



# Security Council

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## Situation in South Sudan

### Report of the Secretary-General

#### I. Introduction

1. The present report is submitted pursuant to Security Council resolution [2459 \(2019\)](#), by which the Council extended the mandate of the United Nations Mission in South Sudan (UNMISS) until 15 March 2020 and requested me to report on the implementation of the Mission's mandate every 90 days. It covers political and security developments between 28 August and 30 November 2019, the humanitarian and human rights situation and progress made in the implementation of the Mission's mandate.

#### II. Political and economic developments

2. The implementation of the Revitalized Agreement on the Resolution of the Conflict in South Sudan remained behind schedule, although the ceasefire continued to hold, except in parts of the greater Equatoria region.

3. Leading up to the end of the extended pre-transitional period on 12 November, the President of South Sudan, Salva Kiir, and the leader of the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO), Riek Machar, held three face-to-face meetings on outstanding pre-transitional tasks: transitional security arrangements, the issue of states and their boundaries and the formation of the Revitalized Transitional Government of National Unity. On 18 October, in a communiqué, the Peace and Security Council of the African Union called for the parties' adherence to the deadline of 12 November. This sentiment was echoed by the United Nations Security Council during its visit to South Sudan on 20 October, along with a call to address outstanding issues. Subsequently, the European Union and the Troika (Norway, United Kingdom of Great Britain and Northern Ireland and United States of America) issued similar statements.

4. While the Government and other signatories intended to form the Revitalized Transitional Government of National Unity on 12 November, SPLM/A-IO and Lam Akol, the leader of the National Democratic Movement, one of the parties of the South Sudan Opposition Alliance, called for an extension of the pre-transitional period.

5. On 7 November, Mr. Kiir and Mr. Machar held talks in Uganda convened by the President of Uganda, Yoweri Museveni, and the Chair of the Sovereign Council of the Sudan, Lieutenant General Abdel Fattah Abdelrahman Al-Burhan, in their



capacity as guarantors. The talks were attended by the Special Envoy of Kenya to South Sudan. The two South Sudanese leaders agreed to an extension of the pre-transitional period for an additional 100 days, commencing on 12 November, and to review progress after 50 days through the submission of a report to the Heads of State and the parties. They also agreed to establish a mechanism to supervise the implementation of critical tasks and request the Intergovernmental Authority on Development (IGAD) to address the status of Mr. Machar.

6. On 9 November, IGAD convened a meeting of the signatories to the Revitalized Agreement in Addis Ababa, at which all parties endorsed the 100-day extension. On 10 November, at an extraordinary session, the IGAD Council of Ministers welcomed the decision and directed its Special Envoy to South Sudan to facilitate the resolution of the issue of the number of states and their boundaries, undertake trust- and confidence-building measures and engage with the non-signatories.

### **Implementation of the Revitalized Agreement**

7. The implementation of critical tasks continued to be delayed by the deficit of political will and trust, as well as financial constraints. The parties and other stakeholders repeatedly called upon the Government to honour its pledge to fully disburse \$100 million to fund the implementation process. While the Government has requested financial and material contributions from the international community, a lack of transparency and accountability continues to inhibit such support. On 19 November, however, the Government announced its decision to allocate an additional \$40 million towards implementation.

8. The reconstituted Joint Monitoring and Evaluation Commission met on 12 September, 17 October and 28 November. The interim Chair, Lieutenant General Augustino Njoroge, appealed to the international community for support, urged the parties to resolve outstanding issues and called upon the Government to allocate more resources for the necessary unified forces.

9. On 2 October, the Deputy Chair of SPLM/A-IO addressed a letter to the interim Chair of the reconstituted Joint Monitoring and Evaluation Commission, alleging “systematic violations” of the ceasefire by the Government since August, including offensive operations around the cantonment site in Turow, Upper Nile, preventing monitoring bodies from discharging their duties.

10. On 2 October, the Ceasefire Transitional Security Arrangements Monitoring and Verification Mechanism reported the conclusion of registration in 24 of the 25 designated cantonment sites for the opposition, while the registration of the South Sudan People’s Defence Forces remains outstanding. However, while the transitional security arrangements remain incomplete, some movement on the training of trainers and a limited degree of cooperation among the parties was observed. The screening and training of forces has yet to begin, however. On 18 and 19 November, IGAD, the reconstituted Joint Monitoring and Evaluation Commission and the African Union convened a joint workshop on security mechanisms to develop a road map on outstanding tasks, including a revised workplan for security mechanisms, a timeline and the costing of tasks.

### **Developments in the peace process**

11. On 30 August, the leaders of the South Sudan National Democratic Alliance, the Real Sudan People’s Liberation Movement and the South Sudan United Front/Army formed a new alliance, the South Sudan Opposition Movements Alliance. The Alliance released a declaration of principles, in which it stated that it was committed to pursuing a political solution to the crisis, including by addressing the root causes of violence, establishing a democratic federal system of governance and

reestablishing the 10 states of South Sudan. Mr. Kiir expressed his willingness to engage with the outliers, but stressed that he would not renegotiate the terms of the Revitalized Agreement.

12. Tensions within the Other Opposition Parties alliance continued. On 17 September, the South Sudan Council of Churches, mandated by IGAD and supported by Switzerland, held a retreat to resolve the internal conflict within the alliance. The parties failed to make headway, leading the Council to form a committee to harmonize the parties' positions. Tensions remain, however.

13. The crisis affecting the South Sudan Opposition Alliance lingered, resulting in an election held on 14 September. While the election was boycotted by two members, Gabriel Changson of the Federal Democratic Party and Denay Jock Chagor of the South Sudan United Movement and Army, Josephine Lagu Yanga of the People's Democratic Movement was elected Chair. Meanwhile, on 12 October, following a denouncement of Mr. Chagor's leadership, the South Sudan United Movement and Army held elections and declared James Rab Golong as its new Chair.

#### **Other significant political developments**

14. The National Dialogue Steering Committee convened its third and final regional conference for the greater Equatoria region from 26 to 30 August. A total of 76 delegates representing 24 counties held discussions on governance, economics, security and social cohesion. The Committee adopted regional recommendations, including calls for federalism. A national dialogue conference is expected to be held in March 2020. SPLM/A-IO remains outside the process.

15. On 11 September, facilitated by Mr. Kiir, the transitional Government of the Sudan and armed opposition groups in the Darfur region and in Blue Nile and Southern Kordofan states signed the Juba Declaration for Confidence-building Procedures and the Preparation for Negotiation, to end the conflicts in the Sudan. On 21 October, the Government of the Sudan and the Sudanese Revolutionary Front signed a political accord paving the way for the launch of negotiations and a ceasefire agreement for humanitarian purposes. A final round of talks is expected to be held by the end of 2019.

16. On 12 September, the Prime Minister of the Sudan, Abdalla Hamdok, travelled to Juba to hold discussions with Mr. Kiir on bilateral cooperation and pending issues deriving from the Comprehensive Peace Agreement signed in 2005, among others. On 23 October, the Joint Demarcation Committee commenced the demarcation process for the shared border of South Sudan and the Sudan.

17. On 29 November, IGAD held its thirteenth ordinary summit of Heads of State and Government, at which, inter alia, it noted its appreciation of the efforts undertaken over more than one year by the South Sudanese parties to the Revitalized Agreement to silence guns, and urged them to accomplish the pre-transitional tasks within the extended 100-day period and form the Revitalized Transitional Government of National Unity by the end of that period. At the summit, participants also commended the Government and people of the Sudan for the transition to civilian rule and for their resilience and determination, and in this regard endorsed the role of South Sudan in mediating the peace talks held in Juba. Significantly, the appointment of Workneh Gebeyehu Negewo of Ethiopia as Executive Secretary of IGAD was confirmed at the summit, and Abdalla Hamdok of the Sudan was elected Chair of IGAD. While many expected that the status of Mr. Machar would be resolved at the summit and that the permanent Chair of the reconstituted Joint Monitoring and Evaluation Committee would possibly be appointed, along with other substantive issues, the focus was on organizational issues, and outstanding matters were deferred to the next ordinary summit to be held in Khartoum.

**Economic situation**

18. The overall trend of fragile macroeconomic conditions driven by institutional weaknesses and political manipulation continued to restrict future options for recovery. Efforts to counter corruption and increase transparency remained largely absent. However, there were initial signs of economic recovery as the foreign exchange and inflation rates continue to stabilize. The loss in value of the South Sudanese pound against the United States dollar is estimated to be 19 per cent for 2019, a significant improvement on the 352 per cent loss recorded from 2015 to 2016. The inflation rate has also declined from a high of 800 per cent in August 2016 to 51.9 per cent in April 2019. This trend is expected to continue, if the downward spiral is contained and the peace agreement is implemented. However, this must also be balanced by the depth of the macroeconomic crisis experienced over the past five years. Moreover, vulnerability remains high and there are concerns that increased lending could affect the exchange rate and again trigger inflation. In addition, the floods that have devastated large parts of the country have had a further impact on food security and may compound the economic burden that communities endure in the short to medium term.

**III. Security situation**

19. Across South Sudan the ceasefire largely continues to hold, with an overall reduction in political violence, except in the greater Equatoria region. Areas of Central Equatoria and Western Equatoria continue to be affected by hostilities between the Government and opposition forces and the National Salvation Front (NAS). These activities, while frequent, remained localized and of low intensity. However, the impact on the humanitarian situation was highlighted when three aid workers were killed in an attack against a government facility at the end of October. In some areas, this resulted in the suspension of the cross-border Ebola monitoring programme, which is yet to resume.

20. Fragmentation within the security forces, especially the ability of SPLM/A-IO to maintain internal cohesion, has caused tensions around the cantonment process and escalated fears of defection. Areas of Upper Nile, in particular Maiwut, have been affected by active hostilities owing to internal splits. Cantonment sites outside Wau and Torit have experienced internal leadership tensions leading to spillover effects in surrounding communities. In Wau, internal leadership struggles contributed to the use by opposing generals of road blocks to control population movements, hindering the delivery of humanitarian assistance.

21. In Lakes and Warrap, forced disarmament exercises have failed to increase confidence in the State security forces, and concerns over unequal disarmament have led communities to rearm as the migration season approaches.

**Greater Equatoria region**

22. NAS continued its activities in Central Equatoria and Western Equatoria, with 17 alleged clashes between NAS and the South Sudan People's Defence Forces or the Sudan People's Liberation Army in Opposition (SPLA-IO), or against civilians. This was coupled with the shifting of alleged NAS activity westwards into Gbudwe and Tambura, Western Equatoria. Hostilities have contributed to the targeting of civilians through armed attacks, abduction and kidnapping, as well as an increase in road insecurity and attacks on South Sudan People's Defence Forces barracks at Lainya, Lasu and Mukaya.

23. In turn, South Sudan People's Defence Forces and SPLA-IO operations in NAS areas have intensified. In areas of Central Equatoria, such as Otego, this has resulted in escalated military activity to oust NAS, further affecting civilians with reported shelling, the arbitrary detention of suspected NAS supporters and looting. For instance, around Logo Boma, South Sudan People's Defence Forces operations targeting concealed NAS forces have resulted in reported human rights violations, including the displacement of over 1,200 civilians.

#### **Greater Bahr el-Ghazal region**

24. In western Bahr el-Ghazal, an internal dispute within Division VI of SPLA-IO created a tense security environment in the greater Bagari area. A long-standing dispute among the SPLA-IO leadership was enflamed by allegations of the mismanagement of cantonment registration, lack of supplies and defection to the Government.

25. In Lakes, armed ambushes and robberies along major routes have been the primary security threat, in particular in Gok, including the targeting of one United Nations and four international non-governmental organization vehicles.

#### **Greater Upper Nile region**

26. In the greater Upper Nile region, political disputes continued to be the main source of insecurity. In Upper Nile, fighting resumed around Maiwut between the pro-Machar SPLA-IO and armed members of the Cie-waw community. The defection of Major General Ochan Puot to the Government in early October resulted in Cie-waw forces regaining control of the town of Maiwut and razing the Turow cantonment site where other pro-Machar SPLA-IO forces were based. After a visit to Juba, Mr. Ochan returned to Pagak at the beginning of November. The situation is currently calm, as the pro-Machar SPLA-IO has not attempted to regain areas now under government control.

27. In Unity, the presence of groups of armed men reportedly responsible for looting and armed robberies has fuelled insecurity. Some community members have attributed the rise in criminal activities to the presence of the South Sudan Opposition Alliance and the South Sudan United Movement.

#### **United Nations Mission in South Sudan interventions specific to security concerns**

28. In response to early warning indicators, the Mission deployed pre-emptive patrols to project its presence, deter violence and improve situational awareness. Enhanced presence and engagement in the vicinity of cantonment sites and mitigating against potential fractures in the ceasefire are illustrative of such pre-emptive measures. Increased patrolling was also undertaken in hotspots, with long-duration patrols deployed where localized conflict continued. For instance, in the greater Bagari area, UNMISS rotated patrols to maintain a sustained presence until a slow deescalation in tensions and an increase in freedom of movement were observed. Similarly, in response to armed conflict in Central Equatoria and Western Equatoria, UNMISS deployed long-duration patrols in hotspots in conjunction with human rights monitoring and investigation teams. Through its good offices, the Mission engaged with actors and partners, including for the purpose of reinforcing the Government's responsibility to protect civilians and promoting dialogue and adherence to the ceasefire.

**Intercommunal conflict**

29. The incidence and scale of communal conflict has declined over the reporting period. However, with pastoral movement towards dry season grazing areas, there has been an increase in tensions, in particular in Rumbek Centre, Lakes and Warrap. Low-intensity skirmishes have also continued to disrupt communities in southern Unity, where cyclical inter-ethnic violence and cattle raiding continues. Significant flooding has further impaired mobility and the usual migration to dry season areas. UNMISS continued to work with communities and local leaders to support the sustainability of conflict mitigation and resolution mechanisms to counter tensions as the dry season begins. For instance, in October, UNMISS worked with local churches and authorities in Eastern Lakes, Western Lakes and Amadi to facilitate a pastoral migration forum, at which modalities for peaceful pastoral migration were discussed. Young people committed themselves to cooperating with the authorities, and delegates agreed to establish a coordination mechanism to regulate cattle movement. UNMISS teams in Jonglei, Unity, Warrap and Upper Nile conducted several missions to affected areas and discussed disaster response and relief efforts with local stakeholders.

30. In Jonglei, tensions between the Anuak and Murle have heightened following reports that the Anuak had appealed to the national Government for their own state to be carved out of Boma. The Anuak have claimed political marginalization by the majority Government of Boma, which is dominated by the Murle, as a key source of discontent. Conditions also persist for reoccurring violence between the Murle and Jie, especially as the dry season approaches. UNMISS is working with state and local leaders to prevent the mobilization of armed actors from both communities and to organize dialogue forums with influential stakeholders.

**IV. Humanitarian situation**

31. Since July, South Sudan has been affected by heavy seasonal flooding, devastating large parts of the country and prompting the Government to declare a state of emergency in the flooded areas. An estimated 908,000 people have been affected in areas experiencing high levels of vulnerability, owing to years of conflict and access constraints, placing them at greater humanitarian risk. Prior to the rains, more than 60 per cent of flood-affected counties were classified as facing extreme levels of acute malnutrition, and affected populations have become vulnerable to malaria and water-borne disease outbreaks. The United Nations and partners have called for \$61.5 million to respond to immediate flood-induced needs. Over 70 per cent of the required funds were committed, including \$15 million from the Central Emergency Response Fund and \$10 million from the South Sudan Humanitarian Fund.

32. Nearly 1.5 million people remained internally displaced, according to a revised baseline for internally displaced persons that was set by the Office for the Coordination of Humanitarian Affairs and the International Organization for Migration after an 18-month data review process completed on 26 September. Data also indicated that a total of 1,271,487 displaced persons had returned home, 51 per cent since the signing of the Revitalized Agreement, including 243,000 who had returned since January 2019. Over 2.2 million South Sudanese refugees continued to take refuge in six neighbouring countries. Since January 2019, nearly 84,000 South Sudanese refugees have spontaneously returned to South Sudan, including some 26,500 between August and October. According to intention surveys in countries of asylum, the reasons expressed by the refugees for not returning have included the lack of livelihoods, inadequate services, the lack of political solutions, security and the lack of education.

33. According to Integrated Food Security Phase Classification projections, some 4.54 million people (39 per cent of the population) will be acutely food-insecure in the period from September to December 2019, owing mainly to seasonal harvests. This is an improvement from August, when 6.35 million people were acutely food-insecure. However, the floods have worsened the food insecurity situation and undermined the gains expected from the 2019 harvest.

34. While the outbreak of the Ebola virus disease continued in the Democratic Republic of the Congo, no cases were confirmed in South Sudan. The United Nations and partners continued to support the Government in prevention and preparedness efforts even though the Ebola cross-border monitoring programme remained suspended.

35. The improved security situation enabled greater humanitarian access in general. Humanitarian organizations, however, reported access constraints in Maiwut and Panyikang, Upper Nile, and in Mundri East, Western Equatoria, on account of hostilities against personnel and assets. Operational interference continued in most of the country, in particular demands for the local reregistration of non-governmental organizations in both government- and opposition-controlled areas, interference in the recruitment of staff, movement restrictions and extortion at checkpoints.

36. The 2019 Humanitarian Response Plan targets 5.7 million people with urgent aid. By the end of August, humanitarian organizations had delivered assistance to more than 4.4 million people. Achievements of the response included at least 3.7 million people reached with food assistance and livelihoods support, over 1.3 million provided with health care, over 1.1 million assisted with access to safe water and over 1 million reached with protection services. Of the \$1.5 billion required, \$1 billion, or 67 per cent, of the required funding had been received by 25 November.

37. On 20 November, the humanitarian country team concluded its needs analysis for 2020, identifying 7.5 million people in need of assistance. The Humanitarian Response Plan is expected to target 5.6 million people, including internally displaced persons, spontaneous returnees and host communities.

## **V. Implementation of the Mission's mandated tasks**

### **A. Protection of civilians**

38. UNMISS continued to protect civilians both inside and outside protection of civilians sites. To further support a protective and enabling environment, the Mission continued to advocate the primary responsibility of the Government of South Sudan to protect civilians. The main threats to civilians included killing, sexual violence, arbitrary arrest and detention, ill-treatment and looting of civilian property. Attacks against civilians occurred predominantly in the context of the targeting of civilians during armed conflicts between security forces, in particular NAS, the South Sudan People's Defence Forces and SPLA-IO, and casualties stemming from intercommunal conflict and cattle raids.

39. Within the protection of civilians framework, UNMISS also conducted 42 workshops, community dialogues and peace campaigns to address local communal conflicts and reconciliation, facilitate civil-military dialogue and promote the role of women, young people and local leaders in peacebuilding. These activities directly benefited 18,458 people (40 per cent of whom were women) across South Sudan. Despite significant gains realized in Unity owing to rapprochement activities, underlying tensions remained between communities in Leer, Mayendit and Koch. In response, UNMISS supported a dialogue forum between the Government, the

opposition, traditional leaders and community members. This contributed to an agreement to establish a traditional court to address intercommunal disputes and joint government and opposition patrolling in hotspots. In an effort to address ongoing tensions in Kuajena, UNMISS brought together farmers and pastoralists from Wau, Gogrial and Tonj to review the terms of the Marial Bai agreement regulating seasonal cattle movements. The parties reached a compromise on the issue of compensation for crop damages, and pastoralists committed themselves to stop carrying arms.

40. In the greater Jonglei area, UNMISS supported multiple civil-military dialogues to address tensions between young people and the armed forces arising from issues such as the proliferation of arms. This contributed to an agreement on security cooperation and enhanced understanding of stakeholder roles. UNMISS also facilitated a conference between state ministries in the region to reach agreement on issues such as an agreed mechanism to resolve boundary disputes and the reduction of arms proliferation.

41. UNMISS continued to host and provide protection to internally displaced persons in the protection of civilians sites. As at 14 November 2019, the total population of such persons in the five UNMISS protection of civilians sites was 190,467, including 78,450 women. There were 37,204 aged between 0 and 4 years (including 18,042 women), 53,270 aged between 5 and 17 years (including 25,586 women), 64,387 aged between 18 and 59 years (including 29,760 women) and 9,235 aged 60 years and above (including 5,062 women).

42. The Mission continued to ensure the civilian character of its sites through engagement with community leaders and search and seizure operations to halt the smuggling of weapons into the sites. To address protection risks from within protection of civilians sites in Juba, UNMISS engaged with the community and collectively developed an action plan to improve the security of such sites and enhance cooperation. UNMISS also continued its support for national accountability measures for security incidents affecting protection of civilians sites. From 28 August to 30 November, 126 persons suspected of being responsible for serious security incidents within protection of civilians sites in Juba, Bentiu and Malakal were detained in UNMISS holding facilities. UNMISS further facilitated the trials of 28 individuals through support for two mobile courts deployed to Bentiu and Malakal. This contributed to the conviction of 11 individuals, with imprisonment sentences ranging from eight months to seven years. In Juba, UNMISS also facilitated the investigation and handover or referral of five suspects following confirmation of charges. Moreover, following disturbances in the protection of civilians site in Bentiu from 21 to 23 November, the Mission detained eight persons suspected of being implicated in the incidents. An UNMISS investigation is under way.

43. Advancing the recommendations contained in my report on future planning for the protection of civilians sites in South Sudan (S/2019/741), UNMISS is working in coordination with camp management agencies and non-governmental organization service providers to develop site-by-site action plans that support a transition towards vulnerability-based assistance, greater parity in terms of access to services between internally displaced persons and host communities, and trust-building and reconciliation between communities inside and outside the sites.

44. Beyond the protection sites, UNMISS continued to focus its activities on situational awareness and the projection of its presence into wider and more remote locations, with the aim of pre-empting, deterring and mitigating violence, in particular in hotspots, and building confidence in areas of return. During the reporting period, a total of 11,089 patrols were conducted (short- and long-duration patrols, confidence- and trust-building, dynamic air and foot) to build confidence and strengthen community engagement in return locations. On 29 October, my Special

Representative for South Sudan conducted a visit to Bentiu and Koch to discuss community experiences of the peace process and understand intentions and considerations for returning home. In Koch, together with the Ambassador of Germany to South Sudan, he met with the first recipient organizations of the reconciliation, stabilization and resilience trust fund, recently established by UNMISS and the United Nations country team, to support community-based programmes that address underlying causes of conflict and provide socioeconomic incentives for peace.

45. Meanwhile, UNMISS worked closely with humanitarian organizations to support returns. For instance, UNMISS and partners supported the voluntary return of 42 internally displaced persons, including 24 women, from the protection of civilians site in Bor to New Fangak, Bentiu and Tonga, and the return of 21 such persons, including 10 women, from protection civilians site No. 3 in Juba to Malakal. This included the provision of UNMISS force protection and supplies and prior engagement and coordination with local authorities and communities to support reintegration. In Juba, UNMISS and partners developed a plan to support internally displaced persons who had expressed an intention to return. In addition, UNMISS supported local authorities in Leer in strengthening their capacity to support returns and reintegration in southern Unity.

46. The Mission collaborated with partners to advocate interventions to address the needs of vulnerable communities, including through its support for Veterinarians Without Borders, by distributing 300 ox ploughs and training 600 women on their use to diversify livelihoods in Rumbek. UNMISS and partners also conducted nine field assessments in Rumbek to develop solutions for displaced communities, leading to the provision of basic services to over 7,000 displaced persons. Solutions were further developed to enable the return of displaced persons to their homes in Terekeka, including enhanced security through UNMISS tactical patrols.

#### **Rule of law and accountability**

47. To expand access to justice outside protection of civilians sites, UNMISS, in partnership with the United Nations Development Programme (UNDP), continued to engage with national justice sector officials, UNDP and civil society to coordinate support for mobile courts comprising national judicial officials and investigators, in regions where access to justice remains limited. As part of these efforts, the Bentiu mobile court considered six cases, including two cases of rape, committed outside the protection of civilians site. UNMISS and UNDP facilitated a month-long deployment of national justice officials to Rumbek. The Rumbek mobile court addressed a backlog of serious cases, including murder, rape and armed robbery. A total of 85 cases involving 113 suspects was heard in the High Court and county court proceedings, resulting in 51 convictions and imprisonment terms ranging from five months to 10 years. An after-action report on Rumbek has been prepared to support future planning on mobile courts, including in Yambio and other locations selected by the national judiciary.

48. In Juba, UNMISS supported national prison authorities in renovating and bringing into operation a juvenile reformatory, which was inaugurated on 6 November. The operational plan includes the prioritization of approximately 70 juvenile cases for trial, a validation workshop on an operations manual and targeted training programmes on juvenile justice.

49. To improve coordination among national justice partners, the Ministry of Justice and the Ministry of the Interior requested support from UNMISS to plan an integrated training programme for national police officers and prosecutors. UNMISS partially shared premises with the South Sudan National Police Service in 41 police stations

across the country, providing technical support on investigations of sexual and gender-based violence, human rights awareness and community policing techniques.

50. To promote accountability for conflict-related crimes, UNMISS facilitated public consultations with key government institutions, the judiciary and members of civil society on proposed amendments to incorporate international crimes into the national legal framework of South Sudan. The consultations resulted in a series of concrete recommendations to guide the drafting of a stand-alone international crimes bill.

51. UNMISS continued its training programme for the Military Justice Directorate of the South Sudan People's Defence Forces on promoting accountability for conflict-related sexual violence. This included a focus on the importance of incorporating international crimes and best practices into national legislation. UNMISS further coordinated a two-day workshop on international humanitarian law led by the International Committee of the Red Cross. Participants comprised legal advisers of the Military Justice Directorate of the South Sudan People's Defence Forces and of the National Security Service, who identified practical measures to uphold the protection of international humanitarian law.

52. UNMISS continued to provide technical assistance to the Standing Specialized Committee on Land and Physical Infrastructure on the draft national land policy to enhance protections for communities' and women's land rights, promote transparent land governance and support displaced communities in reasserting their land rights. UNMISS, along with the United Nations Educational, Scientific and Cultural Organization, provided technical assistance to the Access to Information Commission to develop a three-year strategic plan, which was launched on 27 September to increase transparency and support public institutions in fulfilling their reporting obligations under the Right of Access to Information Act of 2013.

## **B. Monitoring and investigating human rights violations**

53. UNMISS documented a total of 140 incidents that had a negative impact on the human rights and protection situation, including arbitrary killings, abductions, conflict-related sexual abuse, arbitrary arrest and detention (including proxy detention), torture and ill-treatment, forced military recruitment and the looting and destruction of civilian property. These incidents resulted in the killing of 133 civilians and the injury of 119 others. Of these incidents, 47 were attributed to community-based militias and armed elements; 31 to the South Sudan People's Defence Forces; 27 to the pro-Machar SPLA-IO; 10 to NAS and affiliated armed elements; 5 to the National People's Alliance Force; 4 to the National Security Service; 3 to the South Sudan National Police Service; 3 to clashes between the South Sudan People's Defence Forces and NAS; and 2 to clashes between pro-Machar SPLA-IO and White Army militia elements. Attribution remained under verification for the eight remaining incidents.

54. Compared with the same period in 2018, this represents an overall decrease in conflict-related violations and abuses: civilian casualties attributed to conventional parties to the conflict decreased by 69 per cent, while those attributed to community-based militias and armed elements decreased by 15 per cent. As has been the trend throughout 2019, the majority (81 per cent) of civilian casualties documented during the reporting period were attributed to community-based militias and armed elements (105 killed and 99 wounded).

55. A lack of accountability for these and other serious human rights violations and abuses continued to characterize the human rights situation in South Sudan. A notable example of this was the political reappointment of an individual identified by UNMISS and the Office of the United Nations High Commissioner for Human Rights

in a joint public report as one of the three persons bearing the greatest responsibility for grave violations, possibly amounting to war crimes, in southern Unity between April and May 2018.

56. In the context of the implementation of the Revitalized Agreement, UNMISS partnered with United Nations entities and the protection cluster to monitor civilian areas adjacent to cantonment sites for human rights and protection concerns in 22 locations throughout the country. At many of these locations, the influx of armed elements to the sites placed severe strains on already meagre community resources, further limiting access to basic resources, and in some locations corresponded to reports of sexual violence and abduction for forced military recruitment. The Mission consistently engaged with relevant military authorities to address these concerns and to urge them to respect their obligations under international human rights and humanitarian law.

57. UNMISS continued to receive reports of censorship, harassment and the arbitrary arrest and detention of journalists, activists and other civilians expressing critical or dissenting views of the Government, in particular at the hands of the National Security Service and at the state level. This included the arbitrary arrest, detention and ill-treatment of 12 young people from Gogrial perceived as being critical of the local government, during a targeted operation in Juba.

58. The use of capital punishment remained a concern, in particular owing to the limited ability of the justice system to fully comply with fair trial safeguards. During the reporting period, at least 4 executions were carried out at prisons in Juba (2) and Wau (2), bringing the number of confirmed executions to 13 in 2019. UNMISS continued to provide support to legal aid providers to assist in the defence of juveniles and other inmates on death row. UNMISS also continued to advocate measures to preclude the application of the death penalty, including through de facto and de jure moratoriums, and supported legal aid providers representing juveniles and other defendants on death row.

59. The denial of access by State authorities continued to hinder human rights monitoring and investigations, with seven such incidents documented. In addition, UNMISS continued to face complete denial of access to Juba Central Prison, preventing human rights officers from monitoring the conditions of detainees, including more than 180 inmates believed to be on death row.

60. In September, UNMISS supported the South Sudan Human Rights Commission in developing a programme to monitor and document human rights violations in South Sudan National Police Service, National Security Service and South Sudan People's Defence Forces detention facilities. The programme will enable national human rights monitors to report human rights concerns to the Government and international partners for action.

#### **Children and armed conflict**

61. Children affected by armed conflict remained a concern, in particular in the Bahr el-Ghazal region, where the South Sudan United Front/Army engaged in clashes with the South Sudan People's Defence Forces, raising tensions and increasing the vulnerability of children to rights violations.

62. The United Nations country task force on monitoring and reporting on children in armed conflict verified 44 grave violations committed against 44 children (37 boys and 7 girls), including 37 children affected by recruitment and use (33 boys and 4 girls) in 37 violations, 5 children (4 boys and 1 girl) as casualties of killing and maiming in 5 violations and 1 girl each as victims of rape and abduction. Two incidents of the military use of schools affecting an estimated 642 children (332 boys

and 310 girls) were verified. A total of 35 violations occurred in the greater Bahr el-Ghazal region and 9 in the greater Equatoria region.

63. A total of 38 violations affecting 38 children (33 boys and 5 girls) were attributed to SPLA-IO as the main perpetrator. Some 32 of the children affected by recruitment and use were identified among SPLA-IO forces at the Ngo Alima cantonment site in Wau. Three boys were casualties of cross-fire between the South Sudan United Front/Army and the South Sudan People's Defence Forces, two children (one boy and one girl) were casualties of explosive remnants of war, and one violation affecting one girl was attributed to the South Sudan People's Defence Forces.

64. UNMISS and the United Nations Children's Fund continued to support the South Sudan Disarmament, Demobilization and Reintegration Commission and the parties to the conflict in the monitoring of children associated with armed forces and groups. On 17 September, 21 boys were released from the South Sudan United Front/Army in Aweil by the Joint Verification Committee. The children had been captured by the South Sudan People's Defence Forces from the South Sudan United Front/Army during clashes between the two groups in mid-August. In addition, UNMISS advocated with the South Sudan People's Defence Forces, leading to four schools and three health facilities that had been occupied by them in western Bahr el-Ghazal being vacated.

65. The Joint Verification Committee visited five South Sudan People's Defence Forces military bases and four SPLA-IO bases in Aweil, Wau and Yambio. In Wau, the country task force on monitoring and reporting on children in armed conflict is supporting the South Sudan Disarmament, Demobilization and Reintegration Commission in the registration of children associated with the pro-Machar SPLA-IO forces at the Ngo Alima cantonment site in Wau.

66. Child protection capacity-building training was delivered to 286 government security forces (274 men and 12 women), 320 SPLA-IO forces (285 men and 35 women), 119 community members (65 men and 54 women) and 15 government officials (13 men and 2 women). UNMISS also trained 788 United Nations personnel (648 men and 140 women) through child protection induction and mainstreaming activities. In addition, it conducted child protection awareness-raising for 1,931 community members (1,344 men and 587 women), 1,149 government security forces (1,013 men and 136 women), 690 SPLA-IO forces (656 men and 34 women), 110 South Sudan Opposition Alliance officers (all men) and 61 government officials (48 men and 13 women).

#### **Conflict-related sexual violence**

67. Despite an overall decrease in political violence, the reporting period was marked by the continued use of conflict-related sexual violence by the parties to the conflict. UNMISS verified eight such incidents, involving 11 victims (including 5 girls), most of which occurred in Central Equatoria and western Bahr el-Ghazal. Survivors were subjected to rape (7), gang rape (1), attempted rape (1) and forced nudity (1). The incidents were attributed to the pro-Machar SPLA-IO (three incidents), the South Sudan People's Defence Forces (two incidents), and NSS (one incident), while attribution in two cases had not been conclusively determined at the time of writing. In addition, UNMISS documented 15 incidents that had occurred prior to the reporting period, involving 18 women survivors (6 of whom were girls) and 4 men. There were 11 incidents attributed to the South Sudan People's Defence Forces, while 4 remained under verification.

68. The Mission continued to partner with the South Sudan People's Defence Forces and the pro-Machar SPLA-IO to train their forces as part of the implementation of their respective action plans to address conflict-related sexual violence. During the

reporting period, five such training sessions were carried out at South Sudan People's Defence Forces (three sessions) and SPLA-IO (two) facilities. Consequently, 206 participants signed undertakings to prohibit such violence. On 19 November, the South Sudan National Police Service action plan was launched, committing it to taking targeted actions over a three-year period to eliminate conflict-related sexual violence within its ranks. This was the third action plan launched in 2019 by a party to the conflict listed in the annex to my annual report on conflict-related sexual violence (S/2019/280), with the support of UNMISS, signalling momentum in efforts to strengthen prevention and accountability measures for such violence.

69. UNMISS and the United Nations country team facilitated the implementation of a command order issued in July 2019 by Mr. Machar to release women and girls held on SPLA-IO bases in Western Equatoria. Engagements with relevant commanders, however, yielded little progress. Nevertheless, the ad hoc release of a few individuals was reported. UNMISS continued to engage with Mr. Machar on the issue and worked to strengthen services in the areas of origin of the women and girls to facilitate their access to basic services once released.

70. Significantly, NAS leadership committed itself to investigating allegations of sexual violence attributed to the group in the Mission's public report on human rights violations and abuses in Central Equatoria, which was issued in July 2019.

### **C. Creating conditions conducive to the delivery of humanitarian assistance**

71. UNMISS continued to support humanitarian partners in implementing activities in conflict-affected areas. During the reporting period, it conducted 241 long-duration and 2,273 short-duration patrols to areas controlled by the Government and SPLA-IO across the country to support the delivery of assistance or the protection of humanitarian workers.

72. UNMISS provided force protection to 378 integrated missions, enabling access to high-risk areas. It further conducted 15 force protection patrols to convoys, including short-duration patrols for non-governmental organizations.

73. The Mine Action Service initiated survey and clearance activities in Maban, Upper Nile, and in the Kurkal camp for internally displaced persons in Rubkona, Unity. The Service has supported humanitarian assessments in Kuruki and Kajo Kaji, Central Equatoria, including for a potential humanitarian hub. It deployed 25 demining teams, which surveyed and released 305,967 m<sup>2</sup> of land and removed and destroyed 2,478 explosive items and 104,214 rounds of small arms ammunition.

### **D. Supporting implementation of the Revitalized Agreement and peace process**

74. My Special Representative and his deputies actively exercised their good offices to support the peace process and engage with senior government and opposition officials, traditional leaders, States Members of the United Nations and representatives of the African Union and IGAD to facilitate the peace process. On 20 October, my Special Representative briefed the Security Council delegation during its visit to Juba. On 25 and 26 October, he participated in the meeting of the special envoys to South Sudan, held in Djibouti, to take stock of the implementation of the Revitalized Agreement and deliberate on outstanding tasks as the deadline of 12 November approached. On 10 November, following the agreement to extend the pre-transitional period, he addressed the sixty-ninth ordinary session of the IGAD

Council of Ministers, held in Addis Ababa, to emphasize the key areas that required the parties' urgent resolution in the following 100 days. On 14 November, he briefed the Peace and Security Council of the African Union. The African Union subsequently issued a communiqué reaffirming its support for the peace process.

75. UNMISS deployed technical expertise to support the work of the Strategic Defence and Security Review Board in developing policy frameworks on security sector reform, and continued to support other mechanisms of the Revitalized Agreement, including the Ceasefire Transitional Security Arrangements Monitoring and Verification Mechanism. In coordination with the National Pre-transitional Committee, the reconstituted Joint Monitoring and Evaluation Commission and IGAD, UNMISS facilitated forums to broaden the political space and enable public dialogue on the peace process. Three grass-roots forums were held in Juba, bringing together actors from across South Sudan for dialogue with national leaders to enable grass-roots participation in the peace process and to strengthen the nexus between subnational actors and the national leadership. UNMISS also undertook neighbourhood outreach campaigns such as the Building Durable Peace Together initiative, taking national leaders into communities with the participation of several thousand community members to raise awareness of the Revitalized Agreement and its implementation.

76. UNMISS, in partnership with UNDP, held its second political parties forum with the senior leadership of all political parties and blocs. This was aimed at advancing political space and inter-party dialogue, including for the purpose of fostering a longer-term perspective of the transition toward elections and the role of political parties in the process. In addition, UNMISS pioneered weekly political round tables on Radio Miraya to enhance outreach and deliberate on key issues related to the peace process.

### **Women and peace and security**

77. UNMISS continued to engage with women's groups and organizations to promote their participation in the implementation of the Revitalized Agreement. On 9 November, my Special Representative met with women's groups and civil society to take stock of their perspectives on the status of the implementation of the Revitalized Agreement and the 100-day extension, as well as priorities relating to women and peace and security that require support and advocacy through good offices. It was agreed that UNMISS would continue its efforts to expand the civic and political space and increase the meaningful participation of women.

78. Despite the quota of 35 per cent, the participation of women remains low across the formal implementation and monitoring mechanisms. Only two of the mechanisms, the Ceasefire Transitional Security Arrangements Monitoring and Verification Mechanism and the reconstituted Joint Monitoring and Evaluation Commission, have met the quota, and women make up only 18 per cent of the members of national institutions.<sup>1</sup>

79. UNMISS has actively supported the participation of women in peace and public decision-making at the subnational level through three distinct processes: engaging with and supporting women civil society leaders to discuss and develop action plans on achieving the quota; fostering dialogue and discussion among women's groups, including women in public administration; and supporting dialogue between women's groups and key decision makers. Two women-to-women workshops were conducted, with the participation of more than 100 women leaders in Wau and Rumbek, to discuss mechanisms to increase the number of women in public offices.

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<sup>1</sup> Data tracked from Department of Peace Operations indicators on women and peace and security, October 2019.

## **VI. Mission staffing, status of deployments and conduct and discipline**

80. On 26 November, the number of UNMISS civilian personnel stood at 2,672, comprising 888 international staff members (242 women, or 27.3 per cent), 1,388 national staff members (196 women, or 14 per cent) and 396 United Nations Volunteers (156 women, or 39.4 per cent).

81. The police strength stood at 1,829 officers (of an authorized 2,101 officers), comprising 601 individual police officers (187 women, or 31 per cent), 1,150 personnel in formed police units (218 women, or 19 per cent) and 78 corrections officers (20 women, or 26 per cent).

82. Of the authorized 17,000 troops, including up to 4,000 troops for the regional protection force, UNMISS troop strength stood at 14,944 military personnel: 235 military liaison officers (42 women, or 18 per cent), 431 military staff officers (72 women, or 17 per cent) and 14,278 military contingent personnel (576 women, or 4 per cent).

83. In line with the United Nations three-pronged strategy, UNMISS continued to implement prevention, enforcement and remedial action efforts. It collaborated with the national task force on protection from sexual exploitation and abuse to raise awareness among the local population of the prevention of sexual exploitation and abuse and to improve the reporting mechanisms through joint risk assessments, a system-wide roll-out of the form for reporting incidents of sexual exploitation and abuse and dissemination of information materials. UNMISS also conducted training sessions for the focal points of community-based complaints mechanisms, as well as awareness-raising sessions for community members, reaching over 2,263 partners and stakeholders.

84. A total of 2,074 UNMISS and affiliated personnel received training on United Nations standards of conduct and the zero-tolerance policy on sexual exploitation and abuse. In addition, in cooperation with United Nations police gender focal points and women's networks and United Nations Volunteers, UNMISS organized workshops and focus group discussions on sexual harassment and its drivers to better address such matters.

85. A total of 27 allegations, including 2 related to sexual exploitation and abuse, were received during the reporting period and duly processed in accordance with existing procedures.

## **VII. Violations of the status-of-forces agreement**

86. UNMISS recorded 74 incidents constituting violations of the status-of-forces agreement, compared with 53 in the previous reporting period.

87. UNMISS continues to engage with the Government on the issue of unimpeded access, having recorded 41 incidents of movement restrictions hampering the Mission's ability to protect civilians, support the delivery of humanitarian assistance and monitor human rights violations. For instance, UNMISS patrols to areas of northern Bahr el-Ghazal remain restricted owing to ongoing military operations by the South Sudan People's Defence Forces against the South Sudan United Front/Army.

88. Of particular concern were the undue delays, denials of tax exemptions for the import of UNMISS rations and fuel across the border at Nimule in Eastern Equatoria and the movement restrictions and imposition of taxes and fees on UNMISS fuel and ration contractors in Wau, western Bahr el-Ghazal. Despite UNMISS engaging with

the Government, the issue has yet to be resolved. Moreover, violations continue to affect the entry of UNMISS and associated personnel into South Sudan without delay or hindrance.

89. The whereabouts of two staff members arrested in 2014 remain unknown. The Government has neither granted UNMISS access to the staff members nor provided information about their condition, despite regular requests. UNMISS documented nine cases of arrest and detention by the Government, involving 13 personnel (11 national and 2 international staff). All have since been released.

90. UNMISS recorded three incidents involving SPLA-IO interfering with the Mission's ability to monitor the human rights situation and to protect civilians.

91. The Mission continues to notify the Government of the violations through notes verbales and regular engagement. A monthly matrix of incidents also continues to be provided to the Government.

## **VIII. Performance evaluation of the military component**

92. During the reporting period, UNMISS evaluated 7 of the 33 military units deployed in the Mission: 2 engineer units, 1 aviation unit, 1 level II hospital, 1 military police unit, 1 force marine unit and 1 infantry battalion. All seven units were found to be above average. Despite the good rating, salient shortfalls were identified, including the lack of practice in firing owing to the scarcity of firing ranges and training ammunition, accommodation below United Nations standards, the absence of overhead protection of the armoury stores and the improper shape of the emergency shelter. The Force headquarters is working to improve the arrangement of the firing range for the contingents and having the ground commanders establish overhead protection for the armouries, as well as to prepare fortified emergency shelters inside the contingent areas. In addition, it is focused on improving the Force's effectiveness in the key areas of protection of civilians, casualty evacuation, rules of engagement, civil-military cooperation, the interoperability review and execution of the concept of operations plan to address challenges in the implementation of the Mission's mandate.

## **IX. Observations and recommendations**

93. I welcome the engagement by Mr. Museveni and Lieutenant General Abdel Fattah Abdelrahman Al-Burhan, who facilitated dialogue between Mr. Kiir and Mr. Machar. I encourage them in their capacity as guarantors of the Revitalized Agreement on the Resolution of the Conflict in South Sudan to remain engaged and provide direction to the signatories, including through the tripartite mechanism to be established to monitor progress on critical tasks. I further welcome the efforts of the African Union and IGAD to chart a course on the basis of dialogue and consensus, and for their continued engagement with the parties. I call upon the international community and South Sudan partners and stakeholders to actively support the efforts of the parties and IGAD. I welcome the decision made at the IGAD summit to reform the organization to ensure that it becomes more rules-based, effective and predictable, and I look forward to working closely with the new leadership of IGAD.

94. While the renewed extension of the pre-transitional period has led to the easing of political tensions, which had peaked in the weeks leading up to 12 November, I express my disappointment over the lack of progress needed to form the Revitalized Transitional Government of National Unity in a timely manner. I further note with great concern that progress and clarity on the implementation of outstanding critical tasks remains fundamentally limited.

95. Over the 100-day extension period, it is ultimately the political will of the parties that will determine its success. The parties need to move forward to accomplish outstanding tasks and to build the confidence and trust that South Sudan so desperately needs. It is therefore critical that progress is measured against the agreed benchmarks. Given the holiday season, it is important to use any opportunity to move forward with the implementation of the Revitalized Agreement during the coming weeks to keep momentum.

96. The parties urgently need to make progress on the transitional security arrangements to ensure that they are sufficiently advanced for the formation of a transitional Government. I express serious concern over reports of soldiers leaving cantonment sites owing to the lack of resources and request the parties to address this matter urgently. In addition, measures to prevent and deter violence against civilians, including forced recruitment, sexual and gender-based violence and the illegal occupation of civilian houses, must be implemented.

97. I encourage the parties to continue dialogue to resolve the issue of states and their boundaries, which is critical to the attainment of sustained peace. The parties must commit themselves to a process of negotiation, compromise and political settlement. To this end, I call upon the parties to agree to a defined process and mechanism to forge a way forward in the spirit of peace and compromise.

98. I note with concern the low and uneven participation of women in the implementation of the Revitalized Agreement and its institutions. I therefore reiterate my support for the parties and civil society to help to promote the participation of women in the effective implementation of the Agreement and related political processes, including in the institutions of governance.

99. I commend the announcement made by the Government to release an additional \$40 million towards implementation and urge its speedy allocation. Of paramount importance, however, is the need for transparency and accountability in the allocation and use of resources. This can be achieved through the establishment of an independent and transparent mechanism, which will facilitate oversight. Ultimately, such steps will demonstrate political will and accountability and build confidence, therefore enhancing international support.

100. I note with concern that, despite calls by the Security Council, the issue of the status of Mr. Machar is yet to be addressed. I encourage the Government to issue a passport to him. I also call upon IGAD to lift any travel restrictions impeding his free movement. This is key to enhancing trust and to removing obstacles to sustained face-to-face dialogue between the leaders.

101. I continue to call upon all parties to prevent and address the unacceptable levels of conflict-related sexual violence, and encourage SPLA-IO to continue to work closely with the United Nations to resolve the situation of women and girls in the SPLA-IO bases and to hold accountable those responsible for violations of international humanitarian law and abuses and violations of human rights.

102. It must be emphasized that the ceasefire is a fundamental achievement of the peace process. As the leaders move forward, maintaining the ceasefire must remain paramount, and the responsibility for it lies with them. I do, however, express concern about ongoing clashes between the Government, the opposition and non-signatories in Central Equatoria and Western Equatoria and their detrimental impact on civilians. Reaching a political solution through sustained dialogue is the only way forward, and these outliers must be brought into the process.

103. The United Nations stands ready to continue to support the parties through this process to ensure that the resolution of outstanding tasks can be attained.

104. As the United Nations and the international community move forward, the imperative for peace continues to be reflected in the dire humanitarian situation. While gains have been made, the plight of the South Sudanese continues to be bleak. With 7.2 million in need, 1.4 million internally displaced and 2.2 million refugees in neighbouring countries, the interest of the people must be the focus of the United Nations and the international community. The situation has been further compounded by flooding across the country, which has had a significant impact on crop and livestock production and caused extensive damage to cultivated land. I urge the parties to move forward with the interest of the people at the forefront, including the development of solutions to support displaced and vulnerable persons.

105. Finally, I convey my deep appreciation to UNMISS personnel and to my Special Representative, David Shearer, for their tireless efforts in protecting civilians, facilitating the delivery of humanitarian assistance, upholding human rights and supporting the peace process in South Sudan. I thank the troop- and police-contributing countries for their support. I am also grateful to the United Nations country teams and humanitarian partners for providing vital and life-saving assistance across the country, undaunted by challenges such as the recent floods, which have affected large parts of the country. I further acknowledge the sustained efforts of the reconstituted Joint Monitoring and Evaluation Commission and the Ceasefire Transitional Security Arrangements Monitoring and Verification Mechanism.



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