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## **Report of the Secretary-General on South Sudan**

**(covering the period from 3 February to 31 March 2016)**

### **I. Introduction**

1. The present report is submitted pursuant to Security Council resolution 2252 (2015), by which the Council extended the mandate of the United Nations Mission in South Sudan (UNMISS) until 31 July 2016 and requested me to report on the implementation of the mandate every 60 days. The present report provides an update to my previous report dated 9 February 2016 ([S/2016/138](#)) and covers developments from 3 February to 31 March 2016.

### **II. Political developments**

2. Despite a promising start to the implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan, heralded by the arrival in Juba of the Sudan People's Liberation Movement/Army in Opposition (SPLM/A in Opposition) advance team in December 2015, overall progress in the implementation of the peace agreement remains behind schedule and the Transitional Government of National Unity has yet to be established.

#### **South Sudan peace process**

3. In an important step towards the establishment of the transitional Government, on 11 February, the President, Salva Kiir, appointed the leader of SPLM/A in Opposition, Riek Machar, as First Vice-President of South Sudan and appointed the incumbent Vice-President, James Wani Igga, as Vice-President of the transitional Government. Mr. Machar welcomed his appointment, while reiterating that his return to Juba would depend on the implementation of the agreed transitional security arrangements.

4. In a press statement on 12 February, the President announced that he had consulted with opposition political leaders, including the former political detainees and other political parties, on the formation of the transitional Government, and called upon the First Vice-President-designate to join him in Juba by 19 February to form the transitional Government and provide the names of his ministerial nominees. However, at the time of reporting, Mr. Machar had not arrived in the



capital and had indicated that he would officially communicate the names of his ministerial nominees only upon his arrival in Juba.

5. In the same press statement of 12 February, the Office of the President announced that the relocation of government forces outside Juba in preparation for the return of SPLM/A in Opposition forces, including the bodyguards of the First Vice-President, was at an advanced stage. On 23 February, the Ceasefire and Transitional Security Arrangements Monitoring Mechanism informed the Joint Monitoring and Evaluation Commission that it had commenced the monitoring and verification of the withdrawal of government forces from Juba. In line with the peace agreement, once the locations of the cantonment sites are confirmed by the Joint Military Ceasefire Commission, the Mechanism will monitor the sites in addition to the permanent ceasefire. On 2 March, the Chief of General Staff of the Sudan People's Liberation Army stated that the majority of government forces had moved out of Juba and that the remaining units would be redeployed to sites outside the capital once the transitional security arrangements were in place. However, in its report presented during the seventh meeting of the Joint Monitoring and Evaluation Commission, held on 24 March, the Mechanism registered concern over the delay in the process of verification of the sites and slow progress in the transfer of both government and opposition troops to cantonment sites.

6. During the reporting period, meetings of the Joint Monitoring and Evaluation Commission and the Joint Military Ceasefire Commission were focused on implementing the transitional security arrangements, including the transfer of the first batch of 1,370 opposition troops to Juba. Opposition forces began to arrive in Juba on 24 March, when UNMISS airlifted the first batch of opposition police officers from Pagak to Juba via Malakal, and have since continued to arrive on a near-daily basis through a combination of UNMISS and chartered commercial flights. Meanwhile, Ethiopia has agreed to transport the opposition's heavy weapons to Juba once the troops are in place.

7. On 25 February, I visited South Sudan, where I met the President and stressed the urgency of implementing the peace agreement, including the formation of the transitional Government, and highlighted the Government's responsibility to protect its citizens. In Juba, I also visited an UNMISS protection of civilians site, spoke to students at a school in the site and met with United Nations and other humanitarian actors. During my time in Juba, I also spoke by telephone with the First Vice-President-designate. I urged him to return to Juba and highlighted the critical need for the timely implementation of the peace agreement.

8. In another positive development, on 4 March, the Joint Monitoring and Evaluation Commission witnessed the selection by consensus of representatives of other political parties to the institutions provided for by the peace agreement, including the Joint Monitoring and Evaluation Commission, the Ceasefire and Transitional Security Arrangements Monitoring Mechanism, the National Constitutional Amendment Committee and the Board of the Special Reconstruction Fund. Seventeen seats in the Transitional National Legislative Assembly were distributed among the parties that had also endorsed the peace agreement.

9. The National Constitutional Amendment Committee completed the drafting of the prescribed constitutional amendments by 9 February. It also drafted the enabling law for the constitutional amendments to take effect and prepared a list of existing laws requiring amendment in order to implement the peace agreement, including

laws relating to the armed forces, security agencies and emergency services. On 21 February, however, the Committee announced that it had suspended its activities because of a lack of political agreement between the Government and SPLM/A in Opposition on four issues: (a) the proposed creation of 28 states; (b) the number and mode of selection of presidential advisers; (c) the filling of vacant positions in the National Legislative Assembly; and (d) the selection of the Speaker of the Transitional National Legislative Assembly. The Committee unanimously agreed to refer the outstanding issues to the Transitional Government of National Unity upon its formation.

#### **Other political developments**

10. The Government and opposition leaders, as well as the Joint Monitoring and Evaluation Commission, endorsed the communiqué issued on 31 January 2016 by the Council of Ministers of the Intergovernmental Authority on Development (IGAD) at its fifty-fifth extraordinary session, held in Addis Ababa, in which the Council of Ministers urged the parties to suspend further action towards operationalization of the establishment order for the creation of 28 states (No. 36/2015). However, implementation of the order is continuing and has led to increased tensions in some parts of the country, particularly in the greater Upper Nile region.

11. On 2 February, the National Legislative Assembly passed the Non-Governmental Organizations (NGOs) Bill and the Relief and Rehabilitation Commission Bill, which the President signed into law on 11 February. The bills created a new regulatory framework for NGOs, including the issuance of annual registration certificates, the introduction of new operational and financial procedures and restrictions on the percentages of international staff. Some donors, humanitarian agencies and international NGOs have expressed their concern about the possible negative impact of the new law on their operations and have called for its review.

#### **Economic developments**

12. The depreciation of the South Sudanese pound and high inflation continued. As of 30 March, the official exchange rate showed a drop in value of approximately 50 per cent compared to the previous reporting period, to more than 32 pounds to the United States dollar. The National Bureau of Statistics reported an increase in the annual consumer price index of 202.5 per cent in February. The combined effects of currency depreciation, high inflation and delays in the payment of salaries in the public and private sectors have created grave hardship for the population and generated tensions throughout the country.

13. A delegation from the International Monetary Fund visited South Sudan from 10 to 24 February and met with senior government officials, including the Governor of the Central Bank. During the discussions, it became clear that South Sudan would not receive any net oil revenue in 2016 if it met its obligations to the Sudan. While efforts are under way to reschedule payments of oil-related revenues to the Sudan, no breakthrough has been reported on this front.

### **III. Security situation**

14. The security situation remained tense throughout the country, particularly in Upper Nile and Western Bahr el-Ghazal; violence broke out in the UNMISS

protection of civilians site in Malakal between the Dinka and the Shilluk communities, and in the town of Wau, allegedly between government forces and unknown armed groups. In Jonglei, there was fighting in Pibor and Pochalla, while there were clashes between internally displaced persons in an UNMISS protection of civilians site in Juba. Tensions were also on the rise in Western Equatoria.

### **Greater Upper Nile region**

15. In Upper Nile, tensions between the Dinka and the Shilluk communities remain high as a result of direct confrontations between government forces and Shilluk elements of the opposition. Government and opposition forces remain in close proximity to each other, in particular on the west bank of the Nile; reports of skirmishes continue, as well as indications that both sides appear to be mobilizing for a further escalation of hostilities.

16. Tensions between the Dinka and the Shilluk communities escalated into an outbreak of armed confrontation within the UNMISS protection of civilians site in Malakal on 17 and 18 February, resulting in at least 144 civilian casualties, including at least 25 deaths. Reports suggest that the fighting began among groups of Shilluk and Dinka youth on 17 February. On 18 February, between 50 and 100 armed elements, reportedly in Sudan People's Liberation Army uniforms, entered the site and attacked areas inhabited by Shilluk and Nuer internally displaced persons, burned tents, looted property and destroyed humanitarian premises and facilities. Three schools and two hospitals were also destroyed. Following intervention by UNMISS peacekeepers the same day, the armed elements withdrew from the site, and calm was restored by 19 February. More than 30,000 Shilluk and Nuer internally displaced persons took shelter inside the UNMISS logistics base, while an estimated 6,000 Dinka internally displaced persons relocated to the town of Malakal. UNMISS is supporting humanitarian partners in re-establishing facilities within the site while also providing force protection for general food distribution both at the site and in the town of Malakal. UNMISS has completed a preliminary investigation into the incident and has recommended a full investigation. In that regard, a Board of Inquiry led from United Nations Headquarters will assess the response of the Mission to the crisis, and I have ordered a special investigation that will look into the circumstances leading to the event and the role played by the various actors involved. The Security Council will be briefed subsequently on the findings.

17. General Chol Thon, the newly appointed Governor of the Eastern Nile State created under Establishment Order No. 36/2015, continued to appoint officials to his new administration exclusively from the Dinka community, which has become a concern for members of the Shilluk and the Nuer. On 21 February, the Governor described the Shilluk and the Nuer as "architects of violence" and stressed that he would not allow them to reside in Eastern Nile. On 15 March, in response to the rising tensions, the President announced that he had cancelled a decision by General Thon to terminate the contracts of non-Dinka employees from Western Nile and Latjor States, citing the potential for the policy to create further social rifts.

18. Tensions also increased in the Greater Pibor area; in unconfirmed reports, it was estimated that more than 100 Lou Nuer were killed and an unknown number wounded during clashes with Murle in the Jom swamps from 8 to 14 February. In Boma (formerly the Greater Pibor Administrative Area), tensions escalated among the Murle between armed supporters of the newly appointed Governor, Baba Medan, and forces

of the South Sudan Democratic Movement/South Sudan Defence Army Cobra faction, which support the former Administrator of the Greater Pibor Administrative Area, David Yau Yau. On 21 February, fighting broke out between the two groups in Pibor. Dozens of injured persons received medical treatment at the UNMISS base, while one child died from gunshot wounds. An estimated 2,332 internally displaced persons have sought refuge adjacent to the base. While tensions and fighting have calmed, UNMISS is continuing to protect more than 300 internally displaced persons in the town of Pibor. On 4 March, a national government delegation visited Pibor to mediate between government forces and the Cobra faction. On 21 March, fighting erupted between the Anyuak communities of Pochalla North and Pochalla South, reportedly involving soldiers from the Cobra faction. As a consequence, thousands of civilians have been displaced. The situation remains tense.

19. In Unity, violent cattle raids occurred in Mayendit, Mayom and Koch Counties and are likely to continue owing to the seasonal migration of cattle. Tensions between government and opposition forces continued to cause security concerns around Bentiu and Rubkona. In Leer County, government and SPLM/A in Opposition sources have reported a deteriorating security situation. In Koch County, groups of armed youth reportedly carried out cattle raids that triggered retaliatory raids leading to civilian casualties, while 10 people were reportedly killed and 12 were injured in a vehicular ambush near the town of Koch on 13 March. Cattle raids on 6 March, reportedly by Sudan People's Liberation Army elements together with armed youth from Koch County, resulted in the killing of seven government soldiers by opposition forces in Mayendit County. On 27 March, another ambush on the road to the town of Mirmir in Leer County reportedly resulted in five casualties, including two deaths. Government and opposition forces blame one another for the attack.

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

20. In Western Bahr el-Ghazal, intermittent clashes continued between government forces and armed groups, and tensions remained high in communities in and around the town of Wau. Following clashes on 1 February in Wau between the Dinka and the Fertit communities, ambushes and attacks on government positions by armed groups on the roads from Wau to Bazia and Wau to Bisellia worsened the security situation. On 17 February, government forces returned to the town of Wau from an operation to flush out the armed groups in Bisellia and Baggare, and allegedly began to shoot sporadically, looted property and beat civilians.

21. In unconfirmed reports, it was suggested that government forces also targeted the Fertit, who stood accused of harassing the civilian population in Wau. In the aftermath of the clashes, 11 people were reported killed and 25 injured. In the following weeks, a sharp rise in killings was reported in and around the town of Wau. The Governor of Wau and the Division V Deputy Commander of the government forces denied the involvement of government forces in the attacks, which they blamed on individuals dressed in Sudan People's Liberation Army uniforms. They also claimed that the clashes were a result of existing inter-ethnic disputes. Nevertheless, reports continue of looting and harassment by government forces. Opposition forces are believed to have taken new positions further away from the town of Wau and have not retaliated as yet. In mid-March, heavy fighting was reported between government forces and armed elements, reported to be opposition forces, near Ngor Ombo, approximately 61 km south-west of the town of Wau. There were claims that the government forces were trying to prevent the

opposition from establishing a cantonment site in the greater Bahr el-Ghazal region. However, the involvement of opposition forces has not yet been confirmed by UNMISS or the Ceasefire and Transitional Security Arrangements Monitoring Mechanism.

22. In Warrap, the security situation in Tonj deteriorated as a result of an intensification of intercommunal clashes and violent cattle raids, particularly in Tonj South and Tonj East. On 25 February, groups allegedly from Mayom Abun, in Thiet Payam, attacked a cattle camp belonging to the Luac Jang community in Tonj East, resulting in 12 deaths and 7 injuries. On 26 February, raiders allegedly from Wunlit Payam, Tonj East, raided cattle in Wad cattle camp in Gok. Eleven of the cattle raiders were reportedly killed during the attack. Meanwhile, more than 85 people were reportedly killed in clashes between the Panyar of Tiaptiap, in alliance with the Rek of Tonj East, Warrap, and the Wat of Pagor, Cueibet County, in Lakes.

23. Lakes appears to be enjoying a period of relative calm, despite the reporting period coinciding with the start of the cattle migration season, which is usually prone to conflict. This could be attributed to the greater role that traditional leaders are playing in mediating local conflict, more sustained engagement by government authorities and persistent UNMISS support for those actions. As a result, the peace initiative between the Ruop, Kuei and Pakam Dinka Agar subclans still holds, and the Gony and Thuyic communities in Rumbek East have engaged in a reconciliation process.

#### **Greater Equatoria region**

24. In the greater Equatoria region, there has been continuing conflict between security forces and local groups allegedly aligned to the opposition. A formal peace agreement between the South Sudan National Liberation Movement and the Government in November 2015, aimed at ending the violence in Maridi and Yambio Counties in Western Equatoria, has not taken effect. This is reportedly because of the reluctance of some senior Sudan People's Liberation Army officers, including local commanders, to engage with the Movement, despite ongoing dialogue between government officials and the Movement's leadership. The Government has not reached a similar agreement with the South Sudan People's Patriotic Front because the latter has declared its support for SPLM/A in Opposition. Meanwhile, in March, the Ceasefire and Transitional Security Arrangements Monitoring Mechanism released a report in which it found that government forces had attacked villages as part of an offensive near Bari Payam, outside Mundri, reportedly burning homes, schools and health facilities and leaving tens of thousands of civilians displaced.

25. In Central Equatoria, tensions between government forces and local communities remained high early in February as government forces launched an offensive against armed elements in Katigiri Boma. Government forces reportedly continued to burn areas in Katigiri, allegedly killing civilians in an attempt to clear the area of armed groups associated with the opposition. Consequently, clashes spilled over into several areas in Dolo Payam, in Juba County. Meanwhile, there has been little success in implementing the Wonduruba peace agreement signed in December 2015, and civilians have reportedly been exposed to harassment and insecurity, while Wonduruba remains militarized. Government forces have resolved to expand their military bases in Wonduruba, which has seen an opposition presence for some time. The current security situation remains stable but tense.

26. There were also intercommunal tensions at the protection of civilians sites in Juba. On 19 March, fighting between two men living in one of the sites escalated into violence involving up to 400 people from different areas of the site carrying machetes and sticks, resulting in at least 110 injuries and 1 death, while 200 internally displaced persons breached the perimeter and entered the United Nations House compound. UNMISS intervened and eased the situation, but eight formed police unit personnel sustained minor injuries.

#### **IV. Humanitarian situation**

27. In February and March, the humanitarian crisis in South Sudan worsened in scale, scope and urgency. Tensions heightened in many locations across the country owing to the de facto roll-out of the President's establishment order for the creation of 28 states, and fighting spread to areas previously considered stable. Clashes in February in Mundri, Wau, Pibor and Malakal caused deaths and displacements and resulted in increased humanitarian and protection needs.

28. In and around the town of Wau, there were ongoing reports of violence and displacement, including in Mboro, where an estimated 8,000 people were reported to be in urgent need of assistance. Since December 2015, internally displaced persons from southern and western parts of Wau continued to arrive in the town and surrounding areas. More displacement occurred between January and February 2016; an estimated 37,000 internally displaced persons arrived in the town of Wau from various conflict-affected locations in the area. Access for humanitarian actors to conflict-affected areas in and outside the town remains a challenge. In Mundri, an offensive by government forces south of the Bari checkpoint resulted in the burning of homes, schools and health facilities, leaving tens of thousands displaced.

29. The humanitarian operating environment remained extremely challenging during the reporting period. In February and March alone, four humanitarians were killed — three in Malakal and one in Akobo — bringing the total number of aid workers killed since the beginning of the crisis to 49. Humanitarian partners encountered a range of impediments, including insecurity, active hostilities, bureaucratic impediments and logistical constraints. Illegal exactions continued to be levied from humanitarian convoys at checkpoints along main transport routes; between 50 and 60 checkpoints were reported between Juba and Bentiu, and up to approximately \$1,000 exacted per truck along the route. Despite negotiations held at all levels, humanitarian access to Wau Shilluk and Wau remained restricted in February and March, although access to Wau Shilluk was reopened in mid-March. During the fighting in recent months, humanitarian assets have been looted, damaged and destroyed. According to a sample of experiences of 16 humanitarian actors, since September 2015 more than \$5.2 million worth of humanitarian assets and stocks were lost during fighting in Malakal, Pibor and Western Equatoria alone. Intensive negotiations on humanitarian access have continued at all levels. A humanitarian organization has successfully conducted cross-line road movements in Jonglei, resulting in more timely and cost-effective deliveries to people affected by the conflict.

30. In addition to the ongoing fighting, the "hunger gap" worsened during the reporting period. The latest Integrated Food Security Phase Classification update for the period between January and March 2016 indicated that 2.8 million people —

nearly 25 per cent of the country's population — remained in urgent need of food assistance, an increase of 12 per cent from the same period in 2015. In addition, at least 40,000 people remained vulnerable. This is particularly worrying, as the period between January and March is the post-harvest period when food security is expected to be at its best. In addition to states already affected, there was an increase in previously relatively food-secure areas, including in Northern Bahr el-Ghazal and Warrap. The rapidly deteriorating economic situation heightened the already alarming levels of food insecurity, in particular among the urban poor. Families in urban areas who rely on wage labour and imported food suffered as the rapidly devaluating currency lowered their purchasing power, while inflation and higher fuel and transport costs increased the price of basic commodities, including food and clean water. The minimum expenditure basket reached an all-time high of 5,994 pounds by March 2016, nearly four times the amount in January 2015.

31. Despite facing growing needs and operational challenges, humanitarian partners continued to scale up their response. Since the beginning of 2016, more than 1 million people have received food assistance and benefited from other humanitarian services. Approximately 352,400 people have been assisted in accessing improved water sources; 58,400 children have received learning materials; 24,000 acutely malnourished people have been admitted for treatment; and 66,400 health consultations have been carried out in conflict-affected and vulnerable areas. Partners have taken advantage of the dry season to pre-position and deliver aid supplies where possible, including in areas that are inaccessible by road during the rainy season. As of March, more than 46,000 tons of supplies (including 42,500 tons of food items) were pre-positioned.

32. Despite the progress made, funding is urgently needed to respond to the most urgent, life-saving needs. As of March, the strictly prioritized 2016 humanitarian response plan remains just 9 per cent funded. During the reporting period, humanitarian partners began to see the impact of the funding gap on humanitarian operations; some partners reported that they had been forced to close some facilities because of underfunding.

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

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

33. The reporting period saw a continued increase in violence against civilians in Western Bahr el-Ghazal, Western and Central Equatoria, Upper Nile and Jonglei. In many cases, such violence was seemingly distinct from the central political conflict, signalling a worrying trend of increasing intercommunal violence and fragmentation.

34. In implementing its protection of civilians mandate, UNMISS continued to follow a three-tiered approach. Under tier one, protection through dialogue and political engagement, my Special Representative for South Sudan employed her good offices to urge all parties to cease hostilities and ensure the protection of civilians. This included meeting with the President and other government leaders, as well as SPLM/A in Opposition representatives, at both the national and the local levels to urge progress towards implementing the peace agreement and advocate the lifting of restrictions on access.



35. UNMISS also continued to build local capacity for conflict management, peacebuilding and mediation and to facilitate intercommunal dialogue at the local level, while advocating the increased participation of women in conflict prevention and peacebuilding initiatives. During the reporting period, the Mission organized a total of 16 training workshops, including State and traditional authorities, political parties, civil society organizations, teachers and peer counsellors, women, youth, cattle keepers, internally displaced persons and communities at large.

36. Under tier two, protection from physical harm, UNMISS continued to provide physical protection to more than 190,000 internally displaced persons within the six UNMISS protection of civilians sites. At the time of reporting, there were more than 116,000 civilians in the site in Bentiu (Unity), just under 28,000 in one site in Juba (Central Equatoria) and more than 40,000 in the site in Malakal (Upper Nile). The influx of new arrivals into the Bentiu site, which reached a peak of more than 1,000 internally displaced persons arriving each week in January, slowed early in March as a result of the resumption of humanitarian service delivery in the town of Bentiu and in other parts of central and southern Unity. Meanwhile, several hundred internally displaced persons left the Bentiu and Malakal sites because of the renewed presence of humanitarian partners in the towns of Bentiu and Wau Shilluk. The relative improvement of security in their places of origin has been a factor, while others travelled to the Sudan in search of better livelihood and education opportunities.

37. UNMISS has continued its efforts to extend the protection of civilians beyond its static bases, in coordination with humanitarian and protection actors across the country. The temporary operating base in southern Unity continues to help to stabilize the previously contested Leer region, while the temporary operating base in Mundri also continues to provide direct protection to internally displaced persons at risk from ongoing clashes between government forces and local armed groups. Similarly, the company operating base in Yambio was reinforced by the deployment of a company from the UNMISS force reserve battalion to provide physical protection to internally displaced persons during recent clashes and to deter the escalation of violence.

38. UNMISS has also increased its presence in areas that have a high risk of conflict. Jonglei, Eastern Equatoria and Lakes have seen increased tensions and conflict between host communities and migrating herders. Clashes in the Wau-Bazia region have also led to a requirement for increased stabilizing outreach patrols. Alongside the Equatorias, the greater Bahr el-Ghazal region is likely to require an increased UNMISS outreach presence to mitigate rising tensions and conflict between communities and government forces.

39. In order to protect civilians from explosive remnants of war, the Mine Action Service provided risk education to 94,504 civilians; an additional 513 UNMISS staff and humanitarian workers received landmine safety briefings. Since 26 January, the Service has investigated six land mine accidents in which 1 child was killed in Eastern Equatoria and another 10 children and 2 adults were injured. Additionally, the Service provided emergency response to the protection of civilians site in Malakal and Pibor airstrip and town through the survey and clearance of explosive hazards to support the Mission and humanitarian actors in resuming their activities.

40. In and around the protection of civilians sites, intercommunal tensions and violence, including sexual and gender-based violence, and other security incidents

continued to be reported. As of 10 March, 276 security incidents had been reported at the sites, including of assault, robbery, child abduction, domestic violence, murder, fire, rape, shooting and smuggling of illicit items into the sites. Assaults on United Nations personnel by internally displaced persons, especially United Nations police personnel and locally contracted guards, were reported in Bentiu and in Juba. Internally displaced persons also continued to be involved in the theft of personal property of United Nations personnel and of United Nations-owned equipment.

41. UNMISS continued to manage three holding facilities at the protection of civilians sites in Juba, Bentiu and Malakal for perpetrators of incidents undermining public security at the sites. During the reporting period, a total of 92 persons were held in detention; 58 persons were detained as of 30 March, including 24 persons in long-term detention who pose an ongoing security threat to others residing in the protection of civilians sites.

42. Under tier three, establishment of a protective environment, UNMISS, United Nations entities, the Relief and Rehabilitation Commission and the Relief Organization of South Sudan met and developed a joint framework strategy outlining key principles to support the implementation of chapter III of the peace agreement, specifically, the return and reintegration of internally displaced persons and refugees after the establishment of the transitional Government. UNMISS is also coordinating the task force that is drafting the strategy document to be shared and endorsed by the parties.

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

43. Despite repeated commitments made by both parties to protect civilians, end violence and punish the perpetrators thereof, and the strong calls and requests of the Security Council to do so, there is no evidence of any genuine effort by the parties to investigate, prosecute and punish serious human rights violations and abuses relating to the conflict, some of which amount to war crimes. Of particular concern are allegations of extrajudicial killings and deaths of civilians taken into custody by government forces in Yambio, five of which were reported during February 2016. Investigations into allegations of violations in Wau, including killings of civilians by government forces that reportedly occurred in mid-February, continued to be hampered by restrictions on movement imposed by local authorities and government forces. Also of concern were allegations of beatings and arbitrary detentions of civilians by government forces or unknown armed personnel in connection with clashes between government forces and the South Sudan Democratic Movement/South Sudan Defence Army Cobra faction in Pibor in mid-February. The events followed the appointment of new civilian authorities under Establishment Order No. 36/2015, which created tensions that resulted in civilians being caught in the crossfire, leading to injury or death. UNMISS continues to gather information on the allegations.

44. Intercommunal violence and its impact on the civilian population continued to be of concern, with the response from the security forces reportedly leading to more human rights violations in some instances. Incidents of concern included allegations that on 8 February, government forces seeking to recover stolen cattle allegedly burned houses, looted livestock and shot indiscriminately in Ikotos County, Eastern Equatoria, killing two persons and wounding one.

45. Violations of freedom of expression continued during the reporting period. Joseph Afandi, a journalist at *El Tabeer*, an Arabic-language newspaper, was detained by the National Security Service for 52 days without charge or access to counsel following the publication of an article deemed critical of the Government's political and economic record. Although Mr. Afandi was released on 19 February, he was subsequently abducted by unknown individuals and severely beaten between 4 and 8 March. At the time of reporting, he was in a safe location. At least three other journalists are known to be under threat, having been detained or recently released from the custody of security forces or unknown individuals, or their lives having been threatened.

46. In addition, significant challenges remain to the administration of justice in accordance with international human rights standards. Proxy detentions and detentions on the orders of customary courts, which lack the authority to order confinement, have remained of major concern. In Lakes and Northern Bahr el-Ghazal, detention conditions have also been observed to be substandard; significant overcrowding has been noted in the two areas. UNMISS has undertaken efforts to map areas of high concentration of this type of violation in Northern Bahr el-Ghazal while targeting them for intervention to secure the release of detainees and raise awareness among local authorities. In addition, reports continued of the detention of civilians by the National Security Service and other government forces, including in Yambio and Malakal, in which some cases potentially rose to the level of enforced disappearances. Following the detention and release of the former Governor of Western Equatoria in August 2015 and his rearrest and detention by the National Security Service in Juba on 22 December 2015, the former Governor has remained in custody throughout the reporting period.

47. Sexual violence was reported in Upper Nile, Unity and Central Equatoria and was often linked to an increase in criminal activities and cattle raids, which abrade an already fragile social fabric. In the Equatorias and Western Bahr el-Ghazal, armed groups are still involved in serious human rights violations and abuses, including sexual violence. In Northern Bahr el-Ghazal, women's groups established local alert networks in seven payams in Aweil East County to improve reporting and the timely response to sexual and gender-based violence.

48. On 2 February, the leader of the opposition, Riek Machar, established a task force of 11 high-ranking members drawn from the military, communications and justice departments and from civil society to oversee the implementation of the unilateral communiqué signed in 2014 to address conflict-related sexual violence. Between 4 and 5 February, the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Team of Experts on the Rule of Law and Sexual Violence in Conflict, in collaboration with UNMISS, organized a consultation for the members of the task force to enhance their understanding of conflict-related sexual violence and their roles and responsibilities and to identify key priority activities. It was agreed that SPLM/A in Opposition would designate 200 focal points for addressing sexual violence and establish a special investigation and documentation unit to address credible allegations of sexual violence in opposition-controlled areas. Among the priority activities identified were the dissemination of command orders through the SPLM/A in Opposition chain of command prohibiting the commission of sexual violence crimes and the strengthening of the military justice directorate to investigate and prosecute sexual violence. However, to date, there is no evidence of any genuine efforts being

undertaken by the parties to investigate, prosecute and punish conflict-related sexual violence.

49. During the reporting period, UNMISS conducted a five-day training course on gender-based violence and sexual violence case management for 32 police officers, including 19 women, from the national police in Rumbek, Lakes. Access to justice for survivors and the lack of capacity and equipment of the national police were identified as some of the factors hindering the effective handling of sexual violence cases. Women also continued to be exposed to harmful traditional practices, such as child, early and forced marriage, and to resort to coping mechanisms to support their families, such as survival sex.

50. During the reporting period, 105 verified and 22 unverified incidents of grave violations affecting 3,260 children were recorded through the South Sudan Monitoring and Reporting Mechanism. Reported incidents of the recruitment of children into armed forces or groups remained of concern; a total of 28 verified and 9 unverified incidents of recruitment affected 180 boys during the reporting period. Furthermore, by the end of February, 40 schools across South Sudan were reported to be used for military purposes.

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

51. Through close collaboration with the Office for the Coordination of Humanitarian Affairs in Juba and local humanitarian partners and representatives in the sectors, UNMISS continued to assess ways to maximize the impact of patrolling and outreach operations in facilitating humanitarian assistance. Insecurity caused by armed conflict and restrictions on movement by armed groups in Western Bahr el-Ghazal, the Equatorias and the greater Upper Nile region prevented or disrupted humanitarian access to civilians.

52. During the reporting period, UNMISS undertook 2,364 force protection tasks to provide security for airdrops of food, road convoys, barge movements and other humanitarian activities. UNMISS, in coordination with the Civil-Military Advisory Group and the Office for the Coordination of Humanitarian Affairs, created a plan for expected dry season operations by humanitarian actors. UNMISS will provide force protection at sites and on routes where humanitarian operations are planned as a last resort, and will also meet crisis requests in case of emergency.

53. The Mine Action Service deployed mine action teams to survey and clear routes, airstrips and helicopter landing sites, enabling access for UNMISS and the delivery of humanitarian aid. From 26 January to 29 March, the Service surveyed and cleared 454 km of roads, including the route between Cadet-Yoah Port, Kadet-Leer Junction and Bentiu-Rier Junction, cleared 7,899,844 m<sup>2</sup> of land and destroyed 298 landmines, 5,649 explosive remnants of war and 24,975 rounds of small arms ammunition. Furthermore, on 9 February, the Service finalized its verification and assessment of feeder roads in Western Bahr el-Ghazal for the World Food Programme.

## **D. Supporting the implementation of the peace agreement**

54. UNMISS continued to support the implementation of the peace agreement, including by coordinating international partner support and information-sharing on the peace process. My Special Representative continues to convene a forum for international partners and friends of South Sudan ahead of every meeting of the Joint Monitoring and Evaluation Commission to consolidate support for the Commission's efforts. On 18 February, UNMISS participated in the first meeting of the Joint Monitoring and Evaluation Commission Partners Group in Nairobi, which was convened by the United States of America and Kenya in accordance with the African Union Peace and Security Council communiqué of 29 January. In a joint statement issued following the meeting, the Partners Group urged the return of Riek Machar and the swift formation of the transitional Government.

55. The Mission has provided significant logistical support and planning assistance to the Joint Monitoring and Evaluation Commission to begin to implement the agreed transitional security arrangements, including the return of the SPLM/A in Opposition security forces. Along with other partners, UNMISS has agreed to assist in the movement of 1,370 SPLM/A in Opposition forces from various locations in South Sudan to Juba. On 24 March, UNMISS completed the first airlift of 22 high-ranking opposition officers to Juba, including those who will constitute the leadership of the Joint Integrated Police and the Strategic Defence and Security Review Board. Airlifts using both UNMISS aircraft and commercial charters have continued on a near-daily basis, weather permitting, and approximately 780 SPLM/A in Opposition troops are expected to be in Juba by 5 April. UNMISS has also assisted in the provision of heavy engineering equipment for essential engineering work at the three SPLM/A in Opposition camp sites in Juba, in the conduct of demining assessments and in the storage of surplus weapons in Juba. UNMISS is also coordinating with the national police to support the Joint Integrated Police, and has identified training support that can be provided once the body is operationalized.

56. UNMISS continued to provide support to the Ceasefire and Transitional Security Arrangements Monitoring Mechanism, although the body remains constrained by limited capacity, which hinders its ability to produce timely investigation reports. UNMISS meets every two weeks with the Mechanism, and a new memorandum of understanding on UNMISS support is being finalized. UNMISS has also been providing force protection, accommodation and other life support services to the Mechanism's monitoring and verification teams during investigations into allegations of ceasefire violations and verification of cantonment sites. The restriction of movement remains a key challenge for the Mechanism. On 16 March, an investigation team of the Mechanism was detained by the National Security Service in Yambio. When UNMISS met with the State Governor on the issue, he denied having received any formal communication on the team's deployment and had thus concluded that the team had been staying in Yambio without permission. The team was released the following day and was redeployed to Yambio by the end of the month; however, UNMISS was denied access to members of the team during their detention.

## **E. Cross-cutting issues**

57. During the reporting period, 13 women's peace forums were convened by UNMISS field offices, with the aim of identifying women's perspectives on the peace process. Security Council resolution 1325 (2000) was used to analyse the perspectives of women on their participation in the peace process, as well as the prevention of sexual and gender-based violence and the protection of women's rights. Preliminary findings suggested gains in the area of women's participation had been reversed because of changes in the local governments and delays in the formation of the transitional Government.

58. The UNMISS force completed systematic capacity development in the area of women, peace and security and gender analysis in the area of protection for its gender advisers, gender focal points and enablers in its Sectors South, East and West. UNMISS was also part of coordinated support led by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) for the celebration of International Women's Day.

59. UNMISS also helped to enhance public understanding on the Mission's mandate, the peace agreement and the work and mandate of the Joint Monitoring and Evaluation Commission. UNMISS extended video and photography support to coverage of the Commission's activities, including field visits and one-on-one interviews with its Chair, Festus Mogae. On United Nations Radio Miraya, consistent coverage was provided of efforts made to support the peace agreement, as well as public service announcements with peace messages.

60. UNMISS embarked on HIV/AIDS capacity-building, targeting staff members and public outreach activities jointly with the United Nations country team. An additional 54 staff members (including 11 women) completed training to become HIV/AIDS peer educators in Malakal and Rumbek. Induction and mass HIV/AIDS awareness courses were also provided to 3,774 staff members (including 824 women); 324 staff members (including 102 women) received voluntary confidential counselling and testing services and 5 male staff members received HIV post-exposure prophylaxis. Externally, the joint United Nations team on HIV/AIDS organized five-day workshops in Malakal and Bentiu, which reached 3,935 internally displaced persons and community and women's leaders (including 1,155 women) in UNMISS protection of civilians sites, among whom 75 internally displaced persons (including 14 women) received voluntary confidential counselling and testing services and 1 international contractor received HIV post-exposure prophylaxis. In collaboration with two community-based youth organizations in the Malakal protection of civilians site and with local radio coverage, 139 internally displaced youth (including 84 girls) received HIV and AIDS awareness outreach.

## **VI. Mission staffing and status of deployment**

61. As of 31 March, the actual strength of the UNMISS civilian personnel stood at 2,563, comprising 841 international staff members, 1,287 national staff members and 435 United Nations Volunteers.

62. As of 31 March, the UNMISS force strength stood at 12,288, consisting of 11,745 military personnel, 360 staff officers and 183 military liaison officers. The full deployment of the Ghanaian battalion, which will complete the deployment of

the original surge forces, was completed by 7 March. UNMISS anticipates the deployment of additional engineering capability with an approximate strength of 300 troops; the deployment of 65 personnel to staff a level II hospital; and an additional 150 infantry troops. The Government continues to reject the deployment of unarmed, unmanned aerial systems, which are critical to strengthening the early warning and response mechanisms used by the Mission to deliver on its mandate to protect civilians.

63. Also, as of 31 March, the UNMISS police strength stood at 1,244 of the authorized 2,001 officers, including 446 individual police officers, 55 corrections officers and 693 personnel in formed police units. The Mission anticipates the deployment of police surge capacity, including additional formed police units and individual police officers, pending confirmation from police-contributing countries on the deployment of personnel, the arrival of contingent-owned equipment and the Mission's logistical capability to provide appropriate accommodation.

64. In implementing the recommendations in the report of the Secretary-General on special measures for protection from sexual exploitation and abuse ([A/69/779](#)), a dedicated UNMISS task force on sexual exploitation and abuse and the Mission's Conduct and Discipline Advisory Group continued to enforce the zero-tolerance policy on sexual exploitation and abuse. The Advisory Group met on 10 March, with the meeting chaired by my Special Representative, to review statistics on allegations of sexual exploitation and abuse. UNMISS also concluded a memorandum of understanding with humanitarian actors operating within its premises aimed at ensuring their compliance with the Organization's highest standards of conduct.

65. A task force on protection from sexual exploitation and abuse has been established in South Sudan to facilitate the implementation of all aspects of the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse ([ST/SGB/2003/13](#)). The task force, to be co-chaired by the United Nations Population Fund and UN-Women, will function under the auspices of my Deputy Special Representative (Humanitarian Coordinator/Resident Coordinator/Resident Representative) and will report to my Special Representative through the United Nations country team.

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

66. During the reporting period, UNMISS recorded 32 violations of the status-of-forces agreement, 19 of which were restrictions on movement affecting UNMISS personnel and associated partners. Incidents included violations of UNMISS premises, equipment and air and land operations. Other violations included demands for UNMISS personnel and contractors to pay illicit levies or taxes, seizure of an UNMISS contractor's property and assaults, threats and harassment against United Nations personnel. Reported violations were committed by government agencies.

67. One UNMISS national staff member who had been arrested and detained without charge since July 2015 was released on 4 February 2016, on the condition that he report weekly to the headquarters of the Criminal Investigations Department of the national police. Although he was permitted a break of two weeks to meet work obligations, weekly reports will resume on 4 April. An additional UNMISS

national staff member was detained by the Criminal Investigations Department in Juba following a road traffic accident on 25 March that resulted in two deaths. An investigation into the incident is still pending. Three other UNMISS national staff members, two of whom were arrested in December 2013 and one in October 2014, remain in detention. None of the arrested staff members have been charged, and UNMISS has been unable to schedule visits to the detained staff members since the last visit on 18 December 2015.

68. UNMISS continues to notify the host Government of these violations through notes verbales and in meetings with relevant officials. A monthly matrix of incidents is also shared with the Government.

69. Criminal incidents against United Nations personnel were also reported across Central Equatoria, especially in Juba. United Nations personnel and humanitarian workers continue to be exposed to street crime, armed robberies and the risk of compound break-ins, in addition to the two major fatal incidents that occurred within the protection of civilians sites in Malakal on 17 and 18 February and in Juba on 19 and 20 March.

## **VIII. Financial aspects**

70. The General Assembly, by its resolution 69/260 B of 25 June 2015, appropriated the amount of \$1,085,769,200 for the maintenance of the Mission for the period from 1 July 2015 to 30 June 2016. As at 17 March 2016, unpaid assessed contributions to the UNMISS Special Account amounted to \$414.7 million. Total outstanding assessed contributions for all peacekeeping operations at the same date amounted to \$2,593.6 million. Reimbursement of troop and formed police costs has been made for the period to 31 January 2016, while reimbursement of the costs of contingent-owned equipment has been made for the period to 31 December 2015, in accordance with the quarterly payment schedule.

## **IX. Observations and recommendations**

71. Since the conflict broke out more than two years ago, the United Nations has opened its gates to provide sanctuary to civilians in imminent physical danger and has saved thousands of lives. Currently, some 200,000 people continue to seek protection in United Nations camps, and I call upon all parties to respect the civilian character of these sites.

72. I condemn the violence that erupted in the Malakal protection of civilians site on 17 and 18 February, which resulted in the senseless loss of civilian life and extensive damage to humanitarian facilities, interrupting critical service delivery. Once the investigations into the incidents are complete, those found responsible must be held to account and measures must be taken to prevent the recurrence of such deplorable acts of violence. I remind all parties that deliberate attacks on United Nations facilities constitute war crimes, and those proven to be complicit in them will face international justice.

73. Reports of escalating intercommunal violence in Wau, Pibor and other areas of the country are deeply worrying and provide a stark reminder of how fragile the security situation continues to be, despite the signing of the peace agreement. I call



upon all parties and armed elements to immediately cease all military operations and end the suffering of civilians who continue to be caught in the crossfire.

74. I note with alarm that UNMISS personnel and other humanitarian actors are regularly obstructed from carrying out their mandated functions through roadblocks and other restrictions on access, attempts at extortion and harassment by security officials and denial of freedom of movement. Despite government claims to the contrary, I believe this environment of impunity and intimidation is deliberate and not just a consequence of growing criminality. I again urge the President, Salva Kiir, to personally intervene with regard to this issue, and I remind him that these acts ultimately harm the people of South Sudan by depriving them of much-needed aid and protection.

75. Delays in the implementation of the peace agreement threaten to take South Sudan back to full-blown, widespread conflict. It is high time that the parties make immediate and tangible progress towards forming the transitional Government and fully operationalizing the agreed security arrangements. I call upon the First Vice-President-designate, Riek Machar, to return to Juba as a matter of priority and I call upon the Government to continue to redeploy its forces out of Juba in line with the peace agreement.

76. I applaud the Joint Monitoring and Evaluation Commission for its continued support for and stewardship of the implementation of the peace agreement. I further commend the other political parties for overcoming their differences and electing their representatives to the Commission and other institutions, including the Transitional National Legislative Assembly. I also urge IGAD Heads of State and Government to convene a summit in Juba to lend their full political support to the efforts of the Chair of the Commission, Festus Mogae, at this critical time.

77. I am disappointed that the work of a number of transitional institutions appears to have stalled. Delays in constituting and deploying the Joint Integrated Police and fully activating the Joint Operations Centre and the Strategic Defence and Security Review Board are a matter of concern. Meanwhile, the permanent constitutional review committee, the National Elections Commission and the Commission for Truth, Reconciliation and Healing must also be established for timely political progress and to undertake the important task of redressing grave human rights abuses that have occurred in the course of the conflict, including those targeting women and children. I also urge the inclusion of civil society, women's groups and other key stakeholders, whose participation is necessary for the peace process to take root. The United Nations remains ready to support all parties and stakeholders in the implementation of the agreement, in close cooperation with IGAD, the African Union and international partners.

78. I wish to reiterate my support for the communiqué of 31 January, in which the IGAD Council of Ministers deemed the creation of the 28 states in South Sudan inconsistent with the peace agreement and urged the President to suspend the implementation of the order until the proposed national boundary review commission had been established.

79. South Sudan faces immense challenges in its struggle to achieve greater security and stability for its people. With the South Sudan humanitarian response plan currently only 9 per cent funded, I once again urge the international community

to demonstrate its commitment to saving lives in South Sudan and advancing the cause of peace.

80. Lastly, I wish to express my deep gratitude to UNMISS and United Nations country team staff, whose tireless efforts have resulted in the protection of thousands of civilians under threat of physical violence, have facilitated the provision of humanitarian assistance and have continued to advance the implementation of the peace agreement. In particular, I thank my Special Representative, Ellen Margrethe Løj, for her able leadership, as well as the troop- and police-contributing countries that have provided essential uniformed personnel and assets to the Mission. I also wholeheartedly commend the efforts of local and international humanitarian partners for their dedication to providing vital assistance to the people of South Sudan in the face of immense operational challenges.

