

Navigating the Complexities of Democratisation in South Sudan

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Abstract

South Sudan's pursuit of democracy has proven challenging, with the country descending into civil war just two years after gaining independence. Despite mediation efforts by various regional and international actors, the situation remains highly unstable. This article critically examines the trajectory and prospects for democratisation in South Sudan. Specifically, it analyses the role of the primary mediator, the Intergovernmental Authority on Development (IGAD), in promoting democratic transition. The article develops a conceptual and theoretical framework centred on the notion of the *democraticness* of international organisations and applies it to assess IGAD's role in post-conflict South Sudan. The empirical analysis highlights IGAD's limited democratic credentials and shows how these constraints have contributed to the weak implementation of democracy-promoting provisions within South Sudan's peace agreements. As democracy promotion remains a central concern for international actors such as IGAD, their commitment to democratic principles can play a crucial signalling role to domestic political elites and complement the efforts of pro-democracy civil society groups.

Keywords: South Sudan, Democracy Promotion, Democraticness, IGAD (Intergovernmental Authority on Development).

Introduction

At the time of its independence on July 9, 2011, there was hope that despite myriad political challenges, including decades of war with northern Sudan, South Sudan would democratise (United Nations, 2011). However, internal divisions within the ruling Sudan People's Liberation Movement/Army (SPLM/A) sparked a political crisis and violence in December 2013 (Gerenge, 2015). Despite mediation efforts by the Intergovernmental Authority on Development (IGAD) and other international actors, which resulted in the August 2015 Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS), aimed at ceasing hostilities, establishing a transitional government, and implementing constitutional reforms, violence persisted. Under renewed pressure—including from IGAD, United Nations (UN) and the Troika (Norway, United Kingdom, and United States), Salva Kiir's government and Riek Machar's SPLM/A – In Opposition (SPLM/A-IO), along other actors, signed the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) in September 2018 (Vhumbunu, 2019). R-ARCSS's implementation has since been slow and erratic, hindered by mistrust and tensions among the ruling SPLM/A, the SPLM/A-IO, and other splinter groups such as the South Sudan Opposition Alliance (SSOA), and the Former Detainees (FD), complicating peacebuilding efforts.

Moreover, R-ARCSS's implementation challenges have further entrenched authoritarianism in South Sudan. Aside from the 2010 referendum, no elections have been held in South Sudan to select the country's leaders. Kiir, in power since 2011, might claim a mandate as one of the leading figures in the country's independence, yet there have been no opportunities to hold him electorally accountable. Instead, throughout Kiir's tenure, South Sudan has operated under the 2011 Transitional Constitution and the R-ARCSS, which has now been extended until 2027. By then, Kiir will have been president for 15 years without facing any electoral challenge. Civil liberties and political rights are generally not respected, even though the 2011 Transitional Constitution guarantees them, and the government lacks transparency and openness. With the R-ARCSS serving as the guiding agreement for South Sudan's path toward sustainable peace, development, and democratisation, the delays and the new extension announced in 2024 are likely to strengthen Kiir's hold on power, further dimming the prospects for a democratic South Sudan.

Studies on post-conflict South Sudan have concentrated on the peacebuilding efforts supported by bodies such as the UN, the African Union (AU), and IGAD, which primarily seek to end violence and ensure a permanent ceasefire (Donais & Solomon, 2022). This is unsurprising, especially because in international relations, security concerns take precedence over other issues for the state in question and its external partners (Diehl, 2016). Moreover, some would argue that it is only after the consolidation of negative peace can states turn their attention to positive peace. Although there is some plausibility to this argument, it can equally be contended that placing positive peace as a secondary priority risks watering down key elements of political reforms and institution-building necessary for a sustainable and inclusive peace. In fact, both the ARCSS and R-ARCSS place constitution-building and democratisation at the core of building long-term peace in South Sudan (ARCSS, 2015; R-ARCSS, 2018). As such, it is important to critically examine the implications of South Sudan's implementation of its transition agreements for democratisation.

This article explores the challenges of democratisation in South Sudan as envisioned in the 2018 R-ARCSS. Specifically, the article evaluates how IGAD's commitment to democracy impacted South Sudan's democratic transition as outlined in the 2018 peace deal. IGAD has tremendous influence over South Sudan given its pivotal role as the primary regional organisation of which the country is a member and its involvement in seeking a lasting peace for the country since before its independence. The article argues that IGAD's limited democratic nature has hampered the organisation's ability to effectively oversee the implementation of R-ARCSS's democratisation provisions. As an organisation whose majority of member-states are non-democratic and which has yet to adopt its own legally binding protocol on democracy, IGAD—the most prominent guarantor of the R-ARCSS—has not meaningfully supported democratisation in post-conflict South Sudan. The article contends that IGAD's limited democratic nature signals to South Sudan's political elites that democratisation is not a priority, thus further dimming the country's prospects for democratic transition.

The rest of the article proceeds as follows. The next section reviews the literature on the implementation challenges the ARCSS and R-ARCSS have faced. Following the literature review, a theoretical framework that defines the *democraticness* of international organisations and outlines the theoretical implications of an organisation's *democraticness* for post-conflict democracy promotion is developed. This framework is then applied to IGAD and its impact on the implementation of the R-ARCSS's democratisation provisions. Following this empirical section, the article concludes with implications for IGAD's democracy promotion efforts in South Sudan.

A Critical Review of the Implementation of South Sudan's Peace Agreements

Broad assessments of the implementation of ARCSS and R-ARCSS have considered the design of the agreements, the primary parties involved and the mediators' influence on the agreements. Studies that examine the specific features of the two peace agreements have been critical of the proposed power-sharing arrangements. A key tenet in the ARCSS and R-ARCSS that IGAD and other mediators advocated was power-sharing across political, military-security, and economic dimensions (Carolan, 2021; Kuol, 2020; Onapa, 2019; Wight, 2017). However, such provisions were poorly implemented, especially because the mediation process was exclusive, prioritising the interests of Kiir's SPLM/A and Machar's SPLM/A-IO. Wight (2017) argues that a reason for the 2015 agreement's failure, and especially the collapse of the envisioned power-sharing arrangements, was that mediators failed to consider South Sudan's informal political and economic institutions. According to Carolan (2021), the power-sharing arrangements envisioned in the R-ARCSS may fail, as they risk further entrenching mistrust between the warring parties. Relatedly, some have argued that poor implementation of ARCSS and R-ARCSS is due to weak enforcement mechanisms that have at times left Kiir and Machar unsanctioned for violating agreed terms (Awolich et al., 2017; Liaga & Rupiya, 2023; Megere, 2024).

In addition to the agreements' design, the actors involved in South Sudan's peace process have influenced their implementation. Domestically, mistrust between Kiir and Machar has negatively affected the implementation of the two agreements (Akech, 2023; Onapa, 2019). Regionally, IGAD and its member-states, as mediators and enforcers of the peace agreements, have complicated the implementation process. Sudan and Uganda have been directly involved in the conflict, supporting Machar and Kiir, respectively (Biel, 2021). This involvement raises doubts about the neutrality of IGAD member-states and damages IGAD's reputation as a peace broker (Bereketeab, 2017).

Additionally, IGAD's institutional structure has posed challenges to the implementation of the peace agreements. Although it emerged as a regional security organisation in the 1990s, IGAD has not established mechanisms to enhance its effectiveness in responding to and resolving conflicts (Agwanda et al., 2021). Broadly, IGAD remains a highly intergovernmental organisation with powers concentrated in the heads of state and government and IGAD's Council of Ministers (Biel, 2021; Magara, 2022). In the case of South Sudan, this intergovernmental and statist structure has meant that the interests of member-states take precedence over South Sudan's needs (Agwanda et al., 2021).

These institutional deficiencies, at a time when IGAD aims to address the conflict in South Sudan, point to a hollow peace and security organisation that relies on the personal relationships between the leaders of its member-states (Bereketeab, 2019).

These implementation challenges have been present in the studies examining post-conflict democratisation in South Sudan. Lack of political will among South Sudan's political elites and scepticism about IGAD's and the international community's ability and willingness to promote democracy have been identified as limiting the prospects of democratisation in South Sudan (Kuol, 2020; Magara, 2022; Marigat, 2022). For others, the lack of clarity regarding the AU's relations with IGAD, despite the subsidiarity principle has limited the AU's ability to influence democratisation in South Sudan, with the AU generally endorsing IGAD's approach (Ani, 2018; Gahungu, 2023). However, while underscoring domestic and regional/international factors as having limited the prospects of democratisation in South Sudan through the implementation of the ARCSS and R-ARCSS, these studies do not directly address IGAD's commitment to democracy and how IGAD's limited democratic nature has impacted its role in promoting democratisation through the implementation of the two peace agreements. The next section develops a conceptual and theoretical framework to show how an organisation's democratic nature impacts its post-conflict democracy promotion.

Conceptualising the Democraticness of Regional Organisations

To explain IGAD's impact on promoting democracy in post-conflict South Sudan, this section develops a theoretical framework centred on the *democraticness* of international organisations (IOs). Although not directly defined, *democraticness* entails the extent to which a political system is democratic (Neupert-Wentz et al., 2022). While the term has typically been applied to states, several studies have sought to evaluate the *democraticness* of international organisations. Pevehouse (2002) argues that democratic regional international organisations—defined as those with a high density of democratic member states—reduce the risk of democratic breakdowns and help consolidate democracy in newly democratising regimes. These democratic IOs are more likely to require applicants to commit to democracy and possess the political will to enforce this democracy conditionality (Pevehouse, 2002). Genna and Hiroi (2014) approach the *democraticness* of regional IOs through a focus on the adoption and implementation of democratic conditionality for membership

by these organisations. Having such a clause can help consolidate democratic rule and mitigate democratic backsliding, even in regional organisations with a low density of democratic states.

The above arguments suggest that the *democraticness* of international organisations can explain how they can offer pathways to achieving democracy. A similar logic can be applied to post-conflict democratisation in South Sudan. Peace agreements aimed at ending civil wars typically seek to mitigate violence and establish a more inclusive political system through economic, political, and social reforms. An example is the role of the Economic Community of West African States (ECOWAS)'s role in mediating and supporting Liberia's democratic transition following its civil war in 2003. Although ECOWAS' efforts were complemented by Liberian civil society and other stakeholders and international actors including the AU, European Union, World Bank, and the United States, the organisation was nonetheless key in enabling conflict parties to commit to the Comprehensive Peace Agreement (CPA) and monitoring implementation of this agreement that culminated in the October 2005 election of Ellen Johnson Sirleaf as president following a two-year transition that set the country on a path towards democratisation (Adejumobi 2006; Jaye, 2009).

ECOWAS's *democraticness* in the case of Liberia can be observed in two ways. First, by the time of its mediation in Liberia in 2003, the percentage of nominally democratic states in ECOWAS was increasing, with about 40% of its member-states being considered democratic. Nigeria's democratisation following Olusegun Obasanjo's election in 1999 (Dagne, 2001) and Ghana's democratic and peaceful transfer of power in 2001 (Anaman & Agyei-Sasu, 2012) illustrated the growing importance of democratic governance among ECOWAS member-states. Second was ECOWAS's Protocol on Democracy and Governance of 2001, which underscored the organisation's commitment to protecting and promoting democracy among its member states. The 2001 protocol included legally binding provisions for member states to strengthen parliamentary democracy, ensure transparent, free, and fair elections, and prohibited unconstitutional changes of government, with sanctions for such changes. These democratic features of ECOWAS, together with pressure from various domestic actors, including Liberia's civil society organisations, helped facilitate the proactive and relatively successful actions it took in mediating and negotiating Liberia's CPA. They also helped ensure that the democratic transition envisioned in the CPA proceeded smoothly.

The case of ECOWAS's role in post-conflict Liberia highlights the relationship between the *democraticness* of regional organisations and their role in democratisation. Combining the concepts of democracy density and formal commitment to democracy from Pevehouse (2002) and Genna and

Hiroi (2014), one can observe the theoretical implications of international organisations' democratic character in fostering democracy in post-conflict settings. Democracy promotion in the post-conflict context complements initiatives aimed at building sustainable peace, thus contributing to the realisation of positive peace. Liberal peacebuilding has become embedded in contemporary peace agreements ending civil conflicts, with negotiators seeking sustainable peace by halting violence, addressing the root causes of the conflict to facilitate justice and reconciliation, and building an inclusive post-conflict society through political institutional reforms culminating in democratic elections.

With many peace agreements including provisions on democracy, there are expectations, implicitly and/or explicitly stated, that regional organisations would contribute to mitigating political violence and facilitating a democratic transition. Admittedly, these actors vary in their ability and willingness to bring about these key outcomes of peace agreements. In the context of post-conflict democratisation, this ability and willingness are shaped by the regional organisation's *democraticness*. Regional organisations that exhibit a commitment to democracy by being composed of a core group of democratic or democratic-leaning states and possessing formal protocols/treaties on democracy promotion are likely to be well-placed in influencing the implementation of those reforms necessary for democratisation to take place in a post-conflict setting. The regional organisation's *democraticness* encompasses a set of actions and responses it would take to motivate and encourage democratisation. Importantly, the regional organisation's *democraticness* credibly signals to parties in the post-conflict member states the seriousness with which the organisation takes matters regarding democracy, thereby motivating political actors in those states to pursue the necessary reforms. In regional organisations lacking democraticness, mechanisms for motivating democratisation will be less influential, and their *non-democraticness* give parties in a post-conflict state the impression that the organisation does not prioritise democratisation. The result is limited to no progress toward democratisation in a post-conflict state that is a member of a regional organisation lacking democratic credentials.

Evaluating IGAD's Role in the Democratisation of South Sudan

This section applies the conceptual framework outlined above to the period following the signing of the R-ARCSS in 2018 to the present. Since 2018, the agreement has outlined South Sudan's path toward peace and democracy. Evaluating the 2018 agreement can offer lessons on areas where South Sudan's key actors and IGAD can improve to ensure effective implementation. In applying this article's argument, the section qualitatively analyses documents, reports, and communiques from IGAD and the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC). The section is divided into three parts. The first establishes the extent to which IGAD is compositionally and formally democratic to capture IGAD's *democraticness*. This section uses quantitative democracy indicators from various sources, including those from the Varieties of Democracy dataset to assess the extent to which IGAD is compositionally democratic. The section further examines documents from IGAD to clarify how formally committed the organisation is to democracy. Following this determination of IGAD's *democraticness*, the second section assesses reports from RJMEC, the monitoring body of the R-ARCSS, on South Sudan's implementation of the R-ARCSS provisions intended to facilitate a democratic transition. This section aims to present the concerns RJMEC raised in its reports pertaining to South Sudan's democratisation. The third section then critically evaluates IGAD's responses to RJMEC's concerns, given that IGAD is one of the guarantors of the R-ARCSS and the RJMEC is mandated to report its findings and offer recommendations to this organisation.

Democracy in IGAD

An examination of various indicators of democracy levels in its member states reveals that only a very small percentage of IGAD's membership qualified as democratic during IGAD's mediation of the South Sudan conflict. Table 1 presents IGAD member-states' democracy indicators for the year 2018 from various leading data sources.² The most notable observation in this table was the dominance of non-democracies among IGAD's membership. Specifically, seven out of IGAD's eight

² These indicators include the dichotomous democracy measure from Boix, et al. (2022) (BMR), Freedom House country status based on its political rights and civil liberties measures, Polity V measures of democracy, and Varieties of Democracy's electoral democracy index (Coppedge, et al., 2025).

member states do not qualify as minimally democratic. The only exception is Kenya, which, while rated as a democracy, was nonetheless emerging from an electoral crisis in 2017.

Table 1. Democracy indicators of IGAD member-states, 2018

	BMR	Freedom House	Polity V	Electoral Democracy Index
Djibouti	Authoritarian	Not free	Anocracy	Autocratic
Eritrea	Authoritarian	Not free	Autocracy	Closed autocratic
Ethiopia	Authoritarian	Not free	Anocracy	Autocratic
Kenya	Democracy	Partly Free	Democracy	Ambivalent
Somalia	Authoritarian	Not free	Anocracy	Closed autocratic
South Sudan	Authoritarian	Not free	Anocracy	Closed autocratic
Sudan	Authoritarian	Not free	Anocracy	Autocratic
Uganda	Authoritarian	Not free	Anocracy	Autocratic

A visual depiction of IGAD member states' regime types further highlights the limited democratic character of the region. Figure 1 presents radar plots of IGAD member states' *Regimes of the World index* from the Varieties of Democracy dataset for the years 2010 to 2025 (Coppedge, et al., 2025). *Regimes of the World* is an index that classifies the overall political regime of a country based on the extent of electoral competitiveness and adherence to liberal principles. This ordinal index has four categories: Closed autocracy, where elections are not held, electoral autocracy, where elections are held but these are not free nor fair, electoral democracy, where free and fair elections are held but the country nonetheless does not fully adhere to liberal principles such as respecting personal liberties and adhering to the rule of law, and liberal democracy where free and fair elections are held and liberal principles are adhered to. In each radar plot, the outermost solid line indicates liberal democracy, the dashed line indicates electoral democracy, the innermost dotted line indicates electoral autocracy, and the centre point represents closed autocracy. Each IGAD member state is positioned along the axes of the radar plots.

From the radar plots in Figure 1, three observations emerge. First, aside from Kenya in 2015 and 2025, IGAD member states are consistently non-democratic, a pattern that aligns with the snapshot of IGAD's regime types in 2018 shown in Table 1. In 2010, for instance, five member states were electoral autocracies, and two were closed autocracies. In 2020, following the R-ARCSS negotiations, four member states were closed autocracies and the remaining four were electoral autocracies.

Second, since joining IGAD after gaining independence in 2011, South Sudan has remained a closed autocracy, a regime type that presents a particularly difficult case for support for democratisation. Third, Figure 1 portrays IGAD as compositionally and persistently non-democratic, a condition likely to affect the organisation's capacity to promote democracy among its members.

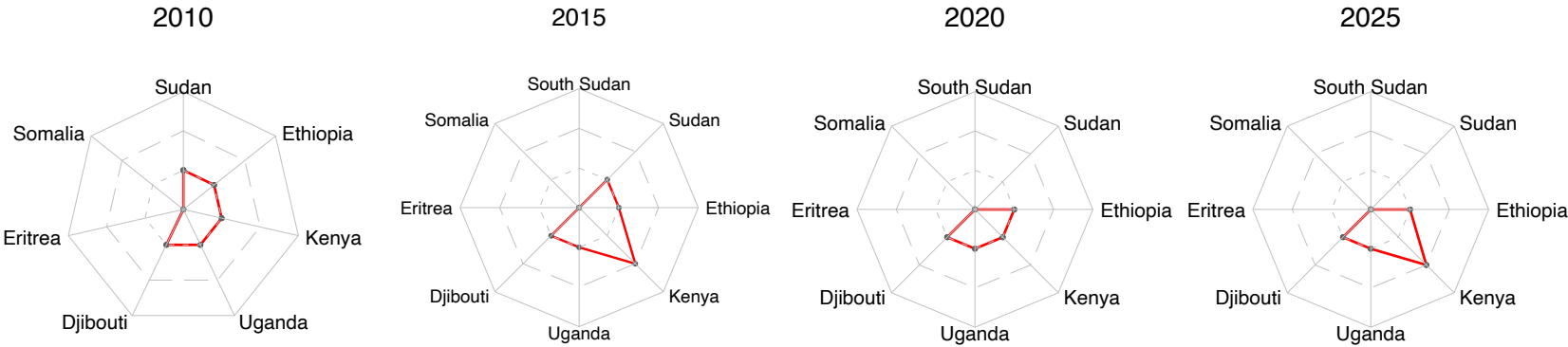


Figure 1. Regimes of IGAD, 2010-2025. Source: Varieties of Democracy

While compositionally, IGAD remains non-democratic, its formal commitment to democracy as an organisation is complex, yet limited. In its 1996 Agreement, IGAD identifies the promotion and protection of human rights as one of its principles, but not the organisation's aims and objectives (IGAD Agreement, 1996). Additionally, the promulgation of a draft protocol on Democracy, Governance and Elections that is supposed to align member-states' practices in democracy, governance and elections while promoting these three areas along the lines envisioned in the AU's Charter on Democracy, Elections, and Governance has stalled (NDI, 2024). Admittedly, five of IGAD's seven member-states have ratified the AU's Charter, which signals these states' commitment to the norms AU aspires to institutionalise. However, IGAD having its own democracy protocol can be viewed as contributing to establishing and institutionalizing an African regime complex on democracy and good governance (see Brosig, 2013 on African security regime complexes).

Notwithstanding this lack of formal commitments to democracy, IGAD's bodies and practices suggest that the organisation has an interest in promoting democracy and human rights among its member-states. A notable body is the Political Affairs Programme that falls within IGAD's Peace and Security Division. Established in 2008, PAP has been the mechanism through which IGAD assists its member-states in areas of democracy, governance, human rights, and elections. PAP's main role is capacity building through organizing workshops. For example, in September 2019 and November 2022, PAP organised training workshops on aligning member-states' human rights institutions with those of the African Human Rights systems (IGAD, 2019; Opata, 2022). Building on this human rights focus, PAP launched the IGAD Network of Human Rights Institutions in June 2023 to foster collaboration amongst member-states' human rights institutions in advancing human rights in IGAD (IGAD, 2023).

Along with its capacity building initiatives, PAP has been instrumental in setting up IGAD's governance forum and election observation missions. Launched in 2018, the Governance Forum aims to promote democracy, good governance and the rule of law within IGAD and assist member-states in implementing IGAD's and AU's democracy, governance, and elections instruments. Governance Forums have been held in April 2021 and November 2023 (IGAD, 2021; IGAD, 2023b). While these forums have positioned IGAD as a propagator of good governance and democracy norms, IGAD's role in election observation provides more direct evidence of the organisation's aims to promote democracy. IGAD has consistently supported and deployed election observation missions to its member-states. In recent years, election observation missions have been sent to Djibouti in February 2023, Kenya in August 2022, and Uganda in 2021. Through PAP, IGAD has offered training

workshops to election observers prior to their deployment and organised experience-sharing workshops that bring together electoral commissions of its member-states to share best practices (IGAD, 2012; IGAD, 2014; IGAD, 2024).

The above assessments depict IGAD as a group of countries that have broadly been non-democratic since IGAD's establishment and an organisation with relatively few formal mechanisms to promote democracy. The few mechanisms that aim to advance human rights and democratic practices, particularly electoral on, are commendable, but less robust and formal compared to those IGAD has developed to address regional peace, security, and stability. Maru and Fasi (2015) and Aggad (2017) argue that the establishment of PAP under the Peace and Security Division has had the effect of relegating democracy and governance issues second to IGAD's priority of peace and mediation processes. These limitations are compounded by the organisation's highly intergovernmental decision-making structure coupled with a reluctance to interfere in areas that member-states deem internal affairs (Aggad, 2017). These complexities along with IGAD's member-states being broadly non-democratic may not only have contributed to the stalling of IGAD's protocol on democracy, elections and governance, but it may also have affected the implementation of those provisions in South Sudan's peace agreement that address democratisation.

RJMEC's Assessment of Implementation of Democratisation Provisions in R-ARCSS

R-ARCSS envisions a democratic transition to mark the culmination of South Sudan's post-conflict transition. Specifically, the agreement stipulates that elections to be held 60 days prior to the end of the transition period, shall signify the end of the transition government's term. The agreement also mandates the transitional government to establish several institutions that would facilitate conducting credible elections including an independent National Elections Commission (NEC), Political Parties Council (PPC), and overseeing the constitution-drafting process during the transition period in collaboration with the Transitional National Legislative Assembly (TNLA). The agreement envisions this constitution to be promulgated within two years after the transition period.

R-ARCSS mandates the RJMEC to monitor these democratic provisions and other clauses in the peace agreement. RJMEC is an independent body composed of parties to the agreement, South Sudanese civil society actors, regional guarantors including IGAD and its member-states and the AU Commission, and international partners including the Troika, United Nations, European Union and

China. In performing its monitoring role, RJMEC is to regularly brief South Sudan's transitional government, the Chairperson of the IGAD Assembly of Heads of State and Government, the Chairperson of the IGAD Council of Ministers, the AU Peace and Security Council, and UN Security Council. More specific, RJMEC is tasked with reporting violations of the peace agreement to IGAD's Council of Ministers, who are to convene an extra-ordinary meeting within 14 days of receiving such violation reports to determine the organisation's response.

From the outset, the implementation of the R-ARCSS has been characterised by extensions and delays that have hampered steps towards constitution-making, institution-building, including those critical for democratisation, and importantly organising and holding elections. The pre-transition period that was marred by missed deadlines including those aimed at setting up the monitoring body, RJMEC, and resulted in two extensions of 6 months and later 100 days (Gituai, 2020; JMEC, 2018; JMEC, 2018b).³ These delays continued to mark the first year of the transition, 2021, with RJMEC noting that bodies aimed at facilitating South Sudan's democratisation including the NEC, TNLA and those on drafting a new constitution were not reconstituted as envisioned in the R-ARCSS (Gituai, 2021; Gituai, 2022). RJMEC's evaluations in 2022 continued to highlight delays in setting up the NEC, PPC, and passing a bill on drafting South Sudan's permanent constitution due to distrust among R-ARCSS parties and lack of political will and capacity (Gituai, 2022; Gituai, 2022b; Gituai, 2022c).

With little progress in implementing key provisions for constitution making and organizing elections during R-ARCSS's initial 36-month transition period, the transition period was extended by 24 months in August 2022. This extension was accompanied by IGAD, AU and UN, along with RJMEC as an observer setting up a taskforce on constitution-making and electoral processes that was to identify the key tasks necessary for drafting a constitution and conducting elections (United Nations Mission in South Sudan, 2024), indicating regional and international actors' growing concern about the minimal progress in South Sudan's democratisation process. In extending the transition period, a new timeline of key tasks related to the constitution and elections was developed (Gituai, 2022d). Following this extension, the Political Parties Bill and the Constitution Making Process Bill were finally passed by the TNLA in December 2022, with the RJMEC commenting that this marked a "huge milestone" (Gituai, 2022e).

³ R-ARCSS envisions an 8-month Pre-Transitional Period immediately following the agreement's signing. The pre-transition period, after the 8 months was to be followed by a 36-month Transitional Period.

R-ARCSS's implementation in 2023 and 2024 was mixed, as RJMEC reports. There were delays in reconstituting the PPC, NEC, and drafting a permanent constitution that cast doubt that South Sudan could hold credible elections by the end of the transition period (Gituai, 2023; Gituai, 2023b). Yet the latter part of 2023 saw the PPC, NEC and the National Constitutional Review Commission (NCRC) reconstituted, marking positive steps in South Sudan's constitution-making (Gituai, 2023d). Notwithstanding these positive steps, RJMEC nonetheless observed that implementation remained slow and behind schedule with a year left before the end of the revised transition period (Gituai, 2023d). By 2024, it was becoming clear that R-ARCSS's implementation delays would affect holding elections in December 2024. Disagreements particularly between SPLM and SPLM-IO on conducting elections in December 2024, delays by the transitional government to finance bodies like the NCRC mandated to draft the country's constitution, and some parties' concerns with PPC's high registration fees characterised RJMEC's reports in 2024 (Gituai, 2024; Gituai, 2024b). These implementation challenges culminated in RJMEC in its later reports in 2024, acknowledging that R-ARCSS parties had agreed to postpone elections from December 2024 to December 2026 and extend the transition period to February 2027 (Gituai, 2024c, Gituai, 2024d), a decision that was not aligned with public opinion in South Sudan at the time.⁴

Despite the postponement of elections, the year 2025 was characterised by a deterioration of the security situation in South Sudan and, in effect, major setbacks in implementing the R-ARCSS. In its first report of 2025, RJMEC identifies violations of the ceasefire by both government and opposition forces, undermining of the power-sharing arrangement through the house arrest of Machar, detention of opposition elites and Kiir's unilateral appointments (Owinow, 2025). During this time, RJMEC also observed that the TNLA was paralysed and there was no progress in passing laws aimed at advancing the transition (Owinow, 2025). As the situation further deteriorated in the second quarter of 2025, RJMEC warned that there was a clear loss of trust and the country was at risk of relapsing to conflict without "the concerted efforts of the Parties to the Agreement in helping to steer a path back to lasting peace" (Owinow, 2025b, 15). Although RJMEC observed that the NEC and PPC engaged in capacity building during the third quarter of 2025, these key institutions remained underfunded while South Sudan's overall security saw further deterioration (Owinow, 2025c). There were some improvements in the fourth quarter of 2025, with the resumption of political dialogue and continued work of the NEC, NCRC and transitional justice mechanisms; however, the security situation remained volatile (Owinow, 2025d).

⁴ In a 2023 poll conducted by PeaceRep, Detro, USIP, and other partners regarding perceptions of peace in South Sudan, 61% of respondents wanted elections to be held in December 2024, as outlined in the roadmap (Pospisil, et al., 2024).

RJMEC's assessment of South Sudan's implementation of the R-ARCSS in the first quarter of 2026 remain dire. The security situation, characterised by violations of the ceasefire and violence, paints an environment that is unlikely to hold free, fair and credible elections in December 2026 (Owinow, 2026). Importantly, RJMEC reported that the South Sudanese transitional government had proposed amendments to the R-ARCSS aimed at delinking constitution-making from the December 2026 elections and repealing R-ARCSS's legal supremacy (Owinow, 2026). In evaluating these proposed amendments, RJMEC was reluctant to endorse them noting that the "R-ARCSS was not only about the conduct of elections, but much more about critical peacebuilding and democratic governance reform, which remain pertinent, pre – and post-elections" (Owinow, 2026). There persists a deterioration of trust and collegiality that has undermined the implementation of the R-ARCSS and made conducting elections in December 2026 unlikely. RJMEC's reports documents Kiir's actions of making unilateral appointments and excluding Machar's SPLA/M-IO in decision-making, limited progress in judicial reforms, and lack of funding for NEC's work in preparing the country for elections that raise doubt about conducting credible and inclusive elections in December 2026 (Owinow, 2026).

In sum, RJMEC's reports paint a picture of a torturous path towards democratisation in South Sudan. Since the signing of the R-ARCSS, the implementation process has been marred by delays and extensions especially on constitution-making and organizing election, deterioration of security through repeated violations of the ceasefire, erosion of trust amongst key stakeholders in South Sudan and funding shortfalls. Together, these challenges limit the prospects of democratisation in South Sudan, leaving the country in a perpetual state of insecurity and authoritarianism. Lamenting these distressing circumstances, RJMEC contended that "[w]ithout urgent corrective measures, including sustained funding, political support, review of the legal framework for elections, and enhanced coordination among stakeholders, the electoral process risks becoming a source of renewed political contention rather than a pathway toward democratic transition and long-term stability" (Owinow, 2026).

IGAD Responses to RJMEC's Assessments

As stipulated in the R-ARCSS, RJMEC's reports are presented to IGAD's Council of Ministers and Heads of State and Government to ensure that IGAD remains well-informed of the implementation progress and recommendations from RJMEC on ways forward. In all its reports summarised above, RJMEC has called on IGAD to urge parties to the R-ARCSS to live up to their obligations. Throughout 2022, RJMEC requested that IGAD assist the transitional government in mobilising the resources necessary to implement the peace agreement and encourage the parties to the agreement to build trust. Recommendations to IGAD and the wider international community throughout 2023 and into the first half of 2024 focused on constitution-making, the establishment of transitional justice mechanisms and preparations for elections. In its January-March 2024 report, RJMEC further urged IGAD's Council of Ministers to convene a meeting on South Sudan, as stipulated in the R-ARCSS, that would signal to South Sudanese citizens and parties to the R-ARCSS the seriousness of the situation. Later reports in 2024, 2025 and 2026 urged IGAD to strengthen its oversight role, press R-ARCSS parties to engage in political dialogue and build trust, mobilise financial support for the implementation of the R-ARCSS, and undertake a joint ministerial visit to South Sudan to review progress and urge South Sudan to implement the R-ARCSS's provisions.

Despite its recommendations and calls for action, IGAD's response has not been one that influenced South Sudan's transitional government and other parties to the R-ARCSS. The situation in South Sudan has been addressed at different Council of Ministers sessions and Assemblies of Heads of State and Government. However, in addressing South Sudan, these IGAD meetings have lacked the pressure to compel behaviour change from South Sudan's authorities. In their communiques in 2019, IGAD ministers acknowledged RJMEC's observations of missed deadlines, urged the parties to expedite and support the implementation process, and endorsed R-ARCSS parties' request to extend the pre-transition period by 6 months and, later, by 100 days (IGAD Council of Ministers, 2019a; 2019b; 2019c). IGAD Heads of State and Government similarly acknowledged delays and urged R-ARCSS parties to increase their efforts (IGAD Heads of State, 2019; IGAD Council of Ministers, 2020a).

IGAD's measured response to implementation delays reported by RJMEC continued to feature in 2020 and 2021. Noting delays, IGAD ministers stated their commitment to mobilising support for implementation of the R-ARCSS until South Sudan held credible elections (IGAD Council of Ministers, 2020b). Moreover, IGAD ministers urged R-ARCSS parties to expedite implementation

of those tasks related to drafting the country's constitution (IGAD Council of Ministers, 2021; 2021b). Heads of State also noted these delays in implementation and reiterated the need to expedite implementation, urged further consultations between R-ARCSS parties and the Presidents of Uganda and Sudan, agreed to Kiir's request for more consultations with his constituents, and appealed for international financial support on behalf of South Sudan (IGAD Heads of State, 2020; 2020b).

The organisation's responses in 2022 and 2023 did not hint at pressure on South Sudan. IGAD member-states' Ministers in 2022, for example, resolved to review the status of R-ARCSS's implementation, but also reiterated that sanctions were not helpful (IGAD Council of Ministers, 2022). Similarly, IGAD heads continued to acknowledge delays in implementing the R-ARCSS and urged parties to develop a revised timeline to complete transition tasks including holding elections (IGAD Heads of State, 2022). The heads in their 2023 communique reiterated the need to expedite the implementation of those tasks necessary for holding elections, especially drafting a permanent constitution (IGAD Heads of State, 2023).

Although the political and security situation in South Sudan deteriorated following the 2024 extension of the transition period, and although RJMEC called for action from IGAD, there have been no meetings of the Council of Ministers dedicated to South Sudan since 2022. Instead, IGAD's Secretary General has released statements that acknowledged the postponement of elections and extension of the R-ARCSS's timeline in September 2024 (IGAD, 2024d) and condemned escalating tensions in South Sudan that have been violating the ceasefire and undermining the R-ARCSS in March 2025 and January 2026 (IGAD, 2025; IGAD, 2026). Increased violations of the ceasefire did attract the attention of IGAD's heads of state and government who met in March 2025 to specifically note their concern about growing mistrust among R-ARCSS parties and urge them to de-escalate (IGAD Heads of State, 2025). The summit further constituted a ministerial sub-committee on South Sudan to engage with South Sudan parties and monitor implementation of R-ARCSS's provisions including those on drafting a new constitution and preparing for the December 2026 elections (IGAD Heads of State, 2025).

Despite being concerned about the delays and other challenges in R-ARCSS's implementation, IGAD's responses, have generally been cautious. In most of its responses, IGAD reiterated recommendations from RJMEC without credibly signalling to South Sudan that the organisation is genuinely concerned with fulfilling the R-ARCSS and especially advancing South Sudan's

democratisation. Credible signalling, for instance, could be suspending South Sudan from IGAD or freezing assets of South Sudan's key leaders responsible for implementing the R-ARCSS. Such credible signalling has been associated with IOs whose institutional structures provide them with independence to act without requiring member-states' consent, and leverage over these member-states, typically derived from the material and political benefits the organisation provides that motivate states to seek membership (Tir and Karreth, 2018). These types of responses have been found to influence governments of post-conflict states to adhere to their peace agreement commitments (Tir and Karreth, 2013).

IGAD may be sending relatively less credible signals to South Sudan because of its institutional structure and the leverage it has on its member-states. IGAD's structure ensures most key decisions must obtain consent from heads of states, while its leverage, especially in economic terms, is arguably minimal.⁵ The IGAD secretariat's lack of independence and minimal leverage are further compounded by the organisation's limited commitment to democracy promotion, as noted earlier in this article. Taken together, these factors suggest to South Sudan officials that IGAD's responses, while diplomatic, are unlikely to be escalated despite a persistent delays and postponements that have characterised R-ARCSS's implementation. Undoubtedly, there may be other reasons for the delays that have marred constitution-making and election preparations in South Sudan as envisioned in its peace agreement including those pertaining to the intersection between South Sudan's political economy and the peace process itself. However, a notable observation is how these delays and the extensions of the transition process have been permissible because of IGAD's response, which has been less assertive.

IGAD's limited *democraticness*, compositionally and formally, has contributed to the organisation's cautious response to R-ARCSS's implementation process. This non-democratic profile also suggests that IGAD is not well-positioned to motivate a democratic transition in its member-states. There are two reasons for this. First, there is a lack of a core and influential group of states within the organisation that could credibly signal to the other members a commitment to democracy. Through such signalling, the organisation may be able to compel the member-state targeted with the organisation's intervention to pursue reforms necessary for democratisation. These core democracies would be perceived as examples for others to emulate, thus acting as a force for normative change

⁵ IGAD's political leverage over South Sudan may be relatively present given that some of IGAD's member-states have offered political and military support to the government (and opposition) and IGAD played a pivotal role in South Sudan's independence.

within the organisation. Lacking such a core group of democratic states, IGAD finds itself in a situation where its rhetoric on democracy and good governance struggles to compel authorities in South Sudan to pursue political change.

Second, without a formal democracy protocol, IGAD lacks a reference point that would guide how it relates and reacts to issues of democratisation. Formal democracy protocols have been relied upon to demonstrate an organisation's commitment to democratic rule and include provisions on how the organisation would support, promote and protect democratisation when it is under threat. Practices such as election observation and its member-states' commitment to the AU's Charter on Democracy, Elections and Governance are positive steps in the right direction for IGAD. However, having its own protocol would complement the AU's charter, address IGAD-specific concerns, and help to enhance IGAD's democracy credentials in line with the AU's partnership and subsidiarity principles. Moreover, an IGAD democracy protocol would further clarify to IGAD member states that there are agreed-upon understandings of democracy and steps to be taken to motivate democratisation, especially following civil conflicts and unconstitutional changes of government. Such a protocol could be used to inform how IGAD ought to respond to ensure its member states comply with the provisions of its post-conflict transition agreement on democratisation, as is the case for South Sudan. Without such a protocol, IGAD's responses have generally erred on the side of the R-ARCSS parties who have yet to demonstrate genuine commitment to a democratizing post-conflict South Sudan.

Conclusion

The democratisation process in South Sudan has continued in fits and starts. When the parties to the R-ARCSS secured a two-year extension and postponed elections from December 2024 to December 2026, the chairperson of RJMEC, Charles Gituai, acknowledged the monitoring body's concerns regarding the implementation of the R-ARCSS, particularly the need to fulfil the tasks necessary for elections to be held in the country (RJMEC, 2024). In its first report for 2026, RJMEC notes that limited progress has been made towards implementing key provisions, funding the bodies tasked with organising elections, and addressing the deteriorating trust among R-ARCSS parties. Despite the extension, South Sudan has not made the institutional and political progress necessary to fulfil the conditions required for democratisation. Admittedly, transitional agreements are an essential prerequisite for the restoration of peace and the building of democratic political systems. However, when their implementation is marred by delays and other challenges that cast doubt on the parties'

commitment to peace and democratisation, their efficacy is undermined, as these challenges heighten intra-party tensions and widen the gap between political elites' preferences and those of the public.

IGAD is one of several guarantors of the R-ARCSS, and the role of these other guarantors remains pivotal in shaping how South Sudanese elites implement the agreement to facilitate a democratic transition. The Troika and the UN may have the economic leverage needed to provide financial support for key implementation tasks while also compelling the transitional government to alter course. The AU and, in recent years, the East African Community may also have some political leverage, given South Sudan's membership in both organisations. However, IGAD remains critical to the transition process in South Sudan as the main organisation involved in the country's quest for political independence and in mediation efforts since conflict broke out in 2013. How IGAD responds to the R-ARCSS implementation process and its associated challenges not only influences the actions of political elites in South Sudan but also shapes those taken by the other guarantors of the R-ARCSS.

Despite these implications, IGAD and other regional and international partners can help mitigate the challenges identified above. In the short term, IGAD and its member states should signal the urgency of constitution-making and election preparedness to South Sudan's leadership. This can be, for example, through heeding RJMEC's recommendations for IGAD's council of ministers to convene sessions on the situation in South Sudan and to visit the country. Additionally, IGAD can be instrumental in raising the necessary funding from external actors, including the other guarantors, which could be earmarked specifically for preparing South Sudan's elections. In the medium-term, IGAD should develop and promulgate its own formal treaty on democracy. This could be along the lines of the Economic Community of West African States's Protocol on Good Governance and Democracy and the AU's Charter on Democracy, Elections and Governance. Such a formal commitment can enhance IGAD's credentials as an organisation committed to democracy in the sub-region while complementing the AU's own formal commitments to advancing democracy on the continent. Moreover, even though most IGAD member states are not democratic, a formal commitment enshrined in a binding treaty can outline actions IGAD can take to advance democracy. This can also offer important reference points that empower South Sudanese, and other member states', civil society groups to pressure their government to pursue the reforms necessary for sustained democratisation. Such pressure from domestic civil society can ensure that political leaders in South Sudan take democratisation seriously and foster greater local ownership of the process.

Declaration of Interest Statement

The author has reported no potential conflict of interest.

Biographical Note

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