



# Security Council

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## Situation in South Sudan

### Report of the Secretary-General

#### I. Introduction

1. The present report is submitted pursuant to Security Council resolution [2514 \(2020\)](#), by which the Council extended the mandate of the United Nations Mission in South Sudan (UNMISS) to 15 March 2021 and requested the Secretary-General to report on the implementation of the Mission's mandate every 90 days. It covers political and security developments between 1 September and 30 November 2020, the humanitarian and human rights situation and progress towards the implementation of the Mission's mandate.

#### II. Political and economic developments

2. Following extensive deliberations, delayed in part owing to restrictions related to coronavirus disease (COVID-19), on 20 October, the parties to the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan agreed to the allocation of all 79 counties according to the responsibility-sharing ratio of the Agreement. On 21 October, the President of South Sudan, Salva Kiir Mayardit, called upon the parties to submit their nominees for the positions.

3. While 9 of 10 governors appointed in the last quarter have resumed their functions, all other state and county executive and legislative positions remain vacant. The impasse over the appointment of the Upper Nile governor persists. The Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) maintained that Lieutenant General Johnson Olony was the only viable nominee and refused to consider an alternative.

4. On 27 October, representatives of the National Democratic Movement, the Federal Democratic Party and the South Sudan Liberation Movement, all members of the South Sudan Opposition Alliance, requested the intervention of Mr. Kiir with regard to the nomination of Alliance representatives in the greater Equatoria region. On 15 November, those parties and the South Sudan Patriotic Movement accused two Alliance leaders, Josephine Lagu and Joseph Bakosoro, of preventing their participation in meetings held on the nomination process in the Equatorias.



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

5. On 14 September, the National Constitutional Amendment Committee submitted the Constitutional Amendment (No. 8) Bill 2020 which aims to remedy the changes made earlier by Constitutional Amendment (No. 6) Act 2020 incorporating the Agreement into the Transitional Constitution. No progress has been observed to date.

6. In-person meetings of the reconstituted Joint Monitoring and Evaluation Commission resumed on 30 September. The interim Chairperson, Major General Charles Tai Gituai, called for the reconstitution of the Transitional National Legislative Assembly, the graduation of the necessary unified forces and the appointment of the Governor of Upper Nile. At the meeting, the Joint Transitional Security Committee reported that it had completed the development of eligibility criteria, curricula and syllabuses, established 17 training centres across the country and prepared five centres in the greater Equatoria region for the graduation of the necessary unified forces. It highlighted the ongoing operational challenges owing to a lack of funding. The Joint Defence Board submitted a report on the harmonized command structures of the security agencies, which has yet to be endorsed by the principals. It was noted in the October quarterly report of the reconstituted Joint Monitoring and Evaluation Commission that, while the permanent ceasefire was largely holding, COVID-19-related disruptions, a lack of resources, intercommunal clashes, an increasing number of incidents of defection and a lack of political will impeded the implementation of the Agreement. In a meeting held on 26 November, the Commission, inter alia, urged the parties to immediately reconstitute the Assembly and the Council of States and observe the 35 per cent quota for women in the institutions of transition.

7. Following demands by civil society and women's organizations, the acting Secretary-General of the Sudan People's Liberation Movement, Jemma Nunu Kumba, announced on 13 October that the 35 per cent quota for women would be implemented in the remaining positions allotted to the party. Thus far, the quota has been met by only the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (41 per cent of women) and the reconstituted Joint Monitoring and Evaluation Commission (35 per cent of women). On 17 November, Regina Joseph Kapa was appointed as the interim Secretary-General of SPLM/A-IO, following the resignation of Peter Tingo, on 10 November. Mr. Tingo cited the leadership failure of the First Vice-President, Riek Machar, as the reason for his decision. Significantly, the two main parties in the country are now led by women.

### **Peace process developments**

8. Internal fissures emerged within the South Sudan Opposition Movements Alliance, resulting in the suspension of the South Sudan United Front/Army from the coalition on 25 September. On 5 October, the Real Sudan People's Liberation Movement was also suspended after having criticized the decision. From 9 to 12 October, the Community of Sant'Egidio hosted the fourth round of talks between the Revitalized Transitional Government of National Unity and the South Sudan Opposition Movements Alliance in Rome. The parties resolved to meet on 30 November to continue deliberations and recommit to the 2017 Agreement on Cessation of Hostilities between the Government of the Republic of South Sudan and the Sudan People's Liberation Movement/Army (in Opposition). In addition, the participation of the South Sudan Opposition Movements Alliance in the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism was discussed, and a declaration of principles document was signed.

9. From 9 to 13 November, the Community of Sant'Egidio convened a workshop in Rome on integrating the South Sudan Opposition Movements Alliance into the

Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism. The workshop was focused on reaching a common understanding of the obligations of the signatories to the Cessation of Hostilities Agreement and the modalities of working as part of the Mechanism. In accordance with the Rome Declaration on the Peace Process in South Sudan of 12 January 2020, the armed groups within the South Sudan Opposition Movements Alliance – the National Salvation Front, the South Sudan National Movement for Change and the United Democratic Revolutionary Movement – will be represented equally in all Mechanism structures from January 2021 onwards. In the Cessation of Hostilities Agreement, sexual and gender-based violence, inter alia, are prohibited and the parties are called upon to take specific measures to protect vulnerable persons.

10. Following a leadership council meeting held on 14 November, the South Sudan Opposition Movements Alliance resolved to call for reunification of the Alliance and engaged with the South Sudan National Democratic Alliance to reconcile. On 18 November, the South Sudan United Front/Army and the Real Sudan People's Liberation Movement faction issued a statement reporting that they had decided to work towards maintenance of the unity of the South Sudan Opposition Movements Alliance and reached out to the South Sudan National Democratic Alliance to consider reunification.

#### **Defections and change of allegiance among the parties**

11. Defections continued to threaten trust among the parties and undermine the implementation of the Agreement. On 26 September, SPLM/A-IO announced the defection of Major General Moses Lokujo, an influential leader in greater Yei area, to the South Sudan People's Defence Forces. Following his defection, Mr. Lokujo reportedly gave the remaining SPLM/A-IO forces in the Kajo Kaji area, including those stationed at a Moroto training centre and a Panyume cantonment site, four days to leave. Subsequently, the forces of Mr. Lokujo and SPLM/A-IO clashed in late September and again in late November, resulting in statements on 30 September by the Intergovernmental Authority on Development and on 1 October by the reconstituted Joint Monitoring and Evaluation Commission, condemning the defection. Furthermore, on 26 November, the Commission reiterated serious concerns about increasing incidents of defection by military personnel and tasked the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism with verifying the alleged incidents that had occurred at Moroto, as well as with reporting to the Commission.

12. More defections followed, including those of the SPLM/A-IO caretaker Governor Anthony Fada Taban; the former SPLM/A-IO Spokesperson in Bagari, Nichola Gabriel Adam; and Brigadier General Alfred Angelo Kumaiki, who declared their allegiance to Mr. Kiir. On 4 November, a senior SPLM/A-IO member, Brigadier General Simon Wieu Garang, also resigned, citing differences with First Vice-President Machar. On 9 September, Lieutenant General Nicodemus Deng Deng Aliir, the former Chief of General Staff of the National Democratic Movement, defected to the South Sudan People's Defence Forces. On 12 October, nine South Sudan United Front/Army members, led by Major General Nhial Tot, defected to the South Sudan People's Defence Forces. On 23 October, the National Salvation Front commander in Kapoeta, General Lokai Iko, and the Chair of the International Relations Committee of the National Salvation Front, Lako Jada Kwajok, resigned, citing discontent with the leadership of the National Salvation Front.

13. On 4 October, a prominent opposition member informed the media that 77 political cadres from the ruling Sudan People's Liberation Movement faction had defected to SPLM/A-IO.

**Regional engagements and developments**

14. On 15 September, the Peace and Security Council of the African Union held its 945th meeting on the situation in South Sudan. The Council, inter alia, expressed deep concern about the slow pace of implementation of the transitional security arrangements and urged the Government and signatories to mobilize funding for the training, graduation and deployment of the necessary unified forces.

15. On 3 October, in Juba, Mr. Kiir presided over the signing of the Juba Peace Agreement between the Transitional Government of the Sudan, the Sudan Revolutionary Front and the Sudan Liberation Army-Minni Minawi. The Heads of State of Chad, Djibouti, Ethiopia and Somalia attended the ceremony.

16. On 28 and 29 October, the Sudan and South Sudan held an ordinary meeting of the Joint Political and Security Mechanism. The Mechanism reaffirmed its full and unwavering commitment to the cooperation agreements of 2012 and decided, among other things, to operationalize the reopening of border crossing points.

**Other major national developments**

17. From 3 to 15 November, the National Dialogue Conference was held in Juba. More than 500 participants, 50 per cent of whom were women, including 274 grass-roots women's and youth organizations and representatives, deliberated on issues related to governance, security, the economy and social cohesion. SPLM/A-IO and the National Democratic Movement did not participate.

18. On 16 September, Mr. Kiir dismissed the Minister for Finance, Salvatore Garang, appointing Athian Diing Athian in his place. On 17 September, Mr. Kiir disbanded the board of Nile Petroleum Corporation, subsequently appointing a new board, chaired by the Minister of Presidential Affairs, Nhial Deng Nhial. On 7 October, Mr. Kiir appointed Patrick Mugoya as the new Commissioner General of the National Revenue Authority. On 2 November, Mr. Kiir relieved the Governor of the Central Bank of South Sudan, Jamal Abdallah Wani, of his duties, appointing the former Governor, Dier Tong Ngor, in his place.

**Economic situation**

19. The economic situation continues to deteriorate owing to the low price of oil, the main source of export revenue. In late August, the Central Bank announced that it had run out of foreign exchange reserves and that salary arrears for government employees had reached about five months. The depreciation of the South Sudanese pound has also contributed to inflation amid complaints of the increasing cost of essential goods. Several measures have been adopted to deal with the crisis, including the establishment of an economic crisis management committee by Mr. Kiir. The national budget process for 2020/21 is behind schedule, and the government's resource envelope for 2020/21 indicates a fiscal deficit of more than 50 per cent of the estimated \$1.3 billion budget. Deficit financing support measures have continued. In November, the International Monetary Fund approved \$52.3 million for South Sudan to address the impact of COVID-19. However, there are no clear indications of how the deficit will be funded.

**III. Security situation**

20. The permanent ceasefire continued to hold in most parts of the country. Overall, fewer security incidents were reported owing to widespread flooding. Increased livelihood pressures, a result of economic deterioration owing to the COVID-19 pandemic, led to an increase in economically motivated violence and criminality,

including heightened sexual and gender-based violence targeted in particular at young girls, with a notable increase in forced child marriage and adolescent pregnancy. Job demands and related violence are on the rise in Eastern Equatoria, Jonglei, Lakes, Unity and Upper Nile.

### **Greater Upper Nile region**

21. Uncertainty related to the formation of the state government in Upper Nile and activities aimed at undermining the appointment of Mr. Olony led to targeted attacks on Shilluk leaders, allegedly committed by Padang Dinka. They included an attack on the Paramount Chief of Lelo and four other sub-Chiefs of the Shilluk communities on 22 October. Another incident of killing of Shilluks was reported on 2 November, when two Shilluk men were killed in Malakal town. The incidents, together with the killing of the former Public Prosecutor in Malakal town in July, brought the number of Shilluks recently killed to three.

22. Tensions between SPLM/A-IO and the forces of Major General James Ochan were reignited in Maiwut on 25 October, when the groups engaged in an exchange of fire. The incident occurred when Cie-Waw farmers, who are associated with Mr. Ochan, attempted to cultivate land in areas located south of Maiwut, but were pushed out by SPLM/A-IO elements. The farmers returned afterwards, escorted by Mr. Ochan's soldiers.

23. Demands for employment opportunities resurfaced in late October, resulting in violent protests in Renk, which led to the evacuation of humanitarian workers following threats from young people, who vandalized and set fire to a humanitarian warehouse that stored essential medicine and vaccine supplies. Similar demands and threats were observed in Malakal and Bunj. Local young people maintained the perception that jobs were being taken away from them and offered to non-local South Sudanese nationals.

24. In Unity, Mayom remained a hotspot, characterized by attacks and revenge attacks involving local armed young people aligned with government forces. In September, several areas were attacked by armed young people from Warrap. One such attack resulted in the killing of at least 10 people and the raiding of a large herd of cattle. The incident appeared to be a revenge attack prompted by an earlier attack by the Bul Nuer in Warrap. Young people on both sides have mobilized to launch further attacks. The group from Warrap is also said to be fleeing the disarmament exercise, and their presence in Mayom may therefore disrupt the prospective disarmament in Unity.

25. The situation in Jonglei remained calm but fragile following the series of attacks between the allied Dinka and Gawaar and Lou Nuer and the Murle previously observed in the Greater Pibor Administrative Area. Since then, fighting young people from Dinka and Nuer have withdrawn from the Greater Pibor Administrative Area and returned to their respective communities. While national and local efforts continued to push for dialogue and reconciliation among these communities, the intercommunal tensions remained unresolved, with both sides remaining vigilant. In parallel, as the conflict among the Dinka, Nuer and Murle subsided, the Greater Pibor Administrative Area experienced a resurgence of intracommunal and intercommunal violence linked to Murle infighting and cross-border cattle raids at Maruwo Hills, involving the Jie and Toposa from neighbouring Eastern Equatoria.

### **Greater Equatoria region**

26. The National Salvation Front has remained active in the Equatorias following its ousting from main towns and strategic areas by aligned forces of the South Sudan People's Defence Forces and SPLM/A-IO in previous months. Many of their activities

involved roadside ambushes and robberies along main supply routes, as well as abductions and recruitments while engaging in clashes with government and SPLM/A-IO forces.

27. Following the defection of Mr. Lokujo, his forces and SPLM/A-IO clashed on 28 and 29 September, with each side accusing the other of having initiated the attacks.

28. In Western Equatoria, tensions continued along the border with the Central African Republic as a result of activities of armed Ambororo and former Seleka groups and the alleged mobilization of Azande young people to fight former Seleka inside the Central African Republic territory. The Azande young people are reported to have been hired by a businessman from the Central African Republic, with backing from Major General James Nando, the former SPLM/A-IO Commander who had defected to the South Sudan People's Defence Forces in March. The appointment of Lieutenant General Alfred Futiyo as Governor of Western Equatoria State continued to generate discomfort among some Azande political and military elites, while some Azande politicians attempted to rally for the formation of an independent administrative area in Tambura.

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

29. In Warrap, Tonj East County remained a hotspot with a new cycle of intra-Dinka violence flaring up. Luanyjang armed young people clashed with an alliance of Thiik and Akok on 6 and 7 October, which led to the killing of at least 10 people, the burning down of a market and the theft of cattle. A similar attack was carried out on 30 October. Luanyjang also clashed with Thiik, Akok and Jalwau in November, with some 16 people killed and 48 injured.

#### **Intercommunal conflict**

30. Severe flooding across large parts of the country, including in Warrap, Lakes, Upper Nile and Jonglei, and the related restrictions of movement for cattle keepers and armed civilians led to a significant reduction in communal conflict. Some observers attributed the reduced violence to flooding and the possible presence of civilian disarmament forces in Warrap and Lakes. Notwithstanding the decrease, cross-border communal violence and cattle theft still occurred in Warrap and Unity in early September. Intercommunal violence, triggered by a cattle raid in southern Warrap conducted by young people, led to the killing of civilians, while in Lakes, intercommunal conflict persisted in the central and western areas of the state. Such violence on the part of young people may be attributed to an increase in bride prices, competition over grazing land and water owing to the approaching dry season, and unemployment.

31. Revenge attacks continued in Jonglei between Murle and Jie and Murle and Lou Nuer, but on a reduced scale owing to severe flooding in the state. The flooding has also led to the displacement of civilians, who have fled Jonglei and Lakes for Mangala, in northern Central Equatoria. The Government subsequently declared Mangala town an internally displaced persons site on 23 September. The Mangala area is contested by a number of other ethnic groups, and UNMISS is working with local communities to prevent the emergence of conflict, given the unprecedented numbers of newly displaced civilians situated there.

## **IV. Humanitarian situation**

32. The humanitarian situation in South Sudan remained dire owing to flooding, armed conflict and intercommunal violence. Violence in greater Equatoria resulted in

displacement, civilian casualties, arbitrary arrests, abductions, the harassment of humanitarian workers and the disruption of humanitarian operations. In Central Equatoria, armed clashes forced civilians to seek refuge in Uganda and suspended humanitarian operations, affecting some 24,500 people.

33. In Warrap, intercommunal fighting caused the displacement of some 18,000 people and led to civilian casualties. Some 1.6 million people have remained displaced internally, in addition to another 2.2 million in five neighbouring countries. Heavy rains and floods further affected more than 1 million people in 8 of the 10 states since July, displacing more than 400,000 people. More than 19,000 refugees, who returned spontaneously, were recorded in September and October, bringing the number of returnees in 2020 to nearly 110,000. Hunger resulting from food insecurity persisted in communities across the country. Insecurity, conflict and severe flooding had a significant impact on livelihoods, decreased agricultural production and impeded access to markets, in particular for those in urban areas.

34. Humanitarian access deteriorated, with ongoing hostilities negatively affecting access and repeated acts of violence perpetrated against humanitarian workers and assets.

35. In November, two South Sudanese aid workers were killed in separate incidents in Pibor and Canal and Pigi, in Jonglei, while delivering critical nutrition services. The incidents brought the number of humanitarian workers killed this year in South Sudan to nine, thereby tripling the total number of humanitarian workers that had been killed in 2019. A total of 124 aid workers have lost their lives since the conflict broke out, in late 2013.

36. Numerous attacks on clearly marked humanitarian vehicles were observed, with at least nine ambushes causing injuries to humanitarian personnel and damaging assets. In Renk and Bentiu, direct threats related to employment practices were issued to humanitarian workers. In October, a boat convoy transporting food was ambushed by armed actors in Lakes. One cargo vessel was sunk, and three of the cargo vessel staff were shot. One person remains missing and is presumed dead. The resurgence of armed conflict in parts of Central Equatoria also had an impact on humanitarian operations.

37. A total of 103 incidents in which humanitarian access was impeded were reported between September and November. Forty-five aid workers were relocated owing to security or other concerns. The lifting of COVID-19-related restrictions on movement eased internal travel, but aid workers still faced harassment and intimidation.

38. More than 6 million people were provided with life-saving assistance and protection services between January and September. The figure represents 80 per cent of the revised target of 7.6 million people targeted through the humanitarian response plan for 2020, including those assisted through COVID-19-related response activities. As at 30 November, \$974 million has been secured against the \$1.9 billion requested in the humanitarian response plan, including more than \$30 million from the Central Emergency Response Fund.

39. Illnesses such as malaria, measles and waterborne infections continued to affect people in the rainy season. Vaccine-derived polio was confirmed in Warrap and Western Bahr el-Ghazal in October, two months after Africa was declared free of wild poliovirus.

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

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

40. The Mission continued to provide a comprehensive response to threats to civilians through key leadership engagement, community-level conflict resolution initiatives and the progressively outward-facing posture of peacekeepers, along with programming support aimed at enhancing stability and addressing conflict drivers. Primary threats against civilians comprised killings, injuries, abductions and sexual violence.

41. UNMISS continued its efforts towards returning stability to Jonglei and the Greater Pibor Administrative Area by prioritizing complementary immediate- and medium-term actions to prevent and mitigate further violence. For example, UNMISS supported a dialogue held among Dinka Bor, Lou Nuer and Murle community leaders in Juba, led by the Governor of Jonglei and the Chief Administrator of the Greater Pibor Administrative Area, which resulted in an agreement to engage further at the grass-roots level. The Mission provided substantive support to the High-Level Committee, led by the Vice-President, James Wani Igga, to resolve intercommunal violence in Jonglei and the Greater Pibor Administrative Area. A multi-agency community violence reduction programme was planned with assistance from the joint UNMISS-United Nations country team reconciliation, stabilization and resilience trust fund, through which the Mission will join forces with other United Nations entities and two international non-governmental organizations. The project, which targets young people and other marginalized groups, is aimed at bringing communities together to identify the root causes of conflict and develop interventions to reduce violence and promote increased accountability.

42. In parallel, UNMISS conducted patrols to key violence-affected areas, in particular in Jonglei. In Western Equatoria, where increased criminality and forced recruitment by the National Salvation Front had been reported, UNMISS established temporary operating bases to respond to emerging threats. The Mission reinforced its presence in Central Equatoria following clashes in late September and in Warrap following increased communal violence and attacks by young people on communities along the Wau-Kawajena-Tonj Road. In addition, UNMISS conducted patrols in areas of return, including in Greater Malakal; Akobo and Uror in Jonglei; and Lainya and Yei in Eastern Equatoria, to create conditions conducive to resettlement. The Mine Action Service responded to requests from various authorities and community members for the removal of explosive ordnance from residential compounds, along roadsides and in villages in greater Equatoria, Lakes, Unity, Upper Nile and Western Bahr el-Ghazal.

43. In support of implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan at the grass-roots level, local conflict management, reconciliation and the promotion of social cohesion, UNMISS conducted 25 workshops, community dialogues, peace campaigns and dissemination of local and national peace agreements, as well as capacity-building activities for traditional authorities, women and young people. A total of 1,971 participants, including 800 women, were assisted through such activities.

44. Building on the road map outlined in my report on future planning for the protection of civilians sites in South Sudan (S/2019/741), and in order to enable an expanded outward protection posture in violent hotspots, the Mission continued its efforts towards transforming protection of civilians sites into internally displaced persons camps under the jurisdiction of the Government, in line with chapter III of the Agreement and on the basis of comprehensive security risk assessments. During



the reporting period, the sites in Bor, Wau and Juba were officially redesignated as internally displaced persons camps. The Mission will continue to fulfil its mandated responsibilities to protect civilians, including through patrols in the vicinity of the former protection of civilians sites. The Mission will also support the Government in fulfilling its responsibility, in particular through support for the South Sudan National Police Service. Furthermore, UNMISS will continue to support the unhindered delivery of humanitarian assistance to the camps and retain readily deployable quick reaction forces for emergency interventions.

45. In all three locations, the transitions were a result of close coordination and joint planning between the Mission and humanitarian partners operating at the sites and extensive engagement with relevant stakeholders, including the authorities in Juba and the states, security forces and police, as well as with representatives of internally displaced persons. In each case, the Mission signed a memorandum of understanding with the respective State governors, ensuring their commitment to provide security and protection to the internally displaced persons in the camps. In both Bor and Wau, the Mission facilitated direct engagement between internally displaced persons and the State governors to increase trust. Moreover, in Juba, the Mission, along with partners, supported the drafting of an agreement on peaceful coexistence between the internally displaced persons communities in the sites and the surrounding host communities.

46. On 5 October, as part of efforts towards supporting authorities in assuming their responsibilities for the provision of law and order in the newly redesignated internally displaced persons camps, the UNMISS Police Commissioner signed an agreement on operational coordination with the South Sudan National Police Service. The agreement enables UNPOL to be co-located at police posts near the redesignated internally displaced persons camps to continue to strengthen community policing capacities, including through the provision of logistical support, technical assistance, training, coaching, mentoring, monitoring and the conducting of coordinated patrols.

47. Building on the successful transitions and lessons learned, efforts are proceeding in an equally inclusive and consultative manner towards preparing the redesignation of the remaining protection of civilians sites in Bentiu and Malakal, which host 130,458 people.

48. The redesignation of the protection of civilians sites provided the military component with a security dividend that will allow for a phased reduction of uniformed personnel and enhanced force projection to protect civilians through more mobile, robust, nimble and agile deployments. The expected recommendations of the independent strategic review, along with an envisioned reinforcement of the UNMISS rule of law component and reconfiguration of current policing expertise, will enable the Mission to further enhance technical and advisory support to national actors in order to re-establish the national criminal justice chain and ensure respect for the rule of law, contributing to a protective environment and strengthening the government capacity to protect civilians.

49. Similarly, UNPOL continued to expand its outward protection posture and footprint beyond protection of civilians sites. A total of 661 confidence- and trust-building patrols, 64 short-duration patrols, 2 long-duration patrols, 11 dynamic air patrols and 536 high-visibility patrols were conducted. A total of 1,274 UNPOL patrols were gender-responsive.

50. The UNMISS force conducted 21,472 patrols, including 1,163 short-duration patrols, 166 long-duration patrols, 127 dynamic air patrols and 28 riverine patrols. A total of 5,399 patrols were conducted in and around protection of civilians sites.

**Rule of law and accountability**

51. UNMISS continued to provide support for national accountability measures regarding security incidents affecting protection of civilians sites. In all, 27 persons suspected of being responsible for serious security incidents within the protection of civilians sites were detained in UNMISS detention facilities. UNMISS referred 9 persons to national authorities for investigation and prosecution. The Mission coordinated with the United Nations Development Programme (UNDP) to deploy assessment missions and mobile courts to Malakal, which continued.

52. On 25 November, UNMISS supported the military justice directorate of the South Sudan People's Defence Forces to deploy a team consisting of judges, prosecutors and defence counsel to Bor and Bentiu to review and reduce the backlog of pending cases for suspects held in military prisons.

53. To mitigate migration-related violence in Warrap and Western Bahr el-Ghazal, UNMISS, in coordination with other partners, continued to advance the implementation of a reconciliation, stabilization and resilience trust fund-funded project. Specifically, UNMISS led comprehensive modalities planning and preparation to ensure the establishment of a mobile special court. In addition to investigating crimes, the mobile special court will serve as a rapid response mechanism to deploy to hotspot locations to promote accountability at the onset of violence and deescalate tensions during the impending migration season.

54. On 24 November, an integrated high-level consultation was held to raise the awareness of and consult with the heads of each justice component from both states on the mobile special court and to secure their concurrence to identify a dedicated justice team.

55. In parallel, from 14 October to 18 November, UNMISS undertook consultations across Western Bahr el-Ghazal and Warrap to raise the awareness of communities and obtain their input on the mobile special court and on areas that required strengthening to address challenges that had arisen during the previous migration. The consultations will serve as the framework for an interstate conference enabling an agreement among state representatives on strengthened mechanisms to assist with peaceful migration, as well as a broader awareness-raising mechanism across the states with regard to the modalities and operation of the mobile special court.

56. Following an initial desk review of the South Sudan criminal law framework, UNMISS is supporting the South Sudan Law Review Commission to form a technical working group to review and agree on proposed amendments to the Code of Evidence Act, 2006; the Penal Code Act, 2008; and the Code of Criminal Procedure Act, 2008. The consultative review is aimed at increasing the compliance of South Sudan with international and regional standards and best practices and harmonizing all national criminal laws. UNMISS continued to coordinate with UNDP, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Ministry of Gender, Children and Social Welfare to develop a draft Family Law for South Sudan, on which a stakeholder meeting was held on 11 November.

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

57. UNMISS documented a total of 134 incidents, including arbitrary killings, abductions, conflict-related sexual violence, arbitrary arrests and detention (including proxy detention), torture and ill-treatment, forced military recruitment and the looting and destruction of civilian property. The incidents resulted in at least 212 civilian casualties (126 killed and 86 injured), including at least 27 women and 19 children. Of those incidents, 73 were attributed to self-defence groups; 10 to SPLM/A-IO; 8 to

the South Sudan People's Defence Forces; 9 to the National Salvation Front; 7 to the South Sudan National Police Service; 5 to the National Security Service; 1 to the necessary unified forces; 1 to joint South Sudan People's Defence Forces, South Sudan National Police Service and National Prison Service of South Sudan personnel; and 1 to clashes between the National Salvation Front and SPLM/A-IO. Attribution for 19 other incidents is pending.

58. After the surge in subnational organized violence and associated human rights abuses reported between May and mid-August, abuses documented during the reporting period were reduced to levels comparable to those of the same period in 2019, presumably mainly a result of heavy rains and flooding in the regions usually affected by such violence. However, heavily armed self-defence groups continued to wreak havoc in locations such as Lakes and Warrap. An alarming increase in the abduction of civilians by the National Salvation Front and other armed elements, primarily for the purpose of forced military recruitment, was documented in the Yei area of Central Equatoria. Also of concern were violations involving the government's forced disarmament campaign in the Tonj region of Warrap state were of concern.

59. UNMISS continued to receive reports of censorship, harassment and arbitrary arrest and detention by the National Security Service of journalists, activists and other civilians expressing views that were critical of or dissented from those of the Government. At least five journalists were arbitrarily arrested and detained in connection with their professional activities during the reporting period.

60. Imposition of the death penalty remained of concern, in particular in the light of inadequate safeguards to protect due process and fair trial rights. One execution was documented during the reporting period, bringing the total number of confirmed executions carried out in 2020 to three. During the same period, five death row inmates were released after appeals processes launched by civil society actors.

61. In early September, at a district court martial held in Yei, which had been launched in July, it was announced that 26 South Sudan People's Defence Forces soldiers had been convicted for their involvement in various offences committed in the southern counties of Central Equatoria primarily between 2019 and 2020. The figure included 13 soldiers convicted of rape and 4 of attempted murder and causing grievous harm. Civilian courts in various locations convicted one Forces soldier of murder and convicted four South Sudan National Police Service personnel, three SPLA-IO personnel and one member of the Forces of sexual crimes against eight underage girls.

62. UNMISS carried out 22 human rights due diligence policy risk assessments before travel and material assistance was provided to non-United Nations security forces in support of the implementation of the peace process.

### **Children and armed conflict**

63. The number of children affected by grave violations decreased, from 55 to 23 (12 boys, 10 girls and 1 child of unknown sex).

64. Eight boys were verified as victims of recruitment and use and five girls were verified as survivors of rape, five children (two boys and three girls) were abducted, five children (three boys, one girl and one child of unknown sex) were victims of killing and maiming (two children killed and three children maimed). One attack on a health-care facility and three incidents of denial of humanitarian access were verified. Incidents of military use of schools (two) and hospitals (one) by the South Sudan People's Defence Forces in Central Equatoria state were verified. Children were most affected in Central Equatoria (seven girls), Western Equatoria (six boys and one girl), Warrap (one boy, one girl and one child of unknown sex), Eastern

Equatoria (two boys), Jonglei (one boy), Lakes (one boy), Unity (one boy) and Western Bahr el-Ghazal (one girl).

65. Government security forces perpetrated violations that affected nine children (four boys and five girls), including the South Sudan People's Defence Forces (four boys and three girls) and the National Security Service (two girls). SPLM/A-IO perpetrated violations that affected eight children (five boys, two girls and one child of unknown sex), the National Salvation Front (three girls), and violations against three boys were unattributed, with two maimed by explosive remnants of war and one abducted by an unknown group. An attack on a health-care facility was attributed to SPLM/A-IO, while three incidents of denial of humanitarian access remain unattributed.

66. The Country Task Force on Monitoring and Reporting supported the establishment of six state-level technical committees in Central Equatoria, Jonglei, Western Equatoria, Northern Bahr el-Ghazal, Lakes and Unity. Those committees constitute the key state-level structures that oversee the implementation of the signed Comprehensive Action Plan to end and prevent all grave violations against children perpetrated by armed forces and groups.

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

67. UNMISS continued to observe concerning levels of sexual violence perpetrated by the parties to the conflict, community-based militia or other armed elements involved in localized and intercommunal violence. The Mission verified 12 incidents of conflict-related sexual violence involving 15 survivors, including 9 girls. The victims, whose ages ranged from 14 to 45 years, were subjected to rape (6), gang rape (5), forced nudity (2) and attempted rape (2). Incidents were attributed to SPLM/A-IO (2), the South Sudan National Police Service (2), the South Sudan People's Defence Forces (1), the National Security Service (2) forces under former SPLM/A-IO Commander Major General Joseph Dongo (1) and self-defence groups (2), while unidentified armed elements were responsible for 2 incidents.

68. UNMISS documented 14 additional incidents of conflict-related sexual violence that took place before the reporting period, involving 41 survivors, including 4 girls. Five incidents were attributed to self-defence groups, three to unidentified armed elements, three to the South Sudan People's Defence Forces and one each to SPLM/A-IO, the National Salvation Front and the National Security Service. It is worth noting that self-defence groups in Jonglei were responsible for 63 per cent of the incidents of conflict-related sexual violence.

69. On 18 September, the National Salvation Front issued a unilateral communiqué, in which it committed itself to addressing conflict-related sexual violence and to working in closer collaboration with the United Nations on the prevention of such violence. On 20 and 21 October, the South Sudan People's Defence Forces launched a new standardized curriculum on conflict-related sexual violence during a training of 25 Forces instructors, including three women, held in Juba with the technical support of UNMISS. A committee composed of representatives of the Forces, SPLM/A-IO, South Sudan Opposition Alliance and the Ministry of Defence met for the first time on 27 October to discuss the consolidation of the Forces, as well as SPLM/A-IO action plans for addressing conflict-related sexual violence. The unified plan is expected to be launched before the end of 2020.

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

70. Continuing to support humanitarian partners, UNMISS conducted 66 long-duration patrols and 1,163 short-duration patrols across the country to support the delivery of assistance or the protection of humanitarian workers, including through the establishment of temporary operating bases. The Mission provided force protection to 112 integrated missions, enabling access to high-risk areas. In addition, it conducted 982 force protection patrols supporting convoys and humanitarian partners, including non-governmental organizations.

71. The Mine Action Service responded to the requests of humanitarian organizations to survey and remove explosive ordnance, such as the support provided to clear a site to enable construction of a humanitarian hub in Kodok, Upper Nile. At the request of the United Nations Children's Fund, a primary school in Bentiu, Unity, which had previously been a cantonment site, was assessed and in Gumuruk, Jonglei, a drop zone was cleared to enable the World Food Programme to deliver food to people in dire need owing to the flooding.

72. The Mine Action Service deployed 17 teams, which surveyed and released 513,190 square metres of land and destroyed 12,381 explosive items and 26,360 rounds of small arms ammunition.

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

73. The Special Representative and his deputies continued to exercise their good offices, engaging the parties and stakeholders to address critical outstanding issues and maintain progress on the implementation of the Agreement. The Special Representative engaged with Mr. Kiir, First Vice-President Machar and the four other Vice-Presidents to promote the timely implementation of the Agreement. Through active participation in the deliberations of the reconstituted Joint Monitoring and Evaluation Commission and the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism, the Special Representative urged the parties to maintain momentum, while UNMISS also continued to provide logistical support to the latter.

74. UNMISS continued its activities to expand civic and political space and to provide a foundation for the sustainable implementation of the peace agreement. As a precursor to the commencement of the constitution-making process, on 13 and 14 October, UNMISS, UNDP, UN-Women and the International Institute for Democracy and Electoral Assistance organized a workshop for women leaders on the permanent constitution-making process. Women political leaders from the Gambia, Kenya and Uganda shared insights on their respective national constitution-making processes. The same partners convened a similar workshop for senior political leaders on 18 and 19 November, at which the Minister of Defence, Angelina Teny, and the Minister of Information, Communication Technology and Postal Services, Michael Makuei Lueth, delivered keynote remarks.

75. On 28 and 29 October, UNMISS, the Ministry of Federal Affairs and the International Institute for Democracy and Electoral Assistance organized a consultative workshop to deliberate and finalize the development of a policy framework on federalism.

76. In partnership with the reconstituted Joint Monitoring and Evaluation Commission, UNMISS facilitated the work of the Strategic Defence and Security

Review Board in a workshop held in Juba on 23 and 24 November to support the presentation of the strategic security assessment called for in the Agreement, as well as the development of related security sector documents.

77. UNMISS hosted seven radio programmes addressing critical issues, such as the responsibilities of political parties in State-building, addressing economic crises, strengthening the participation of civil society and reconstituting state governments, among others. The programming contributed to opening the political space, soliciting the views of diverse stakeholders on thematic issues, increasing engagement between political leaders and the population and aiding in the dissemination of factual and reliable information on the peace agreement and the peace process.

## **E. Women and peace and security**

78. Although UNMISS continued to engage with partners and stakeholders to advocate implementation of the gender provisions of the Agreement, progress remained limited owing to a lack of political will in meeting the 35 per cent quota for women. The Mission advocated for the meaningful participation of women in all UNMISS-supported forums and seminars. Skills and other capacity-building workshops, such as those on advocacy and leadership, sought to enhance women's contributions to various peace processes.

79. The Mission, in collaboration with other United Nations partners, is providing technical support to the National Disarmament, Demobilization and Reintegration Commission to conduct a gender needs assessment targeting former combatants and collect data on former women combatants and programming requirements. UNMISS supported the training of police on gender equality, women and peace and security, sexual and gender-based violence and conflict-related sexual violence and continues to conduct community outreach to advocate gender-responsive prevention and mitigation, in particular to address domestic violence in the context of COVID-19.

80. In partnership with UNDP and UN-Women, UNMISS contributed technical advice and assistance to the launch in Juba, on 12 and 13 November, of the Peacebuilding Fund project on gender mainstreaming in the security sector reform. The project is aimed at supporting the reform process by facilitating the participation of women and other marginalized groups in the design of security sector laws, policies and practices. To advance the participation of women, as well as gender-responsive security sector reform, the mission facilitated a session on lessons learned, covering relevant strategies from Canada, Fiji and India, as well as from other peacekeeping contexts.

81. The Mission held events to mark the twentieth anniversary of Security Council resolution [1325 \(2000\)](#), focusing on the inclusion and participation of women in the peace process.

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

82. As at 30 November, the number of UNMISS civilian personnel stood at 2,662, comprising 883 international staff members (245 women, or 27.7 per cent), 1,384 national staff members (198 women, or 14.3 per cent) and 395 United Nations Volunteers (156 women, or 39.5 per cent).

83. Police strength stood at 1,627 of an authorized 2,101 personnel, comprising 522 individual police officers (166 women, or 31.8 per cent), 1,140 formed police

unit personnel in six deployed formed police units (251 women, or 24.1 per cent) and 65 corrections officers (19 women, or 29.2 per cent).

84. Of the authorized 17,000 troops, UNMISS troop strength stood at 14,684 military personnel: 233 military liaison officers (46 women, or 19.2 per cent), 422 military staff officers (81 women, or 19.2 per cent) and 14,029 military contingent personnel (677 women, or 4.8 per cent).

85. Briefings and training of trainers sessions on United Nations standards of conduct, including on the prevention of sexual exploitation and abuse, were delivered to 406 Mission and associated personnel. Refresher briefings on the prevention of sexual exploitation and abuse were delivered to a further 383 Mission personnel. Indirect training was provided on standards of conduct to 1,973 military contingent personnel.

86. One risk management and outreach field visit was conducted to Yambio. Notwithstanding COVID-19-related challenges, regular contact with field offices was maintained. With the support of partners, risks of misconduct, in particular sexual exploitation and abuse, remained under assessment, and remediation activities were revised where required, to address identified risks.

87. In accordance with the applicable policy, all information on misconduct was processed in a timely fashion. During the reporting period, 15 allegations were recorded in the Misconduct Tracking System, including one allegation of sexual exploitation and abuse. All identified victims of sexual exploitation and abuse continued to receive support from the Mission's Senior Victims' Rights Officer.

## **VII. Violations of the status-of-forces agreement, international humanitarian law and the security of United Nations personnel**

88. UNMISS recorded 79 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, compared with 36 in the previous reporting period. Of those, 69 violations involved movement restrictions by the Government, impeding the Mission's ability to implement its mandate.

89. The Mission experienced an exponential increase in the number of access denials of its patrols across the country. The increase was attributed to the Joint Verification and Monitoring Mechanism of the South Sudan People's Defence Forces imposing a new condition: that all sharing of information and flight safety assurances documents for the Mission's ground and air patrols must be acknowledged by its headquarters in Juba. That additional stipulation resulted in delays, requiring the Mission to either postpone or cancel a significant number of its planned patrols.

90. Notably, on three occasions, UNMISS patrols deployed from Juba to Lobonok in Central Equatoria to set up a temporary operating base to deter violence and protect civilians following clashes between the South Sudan People's Defence Forces and the National Salvation Front were denied access by National Security Service personnel outside Juba. In October, the Mission's ground and air reconnaissance patrols were repeatedly denied access to various parts of Western Equatoria because the Joint Verification and Monitoring Mechanism headquarters in Juba had delayed or refused to acknowledge the Mission's sharing of information and flight safety assurances documents. In addition, the local Joint Verification and Monitoring Mechanism in Yambio refused to honour flight safety assurances for Mission flights for October

even after they had been acknowledged by the Joint Verification and Monitoring Mechanism headquarters in Juba.

91. UNMISS engaged with senior Government officials and commanders of the South Sudan People's Defence Forces and the Joint Verification and Monitoring Mechanism, highlighting that, under the Status of Forces Agreement, the Mission shares information on patrols with the Government for coordination purposes and is not required to obtain approvals for implementation of its mandated tasks. Nevertheless, security personnel across the country continue to deny access to Mission patrols.

92. The whereabouts of two national staff members arrested in 2014 remain unknown. The Government has neither granted UNMISS access to them nor provided information on their condition, despite regular requests.

93. While some progress was noted in the approval of backlogged visas for UNMISS personnel, recurring delays in visa approvals for individual uniformed personnel negatively affected Mission activities.

94. UNMISS continues to notify the Government of the violations through notes verbales and regular engagement. A monthly matrix of the incidents prepared for the Security Council is shared with the Government.

## **VIII. Performance evaluation of the uniformed components**

95. Only a limited number of evaluations were conducted owing to COVID-19-related prevention and mitigation measures. Evaluations of five units were submitted to United Nations Headquarters, covering mandate comprehension and support, command and control, training and discipline, sustainment and health. They included four infantry battalions and one level 2 hospital, all rated as satisfactory overall. Observed good practices for some of the units included COVID-19 prevention measures, the inclusion of women officers in all operational tasks and, for one unit, emphasis on regular casualty evacuation training. Each unit received specific recommendations for improvement through performance improvement plans to further enhance efficiencies.

96. Two formed police units were evaluated, with both units rated satisfactory. During the inspections, the units showed outstanding command and control abilities, as well as an elevated level of discipline and wide-ranging actions taken to address COVID-19.

## **IX. Observations and recommendations**

97. I acknowledge the incremental progress towards the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan and take note of the agreement on the allocation of state- and county-level government portfolios as a positive development. I commend the President, Salva Kiir Mayardit, and the parties for reaching that important milestone. However, key peace implementation benchmarks remain behind schedule. I urge the parties to accelerate efforts towards expeditiously appointing officials to the agreed portfolios, reconstituting the Transitional National Legislative Assembly, ensuring the meaningful participation of women, reaching a settlement on the appointment of the governor of Upper Nile and addressing other outstanding critical tasks.

98. I appreciate the vital role played by the Intergovernmental Authority on Development to encourage the Revitalized Transitional Government of National Unity to make progress and renew my call for an expeditious appointment of a



permanent chair of the reconstituted Joint Monitoring and Evaluation Commission. I commend the Peace and Security Council of the African Union for its consistent support for South Sudan and efforts to implement the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan.

99. I welcome the commitment of the Sudan People's Liberation Movement to abiding by the 35 per cent quota for women, although I remain concerned about the non-adherence to the gender provisions of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan thus far, as is notable in the appointment of state governors. I reiterate my call upon all parties to fully implement the gender provisions, including in all appointments to state and local government positions and in the reconstituted Transitional National Legislative Assembly.

100. I commend the parties for continuing to adhere to the ceasefire, but I remain concerned about South Sudan People's Defence Forces and SPLM/A-IO operations against the South Sudan Opposition Movements Alliance and vice versa and the prevailing insecurity that perpetuates dire consequences for the civilian population, including displacement, human rights violations and conflict-related sexual violence. I am encouraged by the process in Rome led by the Community of Sant'Egidio, in concert with the Intergovernmental Authority on Development, and efforts towards integrating the South Sudan Opposition Movements Alliance into Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism structures as from 1 January 2021.

101. I remain worried about the implementation of the transitional security arrangement, which has effectively stalled, while a series of defections within the parties has led to increased instability and undermining of trust. The nexus between slow implementation of political benchmarks and delayed security provisions has been one of the factors that have allowed intercommunal violence throughout South Sudan to continue unchecked. The timely and substantive implementation of the Agreement, including of the transitional security arrangement, is imperative to sustaining momentum. I strongly urge the parties to demonstrate the political will necessary to advance the implementation of the transitional security arrangement, including by urgently committing resources to graduate the first group of necessary unified forces and by articulating an overarching security sector policy.

102. I note with concern the significant increase in violations of the Status of Forces Agreement experienced by UNMISS and stress that the Mission is not required to obtain approvals to undertake patrols and other mandated tasks. I am, however, encouraged that the Government has taken steps to remove bureaucratic impediments. I underscore the imperative that the Government ensure unimpeded access to UNMISS to conduct all its mandated tasks.

103. The level of violence committed against humanitarian partners and assets remains high and is unacceptable. Killing aid workers, injuring others and destroying property is abhorrent. The Revitalized Transitional Government of National Unity needs to take decisive steps towards securing humanitarian personnel, operations and assets, as well as towards quickly and thoroughly investigating incidents and bringing perpetrators to account.

104. In this difficult context, I commend humanitarian partners for scaling up their response operations, express appreciation to donor partners for their life-saving support and urge the international community to continue to contribute generously to close the existing funding gap, which, as at 5 November, stood at \$836 million secured against the \$1.9 billion requested in the humanitarian response plan.

105. Despite the above-mentioned challenges, improved political stability across South Sudan has generated cautious optimism. With the ongoing redesignation of

protection of civilians sites as camps for internally displaced persons, the Government, with technical support from the Mission, has assumed ownership and leadership of the sites. I commend UNMISS for leading a consultative process towards a durable solution for internally displaced persons, including through close coordination with humanitarian partners and engagement with government authorities and internally displaced persons, and I count on the redesignation of the remaining sites in an equally inclusive and transparent manner. In this regard, the Mission expects an overall streamlining of police and military components resulting from the protection of civilians sites' redesignation process. Resources that had previously been dedicated to the sites will become available to be redeployed to conflict hotspots where the need for protecting civilians is the greatest. In addition, freed resources can be repurposed to provide robust capacity-building and technical support to rule of law and justice chain institutions to address impunity for serious human rights violations, in particular against children and women. It will also allow for the civilian component to better accompany the Revitalized Transitional Government of National Unity by providing strategic support, including in security sector policy efforts and elections preparation. Consequently, I endorse the progressive, innovative and forward-leaning efforts of UNMISS towards continuing to adjust its posture in view of changes in the operating context in support of the Government and the needs of the people of South Sudan.

106. The outcome of the independent strategic review, established pursuant to Security Council resolution [2514 \(2020\)](#) for the possible reconfiguration of the UNMISS mandate and its civilian, police and military components to account for developments in the peace process, will be shared with the Council shortly.

107. I convey my appreciation to the uniformed and civilian personnel of UNMISS and to my Special Representative, David Shearer, who, despite the challenges posed by the pandemic, continue to implement the United Nations mandate for South Sudan tirelessly. I also thank the troop- and police-contributing countries. I am grateful to the United Nations country team and humanitarian partners for providing vital assistance throughout the country, often in an insecure environment. Lastly, I acknowledge the indispensable efforts of the Heads of State and Government of the Intergovernmental Authority on Development; the Chair of the African Union Commission, Moussa Faki Mahamat; the Executive Secretary of the Intergovernmental Authority on Development, Workneh Gebeyehu; the Special Envoy of the Intergovernmental Authority on Development, Ismail Wais; and the Community of Sant'Egidio towards ensuring peace in South Sudan.

