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Report of the Commission on Human Rights in South Sudan*

Summary

In the present report, submitted pursuant to Human Rights Council resolution 58/1, the Commission on Human Rights in South Sudan provides an overview of the deteriorating human rights situation during 2025.

A decade after its establishment, the Commission concludes that averting a return to full-scale war in South Sudan depends on urgently dismantling entrenched impunity, ending the capture and militarization of State institutions and the economy by political and military elites, and restoring a legitimate and inclusive political order. The immediate restoration and full implementation of the 2018 Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan is indispensable, both as the central legal and institutional framework for accountability, governance, security sector reform, transitional justice and equitable governance of national resources, and to prevent South Sudan from remaining trapped in recurring cycles of violence, instability and mass human rights violations.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.



I. Introduction

1. Relentless and deliberate obstruction of peace and accountability has driven South Sudan to the brink of renewed full-scale conflict. The Commission on Human Rights in South Sudan has collected testimonies from South Sudanese individuals since 2016, documenting persistent violations, trauma, loss and resilience. In 2025, after years of impeding implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, dismantling accountability safeguards and consolidating power through repression, political and military leaders precipitated another cycle of armed conflict and gross human rights violations, profoundly betraying citizens' aspirations for peace, justice, dignity and respect for human rights, and deepening the instability of the region.
2. Politically motivated detentions and prosecutions dismantled transitional power-sharing arrangements, triggering renewed armed confrontation after the Sudan People's Liberation Movement in Government (SPLM-IG) arbitrarily detained and politically neutralized Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) members. The removal from office and politicized prosecution of First Vice-President and SPLM/A-IO Chairperson, Riek Machar, undermined the core power-sharing guarantees of the Revitalized Agreement, triggering political uncertainty and armed clashes on a scale not witnessed since the collapse of the peace agreement in 2016.
3. External military intervention and aerial bombardments intensified the conflict amid regional escalation. The deployment of forces from Uganda, a Revitalized Agreement guarantor, materially strengthened SPLM-IG militarily and raised credible concerns regarding violations of the United Nations arms embargo. Joint aerial bombardments by Uganda Peoples' Defence Forces and South Sudan People's Defence Forces targeted civilian-populated areas, predominantly affecting Nuer communities in opposition-affiliated areas. Illegitimate attempts to amend and circumvent the Revitalized Agreement introduced further political, security and economic risks, including political, military and economic entanglement in the armed conflict in the Sudan.
4. Civilians bore the overwhelming human brunt as conflict, violence, displacement, sexual violence and economic predation intensified an already dire humanitarian situation. In 2025, displacement rose by almost 40 per cent, to 3.2 million people, while armed conflict, flooding and sexual violence combined to produce acute humanitarian distress and protection risks. Declining international assistance disproportionately affected women and children. Grand corruption and entrenched repression further eroded livelihoods, undermined access to essential services and compounded the structural conditions driving human rights violations.
5. State institutions and power remain captured, concentrated and instrumentalized by a narrow political-military elite who govern through repression and economic predation, with systemic impunity. Relegating the country to perpetual crisis, elites fuel conflict, suppress dissent and extract national resources for private gain.¹ They obstruct the credible justice, accountability and democratic political processes necessary for a sustained transition.
6. The systematic dismantling of the Revitalized Agreement threatens the legal and institutional foundation for peace, democratic transition and human rights protection. It undermines the foundational legal and political framework for addressing the structural drivers of conflict, including exclusion, militarization and impunity, and it erodes the transition and jeopardizes prospects for peace, democratic governance and human rights protection in South Sudan.
7. The collapse of political safeguards and escalating atrocity risks have made urgent preventive action imperative. The reversal of the 2015 peace agreement in 2016 demonstrated the profoundly adverse consequences of abandoning political settlements on civilian protection and regional security. Recent developments and reversals have created conditions

¹ See the conference room paper of the Commission on Human Rights in South Sudan on plundering a nation: how rampant corruption unleashed a human rights crisis in South Sudan, available at <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/a-hrc-60-crp-5.pdf>.

that are fundamentally incompatible with the conduct of credible, free and fair elections in late 2026. Preventing further mass atrocity crimes, institutional collapse and the destruction of the fragile transition of South Sudan requires urgent coordinated national, regional and international re-engagement.

II. Mandate, methodology and legal framework

8. The Commission on Human Rights in South Sudan was established by the Human Rights Council, pursuant to its resolution 31/20 of 23 March 2016. The Commission's mandate has been extended annually, most recently in resolution 58/1 of 2 April 2025.

9. The current members of the Commission, appointed by the President of the Human Rights Council, are Yasmin Sooka (Chair), Barney Afako and Carlos Castresana Fernández. They are supported by a secretariat in Juba.

10. In the present report, the Commission focuses on incidents and developments that took place between January and December 2025, illustrating the human rights situation, drawing from the Commission's missions conducted within South Sudan. Details of the methodologies and the sources – including of quoted text – used in the present report are provided in a supplementary annex.² An advance draft of the report was submitted to the Government of South Sudan.

11. The Commission thanks the Government of South Sudan for the cooperation it extended and expresses appreciation for the logistical support and assistance of the United Nations Mission in South Sudan (UNMISS). The Commission particularly thanks all those who shared their experiences, expertise or analysis.

III. Political and security developments

12. The fracturing of transitional power-sharing and security arrangements reflected a sustained pattern of obstruction of the Revitalized Agreement, as SPLM-IG consolidated political dominance. The abandonment during 2025 of the Tumaini Initiative led by Kenya further weakened regional peace efforts.

13. SPLM/A-IO was fragmented by attacks on cantonments, defections and violations of power-sharing arrangements. By January 2026, escalating hostilities risked another return to full-scale war, echoing the collapse of the 2015 peace agreement.

14. Failures to share resources and unify forces enabled the continued operation of unlawful road and riverine checkpoints that finance armed forces. After the parties agreed in December 2024 to dismantle checkpoints, the selective enforcement by SPLM-IG of that policy was denounced by SPLM/A-IO as territorial expansion, triggering direct hostilities between the parties. In Western Equatoria State, South Sudan People's Defence Forces seized an SPLM/A-IO post in January 2025 and a cantonment in February 2025. Concurrently, in Upper Nile State, mobilizations by SPLM-IG accelerated confrontations.

15. In late February 2025, SPLM-IG forces advanced towards Nasir, where clashes between soldiers and residents persisted. On 4 March 2025, Nuer "White Army" militia overran a South Sudan People's Defence Forces garrison. SPLM-IG attributed responsibility to SPLM/A-IO and arbitrarily detained opposition leaders in Juba. On 7 March 2025, an UNMISS evacuation helicopter was shot, killing a military commander and a United Nations crew member. This marked a grave escalation and highlighted the rapid erosion of ceasefire guarantees, despite presidential assurances that the country would not return to war.

16. New deployments of Uganda Peoples' Defence Forces in February 2025 precipitated joint aerial bombardments, regionalizing the conflict while intensifying displacement and famine risks. On 26 April 2025, SPLM-IG publicly declared nine predominantly Nuer counties as "hostile, primarily aligned to SPLM/A-IO", with grave implications for civilian protection.

² Available at <https://www.ohchr.org/sites/default/files/documents/form/a-hrc-61-25-annex.pdf>.

17. Attacks on SPLM/A-IO escalated hostilities. By August 2025, SPLM/A-IO had begun operating jointly with the National Salvation Front (NAS),³ a non-signatory to the Revitalized Agreement. On 15 September 2025, the interim Chairperson in exile of SPLM/A-IO issued a call to arms. On 12 October 2025, the Chief of South Sudan People's Defence Forces ordered SPLM/A-IO soldiers to report to South Sudan People's Defence Forces barracks or be declared hostile. In late December 2025, both parties called for civilians to evacuate parts of Jonglei State as air strikes and clashes intensified.

18. Warrap State recorded the highest number of civilian fatalities from violence in 2025, primarily from attacks between armed cattle keepers of rival Dinka sections, inflamed by security forces. In June 2025, a state of emergency was imposed in Warrap State and neighbouring Mayom County, but partisan disarmament efforts failed to break cycles of insecurity, leaving communities unprotected.

19. The detention in March 2025 of opposition leader Riek Machar marked a structural rupture in the transition, paralyzing power-sharing institutions and significantly altering the negotiated political balance. The Peace and Security Council of the African Union called for his immediate release and declared the detentions and dismissals of SPLM/A-IO officials to be in blatant violation of the Revitalized Agreement. Prosecutions of opposition leaders highlighted concerns regarding judicial independence, while ineffectual mediation efforts deepened instability.

20. The recognition by SPLM-IG of a splinter SPLM/A-IO faction and its dismissals of opposition officials replicated patterns preceding the collapse of the peace agreement in 2016.

21. As negotiated power-sharing eroded, executive authority concentrated further around the President, Salva Kiir. The Council of Ministers and the Transitional National Legislative Assembly did not convene for most of 2025. Frequent and unexplained rotations of senior officials continued. On 20 August 2025, the President appointed his daughter, Adut Salva Kiir, as Senior Presidential Envoy for Special Programmes, a position held by Benjamin Bol Mel before he was appointed a Vice-President on 10 February 2025. He was dismissed on 12 November 2025, after the Commission issued a conference room paper in September 2025 in which it detailed his centrality in the "Oil for Roads" corruption scheme. By December 2025, four different Ministers of Justice and Constitutional Affairs had served during the year. On 28 May 2025, the President dismissed the long-serving Chief Justice and the Deputy Chief Justice, in contravention of constitutional safeguards.

22. Aggravated corruption and fiscal mismanagement prevented economic recovery, despite Dar Blend crude oil exports resuming in April 2025. The absence of a national budget by January 2026 and the vulnerability of oil infrastructure compounded fiscal instability.

23. The increasing entanglement of South Sudan in the armed conflict in the Sudan included force deployments to secure oil infrastructure, while emerging cross-border insecurity compounded political and economic risks.

24. In December 2025, SPLM-IG proposed amending the Revitalized Agreement to abolish its supremacy over other laws and defer the adoption of a permanent constitution, thereby repudiating its transformative provisions.

25. None of the core benchmarks in the Revitalized Agreement, including constitutional reform, unified forces and transitional justice processes, have been achieved. Instead, throughout 2025, political and military fragmentation intensified, humanitarian access restrictions weakened civilian protection, and international support declined. South Sudan entered 2026 with a derailed transition and resurgent conflict.

³ "NAS" is the name derived from Arabic by which the group is known, not an acronym.

IV. Armed conflict and violence

A. Emblematic situations

1. Western Equatoria State

26. Western Equatoria State remained a conflict flashpoint. Since 2020, political and military leaders resistant to power-sharing have orchestrated ethnically targeted violence against Azande and Balanda communities. In 2025, this evolved into direct clashes between SPLM-IG and SPLM/A-IO forces, in patterns later replicated in other states.

27. On 6 January 2025, South Sudan People's Defence Forces triggered clashes by occupying an SPLM/A-IO position at Boo Bridge, bordering Western Equatoria and Western Bahr el-Ghazal States. On 10 February 2025, the President unilaterally dismissed the Governor, Alfred Futuyo, the SPLM/A-IO nominee, replacing him with an SPLM-IG member. The Governor's State House was attacked and on 12 February 2025, South Sudan People's Defence Forces overran the SPLM/A-IO cantonment near the state capital. SPLM-IG said that Mr. Futuyo had been removed to de-escalate clashes after SPLM/A-IO resisted checkpoint closures. Peace monitors concluded that the attacks and dismissal involved serious violations of the 2017 ceasefire agreement and the Revitalized Agreement.

28. The security situation deteriorated throughout 2025, accompanied by human rights violations and displacements. In February and March 2025, South Sudan People's Defence Forces pursued Mr. Futuyo and his family and allies were harassed. SPLM-IG denied the SPLM/A-IO allegation of attempts to assassinate Mr. Futuyo. After South Sudan People's Defence Forces, under James Nando, attacked SPLM/A-IO in Nadiangere, Mr. Futuyo's birthplace, on 4 April 2025, SPLM-IG rescinded the area's administrative status. Military and administrative authority was again being used to punish political opposition.

29. A significant flashpoint was the SPLM/A-IO stronghold, Kediba payam, near the border with Central Equatoria State. In mid-June 2025, South Sudan People's Defence Forces took control after SPLM/A-IO forces retreated following two months of clashes. By September 2025, SPLM/A-IO formed an alliance with the National Salvation Front, briefly retaking a military post in Kediba. On 15 October 2025, an air strike was reported in Nagero County, amid direct hostilities. By December 2025, SPLM/A-IO had lost key positions, including checkpoints.

30. Political violence from the main parties inflicted further devastation and insecurity throughout the state, with attacks along ethnic lines alongside more prominent hostilities between the parties. In Tambura, which has been ravaged by politicized ethnic violence, displaced Azande and Balanda residents described violations, including abductions and killings of civilians who had been gathering food, as authorities failed to provide protection. Survivors from both communities reported ongoing use of children in armed forces and persistent sexual violence against women and girls. The scale and recurrence of violations are enabled by impunity, implicating all parties to the conflict.

31. Humanitarian workers reported mounting food insecurity throughout the state, yet access constraints severely limited emergency response. UNMISS condemned an armed attack on peacekeepers on 3 September 2025. Security in Tambura town became precarious following the withdrawal of UNMISS from its base. Clashes between heavily armed forces continued in late 2025, reflecting the failures to ensure minimum conditions of civilian protection.

32. The Commission identified South Sudan People's Defence Forces and SPLM/A-IO commanders, including individuals named in previous reports, as bearing responsibility for serious crimes. Senior political and military leaders may bear command responsibility, including for failing to prevent or punish violations. Government actions failing to respect and protect human rights amount to violations of the State's international law obligations.

2. Upper Nile and Jonglei States

33. Conflict that erupted in southern Upper Nile State in February 2025 soon spread to northern parts of Jonglei State, expanding into its interior by December 2025. Air strikes and clashes involving multiple armed forces and militia persisted throughout 2025. By January 2026, renewed clashes were accompanied by hate speech against Nuer civilians from military leadership. The Commission publicly warned of a significantly heightened risk of atrocities.

34. The military campaign that focused on Nasir town carried political significance because of the town's historical association with Riek Machar's breakaway factions in 1991 and 2014. When the 2017 ceasefire was signed, a South Sudan People's Defence Forces garrison was in place in Nasir. In 2021, SPLM/A-IO forces vacated the town after its cantonment was overrun by soldiers in retaliation for attacks by local militia. Clashes between soldiers and residents continued thereafter, often linked to localized grievances. As violence escalated throughout 2024, ceasefire monitors and community leaders repeatedly called for Necessary Unified Forces to be deployed as a neutral replacement. This option was effectively abandoned after the Chief of South Sudan People's Defence Forces changed in December 2024. In January 2025, long-garrisoned soldiers reportedly issued an ultimatum, demanding to be rotated out. In February 2025, the authorities announced that they would be relieved, but that Necessary Unified Forces could not deploy to a hostile area, despite calls from community leaders, the United Nations, regional bodies and others for a neutral force to mitigate violence.

35. In Malakal, South Sudan People's Defence Forces mobilized alongside allied Shilluk Agwelek and Dinka Abushok militia. On 15 February 2025, Agwelek militia leader General Johnson Olony addressed forces after being appointed Assistant Chief of South Sudan People's Defence Forces, tasked with disarmament and dismantling checkpoints. Nuer leaders opposed this operation as partisan, citing General Olony's mandate and documented history of attacks against Nuer civilians and SPLM/A-IO. Nuer militia mobilized between Malakal and Nasir to resist the deployment, framing their actions as community defence.

36. From 19 February 2025, SPLM-IG forces advanced east along the Sobat River towards Nasir, clashing with militia in Baliet and Ulang Counties. SPLM/A-IO and SPLM-IG exchanged accusations of attacks by respective forces. Air strikes commenced in Ulang County in late February 2025, where forces faced militia resistance. Aerial bombings escalated in civilian areas, causing mass displacement. Displaced Nuer residents said that the air strikes reinforced perceptions of ethnic targeting, provoking further militia mobilizations.

37. In Juba, on 3 March 2025, SPLM-IG and SPLM/A-IO leaders met with the Presidency to discuss curbing the violence, even as forces proceeded to Nasir. On 4 March 2025, militia overran the Nasir garrison, killing scores of soldiers. On 7 March 2025, the garrison commander was killed during an UNMISS evacuation operation. Talks collapsed as SPLM-IG blamed SPLM/A-IO and began detaining its leaders. Ugandan forces deployed into South Sudan.

38. From 16 March 2025, aircraft bombarded Longochuk, Nasir and Ulang Counties. Witnesses detailed repeated attacks that resulted in the killing and maiming of civilians, including children suffering severe burns consistent with incendiary bombs. Public statements, including posts on X by the Ugandan Chief of Defence Forces, indicated Ugandan air support and explicitly incited violence against Nuer populations. Nasir town emptied, with many residents fleeing to Ethiopia.

39. Fighting continued east of Malakal throughout April 2025, wreaking devastation on civilian populations. The Chief of South Sudan People's Defence Forces visited Nasir town on 21 April 2025 after SPLM-IG forces asserted control, then on 25 April 2025 ordered the removal of "all illegal checkpoints on/along the River Nile". Conflict expanded south-west of Malakal into northern Jonglei State, where SPLM-IG and SPLM/A-IO forces clashed. On 26 April 2025, SPLM-IG declared nine predominantly Nuer counties to be "hostile".

40. In April and May 2025, new SPLM-IG governors of Upper Nile and Jonglei States dismissed local administrators in SPLM/A-IO areas, consolidating SPLM-IG control. This followed the dismissals of opposition governors in both states during March 2025, in violation of the Revitalized Agreement, including the appointment of

United Nations-sanctioned General James Koang Chuol Ranley as Upper Nile State Governor. Local administrations and already-limited service delivery collapsed.

41. Air strikes intensified in May 2025, including indiscriminate bombings. Civilians fled aerial and ground offensives. In Jonglei State, South Sudan People's Defence Forces mounted offensives in Fangak County, clashing with SPLM/A-IO and Nuer militias. On 3 May 2025, aircraft attacked a hospital in Old Fangak town, prompting mass evacuations. Displaced persons described precarious survival conditions, including sheltering on improvised floating platforms in swamps. The worsening food insecurity and the public health crisis disproportionately affected women and children, who were already facing threats from multiple armed actors. In June 2025, famine warnings were issued for Nasir and Ulang Counties.

42. Survivors described killings by South Sudan People's Defence Forces and aligned militias, including families who were burned alive in their homes during aerial attacks, and civilians who were executed by ground forces. A displaced woman described waking in terror as bombs fell on her family compound. Another interviewee reported Agwelek militia killing his young nephews on their farm. Other witnesses saw soldiers kill elderly civilians. Access challenges and chaos made the scale of the killings difficult to quantify.

43. Multiple armed groups perpetrated sexual violence against women and girls. Women who fled the Nasir garrison reported horrific sexual violence inflicted by Nuer militias, punishing victims for being wives of Dinka soldiers. Rapes were reported during operations to retake Nasir by forces under SPLM-IG. Widespread fears of sexual violence compounded mass displacements.

44. Most air strikes nationwide were in parts of Jonglei and Upper Nile States associated with SPLM/A-IO. Attacks on medical clinics and aid workers resulted in the collapse of already-limited health services. Despite worsening hunger, government restrictions forced the suspension of World Food Programme airdrops from March to June 2025, when famine warnings were issued. In late May 2025, some government food airdrops started in areas regained by SPLM-IG. In July 2025, the first humanitarian convoy in three months to affected counties was blocked on the river for 13 days because some food was destined for SPLM/A-IO areas. Government restrictions prevented critical humanitarian flights to numerous opposition-affiliated areas, including where child malnutrition was extremely critical.

45. In late December 2025, SPLM/A-IO and South Sudan People's Defence Forces issued separate calls for civilians to evacuate parts of Jonglei State. Fighting expanded into the state interior, reportedly displacing more than 100,000 people in December 2025 alone. On 25 January 2026, South Sudan People's Defence Forces announced Operation Enduring Peace, ordering the evacuation of peacekeepers, humanitarians and civilians from opposition areas. Grave atrocity risks were underscored by the failure to suspend or investigate General Olony after a video emerged showing him inciting soldiers to kill civilians.

46. More than half a million people were displaced by conflict in the two states in 2025, and Jonglei State saw further mass displacements during January 2026.

47. The aerial bombardments and ground operations conducted by SPLM-IG forces plunged civilian populations into poverty through forced displacement and denial of basic needs. The Commission identified members of armed forces and militias bearing responsibility for gross human rights violations and abuses, including commanders named in previous reports. It has preserved evidence of serious crimes, including incitement to ethnic-based violence.

48. The State's systemic failures to respect and protect civilians, including actions that facilitated or fuelled the conflict, are manifest violations of its obligations under international human rights law and international humanitarian law.

B. Air strikes

49. The Commission recorded air strikes in seven of the ten states in South Sudan in 2025, characterized by attacks on civilians and indiscriminate bombardments. The scale and frequency of air strikes is unprecedented in the territory since pre-independence wars, when the regime in Khartoum bombed southern populations and forces. This significant shift in military tactics, capabilities and external cooperation reflects the collapse of ceasefire agreements.

50. The first aerial attack was reported on 25 February 2025 during helicopter operations in Upper Nile State, where multiple armed forces had mobilized. A military spokesperson warned of further pre-emptive air strikes. The first air strike targeting an SPLM/A-IO military site was on 24 March 2025 in Wunaliet. The first attack against armed civilian cattle raiders occurred on 6 May 2025 in Mayom County, Unity State. These attacks recurred throughout 2025. Gross human rights violations accompanied military ground operations.

51. Most air strikes were in counties in Jonglei and Upper Nile States, declared “hostile” by SPLM-IG. Patterns of targeting and consequences indicate that the forced displacement of civilians in opposition-administered areas was a principal objective.

52. South Sudan People’s Defence Forces possess several Mi-24 attack helicopters and also deploy fixed-wing aircraft. The Panel of Experts on South Sudan observed Bell 412 helicopters armed with rocket pods in conflict zones in 2025. The Uganda Peoples’ Defence Forces acknowledged operating these and other aircraft in South Sudan during 2025, noting that it “endeavours to isolate and destroy only military targets”. Reports of drones used could not be independently verified. The deployment of multiple aircraft in coordination with ground forces indicates high degrees of planning, operational integration and command-level authorization.

53. The Commission’s analysis of imagery depicting victims and impact areas of attacks, corroborated by witness testimonies, indicates the use of a variety of weapons, munitions and bombs. The use of improvised incendiary devices was widespread. Many victims exhibited severe and extensive burns, indicating prolonged thermal exposure rather than injuries associated with standard military ordnance. Fire-related damage patterns are visible in affected structures and surroundings, where containers were adapted to carry flammable materials and dropped from aircraft, producing blast and fire effects. Given the limitations of visual analysis, further investigations are required to determine potential ignition mechanisms and the composition of flammable materials, including whether prohibited substances were used.

1. Wunaliet, Central Equatoria State

54. On 24 March 2025, a military offensive was launched approximately 15 kilometres west of Juba. Earlier that day at Juba international airport, a South Sudan People’s Defence Forces spokesperson had told media that the Chief of South Sudan People’s Defence Forces was monitoring the situation in Wunaliet and had appealed for SPLM/A-IO forces to stay within cantonments. That night, aircraft repeatedly bombed the SPLM/A-IO Wunaliet cantonment and adjacent civilian-inhabited areas. Eyewitnesses reported fixed-wing aircraft circling and dropping barrels of liquid that ignited, engulfing grasses and homes (*tukuls*). Survivors recounted having fled the bombings and witnessed civilians who had been set alight, including a boy who was burned beyond recognition. South Sudan People’s Defence Forces perpetrated rape and other violations targeting Nuer civilians during accompanying ground operations.

55. Flight tracking data show a Cessna Caravan plane circling during the bombing, after departing from Juba. The aircraft had arrived that afternoon from Uganda, operated by Uganda Peoples’ Defence Forces. The presence of additional aircraft during the attack could not be excluded.

56. On 25 March 2025, the Chief of the Uganda Peoples’ Defence Forces publicly declared that it had bombed SPLM/A-IO and issued threats directed at the Nuer population. On 28 March 2025, the Ministry for Defence and Veteran Affairs of Uganda issued a statement asserting that its air force “does not attack civilians” or possess “chemical weapons and barrel bombs”.

57. SPLM/A-IO was dislodged from the Wunaliet cantonment it had occupied since around 2019, in a pattern repeated across the country. Following the attack, there was a heavy military build-up around Juba, incidents at two other security sites, and movement restrictions imposed after Riek Machar's arrest. Authorities announced in June 2025 that the Wunaliet site would be used to train recruits for peacekeeping, formally inaugurating the site in August 2025.

58. Aerial reconnaissance and troop deployments preceding the attack, public statements by military leaders and corroborated evidence demonstrate high-level joint operational planning and authorization. The bombing constitutes an attack against civilians, or indiscriminate attacks, amounting to serious violations of international human rights and humanitarian law. Attacks on the SPLM/A-IO cantonment violated the 2017 ceasefire and the 2018 Revitalized Agreement.

2. Old Fangak, Jonglei State

59. Early on 3 May 2025, military aircraft attacked Old Fangak town. Witnesses reported helicopters strafing the town and fixed-wing aircraft dropping bombs. A Médecins sans frontières hospital and adjacent public areas were hit. The hospital's pharmacy burned to the ground, destroying supplies. Seven people were reportedly killed and 27 injured.

60. One week earlier, SPLM-IG had declared that the predominantly Nuer and SPLM/A-IO administered Fangak County was "hostile". On 7 May 2025, South Sudan People's Defence Forces acknowledged "strategic bombing raids" in the county, following warnings of "punitive aerial" actions.

61. Médecins sans frontières condemned the "deliberate bombing" of its hospital, which forced an evacuation that disrupted healthcare for over 110,000 people. The organization experienced multiple attacks during 2025. On 10 May 2025, another aerial attack was reported in the area. Displacements in the county reached 50,000 by the end of the month.

62. The hospital was known to military authorities, illuminated and clearly marked with prominent signage. The extent of the fire damage suggests that incendiary agents or fuel-based devices were used in the bombing. Photos displaying hospital structures riddled with bullet holes support witness accounts of targeting. Apparent aerial reconnaissance operations indicate planning, while reports of men who had been injured in combat being treated at the hospital may have been a factor in its unlawful targeting. South Sudan People's Defence Forces have not publicly explained the attack on 3 May 2025, which follows a pattern that has lasted over a decade of hospitals being destroyed during conflict in the area.

63. The sequence of aerial deployments, the conflict context and other factors indicate high-level authorization, consistent with other air operations. The attack against civilians and protected objects is in serious violation of international humanitarian law, including special protections for medical facilities and persons hors de combat. It also violates international human rights law, including the rights to life and to healthcare.

C. Forced recruitment of boys and young men

64. Forced recruitments have persisted since the Revitalized Agreement was signed and include sending children into battle. While all parties to the conflict have been implicated, South Sudan People's Defence Forces are responsible for most cases, which go unpunished.

65. During 2025, boys and young men were captured and flown to Upper Nile State to be put on the battlefield for offensives where South Sudan People's Defence Forces were incurring losses and desertions. Around March 2025, security forces under SPLM-IG command launched a forced recruitment campaign in Juba. On 9 June 2025, the military spokesperson announced a campaign to recruit 3,000 soldiers for training in Malakal. Later that month, police in Juba announced a crackdown on gangs and soon detained over 600 male youth. Reports indicate that some of them were forcibly recruited. At least several hundred were abducted.

66. The Commission interviewed survivors, families of missing persons, and witnesses of abductions from public spaces in the capital in 2025. They described South Sudan People's Defence Forces, the National Police Service and National Security Service bundling boys and young men into vehicles at gunpoint. Few victims were given reasons for their detention; others were told they would be sent to fight in Nasir. Several were transferred to a barracks after one night in a police station, where some of them were released after families arranged ransom payments. Multiple police and military facilities were used for the detentions. Relatives recounted searching various sites for family members. At Giada military barracks, known for deaths in detention and other violations, boys and young men who were detained for nearly one week reported deaths, crowding, beatings and deprivation of food, water and sanitation. Military trucks then transported the abductees to Juba airport.

67. From Juba, aircraft transported the boys and young men to Malakal. When interviewed, victims who had been flown there in early July 2025 indicated that commercial aircraft had operated those flights, and the Commission identified the likely owners and aircraft used. On arrival, the boys and young men were taken to a barracks and given uniforms, guns, ammunition and sacks of sorghum offloaded from the aircraft. Several survivors reported deploying eastward on crowded trucks which got stuck in mud, enabling them to escape. Others received rudimentary military training in Gel Achel payam, about halfway between Malakal and Nasir.

68. Testimonies from victims and their family members indicate that many boys and young men who were abducted from Juba were killed in military operations. In Malakal, armed forces, including Agwelek militia, forcibly recruited boys and young men. Those who managed to escape but had no means to return home remained extremely vulnerable to exploitation and further abductions. Many victims' families were forced to pay ransoms and suffered psychological trauma resulting from separation, death or not knowing their relative's fate.

69. The evidence collected implicates South Sudan People's Defence Forces senior leadership in forced recruitments, coordinated with other forces. Companies involved in transporting abductees may be complicit in those crimes. The campaign in Juba reflects military impunity and the consequences of not implementing security sector reforms. The associated abductions, detentions and deployments amount to gross violations of international human rights law, and the grave violations of children's rights constitute serious crimes.

D. Grave violations of children's rights

70. Children are bearing a disproportionate burden of the ongoing conflict. Their abject conditions further deteriorated in 2025, compounded by the neglect and destruction of public services. Escalating hostilities intensified grave violations, implicating all parties to the conflict, while the breakdown in governance and security compounded vulnerabilities – from susceptibility to deaths from disease and exploitation risks. Brazen impunity – exemplified in forced recruitments of boys in the capital – has driven the recurrence of grave violations.

71. In conflict areas, ongoing child abductions are a precursor to further harrowing grave violations. In Western Equatoria State, reflecting patterns across the country, armed actors abducted girls and boys from farms, homes, schools and roadsides and transferred them to military sites. South Sudan People's Defence Forces committed grave violations in the state, with abducted girls used as sexual slaves and enduring forced pregnancies, and boys forced into battle and carrying out attacks on civilians. SPLM/A-IO also committed grave violations, forcing boys to kill and raping captive girls claimed as "wives". Commanders previously identified as responsible for grave violations remained unpunished and continued to violate children's rights, reflecting brazen impunity. Children abducted by militia described the same patterns of violations.

72. Initiatives to release children from armed forces are essential but distressingly limited. Grave violations of children's rights, particularly those that are gender-based, carry deep trauma requiring tailored psychosocial support. Significant government investments in reintegration programmes and accountability are essential to address violations and enable children's recovery.

73. As hostilities escalated during 2025, the Commission documented the killing and maiming of children in multiple parts of the country in the context of hostilities, clashes and bombings. Witnesses and victims' families described infants burned beyond recognition in bombings, children killed during armed clashes and forced recruits carrying life-changing trauma. Imagery of infants maimed or killed by bombs flooded social media, yet these grave violations continued into 2026.

74. Armed conflict devastates children's lives, disrupting education, compounding acute malnourishment and exposure to illness, and inflicting severe and lasting physical and psychological trauma. Children constitute most of the displaced population, and many are separated from their families, further increasing their vulnerability. Victims and their family members reported children suffering from severe depression, social withdrawal, recurrent anger and persistent traumatic flashbacks. Continuous bombardments, displacement, insecurity and escalating hostilities compound the devastation inflicted on children.

V. Sexual and gender-based violence

75. Sexual violence against women and girls is a defining and persistent feature of conflict in South Sudan. The Commission's collection of extensive survivor testimonies since 2016 shows widespread and systematic patterns of rape and other forms of sexual violence perpetrated by all armed forces and groups. Entrenched impunity, recurrent hostilities and dysfunctional governance sustain sexual violence as a method of warfare and a mechanism for exercising power. Most women and girls live in areas of conflict and militarization, placing them at constant risk of sexual violence.

76. In 2025, sexual violence again functioned as a strategic instrument of conflict deployed to terrorize civilian populations, drive displacement and fracture social cohesion. Widespread sexual violence has corroded women's and girls' sense of safety, destroying trust in social and State institutions. Conflict-related sexual violence is enabled by command environments which endorse or tolerate violations, and the State's abject failure to address these serious crimes. There is still no meaningful political will to address impunity and implement long-promised reforms.

77. Many survivors reported that in 2025, perpetrators had demanded to know their ethnic identity before assaulting them, explicitly invoking ethnicity to justify violence, including as punishment for inter-ethnic marriages. Illustrating this targeting of victims, a survivor described being raped by soldiers in front of her children, which the soldiers said was punishment for being Nuer.

78. In detention sites, sexual violence is inflicted to subjugate and dehumanize victims. In Central Equatoria State, the Commission documented women detained in military barracks who had been chained and raped by multiple soldiers. Men were also subjected to sexual violence by security forces, including rape with blunt objects and genital beatings. Rapes are typically accompanied by other violations, including brutal beatings, forced nudity, humiliation, deprivation of liberty and denial of medical care. Survivors suffer severe and enduring physical and psychological harms, including prolonged bleeding and untreated injuries. Numerous survivors described their attackers as "those in power", underscoring the State's failure to restrain military forces.

79. Forced displacement owing to military operations exposed women and girls to heightened risks of sexual violence. They are at grave risk, whether fleeing violence or undertaking survival activities, including foraging for food and firewood, without protection. Physical and psychological injuries from rape have eliminated the capacity of many survivors to engage in labour-intensive work, entrenching dependency, poverty and long-term social and economic exclusion. These harms are experienced through intersecting and mutually reinforcing vulnerabilities, including ethnicity, age, displacement status, perceived political affiliation, and women's economic and family roles, shaping exposure to violations and barriers to protection, reporting and recovery.

80. Sexual violence remains systematically unreported due to shame, stigma, lack of trust in institutions, the absence of effective protection mechanisms, fear of reprisals from

perpetrators and social exclusion. Families often conceal violations to avoid stigma and exclusion, transferring the burdens of crime onto survivors. Illustrating this pattern, a girl who became pregnant after being raped by a soldier recounted that her family had made her conceal the crime and tell the hospital workers the baby's father was dead, which she did, wanting to protect her child at all costs. The stigma and fear associated with rape operate as coercive social forces, silencing survivors, obstructing access to justice and healthcare, and entrenching impunity.

81. Survivors of sexual and gender-based violence still face overwhelming barriers to healthcare and justice, including absent services, prohibitive costs, stigma, insecurity and fears of retaliation. Reporting is futile or dangerous, particularly where perpetrators are associated with armed actors or State authorities. The cumulative effect of these barriers is the normalization of sexual violence.

82. A bill countering gender-based violence has been deliberately stalled through protracted and opaque intragovernmental processes. By December 2025, the bill was before the Ministry of Justice and Constitutional Affairs, ready for submission to the Council of Ministers and legislators. There is a grave risk of regression in the advancement and protection of women's rights arising from the sustained legislative delay, lack of transparency, and potential dilution of core safeguards in this bill.

83. The Ministry of Gender, Child and Social Welfare remains chronically under-resourced and structurally constrained, which undermines its mandate and further perpetuates gender inequality. The Government must direct financial resources to this Ministry and the social and development sectors, including the Ministry of Health, as essential measures to address entrenched gender inequality. Transparent and sustained funding for services and programmes would enable survivor recovery and support women's full participation in political and economic life. Without such resourcing, legislative reform will remain largely symbolic.

VI. Detentions and prosecutions of opposition leaders

84. Detentions of SPLM/A-IO members started on 4 March 2025, after Nuer White Army militia overran the Nasir garrison. On 8 March 2025, the National Security Service acknowledged that it had arrested several leaders. The SPLM/A-IO Chief of Staff and deputy Chief of Defence Forces, Gabriel Duop Lam, was among the first to be detained. On 26 March 2025, Riek Machar was placed under de facto house arrest. Others were detained at the Giada barracks and the National Security Service's "Blue House". Associated detentions were reported in multiple states. Although the authorities later reported that they had released 76 detainees, the whereabouts of some individuals remained uncertain. In September 2025, eight Nuer SPLM/A-IO leaders who had been detained since March 2025 were prosecuted in a consolidated trial, which continued into 2026.

85. From March to early September 2025, the eight accused persons were detained without charge, access to legal counsel or appearance before a court. The lawfulness of their detention was not judicially reviewed in compliance with domestic and international human rights law. The President unilaterally replaced the Chief Justice and deputy Chief Justice by decree in May 2025, and the Minister of Justice and Constitutional Affairs changed three times in 2025, undermining judicial independence and legal continuity during the process.

86. On 7 March 2025, the President declared that the White Army was under SPLM/A-IO command. In multiple subsequent statements, senior government and military officials publicly asserted that the detainees were guilty of crimes in Nasir, improperly influencing the legal process, in violation of the presumption of innocence. On 26 April 2025, SPLM-IG ministers publicly proposed replacing SPLM/A-IO appointees on the High-Level Standing Committee for the Revitalized Agreement with members from a splinter faction, amid references to an "investigation committee" and "pending investigations" into detained SPLM/A-IO leaders.

87. The mandate and composition of the investigation committee were never published, contrary to established practice in South Sudan. The investigation committee's work was

nonetheless cited in court and government documents as the evidentiary basis for prosecutions. During court proceedings, it emerged that the committee was formally headed by a policeman who had not visited Nasir, while investigations were conducted within the National Security Service. The lack of transparency, independence and civilian oversight raises serious concerns regarding due process, evidentiary integrity and abuse of national security powers for political ends.

88. On 11 September 2025, the Minister of Justice and Constitutional Affairs published a list of charges of serious crimes under the Penal Code and the Anti-Money-Laundering and Counter-Terrorism Financing Act. A one-page handwritten charge sheet dated 9 September 2025 was issued for each accused person. Only then was limited access to lawyers permitted. Riek Machar was charged with 18 offences, including murder, treason and crimes against humanity, carrying the death penalty or life imprisonment. Most of the other accused persons faced similar charges. The charge sheets failed to set out essential material facts and did not meet the required specificity to enable an effective defence. No detailed indictments were issued or made public.

89. The newly appointed Chief Justice authorized the establishment of a special court composed of three judges with High Court powers, for an initial period of one month. On 22 September 2025, proceedings commenced and the accused made their first court appearance. No pretrial hearings were conducted. Initial proceedings focused on jurisdiction and immunities. On 1 October 2025, unlawful detention and torture allegations were reportedly raised in court. Those claims were not meaningfully examined and the legality of the detentions received scant attention before prosecutors began presenting the cases.

90. Although the president judge declared that hearings would be public, the court environment was highly militarized, with security forces deterring or denying public access. Independent observers and journalists experienced harassment, undermining transparency and restricting access to information in a case of significant public interest.

91. The prosecution's case is that SPLM/A-IO leadership exercised command or control over White Army militia and therefore bears responsibility for crimes committed in Nasir. The defendants rejected those accusations. "White Army" is widely recognized as a broad and fluid label for Nuer militias that lack a centralized command or formal structure. While such militias have at times fought alongside SPLM/A-IO forces, prosecutors would need to present credible evidence establishing effective control or command responsibility in March 2025. The assertion that SPLM/A-IO controlled militias in Nasir is highly contested and unsupported by the findings of ceasefire monitors in past reports on Nasir.

92. The conduct of State entities included serious violations and irregularities in legal processes, including: arbitrary deprivation of liberty and fair trial rights, resulting in interrogations conducted under duress without legal counsel; prejudicial statements by government officials; executive interference, reflected in repeated and unexplained replacements of State jurists; obstruction of defence counsel, through delayed and restricted access to court filings, evidence and clients; excessive delays; and the absence of reliable court records. The violations are incompatible with judicial independence and fair trial guarantees under domestic law, including the Transitional Constitution, the Code of Criminal Procedure and the National Security Service Act, as well as international law, and reflect the broader dysfunctionality of rule of law institutions. The judiciary's failure to remedy these violations entrenches impunity and normalizes executive overreach, enabling their repetition.

93. The systemic irregularities throughout the investigation and prosecution period reflect the broader institutional dysfunctionality of rule of law institutions previously reported by the Commission. The scale and gravity of pretrial violations raise fundamental questions regarding the legality of the trial and the impartiality of the Court and warrant the immediate release of the accused. Moreover, the trials are widely perceived as selective and politically motivated and are ethnically charged. They undermined the power-sharing guarantees of the Revitalized Agreement and have fuelled renewed armed conflict.

94. This case underscores the urgent need to establish the Hybrid Court for South Sudan as a competent and legitimate judicial forum to address serious crimes. Defence counsel raised this during initial court proceedings, noting that this represents the first attempt to prosecute crimes against humanity domestically in South Sudan. Without an independent judicial mechanism with regional participation, such prosecutions risk further politicization and loss of legitimacy.

VII. Accountability and transitional justice

95. 2025 marked a decade since the political leaders of South Sudan committed to establishing three independent and complementary transitional justice institutions: the Commission for Truth, Reconciliation and Healing; the Hybrid Court for South Sudan; and the Compensation and Reparation Authority. None has been established and impunity has become entrenched. Gross human rights violations continue because structural drivers of conflict and atrocities remain unaddressed.

96. A partial milestone was reached on 24 January 2025, when the Council of Ministers directed the Ministry of Justice and Constitutional Affairs to establish the seven-member Commission for Truth, Reconciliation and Healing, and the Compensation and Reparation Authority. In October 2025, the Ministry established a panel representing stakeholder groups to independently select four South Sudanese members of the Commission for Truth, Reconciliation and Healing. On 23 January 2026, the panel announced that it was submitting the list of selected candidates to the Ministry. Concurrently, the African Union and the United Nations established a committee to select three African nationals as Commissioners; applications were under review as of December 2025.

97. The Revitalized Agreement and a 2024 enabling law require transparent, inclusive and consultative processes, ensuring meaningful public and victim participation in the selection of the Commissioners. The process for selecting South Sudanese Commissioners fell far short of the legal requirements and key principles, including victim participation and the protection of civil space. At a national conference held in May 2025, key stakeholders submitted names for the selection panel, including a victim representative, but the Ministry disregarded those nominees without explanation or providing any avenues for review. The Government failed to adequately resource the panel's operations, estimated at a modest \$20,000. Support from international partners was inadequate to cover public outreach and other essential processes.

98. Violating agreed legal requirements, the selection panel excluded survivor leaders, civil society representatives and the media who sought to observe interviews of shortlisted candidates. When the Transitional Justice Working Group sought corrective measures in December 2025, the Minister claimed that this coalition lacked legal standing to engage, was not formally registered and was influenced by funding considerations, foreign actors and political motivations. In the prevailing context of repression of civic space, this was understood as a threat and deterred legitimate participation in transitional justice. The panel submitted the names of selected candidates to the Ministry without publication, further eroding public confidence.

99. The Government must publish the names of individuals selected by the panels and undertake to respect legal requirements to safeguard the independence, legitimacy, credibility and public ownership of transitional justice processes. Timely and open communication, public awareness and sensitization, and the participation of victims, the public and the media in the parliamentary vetting of candidates are essential, as are guarantees that deliberations will proceed without intimidation or fear of reprisals. Processes for registering organizations must not be instrumentalized to curtail public participation and civic engagement. This approach would discourage and demoralize victims and other actors central to the transitional justice process, compromising the integrity and viability of the entire process.

100. The Government must truly be "seen to be serious and accountable" in providing resources to implement the Revitalized Agreement, including timely funding to establish the Commission for Truth, Reconciliation and Healing. Enhanced safeguards to ensure the independence of all three transitional justice institutions and adequate resourcing are required.

101. Establishing the Compensation and Reparation Authority and the Hybrid Court is urgent, especially as citizens will expect tangible criminal accountability and reparation measures in response to truth-telling. The required transparent and inclusive process to select the 17 board members of the Compensation and Reparation Authority should commence, with sufficient resources disbursed for consultations with victims to identify their reparative needs and priorities, and urgent rehabilitation measures.

102. In October 2025, the Commission urged the African Union Legal Counsel to prioritize the completion of broad guidelines for establishing the Hybrid Court, as required under the Revitalized Agreement. The guidelines should incorporate clear timelines, operational benchmarks and safeguards to ensure synergy between transitional justice institutions, and embed a legacy project to strengthen accountability for serious crimes within ordinary courts. The Judicial Reform Committee's final report, validated in October 2024, can assist in mapping institutional needs, priorities and reform opportunities within the domestic justice system.

103. The necessity for the Hybrid Court is obvious: delay in its establishment is profoundly damaging. It would ensure impartial and effective investigation and prosecution of past and ongoing atrocity crimes, prevent the gross deficiencies observed in the trial of opposition leaders, and provide a credible forum to adjudicate serious crimes, while leaving an enduring legacy for accountability.

VIII. Political economy

104. In September 2025, the Commission detailed how entrenched corruption and predation had obstructed peace and development, inflicted immense suffering on South Sudanese nationals and undermined the realization of their rights. Between July 2011 and December 2025, the Government generated approximately \$24.5 billion from oil exports and received over \$3 billion in unrepaid oil-backed foreign loans. Yet South Sudan ranks at the bottom across global development indicators, with most people facing intensifying hunger and extreme poverty. Sustained diversion of public resources by politically connected elites has rendered State institutions unable to deliver core functions and services. Corruption drives the overlapping economic collapse, political instability and humanitarian and human rights crises in South Sudan.

105. Economic governance deteriorated as government institutions ceased implementing core provisions of the Revitalized Agreement, reversing previous gains in public financial management. Revenue-sharing was abandoned as power-sharing arrangements collapsed, and economic policy concentrated within a narrow political circle. Between 2021 and 2024, Benjamin Bol Mel was deeply implicated in the Oil for Roads corruption scheme, which diverted around \$2.2 billion off budget. Few roads were built, while revenue was redirected to patronage networks. His appointment to oversee the economic cluster for most of 2025 underscored the consolidation of corruption at the apex of State authority.

106. By January 2026, no national budget had been passed for the fiscal year from July 2025 to June 2026. There was no publicly available accounting for government spending in that period. Reflecting a profound institutional breakdown and deepening fiscal opacity: (a) the last quarterly budget execution report published covers October to December 2023; (b) the last monetary financing report was for October 2024; (c) oil revenue became more unclear in 2025 as the Ministry of Petroleum ceased publishing data; and (d) the 2024–2025 budget was approved only in the seventh month of the fiscal year, with wholly unrealistic allocations disconnected from actual spending.

107. Budgets in South Sudan have little practical significance when passed so late and without accurately representing how resources are ultimately spent. Extreme overspends and underspends demonstrate that formal budgeting no longer governs fiscal reality. Data for 2024–2025 show extraordinary overspending in centres of political power paid for by underspends in other areas: the Ministry of Presidential Affairs overspent its allocation by 5,873 per cent, while in contrast, the Ministry of Agriculture and Food Security spent 16 per cent of its allocation and the National Election Commission spent nearly nothing. Regime security and patronage is prioritized over food security and democratization.

108. The resumption of Dar Blend crude oil exports did not improve economic conditions. The Government still sought new loans and advances, struggled to pay creditors and salaries, faced acute currency shortages, and continued revenue diversions. Rapid reductions in official development assistance further compounded fiscal distress.

109. In February 2025, Benjamin Bol Mel undertook to pay public sector salaries – by then, around 16 months in arrears. Nevertheless, there was insufficient physical cash because the Government’s prolonged monetary financing – through the issuance of new notes – had severely depreciated the currency to levels where the entire supply was deployed. Emergency banknote printing proved ineffective, as the cost of producing the highest denomination note was close to its value. The Government then credited civil servants’ bank accounts without transferring physical currency. Lacking physical liquidity, banks restricted withdrawals. By December 2025, withdrawals were prohibited, and salaries had effectively been unpaid for two years. Consequences for the realization of economic and social rights were grave.

110. Since the Commission detailed corrupt practices by Crawford Capital Ltd., in September 2025, the company and its accomplices have further infiltrated government institutions and revenue collections. In November 2025, the President appointed Michael Makuei Minister of Justice and Constitutional Affairs, and replaced the Minister of Presidential Affairs and the South Sudan Revenue Authority Commissioner General. All three are directly tied to the expansion of e-services, implemented by the company as a revenue-extraction mechanism. In December 2025, a presidential decree directed all government institutions to use e-services, and the company sought to capture the fees that airlines pay to fly over South Sudan, estimated at between \$3.5 and \$5 million monthly. In December 2025, a new Civil Aviation Authority Director General instructed airlines to pay into Crawford-managed accounts. These measures raise serious concerns regarding legality, aviation safety, contractual interference and the long-term erosion of State revenue.

111. Crawford Capital Ltd.’s complex ownership and control structure indicates that politically connected elites and their networks are among its ultimate beneficiaries. These predatory arrangements divert public revenue into the hands of individuals positioned to influence State policy and regulatory decisions. The capture of State revenue weakens public institutions, deepens economic collapse and reinforces the political economy conditions that sustain conflict, repression and impunity.

112. The Government is losing control over its debt exposure and is susceptible to escalating enforcement actions in foreign jurisdictions. The combined principal of two awards active in 2025 was almost \$1.7 billion. Additional legal claims pending in multiple jurisdictions compound fiscal vulnerability.

113. Highlighting the exposure of South Sudan to international arbitration, in November 2025, a High Court in the United Kingdom of Great Britain and Northern Ireland granted an injunction over a crude oil cargo, prompting the Government to re-award it to BB Energy (Gulf) DMCC (Dubai Multi Commodities Centre). Such developments risk triggering a broader creditor run encumbering future oil exports. The dispute concerns funds provided to the Government to settle claims arising from the expropriation of \$1.25 billion in Petronas assets.

114. The Government assembled a deal in early 2025 to dispose of Petronas’s shares, significantly discounted, to Aquilon Energy DMCC, a United Arab Emirates-based consortium, whose ownership structure lacks transparency and obscures the identities of its true controllers, but is ostensibly controlled by an individual who is under investigation in Norway for corruption. Although money was transferred, the fate of the shares remained unclear. If they are retained by the State-owned Nilepet (Nile Petroleum Corporation), its revenue could increase by approximately 650 per cent; its share of revenues exceeding \$1 billion since 2011 has not appeared in budgets, demonstrating long-standing corrupt diversions.

IX. Conclusions and recommendations

115. **Impunity and elite capture remain the primary drivers of conflict and violations in South Sudan. Across a decade of documentation, the Commission has consistently found that systematic impunity and the elite capture of State institutions continue to drive recurring conflict and gross human rights violations. These structural conditions persisted throughout 2025 into 2026. Civilians continue to bear the consequences through violence, displacement and deprivation.**

116. The failure to implement the Revitalized Agreement has directly enabled renewed conflict and lawlessness. Escalating violations are directly linked to the failure to implement core provisions of the Revitalized Agreement, particularly security sector and justice reforms. The failure to deploy Necessary Unified Forces to Nasir, and the use of partisan military operations by commanders implicated in atrocities, demonstrate deliberate disregard for peace obligations. Political interference with judicial processes has further eroded the rule of law and undermined institutions established under the Revitalized Agreement.

117. Serious crimes have been committed with authorization and impunity, exposing civilians to continuing atrocity risks, including aerial bombardments, forced recruitments and attacks against civilians, which demonstrate organization and command authority. These acts constitute serious violations of international humanitarian law and international human rights law, implicating senior military and political officials. Children and women suffer disproportionate harm, as ongoing grave violations and sexual violence persist in the absence of accountability, enabling further abuses and obstructing peace.

118. Corruption and economic predation are financing conflict, jeopardizing the transition and undermining the State itself. Grand corruption, fiscal collapse and the elite capture of public resources have weakened State institutions and deprived citizens of rights. This political economy sustains armed actors, entrenches instability and undermines peace and good governance.

119. The Revitalized Agreement remains the sole legitimate framework for restoring peace and preventing further violations. Its continued erosion has heightened atrocity risks and undermined legal and institutional safeguards. Restoring compliance with the Revitalized Agreement is essential to re-establish constitutional order, civilian protection and durable peace.

120. Establishing the Hybrid Court is now an urgent legal and protective necessity. Persistent impunity, coupled with the involvement of senior officials in serious crimes and the virtual collapse of domestic accountability mechanisms, has left victims without remedy and civilians without protection. The demonstrable inability of the domestic justice system to ensure accountability for atrocities and corruption has directly contributed to the recurrence of violations. The African Union must urgently operationalize the Hybrid Court, in accordance with its obligations under the Revitalized Agreement, to investigate and prosecute those responsible for serious crimes. Establishing the Hybrid Court is essential to deter future violations, restore the rule of law and interrupt the cycle in which impunity fuels conflict.

121. The severity of the crises going into 2026 demands recommendations that go beyond palliative responses and that address the core drivers of conflict: securitization of politics, manipulation of ethnic identity, militarization of the economy and impunity for those responsible for gross human rights violations. The Commission reiterates its previous recommendations from its accumulated ten-year record and highlights the urgency of restoring the legal supremacy of the Revitalized Agreement, enhancing peacemaking, protecting political space and re-establishing enforceable restraints on coercive power as essential conditions for non-recurrence, durable peace and the realization of the rights and dignity of the South Sudanese.

122. The Commission recommends that the Government of South Sudan:

- (a) Immediately cease aerial bombardments, forced recruitment and violations of international law;
- (b) Withdraw politicized charges against SPLM/A-IO leaders and repeal the unlawful arrest and detention powers of the National Security Service;
- (c) Cease actions that are dismantling power-sharing arrangements or undermining judicial independence;

(d) **Ensure that any electoral process complies with minimum legal, security and political safeguards consistent with the Revitalized Agreement and international law.**

123. **The Commission recommends that all armed forces and non-State armed groups:**

- (a) **Cease attacks directed against civilians and civilian infrastructure;**
- (b) **Guarantee unimpeded humanitarian access;**
- (c) **Enforce command responsibility for violations, particularly sexual violence and grave violations of children's rights;**
- (d) **Issue and enforce clear orders prohibiting attacks on civilians, medical facilities and humanitarian actors.**

124. **The Commission recommends that the African Union, the Intergovernmental Authority on Development and regional States:**

- (a) **Demand compliance with the Revitalized Agreement and establish a credible, high-level regional mechanism for enhanced engagement aimed at restoring the transition;**
- (b) **Immediately operationalize the Hybrid Court and establish clear, time-bound benchmarks for its functioning.**

125. **The Commission recommends that the States Members of the United Nations and international partners:**

- (a) **Support regionally led efforts to stabilize the transition;**
- (b) **Fully fund humanitarian and civilian protection operations;**
- (c) **Apply targeted sanctions against individuals credibly implicated in serious crimes, consistent with international law.**

126. **The Commission recommends that the United Nations system:**

- (a) **Prevent instrumentalization of United Nations engagement by conflict actors;**
 - (b) **Prioritize civilian protection and humanitarian access;**
 - (c) **Condition political support on demonstrable respect for fundamental freedoms and legal obligations.**
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