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# Orchestrating peace in South Sudan: exploring the effectiveness of the European Union's mediation support

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## ABSTRACT

Previous research has primarily focused on the EU's high-profile involvement as direct mediator in peace negotiations. Conversely, less attention has been devoted to the EU's support to third parties' mediation efforts, which is a significant component of its mediation activities. Addressing this research gap, this article develops a conceptual framework for the systematic analysis of EU mediation support, identifying key mediation support techniques and the conditions for their success. In terms of mediation support techniques, the EU may rely on "endorsement", "coordination", "assistance", and "lending leverage" to empower and steer third party mediators in line with its mediation objectives and values. We illustrate the utility of the conceptual framework for the EU's support to IGAD in mediating in South Sudan's civil war. We find that the EU has contributed significantly to IGAD's empowerment in terms of endorsement, coordination, assistance, and lending leverage. Simultaneously, our analysis also points to important challenges in the EU-IGAD relationship, which relate to challenges concerning strategic engagement with IGAD's internal politics that are marked by diverging interests and ties of its member states to the conflict parties.

## ARTICLE HISTORY

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## 1. Introduction

The European Union (EU) has gained considerable experience in mediation and has become an important provider of mediation services in numerous conflict theatres around the world. Recent academic research has primarily paid attention to high profile cases of direct EU involvement in peace negotiations such as its role as lead mediator in the "Belgrade-Pristina dialogue" between Serbia and Kosovo (Davis 2014, Bergmann and Niemann 2015, Bergmann *et al.* 2018). Contributing to the emerging debate on the EU's role in mediation, this article focuses on the EU's mediation support to other actors, which has received insufficient attention thus far. Mediation support is a key priority of its 2009 "Concept on Strengthening EU Mediation and Dialogue Capacity" (Council of the European Union 2009, p. 6), which has been followed up by sustained

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investments in the EU's structures and capacities for mediation support (Haastrup 2015). Data indicates that the bulk of the EU's mediation activities in contemporary conflict settings involve mediation support for others (Gündüz and Herbolzheimer 2010, Sheriff *et al.* 2013, pp. 6–27, Brandenburg 2017). Between 2014 and 2019 the EU sponsored more than 60 initiatives by third parties in the domain of mediation and dialogue through its Instrument contributing to Stability and Peace (IcSP) and another 33 mediation and preventive diplomacy efforts by African regional organisations through its Early Response Mechanism (ERM) of the African Peace Facility (APF) between 2012 and 2016 (European Commission 2018a, pp. 30–31, European Commission 2019b). These figures suggest that the cases of EU mediation support clearly outnumber the only a dozen or so of direct EU mediation initiatives (Bergmann and Niemann 2015, pp. 971–972) that often capture media headlines.

Though the need for examining mediation support has been increasingly acknowledged (Brandenburg 2017, Lanz *et al.* 2017), it has hardly been conceptualised or studied empirically. Addressing this research gap, this article develops a conceptual framework for the systematic analysis of EU mediation support, identifying key mediation support techniques and the conditions for their success. Integrating insights from works on orchestration by International Organisations (IOs) and mediation research, we shift attention to situations where the EU assists third party mediators. We argue that the effectiveness of EU mediation support needs to be evaluated with a view to the EU–mediator relationship, with the EU seeking to empower third party mediators and trying to steer them in line with its mediation objectives and values. In terms of mediation support techniques, the EU may rely on “endorsement”, “coordination”, “assistance”, and “lending leverage”.

Empirically, we apply our conceptual framework to the case of EU mediation support in the South Sudan conflict. Promoting “African solutions to African problems”, the EU's mediation strategy in South Sudan has centred on the support for the Intergovernmental Authority on Development (IGAD), an eight-country regional bloc, as lead mediator in the conflict. The EU's role in providing mediation support to IGAD in South Sudan's conflict provides an illustrative case for examining EU mediation support in practice. When the conflict in the “new-born” state of South Sudan erupted in 2013, the EU had already put in place key institutions and instruments for mediation support and it invested significant resources to address the crisis. Given the limited scope for generalisability of a single-case study at this early phase in concept development, we aim for a “plausibility probe” (Eckstein 1975, pp. 108–113) – rather than theory testing – which serves primarily to explore the utility of our theoretical framework before more extensive empirical research is undertaken (Odell 2001, p. 166). We draw on what has been described as “minimalist process tracing” (Beach and Pedersen 2019, pp. 33–35) to explore whether there is evidence linking the specified techniques and the conditions for success with the effectiveness of EU mediation support. Our analysis builds on triangulation across multiple data sources, including official documents issued by the EU, IGAD and the UN, policy reports produced by think tanks and NGOs, and academic literature as well as 14 semi-structured interviews with IGAD, EU and UN officials who participated in (various phases of) the mediation, and civil society and academic experts. The interviews were carried out in the period between March 2018 and October 2019 in Brussels, Addis Ababa as well as via phone and were based on the condition of anonymity.

The article proceeds as follows. It first develops the conceptual framework for the analysis of EU mediation support, its main techniques and key conditions for their effectiveness. We then apply the analytical framework to EU mediation support in South Sudan. Particularly, we investigate to what extent it helps us to better understand how and to what effect the EU provides mediation support. The conclusion summarises key findings and discusses avenues for further research.

## 2. Types of conflict mediation: lead mediation, group mediation and mediation support

Mediation constitutes “a process of conflict management, related to but distinct from the parties’ own negotiations, where those in conflict seek the assistance of, or accept an offer of help from, an outsider (whether an individual, an organization, a group, or a state) to change their perceptions or behavior, and do so without resorting to physical force or invoking the authority of law” (Bercovich 1997, p. 130). Within this broad definition, mediators may adopt a number of roles and approaches, including the support of other mediators.

Mediation support has been described by the UN as “activities that aim to make mediation more effective”, including efforts “to create an enabling environment for mediation; to support ongoing mediation processes [...]; to support the implementation of peace agreements; and finally, capacity-building for mediators, conflict parties, and societies at large” (United Nations 2017). Employing a narrower view, others have referred to mediation support as “activities that assist and improve mediation practices”, such as training activities, developing guidance, research, as well as networking and engaging with third parties (Mediation Support Network 2016). As these different notions show, mediation support may involve a broad range of activities and can be directed towards mediators in peace processes, the parties to a conflict, as well as the field as a whole, for instance through the development of practical guidelines (Lanz *et al.* 2017, p. 4).

In this article, we are primarily concerned with EU mediation support to third party mediators, understood as activities to assist third party mediators in the search for a negotiated peace. Our conceptualisation of EU mediation support integrates key insights from the literature on orchestration (Cooley and Spruyt 2009, Abbott *et al.* 2015) into the literature on mediation research. Works on orchestration alert us that International Organisations (IOs) frequently outsource key governance tasks to an intermediary, who addresses target actors in pursuit of IO governance goals (Abbott *et al.* 2015, p. 4). In so doing, orchestration can create mutual gains from “specialisation, pooling of resources and mutual learning” (Abbott *et al.* 2015, p. 7), enhancing an IO’s problem solving capacity.

Orchestration generally serves the “dual purpose of empowering and steering intermediaries” (Abbott *et al.* 2015, p. 16). Key characteristics that apply to the “orchestrator-intermediary” relationship are also helpful for conceptualising EU mediation support and to distinguish it from other forms of mediation. Orchestration is an indirect mode of governance, as it relies on intermediaries rather than direct engagement with target actors; and it is a soft mode of governance, as it lacks hard control over intermediaries but instead relies on voluntary cooperation and soft steering (Abbott *et al.* 2018, pp. 6–22). Similarly, mediation support constitutes an indirect approach where the EU supports third party mediators that engage with the parties to a conflict. Hence, mediation support differs

from mediation approaches where the EU directly engages with the parties to a conflict, either by acting as the principal mediator, or by functioning as a co-mediator through collective formats such as “groups of friends”. Importantly, mediation support relies on the service of mediators located *outside* the EU’s direct control, such as IOs like the United Nations (UN), regional organisations like the African Union (AU), third countries, transnational NGOs and private foundations, or local actors. To enable a third party mediator whilst promoting its own principles and mediation objectives, the EU must rely on voluntary cooperation and soft steering that are also at the heart of soft governance through orchestration.

Mediation support can offer important advantages over alternative mediation strategies, including direct mediation (Müller and Cornago 2018). Importantly, mediation support allows the EU to rely on outside resources provided by third party mediators, reducing costs and resources devoted to direct mediation. Mediation support not only offers “efficiency” gains but can also enhance mediation effectiveness and legitimacy (Bercovich 2006). Today’s conflicts are often intra-state in nature, take place in areas of limited statehood and involve a strong local dimension. Here, third party mediators who possess local authority, trust and knowledge and have access to local networks can enhance the prospects of successful mediation. Similarly, contemporary conflicts frequently involve “problematic” disputants, such as armed groups or designated terrorist entities, which the EU may find difficult to directly engage with for political reasons but also for legal constraints. Still, mediation support also comes at certain costs and trade-offs, as it generally involves less control over managing a mediation process than direct mediation and usually does not come with the kind of public visibility.

### 3. Techniques of EU mediation support and their effectiveness

Previous research proposed a two-dimensional conceptualisation of EU mediation effectiveness, taking goal-attainment and conflict settlement as main reference points (Bergmann and Niemann 2015). Direct EU mediation is evaluated as successful when it has an observable short-term impact on conflict dynamics in terms of conflict settlement and when the EU realises its own goals as a mediator. While this definition of effectiveness also applies to situations where the EU supports the activities of other mediators – which ultimately aims at progress in terms of a conflict settlement and the realisation of important EU mediation objectives – it is by itself not sufficient. To assess the effectiveness of EU mediation support it is important to add yet another dimension of effectiveness that relates to outcomes at the level of the EU-mediator relationship. By focusing on the EU-mediator relationship, we do not take for granted that mediation support actually boosts a mediator’s capacity, which needs to be established empirically. Nor do we assume that the successful strengthening of mediators inevitably impacts on a conflict situation in terms of conflict settlement and EU goal attainment.

EU mediation support pursues two main ambitions vis-à-vis third party mediators. First, it aims at steering a mediator in line with EU mediation objectives and norms as set out in the 2009 concept on EU mediation and related documents (Council of the European Union 2009). Beyond the EU’s commitment to general norms and principles steering also requires the formulation of more case-specific strategies and objectives, which consider conflict-related configurations, expectations and process dynamics. Through steering the EU

seeks to exert a certain degree of influence on the mediation process and increase the convergence between the EU's and the mediator's mediation objectives. To steer a third party mediator, the EU can rely on its mediation support tools to provide positive and negative incentives and facilitate learning and good practices. Hence, we do not consider mediation support as a disinterested approach in which the EU provides support to third party mediators without any links to its own objectives concerning the management of the mediation process. Rather, in line with the view that mediation is a strategic foreign policy tool, mediation support also aims to secure a certain degree of influence on the intermediary and the broader mediation context (Touval 2003). In terms of steering, EU mediation support is effective if a third party mediator feels encouraged to adhere to mediation objectives and norms promoted by the EU. This echoes the approach to measure the effects of mediation against the goals it seeks to accomplish (Bercovitch 2006, p. 298). Yet, steering is a delicate task and the EU needs to be mindful not to undermine the integrity, autonomy and standing of a third party mediator when promoting its mediation principles and objectives.<sup>1</sup>

Second, mediation support seeks to empower third party mediators. Whilst steering is generally directed towards a mediator's alignment with EU mediation objectives, empowering seeks to strengthen different properties of a mediator and its position in a particular mediation setting. To assess the effectiveness of empowering, it is useful to depart from key mediation support techniques and evaluate their respective impact. The orchestration concept provides a useful starting point to systematically structure the EU-third party mediator relationship, from which we identify four main mediation support techniques: "endorsement", "coordination", "assistance", and "lending leverage". Simultaneously, we can build on rich literatures on conflict resolution and mediation in further developing the various mediation support techniques.

"Endorsement" involves ideational support where the EU endorses a third party as competent and legitimate, or formally recognises its activities (Abott *et al.* 2015, p. 15). This can enhance the social authority and legitimacy of a third party mediator vis-à-vis the parties to a conflict, as well as vis-à-vis other external stakeholders, which is considered crucial for successful mediation (Sheppard 1984). EU endorsement can be central for a third party to gain recognition as a lead mediator, particular in situations where it initially lacked substantive international recognition and support. EU-endorsement is effective if a third party feels empowered in its status as mediator and if it facilitates recognition, support and trust of a third party as lead mediator by the parties to a conflict and key external stakeholders, motivating them to commit to its mediation role and initiatives.

"Coordination" is a central task to overcome problems of collective action through managing diverse third party actors and their respective mediation goals and initiatives, as well as potential contradictions between them. It has been long recognised that the proliferation of actors involved in mediation makes coordination particularly relevant (Kriesberg 1996, p. 342, Nan and Strimling 2006, Wallenstein and Svensson 2014, pp. 318, 321). Multi-party mediation settings entail the risk of different actors competing for a mediation role, raising the question of who is in charge, creating opportunities for conflict parties to engage in forum shopping, and facilitating fragmentation (Böhmelt 2012). Like endorsement, coordination is key for achieving a mediator focus. Yet, here the EU directly engages with relevant stakeholders to ensure that their activities are synchronised with the lead mediator, promoting complementary rather than competing

approaches. Coordination can take place in official formats – through establishing a formal coordination process between the EU, the third party mediator and potentially other relevant actors and stakeholder – or in an informal and ad hoc way. The EU can rely on its diplomatic infrastructure, resources, and networks to provide offices, enhance communication and information exchange, and facilitate agreement on joint goals, priorities and strategies as well as the sharing of resources (Nan 2003, Herrberg 2018, p. 310). Similar to endorsement, EU coordination is effective if it strengthens the status and recognition of a third party's role as central mediator. Moreover, it is effective if it enhances the capacity of a mediator to promote a synchronised approach to mediation among key stakeholders, based on synergies and cooperation, rather than competition.

“Assistance”, in turn, seeks to strengthen the institutional and operational capacity of third party mediators through material support and expertise. It is based on the understanding that mediators need to be prepared and have proper resources to successfully mediate in a dispute (Marcil and Thornton 2008). The EU can rely on its financial instruments, institutional and operational resources, good offices and mediation expertise to enable the mediation activities of third party mediators (Lanz *et al.* 2017, p. 5). Here, assistance involves training activities and the transfer of knowledge and expertise through staff exchanges, secondments and expert workshops; operational support, e.g. by providing human resources or mediation infrastructure; as well as financial support through frameworks such as the Instrument contributing to Stability and Peace (IcSP) and the African Peace Facility (APF). Assistance is effective if it has a discernible positive impact on a third party mediator in terms of competences, knowledge, and operational capacity relevant to a mediation process. As such, it should enable a mediator to properly prepare for mediation activities, to devote sufficient resources to its mediation initiatives, and to accumulate relevant knowledge and expertise.

“Lending leverage”, by contrast, constitutes a mediation support technique where the EU uses its own leverage to support the mediation activities of a third party mediator. Actions designed to alter the incentive structure of disputing parties are well known to scholars of conflict resolution. They have been described as “structural prevention” (Stern and Druckman 2000, Eralp and Beriker 2005), which generally requires “an actor to adopt a partisan role”, including the evaluation of political developments and judgments about “who is right and who is wrong and what the nature of the desired outcome is” (Eralp and Beriker 2005, p. 177). By lending its leverage, the EU uses its tools for “structural prevention” in support of others. Yet, we still consider it part of mediation support as long as the EU's leverage is used to empower the mediation initiatives led by another mediator, rather than being part of a direct EU mediation effort.

Using positive and negative inducements can be essential for moving peace negotiations forward. Yet, third party mediators may lack the necessary resources to affect the negotiation behaviour of the parties to a conflict (Beardsley 2013). Here, the EU may lend its leverage to the initiative of a third party mediator, which can take different forms, including rewards such as technology transfer, humanitarian aid and development cooperation, concluding or upgrading free trade agreements, or the lifting of visa restrictions (Herrberg 2018, pp. 307–308). To avoid broad negative impacts on societies in conflicts, the EU and other external mediators may opt for measures that “target individuals, groups, companies, regimes and products, for example by means of financial sanctions, travel bans, commodity trade restrictions and sectoral economic means” (Eriksson



and Wallensteen 2015). As a major economic player and financial hub, the EU possesses a considerable capacity for such targeted measures. The EU can also provide insurances to the conflict parties such as the promise of deploying peacekeeping forces to monitor peace agreements (Sisk 2009, pp. 54–55). “Lending leverage” is successful if it adds weight to the negotiation initiatives of a mediator and advances its ability to alter power relations, attitudes and behaviour of the parties to a conflict (see Bercovich 2006). It should advance a mediator’s ability to motivate the conflict parties to commit to mediation initiatives, to move them beyond their reservation points and to transform their behaviour.

The four mediation support techniques are ideal types and in practice the EU may pursue a mix of them, which can also reinforce each other. The way and extent to which these strategies influence mediation support effectiveness may differ among third party mediators and specific mediation contexts. While assistance impacts directly on the capacities of a third party, endorsement and coordination rather influence contextual aspects related to a mediator’s standing in its external environment in terms of legitimacy and mediator centrality. Lending EU-leverage, in turn, may impact most immediately on the mediator’s chances to broker an agreement between the parties by making them more amenable to compromise solutions.

### ***3.1. Conditions of effectiveness of EU mediation support***

Several factors can influence the effectiveness of mediation support, which operate at the level of the EU, the intermediary, or the broader mediation environment. In terms of EU specific factors, previous research has identified EU-internal coherence and leverage as key conditions of the Union’s mediation effectiveness (Bergmann and Niemann 2015). These factors are also crucial for EU effectiveness in mediation support. To empower and steer a mediator, it is important that the EU displays coherence, especially when it comes to formulating and promoting a consistent mediation strategy. A highly coherent EU approach towards a particular conflict sends a strong signal regarding the EU’s determination to support the mediation effort and to help the parties to solve their conflict. Moreover, the possession of leverage – understood as the resources and instruments the EU can utilise to move the conflict parties towards a compromise agreement – is another important condition for the effectiveness of EU mediation support. As described above, by lending its leverage to another mediator, the EU may contribute to his empowerment. We expect that the greater the EU’s leverage vis-à-vis the conflict parties, the higher the effectiveness of EU mediation support.

Besides intra-EU properties, the effectiveness of mediation support also depends on factors related to the third party mediator. We expect mediation support to benefit from mediators that have “compatible mediation goals and values”, display a certain degree of “resource dependency”, and dispose of a high degree of “internal coherence”. If a mediator has similar, or compatible, mediator goals and values, it will be easier for the EU to lend its support in line with EU mediation objectives and norms. Similarly, the EU will find it easier to support a third party mediator in situations marked by a complementary distribution of mediation capabilities, where a mediator possesses specific resources like local knowledge or legitimacy that the EU lacks whilst depending on other EU resources for its mediation activities (Plank 2017). A third party’s prior mediation



capacities will also determine the relative importance of individual EU mediation support techniques, which aim to promote different properties of mediators, including legitimacy (endorsement), mediator centrality (coordination), operational capacity (assistance) and clout (lending leverage). The more autonomous and self-sufficient a mediator, the less it will be inclined to respond to EU incentives and the less it will be interested in external support.

Moreover, we expect effective EU mediation support to also depend on a mediator's internal coherence. Mediators can be complex, composite actors that find it difficult to agree on joint mediation objectives and strategies. Hence, a lack of internal coherence on the part of the third party mediator can significantly impede EU mediation support. Finally, we expect the broader mediation environment to matter, in particular with regard to mediator density. We expect EU mediation support to benefit from situations where there are less, rather than more third parties mediating or providing mediation support. In particular, a limited number of other international actors involved in the mediation make it easier for the EU to play a coordinating role and to adapt its operational, financial and ideational support to key requirements of a third party mediator (Crocker *et al.* 2001). The subsequent section examines the different EU mediation support techniques and the specified conditions for their success for the case of South Sudan.

#### 4. The conflict in South Sudan: a case of effective EU mediation support?

The conflict in South Sudan started as a struggle for leadership within South Sudan's ruling party, the Sudan People's Liberation Movement (SPLM), and has progressively evolved into a multi-level conflict that includes a series of armed actors who are also divided across ethnic lines. In July 2013, President Salva Kiir dismissed his deputy Riek Machar, who was accused of attempting a *coup d'état*. As a result, the SPLM fractionised in the SPLM, led by President Kiir, and the "SPLM in opposition" (SPLM-IO) led by Machar. The ensuing civil war has resulted in a severe humanitarian crisis, with estimates ranging from 50,000 to 400,000 being killed in the war, nearly 4 million people being displaced, and about 6 million people being food insecure (USAID 2017; Checchi *et al.* 2018, Council on Foreign Relations 2018). In terms of mediation, the EU's strategy centred on supporting the mediation efforts of the Intergovernmental Authority on Development (IGAD), an eight-country African trade bloc dating back to 1996 that includes Djibouti, Ethiopia, Somalia, Eritrea, Sudan, South Sudan, Kenya, and Uganda.

##### 4.1. The EU, IGAD and the conflict in South Sudan

Despite the presence of several international and regional actors, including the UN, the AU, the so-called Troika (US, UK and Norway) and China, IGAD was able to establish itself as the key mediator, appointing special envoys from Ethiopia, Kenya and Sudan to lead the mediation process. From the outset mediation in South Sudan proved challenging, not least as the conflict parties showed little interest in requesting external mediation and only consented to IGAD's mediation role against the backdrop of substantive external pressure (Vertin 2018, p. 8). Following a number of unsuccessful IGAD-led mediation attempts and the failure of a ceasefire agreement ("Cessation of Hostilities Agreement") in January 2014, the "Agreement on the Resolution of the Conflict in South Sudan"

(ARCSS) was signed under the auspices of IGAD in August 2015. ARCSS established a transitional government of national unity – including the Government of South Sudan, the SPLM-IO, and former detainees – and aimed at comprehensive political reforms during a three-year transition period. The EU subsequently assumed a formal role in the implementation of the ARCSS agreement, including in the Joint Monitoring and Evaluation Commission (JMEC) and the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM).

Although the ARCSS agreement produced a government of national unity, violent escalations between government forces and the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) forces erupted again in July 2016 (Crisis Group 2019, pp. 2–3). In response to a deteriorating situation, IGAD created the so-called “High Level Revitalization Forum for South Sudan” (HLRF) in June 2017. Aiming for an inclusive peace process, the HLRF involved the parties to the ARCSS as well as other armed and civilian opposition groups that had been excluded from the ARCSS. The 48 parties represented in the HLRF were identified during a pre-consultation phase by IGAD (Soliman and Verjee 2019). In December 2017, the first round of HLRF negotiations produced the Agreement on the Cessation of Hostilities (ACOH) in which all parties committed to stop hostilities immediately, guaranteed humanitarian access and allowed for the safe return of internally displaced persons and refugees (IGAD 2017).

After further rounds of negotiations during the first half of 2018 – with Sudan taking the lead among IGAD member states on the dossier – the negotiations culminated in the “Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan” (R-ARCSS), signed in September 2018. The R-ARCSS was signed by the Transitional Government of National Unity; the Sudan People's Liberation Movement (SPLM)/Sudan People's Liberation Army in Opposition (SPLA-IO); SPLM Former Detainees; South Sudan Opposition Alliance (SSOA) and other political parties. It incorporates important aspects of the 2015 ARCSS – including its monitoring mechanism – and of the 2017 ACOH agreement (JMEC 2018a). Importantly, the R-ARCSS provides for the establishment of a Revitalised Transitional Government of National Unity that includes the parties of the ARCSS transitional government as well as additional parties participating in the HLRF. Moreover, it includes mechanisms for a permanent ceasefire, humanitarian assistance, economic and financial management, and transitional justice and reconciliation (JMEC 2018b).

The process leading to the R-ARCSS agreement once again testified of the active IGAD-led peace diplomacy in South Sudan. Yet it has been described as an “incomplete agreement”, lacking satisfactory provisions on key issues like internal boundaries and security in Juba (Crisis Group 2019, p. 11). A key challenge for the implementation of R-ARCSS – and the peace process more generally – resulted from IGAD's internal politics. In particular, key IGAD members like Uganda and Sudan have strong ties to parties to the conflict and pursue their own interests and priorities in South Sudan – carving it up into distinct spheres of influence – with Uganda even functioning as the principal (military) ally of the government of South Sudan (Apuuli 2015, Vertin 2018). Whilst the implementation of the R-ARCSS agreement has remained a challenging undertaking – with key stakeholders undermining steps that would challenge their influence in South Sudan – the ceasefire has been respected by the main parties to the conflict in most parts of the country.

## 4.2. EU mediation support techniques in South Sudan and their effectiveness

The EU's approach to conflict mediation in South Sudan has centred on supporting IGAD-led peace efforts, relying on its various mediation support tools to empower IGAD as the lead mediator. The EU has repeatedly expressed concerns about the severe humanitarian consequences of the conflict in South Sudan, whilst stating its commitment to general EU mediation objectives like promoting peace, human rights and stability through the peace process (Council of the European Union 2009). The EU's support for IGAD has also been in line with its broader strategy of cooperation with Africa in the area of peace and security, which supports the ambitions of regional actors like the AU to provide African responses to violent conflicts across the continent (Abatan and Spies 2016). Beyond these general ambitions, however, it largely lacked a well-developed, common strategy for mediation support and was only occasionally able to develop more situation-specific mediation objectives (interviews 5, 6). As we argue below, this has made it difficult for EU-actors to steer IGAD – which involves member states with diverging, and at times competing, interests in South Sudan – towards a coherent approach.

*Endorsement:* Soon after the outbreak of the violent conflict, the EU endorsed the IGAD-led mediation, encouraging “all regional and international efforts to align with and support IGAD mediations efforts” whilst simultaneously discouraging “external interventions that could exacerbate the political and military tensions” (Council of the EU 2014, p. 19). Subsequently, the EU provided routine diplomatic backing to IGAD as the lead mediator, including through its diplomatic statements as well as through joint ministerial summits with IGAD member states (IGAD and EU 2014). The EU continued its substantive diplomatic backing of IGAD even when the US became increasingly frustrated with IGAD and began to dispute its role as lead mediator (interviews 5, 8). The evidence suggests that the EU's active endorsement of IGAD as lead mediator was effective in facilitating its recognition as the most appropriate mediator in the conflict among the international community (interviews 9, 11, 14). Moreover, the EU's endorsement in concert with other international actors was also effective in motivating the IGAD mediation team to conduct their mediation initiative. As an IGAD official noted, the EU's support “was very important for the confidence of the [IGAD] Special Envoy, knowing that he was not alone in this quest and had the political support of the EU and the international community as a whole” (interview 11). Other IGAD officials confirmed this view, arguing that the EU's diplomatic backing of the IGAD-led mediation process represented a “major step forward” (interview 14).

*Coordination:* Besides endorsing IGAD as the lead mediator, the EU also facilitated international coordination in the peace process, including through its special representative for the Horn of Africa, Alex Rondos, and his team. Here the EU brought its “convening power” to bear and worked in close coordination with the UN and the Troika, with whom it shared the UK as a member (interviews 1, 7, 9). In the run-up to the ARCSS agreement, the EU – together with the IGAD member states, the AU, the UN, and the Troika, China, and the so-called IGAD Partner Forum – became part of the platform IGAD-plus. IGAD-plus did not assume a direct role in the negotiations – which was not desired by the parties to the conflict – but rather was meant to organise a concerted effort to encourage the parties to reach an agreement. Moreover, it formalised the close coordination between the IGAD mediators, IGAD member states and its external partners. This produced tangible

results, with the joint pressure by IGAD and its external supporters at the time, including the US and the EU, being credited with facilitating the compromise agreement leading up to ARCSS drafted by IGAD mediators on behalf of the South Sudanese parties (Apuuli 2015, p. 125). In other words, EU coordination in this mediation phase was effective in terms of enhancing IGAD's capacity to promote a synchronised approach to the mediation, as all international stakeholders pulled together in supporting IGAD's efforts.

Later the EU also supported coordination in the context of the HLRF, which was initiated as an inclusive framework by IGAD upon concerted diplomatic pressure by the EU and the Troika (Crisis Group 2019, p. 3, interviews 1, 7). The EU together with other international partners made it a condition for their support to the HLRF that the process was designed as inclusive as possible (interviews 7, 9). Although EU officials participated in every round of the HLRF, the EU's involvement in this mediation phase – similar to the role of other international partners such as the Troika and the UN – became “less formal” (interview 7, 11). In the final rounds of negotiations before the conclusion of the R-ARCSS in Khartoum and Addis, IGAD mediators primarily held closed sessions with the conflict parties and the main regional players, Uganda, Sudan, and Ethiopia, which made it more difficult for extra-regional actors to have direct influence on the mediation process (interviews 7, 9, 10). Hence, although the EU was effective in pushing for a high degree of inclusivity in the HLRF negotiation, its influence over IGAD's mediation approach gradually declined in the course of the final negotiations leading to the R-ARCSS. Yet, overall the EU's successful push for inclusivity in the HLRF represented a rare case of formulating concrete EU mediation objectives and effectively steering IGAD and other stakeholders towards a common approach. Simultaneously, the increasingly closed nature of IGAD mediation led to a subsequent decrease of EU influence on negotiation outcomes.

*Assistance:* Besides its diplomatic support, the EU has also empowered IGAD through direct assistance. After the outbreak of the crisis in South Sudan in December 2013, the EU's mediation support to IGAD became an important priority. In January 2014, the EU agreed to provide €1.1 million of financial support under the African Peace Facility's Early Response Mechanisms (ERM) to promote mediation by IGAD (European Commission 2014). In March the following year, the EU made available an additional €5 million for IGAD's so-called monitoring and verification mechanism (MVM), which provides an analysis of the security situation (European Commission 2015). Following the conclusion of the 2015 ARCSS agreement, the EU assumed a formal role in the structures for its implementation (see EEAS 2016), especially through its membership in the Joint Monitoring and Evaluation Commission (JMEC) that oversees the implementation of the agreement. Moreover, MVM was replaced by the Ceasefire Transitional Security Arrangement Monitoring Mechanism (CTSAMM) in January 2016, which was tasked to monitor the implementation of the security arrangements agreed upon in the ARCSS agreement. Together with the US, the EU has become the biggest contributor to CTSAMM, to which it provided €9 million in the period between 2016 and 2018 (European Commission 2018a, p. 16). The EU's contribution to IGAD and CTSAMM covers salaries, travel costs, as well as operational costs to IGAD headquarters in Addis Ababa as well as support for the monitoring teams in South Sudan.

IGAD officials involved in the peace mediation in South Sudan have described the EU's support through the African peace facility as crucial for IGAD's mediation role and for achieving key milestones in the peace process (interviews 12, 13, 14). A lack of resources

and technical knowledge on mediation have been identified as a key challenge for IGAD, with the targeted and rapidly available EU assistance proving crucial to finance IGAD mediation efforts at crucial points in time. Importantly, the EU's financial support was considered central for launching the talks leading to the 2015 ARCSS agreement and the later HLRF talks as well as for effective monitoring of the implementation process and the respect of ceasefire arrangements. As noted by an IGAD official "without the support of the European Union we could not have funded both mediations [i.e. the negotiations leading to the 2015 ARCSS agreement and the HLRF talks] (interview 12)". In sum, the EU's direct assistance to the IGAD mediation was effective in generating a strong positive impact on the operational capacities of the mediator, particularly in terms of providing resources necessary to prepare for negotiations and for launching the talks leading to the two agreements in 2015 and 2018.

Interestingly, efforts of the EU and other international supporters to enhance IGAD's general mediation capacities beyond financial support to specific initiatives were initially met with reservation by some IGAD officials, who were concerned about ceding influence to external donors (interview 8). It was only in 2018 that the EU, IGAD and the Austrian Development Agency signed an agreement on a €43 million action for 2018–2022 to support IGAD's peace and security programmes funded through the EU's Emergency Trust Fund for Africa (EUTF). Through this action, the EU supports IGAD's Mediation Support Unit (MSU) to consolidate its mediation systems and create a Peace Fund that could be used for rapid-response fact-finding and mediation missions (European Commission 2018b, pp. 11–12).

*Lending leverage:* Simultaneously, the EU lend its leverage to IGAD's mediation initiatives. For the most part, the EU's leverage has been within the domain of targeted financial sanctions and an arms embargo, rather than in the domain of trade and development policy. South Sudan conducts the vast majority of its trade with African countries, with China being the main international investor in South Sudan's oil industry (OECD n.d.). The EU, in turn, is a major donor of development aid and humanitarian assistance to South Sudan – together with its member states it accounts for 43 per cent of all international development aid (European Commission 2019a). Accordingly, broad sanctions, including restrictive economic measures or reduction in aid that affect the entire country were not regarded as appropriate means in the South Sudanese context, as much of the EU's support covers basic needs such as food assistance, health and access to water that support the most vulnerable (Allison 2016, Council of the EU 2016, interviews 1, 2).

Conversely, the EU maintained an arms embargo on South Sudan, which had been in place since 2011 (Council of the European Union 2011). Still, in 2016 US-led efforts in the UN Security Council to put in place an UN arms embargo against South Sudan failed and were only successful by July 2018. Moreover, it was reported in 2018 that Uganda – despite its role as an IGAD mediator – had functioned as a clandestine supplier of weapons originating in the EU, the US and China to both sides of the civil war (Gramer 2018, Van Eysen and Gitta 2018). Besides maintaining its arms embargo, the EU also supported targeted sanctions to leverage the IGAD-led peace process. In March 2015, the UN Security Council established a committee through which it could impose targeted sanctions against those blocking peace in South Sudan. In July 2015, the Security Council's sanctions committee on South Sudan approved restrictive measures (i.e. travel bans and asset freezes) against six individuals (United Nations Security Council 2015). In May 2015, the

EU issued Council regulation 2015/735 providing for restrictive measures, including the freezing of funds and economic resources of persons obstructing the political process in South Sudan (Council of the European Union 2015). Subsequently, the EU repeatedly stated its readiness to take restrictive measures towards individuals spoiling the peace process as well as its readiness to support measures agreed by the UN Security Council (Council of the European Union 2018b).

For punitive measures to be effective in supporting the IGAD-led process, it was crucial to obtain regional support, with IGAD long lacking internal cohesion on issues related to targeted sanctions and their timing. It was only in January 2018 that IGAD stepped up the pressure, agreeing during a meeting of its council of ministers in Addis Ababa to request the UN Security Council to consider the imposition of sanctions on actors undermining the peace process (Sudan Tribune 2018). In February 2018, the EU imposed sanctions against three individuals, bringing the total number of persons under restrictive measures up to nine (Council of the European Union 2018a). When the fighting in South Sudan continued the EU further increased the diplomatic pressure on the conflict parties. Its Council Conclusions on South Sudan of 16 April 2018 called on the parties to immediately end any violations to the ARCSS agreement, including the obstruction of humanitarian operations, warning that “the EU remains ready to apply all appropriate measures to those obstructing the political process” (Council of the European Union 2018b, p. 5).

Still, lending EU leverage to IGAD in the form of targeted sanctions often proved difficult, not least as individual IGAD member states were themselves implicated in dealings that obstructed the peace process, refusing to make effective use of their leverage vis-à-vis the South Sudanese conflict parties (interviews 1, 5). The EU undertook some efforts to steer IGAD member states towards a more constructive approach. Among other things, the EU sought to encourage countries in the region behind closed doors to increase their efforts to prevent money laundering activities of South Sudanese elites that have used banks in those countries for their illicit activities (interviews 1, 3, 5). Whilst IGAD officials considered EU leverage (interviews 13, 14), including targeted sanctions, as important tools to advance the peace process, it was also noted that targeted sanctions were not always well-timed and occasionally even occurred out of sync with the progress made in the mediation process (interview 14). External experts as well as EU officials, in turn, lamented the under-realised potential of targeted EU measures, which has also been attributed to an approach that overly relies on support for IGAD whilst lacking strategic direction on its own (interviews 3, 6). In sum, the evidence suggests that the effectiveness of the EU’s efforts to lend leverage to IGAD, particularly in the form of targeted sanctions, was limited. Although the EU’s targeted sanctions added a certain political weight to the mediation initiatives of IGAD, they did not significantly advance the mediation team’s ability to motivate the parties to move beyond their reservation points. Rather, it appears that the compromise struck between Sudan and Uganda was the main factor that facilitated the negotiation of the R-ARCSS in 2018.

#### ***4.3. EU mediation support effectiveness in South Sudan and its conditions***

In sum, our findings related to the different mediation support techniques suggest that the EU can make substantive contributions to conflict mediation even in situations where it does not act as a lead mediator. Yet, when examining mediation support in terms of its



dual objectives of empowering a mediator and steering it in line with EU-mediation objectives, it gets apparent that the EU's main success was in empowering IGAD. The EU displayed considerable coherence in supporting IGAD as the principal mediator, which it considered as a legitimate actor to provide "African solutions to African problems". Through the mediation support techniques of endorsement and coordination, the EU made a significant contribution in gaining broad international and regional support for an IGAD-led mediation process even in a densely populated conflict space. What was even more important for IGAD's prominent mediation role was the EU's substantive assistance for building up IGAD's mediation capacity. Through its assistance, the EU made a significant contribution to further developing IGAD's intuitional and operational mediation capacity. Simultaneously, IGAD proved relatively open to EU support, not least as its mediation team lacked important resources of its own. The EU's financial and technical assistance was considered crucial for IGAD to launch mediation initiatives at critical points in the peace process and sustain its high-profile mediation role. Without the EU's assistance IGAD would have lacked the capacity and resources to assert itself as the principal mediator. Simultaneously, the EU's leverage has helped to put certain weight behind IGAD's mediation efforts, though it has been acknowledged that it has not exploited the full potential of measures like targeted sanctions.

Still, whilst the EU has been identified as an important partner for empowering IGAD, its ability to influence the IGAD-led mediation in terms of steering has been more circumscribed. Though the EU has been able to insert certain priorities into the peace project, e.g. by facilitating a more inclusive peace process through the establishment of the High-Level Revitalization Forum, overall its ability for steering has been limited. This has been identified as a challenge by EU officials and external actors, particularly in situations where the behaviour of IGAD member states was viewed as non-constructive for the peace process. Here, our findings show that developing clear strategic EU objectives in the peace process – which go beyond the ambition to empower a third party mediator – is central to provide effective steering. Conversely, an approach that uncritically focuses on empowerment was insufficient to overcome problems relating to IGAD's internal politics and to direct the parties to the conflict, and other external parties that have a stake in the conflict in South Sudan, towards a more constructive engagement.

Furthermore, the EU's effectiveness in terms of steering was frequently constrained by the composite nature of IGAD that involves member states with diverging interests in the South Sudan conflict. Against this backdrop, observers have called for a more energetic international diplomacy, including by the EU, to safeguard the peace process (Crisis Group 2019, p. 5). Finally, the strong presence of other international actors in the mediation process has also constrained the EU's ability to give strategic direction to the mediation process. Although African officials acknowledge the EU's positive contribution to the mediation process, they also point to the important roles played by the US, UK and Norway as members of the Troika, given their long-standing ties to the country and its government officials that is also due to their strong support to the South Sudanese independence cause since the 2000s (interviews 9, 11, 13, 14, Vertin 2019). The complexity of multiple actors providing mediation support to IGAD places high demands on international coordination, including with major international powers like the US and China.



## 5. Conclusion

The dynamic IGAD-led mediation process in South Sudan over the past six years already provides valuable first insights into EU mediation support and its potential and limitations. Notably, our case study shows that the EU has a strong capacity for enabling other mediators through its mediation support tools. The EU's endorsement and continued diplomatic support for IGAD contributed to its recognition as lead mediator in a densely populated conflict space, even at times when its role was disputed by powerful external actors like the US. The EU's support also proved to be a real asset in terms of enhancing international and regional coordination.

Whilst South Sudan constitutes a case of mediation support where the EU has been considerably successful in empowering a third party mediator, its ability to steer IGAD member states towards a more constructive approach has been more limited. Here, our analysis highlights a more general dilemma of an approach to EU mediation support that centres on "African solution to African problems". The decision to support IGAD as the legitimate mediator in the conflict tied it to the complex power politics of the region. As one interviewee put it, "you need to be aware that if you ask IGAD to mediate, you ask the region to mediate (...) you are holding to the politics of the region to solve the conflict" (interview 6). Moreover, centring the EU's mediation support strategy on backing IGAD reduced the level of ambition of EU institutions and its member states to develop a consistent strategy and commonly agreed objectives tied to specific mediation initiatives. This has made it difficult – even for highly engaged actors like the EU's special representative – to use the EU's mediation support toolkit to provide strategic direction to the peace process and facilitate more constructive engagement when needed.

Accordingly, an important lesson from the case of South Sudan is that providing EU mediation support to other actors does not compensate for the need to develop an own political strategy, both towards the mediation led by a third party and the conflict as such. Particularly when dealing with complex mediators such as IGAD, it appears central that the EU has a clear understanding of how it wants to support a third party mediator and under which conditions it finds it necessary to exercise influence in the mediation process. Besides clear strategic objectives, effective steering – that serves the EU's and the third party mediator's common interest to resolve the conflict – requires a careful and sophisticated diplomacy as it can easily expose a third party mediator to criticism of serving external interests or be interpreted by the mediator as patronising or dominant behaviour. In particular, EU steering must be careful not to undermine the potential, autonomy and local ownership of a third party mediator like IGAD, who has a profound understanding of the region, local culture, peace-making practices and history as well as valuable expertise and contacts. Yet, composite political actors like IGAD also have political interests in a conflict setting, which need to be addressed by the EU where necessary to steer conflict mediation in a constructive direction.

Providing insights from an illustrative case study on EU mediation support in South Sudan, our analysis suggests that mediation support is an important EU foreign policy tool. In so doing, it also suggests the need for further research to provide a comprehensive assessment of the EU's contribution to peace processes worldwide. To put the theoretical framework to a robust test and arrive at more generalisable conclusions, future

research could engage in a comparative analysis of EU mediation support effectiveness, possibly also through a quantitative analysis of a larger set of cases. Our research is also of relevance for the way we assess and code conflict mediation, as major datasets on international mediation and conflict management (e.g. ICM, UCDP) do not distinguish between third parties' direct mediation efforts and mediation support roles. Finally, further theorising of the conditions of effectiveness of EU mediation support is warranted, to allow for a broader, more systematic testing of key propositions developed in this article.

## Note

1. Respecting the ability of an intermediary to function as an impartial mediator can be crucial for the success of the mediation process, particular in non-coercive forms of conflict mediation (Smith 1994).

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## Appendix. List of interviewees and their institutional affiliation.

Interview No.	Affiliation code	Place and date
1	European External Action Service officials (2×)	March 2018
2	European Commission official	March 2018
3	US-based think tank experts (2×)	Via Skype, May 2018
4	East Africa-based think tank expert/scholar	Via Skype, May 2018
5	European External Action Service official	Jan 2019
6	European Institute of Peace representative	February 2019
7	European External Action Service official	March 2019
8	European External Action Service official	March 2019
9	UN official	March 2019
10	East Africa-based think tank expert	March 2019
11	IGAD official	Via Skype, September 2019
12	IGAD official	Via Skype, October 2019
13	IGAD official	Via Skype, October 2019
14	IGAD official	Via Skype, October 2019