

# Briefing on the situation in South Sudan

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Tomorrow (30 November) the African Union (AU) Peace and Security Council (PSC) is expected to convene its 1123rd session to receive updates on the situation in South Sudan.

Following opening remarks of the Permanent Representative of the Republic of Namibia to the AU and Chairperson of the PSC for the month, Emilia Ndinealo Mkusa, AU Commissioner for Political Affairs, Peace and Security (PAPS), Bankole Adeoye is expected to deliver a statement. Special Representative of the Chairperson of the AU Commission for South Sudan and Head of AU Liaison Office in Juba, Joram Mukama Biswaro is also expected to brief the PSC. Representative of South Sudan, as the concerned country will also be making a statement. Ismail Wais, Inter-Governmental Authority on Development (IGAD) Special Envoy for South Sudan; Interim Chairperson of the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC), Major General (Rtd) Charles Gituai; and Nicholas Haysom, Special Representative of the United Nations Secretary-General for South Sudan and Head of the UN Mission in South Sudan (UNMISS) are also expected deliver statements.

The last time the PSC met to discuss the situation in South Sudan was at its 1092<sup>nd</sup> session held on 11 July 2022. In its communique adopted following the meeting, the PSC encouraged the South Sudanese parties to urgently complete all outstanding transitional tasks, including the graduation and deployment of the Necessary Unified Forces (NUF), the ratification of the Permanent Constitution-Making Bill and electoral laws, the reconstitution of the National Constitutional Review Commission and the National Elections

Commission. In this regard, the PSC encouraged the Reconstituted Transitional Government of National Unity (RTGoNU) to expedite the development of the long-awaited roadmap, which was expected to outline the outstanding transitional tasks in the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), and chart out the way forward.

Tomorrow's session is expected to focus on developments since the last session including the finalization of the roadmap, the implementation of outstanding transitional tasks and the state of preparations and commitment for the implementation of the roadmap. September 12 marked four years since the signing of the R-ARCSS. Although some progress has been made in the implementation of the agreement, much more remains to be done in implementing the agreement in full, including the outstanding transitional tasks mentioned in the communiqué of the PSC.

Considering that major transitional tasks remain outstanding and will not be completed before the end of the current transition in February 2023, there was a need for achieving political consensus on how to ensure implementation of these outstanding tasks and what happens at the end of the current transitional period. This is what the roadmap, whose finalization the PSC called for, is expected to deliver. On 4 August 2022, all signatories to the R-ARCSS agreed on and adopted 'Agreement on the Roadmap to a Peaceful and Democratic end to the Transitional Period of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan.' The roadmap extended the transitional period by 24 months up until 22 February 2025.

In a statement issued on 9 August, the AU Commission Chairperson, Moussa Faki Mahamat took note of the decision to extend the current transitional period. Underscoring that 'the people of South Sudan have endured enough conflict and deserve a safe, secure and peaceful country', he reiterated 'his call

for *the urgent need* for the leaders of the Transitional Government to fulfil their pledge to fully implement the 2018 Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, in order to deliver on the legitimate expectations of its citizens for peace and stability’.

On 1 September 2022, RJMEC voted on the roadmap that the RTGoNU presented during the extraordinary meeting of the RJMEC. RJMEC adopted the roadmap and the extension of the transition period with 37 of the 43 members of the RJMEC voting in favour of the adoption of the roadmap. However, the Troika (Norway, UK, and US) did not support the extension of the transition period expressing dissatisfaction that the South Sudanese leaders extended their time in power without delivering on their commitment to the agreement. They also expressed regret that the consultation on the roadmap did not involve civil society and other relevant stakeholders. But they supported the roadmap calling on South Sudanese leaders to dedicate the necessary resources for its implementation and deliver their commitments within the set timeframe.

The unification of forces remains the most critical task, according to RJMEC, to address inter-communal violence and lay the foundation for lasting peace. In an important milestone towards achieving this objective, the first batch of the NUF, more than 21 thousand officers who received training in the Equatoria region, were graduated on 30 August 2022. RJMEC welcomed the first phase graduation of the NUF and called for the graduation and deployment of all the forces as quickly as possible. Another 7500 officers were also graduated on 22 November 2022 in Malakal, Upper Nile State, as part of the NUF. It is reported that as of the middle of this month, around 80% of phase 1 of the NUF have graduated.

While welcoming the above progress, RJMEC and the UNMISS highlighted the need for finalizing and implementing deployment plans and for ‘phase two’ of the graduation to be provided with adequate logistical and political support. The

other issue critical to reduction of subnational conflicts that have become dominant and stabilization of South Sudan is the implementation of the call on the government to start the disarmament, demobilisation and reintegration (DDR) program. During the ceremony of the graduation of forces in Malakal, RJMEC Chairperson, Charles Tai Gituai, while expressing the expectation of RJMEC to see the roadmap fully followed to the letter and spirit, stated his wish 'to see a program of DDR be taken seriously so those not able to be eligible to join the forces are able to leave the military in a manner that is respectable'.

RJMEC underscored the need for the revitalized transitional government to avoid lagging behind in terms of the implementation of other outstanding tasks outlined in the roadmap. In this regard, it emphasized the urgency of expediting the passage of the relevant bills particularly the Permanent Constitution-Making Process Bill, which is considered critical not only for constitution-making but also paving the way for the holding of elections at the end of the transition period. Recently, the Transitional National Legislative Assembly (TNLA) reportedly passed important bills, including the Constitution-Making Process Bill, 'the Roadmap Bill', National Police Bill and National Wild Services Act.

The adoption of the National Elections Act necessary for the reconstitution of the National Elections Commission is still pending. It is also important to point out that the full implementation of the transitional justice chapter of the R-ARCSS is still pending.

Additionally, underscoring the need for vigilance in ensuring compliance with the benchmarks and timelines of the roadmap, various stakeholders are pointing out the slippage of early timelines specified in the roadmap. In this respect, the areas that require urgent attention for timely efforts include the reconstitution of the Political Parties Council, the National Constitutional Review Commission, the Constitutional Drafting

Committee and the National Elections Commission. During the 24<sup>th</sup> plenary meeting of RJMEC, its Chairperson called for action on prioritizing the implementation of the roadmap tasks within timeline, provision of funds for all roadmap tasks, funding and implementation of the program of DDR and fast tracking the establishment of the Commission on Truth, Reconciliation and Healing (CTRH).

Tomorrow's session will also consider the security situation in South Sudan, where intercommunal violence continues to ravage parts of South Sudan. This month, fighting between Shiluk armed youth and Nuer elements resulted in the displacement of thousands of people, according to UNMISS. There have also been deadly clashes in Upper Nile, Greater Equatoria and Bahr el-Ghazal regions which exasperated the dire humanitarian situation in the country. The country is suffering from the impact of climate change and flooding which has affected many South Sudanese living along rivers banks and marshlands. The continued intercommunal violence and the challenges posed by the massive flooding has made it very difficult for humanitarian workers to reach out to those in need. According to OCHA, close to 10 million South Sudanese will require urgent humanitarian assistance in 2023.

On the mediation front, it is to be recalled that the PSC in its earlier sessions commended the efforts that have been exerted by Sant'Egidio, the Rome based Catholic association with links to the Vatican, to mediate between the government and non-signatory parties since 2019. Although two factions of the South Sudan Opposition Movements Alliance (SSOMA) had taken part in an induction workshop in June within the framework of the Sant'Egidio process to be integrated into the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM) structure, they apparently failed to meet the deadline of 15 August 2022 to join the Mechanism, according to the latest report of the UN Secretary-General released on 13 September 2022. The non-

signatory opposition groups also rejected the extension of the transitional period. In November, South Sudanese presidential Affairs Minister Barnaba Marial Benjamin reportedly informed Sant'Egidio of the government's decision to suspend its participation in the mediation process accusing the South Sudanese opposition groups of preparing for war.

The expected outcome of the session is a communique. The PSC may take note of the adoption of the roadmap outlining the outstanding transitional tasks and extending the transitional period and call on the RTGoNU to ensure the full implementation of the roadmap as necessary step for peaceful conclusion of the transitional period with a convening of national elections. The may also welcomed the graduation of the first batch of the NUF and call for the graduation and deployment of all forces as expeditiously as possible and implement phase 2 of the process. PSC may also call on the RTGoNU to proceed expeditiously with the DDR program and provide the required funding for its implementation. The PSC may also echo the call of RJMEC and UNMISS for the RTGoNU to take steps towards the reconstitution of the Political Parties Council, the National Constitutional Review Commission, the Constitutional Drafting Committee and the National Elections Commission and fast track the establishment of the CTRH. On intercommunal violence affecting various parts of the country and forcing civilians into displacement, the PSC may express its concern about the impact of these conflicts. It may welcome the activation of the investigation committees charged with investigating inter-communal conflicts by RTGoNU and urge the committees to conclude their investigations and submit their reports to facilitate measures for enhancing intercommunal harmony. The PSC may express concern over the dire humanitarian situation and appeal for enhanced support from the international community. On mediation efforts to bring non-signatory groups into the R-ARCSS, the PSC may express its concern over the failure of the groups to integrate into CTSAMVM and the declaration by the government

of its withdrawal from the process and may express its support to the Sant'Egidio process and urge the parties to cooperate with and implement agreements reached under the process.