

## Civil War in South Sudan: Conflict Resolution through Mediation by the African Union

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#### ABSTRACT

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**Purpose of the study:** This article discussed the historical scope of the Civil War in Sudan and outlined the causes of the Sudanese civil war conflict, which has not been resolved despite mediation efforts.

**Methodology:** The article provided the information objectively by conducting a literature review from reliable sources, such as national and international publications, and subdividing the content into comprehensive categories.

**Results:** This article shows that the cause of the Civil War in Sudan was political complications and ethnic tensions, which caused each side to attack the other. The tensions that arise make it difficult to resolve conflicts due to the lack of commitment from each party to carry out the obligations that have been agreed upon as a result of mediation. Finally The ICC court decision number ICC-02/05-01/20-391 Decision on the designation of a Single Judge of Pre-Trial Chamber I was one step ahead on the processing the war crimes perpetrator

**Applications of this study:** This research offers a thorough examination of the origins, progression, and settlement of violence in South Sudan. This analysis of the accomplishments and failures of the African Union's mediation efforts in the South Sudan conflict can aid researchers and policymakers in better understanding this conflict and creating more practical measures for its resolution. List the various causes of war in South Sudan, including discrimination, economic disparity, and ethnic divisions. Using this knowledge, ways to deal with these issues and avert further conflict can be developed. The

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African Union's mediation efforts in South Sudan's conflicts are examined in this paper. By using this material, more people will be aware of the potential contributions regional organizations can make to the process of conflict resolution.

**Novelty/ Originality of this study:** This research is the first to offer a thorough examination of the dynamics, causes, and settlement of violence in South Sudan. It had hitherto only addressed one facet of this conflict. It will examine the achievements and shortcomings of the African Union's efforts to mediate the South Sudanese conflict. This analysis is significant because it can teach unites political, economic, and social ideas. It helps conflict mediators understand how regional groups might resolve issues. Courts may see the African Union's South Sudanese Civil War mediation differently. They'll likely see African Union mediation as a method to promote peace. Courts support international law-based mediation that involves all parties since South Sudan is independent and can decide its own future. Courts prioritize a peace settlement that addresses all sides' concerns, including civic society and the poor. They emphasize rigorous enforcement and execution procedures to support any solution, as well as international participation to maintain peace and stability in South Sudan. By using this knowledge, regional organizations can play a more effective role in other international disputes. Because of its uniqueness and novelty, this study can significantly advance our knowledge of the South Sudanese war and the ways in which regional organizations resolve disputes.

**Keywords:** *Civil War, Intergovernmental Authority on Development, Sudan*

### **ABSTRAK**

**Tujuan:** *Artikel ini akan membahas ruang lingkup sejarah perang saudara di Sudan dan artikel tersebut akan menguraikan penyebab konflik perang saudara Sudan yang belum terselesaikan meskipun ada upaya mediasi.*

**Metodologi:** *Artikel menyajikan informasi secara objektif dengan melakukan tinjauan literatur dari sumber yang kredibel seperti jurnal nasional dan internasional dan diuraikan menjadi informasi yang komprehensif.*

**Temuan:** *Artikel ini menunjukkan bahwa penyebab perang saudara di Sudan adalah komplikasi politik, dan ketegangan etnis yang menyebabkan masing-masing pihak saling menyerang. Ketegangan yang muncul mengakibatkan sulitnya penyelesaian konflik karena kurangnya komitmen dari masing-masing pihak untuk menjalankan kewajiban yang telah disepakati sebagai hasil mediasi. Selain itu juga terdapat putusan Pengadilan Kriminal Internasional dengan nomor ICC-02/05-01/20-391 yang memutuskan bahwa perkara kejahatan*

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*terhadap kemanusiaan akan di proses dengan hakim tunggal dan ini adalah sebuah langkah maju*

**Kegunaan:** *Artikel ini menawarkan pemeriksaan menyeluruh tentang asal usul, perkembangan, dan penyelesaian kekerasan di Sudan Selatan. Analisis mengenai pencapaian dan kegagalan upaya mediasi Uni Afrika dalam konflik Sudan Selatan dapat membantu para peneliti dan pembuat kebijakan dalam memahami konflik ini dengan lebih baik dan menciptakan langkah-langkah yang lebih praktis untuk penyelesaiannya. Sebutkan berbagai penyebab perang di Sudan Selatan, termasuk diskriminasi, kesenjangan ekonomi, dan perpecahan etnis. Dengan menggunakan pengetahuan ini, cara-cara untuk mengatasi masalah-masalah ini dan mencegah konflik lebih lanjut dapat dikembangkan. Upaya mediasi Uni Afrika dalam konflik Sudan Selatan dibahas dalam makalah ini. Dengan menggunakan materi ini, lebih banyak orang akan menyadari potensi kontribusi yang dapat diberikan oleh organisasi-organisasi regional dalam proses penyelesaian konflik.*

**Kebaruan/Orisinalitas:** *Artikel ini merupakan penelitian pertama yang menawarkan kajian menyeluruh terhadap dinamika, penyebab, dan penyelesaian kekerasan di Sudan Selatan. Sampai saat ini, pendekatan ini hanya membahas satu aspek dari konflik ini. Konferensi ini akan mengkaji pencapaian dan kekurangan upaya Uni Afrika untuk memediasi konflik Sudan Selatan. Analisis ini penting karena dapat memberikan wawasan berharga kepada mediator konflik lainnya. Penelitian ini menggunakan metodologi interdisipliner yang mengintegrasikan beberapa sudut pandang, termasuk sudut pandang politik, ekonomi, dan sosial, untuk meningkatkan pemahaman tentang potensi kontribusi organisasi regional dalam penyelesaian perselisihan. Dengan menggunakan pengetahuan ini, organisasi regional dapat memainkan peran yang lebih efektif dalam perselisihan internasional lainnya. Karena keunikan dan kebaruannya, penelitian ini dapat meningkatkan pengetahuan kita secara signifikan mengenai perang Sudan Selatan dan cara-cara organisasi regional menyelesaikan perselisihan.*

**Kata Kunci:** *Otoritas Antar Pemerintah untuk Pembangunan; Perang Saudara; Sudan*

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## INTRODUCTION

The Civil War in Sudan is a vivid picture in a kaleidoscope of wars around the world. Its contours are carved with the agony of displacement, the frenzy of bloodshed, and the great human longing for peace throughout the fight. The normative lens provides a distinctive point of view, which allows us to move beyond the scope of factual analysis and delve into the ethical elements that lead and limit international players in conflict resolution

processes (Askerov 2021). In the case of the Sudan War, it is our collective obligation to seek a just and durable solution to the Sudan Civil War so as to minimize the impact arising from the conflict of the Civil War in Sudan, which is a prolonged war and filled with human suffering. This conflict prompts us to examine the origins and consequences of the conflict and the moral underpinnings that guide our collective responsibility (Lukou and Ochi 2020).

In the process of navigating Sudan's complex historical terrain, this normative inquiry begins with an examination of moral imperatives that require the involvement of international actors. The African Union's efforts to mediate conflicts are based on a normative foundation comprising the essence of conflict resolution, built into the concepts of justice, human rights, and obligations to protect vulnerable people (Rothbart, Korostelina, and Gjeloši 2023). We want to uncover normative mandates that force regional organizations like the African Union into battle, positioned as guardians of peace and stability, by placing conflict within the larger ethical discourse of international ethics. This will allow us to understand objective historical conflicts better as a result of the historical origins of the Sudan Civil War, which was fraught with sociopolitical grievances and complications, a normative reflection on the ethical need to treat the underlying causes (Gemechu 2023). From territorial disputes and ethnic tensions to economic inequality and lack of governance, normative lenses direct our attention to fundamental moral imperatives that emphasize the need to resolve structural injustices and promote inclusive governance as essential components of sustainable peace. In addition, the normative lens highlights the fact that this moral imperative is essential for peacekeeping (Rieuwpassa, Agustang, and Adam 2020).

An assessment of the African Union's position as a mediator from an ethical point of view is the most important aspect of this normative inquiry. Which normative concepts serve as the basis for African Union engagement, and how do these values fit into the larger ethical framework with regard to conflict resolution? The aim of this study is to identify ethical issues influencing the decisions, interventions, and methods of involvement of the African Union in the complex arena of Sudanese conflict resolution. This will be achieved by analyzing the normative foundations on which the activities of the African Union consist (Tønnessen and Al-Nagar 2021). Normative studies include certain methods used in mediation processes, ranging from diplomatic discussions to efforts aimed at peacebuilding. How does the African Union's dedication to justice, reconciliation, and inclusivity within the

mediation process stem from normative underpinnings? Furthermore, how do judges assess the potential ramifications of court decisions rendered by the African Court of Justice (formerly known as the African Court on Human and Peoples' Rights) on peace initiatives in South Sudan?. The author is to reach our aim of revealing the normative intricacies that either support or undermine the effectiveness of conflict resolution processes through an examination of the ethical aspects of these methods (Alex de Waa n.d.).

The ICC court decision number ICC-02/05-01/20-391 Decision on the designation of a Single Judge of Pre-Trial Chamber I was one step ahead on the processing the war crimes perpetrator including former Sudan President 1989-2019. Processing the war crimes perpetrator through the ICC was also one step to reach peace solution in the case South Sudan Conflict besides of the peace talk. In this court decision the ICC judge council decided the South Sudan Conflict It was estimated that there were serious human rights violations so that the ICC agreed to be tried by a single judge to try the suspects, including former Sudanese president 1989-2019.

This ICC judge decision considering the South Sudan case is a serious human rights violation and decided to processing the perpetrator to achieved the justice for the victim. The judge councils also have consideration, the peace talk didn't must not eliminate the possibility of justice being served for victims of human rights violations in South Sudan.

In the process of navigating the labyrinth of difficult normative issues, our goal is not only to gain an understanding of the ethical intricacies associated with the Sudan Civil War, but also to contribute to a more comprehensive discussion of the normative tasks that regional entities have in conflict resolution. It will pave the way for a future where justice, peace, and ethical responsibility will converge to heal the wounds of nations that have been torn apart by war (Rothbart et al. 2023).

## **DISCUSSION**

### ***A. Causes of The Civil War in a Social, History, and Economic Framework***

Over the course of several decades, the Sudan Civil War, which is considered to be one of the longest and most complicated conflicts in Africa, developed. Its origins are deeply rooted in the intricate socio-political and economic structure of the country. One way to describe the war is as a series of violent confrontations between the central government in

Khartoum and various rebel groups, first in Southern Sudan and subsequently in the Darfur area. These clashes have taken place over the course of the conflict. The foundation of the conflict may be traced back to historical, ethnic, religious, and economic grounds, despite the fact that it has gone through a number of phases and alterations (Regus 2020). It is important to note that the Sudan Civil War took place against the backdrop of a legacy of colonialism. During the 19th and early 20th centuries, the country was under the dominion of both the British and the Egyptians. The separation of Sudan along religious lines during this time period established the framework for tensions that would later show themselves in the form of civil strife within the country. As a result of political power struggles, economic inequities, and geographical differences, pre-existing fault lines became even more pronounced after the country gained its independence in 1956 (Pendle 2021).

There are Arab-Muslim majorities in the north of Sudan, while numerous African ethnic groups, many of whom adhere to Christianity and indigenous beliefs, reside in the south of the country. Sudan is a varied country in terms of ethnic and religious composition. Non-Muslim inhabitants in the south were fueled with animosity and opposition as a result of the central government in Khartoum's imposition of Islamic rule, which contributed to the beginning of hostilities (Abai 2021). Economic factors also fanned tensions, specifically the differences in economic development between the comparatively rich north and the undeveloped south (Frankema 2024). Due to the fact that the northern elite received a disproportionate number of economic advantages, the southern area, which was abundant in natural resources like oil, they had feelings of marginalization. An important factor that contributed to the war was disagreements on the distribution of resources (Galan and Zuñiga-Vicente 2023).

There were various stages of the war, the most notable of which was the First Sudan Civil War, which lasted from 1955 to 1972 and was largely centered around issues of autonomy and regional representation. The Addis Ababa Agreement, signed in 1972, gave the South a certain degree of autonomy; nevertheless, this reprieve was only temporary. According to President Gaafar Nimeiry, the central government of Sudan sought to enforce Sharia law over the whole country, which resulted in considerable opposition in the primarily Christian and animist south of the country. This led to the outbreak of the Second Sudan Civil War, which lasted from 1983 to 2005 (Liebling, Barrett, and Artz 2020). A formal conclusion to the Second Civil War was reached in 2005 with the signing of the

Comprehensive Peace Agreement (CPA), which also established a framework for power-sharing and a vote on the independence of the southern region (Ginanjar 2022). The year 2011 was the year when South Sudan became the world's newest nation after gaining its independence. However, the possibility of peace existed for only a brief period since hostilities continued to occur in other parts of Sudan, most notably in Darfur (Szabó 2021).

The Darfur crisis, which came to the attention of the world community in the early 2000s, was characterized by the use of terrible violence against non-Arab ethnic groups by militias supported by the government and known as the Janjaweed (Abdalsllam 2023). A large number of people were forced to relocate as a consequence of the conflict, which also led to allegations of genocide. The response of the international community was characterized by arguments over the appropriateness and efficacy of involvement. International Mediation and the Involvement of the African Union: The African Union was an important player in the process of resolving the conflict in Sudan. By means of diplomatic initiatives and peacekeeping deployments, the African Union endeavored to facilitate accords and promote national reconciliation (Aden 2023). Notably, the African Union had a role in organizing discussions that led to the CPA in 2005 and later in resolving the crisis in Darfur. Moreover, the recent judicial actions concerning a former Janjaweed leader underscore the significance of holding individuals responsible and ensuring fairness in the process of resolving conflicts. Courts highlight the importance of a peace deal that addresses the concerns of all parties, especially marginalized groups and civil society. They emphasize the need for strong enforcement and implementation procedures to ensure the compliance of any settlement (Karreth et al. 2023). Furthermore, they emphasize the importance of international collaboration in maintaining peace and stability in South Sudan. They highlight the crucial significance of legal procedures in attaining lasting reconciliation and stability. This study incorporates political, economic, and social perspectives. It provides conflict mediators with valuable perspectives on how regional organizations might assist in resolving conflicts. Courts may provide varying viewpoints on the African Union's mediation endeavours in the South Sudanese Civil War. They are likely to perceive the African Union's mediation as an advantageous means to promote discussion and unity. Courts endorse international law-based mediation that involves all parties, taking into account South Sudan's independence and its right to determine its own future. Courts prioritize the significance of a peace agreement that acknowledges and values the interests of all parties involved,

particularly civil society and marginalized groups. They emphasize the significance of robust enforcement and implementation protocols to bolster any resolution and global cooperation in order to maintain peace and stability in South Sudan.

***B. Contribution to the Intergovernmental Authority for Development (IGAD) and Process for Resolving Disputes Outside of Court (1983–2005).***

The Intergovernmental Authority on Development (IGAD) had previously assumed the role of a mediator amidst the North-South Sudanese civil conflict, which spanned from 1983 to 2005. By means of its mediating efforts, the IGAD effectively facilitated the attainment of South Sudan's independence via the Comprehensive Peace Agreement of 2005 among the involved parties. Conversely, South Sudan experienced an additional armed conflict, one in which IGAD served as a mediator once more. In addition, other nations have begun to focus on the conflict in South Sudan, with security and humanitarian concerns serving as the rationale for their involvement in the dispute. Due to the IGAD's inability to mediate a successful peace agreement between the two parties, this chapter will discuss the peace initiatives undertaken by the IGAD and other participating entities, in addition to the factors that influence the cessation of mediation. Several legal efforts have been made to resolve the South Sudan case, including; IGAD Mediation (Intergovernmental Authority on Development) In the mediation process, IGAD succeeded in bringing South Sudan to achieve independence through the 2005 Comprehensive Peace Agreement, sending a foreign minister his country formally went to Juba, Republic of South Sudan to consult with South Sudanese leaders involved in the conflict, and also as a mediator by the South Sudanese government and the SPLM regarding conflict negotiations which were carried out over six meetings but four meetings failed.(Aulia et al. 2021)

African Union Peace and Security Council Statement on the Situation in South Sudan 2023 (AU/PSC/DECL.CCCLXXXIII) and United Nations Security Council Resolution on Extending the UN Peacekeeping Mission in South Sudan (S/RES/2640 2022) (Uwuajomu 2023). The UNMISS 2022 The 2014 armistice agreement, Agreement for Peace on the Resolution of the Conflict in the Republic of South Sudan ARCSS, is among the outcomes of South Sudanese mediation. Peace Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan R-ARCSS 2018, dated August 17, 2015. The objective of



the Ceasefire Agreement is to achieve a lasting and all-encompassing ceasefire in South Sudan through the establishment of humanitarian corridors and a mechanism for monitoring the ceasefire (Chigwenya 2021). Establishing a national unity transitional government, achieving a balance of power between the government and opposition, integrating the armed forces, reorganizing the security sector, and conducting fair elections are the primary objectives of the Agreement for Peace 2015. The objective of the Revitalized Agreement on the Resolution of Conflict in South Sudan is to ensure a renewed and comprehensive execution. in addition to a strategic plan for achieving peace by 2022 (Maphasa 2022). Roadmap to an Inclusive and Revitalized R-ARCSS Implementation.

The South Sudanese government was additionally found to have been complicit in heinous human rights violations, including enforced disappearances, torture, and forced labor, by the Court. In deliberating on evidence suggesting that the African Union was cognizant of potential imminent human rights violations in South Sudan but failed to implement appropriate preventive measures, the court justice considered the evidence. Evidence implicating the South Sudanese government in grave human rights violations, which have caused immense suffering for the country's citizens and had far-reaching consequences, was also considered by the court (Zona 2020).

### ***C. Background to The Formation of IGAD and How IGAD Can Play a Role in The Sudanese Civil War***

In 1974 – 1984, the East African region experienced drought and severe natural disasters that caused famine, ecological degradation, and economic difficulties in the region (Akech 2020). These droughts and famines have become the focus of attention for countries in the African region, especially East Africa, which has made several countries take steps through a deep regional approach to overcome these regional problems (Agwanda & Asal, 2020). In 1983-1984, six countries in the Horn of Africa, namely Djibouti, Ethiopia, Kenya, Somalia, Sudan, and Uganda (Eritrea joined in late 1993), took action through the UN to establish an Intergovernmental regional organization, Authority on Drought and Development (IGADD). On January 16, 1986, Maj Heads of State and Government met to sign the Agreement officially establishing IGADD with Headquarters in Djibouti (Vancluysen 2022). IGADD aims to be a collaborative body to resolve issues regarding drought and desertification. In the mid-1990s, IGADD members decided to revitalize it,

aiming not only at regional security and political dialogue but also at economic development and trade within the sub-regions. The increasing problems that occur in the sub-region between other Civil Wars occurred in Uganda and Ethiopia, which resulted in Eritrea's independence in 1991, and disputes between member states led to discussions in IGADD that are no longer limited to the problem of drought and development (Apuuli 2023).

On April 18, 1995, heads of state and government met at an extraordinary summit in Addis Ababa and agreed to revitalize the authority and expand the territory's sub-regional cooperation. One of the main motivations for revitalizing IGADD is the existence of IGADD, which has many organizational and structural problems, making the implementation of goals and principles ineffective (Chuol 2023).

On March 21, 1996, heads of state and government met at the second extraordinary summit in Nairobi, Kenya approved and adopted an agreement establishing IGAD with 3 priority areas of cooperation, namely (Ali and Kurtz 2023).

1. Prevention, management, conflict resolution, and humanitarian affairs
2. Infrastructure development (communication and transportation)
3. Environmental protection and food safety (State Department & USAID 2022).

The background of the establishment of IGAD has a connection to the resolution of the Sudan Civil War case. This is because it is in line with the priority areas based on the results of the second extraordinary summit in Nairobi, in which one of the priorities is prevention, management, conflict resolution, and humanitarian affairs. Moreover, if we look at the case of Civil wars in Sudan caused by factors of social and cultural inequality that result in Civil Wars, of course, this matter must be a concern and priority, especially when talking about economic issues and divisions that resulted in many deaths (Uwa and Dada 2023). The conflict in South Sudan has become the focus of attention for many parties. This raises concerns from other parties, especially IGAD, regarding conflict resolution in this young country. There is a role of mediator in conflict. Internationally, it becomes possible to help a country resolve the conflict (Yus 2022). The crisis in South Sudan escalated on December 15, 2013, making IGAD countries take the initiative to resolve the conflict. IGAD formed a mediation team consisting of Ethiopia, Uganda, Sudan, and Kenya to assist South Sudan in resolving its conflict. Ethiopia is the head of the team in the mediation process, which consists of foreign ministers of these four countries. Ban Ki-Moon, as UN secretary general, supports IGAD's efforts to become a mediator in mediating the crisis in South

Sudan. In this case, IGAD is not only involved in mediation but also in the negotiation process between the government and the rebels.

#### ***D. Diplomatic Efforts Made by The Intergovernmental Authority on Development to Resolve Conflicts***

The Intergovernmental Authority on Development (IGAD) has played a key role in securing peace for the fractured nation of South Sudan and before engaging in mediation that led to the creation of a state for Sudan South (Ginanjar 2022). December 15, 2013, South Sudan's conflict continued to escalate as violence broke out across tribal lines between the Dinka and Nuer, which led to deadly conflict (Afriyie, Jisong, and Appiah 2020). Seeing South Sudan's worsening condition made IGAD send its foreign minister from the Federal Republic of Ethiopia, Kenya, and Sudan formally to Juba, Republic of South Sudan, on December 19 to consult with South Sudanese leaders involved in the conflict (Timothy Ubelejit Nte 2023).

The foreign ministers of Ethiopia, Kenya, and Sudan paid three-day visits to Juba, Republic of South Sudan, to arrange talks with the government of South Sudan (Mofaic 2023). The meeting discussed the future political agenda discussed in peace talks with SPLM faction leaders. In following up on these talks, the East African heads of state carried out the IGAD Summit to determine peace settlement talks in the South Sudan conflict. On December 27, 2013, the Chair of the assembly and the government held an IGAD Summit meeting in Nairobi, Kenya, attended by all heads of IGAD member states. Meeting participants offered mediation assistance to resolve the conflict that had been going on for a year and a half. The meeting discussed the Agreement Cessation of Hostilities (COH), the formation of a National Transitional Government, and a power-sharing agreement to solve the political crisis in South Sudan. Apart from that, the results of the committee released in Nairobi gave the Riek faction Machar four days to lay down their arms, and then IGAD warned it would take more action to end the conflict. Para IGAD leaders refused to overthrow the elected government democracy in the country and said change must come through a process of democracy.

Under the Intergovernmental Authority on Development (IGAD) mediation, President Salva Kiir has formally consented to the offer of irrevocable discussions to address the current war (Diallo n.d.). Riek Machar, who was the leader of the SPLM group, accepted

the offer made by the Intergovernmental Authority on Development (IGAD) to end the war. During a preliminary discussion that took place on January 4, 2014, the South Sudanese government and the SPLM came to the conclusion that they would accept the offer of the Intergovernmental Authority on Development (IGAD) to intervene as a mediator (RJMEC 2020). The war peace negotiations in South Sudan were held for a total of six rounds, with four of those rounds being unsuccessful. In the first round, which took place on January 23, 2014, in Addis Ababa, Ethiopia, the government and the opposition were brought together through mediation carried out by the Intergovernmental Authority on Development (IGAD). During this first round, the discussions only addressed three substantive concerns, which are as follows: a cessation of hostilities agreement, the release of political detainees held by Rieck Machar's militia, and the evacuation of Ugandan military soldiers (UPDF) are all things that have been taken into consideration. Nevertheless, this commitment was not carried out as anticipated.

The second session of negotiations took place on June 10, 2014, and during this round, the focus shifted back to the real conversations that were being made about the continuance of the agreement that had been signed but had been breached. As a matter of fact, parties involved in the war continue to carry out assaults that target civilians, frequently on the basis of the ethnic identification of the victims (Leonardi n.d.). IGAD ordered both parties not to seek political victory because the most important thing is peace. On May 9, 2014, discussions were resumed once more, with the primary focus being on reaching a ceasefire deal that is both viable and long-lasting between the government and the rebels (International Crisis Group 2023). IGAD, which stands for the Intergovernmental Authority for Development, served as the mediator for this summit, which took place in Southeast Africa (Christian J Doll 2022). The outcomes of these discussions, on the other hand, were only restricted to on-the-spot conversations. This was due to the fact that following the negotiations, there were still many infractions committed by both parties.

In addition, the negotiations were restarted on February 1, 2015, in accordance with the agenda that was established for the IGAD mediation meetings (Mohamed Hassan and Mohamed Ali 2023). President Salva Kiir and Dr. Riek Machar, who had previously served as his vice president, agreed to continue conversations on peace negotiations to obtain a unity government accord. On March 5, 2015, both parties agreed to provide a response about the conclusion of the negotiations. Following the discussions that took place on February 1,

2015, the Intergovernmental Authority on Development (IGAD) then had additional negotiations on February 2, 2015, about the conflict negotiations, which were ultimately agreed to by no later than March 5, 2015, and the establishment of a transitional government on July 9, 2015 (Khogali and Homeida 2023). As a result of these negotiations, President Salva Kiir and his former vice president, Riek Machar, have concluded that they have reached a mutual agreement to enter into a cease-and-desist agreement and form a new government. Specifically, Salva Kiir will continue to serve as president, and Riek Machar will return to serve as vice president. The agreement to halt hostilities was signed on February 2, 2015, during a meeting that took place in Addis Ababa, Ethiopia, with the support of the Intergovernmental Authority on Development (IGAD). Penalties will be imposed by the Intergovernmental Authority on Development (IGAD) in its capacity as a peace mediator in South Sudan in the event that both parties break the agreement that was reached. These penalties will then be notified to the United Nations Security Council and the African Union.

A meeting between the administration of Salva Kiir and the opposition led by Riek Machar was set to take place once more on February 20, 2015, with the expectation that the deal will be finalized prior to March 5, 2015 (Group 2022). Jon Lunn noted that during that time period, the Intergovernmental Authority on Development (IGAD) attempted to bring the two sides together by utilizing the "IGAD Plus" method, which was carried out with the assistance of the Troika (which consists of the United States of America, the United Kingdom, and Norway). Taking this strategy requires enhanced cooperation and pressure from all of the international players who are associated with the situation. However, neither party attended the last conference planned to take place on March 5, 2015, to conclude a peace accord. This was because the rebels strongly rejected the offer of power-sharing in forming a transitional government between Salva Kiir and Riek Machar, which they felt to be unjust. In the event that the rebels reject the agreement that was reached at the last meeting, it is immediately rendered null and void.

#### ***E. Countries Involved in Sudan Civil War Intervention***

The lengthy duration of the peace process may be attributed to the fact that both of the parties participating in the conflict pursue different interests, in addition to the foreign

players that are involved in the war. When they become involved in the war, international players bring an additional set of interests with them. Members of the United Nations, the African Union, the European Union, and Troika, as well as the United States of America and China, are among the international actors who are active in the crisis in South Sudan.

## **1. IGAD**

The IGAD served as a mediator during the violence in South Sudan. The IGAD is a sub-regional organization in East Africa that focuses on finding solutions to the problems of hunger and drought. The violence that took place in East Africa prompted the IGAD to establish this organization as one that not only addresses issues of hunger and development but also focuses on conflict resolution. In addition to South Sudan, the nations of Ethiopia, Somalia, Eritrea, Uganda, Djibouti, Kenya, and Sudan are all members of the IGAD. An agreement for the creation of a transitional administration that met requests from the opposition party, Riek Machar, to put an end to the rebellion that he was carrying out was proposed and pushed for by IGAD when it was conducting mediation. In this particular instance, the objective of the IGAD in the South Sudan peace process is to bring about peace in the nation of South Sudan. The war between the government of South Sudan and the rebels has resulted in the creation of new challenges for the nations that are members of the Intergovernmental Authority on Development (IGAD), including the issue of refugees (Ginanjari 2022). As a result, the interests that IGAD brings to the table are concerns over regional security. For example, the conflict that took place involves nations that are geographically close to one another, such as Ethiopia, Eritrea, Uganda, Kenya, and Sudan. There are disagreements between these nations over their respective interests in the situation in South Sudan, which has led to violence between them (Campeanu n.d.). Because of this, the IGAD has a vested interest in ensuring that its member nations continue to enjoy a high level of regional security. The IGAD works to mediate conflicts that have expanded to neighboring countries.

## **2. United States of America**

In this instance, America is the observer of the peace process. The US government is interested in peace in South Sudan, but only as an observer. Through the Comprehensive Peace Agreement, the US is heavily involved in promoting the independence of the South Sudanese people. The United States also has interests stemming from China's aspirations in the oil industry, which has grown to be a very

powerful sector in the region. The US is examining a number of South Sudan sectors. South Sudan is developing cutting-edge technology with investments from China and Malaysia. However, preserving regional security and peace is the US's primary interest in this issue. In this instance, the US government helps IGAD mediate disputes between the disputing parties in an oblique manner (Peace 2023). United States is exerting pressure on the parties and financing the IGAD Monitoring and Verification Mechanism (MVM), based in Juba, to promote a peaceful settlement. In this sense, the US and other regional leaders have pushed South Sudanese leaders to pledge to lead their nation on a path of peace and prosperity. Furthermore, the United States backs various strategies for empowering civil society organizations and encourages IGAD to be inclusive in the mediation process (Ryan Shaffer 2023). Imposing sanctions on two generals from opposing sides—General Marial Chanuong Yol, Commander of the SPLA Presidential Guard, and Peter Gadet, former Deputy President Riek Machar's troops in the Unity country—the United States made several significant advancements in the peace settlement process. The US's serious dissatisfaction with the conflicting parties' lack of progress in resolving the conflict is the reason for these sanctions.

The United States is determined to hold those who choose violence accountable, as stated by US Ambassador to the UN Samantha Power. The actions taken against Marial Chanuong and Peter Gadet are a first step and should serve as a clear warning to those in the Government of South Sudan and those who have taken up arms to fight. The United States has imposed sanctions, such as prohibiting travel to the country and frothing assets held by US financial institutions. Interests of the United States:

- a. Natural resources
- b. Peace
- c. Security of South Sudan
- d. Regional Influence

### **3. Supporter of IGAD**

The South Sudan conflict negotiation process is being observed by the UN, African Union, European Union, and Troika. Human rights, refugee issues, and humanitarian processes are all very important to the four of them. Wherein this organization has offered support in the areas of finances and security. These four organizations are interested in

human rights issues related to refugees. These four organizations believe that the humanitarian crisis is a critical issue. In order to bolster its response to the humanitarian crisis, the European Union allocated € 45 million from the European Development Fund (EDF). The European Union also targeted individuals who are thought to be impeding the peace process, breaking ceasefire agreements, and committing grave human rights violations with travel ban sanctions, an arms embargo, and an asset freeze within the EU.

In this instance, the UN also uses UNMISS to carry out its mission of promoting peace in South Sudan. As part of its duty to safeguard civilians and offer humanitarian aid wherever it is feasible, the UN still supports the MVM logistically. By imposing targeted sanctions on people who are thought to be peace breakers or roadblocks, the UNSC attempts to exercise its influence. When the penalties come in the shape of rejection on a national and regional level as well as an even more expansive arms embargo, With the assistance of IGAD and the African Union, this is an attempt to resolve the crisis. IGAD Supporters' Interests:(Chan 2019).

- a. Regional Security
- b. Peace and Humanity
- c. Economic/social development
- d. Refugee problem

#### **4. CHINA**

China has an interest in the conflict in South Sudan, even though it is not directly involved in it. Goss's closest ally is China. Consequently, China keeps cordial ties with Goss, supplying it with arms and ammunition during the conflict in South Sudan in exchange for importing about 6% of China's total oil requirements from the country. Furthermore, China provides financial support to the IGAD mediation process in an effort to expedite the peaceful settlement of the dispute and bring about a prompt resolution. Early in 2014, China gave IGAD a million dollars to support the mediation process. IGAD is still in contact with high-ranking members of the Special Envoy for the conflict in South Sudan. China is interested in South Sudan's oil resources, so it supports the country in this situation. But then worries about forging ties with America strengthened support for IGAD (Queensland Government 2023). This issue demonstrates China's actual influence



in South Sudan. This is being done to prevent the US from having more influence over South Sudan's oil resources (Aulia 2021). China's objectives:(De Simone 2023).

- a. Supports the Government of South Sudan
- b. Peace
- c. Natural resources
- d. Regional security

Since fighting started on December 15, 2013, in the capital city of Juba and spread to other states in the oil-rich nation, South Sudan has seen thousands of fatalities and forced one million people to flee their homes. There is currently a war in South Sudan as a result of a conflict between two deeply tribalistic political factions. President Salva Kiir represents the Dinka tribe, while Riek Machar leads the Nuer tribe. Here, with the assistance of numerous other parties, IGAD serves as the mediator during the negotiation process. As a result, IGAD's role as a mediator is to impartially connect the interests of the two sides without putting political agendas ahead of its own. In addition, the UN, AU, EU, and Troika were among the foreign parties that supported IGAD. These four groups believe that if Riek Machar, the rebel leader, respects democratization in his desire to unseat Salva Kiir, then peace can be achieved (Peace 2021).

#### ***F. AU And UNMISS's Attempts to Settle Disagreements Outside of Court***

Despite the absence of tangible actions from the United Nations Security Council and the issuance of numerous resolutions denouncing the violence, the African Union (AU) is presently spearheading a mediation effort aimed at resolving the conflict (NDINGA 2020). Multiple elements contribute to this lack of action. The referral of South Sudan to the International Criminal Court (ICC) is currently the subject of a state of international discord, as United Nations member states have yet to reach a consensus on the subject. Furthermore, acerbating accountability for the atrocities perpetrated is notably difficult due to the South Sudan Civil War's intricate nature, which encompasses numerous actors and conflicting strata. In conclusion, the inability of the ICC to resolve every documented human rights violation on a global scale is a consequence of its constrained resources. The AU has initiated mediation efforts to resolve the dispute in the absence of a formal legal process (Kessedjian et al. 2023). The African Union effectively facilitated a peace accord between rebel factions

and the South Sudanese government in 2015. Nevertheless, armed conflict continues to ensue in certain areas of the nation, suggesting that the accord is not being completely implemented.

Additional endeavors to address the conflict in South Sudan encompass a number of significant initiatives. The UN Peacekeeping Mission in South Sudan (UNMISS), which was established in 2011, has contributed to the protection of civilians and the advancement of the peace process. UNMISS maintains a presence in the country, stationing over 17,000 military and police personnel to monitor and investigate human rights violations, provide protection in refugee settlements, and conduct routine patrols in conflict-prone areas. Furthermore, UNMISS executes humanitarian aid initiatives for millions of individuals impacted by conflicts, collaborates with other organizations to coordinate relief endeavors, and offers logistical assistance. Secondly, African Union (AU)-led mediation efforts are a crucial component in the effort to resolve the conflict. Under the leadership of notable individuals including Thabo Mbeki and Jakaya Kikwete, the AU High-Level Implementation Panel (AUHIP) has effectively mediated a number of peace accords and ceasefire agreements between the government and insurgent factions. Despite the persistence of obstacles, including non-compliance with agreements, inadequate resource allocation, and a dearth of accountability, the mediation process continues in an effort to attain a lasting and all-encompassing resolution. Nevertheless, both endeavors encounter substantial obstacles, such as precarious political instability, restricted access to conflict-affected regions, and limited resources. Notwithstanding this, international efforts must continue in order to establish enduring peace and stability in South Sudan, in light of the immense devastation inflicted on the nation and its inhabitants as a result of the protracted conflict.

## **CONCLUSION**

The African Union's mediation in the South Sudanese Civil War offers optimism. The AU helps the nation achieve peace and stability by supporting discussion and reconciliation between conflicting groups. However, several key aspects determine mediation success. To ensure that any negotiated settlement respects the will of its people, we must respect South Sudan's sovereignty and right to self-determination. Mediation legitimacy and efficacy depend on international legal norms. Recent legal processes, particularly those involving former Janjaweed leaders, emphasize dispute resolution

accountability. Sustainable peace requires justice and accountability to build trust and reconciliation. Mediation-based peace agreements need strong enforcement to succeed. Preventing violence requires holding all parties accountable for their actions and commitments. Peace in South Sudan requires worldwide support and engagement; thus, international cooperation is essential. In conclusion, African Union mediation may resolve the South Sudanese Civil War, but it must be based on sovereignty, legality, accountability, and international cooperation. By addressing these issues, mediation can help South Sudanese achieve peace and prosperity. One of the essence of the resolving this civil war is a court decision from ICC number ICC-02/05-01/20-391 Decision on the designation of a Single Judge of Pre-Trial Chamber I was one step ahead on the processing the war crimes perpetrator. This decision served a justice, legality and accountability for the war crimes during civil war.

The African Union's intervention in the South Sudanese Civil War provides hope. The AU facilitates the attainment of peace and stability within the nation by providing assistance in promoting dialogue and reconciliation among groups in conflict. Nevertheless, mediation success is contingent upon certain crucial factors. In order to ensure that any negotiated settlement honours the will of the people of South Sudan, it is imperative to preserve the country's sovereignty and right to self-determination. The validity and effectiveness of mediation are contingent upon adherence to international legal rules. The recent court proceedings, including those concerning former Janjaweed leaders, highlight the importance of holding individuals accountable for resolving disputes. Establishing lasting peace necessitates fairness and responsibility in order to foster confidence and harmonious resolution. Robust enforcement is essential for the success of mediation-based peace agreements. Holding all parties accountable for their actions and obligations is crucial for preventing violence. Global assistance and participation are critical for achieving peace in South Sudan, making international collaboration indispensable. African Union mediation has the potential to resolve the South Sudanese Civil War, as long as it aligns with principles of sovereignty, legality, accountability, and international cooperation. Mediation has the potential to facilitate peace and development for the South Sudanese people by effectively addressing these pressing concerns.

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