



Security Council

Distr.: General
15 December 2020

Original: English

Letter dated 15 December 2020 from the Secretary-General addressed to the President of the Security Council

I am writing pursuant to Security Council resolution [2514 \(2020\)](#), by which the Council requested an independent strategic review of the United Nations Mission in South Sudan (UNMISS) to assess the challenges to peace and security in South Sudan and provide detailed recommendations for the possible reconfiguration of the UNMISS mandate and its civilian, police and military components to account for developments in the peace process, based on broad consultations, including, but not limited to, relevant transitional government bodies, humanitarian and development actors, and civil society organizations.

I am pleased to transmit herewith the report on the independent strategic review of UNMISS conducted by El-Ghassim Wane. The report encompasses an evaluation of the current challenges to peace and security in South Sudan, an overview of opportunities arising from the ongoing peace process, priorities moving forward, engagement of regional and international actors, an assessment of implementation of the current mandated tasks of UNMISS and suggestions for adjustments to the mandate.

The review concludes that the four pillars of the UNMISS mandate remain valid overall. It includes the recognition that UNMISS has significantly contributed to peace and security in South Sudan, saving thousands of lives by providing physical protection and good offices in support of the political process.

Having carefully considered the strategic review, I agree with its conclusion that the four pillars of the UNMISS mandate remain valid, overall. I also appreciate the recommendation that a strong compact with the region and the African Union is necessary, as the subregion has been crucial in all major achievements reached in the South Sudanese peace process and will benefit tremendously from the stabilization of the country. As is pointed out in the review, it will be important to build on the significant interaction that already exists between UNMISS and the wider United Nations system, and the African Union and the Intergovernmental Authority on Development.

I note, in particular, the recommendations related to the need to uphold human rights in South Sudan in the light of the serious ongoing challenges. In that regard, the UNMISS functions of human rights monitoring and advocacy, and its facilitation of large-scale humanitarian assistance, remain as vital as ever.

Finally, I note the review's recommendations that are aimed at adjusting the mandate, configuration and priorities of the Mission. In view of the improved situation in South Sudan since the conclusion of the Revitalized Agreement on the



Resolution of the Conflict in the Republic of South Sudan, those recommendations provide that the authorized military strength of UNMISS could be reduced from 17,000 to 15,000 military personnel, which is slightly above the number of the approximately 14,600 military personnel currently deployed. Following the successful redesignation of the protection of civilians sites, the strength of the uniformed personnel could be adjusted further, subject to relevant conditions, including the ability to better respond to evolving civilian protection needs, particularly in areas of return. I also note that, against that backdrop, the review includes the recommendation to enhance the role of UNMISS in building up the capacities of judicial and law enforcement institutions to address widespread impunity and promote the rule of law.

I look forward to the opportunity to further engage with the Security Council ahead of the renewal of the UNMISS mandate on how the Mission could best respond to the situation in South Sudan and support its Government and its people in their journey toward peace and stability. I intend to make further recommendations, informed by the findings of the strategic review, in my end-of-mandate report on UNMISS.

I would be grateful if you could bring the present letter and its annex to the attention of the members of the Security Council.

(Signed) António **Guterres**

Annex

Report on the independent strategic review of the United Nations Mission in South Sudan pursuant to Security Council resolution 2514 (2020)

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Summary

The Security Council, in its resolution [2514 \(2020\)](#), requested the Secretary-General to conduct an independent strategic review of the United Nations Mission in South Sudan (UNMISS) to assess the challenges to peace and security in the country and provide detailed recommendations for the possible reconfiguration of the Mission's civilian, police and military components to account for developments in the peace process. In response to that request, the Department of Political and Peacebuilding Affairs and the Department of Peace Operations assembled a team to carry out the review. The team conducted extensive consultations with a wide range of stakeholders, holding over 150 remote meetings with the senior leadership and staff of the Mission, the United Nations country team, United Nations offices in the region and all relevant United Nations entities based at United Nations Headquarters. It also held remote meetings with the African Union Commission and a number of its specialized institutions, the Intergovernmental Authority on Development (IGAD), Member States and mechanisms involved in the peace process; representatives of Security Council members and other members of the diplomatic community in both Juba and New York; as well as think tanks and civil society organizations working on South Sudan.

Challenges to peace and security in South Sudan

The Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (Revitalized Peace Agreement) outlines a clear vision for reforms that, if fully implemented, would help to address the underlying drivers of conflict and begin the transformation of the country. However, implementation has been slow and uneven. The timelines stipulated in the Revitalized Peace Agreement were, in some cases, unrealistic. Nevertheless, the parties have failed to meet any of those timelines and have primarily focused on implementing those provisions of the Revitalized Peace Agreement that outline elite power-sharing arrangements rather than those that would promote accountability, facilitate a smoother delivery of humanitarian assistance and strengthen financial management and overall governance. The parties agreed that 35 per cent of the appointments to the Revitalized Transitional Government of National Unity would be women, but that provision has not been adhered to in the appointment of cabinet ministers and governors.

The current economic crisis in South Sudan has decimated the resources and resilience of its population and made it more difficult for the Government to finance many aspects of the peace process. More fundamentally, the parties have not demonstrated sufficient political will to address issues critical to longer-term peace and security. Based on the past record of the parties involved, international donors have been reluctant to finance the implementation of the Revitalized Peace Agreement, fearing that funds will be used to fuel violence rather than foster peace.

Therefore, while the Revitalized Peace Agreement and an earlier 2017 cessation of hostilities agreement have been successful in curbing large-scale political violence and bringing most parties to the conflict into dialogue, they have not transformed the underlying dynamics that contributed to the outbreak of civil war in South Sudan. The country continues to be destabilized by an oversized and dysfunctional security sector and remains awash with small arms and light weapons. Few economic opportunities exist outside the civil service and the war economy, leaving young people vulnerable to recruitment by armed groups. While violence directly attributable to the parties to the civil war has ebbed, intercommunal violence has risen sharply over the past year and, in many cases, has been directly fuelled by national political actors as an extension of political tensions and disputes. Human rights violations have continued unabated, with deeply concerning restrictions on civil society and media organizations.

Moreover, violence could escalate in the lead-up to elections, which are expected to take place in 2022 or 2023. In short, while advances have been made, South Sudan has not yet reached a point where continued progress is assured, where peace is stable or where civilians are benefiting from the agreements reached on paper.

Opportunities, progress and the contribution of the United Nations Mission in South Sudan to peace and security

There are some opportunities for progress in South Sudan. Although the implementation of the Revitalized Peace Agreement has been limited, it has been successful in that it has brought most political parties in the country together in an ongoing process of dialogue and fostered agreement, at least on paper, on the way forward. The Agreement contains a road map for durable change in the country. The national dialogue, as a parallel track-two peace process, has presented citizens with a much-needed opportunity to discuss the root causes of violence and make recommendations on how the broad commitments enshrined in the Agreement should be implemented to address conflict drivers. More generally, the South Sudanese population is exhausted by war, broadly supportive of peace efforts and eager for opportunities to rebuild and experience the dividends of peace. While institutions at the local level are weak and the authority of community leaders has been threatened by displacement and years of conflict, there is also a history of local negotiation and peace agreements that can be built upon. In the short term, local peace agreements can improve trust and prevent or reduce levels of violence. In the medium term, there is some potential for local peace agreements to trickle up.

In this environment, rife with challenges but not without opportunities, UNMISS has been able to contribute concretely to peace and security. Many stakeholders who were consulted agreed that the Mission's work to ensure security at sites for the protection of civilians has undoubtedly saved lives, while its increasingly integrated and mobile patrols likewise have contributed to an improvement in the physical protection of civilians. Moreover, the Mission has increasingly been linking subnational dialogue activities with political analysis and outreach, thereby making those activities more effective. In efforts to improve the inclusivity and sustainability of the peace process and expand civic space, UNMISS has supported the development of political parties and hosted a series of grass-roots dialogues for which it has brought civil society actors from around the country to Juba.

The Mission has worked with humanitarian and development agencies to increase awareness of sexual and gender-based violence, conflict-related sexual violence and the rights of all civilians, including women and children. In the course of the review, Mission officials noted that the rapid investigation team created within the UNMISS Human Rights Division has enabled it to more quickly deploy and scale up capacity for investigating human rights violations, including conflict-related sexual violence. In addition, a wide range of interlocutors recognized that the UNMISS Rule of Law Advisory Section had made important contributions to improving accountability through its support for mobile courts, training and technical advice to South Sudanese stakeholders in legal reforms. Humanitarian and development actors also widely affirmed that the presence and activities of UNMISS contributed to an environment conducive to the delivery of humanitarian assistance.

There was broad agreement among the interlocutors of the review team that there was a direct link between justice, accountability and sustainable peace, and, therefore, that renewed efforts were needed to achieve justice for past crimes. Chapter V of the Revitalized Peace Agreement contains a road map for the parties and the African Union Commission to establish a body to be known as the Hybrid Court for South Sudan. Negotiations between the African Union Commission and the Government of South

Sudan on the establishment of the Court have reached an advanced stage, but no agreement has thus far been signed. Given the divided support for the establishment of the Court, continued international engagement would be needed to reduce delays and keep the process on track. Ideally, that effort would be led by the African Union with support from bodies of the United Nations system.

Recommendations for the reconfiguration of the Mission

After considering the environment in South Sudan and the Mission's demonstrated past performance, the review team concluded that the current four pillars of the Mission's mandate remain valid overall. However, a number of adjustments to its mandate, activities and capabilities within those four pillars would enhance the Mission's impact. Moreover, it is critical that the United Nations, in particular UNMISS, enhance its role in support of the IGAD-led peace process. This is all the more necessary as the countries of the region are facing their own internal challenges and may not be able to devote the same level of attention to South Sudan as they have in the past.

Throughout the review, the team was cognizant of the primacy of politics in the pursuit of lasting peace in South Sudan. Therefore, the team strove to identify methods of increasing political leverage to help to move the process forward, without losing sight of the reality that fundamental and structural changes can only be brought about if South Sudanese stakeholders fully own the process and demonstrate political will. No amount of external pressure or support can substitute that requirement. In so doing, the review team built on the Secretary-General's priorities to deepen partnerships between the United Nations and the African Union and enhance integration within the United Nations system.

In practical terms, the review team recommends establishing a strong compact with the region and the African Union, including its relevant specialized institutions. Building on the significant level of coordination that already exists between the Mission and the wider United Nations system on one hand and the African Union and IGAD on the other, more should be done to develop common messaging and joint advocacy with those two regional actors on the different aspects of the UNMISS mandate and the implementation of the Revitalized Peace Agreement, such as the Mission's freedom of movement and humanitarian access. Furthermore, the normative and policy framework that the African Union has developed over the past two decades on issues of governance, human rights and elections can help to overcome challenges related to the political will and the capacity of South Sudanese actors and institutions. Overall, the objective is to broaden engagement rather than relegate concerns to bilateral exchanges between the United Nations and South Sudan. The region and Africa as a whole will benefit tremendously from the stabilization of South Sudan. Consequently, they have an enormous stake in the success of UNMISS.

Second, existing United Nations resources in the region, namely the United Nations Office to the African Union and the Office of the Special Envoy of the Secretary-General for the Horn of Africa, should be utilized more effectively so as to strengthen engagement with the African Union and those of its member States that are directly involved in the peace process. Doing so will help to keep those actors fully informed of the Mission's efforts and facilitate the mobilization of their support as necessary. Similarly, resources at United Nations Headquarters should be leveraged to their fullest.

Recommendations for specific adjustments to the Mission's activities in five key areas

1. Supporting the implementation of the Revitalized Peace Agreement, the peace process and relevant governance processes

To support the implementation of the Revitalized Peace Agreement, the peace process and relevant governance processes, the review team makes the following recommendations:

(a) The Mission should increase – in coordination with United Nations system agencies, funds and programmes, regional organizations and bodies established to oversee implementation of the Agreement – its technical support to and advisory role in the national justice system the mobile courts, the process of drafting of a constitution, the development of legislation to support the peace process and reforms in governance and financial management;

(b) The Mission should increase assistance to the development of a national vision and strategy for security sector reform and could also play a convening and coordinating role in security sector reform by establishing a structured platform for the engagement of donors and actors in South Sudan that could be involved in security sector reform and the process of disarmament, demobilization and reintegration. Furthermore, the Security Council could consider a very limited role for UNMISS in providing technical advice to the National Disarmament, Demobilization and Reintegration Commission. However, at the present stage, UNMISS should not be expected to play an operational or logistical role in support of security sector reform or of disarmament, demobilization and reintegration;

(c) With regard to elections, the team recommends an increase in the Mission's technical and strategic communication capacity to enable UNMISS to provide technical advice, good offices engagement and logistical support in connection with the following: the reconstitution of a competent and independent National Elections Commission, as outlined in the Agreement; the conduct of an updated census; the drafting and adoption of legislation such as a constitution and a political parties act; the education of voters; and the registration of voters. The team further suggests that the Secretary-General explore the possibility of appointing a senior official to be charged with the high-level coordination of the electoral process outside UNMISS in concert with the African Union and IGAD. It is critical to the prospects of peace in South Sudan that the elections be conducted in a way that facilitates the acceptance of the results; work to achieve that should start in earnest;

(d) The Mission should coordinate political messages about all four pillars of its mandate with IGAD and the African Union, while working with relevant African institutions, agencies, funds and programmes to facilitate the structural transformations in the area of governance provided for in the Agreement. In addition, UNMISS should request the assistance of the Special Envoy of the Secretary-General for the Horn of Africa, and the Special Representative of the Secretary-General and Head of the United Nations Office to the African Union, for targeted political engagement. The review team suggests that UNMISS, the United Nations Office to the African Union and the Office of the Special Envoy of the Secretary-General for the Horn of Africa operate as an informal task force, meeting on a regular basis to assess the situation and agree on the steps to be taken. Under such an arrangement, UNMISS would lead the engagement with South Sudanese stakeholders, while the two Offices would coordinate the interaction with, respectively, the African Union and its structures, and the countries of the region.

2. Protection of civilians

For the protection of civilians, the review team makes the following recommendations:

(a) A robust military presence remains warranted, given the country's fragile security and political situation and the risk of increased violence. The Mission must maintain a strong static field presence while increasing its mobility to provide protection to displaced civilians in potential areas of return, support the dispersed delivery of humanitarian assistance and ensure that the Mission is well placed to manage any instability that could arise from the electoral process. The review team recommends a reduction in the mandated troop ceiling from 17,000 to 15,000, just above the current level of 14,621 troops deployed, which does not imply a physical troop reduction on the ground. An additional reduction by up to two battalions could be considered in the coming one or two years, but only if several conditions and benchmarks are fully met. Those conditions would include: significant improvements in the Mission's freedom of movement; renegotiation of memorandums of understanding and statements of unit requirements to ensure that troops have the ability for self-sustainment and can deploy over long periods in austere environments; and the deployment of equipment that enhances the Mission's mobility, as further detailed in the present report;

(b) The new mandate of the regional protection force should include an acknowledgement that that force is now fully integrated into Sector Juba, while reiterating that many of its tasks remain relevant for the UNMISS force as a whole;

(c) Future redesignations of sites for the protection of civilians should be based on a solid analysis of the security and protection aspects and on forward-looking political assessments, taking into account the security and police capacities of South Sudan, including with regard to conflict-related sexual violence. The Mission should also enhance its two-way communication about the redesignation of protection sites with humanitarian actors and internally displaced persons;

(d) A gradual reduction in the strength of formed police units of United Nations police should not occur before UNMISS, in consultation with United Nations Headquarters and other stakeholders, has had sufficient time to observe the situation and has a high level of confidence in the capacity and will of the South Sudan National Police Service to provide policing services in the redesignated areas. Individual police officers will need to remain deployed at all 10 field sites. Some individual police officers could shift their focus to supporting community policing. However, the review team recommends that the formation of a unified police force be a precondition for broader capacity-building that would include tactical training and operational support.

3. Human rights

The team recommends that the Security Council consider including in the future mandate of UNMISS an increased focus on protecting South Sudanese human rights defenders and other civil society leaders. The Mission should also sharpen its focus on conflict-related sexual violence as a key facet of conflict and maintain its child protection activities. Moreover, the Mission should ensure that its tracking of human rights violations is fully integrated with its other early warning efforts that its human rights work is paired with high-level political engagement. To increase its leverage, UNMISS could work with the African Commission on Human and Peoples' Rights to advance various aspects of the human rights agenda.

4. Humanitarian assistance

The team proposes that UNMISS maintain a close dialogue with humanitarian actors regarding its response to those emergencies that threaten humanitarian operations and that it promote clarity and consistency in how it can respond to emergencies.

5. Gender and women, peace and security

The review team recommends that UNMISS improve gender-mainstreaming throughout its areas of work and notes that additional expertise is required in a variety of areas, including in the Mission's approach to gendered analysis; security sector reform, and disarmament, demobilization and reintegration; political and civil affairs engagement; and the meaningful participation of women in political life. Moreover, additional expertise on gender and conflict-related sexual violence is required in the Mission's military and police components.

Relationship of UNMISS with the Government of South Sudan and related aspects

The review team further concluded that violations of the Status of Forces Agreement between the United Nations and the Government of the Republic of South Sudan concerning the United Nations Mission in South Sudan by the Government and other actors are the single most important factor limiting the Mission's ability to carry out its mandated activities. The Mission's relationship with the South Sudanese authorities has a strong impact on its ability to operate effectively. The review team identified a number of ways in which UNMISS could build on existing efforts to improve its relationship and leverage with the South Sudanese authorities. Those included continuously managing the expectations of the South Sudanese authorities about the Mission's role, given the limited resources, meeting regularly to have frank exchanges about the way forward, leveraging technical support and engagement with political actors and civil society at a subnational level for additional influence at the national level, and engaging with the region and the African Union proactively to address concerns.

The Mission's presence and activities contribute greatly to the protection of civilians and to building a more durable peace in South Sudan. Despite initial improvements in the situation in the country, it is clear that peace is far from guaranteed and that UNMISS will continue to be a necessary and even critical actor in the country in the medium to long term. The reconfigurations recommended in the present report, if adopted, would help to align the Mission's capabilities and activities with the current peace and security environment in South Sudan and ensure that UNMISS continues to help to drive positive change in the years to come.

I. Introduction

A. Background

1. The Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access of December 2017 and the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (Revitalized Peace Agreement) of September 2018, signed by many of the parties to the South Sudan conflict, have created a framework for cooperation among the political elites, security sector reform, improved financial management and transitional justice. After years of war that have had devastating effects on the country's economy and people, these agreements offer unprecedented opportunities for progress, provided that they are implemented with genuine commitment. When the Security Council most recently renewed the mandate of the United Nations Mission in South Sudan (UNMISS), in March 2020, the signatories to the Revitalized Peace Agreement had just formed the Revitalized Transitional Government of National Unity, although many questions about the durability of those arrangements and the commitment of the parties to other reforms provided for in the Agreement remained unclear.

B. Purpose of the review, and mandate and composition of the review team

2. The Security Council, in its resolution [2514 \(2020\)](#), requested the Secretary-General to conduct an independent strategic review of UNMISS to assess the challenges to peace and security in South Sudan and provide detailed recommendations for the possible reconfiguration of the Mission's civilian, police and military components to account for developments in the peace process. In line with the Security Council's resolution, the Department of Political and Peacebuilding Affairs and the Department of Peace Operations invited El-Ghassim Wane, former Assistant Secretary-General for Peacekeeping Operations, to conduct the review. Mr. Wane was supported by a team of experts with specific knowledge about humanitarian, policing, military, protection of civilians, gender, rule of law and political issues. Additional contact persons within the Secretariat and the Mission assisted the team with the coordination and facilitation of meetings. The team also regularly interacted with Major General Patrick Cammaert and Kenneth Gluck, two former United Nations senior officials, who recently worked on the military and political aspects of the Mission's implementation of its mandate.

3. On the basis of Security Council resolution [2514 \(2020\)](#), the Secretariat prepared terms of reference for the review team, in which it requested the team to do the following: evaluate how political solutions could be achieved, as defined in the Revitalized Peace Agreement; formulate recommendations on how UNMISS could best implement its responsibilities regarding the protection of civilians across all mandate components; assess how to strengthen accountability for human rights violations in support of national judicial institutions and promote inclusive security sector reform; evaluate how to achieve greater synergies between UNMISS and other United Nations humanitarian and development partners, as well as with external actors, so as to fulfil common goals and ultimately meet peacebuilding objectives; and consider the extent to which the Mission, working closely with relevant United Nations entities and with regional and international actors could assist South Sudanese stakeholders in laying the foundations for accountable and transparent governance. Under its terms of reference, the review team was further to assess gender in the following ways: as a mainstreamed component of the Mission's mandate; as a central tenet of the Revitalized Peace Agreement and the peace process more

generally; and as a key area of focus in the United Nations system-wide strategy on gender parity (2017–2028), both to change the institutional culture and as a working approach to support achievement of the Mission’s mandate.

C. Methodology

4. At the outset, the review team undertook a desk review of the available literature on UNMISS, South Sudan and the regional and international context. The materials it consulted included reports by the United Nations, think tanks and non-governmental organizations on the political and conflict environment that included analyses of the gendered dimensions of violence, displacement and durable solutions, as well as security sector reform and the past performance of UNMISS. The team also examined internal UNMISS reports, and guidance and strategy documents to assess their content. Finally, the team considered written inputs submitted by several stakeholders, including South Sudanese political parties, United Nations system bodies and non-governmental organizations.

5. The conclusions of the review team are primarily based on extensive consultations and interviews conducted with stakeholders. The consultations were held remotely owing to travel constraints occasioned by the coronavirus disease (COVID-19) pandemic. Despite the limitations of remote work, the team made every effort to adopt a field-focused approach and engaged a wide range of stakeholders across different sectors, including officials of the South Sudanese Government and other political actors, civil society actors and displaced civilians. The team also held consultations with senior leadership and staff of UNMISS, the United Nations country team, United Nations offices in the region and all relevant United Nations Headquarters-based entities. Furthermore, the team held consultations with the African Union Commission and a number of specialized institutions of the African Union; the Intergovernmental Authority on Development (IGAD), including the States members of IGAD, and mechanisms involved in the peace process; representatives of Security Council members in both Juba and New York and other members of the diplomatic community; and representatives of think tanks, non-governmental organizations and civil society organizations working on South Sudan. All consultations included specific gender-focused questions. Where relevant and possible, the review team conducted gender-specific consultations in one-on-one interviews and focus group discussions to ensure that adequate gendered analyses, views and information were considered. In total, the team carried out more than 150 consultations with stakeholders.

6. The report begins with a summary that contains a broad overview of key findings of the independent strategic review. Section II provides background and introductory information. Section III details the current peace and security situation in South Sudan, while section IV highlights important opportunities that are present in the current environment. Some key regional and international actors that are engaged in the peace process are discussed in section V. In section VI, the review team describes some of the critical contributions that UNMISS has made in its mandated pillars of work. In section VII, the review team makes recommendations for changes to the Mission’s mandate and activities, and in section VIII it recommends changes in Mission capabilities and staffing. Section IX contains recommendations for improving the relationship between UNMISS and the Government of South Sudan as the host State. Finally, section X contains concluding observations.

D. Guiding principles and overarching conclusions

7. The efforts of the review team were guided by several principles contained in the terms of reference. Chief among those was the primacy of politics. In the Declaration of Shared Commitments on United Nations Peacekeeping Operations, agreed upon in 2018 in the context of the Secretary-General's Action for Peacekeeping initiative, members of the international community affirmed that the pursuit of sustainable political solutions should guide the design and deployment of United Nations peacekeeping operations. The primacy of politics is central to achieving protection goals and building durable peace in South Sudan, where many reforms and other aspects of the peace process essential for the protection of civilians in the longer term have stalled owing to a lack of political will.

8. From the perspective of the review team, the primacy of politics in South Sudan means that South Sudanese leadership and ownership of the peace process are vital. No amount of external support or pressure can substitute for commitment and efforts at the national level to resolve the root causes of violence, political disputes and tensions between communities and to lay the foundations for lasting peace. This assertion carries important implications. For South Sudanese leaders and ordinary citizens alike, it underscores the urgency of rising to the multifaceted challenges confronting their country and finally placing its interests above any other considerations. For international actors involved in the peace process, it means a call for a greater investment in strengthening existing peacebuilding resources within South Sudanese society with a clear understanding of the limitations inherent in any external support, while also making it clear that their support is contingent on the implementation of the commitments entered into by the South Sudanese parties.

9. The review team also understood the primacy of politics as meaning that the United Nations should do everything possible to maximize its effectiveness by harmonizing the use of United Nations resources and harnessing political opportunities through coordinated action. To achieve that, first and foremost, the Mission's activities need to be guided by clear outcomes and integrated strategies that are grounded in nuanced, regularly updated and gender-sensitive analysis of protection needs and political developments. If the activities of various Mission sections are not aligned and collectively targeted at specific threats and political drivers of conflict, and concrete outcomes, they are unlikely to yield the expected results. Integrated strategies should link technical and programmatic work with political engagement and stretch from field offices, at the subnational level, to the national and regional levels. Understanding how the Mission's political and protection mandates complement one another will continue to be vital for building sustainable peace in South Sudan.

10. Second, United Nations efforts to support peace and development in South Sudan need to be fully integrated not only within the Mission, but also across the United Nations system. Doing so will enhance the political role of the United Nations in support of the peace process and ensure that there is a clear division of labour and increased effectiveness of United Nations efforts. Coordination can be a challenge for those entities, which are beholden to different foundational mandates and frameworks. Yet, the scale of the protection, humanitarian and development needs in South Sudan is massive, while funding is often insufficient. The efforts of all United Nations system entities are therefore needed to ensure that the limited resources available are used efficiently. The Mission and the United Nations country team should continue to promote a common understanding of the context and the needs that should be given priority. The Mission should also increase awareness of what programmes its counterparts in the United Nations country team are undertaking, so as to harness each other's comparative advantages, ensure that there is a clear division

of labour and foster complementarity of operations. Greater coordination would enable those entities to contribute collaboratively to efforts to address structural conflict drivers and, in the long term, to facilitate a smooth exit of the Mission.

11. Coordination should also extend to the relationship between UNMISS and regional presences of the United Nations, in particular the Special Envoy of the Secretary-General for the Horn of Africa and the Special Representative of the Secretary-General to the African Union and Head of the United Nations Office to the African Union, both based in Addis Ababa; New York-based offices with specialized mandates such as the Special Representative of the Secretary General on Children and Armed Conflict, the Special Representative of the Secretary-General on Sexual Violence in Conflict, and the Special Adviser to the Secretary-General on the Prevention of Genocide; and other relevant entities within the Secretariat. Greater synergy among all those actors will enable the United Nations to fully use the many resources it has available to further the goal of lasting peace in South Sudan.

12. Third, UNMISS, and the United Nations more broadly, need to strengthen their partnership with regional and continental institutions in Africa further to create leverage, capitalize opportunities and share burdens. That partnership should be aligned with the overall goal, pursued by the African Union, of silencing the guns. Coordination meetings and joint visits by the United Nations, the African Union and IGAD to South Sudan and countries in the region should be conducted on a more regular basis and be held at both the high or political level and the technical or working level, and should be focused not only on information-sharing, but also on coming to a shared analysis, aligning efforts and undertaking joint activities. Stronger coordination and synergy with IGAD and with the African Union and its specialized institutions, as well as joint messaging, will improve the effectiveness of international efforts to support peace in South Sudan.

13. The review team further recognized as a guiding principle the importance of adopting a gendered approach to peacekeeping. The Mission has invested in ensuring that gender is mainstreamed across the four pillars of its mandate; also, it is responsible for implementing specific gender-focused tasks. It is the view of the review team that there is a need to deepen that approach and focus on specific transformative investments in key aspects of the Mission's mandated pillars, relations with the Government and collaboration with the United Nations country team and regional actors, especially where dedicated gender expertise and focus exists. A gendered analysis of the South Sudanese environment reveals bleak prospects for the security of women and girls, their bodily and physical integrity, the toll of the humanitarian crisis on them, their meaningful participation in political processes and any meaningful implementation of the gender provisions in the Revitalized Peace Agreement. There is a need for the pooling of financial resources across the United Nations system to ensure progress in these areas, the targeted deployment of gender and women's rights capacity and expertise within the Mission, a leveraging of the existing institutional memory on gender, support for national institutions with gender-related mandates and the embedding of gender norms, approaches and language in political engagement with interlocutors at all levels. Shifts in institutional culture towards gender equality and the protection of women and girls in the long term will only be achieved with deliberate and consistent effort.

14. Moreover, strategic communication, as a cross-cutting issue, is crucial to the ability of UNMISS to implement the four pillars of its mandate. While most stakeholders hold UNMISS in high regard and, almost unanimously, recognize the Mission's added value, enhancing the Mission's efforts in strategic communications could help to manage unrealistic expectations of what the Mission, with its limited resources, can accomplish. A greater understanding among stakeholders of the role and limitations of UNMISS could help the Mission to maintain its credibility, which

is vital to its ability to operate effectively. Strategic communications can and should serve protection and political goals more directly by creating a broader awareness of political processes and aspirational shifts in societal norms of gender equality. That can lead to both support for those processes and a demand for accountability when political elites fail to turn the commitments to peace that they have signed on paper into realities.

15. Finally, the review team notes that the Mission's success is dependent on the provision of adequate resources and on support from the Security Council for the implementation of the Mission's mandate through the Council's own political engagement. In line with the Declaration of Shared Commitments, it is equally important that the South Sudanese Government fully cooperate with UNMISS in the implementation of its mandate, including by facilitating access to areas and locations where the Mission's presence is needed.

II. Overall challenges to peace and security in South Sudan

A. A long history of violence

16. For most of its citizens, South Sudan has been at war for nearly their entire lives. Interrupting cycles and economies of violence will mean dealing not only with the effects of the current civil war, but of a generation of conflict. The South Sudanese fought a decades-long struggle for autonomy from the Sudan stretching from 1963 to the signing of the Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army in 2005. When South Sudan finally gained independence from the Sudan in 2011, hopes were high among the South Sudanese people that the country would harness its enormous potential to promote its well-being after repeated cycles of violence. Those hopes were betrayed by the country's political elites, who plunged the country into civil war less than three years after independence.

17. Tensions within the top leadership of the country's primary political party, the Sudan People's Liberation Movement, led to the eruption of the South Sudanese civil war in December 2013. At an early stage, the conflict was primarily restricted to the capital, and three other areas: Jonglei State, Upper Nile State, and Unity State. The Agreement on the Resolution of the Conflict in the Republic of South Sudan, signed in August 2015, was short-lived. It collapsed in July 2016 as a result of ongoing political disputes and rivalries within the Sudan People's Liberation Movement. With the escalation of the civil war in 2016, violence spread to many new areas of the country previously unaffected by the fighting, including Central, Eastern and Western Equatoria states. Members of minority ethnic groups from those states felt marginalized by the central authorities in Juba, who were members of the majority Dinka ethnic group, and mobilized into armed groups, many of which aligned themselves with the Sudan People's Liberation Movement/Army in Opposition.

18. Throughout the civil war, political and military elites have deliberately targeted civilians with extrajudicial killings, sexual violence, forced displacement and the destruction of homes and property. Such violence has often occurred along ethnic lines, as ethnic groups were targeted as proxies for the political actors whom they were assumed to support. An estimated 383,000 civilians have died as a result of the civil war, including an estimated 190,000 from violent deaths.¹

¹ Francesco Checchi and others, *Estimates of Crisis-attributable Mortality in South Sudan, December 2013–April 2018: A Statistical Analysis* (London, London School of Hygiene and Tropical Medicine, September 2018).

19. Sexual violence against women, girls, men and boys has been a central feature of the conflict across different time periods and has been perpetrated by all major armed groups in the country. Conflict-related sexual violence has a severe impact on individual survivors and can have a devastating intergenerational effect on communities. In a survey held in South Sudan in 2017, it was found that 28 per cent of the women interviewed in Juba and 33 per cent of the women interviewed in Rumbek were survivors of rape, attempted rape or other forms of sexual assault by a non-partner. For men, those numbers were 9 per cent and 6 per cent, respectively.² Given the tendency of survivors to underreport sexual violence, those numbers likely represent an underestimate of the actual scale of conflict-related sexual violence. The lack of accountability for those crimes and the absence of consistent and systematic messaging and efforts by commanders to prevent conflict-related sexual violence have contributed to their proliferation.

20. Following the signing of the Cessation of Hostilities Agreement and the Revitalized Peace Agreement by most parties to the conflict, large-scale violence between easily identifiable political actors has significantly subsided. The exception is Central Equatoria, where several non-signatory armed groups continue to battle government and opposition forces.

21. In February 2020, the signatories to the Revitalized Peace Agreement formed the Revitalized Transitional Government of National Unity. Under the Agreement, elections are to be held 60 days before the end of a three-year transitional period. Since the signing, a number of opposition leaders have returned to the capital to serve in the new Government and some provisions of the Agreement have gradually been implemented. The initial timeline for implementing many provisions of the Agreement was extremely short. This partly explains why the parties to the Agreement have consistently failed to meet the agreed deadlines. Officials of the South Sudanese Government also stressed the dire economic situation in which the country finds itself and which has made it difficult for them to fund the processes outlined in the Agreement, and emphasized that progress has been made in many areas that do not require substantial financial backing. To some extent, there is a natural progression in the chapters of the Agreement. The implementation of chapters I and II needed to support the execution of some other provisions in the Agreement. However, the review team also noted the view held by many representatives of UNMISS and civil society organizations, non-governmental organizations and think tanks that key actors have primarily shown an interest in implementing those chapters of the Agreement that outline power-sharing arrangements and political appointments rather than reforms in the delivery of humanitarian aid, governance – including financial management – and transitional justice.

22. Despite the formation of the Revitalized Transitional Government of National Unity, the political situation remains unstable. Opposition military leaders continue to “defect” to the Government, even though, in a formal sense, their political leadership has already joined the Government through the Revitalized Peace Agreement process and they should be awaiting integration into a single national army. One recent defection in Central Equatoria triggered fighting between government and opposition forces that constitutes a breach of the 2018 ceasefire. A number of armed groups continue to commit acts of violence in parts of Central and Western Equatoria.

23. After several years of quiet diplomatic efforts to bring the non-signatories into the peace process, in early 2020, in Rome, the Community of Sant’Egidio facilitated

² Global Women’s Institute of the George Washington University, International Rescue Committee, CARE International UK and Forcier Consulting, *No Safe Place: A Lifetime of Violence for Conflict-affected Women and Girls in South Sudan* (n.p., 2017), pp. 27–28.

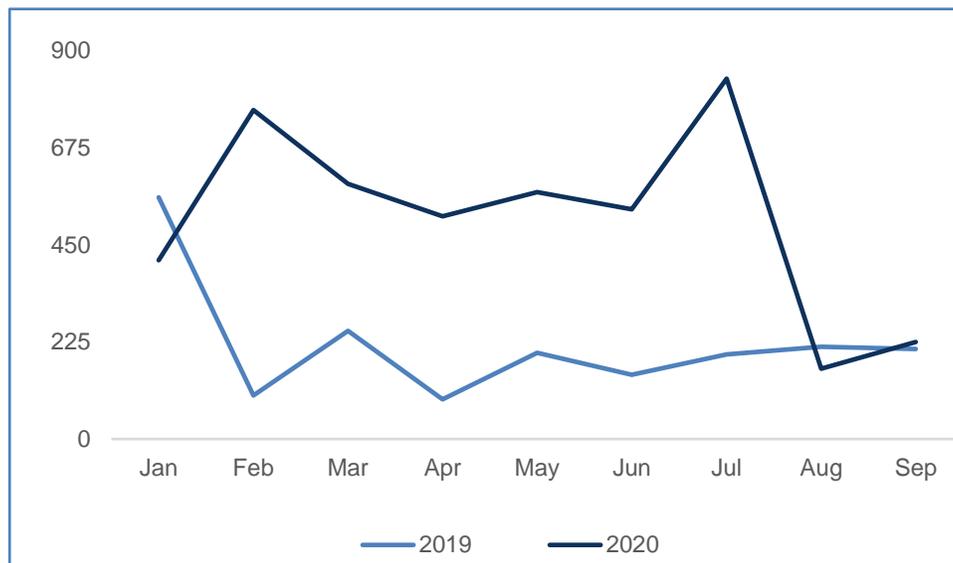
dialogue sessions that reinvigorated engagement between these groups and the parties to the Revitalized Peace Agreement, resulting in the Rome Declaration on the Peace Process in South Sudan of January 2020 and the Rome Resolution on Monitoring and Verification of the Cessation of Hostilities Agreement, of February 2020, by which the parties to the Agreement and the South Sudan Opposition Movements Alliance, a key party outside the Agreement, agreed that the Alliance would be included in the IGAD-led Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism established under the Agreement. The Rome Declaration and the Rome Resolution appear to have contributed to a reduction in the violence between January and March 2020. After a pause in engagement due to the COVID-19 pandemic, the parties to the Declaration met for a third time in Rome in October 2020. The meeting was followed by a technical session convened by Sant'Egidio in November 2020 and jointly facilitated by the secretariat of the Mechanism, the reconstituted Joint Monitoring and Evaluation Commission and IGAD. At the technical session, the Alliance and the parties to the Revitalized Peace Agreement agreed that Alliance was to start its inclusion into the structures of the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism from 1 January 2021. If implemented, this would entail renewed compliance with the Cessation of Hostilities Agreement by all parties, as well as better protection of civilians. Despite this progress, however, the Sant'Egidio-led dialogue has so far failed to bring the non-signatories fully into the formal peace process or the Revitalized Transitional Government of National Unity.

24. Although the absence of opposing military factions in the capital and major cities makes large-scale violence less likely, some interlocutors warned the review team that the possibility cannot be entirely dismissed. In 2020, tensions mounted within established political alliances of both the Sudan People's Liberation Movement and the Sudan People's Liberation Movement/Army in Opposition that could further destabilize the country, and the potential for widespread atrocities over the coming months cannot be totally discounted. Many of the conflict analysts and political analysts consulted by the review team warned that the security situation was likely to deteriorate in most parts of the country as the expected 2022 elections near.

B. Shifting from civil war to politicized intercommunal violence

25. While violence directly attributable to the parties to the civil war has ebbed, intercommunal violence has risen sharply over the past year and, in many cases, has been fuelled directly by national political actors. Between July and September, the UNMISS Human Rights Division recorded more than 260 violent incidents affecting 1,223 civilians. The vast majority of those incidents have been attributed to politicized intercommunal violence. While this number represents a decrease in violence as compared with the second quarter of the year, there was an increase in conflict-related sexual violence of 88 per cent during the third quarter. The overall decrease in violent incidents was largely the result of severe flooding that affected many parts of the country and made the movement and activities of armed actors more difficult. Overall, UNMISS has recorded significantly more violent incidents in 2020 than in 2019 (see figure I).

Figure I
Victims of violent incidents in 2019 and 2020, January to September



26. Intercommunal violence is not a new phenomenon in South Sudan. South Sudanese youths have engaged in cattle raiding and cycles of retaliatory intercommunal violence in the past, spurred by high bride prices, competition over resources, limited economic opportunities, lack of access to formal justice systems and gendered pressures on male youths that greatly contribute to gender-based violence and protection threats to women and girls. However, in consultations with the review team, stakeholders stressed that the dynamics of intercommunal violence are shifting. Recent cycles of intercommunal violence have been highly politicized, leading UNMISS and other actors to categorize the violence as a subnational extension of political competition rather than fully localized intercommunal violence per se. Interlocutors informed the review team that, in the most recent outbreak of violence between Dinka, Nuer and Murle communities in Jonglei State, youths displayed high levels of organization. There was evidence of fighters being resupplied with weapons from outside the state and there were clear lines of communication between fighters on the ground, local power brokers and political actors in the capital. Likewise, recent attempts to disarm civilians in South Sudan have triggered tensions and, in some cases, violence, because of concerns among youths that disarmament campaigns were politically motivated and not implemented evenly across communities.

27. Moreover, conflict analysts observed that the barriers between community militias and politically affiliated armed groups in South Sudan are fluid, with uniformed soldiers sometimes participating in subnational violence out of a variety of personal and political interests. While there are often clear and early warning signs of coming intercommunal violence and escalations fluctuate with seasonal changes, the fluidity of armed actors and the complex interplay of local and national interests can make it challenging to prevent or de-escalate subnational violence. Government and opposition leaders, while influential at the subnational level, also do not always have full command and control over armed locals committing violence. In sum, there is clear disconnect between the degree of increased stability and progress in the capital and conflict dynamics at the subnational level. Political violence has not ceased since the 2018 ceasefire, but has merely shifted form. Underlying drivers of

violence have not been addressed and, therefore, significant levels of subnational violence are likely to persist over the coming months and years.

C. Political bargaining through violence

28. The Revitalized Peace Agreement has created space for ongoing, peaceful political dialogue in South Sudan. However, parties to the conflict often treat political agreements and alliances as provisional or interim arrangements that can be renegotiated to achieve better personal outcomes. Violence or threats of violence are a part of political bargaining. In that system, parties are trying to gain a military advantage in order to win political appointments and gain access to national revenue streams for personal enrichment and that of their communities.

29. As UNMISS officials and conflict analysts noted, those dynamics make it more difficult to sustain and implement peace agreements. They can also lead to the fracturing of armed groups as new leaders split from existing ones and instigate new violence to increase their bargaining power for political appointments. There remains a real threat of current political alliances and armed groups splintering and using violence as a tool to renegotiate political appointments. Moreover, under the current political status quo, political actors still feel that, to remain politically relevant, they need to maintain militias that are loyal to them personally. Against that backdrop, progress in implementing peace agreements has always required significant pressure from external actors and has usually resulted in incremental rather than transformational progress. More fundamental shifts in the dynamics of conflict require deeper commitment from the parties.

D. Oversized and dysfunctional security sector

30. According to the South Sudanese authorities, the country's military forces currently have approximately 350,000 troops. Since independence, the security sector has been at the centre of the State apparatus and has consumed the bulk of the country's resources and official budget. In the 2019/2020 budget, 13 per cent of government expenditure was earmarked for security, while critical services for the population received declining shares of the budget. Education was allocated 5.6 per cent, health care 1.1 per cent and rural development 0.7 per cent.³ Representatives of think tanks and non-governmental organizations noted that, in reality, a much higher level of funds is spent on security than is captured in the official budget. The size of the security sector itself is a challenge, because the costs of maintaining the current military are unsustainable.

31. Moreover, the army has never been a cohesive entity, loyal to a single command structure. After independence, the Juba Declaration on Unity and Integration between the Sudan People's Liberation Army and the South Sudan Defence Forces of 8 January 2006 brought a variety of militias together under the banner of a national army. Some efforts were made to transform them into a unified and professional military structure, but those efforts were largely piecemeal and unsuccessful. When the civil war began, the army split along existing ethnic fractures. Since 2011, the conflict has exacerbated those problems. Political elites have recruited ethnically homogeneous militias that have been used alongside and interchangeably with national security forces. In many cases, newly appointed civilian authorities have little, if any, oversight over troops deployed in their area of jurisdiction.

³ World Bank Group, *South Sudan Economic Update: Poverty and Vulnerability in a Fragile Environment* (Washington, D.C., February 2020), p 18.

32. Chapter II of the Revitalized Peace Agreement prohibits the recruitment and training of new forces by the signatories and outlines a process by which troops are to be assembled in cantonment sites within 30 days of the signing of the Agreement, screened for eligibility and demobilized or retrained as part of necessary unified forces within eight months. Despite those provisions, the review team noted that parties to the conflict have continued to recruit new troops, with unrealistic promises of eventual incorporation into the formal security sector. Those actions have included the forced recruitment of youths. Because the size of the military factions was not certified at the start, the security sector reform process thus far has exacerbated the problem of the oversized security apparatus.

33. In violation of the Revitalized Peace Agreement, troops assembled in cantonment sites have not received adequate food, shelter and access to medical care. Conditions in cantonment sites and training centres are, reportedly, especially adverse for women. Most troops have never gone into cantonment sites, and of those that have, many abandoned the sites because of those conditions, stalling progress on security sector reform. The South Sudanese authorities recognized that those troops who were moved from cantonment sites to training sites had not been properly vetted. More than two years after the signing of the Agreement, no unified forces have been graduated or deployed. Officials of the South Sudanese Government attributed the delays to a lack of external funding for the security sector reform process and a lack of weapons for newly trained troops. Experts from civil society organizations, think tanks and non-governmental organizations recognized national and international funding gaps as a serious hurdle but stressed that security sector reform and disarmament, demobilization and reintegration were fundamentally about power redistribution and that the primary barrier at the current stage was the absence of agreement between the parties and a common vision on the goals and parameters of those processes.

34. The South Sudan National Police Service, which was established in 2005, was largely staffed with former members of the Sudan People's Liberation Army reassigned or demobilized from the national army into the police service. While the Comprehensive Peace Agreement was in force, reform of the South Sudan National Police Service was neglected and the modest steps attempted after independence were overturned with the outbreak of the civil war. With the national army absorbing most of the State budget, the police service has not had sufficient resources. Most police officers and police stations lack the basic infrastructure and equipment required to perform their roles, such as electricity, forms for recording crimes and a secure space for storing files. Low-level extortion by underpaid police officers is common in South Sudan and the police service remains heavily militarized in some areas of the country. Furthermore, lack of technical expertise and general professionalism of the police have prevented the police service from embracing a democratic approach to policing, conducting thorough investigations and effectively managing cases that would lead to successful prosecutions in court. Overall, these issues have led to a trust deficit between the South Sudan National Police Service and the local population.

35. Serious abuses by the intelligence branch of the security sector, the National Security Service, have been documented, including arbitrary detentions, torture and extrajudicial executions.⁴ Interlocutors of the review team asserted that extrajudicial killings had decreased recently, but that there had been a steep increase in number of arbitrary detentions. National Security Service officials have, in particular, targeted critics of the Government, including civil society representatives and journalists. The Revitalized Peace Agreement envisioned a reform of the National Security Service Act that would curtail the abuses and autonomy of the National Security Service. The

⁴ S/2019/301, paras. 41–66.

current Act grants the National Security Service sweeping powers of surveillance, search and seizure. It does not prohibit arbitrary detention or torture. As outlined in the African Union Policy Framework on Security Sector Reform of January 2013, reforms should include intelligence services. A discussion on reform of the National Security Service is needed, but has been notably absent from conversations on security sector reform.

36. Stakeholders pointed out that the underlying gender imbalances and inequalities that exist at a societal level are replicated across all organized forces. The few women serving in the security forces do not enjoy similar treatment or benefit from the same resources as their male counterparts. The review team further noted that insufficient attention had been paid to gender aspects of disarmament, demobilization and reintegration, and security sector reform, such as the question of how to demobilize non-combatant women or armed women who played support roles in the army. Likewise, inadequate attention has been paid to women who were forced into association with armed groups against their will, including through abduction. As a starting point, there is little to no sex-disaggregated data for the organized forces, which presents a significant challenge. Stakeholders reported that it is not easy to distinguish which women should be considered part of the security forces for purposes of disarmament, demobilization and reintegration or security sector reform, given the range of activities that women have assumed, from support roles to active participation in combat.

37. The absence of coherent strategies and processes for security sector reform and disarmament, demobilization and reintegration in South Sudan is a significant driver of insecurity. Security forces, including new recruits, often go unpaid for months at a time and survive by looting the civilian population and extorting money at checkpoints. Security sector reform is first and foremost a political issue. Without the genuine will on the part of the Government to address it, no assistance can be effective. The large-scale, comprehensive projects on security sector reform and disarmament, demobilization and reintegration that are needed in South Sudan will require international assistance. However, because of delays in implementing the commitments on security sector reform outlined in the Revitalized Peace Agreement and the failure of the Government to commit funds to that undertaking, donors lack confidence in the process and have been reluctant to provide funding. In that respect, it is important to keep in mind that one of the core principles of the African Union Policy Framework on Security Sector Reform is national ownership of the security sector reform process. As recognized in the Framework, security sector reform cannot be achieved if the financial burden of reform is borne exclusively by external actors.

E. Proliferation of small arms and light weapons

38. The country's decades-long struggle for independence from the Sudan and subsequent civil war have left the country saturated with small arms and light weapons that contribute to the insecurity. Throughout the fight for independence and the civil war, regional and other international actors supplied non-State armed groups in South Sudan with weapons and ammunition. Other illicit and conventional arms flows have contributed to the wide availability of small arms and light weapons. In a 2017 study for the United Nations Development Programme (UNDP), the Small Arms Survey estimated that between 232,000 and 601,000 firearms were in the hands of civilians across the country.⁵ Levels of gun ownership likely vary from one state to

⁵ Small Arms Survey, *National Small Arms Assessment in South Sudan* (Geneva, 2017).

another, but in another 2017 study, Saferworld found that 80 per cent of surveyed households in Rumbek and Kuacjok owned at least one firearm.⁶

39. Although the Government has recently expressed its intention to conduct a countrywide civilian disarmament campaign, past attempts at disarmament have been unsuccessful, with many seized arms re-entering circulation. Inconsistent disarmament campaigns have contributed to the insecurity by leaving disarmed civilians vulnerable to attacks by neighbouring communities who have not been disarmed. An attempt to disarm youths in Warrap State in August 2020 left dozens of people dead when government security forces exchanged fire with youths over several days. According to stakeholders consulted by the review team, widespread insecurity and uncertainty over the trajectory of the peace process will make civilians reluctant to relinquish their weapons in the near future.

F. Underlying socioeconomic and environmental drivers of violence

40. The already dire economic situation in South Sudan has worsened in recent months. A drop in the price of oil and restrictions on trade as a result of the COVID-19 pandemic have contributed to hyperinflation and a rise in the price of commodities, making it harder for families to meet even their basic needs. The average rate of inflation in the 2020 fiscal year rose to 72.2 per cent, up from 63.6 per cent in the 2019 fiscal year.⁷ Currency depreciation and rising food prices are particularly devastating for civilians who have increasingly been driven away from agricultural subsistence and into the cash economy by the violent disruption of their livelihoods during the conflict and by environmental factors. In particular, a locust infestation and severe flooding during the 2020 rainy season have depleted the population's resources and resilience. Cycles of drought and flooding also contribute to competition over resources such as grazing land. In that economic environment, few financial opportunities exist outside the security sector and the civil service, which will complicate the reform of the security sector as well as disarmament, demobilization and reintegration efforts.

41. In South Sudan, many communities also exchange cows as a dowry for a bride before marriage. For years, the rising cost of livestock and diminished access to cattle have contributed to cattle raiding by youths that have sometimes triggered cycles of retaliatory raids and intercommunal violence. Those practices are also a significant driver of sexual and gender-based violence. Women are sometimes abducted during cattle raids, or they are raped by youths to avoid having to pay a dowry, because in such circumstances it is common practice for families to negotiate a marriage between the rapist and the survivor at a lower bride price or even without one. The economic crisis has also driven many families to marry off girls at a younger age so as to receive dowry payments as a supplement to their income. While such violence may be rooted in socioeconomic practices and may be motivated by personal gain, those dynamics intensify the vulnerability of youths to mobilization by political actors, who can supply them with the weapons they need for such cattle raids in exchange for support during military operations.

⁶ Saferworld, "Communities tackling small arms and light weapons in South Sudan: lessons learnt and best practices", briefing, July 2018.

⁷ World Bank Group, "South Sudan", Macro-Poverty Outlook, No. 284 (Washington, D.C., October 2020).

G. Systemic governance challenges

42. In both 2018 and 2019, South Sudan was evaluated as the lowest-ranking country in Africa on the World Bank Country Policy and Institutional Assessment, which is based on four aspects of governance: economic management, structural policies, policies for social inclusion and equity, and public sector management. On a scale from 0 to 6, the country's overall ranking in the Country Policy and Institutional Assessment dropped from 1.5 in 2018 to 1.3 in 2019.⁸ Stakeholders who engaged with the review team stressed that there was widespread corruption, mismanagement in the financial and economic spheres and a lack of transparency in how government funds were budgeted and spent in South Sudan.

43. The review team noted that there was a wide gap between the reality of governance in South Sudan and the standards set for the continent in the relevant African Union policy and normative instruments: the Constitutive Act of the African Union, the solemn declaration of July 2000 on the Conference on Security, Stability, Development and Cooperation in Africa and its memorandum of understanding on security, stability, development and cooperation in Africa, adopted at the ministerial review meeting of the Conference held in Durban, South Africa, in July 2002, the New Partnership for Africa's Development – in particular its Declaration on Democracy, Political, Economic and Corporate Governance of 2002 – and the African Charter on Democracy, Elections and Governance of 2007, to which South Sudan is a party, all include the principal recognition that good governance is a basic requirement for peace, security and sustainable political and socioeconomic development. Furthermore, the 2003 African Union Convention on Preventing and Combating Corruption (which South Sudan has signed but not ratified) commits parties to adopting legislation, establishing bodies and strengthening control measures to prevent corruption by public officials. Encouragingly, in its national development strategy, updated in 2018, South Sudan recognizes that governance reforms, including justice and reconciliation, must be central to any future vision for South Sudan, while processes for addressing corruption and governance gaps are outlined in the Revitalized Peace Agreement. Notably, chapter IV of the Agreement includes a call for the Revitalized Transitional Government of National Unity to review the legislation governing the Bank of South Sudan with a view to restructuring it, to identify and record all loans and contracts collateralized or guaranteed against oil for the purpose of transparency and accountability, to strengthen the Anti-Corruption Commission, including by reviewing the legislation on the Commission and nominating a head of the body, to nominate a national auditor general to serve on the National Audit Chamber, and to establish new monitoring authorities immediately, including an authority for public procurement and asset disposal and one for salaries and remuneration.

44. The South Sudanese authorities informed the review team that steps had been taken to begin to address governance and corruption issues, including the formation of what is known as the “governance cluster”, which is a forum in which relevant actors meet to discuss governance reforms, and the placement of international advisers at governmental and financial institutions to assist with reforms. One high-ranking South Sudanese official suggested that corruption could be addressed by digitizing government processes and that the Government was in contact with international agencies to discuss how such as thing could be done. Despite these preliminary steps, the review team concluded that very little concrete progress had been made against commitments to the financial and governance reforms in the

⁸ World Bank Group, *CPIA Africa: Assessing Africa's Policies and Institutions – Safeguarding Human Capital During and Beyond COVID-19* (Washington, D.C., August 2020); World Bank Group, *South Sudan Economic Update*.

Revitalized Peace Agreement. Some of those reforms have been delayed until the formation of a new parliament under the Agreement, but according to a variety of international stakeholders, there also appears to be a lack of political will to address corruption. Poor governance, including corruption, is a significant driver of conflict in South Sudan and an underlying issue that needs to be addressed to promote improvements in security and enable the Government to meet some of the most basic needs of its people, as its overwhelming reliance on international humanitarian assistance is unsustainable. However, tackling corruption will be difficult and, if not done carefully, potentially destabilizing in the short term, as it threatens political actors with the loss of access to illicit resources in a dire economic environment.

H. Overwhelming humanitarian and protection needs

45. In its national development strategy for 2018 to 2021, South Sudan outlines six interconnected strategic priority actions to address the country's needs. Their purpose, among other things, is to create enabling conditions for and facilitate the voluntary return and integration of displaced South Sudanese civilians, ensure that they have secure access to adequate amounts of nutritious food, restore and expand the provision of basic services, and restore and maintain basic transport infrastructure such as roads and bridges.

46. Since the outbreak of civil war, food security has continuously deteriorated. Before 2013, an estimated 1.5 million people, or 17 per cent of the population, faced acute food insecurity. As at October 2020, an estimated 6.48 million people – over half of the country's population – were facing acute food insecurity. Of those, 1.7 million were classified as facing emergency levels of food insecurity (level 4 of the Integrated Food Security Phase Classification). Children and pregnant and lactating women are particularly susceptible to malnutrition. Food insecurity in South Sudan is largely the result of human action. Cycles of violence and displacement have made it difficult for families to cultivate land or harvest crops. Unpaid or underpaid soldiers regularly loot what few food supplies civilians do have. Parties to the conflict have also deliberately destroyed crops and blocked the delivery of humanitarian assistance to communities believed to be aligned with their political rivals, which has led the Human Rights Council to conclude that parties to the conflict have used starvation as a method of war.⁹

47. Food insecurity fuels harmful coping mechanisms and livelihood decisions that have a negative impact on individuals and families, especially women and girls. For example, families may opt to subject girls to forced and early marriage in exchange for dowry payments and women enter into transactional sexual relations to ensure the survival of their families.

48. The scale of displacement outside and inside the country remains enormous. Nearly 4 million people have been displaced as a result of the civil war, with an estimated 2.2 million refugees displaced to neighbouring countries and 1.67 million displaced internally. Tens of thousands of internally displaced persons are sheltering in sites for the protection of civilians at United Nations bases. Those sites were created when internally displaced persons flooded into areas within and around United Nations bases to escape the violence when it first broke out in 2013 and 2014, and then again in 2016. The population of protection sites peaked in 2015, with more than 200,000 people spread across six sites, and has decreased gradually since then through spontaneous, voluntary and assisted returns. At the end of August 2020, a total of 167,954 internally displaced persons were still residing in five protection sites. Between September and November of 2020, UNMISS redesignated the Wau,

⁹ A/HRC/45/CRP.3.

Bor and Juba protection sites as camps for internally displaced persons, handing them over to the authority of the Government. National security forces, rather than UNMISS, will now be primarily responsible for protecting civilians at the camps for internally displaced persons.

49. Long-term displacement at protection sites has led to some fundamental societal shifts and social stratification between those living inside and outside the sites, including changes in gender relations. Because of the different security threats facing men and women, women more regularly leave protection sites than men and, in many cases, have assumed the role of breadwinners. In some locations, children living inside the sites have had different access to educational opportunities than those outside, including limited access to national examinations required for graduation and therefore advancement to higher levels of education.

50. South Sudan is a party to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, adopted in Kampala in October 2009, in which the signatories affirmed the responsibility of States to provide durable solutions for internally displaced persons. As noted above, facilitating the voluntary return of internally displaced persons is one of the stated priorities under the Government's national development strategy. In 2017, a national framework for durable solutions for internally displaced persons was drafted. Nevertheless, durable solutions for many displaced civilians remain out of reach. According to reporting by international non-governmental organizations and consultations with think tanks, the Government has, in some cases, attempted to manipulate returns to ethnically redistribute the population in politically advantageous ways.

51. Humanitarian agencies confirmed that significant levels of humanitarian aid will be required to support durable solutions over the coming years. Multiple cycles of displacement combined with the fact that many property owners lack the official documentation to prove their ownership and differences in the approach to land ownership among different communities create a complex mix of housing, land and property issues. Aid workers and civil society leaders stressed that, in some cases, military actors have occupied the houses of internally displaced persons who had fled to protection sites, which increased the direct risk to civilians who attempted to reclaim land or property. Therefore, substantial support for legal processes to settle housing, land and property disputes will be needed, alongside other types of humanitarian assistance to facilitate the movement and reintegration of internally displaced persons to reduce their vulnerability. Returns of refugees from neighbouring countries to South Sudan may increase the scale of humanitarian need in the short term, in particular because basic services are lacking in many areas of potential return. Moreover, the redesignation of some sites for the protection of civilians as camps for internally displaced persons may require shifts in the way donor funds are committed and humanitarian assistance is delivered.

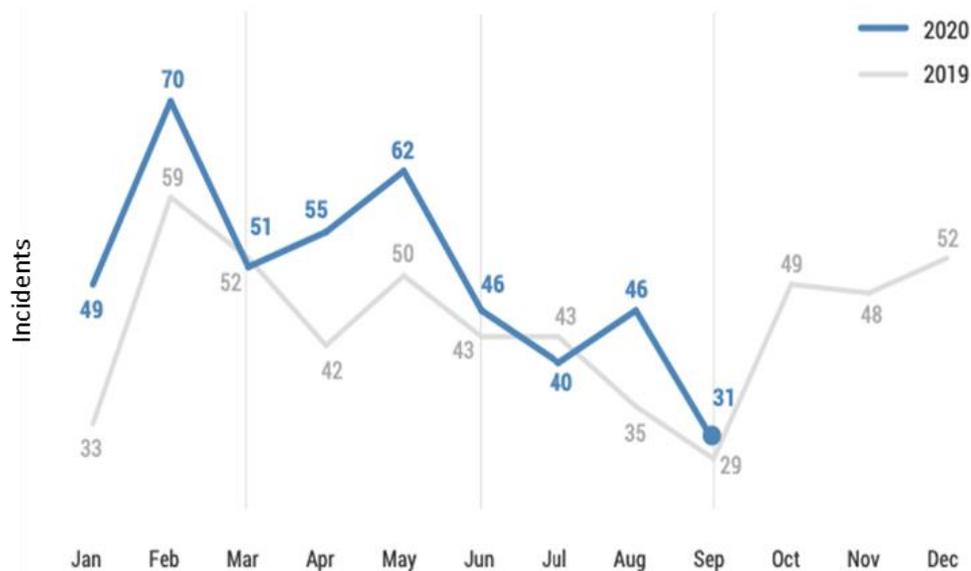
52. It was clear to the review team that humanitarian actors in South Sudan face serious barriers to the delivery of humanitarian assistance. Humanitarian access is hampered by insecurity and bureaucratic impediments that adversely affect the activities of both national and international non-governmental organizations. After the signing of the ceasefire and the Revitalized Peace Agreement in 2018, humanitarian access improved. The Office for the Coordination of Humanitarian Affairs recorded 535 instances of access constraints in 2019, compared with 760 in 2018.¹⁰ However, month for month, there have been more instances of access constraints to date in 2020 than in 2019, except for July (see figure II). In 2020, 51 per cent of instances of access constraints have involved violence against aid workers

¹⁰ United Nations, Office for the Coordination of Humanitarian Affairs, "South Sudan: 2019 humanitarian access overview", fact sheet, 18 February 2020.

and, as at September, 9 aid workers had been killed in 2020 alone.¹¹ Many of such attacks can be attributed to surging subnational violence and the desperate economic situation and are, therefore, likely to continue unless the economic and political situation improves.

Figure II

Incidents involving access constraints (2019, and January–September 2020)



53. Humanitarian actors determine where to deliver aid impartially and based on need. However, according to reporting by international non-governmental organizations and consultations by the review team, denials of humanitarian access are, at times, part of deliberate strategies by political and military actors to manipulate the distribution of resources. Government actors can directly and indirectly benefit from humanitarian and development assistance. For example, if humanitarian actors provide for the basic needs of the population, that can allow the Government to divert its budget to other activities, including funding the military. Political figures can also claim credit for supplies and services delivered by humanitarian actors, development actors and peacekeepers, thereby gaining legitimacy.¹²

54. The continued delivery of life-saving support to South Sudanese civilians is critical. It is therefore important that international aid organizations work with national actors to ensure that humanitarian and development aid is aligned with needs on the ground. Humanitarian and development actors can mitigate any harm that could result from capacity-building and the provision of resources by ensuring that the assistance is grounded in a conflict analysis. Among other precautions, United Nations agencies, funds and programmes are responsible for implementing the human rights due diligence policy on United Nations support to non-United Nations security forces. They should implement the policy robustly when providing support to national security forces to safeguard against support that would unintentionally contribute to human rights violations and violations of international humanitarian law.

¹¹ United Nations, Office for the Coordination of Humanitarian Affairs, “South Sudan: quarterly humanitarian access snapshot, July to September 2020”, fact sheet, 19 October 2020.

¹² Joshua Craze, “Displacement, access, and conflict in South Sudan: a longitudinal perspective”, Conflict Sensitivity Resource Facility South Sudan, May 2018.

I. Continued human rights violations and the prevalence of impunity, including for conflict-related sexual violence

55. The African Union Commission of Inquiry on South Sudan, which was established by the African Union Peace and Security Council in December 2013 to investigate human rights violations and other abuses committed during the first year of the civil war, has documented a range of serious violations. In particular, the Commission concluded that it was reasonable to believe that some of those amounted to crimes against humanity and war crimes, including torture, rape and forced enlisting of children. The Commission noted that sexual violence and extrajudicial killings had been carried out systematically and with extreme brutality by all parties to the conflict.¹³ Hundreds, if not thousands, were killed in the first days of the fighting. The Human Rights Division of UNMISS and the Commission on Human Rights in South Sudan, which was established in 2016, have documented similar and ongoing violations throughout the civil war. The Mission has documented an organized campaign of sexual violence that took place in Unity State as recently as from September to December 2018. As already noted, the number of violations recorded by UNMISS dropped in 2019 but has surged in 2020. In consultations with the review team, some government authorities disputed the validity of the reporting by the United Nations and international non-governmental organization on human rights violations.

56. Some progress was noted on specific human rights issues. In particular, political and military actors in the country have issued statements condemning conflict-related sexual violence. In 2014, the Government signed a joint communiqué with the United Nations on its prevention and, in 2019, developed action plans for addressing it in the military and police forces. The Sudan People's Liberation Movement/Army in Opposition also developed a workplan to address it and has worked with UNMISS to train military personnel within its ranks on conflict-related sexual violence. The topic has also been considered in the development of training materials for unified forces. In September 2020, 13 soldiers of the South Sudan People's Defence Forces were convicted of rape by a court martial in Yei. This progress demonstrates that there is some political will to begin to address conflict-related sexual violence. However, conflict-related sexual violence and sexual and gender-based violence continue to be committed by a variety of armed actors in South Sudan, across geographic locations, largely with impunity, in the context of political conflict, intercommunal violence and criminal activity. The review team also noted with concern that, despite their stated commitment to reducing conflict-related sexual violence, some South Sudanese authorities either entirely denied the occurrence of those violations or minimized their severity.

57. Consultations with representatives of civil society and non-governmental organizations also revealed that survivors of sexual and gender-based violence and conflict-related sexual violence have grossly insufficient access to services and reparations, which means that women and girls as well as men and boys do not have adequate access to medical services, psychosocial support and safe houses where needed. Stakeholders highlighted the absence of a survivor-centred approach to sexual and gender-based violence as a concern. The availability of data on sexual and gender-based violence and conflict-related sexual violence is extremely limited, in part, because of the reluctance of survivors and witnesses to report such violations because of societal stigma, failure of some police to respect the confidentiality of

¹³ Final report of the African Union Commission of Inquiry on South Sudan (15 October 2014), para. 358.

survivors, reprisal attacks against those who report and a lack of services or redress for survivors who come forward.

58. More broadly, nearly all stakeholders, including the South Sudanese authorities, recognized that there was a pervasive environment of impunity in South Sudan for criminal acts and violations of international humanitarian law and human rights law. The Government has granted amnesties for serious violations of international humanitarian law. Individuals who are alleged to have committed grave human rights violations have been appointed to high-ranking positions in the Revitalized Transitional Government of National Unity. While there is some capacity in the justice chain, the capacity and reach of justice institutions is limited. In many parts of the country, there are no formal justice institutions present. Where institutions do exist, they are severely lacking in resources including transportation, office supplies, equipment and electricity. Statutory and informal justice systems coexist alongside one another. In that situation, informal justice systems often work with complete autonomy and enjoy greater public recognition and support, but do not always align with internationally recognized human rights and can, in particular, undermine the rights of women and girls. Stakeholders stressed that impunity and the lack of access to justice fuel new cycles of violence at the national and subnational levels, including subnational cycles of cattle raiding and abduction.

59. There are significant political barriers to higher-level prosecutions, including in relation to individuals against whom repeated and credible allegations have been made. As will be discussed further in section V of the present report, the Government has repeatedly stalled efforts to establish the Hybrid Court for South Sudan to investigate and prosecute genocide, crimes against humanity, war crimes and other serious violations under international and national law, a requirement stipulated in the Revitalized Peace Agreement. The establishment of the Hybrid Court remains an important step in efforts to address impunity and bring South Sudan into compliance with its international legal obligations.

60. As explained by UNMISS and African Union officials, given the scale and duration of violence in South Sudan, it is clear that the Hybrid Court will not be able to address the vast majority of violations that have been committed and that these will have to be addressed through the national court system and the Commission for Truth, Reconciliation and Healing outlined in the Revitalized Peace Agreement. Opportunities for justice exist more readily at lower levels, including in the form of mobile courts. Finally, the review team noted that increased coordination among partners in the fight against impunity would help to increase the likelihood that gains are made in this area.

J. Constrained space for civil society activity

61. Civil society activists in South Sudan have repeatedly been threatened and targeted. Many have fled the country. Those who have remained face serious restrictions on their freedom of expression. The review team noted that government officials monitor and interfere with the publication of stories in local newspapers, limiting the ability of those newspapers to report independently on government and military actors. Likewise, the Government continues to block online access to media websites that report critically on South Sudanese events. According to Human Rights Watch, 16 journalists were detained by the Government between January and September 2019, and two international journalists were expelled from the country for reporting on corruption and conflict.¹⁴

¹⁴ Human Rights Watch, *World Report 2020: Events of 2019* (New York, 2020).

62. During consultations with the review team, civil society leaders and human rights advocates stressed that, even though security in a more general sense had improved, the freedom of expression and the space for journalism and advocacy on human rights had continued to shrink. National laws require meetings of more than four people to be notified to and approved by the Government, making it difficult for civil society actors to operate. The review team was informed that, in particular, youths, human rights defenders and women peacebuilders were threatened and intimidated by government authorities. For instance, women leaders and networks that have tried to raise awareness of conflict-related sexual violence or advocate for the realization of the Government's commitment to a 35 per cent inclusion rate for women in the peace process have been harassed and targeted. In response to a peaceful youth protest planned in May 2019, several government officials made public statements in which they threatened the lives of activists if they chose to participate in them.¹⁵ The constrained space for civil society activities and the restrictions on the freedom of expression pose a real threat to the full implementation of the Revitalized Peace Agreement, in particular the holding of credible and inclusive elections.

K. Limited gains women, peace and security agenda and gender equality

63. There has been some progress in South Sudan on the women, peace and security agenda. Women leaders, from political parties and civil society alike, substantively participated in the negotiation process for the Revitalized Peace Agreement and are also signatories to the final document. In 2018, several groupings of women contributed to and witnessed the process, including women representatives from the Government, the opposition, civil society and young people. For comparison, just one group, affiliated with the Sudan People's Liberation Movement, attended discussions in 2015. More recently, in June 2020, the Government approved the national action plan for the implementation of Security Council resolution [1325 \(2000\)](#). Also of significance is the passing of laws against female genital mutilation, which contribute, broadly, to the prevention pillar of the women, peace and security agenda. However, other goals in the agenda remain unrealized, most notably full, equal and meaningful participation of women and a guarantee of their rights and protection.

64. The Revitalized Peace Agreement stipulates that women's participation across all structures of government should be guaranteed at 35 per cent. This commitment has the potential to fundamentally transform the situation of women and girls, but there has been a marked lethargy where it comes to implementing the gender provisions of the Agreement at all levels. With only one woman appointed out of 10 governors, one woman out of five Vice Presidents and five women out of 35 cabinet Ministers, the parties are yet to live up to their commitments. Moreover, it is important that women not merely be present in government roles, but that women representatives appointed to the Revitalized Transitional Government of National Unity represent constituencies and their needs at the grass-roots level. If left unaddressed, this will affect the long-term prospects of the peace process. Beyond the Agreement, the meaningful participation of women in political life remains extremely challenging and is an area that demands urgent attention and careful consideration of transformative investments.

65. Limited attention has been paid to the prevention pillar of the women, peace and security agenda by State authorities and other actors because of the overwhelming need to respond to protection, relief and recovery concerns. The critical role that

¹⁵ Amnesty International, "South Sudan: authorities crack down on critics in cross-border campaign of intimidation", 18 July 2019.

women leaders and networks play in conflict resolution, early warning and brokering peace at the local level continues to go largely unrecognized and undersupported. international actors have made many of the investments in physical protection, the delivery of humanitarian services and development work, such as emergency reproductive health responses. Investment in preventative measures will be an important but long-term exercise. Stakeholders noted that, as part of such interventions, an empowerment approach should be prioritized that centralizes women as decision makers who inform and influence protection outcomes. Moreover, a joint effort by the United Nations system is needed to ensure a coordinated response comprising the provision of services such as gender-based violence hotlines, crisis centres, mechanisms to remove women and girls from violent situations, poverty reduction programmes that offer alternatives to negative coping mechanisms and risky livelihood options, and various community-developed interventions aimed at changing attitudes and societal norms. Women and girls in South Sudan continue to be exposed to the multifaceted physical, social, economic and psychological impacts of the conflict as they face severe livelihood challenges and threats to their physical safety and bodily integrity. COVID-19 has exacerbated those challenges.

III. Opportunities presented by the ongoing peace process

A. Revitalized Peace Agreement

66. As already noted, the process to implement the Revitalized Peace Agreement has succeeded in bringing most political parties in the country together in an ongoing dialogue process and, at least on paper, an agreement on the way forward. The Agreement provides a road map for durable change in the country. Chapter I contains provisions on high-level political appointments that each party will receive under the Revitalized Transitional Government of National Unity. In it, the parties have committed to ensuring that women are chosen for 35 per cent of appointments, while also striving to appoint young people. It includes a section on judiciary reform, establishes a process for the drafting of a new constitution and outlines the bodies, legislation and process for the holding of elections at the end of the transitional period.

67. Chapter II outlines the terms of the ceasefire between the parties and the process for the cantonment, training and reunification of the security forces. While it does not include a detailed vision for the future of the security forces, it does provide for the reconstitution of a strategic defence and security review board in which women, young people and civil society are to be represented and that will undertake strategic security assessments and determine a vision for the future of the security sector.

68. In chapter III of the Revitalized Peace Agreement, the parties agree to principles for the delivery of humanitarian assistance, including secure access by humanitarian actors to populations in need and the right of internally displaced persons to physical protection, and a safe and dignified return. It commits the Revitalized Transitional Government of National Unity to revising national legislation on the activities of non-governmental organizations to bring it in line with international best practices and establishes the Special Reconstruction Fund into which the Revitalized Transitional Government of National Unity should deposit \$100 million per year during the transitional period.

69. Chapter IV of the agreement contains a road map for the strengthening of economic, environmental and financial management, including legislative reviews, as well as the enhancement of existing oversight bodies and the creation of new ones. Chapter V contains the requirement that the Revitalized Transitional Government of

National Unity initiate legislation for the establishment of the Commission for Truth, Reconciliation and Healing, the Hybrid Court for South Sudan and the Compensation and Reparation Authority, in which women are to be represented at a rate of 35 per cent.

70. Moreover, the Revitalized Peace Agreement creates a structure for the engagement of international bodies, including a ceasefire monitoring body, the Transitional Security Arrangements Monitoring and Verification Mechanism, and the reconstituted Joint Monitoring and Evaluation Commission under IGAD, to monitor implementation of the agreement.

71. As stipulated in the Revitalized Peace Agreement, the Revitalized Transitional Government of National Unity has been formed at the national level with a President, Vice Presidents and Ministers. The current parliament, which predates the Agreement, has yet to be dissolved and reformed, and with the exception of nine governors, local appointments were still pending during the team's review process. A dialogue on appointments was under way during the review period and stakeholders indicated that compromise on this issue was possible. An agreement was reached outside the Agreement on the contentious issue of the number of states into which the country should be subdivided, with the parties agreeing to revert to 10 states plus three new administrative areas. Despite the strong text of the Agreement, its implementation has been limited. As indicated above, the focus has been on political appointments and elite power-sharing rather than on drafting a new constitution, strengthening oversight mechanisms and establishing transitional justice mechanisms.

72. Some South Sudanese authorities felt that the implementation of the Revitalized Peace Agreement was following a natural progression and that chapters I and II needed to be implemented as a matter of priority to make the implementation of other chapters viable. One high-ranking government official observed that the parties had implemented the pieces of the Agreement that did not require significant financial inputs, but were limited in their ability to implement the full Agreement due to the country's economic crisis and insufficient funding from international actors. A variety of other stakeholders criticized the parties' lack of commitment and indicated that international donors would not commit financial resources to the Agreement's implementation without increased evidence of political will and unless the Government itself contributed more significant funds to the process. Conflict analysts stressed that additional reforms under the Agreement, including key provisions devolving power to the states, were likely to be strongly resisted by the ruling Sudan People's Liberation Movement coalition, which stood to lose some influence and lucrative control over resources as power was devolved.

73. Although the Revitalized Peace Agreement covers a wide range of issues, it is only one element of a broader peace process. A more comprehensive road map is needed, including for security sector reform and disarmament, demobilization and reintegration processes, and additional work will be required to address the root causes of violence in South Sudan. There are some opportunities to do that work through programmes to decentralize dialogue, mitigate conflict, promote social cohesion and facilitate development at the state, county and payam levels.

B. National dialogue

74. The national dialogue process was established by the Government of South Sudan and operates outside the Revitalized Peace Agreement. While concerns were expressed about the initial intent of the dialogue when established, it has presented a much-needed opportunity for grass-roots engagement between communities that have been pitted against each other by political elites. In addition, it enables communities

to repair social ties and to partake in a discussion on how the broad commitments enshrined in the Revitalized Peace Agreement should be implemented. The structure of the dialogue consists of a round of grass-roots consultations, followed by three regional conferences and a national conference that was held in November 2020. The dialogue and national conference have resulted in comprehensive outcome documents. A report summarizing the process is expected for mid-December 2020.

75. Mission officials, civil society leaders and international experts highlighted aspects of the national dialogue to the review team that they considered problematic. Although all but two of the country's counties were included in the process, meetings were largely restricted to urban and periurban areas and did not reach the grass-roots level. Women were represented in the steering committee for the dialogue, but not in adequate numbers. Efforts to make the dialogue politically inclusive were partially successful, with a number of political parties joining the process midway. Notably, however, the participation of the Sudan People's Liberation Movement/Army in Opposition and non-signatory armed groups was limited, and they had continued to express reservations about the process. The steering committee also reportedly included hardliners and close political allies of the President, which constrained the ability of participants to speak freely without fear of retaliation. Participating communities had also reportedly received little feedback since the dialogue had been initiated and there was a risk that they would become sceptical or would divest from the process.

76. Despite those limitations, citizens used the national dialogue to air serious grievances and express their views on the future direction of the country. In particular, participants voiced support for ending violence in the country, investing oil revenues in the agricultural sector, improving financial management and eradicating corruption, and introducing a professionally trained, regionally balanced and ethnically diverse army that reflected the character of the country. They also endorsed the concept of federalism, increased resource allocations for state governments and a clear division of powers between the three branches of government (legislative, executive and judiciary). Women's rights groups used the process to raise awareness of gender equality at the community level while continuing to lobby and advocate for an increased and more meaningful participation of women in the political process.

77. The national dialogue has unfolded as a track-two peace process parallel to the implementation of the Revitalized Peace Agreement and has resulted in resolutions on a number of issues. Many stakeholders consulted by the review team had an interest in ensuring that the recommendations put forward resulted in concrete action and directly informed processes related to the implementation of the Revitalized Peace Agreement, such as constitution-drafting and determining the focus and modalities of the Commission for Truth, Reconciliation and Healing. South Sudanese government authorities largely agreed that the national dialogue resolutions and recommendations should inform the constitution-making process. Given the concerns about the inclusivity of the dialogue and the importance of continued buy-in for peace at the grass-roots level, consideration could be given to an additional follow-on consultation phase to enable segments of the population and political actors not adequately represented to date to participate. Such a phase could include a sustained dialogue through the establishment of inclusive local peace committees aimed at building trust between communities and political actors largely similar to the multiparty negotiation process in South Africa, which was launched in April 1993. Intensified engagement by UNMISS, relevant United Nations actors, the reconstituted Joint Monitoring and Evaluation Commission, IGAD and the African Union could ensure that the process is aligned with the implementation of the Revitalized Peace Agreement and bolster participation of women's groups in the dialogue efforts.

C. Local readiness and capacities for peace

78. Many interlocutors of the review team stressed that the South Sudanese population was exhausted by war, was broadly supportive of peace efforts and was eager for opportunities to rebuild peace and experience its dividends. A survey on civilian perceptions of the peace process carried out in 2018 by a coalition of civil society organizations revealed that, although opinions on specific provisions of the Revitalized Peace Agreement varied by region, ethnicity and gender, civilians overwhelmingly supported punitive measures against parties who violated the cessation of hostilities agreement and the basic parameters of the peace agreement.¹⁶ A more recent civilian perception survey, carried out by UNMISS in the first quarter of 2020, similarly demonstrated that civilians were receptive to peace efforts. Public opinion in favour of peace is an important factor that international and regional actors can leverage to hold political actors accountable for implementation.

79. The review team also took note of the existence of local conflict resolution practices and mechanisms that could support peace efforts. Local institutions are notably weak. The authority of community leaders has been threatened by displacement and years of conflict in which armed actors have directly targeted community leaders. However, there is also a history of local negotiation and peace agreements, including efforts by women-led networks, that can be built upon. Peacebuilders consulted by the review team stressed that, in the short term, local peace agreements could improve trust and prevent or reduce levels of violence. In the medium term, there was some potential for local peace agreements to trickle up.

D. International commitments

80. As a State member of the United Nations and the African Union, South Sudan is expected to uphold the core principles adopted by these organizations. More specifically, South Sudan is a party to a number of instruments that address challenges fuelling cycles of violence in the country, including human rights violations, impunity and poor governance. In that respect, it is worth mentioning the Convention on the Elimination of All Forms of Discrimination against Women, adopted in 1979, the African Charter on Human and Peoples' Rights, adopted in 1981, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in 1984, the Convention on the Rights of the Child, adopted in 1989, and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, adopted in 2009. These tools present an opportunity for change if regional, continental and international actors engage consistently and frankly with the Government and other stakeholders to urge their implementation, while mainstreaming the commitments contained in them into their policies and support programmes. In parallel, concerted efforts should be made to encourage South Sudan to accede to other instruments, in particular those adopted within the framework of the African Union, given their relevance to the South Sudanese context. Those include the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the African Union Convention on Preventing and Combating Corruption, the African Charter on Values and Principles of Public Service and Administration and the African Charter on the Values and Principles of Decentralisation, Local Governance and Local Development.

¹⁶ South Sudan Civil Society Forum, "Revitalizing peace in South Sudan: citizen perceptions of the peace process", November 2018.

IV. Engagement of regional and international actors

81. Most major breakthroughs in the South Sudanese peace process have come as a result of constructive engagement by regional actors. Notably, the engagement of the country's neighbours, particularly Ethiopia, Kenya, the Sudan and Uganda, was critical in the negotiation and finalization of the Revitalized Peace Agreement. The support provided by the African Union in the negotiation process complemented the IGAD-led process. Any further progress in the peace process in South Sudan is highly reliant on the continued constructive and coordinated engagement of regional and international actors. In that respect, Kenya, when it joins the Security Council as a non-permanent member in 2021, could greatly help in facilitating enhanced international engagement in support of the peace process. While IGAD, the African Union, and the United Nations each individually make a key contribution to the peace process, collective and coordinated engagement based on a clear strategy that takes into account the comparative advantage of each of these actors will greatly enhance their effectiveness.

A. Roles of key regional and international actors and comparative advantages of their engagement in South Sudan

1. The Intergovernmental Authority on Development (IGAD)

82. As the lead mediator and guarantor of the Revitalized Peace Agreement, IGAD is closely engaged with the Government of South Sudan and other stakeholders through a variety of arrangements. First, through the Transitional Security Arrangements Monitoring and Verification Mechanism, mandated under chapter II of the Agreement to monitor, verify and report on violations of the ceasefire. Second, through the reconstituted Joint Monitoring and Evaluation Commission, an entity that regularly briefs and reports to the Heads of State and Government of IGAD. Under chapter VII of the Agreement, the reconstituted Joint Monitoring and Evaluation Commission is responsible for monitoring and overseeing the implementation of the Agreement. This includes assessing the mandate and tasks of the Revitalized Transitional Government of National Unity and the adherence of the parties to the agreed timelines and implementation schedule. In case of serious deficiencies, the reconstituted Joint Monitoring and Evaluation Commission is mandated to recommend appropriate corrective action to the Revitalized Transitional Government of National Unity. IGAD has also appointed Ismail Wais as Special Envoy for South Sudan to coordinate the process of negotiation and implementation of the Agreement, and has established a diplomatic liaison office in Juba to support the work of the Special Envoy and compliment the efforts of the reconstituted Joint Monitoring and Evaluation Commission. The Special Envoy, the Transitional Security Arrangements Monitoring and Verification Mechanism, and the reconstituted Joint Monitoring and Evaluation Commission all have gender advisers who have the potential to ensure that gender is considered during mediation, monitoring and implementation activities.

83. Throughout 2019 and early 2020, IGAD consistently engaged with the parties to the Revitalized Peace Agreement. In 2019 and early 2020, IGAD held six meetings at the level of Heads of State and Government and at the ministerial level. IGAD has been significantly less engaged on South Sudan since the Revitalized Transitional Government of National Unity was established in early 2020. Conflict analysts and some South Sudanese government stakeholders noted that pressure IGAD has put on parties to move forward with the much-delayed implementation of other aspects of the Agreement and follow up on longer-term structural issues has been limited. In part, they pointed out new domestic and regional challenges that, according to them, had the potential to diminish the attention of the region to the South Sudan peace

process and affected its ability to engage actively and exert pressure when needed. Some of the review team's interlocutors also held the view that leverage was not one-sided, as the overall geopolitical context afforded the South Sudanese authorities agency that could be exercised to counterbalance regional pressure or reduce its effect.

84. Representatives of States members of IGAD who interacted with the strategic review team reiterated the commitment of their countries individually and collectively to continue to support peace efforts, stressing that peace in South Sudan could not be disconnected from peace in their own countries. IGAD enjoys significant legitimacy to engage on implementation. Its composition of regional actors who largely maintain close relationships with South Sudanese political actors increases its influence.

85. Through the Transitional Security Arrangements Monitoring and Verification Mechanism, IGAD also has a ceasefire monitoring presence in the field. However, it lacks the necessary personnel and capacity to engage politically at the subnational level. Moreover, the review team noted that the lack of financing from countries in the region for the work of regional bodies such as the reconstituted Joint Monitoring and Evaluation Commission and the Transitional Security Arrangements Monitoring and Verification Mechanism, as well as for the Special Envoy, can undermine their effectiveness and undercut the region's ownership of the peace process. According to stakeholders, there is a need and space for UNMISS and the United Nations as a whole to work with the African Union and other stakeholders on engaging the region on those challenges, while also increasing its support to existing regional structures and helping with resource mobilization.

2. African Union (including the African Union High-level Ad Hoc Committee for South Sudan)

86. The African Union, which is also a guarantor of the peace process, is engaged in a variety of ways. Since the outbreak of conflict, South Sudan has regularly been on the agenda of the African Union Peace and Security Council and African Union summits. The Council has carried out annual field visits to South Sudan. In a communiqué of September 2020, the Council encouraged the South Sudanese parties to respect their commitments under the Revitalized Peace Agreement; expressed concern over access restrictions imposed on UNMISS; called on all parties to facilitate the work of UNMISS and humanitarian actors; expressed concern over the planned withdrawal of UNMISS forces from protection of civilians sites; and encouraged the United Nations country team and international humanitarian agencies to ensure that effective mitigating measures are put into place.

87. In 2015, the African Union Peace and Security Council established the African Union High-level Ad Hoc Committee for South Sudan with as its mandate the coordination of overall African Union efforts related to the peace process. The Committee consists of Algeria, Chad, Nigeria, Rwanda and South Africa. Since its establishment, the Committee has convened some meetings, notably in July 2018 at the level of Heads of State and Government and in July and November 2019 at the ministerial level. It was agreed that the Committee ministers would visit South Sudan to encourage the stakeholders to form the Revitalized Transitional Government of National Unity and fulfil their commitments. However, the visit did not materialize. Nevertheless, President Cyril Ramaphosa of South Africa, which chairs the Committee, dispatched the Deputy President of South Africa to South Sudan and neighbouring countries several times in 2019 and 2020 to underscore the continued support of the continent to the peace process. Overall, the role of the Committee has been rather limited. Some Committee members have embassies based in Juba that can actively contribute to the peace efforts. But three of the five members have no

embassies in South Sudan, which creates a serious – though not insurmountable – challenge to sustained engagement.

88. On reconstruction and stabilization, the Revitalized Peace Agreement stipulates that the African Union is to nominate a member for the Board of the Special Reconstruction Fund (chapter III),¹⁷ and the African Union is mandated to convene a pledging conference on humanitarian assistance and reconstruction in South Sudan jointly with the Government and the United Nations. Since then, the African Union Commission, following consultations with the South Sudanese authorities, has identified areas in which the African Union could support post-conflict reconstruction and stabilization. The African Union is planning to convene an online meeting to review the proposed intervention areas together with government authorities and the Committee. The review team noted that IGAD has expressed its readiness to coordinate its efforts in this area with the African Union. Chapter I of the Revitalized Peace Agreement further assigns a critical role to the African Union, alongside the United Nations, in supporting the establishment and functioning of a reconstituted National Elections Commission. The Commission is also supporting the establishment of justice and reconciliation mechanisms, as outlined in chapter V of the Agreement and as detailed below. The Commission further contributes to the overall peace process through regular meetings with the South Sudanese stakeholders in Addis Ababa and its liaison office in Juba.

89. The review team consulted a number of African Union specialized bodies to gather information on their activities in support of the peace process in South Sudan and to identify additional contributions they could make. In that respect, the review team noted that the African Commission on Human and People's Rights could play an enhanced role, building on its legitimacy as an African institution, its direct engagement with States members of the African Union and related reporting and monitoring mechanisms, and its ability to publicly pronounce itself on human rights and other related issues, as illustrated by a press statement it issued in November 2019. The review team was informed that the African Commission on Human and People's Rights was in the process of developing an advisory note to clarify some of the challenges to implementation of the various components of chapter V and that that note could help to identify avenues for cooperation and coordination with UNMISS on transitional justice processes.

90. While South Sudan is yet to accede to the African Peer Review Mechanism, whose mandate was expanded in 2018 to better link governance to peace, the Mechanism could assist South Sudan in identifying structural vulnerabilities, share experiences and best practices, and assess capacity-building needs to foster political and economic good governance. Similarly, the African Union Advisory Board on Corruption can help to promote and encourage the adoption of measures and actions needed to address corruption. The Mission, in consultation, as appropriate, with relevant United Nations country team members, could examine how to cooperate and coordinate with these institutions and leverage their comparative advantages in the pursuit of lasting peace in South Sudan.

91. A variety of stakeholders told the review team that enhanced engagement by the African Union and its member States was needed to move the South Sudanese peace process forward. Some interlocutors suggested that the African Union's engagement on South Sudan had been limited by the outbreak of COVID-19, among other factors, as well as by the fact that the African Union, in line with the principle of subsidiarity, defers to IGAD as the regional lead under the Revitalized Peace Agreement. Regional actors also stressed to the review team that the African Union's overall political role

¹⁷ See Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, para. 3.2.1.

and capacity to provide support were constrained by resource challenges and the limited presence of diplomatic officials of African Union countries in Juba and outside. Therefore, while the African Union, like IGAD, has a strong mandate for engagement and the leverage to influence political actors, the existing potential is yet to be fully activated.

3. Financial institutions

92. The African Development Bank has an office in Juba. It approved an updated interim country strategy paper for South Sudan in May 2019. During the period 2019–2021, the Bank plans to invest about \$85.4 million in grants to finance investment projects and provide technical assistance. The paper is focused on building State capacity and on infrastructure development. It contains a call for greater attention to be paid to the root causes of fragility through increased transparency in the management of its natural resources.

93. In November 2020, the International Monetary Fund approved its first lending operation for South Sudan since the country became a member of the Fund in 2013. The disbursement of \$53.2 million is intended to help to relieve the deepening economic crisis triggered by the COVID-19 pandemic. The World Bank has funded relief and development projects in South Sudan since the country joined the institution following its independence. Most recently, the World Bank approved a grant of \$45 million to improve citizen access to basic infrastructure and strengthen community institutions.

4. Troika, the European Union and other international actors

94. Norway, the United Kingdom of Great Britain and Northern Ireland, and the United States of America constitute a group of countries referred to as the “troika” that was closely involved in the negotiation of the Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People’s Liberation Movement/Sudan People’s Liberation Army, and in support to South Sudan after independence. The members of the troika have appointed special envoys to engage on South Sudan and, to a degree, have coordinated their political engagement by releasing joint statements. Those statements, accompanied by political démarches, appear to have successfully influenced political processes in the past. In the first 10 months of 2020, the troika delivered four statements on the situation in South Sudan. After a quieter period in the first half of 2020 (with only two statements), all troika envoys to South Sudan made their first visit to the country since 2017 in September 2020. During that visit, the troika countries urged all sides to demonstrate the leadership needed to deliver progress and maintain peace, and highlighted the need to move forward on outstanding tasks, including transitional security arrangements, ensuring transparency in public finances and the participation of women in the peace process. Stakeholders, while cognizant that these statements could have an impact, indicated that they needed to be followed up by diplomatic engagement.

95. The European Union has historically been actively engaged on the political situation in South Sudan, including during the time when the Comprehensive Peace Agreement was in force and during the 2011 referendum. More recently, the European Union has expressed concern about corruption and a lack of financial transparency, and imposed asset freezes and travel bans as sanctions on several high-ranking government officials, supported the United Nations sanctions regime and arms embargo, and called on the parties to the peace agreement to speed up the implementation of key provisions of the Revitalized Peace Agreement (security arrangements, financial accountability and transitional justice). In 2020, the European

Union allocated more than \$52 million in support of humanitarian action in South Sudan, with additional funding related to recent flooding and desert locust swarms.

96. The global economic slowdown induced by COVID-19 will likely affect the availability of donor funds from international actors for the peace process and may lead to downward pressure on peace operation budgets, even if resource needs remain at their current levels or, possibly, increase. It was clear from the review team's consultations that, beyond the latest setbacks linked to COVID-19, there is general donor fatigue due to the slow pace of the peace process, the repeated failure of the South Sudanese parties to undertake structural reforms and continued impediments to the work of UNMISS through denials of access and curtailed freedom of movement. Potential donor countries expressed concern about the risk of misuse of funds, which could fuel violence rather than cement peace, and indicated that they were unwilling to commit funding needed for the implementation of the Revitalized Peace Agreement without a radical change in the way the Government operated and without improved transparency in the use of resources. Without such changes, there is a risk that interest could wane in terms of both donor support and political engagement by international actors.

5. Role of United Nations system entities

97. The engagement of the United Nations with key regional actors is laid out in the Revitalized Peace Agreement and in Security Council resolution [2514 \(2020\)](#). The Agreement stipulates that the United Nations (and the African Union) may provide assistance to the reconstituted National Elections Commission if the Government requests it. Second, as stated in the Agreement, the United Nations will be a member of the Board of the Special Reconstruction Fund, which will convene a South Sudan pledging conference in collaboration with the Secretary-General of the United Nations, the Chairperson of IGAD and the Chairperson of the African Union Commission, to raise money for implementation of the Agreement. Third, in line with the Agreement, the United Nations is also to cooperate with and assist the Revitalized Transitional Government of National Unity in its implementation of the transitional justice mechanisms. The Agreement further provides for a specific role for UNMISS as a member of the Transitional Security Arrangements Monitoring and Verification Mechanism Board.

98. In its resolution [2514 \(2020\)](#), the Council requested the Special Representative of the Secretary-General for South Sudan and Head of UNMISS to exercise his good offices in assisting the reconstituted Joint Monitoring and Evaluation Commission, the African Union, IGAD and other actors with the implementation of the Revitalized Peace Agreement.¹⁸ Second, the Security Council underscored the importance of UNMISS support to the Transitional Security Arrangements Monitoring and Verification Mechanism and the reconstituted Commission as they delivered their respective mandates. That support includes active participation, facilitation and support to the Mechanism as it implements its monitoring and reporting mandate on ceasefire violations.¹⁹ Third, in the resolution, the Security Council also reaffirmed the critical role that the United Nations plays, in coordination with regional organizations and other actors, to advance political dialogue between parties and contribute to achieving an enduring cessation of hostilities and an inclusive peace process.²⁰

99. Moreover, the United Nations country team is implementing a cooperation framework with the Government in support of the Revitalized Peace Agreement,

¹⁸ See Security Council resolution [2514 \(2020\)](#), para. 17.

¹⁹ See *ibid.*, para. 8 (c) (ii) and (iii).

²⁰ See *ibid.*, para. 36.

which is informed by the national development strategy. The cooperation framework is focused on four thematic areas: building peace and strengthening governance; improving food security and recovering local economies; strengthening social services; and empowering women and youth. In the first year of the implementation of the cooperation framework, 2019, United Nations agencies, funds and programmes collaborated with national entities to deliver more than \$200 million of programmes in these four areas. Each year, United Nations humanitarian agencies, together with non-governmental organizations, have provided humanitarian assistance of more than \$1 billion to support approximately 5 million people.

100. A number of other United Nations actors in the region and beyond can bring enhanced added value to the Organization's multifaceted engagement in South Sudan. Those include the United Nations Office to the African Union, based in Addis Ababa, which is mandated to enhance the partnership between the United Nations and the African Union on issues of peace and security, and the Office of the Special Envoy of the Secretary-General for the Horn of Africa, also based in Addis Ababa, tasked with cooperating with IGAD to prevent conflict and promote peace and security across the region. Also of notable importance are the United Nations political entities based in New York, including in the Department of Peace Operations and the Department of Political and Peacebuilding Affairs, which are actively engaged in the peace process, and the High-level Advisory Board on Mediation, which could, potentially, assist in moving the political process forward. In addition, the United Nations has several specialized protection offices, including those of the Special Representative on Sexual Violence in Conflict, the Special Representative for Children and Armed Conflict, the Special Adviser on the Prevention of Genocide and the Special Adviser on the Responsibility to Protect, who can all draw high-level attention to protection concerns and promote necessary reforms in their respective areas. Equally important are the roles being played by the Office of the United Nations High Commissioner for Human Rights in Geneva and the Commission on Human Rights in South Sudan, established by the Human Rights Council in March 2016.

B. A need for reinforced coordination and political engagement by regional and international actors

101. Regional actors were supportive of the regular engagement that occurs between the IGAD, the African Union and the United Nations, and the review team identified efforts to coordinate the activities of these actors. In 2018, the three organizations agreed on a concept note regarding their mutual collaboration in support of the Revitalized Peace Agreement in South Sudan. Since 2017, senior officials of the African Union Commission and the United Nations Secretariat have conducted several joint visits to South Sudan. The African Union Commissioner for Peace and Security, Smail Chergui, Under-Secretary-General for Peace Operations of the United Nations Jean-Pierre Lacroix and the IGAD Special Envoy for South Sudan, Ismail Wais, conducted a joint visit to South Sudan in May 2019. The ambassadors of the African Union High-level Ad Hoc Committee for South Sudan participated in the visit. In the second half of 2019, the United Nations, the African Union and IGAD undertook a coordinated effort to encourage face-to-face meetings between the President and the now First Vice-President, and encourage the formation of the Revitalized Transitional Government of National Unity. UNMISS also provided logistical support to IGAD field visits as required, as well as to visits of the African Union Peace and Security Council. In July 2018, the Deputy Secretary-General and the Special Envoy of the Chairperson of the African Union Commission on Women, Peace and Security, undertook a joint African Union-United Nations solidarity visit to South Sudan focused on women's participation. There were also opportunities for

the Special Envoy to strengthen cooperation with UNMISS and relevant United Nations and IGAD entities, in particular by reinforcing engagement with gender advisers in relevant IGAD bodies and within UNMISS.

102. The Mission regularly engages with the diplomatic community in Juba, in addition to convening bilateral meetings with the IGAD Special Envoy, the African Union Representative, and the special envoys to South Sudan for Uganda, Sudan and Kenya, and carries out other related activities. Interlocutors indicated that coordination between the European Union and UNMISS was frequent, with weekly presentations by the Special Representative of the Secretary-General. However, there is room for improving the coordination between the European Union, UNMISS and the United Nations country team on strategic political messaging.

103. Regional interlocutors informed the review team that they would welcome additional support from the United Nations, including material and technical support, to ensure that their officials were able to contribute to the advancement of the peace process more effectively. They also stressed the need to shift the focus of meetings from ad hoc engagement centred on information-sharing, to more structured engagement and the formulation of joint strategies, possibly based on a joint assessment of post-conflict needs and a shared analysis. Interlocutors expressed various opinions on which regional actors had a comparative advantage in engaging on disarmament, demobilization and reintegration and on security sector reform, but widely agreed that the extensive footprint of UNMISS around the country placed it in a position to lead on engagement with South Sudanese civilian authorities at the state level, support the devolution of responsibilities to states and help regional actors to extend their reach to the subnational level. With regard to addressing gender equality, regional stakeholders observed that UNMISS could facilitate access to communities for activities geared towards normative and cultural changes.

104. Several interlocutors highlighted the complexity caused by the large number of guarantors involved in the peace process. For instance, IGAD and the reconstituted Joint Monitoring and Evaluation Commission have, at times, organized initiatives that appeared to overlap with UNMISS initiatives. Moreover, while the African Union has led the engagement with South Sudanese actors on transitional justice mechanisms as outlined in the Revitalized Peace Agreement, on most other matters, it has deferred to the leadership of IGAD. This is not inherently a problem, but it can lead to inaction when the African Union defers to the leadership of IGAD, but IGAD is unable to lead on the issue. Overall, most stakeholders who spoke with the review team agreed that there was a need for renewed attention and support to implementation of the Agreement by States members of IGAD. They also agreed that more coordinated political messaging from IGAD, the African Union, and the United Nations was needed and that coordinated engagement should ensue not only at the working level, but also at a very high level to overcome significant hurdles in the peace process. Those collaborative actions should include joint United Nations-African Union-IGAD visits to South Sudan and other countries of the region. Another action that could ensure more prompt support increased engagement between international actors and South Sudanese stakeholders would be the appointment of a permanent Chair of the reconstituted Joint Monitoring and Evaluation Commission. The African Union and other stakeholders have repeatedly called for expedited action by IGAD in that regard.

105. Finally, the review team noted that the Special Representative of the Secretary-General for South Sudan and Head of UNMISS, the Special Envoy of the Secretary-General for the Horn of Africa and the Head of the United Nations Office to the African Union also regularly gave briefings during meetings of the IGAD Council of Ministers and the African Union Peace and Security Council. One goal of those briefings was to facilitate joint messaging and action by the three entities. In that

regard, the briefings have had some impact. Nevertheless, a point made by some interlocutors was that potential for utilizing United Nations actors and resources in the region remained untapped at times. The Mission could increase its outreach to and reliance on the United Nations Office to the African Union to facilitate coordinated messaging with individual States members of the African Union, the African Union Peace and Security Council, and the African Union High-level Ad Hoc Committee for South Sudan collectively on key issues, including for condemnation of violations of the Status of Forces Agreement between the United Nations and the Government of the Republic of South Sudan concerning the United Nations Mission in South Sudan and key points on implementation of the Revitalized Peace Agreement. The Office of the Special Envoy could play a similar role vis-à-vis the region. In that respect, at the request of the Secretary-General, the United Nations has developed a comprehensive regional prevention strategy for the Horn of Africa that provides a framework for increased engagement with IGAD and the peace process. More can also be done to enhance the effectiveness of efforts by relevant entities in the Secretariat and other United Nations bodies involved in the peace process in the context of their interactions with South Sudanese stakeholders and other relevant African and international actors.

V. Implementation of the UNMISS mandate and other related processes: challenges and adaptation, and progress

A. Challenges and adaptation

106. It was evident to the review team that UNMISS had contributed significantly to peace and security in South Sudan. Stakeholders, including internally displaced persons, civil society, think tanks and humanitarian actors confirmed that its presence alone had served as a check on the behaviour of the parties to the conflict. Although the Mission had not been able to reach all violent hotspots, many lives had been saved through its good offices, presence and ability to deploy to locations where there had been threats of political and intercommunal conflict.

107. The UNMISS leadership has fostered the development of effects-based approaches to peacekeeping and provided a high-level strategic framework for activities on the ground. Heads of field offices are expected to align their activities to the strategic framework, while maintaining decentralized authority to enable the Mission to respond more rapidly to issues and contextualize responses.

108. In addition, the Political Affairs Division and Civil Affairs Division of UNMISS have begun to strengthen the linkages between their work at the subnational and national levels. Those efforts span across multiple pillars of the Mission's work to address silos that commonly occur in peacekeeping missions. Mission documents examined by the review team highlight the need for an approach linking subnational and national engagement and, according to Mission officials, such strategic thinking has begun to shift the way in which UNMISS works. There has been more regular and strategic interaction between the Political Affairs Division in Juba and heads of field offices and civil affairs officers in the field, as well as welcome efforts by the Deputy Special Representative of the Secretary-General for Political Affairs to align the activities of pillar sections.

109. However, the activities of UNMISS have been constrained by a number of logistical and operational challenges. South Sudan has some of the most difficult terrain in the world for manoeuvring troops and other personnel, and infrastructure is exceedingly poor, with only 200 kilometres of paved road in a country roughly the

size of France. Rainy seasons exacerbate the situation, with frequent flooding that renders roads impassable.

110. The Mission also brought to the attention of the review team the many violations of the Mission's right to freedom of movement, as laid out in the Status of Forces Agreement, committed to by the South Sudanese Government and other armed actors. The sharing of information between UNMISS and the Government on movements of UNMISS personnel and equipment has evolved into an approval process in which, if sharing-of-information notifications from UNMISS are not acknowledged and signed off on by the Government, UNMISS is blocked from moving. Similarly, requests for flight safety assurance require government approval, and although UNMISS stakeholders asserted that they could choose to fly without an approved flight safety assurance, doing so carries an increased risk to equipment and personnel. Those risks are assessed against a history of UNMISS airplanes being shot down or fired on by parties to the conflict, including a civilian helicopter and a military helicopter that were shot down in 2012 and 2014, respectively.

111. Most South Sudanese authorities with whom the review team interacted either denied the existence of violations of the Status of Forces Agreement outright, or maintained that they had a duty to prevent UNMISS from accessing areas when peacekeepers might be harmed by ongoing violence, or blamed violations on uncontrolled forces in remote locations. While some violations of the Mission's right to freedom of movement are likely linked to poor command and control and fragmented or unclear authority among branches of the Government, it was clear from the review team's consultations that other violations occurred at the central level and appeared to be part of a deliberate strategy to restrict the movements of UNMISS to areas where and when violence is taking place and civilians may be at risk of harm. In addition to preventing UNMISS from accessing areas where human rights violations are occurring, the Government also appears to tighten restrictions on the movement of UNMISS, the issuing of entry visas for staff and customs clearance of weapons and equipment, including in reaction to Security Council pronouncements with which it disagrees. Violations of the Status of Forces Agreement on the part of the Government are the single most significant factor limiting the ability of UNMISS to carry out its mandate.

B. Progress made by UNMISS in implementing its four mandated pillars

1. Protection of civilians

112. Since 2013, UNMISS has provided physical protection to hundreds of thousands of civilians at protection of civilians sites around the country. Stakeholders widely recognize the value of this contribution to protection in South Sudan. The Mission began the process of redesignating protection of civilians sites as camps for internally displaced persons in September 2020 and informed the review team of its intention to continue with redesignations in Juba and Bentiu in November 2020 and eventually, also to redesignate Malakal when security conditions allow. The first sites that were selected for redesignation were those where threats to civilians were assessed by the Mission as being lowest, in Wau and Bor. The review team heard a variety of opinions on the future of the remaining protection of civilians sites and the risks and benefits associated with shifting away from physical protection of the sites.

113. In meetings with the review team, internally displaced persons living in the remaining protection of civilians sites voiced their lack of faith that political actors would continue to implement the Revitalized Peace Agreement. They also voiced concern for their safety and security if the peace agreement were to break down. They

called for the creation of integrated security forces, disarmament, demobilization and reintegration, the reconstitution of a transitional parliament, and subnational government appointments before further redesignations would be considered. Likewise, civil society leaders and national human rights bodies raised concerns and advocated for taking into account what they termed realistic timelines for the unification of police and security forces as part of their considerations on whether to redesignate protection of civilians sites. In its communiqué of 18 September 2020, the African Union Peace and Security Council expressed concern over the withdrawal of UNMISS from protection of civilians sites and its potential adverse impact on the safety and security of internally displaced persons. Most UNMISS officials maintained that there was no heightened risk of immediate physical attack on civilians in the protection of civilians sites, as compared with the population at large, that would warrant continued specialized protection at the sites. Several humanitarian agencies agreed with the Mission's assessment. On their part, most humanitarian actors, who assessed the situation using a broader view of protection threats than is usually applied by peacekeepers, raised concerns about how a future deterioration in the security situation ahead of elections could affect security at the sites as well as about the potential for immediate and longer-term protection threats associated with unresolved housing, land and property issues and the complex interconnections between livelihoods and insecurity.

114. Despite these differing views, all stakeholders agreed that the ultimate goal should be to promote durable solutions for internally displaced persons and that the situation for each protection of civilians site is different. The review team took note of a number of meetings that were held between UNMISS and humanitarian actors over the course of several years to discuss various aspects of the redesignation of protection of civilians site. Some of this outreach informed the development of a report, published in September 2019, on future planning for the protection of civilian sites in South Sudan. Mission officials stressed that significant resources had been invested in ensuring that the process of redesignation was consultative. Humanitarian actors expressed concerns that, despite regular meetings on the topic, they did not feel that they were able to significantly influence the trajectory or timeline of the process. Diplomats and humanitarian actors stressed the importance of two-way consultations to develop road maps for durable solutions, transparency in the Mission's planning around any remaining redesignations and phased transitions that would allow humanitarian and government actors to adjust their activities accordingly. While the Mission felt that those concerns were addressed throughout the redesignation process, the perspectives shared with the review team indicate that ongoing engagement is needed to resolve concerns.

115. In addition to protecting civilians at designated sites, UNMISS contributes to improved physical protection through the patrols of its military component. Mission officials and humanitarian actors agreed that integrated patrols were more beneficial than patrols carried out solely by the military component because they made it possible to engage with a greater number and wider variety of actors and could address more targeted issues. For those reasons, UNMISS has increasingly relied on integrated rather than purely military patrols. Documentation provided to the review team and consultations with UNMISS officials and humanitarian actors indicate that most UNMISS patrols continue to be short-duration patrols carried out during daylight hours with a limited reach. However, UNMISS officials explained that the Mission had begun to adopt a hub-and-spoke operating model. That model relies on the creation of temporary bases over extended periods from which the Mission can launch patrols to remoter areas that would otherwise be inaccessible. The Mission has also attempted to adopt an effects-based patrolling system to ensure that patrols have a clear purpose and the UNMISS Human Rights Division has built a closer relationship with the force to share information on identified hotspots and direct

patrols to those hotspots. Moreover, it has become a regular practice for the force to conduct patrols that facilitate the movement of women into and out of the protection of civilians sites to reduce the potential for sexual and gender-based violence or conflict-related sexual violence while they are collecting firewood. Those are welcome efforts that appear to be having an initial, albeit still limited, impact on the quality of patrols.

116. Attempts to develop the hub-and-spoke model and make patrolling more responsive to threats have been complicated by troop capabilities. Representatives of UNMISS and other United Nations entities stressed that some troops deployed to UNMISS lacked the right equipment to be mobile in the South Sudanese environment. In particular, UNMISS officials identified a need for all-terrain vehicles that was currently not being met. Much of the contingent-owned equipment that is deployed with troops is underutilized because much of it is not fit for the environment. Moreover, many troop-contributing countries are unable to operate as self-sustaining units when deployed to remote areas, which would be a vital capability for a more mobile and nimble approach to the protection of civilians. Overall, the equipment gaps limit the impact force activities can have on physical protection.

117. Based on its consultations and on an analysis of performance reviews carried out by the force's leadership, the review team concluded that, overall, the troops deployed to UNMISS have a willingness and mindset to carry out the tasks required of them.

118. United Nations police are composed of both formed police units and individual police officers. To date, United Nations police have been largely responsible for the safety and security of internally displaced persons located inside the protection of civilians sites. The primary role of the formed police units has been to protect the perimeter of the protection of civilians sites while the primary role of the individual police officers has been to patrol and provide security inside the sites. Approximately 70 to 80 per cent of the individual police officers deployed inside the sites follow a hands-on policing approach. They have generally been responsive to threats reported by the internally displaced persons residing at the sites. However, at Bentiu, which is the largest protection of civilians site, humanitarian actors have remarked that it has been a challenge for them to respond rapidly to threats coming from inside the site due to overstretched capacity. In addition, according to some UNMISS officials, United Nations police officers lack some contextual understanding and specialized experience needed to support the South Sudan National Police Service in adopting a community policing approach tailored to the different regions and areas of South Sudan.

119. The Mission carries out a variety of activities that help to prevent violence and create an environment conducive to protection, as outlined in the first and third tiers of the Department of Peace Operations concept of protection of civilians. The UNMISS Civil Affairs Division, for example, carried out a number of rapprochement activities between officials of the South Sudan People's Defence Forces and the Sudan People's Liberation Movement/Army in Opposition, and other opposition military officials, to reduce tensions between them and organize local agreements on freedom of movement for civilians between areas controlled by different armed actors. The Mission estimated that such engagements in Western Bahr el-Ghazal, Upper Nile and Unity states led to a reduction in the number of checkpoints on the roads and increased civilians' freedom of movement to visit marketplaces and pursue livelihoods. Civil affairs officers also organized civil-military dialogues to identify and advocate against the abuse of civilians by armed actors and hosted inter- and intracommunal dialogues to promote social cohesion. The Civil Affairs Division maintained participation quota for the forums of 30 per cent for women and 20 per cent for young people to ensure inclusivity. On a number of occasions, UNMISS facilitated travel by

national political actors, including parliamentarians, to areas of the country where tensions were rising. With the assistance of national and community leaders, UNMISS managed to calm tensions. In the second half of 2019, such interventions were conducted in the Rumbek North area of Lakes state and in Boma and Kapoeta counties in Eastern Equatoria. The activities are part of the UNMISS effort to better link its subnational engagement with national political dynamics.

120. Another component of the UNMISS protection mandate is to help to foster a secure environment through sensitization, technical assistance and advice to South Sudanese actors on international humanitarian law, sexual and gender-based violence, and child protection. Apart from any specific pillar, the mandate also recognizes the importance of mobile courts for addressing impunity and of the role of UNMISS in supporting them. Over the past several years, the UNMISS Rule of Law Advisory Section has supported the South Sudanese Government to establish mobile courts that have tried 287 cases resulting in 153 convictions. Stakeholders across a variety of sectors expressed appreciation for this work and the concrete contributions it is making to promoting a protective environment.

121. The UNMISS Rule of Law Advisory Section has also provided technical advice on and assistance in drafting the following: domestic legislation to support the implementation of the action plans of the South Sudan People's Defence Forces and the South Sudan National Police Service against conflict-related sexual violence; an audit chamber act (aimed at ensuring that government institutions had public accountability); a petroleum act (aimed at promoting the transparent management of oil resources); a banking act (aimed at supporting the transparent regulation of financial institutions) and other laws outlined in chapter IV of the Revitalized Peace Agreement. In partnership with United Nations system agencies and other actors, UNMISS has also supported the development of a draft land policy that, if approved, would help to strengthen the ability of South Sudanese institutions to peacefully manage ownership rights and land disputes. Although parliament has made progress, with UNMISS support, in drafting legislation in many areas, United Nations officials noted that the adoption of that legislation had been stalled because of delays in forming a new parliament and limited political will and interest in legislative reform at the highest levels of the Government.

122. In addition to its broader protection of civilians mandate, UNMISS has specialized protection roles relating to sexual and gender-based violence, conflict-related sexual violence and child protection. Drawing on consultations, the review team concluded that UNMISS had made concrete contributions to the protection of civilians from sexual and gender-based violence and conflict-related sexual violence. The Mission's outreach activities have increased awareness that sexual and gender-based violence and conflict-related sexual violence are violations of international law and national laws. More concretely, UNMISS advocacy has led to the release of abducted women and girls, most notably in Western Equatoria, where in 2019, over 100 women and girls were released from the control of the Sudan People's Liberation Movement/Army in Opposition.

123. While stigma and potential retaliation against survivors remains a considerable barrier to reporting, UNMISS and United Nations agencies, funds and programmes have contributed to improving awareness of conflict-related sexual violence and the rights of survivors. For example, in 2019, UNMISS partnered with the South Sudan Council of Churches to disseminate a statement denouncing the stigma surrounding survivors of conflict-related sexual violence. While it should not be expected that each individual awareness campaign or event will shift perspectives, stakeholders observed that, collectively and over time, such efforts made an important contribution. In collaboration with the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, UNMISS has secured

condemnations of conflict-related sexual violence from the parties to the conflict and commitments to reduce conflict-related sexual violence and, at the request of national authorities, UNMISS has provided inputs on conflict-related sexual violence to military training curricula. In addition, UNMISS has a special policing unit dedicated to the protection of women, children and other vulnerable groups. Inside the protection of civilians sites, its officers have carried out gender sensitization activities and responded to reports of sexual and gender-based violence alongside humanitarian partners. Since 2019, in some areas of Juba, a specialized police team within the United Nations police has co-located its officers with officers of the South Sudan National Police Service to provide technical support on the management of sexual and gender-based violence and juvenile crimes. While that is an important initiative, one for which the leadership of the National Police Service has affirmed its support, the review team noted that its impact was limited because of the low point at which the capacity of the National Police Service to handle sexual and gender-based violence had started and because trained officers were being rotated and reassigned owing to low-level corruption and mismanagement.

124. Stakeholders stressed that, although it was challenging to do so, UNMISS needed to further prioritize the physical protection of civilians from sexual and gender-based violence and conflict-related sexual violence. A review of several analytical products in use by UNMISS revealed that they performed an analysis of how youth dynamics contributed to violence, but also that there were gaps in the gendered analysis of threats. Moreover, stakeholders in the military and police components identified a need to ensure that gender is better incorporated into conflict analysis and planning processes and that staff, particularly gender focal points, receive more training on identifying and responding to sexual and gender-based violence.

125. The review team identified several factors that could undermine or enhance the Mission's protection of civilians activities. Stakeholders clearly acknowledged the need for integrated approaches to protection and observed that the utility of UNMISS military bases in terms of protecting civilians was limited without the regular presence of civilian staff counterparts.

126. The review team also noted that UNMISS had made progress in improving early warning processes, but that serious gaps remained. Improvements included an increase in the staffing and capacity of field integrated operations centres, an increase in the use of information from the Civil Affairs Division of UNMISS to anticipate conflict, and the management of a secretariat by the Joint Mission Analysis Centre that has helped to reduce information siloes. However, UNMISS officials noted that, to a degree, siloes persisted and that the Centre had not yet implemented a Mission-wide information acquisition plan owing to limited capacity. The Centre has few senior-level posts and has recently taken over the management of the Mission's Sage incident tracking database. Mission officials identified as a concern the quality of reporting by uniformed personnel, including United Nations military observers. Notably, UNMISS community liaison assistants are a weak point. In contrast to other peacekeeping missions of similar size and with similar mandates, community liaison assistants at UNMISS are managed by heads of field offices rather than the Civil Affairs Division. In many cases, this has led to the underutilization of community liaison assistants and their inability to establish community alert networks that, at other Missions, have proven vital for early warning. At UNMISS, community liaison assistants are hired at the same staffing levels as language assistants and, as a result, often perform the same function as language assistants, rather than filling the broader role envisioned for community liaison assistants.

127. Despite the limitations arising from these issues with community liaison assistants, UNMISS has strong guidance for staff members that outlines how to ensure

that community engagement is inclusive and does not have unintended negative consequences for civilians. The Mission prescribes specific quotas for the inclusion of women in its dialogue forums. However, UNMISS does not appear to have any specific strategies or intentional activities to identify and reduce barriers to the effective participation of women.

128. On the topic of overall strategic and operational coordination of protection activities, the review team concluded that, although many UNMISS sections are carrying out work that contributes to protection across all three tiers of the protection of civilians concept, these activities are not necessarily developed as part of targeted, coordinated plans to address clearly identified protection concerns. Many dialogue activities remain one-off engagements without a follow-up or strategies for achieving concrete outcomes being planned. Although the Mission's leadership has attempted to promote an effects-based and outcome-oriented approach, field office strategies are not based on a detailed analysis and are not updated regularly enough to address specific protection threats. They provide a general framework, not a nuanced one, for addressing protection threats. Recent initiatives to address subnational violence in Jonglei have been more coordinated and grounded in a more thorough analysis of the actors and dynamics involved. The Mission could likewise benefit from increased coordination between protection of civilians advisers and UNMISS personnel carrying out specialized protection functions, such as conflict-related sexual violence and child protection.

129. The review team heard convincing arguments that planning and initiatives that treated livelihoods, assistance and security as highly interwoven phenomena were more likely to address root causes and could create the foundation for common approaches between the peacekeeping mission and humanitarian and development actors. The multi-partner trust fund for reconciliation, stabilization and resilience that was established in December 2018 as a joint initiative of UNMISS and the United Nations country team is a potential example of such an approach that could be built on. The aim of the projects is to promote an alignment of efforts to tackle some of the country's entrenched protection challenges by, for example, addressing intercommunal violence and related cattle raiding, enhancing a civic and political space for citizens to participate in political and peace processes, and creating conditions conducive to implementing durable solutions to the country's protracted displacement crisis.

2. Creating the conditions conducive to the delivery of humanitarian assistance

130. Humanitarian and development actors widely affirmed that the Mission's presence and activities contributed to an environment conducive to the delivery of humanitarian assistance. Mission flights and the protection of airstrips by the Mission for United Nations Humanitarian Air Service flights performed by the United Nations Humanitarian Air Service are crucial to the mobility of humanitarian and development actors. Moreover, where towns are considered insecure, many humanitarian and development actors continue to live in humanitarian hubs adjacent to United Nations bases and within compounds protected by United Nations peacekeepers. Many humanitarian and development actors expressed the view that the Mission's presence in towns can have a stabilizing effect that makes it easier for humanitarian actors to operate, even if they do not directly request or benefit from UNMISS activities.

131. With assistance from UNMISS, the United Nations Mine Action Service supported the clearance of mine fields and cluster bomb strike sites from 82 per cent of all payams in the country. A plan is in place to clear, in conjunction with the National Mine Action Authority, all known explosive hazards within the next five years so as to achieve compliance with the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, adopted in 1997. The Mine Action Service works closely with

humanitarian actors to keep roads and air strips demined to enable the delivery of humanitarian assistance.

132. Based on the review team's consultations, there appears to be a more open dialogue and clearer recognition of the Mission's limitations than before the recurrence of violence in 2016. A formal process exists by which humanitarian actors can request support from UNMISS for regular or planned activities through the Office for the Coordination of Humanitarian Affairs. Humanitarian actors also highlighted a number of occasions on which UNMISS assisted in their direct protection during an emergency or an attack. The Mission cited instances in which it had given support for the evacuation of humanitarian workers from Akobo in December 2019 and from Gumuruk in April 2020. Most recently, in October 2020, UNMISS rapidly provided shelter to humanitarian workers in Renk who had come under attack by armed youths. However, humanitarian actors raised concerns about the consistency of the UNMISS response to emergencies in which humanitarian actors requested the protection of their personnel and compounds at field locations. Therefore, it may be beneficial for UNMISS to clarify internally and with humanitarian actors when and how UNMISS either will or will not (or cannot) respond to rapidly developing threats, and to establish a feedback process for reviewing the UNMISS response during emergencies.

133. Stakeholders stressed that the humanitarian background of the Special Representative of the Secretary-General has been an asset and that coordination between humanitarian actors and peacekeepers is better in South Sudan than in many other countries. The Mission has a variety of task forces and high-level meetings that include Mission officials, United Nations system agencies and other international non-governmental organizations, including a joint UNMISS-humanitarian country team task force. Nevertheless, many stakeholders indicated that those meetings did not provide humanitarian actors outside the United Nations system with real opportunities for two-way communication, for influencing Mission strategies, or for understanding how feedback was incorporated into Mission activities, planning and strategies. Continued efforts to enhance transparency in certain planning and decision-making processes could be beneficial.

3. Supporting the implementation of the Revitalized Peace Agreement and the peace process

134. In an attempt to drive progress in the implementation of the Revitalized Peace Agreement, UNMISS has adopted consistent messaging on political issues and made use of public statements and private engagement through its good offices. Thanks to this consistency to and some direct engagement with regional and international actors, UNMISS has influenced the public political statements of other key actors, thus helping to set a tone of constructive pressure for implementation.

135. The Mission has made a number of other key contributions to the peace process. On several occasions, it brought technical experts into South Sudan, often from other countries on the continent, to provide advice to South Sudanese political actors on contentious and unresolved issues, such as security arrangements for the transitional period. While the impact of those efforts is not yet entirely clear, they appear to be constructive and well-received.

136. Moreover, as part of its initiative to link subnational and national peace processes, UNMISS has invested in efforts to shift the peace process from an elite-focused conversation to an inclusive one that involves more stakeholders around the country so as to support the durability of the agreement. Activities in support of that goal have included the creation of a forum for political parties and support for the development of a dialogue between developing political parties to expand civic space and create conditions under which political actors have options for contesting power

using peaceful political avenues rather than violence. South Sudanese stakeholders praised those efforts, which appear to be supported by the Revitalized Transitional Government of National Unity.

137. In addition, the Mission has hosted a series of grass-roots dialogues that bring civil society actors from around the country to Juba to discuss the peace process and underlying societal drivers of conflict. The Mission reported that grass-roots dialogue forums have included women at a rate of 30 to 40 per cent and that some of the topics were focused on the protection and empowerment of women and girls. The impact of those activities was difficult to assess at the time of the review and, according to civil society leaders, follow-up on the recommendations made would be important to ensure their impact. Certainly, these efforts are aligned with guidance stressing the importance of inclusivity to sustain peace processes and have the potential to expand civic space, raise understanding of the Revitalized Peace Agreement among the population, make political actors feel more responsible to constituencies outside the capital, and leverage the overwhelming support for peace that civilians have expressed.

138. Strategic communication is a cross-cutting capability, but is particularly important as a supporting aspect of those grass-roots dialogue efforts. The Mission's Communications and Public Information Section carries out a wide range of activities, including operating the Radio Miraya network, with a country-wide reach, conducting large-scale outreach activities, producing and distributing multi-media content for local and international populations, and direct media engagement.

139. The Mission has used Radio Miraya to amplify the messaging coming from civic initiatives and also to encourage political engagement between Juba-based political actors and constituencies around the country.

140. Given the limited progress in implementing the gender-related provisions of the Revitalized Peace Agreement, some United Nations officials and civil society actors identified a need for UNMISS to expand the use of its good offices role to advocate for women's participation at every stage of the process to implement the Agreement. Efforts should be focused on constant messaging on gender equality and gender indicators to political leaders.

141. Finally, the Mission's logistical and technical support to the national dialogue and its efforts to advocate for the dialogue's political inclusivity have had positive effects. As noted previously, this process presents an important opportunity to ensure that grass-roots perspectives inform policy decisions and legislation being developed under the Revitalized Peace Agreement. Ensuring the inclusivity of national dialogue forums and the security of the participants remains an important priority.

142. The UNMISS Political Affairs Division does not have political officers at the field office level to carry out subnational engagement directly. Instead, heads of field offices and civil affairs officers serve as political actors and are empowered to ensure that their activities have a political dimension. The review team assessed how this staffing arrangement affects the ability of the Mission to implement its political mandate and concluded that the arrangement could help field offices to avoid taking a siloed approach to political engagement and ensure that subnational efforts to promote dialogue and address violence are grounded in political analysis. However, for that system to work, heads of field offices and civil affairs officers need to embrace the idea that they are political actors. In its activities, the Civil Affairs Division needs to maintain a strong understanding of the political dimensions of violence and the actors involved, while heads of field offices need political strategies to address the range of issues that affect peace and stability in their areas of operations. Moreover, heads of field offices and civil affairs officers deployed at the field level need to be in regular engagement with the Political Affairs Division and

the Deputy Special Representative of the Secretary-General for Political Affairs in Juba to align their political strategies. Much of that work also requires the application of a robust gender lens. The complete absence of women protection advisers in field locations and the limited number of gender officers deployed to the field makes this difficult, particularly given the overwhelming range of work with which gender affairs officers are tasked.

4. Monitoring and investigating human rights violations

143. Among civil society and humanitarian actors in South Sudan there is broad support and appreciation for the monitoring and investigation work done by UNMISS. In discussions with the review team, UNMISS officials noted that a number of changes to the Human Rights Division have strengthened the Division's work, including a restructuring of the work of human rights officers into thematic areas, the positioning of senior staff in field locations and the creation of a rapid investigation team to quickly deploy and scale up capacity for investigating human rights violations in field locations. The review team found that the number of public reports on human rights violations issued by UNMISS each year has not changed significantly over the past several years, but has improved slightly by comparison with 2016 and 2017. While it is difficult to fully assess the timeliness of reporting, since some reports are longer-term efforts covering thematic issues rather than time-bound incidents, the team did observe some improvements in the timeliness of public reports issued by the Human Rights Division.

144. In addition to its public reporting role, UNMISS plays a key role in tracking conflict-related sexual violence through the monitoring, analysis and reporting arrangements, and in tracking the six grave violations against children through the monitoring and reporting mechanism on children and armed conflict. While United Nations system agencies contribute information to these mechanisms and can play an important role in alerting UNMISS to the need for investigations where violations are suspected, UNMISS bears the primary responsibility for managing the monitoring and reporting arrangements and mechanisms, which can generate vital analysis for interventions and signal a need for scaled-up diplomatic engagement on violations. Some humanitarian and development officials indicated that UNMISS, the United Nations country team and international non-governmental organizations needed to strengthen the uniformity of data-collection on conflict-related sexual violence, relationships among actors monitoring sexual and gender-based violence and conflict-related sexual violence, and safe information-sharing.

145. The review team took note of the support of UNMISS to 20 missions by the Joint Verification Committee to military barracks to identify child soldiers, which had resulted in the release of 53 such child soldiers during the second half of 2019. In February 2020, UNMISS and the Special Representative of the Secretary-General for Children and Armed Conflict advocated for and facilitated the first comprehensive action plan on children associated with armed conflict in South Sudan, which was signed by all armed groups in the country. Moreover, with the support of UNMISS, a child protection office was opened at the headquarters of the South Sudan People's Defence Forces that will serve as an important point of entry for the implementation of the country's commitments to reduce violations committed against children in armed conflict. The review team heard stakeholders express the view that support for the reintegration of demobilized child soldiers remains an acute gap despite the collective efforts of United Nations system agencies and international non-governmental organizations and that, in its efforts to engage on violations, UNMISS needs to maintain impartiality, credibility and a willingness to engage with both the Government and non-State armed groups.

146. Over the past several years, the UNMISS Human Rights Division has also adopted a system for tracking civilian casualties that, according to UNMISS officials, has improved the analysis of the levels and patterns of harm to civilians as well as the identification of hotspots, and that can be more readily used as the basis for interventions. Information from this tracking mechanism has been used as a basis for interventions by the force to prevent and respond to violations. United Nations representatives stressed the importance of ensuring that the mechanism is integrated with the Mission's other mechanisms for protection, analysis and early warning.

147. The Mission has supported the development of domestic capacity to monitor and advocate on human rights abuses by regularly convening meetings with human rights defenders, including with a network of organizations working to address conflict-related sexual violence. In 2019, UNMISS also provided technical support to the committees of the Transitional National Legislative Assembly on legislation, justice and human rights, and humanitarian affairs by helping to convene three consultations at which the domestication of international crimes into national law were discussed. The efforts of UNMISS helped to ensure that civil society actors were actively involved in those conversations. While laws have yet to be adopted in many areas where they are needed, the consultations have led to widespread agreement on a process for addressing legislative issues related to human rights.

148. While they were appreciative of those efforts, stakeholders pointed to a need for human rights issues to be addressed not only through technical, but also through political interventions, including sustained and coordinated advocacy. The review team concluded that UNMISS had had limited strategic engagement with regional human rights bodies such as the African Commission on Human and People's Rights. As noted in section IV of the present report, the comparative advantages of that Commission could be leveraged in partnership with the United Nations to give advice on the reform of South Sudan's laws, policies and regulations, and mobilize political support on the continent for the promotion and protection of human rights in South Sudan.

149. Among its uniformed and civilian components, UNMISS needs staff with specialized investigative, documentation and analytical skills and expertise. The Mission currently has one Senior Women's Protection Adviser, who is required to devote significant amounts of time to engaging with State authorities and non-State armed groups on conflict-related sexual violence, plus three women's protection advisers, none of whom are deployed to field locations. In UNMISS field offices, human rights officers are expected to focus on gendered violations in addition to their general documentation and fact-finding responsibilities. Additional specialized support is required for the adequate and robust documentation of gendered violations.

5. Achieving gender parity

150. Gender parity within the Mission across its uniformed and civilian components contributes to institutional transformation; a more nuanced and responsive approach to peacemaking, peacekeeping and peacebuilding; and a more representative model for engagement with society in South Sudan on gender equality at all levels. Gender parity is therefore a goal that the Mission should continue to strive for until it is attained. Several interlocutors stressed that UNMISS should bear in mind that the concept of gender parity, at its core, goes beyond mere numbers; it is rather about facilitating and enabling systemic transformation.

151. Since 2017 UNMISS has made steady progress within the four strategic intervention areas of gender parity: setting targets and monitoring progress for parity at all levels (and across all sections within the Mission); leadership and accountability; recruitment, retention, progression and talent management; and

creating an enabling environment. The Mission established a technical working group on gender parity which, according to UNMISS officials, enjoys broad support among the Mission's leadership, who are committed to the benchmarks the working group has set out to achieve. The working group engages with all sections of the Mission and, through regular advocacy, raises awareness of the importance of gender parity among staff. Although critical, achieving progress on staffing targets has been the most difficult task for UNMISS. Women make up 5.3 per cent of the UNMISS force, 24 per cent of United Nations police officers, 28 per cent of international civilian personnel, 14 per cent of national civilian staff and 37 per cent of United Nations Volunteers.

152. Within the force, 4.8 per cent of the units are made up by women (672 out of 14,017) and 17.5 per cent of staff officers from 14 contributing countries are women (67 out of 383). While the overall number of women deployed within the force has not significantly increased in recent years, female engagement teams have been deployed by contributing countries including Bangladesh and Ghana. Mongolia has reached parity within its engagement teams, with 40 to 50 per cent women. Various interlocutors confirmed that those teams enabled increased interaction with women and girls in communities. The Mission is unlikely to achieve gender parity within the force unless radical action is taken outside the Mission, including by Member States, which can support the development of national action plans to address this shortcoming in their militaries.

153. Within United Nations police, 31.2 per cent of the individual police officers are women and 23.1 per cent of the officers in the formed police units are women. Those figures exceed the Mission's 2028 gender parity goal for United Nations police, which was to have 30 per cent women as individual police officers and 20 per cent women in the formed police units. Half of the field office leaders in the United Nations police are also women. This progress is notable. Moving forward, the United Nations will need to focus on preventing regression in these numbers and should consider establishing even more ambitious targets. There is potential for further progress, coupled with the collection of more nuanced data on the roles and contributions of male and female United Nations police officers. The Mission proposed a number of measures that could serve to maintain and improve progress, including the use of medal parades and induction procedures to raise awareness of gender equality, advocacy with police contributing countries to increase female participation in all police contingents, continuing to improve the living conditions for female personnel and augmenting support to female officers within contributing countries through deployment preparation programmes.

154. For international staff, the parity goal of 50 per cent is made extremely difficult by the 5 per cent vacancy rate within UNMISS. A freeze on recruitment and restrictions to curb the spread of COVID-19 have posed additional difficulties. The Mission has, however, made important progress in the area of retention, progression and talent management through the sustained inclusion of women in recruitment panels and adherence to the parity procedures for selection processes. The UNMISS Human Resources Section has also been implementing gender parity performance goals for all personnel, thus ensuring that discussions of gender equality and gender provisions are taking place as part of the performance management cycles and that awareness is constantly being raised.

155. Caution must however be taken to avoid the "add-on" phenomenon, where gender parity performance goals are tacked onto increasingly long job descriptions of Mission personnel. Goals should be thoughtfully embedded as part of staff roles and responsibilities as posts are conceptualized. Unfortunately, where career advancement is concerned, the United Nations system pursues a system of "post adjustment" as opposed to promotion, thus offering no prospects to female personnel for upward

movement within the system as they gain more experience and take on more complex and challenging roles. This absence of upward mobility means that women hired in junior positions remain there over long periods of time. A more in-depth study that disaggregates this type of data should be considered.

156. South Sudan is an exceedingly challenging context in which to work and has difficult working and living conditions. This is particularly true for women. The review team was informed that the Division of Mission Support, led by a woman, had made significant efforts to create a more enabling environment by, for example, bringing in a gynaecologist and improving accommodation facilities by allowing for the reimbursable erection of private ablution facilities. Those measures ensure that women can be guaranteed safety and security, thrive in the environment, and remain longer without having to fundamentally compromise their quality of life. An important area of transformative investment within the Mission has been the establishment of women's support groups by UNMISS female personnel. Those groups provide a space for women within the Mission to support one another, create opportunities for professional development and offer mentorship and peer support.

157. The review team observed that, although the numbers are far from sufficient, women do occupy key and senior roles within the Mission. Six out of 10 heads of field offices and three out of seven senior Mission leaders are women. Improvements are still needed. Out of a possible 79 senior professional staff positions (P-5 and above), only 35 per cent are occupied by women. The figures are less promising at the junior professional levels (P-1 to P-4), where only 27 per cent are held by women. Some sections of the Mission still have particularly low levels of female personnel. For example, engineering and aviation have 8 per cent and 19 per cent women, respectively, and transport only has 5 per cent. These teams, in addition to providing a service, play a critical outward-facing role in the society of South Sudan, particularly in field locations. It should be a priority for the Mission to increase the numbers of women in these teams incrementally, especially as vacancies become available. Women occupy more of the administrative and social-related roles such as human resources and welfare, at 49 per cent and 44 per cent, respectively. United Nations Volunteers, whose remuneration and benefits structures are significantly different from ordinary United Nations staff, have higher levels of women, at 40 per cent, which replicates the historical global norm of the gender pay gap. While the numbers of women in those roles are commendable, the gains must be protected and built upon by, for example, bringing in more female nationals of South Sudan.

C. Operationalization of the Hybrid Court for South Sudan and other transitional justice mechanisms

158. The review team's interlocutors widely agreed that there was a direct link between justice, accountability and sustainable peace and, therefore, that there was a need for renewed efforts to achieve justice for past crimes. Chapter V of the Revitalized Peace Agreement contains a mandate for the Government and the African Union to establish the Hybrid Court for South Sudan and provides a road map for the way forward. The Agreement stipulates that the Hybrid Court is to be an independent hybrid judicial court for the investigation and, where necessary, prosecution of individuals bearing responsibility for violations of international law and/or applicable South Sudanese law committed in the period from 15 December 2013 to the end of the transitional period.²¹ In its resolution [2514 \(2020\)](#), the Security Council requested

²¹ Chapter V goes on to stipulate that the Hybrid Court for South Sudan is to be independent and is to have jurisdiction with respect to genocide, crimes against humanity, war crimes and other serious crimes, including gender-based crimes and sexual violence.

the Secretary-General to continue to make available technical assistance to the African Union Commission and the Government of South Sudan in setting up the Hybrid Court, and for the implementation of other aspects of Chapter V, including the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority.

159. In contrast to the strong support for the Hybrid Court expressed by civil society in South Sudan and a number of international actors, government officials were divided on the issue. Some could face prosecution and exclusion from public office if the Hybrid Court moves forward. Several stakeholders observed that those officials therefore had little incentive to support the Court's establishment, which had contributed to delays. While the South Sudanese authorities did not express direct opposition to the Hybrid Court during consultations with the review team, one official did suggest that compensatory justice was more relevant than retributive justice in South Sudanese society, while another stated that attempts to pursue accountability at the present stage of the process could further destabilize the country.

160. Negotiations between the African Union Commission and the Government of South Sudan on a memorandum of understanding on the establishment of the Hybrid Court reached an advanced stage, but no agreement has thus far been signed. The previously agreed memorandum may need to be amended based on the new political developments. Given that support for the Court is divided, continued international political engagement would be needed to reduce delays and keep its establishment on track. Technical and preparatory work for the Court can continue, to a degree, while political concerns about the implementation are being resolved. The African Union Commission, pursuant to its mandate under chapter V, is finalizing the foundational documents for the Hybrid Court, such as the Court's statute and rules of procedure and evidence. The African Union is also gearing up to gather all the evidence that has been collected so that dossiers can be built for eventual prosecutions.

161. Efforts to establish the Commission for Truth, Reconciliation and Healing, and the Compensation and Reparation Authority, as well as work by the national authorities to prosecute lower-level perpetrators and lesser crimes, can continue in parallel with efforts to establish the Hybrid Court. While some natural sequencing of these activities may occur, most stakeholders did not feel that purposeful sequencing would be necessary or beneficial. Interlocutors with experience in implementing truth, reconciliation and post-conflict justice mechanisms in other parts of Africa stressed that an inclusive approach to post-conflict reconciliation and justice was needed from the very start. They suggested that the citizens of South Sudan must agree on a shared future for the country and that discussions on this must be led at the village, county, state and national levels to shape legal mechanisms for accountability and to promote deeper reconciliation. The process should serve to encourage national ownership of the problems it is intended to address, as well as of their respective solutions. It was further suggested that particular attention should be paid to raising women's awareness of chapter V of the Revitalized Peace Agreement, especially at the community level, given that many of the atrocities had had a distinct impact on women.

162. In doing so, trust will be built among the parties from the ground up. It is also of key importance that the Hybrid Court and other mechanisms outlined in chapter V rely, at least in part, on the legal and investigative expertise available in South Sudan itself. Stakeholders noted that some capacity exists in the country to support justice and reconciliation initiatives, but that that capacity must be tapped into and developed further. The review team took note of the provision in the Revitalized Peace Agreement that requires the Revitalized Transitional Government of National Unity to establish a special reconstruction fund, as well as of the suggestion made by some interlocutors that that fund could support collective reparations for survivors while

benefiting communities more widely. Finally, the team also heard important calls for attention to be paid, during the processes related to the Commission for Truth, Reconciliation and Healing, and reparations, to the multifaceted psychosocial needs for the many citizens of South Sudan affected by the conflict.

163. Consultations indicated that there was a need for UNMISS to enhance its strategic engagement with the African Union, IGAD and other key stakeholders on ways to re-engage the Revitalized Transitional Government of National Unity on the implementation of chapter V of the Revitalized Peace Agreement, including with regard to the Hybrid Court. While the African Union and the Commission on Human Rights in South Sudan may be better placed to lead such efforts, UNMISS could provide support using its widespread physical presence in South Sudan, its good offices mandate, its convening power and its close relationship with development agencies. In particular, UNMISS and the United Nations country team could address remaining questions on: (a) whether or how the United Nations could contribute to building a more permanent infrastructure around the Hybrid Court and other mechanisms envisaged in chapter V; (b) how justice should be paired with economic and livelihood initiatives that address the root causes of violence; and (c) how or whether to consider housing, land and property questions as part of conversations on reconciliation and reparations.

VI. Reconfiguration of the mandate and priorities moving forward

A. Views from stakeholders on broad options for the possible reconfiguration of the Mission

164. The review team heard a variety of perspectives on the potential reconfiguration of the UNMISS mandate, activities and capabilities to ensure that it can adjust to the evolving peace and security dynamics in the country. Civil society actors and civilians in South Sudan stressed the importance of the continued role of UNMISS in providing physical protection to civilians, promoting respect for human rights and expanding civic space. Some South Sudanese political actors likewise stressed the importance of continuing or expanding physical protection of civilians activities, while others suggested downsizing the physical protection role of UNMISS. Those differing views in government perspectives fell largely along the political and ethnic divides of the country, underscoring the fragility of the current political configurations and the need to build trust and a shared vision among the political elite.

165. The majority of South Sudanese stakeholders consulted during the review process advocated an increased technical assistance role for UNMISS, in particular for security sector reform, disarmament, demobilization and reintegration, and the rule of law, as well as support for building roads, constructing other types of infrastructure and providing other types of direct and material support. However, conflict analysts and humanitarian and development actors strongly advocated a “do no harm” approach to providing support that included recognition of the potential for misappropriation or of conferring authority on partisan rather than unified institutions. The review team also took note of views from the United Nations country team that an expansion in the technical assistance or capacity-building role of UNMISS should avoid duplicating the efforts of the country team and international non-governmental organizations. Country team agencies identified a need for consultations between UNMISS and the country team before the Mission would begin any additional advisory or capacity-building work in order to determine what is already being implemented and align activities, or ensure that they are complementary.

166. It was evident from the review team's consultations that security sector reform and certain aspects of disarmament, demobilization and reintegration were vital to the success of the peace process. However, they also risked destabilizing current political and economic interests, thereby potentially triggering additional violence. For example, given the large size of the security forces and the need to vet troops, not all current combatants will be able to remain in the security forces. Armed groups have assigned ranks based on different criteria and those ranks may need to be adjusted. Those and other reform processes could create dissent among armed entities. Moreover, it was clear that security sector reform and disarmament, demobilization and reintegration would not be successful without political will on the part of the Government for real reform and without a shared vision across parties on road maps for security sector reform and disarmament, demobilization and reintegration.

167. On the basis of consultations, the review team first concluded that an increased political role for UNMISS was needed, in coordination with regional and continental actors and in support of their efforts. Second, the capacity-building role of UNMISS should be focused on increased technical support to tasks outlined in the peace process, in particular those that could strengthen governance, the justice chain, women's participation in political processes and credible elections. The Mission should also focus on enhanced capacity-building for civil society organizations, including women leaders, networks and organizations, which play a key role in accountable governance. Larger governance and financial management reforms are also vital, and UNMISS can support those through political engagement. The credibility of UNMISS, and the United Nations more broadly, requires a "do no harm" approach, working with unified entities and balancing engagement between government and non-governmental actors.

168. The Mission will need to adopt a phased approach to its technical support. Shifts in its mandate and work should be based on the extent to which the Government meets key obligations, demonstrates political will for reform and exhibits a willingness to address other key issues, including restrictions on civil society and barriers to access for humanitarian actors and UNMISS.

169. Finally, there is a need for the work of UNMISS to be outcome-driven. As noted, the UNMISS leadership has promoted an increased focus on outcomes rather than activities. Implementation of an initial phase of the comprehensive planning and performance assessment system has led to the identification of some outcomes and an initial process for evaluating Mission activities against those outcomes.

B. Overall validity of current mandated pillars

170. After an in-depth assessment of the current security and political dynamics in South Sudan, the review team concluded that the current pillars of the UNMISS mandate remained valid overall. However, given developments in the country, there is an increased need for UNMISS to focus its political engagement on supporting the implementation of the peace process and extend its technical assistance to facilitate the creation or strengthening of the many governance bodies outlined in the Revitalized Peace Agreement, as well as the creation of bodies and legislation that will support credible elections. The expanded mandate should be implemented in consultation with the United Nations country team, IGAD and regional bodies established to support the implementation of the Agreement, as well as with the African Union. It should complement the activities carried out by the United Nations country team and national and international non-governmental organizations to lay the foundations for sustainable and longer-term gains.

171. In the implementation of the four pillars of its mandate, UNMISS should ensure that it accompanies activities with political engagement. Technical support to protection of civilians activities, and monitoring and reporting on human rights violations will have a limited impact if those activities are not strategic and lack buy-in from national actors. The efforts and political engagement of UNMISS should rely to a greater extent on the substantial expertise and contextual knowledge of South Sudanese civil society actors, academics and researchers, while continuing to build their capacity in areas in which UNMISS has expertise.

C. Parameters for successful implementation of the new priorities

172. In addition to more specific recommendations on the Mission's mandate, activities, and capabilities, the review team identified a number of parameters that UNMISS needed to successfully implement a future mandate encompassing the activities discussed below. First, better synergies are needed among the various components of UNMISS. While progress has been made in this area, additional gains are needed. Second, UNMISS needs to harness local opportunities and capacities for peacebuilding. Third, there should be enhanced complementarity between UNMISS, the United Nations country team and international financial institutions, particularly with regard to their support to the peace process. Fourth, greater synergies should be pursued with other United Nations resources both in the region and at United Nations Headquarters. Fifth, UNMISS needs enhanced partnerships with IGAD and the African Union to leverage regional instruments, expertise and legitimacy, especially in relation to governance. Sixth, in addition to the need for specialized gender capacity and expertise within various components of the uniformed and civilian sections of UNMISS that have already been highlighted, UNMISS needs enhanced gender mainstreaming at all levels. Lastly, UNMISS needs an improved relationship with the Government. Recommendations to that effect are included in section VII of the present report.

D. Specific priorities

1. Supporting the implementation of the Revitalized Peace Agreement, the peace process and relevant governance processes

173. As discussed in the present report, the Revitalized Peace Agreement contains an outline for the creation or overhaul of a number of institutions and commissions that would help to build the rule of law, create checks and balances within the branches of government and address corruption and impunity. The Mission should increase its technical support and advisory role to those processes and bodies in coordination with UNDP, other United Nations agencies, funds and programmes, and key donors such as the European Union, and can begin to do so in the near term, with a reasonable expectation that those activities will have a positive impact.

a. Support to the justice system and rule of law

174. In particular, UNMISS should increase its targeted support to the national justice system, mobile courts, the constitution-drafting process and the development of legislation in support of the peace process, financial management and anti-corruption bodies. The Mission's support to the development of transparent and accountable governance institutions in South Sudan should include efforts to ensure that committees and mechanisms include women and young people, and should leverage the activities of women's rights and youth organizations that are already doing work in those areas. The review team noted that UNDP had established programmes to

support the justice chain in South Sudan, which included upgrading prison infrastructure, providing training to corrections officers and inmates, and establishing a database for corrections officers to track inmates and staff. However, South Sudanese officials stressed that, despite current programming, needs remained significant. The Mission activities should complement rather than duplicate UNDP programming. As the highest-ranking United Nations official in South Sudan, the Special Representative of the Secretary-General in South Sudan is the global focal point for the rule of law in the country, should facilitate the development of a coherent strategy for the support given by UNMISS and by United Nations agencies, funds and programmes to justice, the rule of law and accountability structures and processes in South Sudan. The Mission should also continue to provide technical support to the development of legislation on housing, land and property, and national mechanisms to resolve housing, land and property disputes. In line with the human rights due diligence policy, UNMISS will need to ensure that such support does not contribute to violations of international humanitarian law, human rights law and refugee law.

b. Engaging on security sector reform and disarmament, demobilization and reintegration

175. The Mission has limited capacity to engage on security sector reform and disarmament, demobilization and reintegration and is not the ideal actor to support some aspects of security sector reform. Moreover, a number of UNMISS officials and think tank experts advised that a scale-up of those functions and wider support to them was unlikely to have a substantial positive impact at the current time, and could have a negative impact unless political actors demonstrated the will to engage in serious reforms. However, UNMISS can increase assistance for the development of a national vision and strategy for security sector reform that takes into account relevant contextual gender considerations. Such a plan should also be fiscally realistic, ethnically inclusive and decentralized. Parties will need to agree on the overall size of the security sector, the integration of armed groups and the professionalization of personnel. The Mission should collaborate with the African Union, IGAD and the reconstituted Joint Monitoring and Evaluation Commission in supporting the development of the plan.

176. On the basis of consultations, the review team concluded that UNMISS could also play a convening and coordinating role on security sector reform by establishing a structured platform for the engagement of donors and of potential actors in South Sudan in the fields of security sector reform and disarmament, demobilization and reintegration. The platform can be used to harmonize viewpoints and messaging on security sector reform and disarmament, demobilization and reintegration among international actors and to create a framework for responsible the engagement of international actors. Such a platform could help to overcome donor reluctance to engage on security sector reform by strengthening systems for ensuring that aid is not misappropriated, that preconditions to the scale-up of assistance are agreed and that there is coordinated political pressure for implementation. If there is increased political will for meaningful reform of the security sector and international Governments and bodies begin to engage bilaterally on security sector reform, UNMISS could play a coordinating role for those actors to avoid gaps and problems arising from the introduction of a variety of security and training models by bilateral actors.

177. Certain aspects of disarmament, demobilization and reintegration are closely linked with security sector reform because South Sudan currently has an unaffordable and oversized security sector and, as part of the cantonment and vetting process, some soldiers will need to be disarmed, demobilized and reintegrated. The Mission can contribute to that process through technical advice to the National Disarmament,

Demobilization and Reintegration Commission on issues such as the establishment of eligibility criteria. The Mission can also continue to play a limited role through community violence reduction programming. However, United Nations agencies, funds and programmes and humanitarian actors are likely better placed to perform many aspects of that work. Any programming carried out independently by UNMISS would likely be too small-scale to have a significant impact. Therefore, UNMISS should work in collaboration with United Nations agencies, funds and programmes on more comprehensive community violence reduction programming to create opportunities for reintegration and for addressing the root causes of recruitment and violence. Disarmament, demobilization and reintegration activities are not currently included as tasks in the UNMISS mandate. The Security Council could consider including a very limited technical/advisory role for UNMISS on disarmament, demobilization and reintegration, making it clear that the Mission is not expected to play an operational or logistical role in supporting the process at the present stage.

178. As with security sector reform, the Mission can serve as a bridge between international financial institutions and South Sudanese actors capable of funding and supporting more comprehensive disarmament, demobilization and reintegration programmes alongside the Government of South Sudan. In the medium term, if funding for disarmament, demobilization and reintegration were forthcoming and certain safeguards were in place to prevent the disarmament of civilians from being politicized or manipulated, UNMISS could consider providing additional logistical and operational support to efforts in that field, including the vetting of combatants, and the management and destruction of weapons. Comprehensive civilian disarmament is unlikely to be successful until civilians have more confidence in the South Sudanese security forces.

c. Support to the conduct of free, fair and credible elections

179. Credible elections are a vital component of the peace process: peaceful and transparent elections will enhance the prospects for long-term stability, while an electoral process that does not meet those criteria will, in all likelihood, undo the progress achieved over years of sustained efforts and make a safe exit of the Mission impossible. A number of actions have to precede credible elections in South Sudan. Those actions include the reconstitution of a competent and independent National Elections Commission, as outlined in the Revitalized Peace Agreement, conducting an updated census, drafting and passing the Constitution and the Political Parties Act, and educating and registering voters. The people of South Sudan will likely need significant external support to accomplish those steps and the Agreement stipulates that the National Elections Commission may request technical assistance from regional and international partners, in particular the African Union and the United Nations. Government officials who spoke with the review team welcomed support on those steps and UNMISS is well placed to provide technical advice, good offices engagement, overall coordination and logistical support, alongside and in coordination with UNDP, the African Union and IGAD. Such support should include strategies to ensure that women and young people are meaningfully engaged as voters and candidates, and that efforts continue to develop the capacity of civil society stakeholders, including women leaders, to participate in governance processes.

180. On the timing for such support, many interlocutors indicated that it was crucial that efforts start well before the beginning of the electoral cycle. It was clear from consultations that UNMISS support will be required, but that the scale-up of the Mission's electoral affairs work will need to be phased and that that work will have to be based on continued progress towards credible elections, as well as on a dialogue between the United Nations and regional actors, on one hand, and the United Nations and the Government of South Sudan, on the other. Relevant stakeholders could

undertake a coordinated needs assessment mission that could serve as a foundation for initial dialogues about what their electoral support for South Sudan would entail. Such a mission could be followed by joint assessments of progress towards credible elections based on certain indicators. Such indicators, if successfully achieved, could trigger assistance for each new phase of electoral support. Such a system could promote progress, but actors would need to avoid establishing red lines, because doing so could serve as an incentive for parties to the conflict to delay rather than move forward. The Secretary-General should hold conversations with UNMISS, IGAD, the African Union and the South Sudanese authorities to explore the possibility of appointing a senior United Nations official outside UNMISS who would be in charge of coordinating high-level regional engagement on elections and liaising with relevant counterparts in the African Union and IGAD. Alternatively, the United Nations Office to the African Union and the Office of the Special Envoy of the Secretary-General for the Horn of Africa could perform such a role, but at the risk of fragmenting engagement on such a critical matter. The African Union might be well placed to play a more formal role in monitoring and assessing the level of fairness and transparency of elections, with logistical assistance from the United Nations for the deployment of sizable short- and long-term observer missions. Consultation will be required with all parties to identify appropriate roles and parameters for coordination. In any case, a unified message from international stakeholders will be important.

181. In the light of those considerations, in the UNMISS mandate, the recognition should be included of an expanded technical, political and coordination role for UNMISS with regard to electoral support, with the expectation that logistical support will be scaled up as legislative hurdles are cleared and voter registration and education begins. In addition to providing technical assistance and capacity-building to South Sudanese electoral institutions alongside agencies of the United Nations country team, UNMISS and the country team should strategically provide capacity-building support to other relevant stakeholders, such as political parties, the judiciary, the media, women and other civil society groups. The Mission should continue its work on grass-roots dialogues and political party forums in coordination with United Nations agencies, funds and programmes. Such efforts can promote much-needed civic space, inclusivity in the peace process and accountability between citizens and political actors for the implementation of the Revitalized Peace Agreement, in particular the aspects that will be of the greatest benefit to South Sudanese civilians.

182. As South Sudan progresses through the peace process and towards elections, the UNMISS Communications and Public Information Section will need to amplify its efforts to promote public awareness of and participation in the democratic process. Therefore, the Section will need to be appropriately resourced in terms of its capacity, personnel and operating budget. The Mission's main method of communication with local communities is through Radio Miraya, to which 78 per cent of respondents to an UNMISS perception survey reported having access. Its broadcasting capability, therefore, needs to be sustained.

d. Enhancing work at the subnational level

183. As discussed, stakeholders stressed that one of the strengths of UNMISS was its large presence throughout the country. Therefore, the role of UNMISS in providing technical support and good offices on justice, rule of law and governance should include an emphasis on work at the subnational level that supports the decentralization of justice and governance structures, a principle that is reflected in the Revitalized Peace Agreement and in the recommendations of the national dialogue. Technical work in support of justice, security sector reform, and disarmament, demobilization and reintegration will be at its most successful if

accompanied by strategic good offices efforts. The Mission should adopt a “do no harm” and survivor-centred approach to support that includes the implementation of the human rights due diligence policy, but also goes beyond it. To do so, UNMISS will likely need to strengthen its capacity to implement the policy, to monitor how support is used and to evaluate both the positive impact of activities and any potential drawbacks arising from support.

e. Enhancing the partnership with African stakeholders and leveraging United Nations resources

184. As noted, technical support to rule of law reforms, the constitution-making process, security sector reform, disarmament, demobilization and reintegration and elections should be accompanied by an enhanced partnership of the United Nations with regional actors to encourage parties to commit themselves to implementation. In that regard, going forward, efforts should include a continuation of joint initiatives such as visits by Under-Secretary-General for Peace Operations of the United Nations Lacroix and African Union Commissioner for Peace and Security Chergui with the participation of IGAD, and the expansion of those joint initiatives to the countries of the region to encourage consistent engagement; the conduct of joint visits involving the Secretary-General and the Chairperson of the African Union Commission when appropriate; and joint field missions to South Sudan by the Peace and Security Council of the African Union and the Security Council of the United Nations in line with the broader understanding reached by those two organs to enhance their partnership. On the ground, UNMISS should consider giving technical and enhanced logistical support to the offices in Juba of the African Union and IGAD and to the IGAD-led structures in charge of monitoring the ceasefire and the implementation of the Revitalized Peace Agreement.

185. Consultations revealed a potential for enhanced use enhancing the roles of the Special Envoy of the Secretary-General for the Horn of Africa and the United Nations Office to the African Union so as to more effectively engage the countries of the region and the African Union (including the High-level Ad Hoc Committee for South Sudan and members of the Peace and Security Council of the African Union), and in doing so urge them to continue their active involvement in the peace process and sensitize them to the situation on the ground. That should include sensitizing them to challenges relating to freedom of movement, human rights and humanitarian issues, so that they can echo concerns about those in their interaction with national stakeholders. In that respect, UNMISS, the United Nations Office to the African Union, and the Office of the Special Envoy should consider operating as an informal regional task force, with the participation of United Nations Headquarters, as part of the comprehensive regional prevention strategy for the Horn of Africa referred to above. Such a task force would meet on a regular basis to assess the situation and agree on steps to be taken. UNMISS would lead engagement with South Sudanese stakeholders, the Special Envoy would lead interaction with IGAD and the countries of the region, and the United Nations Office to the African Union would coordinate efforts directed at the African Union, its relevant structures and the member States concerned, including through regular visits. Specific guidance on how such interactions should be conducted could be developed by Headquarters in consultation with the United Nations system entities on the ground.

186. Further coordination and greater complementarity on priority issues between the special envoys on South Sudan of countries and organizations in the region and those of China, Norway, the United Kingdom, the United States and the European Union could have immediate beneficial effects. The Mission and the Transitional Security Arrangements Monitoring and Verification Mechanism, jointly with IGAD and the African Union, should also intensify their engagement through high-level meetings

to ensure that the reports of the Mechanism are acted on. Supporting such coordination falls squarely within the Mission's mandate under Security Council resolution 2514 (2020) to use good offices to support the peace process, including the work of the reconstituted Joint Monitoring and Evaluation Commission. The review team also recommends that UNMISS and relevant United Nations system entities collaborate concretely with the African Union and specialized institutions to help the Government to address the serious governance challenges facing the country, including corruption, building on the provisions contained in chapter IV of the Revitalized Peace Agreement and on relevant African instruments. When needed, UNMISS and the United Nations country team should strengthen the capacity of relevant African Union bodies and extend their support to enable them to strengthen their role. Interlocutors agreed that a more explicit coordination and support role for UNMISS along those different lines would be welcome in the next mandate.

2. Protection of civilians

187. Many of the activities that UNMISS carries out in support of the peace process and governance also contribute to the protection of civilians by creating a protective environment and preventing a renewed outbreak of conflict. The adjustments that the review team has recommended to this pillar of the Mission's work therefore also reflect an increased shift of the Mission from focusing on second-tier protection of civilians activities to focusing on first- and third-tier protection of civilians activities. Based on consultations with Mission officials, the review team further concluded that UNMISS should pursue a more integrated and strategic approach to the protection of civilians that is built on the identification of specific threats at a subnational level and on the development at the field office level of strategies and integrated action plans that are coordinated with higher-level political engagement in Juba. Such a strategic approach should include collaboration with the Special Envoy of the Secretary-General for the Horn of Africa and the United Nations Office to the African Union to coordinate regional and continental advocacy with government actors and other stakeholders on key protection threats and issues. Threat and protection analysis and workplans should be updated regularly, not merely once every six months or once a year. The Mission has already begun to make adjustments in that vein and should continue to cement approaches that link subnational and national engagement. Efforts should include an increasing emphasis on first- and third-tier protection as defined in the policy of the Department of Peace Operations and in its handbook entitled *The Protection of Civilians in United Nations Peacekeeping*, as well as on how the work of all components in those areas contributes to clearly identified protection outcomes.

188. With regard to the redesignation of protection of civilians sites, the review team took note of concerns about the limited progress that has been made in vetting, training and unifying security forces that will be responsible for the protection of redesignated sites. While timelines for the redesignation of many of the sites had already been identified by the Mission at the time of the review team's consultations, consultations with humanitarian actors underscored that future redesignations should be based on a detailed security and protection analysis, including an analysis of conflict-related sexual violence and forward-looking assessments of the political and security dynamics. The Mission should further consider, in line with guidance contained in the policy and handbook of the Department of Peace Operations on the protection of civilians, its comparative advantage and the likely impact of its static protection versus mobile deployments. The likely impact of those various activities will evolve with shifts in the Mission's operating environment and capabilities. Both UNMISS and humanitarian actors agreed that there should be increased collaboration to identify road maps for durable solutions for internally displaced persons, and that those should be based on consultations with the internally displaced persons themselves.

189. The Mission should also enhance communication about remaining redesignations of protection of civilians sites. Enhanced communication would limit any reputational concerns that could emerge as a result of the decision to redesignate sites and should include clear, transparent and strategic communication about plans and consultative, two-way communication with internally displaced persons. Such communication would allow UNMISS to identify and address some of their fears and concerns, many of which are undoubtedly legitimate, but some of which appear to stem from the compounded trauma of years of violence and messaging from elites based on political interests. More broadly, UNMISS should consider exploring how it can use the civilian perception surveys it has been carrying out annually to deepen its understanding of the strategic communications needs and more effectively address gaps in the understanding civilians have of its mandate and activities.

190. The Mission will need to maintain some force capacity for patrolling in the weapons-free zones established around the redesignated sites and should maintain quick reaction forces for responding to threats. United Nations police should maintain quick response teams to support humanitarian partners and protect internally displaced persons as needed. The Mission should develop contingency plans for scaling up the presence of the force and United Nations police if early warning information indicates that security may be deteriorating and sites are coming under threat. The Mission has engaged government authorities at the national and local levels to plan for transitions and solicit commitments to respecting the rights of internally displaced persons. The Mission has also developed a memorandum of understanding with the South Sudan National Police Service on the protection of redesignated sites and weapons-free zones. It is a good basis on which UNMISS can continue to provide some support to patrolling efforts in those areas and in areas of return, as it does at other sites for internally displaced persons around the country, and can co-locate with the South Sudan National Police Service near redesignated sites to provide some measure of increased technical assistance. It will contribute to the capacity and skills of the national police, while ensuring that internally displaced persons continue to be protected from physical violence.

191. As discussed, UNMISS is currently providing technical support to the South Sudan National Police Service on sexual and gender-based violence and juvenile crimes and is co-locating with police in Juba to do so. There appears to be sufficient buy-in from the Government of South Sudan to expand this co-location initiative to other areas of the country. Broader technical assistance for the police should be focused on community policing and should be approached with the full recognition that, in some areas of the country, high-ranking police officials have allegedly participated in military offensives and have been responsible for serious human rights violations. The formation of a unified police force should be a precondition for broader capacity-building efforts that would include tactical training and operational support. The Mission will need to ensure it adopts a “do no harm” approach to efforts to build the capacity of the South Sudan National Police Service and robustly implement the human rights due diligence policy.

192. The ability of UNMISS to project its forces and personnel across a wider area is critical to fulfilling its protection of civilians mandate. The Mission should, therefore, focus on improving its mobility and efficiency to enable increased force projection to identified hotspots. A thorough review of statements of unit requirements for troops should be completed to fully determine what equipment is required, what is underutilized and what needs to be replaced. The redesignation of some protection of civilians sites will make additional troops available for mobile deployments, and part of this capacity should be reinvested in increased operational outreach to remote areas, the protection of hotspots, potential areas of return for displaced persons and priority areas where humanitarian actors have requested

assistance to facilitate the delivery of aid. Efforts to ensure that patrols are integrated should continue. The Mission should also continue to privilege the hub-and-spoke approach to force patrolling and that additional capacity is invested in targeted long-duration patrols. Given the Mission's limited ability to travel by road during the rainy season and the expense of traveling by air, the United Nations should, as suggested by Mission officials, explore the most appropriate way in which it could increase its use of travel by river to boost mobility based on an assessment of, among other issues, the environmental impact of such an increase.

193. The Mission should further consider adjusting the way in which it hires and manages community liaison assistants so as to allow them to contribute more substantially to the development of early warning networks. Among other adjustments, that could include shifting the primary reporting line of community liaison assistants to the UNMISS Civil Affairs Division while maintaining some dual reporting and oversight by heads of field offices. In addition, in-Mission training to strengthen the reporting skills of uniformed staff, particularly United Nations military observers, would be beneficial.

194. The Mission should also reinforce the quality of its collaboration with humanitarian actors in identifying hotspots, when appropriate and when those actors are willing to share such information with UNMISS. In particular, more could be done with sharing of information on patterns and levels of conflict-related sexual violence while respecting the confidentiality of survivors. Relationship-building and information-sharing protocols are a key to improving the exchange of information. The Mission should also consider enhancing the sharing of evidence with regional bodies that are also mandated to document evidence of conflict-related sexual violence and other human rights violations.

195. Finally, the review team noted that UNMISS and United Nations agencies, funds and programmes could, potentially, increase their impact by strengthening the coordination of their efforts to address the root causes of violence, and deficits in the rule of law and governance by using their comparative advantages. Such coordination could entail an expansion of initiatives funded through a multi-partner trust fund for reconciliation, stabilization and resilience.

3. Monitoring and investigating human rights and promoting accountability

196. Given the already high risk of persecution that civil society leaders in South Sudan face, and the increased risk that an electoral period could bring in that regard, it would be beneficial if UNMISS increased its focus on protecting human rights defenders. The Security Council could consider including such a focus in the UNMISS mandate as appropriate. There is also a need for UNMISS to deepen its focus on conflict-related sexual violence and its understanding of such violence as a key facet of conflict that undermines peace. Public reporting by the Human Rights Division in 2019 and 2020 included reporting that was specifically focused on conflict-related sexual violence, and UNMISS officials contributed to the country's capacity to address conflict-related sexual violence by means of training and curriculum development. However, those efforts need broader support from the Mission. Some interlocutors proposed incorporating in its work, where possible and where it has limitations, specialized expertise and capacity made available through other United Nations system entities, such as the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). The UNMISS Human Rights Division, alongside its Rule of Law Advisory Section and electoral affairs officers, will also need to support legislative reforms envisioned as part of the implementation of the Revitalized Peace Agreement.

197. The civilian casualty tracking initiative of the Human Rights Division is a notable achievement that should be sustained. The Mission should ensure that its efforts in that regard are aligned and integrated with its early warning efforts and with incident tracking efforts managed by its other sections. Furthermore, as the UNMISS force adopts a more mobile protection posture, the Mission should consider whether shifting additional capacity from static posts to its rapid investigation team to increase its capacity would allow further gains in the timeliness of investigations and reporting.

198. As discussed previously, UNMISS should consider more explicit coordination with the Commission on Human Rights in South Sudan. The Mission and other relevant actors in the United Nations system should also consider strategic partnerships with bodies and mechanisms of the African Union, as well as engagement with continental actors such as the African Union High-level Ad Hoc Committee for South Sudan, to push various aspects of the human rights agenda forward. Such efforts could include the exchange of information between UNMISS and the African Commission on Human and People's Rights, through that Commission's Rapporteur for South Sudan, and coordinated or joint messaging. As the implementation of the Hybrid Court for South Sudan progresses, UNMISS will likely need to share information with the African Union Commission and assess what additional support to the Court UNMISS might be well-positioned to provide. While it is still unclear whether and how grass-roots dialogues will play a role in shaping the Commission for Truth, Reconciliation, and Healing, the UNMISS Human Rights Division and Rule of Law Advisory Section would be well positioned to support the African Union in carrying out grass-roots consultations on the Commission for Truth, Reconciliation, and Healing and provide technical support to its implementation.

4. Creating the conditions conducive to the delivery of humanitarian assistance

199. The Mission should revive a dialogue with humanitarian actors about the response that is expected of UNMISS in emergencies that threaten humanitarian actors and operations. The capacity of UNMISS to respond to emergencies varies in different locations and it is important that there is clarity on the role that UNMISS can be expected to play in field locations. A dialogue may therefore be needed at the central and field levels. The Mission may need to communicate more emphatically and consistently with its troops about the role that is expected of them if they receive a request for emergency assistance or humanitarian actors seek shelter at an UNMISS compound.

200. Humanitarian actors that decide to shift funding from a status-based to a needs-based provision of services owing to a redesignation of a protection of civilians site may need additional support from UNMISS mobile deployments to ensure security for the delivery of humanitarian assistance. Such support will need to be provided in a sensitive way, keeping a clear distinction between UNMISS and humanitarian actors and without compromising humanitarian principles.

VII. Mission capabilities

A. Structure and capabilities of the military component

201. The Mission has a troop ceiling of 17,000 personnel. However, the Mission has been operating at levels significantly below the troop ceiling, with 14,621 UNMISS troops present in South Sudan at the time of the independent strategic review. While violence is no longer at the levels that prompted an increase in the troop ceiling in 2016 and 2017, politicized intercommunal violence has caused an increase in violent

incidents and the number of people affected by violence in 2020, as compared with 2019. Moreover, as elections near, alongside economic uncertainty, there will likely be increased levels of violence. Countries of the region are unlikely to play as robust a role as they used to because they are likely to shift attention to their own national priorities. While UNMISS is unlikely to ever have enough troops to prevent a worst-case scenario of violence against civilians during elections, the Mission will need sufficient troops to discourage lower levels of violence and protect civilians in a variety of potential hotspots throughout the country. Any requirement for an increase in the troop strength of UNMISS ahead of elections would take approximately a year to result in an actual deployment of troops on the ground. Moreover, the Government has continued to delay clearances to import critical equipment, including arms and ammunition, despite advance notification. Therefore, if the approved troop levels were to be reduced significantly in the forthcoming mandate of UNMISS, it would be difficult to reverse this change before a potential deterioration in the security situation ahead of elections.

202. At the time of the review team's consultations, UNMISS had redesignated three protection of civilians sites as camps for internally displaced persons and had plans to redesignate additional sites in November 2020. Before the redesignation, six infantry companies, comprising approximately 14 per cent of UNMISS infantry troops, provided static protection at five protection of civilians sites throughout the country. With the redesignation, in the near term, UNMISS will still need to maintain approximately half of its current static troop levels near the sites in order to have quick reaction forces available and to patrol in the weapons-free zones around the redesignated areas. Therefore, while redesignation should provide UNMISS with some increased mobility, the redesignation of three sites does not allow for a substantial reduction in troop numbers.

203. The review team heard a variety of opinions from stakeholders on a potential reconfiguration of the UNMISS military component. Mission leadership felt that reducing the Mission's troop strength to below the current deployed levels was appropriate to acknowledge the initial progress made in implementing the Revitalized Peace Agreement and to ensure that adequate funds were available for the operational activities of the Mission, given the non-permissive budgetary environment for peacekeeping. Many other stakeholders, including some diplomats and most stakeholders among national and international non-governmental organizations, felt that troop reduction was inadvisable, given the likelihood of continued and increased violence in the lead-up to elections in South Sudan, the challenging regional security environment and the importance of maintaining the UNMISS field presence to support subnational activities. Most diplomats consulted by the review team emphasized that, above any other factor, the Mission should be fit for purpose and have adequate troops for the current security environment. Many stakeholders saw the need for UNMISS to maintain a strong static field presence while increasing mobility in the coming years in order to support electoral preparations, provide protection in areas of return and support the dispersed delivery of humanitarian assistance. Some troops that are no longer needed for static protection tasks at protection of civilians sites can therefore be an asset to the Mission if used as a reserve and deployed in the hub-and-spoke model to address hotspots and support priority Mission activities. Given the dynamic nature of the conflict in South Sudan, the review team recommends that UNMISS regularly evaluate its footprint to ensure that the locations of bases correspond to threats.

204. Given these factors and the analysis of the current strengths and weaknesses of the force, the review team recommends a reduction in the mandated troop ceiling to 15,000, to reflect the levels currently deployed on the ground. This would acknowledge that the situation has evolved from when violence was at its peak and

that South Sudanese officials have made some progress in implementing their commitments under the Revitalized Peace Agreement. This number would also maintain the ability of UNMISS to manage lower levels of dispersed violence that may continue or even increase if political actors do not have the will to fully implement the Revitalized Peace Agreement and as the country moves towards elections.

205. The approved UNMISS troop levels could be further reduced by up to two battalions in the coming one or two years, but only if specific conditions and benchmarks are fully met. These include: significant improvements in the Mission's freedom of movement; the renegotiation of memorandums of understanding and statements of unit requirements to ensure that troops have the ability to be self-sustaining and to deploy for long periods in austere temporary operating bases in order to carry out hub-and-spoke operations; a reduction in the number of permanent bases of the Mission, based on a risk assessment; the deployment of all-terrain vehicles, either as contingent-owned equipment or as United Nations-owned equipment, capable of providing enough lift to project at least three infantry companies across the Mission area; the enhancement of the force's outreach through the efficient use of the country's network of rivers by employing self-propelled support vessels and barges for the force marine unit and small patrol crafts for some infantry units; and strengthened early warning capabilities.

206. The situation on the ground has changed significantly since the UNMISS regional protection force was conceived of and included in the Mission's mandate. Stakeholders acknowledged a potential for inclusion of regional troops within the UNMISS force to enhance the political involvement of the region in addressing insecurity. However, the security situation in Juba is now reasonably stable and more secure than in many other areas of the country. The regional protection force has been integrated into Sector Juba, to allow UNMISS to shift other troops outside the capital to more volatile areas, in line with these shifting conflict dynamics and the Mission's needs. All troops are now performing the same mandated tasks. This shift could be acknowledged in the mandate, while recognizing that many of the tasks of the regional protection force remain relevant for the whole military component of UNMISS.

207. The Office of Military Affairs should ensure that troops deployed to UNMISS have adequate knowledge and skills to perform mandated tasks, while UNMISS should, as outlined in the United Nations Infantry Battalion Manual, ensure that incoming troops are evaluated for their knowledge of protection of civilians, in particular with regard to sexual and gender-based violence and conflict-related sexual violence. Closing skills gaps in-Mission is difficult, given the pace of operations. However, where skills and knowledge are lacking, UNMISS should work to address these gaps. The Mission should also increase the number of dedicated gender experts within the force. Mobile training teams from New York or regional peacekeeping training centres with relevant gender and conflict-related sexual violence expertise could support these efforts. The Mission should also take steps to ensure that knowledge is not lost with the turnover of force gender advisers and should review the length of deployment for such advisers to determine if it is appropriate or if it undermines the effectiveness of their role.

B. Adjusting the skill sets of United Nations police and corrections officers

208. The Mission currently has 733 individual police officers and six formed police units comprising 1,290 personnel. Three of the UNMISS formed police units are

located in Juba, one in Malakal, one in Bentiu, and one single unit split between Bor and Wau. The review team heard proposals from UNMISS for reducing the strength of formed police units and repatriating two formed police units as a result of decreased need with the redesignation of some protection of civilians sites. The team recognizes that, over time, some formed police units will become redundant with the redesignation of sites, but recommends a gradual reduction in the strength of formed police units that is conditions-based and allows UNMISS to observe the situation at the sites for a significant period of time after redesignation to ensure that the South Sudan National Police Service has adequate capacity and the will to provide policing services in these areas.

209. The requirements of UNMISS for individual police officers will likely remain relatively stable in the coming year and individual police officers will need to remain deployed at all 10 field sites where they currently work. As the need for patrolling by individual police officers in redesignated protection of civilians sites decreases, UNMISS will need to increase the role of individual police officers in co-locating with the South Sudan National Police Service to advise and monitor the South Sudan National Police Service on-site. Some individual police officers should also shift to supporting community policing initiatives, additional specialized training on sexual and gender-based violence and protection of women, investigations and case management, including supporting the justice chain and strengthening the skills of the South Sudan National Police Service. Independently and through co-location with the South Sudan National Police Service, UNMISS should adopt a model focused on community policing that is tailored to different geographic areas rather than uniform across the country.

210. Given this shift in the role envisioned for individual police officers, the United Nations should ensure that individual police officers deployed to UNMISS have increased knowledge and diversified expertise on gender, sexual and gender-based violence, police reform and investigations, and other technical skills that will allow them to contribute to the strengthening of the justice chain in South Sudan. This might require shifting some posts for individual police officers to the specialized police team in order to expand the team. The Mission could also consider deploying individual police officers as liaisons to the Rule of Law Advisory Section and the Human Rights Section to ensure coherence in their efforts to strengthen the justice chain. In addition, UNMISS should support the South Sudan National Police Service to increase the number of women in the Service and enhance its capabilities for performing policing duties.

211. The Mission also has over 80 government-provided personnel serving as corrections officers in detention centres at protection of civilians sites. The redesignation of some protection of civilians sites will begin to make these staff redundant in their current roles. If the seconding Member States are amenable to adjusting the role and skills of some of these government-provided personnel, a number of these positions could be shifted to technical advisory roles for the national corrections system, in coordination with UNDP. Other government-provided personnel positions could be reprofiled to support other areas of rule of law reform.

C. Field office capacities

212. Thus far, UNMISS has relied on its small Rule of Law Advisory Section, which is based in Juba but travels to field locations as needed to support assessments and mobile courts. This was an appropriate model before the formation of the Revitalized Transitional Government of National Unity. In line with the recommendations of this review team for expanded technical support and advisory capacity in the rule of law, justice and accountability sectors, UNMISS should expand its field-based rule of law

capacity to allow more regular engagement with subnational actors and support expanded operations of the mobile court system. This would allow UNMISS to take advantage of opportunities for reform at the subnational level. This rule of law capacity could be expanded across all field offices or only in priority field locations where there is likely to be high demand and need for such support more immediately. The Mission could seek to fill some of these posts through government-provided personnel to minimize increases to its staffing and budget requests, although some increases will likely be needed.

213. Given the lack of field-based personnel with expertise on conflict-related sexual violence, the UNMISS Human Rights Division should consider redesignating some field-based human rights officers as women protection advisers or continue progressively double-hatting these field-based posts with updated terms of reference that require the recruitment of staff with specialized knowledge of gender and conflict-related sexual violence. The Mission should also ensure that civilian staff outside the Human Rights Division are increasingly equipped to identify and address conflict-related sexual violence, either by enhancing training or through the expanded use of field-based gender and women protection focal points. In this critical area, the Mission could consider hiring national professional staff, when appropriate, who could bring a deep knowledge of the context and technical and language skills to complement the different skill sets of international staff.

214. The review team also identified the need for a gradual increase in the capacity of the Public Information Office at the field office level over the next one to two years, aligned with changes in the Mission's electoral role, to assist the Political Affairs Division, the Civil Affairs Division and the Electoral Affairs Unit with voter education and efforts to expand civic space. There should also be capacity-building of communications and public information personnel to operate in a modern media environment and to improve their ability to produce and disseminate impartial, fair and objective communication products in advance of elections.

D. Mission headquarters capacities

215. The Mission currently has two full-time security sector reform personnel and no dedicated capacity for disarmament, demobilization and reintegration. Security sector reform staff provide limited technical support on disarmament, demobilization and reintegration issues. If the Security Council expands the technical advisory role of UNMISS on security sector reform and disarmament, demobilization and reintegration, as recommended in the present report, UNMISS will need additional capacity at its headquarters to provide such expertise. The need over the first year would include the creation of a limited number of headquarters-based advisory posts, with the ability and budget to travel to field locations to backstop heads of field offices as needed.

216. The Mission should assess whether it has adequate capacity and the correct skill sets among its staff to provide technical support for the constitution-writing process and legal reforms that will be required as part of the implementation of the Revitalized Peace Agreement. If staff do not have the right skill sets, UNMISS should consider adjusting the terms of reference of existing posts to create these specialized skill sets within existing resources. The Mission will also need to gradually increase the size of its Electoral Affairs Unit to support preparations for elections, beginning with a small increase in Juba-based staff who can provide technical support and scaling-up through a phased approach in response to demonstrated progress towards credible elections.

217. The Mission should maintain its dedicated child protection capacity. In addition to the recommended changes in field-based expertise in conflict-related sexual violence already identified, the UNMISS Human Rights Division should consider whether it can continue to enhance its capabilities, within current staffing levels, by shifting additional staff members to the Division's rapid investigation team. Lastly, the Division currently has very limited capacity dedicated to implementing the human rights due diligence policy. If the Mission increases its technical support role as envisioned in the present report, it would need to increase the number of dedicated human rights due diligence policy officers within the Division.

E. Shifting role of the Relief, Reintegration and Protection Section to enhance field-based protection capacity of the Mission

218. The role of relief, reintegration and protection has shifted throughout the lifetime of the Mission. While interlocutors recognized the important contributions of the Mission's Relief, Reintegration and Protection Section to coordination between the Mission and humanitarian personnel, that mandate overlaps with the mandate of the Office for the Coordination of Humanitarian Affairs, which leads on civil-military coordination and has an overall mandate to support coordination of the humanitarian response in the country. With the redesignation of the Wau, Bor, and Juba protection of civilians sites, UNMISS should consider reprofiling some of its relief, reintegration and protection officers to fulfil the role of protection of civilians officers with dual reporting lines to the heads of field offices and the Senior Protection of Civilians Adviser in Juba. The Mission has extremely limited dedicated protection of civilians capacity and this reprofiling would expand protection capacity, potentially allowing for more strategic and coordinated protection of civilians planning.

F. Security, safety and risk posture of the Mission

219. The Mission has made some improvements for the safety and security of staff. According to Mission personnel, several field hospitals were upgraded to improve the ability of UNMISS to care for wounded and sick staff. An integrated operations centre was established in Juba to ensure that the Department of Safety and Security, United Nations police and the force work more closely together on issues of staff safety and security. The review team also identified notable improvements to living and physical working conditions for female personnel, in line with the Secretary-General's gender parity benchmarks, which should have a significant impact on the retention rates for female civilian personnel. Much more needs to be done, however, to increase those numbers further as highlighted in chapter V of the present report.

220. The review team concluded that the Department of Safety and Security has sufficient coverage to support the needs of UNMISS personnel and those of the wider United Nations country team who fall within the mandate of the Department of Safety and Security. However, a more nimble and mobile posture for the civilian personnel of UNMISS, as envisioned by the Mission's leadership, would require more support from the Department of Safety and Security, and UNMISS will need to continue to assess whether its capacity and deployment locations are appropriate, given the Mission's evolving posture.

221. While the Department of Safety and Security explained that its risk posture was in line with identified threats to staff that stemmed from government forces and non-State armed groups, the review team heard concerns from both Mission officials and humanitarian actors that the Department of Safety and Security adopted an overly risk-averse posture that unduly restricted staff movements. Adjusting that posture

may be difficult, given concerns about the potential impact on staff safety and security. However, the Department's efforts should primarily be geared towards reinforcing the ability of Mission components to carry out activities, in line with the mandate, while mitigating risks as they do so.

222. Similarly, UNMISS should ensure that it is not placing overly burdensome restrictions on itself in the use and deployment of air assets. The review team identified concerns that the risk threshold for escalating decision-making on the deployment of air assets to the highest levels of the Mission leadership in Juba was too low, creating an overly centralized and burdensome process. The Mission should consider recalibrating what is considered as an extremely and unacceptably high-risk situation for aircraft. While two UNMISS helicopters were shot down and the Mission does face a heightened risk as compared with other peacekeeping operations, it is essential that the Mission remain willing and able to deploy aircraft to support protection of civilians activities and maintain a realistic view of risks posed to the aircraft as the security situation and armed actors involved in violence evolve.

G. Air assets

223. The Mission currently has a fleet of 22 civilian aircraft and eight military aircraft at its disposal. The Mission's utilization rate for its fixed-wing aircraft during the 2019/20 financial year was 72.36 per cent and its utilization rate of helicopters was 79.02 per cent. Those utilization rates, alongside consultations carried out by the review team, indicate that the Mission's current number of air assets is appropriate for the tasks required by the mandate. Given the long rainy seasons, poor road infrastructure and the importance of UNMISS maintaining or enhancing the mobility of its posture for protection of civilians and maintaining air support for staff safety, the current air assets should be kept.

VIII. Relationship with the South Sudanese authorities

224. As highlighted, the Mission's relationship with the South Sudanese authorities, as the host Government, has a strong impact on the ability of the Mission to operate effectively. Peacekeeping missions require host country consent, and where it is reticent rather than earnest, it undermines peacekeeping efforts. As already noted, violations of the Status of Forces Agreement have seriously hindered the Mission's activities. Through regular outreach, the Mission's leadership has improved its relationship with South Sudanese authorities. While that was acknowledged by stakeholders who spoke to the review team, much more is needed to enable the Mission to operate more effectively, in particular, the removal of impediments to the freedom of movement. Despite the importance of a strong and constructive relationship between UNMISS and the host State Government, there are some inherent tensions that UNMISS will not be able to alleviate in the short term. The Mission is mandated to prevent and respond to protection threats that, at times, stem from government actors, and that mandate needs to be maintained.

225. The review team concluded that an increased technical assistance or capacity-building role for UNMISS was unlikely to significantly change that dynamic by itself. The manipulation of humanitarian aid and continued restrictions on humanitarian actors indicate that an injection of resources would not translate directly into leverage or unrestricted access. Moreover, it was clear to the review team that UNMISS would not be able to fill the full capacity and technical support role envisioned by the Government of South Sudan – in part due to limited resources, because UNMISS was not the ideal actor to perform some of those tasks, and because the risks associated with

increasing some types of assistance remained too high at the moment. However, political dynamics and risks are not uniform across the country and technical assistance to authorities at the state and county level may, in some cases, have more impact than at the national level. The Mission's technical support and engagement with political actors and civil society at a subnational level can promote needed decentralization and can also be leveraged for additional influence at the national level.

226. The review team identified some shifts that UNMISS and the South Sudanese authorities could make to improve their relationship and demonstrate good will. First, UNMISS needs to continuously manage the expectations of the South Sudanese authorities about what role the Mission can take on with its mandate and limited resources. Second, to build trust and ensure that the Government recognizes UNMISS as a partner in efforts to build legitimacy and sustainable peace, not as a threat, it is essential that UNMISS and government authorities have opportunities for honest exchanges on the situation and the way forward, including clear and continuous discussion of the actions that impede the Mission's work. This exchange should also be based on UNMISS having realistic expectations of the Government, given the enormous institutional capacity deficits and nascent concept of a social contract and responsibilities for the well-being of citizens that is yet to be ingrained at different levels of governance. In that regard, the establishment of standing forums, on a monthly or weekly basis, for engagement between the Mission's leadership, relevant cabinet ministers and, as appropriate, the President would be beneficial to both parties. Furthermore, consideration should be given to increased interactions with the South Sudanese authorities that involve, in addition to the United Nations, the African Union and IGAD.

227. The United Nations Office to the African Union should also work with UNMISS to identify key areas where engagement with African countries and institutions could help to support the leverage that UNMISS has with the South Sudanese authorities, by consistently and urgently raising the issue of freedom of movement and other related concerns. Barriers to the Mission's work should be a matter of top concern to the United Nations, but also to African stakeholders: successful implementation of the Mission's mandate will tremendously benefit the region and the continent as a whole, as it strives to silence the guns in Africa. African stakeholders should therefore do all that they can to help to ensure that the Mission operates in a more conducive environment. The Security Council and Member States should recognize that their engagement with South Sudan also has an impact on the Mission's freedom of movement, for better or worse. Dialogue with South Sudanese officials around their concerns should be maintained and clear pathways for resolving areas of concern on each side identified. A reduction in or elimination of violations of the Status of Forces Agreement should be part of the sustained and joint dialogue of those actors. It should be included in conversations around any future redesignation of protection of civilians sites and should be a precondition for increased capacity-building support. Lastly, in order to identify avenues for moving forward constructively, stakeholders in the peace process could consider engaging with South Sudanese actors on concerns that had triggered Security Council sanctions.

IX. Conclusion

228. Achieving durable and inclusive peace in South Sudan requires addressing deeply entrenched power dynamics and political systems that have primarily fuelled violence rather than served to protect citizens and create conditions for them to prosper. The report of the African Union Commission of Inquiry on South Sudan starkly highlighted how the civil war in South Sudan was driven by underlying struggles for political power and control of natural resources in a country facing

serious governance challenges and whose institutions are nascent. The review team found that, while the Revitalized Peace Agreement had stemmed political violence and created opportunities for reform, most of the underlying factors contributing to instability had not yet been addressed. South Sudan remains fragile and the risk of relapse into violence looms large as the country moves closer to elections as outlined in the Revitalized Peace Agreement, without having made significant progress on security sector reform, disarmament, demobilization and reintegration, financial management reforms, or accountability.

229. Therefore, presence, mandate and activities of UNMISS continue to be vital. The key pillars of the Mission's mandate remain valid: to help to mitigate the impact of violence on the population, through all three tiers of its protection of civilians effort, creating conditions conducive to the delivery of humanitarian assistance, monitoring violations and promoting accountability, and helping to lay the foundations for lasting peace and improved governance. Some adjustments to the Mission's work within these pillars, as outlined in the present report, will help the Mission to take advantage of emerging opportunities.

230. In order to move forward, it is also critical that actors leverage all available resources, including by improving existing leveraging of resources: within UNMISS through increased integration and more outcome-driven activities; between UNMISS and the United Nations country team so as to address the needs on the ground on a massive scale with a clear and complementary division of labour; between UNMISS and United Nations presences in the region and capacities at United Nations Headquarters; and between UNMISS and African institutions, with an emphasis on strong and coordinated engagement. In that respect, should the above recommendations be accepted by the Council, it is suggested that the United Nations, IGAD and the African Union convene a workshop bringing together their relevant institutions to map out a joint action plan for the purpose of following up. A meeting between those institutions and South Sudanese stakeholders should also be convened to ensure that there is a shared understanding of the mandate and to secure commitments on implementation. Finally, ownership of the peace process by South Sudanese actors at all levels is needed. While the role of the international community is essential at the present stage, every effort should be made to foster local ownership wherever possible.
