disposition of its river crafts indicate that the SPLA-iO was prepared to intercept the LifeLine convoy and seize UNMISS goods, equipment, and weapons.

UNMISS made a mistake by not conducting route reconnaissance or checking the ground situation prior to the movement of its convoy. The use of imagery intelligence (IMINT) would possibly have detected the adversary's forces and indicated their intentions. Also, a simple reconnaissance of the sailing route by the BanFMU FP element would have been enough to prevent the LifeLine convoy from continuing its journey north of Melut. Ensuring safe movement of barges such as the LifeLine 14 is possible

with proper intelligence, but as things are, it is possible that a similar incident will happen again in South Sudan. Therefore, it is highly recommended that UNMISS employ ISR—specifically IMINT—before and during this type of operation.

Crisis at the Malakal Protection of Civilians Site

UNMISS faced one of its toughest challenges when fighting broke out inside a UNMISS Protection of Civilians (PoC) site in Malakal on 17 February 2016. The PoC is located next to the UN base in Malakal, and prior to the fighting, it housed approximately 48,000 internally displaced persons (IDPs) who came from South Sudan's three leading tribes, the Shilluks, Dinkas, and Nuers. A few Sudanese (Darfurian), Ugandan, Ethiopian, and Eritrean nationals also resided in the site, largely for commercial interests. Relations among the tribes and communities in the PoC were influenced by political, military, and security dynamics in the country, and they deteriorated whenever there were major political or security developments. The February 2016 crisis in the Malakal PoC was a direct result of the South Sudan government's decision to create new states.



Sector North Commander visits Mongolian Battalion in Bentiu, Unity state, 2015.



Sector North Commander reviews the honor guard of Mongolian Battalion in Bentiu, Unity state.

In October 2015, South Sudan's President Kiir issued an executive decree that divided the country's 10 states into 28 smaller states. The former Upper Nile State was split into three states, which were to be populated mainly by specific tribes: Western Nile for the Shilluks, Eastern Nile for the Dinkas, and Latjor for the Nuers. The president's decree and its implementation had a tremendous impact on the Malakal PoC residents. The creation of Eastern Nile State, which included Malakal and its environs, sharply increased tensions between the Dinkas and the Shilluks, who considered the region to be their ancestral land. This was as true within the PoC as outside it. The situation worsened further when the governor of Eastern Nile State, SPLA Lieutenant General Chol Thon Balok, an ethnic Dinka, issued an administrative order relieving all civil servants from non-Dinka tribes of their positions across the state. The Shilluks decided to fight the Dinkas and preserve their land.

Within the PoC, the Dinkas knew the Shilluks were determined to attack and got ready to fight back. Weapons and ammunition were covertly smuggled into the PoC. The situation was getting worse day by day.

Tension between the Shilluks and Dinkas reached a boiling point on the night of 16 February 2016, after two Dinka SPLA soldiers in civilian clothes attempted to enter

the PoC with AK-47 ammunition. Violence was about to erupt as crowds of angry youths from the two tribes gathered and stood facing each other, but the UNMISS's Formed Police Unit (FPU) intervened and managed to prevent the outbreak of hostilities. The next evening, however, around 2230 local time, the youths came back with weapons—AK-47s, light machine guns, and hand grenades—and opened fire on each other. The fighting lasted 17 hours, with few interruptions, and it involved the active participation of government troops on the side of the Dinkas. The SPLA not only took part in the PoC fighting, but also sent troops to secure the Malakal Airport, deployed an infantry unit near the UNMISS base on the river bank where a BanFMU detachment was stationed, and assisted the Dinka IDPs with leaving the PoC for Malakal town before and during the fighting.⁶ UNMISS's peacekeeping force responded on the afternoon of 18 February, when more SPLA reinforcements entered the PoC to support the Dinkas. The peacekeepers conducted a deliberate assault on the Dinka militants and the SPLA soldiers, drove them out of the PoC, and secured the site. The incident took the lives of 34 IDPs and injured more than 100. Violence has not recurred in the Malakal PoC since the military intervention.

The crisis developed because UNMISS did not have the capability to collect information on unfolding events, make timely assessments, or share those assessments.

Again, the crisis in the Malakal PoC site could have been prevented if UNMISS had been equipped with ISR capability. There were indications and warnings of the coming violence, such as shops closing, holes being cut into the PoC fencing for escape, and people getting ready to leave the site before the fighting, but these indicators were ignored. Some IDPs and humanitarian workers informed the UN police, FPU, UN Department of Safety and Security, and UNMISS's Field Office in Malakal about the tensions among the IDPs and possible dangers, but that information was never shared with the peacekeeping forces. The UN agencies were reporting to their chains of command, but didn't share their observations with one another. That was a mistake, one that is still being made.

The UN Board of Inquiry and Special Investigation Team investigated the incident and later concluded that the peacekeeping force failed to react in time to the crisis in the PoC. It is true that there were a number of problems with the peacekeepers' response, and they were clearly identified in Sector North's After Action Report, which was shared with the UN investigators. Notwithstanding, the peacekeepers' actions, although much criticized, saved the lives of thousands of Shilluk and Nuer IDPs who were—and still are—targeted, harassed, kidnaped, and sometimes murdered by South Sudan's government force, the SPLA. The Malakal PoC incident in February 2016 was a result of UNMISS's failure to foresee the growing danger of the situation. The crisis developed because UNMISS did not have the capability to collect information on unfolding events, make timely assessments, or share those assessments among its responsive sections.

The Juba Crisis

UNMISS failed to effectively deal with a crisis situation that developed in the capital city of Juba in July 2016. In fact, the crisis in Juba demonstrated how fragile the peace in South Sudan is, how weak security is for South Sudanese and



The Assistant Secretary General for Peacekeeping Operations, El Ghassim Wane, visits Malakal, Upper Nile State, October 2016.

foreigners alike, and how incapable UNMISS is of protecting civilians if violence breaks out in the country.

While on the way back to their base from former First Vice President Riek Machar's residence on the evening of 7 July 2016, an SPLA-iO mounted patrol was stopped at a checkpoint manned by SPLA soldiers. Upon being threatened with disarmament and arrest, the patrol fired on the government soldiers, killing five and injuring several others, before escaping the scene.

The next day, President Kiir and First Vice President Machar met at the Presidential Palace to discuss the previous night's incident and find ways to prevent the outbreak of any further hostilities in the city. During the meeting, however, a shoot-out occurred at the palace between government troops and forces loyal to the first vice president, and it quickly turned into full-blown fighting. The fighting spread to Jebel, Gudele, and other districts of Juba where SPLA-iO forces were stationed. On 9 July, the fighting intensified. The SPLA placed tanks and armored personnel carriers at every intersection and deployed small groups of soldiers in close proximity to each other on the streets of Juba. It also deployed ZSU-23-4 anti-aircraft guns mounted on trucks around the Juba International airport. The next day, the SPLA launched a large offensive against opposition cantonments, including Riek Machar's residence, using T-72 tanks and MI-24 attack helicopters. In four days of heavy fighting, the SPLA defeated the opposition forces and took control of the city. On 11 July, President Kiir declared a cease-fire, but small-scale clashes continued in and around Juba in the following days. Opposition leader Machar withdrew from the city, and later fled the country. After the crisis, he was replaced by his associate Taban Deng Gai, who was sworn in as first vice president on 26 July 2016.

The heavy fighting in Juba resulted in more than 300 deaths and many more injuries. Hundreds of women and girls, including members of international organizations, were raped by SPLA soldiers during the crisis. Tens of thousands of people fled to neighboring countries to seek safety. The UN bases in Juba were caught in the crossfire, targeted, and then attacked, during which two peacekeepers and one UN civilian employee lost their lives. Government soldiers looted the World Food Program's storehouses in the capital city, and foreigners were targeted, robbed, beaten, and raped. During the crisis in Juba, UNMISS didn't know where the enemy fire was coming from and didn't attempt to locate and neutralize it.

The UN strongly condemned the fighting, killing, looting, and rape, but it must ask, "What could UNMISS have done differently in the Juba crisis?" Could it have saved the lives of innocent civilians? Could it have deterred violence against women and girls and prevented them from being raped? Could it have protected its bases, humanitarian warehouses, and other property? The answer to these last three questions is yes. Had UNMISS troops been equipped with the right tools—namely, ISR—and had UNMISS leadership been provided with current and updated information, things would have been different. UNMISS wouldn't have been able to stop the fighting, but it could have protected the peacekeeping mission, saved lives, and prevented looting, robberies, and rapes.

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Conclusion

The three incidents described above occurred over a period of less than three years, and events like them are very likely to occur again in the future. An effective way to deal with similar circumstances is to equip UNMISS with an ISR capability.

UNMISS’s inability to manage crisis situations led the UN Security Council to re-inforce the mission with 4,000 more troops in 2016. The additional troops, most of whom have not yet been deployed as of this writing, are intended to secure Juba, critical infrastructure, and UN bases and enhance the protection of civilians. Raising the force level without proper equipment and weapons, however, is unlikely to improve the security situation in South Sudan. The larger force will face the same problems as the current UNMISS force—mainly, the restriction of movement. The restrictions on UNMISS’s ground, air, and riverine movements, imposed by both the SPLA and the SPLA-iO, are hampering the successful execution of the mission’s tasks, and ultimately, the ability of the peacekeepers to implement the UN mandate. An effective way to deal with movement restrictions is to equip UNMISS with an ISR capability. An ISR capability in support of civilian, military, and police components would better enable UNMISS to prepare for or avoid potential adversarial actions than will the deployment of additional troops. ❖

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NOTES

- 1 See “Background,” United Nations Mission in South Sudan, n.d.: <https://unmiss.unmissions.org/background>
- 2 United Nations, UN Security Council Resolution 2304 (2016); “South Sudan: Deployment of UN-Mandated Regional Protection Force Begins,” UN News, 8 August 2017: <https://news.un.org/en/story/2017/08/562962-south-sudan-deployment-un-mandated-regional-protection-force-begins>
- 3 For an overview of Machar’s career, see “South Sudan’s Riek Machar Profiled,” BBC, 26 April 2016: <http://www.bbc.com/news/world-africa-25402865>
- 4 “South Sudan: Alarmed by Violence in Yei, UN Mission Calls for Immediate End to Hostilities,” UN News, 10 October 2016: <https://news.un.org/en/story/2016/10/542312-south-sudan-alarmed-violence-yei-un-mission-calls-immediate-end-hostilities>
- 5 “Head of Mission Urges Release of Remaining UN Personnel Taken Hostage in South Sudan,” UN News, 30 October 2015: <https://news.un.org/en/story/2015/10/514162-head-mission-urges-release-remaining-un-personnel-taken-hostage-south-sudan>
- 6 The SPLA soldiers supported the Dinkas because they are from the same tribe, and many SPLA soldiers had family members residing in the PoC. Before the fighting broke out, some SPLA soldiers dressed in civilian clothes, entered the PoC, and remained there until the incident was over. Meanwhile, UNMISS forces were busy trying to manage the flow of IDPs from the PoC to the UN base.