



Special report of the Secretary-General on the review of the mandate of the United Nations Mission in South Sudan

I. Introduction

1. The present report is submitted pursuant to paragraph 18 of Security Council resolution [2304 \(2016\)](#), in which the Council requested me to present, within 90 days, recommendations on the steps to adapt the United Nations Mission in South Sudan (UNMISS) to the situation on the ground and to increase the efficiency of the implementation of its mandate, including with respect to strengthening the safety and security of United Nations personnel and facilities.

2. For the preparation of the present report, a strategic assessment of the situation in South Sudan was conducted by the Secretariat, with the close collaboration of UNMISS and the United Nations country team. The assessment was conducted through consultations with a wide cross-section of stakeholders, including government officials at the national and local levels, internally displaced persons, representatives of the diplomatic community in Juba, the Joint Monitoring and Evaluation Commission, donors, UNMISS, States members of the African Union and the Intergovernmental Authority on Development (IGAD) and officials of the African Union Commission.

II. Findings resulting from the strategic assessment

Political dynamic

3. Many stakeholders with whom the strategic assessment team met posed questions surrounding the continued viability of the Agreement on the Resolution of the Conflict in the Republic of South Sudan following the outbreak of violence in Juba in July 2016 and the subsequent flight of Riek Machar from the country. With the overhaul of opposition leadership in the Transitional Government of National Unity by the President, Salva Kiir, including the appointment of Taban Deng Gai in place of Mr. Machar as First Vice-President, the opposition is now divided and its leadership and representation in the institutions of transition disputed, thus blurring the legitimacy of the current governmental formation. The principal challenge is the lack of inclusivity in the political process, in particular with respect to Mr. Machar, who retains significant political and military support, and the increasing feelings of



political marginalization among other ethnic groups, many of which believe that the Government is pursuing a policy of Dinka domination throughout the country.

4. Several assessment team interlocutors noted that the joint transitional institutions, conceived on the basis of the notion of inclusivity, were now only partially inclusive. To that end, the outcomes of the transitional institutions' deliberations will not be genuinely representative of the constituencies for which the departed opposition members, former detainees and other political parties spoke. Inclusivity therefore needs to be restored as an urgent priority if the transition's political credibility is to be maintained and partners are to continue to support it.

5. The IGAD-Plus formula, which leveraged significant regional and international pressure that led to the signing of the peace agreement in August 2015, has yet to fully remobilize to address the current situation. Some of the guarantors of the peace agreement have undertaken bilateral contacts with the parties to urge them in the direction of peace and dialogue. Nevertheless, in contrast with the days leading to the signing of the agreement, there have been no organized efforts by the guarantors to that end. While it was clear from the assessment team's discussions in Addis Ababa that the region remained committed to ensuring a successful peace process, some recognized that there might be a general sense of fatigue with respect to the conflict and the inability of the country's leaders to commit to the political process. In the absence of any concerted or formal efforts to revitalize the political process since the Second IGAD-Plus Extraordinary Summit on the Situation in the Republic of South Sudan, held on 5 August 2016, efforts to engage the parties have been desultory and unsynchronized. IGAD and African Union interlocutors expressed a desire to enhance collaboration with the United Nations to revitalize the political process.

6. Strong expressions of support were voiced for engaging Mr. Machar and other marginalized leaders of the opposition on the basis of the recognition that failing to do so could drive him to a military solution to address their grievances. Government interlocutors in Juba also supported dialogue with him and recommended that the United Nations seek to engage him to that end, in particular in the light of his recent call to arms, which they urged the United Nations to condemn. Members of the diplomatic community in Juba and Addis Ababa stressed that inclusivity did not mean simply engaging Mr. Machar and his Nuer constituency; other groups that felt politically marginalized should also be brought into dialogue so that they could peacefully express their misgivings. Similarly, some interlocutors suggested that inclusivity did not mean that Mr. Machar had to return as First Vice-President; he could instead designate his representatives in the transitional institutions. Others recalled the IGAD-Plus decision of 5 August, which provided for a return to the status quo ante, and expressed the view that that decision was still valid.

7. The identification of incentives and disincentives to encourage the parties to resume the political dialogue and cease hostilities was viewed as critical by the assessment team's interlocutors in Juba and Addis Ababa. Many stressed that the Security Council should not hesitate to make use of all the tools at its disposal to address the deteriorating situation, including targeted sanctions and an arms embargo. Conversely, should the Government take steps to genuinely promote an inclusive political process, its efforts should be fully supported. The interlocutors

emphasized the need to provide enhanced economic and financial assistance should progress be made towards transparency and improved governance.

8. Stakeholders also felt that the establishment of a hybrid court was an initiative that should continue to move forward with haste. The court would act as a strong deterrent to those who continue to violate human rights, support the fight against impunity in South Sudan and serve ultimately as a tool for longer-term reconciliation.

9. The assessment team discussed the regional protection force at length with government interlocutors, in particular those issues concerning troop composition, tasking and freedom of movement. The team stressed that it was essential that the Government accept the force and its proposed troop-contributing countries as a package and extend all cooperation necessary to allow it to deploy and operate according to the mandate set out in resolution 2304 (2016). Other stakeholders in Ethiopia and South Sudan expressed their support for the force and their hopes for its speedy deployment as a way of improving security and creating space for a meaningful political process. Those issues are reflected in more detail in the 30-day report provided to the Council on the matter.

Security dynamic

10. There were serious concerns expressed in the region that the split within the Sudan People's Liberation Movement/Army in Opposition (SPLM/A in Opposition), the general discontent among many Nuer and other communities and the pervasive resort to military conflict instead of dialogue threatened to worsen the security outlook. It was recognized that the security environment in the coming months would also be affected by the manner in which Mr. Machar's call for an armed resistance was heeded by his supporters. Should the Nuer and other sympathetic communities respond to his appeal, many feared that human rights violations against civilians would increase dramatically, with the risk of widespread mass atrocities in the context of a full-scale civil war. In such an eventuality, and notwithstanding renewed efforts to develop robust contingency plans across the military component, UNMISS would be ill placed to have any material impact on the situation. It was agreed that pervasive feelings of alienation among other ethnic groups would likely fuel the conflict and add complexity to the security landscape at the subnational level.

11. Hostilities between pro-Machar and pro-Deng groups have already taken place, and even though the full extent of the fragmentation of the opposition remains to be seen, it is expected to have an extremely negative impact on the security dynamic in the country. In the greater Upper Nile region, in particular, where Mr. Machar retains a large base of support, fighting is expected as different commanders choose their allegiance. There is also the distinct probability of further operations by the Sudan People's Liberation Army (SPLA) to take advantage of the increasingly fractured opposition throughout that region. In Upper Nile, the allegiance of General Johnson Olony and the Shilluk population will shape how future fighting materializes in the area. In Unity, the forces are in close proximity throughout the area. Fighting must therefore be anticipated between the opposition loyal to Mr. Machar, estimated to be a majority in the area at present, and those loyal to Mr. Gai. The security dynamic in Jonglei is currently less volatile, but

significant clashes must be anticipated if SPLA moves against the wider Nuer populace. There is a lull in fighting in the immediate area of Wau, Western Bahr el-Ghazal, but the sides appear to be poised for further confrontation. In the Equatorias, SPLA is likely to continue with its activities to defeat anti-government and opposition fighters to ensure that opponents cannot consolidate and mount a threat to Juba.

12. Interactions with internally displaced persons in Wau, Malakal and Bentiu illustrated the extent to which the country is now plagued by a diverse set of local-level conflicts that relate to the national crisis in different ways and to different extents. These local conflicts have been exacerbated by the introduction of the 28-state structure, which has served to heighten ethnic tensions, shift political loyalties and increase competition for power and resources in a deteriorating economy. Internally displaced persons who expressed scepticism regarding the possibility of reconciling with neighbours from other ethnic groups provided a sobering warning of the level to which local conflicts were destined to continue. The deep divisions already created between communities and the strong desires for vindication among those who have suffered at the hands of their neighbours will continue to drive violence at the subnational level in the coming period. Internally displaced persons who met with the strategic assessment team again expressed their strong hope to return and urged the international community to deploy the regional protection force as quickly as possible.

13. The inability to integrate the forces and transform the army into a professional, unified and ethnically diverse entity, separate from political interests, remains a key security challenge to the achievement of a sustainable peace for South Sudan. Poor discipline and weak command and control of elements of the national security forces continue to have a negative impact on the security situation. The Government's irregular payment of salaries to security personnel presents an additional risk, given that unpaid soldiers often use violence to obtain resources from civilians. Furthermore, the proliferation of armed groups in the country with distinct agendas has created a very dangerous security dynamic that will likely be difficult to reverse even if the main parties to the conflict eventually reach a political settlement. Should the current situation persist, more armed groups with disparate aims and objectives are likely to enmesh South Sudan in a semi-permanent state of conflict.

Human rights and the rule of law

14. The heightened violence following July 2016 has had devastating consequences for civilians. Widespread violations of international human rights and humanitarian law have been committed, including extrajudicial killings, enforced disappearances, rape and other acts of sexual violence, arbitrary arrests and detention, targeted attacks against civilians, violence aimed at spreading terror among the civilian population and attacks on medical facilities, aid workers, medical workers and media personnel. All parties to the conflict have continued to use rape and other forms of sexual violence as a tactic of warfare, targeting, in particular, women and girls of various ethnic groups. Some violations are taking on an increasingly ethnic dimension, and hate speech is on the rise throughout the country. These trends raise reasonable concerns that larger-scale atrocities could follow, including ethnic cleansing campaigns.

15. Human rights officers face limited access to affected areas to corroborate information or interview witnesses and victims for many reasons, including restrictions imposed by government authorities, security considerations for staff members and increasing threats of reprisal against witnesses, victims and sources, which raises the need to ensure their protection.

16. Rule of law institutions are weak owing to politicization and inadequate human and financial resources. Likewise, medical and psychosocial care for survivors of sexual violence remains inadequate. The impact of an ineffective police force, a dysfunctional judiciary and a weakened customary justice system is a daunting challenge to overcome and risks contributing to a relapse into intense conflict. Impunity remains entrenched and law and order services have not been restored. Furthermore, civil society and freedom of speech are increasingly under attack. Government interlocutors denied the existence of such restrictions and said that they had prosecuted critics only for engaging in hate speech or defamation. The authorities said that they had received very few complaints of human rights violations by South Sudanese citizens but had responded promptly when such complaints were made. For example, they stated that courts martial were set up to punish “rogue elements” who had committed crimes during the July clashes, notwithstanding concerns that such cases should be under the jurisdiction of the civil courts.

Humanitarian crisis

17. The humanitarian crisis in South Sudan is increasing in scale and depth following the July 2016 violence, owing to armed conflict in several parts of the country, worsening food insecurity and the escalating economic crisis. Hundreds of thousands of people have been forced to flee their homes since the violence. More than 323,000 people, mostly women and children, have fled to neighbouring countries, including the Democratic Republic of the Congo, Ethiopia and Uganda, bringing the total number of South Sudanese refugees to more than 1 million. Of the 1.6 million internally displaced persons, some 200,000 have sought refuge in United Nations protection of civilians sites, while the remaining displaced persons are on the run or seeking shelter beyond the sites.

18. The people of South Sudan are facing alarming levels of food insecurity. An estimated 4.8 million people are thought to be severely food-insecure. Global acute malnutrition rates are above the 15 per cent emergency threshold in 7 of 10 states and approximately double the emergency threshold in Unity (26.2 per cent) and Northern Bahr el-Ghazal (33.3 per cent). In August, staple food prices were at record-high levels in Juba, Wau and Aweil, reaching nearly 10 times the five-year average, further compounding the situation. Diseases endemic to South Sudan continue to cause death and illness, and the country is suffering a cholera outbreak for the third year in a row.

19. Humanitarian actors noted the array of challenges that they continue to face, including attacks, harassment, intimidation, access constraints and bureaucratic impediments. In the first nine months of 2016, more than 641 humanitarian access incidents were reported across South Sudan. On average, 70 per cent of these included violence against aid workers and assets. At least 67 aid workers have been killed since December 2013, including 13 since the July violence. Humanitarian

supplies have been looted throughout South Sudan, including from the warehouse in Juba belonging to the Food and Agriculture Organization of the United Nations and the World Food Programme, resulting in losses of more than \$28 million. Underfunding of the humanitarian response remains a challenge, with only 63 per cent of a highly prioritized appeal received as of October 2016.

20. While the Government assured the strategic assessment team that it had put in place several measures to ensure free, safe and unhindered access to all people in need, those assurances have not been translated into a significant improvement in the overall operating environment for humanitarian actors. The Government has established a humanitarian high-level oversight committee, charged with addressing and resolving issues relating to humanitarian access. Participants in the first meeting of the committee, held on 26 October, discussed a range of critical issues that continue to have an impact on the humanitarian response, such as the safety and security of aid workers, free, safe and unhindered humanitarian access and negative rhetoric. While welcoming the corrective measures that were agreed upon, the humanitarian community reiterated that the committee must deliver immediate results.

Economic stresses

21. There were strong concerns expressed by the diplomatic community in Juba and by interlocutors in Addis Ababa over the state of the economy of South Sudan. The overall economic outlook remains dire owing to global oil price volatility, a sharp reduction in oil production, a lack of fiduciary accountability and the depletion of the foreign exchange reserves at the Bank of South Sudan. The country is expected to face a fiscal deficit of approximately 23 per cent during the period 2016-2017 and the South Sudanese pound faces significant downside pressures and has sharply lost value against the United States dollar. This situation has led to steeply rising inflation, and the Government is now unable to pay regular salaries to public servants, including those in the security sector. The annual rate of inflation stands at an alarming 661.3 per cent and the cost of living has risen exponentially, with the annual consumer price index increasing by 730 per cent from August 2015 to August 2016, the highest year-on-year inflation rate in the world.

III. Priority objectives for the Mission

22. In the light of the concerns expressed by stakeholders and the likelihood that the situation will continue to be marked by political volatility, violent conflict, widespread human rights abuses, the further displacement of civilians, significant food insecurity and ongoing humanitarian needs in the near to medium term, it is recommended that the future mandate of UNMISS be based on the priority objectives set out below. Those objectives take into account the requirement that the Mission continue to carry out the core pillars of its existing mandate, including targeted support for institutions of the peace agreement that could have a positive impact on the people of South Sudan and/or UNMISS operations, and advocate a genuine and sustainable cessation of hostilities. As a critical part of the efforts outlined below, the Secretariat would develop a comprehensive political strategy, in close consultation with the African Union and IGAD, to achieve a cessation of

hostilities and bring the parties back to an inclusive political process. The creative and flexible use of the presence of the United Nations in the region, including the Office of the Special Envoy for the Sudan and South Sudan and the United Nations Office to the African Union, in support of the efforts by UNMISS and my Special Representative for South Sudan would be leveraged for the implementation of such a comprehensive strategy.

A. Political support for the implementation of the peace agreement

Provide good offices to reinvigorate momentum towards a sustainable political process

23. In the current context, the primacy of a political solution should be at the forefront of the collective efforts of the United Nations, which would require continuous engagement with IGAD and the African Union to reinvigorate momentum towards an inclusive political process. In that regard, my Special Representative for South Sudan would engage with the members of IGAD-Plus, or any future political formation, and other partners on the peace process in South Sudan to ensure coordination and promote sustained and unified political engagement with the parties and to encourage a return to a credible political process and the establishment of inclusive governance. Such efforts would be carried out with support from my Special Envoy for the Sudan and South Sudan and my Special Representative to the African Union based in Addis Ababa.

24. At the national level, in order to support a political process in which key constituencies in South Sudan feel that they have credible and empowered representation, my Special Representative for South Sudan and the Mission would use their good offices with the parties and other South Sudanese stakeholders, in close coordination with the Chair of the Joint Monitoring and Evaluation Commission, to facilitate an inclusive dialogue among stakeholders. My Special Representative would also work with the parties and other key stakeholders to achieve a lasting cessation of hostilities in order to create an environment in which the political process can take root. To that end, a close partnership with the African Union High Representative for South Sudan, Alpha Oumar Konaré, would be essential. I would propose that the Mission be empowered to support his engagement in the country and in the region.

25. At the subnational level, my Special Representative for South Sudan and the Mission would continue to use their good offices to mitigate intercommunal violence emanating from the 28-state order or other issues dividing communities and leading to violence against civilians. They would also continue to exercise their good offices to advocate that the government authorities at all levels uphold their responsibility to protect civilians. In view of the spectre of new mass atrocities in the coming months, my Special Representative will develop, with the Special Adviser on the Prevention of Genocide, an action plan to try to prevent and contain their recurrence.

B. Efforts to improve the security situation

Provide advisory support and specialized assistance to the South Sudan National Police Service

26. The current situation does not allow for the Joint Integrated Police to be structured along the lines of its original concept, which foresaw an equitable share of police from the Government and the opposition. Accordingly, it is impossible for the Joint Integrated Police to achieve its original intent, which was to provide the nucleus of an integrated police service while building confidence among internally displaced persons in the protection of civilians sites that they had representation in the security services and could therefore return to their homes. While the Joint Integrated Police is not a viable mechanism, given the current conditions, demilitarizing the security sector and moving towards police primacy in Juba and other urban centres would have a beneficial impact on the citizens of those areas. Should inclusivity one day be attained, the Joint Integrated Police could also act as part of the exit strategy for the regional protection force, given that the former could assume security duties in Juba. In the meantime, it is recommended that the United Nations work with the South Sudan National Police Service to support its training and provide specialized assistance in the urban centres (Juba, Bentiu, Malakal and Bor), in compliance with the human rights due diligence policy, including vetting to ensure that no support is provided to human rights violators. United Nations support for the National Police Service would be carried out with the objective of ultimately creating an integrated, ethnically representative and accountable police force. Building on existing working relationships, the Mission's support would focus on training in professional ethics, basic human rights and community-oriented policing, in coordination with partners in the United Nations country team. The Mission's quick-impact projects will also be strategically allocated to support host communities and the National Police Service, especially near the UNMISS protection of civilians sites, with the aim of improving safety and security around those sites.

Support the Juba Joint Operations Centre

27. Without the representation of a large segment of SPLM/A in Opposition forces in Juba, the original purpose of the Joint Operations Centre, namely, to deconflict the movements of government and opposition forces throughout the capital, is no longer relevant. Nevertheless, planning discussions with the Government have suggested that the Centre format could act as a vehicle to coordinate the movements of SPLA, the South Sudan National Police Service and the regional protection force in Juba to ensure the coordination of the tasks and operations set out in Security Council resolution [2304 \(2016\)](#). Such a mechanism in Juba will be critical, given the weak command and control within SPLA, the presence of security personnel who are often quick to escalate violence in routine encounters with the Mission, and the possibility of minor incidents between uniformed personnel degenerating into large-scale violence against the Mission. It is therefore recommended that the Centre be supported, bearing in mind that it must not become an instrument for controlling the movements of the regional protection force. The operational independence of the force cannot be sacrificed. Accordingly, the terms of reference and modus operandi of the Centre will have to be revised.

Support the monitoring, investigation, verification and resolution of violations of the ceasefire through the Ceasefire and Transitional Security Arrangements Monitoring Mechanism

28. Under the peace agreement, the Ceasefire and Transitional Security Arrangements Monitoring Mechanism was designed to include representation of the signatories so that transparent monitoring of the ceasefire and the implementation of the security arrangements could take place. Without the representation of a large segment of SPLM/A in Opposition in the Mechanism, the transparency of that monitoring no longer exists. Similarly, with the departure of Mr. Machar and the ongoing hostilities between SPLA and SPLM/A in Opposition and between the Deng and Machar factions of the SPLM/A in Opposition, it is clear that the ceasefire is no longer in effect. The security arrangements in Juba, which were designed to accommodate forces of the Government and those of a unified opposition, are no longer relevant, nor does the possibility of credibly monitoring the implementation of those arrangements currently exist.

29. Notwithstanding the above-mentioned challenges and the Government's lack of willingness to cooperate with the Mechanism, the Mission should continue to support the Mechanism. Continued monitoring of the situation on the ground, however restricted, can act as a deterrent to hostilities by identifying those parties that have acted in breach of their obligations and could be subject to punitive measures. Furthermore, the Mechanism maintains contact with a number of SPLM/A in Opposition representatives on the ground. Retaining open lines of communication with the parties to the conflict is essential and aids in allowing for a greater situational awareness with respect to hostilities on the ground and how they might be mitigated.

30. Should the parties agree to a cessation of hostilities and return to the political dialogue, it will be important that they recommit themselves to the cantonment of forces and implement any future security arrangements so as to provide political space for the establishment of inclusive governance. Continued Mission support for the Mechanism will enable it to immediately begin monitoring the parties' actions in respect of their commitments should the ceasefire take hold and will prevent any operational interruptions that could challenge the resumption of its work.

C. Protection of civilians

Protect and deter violence against civilians, including in areas of origin and of displacement

31. Given the current environment in which the Government and other parties continue to attack civilians, the existing rhetoric against the United Nations and the protection of civilians sites, the challenges facing the Mission in terms of accessing vulnerable civilians outside the sites and the lack, at times, of a consistent, proactive and outward-facing posture to protect civilians, the Mission's limitations with respect to the implementation of its protection of civilians mandate must be recognized. In addition to the above challenges, more than 200,000 civilians are currently housed in the seven protection of civilians and adjacent sites throughout the country, a caseload that places significant demands on nearly every aspect of the

Mission's capabilities. Should increased fighting lead to further displacement and an increased influx of civilians into the protection of civilians sites, the Mission's capacity to defend and maintain order within the sites will likely be overwhelmed, further reducing its ability to influence events outside the sites. In carrying out its protection of civilians mandate in the current setting, the Mission will have to continue to carefully weigh its ability to extend protection into areas of origin and displacement against its responsibilities vis-à-vis the protection of civilians sites and staff security. Nevertheless, protection of civilians will continue to be given priority in decisions on the use of available capacity and resources.

32. The impact of the regional protection force in Juba and the reorganization of Mission capabilities will need to be evaluated once the force is deployed. Doing so will help to inform the requirement for any additional capabilities needed to project troops outside United Nations bases for the protection of civilians. Recommendations to that end would be made to the Security Council on the basis of a subsequent review and military capability study.

Strengthen mechanisms for conflict management, peaceful coexistence, reconciliation and social cohesion, in particular at the community level

33. While the space for political engagement at the national level continues to be restricted, there appears to be more room to engage with communities and authorities at the local level. Mobilizing local populations towards peace and reconciliation is a vital part of the effort to repair the country's social fabric and reverse the ethnicization that characterizes the current national crisis. Efforts to create a culture of peace throughout South Sudan will create a more substantial base for any political process at the national level, while also helping to prevent and mitigate intercommunal violence at the local level. Such direct engagement with communities has positive societal implications, provides strong protection of civilians input and will help to lay the groundwork for the eventual return and reintegration of internally displaced persons and vulnerable populations.

34. Creating and supporting peace efforts at the subnational level creates opportunities for the Mission, in collaboration with the United Nations country team, to engage a broad range of relevant stakeholders, including churches, civil society, traditional bodies and influential figures in the community context. Doing so can produce tangible results at the intercommunal level and serves to manage their expectations and raise their understanding of the roles and responsibilities of government.

35. Local engagements, in collaboration with the United Nations country team, to reconcile communities in conflict include a range of activities, such as enhancing the capacity of the Council of Traditional Authority Leaders to put into operation local traditional mechanisms for dialogue and reconciliation. Additional activities will include helping government and local stakeholders to manage resource-based cross-border intercommunal conflict and providing support to survivors of trauma and sexual and gender-based violence in the community.

36. The Mission's increased focus on strengthening mechanisms for peaceful coexistence at the community level should be understood as a front-line protection intervention and part of an overarching political strategy. Such efforts should also

help to improve the public perception of UNMISS and of the United Nations as a whole.

Maintain public safety and security within protection of civilians sites

37. The Mission is proposing to increase and improve its patrolling in the areas immediately surrounding the protection of civilians sites, where sexual violence and other threats to civilians have proliferated. To that end, the Mission will implement integrated patrols that include military, police and civilian staff members, in particular human rights officers and women's protection advisers. Dismounted patrols by the military and police components in those areas will also be conducted throughout the night, when violence against civilians is pervasive. The newly established weapon-free zone around the sites in Juba has already helped to increase visibility in those areas and will be replicated in the other sites.

38. Given the current security environment, the United Nations presence in South Sudan must accept that civilians will continue to seek refuge in the protection of civilians sites until there is a significant improvement in the situation and should therefore turn its energies to improving its holistic approach to the management of the sites. Utilizing their comparative advantages, UNMISS and humanitarian actors should seek to improve their collaboration, better delineate roles and responsibilities, attempt to identify joint solutions to problems and plan for medium- and long-term programme engagement in the sites.

39. Accordingly, it is recommended that UNMISS be responsible for ensuring the external security of the sites and their immediate surroundings, while strengthening its engagement with internally displaced persons and local communities to ensure the civilian character of and safety and security within and around the protection of civilians sites. Humanitarian actors should be responsible for the management of the sites and the provision of services therein. UNMISS and humanitarian actors that have experience with the identification of combatants in camps for internally displaced persons and refugees would implement screening measures to better protect the civilians in the sites and ensure that they are not used as a refuge for those involved in hostilities. To be effective, such measures must be supplemented by improved perimeter protection in order to keep out combatants who might seek to circumvent screening.

40. An additional 196 individual police officers are also recommended to enhance internal security measures. This will include quick-reaction responses to security incidents and public order situations, early warning through the collection, analysis and reporting of security information, support for humanitarian agencies during food distribution and registration processes, the management of holding facilities, support for community policing concepts under the Global Focal Point on Police, Justice and Corrections Areas in the Rule of Law in Post-conflict and other Crisis Situations arrangement, and the implementation and monitoring of and reporting on human rights violations, including sexual and gender-based violence, violations against children and arbitrary or prolonged detentions.

Conflict-related sexual violence

41. The level of conflict-related sexual violence remains an increasing source of concern, as is the threat of further violence, in particular against women and girls.

Accordingly, UNMISS will strengthen its work towards the implementation of Security Council resolutions 1960 (2010) and 2106 (2013) by monitoring, analysing and reporting on patterns and trends in conflict-related sexual violence and strengthening internal capacity in that regard through training; prevention, including through the use of early warning indicators on conflict-related sexual violence; and efforts to address accountability. From an operational standpoint, the Mission will increase high-visibility foot patrols outside the protection of civilians sites, with a particular focus on the newly established weapon-free zone surrounding the sites in Juba, and at key crossing points where sexual violence crimes have been concentrated. The Mission will also explore the use of unarmed civilian protection techniques to enhance its ability to protect civilians, in particular those threatened with sexual violence. UNMISS and United Nations agencies will undertake activities relating to advocacy, mainstreaming, training and capacity-building and raising awareness inside and outside the Mission on conflict-related sexual violence concerns to enhance prevention and better respond to survivors' needs. The Mission will also continue to coordinate the conflict-related sexual violence mandate, provide senior-level engagement with and technical support for the parties and advocate the integration of prevention and accountability with regard to such violations within any future efforts relating to transitional justice, security sector reform and disarmament, demobilization and reintegration.

Child protection

42. Grave and widespread violations against children continue to be committed by all parties to the conflict in South Sudan, with a significant spike noted during the second half of 2016 in reports of the recruitment and use of children, the killing and maiming of children and sexual violence against children. UNMISS should continue to work with partners on the monitoring, verification and reporting of the six grave violations against children, in line with the Security Council's mandate on children in armed conflict, and to support the parties to conflict in the implementation of their respective action plans signed with the United Nations in-country to halt and prevent grave violations against children.

43. The Mission should continue to advocate that children be immediately and unconditionally released by the parties and that the Government act upon its repeated commitment since 2012 to take measures to halt and prevent grave violations against children committed by SPLA. UNMISS should also follow up with SPLM/A in Opposition on its commitment made in late 2015 to release all children from their ranks without further delay. UNMISS should work closely with the United Nations country team to regain unimpeded access to affected communities to ensure timely humanitarian assistance and support for child victims and their families and to verify reports of grave violations against children.

D. Human rights

Monitor, investigate, verify and report on violations of human rights and international humanitarian law

44. The deterioration of the human rights situation requires the continued active engagement of UNMISS in the monitoring, investigation, verification and regular

public reporting of violations of human rights and international humanitarian law, with a particular focus on gross violations, violations against children and conflict-related sexual violence, as well as the ethnic dimensions of such violations.

45. Accurate and timely human rights monitoring and public reporting are needed to inform international and regional responses to mass atrocities and efforts to hold perpetrators to account, including by pinpointing individual responsibilities. Of particular importance is the work of UNMISS in monitoring situations of rising intolerance, hate speech and emerging patterns of violations affecting specific groups. The identification of early warning signals is key to ensuring a timely response, holding those responsible to account for what could happen and mobilizing key stakeholders to prevent further escalation.

46. Given the increasingly hostile environment for human rights work in the country, UNMISS should prioritize capacity-building and support for defenders and strengthen its efforts to protect those who suffer reprisals for engaging with the United Nations. Advocacy on the importance of respecting freedom of expression and the need to preserve democratic space in the country should increase.

47. In the area of transitional justice, the United Nations should focus its efforts on the need to develop a more enabling and safe environment for transitional justice. To that end, UNMISS and the United Nations country team should continue to work to raise human rights awareness and capacity within key State institutions. The development of specific programmes and strategies aimed at empowering victims must accompany such efforts. Of critical importance for enhancing accountability is the establishment of the hybrid court, which the United Nations must encourage through its advocacy and expertise in the area.

48. Human rights monitoring should also continue to focus on justice, law enforcement and security sector institutions to assess their compliance with human rights standards and the rule of law. The Mission's mandate explicitly provides for unconditional access to all detention centres and other holding facilities in South Sudan for the purpose of the comprehensive monitoring and assessment of prolonged and arbitrary arrests and detention.

49. The Mission should continue to advocate the ratification of the remaining core human rights treaties and the harmonization of national legislation. Equally important is advocacy with the Government to fulfil its reporting obligations under the international and regional human rights treaties to which it has acceded, as well as to continue its cooperation with the Human Rights Council and regional mechanisms.

Human rights due diligence policy

50. Support for several security structures provided for in the peace agreement, including the South Sudan National Police Service and the Joint Operations Centre, will require that the Mission have strengthened capacity to adequately implement the human rights due diligence policy.

E. Creation of conditions for the delivery of humanitarian assistance

Contribute to the creation of security conditions conducive to the delivery of humanitarian assistance

51. As the humanitarian crisis continues to deepen and spread, the operating environment is likely to become increasingly complex and dangerous. Active conflict, restrictions on freedom of movement, and unexploded ordnance are likely to limit the ability of both humanitarian actors and UNMISS to reach people in need. Humanitarian organizations continue to strengthen their own ability to undertake discrete access negotiations in order to be able to move freely and safely throughout the country. There are times, however, when UNMISS can make valuable contributions to humanitarian action by providing specific capabilities and capacities in order to support the delivery of humanitarian assistance as a measure of last resort.

52. In close coordination with humanitarian actors, UNMISS should continue to contribute to the creation of security conditions conducive to the delivery of humanitarian assistance so as to enable, in accordance with humanitarian principles, the rapid, safe and unhindered access of relief personnel and assets to all those in need.

F. Rule of law and security institutions

53. While the peace agreement calls for broad reforms in the area of security and justice sectors, the Government has made little genuine progress on those fronts. With respect to the Mission's undertaking in this area, it is believed that it would be ill timed to engage in security sector reform or disarmament, demobilization and reintegration efforts in the absence of an inclusive political process and in support of a national security architecture that does not currently include a large segment of the fighting forces in the country. It is recommended, therefore, that any future support for security sector reform or disarmament, demobilization and reintegration be predicated on the re-establishment of representative and inclusive bodies, including the Strategic Defence and Security Review Board. In the meantime, I recommend that the Mission's rule of law and security institutions efforts during the coming mandate period focus on supporting the South Sudan National Police Service as described above and on monitoring the implementation of the transitional security arrangements and the transitional justice aspects of the peace agreement. In addition, the Mission's provision of advice to the United Nations system in South Sudan on those issues, with a view to developing a strategy for support for prioritized reforms in the rule of law sector during the transitional period, will be important in view of the need to demilitarize the security sector.

54. Improving the management of the holding facilities in the protection of civilians sites is also a priority. As with those sites, UNMISS will need to maintain the holding facilities for the foreseeable future. While there have been significant improvements in the holding facilities in Juba, Bentiu and Malakal, continued adjustment to the management of and the security, infrastructure and conditions in the facilities is required. Additional efforts are also needed to find a way, consistent with international humanitarian and human rights law, to hand over to the South

Sudanese authorities those detainees suspected of having committed serious crimes. To that end, it will be necessary to develop a strategy to strengthen the management of the facilities and formulate a process for the handover of detainees.

G. Continual development and strengthening of the security risk management strategy and process to ensure the safety and security of United Nations personnel, United Nations mandate implementation and programme delivery

55. The measures set out below have been identified in line with paragraphs 6 and 18 of Security Council resolution 2304 (2016), in which the Council requested that I provide recommendations for enhancing the safety and security of United Nations personnel.

56. The United Nations security management system in South Sudan relies on the host Government for the provision of adequate security and other relevant cooperation, as outlined in the status-of-forces agreement. Nevertheless, in the current volatile political environment, the Government's cooperation with the United Nations has been minimal and status-of-forces agreement violations are widespread. In that regard, robust political engagement is paramount to ensure that the host Government assumes its responsibility to protect United Nations personnel and assets and that there is more effective liaison and improved coordination with its security agencies.

57. Top priority will be given to strengthening and improving perimeter defence arrangements, ensuring round-the-clock medical care and evacuation arrangements, the hardening of office and accommodation walls and the construction of sufficient indirect fire shelters.

58. It is believed that United Nations personnel should reside only in United Nations compounds or safe zones in which they can be safely relocated or extracted in case of a crisis situation. With regard to Juba, Zone 1 in Tomping, in close proximity to Juba International Airport, has been identified as a safe zone. Nevertheless, it should be noted that the established Emergency Response Teams tasked with assisting United Nations personnel in cases of emergency have no extraction capability in non-permissive settings; hence the need for dedicated military support to respond to United Nations personnel safety and security issues during crises.

59. Given that national staff members rarely carry radios owing to associated security concerns, a procedure will be developed to improve their ability to receive timely security information. In that regard, a functional warden system with reliable communications and structure that allows easy accounting for national staff should be developed. Arrangements will need to be put in place to relocate staff from high-risk duty stations to safer United Nations facilities.

IV. Mission support considerations

60. UNMISS has completed the post-December 2013 crisis uplift authorized under Security Council resolution [2155 \(2014\)](#), which took the Mission from 7,000 to 12,500 troops and up to 1,343 police personnel. Nevertheless, the additional troop and police increases authorized under Security Council resolution [2252 \(2015\)](#) are facing delays owing to force generation issues and the inherent physical and political challenges of operating in South Sudan. The deployment and sequential absorption of a further 4,000 regional protection force troops will necessitate the realignment of Mission resources. Support for the induction and accommodation of the regional protection force will need to be coordinated closely and pursued in a phased manner to ensure that contingent-owned equipment, accommodation and support requirements are in place.

61. Currently, all major UNMISS locations are at capacity or overstretched in terms of staff, contingents and formed police units, while engineering resources are allocated to priority enhancements to improve the safety and security of United Nations staff. The presence of more than 200,000 internally displaced persons, spread across key UNMISS locations, further exacerbates the operating environment. Road networks are few and in extremely poor condition, and many roads are simply impassable during the rainy season. Barge convoys are routinely delayed for many weeks. Material supplies are backlogged and compete with vital fuel and food supplies for cargo space on finite air assets. Cumulatively, this situation underscores the fact that the Mission has limited absorption capacity and must have clear priorities and compatible resource reallocation.

V. Observations

62. Immediate steps must be taken to reassert the primacy of the political process. The first steps in that regard must be to seek an immediate cessation of hostilities and a commitment to dialogue. As efforts are undertaken to reinvigorate dialogue between the parties, it will be essential to formulate a clear political strategy that leverages the strengths of the region and the international community. Such a strategy must include meaningful incentives and disincentives for those in a position to fuel the current instability or contribute to the future peace of South Sudan. It must be developed quickly, in close consultation with IGAD, the African Union, the Chair of the Joint Monitoring and Evaluation Commission and other stakeholders. The Government must be continually reminded that it has the primary responsibility to protect its own citizens and that it must provide such protection regardless of ethnic or political affiliation.

63. There is a very real risk of mass atrocities being committed in South Sudan, in particular following the sharp rise in hate speech and ethnic incitement in recent weeks. It will be important that we define clearly what the United Nations system can and cannot do should mass atrocities occur in South Sudan. While the Secretariat will continue to make every effort to implement the mandated task of protecting civilians through the use of “all necessary means”, it must be clearly understood that United Nations peacekeeping operations do not have the appropriate reach, manpower or capabilities to stop mass atrocities. The limits on the Mission’s

ability to protect civilians in the current environment have already been demonstrated clearly. In the course of the strategic assessment, the African Union Commission proposed a separate discussion with the United Nations on the issue with the aim of identifying how the two organizations could respond to such an eventuality, including the possible establishment of an over-the-horizon force, in follow-up to the IGAD communiqué of 5 August. I intend to send a delegation to Addis Ababa in response to the Commission's proposal as soon as possible, bearing in mind that such a force would also be an important measure to enhance staff safety and security.

64. I have carefully studied the findings of the Independent Special Investigation into the violence that occurred in Juba between 8 and 25 July. The present report has taken into account the recommendations made by the Independent Special Investigation, which will be taken forward by the Secretariat and the Mission and monitored by a Headquarters-led task force.

65. As I have recommended repeatedly, the Security Council should impose an arms embargo on South Sudan and targeted sanctions on those who seek to obstruct the peace process. South Sudan is inundated with weaponry, which is often turned on defenceless civilians. Under the present circumstances, stopping the flow of additional arms into the country is critical for the protection of civilians. In addition, those with influence in South Sudan who continue to block progress towards a political settlement and prolong human suffering must understand that they will face consequences.

66. The barrage of restrictions that the Government imposes on the freedom of movement and access of UNMISS and humanitarian actors are steadily leading to Mission paralysis and undermining humanitarian operations. UNMISS is routinely unable to patrol in areas in which civilians require protection, and humanitarian colleagues are often unable to access populations in need of urgent relief. The Security Council must hold the Government to account for these obstructions. If not, UNMISS will soon be reduced to inaction. I intend to actively engage the members of IGAD-Plus on status-of-forces agreement violations in order to facilitate their advocacy with the Government to that end.

67. If allowed to deploy and operate in line with its mandate, the regional protection force will be an important instrument for helping to bring stability to Juba and create the political space necessary to facilitate inclusive governance. At the same time, the force should be seen as an additional tool for achieving a political solution to the conflict. The Government should urgently extend its full cooperation to facilitate the early deployment of the force and the full implementation of its mandate.

68. Efforts to implement chapter V of the peace agreement, including the establishment of the hybrid court, should continue. I welcome the intention of the African Union to do so with haste. The lack of accountability for serious violations of human rights in South Sudan perpetuates the conflict. I reiterate the Secretariat's firm commitment to supporting the African Union in putting into operation this important mechanism.

69. Inclusive governance is a sine qua non for peace in South Sudan. Failure to ensure that the voices of South Sudanese are heard and taken into account will only

prolong the conflict and increase feelings of marginalization. The country's political leaders cannot afford to ignore communities with legitimate grievances or those who justifiably want to participate in a free and pluralistic South Sudan. To that end, President Kiir and his Government must make the strategic decision to govern for all people of South Sudan and embrace those voices of dissent that are expressed peacefully. Those who want to participate in the political process must renounce violence, commit to the path of dialogue, embrace transparency and accountability and encourage their followers to do the same.

70. I recommend that the mandate of UNMISS be renewed for one year, along the lines set out in the present report, with a midterm evaluation of progress made by the parties in ceasing hostilities, returning to the path of dialogue and achieving inclusiveness within the Government. Such an evaluation would include a frank assessment of the parties' willingness to work with UNMISS in carrying out its mandated tasks and facilitate the deployment and operations of the regional protection force so that the Security Council can consider what other measures would be required to address the situation.

71. I would like to express my gratitude to UNMISS and the United Nations country team for their support for and participation in the strategic assessment. I would also like to thank the African Union, IGAD, the Joint Monitoring and Evaluation Commission, the diplomatic community in Juba and Addis Ababa and internally displaced persons in the protection of civilians sites and adjacent areas who provided their frank views and constructive opinions to the members of the assessment team.
