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November 2022

THE PERIPHERY CANNOT HOLD

Upper Nile since the Signing of the R-ARCSS

Joshua Craze

HSBA

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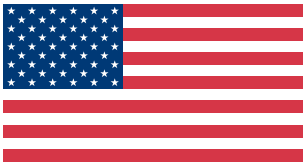

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Cover photo: People draw water from a borehole in a river bed near the village of Aburoc, Upper Nile, South Sudan on 12 May 2017. Source: Philip Hatcher-Moore.

About the author

Joshua Craze is a fellow at *Type Investigations* with over a decade of experience as a researcher in Sudan and South Sudan. He has worked in the two countries for the Small Arms Survey, Human Rights Watch, the Centre for Humanitarian Dialogue, the United Nations Mission in South Sudan, Geneva Call, the Norwegian Refugee Council, Tufts University, and the London School of Economics and Political Science, amongst other institutions and organizations. He has a PhD in Socio-Cultural Anthropology from the University of California, Berkeley, and also studied at the University of Oxford, l'École des hautes études en sciences sociales – Paris, and the University of Amsterdam. His essays and reportage on Sudan and South Sudan have been published by *The Baffler*, *The Guardian*, the *New Left Review*, *n+1*, *Creative Time Reports*, and *Al Jazeera*, amongst many other publications. He is currently writing a book for Fitzcarraldo Editions on war, bureaucracy, and silence in South Sudan.

The HSBA project

The Human Security Baseline Assessment (HSBA) for Sudan and South Sudan is a multi-year project administered by the Small Arms Survey. It was developed in cooperation with the Canadian government, the United Nations Mission in Sudan, the United Nations Development Programme, and a wide array of international and Sudanese partners. Through the active generation and dissemination of timely, empirical research, the project supports violence reduction initiatives, including disarmament, demobilization, and reintegration programmes and incentive schemes for civilian arms collection, as well as security sector reform and arms control interventions across Sudan and South Sudan. The HSBA also offers policy-relevant advice on redressing insecurity.

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List of abbreviations and acronyms

CPA	Comprehensive Peace Agreement
GIS	General Intelligence Service
ICCG	Inter-Cluster Coordination Group
IDP	Internally displaced person
IGAD	Intergovernmental Authority on Development
IOM	International Organization for Migration
KPA	Khartoum Peace Agreement
NCP	National Congress Party
NISS	National Intelligence and Security Services
NUF	Necessary Unified Force
PoC	Protection of Civilians
R-ARCSS	Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan
RRC	Relief and Rehabilitation Commission
R-TGoNU	Revitalized Transitional Government of National Unity
SAF	Sudan Armed Forces
SPLA	Sudan People's Liberation Army
SPLA-IO	Sudan People's Liberation Army-in-Opposition
SPLM	Sudan People's Liberation Movement
SPLM-DC	Sudan People's Liberation Movement-Democratic Change
SPLM-IG	Sudan People's Liberation Movement-in-Government
SSDF	South Sudan Defence Forces
SSNPS	South Sudan National Police Service
SSOA	South Sudan Opposition Alliance
SSPDF	South Sudan People's Defence Force
TBC	Technical Border Committee
UNHCR	UN High Commissioner for Refugees
UNMISS	UN Mission in South Sudan
UNSWG	Upper Nile Solutions Working Group

Executive summary

By 2018 and the signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), the political coalition of James Tor Monybuny, the Padang Dinka governor of Central Upper Nile, was in control of much of the state. After a successful government-backed military campaign, the Shilluk had been largely displaced from the east bank of the White Nile, to which both Padang Dinka and Shilluk lay claim, and the Agwelek, a Shilluk communitarian militia, had been defeated. The Agwelek was part of the main South Sudanese opposition group—the Sudan People's Liberation Army in-Opposition (SPLA-IO)—which lost a string of battles in the run-up to the signing of the R-ARCSS and ceded control of much of the movement's heartland. The peace agreement, signed in Addis Ababa on 12 September 2018, was effectively a negotiated surrender.

Four years is a long time in politics. Government support for Monybuny has given way to something much more complicated, as the regime of South Sudanese President Salva Kiir attempts to maintain control in Juba, South Sudan's capital, by dividing and weakening opponents and loyalists alike. Monybuny's coalition was torn asunder, partly as a result of Kiir's machinations, and the deputy governor replaced in May 2022. Meanwhile, the state's population is angry and immiserated. The R-ARCSS has concentrated power and wealth in the hands of an unaccountable South Sudanese political elite, and the people of Upper Nile have seen no dividends from what is becoming an increasingly violent peace.

Key findings

- Kiir's regime controls Upper Nile by pitting the state's competing elites against each other. Through the R-ARCSS's power-sharing mechanisms, the government and the SPLA-IO, along with the other political parties, have made appointments to state- and county-level political positions. The Juba-based elite have tended to select weak candidates for these positions, who are dependent on the capital's largesse and lack local legitimacy. Such appointments have created a political class that is remote from its putative constituents and increased tensions within the state.
- As deputy governor of Upper Nile, Monybuny used gerrymandering and other administrative tools to consolidate the Padang Dinka's hold on the White Nile's east bank.
- At the end of May 2022, Monybuny was fired as the deputy governor after a challenge to his position by Chol Thon Balok, a rival Padang Dinka politician. His replacement, Ayong Awer, is a Padang Dinka who is much closer to the Eastern Nuer political elite from Nasir that now constitute an important part of Kiir's political coalition.
- UN agencies and international NGOs inadvertently helped Monybuny in population-engineering, designed to hardwire demographic majorities into contested areas in view of future elections and land registration.
- The SPLA-IO has lost its political power base in Upper Nile. The opposition governor, Abudhok Anyang Kur, is powerless and can only try to cultivate the equally powerless population of the Protection of Civilians (PoC) site in Malakal as his constituency. In southern Upper Nile, the government has bought off almost all the opposition commanders, while opposition ground forces have largely abandoned Riek Machar, the SPLA-IO chairperson. Those that remained loyal to Machar were defeated during a military campaign waged by government-aligned forces from January to April 2022.
- In December 2021, the breakaway rebel faction Kitgwang, under the command of Simon Gatwich Dual, defeated the SPLA-IO during clashes at Megenis, Upper Nile. The faction subsequently defected to the ruling government coalition in January 2022. This defection enabled Kiir to conduct successful military campaigns against the SPLA-IO in Unity and Upper Nile states during the first quarter of 2022, falsely blaming the violence on intra-opposition tensions.
- Having used the Kitgwang faction to neutralize Machar, Kiir discarded the rebel group. The structure of the unified command for the national army, announced by Kiir on 12 April 2022, did not include any of the commanders of the Kitgwang faction, which subsequently tried to withdraw its advance team from Juba, complaining that none of the security provisions of the January agreement had been implemented. The faction subsequently split in July 2022, with clashes occurring in Jonglei and Upper Nile states.

“The centre’s strength, however, has come at the cost of chaos in the periphery.”

Introduction

At the end of May 2022, Kiir fired Monybuny as the deputy governor of Upper Nile, following two years in which he faced multiple challenges to his rule, from both rival Padang Dinka candidates, and Nuer and Shilluk politicians eager to exploit the weaknesses of the Padang Dinka at the national level.

The final and decisive challenge to Monybuny's reign came from the same Ngok Lual Yak subsection of the Padang Dinka, from Baliet county, to which the then deputy governor belongs. Chol Thon Balok, the deputy minister of defence and veterans' affairs, was once the acting governor of Northern Upper Nile and had long vied with Monybuny to be the leading Padang Dinka politician in the state. On a visit to Baliet county in April 2022, Balok was snubbed by Monybuny, which proved to be the spur for him to approach Kiir—with the backing of Awow Daniel Chuang, the undersecretary for the minister of petroleum—and suggest that Monybuny be replaced.[1]

Reportedly, the move appealed to Kiir, who wanted to consolidate his support among the Eastern Nuer political elite that he had successfully peeled away from the SPLA-IO during the period since the signing of the R-ARCSS.[2] Monybuny was unpopular among the Eastern Nuer, and Balok's suggested replacement for Monybuny—Dak Tap, who served as acting deputy governor for Northern Upper Nile under Balok—is from Nasir. It was hoped that his appointment would placate the Nuer of southern Upper Nile, who had had little representation in the state government since the dismissal of Gathoth Gatkuoth as minister of local government and law enforcement in the second half of 2021.

The Nasir political elite, however, objected to the appointment, as they thought Dak Tap too beholden to Balok. In his place, they suggested a Padang Dinka candidate, but one more responsive to the political priorities of the Eastern Nuer: Ayong Awer is from the Dongjul section of Akoka county and served as finance minister under the former Nuer governor of Upper Nile, Simon Kun Puoc. This episode indicates some of the complexities of politics in Upper Nile. While the fundamental political grammar is ethnic, that does not mean that appointments are made according to a simple identitarian calculation. In the complicated deliberations over Monybuny's replacement, the Nuer candidate was actually a Dinka, and Balok's candidate, a Nuer.

As he is from the contested territory of Akoka county, Awer should prove palatable to the Padang Dinka of Baliet and Malakal, who wish to maintain territorial control of the east bank of the White Nile. The fact that Awer is not from the Ngok Lual Yak subsection that has dominated politics in Upper Nile in recent years might also please the Padang Dinka subsections of Renk and Melut counties, which have felt marginalized by the politicians of Baliet county.[3] Rather than the politics of Upper Nile being a struggle between the Dinka and other ethnic groups, it is *intra*-Dinka sectional competition that has emerged as one of the main motors of political dynamics in the state.

Awer's appointment as deputy governor will likely coronate him as the most important politician within the state administration of Upper Nile. The presence of a Shilluk

governor, Abudhok, is not likely to represent a challenge to Awer's reign. Abudhok was chosen for the position only after Kiir blocked the appointment of Johnson Olonyi—the leader of the Agwelek and the most important Shilluk political figure. Abudhok has been powerless to act within a Padang Dinka-dominated administration, and he is widely regarded by the Shilluk population as having sold out to the government.[4]

Olonyi remains the embodiment of Shilluk aspirations. As part of an agreement signed with Kiir's regime in January 2022, he was promised representation in state government and the resolution of Shilluk land claims. The implementation of that agreement would cause huge tensions with the Padang Dinka; failure to implement it, however, would lead to Olonyi withdrawing from the government coalition, and again posing a military threat to Malakal. Unresolved administrative and territorial disputes between the Padang Dinka and the Shilluk remain one of the principal sources of insecurity in Upper Nile.

The Agwelek are part of the Kitgwang faction that broke away from the SPLA-IO in August 2021 and defected to the government in January 2022. Kiir brokered this defection to humiliate the opposition and weaken Machar's support among the Eastern Nuer.[5] The defection of the Kitgwang faction was followed by government attacks on SPLA-IO positions that left the opposition's military forces scattered. The enfeeblement of the SPLA-IO enabled Kiir to announce, in April 2022, the command structure of the Necessary Unified Force (NUF)—the national army—a long-delayed requirement of the R-ARCSS. This command structure—determined after consultations with Abdel Fattah Abdelrahman Burhan, the de facto head of Sudan—marginalized the SPLA-IO. Fleeing ongoing attacks in Unity and Upper Nile, the opposition complained about the unilateral decision, but acquiesced, given its military weakness.

Kiir's strategy made sense in Juba, as it enabled him to consolidate military power and respond to international actors who insisted on the full implementation of the R-ARCSS. In Upper Nile, however, the strategy has led to chaos. The integration of Nuer and Shilluk commanders into the government has increased disquiet among core elements of Kiir's coalition, including the Padang Dinka of Upper Nile. Nuer commanders, newly ensconced in government, have attempted to challenge Padang Dinka domination of the state.

In September 2021, for instance, Monybuny was called to Juba to respond to a challenge to his position from Balok. When Monybuny was away, a Jikany Nuer commander named Gathoth Gatkuoth attempted to take power in Malakal by appointing himself acting governor. Gatkuoth was a leading SPLA-IO general before rebelling against Machar in 2015 (Craze and Tubiana, 2016, pp. 95–98). He played an important role in bringing James Ochan Puot—once an SPLA-IO commander in Maiwut county—into Kiir's coalition and was rewarded with the position of minister of local government and law enforcement in Upper Nile. His alliance with the government, however, was opportunistic. While Gatkuoth delighted in Machar's marginalization, he deeply disliked Monybuny. Anticipating that Kiir's support to the Padang Dinka elite would weaken, Gatkuoth, among other Eastern

Nuer commanders, envisioned a Nuer–Shilluk alliance—this time within the government fold—which could overthrow the Padang Dinka political elite in Malakal.[6]

Gatkuoth's takeover of the state was short-lived. He attempted to move troops into Malakal town, alarming the Padang Dinka political lobby in Juba. Monybuny and Joshua Dau—a member of the Jieng (Dinka) Council of Elders—lobbied Kiir, who dismissed Gatkuoth via an edict, announced on national television, which also removed him from his position as minister of law enforcement and local government.[7] This episode of musical chairs in the state administration indicates the challenge before Kiir: the Ngok Lual Yak subsection is now only one of several alliances that Kiir needs to maintain in Upper Nile to hold his regime together.

Under the R-ARCSS, Kiir has centralized power by splitting the opposition and using the power-sharing mechanisms of the peace agreement to appoint weak candidates, dependent on his largesse and unable to act against him.[8] The centre has not only held, but also become stronger at the expense of the opposition, while the SPLA-IO is only able to act as a meaningful force within the narrow confines of the capital, where it is kept afloat by the peace agreement. According to the R-ARCSS, the SPLA-IO is the main opposition group, even if, on the ground, its troops have almost all defected (Craze and Markó, 2022). The centre's strength, however, has come at the cost of chaos in the periphery. In Upper Nile, though each group owes its position and power to Juba, such dependency results in conflict rather than shared interests.

The last Small Arms Survey publication on Upper Nile detailed a campaign to displace the Shilluk from the west bank of the White Nile (Craze, 2019). This Report traces a transformed situation. The pact between Kiir's regime and the Ngok Lual Yak political elite has held—albeit with a change in personnel—but it is now only one of a series of alliances the government must preserve in Upper Nile. As of June 2022, following the defection of the Agwelek, there are three principal military groupings in the state: the Ngok Lual Yak militias, Olonyi's Agwelek, and the Eastern Nuer commanders. All are beholden to Juba and yet hostile to each other. Kiir's strategy for control of the country has created chaos by setting these forces against each other. In straitened times, as the state withdraws from the provision of wages and services, Kiir's regime has found disorder to be the best means of controlling South Sudan.

> “The increased desire for ethnic self-rule in South Sudan since the signing of the R-ARCSS reflects the collapse of a national compact.”

Background

Since the Comprehensive Peace Agreement (CPA) brought an end to the second Sudanese civil war (1983–2005), the politics of Upper Nile has consisted of a competition between Padang Dinka, Shilluk, and Eastern Nuer politicians.[9] In the CPA period (2005–11) prior to South Sudan's secession, the Padang Dinka found themselves in the ascendency, while the Shilluk were marginalized in both state- and national-level politics (Craze, 2019, pp. 22–33).

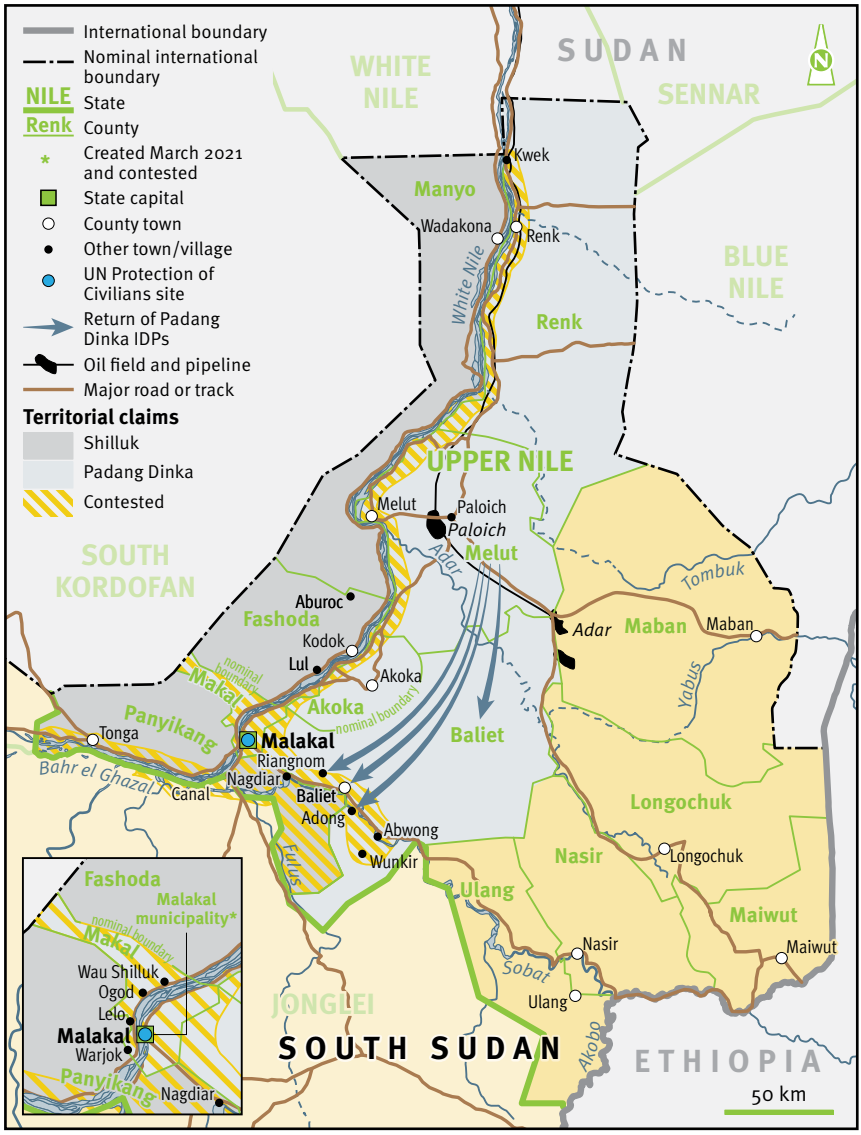
During this time, the creation of seemingly neutral institutions—the bureaucratic instruments required for state- and county-level government—became the site for political battles that were expressed ethnically, as politicians mobilized local constituencies by fanning identitarian fears of rival groups. Competitions for administrative positions became zero-sum political games, whose rules were determined by an ethnic calculus (Craze, 2021a). In the same period, the state government established new counties that arrogated administrative power to the Padang Dinka, while rivalry between the Shilluk and the Padang Dinka over a series of contested areas became more intense, spilling into violence.[10]

These clashes were over the control of county- and state-level administrations. Padang Dinka–Shilluk contestations centred on the benefits of territorial control: administrative power, political positions, the capacity to tax markets, and the ability to encourage humanitarian aid and development projects to be established in some areas and not others.[11] To justify these administrative struggles, both sides referred to a putative historical record. The Padang Dinka and the Shilluk have long lived together on the east bank of the White Nile, and fragments of this history of coexistence were used to justify absolutist claims to territory.[12] Areas that had once been shared became the site of exclusive claims and mono-ethnic administrative occupations.[13]

The administrative landgrabs of the CPA period, exemplified by the creation of Akoka and Pigi counties (Craze, 2019, pp. 27–28), are part of a longer history of both the Sudanese (Craze, 2011; Johnson, 2010a; 2010b) and South Sudanese (Craze, 2013a; 2013b; 2014) governments redrawing boundaries and creating counties in order to funnel resources to select groups while marginalizing others. The use of these techniques has continued apace since the signing of the R-ARCSS. Increasingly, ethnic groups in South Sudan see themselves as states and try to maximize their claims to territory and institutional power in absolutely demarcated territorial areas, in competition with other groups.

Shilluk discontent with their marginalization during the CPA period came to a head following the 2010 gubernatorial elections in Southern Sudan. The community felt that its political leadership—for example, Oyay Deng Ajak, the Sudan People's Liberation Army (SPLA) chief of staff from 2005 to 2009—had not given it enough support during clashes with the Padang Dinka in places such as Nagdiar, where fighting took place in 2009. During the election, the Shilluk county of Panyikang punished Ajak (who hails

Map 1 Upper Nile: the contested areas



Base map data source: OpenStreetMap

from the area) by voting for a candidate from veteran Shilluk politician Lam Akol's Sudan People's Liberation Movement-Democratic Change (SPLM-DC). The SPLM-DC did well in the elections and, as a result, all five of its candidates were arrested, since they were

understood to be a threat to the SPLM. In 2010, the SPLA attacked the Shilluk on the west bank of the White Nile to punish them for voting for the SPLM-DC, leading to the rebellion of Shilluk commanders, including Olonyi, who fought intermittently with the SPLA from 2010 to 2013 (Craze, 2019, pp. 29–33; Small Arms Survey, 2011).

The onset of the South Sudanese civil war saw a pause in tensions between the Shilluk and Padang Dinka. The SPLA forces that attacked the Shilluk from 2010 to 2013 were almost all Nuer, and comprised the rump of those who defected to the SPLA-IO in December 2013.[14] Shilluk hostility to the SPLA-IO was aggravated after Nuer fighters loyal to Gabriel Gatwich Chan (Tanginye) rampaged through Panyikang county at the beginning of the war. In part due to Shilluk hostility towards these Nuer forces, Olonyi and the Agwelek militias chose to fight alongside the government; the tension between the Nuer SPLA and the Shilluk thus remained and was transposed onto a different political configuration, which saw the Shilluk allied with the SPLA against a largely Nuer opposition. In 2014, Olonyi successfully pushed the SPLA-IO away from the west bank of the White Nile. The communitarian goals of Olonyi—to secure Shilluk territory—were, for a while, consonant with those of the Padang Dinka in Malakal and the government in Juba.

Olonyi's success, however, posed a problem for the Padang Dinka elite, who feared he would push back against their claims to territories contested by the Shilluk, and so successfully conspired to force the Agwelek out of the government coalition and into the opposition (Craze, 2019, pp. 44–47). With Olonyi now part of the SPLA-IO, Padang Dinka politicians, with the support of Kiir's regime, planned a major offensive against him. Militia forces organized in Akoka, Baliet, and Melut counties were instrumental in implementing this strategy. The Padang Dinka militias were originally created to protect their respective communities—after they had suffered devastating losses at the hands of the SPLA-IO in Baliet county, among other places—and defend the oil fields in Melut county. Militia formations that were initially intended for defensive purposes soon became part of an offensive communitarian struggle to consolidate gains made during the CPA period and to ensure Padang Dinka control of the east bank of the White Nile (Small Arms Survey, 2016).

While Olonyi's forces achieved some initial successes, in 2015 the SPLA—in concert with the Padang Dinka militias—drove the Agwelek and the Shilluk off the east bank of the White Nile (Craze, 2016; 2019; 2021a). This military campaign was accompanied by administrative warfare. In late 2015, Kiir's regime formalized the military boundaries of the war via an administrative decree that divided South Sudan's ten states into 28; in Upper Nile, the boundaries of the three newly created states—Latjor, Eastern Nile, and Western Nile—corresponded precisely to the military borders between the SPLA-IO, the Agwelek, and the government forces as they existed in October 2015. De facto victories would become de jure boundaries, sanctified by administrative decree.

In Eastern Nile, Balok, appointed acting governor, consolidated Padang Dinka control of the state by cancelling the contracts of Shilluk and Nuer government workers, among other measures, and continued to target the Shilluk population that remained on the east bank of the White Nile, most notably in an attack on the UN Mission in South Sudan (UNMISS) PoC site to which the Shilluk had fled during the war (CIVIC, 2016; MSF, 2016; Craze, 2019, pp. 63–69). Such attacks were designed to arrogate total control of the east bank of the White Nile to the Ngok Lual Yak administration.

In 2017, Kiir administered another decree that split South Sudan's 28 states into 32 and intensified Padang Dinka control of Shilluk territory.[15] In Central Upper Nile state—composed of Akoka, Baliet, Malakal, Panyikang, and Pigi counties—Kiir appointed Monybuny, a former pastor who was very close to Balok, as governor. Monybuny shared Balok's approach to politics. He continued to use administrative decrees to consolidate control of the east bank of the White Nile, by establishing Malakal as a municipality in order to diminish Shilluk claims to the area, and then appointing a Padang Dinka mayor.[16] In the same year, the government launched full-scale offensives across South Sudan (UNSC, 2017, paras. 42–43), including in Upper Nile, where the SPLA attacked Agwelek positions and Shilluk civilians across the river—on the west bank of the White Nile—with the goal of either pushing the Shilluk population into Sudan or rendering it docile, terrified, and acquiescent to government control.

By October 2017, Monybuny's administration had achieved a total military and political victory in Northern Upper Nile. It had secured administrative control of the east bank of the White Nile, and the state's Shilluk population was either living in the Malakal PoC site, seeking refuge in Sudan, or eking out a hardscrabble existence on the west bank, where the population was immiserated. For the next year, conflict largely subsided in the state. The administrative conflicts at the root of the violence in Upper Nile, however, remained unaddressed. Far from resolving these conflicts, the R-ARCSS deepened them in two major respects, as discussed below.

The Technical Border Committee

While the disagreements between the Padang Dinka and the Shilluk are fundamentally *political* disputes about the form of government that should exist in Upper Nile, and who should control that government, the peace agreement claims that these are *territorial* issues that can be resolved by calling for a committee (the Technical Border Committee, TBC) to 'define and demarcate the tribal areas of South Sudan as they stood on 1 January 1956' (IGAD, 2018, p. 23). Multiple scholars (Johnson, 2010a; 2010b; Pritchard, 2020) have compellingly demonstrated that there is no clear and absolute record of such boundaries. Furthermore, the borders that did exist in 1956 were often flexible, as befits groups with markedly different modes of production. Thus, such borders were

not zero-sum administrative boundaries that would enable the demarcation of absolute ethnic territories (Craze, 2019, pp. 90–93). Shared areas with shifting boundaries, inhabited and used by different pastoralist and agricultural groups at different times, do not enable the delimitation of absolutist territorial claims—even if there were a record of them (which there is not), and even if the struggles over such areas were territorial (which they are not).

Predictably, neither the TBC nor the Independent Boundaries Commission that succeeded it have done anything to resolve the contestations over land and power that bedevil Upper Nile. These contestations do not pre-date the CPA period but are instead a result of the creation of state-level administrations and the power struggles they brought about. They are problems of the state and can only be dealt with politically. The insistence that the Shilluk–Padang Dinka conflict is about territory has increased both sides' zero-sum approach to administrative power, and masked the genuine political questions that need to be answered if the conflict is to be resolved.

The power-sharing agreement

The increased desire for ethnic self-rule in South Sudan since the signing of the R-ARCSS reflects the collapse of a national compact. Under the terms of the R-ARCSS, state- and county-level administrative positions are determined in Juba through a power-sharing formula (Craze and Markó, 2022).[17] This process has resulted in the creation of a centralized despotism in which politicians in Juba are able to bypass local considerations and popular legitimacy owing to a technocratic formula that allows all appointments to be made via a political calculus that is distant—and often hostile—to local interests. In southern Upper Nile, this has led to SPLA-IO appointments of county commissioners whose only qualification is loyalty to Machar, but who have no power on the ground.[18] In northern Upper Nile, government appointments have resulted in commissioners who are answerable to Juba and Malakal and not to local constituencies. Throughout the country, the peace agreement has short-circuited popular legitimacy, which has resulted in ethnicized demands for self-rule and the use of violence by the government to quieten such demands.

> “The immediate consequence of the R-TGoNU’s formation was the revelation of Machar’s relative powerlessness.”

State politics in Upper Nile, 2019–22

The appointment of Abudhok

In February 2020, Kiir announced that South Sudan would revert from 32 to ten states. The decision received a mixed reaction in Upper Nile. The Padang Dinka of Melut and Renk counties bemoaned the curtailing of political influence that would come with losing Northern Upper Nile state and—at least legally—their control of the oil revenues from the Paloich oil field, which according to the South Sudanese constitution should be allotted to the states in which oil is produced.[19] The Shilluk were hopeful that the return to ten states would help to prevent the Ngok Lual Yak's domination of the territory that made up Central Upper Nile state and reunify the majority-Shilluk counties divided under the 32-states decree.[20] As elsewhere in South Sudan, the response to Kiir's administrative decree fell along predictable lines: those groups who had been afforded more representation and political power under the 32-states decree felt neglected, while those communities—often non-Dinka, but not always—that had felt marginalized within the borders of the 32 states were optimistic that their situation might improve.[21]

The return to ten states, long demanded by the SPLA-IO, paved the way for the formation of the Revitalized Transitional Government of National Unity (R-TGoNU). According to the power-sharing ratios of the R-ARCSS, within the R-TGoNU, Kiir's regime—the Sudan People's Liberation Movement in-Government (SPLM-IG)—was to receive six state governorships, the SPLA-IO, three, and the South Sudan Opposition Alliance (SSOA), one (IGAD, 2018). Initially, Kiir intended SSOA to receive the governorship of Upper Nile, but Machar objected, as he feared that a SSOA governorship would mean the appointment of Gabriel Changson Chang—a Jikany Nuer politician who could use the position to build up a Nuer power bloc to rival Machar's.[22] Olonyi was also opposed to a Changson appointment, as he wanted the governorship for himself and was conscious of what had occurred during the CPA period, when Nuer governor Simon Kun Puoc—who worked against Shilluk interests in the state—was dominated by Padang Dinka politicians.[23]

After the uproar over Changson's proposed appointment, SSOA received the governorship of Jonglei, while the SPLA-IO received the governorship of Upper Nile. This pleased Machar as he hoped to be able to appoint Olonyi and placate a Shilluk community that had long felt marginalized by the SPLA-IO elite—whom the Shilluk felt were only interested in Machar's familial and national agenda.[24] Olonyi's appointment, however, was completely rejected by the Padang Dinka elite. This position was echoed by Kiir, whose spokesperson, Ateny Wek Ateny, said on 2 July that Olonyi's appointment had been rejected because he had violated the terms of the R-ARCSS by not taking his forces to be cantoned, adding that Olonyi was a 'warmonger' (Radio Tamazuj, 2020).

The stand-off over the position of governor continued for the next six months. Machar was under increasing government pressure to choose someone else. Diplomats in Juba also pressed for a compromise candidate, concerned that the vacant governorship was holding up the implementation of the peace deal. In December 2020, Kiir announced

there would be a conference in Juba for all the communities of Upper Nile, after which a final decision would be made on a new governor. The conference was stage-managed by Kiir's regime to get Olonyi to Juba, but the Agwelek commander refused to come, wary of the possibility of arrest or detention in the capital.[25] Following the failure of the conference gambit, pressure on Machar rose, leading him to issue an ultimatum to Olonyi on 25 January: either come to Juba, or someone else will be appointed governor.

Given Olonyi's refusal to go to the capital, Machar went ahead and selected another candidate. Rather than consulting the SPLA-IO National Liberation Council, he conferred with a trusted group of family members and advisers—continuing his tendency, evident since the signing of the R-ARCSS, to make political appointments from within a narrow circle of trusted supporters. On 29 July 2021, he gave the position to Abudhok—a relative of Angelina Teny, Machar's wife and the minister of defence in the R-TGoNU (Small Arms Survey, 2021a).

Abudhok is the son of the former Shilluk *reth* or king (Anyang Anai Kur, 1974–1992) and grew up in an elite political family. During the second civil war, he served first as the commissioner for Kodok, and then in a national security position in Khartoum, where he formed connections with many of the National Congress Party (NCP) figures who currently play a central role in Kiir's regime. Following the signing of the CPA, Abudhok was a minister in the Upper Nile state administration. At the beginning of the civil war, the future governor joined the Agwelek, becoming a political counsellor to Olonyi following the desertion of the latter's former adviser, Jokino Fidele, to the government.[26] Given this history, Machar hoped that Abudhok might be palatable to the Shilluk community.

Although Abudhok was a member of the Agwelek, his appointment was considered a betrayal by Olonyi, who claimed he was not consulted, and thought Abudhok had effectively sold out to Kiir for a semblance of political power. The appointment of Monybuny as deputy governor did little to alleviate Olonyi's concerns. SSOA was, once again, supposed to receive this position, but Kiir judged the appointment too sensitive to be left to the opposition coalition, and so made a unilateral decision to select the candidate himself. Monybuny was the governor of Central Upper Nile during some of the worst attacks on the Shilluk population by the South Sudan People's Defence Force (SSPDF), and his appointment tempered the cautious optimism many Shilluk felt about Abudhok.[27] The community was concerned that Abudhok would serve as a Shilluk figurehead, while Monybuny would run the state—fears that proved well-founded.

Subsequent violence

Abudhok arrived in Malakal to officially take up the role of governor on 27 March 2021, with Shilluk crowds from the PoC massing to celebrate his governorship.[28] Upon arrival, however, Abudhok learned that Abu Shoq—a Ngok Lual Yak militia recruited

and organized in Baliet county—had arrayed themselves on the road to town, and were preparing to assassinate him. Abudhok changed his route after becoming aware of the plot, and the militia force, angry that it had been deprived of its main target, attacked the Shilluk who had prepared to meet the new governor; six were killed, and at least another six sustained gunshot wounds.[29] Abudhok was sworn in amid chaos.

This incident was part of a continuous pattern of violence. In July and August 2020, militia forces attacked Shilluk fishermen on the west bank of the White Nile. On 13 July 2020, Lam Akol's brother, Thomas Aban Akol Ajawin, was assassinated. Later that year, on 20 October, a Shilluk internally displaced person (IDP) was tied up and killed and his body dumped next to the PoC site, and on 5 November, two Shilluk men were killed coming out of church. These attacks, carried out by Padang Dinka militia forces, prevented the Shilluk from feeling safe on the east bank of the White Nile.

The changing political landscape of Upper Nile

The immediate consequence of the R-TGoNU's formation was the revelation of Machar's relative powerlessness. His appointments to the national cabinet were drawn from a narrow circle of family members and advisers, leaving many powerful members of the SPLA-IO deprived of sought-after positions (Small Arms Survey, 2020). His choice of Teny as minister of defence resulted in a raft of defections to the government. James Koang Chuol—a Jikany Nuer commander who was once the SPLA-IO deputy chief of general staff for administration, logistics, and finance—had coveted the position of minister of defence and defected to the SSPDF in March 2020, shortly after Teny's appointment.[30] Each set of political appointments over the coming year—of state governors, deputy governors, and county commissioners—revealed Machar's weakness and his abandonment of the broader Nuer coalition that had brought him to Juba. In response, SPLA-IO commanders defected.

After the Kitgwang Declaration in August 2021, for instance, James Khor Chol, once the rival of his former SPLA-IO colleague, James Ochan Puot, joined his erstwhile opponent—this time on the side of the government.[31] Ironically, particularly given that the formation of a unified national army (as per Chapter II of the R-ARCSS) is seen by some as a necessary condition for peace (Craze, 2020, pp. 87–103), the real unification of forces in South Sudan has occurred not through the R-ARCSS, but because, as the SPLA-IO has become weaker and weaker, the government has been able to buy the loyalty of opposition commanders more easily—leading to the wholesale collapse of the SPLA-IO as a military force. Machar's entrenchment within a band of trusted loyalists has particularly aggravated the Eastern Nuer, who have been excluded from national- and state-level appointments, and have thus almost entirely deserted the opposition leader. Machar's military capacity now largely exists only on paper.

The distance between the political elite in Juba making state- and county-level appointments in Upper Nile, and the actual forces on the ground, means that the state effectively has no substantive governance outside of Malakal. None of the Eastern Nuer elite were selected as county commissioners in Upper Nile.[32] Instead, Machar treated figures with popular support as a threat, tried to negate their power, and appointed people close to him to county commissioner positions. These figures, without local legitimacy or any cash from an impoverished central state, serve only as figureheads, unable to provide security or services in the area they putatively control.

Elsewhere, some Shilluk members of the state-level administration have been unable to go to Malakal town due to threats against them and remain in the PoC site, while others complain that they have received neither a salary nor any resources with which to do their work.[33] State-level government had been largely concentrated in the decision-making power of Monybuny and his associates from 2020-22; moreover, the representatives of the rest of the state lack any capacity or political authority to develop government programmes, regardless of whether political will exists to carry them out. Under the R-ARCSS, state-level ministers, county commissioners, and members of parliament fight each other, fearful that any assistance to political figures from other parties will enable them to build support among their constituencies on the ground. The competing interests of the SPLA-IO, the Padang Dinka, and the Shilluk political elite have led to stasis in much of the state.

> “In Upper Nile, UN agencies have frequently neglected the political economy of returns.”

Administrative transformations and demographic engineering

Shilluk suspicions about Abudhok's tenure proved well-founded. Although Abudhok was the governor, Monybuny made all the decisions about the state and continued to reinforce patterns of administrative transformation that were already underway during the period from 2018 to 2021—when Upper Nile had no governor but, as the former governor of Central Upper Nile, Monybuny continued to exert influence in Malakal.

Abudhok came into this political situation without any local support. With Olonyi and the Kitgwang faction controlling the west bank of the White Nile (Abudhok's natural constituency), Monybuny controlling the east bank of the White Nile, and relatively autonomous military actors such as Ochan controlling the Nuer south, Abudhok was largely a figurehead, beholden to Juba and powerless to block Monybuny's plans (see Box 1). In 2021–22, as discussions in Juba increasingly focused on prospective elections in South Sudan, then tentatively planned for 2023, the deputy governor changed county boundary classifications and sought to create demographic majorities in contested territories.

Contested municipalities and absent mayors

The return to ten states led to state capitals being given their own municipalities in South Sudan. In Upper Nile, Malakal town had been the administrative centre of not just the state but also Makal county, which—in an order made by the leader of the SPLM/A, John Garang, in 2004—was composed of Malakal town and the (Shilluk) chieftaincies of Lelo and Ogod (Garang, 2004). As governor of Central Upper Nile state, Monybuny had already tried to reclassify Malakal as a municipality and appoint a Padang Dinka mayor. As deputy governor of Upper Nile, he repeated this move.[34] According to civil servants in Malakal, Makal county was reclassified in March 2021 as comprising Warjok, Lilo, Ogod, and Wau Shilluk payams, with Wau Shilluk as its county headquarters.[35] This amounts to the claim that while Makal county exists, it is located on the east bank of the White Nile; the traditionally majority-Shilluk county can therefore no longer lay claim to Malakal town itself, which would result in a Padang Dinka majority in the Malakal municipality, given that most of the town's Shilluk population was displaced from 2013 to 2018 and many Padang Dinka then moved into Malakal, including through government-supported air transfers of IDPs from Juba and elsewhere (Craze, 2019, pp. 77–78; CTSAMM, 2017; IOM, 2017).

Confirmation of Abudhok's powerlessness was provided by the impasse over his selection of mayor. Abudhok did not publicly criticize the creation of Malakal municipality and attended the meeting at which it was created. Despite Shilluk protests against the move, he then appointed a mayor for the city—Francis Nyang Awok Ajang. Although Ajang was officially appointed, he was blocked by Monybuny and, in October 2021, demoted to deputy mayor (for infrastructure), alongside a Padang Dinka deputy mayor for administration and finance (Peter Riak Thon) and a Nuer mayor (Koang Tharjath). While in theory,

a Nuer mayor could play a neutral role mediating between the two groups, Tharjath, a Gajaak Nuer from Maiwut, was previously involved in the imbroglio over Ochan's defection and is close to Kiir's regime. Dependent on Juba for legitimacy, Tharjath will not intervene against Padang Dinka plans for the east bank of the White Nile.

Box 1 The Malakal PoC

Since 2018, the UN-protected PoC site next to Malakal town has been the last hold-out of the Shilluk on the east bank of the White Nile. As such, it has political importance for the Shilluk as a means of showing their presence in the area.

For UNMISS, the Malakal PoC site has long been a thorn in its side. In 2020–21, UNMISS closed the other PoC sites in South Sudan, claiming that a reduction in political violence in the country since the signing of the R-ARCSS meant it was safe for PoC populations to return, despite the fact that violence in the country—and the number of those displaced by it—had increased year on year since the signing of the agreement (Craze and Pendle, 2020). UNMISS claimed that reclassifying the PoCs would enable it to move manpower and resources elsewhere. On 4 September 2020, the then UN Secretary-General's Special Representative for South Sudan, David Shearer, stated that 'withdrawing from [the PoCs] means that those troops [. . .] can be redeployed to hotspots where people's lives are in immediate danger' (UN Peacekeeping, 2020). As a 2019 UN report made clear, only 14 per cent of the peacekeeping force was engaged in protecting the PoCs (UNSC, 2019). A 2016 report for the UN's migration agency (International Organization for Migration, IOM) concluded that UNMISS has never been able to protect civilians outside its bases, and that the PoCs were being used as scapegoats for the mission's wider failings (Arensen, 2016, p. 31).

The idea that the current administration in Malakal would provide security for the PoC is concerning. In November 2021, in anticipation of the reclassification of PoCs, UNMISS began planning its support for the creation of a police station for a new South Sudan National Police Service (SSNPS) force, which would be responsible for the redesignated site. Problematically, the risk assessments for such support to the state government are not credible. Overly formalistic and technocratic, they do not entail serious investigations into the people that would compose these forces, nor pay any attention to the political economy of Malakal and its environs.[36] This has been the modus operandi for assessments of Malakal within UNMISS for some time. For instance, an internal report from the UNMISS field office in Malakal in 2020 argued that the PoC there should be closed because 'there are no longer threats of physical harm to PoC site residents' (UNMISS, 2020).

While it is true that there has been no outright conflict between the Shilluk and the Padang Dinka since 2018, this is because contested areas such as Malakal town and Nagdiar in Baliet county have been emptied of Shilluk civilians. Any attempt by the Shilluk to return to their properties would reignite violence. Few of the Shilluk currently resident in the PoC site feel that conditions are ripe for its reclassification (Harragin, 2020).

Broader political forces, however, make it possible that the PoC site will nevertheless be closed in 2022. In November 2021, Abudhok had conversations with the camp leadership—both in UNMISS and among the Shilluk—about the steps that needed to be taken before the camp could be reclassified. The issue of security was consistently raised by the Shilluk residents of the PoC. Even if a police force is provided, and manages to provide security for the camp, the reality is that the Padang Dinka militia encampments in Malakal and Baliet county are capable of overwhelming any police force.[37]

Abudhok is enthusiastic about closing the camp, despite being Shilluk, because this would provide him with a constituency of his own. As has long been the case in South Sudan, control of dependent populations enables access to humanitarian resources (Craze, 2018; Geneva Call, 2021; Kindersley and Rolandsen, 2019) and builds up sympathetic constituencies—demographic advantages that are particularly important given the prospect of upcoming elections and the need for politicians appointed by Juba to try to create popular legitimacy on the ground.

Demographic engineering

The attempted redistricting of Makal county and continued efforts to render the Shilluk population on the east bank of the White Nile pliable and fearful, indicate that, while elections will not be held in 2023, the mere prospect of elections are shaping political behaviour and leading elites to carry out demographic engineering in order to maximize receptive constituencies within their own counties and states.[38] In South Sudan, while the international community strongly emphasizes the distinction between forced and free movement when considering the return of both IDPs and refugees, people's decisions to return are not spontaneous but are instead based on a given set of circumstances. In South Sudan, those circumstances are fundamentally political.

In Upper Nile, UN agencies have frequently neglected such a political economy of returns. For instance, in 2019–21, the UN High Commissioner for Refugees (UNHCR) and other humanitarian and UN agencies repeatedly moved Padang Dinka civilians—at the request of Monybuny—into contested counties. In 2019, the Upper Nile Solutions Working Group (UNSWG) conducted a returns exercise with the approval of the Upper Nile state government's Relief and Rehabilitation Commission (RRC) office. A total of 3,324 IDPs were moved from Melut county to Baliet county.

No returns occurred in 2020, due to the Covid-19 pandemic. On 25 March 2021, Monybuny wrote a letter as 'Deputy and Acting Governor of Upper Nile State-Malakal' to UNMISS, the UN Office for the Coordination of Humanitarian Affairs, and other UN agencies, guaranteeing the safe passage of IDPs from Melut to Baliet county. Abudhok was totally sidelined in this process, and UN agencies did not insist on his involvement. On 26 March 2021, the Upper Nile Inter-Cluster Coordination Group (ICCG) decided to facilitate government-backed returns to Baliet county. Approval for these humanitarian-

facilitated transfers came from the RRC office of Upper Nile state and the office of the deputy governor, not the office of the governor. National-level staff at the agencies that were supposedly involved in the ICCG at the local level reported feeling strong-armed by the UNHCR in this process and said that they were unaware of the transfers to Baliet county until they were already underway (see Craze, 2022; Small Arms Survey, 2021b).

On 1 April 2021, the UNSWG conducted a mission to Baliet county to assess the proposed sites for returns: Adong, Baliet town, and Riangnom. The resultant report, drafted by UNHCR, did not attempt to situate returns to Baliet county within the political economy of the state. It made several claims that were at best limited, including that:

> Relations within communities are stable and cordial, including inter-ethnic relations with the neighbouring Nuer community [. . .]. Overall security situation in the mentioned locations was observed as calm. No heavy military presence observed in Adong and Baliet (UNSWG, 2021).

Contrary to this report, relations between the Padang Dinka and both Jikany Nuer and Shilluk communities were marked by violence in 2021, and the security situation was unstable. It is notable that the UNSWG report does not mention Shilluk claims to territory in Baliet county or acknowledge how, between 2015 and 2018, the Padang Dinka almost entirely displaced the Shilluk from the east bank of the White Nile.

The report further claimed that '[n]o HLP [housing, land, and property] concerns were identified in the area [. . .] Land in Baliet county is ancestral community land and there is no land dispute that has ever been reported.' This claim is not consonant with the Shilluk submissions to the TBC, nor with the extant academic and humanitarian literature on the subject. The report gives fictional historical legitimacy to contemporary political developments. While the Shilluk were displaced from Baliet county only recently, the report makes it seem as if they were never there. Thus, when the paper claims that 'the relationships between communities in Baliet are stable and the community is ethnically homogenous [. . .]', this is correct only insofar as ethnic displacement has rendered the area mono-ethnic.

Based on this report, an inter-agency effort assisted returnees moving from Melut to Baliet county from mid-April to mid-May 2021. A total of 5,654 people were moved. International agencies—both UN agencies and international NGOs—provided vehicles, food, and non-food items, as well as water, sanitation, and hygiene services.

While the UNHCR insists it did not move IDPs into contested *territory*, this misses the point. While only parts of Baliet county, such as Nagdiar, are contested, the entire population of the county will vote in future elections; if only Padang Dinka IDPs are allowed to move back, while the Shilluk remain in the PoC, there will be an overwhelming Padang Dinka demographic majority in a contested county. ●

“The appointment of Ayong Awer as deputy governor of Upper Nile in May 2022 has been received by the Dinka of Melut and Ruweng with cautious optimism.”

Northern Upper Nile

While Monybuny dominated the politics of central Upper Nile from 2020 to 2022, he also faced a crisis within his own coalition. Since the dismissal of Stephen Dhieu Dau as minister of finance in 2018, the northern Padang Dinka of Melut and Renk have lacked any representation in the national government. The sense of marginalization felt by the Abialang and the Ager has become more acute since the return to ten states, and the dissolution of Northern Upper Nile state. Meanwhile, the Ngok Lual Yak have been growing more powerful at the national level, as evidenced by the reappointment of Chol Deng Thon as managing director of the state oil company, Nilepet, only a year after he was fired. The Ngok Lual Yak also dominate politics in Malakal. The appointment of the Renk commissioner, Dok Ghot Ngor, a young politician dependent on Monybuny, was not well received by the Abialang political elite, who felt he was a weak figure who would be dominated by the Ngok Lual Yak political elite.

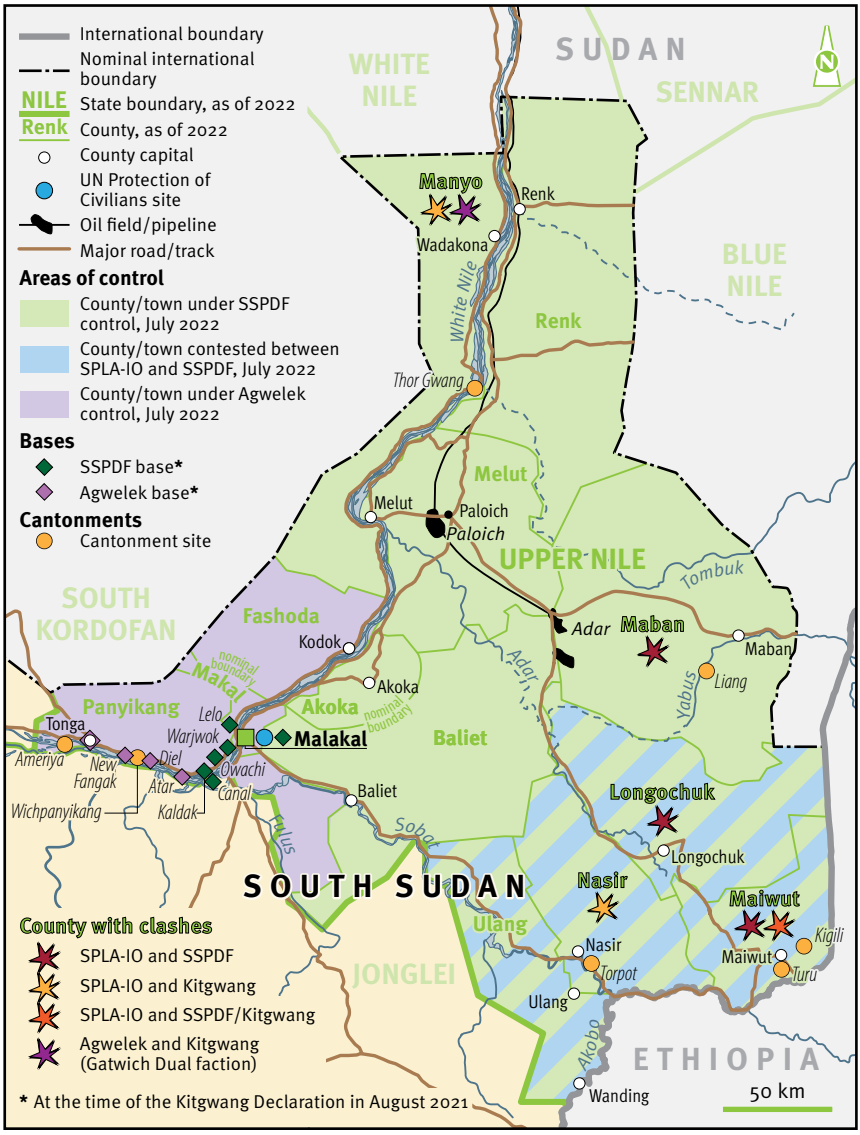
Monybuny struggled with deep unpopularity in most of Upper Nile, which was stricken with floods in 2021 and has seen, like the rest of the country, a general economic crisis. He also had to try and maintain his place amid Kiir's changing priorities. Since the signing of the peace agreement, Kiir's regime has focused on weakening Machar by siphoning off opposition commanders—a strategy that came at a cost to Monybuny. Kiir's coalition incorporated figures such as Ochan and Olonyi, who were hostile to Monybuny's rule in Malakal and envisioned a Nuer–Shilluk alliance that could displace the deputy governor. Assailed on all sides, Monybuny was finally removed as deputy governor due to his competition with Balok, from within his own Ngok Lual Yak subsection.

In all of this, the northern Padang Dinka sensed an opportunity. While the Ngok Lual Yak remain fixated on ensuring their dominance of the contested territories on the east bank, one northern Padang politician said, 'We don't have any interest in Malakal. We would like our own independent state, with control over Melut.'[39] Much of this is rhetorical posturing. The northern Padang retain a visceral dislike of the Shilluk, and an independent state is a non-starter as far as Kiir is concerned; however, a Padang Dinka candidate from northern Upper Nile, who is less focused on the issue of Malakal and the contested territories, may yet prove to be an appealing prospect for Kiir. The appointment of Ayong Awer as deputy governor of Upper Nile in May 2022 has been received by the Dinka of Melut and Ruweng with cautious optimism. The Dongjul section of Akoka county from which he hails is traditionally closer to the Abialang and Ager; however, Akoka is one of the territories contested by the Padang and the Shilluk, and it is likely that Awer will largely continue with the political agenda established by Balok and Monybuny and defend Padang control of the east bank of the White Nile.

The northern Padang challenge to Monybuny took two forms. In Juba, politicians continued to push for the appointment of Abialang and Ager politicians. In Renk, contentions over the commissioner were expressed through protests against the humanitarian community (Craze, 2021b). For some in the Abialang community, creating tensions with the

humanitarian sector was a way to try to put pressure on Ngor. An interruption of humanitarian services was thus considered as a means of disrupting the government—an indication of the very real structural complicity between the two groups, and the government's reliance on humanitarian service provision (Craze, forthcoming).

Map 2 The Kitgwang faction and SPLA–SSPDF clashes



Base map data source: OpenStreetMap

> “The signing of the R-ARCSS failed to bridge the gap between the political and military elite of the SPLA-IO.”

The Kitgwang faction

The Kitgwang Declaration

On 3 August 2021, Simon Gatwich Dual (the chief of general staff of the SPLA-IO), Thomas Mabor Dhol (the commander of the SPLA-IO's Sector III), and Olonyi (the commander of SPLA-IO Sector I) issued the Kitgwang Declaration in Megenis—a town on the Sudan–South Sudan border in Upper Nile—dismissing Machar as the chairperson of the SPLA-IO.[40] Machar condemned the announcement and declared that Gatwich did not have the power to remove him as chairperson. The declaration divided the SPLA-IO into two factions.

The split was long in the making. In 2015, a cleavage emerged between the opposition's political leadership and its military commanders. The commanders held that Machar was self-interested, concerned only with his own political future rather than with the fate of the Nuer people. This disagreement compelled Gatwich to write to the then-president of Sudan, Omar Bashir, requesting that military supplies bypass Machar's inner circle and go directly to the SPLA-IO's field commanders (Craze and Tubiana, 2016, pp. 95–96). While Gatwich did not join the commanders who subsequently left the opposition in protest at Machar's leadership, tensions between the two men remained unaddressed, and it is notable that the set of accusations against Machar used to justify the SPLA-IO fracture in July 2015 were also contained in the Kitgwang Declaration.

There is also another reason the events of 2015 loom large over current events. Two of the three main commanders who left the SPLA-IO that year are now dead: Peter Gatdet died of hepatitis in Khartoum, far from power, and Tanginye was killed by Olonyi's forces after he threw in his lot with Lam Akol, in a desperate bid for relevance (Craze, 2019, p. 72). From 2015 to 2021, Gatwich and his advisers were aware that breaking with Machar might mean following these commanders into ignominy.[41]

The signing of the R-ARCSS failed to bridge the gap between the political and military elite of the SPLA-IO. Members of the military command, including Gatwich, were not rewarded with positions of power following the peace agreement. Feuding between the political and military leadership occurred throughout 2021. In May, Gatwich dismissed the head of SPLA-IO military intelligence, Dhiling Keak Chuol—a Machar appointee who, Gatwich claimed, had sanctioned the transfer of weapons to Machar loyalists in northern Upper Nile without informing him.[42] Machar immediately revoked Dhiling's dismissal and, to squash growing resistance to his leadership, attempted to remove Gatwich from his position as chief of general staff by appointing him as a presidential peace adviser (Radio Tamazuj, 2021). Gatwich refused, starkly aware that such an appointment would neutralize him politically and militarily, and leave him in Juba—far from his forces.

Olonyi also had reasons to feel aggrieved with Machar. Promised the governorship of Upper Nile, Olonyi found himself isolated by the appointment of Abudhok, who was beholden to Machar. Olonyi's anger at Machar's decision and Abudhok's betrayal was compounded by his failure to receive a promotion. In response, he made himself

SPLA-IO first lieutenant general in April 2021, though theoretically only Machar had the right to make such an appointment.

Olonyi's alliance with Machar was always one of tactical convenience. The Agwelek had spent 2013 to 2015 'clearing' the SPLA-IO from the west bank of the White Nile, and, even after Olonyi joined the opposition following the intervention of his then *consigliere* (adviser), Jokino Fidele, he repeatedly explored the possibility of returning to the government in meetings with Kiir's close aides in both South Africa and Khartoum. Olonyi's disappointment in Machar was not tempered with concern about the fate of the opposition movement.

By August 2021, the situation between Machar's coterie in Juba and Gatwich and Olonyi in Upper Nile had broken down; despite the fact that Gatwich and Olonyi have relatively separate agendas—Olonyi is a communitarian actor focused on the restoration of Shilluk land and property, while Gatwich is focused on the South Sudanese national compact and the place of the Nuer in it—they made common cause against Machar. The two men were united only by their mutual exclusion from the political elite in Juba and contingent geographic proximity on the west bank of the White Nile—a fact that Kiir's regime would go on to exploit.

The Kitgwang Declaration of 3 August 2021 describes the failure of the peace process and the disintegration of security in South Sudan, while warning of the emergence of private armies that serve individual political interests. It accuses Machar of poor leadership and of making nepotistic appointments rather than addressing the broader crisis in South Sudan. According to the declaration, Machar has forsaken the SPLA-IO's cause and abandoned the forces that made his return to Juba possible. Its message was broadly popular in Upper Nile, especially among the rank and file of the opposition movement.

Initial clashes, August–October 2021

Most of the forces that joined the Kitgwang faction were located on the west bank of the White Nile and comprised Olonyi's Agwelek militia and troops loyal to Gatwich, stationed at Megenis. Initial clashes between the SPLA-IO and Kitgwang occurred following the declaration, until the Sudanese army intervened and forced the two sides to disengage.[43] Machar's forces withdrew to the Sudanese side of the border, and the Sudanese army informed Gatwich that any further attempt to engage Machar's men would be seen as a violation of Sudanese sovereignty. As Gatwich hoped to rely on Sudan for support, he withdrew his forces, and clashes subsequently subsided in the area.

Throughout the rest of Upper Nile, the two forces withdrew to separate encampments, with the Kitgwang retaining control of much of the west bank of the White Nile.[44] In most of South Sudan, rebel commanders took a wait-and-see approach, fearing that an open

split, and further fighting, would only benefit the SPLM-IG. Many of the Kitgwang faction's supporters questioned why the SPLA-IO rebels were fighting Machar, rather than the government.[45]

While most of the opposition adopted a cautious approach, in the heartland of support for Gatwich, the Eastern Nuer areas of Upper Nile and Jonglei, Machar reacted quickly to the declaration. He promoted Wal Nyak Hoth, formerly Dhol's deputy, to replace him as the new commander of Section III, and promoted James Otong Liah to be the SPLA-IO Division 8 commander in Jonglei, to ensure they remained faithful. Both commanders struggled to maintain loyalty within their forces. Gatwich is a Lou Nuer from Uror county in Jonglei and comes from a family with customary authority. During the second Sudanese civil war, he controlled the area around Akobo as a personal fiefdom and retains a lot of support in the area. Mabor Dhol is a Lou Nuer from Nyirol county and had previously been the SPLA-IO sector commander for Jonglei, based in Lankien. Both Dhol and Gatwich have substantial support bases in Jonglei. Most clashes between the Kitgwang faction and the SPLA-IO occurred in Jonglei between August and December 2021, as a steady drip-feed of commanders defected from the SPLA-IO.[46]

In synthetic terms, the initial reaction to the Kitgwang Declaration can be summarized as follows: the Eastern Nuer of Jonglei and Upper Nile tended to abandon Machar, who is from Unity state, while in the rest of South Sudan, SPLA-IO commanders waited to see how political developments would unfold.

The political situation, August–December 2021

The SPLA-IO generals that split from Machar in 2015 were doomed by a lack of political leadership. Like Gatdet and Tanginye before him, Gatwich is not a politician, does not speak good English, and is ill at ease in Juba. While Gatwich has a national political agenda and would like Machar to be replaced as the head of the SPLA-IO, he is not seeking to fill this position himself.[47] Olonyi is also not a politician and has often relied on advisers to play the role of his *consigliere*. Thus, the defection of the veteran Lango politician Henry Odwar to Kitgwang seemed to be a boon for Gatwich and the Shilluk leader. Odwar was the deputy chairperson of the SPLA-IO and the minister of mining in the R-TGoNU (Small Arms Survey, 2021c). On 24 August 2021, he was named the leader of the Political Bureau of the Kitgwang faction, effectively becoming the leader of the political wing of the new movement.

Other high-ranking SPLA-IO politicians, anxious not to lose their positions in the R-TGoNU, did not follow suit, and Odwar remained an outlier within the Kitgwang. He was not included in the negotiations between Kiir's regime and the Kitgwang in October 2021. Despite Odwar's appointment, the Kitgwang remained a fundamentally military organization without a meaningful political component. When negotiations with the government

restarted in January 2022, Tut Kew Gatluak, Kiir's Bul Nuer security adviser, refused to allow Odwar and other members of the political wing to participate. Neither Odwar nor the rest of the political wing are signatories of the Khartoum Peace Agreement (KPA).[48]

After the August declaration, Gatwich and Olonyi went to Khartoum in search of funding and materiel. Both men have made similar appeals in the past. During the second Sudanese civil war, Gatwich was part of Paulino Matiep's South Sudan Defence Forces (SSDF), which received support from Khartoum. Olonyi's Agwelek forces received support from Sudan during his rebellion in 2010–13. The Agwelek, one Sudanese intelligence official claimed, is 'a baby of MI [Sudanese military intelligence]'.[49]

Both Gatwich and Olonyi hoped that Khartoum would provide support to the Kitgwang faction. This was clearly a miscalculation. Since 2011, Juba's foreign policy has shifted from being antagonistic to Khartoum to being deeply entangled with it: the R-ARCSS itself, for instance, was organized with the oversight of the Sudanese government, and predicated on a regional alignment such that Museveni's Uganda and Khartoum both agreed to back Kiir's regime. Evidence of this changed relationship between Juba and Khartoum can be found in the Juba Peace Agreement, which brought several of Sudan's rebel groups into the Sudanese government under the watchful eye of Gatluak. The Sudanese military and Kiir's regime have shared business and political interests that mean it was highly unlikely that the Kitgwang faction, despite its ties to Sudanese military intelligence, would find succour in Khartoum.

On 15 October, Gatluak led a government delegation to Khartoum to begin negotiations with the Kitgwang.[50] The rebel faction put forth a broad set of demands, including for the full implementation of the security sector reform provisions of the R-ARCSS and the redrawing of the peace agreement to offer the group all the positions currently allocated to the SPLA-IO. This position was a 'non-starter'. Gatluak instead offered the Kitgwang the chance to integrate into the SSPDF, and Gatwich's team walked away from the table, only to be brought back the next day by the Sudanese intelligence services, with the threat of deportation to Juba hanging over their heads. The talks ended without resolution following the death of James Gatduel, a renowned Bul Nuer commander from the second Sudanese civil war; Gatluak had to accompany the body to Mayom county for burial.[51] Negotiations were then scheduled to restart on 25 October, but the Sudanese military coup closed that possibility.

'The Sudanese', Gatwich complained in October 2021, 'have two faces, and you cannot trust them.'[52] The coup had further strengthened Kiir's hand in Khartoum, as Burhan and the military junta are close to Gatluak. Evidence of Gatwich's reduced status in the eyes of Khartoum was soon forthcoming. The rebel leader had been staying at the Rotana Hotel south of the airport, close to the Sudan Armed Forces (SAF) military complex.[53] Following the collapse of negotiations with Kiir's regime on 16 October, however, he was moved to the National Intelligence and Security Services (NISS)—now the General

Intelligence Service (GIS)—training facility, where the Sudanese security forces kept a close watch on him.[54] The Kitgwang faction faced a political crisis.

The Intergovernmental Authority on Development (IGAD) was unlikely to pay the Kitgwang any heed since its chair, Abdalla Hamdok, had been removed as prime minister of Sudan in the 25 October 2021 coup in Khartoum. The broader diplomatic community in the region would also not lobby for the faction, despite the rebel group's repeated entreaties.[55] The prevailing sentiment among diplomats in Juba and Nairobi was that the peace agreement was 'the only game in town', and that trying to revise the R-ARCSS to include the Kitgwang faction would disrupt the minimal progress that had been made.[56]

Given the absence of international support, the Kitgwang leadership decided to use a tried-and-tested South Sudanese strategy to obtain a seat at the negotiating table—violence. Sudanese military intelligence, with the acquiescence of Kiir's regime, allowed Gatwich to travel back to Megenis in November 2021, where he began preparing for a campaign against Machar's SPLA-IO. On 26 December, the SPLA-IO pre-emptively attacked the Kitgwang base at Khor Jala, only to be roundly defeated and, during subsequent clashes, lose control of its main base in Megenis county, in Amoud.[57]

The clashes were a marked success for Kiir. Machar's SPLA-IO was humiliated, while his own forces were untouched. For Gatwich, however, the clashes did not distinctly change the political equation: without an attack on government positions or external support, he could hardly press for a major capitulation at the negotiating table. Nor did the clashes change the calculus for Khartoum or the international community. As a result, by the time talks resumed in January 2022, Kiir had the upper hand.

The Khartoum Peace Agreement

The KPA signed on 16 January 2022 is a document detailing a potential future defection to the SSPDF. It provides conditions for a ceasefire, as well as a very brief outline of an integration process.[58] The agreement commits the Kitgwang and Kiir's regime to a permanent ceasefire, and orders the redeployment of rebel forces currently in Megenis to Manyo county and southern Malakal, where they are to be cantoned, and Gatwich's forces in Jonglei to unspecified locations in the east of the state. It also obligates the government to provide logistical support.

Other than a few details relating to the establishment of Kitgwang coordination offices and an advanced team that was subsequently sent to Juba, the agreement doesn't contain any further information. Nor does it explicitly state that the Kitgwang will join the SSPDF. Rather than being a finished agreement, the KPA effectively prepares the way for future negotiations to take place over the ranks given to the Kitgwang leaders and the terms of their financial compensation. It should be noted that any such integration,

in the unlikely event that it occurs, would be purely formal and financial, rather than substantive. As with many such integrations since the Juba Declaration of 2006, the Kitgwang will retain their own chain of command and be independent from the SSPDF, even if they integrate into the South Sudanese army. In that sense, after the KPA, the Kitgwang faction remained two largely separate groups—under Olonyi and Gatwich—but with their loyalties nominally transferred from Machar to Kiir.

The privatization of military force in South Sudan is part of what has allowed Kiir's regime to so successfully peel off rebel commanders from the SPLA-IO; commanders such as Ochan receive their funding directly from the Office of the President, rather than through normal SSPDF wage structures, allowing such defectors to be exceptions from the government's withdrawal from the provision of wages in the country, and ensuring that the president's office has more control over them. These direct private relationships with military actors have lessened the importance of the SSPDF and allowed Kiir's regime to concentrate power in the Office of the President and marginalize the SPLA-IO and competing political constituencies in Juba. The KPA continues this privatization of military force by striking a deal with Gatwich outside the terms of the R-ARCSS and the purview of the R-TGoNU.

The KPA also marks the further strengthening of the bonds between the regimes in Khartoum and Juba. While the Sudanese Embassy in Juba issued a statement on 19 January 2022 clarifying that the talks were not held under its auspices, and that Khartoum was merely the contingent site for the agreements, the process was shepherded by the Sudanese security services, highlighting the extent to which Sudan, rather than IGAD, holds all the cards relative to the diplomatic situation in South Sudan.

Khartoum Peace Agreement II

Alongside the KPA signed by Gatwich, Olonyi, and Gatluak (with Shams-Eldien Kabashi Ibrahim, the spokesperson for the Sudanese Transitional Sovereignty Council, signing for Burhan's regime), another agreement was signed in Khartoum. Unlike the first, this second agreement was signed only by Olonyi and negotiated separately. The government signatory was not Gatluak, but Akol Koor Kuc, the director general of the Internal Security Bureau of the National Security Service.

The signing of two separate agreements represented a further success for Kiir's regime. Since the beginning of negotiations, Kiir had attempted to splinter the faction, just as it had used the Kitgwang to break up the broader SPLA-IO. The successful fracturing of the group was due to the substantive political differences between Gatwich and Olonyi; while Gatwich wants to push a wider national Nuer agenda, Olonyi has no particular interest in power politics in Juba. The Agwelek shared none of Gatwich's broader national ambitions and could thus be appealed to separately in negotiations.

It was only the impending agreement between Olonyi and Kiir's regime that compelled Gatwich to sign the KPA, for the older Lou Nuer general feared that otherwise he would be left isolated.

The agreement between the government and Olonyi is more detailed than the KPA. It guarantees that the 'Chollo [Shilluk] area's boundaries should resolved [*sic*] as it [*sic*] stood on 1/1/1956' (Agwelek and SPLM-IG, 2022, p. 2). Given that these boundaries are themselves contested, this provides little clarification of the fate of these territories; rather, the agreement pushes actual political negotiations over the extent of Shilluk territory into the future. Certain commitments within the agreement are more substantive: to return illegally occupied Shilluk property in Malakal, to integrate the Agwelek into the SSPDF, to ensure political representation (the details of which are unspecified) of the Agwelek in both national- and state-level government, and to keep Malakal as the headquarters of Malakal county.

In theory, these commitments meet almost all the demands made by Olonyi at the beginning of his rebellion in 2015; however, Shilluk residents of the PoC site doubted that the agreement would resolve anything.[59] Residents felt that the clauses related to the resolution of Shilluk land and property issues failed to identify clear implementation structures. They also feared that implementing the agreement would be difficult. Sceptical Shilluk politicians have pointed to the powerlessness of Abudhok since he was appointed governor as evidence that formal guarantees exist on paper rather than in practice.

The Kitgwang wars, January–April 2022

Since 2018, Kiir has successfully peeled off opposition commanders one by one, setting them against each other and making them dependent on Juba. Subsequent fighting, even if instigated by the government, could then be attributed to intra-opposition clashes. Following the KPA, Kiir used the neutralization of the Kitgwang faction to launch a renewed assault on Machar's remaining forces. This assault was designed to force a weakened Machar to accept Kiir's much-delayed, unilateral declaration of the command structure for the NUF. The KPA was a peace agreement that facilitated further conflict.

From January to March 2022, Eastern Nuer forces in the south of Upper Nile, including elements of the Kitgwang faction and members of the SSPDF, led by Ochan, attacked the remaining SPLA-IO loyalist troops in Longochuk and Maiwut counties.[60] These attacks were then attributed by the government to intra-opposition fighting, though in reality they began on Kiir's orders.[61] The defection of the Kitgwang faction thus provided Kiir's regime with a useful scapegoat. Gatwich's forces were allied with the government but yet not part of it, enabling Kiir to pursue his own agenda in Upper Nile without appearing to violate the terms of the peace agreement.[62] Unity state experienced even worse

violence carried out under the banner of the Kitgwang—though this also served to conceal the government's role in attacks in Rubkona and Leer counties that killed 72 people and left approximately 14,000 people displaced. In reality, the government's claims about Unity state were even more egregious than those made in Upper Nile, where there were at least Kitgwang faction forces involved in the fighting; in Unity, where the Kitgwang faction has no troops, the invocation of the rebel faction was a mask designed to disguise government violence.

On 21 March, Machar responded to these attacks by announcing that he was withdrawing the SPLA-IO from the monitoring bodies of the R-ARCSS, which led to heightened tensions in Juba. On 28 March, Machar's residence was surrounded by SSPDF forces. International diplomats feared they were witnessing a repetition of the July 2016 violence that resulted in the breakdown of the ARCSS. The situation was fundamentally different, however. Whereas in July 2016 the government wished to continue the war against the SPLA-IO but had been hamstrung by the peace agreement, by March 2022 the war against the SPLA-IO could continue, under the auspices of the Kitgwang faction, while the peace agreement remained intact. For Kiir, Machar remained a useful figurehead for a disempowered opposition—with Machar in Juba, Kiir could claim that the R-ARCSS was succeeding. While government attacks in Greater Upper Nile involved brutal violence—beheadings and gang rapes—they were a tactic designed to weaken the SPLA-IO, humiliate Machar on his home turf, and enable the unilateral announcement of the NUF command structure by Kiir.

A visit to Juba from Burhan on 15 March laid the ground for this announcement. At meetings with Gatluak and Kiir, Burhan signed off on the unilateral declaration of the NUF by the government, as well as the sidelining of the SPLA-IO within the command structure. While fighting continued, Kiir issued a decree on 25 March on the unification of the NUF command, giving three positions in the SSPDF and two in the SSNPS to the SPLA-IO and SSOA. Machar immediately denounced the decree as unilateral and an abrogation of the agreement made in Khartoum on 27 September 2018, which stated that the NUF command would be split equally between the opposition and the government; Kiir's decree allocated 60 per cent of the positions to the SPLM-IG. When Machar's house was surrounded by SSPDF forces three days later, it became clear that the opposition had no choice but to accept the declaration.

On 3 April, the SPLA-IO agreed on the formation of the NUF command structure, after Burhan interceded with Machar. On the same day, Machar declared that the SPLA-IO would rejoin the ceasefire mechanisms of the R-ARCSS. Kiir announced the names of the NUF commanders on 12 April. The SPLA-IO subsequently complained, on 18 April, that too many positions had been given to the government, and that several new positions had been filled by Kiir loyalists. These complaints, however, were brushed aside—Kiir had won.

The Kitgwang faction was noticeably missing among the names of the NUF commanders. The defection of Gatwich's men had allowed Kiir to humiliate Machar into accepting the command structure. If Kitgwang had won battles in Unity and Upper Nile states, however, it had lost the political war. Once the NUF was formed—and a weakened Machar had become acquiescent to a military dominated by Kiir appointees—the Kitgwang faction no longer served a purpose and could be dispensed with. Gatwich's gambit had failed. On 19 April, Gatwich, who had never left Sudan, attempted to withdraw his advanced team from Juba and complained that no aspect of the KPA had been implemented. With the NUF in place, Gatwich risked repeating the scenario he wanted to avoid—a life of exile in Khartoum, remote from power in Juba.

Things fall apart, May–July 2022

As it became clear that Kiir would not honour the terms of the KPA, Gatwich began exploring other possibilities, including joining in an alliance with the other non-signatories to the R-ARCSS, such as Paul Malong and Thomas Chirillo. This created tensions within the faction. In Malakal, there had been some hesitant movement towards implementing the agreement between the Agwelek and the government, with the Shilluk community reporting a decrease in tensions on the east bank of the White Nile, and some evictions of Padang Dinka squatters from Shilluk-owned property in the state capital. Olonyi did not want to leave the government coalition. Dhol sided with Olonyi in this argument, and his forces left Megenis and proceeded—with the support of the Agwelek—to move back to his home area in Jonglei, arriving in Pultruk, Nyirol county on 18 June. The government supported his arrival and gave him permission to collect taxes in his area. For Kiir's regime, Mabor is useful because he will sap support from the SPLA-IO. Effectively, Mabor has now become—like Ochan in Maiwut—a private commander, nominally allied to the government, but without formal integration into the SSPDF.

Towards the end of July, fighting broke out between Olonyi's Agwelek and Gatwich's forces in Tonga payam, Panyikang county, with tensions between the Nuer and the Shilluk residents of New Fangak also rising after Olonyi arrested 90 Nuer civilians on 28 July. In response to these tensions, the Kitgwang faction held a meeting in Khartoum at the end of the month, with Henry Odwar returning to Sudan from Canada. Initial reports on the meeting, however, indicate that little progress was made before Olonyi returned to Panyikang, for the funeral of his mother. While Olonyi has genuine reasons to stay within the government coalition, Gatwich increasingly has nowhere to turn, and no real possibility of forming a substantial alliance that could bring about his political goals.

“The unification of the army was the occasion for the fracturing of military force in South Sudan.”

Conclusion

Following the signing of the CPA in 2005, Kiir faced a crisis. Many of the armed groups in Southern Sudan were not included within the terms of the agreement, and Kiir feared that Sudan would use these forces as 'spoilers' in order to disrupt the referendum on secession. He decided to use a tactic from Khartoum's playbook and buy off these militias. The resulting agreement, the Juba Declaration, transformed the SPLA (Young, 2006) and initiated a period of 'payroll peace' (De Waal, 2019), in which there was no unified army but rather a group of commanders who are invested in a structure that rewarded those who threatened violence with wages, ranks, and the redistribution of resources from oil revenues (Craze, 2020).

This process had its limits. Alex de Waal has suggested that the shutdown of oil production in 2012 represented a 'doomsday machine', resulting in the interruption of external funding to the political marketplace created by the 2006 Juba Declaration (De Waal, 2012).[63] The shutdown, according to this argument, meant that Kiir could not afford to pay off the commanders he had bribed to ensure their loyalty, leading to the 2013 civil war and the defection of the Nuer commanders to the SPLA-IO; it is notable that almost all the leading SPLA-IO commanders at the beginning of the civil war were once members of Matiep's SSDF (Young, 2016). Even without the oil shutdown, however, payroll peace would have collapsed; the absorption of Matiep's militias, among other forces, led to a situation in which the SPLA was bloated, top-heavy, and divided. During this period, much of the South Sudanese political elite had begun to build up alternative, more reliable military forces outside the ambit of the SPLA, often on an ethnic basis (Boswell, 2019). The unification of the army was the occasion for the fracturing of military force in South Sudan.

As of 2022, a raft of defections to the SSPDF has effectively unified much of the country's military within the sphere of Kiir's regime, even though many of these defectors are kept outside the rubric of the national army. This incorporation of opposition commanders within the government makes the period 2018–22 seem, in some respects, like a repetition of the period following the Juba Declaration. Many analysts fear the same risks owing to the presence of only nominally loyal Nuer generals within the military hierarchy—appeased but not integrated[64]—and ask whether a further collapse in government revenue might lead to a repetition of the events of December 2013.[65]

But 2022 is not 2013. Since the beginning of the civil war in 2013, the South Sudanese government, while often richer than it is believed to be, has been in a period of pronounced austerity. There will not, however, be a crisis in payments to the unwieldy coalition Kiir is building, because the current system was not built on the lucrative oil wealth of the CPA period. Even if government revenue collapses, the structure of military loyalty is no longer as dependent on payments to commanders. Much of the 'payment' to military commanders now takes the form of licences; the government has privatized wealth extraction from communities, giving commanders a broad remit to tax and predate upon the communities under their control. Such licences are relatively more stable than oil payments.

Moreover, as the fate of the Kitgwang faction demonstrates, rebel groups no longer have external sources of support to draw upon. In this respect, the Kitgwang faction represents an archaism—with its attempt to rely on Khartoum for materiel, as rebel groups did during the CPA period—and its failure also reflects the current reality of South Sudan: a stable system of disorder, predicated on Kiir's regime's manipulation of a fractious set of commanders. This system is a more durable—albeit chaotic—arrangement than the Juba Declaration of 2006.

Within this context, the question of whether Kiir can hold his coalition together appears somewhat misplaced. There is no serious outside threat to his regime in South Sudan, nor any rebel group that can represent a meaningful proportion of the country. Even if such a group were to emerge, it would have no regional backers. Moreover, the government has successfully destroyed most of the grassroots institutions from which this opposition could emerge. As events in Renk and Melut counties in Upper Nile between 2020 and 2022 highlight, contestations can occur, but they occur intra-regime, to compete for places within it. Those on the outside meet the fate of the SPLA-IO generals who left Machar in 2015—ignominy and irrelevance.

It is important to underline that the durable nature of the ruling coalition's reign, based on overwhelming financial and military superiority, is not likely to lead to a more stable country. South Sudan is dependent on a fragmented and fractious elite class, competing in the periphery for power in Juba. Kiir rules by setting commanders against each other. Disorder reigns.

Endnotes

1 Interviews with Padang Dinka politicians, April–May 2022.
2 Interviews with Padang Dinka politicians, Juba, April 2022.
3 Interviews with politicians from Melut and Renk, Juba, September–December 2021.
4 Author interviews, Malakal PoC site, October 2021.
5 The Eastern and Western Nuer speak different dialects and live in different areas. The Eastern Nuer sections (Gawaar, Jikany, Lou) live east of the White Nile, and in the Gambella region of Ethiopia, while the Western Nuer cluster primarily in Unity state and are composed of the Adok, Bul, Jagai, Jikany, Leek, and Nyong sections, among others.
6 Author interviews with Jikany Nuer military commanders and politicians, Juba and Khartoum, October–November 2021. A Nuer–Shilluk alliance had previously constituted the core of the SPLA-IO in Upper Nile following Olonyi's defection to the opposition in 2015. Prior to that, in the first two years of the war, a Shilluk–Padang Dinka alliance had been responsible for defeating the Nuer SPLA-IO.
7 Author interviews with Gathoth Gatkuoth and Adam Ajang, Shilluk paramount chief, Malakal, 30 September–2 October 2021, and with Padang Dinka politicians, Juba, December 2021.
8 The power-sharing arrangement contained in the peace agreement means that all positions are given based on party affiliation. For instance, five deputy ministerial portfolios are awarded to the incumbent regime, three to the SPLA-IO, and one to the South Sudan Opposition Alliance (SSOA). For details on how the Sudan People's Liberation Movement (SPLM) is undermined as a political party, see Craze and Markó (2022).
9 The important role of Maban county—including the groups living there (the Tom, Dagu, and Buni peoples of the Maban, as well as the Burun), current conflicts, and its influence in the politics of Blue Nile—unfortunately exceeds the scope of this Report.
10 While the Shilluk and the Padang Dinka have a long shared history on the east bank of the Upper Nile, this history does not support absolute claims to ownership of the territory from either side. For details of Shilluk and Padang Dinka land claims, see Craze (2019, pp. 23–27) and Pritchard (2020).
11 On the role of humanitarianism in enabling displacement and population engineering, see Africa Rights (1997); Craze (2019, pp. 66–69; 2021b); Keen (2008); and USIP and ODI (2017).
12 For a full analysis of these land claims and their relationship to the historical record, see Matthew F. Pritchard (n.d.).

13 This is a situation paralleled elsewhere in South Sudan. See Cormack (2016); Craze (2011); and De Simone (2015).

14 Following a relatively successful electoral campaign in 2010 by the party of the Shilluk politician Lam Akol, a series of rebellions by Shilluk military actors from 2010 to 2013 saw Shilluk ethnic militias clash with the SPLA. Author interviews, Juba, Malakal, Renk, 2012 and 2015–16.

15 A Padang Dinka-majority Central Upper Nile state, for instance, contained the Shilluk county of Panyikang, which, under the 28-states decree, was included within a Shilluk-majority Western Nile State.

16 Malakal was both the capital of Upper Nile state and the administrative centre of Makal county from 2010 to 2012. Since Monybuny's ascension to the governorship of Central Upper Nile, he has attempted to redraw the boundaries of Makal county to include only the west bank of the White Nile, and thus minimize the Shilluk claim to Malakal town, which was been dominated by the Padang Dinka who have moved there since the displacement of the town's Shilluk residents in 2015–18.

17 Prior to the signing of the R-ARCSS, for instance, the state governor could choose their own county commissioners. Since the signing of the peace agreement, however, the government in Juba has made appointments to these positions, leading to antagonism between state- and county-level government; managing the diversity of political opponents in Juba, under the terms of the R-ARCSS, has become more important than managing local populations. Before the signing of the peace agreement, some county commissioners had been pushed through from Juba and were hostile to the local population, but these tended to be one-off appointments; with the R-ARCSS, such appointments became common nationwide.

18 Author interviews with Jikany Nuer politicians, Juba, December 2021.

19 According to the constitution, two per cent of oil revenue should go to the state in which the oil was produced (The Republic of South Sudan, 2011, s. 177). The existence of a Northern Upper Nile state meant that revenue intended for the state would be more concentrated in the oil-producing areas of Melut (because Northern Upper Nile state was smaller), rather than being spent on a larger Upper Nile state. These arguments, however, are largely theoretical. According to a March 2021 government audit, by 2020 the South Sudanese state had transferred USD 55.8 million of the total USD 85.6 million paid into the 'community account' to ineligible recipients: 65 per cent of the total revenue. See ICG (2021, p. 6, fn. 18).

20 Under the 32-states decree, Central Upper Nile state was composed of Akoka, Baliet, Malakal, and Pigi counties, as well as the Shilluk-majority Panyikang county, which was scissored off from what had been Western Nile state under the 28-states decree. Under the 28-states decree, Western Nile was composed of Fashoda, Kodok, Manyo, and Panyikang counties. Under the 32-states decree, a newly named Fashoda state was to be composed of Fashoda, Kodok, and Manyo counties. See Craze (2019, p. 73).

21 As indicated in the conclusions of the National Dialogue, the 32-states decree was broadly popular in much of the country. It established an increased sense of political proximity between communities and politicians, and was part of a more general tendency for communities to see political positions in terms of narrowly communitarian appointments: multi-ethnic states do not accord with a form of politics in which each community demands its own representative. See Deng et al. (2021); Mayai (2021).

22 Author interviews with Nuer politicians, Juba, December 2021; author telephone interview with Denay Chagor, January 2022.

23 Author interviews with Agwelek members, July 2015 and October 2021, and with Simon Kun Puoc, Renk, July 2015.
24 Author interviews with Shilluk intellectuals, Juba, Malakal, and elsewhere, July 2015–December 2020.
25 In 2015, when Olonyi was still aligned with the government, and shortly after the assassination of his deputy—James Bwogo—by Padang Dinka militias, there were repeated calls from the government for Olonyi to go to Juba, in a transparent attempt to separate him from his men and detain him. He resisted these calls in both 2015 and 2020.
26 Author interview with Jokino Fidele, Juba, November 2019.
27 In October 2018, Kiir renamed the SPLA as the South Sudan People's Defence Force. This Report refers to the South Sudanese army as the SPLA when referring to actions carried out before October 2018, and as the SSPDF when referring to actions carried out after that point.
28 Author interviews with Shilluk community members, Malakal, October 2021.
29 Author interviews with Shilluk community members, by telephone, April 2021, and in Malakal, October 2021.
30 In his resignation letter, Koang complained that Machar's appointments turned the opposition group into 'family Affairs [*sic*] or business enterprise'. Author interview with James Koang Chuol, Juba, October 2021.
31 See Small Arms Survey (2021c).
32 Author interviews with Jikany Nuer politicians, Juba, December 2021.
33 Author interviews with Shilluk civil servants, Malakal town and Malakal PoC site, October 2021.
34 Malakal municipality also existed between 2010 and 2012; however, during this period, Malakal town was the headquarters for both the county and the state.
35 Author interviews, Upper Nile civil servants, Malakal, October 2021.
36 UN proposal for the SSNPS base in Malakal, on file with the author.
37 The Malakal PoC was overrun by Padang Dinka militia forces in 2016, even though UNMISS protection was in place. The Abu Shoq militia have a base 5 km south of Malakal town with an estimated 5,000 troops. They are putatively integrated into the SSPDF but, in reality, have their own independent command structure and report to the Padang Dinka political elite, rather than through the army's military hierarchy.
38 On 28 July, Kiir and Machar announced that the transitional period would be extended by two years (Radio Tamazuj, 2022).
39 Author interview with a Padang Dinka politician, Juba, December 2021.
40 Text of Kitgwang Declaration on file with the author.
41 Author interviews with Simon Gatwich and advisers, Khartoum, 20 October 2021.
42 Author interviews with Simon Gatwich and advisers, Khartoum, 20 October 2021.
43 Throughout the period following the Kitgwang Declaration, the Sudanese security organs have played a central role in arbitrating the relationships between Gatwich and both Machar's opposition and Kiir's regime. Sudanese security organs, however, are not necessarily united in their interests. Parts of the Sudan Armed Forces (SAF) had long maintained a relationship with Machar, especially in the border areas, while military intelligence has close links to Olonyi, and what was once the National Intelligence and Security Services (NISS)—later renamed the General Intelligence Service (GIS)—has long had extensive links with both Gatwich *and* Tut Kew Gatluak, Kiir's security adviser. It is these complicated inter-relations that have allowed Gatwich and Olonyi—as well as Machar—space to manoeuvre in Sudan, even though, at the

highest level, Burhan and the powerful commander of the Rapid Support Forces, Mohamed Hamdan Dagalo (Hemedti), are both committed to enabling the expansion of the power base of Gatluak, and thus strengthening the relationship with Kiir's regime in Juba.

44 At the time of the split, the Kitgwang forces—primarily Agwelek troops—had bases in Atar, Diel, New Fangak, and Tonga, while the SSPDF controlled Canal, Kaldak, Lelo, Owachi, and Warjwok. Author interviews with Kitgwang members, by telephone, August 2021, and in Malakal, October 2021.

45 Author interviews with SPLA-IO members, Juba and Malakal, September–December 2021.

46 On 6 October, for instance, Gatwich's supporters clashed with the SPLA-IO in Lire (between Akobo and Nasir), Pieri—where the Kitgwang briefly held the town in December 2021—and Yuai. In Upper Nile, further clashes occurred in Ulang and Longochuk, after Khor Chol defected to the Kitgwang.

47 Author interview with Simon Gatwich, Khartoum, 20 October 2021.

48 Author telephone interview with Henry Odwar, February 2022.

49 Author telephone interview with an intelligence officer, December 2021.

50 This was the second government delegation to visit the Kitgwang faction in Khartoum; the first delegation visited on 4 October 2021. For reasons of space, details of that visit are omitted here.

51 Author telephone interview with Tut Kew Gatluak's adviser, October 2021.

52 Author interview with Simon Gatwich, Khartoum, 20 October 2021.

53 Author interview with Kitgwang faction member, Khartoum, 19 October 2021.

54 This training facility was also where Hamdok was held immediately following his detention during the Sudanese coup.

55 Author interviews with UK, European Union, US, and Norwegian diplomats, multiple locations, August–December 2021.

56 Author interviews with international diplomats and humanitarians, multiple locations, September–December 2021.

57 Author telephone interviews with Kitgwang and SPLA-IO members, December 2021.

58 Author interviews with multiple South Sudanese officials, January 2022. The agreement is officially named the 'Agreement between the SPLM-IG and Kitgwang on the Status of Forces'.

59 Author interviews with multiple residents, Malakal PoC site, January–February 2022.

60 In March, for instance, attacks focused on Kuerkeem, Lolnyang, and Wangkuarbi in Longochuk county, and Biyien, Pilual, and Jekow in Maiwut county. Author telephone interviews with Eastern Nuer commanders, March 2022.

61 Author telephone interview with Eastern Nuer commanders, March–April 2022.

62 It is notable, however, that the Reconstituted Joint Monitoring and Evaluation Commission's report on the period from 1 January to 31 March 2022 recorded that 18 clashes occurred between the SPLA-IO and SSPDF 'affiliated groups' from 6 February to 25 March 2022. See RJMEC (2022).

63 In January 2012, during a stand-off in negotiations with Sudan over oil transit fees and other aspects of oil exportation, South Sudan turned off its oil production, in what was described as a 'doomsday machine' for both countries.

64 Author telephone interviews with international conflict analysts, January–February 2022.

65 See ICG (2021).

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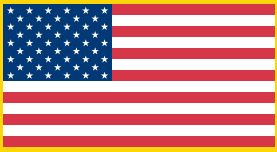

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