

Authors

James Kunhiak Muorwel / Jan Pospisil

Now or never? Political Conditions for Credible Elections in South Sudan

February 2026



**Friedrich
Ebert** 
Stiftung



Imprint

Publisher

Friedrich-Ebert-Stiftung
Juba Office:
Plot No. 5, Block No. III, Hai Malakal,
Juba, South Sudan
+211 92 83 66 612

Authors:

James Kunhiak Muorwel

Jan Pospisil

Edited by: Ulrich Thum

Layout by: Michael Lusaba

First published February 2026 by Friedrich-Ebert-Stiftung

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This policy brief is funded by the European Union and the PeaceRep Programme, supported by UK Aid. The views expressed are solely those of the authors and do not necessarily reflect the views of the European Union, the Friedrich-Ebert-Stiftung e.V. (FES), Democracy Reporting International (DRI), or the UK Foreign, Commonwealth & Development Office (FCDO).

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**Funded by
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James Kunhiak Muorwel / Jan Pospisil

**Now or never?
Political Conditions
for Credible Elections
in South Sudan**

Foreword

South Sudan stands at a critical juncture in its political transition. The general elections scheduled for December 2026, the first since independence, are widely viewed as essential to restoring political legitimacy and concluding the prolonged transitional period under the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS).

Recent decisions to delink the elections from the constitution making process and the required census have signalled a renewed sense of political momentum. Nevertheless, unresolved legal questions, elite fragmentation, and persistent constraints on civic and political space continue to cast uncertainty over whether the forthcoming elections will contribute to stabilising the country or risk exacerbating existing tensions.

This paper is informed by ongoing dialogue, practical observation and opinion polling. It draws on discussions within the Election Reflection Group, convened by the Friedrich-Ebert-Stiftung (FES) since 2023, which brings together political actors, civil society representatives, electoral institutions, and regional stakeholders. It also incorporates findings from a civil society based election preparedness monitoring tool, developed with the support of FES and implemented by Democracy Reporting International (DRI) and the Community Empowerment for Progress Organization (CEPO) across all ten states in 2025. In addition, it draws insights from a nationwide survey examining public opinion on peace and security, national elections, civic and political space, and trust in political institutions.

Rather than advocating for or against the holding of elections, the paper explores the conditions under which elections scheduled for December 2026 could meaningfully contribute to stability, inclusion, and South Sudan's broader political transition.

Ulrich Thum

Country Director, FES South Sudan Office

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Executive Summary

South Sudan is approaching a decisive political juncture as it prepares for national elections scheduled for December 2026, the first since independence.



Elections are widely regarded as **necessary to restore political legitimacy and provide an endpoint to the prolonged transitional period** established under the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS).

However, the political, security, and institutional conditions under which these elections are being advanced remain deeply fragile.

Recent political decisions have altered the trajectory of the transition. The delinking of elections from constitution-making and census requirements has removed long-standing procedural obstacles and signalled a renewed commitment to move the electoral process forward.

But these steps have been taken in a context of elite fragmentation, selective inclusion in decision-making, and unresolved legal ambiguities – particularly regarding seat allocation and electoral sequencing.

Findings from a civil society-based election preparedness monitoring tool implemented across all ten states between August and November 2025 point to modest and uneven improvements in National Elections Commission (NEC) institutional capacity, persistent restrictions on political participation and civic engagement, and continuing fragility in security conditions, especially in known hotspots. Administrative progress remains weakly connected to voter-facing processes such as voter registration and constituency communication.

Public opinion data indicate strong demand for elections despite widespread awareness of election-related risks, highlighting a disconnect between popular expectations and institutional readiness.

Elite contestation – exacerbated by the arrest and trial of senior opposition figures – has weakened the collective ownership of the electoral process envisaged under the R-ARCSS.

Further postponement of elections risks deepening the legitimacy deficit. Proceeding without addressing key political and operational gaps, however, carries significant destabilising potential. Elections in December 2026 remain a possibility, but only if minimum political consensus is restored, legal ambiguities are resolved through targeted amendments, NEC capacity is strengthened across states, and civic and political space is protected as a functional condition of electoral credibility.

Introduction

Debates on elections in South Sudan are often framed around the question of election readiness and the risks of prematurely holding polls in a fragile political environment. Yet, elections remain the formally agreed endpoint of South Sudan's political transition, as envisaged under the 2018 Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). Within this framework, elections are not an isolated event. They are positioned as the culmination of a broader convergence process that links security arrangements, institutional reforms, political opening, and public participation.

Debates on elections in South Sudan are often framed around the question of election readiness and the risks of prematurely holding polls in a fragile political environment.



Stakeholder election dialogues conducted by the Friedrich-Ebert-Stiftung (FES) and data from a civil society-based election preparedness monitoring tool (PMT) implemented across all ten states suggest that modest progress has been achieved in administrative preparedness. Persistent constraints on political participation and civic activity, and continued fragility in electoral security still continue to exist, with significant variation across regions. Together, these patterns highlight both the unevenness of preparations and the risks of proceeding without addressing underlying political and security gaps.

Combining quantitative indicators with qualitative observations from civil society monitors, the report assesses these challenges in detail. It aims to contribute evidence to ongoing discussions on how elections can be approached in a manner that minimises risk while broadening political inclusion. Rather than arguing for or against elections per se, the report examines the conditions under which elections might meaningfully support, rather than undermine, South Sudan's transition.

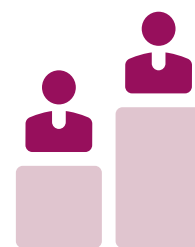
Current Electoral Landscape

The current electoral landscape in South Sudan is characterised by uncertainty and anxiety. Elections are widely regarded as a high-risk undertaking in fragile post-conflict environments, particularly where political competition remains closely associated with violence. The 2022 elections in Kenya, for instance, were the first in the country's history where deaths directly related to electoral violence could be avoided. In South Sudan, electoral processes have historically been viewed by political elites as zero-sum contests rather than as peaceful mechanisms for political change. This perception is reinforced by weak institutions and the militarised backgrounds of many political actors (Brosché and Höglund 2016; Kindersley 2025). As a result, debates on elections have long focused on whether conditions are sufficiently stable to allow for a credible vote.

The R-ARCSS framework envisages elections as the culmination of a broader convergence process linking security arrangements, institutional reforms, and political opening. Chapter I, Section 20(4) of the agreement stipulates that:

“Sixty (60) days prior to the end of the Transitional Period, the National Elections Commission (NEC) shall organize elections in accordance with the provisions of the Permanent Constitution adopted pursuant to this Agreement, and shall ensure that the outcome is broadly reflective of the will of the electorate.”

In South Sudan, electoral processes have historically been viewed by political elites as **zero-sum contests** rather than as peaceful mechanisms for political change.



Recent political decisions have altered the way this convergence process is understood and implemented. Amendments to key provisions of R-ARCSS delink tasks such as the completion of a permanent constitution or a population census from the electoral process (Radio Tamazuj 2025a). These decisions were taken at the level of the presidency. They were supported by several signatories to the agreement, notably SPLM-IG and allied actors and most stakeholder signatories. However, the SPLM-IO representatives aligned with the detained First Vice President were excluded from the process. Civil society actors also reported surprise at both the substance of the decisions and the manner in which they were reached (ibid.).

A subsequent presidency meeting on 12 December 2025 reaffirmed the intention not to extend the electoral timeline, again without the participation of Machar’s loyalists (Radio Tamazuj 2025b). The doubtful representation of SPLM-IO raises issues whether this amendment process is politically and legally legitimate.

These developments have created a paradoxical situation.

On the one hand, formal obstacles to elections are being deliberately separated from the electoral process. On the other hand, the institutions tasked with delivering elections remain demonstrably unprepared. The NEC has yet to receive an adequate operational budget and has made limited progress on core preparatory tasks, including the establishment of electoral bodies at subnational level, recruitment of returning officers, and the construction or refurbishment of state-level NEC offices.

Public attitudes further underscore this tension. After more than one and a half decades without national elections, many South Sudanese express a desire to see elections take place, despite widespread concern about security risks. Survey data indicate that 29 per cent of respondents believe the likelihood of election-related violence is “very high”, and a further 34 per cent assess it as “somewhat high” (Pospisil et al. 2025). Nonetheless, roughly 80 per cent of respondents agree or strongly agree that the country is ready for elections. Half of the respondents believe that elections should proceed as planned in December 2026 or even

earlier (ibid.). These views vary significantly by location, with respondents in areas leaning towards the opposition markedly more pessimistic than those in relatively stable regions.

From a comparative perspective, elections are widely recognised as potentially constructive instruments in transitional contexts, including post-authoritarian settings, deep political crises, and peace processes emerging from violent conflict (Alihodžić and Matatu 2019). In South Sudan, all the three conditions apply. The challenge, therefore, is not whether elections are formally mandated, but whether the political, institutional, and security conditions under which they are currently being advanced can credibly support a stabilising outcome.



Survey data indicate that **29%** of respondents believe the likelihood of election-related violence is “very high”, and a further **34%** assess it as “somewhat high”

State of Legal and Institutional Frameworks

South Sudan's electoral process is formally governed by three interlocking frameworks:

- ④ the Transitional Constitution of the Republic of South Sudan 2011 (amended 2013),
- ④ the National Elections Act (NEA) 2012 (amended 2023), and
- ④ the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) 2018 and its subsequent Roadmap (2022).

These instruments provide a nominal legal basis for conducting elections. In practice, however, their authority is selectively applied and partly contested.

The Transitional Constitution remains the supreme law of the land and continues to govern electoral procedures in the absence of a permanent constitution. Although multiple constitution-making initiatives have been launched since independence – including the National Constitutional Review Commission (2012) and later the Constitution Making Process Act (2022) – none has resulted in an adopted permanent constitution. While the R-ARCSS formally takes precedence over the constitution during the transitional period due to the provisions in Chapter 8, this hierarchy has never been fully operationalised in practice. As a result, the overall constitutional framework underpinning elections remains provisional and politically unsettled.

The NEA, amended in 2023, sets out the procedural rules for electoral administration but contains significant ambiguities. Key provisions – particularly regarding the allocation of parliamentary seats and the president's authority to appoint legislators – are ambiguous and sometimes contradictory (Akech and Deng 2023). While legal scholars have proposed technically sound solutions to these issues, their implementation would require time and political consensus, both of which are currently absent. In the present context, these ambiguities are less a matter of legal drafting than of disputed political authority.

The R-ARCSS was intended to function as the overarching framework for managing political disagreements during the transition, including challenges related to elections. However, its selective implementation—most recently reflected in revisions allowing elections to proceed without a new constitution or census—has weakened its credibility as an agreed conflict-resolution mechanism.

These developments point to a critical shift.

South Sudan's electoral process is no longer constrained primarily by the absence of legal frameworks. Instead, it is shaped by competing interpretations of legal authority and contested political legitimacy. In this context, legal provisions alone are unlikely to stabilise the electoral process unless accompanied by broader political consensus and credible institutional implementation.

Key Challenges and Risks

The conduct of elections in South Sudan as currently planned faces substantial constraints.

The NEC remains under-resourced and institutionally weak, while political contestation and insecurity continue to shape the operating environment.

Regional and international partners express growing frustration with the slow and selective implementation of the R-ARCSS. These constraints coexist with strong public expectations that elections should take place.

The challenges outlined in this section are drawn from a combination of existing political analysis and findings from a civil society-based election monitoring tool implemented across all ten states. The monitoring data provide state-level evidence on election readiness, political participation, civic space, and security conditions as observed by trained civil society monitors. Rather than offering an exhaustive inventory of risks, the section identifies the principal constraints that currently shape the feasibility and credibility of elections in practice.

Election readiness and institutional capacity

Electoral readiness in South Sudan remains constrained by institutional capacity. The legal mandating, however, has progressed. The NEC has been successfully established and is largely functional. Its core responsibilities are defined, and recent political decisions have removed several procedural preconditions previously linked to elections. What now limits progress is uneven

administrative preparedness across states and weak operational capacity at subnational level.

Findings from the civil society monitoring tool confirm this pattern. Across the ten states, monitors report incremental improvements in NEC institutional readiness between August and November 2025, particularly in staffing and limited training activities. These changes remain partial and geographically uneven.

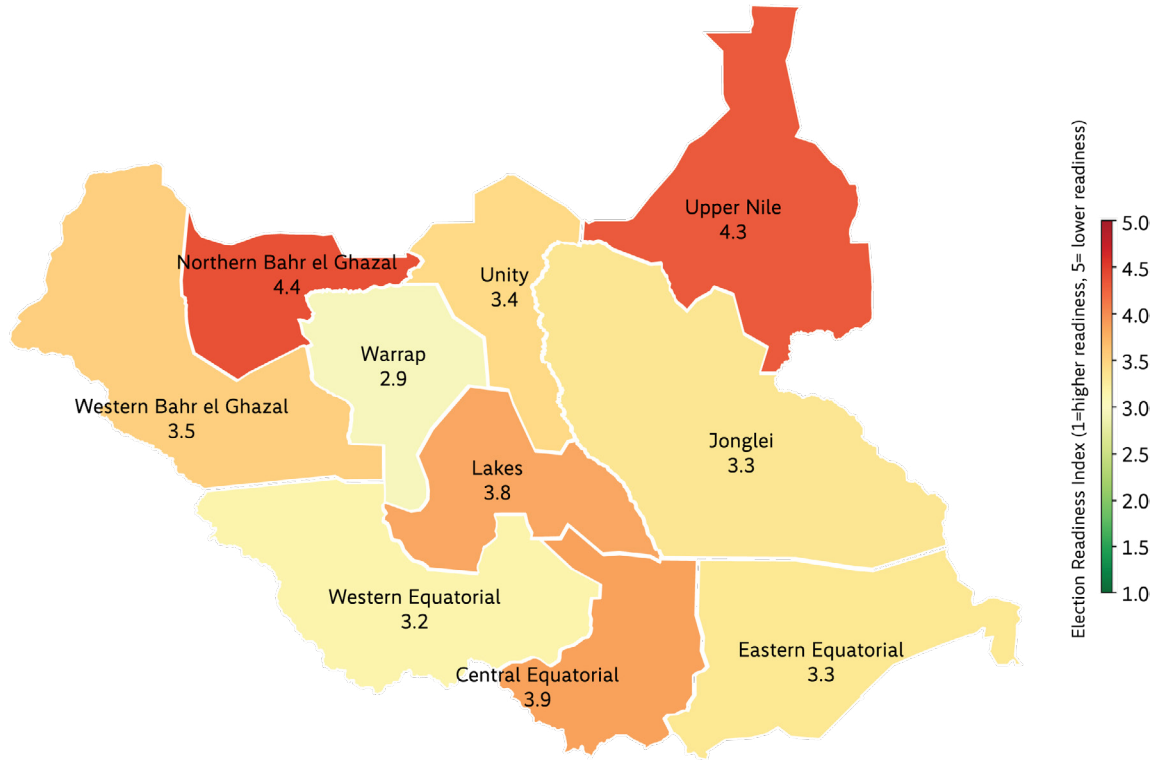
Central and peripheral states display widening gaps in preparedness, with modest progress concentrated in Northern Bahr el Ghazal, Warrap, and parts of Central Equatoria. After initial progress, most other states show stagnation. No state has reached a preparedness level that could be described as sufficient for the conduct of nationwide elections. Administrative developments also remain disconnected from voter-facing operations: constituency demarcation, voter registration planning, and civic information activities show little or no progress.

In several states, NEC structures are reported as present in name but lacking personnel and equipment. Monitors describe offices no or insufficient staff, staff without instructions, and training activities without follow-up actions. In some locations, NEC engagement is perceived as episodic and reactive rather than systematic planning.

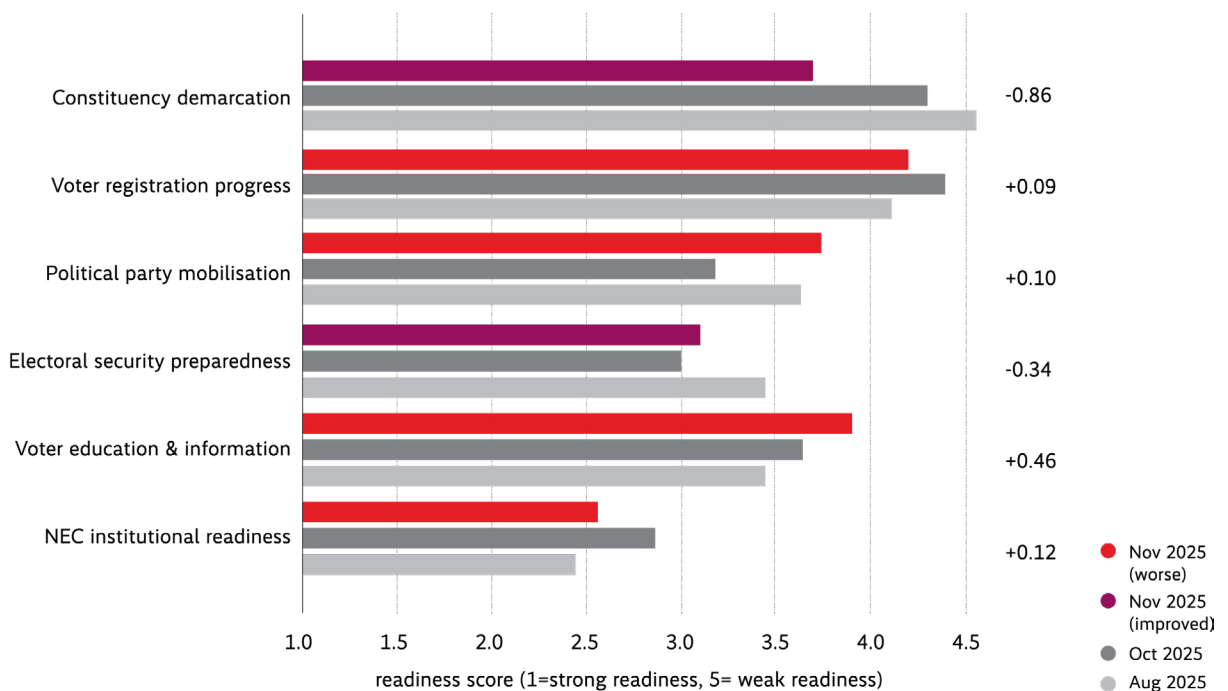
Where progress is noted, it is often linked to external support, including United Nations Mission in the Republic of South Sudan' (UNMISS) quick impact projects (QIPs) aimed at improving existing NEC's physical infrastructure. Budgetary disbursements from the national level are largely insufficient.

These challenges reinforce perceptions of NEC's institutional fragility and limits its authority in the eyes of local officials and communities.

ELECTION READINESS INDEX BY STATE (AVERAGE OF AUGUST, OCTOBER, NOVEMBER 2025)
 Index based on NEC, parties, voter education, voter registration, constituency demarcation and electoral security



KEY DIMENSIONS OF ELECTION READINESS (AVERAGE ACROSS STATES, AUG-NOV 2025)
 Calculated with Equal Weights



Resource constraints indeed remain a defining factor. NEC has not received sufficient or predictable funding to operationalise its mandate across states. Additionally, reported delays in staff recruitment, absence of operational plans, and uncertainties about election timelines compound NEC's headaches. These gaps translate directly into readiness deficits, particularly in rural and conflict-affected areas. Institutional capacity is therefore not only a question of legal competence, but of material availability.

These findings underline that while the legal pathway to elections is progressing, institutional capacity remains inadequate to support credible implementation. This gap risks transforming elections from a technical process into a source of political contestation, particularly where administrative weakness intersects with the exclusion of opposition parties when discussing elections-related issues and insecurity. Addressing challenges pertaining to electoral readiness therefore requires more than just unilateral declarations about important milestones related to elections. It requires visible, state-wide investment in NEC capacity and political consensus to restore or even establish its institutional credibility at both national and subnational levels.

Legal ambiguity and electoral sequencing

Legal ambiguity in South Sudan's electoral process no longer derives primarily from the absence of rules, but from their residual ambiguities and selective adjustment under political and time pressure. However, recent decisions have reduced procedural uncertainty in some areas in the electoral laws while creating new requirements elsewhere, particularly with regard to political constituencies and seats allocation.

The decision by the NEC from 21 December 2025 to apply the 102 political constituencies used in the 2010 Sudan elections for the upcoming transitional elections represents a form of risk mitigation. It removes the need for a large-scale boundary demarcation exercise in a context marked by insecurity, administrative fragmentation, and

unresolved land disputes. It also aligns with existing legal requirements. The NEA stipulates that any change to constituency boundaries must be completed at least twelve months before the set election date to be applicable. Using the 2010 constituencies therefore provides a legally defensible solution under current time constraints and political stalemates and reduces exposure to boundary-related conflicts.

However, this step has shifted the centre of gravity of electoral risk. Legal enablement has not translated into political consolidation. The NEC decision has reopened substantial questions around the NEA. The number of total seats is unclear, with the directly elected seats in the political constituencies supposed to be half of the total number of seats, which is still set at 332. It is also unclear how the foreseen 5% of the seats to be named directly by the President should be taken into the calculation, and how many seats this should be in absolute numbers should the 5% produce a fractional value. These technical questions are not marginal. They shape representation and hence influence party incentives. They are also critical for the public acceptance of electoral outcomes.

Without authoritative resolution, **legal ambiguity** risks becoming a source of **political contestation** rather than a neutral framework for competition.



The necessary recalibration is not automatic. It requires either amendment or authoritative clarification of the NEA to ensure internal consistency of the constituency numbers with the party list element. Without this adjustment, the use of legacy constituencies risks creating legal incoherence at the level of parliamentary representation.

Monitoring data suggest that these legal questions remain abstract at subnational level. Civil society monitors report limited awareness among state-level officials and NEC staff of how constituency decisions translate into voter registration planning, candidate nomination, or parliamentary seat allocation. In several states, monitors note uncertainty about which boundaries apply and how representation will be calculated. This gap between national-level legal decisions and local-level understanding increases the risk of contestation during later stages of the process.

Another question is whether all elections currently planned for December 2026 – presidential, state governor (or chief administrator), parliamentary (national and state level), and county commissioners – can be usefully held at the same time, especially with no census in place. Recent political decisions have decoupled elections from prior completion of the permanent constitution and a population census. While this removes formal blockers, it places greater weight on secondary legal instruments and administrative discretion. In this context, unresolved questions around seat allocation between the first-past-the-post and party list procedures and presidential prerogative seats gain political salience. Should sequencing apply, which could pragmatically support voter registration that could be done in the course of executive elections, the constitutional relation between elected and not-yet-elected bodies has to be clarified.

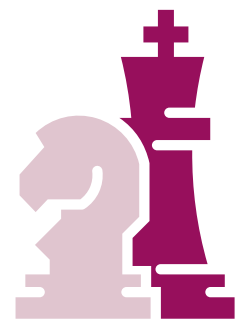
The core issue is therefore not legality in the narrow sense, but legitimacy through predictability and transparency. Elections conducted based on inherited constituencies can be legally valid, yet politically fragile if accompanying adjustments to the electoral framework are delayed or opaque. Addressing this requires timely clarification of seat distribution rules, especially in the NLA,

the alignment of the NEA with the adopted constituency framework, and communication of these decisions beyond Juba. Without these steps, sequencing decisions intended to reduce risk may shift uncertainty from boundaries to representation.

Political legitimacy and elite contestation

Electoral preparations in South Sudan are also shaped by unresolved contestation among political elites. Since the signing of the R-ARCSS, executive authority has rested on a narrow coalition whose internal coherence has weakened over time. The arrest and trial of senior opposition figures in 2025 intensified this fragmentation and altered the balance of political participation within the transitional framework.

Elite competition increasingly centres on who is allowed to participate in political processes and who is excluded or even confronted with legal charges.



While selected factions within SPLM-IO and other signatory groupings retain access to executive processes, others have been excluded from decision-making. This pattern undermines the collective ownership of the electoral process that the R-ARCSS sought to establish. It also weakens the agreement's function as a forum for resolving election-related disputes, particularly where revisions have been adopted without broad consent.

Civil society monitors consistently report that elite fragmentation translates into uncertainty at state level. Political actors delay engagement with electoral preparations in anticipation of further realignments, while local administrators receive mixed signals regarding authority and timelines. This dynamic shapes the wider political environment in which elections would take place. Where elite competition remains unresolved, electoral participation becomes a risk rather than a resource.

Political inclusion and representation

Political inclusion has become a central fault line in South Sudan's electoral process. While formal participation rights remain intact in law, political practice increasingly reflects only selective recognition.

These dynamics shape both the credibility of the electoral process and the willingness of political actors to engage in it.

Civil society monitoring data point to a contraction of effective political inclusion across most states. Monitors report limited party activity outside the dominant SPLM, with opposition party offices absent or inactive in the majority of states. Where political engagement occurs, it takes place through informal meetings rather than public rallies or sustained outreach. This pattern reflects both administrative restriction and political risk aversion. The monitoring tool records low scores for party presence, civic engagement, and public political expression, with little variation between August and November 2025.

Contested legitimacy within opposition politics further undermines inclusion. The arrest and trial of First Vice President and SPLM-IO chairperson Riek Machar and other senior SPLM-IO figures have fragmented the opposition landscape and weakened internal decision-making authority. Monitoring reports describe uncertainty over representation, mandate, and leadership within SPLM-IO structures at state level. In several states, the emergence of parallel or cooperative opposition figures aligned with the incumbent government, while long-standing opposition networks have lost access to venues, resources, or communication channels. This fragmentation reduces the capacity of opposition actors to meaningfully participate in election preparations and campaigning.

Political inclusion is also shaped by uneven access to decision-making forums. Consultations at national level have increasingly excluded R-ARCSS signatories perceived as uncooperative or politically inconvenient.

State-level monitors report that these exclusions resonate locally, reinforcing perceptions that participation in the electoral process depends on political alignment rather than legal entitlement.



This perception affects not only other political parties but also civil society groups, women's organisations, and youth networks, many of which report declining space for engagement on election-related issues.

The monitoring tool records limited progress on inclusive participation targets. Representation of women and youth remains largely unchanged across reporting periods, and affirmative action commitments have not translated into visible preparatory measures at state level. Participation is often tokenistic rather than institutionalised, with few mechanisms for sustained involvement in electoral planning or oversight. This gap between formal commitments and operational practice contributes to scepticism about the inclusiveness of the forthcoming elections.

As elections proceed without prior resolution of constitutional reform or census processes, political competition intensifies around control of existing institutions rather than electoral campaigns. Political actors increasingly prioritise positional security over having elections. This dynamic limits incentives to expand political space and reinforces patterns of selective inclusion.

The result is an electoral environment in which participation is formally open but substantively constrained in practice.



Political exclusion does not operate through outright prohibition, but through fragmentation and often unevenly applied restrictions.

Without measures to restore political inclusion as a shared process rather than a discretionary privilege, elections risk becoming an administrative exercise detached from meaningful competition.

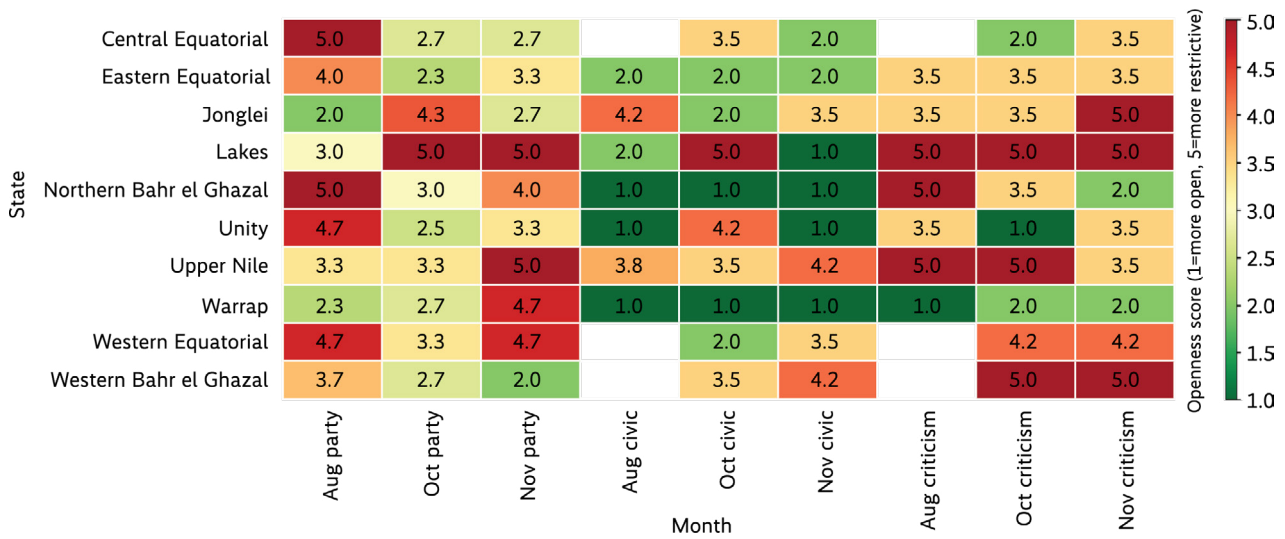
Civic space and public engagement

Civic space constitutes a necessary condition for credible elections. It is as a functional requirement for political competition and mobilisation. The civil society monitoring tool provides a state-level view of how civic and political engagement is currently practised rather than formally guaranteed. Across reporting periods, the findings point to stagnation rather than contraction or expansion, with variation between states but no evidence of systematic improvement as elections approach.

Monitors consistently report low levels of visible party activity, limited public-facing civic education, and constrained opportunities for open political discussion. Political engagement largely takes place through informal channels rather than through rallies or other structured outreach. This pattern holds across most states, including those with relatively stable security conditions, suggesting that limited civic engagement reflects political incentives and administrative practice rather than insecurity alone.

The monitoring data indicates that the ability to criticise government actions remains cautious and uneven, with monitors often distinguishing between private expression and public speech. While overt repression is not uniformly reported, self-censorship is widespread because of the possible repercussions from the state security apparatus. Civil society actors describe a political environment in which criticism is possible but selectively tolerated when it mostly suits the current government, producing restraint rather than mobilisation. This finding aligns with qualitative notes describing uncertainty over permissible speech and concern about politicised enforcement.

POLITICAL AND CIVIC OPENNESS BY STATE (AUG VS OCT VS NOV 2025)
Party activity, civic education, Government criticism



Participation by women and youth shows no measurable increase across monitoring rounds. While isolated training activities were reported in Eastern Equatoria and Lakes, these did not translate into sustained engagement or organisational presence. Monitors note that women’s participation remains largely symbolic, with little influence on decision-making or candidate selection. Youth engagement is similarly fragmented, often in support of the older politicians and channelled through ad hoc mobilisation rather than institutional platforms.

The monitoring tool also documents the absence or weakness of opposition party structures in most states. In seven states, monitors report no functioning opposition offices or only nominal representation. Where party activity exists, it is frequently limited to the ruling party or to splinter groups aligned with incumbent power. This constrains electoral competition well before formal campaigning begins and reinforces elite dominance over the political arena.

What is evolving is a situation of decoupling between public demand for elections and opportunities for engagement. Monitors frequently describe popular interest in elections but limited access to information on procedures, timelines, or rights. NEC outreach remains minimal outside state capitals, and civil society organisations report insufficient resources to compensate for this gap. As a result, political engagement is reduced to expectation rather than participation.

Electoral security and safety conditions

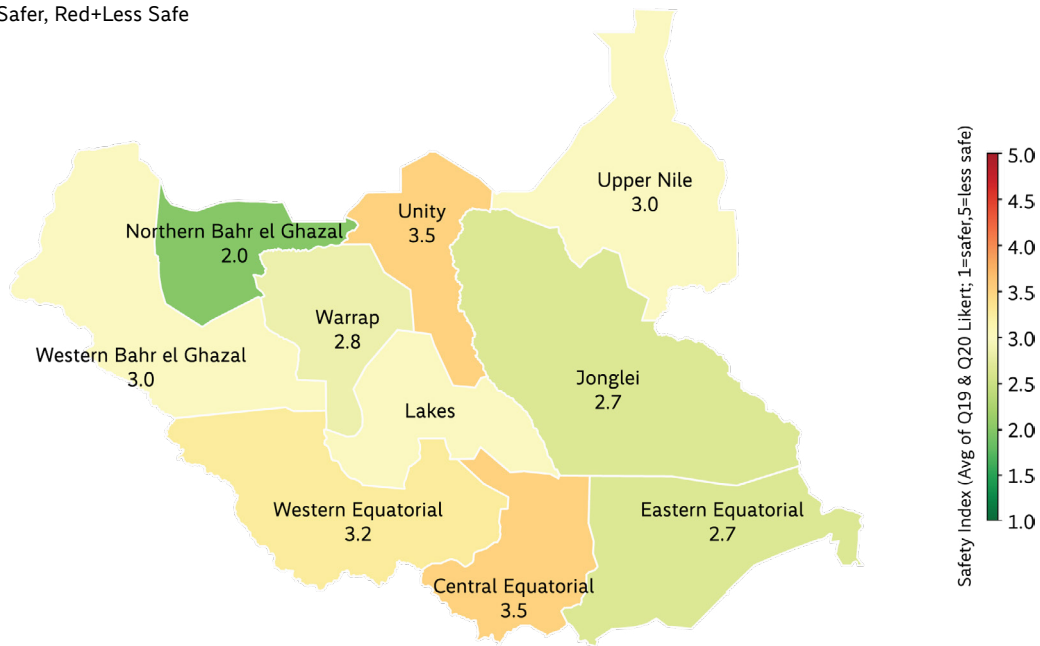
Electoral safety and security remain among the most immediate constraints on the conduct of elections in South Sudan.

The civil society monitoring tool confirms that insecurity is not uniform across the country but is concentrated in specific states and localities, with implications for both electoral operations and participation. The findings reinforce earlier survey evidence (Pospisil et al. 2025) while adding a geographically granular perspective on how safety is perceived and experienced at subnational level.

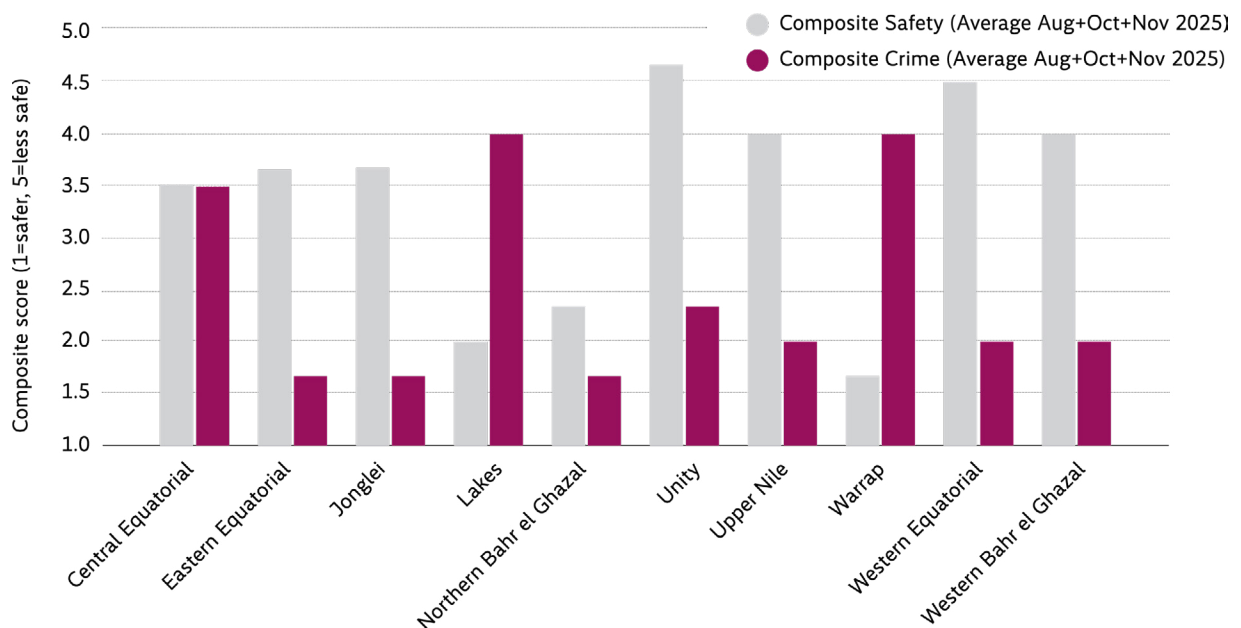
crime and everyday insecurity on the other. These dimensions do not always align. In several states, relatively stable crime patterns exist alongside persistent political or inter-communal tensions. In others, crime levels remain high despite the absence of overt political violence. This divergence underscores the limits of treating security as a single indicator of electoral risk.

Monitoring data distinguish clearly between armed violence and political incidents on the one hand, and

AVERAGE SAFETY INDEX BY STATE(SAFETY + CRIME, AUG-NOV 2025)
Green = Safer, Red+Less Safe



COMPOSITE SAFETY AND CRIME BY STATE (AVERAGE AUG-NOV 2025)



For example, Upper Nile and Jonglei states consistently emerge as the most fragile environments. Highly localised patterns of violence persist, particularly around known hotspots such as Nasir and Uror counties, while other parts of the same states experience relative calm. This intra-state variation limits the usefulness of state-level averages for operational planning, as pockets of insecurity can disrupt electoral activities even where broader conditions look stable.

Western Equatoria and Unity states show a different pattern. Here, insecurity sustains without significant escalation, driven by unresolved inter-communal tensions, land disputes, and criminal activity. These dynamics do not fluctuate markedly across reporting rounds, suggesting entrenched risk. The absence of deterioration should not be read as improvement. It reflects a stable but constrained security environment.

Despite these known risk patterns, the monitoring tool records no evidence of new election-specific security deployments during the reporting period. Police presence increased modestly in Lakes and Central Equatoria states, but these changes seem unrelated to electoral planning. Monitors consistently note uncertainty among local authorities regarding security responsibilities during elections, reinforcing concerns about preparedness rather than intent.

Fear of politicised security responses emerges as a recurring theme in qualitative reporting. Monitors describe apprehension that **security forces may intervene selectively**, particularly in areas associated with **opposition mobilisation or contested authority**.



This perception shapes behaviour even in the absence of direct repression, discouraging open political activity and reinforcing reliance on informal engagement.

The findings indicate that electoral security challenges in South Sudan are neither new nor unknown. Risk patterns are well established, geographically concentrated, and widely recognised by local actors. What remains absent is systematic mitigation. Insecurity appears less as an external shock than as a structural condition shaping electoral feasibility. Without targeted security planning that accounts for localised dynamics, elections risk becoming operationally uneven and politically contested even before voting begins.

Conclusion

Recent political decisions, mainly taken at the level of the Presidency, have altered the parameters of South Sudan's electoral process in significant ways and providing an indication that the current government and their allies are willing to enter elections even when it is not inclusive enough. The delinking of elections from constitution-making and census requirements has removed formal procedural barriers that had long been cited as reasons for delay. The decision to rely on existing constituencies and to proceed within the current transitional framework signals an intention to move elections forward rather than defer them indefinitely.

The civil society monitoring findings underscore that uneven preparedness now constitutes the primary operational constraint. Incremental improvements in NEC capacity – sometimes supported by partners such as UNMISS – are visible in some states, but they remain partial and geographically concentrated. Administrative readiness is not matched by progress in voter-facing processes. This imbalance weakens institutional credibility and limits public confidence in the electoral process as a meaningful mechanism of political transition.

Electoral preparations are advancing in an environment characterised by elite fragmentation, insecurity, and constrained civic space. While recent presidency-level engagements indicate renewed political momentum, the exclusion of key actors from decision-making undermines the capacity to build consensus around contentious reforms. This is particularly consequential given that further

legal and procedural adjustments would require endorsement through established mechanisms, especially within Reconstituted Joint Monitoring and Evaluation Commission (R-JMEC). Without broad-based agreement, the prospects for securing such endorsement remain limited. Add to the mix the protracted violence and restricted freedom of political expression across the country, then the environment in which the elections would take place in is that of limited inclusivity.

The findings of this report suggest that South Sudan's electoral process is now only minimally blocked by formal requirements. While this is a positive development, the contested legitimacy and uneven confidence in the transition framework still raise substantial concerns. Elections conducted under these conditions risk becoming an administrative exercise detached from political consensus.

Whether elections can function as a stabilising endpoint to the transition period therefore depends less on technical readiness alone than on the restoration of inclusive political agreement around these rules.

Policy recommendations



1. Establish a time-bound, inclusive political compact on minimum electoral conditions

Recent political decisions have reduced formal barriers to elections but have not generated shared ownership of the process. An urgent, structured political dialogue among R-ARCSS signatories and key political stakeholders, especially in R-JMEC, is required to agree on minimum conditions for December 2026 elections. This compact should focus narrowly on electoral feasibility rather than broader transitional goals and must include actors currently excluded from presidency-level decision-making. Without such a compact, further legal or technical adjustments risk lacking political legitimacy and enforceability.



2. Clarify electoral sequencing through targeted amendments to the National Elections Act

The decision to retain 2010 constituencies reduces administrative burden and complies with existing legal timelines. However, it generates downstream effects for seat allocation and presidential appointment powers within the NLA. These effects must be resolved procedurally through time-limited amendments to the NEA, including explicit provisions on whether elections are conducted simultaneously or in stages. If elections are staged, constitutional clarity on executive-legislative sequencing – for instance, should presidential elections held first, and parliamentary elections later, or vice versa – is essential to avoid post-election disputes.



3. Anchor elections in existing legal frameworks while deferring unresolved transitional benchmarks

Conditioning elections on the completion of constitution-making, a census, or full security sector reform risks indefinite delay. The current framework allows elections to proceed under the Transitional Constitution (as amended in 2013) and existing population data. These arrangements should be treated as temporary but authoritative, with explicit recognition that post-election constitutional processes will need to absorb lessons from electoral practice and to be guided by the same principles: participative, consultative, inclusive.



4. Link electoral funding to clear, shared benchmarks rather than withholding support altogether

Withholding election-related funding from the outset would undermine preparedness and reduce leverage. Instead, donors and international partners should agree on a joint benchmark framework that conditions phased financial and technical support on measurable progress. Benchmarks could include:

- adoption of targeted NEA amendments;
- publication of an electoral calendar and sequencing decision;
- minimum operational readiness benchmarks for NEC state offices;
- agreed parameters for electoral security coordination.

Such a model preserves donor leverage while enabling early investment in time-sensitive preparations.



5. Prioritise NEC operational readiness over formal institutional expansion

Civil society monitoring indicates uneven institutional capacity across states, with administrative readiness outpacing voter-facing processes. Electoral support should therefore prioritise core operational functions – state-level staffing, voter registration systems, logistics, and inter-agency coordination – over symbolic institutional expansion. This focus would strengthen credibility where elections are actually delivered and reduce the risk of geographically uneven implementation.



6. Respect and protect civic and political space as a foundational condition for electoral credibility

Restrictions on political activity and civic engagement directly affect the feasibility of elections, not only their normative quality. Elections conducted in a constrained civic environment risk, for instance, low participation and post-election contestation. Ensuring minimum guarantees for campaigning, expression, and observation should therefore be treated as operational preconditions, not secondary governance concerns.

About the Authors

James Kunhiak Muorwel is a researcher specialising in peace, conflict, and climate change in South Sudan. His work focuses on peace perceptions, the conflict–climate nexus, and resilience programming. James has conducted extensive research across these areas and has overseen the implementation and evaluation of programmes related to gender, youth, peacebuilding, climate change, and security sector reform. He has worked with the United Nations and other international organisations in South Sudan.

Dr. Jan Pospisil is an Affiliated Researcher at the Austrian Institute for International Affairs and an Associate Professor (Privatdozent) at the University of Vienna. His research focuses on peace and transition processes, with particular emphasis on the wider Red Sea region and East Africa, donor politics in peacebuilding, resilience, and South Sudanese and Sudanese politics. He is a Co-Investigator of the Peace and Conflict Resolution Evidence Platform (PeaceRep) at the University of Edinburgh, funded by the UK Foreign, Commonwealth & Development Office (FCDO).

Abbreviations

FDs	SPLM Former Detainees (R-ARCSS signatories)
FES	Friedrich Ebert Foundation
IGAD	Intergovernmental Authority on Development
NEA	National Election Act
NEC	National Election Commission
NLA	National Legislative Assembly
OPP	Other Political Parties (R-ARCSS signatories)
PMT	Civil Society Election Monitoring Tool
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan
R-JMEC	Reconstituted Joint Monitoring and Evaluation Commission
SPLM	Sudan People's Liberation Movement (R-ARCSS signatories)
SPLM-IO	Sudan People's Liberation Movement In Opposition (R-ARCSS signatories)
SSOA	South Sudan Opposition Alliance (R-ARCSS signatories)
UNMISS	United Nations Mission in South Sudan

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Now or never? Political Conditions for Credible Elections in South Sudan

South Sudan is approaching a pivotal moment as it prepares for its first national elections since independence, scheduled for December 2026. While elections are widely seen as essential to restoring political legitimacy and concluding the country's prolonged transitional period under the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), significant political, legal, and institutional challenges remain. Administrative preparedness is uneven, civic and political space remains constrained, and elite political fragmentation continues to shape the electoral environment. Public demand for elections is strong, despite concerns about insecurity and readiness. This policy brief examines the political and operational conditions required for elections to support stability, inclusion, and a credible transition, rather than risk deepening existing tensions.

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