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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 13 of Security Council resolution 2241 (2015), by which the Council requested me to submit, within 45 days, an assessment of the mandate of the United Nations Mission in South Sudan (UNMISS), in the light of the political and security situation in South Sudan, and to provide recommendations, including resource requirements, for UNMISS to fulfil its mandate and support the implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan. Pursuant to paragraph 15 of the resolution, the report includes an assessment of action by UNMISS and other partners in support of the South Sudanese national police to date, with recommendations for a course of action for additional support to the national police and the joint integrated police envisaged in the peace agreement, on the basis of lessons learned. The assessment of security planning in Juba and recommendations on the role of UNMISS in securing key infrastructure in order to protect freedom of movement requested in paragraph 14 of the resolution are set out in my letter dated 23 November 2015 to the President of the Council ([S/2015/903](#)).

2. For the preparation of the present report, a strategic review of the support requirement for the peace process was conducted through a process jointly led by the Department of Peacekeeping Operations and UNMISS, in close consultation with the South Sudan integrated task force and the United Nations country team, and partners on the ground. The assessment was conducted in two phases. The first involved the development of a current conflict analysis, which assessed the factors contributing to the continuing hostilities and the likely threats to the implementation of the peace agreement and the consolidation of peace. The possible roles and priority objectives for UNMISS, both in terms of supporting the implementation of the agreement and creating a conducive environment for the peace process, were then reviewed and developed to address those threats.

3. In the second phase, a technical review was conducted by a joint team consisting of representatives of the Department of Peacekeeping Operations, the Department of Field Support, the Department of Political Affairs, the Office of the United Nations High Commissioner for Human Rights, the Office for the Coordination of Humanitarian Affairs, the Department of Safety and Security, the United Nations Development Programme (UNDP), UNMISS and the United Nations country team, led by the Mission. The technical review identified the tasks and



resources required for UNMISS to achieve the priority objectives articulated in the strategic review. It was undertaken through consultations held with a cross section of South Sudanese stakeholders, including the Government, the opposition, other political parties, local government officials, internally displaced persons, women, young people and civil society representatives, as well as representatives of the diplomatic community, donors, the country team, the humanitarian country team and international and national non-governmental organizations. It was also based on critical planning assumptions, including the commitment of the parties to fully implementing the peace agreement, freedom of movement in line with the UNMISS status-of-forces agreement and the support of key United Nations, regional and international partners for the programme of transition.

II. Findings of the strategic review: conflict analysis

4. The peace agreement mediated by the Intergovernmental Authority for Development (IGAD) provides a framework for the parties to end hostilities and, over a 30-month transitional phase, begin key governance reforms designed to put South Sudan back on a path to sustainable peace and recovery. The conflict analysis produced for the strategic review, however, identified a complex set of political, security and institutional challenges that, if not closely monitored and addressed, could undermine the transition and adversely affect the timely and effective implementation of the agreement.

Political challenges

5. Breaches of the ceasefire and the failure of the parties to meet the initial deadlines articulated for the preparatory phase of the implementation of the peace agreement call into question their commitment to the peace process and their political buy-in with regard to implementation.

6. The transitional period is likely to see additional delays in the implementation of the peace agreement, relating to disputes over interpretations of the provisions, as each party calculates the benefits to and costs incurred by its constituencies and attempts to increase its gains in the run-up to the elections. The transitional institutions are likely to become a new political battleground between representatives of the Government, the Sudan People's Liberation Movement/Army in Opposition (SPLM/A in Opposition) and the former detainees, making it extremely difficult for democratic and governance reforms to be conducted and new institutional arrangements to be implemented effectively.

7. At the state level, the continued centralization of power around the Presidency during the transition and the continued mismanagement of state resources could lead to political alienation, stoke discontent and give rise to fragmentation. Already, Establishment Order No. 36/2015, for the creation of 28 states, is fuelling fears of marginalization among some minority constituencies and could trigger additional local conflicts during the transition.

Security challenges

8. Owing to the aforementioned lack of political buy-in among the major national and local actors, the continuation of direct confrontations between the parties and the multiplication of security incidents involving semi-autonomous elements of

their respective coalitions are likely. The atrocities committed during the 20 months of conflict and general collapse of State authority in the greater Upper Nile region and some parts of the greater Equatoria and greater Bahr el-Ghazal regions imply that revenge killings and increased intercommunal violence will also be major risks during the transition period. The continuation of hostilities, in breach of the permanent ceasefire, could further erode public trust in the transition and provoke additional political blockages.

9. Weak command and control of elements of the forces is already having a negative impact on the security situation. Should there be a further dissolution of command within both coalitions, the transition is likely to see an increased number of armed actors negotiating their integration into the peace process through the use of force, thereby undermining the positions of the main parties. Delays in the integration of forces and the transformation of the army into a professional, unified and ethnically diverse entity, separate from political interests, will be a key security challenge to sustaining the peace process over the medium to long term.

10. The deep divisions among communities, in conjunction with the high levels of brutality that have characterized the violence throughout the crisis, could lead to a pattern of revenge killings, in particular if human rights perpetrators are not held accountable. Retribution along these lines would probably become highly politicized, lead to large-scale loss of life and contribute to a continuing cycle of violence. There is a risk that organized forces of the parties could become involved, creating an even more lethal environment for civilians and ultimately undermining the credibility of the peace process.

11. Intercommunal conflicts over access to land, grazing rights and water have in the past been exacerbated by the mobilization of militias and organized forces. Increasing tensions along these lines are evident in the greater Bahr el-Ghazal region and especially in Western Equatoria and Central Equatoria States, which have seen growth in the organization of community defence forces to protect local populations, and could escalate to unmanageable proportions, especially in the light of the widespread availability of small arms and the breakdown of traditional conflict mitigation mechanisms. While the conflicts do not pose a direct threat to the transition, they are easily manipulated to sow discord among communities and are also easily exploited by those with a political agenda.

Institutional challenges

12. While the Government is, in the first instance, responsible for the provision of safety and security and basic services to its citizens, the country's legacy of war and the weak capacity of State institutions have rendered it virtually incapable of discharging those basic responsibilities, even before the outbreak of the crisis. These institutional weaknesses will also affect the ability of the transitional institutions to carry forward their transformative agenda.

Human rights and rule of law

13. The current conflict has exacerbated the human rights situation. The parties have engaged in deliberate and targeted killing of civilians and extrajudicial and other unlawful killings, arbitrary arrest and detention, enforced disappearances, ill-treatment and torture, the use of indiscriminate explosive weapons such as cluster

munitions and the destruction of property. Civilians have been targeted on the basis of their ethnicity.

14. Conflict-related sexual violence remains a key feature of the conflict. Rape, gang rape, abduction, sexual slavery, forced abortion and mutilation of women's bodies have been perpetrated by all sides. Similarly, grave violations against children continue, including the recruitment and use of children, killing and maiming, rape and other forms of sexual violence, attacks on schools and abductions. Civil and political rights have also been severely restricted by the Government, with representatives of the political opposition, civil society and the media particularly affected.

15. The collapse of already-weak rule of law institutions in the context of the national crisis, the resulting absence of an effective police force and functioning judiciary and a weakened formal and customary justice system are likely to become one of the most daunting challenges to overcome and risk contributing to a relapse into conflict if impunity remains entrenched and basic law and order services are not restored. During the transitional period, a genuine investment in the ability of national law enforcement structures and the justice system to deliver justice will be an important peace dividend for South Sudanese citizens. If not, it could risk undermining the peace agreement.

Humanitarian crisis

16. Even before the conflict erupted, reliable basic social service provision was largely non-existent and, in some areas, frequently disrupted by intercommunal fighting. Since December 2013, the high-intensity conflict has generated humanitarian needs of a new scale and depth. The combination of conflict, inadequate rainfall, the deteriorating economy and the exhaustion of coping mechanisms has caused rapidly increasing food insecurity. According to the most recent Integrated Food Security Classification Phase report, an estimated 3.9 million people are classified as severely food and nutrition insecure. There is a specific risk of famine occurring between October and December unless urgent humanitarian access is granted to the most affected areas.

17. As a consequence of the conflict, education and health facilities have been destroyed. To date, access to education for more than 400,000 school-age children has been interrupted. An estimated 127 health facilities are not operational owing to looting, damage, destruction and the flight of staff. Consequently, South Sudan has some of the world's worst health indicators, including the highest maternal mortality rate (2,054 per 100,000 live births). Malaria has already reached epidemic levels in four states and has surpassed acute respiratory infections as the leading cause of morbidity among internally displaced persons. If the deepening humanitarian crisis is not redressed, those vulnerabilities will undermine public trust and investment in the transition, and the ability to support it, driving further displacement inside and outside the country.

Economic stresses

18. The macroeconomic outlook during the transition is of serious concern, marked by falling oil prices and production, high inflation, currency depreciation and dwindling hard currency reserves at the central bank. The dramatic escalation of market prices is also causing a severe downturn in household incomes and

livelihood opportunities, even in communities not directly affected by the conflict. If the economic situation does not improve during the transition, widespread dissatisfaction could lead to unrest and, ultimately, violence. Likewise, any failure to pay the salaries of members of the security forces could also lead to increased crime and violence and a fragmentation of their chain of command.

III. Priority objectives for the Mission in support of the peace process

19. In view of the above conflict analysis, and the expectation that the transition will face considerable political and security challenges, further displacements, exacerbated food insecurity and humanitarian needs in the near to medium term, it is recommended that the future UNMISS mandate be based on the priority objectives set out below. The objectives take into account the requirement for the Mission to continue to take forward the core pillars of its existing mandate, while according priority to supporting key provisions of the peace agreement that are essential for the agreement to gain traction over the coming two years.

A. Political support for the implementation of the peace agreement

Provide good offices, advice and support to the Transitional Government of National Unity and other partners to enable the implementation of the peace agreement at the national and subnational levels

20. To support the consolidation of the peace process and carry out the responsibilities of the United Nations articulated in the peace agreement, my Special Representative and the Mission should use their good offices with the parties and other South Sudanese stakeholders to assist in resolving deadlocks over the implementation of the various aspects of the agreement. The participation of my Special Representative in the Joint Monitoring and Evaluation Commission would be one of the principal vehicles through which the good offices function would be used, in support of the Chair, Festus Mogae. Concurrently, UNMISS could engage with the national, state and local authorities to support the formulation of national policies, based on transparency, participatory and accountable decision-making, and facilitate the inclusion and participation of women at all levels of governance.

21. At the regional and international levels, my Special Representative will engage with the members of the “IGAD-plus” group and other partners to ensure effective coordination and encourage sustained and unified political engagement with the parties throughout the transition to ensure the full and timely implementation of the peace agreement.

Assist in the establishment, reconstitution and maintenance of institutions and mechanisms for the implementation of the peace agreement

22. The peace agreement provides for dedicated institutions and mechanisms that must be made operational for its implementation. Through its representation in the Joint Monitoring and Evaluation Commission, UNMISS will be able to assess the progress and assist, if needed, in the establishment and reconstitution of those bodies, and provide support to them, in accordance with the priorities set out below.

Support the Transitional Government of National Unity in making constitutional and legislative adjustments, as articulated in the peace agreement

23. Constitutional processes are inherently political. Before the crisis, UNMISS provided technical and advisory services to the national authorities and coordinated international support for the constitutional review process. It also engaged extensively with key government actors, the National Legislative Assembly and related national institutions in support of the related country-wide civic education programme. In accordance with the request for assistance from regional and international partners contained in chapter VI of the peace agreement, UNMISS, in coordination with the United Nations country team and other partners, should re-establish its support for the constitutional review process, including through extensive engagement at the political level. On the basis of lessons learned, the Mission could also support the coordination of international partner support for the process.

Assist the Transitional Government of National Unity in the planning of credible national elections

24. While electoral support would be included among the medium-term to long-term priorities of the United Nations in South Sudan, in view of the expected limited capacity of a reconstituted national election commission to organize elections, the scale of support required to ensure a credible electoral process and the specific request for United Nations support in chapter I of the peace agreement, it is strongly recommended that the United Nations offer to provide technical electoral assistance as soon as the commission has been established, and no later than 24 months before the election date. The assistance would be delivered in an integrated manner under the leadership of UNMISS and include advice with regard to the review and drafting of relevant electoral legislation, including the election-related provisions of the Constitution, the Political Parties Act and the National Elections Act. Politically, the Mission would, through its good offices, contribute to preventing and resolving disputes that could accompany the electoral process. It would also contribute to electoral security through the use of its police and military assets.

B. Contribution to the improvement of the security situation

25. In accordance with the requirement for support from the United Nations and other partners to make operational the ceasefire and transitional security arrangements, as provided for in chapter II of the peace agreement and the associated annexes, it is recommended that UNMISS provide the support set out below.

Support the monitoring, investigation, verification and resolution of violations of the ceasefire through the Ceasefire and Transitional Security Arrangements Monitoring Mechanism, including the monitoring of the separation, assembly and cantonment of forces

26. Upon the entry into force of the permanent ceasefire, the IGAD Monitoring and Verification Mechanism, established as part of the Cessation of Hostilities Agreement of 23 January 2014, began its transition into the Ceasefire and

Transitional Security Arrangements Monitoring Mechanism. Once made operational, the Mechanism will be responsible for monitoring compliance and will report directly to the Joint Monitoring and Evaluation Commission on the implementation of the permanent ceasefire and transitional security arrangements. As detailed in the peace agreement, the responsibilities of the Mechanism will be significantly greater than those ascribed to its predecessor, given that it will be tasked with monitoring and reporting on the full complement of security arrangements set out in the agreement, including the separation, assembly and cantonment of the forces of the signatories and the implementation of the security provisions relating to Juba.

27. UNMISS is already supporting six IGAD monitoring and verification teams deployed in Bor, Bentiu, Malakal, Melut, Nassir and Juba through the provision of force protection and logistical and technical assistance. In view of the additional responsibilities assigned to the Ceasefire and Transitional Security Arrangements Monitoring Mechanism, the current IGAD Monitoring and Verification Mechanism is planning to expand its operations to include up to 12 teams. It is proposed that the Mission work to extend the current force protection and logistical and technical assistance arrangements to the additional teams, which will also be located within existing UNMISS bases. Additional support could also include using United Nations military liaison officers to work with teams in specified areas of operations, providing assistance with threat assessments and situational awareness information, engaging in patrol planning with the teams, supporting reporting on ceasefire violations and monitoring of cantonment sites and supporting the ratification of the implementation matrix of the ceasefire master map.

28. In the absence of the final ceasefire master map, which identifies the signatories' planned cantonment locations, it is assessed that cantonment sites of high operational significance will be located in Upper Nile and Unity States. To enable sufficient force protection for the activities of the Ceasefire and Transitional Security Arrangements Monitoring Mechanism in the greater Upper Nile area, an augmentation of the force by one company in Malakal is proposed within a relatively short time frame. That increase can be taken forward incrementally, as the signatories prepare for the separation, assembly and cantonment of their forces.

29. To make operational the initial Ceasefire and Transitional Security Arrangements Monitoring Mechanism assessment visits and registration and screening of personnel and weaponry in cantonment sites, force protection movement will be conducted through a mixture of air movements and ground operations or through the force marine unit in advance of the arrival of the monitoring and verification teams, as resources permit. To support the continued monitoring of the cantonment sites, UNMISS is reviewing the practicality of establishing a patrol pattern of approximately one visit to some 50 cantonment sites every 7 to 10 days.

Provide advisory support and specialized capacity-building for the deployment and operations of the joint integrated police units

30. Before the outbreak of the crisis, and in accordance with Security Council resolution 1996 (2011), UNMISS invested heavily in the institutional transformation of the national police. Since the crisis, however, and with the reprioritization of its mandate pursuant to resolution 2155 (2014), UNMISS has limited its engagement

with the national police, subject to the human rights due diligence policy on United Nations support to non-United Nations security forces, to operational coordination aimed at enhancing the protection of civilians under threat of violence, including those in UNMISS sites for the protection of civilians and in areas of potential return.

31. Since late 2014, engagement with the national police has included supporting a confidence and trust-building policing strategy. The strategy, currently in a pilot phase, is aimed at fostering a secure environment for internally displaced persons in Juba by identifying and securing areas of voluntary return. Subject to the human rights due diligence policy, the Mission coordinated workshops to raise the awareness of 104 (60 men and 44 women) national police officers with regard to civilian protection principles, including human rights and community-oriented policing. UNMISS, UNDP, the United Nations Entity for Gender Equality and the Empowerment of Women and bilateral partners jointly provided technical support and basic equipment in support of the strategy. In addition, UNDP provided training, equipment and technical support for the issuance of identification cards for police officers participating in the project. An emergency call centre for Juba was also set up with the support of UNDP and bilateral partners. The first groups of trained police officers are operating in the Khor William neighbourhood of Juba, to which some 150 internally displaced families have returned to date. The strategy is also being piloted in two other neighbourhoods in Juba.

32. As the primary mechanism currently envisaged in the peace agreement for the provision of security in Juba, Bor, Bentiu and Malakal, the formation and deployment of the joint integrated police should be supported by the United Nations and other partners. According to the outcomes of the follow-up meeting to the workshop on the permanent ceasefire and transitional security arrangements, held in Addis Ababa from 21 October to 3 November, the parties have agreed that the joint integrated police in Juba will number 3,000 officers, while 2,400 officers will be deployed in Bor, Malakal and Bentiu.

33. The officers will require training and equipment to carry out their tasks appropriately and professionally. On the basis of lessons learned from supporting the confidence and trust-building policing strategy, a joint UNMISS and UNDP programme is proposed to support the establishment and initial operations of the police through training support and advisory assistance and the rehabilitation or establishment of police facilities, with an initial focus on areas in which UNMISS protection sites are located. UNMISS support for training on community-oriented policing, investigations, including into sexual and gender-based violence, and professional ethics and human rights would be complemented by UNDP and partner efforts to support institutional capacity-building, training facilities and basic office equipment and furniture to make the police units operational in the areas in which they will be deployed. UNMISS could also support a needs assessment, strategy development and operational planning with the police secretariat. The United Nations police personnel required for these additional tasks would be sourced through an increase of up to 100 specialist individual police officers, the redeployment of officers from the United Nations police headquarters and the closure of county support bases. The Mission would also provide technical advice on setting up oversight mechanisms and other mitigation measures in compliance with the human rights due diligence policy.

34. Long-term institution-building will be addressed through a multi-year joint United Nations rule of law programme, at the appropriate time. In that context, UNMISS could focus on providing assistance with regard to the eventual establishment of an integrated, democratic, accountable and responsive police service.

Support the parties in the establishment and operations of the Joint Operations Centre to help to coordinate and reduce conflict among security operations in Juba

35. The establishment of the Joint Operations Centre is foreseen as a means to coordinate the movements of and reduce conflict among the forces authorized to remain in Juba. It will be staffed by representatives of the national security forces and the Ceasefire and Transitional Security Arrangements Monitoring Mechanism. As at 3 November, the parties had agreed to allow 4,380 members of security forces to remain in Juba, in addition to the previously agreed 3,000 joint integrated police officers.

36. Within those planning parameters, proposed UNMISS support to the Joint Operations Centre, subject to human rights due diligence policy considerations, would include the deployment of six staff officers to the Centre, the provision of technical advice for the initial establishment of the Centre and the provision of support to the Centre in its efforts to coordinate the security actors in Juba.

C. Protection of civilians

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

37. Since the crisis broke out in December 2013, the Mission's physical civilian protection activities have largely been centred around the provision of security to the some 180,000 civilians currently seeking protection at UNMISS protection sites. That resource-intensive endeavour has challenged the Mission's ability to provide physical protection for civilians outside the sites. Its efforts have been further undermined by movement restrictions imposed by the Government and the opposition, poor infrastructure, a lack of security for the use of UNMISS air assets and troop reluctance to regularly project beyond the perimeters of the sites.

38. The challenges notwithstanding, it is assessed that more can be done to extend protection beyond the sites. A detailed review of current military troop-to-task arrangements has identified an opportunity to rescale the perimeter security provided by the military so that a portion of the resources can be diverted to achieve greater projection to areas of displacement, return and resettlement. This would, of course, be preceded by a thorough security and threat analysis of protection sites and be based on conditions. Military reinforcement in the form of quick-reaction elements would remain at the sites to support strengthened formed police units, should the scale or complexity of the threat exceed United Nations police capacity.

39. Forces relieved of some static site security tasks would be used to pilot temporary austere operating bases in areas of particular concern and expand the conduct of short-duration and long-duration patrols and dismounted foot patrols. Integrated patrols, leveraging not only the UNMISS force and police components

but also involving human rights, protection of civilians, child protection, civil affairs and women protection advisers, would also be increased to bring to bear the full range of physical and other protection tools at the Mission's disposal.

40. The deployment of unarmed and unmanned aerial systems and other related forms of technology should also be expedited to strengthen the early warning and early response mechanisms used by the Mission in order to deliver on its mandate to protect civilians.

Maintain public safety and security of and within protection sites

41. To date, protection sites have succeeded in protecting civilians from the threat of physical violence. UNMISS is currently providing physical protection to 178,906 internally displaced persons residing in six sites, including 99,930 in Bentiu, 47,791 in Malakal and 27,950 in Juba. Increasingly, however, overcrowding and complex ethnic and intercommunal tensions between displaced communities are threatening the internal safety and security of the sites. As at September 2015, the Mission had recorded and responded to more than 2,900 security incidents at the sites, varying from the minor to the serious, including killings, sexual violence, crime and attacks against United Nations and humanitarian personnel.

42. UNMISS is in need of additional police personnel to control access to the sites, provide sufficient police patrols and presence, respond to criminal incidents in a timely manner, ensure public order during humanitarian distributions and provide security for UNMISS holding facilities. Additional formed police unit capacity is required to provide protection to individual police officers and United Nations and humanitarian personnel, conduct crowd control and respond to security incidents within the sites.

43. In line with the above analysis, it is recommended that 500 additional formed police unit personnel be deployed to Juba (160), Malakal (70) and Bentiu (270). Individual police officers made available by the closure of county support bases and the restructuring of the police component will be used to focus more on protection tasks. Posts currently used for managing holding facilities under the police ceiling would be returned to the police component and 78 dedicated government-provided corrections personnel with the appropriate skills to perform the function would be separately deployed to the sites in Juba, Malakal, Bentiu and Bor. Given that the tasks assigned to unarmed individual police officers entail a certain degree of physical enforcement, including apprehension and preventive search, a minimum level of personal protective equipment is required. Further security infrastructure, including video surveillance and emergency call points, could be introduced to facilitate a more preventive environment.

44. In the light of possible bureaucratic impediments and the Mission's limited absorption capacity, a phased deployment of additional police units may be achieved by either generating new units or expanding the current formed police units through immediate surge.

Support the strengthening of local conflict resolution and reconciliation mechanisms to prevent, mitigate and manage intercommunal violence

45. UNMISS, together with United Nations partners, will need to continue to accord priority to efforts to mitigate intercommunal violence. This will include

facilitation of grass-roots and state-level forums in partnership with local leaders, including women leaders, faith-based groups and agencies to promote dialogue and reconciliation. The Mission will assist national peace and reconciliation platforms to implement their activities across the states, facilitate intercommunal conflict management activities between communities in conflict, including dialogue between pastoralist and farming communities, promote the coordination of conflict management activities of international actors throughout South Sudan through a regular forum and engage in regular joint activities with UNMISS public information officials and Radio Miraya to promote news of peace and reconciliation activities.

46. UNMISS should also continue to work with traditional community leaders to strengthen their role as arbiters and mediators within dialogue processes, an essential element of conflict transformation, restorative justice and reconciliation. Furthermore, the Mission will conduct a state-wide mapping of active and dormant local conflict resolution mechanisms and engage with partners to activate or strengthen those forums in accordance with human rights standards.

Foster a secure environment for the eventual safe, dignified, voluntary and informed return and resettlement of internally displaced persons and refugees

47. The cessation of hostilities and implementation of the peace agreement will be the single greatest contribution to the creation of a secure environment for returns of internally displaced persons and refugees and other durable solutions. Efforts by the UNMISS force to project outwards and provide security in areas of return can only complement a secure environment built by the signatories. The Mission's support to the Transitional Government of National Unity in establishing the various bodies envisaged in the agreement, including those mechanisms designed to build confidence between the security forces and internally displaced persons, such as the joint integrated police, will gradually help to shape a more protective environment in which civilians can resettle or return to their homes. To this end, internally displaced persons need to be fully informed of conditions in areas of potential return or resettlement in order to ensure the voluntary nature of any movement, which will require dedicated outreach by the Mission and humanitarian partners.

48. A robust landmine and unexploded ordnance clearance capacity, such that existing minefields and contaminated areas will be cleared, will help to facilitate the return or resettlement of internally displaced persons or refugees without fear of explosive hazards. The United Nations Mine Action Service would focus on high-priority road verification and clearance to facilitate freedom of movement for civilians and safe access for the Mission and humanitarian partners.

D. Human rights

Monitor, investigate, verify and report on violations of human rights and international humanitarian law, with a particular focus on gross violations, violations against children and conflict-related sexual violence

49. UNMISS should continue to accord priority to monitoring, investigating, verifying and regularly reporting on the human rights situation, including in relation to the implementation of the peace agreement. This should be done with a view to:

(a) Identifying early warning signals and trends of persons at risk to feed into and inform the Mission's responses with regard to the protection of civilians;

(b) Increasing the Mission's capacity to investigate human rights violations, including conflict-related sexual violence, in order to enhance regular reporting and support accountability processes;

(c) Identifying challenges to the protection of human rights and engaging United Nations agencies, UNMISS substantive sections and the relevant government institutions in facilitating action to tackle those challenges through advocacy, law reform, policy change, training, awareness-raising and capacity-building;

(d) Issuing regular public reports to inform national and international political processes, support accountability processes and support advocacy efforts.

Support the Transitional Government of National Unity in ensuring the compliance with international human rights standards of the foreseen new constitutional and legislative frameworks mandated under the peace agreement

50. The human rights mandate of the Mission should enable it to provide immediate technical assistance and advice to the Transitional Government of National Unity vis-à-vis the enactment of the institutional and legislative reforms foreseen in chapters I, IV and VI of the peace agreement. As far as the constitutional review process is concerned, this will include the provision of technical assistance and advisory services to ensure that the new constitution provides adequate protection of human rights and that the development of new legislation is in accordance with applicable human rights standards. In the medium term, UNMISS would advocate and assist in the harmonization of statutory and customary legal frameworks in accordance with international legal and human rights standards to avoid the recurrence of unaddressed grievances and conflict.

Support the national authorities, civil society and victims in combating impunity and establishing transitional justice mechanisms, including by supporting the development of the Commission for Truth, Reconciliation and Healing, judicial processes and a reparations framework, in compliance with international human rights standards

51. In the immediate term, the Mission's Human Rights Division would monitor and provide advisory support to the transitional justice processes, as stipulated in chapter V of the peace agreement, to ensure that those responsible for human rights violations, including conflict-related sexual violence and grave violations against children, are prosecuted without delay and tried in accordance with international fair trial standards. As appropriate, the Division would also provide technical advice to the national authorities and support the participation of victims in the establishment of transitional justice mechanisms, in compliance with international human rights standards. The Division would support the Transitional Government of National Unity and where appropriate, international mechanisms, in the conduct of investigations into human rights violations and abuses and support and monitor prosecution processes, as appropriate. Through its presence at the national and state levels, the Division would also continue to engage with national authorities and institutions, seeking accountability and redress for verified human rights violations,

while ensuring that adequate protection mechanisms were in place for victims and witnesses.

52. Should the transitional justice mechanisms provided for in chapter V of the peace agreement be established, significant resources would be needed to support national consultations, the establishment of the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority and the provision of expert advice to the Hybrid Court for South Sudan, if required. This should be carried out with other relevant UNMISS components and the United Nations country team, notably with the support of the global focal point for police, justice and corrections areas arrangement.

Support civil society and national human rights institutions to ensure accountability for human rights violations

53. Supporting human rights defenders, the media and groups for victims and survivors should be accorded priority. To empower civil society, enhance its capacity to combat impunity and strengthen people's rights to justice, truth and reparation, the Mission's Human Rights Division would develop specific programmes and strategies to support access to justice for victims and strengthen capacity to monitor and report on violations. Such programmes should include training on standards, support for the development of protection mechanisms and the empowerment of victims to gain access to justice for past violations.

54. In addition, there should be specific emphasis on providing technical assistance to the South Sudan Human Rights Commission to enhance its capacity to monitor, verify and promote human rights.

Human rights due diligence policy

55. Support for several security provisions in the peace agreement, including the joint integrated police and the Joint Operations Centre, requires strengthened capacity in the Mission to adequately implement the human rights due diligence policy.

Conflict-related sexual violence

56. The level of conflict-related sexual violence remains high, as does the threat of further violence against women and girls. Accordingly, UNMISS should continue to work towards the implementation of resolutions 1960 (2010) and 2106 (2013) by monitoring, analysing and reporting on patterns and trends of conflict-related sexual violence and by strengthening internal capacity in that regard through training, prevention and efforts to address accountability. UNMISS and United Nations agencies would 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 response. The Mission would also continue to coordinate the conflict-related sexual violence mandate, provide senior-level engagement with and technical support to the parties to the conflict with regard to the implementation of their joint communiqués and advocate the integration of prevention and accountability with regard to such violations into security sector reform, disarmament, demobilization and reintegration and justice reform processes.

Child protection

57. Grave and widespread violations against children continue to be committed by all parties to the conflict. UNMISS should continue to emphasize 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. The Mission should also continue to advocate that the Government fully and immediately implement its revised action plan to end and prevent grave violations committed against children, and support it in doing so. Similarly, it should also help SPLM/A in Opposition to immediately act on its commitment to end grave violations and abuses against children, and support it in doing so.

58. Provisions relating to child protection in the peace agreement, notably with regard to assisting the separation of children from armed forces and armed groups through the screening of cantonment sites, will require prioritized engagement from relevant UNMISS, United Nations country team and humanitarian country team actors.

E. Creation of the conditions for the delivery of humanitarian assistance

Contribute, in close coordination with humanitarian actors, 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 and ensure the security of the installations and equipment necessary for the implementation of mandated tasks, as appropriate

59. To support humanitarian efforts to reach the most vulnerable and prevent a further deterioration of the humanitarian situation, UNMISS will be required throughout the transitional period to contribute, in close coordination with humanitarian actors, to the creation of security conditions conducive to the delivery of humanitarian assistance.

60. To expand the reach of humanitarian access to previously inaccessible conflict-affected communities, UNMISS vehicle patrols will be needed to project further along routes commonly used by relief personnel. The establishment of forward operating bases and foot patrols will be required in areas in which humanitarian and protection needs are high in order to secure them for the safe delivery of assistance. The continued risk of violence targeting humanitarian personnel and the looting of humanitarian supplies will, where required, necessitate the continuing co-location of humanitarian facilities and offices inside some UNMISS bases and humanitarian hubs. Ethnic tensions and crime in some of the protection sites also pose a serious threat to the humanitarian staff working within those areas. UNMISS will continue to be required to provide safety, as appropriate, and in close coordination with humanitarian agencies, during humanitarian operations.

61. Owing to the poor road conditions, which create bottlenecks in supply lines, the UNMISS contribution, alongside the humanitarian country team, in assisting in the maintenance of key infrastructure (roads, airfields, river ports, etc.) will be essential for the timely delivery of humanitarian assistance.

F. Rule of law and security institutions

62. The peace agreement provides for United Nations investment in the rule of law and security sector transformation. To this end, it is recommended that UNMISS accord priority to the provision of strategic and technical advice in support of elements of the peace agreement that will enhance respect for the rule of law and pave the way for future institution-building initiatives, generate popular trust in rule of law institutions by demonstrating the commitment and capacity of national institutions to hold accountable those who have committed serious crimes, including atrocity crimes and crimes that fuel conflict, and deliver security through improved policing, penitentiary services, security sector reform and disarmament, demobilization and reintegration.

Assist the parties in promoting the rule of law, including by supporting national investigative and prosecutorial processes and legislative reform and coordinating support for police, justice and correctional institutions

63. A modest justice and corrections advisory capacity is proposed to work alongside other UNMISS components. It would:

(a) Support the coordination of international support for rule of law institutions in accordance with the global focal point arrangement;

(b) Liaise and engage in advocacy with national rule of law institutions (the judiciary, prosecutors, the Ministry of Justice and the prison authorities) on the relevant aspects of the peace agreement and protection of civilians;

(c) Provide advice and technical support to the legislative reform process outlined in the peace agreement in the areas of police, justice and corrections;

(d) Provide advice, mentoring and technical support, through a small prosecution support capacity, including five government-provided justice personnel, to nationally led efforts to investigate and prosecute serious crimes attributed to State actors, security forces or members of armed groups, including atrocity crimes and crimes that fuel conflict;

(e) Provide an assessment of the state and composition of the rule of law institutions throughout the country, the impact of pre-conflict initiatives to strengthen those institutions and the recommended approach to any Mission engagement in further capacity-building;

(f) Support the United Nations police component in curriculum development for the joint integrated police.

64. The rule of law capacity will provide corrections services capable of taking on the challenge of managing the holding facilities located at the protection sites in Juba, Malakal, Bor and Bentiu and judicial advisory expertise to ensure follow-up on cases handed over to the national authorities. This includes the management of 78 government-provided corrections personnel, ensuring adequate material standards and management of detention case files with regard to detainee rights.

Support the planned strategic defence and security review towards the development of a road map for security sector transformation that includes the development of national disarmament, demobilization and reintegration and security sector reform strategies

65. Security sector reform and disarmament, demobilization and reintegration are at the core of the permanent ceasefire and transitional security arrangements set out in chapter II of the peace agreement. In both areas, UNMISS has a comparative advantage in monitoring and evaluation, coordination and the provision of advice and expertise, including in the development of specific plans and strategies.

66. In view of the current political, security and economic situation, however, the feasibility of launching either security sector reform or disarmament, demobilization and reintegration is limited. Moreover, given the limited appetite among traditional security sector reform and/or disarmament, demobilization and reintegration donors based in Juba to fund large-scale programmatic efforts, it is recommended that United Nations assistance in these areas be provided in a sequenced manner, with the achievement of specific benchmarks a prerequisite for additional support. Furthermore, it should follow the overall principle of national ownership centred on inclusive participation in the formation of professional security services. Pending credible progress in the security sector reform process, UNMISS may consider scaling up its security sector reform and disarmament, demobilization and reintegration capacity to provide enhanced advisory, technical and capacity-building support at a later stage.

67. Bearing this in mind, it is recommended that UNMISS establish a small advisory security sector reform capacity to support political agreement on security sector reform provisions through advice to my Special Representative. If requested, the capacity would also provide technical advice and expertise to inform the future security sector transformation.

68. Similarly, a small disarmament, demobilization and reintegration capacity should be established to provide technical advice, planning and coordination support. Clear benchmarks should be established to measure progress on disarmament, demobilization and reintegration and enable the scaling up of the capacity in the future, if needed.

III. Mission support considerations

69. To take forward support for the implementation of the peace agreement, as articulated above, together with the operational adjustments required to improve the implementation of current mandated tasks, a minimal increase in the number of substantive staff will be required. In addition, a moderate increase in the number of troop and police personnel would enable the Mission to take forward new tasks without diverting resources already being used for mandated tasks.

70. The troop and police ceiling would each be raised to accommodate an additional 500 and 600 personnel, respectively. A total of 78 government-provided corrections personnel would also be required to manage holding facilities within UNMISS protection sites, as would five government-provided justice personnel to support national criminal investigations and prosecutions.

71. To support additional tasks and to enable the introduction of new military and police personnel, the Mission would also require additional force enablers, including an engineering company to be located in Bentiu, up to 13 additional air assets, a level II medical facility, also to be positioned in Bentiu, to support more than 1,600 uniformed personnel and civilians, and the replacement of the existing level II facility with a level III facility in Juba, which would be critical to providing essential emergency medical services to the increased number of uniformed personnel deployed since the surge.

IV. Observations

72. The recommendations contained herein are premised on the assumption that the signatories to the agreement will make the compromises necessary to enable the operationalization of the security arrangements and commit themselves unreservedly to the peace process.

73. To help the peace agreement to gain traction during this critical early phase of its implementation, and given the requirement that the Mission continue to implement its current mandated tasks, I recommend that the Security Council structure the future mandate of UNMISS around the priority objectives outlined herein. Doing so will enable the Mission to provide support to the Transitional Government of National Unity and other institutions of the transition and make the operational adjustments required to enhance the delivery of existing mandated tasks.

74. My Special Representative has consulted a number of government stakeholders on the findings and recommendations presented herein, including the Minister for Cabinet Affairs, the Minister of Defence and Veterans' Affairs, the Minister of Justice, the Minister of the Interior and the Deputy Minister for Foreign Affairs. She has also consulted actors in Addis Ababa, including the leaders of SPLM/A in Opposition, representatives of the former detainees, the Commissioner for Peace and Security of the African Union and the Office of the IGAD Special Envoys for South Sudan. All those stakeholders said that UNMISS support for the implementation of the peace agreement would be necessary.

75. For the most part, the Government has expressed the view that UNMISS should be granted a wide-reaching institutional capacity-building mandate that includes providing comprehensive support to the joint integrated police and the security sector reform and disarmament, demobilization and reintegration processes, but should not assume any direct responsibility for security matters. SPLM/A in Opposition requested UNMISS assistance in ensuring that the ceasefire was respected and that the Joint Monitoring and Evaluation Commission was able to fulfil its role. The former detainees underscored the need for UNMISS peacekeepers to step up their activities to protect civilians.

76. Meanwhile, the Chair of the IGAD Special Envoys emphasized the need for UNMISS support in monitoring the ceasefire and identifying those responsible for any violations. They also highlighted the need for future assistance in the coordination of electoral support and good offices towards the holding of credible and transparent elections. The Commissioner for Peace and Security of the African Union highlighted the need for UNMISS to support the Chair of the Joint Monitoring and Evaluation Commission pending the establishment of an African Union mission in the country. Both voiced support for the idea of a flexible and phased approach to the review of the Mission's mandate, so that it would be able to adapt to the evolving political and security environment.

77. The priority objectives recommended herein broadly address the needs identified by the stakeholders. I urge the Security Council to consider the recommendations in their deliberations on the UNMISS mandate. To take forward the priority objectives and related tasks, I recommend the authorization of an additional 500 troops, 600 police personnel and 83 corrections and justice government-provided personnel. Additional air assets and a minimal increase in substantive expertise will also be necessary.

78. Partners within the United Nations system, in particular the United Nations country team, will have important roles to play in many of the areas identified herein. United Nations agencies, funds and programmes have a comparative advantage with regard to supporting several provisions of the peace agreement. Close coordination between the Mission and the country team will be important to develop a coherent United Nations effort in support of the implementation of the agreement. The contribution of the country team to the current mandated tasks of UNMISS has been vital thus far and will need to continue in the coming mandate period. Likewise, the engagement of other stakeholders, in particular IGAD and the African Union, will be critical for the successful implementation of the peace agreement. Both organizations have leading roles to play in this respect, and close collaboration with them will be essential.

79. UNMISS is not in a position to deliver all the support necessary to ensure the success of the peace process. Substantial resources will be required to take forward the framework for democratic transformation, good governance, justice and reconciliation, reparations and healing and early recovery provided for in the peace agreement. Technical and financial assistance must be provided to the Transitional Government of National Unity in support of peace. I would encourage donors to support the implementation of the programme of transition in a coordinated manner. The dire humanitarian situation in the country must not be forgotten. I appeal to donors to continue to fund the humanitarian effort, as long as needs persist.

80. Given the fluidity of the political and security situation on the ground, I recommend that a flexible and phased approach be taken to defining the Mission's engagement in South Sudan. The political dynamics and progress towards the implementation of the peace agreement should be reassessed regularly to ensure that the Mission's mandate and capabilities reflect the requirements of the operating environment. A period of one year should be allowed to implement the recommended mandate changes and assess their impact.

81. Owing to the delays in the implementation of the pre-transition provisions of the peace agreement, several planning assumptions that informed the review need to be refined. Once the Transitional Government of National Unity has been formed, and the joint integrated police command and the Ceasefire and Transitional Security Arrangements Monitoring Mechanism have been established, an in-depth consultation will have to be held to clarify the prioritization of their tasks, develop their operational plans and further assess the support needed to progressively scale up their operations.

82. Lastly, a number of the recommendations included herein fundamentally rely on the commitment and improved cooperation with the national authorities. I call upon the parties to take all action necessary to allow UNMISS to operate freely, in accordance with the provisions of the status-of-forces agreement, during the transition.