



Security Council

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Letter dated 4 December 2023 from the Secretary-General addressed to the President of the Security Council

In accordance with resolution [2677 \(2023\)](#) of 15 March 2023, through which the Security Council requested me to provide an independently conducted impact assessment of the implementation by the United Nations Mission in South Sudan (UNMISS) of its protection of civilians mandate, I have the honour to transmit the report of the independent assessment, led by Tamrat Samuel (see annex).

The report includes an examination of the protection of civilians-related achievements, shortcomings and current and potential challenges of UNMISS, including efforts to extend its geographical reach, visibility and presence around the country, its early-warning, integrated analysis and crisis response capabilities, as well as internal and United Nations-wide coordination. The report further includes the resource needs of the Mission in order to carry out its protection of civilians mandate in a more proactive and impactful manner, and concludes with recommendations that could assist UNMISS in enhancing its work in that regard.

I would be grateful if you could bring the present letter and its annex to the attention of the members of the Security Council.

(Signed) António Guterres



Annex

Introduction

1. The Security Council, in its resolution [2677 \(2023\)](#), requested the Secretary-General to provide an independently conducted impact assessment of the implementation by the United Nations Mission in South Sudan (UNMISS) of its protection of civilians mandate, with a focus on the Mission's protection of civilians strategy following the redesignation of several protection of civilians sites, its troop and police mindset, its whole-of-mission integration and any obstacles to the Mission's ability to fulfil its mandate, including obstruction by the host Government or other forces.

2. The present assessment examines the Mission's protection of civilians-related achievements, shortcomings and current and potential challenges; its effort to extend its geographical reach, visibility and presence around the country relying on the resources at its disposal; its early-warning, integrated analysis and crisis response capabilities; its community-level engagement; and its internal and United Nations-wide coordination, and touches upon the Mission's resource needs to carry out its protection of civilians mandate in a more proactive and impactful manner. In the present review, the Independent Expert begins by highlighting the main threats to civilians. He goes on to summarize the UNMISS protection of civilians strategy and examine its implementation, and concludes with a number of recommendations that could assist the Mission in enhancing the implementation of its protection of civilians mandate.

3. The methodology followed included extensive documentary reviews and broad consultations with United Nations and non-United Nations actors and a cross-section of South Sudanese stakeholders. The first phase focused on gathering and studying key data related to protection of civilians, the nature of the violence affecting civilians, root causes and drivers, trend analyses and perception surveys, among others. Virtual and in-person meetings were held with key interlocutors in New York, Geneva and South Sudan. In the second phase, the Independent Expert conducted a two-week mission to South Sudan, from 16 to 27 October, which included field visits to camps for internally displaced persons in Juba (Central Equatoria) and Bentiu (Unity State), sites for internally displaced persons in Tambura (Western Equatoria) and Kodok (Upper Nile) as well as the protection of civilians site near Malakal (Upper Nile). The Independent Expert engaged extensively in consultations with key stakeholders, including internally displaced communities, government officials, UNMISS, representatives of the United Nations country team, humanitarian actors, non-governmental organizations (NGOs), representatives of South Sudanese civil society and the diplomatic community, including from the region. From 28 to 31 October, the Independent Expert visited Addis Ababa, where he met with senior United Nations officials for discussions on the regional dimensions of the country's protection of civilians issues.

4. Throughout the assessment, the Independent Expert was supported by a technical team drawn from the Office of the United Nations High Commissioner for Human Rights, the Office for the Coordination of Humanitarian Affairs, UNMISS and various offices of the Department of Political and Peacebuilding Affairs and the Department of Peace Operations. The present report represents the views, observations and recommendations of the Independent Expert.

Nature of current threats to civilians in South Sudan

5. December 2013 marked a critical turning point for the newly independent nation of South Sudan as political divisions led to the outbreak of armed conflict across the country. Widespread violence and atrocities against civilians had an impact on more than half the population and left millions displaced, requiring the establishment of protection of civilians sites as thousands sought refuge and physical protection at UNMISS bases. Since then, as many as 244,000 civilians have sought protection in eight UNMISS compounds around the country.¹ Thousands of lives have been saved. A 2015 agreement to resolve the conflict brought a brief respite, but fighting resumed in 2016, leading to more civilian deaths and internal and cross border displacement.

6. Following the signing of the Revitalized Agreement on the Resolution of the Conflict in South Sudan, the conflict abated significantly, as did physical threats affecting protection of civilians sites. Consequently, in 2021, the Mission redesignated four of the five protection of civilians sites as internally displaced persons camps and transferred security responsibility for those camps to the national Government.

7. At the national level, the current security situation in South Sudan is the most stable it has been in years. There has been a decrease in the number of clashes between the signatories of the Revitalized Agreement. Recent clashes have mostly been of a subnational and intercommunal nature, although these often have links with national-level political dynamics. Despite the relative calm and atmosphere of normalcy, notably in the capital, Juba, there are underlying tensions which, if not managed well, have the potential to turn into major conflagrations. The key current and potential sources of insecurity for civilians are discussed below.

Threats at the national level

8. A major source of concern is the significant delay in the implementation of the Revitalized Agreement. The parties are a year behind schedule in meeting the benchmarks of the road map to a peaceful and democratic end to the transitional period, signed in August 2022. The level of trust among the parties remains low despite some progress since the formation of a unified government in February 2020. The formation and deployment of a unified national army, a unified police force and other security forces continue to face major delays. This affects the Government's ability to take full responsibility for the security of its citizens and to conduct peaceful elections as planned by December 2024.

9. The Sudan People's Liberation Movement in Opposition (SPLM-IO) is facing significant internal rifts and infighting, some of which are allegedly instigated or exploited by the Sudan People's Liberation Movement in Government (SPLM-IG). A number of faction leaders with their own armed followers have defected to SPLM-IG or have broken away from SPLM-IO. This has resulted in tense stand-offs and direct conflict, with the attendant targeting of villages and communities, as the clashes are sometimes fought along ethnic lines and may overlap with intercommunal conflicts, discussed below.

10. The low-intensity conflict between the South Sudan People's Defence Forces and non-signatory armed groups of the Revitalized Agreement continues to cause civilian suffering. The Defence Forces carry out security operations against the non-signatory forces, such as the National Salvation Front, which operates in Central

¹ See S/2019/741, para. 7.

Equatoria. Both sides are accused of committing human rights violations against civilians.

Threats at the subnational level

11. Subnational conflicts are the source of most of the violence affecting civilians. The population of internally displaced persons in South Sudan stood at 2.3 million as of July 2023.

12. Intercommunal clashes and the proliferation of weapons continue to cause loss of life, large-scale displacements and severe disruption of livelihoods for tens of thousands of people. Cattle raiding and cattle-related migration remain major sources of intercommunal conflict and have become more deadly owing to the proliferation of arms among civilians. It is reported that most of the country's cattle wealth is owned by wealthy urban dwellers who employ and arm rural youth to protect their interests.

13. Violence against women and children is pervasive. The most vulnerable civilians in South Sudan are women, children, older people and people with disabilities. More than 292 documented cases of conflict-related sexual violence have been verified since 2022, with most perpetrators going unpunished. In 2022, there was an uptick in abductions of women and girls for sexual exploitation and the use of rape and gang rape as rewards in clashes. Grave violations against children persist, including sexual violence, recruitment into armed groups, rising abductions during security incidents and attacks on schools and hospitals (see [S/2023/413](#), para. 15).

14. General lack of security and of a protective environment built on strengthened legal and judicial systems, and the absence of a trusted, depoliticized and unified police force, exacerbate cycles of intercommunal violence and impunity for human rights violations. Their lack hinders the return of internally displaced persons to their places of origin and/or their safe resettlement. Lack of security, the absence of basic services and the effects of climate change are key reasons given by internally displaced persons for their reluctance to leave the camps.

15. Militarization of the Nile is a security concern. Heavily armed actors, with or without political affiliation or agenda, set up illegal checkpoints along the White Nile to carry out extortions. These illegal checkpoints threaten lives and disrupt navigation and the movement of essential provisions from Juba northward, which has become the main supply route to the northern parts along the river following the outbreak of conflict in the Sudan and the disruption of movement across the land border of the two countries.

Factors that exacerbate violence against civilians

16. Climate change and environmental factors are adding to the suffering and insecurity of a significant number of civilians across the country. Climate-induced crises have intensified intercommunal violence among herding and farming communities. Flooding in the White Nile basin has dislocated entire communities and considerably increased the population of some of the internally displaced persons camps. The Bentiu internally displaced persons camp in Unity State, for example, has turned into an island, surrounded by flood waters, protected only by dikes maintained by UNMISS in coordination with humanitarian actors and the Government (see figures I and II). Many residents who fled their homes as a result of flooding have little prospect of returning to their places of origin in the near future, even if their

other security concerns were to be alleviated. Extended drought has destroyed cattle grazing land in other areas.

17. The conflict in the Sudan, which began in April 2023, has so far led to the influx of nearly 400,000 people (mostly South Sudanese, but also including Sudanese refugees and refugees of other nationalities) into South Sudan. This is putting considerable strain on the limited resources of South Sudanese host communities and the already stretched capacity of the humanitarian agencies. It is having a serious impact on basic services in the northern states and has led to a significant rise in prices and shortages of essential commodities. Tensions between the new arrivals and border communities, such as those in Upper Nile State, are concerning.

18. Food insecurity and the lack of basic services are major destabilizing factors for civilians. The national budget allocation for humanitarian needs remains minimal. As humanitarian funding is dwindling globally, South Sudan will see a reduction of 50 per cent of its already limited humanitarian funding, a situation that can raise tensions and insecurity for civilians and humanitarian actors.

19. Socioeconomic factors, including grinding poverty and income disparity, are another potential source of tension. Some 82 per cent of the population of South Sudan lives below the poverty line. The oil and gas sector, which is the main source of national revenue, has generated a not-insignificant level of wealth, but most South Sudanese have not benefited from it. Civil society actors and others decry the lack of investment in poverty alleviation and essential services as well as rampant corruption.

20. Risk of election-related violence is a major security concern for many of the people of South Sudan. Whether and what kinds of elections will take place in 2024 remains unknown. However, most conversations point to the high risk of violence that the coming year could bring. UNMISS reported that it is developing a strategy to address protection of civilians-related challenges arising from politically motivated violence.

Figure I
Bentiu internally displaced persons camp, currently an isolated land mass, surrounded by flooded terrain protected by dikes



Photo credit: Office of the United Nations High Commissioner for Refugees/Andrew McConnell.

Figure II
Farmland and grazing land in Unity State overrun with floodwater



Photo credit: UNMISS.

Protection of civilians strategy of the Mission

21. The protection of civilians mandate in United Nations peacekeeping is defined as: “Without prejudice to the primary responsibility of the host State, integrated and coordinated activities by all civilian and uniformed mission components to prevent, deter or respond to threats of physical violence against civilians, within the mission’s capabilities and areas of deployment, through the use of all necessary means, up to and including deadly force.”² Protection of civilians has been at the core of the Mission’s mandate since its establishment in 2011. It became the Mission’s priority following the outbreak of civil war in 2013.

22. On 17 February 2023, UNMISS revised its protection of civilians strategy. In the revised strategy, UNMISS stipulates a whole-of-mission, gender-responsive and people-centred approach and underscores strategic partnerships with external actors. Threats to civilian security are grouped into two primary categories:

(a) **Subnational threats.** These threats are driven by political actors/machinations although manifesting locally. Pre-existing rivalries between armed opposition leaders, ethnic tensions and communal land disputes are exacerbated through manipulation, leading to violent conflicts, abductions, killings, sexual violence and forced displacement;

(b) **Intercommunal threats.** These threats are perennial in nature and fundamentally contained to a specific location. They can also be cyclical or seasonal and are characterized by recurring clashes between various communities, driven by competition for natural resources and exacerbated by climatic disruptions, such as droughts and flooding.

23. Five key strategic objectives are identified: enhancing Government capacity and accountability for protection of civilians through political engagement; promoting peaceful coexistence by addressing root causes of communal conflicts; fostering accountability through skills-building initiatives; safeguarding inclusive participation in peace processes and elections; and deterring violence against civilians through proactive deployment, improved information management and strategic asset repositioning.

24. The strategy operates across three tiers of protection of civilians action:

(a) **Tier 1 (protection through dialogue and engagement).** Activities relating to tier 1 are intended to support the implementation of the Revitalized Agreement, ensure broad and full stakeholder participation in the peace process and elections, and advocate for compliance with international humanitarian and human rights laws. Preventive political engagement and mediation at both the national and subnational levels are central to this track;

(b) **Tier 2 (provision of physical protection).** Activities relating to tier 2 are aimed at proactively addressing threats to civilians by intervening to prevent violence and secure civilian populations during imminent or ongoing physical violence, providing physical protection and responsive actions;

(c) **Tier 3 (establishment of a protective environment).** Efforts relating to tier 3 include strengthening the capacity of national actors to protect civilians. In addition to enhancing capacity and providing technical assistance for the justice and security sectors, including with regard to the administration and security of redesignated internally displaced persons camps, the Mission also seeks to invest in

² United Nations Department of Peace Operations, “The protection of civilians in United Nations peacekeeping”, May 2023, para. 13. Available at https://peacekeeping.un.org/sites/default/files/2023_protection_of_civilians_policy.pdf.

longer-term strategic actions and partnerships to address conflict drivers and support lasting solutions for displaced individuals.

25. In addition to the integrated response planning task team at Mission headquarters, coordination arrangements, which include United Nations agencies and humanitarian actors at the field level, were strengthened in July 2023 with a standing protection of civilians dedicated coordination mechanism.

Implementation of the Mission's protection of civilians strategy

Protection at protection of civilians sites and camps for internally displaced persons

26. In 2013, following the outbreak of widespread violence, UNMISS established five protection of civilians sites in Juba, Wau, Bentiu, Bor and Malakal and placed thousands of displaced civilians under its protection. The role the Mission played in providing them with protection was widely praised, including by internally displaced persons consulted during the assessment.

27. Some interlocutors lauded the redesignation of the four sites in 2021 as camps for internally displaced persons, which was set in motion by the former Special Representative of the Secretary-General, as a positive and bold decision. Government actors welcomed the transition as a recognition of their ability to fulfil their responsibilities and looked forward to the transition of the final remaining protection of civilians site at Malakal.

28. On the other hand, some representatives of internally displaced persons, humanitarian organizations and South Sudanese civil society voices hold the view that the redesignation was rushed, inadequately discussed, including with internally displaced persons and Indigenous leaders, and has had an adverse impact on the safety and security of internally displaced persons. Some of the concerns raised include: the lack of Government capacity and commitment; the proliferation of arms within the camps; a spike in violence, including domestic violence; sexual and gender-based violence and targeted sexual violence against women and girls, who are particularly at high risk of rape when collecting firewood or relieving themselves outside the camps; child protection issues; communal violence; and the lack of accountability for human rights violations. Police corruption and a lack of professionalism have also been highlighted.

29. At the same time, it is important to note that since the redesignation there has not been a major security incident in the internally displaced persons camps and, according to UNMISS, there is a gradual but growing confidence in the professionalism of the South Sudan National Police Service. This was reportedly evidenced by the increasing number of complaints that internally displaced persons filed with the National Police Service. Some acknowledgement was given during interactions at some internally displaced persons camps to the effort being made by the National Police Service to raise its professionalism.

Return of internally displaced persons

30. Most community leaders at internally displaced persons camps attribute the reluctance of the residents to return to their homes to the absence of a unified, apolitical, professional and accountable police force they can count on and the lack of services such as education and health, as well as flooding and land and property concerns. As an example, concerns were raised about the failure of the National Police Service to rescue hundreds of women and children who have been abducted or to protect elders from being killed by members of a rival community.

31. For many internally displaced persons, the most pressing issue is the lack of basic needs such as food and medicine. This was the urgent (and sometimes only) issue that internally displaced persons wanted to talk about during interactions with the Independent Expert. They made desperate pleas for increased food aid, stressing that they had been reduced to eating water lily bulbs to survive. The recent temporary halt in food distribution by the World Food Programme in the camps has led to protests. As international humanitarian assistance is reduced, the Government has not stepped in to fill the gap or increase basic services, leading to the deterioration of living conditions in the internally displaced persons camps. In Bentiu, internally displaced persons community members expressed their desire to return to their places of origin, but their homes remain submerged by flood waters and they would not be able to farm.

Protection of civilians site at Malakal

32. The situation at the Malakal protection of civilians site is one of uneasy calm following violent clashes in May and June 2023 between the Shilluk and Nuer residents, during which reportedly 25 people died. The deleterious effects of those clashes continue to reverberate. There is a deeply felt sense of victimhood and bitterness in both the current Shilluk residents who remain in the camp and the Nuer community that relocated to a location near Malakal town after the clashes. Representatives of both communities voiced their complaints (from the perspective of their respective interpretation of events) about the Mission's lack of early action to prevent the worst of the violence. The risk of renewed violence at the site remains high, and continued monitoring, assessment and vigilance by the Mission will be critical. Local government officials, who are highly critical of what they see as the Mission's failure to protect the Nuer residents, have vowed to take charge of the site's security in the near future despite the required Security Council-stipulated procedure for redesignation, a prospect that the current Shilluk residents are highly unlikely to welcome.

33. The violence in May and June brought into sharp relief some of the inherent protection of civilians challenges for United Nations peacekeepers in complex settings such as South Sudan, and especially Malakal, where the effects of the difficult and delayed national political transition are compounded by the many-sided local conflicts that are often exploited by national political actors, and weak governance, particularly in the justice and security sectors.

34. The Mission's after-action review of its response to the violent events acknowledged that swift and decisive action taken by the Mission by both the Juba headquarters and the Malakal field office, as well as the intervention of the Government's security forces, had averted a greater disaster and saved many lives. There is no doubt that the death toll could have been higher. Nevertheless, a number of shortcomings and gaps were identified by the Mission as lessons for future preparedness, including with regard to early warning, prevention and quick response. A systematic follow-up to address the identified gaps and shortcomings, and continued close monitoring of the situation, should be a high priority for the Mission.

35. Lessons from the redesignation of the four protection of civilians sites should heavily inform the planning for the redesignation of the Malakal protection of civilians site. NGOs hailed the establishment of a Malakal redesignation task force that includes representation from international NGOs as a positive initial step towards a more consultative and inclusive process. However, there is also concern about the lack of direct representation of the affected communities. Interlocutors stress that the redesignation of the Malakal protection of civilians site should be based on meaningful benchmarks and milestones regarding the Government's capacity to maintain security and provide protection.

Beyond the protection of civilians sites and static protection

36. Following the 2021 redesignation of the four protection of civilians sites as internally displaced persons camps and the transfer of administrative and security responsibility to the Government, UNMISS began to reorient its focus, repositioning its military and United Nations police capabilities and resources from static physical protection at protection of civilians sites to protecting civilians around the country and enhancing the Government's protection of civilians capacity and accountability. The Mission is doing so by extending its support to State institutions that have protection of civilians-related responsibilities, adopting a more mobile posture and extending its presence and visibility in larger areas of the country, including by proactively targeting hotspots across the country.

37. This reorientation has resource implications, as has been spelled out by the Mission. UNMISS should continue to make the necessary internal adjustments and reconfigurations and make more synergetic use of its personnel and assets. As with the adjustments being made in Force deployment posture to increase mobility, the "repurposing" of a number of civilian staff as the nucleus of a possible future electoral team in preparation for the expected electoral assistance that the Mission could provide in 2024 is a good example of this effort, but staffing flexibility is limited.

Protection through engagement and dialogue

38. Within the three-tiered approach of the UNMISS protection of civilians strategy outlined above, the Mission has rightly given primacy to tier 1 (protection through dialogue and engagement). While the show of military presence at potential hotspots and volatile areas and the use of military and United Nations police patrols can be vital in deterring and defusing violent outbreaks, there are limits to what these can achieve by themselves. They are tactical interventions by nature. Despite its sizeable uniformed capacity, the Mission's leverage in preventing and mitigating the effects of conflict hinges on its political intervention and engagements at both the national and local levels.

39. This function is likely to become even more critical as the country enters a potentially volatile election year and as UNMISS extends and deepens its engagements. Therefore, the Mission's well-established channels of communication and engagement with key actors at all levels should be further strengthened and expanded, and be coordinated (bearing in mind the interlinkages between local conflicts and national-level politics) to optimize the Mission's protection of civilians leverage.

40. To be effective, dialogue and engagement, particularly at the local and/or community level, must continue to be combined with, and backed by, action under the two other tiers of the strategy (the provision of physical protection and the establishment of a protective environment). The establishment of a temporary operating base at Tambura is a case in point that underscores the importance of a whole-of-mission approach.

Physical protection

41. Action under tier 2 (provision of physical protection) remains vital to the Mission's protective intervention in the face of imminent or ongoing threats to the physical safety of civilians. Therefore, readiness to act swiftly and decisively is critical. This does not mean using force on every occasion, as that risks the Mission getting drawn into conflicts and losing impartiality. As the Mission leadership points out, even after the outbreak of deadly clashes, the role of the Mission is not to insert itself using force to stop the fighting. Its focus remains on protecting civilians.

42. According to the Force Commander, the Force is deployed at 25 locations, which enables coverage of only about one twenty-fifth of the country's landmass. With the ongoing adjustment in its deployment posture, the Mission intends to extend its reach to about one sixteenth of the country using its existing resources and capacity.

43. Building on the recent practice of deploying temporary operating bases, 11 new locations have been identified for longer term deployment by March 2024, before the start of the next rainy season (April to November), initially to be operated by the Mission's Force (see maps 1 and 2). This additional deployment will have a conflict resolution function that can be sustained around the election period. According to the Force Commander, the potential surge in tensions and violence before, during and following the planned 2024 elections will require the Force to be well positioned beforehand. In addition, these deployments should be planned and executed with an eye to supporting the creation of secure conditions for the return of internally displaced persons to their places of origin.

44. Such a proactive deployment posture should be underpinned by a mindset and disposition of troops and commanders to, among other things, act promptly and robustly, within the scope of the Force's rules of engagement, to protect civilians under imminent threat of violence, to be prepared to undertake challenging assignments in areas of demanding physical and security environment and, in line with the "whole-of-mission" approach, to work collaboratively in integrated teams with staff of other Mission components and to demonstrate high standards of behaviour in dealing with civilians, particularly women, children and other vulnerable persons.

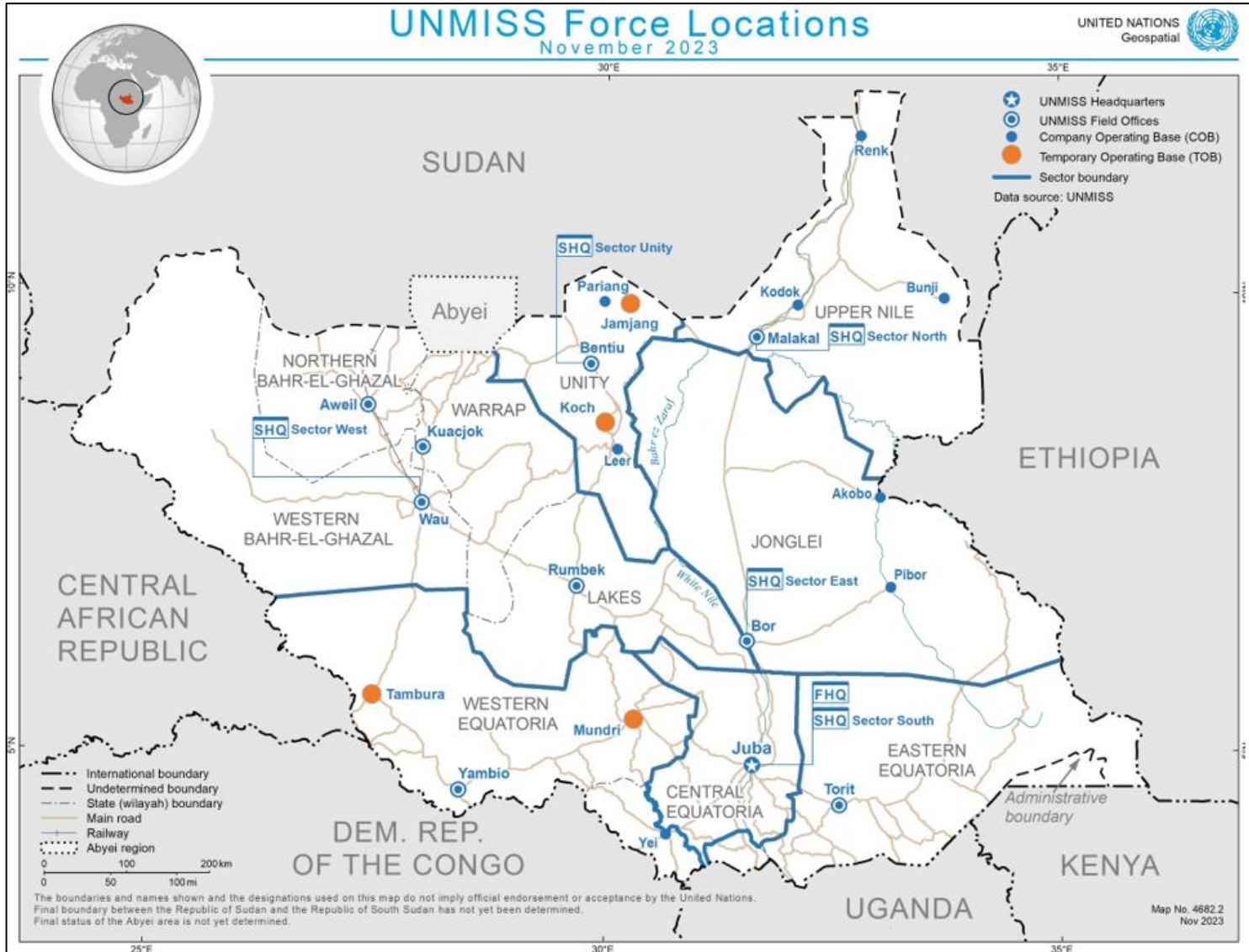
45. Interlocutors emphasized the need for innovation and scaled-up investment in appropriate capacities to address the persistent challenges of the operational context of South Sudan, including the adverse geographical conditions and the lack of roads and infrastructure. The key capacity needs of the Force and the United Nations police have been identified in a recent internal United Nations capability assessment.

46. The Mission believes that the additional resources it has requested would allow for 600 troops to be available for mobile duties, including quick action for conflict response. The proposed acquisition of additional all-terrain and amphibious vehicles should considerably alleviate the Force's mobility constraints and enable it to conduct more vehicular and foot patrols (including night patrols) and to take a more offensive posture to ensure freedom of movement and safety on the Nile.

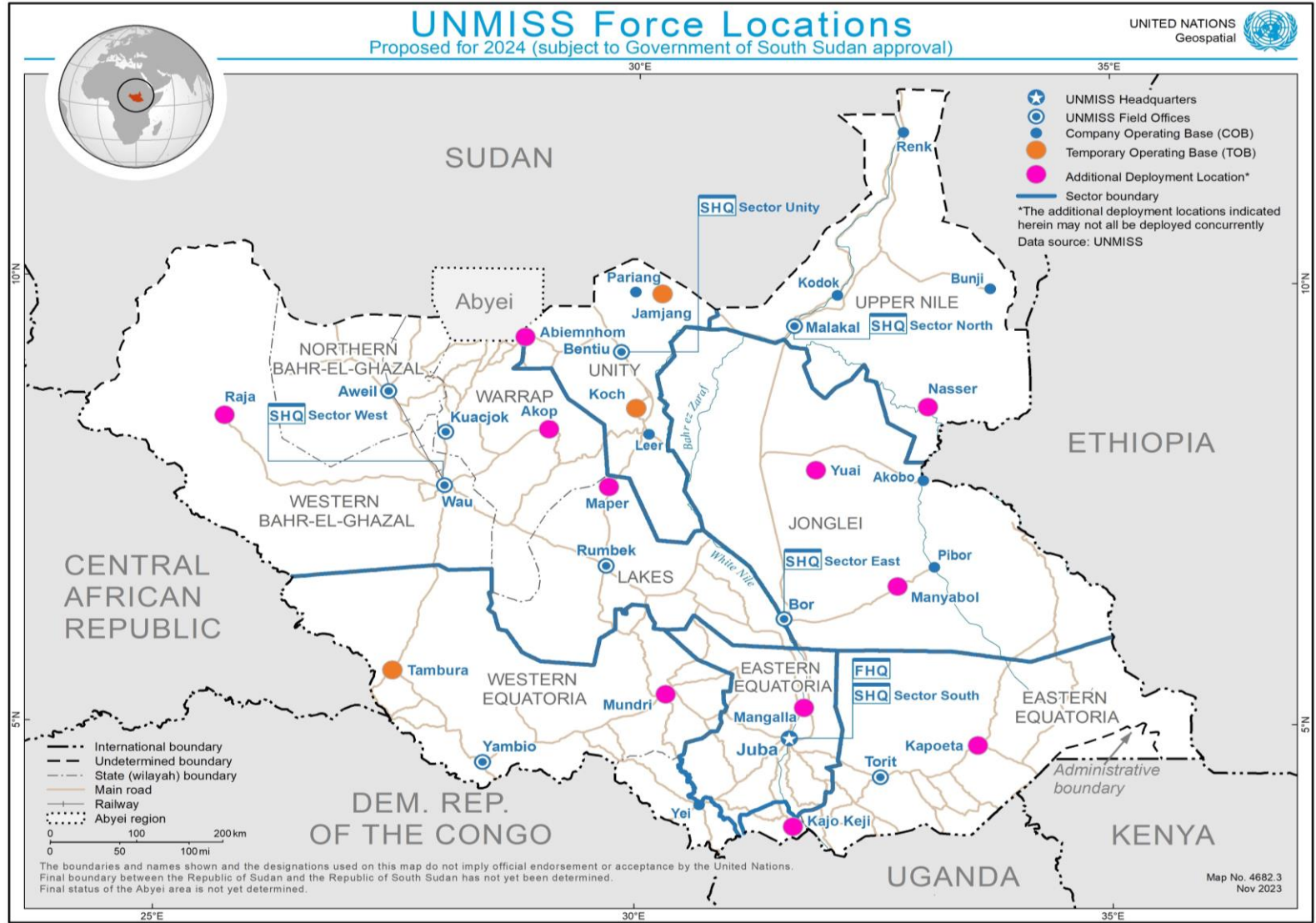
47. While the Mission's road improvement work, which aims at enhancing access for its peacekeeping work, has been commendable, concerns were raised that more investment in roads has been siloed as a primarily development intervention that cannot be justified as a peacekeeping endeavour. In South Sudan, targeted road work would enhance the Mission's protective work while also benefiting the community, as has been the case in other peace operations.

Map 1

Current presence of Mission Forces in South Sudan



Planned presence of Mission Forces with 11 additional locations, 2024



Role of civilian components of the Mission in fostering a protective environment

48. As the Mission works to extend its reach and carry out its protection of civilians responsibilities more proactively, the role of its civilian components in community engagement, reconciliation, peacebuilding and enhancing the civic and political space, in close coordination with uniformed personnel, becomes increasingly critical. These include its civil affairs and human rights teams and its gender, child protection and other advisory components, as well as community liaison officers.

49. By most accounts, this form of whole-of-mission engagement, with the civilian elements playing the leading role, has been effective. It gives concrete meaning to the policy of pivoting from the primarily static physical protection approach at protection of civilians sites to a broader approach that also aims at fostering a protective environment around the country. At the same time, there is also the view among some non-United Nations actors that there is still an overreliance on uniformed deployments as the primary form of response to protection of civilians needs. This should by no means be understood as diminishing the need and responsibility for the Mission to provide physical protection to civilians.

50. The Mission's ability to closely involve and coordinate with the United Nations country team in this area is also of vital immediate and long-term importance. While UNMISS has involved some civil society actors in its activities, others have observed that the Mission could benefit considerably from their local knowledge and relationships were they to be engaged more closely.

Enhancing national capacities

51. An important part of the Mission's work under tier 3 of its protection of civilians strategy is geared towards enhancing the capacity of national institutions and actors, in particular in the justice and security chain. It aims to help the State improve its capacity to protect its citizens through effectively functioning and accountable institutions and to empower citizens in building a strong civil society that holds the State accountable to its obligations.

52. Fostering a conducive environment for accountability for human rights violations is an integral part of the Mission's approach to protecting civilians. In this regard, the Mission's rule of law, human rights, police, civil affairs and gender sections work closely with the justice sector, the South Sudan People's Defence Forces, the South Sudanese National Police Service and the Ministry of Gender to enhance national capacity in accountability processes, with varying degrees of success.

53. Sexual and gender-based violence poses a significant threat to women and girls in South Sudan. While the Government of South Sudan has taken steps to address sexual and gender-based violence, including by establishing a special court and military prosecutions, the lack of political will and limited investment in the justice system create an environment conducive to such crimes.

54. The Mission's rule of law, human rights, civil affairs and gender sections collaborate to strengthen the capabilities of the Ministry of Justice in investigating and adjudicating sexual and gender-based violence crimes. Efforts include raising community awareness, implementing mobile courts and empowering survivors' participation in justice processes.

55. Additional support from the United Nations Development Programme (UNDP) and coordinated efforts are crucial to enhancing the capacity and accountability of the

National Police Service, especially in areas such as sexual and gender-based violence-related investigations and international law. Increasing the public's awareness through radio and other channels could be scaled up in collaboration with community and traditional leaders.

Long-term solutions

56. Building a viable system of governance on the basis of the rule of law in a young country like South Sudan is a long-term undertaking that extends well beyond the mandate and lifespan of the Mission. A peace operation such as UNMISS is not the long-term partner for institution-building in South Sudan. Therefore, what the Mission can achieve in that regard should not be overstated. Nevertheless, the modest investment being made today in laying the foundation for the development of institutions and capacities could be of lasting value for institutionalizing the protection of civilians in the system of governance.

57. For the above reasons, the capacity-enhancing work of the Mission needs to be closely linked to that of the United Nations country team and anchored in a coherent Organization-wide integrated approach that works towards durable solutions for the underlying issues relevant to the protection of civilians. Ensuring such coherence is highly relevant for the post-UNMISS role of the United Nations in South Sudan and can help the country establish a more sustainable protective environment. This also includes strengthening the Government's primary role in the protection of civilians.

UNPOL dual role

58. UNPOL provides physical security to civilians and carries out capacity-enhancing work to support the National Police Service, focusing on community policing and responding to sexual and gender-based violence incidents with a survivor-centred approach. It has full responsibility for security at the Malakal protection of civilians site. With the situation at the camp remaining tense, it will need to remain highly vigilant and prepared to respond to any outbreak of violence, including by drawing from the lessons of the violence of May and June 2023. The deployment of female-led patrols at the camp is a positive practice that should enhance women and girls' comfort in reporting gendered concerns.

59. UNPOL and the Women's Protection Unit should jointly coordinate efforts to address the lack of adequate protection for women and girls who face the risk of rape when leaving internally displaced persons camps and the Malakal protection of civilians site. While UNPOL prioritizes gender parity and skills development for female officers, low English literacy among female officers poses a challenge. Lack of Arabic-speaking UNPOL officers was also highlighted as a challenge.

60. With critical elections planned for 2024, UNPOL should assess its readiness to provide the necessary support and advice to national security bodies for ensuring peaceful elections.

Monitoring, early warning, joint analysis and early response

Monitoring, early warning and analysis

61. In the view of most interlocutors, UNMISS has continued to improve its capabilities in monitoring, information and data gathering, and verification and integrated analysis. The Mission leadership's decision-making relies on analysis that is integrated at Mission headquarters on the basis of regular reporting and analysis

from its field offices. The Mission's leadership has expressed its satisfaction with the adequacy of the quality of information and analysis to allow it to make the required decisions.

62. Nevertheless, there is room to strengthen the Mission's ability to tap into and make optimal use of the significant amount of good quality information and knowledge available to Mission and non-Mission entities. The continuous improvement of data gathering and integrated data management is crucial for the Mission's analysis, planning and decision-making.

63. A key challenge for UNMISS is the large amount of incoming, and at times conflicting, information and "early warnings" that can be difficult to manage and often takes time to triangulate and verify, a matter that requires a solution within the system of monitoring and analysis. This seems to be an important factor that affects the Mission's ability to respond to potential and ongoing crises in a timely and nimble manner, along with some of the United Nations administrative, security and other operational procedures, combined in some cases with the denial of physical access to certain areas of the country by national authorities.

64. Regular communication with key community stakeholders is an important means of enhancing the Mission's understanding of ground realities, reliably assessing potential risks and trends and enhancing the Mission's strategic foresight capabilities. Close collaboration is crucial in this regard between the Mission's Force, UNPOL and civilian components, such as those involved in civil affairs, political affairs and human rights, which engage with communities through their respective channels. The gathering and management of data and the integration of analysis, which is streamlined through the Joint Operations Centre (JOC) and Joint Mission Analysis Centre (JMAC), should be further enhanced to avoid information silos, and full use should be made of the information and insight coming from all elements of the Mission and from reliable non-Mission entities.

Early response and prevention

65. The Mission's leadership recognizes that responding in a speedy and agile manner to the outbreak or potential outbreak of conflict is an important challenge. In responding to early warning signals, the general approach of the Mission is to authorize, as each situation merits, the deployment of uniformed and civilian personnel, or reinforce existing deployments, to prevent the outbreak of violence or to mitigate its impact and to protect civilians. Prevention is critical but also challenging, in particular in instances where early warning is not available, such as a spontaneous outbreak of clashes.

66. The Mission uses its presence and influence to attempt to stop violence and protect the civilians caught in the conflict or fleeing it, without directly inserting itself in the conflict with force. This can be an onerous task given that the clashes in most cases involve civilians, or it becomes difficult to distinguish between those involved in the clashes and the civilians who seek protection.

67. The simultaneous political-level engagement by senior Mission leadership on the basis of information and analysis from field offices has helped to draw the attention of the Government at the highest levels to act to defuse ongoing violence. At the field level, there is a similar designation of roles to ensure a coordinated collective response. Nevertheless, concerns have also been raised at the field level about the lack of directives from Juba on the early response actions to be taken on the basis of the data and analysis shared. In this respect, close coordination between headquarters in Juba and the field offices, in regard to political interventions, is critical and requires continuous attention.

UNMISS freedom of movement

68. An important operational challenge that the Mission continues to face is the restriction placed on the movement of its troops and other personnel, including while conducting patrols or responding to crisis situations. The Force Commander underlines that movement restriction by the national authorities has decreased. At the same time, field-level Mission personnel and humanitarian organizations flag serious concerns of persistent access denials related to protection of civilians and early warning indications. In Central Equatoria, for instance, the Mission reported that it faced excessive restrictions on an ongoing basis, which significantly delayed its response to early warning indicators.

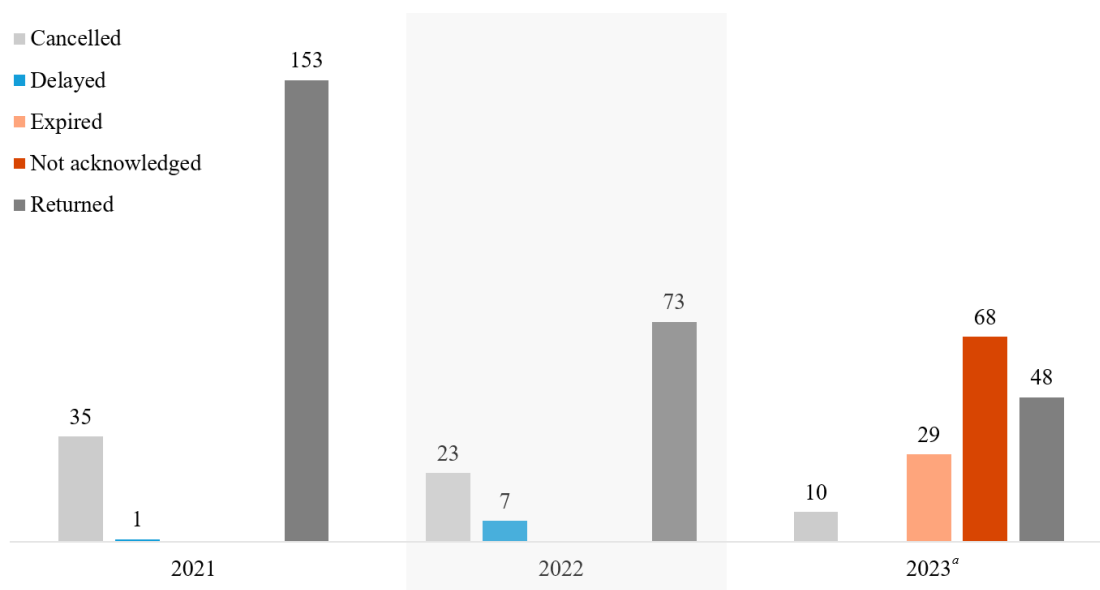
69. While UNMISS forces are only required to notify the authorities of their movement plans, in practice the notification has effectively become a “clearance” procedure that is often applied to deny or restrict access to certain areas. The denials, which have been reported to last as long as three months in some instances, are often justified on the grounds of security considerations for UNMISS personnel. In many instances, access denials seem to be related to ongoing security operations by the security forces. There are also concerns that access restrictions may be linked to human rights violations by government security forces.

70. The recent upward trend of denial of access has been attributed to the Mission’s desire to access certain new areas, including new “hotspots” in regions affected by the conflict in the Sudan. An examination of the Mission’s access denial data over the past three years reveals a significant surge in “not acknowledged” access notifications by the Government in 2023, particularly affecting hotspot areas such as Central Equatoria (see fig. III below).

71. While there appeared to have been an overall decrease in the number of access denials in 2022, it remains an important operational challenge that could become more acute in the coming year as the country enters the crucial electoral season.

Figure III

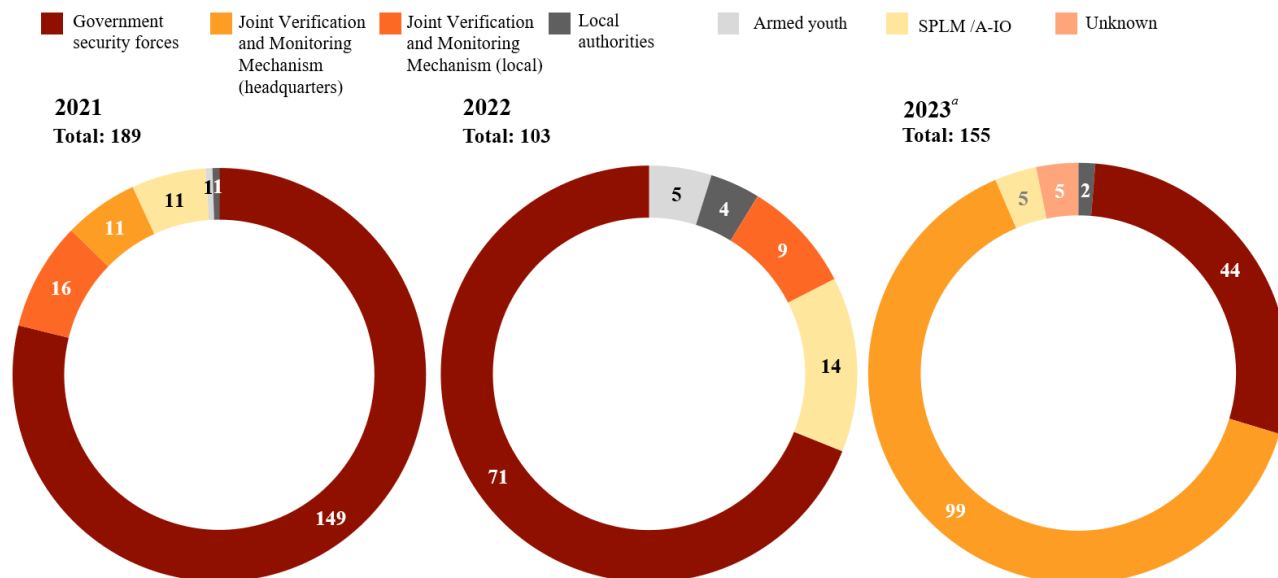
Status of access denial, by year (1 January 2021 to 20 November 2023)



Source: UNMISS.

^a 2023 data reflects 1 January to 20 November 2023.

Figure IV
Access denials, by actor (1 January 2021 to 20 November 2023)



Source: UNMISS.

^a 2023 data reflects 1 January to 20 November 2023. For 2023, five denials of access were not attributable as at 20 November and are shown as unknown.

Impact assessment

72. Measuring the impact of its protection of civilians work is a critical area where UNMISS needs to invest more as it focuses on extending its reach around the country. The implementation of the Comprehensive Planning and Performance Assessment System (CPAS) should be accelerated. The System is intended to assist the Mission in planning and assessing its impact, including with regard to protection of civilians activities, and to ensure that all protection of civilians interventions are in alignment with resolution 2677 (2023).

73. Since 2019, yearly perception surveys have been carried out by external consultants to gauge the attitudes and perceptions of the South Sudanese people on the role of UNMISS. The surveys show positive perceptions of the Mission's role in building durable peace. Its presence and activities are seen to contribute positively to the safety of women, and improvement is reported in the Mission's role in preventing, reducing and resolving intercommunal conflicts. Regular and structured meetings between the Mission and civil society organizations could be more effectively used to assess the Mission's impact.

74. United Nations entities, NGOs and South Sudanese civil society have shared generally positive experiences of UNMISS implementation of its protection of civilians mandate, including its extended physical protection support to humanitarian workers and assets, as well as the Mission's engagement in the evacuation of humanitarian actors in areas of conflict.

Strategic communication

75. The Mission communicates strong protection of civilians-focused messages using different media, notably through the popular Radio Miraya and social media. While radio is an effective medium in a country like South Sudan, and social media is effective in the urban areas, given inconsistent radio coverage in parts of the country and the limited Internet penetration outside urban centres, it is important for the Mission to develop additional and innovative outreach channels. Some of these can be linked to the community-level work of the Mission to deliver tailored community-focused content.

76. It was noted that the Mission's community liaison assistants, in particular female personnel, are an invaluable asset in much of the interfacing with communities of the military and civilian components of the Mission.

77. More generally, it is important for the Mission to develop strategies for communicating better its protection of civilians responsibilities, as well as its accomplishments – and challenges – in preventing the onset of violence and managing crises, which can help manage expectations.

Coordination

Organization-wide coordination

78. By most accounts, the level of United Nations integration as it relates to the protection of civilians in South Sudan has continued to improve. As alluded to above, there is a great deal of complementarity between the capacity-enhancing work of the Mission and the work of the United Nations country team. The Mission is a strong political and security presence that benefits the wider United Nations, whose extensive operations, networks and knowledge base are major assets for the Mission.

79. Nevertheless, there is room for improving United Nations system-wide coherence, including around coordination mechanisms, information management systems and project development and implementation. There are multiple protection strategies, based on the respective mandates of United Nations entities, and information data systems that with closer coordination and collaboration could greatly improve information sharing and protection of civilians, in particular in areas such as sexual and gender-based violence.

80. The South Sudan reconciliation, stabilization and resilience multi-partner trust fund has been instrumental in strengthening integrated United Nations system interventions. Closer coordination in its use with other United Nations-led funding mechanisms would improve the impact of the fund. The role of the United Nations country team can be pivotal in strengthening coherence and greater cooperation across United Nations-led funding mechanisms.

81. Mobile courts and various rule-of-law and security sector capacity-enhancing and training projects implemented by UNMISS and UNDP are vital interventions that could be more impactful with better coordination and collaboration. While overall field-level coordination between UNMISS and other United Nations entities is highlighted as positive, with regard to the protection of civilians, UNMISS should strive to further strengthen United Nations system-wide coherence, coordination and complementarity while recognizing the respective mandate responsibilities, principles and comparative advantages of each entity.

Coordination with non-United Nations entities

82. Humanitarian organizations have highlighted that increased coordination and the shift in Mission mindset have contributed to better information sharing and collaboration with NGOs and civil society actors. Humanitarian coordination mechanisms could be better linked with Mission protection of civilians mechanisms or interventions.

83. NGOs and South Sudanese civil society organizations underline that, with closer cooperation and better communication and transparency, they could contribute more to UNMISS protection of civilians interventions, notably in the peace and reconciliation work at the community level and the support to enhance the Government's capacity.

Regional dimensions

84. The Reconstituted Joint Monitoring and Evaluation Commission and the Ceasefire and Transitional Security Arrangements Monitoring Mechanism, under the auspices of the Intergovernmental Authority on Development, continue, despite resource limitations, to provide insight and continuous tracking of progress on the Revitalized Agreement. In addition, their detailed analysis supports the political engagement of the African Union with the Government of South Sudan, UNMISS and other international actors, including on ensuring the protection of civilians.

85. Collaborative initiatives undertaken by the Office of the Special Envoy of the Secretary-General for the Horn of Africa to address shared climate, peace and security concerns are relevant to South Sudan given the impact of climate change on the protection of civilians in the country. Those initiatives, including the climate security mechanism, present a crucial opportunity for South Sudan to leverage regional and subregional platforms and be part of integrated solutions in addressing protection concerns exacerbated by climate change.

86. The situation of the large number of South Sudanese refugees in the neighbouring countries is an issue that deserves closer attention, both from the perspective of their possible return and their right to participate in the 2024 elections.

Conclusions and recommendations

Concluding observations

87. The United Nations Mission in South Sudan is a testament to the significance of protection of civilians as a vital peacekeeping function. Over the past decade, the Mission has saved the lives of thousands of civilians and protected thousands more from physical harm. Public perception of UNMISS and its leadership in South Sudan and among international actors is positive. Relations with the Government have improved markedly over recent years. In carrying out the delicate task of protecting civilians amid varying levels of violence, UNMISS has not been drawn into direct conflict with any of the conflicting parties or compromised its impartiality. It remains a highly relevant peacekeeping mission.

88. At the same time, it is concerning that, a decade after the widespread violence that led to the reorientation of the Mission's mandate towards protecting civilians, the problem of internally displaced persons is far from being resolved and significant levels of protection of civilians concerns remain, disproportionately affecting women and children. The number of internally displaced persons in South Sudan, which has an estimated population of slightly over 11 million, stands at 2.3 million, while

2.4 million South Sudanese have been made refugees. It raises serious questions about the future trajectory of the problem and what those numbers will be in 5 or 10 years' time. It is imperative, therefore, that serious steps be taken to find durable solutions to the situation of internally displaced persons or, at a minimum, to significantly reduce its scale. This requires the urgent attention of all concerned, but primarily the Government of South Sudan. It also requires medium- to long-term planning by the United Nations system.

89. The key starting point for resolving the problem lies in finding a lasting solution to the country's political problems, which is in the hands of the leadership of the country and the main political actors. Together, the completion of the political transition through the implementation of the Revitalized Agreement and the resolution of outstanding issues involving the non-signatory/holdout groups are, therefore, the most critical task for the country to accomplish and for the international community to work towards by significantly raising the level of its engagement and support on all fronts. International attention to South Sudan seems to have waned partly because of other major crises elsewhere. It is a critical time to revitalize international engagement and encouragement to South Sudan. The unified voice of support and strong encouragement from the Security Council could have a significant impact at this critical time for South Sudan.

90. Of critical importance for the protection of civilians is the completion of the unification of forces and the development of the National Police Service force as a trusted, professional and accountable institution, along with a strengthened justice system. It is essential for significant progress to be made in this regard while UNMISS is still in the country in order to ensure that the Mission eventually transitions out with adequate national protection of civilians capacities in place. What must be avoided is a precipitous departure that could put at risk the protective gains that have been achieved.

91. Until then, UNMISS must continue to strengthen its protection of civilians activities. In parallel to its political role, the Mission will need to raise the level of its protection of civilians profile, both in terms of expanding its geographic coverage across the country, as well as extending the substantive depth of its engagement along the three tiers of protective action outlined in its protection of civilians strategy. Enhancing the capacity of the Government to protect civilians, by working closely with United Nations and non-United Nations development entities, is an important part of that effort.

92. In the execution of its robust protection of civilians mandate, UNMISS is expected to act proactively and assertively, irrespective of the source of the threat to civilians. At the same time, it is operating within the territory of a sovereign State, the Government of which, despite its lack of unity and cohesion, carries the primary responsibility for the protection of civilians. Therein lies perhaps the most challenging aspect of executing the Mission's protection of civilians mandate. On the one hand, UNMISS is duty-bound to carry out the robust mandate given to it by the Council, while at the same time respecting the primacy of the State in the protection of its citizens and in working to enhance the Government's capacity and accountability with respect to the protection of civilians.

93. Combined with the highly prescriptive nature of its new mandate, this reality tends to create a disparity between public (including international) expectations of what UNMISS can achieve and the actual capabilities (and limitations) of the Mission as a peacekeeping operation. This is particularly true with respect to long-term solutions to the underlying and systemic causes of civilian vulnerabilities. In that regard, the Mission has an important bridging role to play as part of the integrated (triple nexus) approach and broader United Nations transition planning, notably in

facilitating support for the return of civilians. Once again the solution lies in the Government's ability to scale up the capacity and accountability of State institutions as rapidly as possible with the support of the international community. There are no short cuts.

94. The Mission's good practices, capacity needs and critical areas of protection of civilians work requiring improvement are discussed above, along with a number of suggested measures for action. Below are the major recommendations for enhancing the effectiveness of the Mission's protection of civilians work, on the basis of the review conducted by the Independent Expert, and are by no means exhaustive.

Recommendations

Political action

95. **As South Sudan enters a critical stage of its political transition, with significant delays in the implementation of the Revitalized Agreement, including concerning the unification of security forces – which has important protection of civilians implications – UNMISS, the United Nations leadership, regional actors and the wider international community should significantly strengthen their engagement with the Government and the main political actors, in order to encourage the completion of the political transition process and address outstanding issues with respect to the non-signatory/holdout groups.**

96. **Measures to enable and encourage durable solutions based on the voluntary return of internally displaced persons to their places of origin (or relocation if not possible) with security and the provision of basic services made a high priority in the engagement and collaboration with the Government. Voluntary returns could be rolled out in a planned and phased manner, beginning with communities that can immediately begin to return or relocate. UNMISS police and force deployment could be more closely aligned with those efforts in order to build confidence among the returning civilians. The Government's commitment to work closely with UNMISS and other partners in such an effort will be critical.**

Mandate implementation

97. **UNMISS should scale up the ongoing shift from its previous primarily static protective deployment posture towards more mobility and extension of its visibility and footprint around the country. The emphasis should be on a rapid response that may require robust action in order to prevent and mitigate the outbreak of violence, supporting the return of internally displaced persons, and on peacemaking and peace consolidation.**

98. **Mission personnel across all components must fully adapt to this reorientation. The mindset and outlook of UNMISS uniformed and civilian personnel must reflect a commitment to protect civilians in imminent danger of violence, and the willingness to undertake challenging assignments and to assert security dominance, when necessary. Mindset preparedness also entails upholding high standards of behaviour, especially when dealing with and safeguarding civilians, in particular women, children and other vulnerable persons.**

99. **The Mission should scale up its community-level engagement in peacemaking, reconciliation and community empowerment, in building broader and deeper networks and partnerships across the country, including with civil**

society actors, and in strengthening its cooperation with other United Nations and non-United Nations entities in this area of work.

100. As UNMISS expands its engagement around the country, it should always apply a whole-of-mission presence, composed of both uniformed and civilian personnel. Language skills and cultural awareness should be enhanced. Increased effort should be made to recruit more Arabic speakers, notably in UNPOL.

101. Hiring more community liaison and language assistants should be prioritized. They are recognized as highly valuable to the Mission's work, and their useful role is likely to increase as UNMISS extends its presence and engagement with communities.

102. UNMISS should be strategically well positioned, both politically and in terms of security, for the potentially turbulent period leading up to, during and following the planned elections of 2024, both in terms of its own protection of civilian posture and the support it should provide to national actors. Promoting open civic space and safeguarding inclusive participation in the elections, in particular of young people, women, internally displaced persons as well as returnees, is a vital part of the Mission's strategic objectives.

103. To better address the protection needs of women and girls, UNMISS should reinforce its commitment to preventing and mitigating the risk of sexual and gender-based violence. This should include instituting a regular system of protection patrols that accompany women and girls at internally displaced persons camps and the protection of civilians site during their daily subsistence activities, such as collecting firewood. Coordinated leadership could be provided by the Women's Protection Unit, UNPOL, the working group on gender-based violence against women and the Gender-Based Violence Sub-Cluster.

Freedom of movement

104. The Mission and United Nations Headquarters should engage the Government of South Sudan more proactively at the highest levels to address issues related to the Mission's freedom of movement, which, despite improvements, continue to hinder its protection of civilians-related mobility, a matter that can present more difficulties with the increase in movement that the Mission's extension of deployment requires.

Coordination

105. While the level of United Nations-wide coordination in South Sudan is generally positive, continued efforts should be made to enhance greater coherence, including around developing a whole-of-Organization protection of civilians integrated approach, coordination mechanisms, information management systems and project development and implementation. A key aim should be avoiding duplication of initiatives.

Measuring impact

106. The Mission has a significant need for a comprehensive and reliable system for assessing the impact of its protection of civilians activities, going beyond the useful externally conducted perception surveys. The ongoing work, in cooperation with Headquarters, to advance the implementation of CPAS should be accelerated.

Durable solutions

107. **The capacity-enhancing work of the Mission needs to be closely linked with that of the country team and anchored in a coherent Organization-wide integrated (triple nexus) approach that works towards durable solutions to the underlying drivers of threats or harm to civilians. The United Nations system should, sooner rather than later, develop its long-term strategic preparations for supporting durable solutions in the post-UNMISS period. The integrated United Nations transition strategy, jointly articulated by the United Nations leadership in South Sudan, provides the appropriate avenue for the delivery of coherent protection of civilians support by the United Nations system to enable the country's long-term self-reliance.**

Scope of mandate, capacity and resource issues

108. **UNMISS should continue to enhance its performance in implementing its robust mandate using its current capacity and resources by, inter alia, reprioritizing activities, adjusting its internal organization and repurposing staff, while continuing to identify capacity challenges that may arise as it extends its mobility and deployment.**

109. **At the same time, serious consideration should be given to the Mission's current additional resource needs. Extending the Mission's mobility and footprint as the country enters a critical electoral period is a major undertaking. The Mission will need additional military capacity – within the limit of its authorized strength – and vehicular and other equipment to improve its crisis response capacity and regular mobility around the country.**

110. **Consideration should also be given to simplifying the current mandate of UNMISS without reducing its robust nature or the requirement for a more proactive posture, by setting out the broad parameters of the tasks to be performed and allowing sufficient flexibility for the manner of their implementation by the Secretary-General and his Special Representative.**