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Report of the Secretary-General on South Sudan

I. Introduction

1. The present report is submitted pursuant to Security Council resolution [2109 \(2013\)](#), by which the Council extended the mandate of the United Nations Mission in South Sudan (UNMISS) until 15 July 2014 and requested that I continue to provide trimesterly updates, including on specific issues identified in the resolution. The present report provides an update on those aspects and on developments in South Sudan since my report of 20 June 2013 ([S/2013/366](#)). It covers events up to 8 November 2013.

II. Political developments

2. South Sudan celebrated its second anniversary of independence on 9 July 2013 amid concerns about potentially destabilizing divisions within the ruling party, the Sudan People's Liberation Movement (SPLM), a serious security and human rights situation in parts of Jonglei State and uncertainty about the resumption of oil exports. Since then, the country has witnessed encouraging developments and positive steps in key areas, including the appointment of a leaner Cabinet on 31 July and the resumption of oil flow. While there is stability in many parts of the country, the security situation in parts of Jonglei State remains serious.

3. On 23 July, President Salva Kiir dismissed the national Cabinet, including the Vice-President. On the same day, the President removed 17 brigadiers from active service in the South Sudan National Police Service, placing them on the reserve list. The President also announced the suspension of the Secretary-General of SPLM, Pagan Amum, who was placed under investigation for alleged mismanagement of the party's affairs and incitement to violence, and subsequently barred from speaking to journalists and from leaving South Sudan.

4. Following consultations with stakeholders, including the SPLM legislative caucus, the State governors and the leaders of 17 other political parties, President Kiir announced 20 nominees to positions as Cabinet ministers and 12 as deputy ministers, of whom 10 were women. Only five individuals were retained from the previous Cabinet. On 5 and 6 August, a select committee established by the National Legislative Assembly to vet the credentials of nominees conducted individual public hearings for each candidate, which were broadcast live. On 7 August, the Assembly approved all candidates except the Minister-designate of Justice, questioning his



legal qualifications among other things. The post of Minister of Justice, and that of Minister in the President's Office, remain vacant. On 23 August, President Kiir nominated the Speaker of the National Legislative Assembly, who is also the SPLM Second Deputy Chairman, James Wani Igga, as the new Vice-President. The National Assembly approved the nomination the next day. On 2 September, the National Assembly elected Manasse Magok Rundial as its new Speaker and Jasmine Samuel and Mark Nyupuoch as the two Deputy Speakers. It is positive to note that the new Government is leaner and includes more representatives of other political parties and several technocrats. During the swearing-in of the new ministers, President Kiir said that they would be held accountable for their performance and use of Government resources, reporting on the progress of their workplans every three months.

5. In late July, President Kiir directed all State governors to similarly downsize their governments. During the reporting period, heightened tensions were observed between the executive and legislative branches in some States, emanating primarily from some governors' interference with the work of the State legislative assemblies and the unilateral manner in which State-level reshuffles have been undertaken. In Jonglei State, the appointment of a new governor remains pending following the designation of the previous governor as the national Minister of Defence and Veterans' Affairs. On 7 July, President Kiir dismissed the elected governor of Unity State. Unity and Lakes States remain under caretaker governors.

6. In a press conference on 27 September, the Acting Secretary-General of the ruling SPLM announced the plan to convene the party's National Liberation Council before the end of 2013 to endorse the party's new constitution and manifesto, which were considered by the Politburo in March. The third national convention of SPLM would then adopt these documents in early 2014. Meanwhile, efforts to reconcile the differences among the party's leaders with help from countries in the region are ongoing.

7. On 7 October, President Kiir issued an executive order "pardoning" key opposition leaders, including Lam Akol, the leader of the opposition Sudan People's Liberation Movement for Democratic Change, and Peter Abdel Rahaman Sule, who heads the United Democratic Front. Lam Akol had been accused of supporting insurgencies in Upper Nile State, while Peter Sule had been arrested for an alleged attempt to form an armed group in Western Equatoria State. The President's order also extended amnesty to several armed group leaders, notably Gabriel Tanginye, Gatwech Dual, Mabor Dhol and Gatwech Gach. The leadership council of the former rebel group, South Sudan Liberation Movement, issued a statement in support of the President's announcement. According to the Government, all of the pardoned armed group leaders have been released.

8. On 4 October, the Council of Ministers endorsed the development of a compact for South Sudan, a three-year framework for mutual accountability and dialogue between the Government and its international partners, based on the principles of the New Deal for Engagement in Fragile States. Following broad consultations, the compact will include 15 clear, measurable and mutually agreed benchmarks in the areas of politics, security, justice, economic policy, public financial management and social services, as well as aid effectiveness. The Government and its partners expect to launch the compact on 3 December 2013.

Review of the Transitional Constitution

9. The constitutional review process continues to make slow progress. On 16 July, the National Constitutional Review Commission started its civic education programme with awareness-raising in all 10 State capitals. The activities were, however, marred by lack of adequate preparation, and will be renewed in the dry season. In September, the Commission's five subcommittees completed their article-by-article review of the Transitional Constitution and their recommendations are being considered by the Commission.

National reconciliation

10. Similarly, the process of national reconciliation has not yet fully taken off. The Chair of the Committee for National Healing, Peace and Reconciliation, Archbishop Daniel Deng Bul, visited South Africa to draw lessons from that country's truth and reconciliation process. The Committee has developed a road map that includes orientation for its subcommittees in the 10 States, followed by nationwide consultations in early 2014.

Preparations for the 2015 elections

11. The timing of the South Sudan population and housing census, provisionally scheduled for February 2014, and of the elections anticipated to take place by July 2015 following the census, according to the Transitional Constitution, remains unclear. Owing to continued funding challenges (\$92 million is required for census activities between 2013 and 2018), a number of critical pre-census activities have not yet fully commenced, placing the original schedule in jeopardy. The National Bureau of Statistics recommended to the President that the census be rescheduled from 2014 to 2015, but has yet to receive a formal response.

12. The National Elections Commission, established in October 2012, has not been able to establish its presence in the 10 States and at the county level, owing to delays in the disbursement of funds from the Government. Against this background, the United Nations elections needs assessment mission deployed to South Sudan in September 2013 identified various requirements, including open political space and freedom of expression, clarification from the Government regarding the timing and sequencing of the census and the elections, capacity-building of the National Elections Commission, and the establishment of adequate elections security and dispute resolution mechanisms.

Anti-corruption measures

13. On 18 June, President Kiir suspended the Minister of Cabinet Affairs, Deng Alor Kuol, and the Minister of Finance and Economic Planning, Kosti Manibe Ngai, over the alleged unauthorized transfer of \$7,959,400, ostensibly for the purchase of fireproof safes. He further ordered an investigation by a committee led by the Chair of the Anti-Corruption Commission. On 4 September, the committee presented its findings, concluding that there was a basis for criminal proceedings against Deng Alor, but not against Manibe Ngai.

14. Following the positive example of the registration and vetting of the South Sudan National Police Service, which helped in eliminating more than 16,000 "ghost officers" from the payroll, the National Prison Service of South Sudan is conducting

a similar exercise, while some States, notably Lakes, are also reviewing their payrolls. President Kiir has also spoken out publicly on the need to weed out “ghost soldiers” from the Sudan People’s Liberation Army (SPLA).

III. Economic situation

15. South Sudan’s economic outlook showed improvement. Oil revenues increased, albeit below projections, and will enable the Government to reduce and repay domestic and foreign loans of 4.8 billion South Sudanese pounds accumulated during the oil shutdown. Consumer prices began to fall following large increases in 2012. In August, year-on-year inflation fell to minus 10 per cent. On 24 June, the Government expressed its formal intent to enter into an International Monetary Fund monitoring programme to strengthen economic stability, fiscal discipline and revenue management.

16. Preparations for the launch of a New Deal compact in South Sudan (see para. 8 above) made good progress. With support from the United Nations, consultations with approximately 1,000 individuals from a range of groups were conducted at national and State levels to identify key priorities. Finalization of this process will allow for budget and balance-of-payments support from a number of international partners to be unlocked.

17. On 13 October, in a special sitting, the National Legislative Assembly passed the national budget for 2013-2014 with several legislative observations and recommendations. It increased the amount of the budget from the 17.3 billion South Sudanese pounds submitted by the Minister of Finance in September to 18.7 billion to meet foreign loan obligations and other expenses.

IV. Regional issues

Relations between South Sudan and the Sudan

18. On 3 September, President Kiir visited the Sudan with a ministerial delegation for a one-day meeting with President Omer Al-Bashir. On 22 October, President Al-Bashir made his second visit to South Sudan since its independence.

19. On 3 September, President Al-Bashir permanently lifted his Government’s ultimatum to halt the transit of South Sudan’s oil through the Sudan’s territory. On 23 September, in Juba, the interior ministers of South Sudan and the Sudan signed an agreement to open trade borders and to stop requiring that holders of diplomatic and service passports obtain entry visas.

Inter-mission cooperation

20. With regard to the Lord’s Resistance Army (LRA), UNMISS facilitated an assessment mission by my Special Representative for Central Africa, Abou Moussa, and the African Union Special Envoy on the LRA issue, Francisco Madeira, to the task force in Western Equatoria State of the African Union Regional Cooperation Initiative for the Elimination of the Lord’s Resistance Army. UNMISS also participated in the LRA experts’ and focal points’ meeting held on 24 and 25 July in Entebbe, Uganda. UNMISS continued inter-mission cooperation with the United

Nations Interim Security Force for Abyei and the African Union-United Nations Hybrid Operation in Darfur, particularly through information-sharing on the Joint Border Verification and Monitoring Mechanism.

V. Security situation

Armed group activity

21. In Jonglei State, fighting in Pibor County between SPLA and the David Yau Yau armed group subsided at the end of June, while increased armed group activity was reported in Pochalla County, leading to the deployment of additional SPLA troops there. Since early July, SPLA has maintained defensive positions and ceased operations against the group. On 30 July, during his Martyrs' Day speech, President Kiir reiterated his offer of amnesty to armed groups. Though David Yau Yau rejected the offer, he has agreed to engage in a peace process and ongoing contacts are encouraging. Progress regarding the integration of those groups that have accepted amnesty offers, notably the South Sudan Liberation Army and the South Sudan Defence Army factions headed by Johnson Olony and Ayok Ogat, into the national security forces has been slow, with discussions still ongoing.

Intercommunal conflict

22. Intercommunal violence continued in Jonglei State, particularly in the northern counties. During the first week of July, Lou Nuer and Dinka youths from Akobo, Uror, Nyirol, Duk and Ayod counties mobilized and moved south into Pibor County to attack Murle youth, as well as the David Yau Yau armed group, and raid cattle. Fighting took place in several locations. Several hundred were wounded on the Lou Nuer and Dinka side, while the number killed was not known. While UNMISS has not been able to verify the casualty figures on the Murle side, the Pibor County Commissioner provided a list of at least 328 allegedly killed. On 20 October, an armed attack in Twic East County by a group of men wearing unidentified green uniforms reportedly led to at least 56 people being killed and at least 49 seriously wounded, in addition to 20 children abducted. The United Nations Humanitarian Air Service conducted aerial evacuation of the wounded to Bor and Juba, and UNMISS, together with the South Sudan National Police Service, initiated an investigation to ascertain the identity of the attackers.

23. As a consequence of insecurity in Jonglei State, several thousand Murle civilians have moved in recent months to Juba and its environs in Central Equatoria State. Tensions have arisen between displaced Murle and the Central Equatoria State Government, which has accused Murle youth of being responsible for a rise in criminality and child abduction. Community and political leaders from Jonglei are seeking to identify means of addressing the root causes of the conflict in the State.

24. In other parts of South Sudan, including the tri-State area of Unity, Warrap and Lakes States, intercommunal fighting decreased slightly, thanks in part to the onset of the rainy season. On 12 July, approximately 3,000 uniformed youths thought to be from Lakes State attacked 16 different villages in Panyijar County, Unity State. The attack resulted in 10 civilians being killed and approximately 1,000 displaced. In Unity State, on 14 and 15 July, intercommunal violence sparked by a cattle raid in the Dinka areas of Pariang County and in Nuer areas in Guit County left six people dead and over 2,000 civilians displaced.

VI. Implementation of the Mission's mandate

Mission consolidation

25. As of 24 October, the Mission's civilian component stood at 1,018 international staff, 1,750 national staff and 570 United Nations Volunteers, with vacancy rates of 17, 23 and 28 per cent, respectively.

26. UNMISS continues to increase its presence across South Sudan. It is currently operating 10 State offices, 18 county support bases (hosting staff on a rotational basis or during long-duration patrols) and 20 company and temporary operating bases. Of the 18 county support bases, 11 are complete (Ezo, Kapoeta, Maridi, Melut, Nassir, Nimule, Raja, Renk, Turalei, Gok Machar and Yirol) and 7 are under construction or close to completion (Akobo, Bunj, Kodok, Mabil, Pariang, Pibor and Tambura). Another two (Maper and Mayom) are in the planning phase. The fragile security situation in Jonglei has restricted full development of two critical county support bases in Akobo and Pibor. With regard to the roll-out of the 25 planned community portals, 17 have been completed, 2 have been suspended owing to the security situation, and 6 have not been started because of lack of funds.

Military component

27. As at 17 September, the military component stood at 6,935 against an authorized strength of 7,000, comprising 4,511 infantry troops, 2,094 enablers, 188 staff officers and 142 military liaison officers. The military component maintained reinforced deployment to volatile areas of Jonglei to strengthen protection of civilians, including expanded patrols in Pibor County as explained in paragraph 39 below.

28. As part of its development of a strategic framework for strengthening its engagement with SPLA, UNMISS conducted a number of training events for junior and middle-level officers on issues ranging from basic military roles, chain of command and command responsibility to accountability, international humanitarian law, human rights, children in armed conflict and principles of peacekeeping. Training has also been conducted for the SPLA military police.

Geographical reconfiguration of the military component

29. Pursuant to paragraph 5 of Security Council resolution [2109 \(2013\)](#), the Secretariat has developed options and recommendations for geographically reconfiguring its military deployment so as to focus on volatile high-risk areas and associated protection requirements. Up to now, UNMISS has been utilizing long-duration patrols, as well as surge deployments to establish temporary bases or to reinforce existing deployments, in order to respond to specific incidents and trends related to the protection of civilians in the high-risk areas of Jonglei and the tri-State region. Over the past 12 months, these measures have included the temporary deployment of a company from the Nepalese force reserve battalion to Pibor and a company of the Indian battalion to Gumuruk, as well as the establishment of temporary operating bases at Yuai and Akobo, in Jonglei State. The Mission also conducted long-duration patrols to several areas, notably to Twic East County in response to the attacks of 20 October (see para. 22 above) and to Likuangole and Manyabol, where bases were maintained for this purpose from September 2012 to January 2013 and from May to June 2013, respectively. Similarly, UNMISS has

increased its military presence in the tri-State area whenever the situation demanded, through coordinated patrolling by units from the relevant battalions.

30. On the basis of an updated comprehensive threat analysis which indicated that 94 per cent of conflict-related deaths occurred in Jonglei State and the tri-State area, the Secretariat determined that the geographical reconfiguration should focus additional military resources and capabilities on those high-risk areas. Within the existing troop ceiling and military capabilities, the Mission will increase the concentration of its force and assets in Jonglei and the tri-State area, while retaining the essential strategic flexibility to respond to emerging threats or episodes elsewhere that may warrant a timely military response, particularly to protect civilians.

31. The successful implementation of the UNMISS reconfiguration plan will depend on the full cooperation of troop-contributing countries, as well as the provision of military mobility assets and force multipliers that Member States have not yet made available to the Mission. The plan calls for a flexible approach through the use of temporary operating bases and long-duration patrols, in addition to company operating bases, based on critical operational requirements. I am grateful to the troop-contributing countries for the cooperation they have shown to date in allowing their personnel to engage in quick deployment as required. The reconfiguration will depend on their continued cooperation in this regard. The reconfiguration exercise will also depend on the deployment of the military helicopters that the Secretariat is currently seeking from troop-contributing countries, within the Mission's current ceiling and in addition to the three already deployed. Effective solutions to logistical bottlenecks emanating from increased troop presence in the area will also be required. The timely construction of additional company operating bases is essential and will have financial implications that, to the extent possible, will be absorbed within the Mission's budgetary allocation. Any military or financial requirements beyond those currently allocated will be assessed by the Secretariat as the reconfiguration exercise proceeds, and the appropriate recommendations made to the Security Council and the General Assembly.

32. If the increased force presence in Jonglei and the tri-State area is to deliver maximum benefit in terms of the protection of civilians, the Government must address in a comprehensive manner the root causes of the violence, including through reconciliation efforts, political negotiations as necessary and the extension of State authority. In this connection, SPLA and the National Police Service must fulfil their primary responsibility for ensuring security and providing protection for vulnerable groups in an impartial and transparent manner. UNMISS looks forward to cooperating with the Government and supporting its efforts in this regard. However, if the Government does not do its part, the objective of sustainable peace in these areas cannot be achieved.

Police component

33. As at 24 October 2013, the police component stood at 713 officers (579 men and 134 women) against an authorized strength of 900, from 39 Member States.

34. UNMISS is currently developing a capacity-building programme for the South Sudan National Police Service, whereby police-contributing countries will be requested to provide teams of police officers with specialist skills to match current and foreseeable requirements.

35. In late August, the leadership of the National Police Service approved 12 provisions for the transformation of the Service, based on the findings of the UNMISS-sponsored comprehensive institutional needs assessment. The measures included the issuance of police identity cards to officers verified by UNMISS (35,633 have been verified, while 16,000 “ghost officers” have been weeded out and 11,000 remain under verification), making use of the centralized database for personnel, and the roll-out of a community policing project. Furthermore, UNMISS supported the vetting of the Criminal Investigation Department of the Service, which identified less than half of the Department’s personnel as trainable and recommended that the rest be transferred to the Service’s reserve list.

Mobility gaps

36. In an effort to offset the Mission’s critical gap in mobility, as noted in paragraph 33 of Security Council resolution 2109 (2013), UNMISS has commenced the procurement process for leasing a riverine capability. Delivery of the required boats is expected in the second half of 2014. Discussions are ongoing between the Secretariat and Rwanda regarding arrangements for the deployment of an additional three military transport helicopters.

37. The Secretariat continues to examine options for the force multipliers identified in my last report (see S/2013/366, para. 99), including the procurement of commercial assets with requisite capabilities and the review of the authorization procedures for flights to high-risk areas. Apart from addressing mobility challenges posed by the terrain and lack of road infrastructure in the country, UNMISS continues to engage SPLA and armed groups in Jonglei State to facilitate access.

Protection of civilians

38. Challenges in the protection of civilians remained centred on parts of Jonglei State. The Mission is updating and reviewing its strategy to integrate lessons learned since it was adopted in June 2012, as well as to define new tools and approaches.

39. Through the strategy’s first tier, protection through the political process, UNMISS has engaged with Government and SPLA officials at all levels to impress upon them their primary responsibility to protect civilians and to advocate for action to address reported incidents of violence against civilians. The Mission has also engaged affected communities to appeal for restraint and urge dialogue, and supported the conduct of 34 peace conferences, conflict mitigation workshops and other interventions towards this end.

40. Under the second tier, protection from physical violence, on 9 August, UNMISS launched a sustained foot and vehicular patrol campaign in Pibor County, Jonglei, enabled by an extended lull in fighting between SPLA and the David Yau Yau armed group from July onward and the use of satellite imagery to identify settlements. UNMISS troops have accessed areas in the environs of Pibor and Gumuruk and progressively expanded the area of coverage along the main axes of population movement. Since 11 September, UNMISS civilian staff have participated in some of the military patrols. The patrol campaign has gradually restored confidence among the civilian population, facilitated freedom of movement into Pibor and Gumuruk for food distribution and fostered a more secure and safe environment, in addition to assisting the Mission’s information-gathering efforts. In the absence of available riverine capacity, local canoes were used to cross the Pibor

River and expand the patrol coverage on foot to areas east of the river. In addition, helicopter air patrols have been conducted to distant locations like Boma and Pochalla. With regard to reports of mass killings in these areas, thus far the patrols have not received information that would point to such killings having taken place.

41. Under the third tier, establishing a protective environment, UNMISS advocacy and training of senior SPLA officers is beginning to show some tangible results in terms of combating impunity and ensuring accountability, as reflected in paragraphs 50 and 51 below. Between June and November, UNMISS deployed a total of 127 civilian field missions and 130 integrated teams of civilian and military personnel to monitor protection issues across the country, and conducted 37 training sessions for the Government on rule-of-law issues, 27 training courses on human rights and 323 training courses for the National Police Service on protection-of-civilian issues.

Early warning and conflict mitigation

42. The Mission carried out field visits and air reconnaissance to engage local communities and monitor, prevent and respond to imminent mobilizations for intercommunal attacks in the tri-State area and Jonglei State. The Mission's leadership remained in close contact with national authorities to encourage a Government-led response to all incidents. The limited aerial reconnaissance capability of the Mission and the vast terrain that needs to be covered, however, continued to constrain its ability to effectively detect mobilizations for intercommunal attacks. There was also increased coordination with SPLA on aerial reconnaissance, with the latter using its helicopters and the Mission deploying its aviation assets in response to reported imminent attacks against communities. As noted in paragraph 26 above, the fragile security situation in Jonglei State has meant that construction of the county support bases in Akobo and Pibor have been delayed. Once operational, these bases will serve as a springboard for the Mission's interaction and early warning with local communities.

Child protection

43. During the reporting period, the United Nations supported the National Disarmament, Demobilization and Reintegration Commission in the release of 21 boys from SPLA barracks in Unity State and their return to their families. The United Nations also supported the participation of 590 senior officers from SPLA and the Ministry of Defence and Veterans' Affairs in 14 child protection training courses. On 16 August, the SPLA General Chief of Staff issued a directive prohibiting SPLA personnel from occupying schools. Following intercommunal clashes in Pibor County in July, 508 children separated from their families or reported missing by their caregivers in Gumuruk, Labrab and Dorein were registered for family reunification purposes.

Conflict-related sexual violence

44. UNMISS has strengthened coordination with the United Nations Children's Fund and other partners to address the abduction of women and children and related forms of sexual violence in the context of intercommunal violence. The Mission provided training to national security forces personnel in Upper Nile, Lakes and Central Equatoria States and technical assistance for the establishment of gender-

based violence working groups in Warrap and Upper Nile States and the launch of an advocacy campaign in Lakes State. UNMISS is also coordinating a legislative review to enhance legal protections for survivors.

Justice and corrections

45. UNMISS continued efforts to reduce arbitrary detention across South Sudan through ongoing mentoring, advice and co-location at police stations and prisons, as well as support for the expansion of the formal justice system through logistical support for temporary assignments of judges and prosecutors to remote areas. UNMISS also facilitated the mobile court initiative at Juba prison, which reduced the number of remand prisoners by 5 per cent during its first two weeks.

46. On 24 June, the first comprehensive prison cadet training course started at the Prison Academy, in which 100 cadets are undergoing training for one year to become fully qualified prison officers. On 28 August, the Director-General of the National Prison Service of South Sudan began implementation and roll-out of the prison reform decisions issued by the Council of Ministers in April. UNMISS helped the Service to establish an internal audit unit and scaled up the training of SPLA senior officers in military justice processes.

Human rights

47. Investigations by UNMISS continued with respect to multiple incidents alleged to have occurred in Jonglei State between December 2012 and August 2013. Incidents included the alleged killings of between 13 and 27 civilians by security forces on 4 December 2012 in the village of Lotho; the alleged wounding of 12 civilians and alleged destruction and looting of housing by security forces on 25 December 2012 in Boma; the alleged incident of indiscriminate shooting and destruction of property by security forces on 27 January 2013 at Pibor, resulting in the deaths of three civilians and the wounding of one; the alleged ambush by SPLA soldiers of 19 civilians walking from Gumuruk to Pibor on 1 April 2013; and reports of at least nine separate incidents involving the looting and destruction of civilian property in Pibor town from 5 May to 5 June.

48. Other investigations relate to reports of killings and looting, including the reported killing of a Brigadier-General of the Wildlife Services and five others by SPLA, during the capture of Boma by David Yau Yau in early May, and reports of alleged killings of civilians by unknown perpetrators in Boma throughout May; the alleged arbitrary killing of 14 civilians, indiscriminate shooting and beatings of civilians and detention of more than 100 women in SPLA barracks by security forces on 26 May 2013 at Manyabol; and, finally, the reported killing of two women and wounding of one child by SPLA soldiers in Pibor town on 31 July.

49. In addition to the press releases issued at the time of these incidents, which condemned the looting and human rights violations by security forces and called for perpetrators to be held to account, UNMISS plans to issue a comprehensive public report on the findings of its investigations by 1 December 2013.

50. The main constraint to access for the full investigation and verification of some incidents has been the fighting between SPLA and the David Yau Yau armed group in several locations, which subsided only in early July. Other constraints included the inaccessibility of certain areas for security reasons, the impassability of

most roads during the rainy season, the remote locations of survivors and limited air access. In some cases, the authorities denied access to government facilities or documents that could have been relevant for purposes of verification.

51. In an encouraging trend, officials at the highest levels of the Government of South Sudan are speaking out publicly about the need to address abuses by elements of SPLA and other security institutions. SPLA itself is taking concrete actions to hold perpetrators to account, and its Military Justice Directorate continues to show commitment to moving cases forward and receiving capacity-building support from UNMISS. On 19 August, the commanding officer in Pibor County, Jonglei, was arrested in connection with abuses allegedly perpetrated by soldiers under his command. He appeared before a military court on 9 September, where the military prosecutor's request to investigate further charges against him was granted. He was replaced by a new commander, who appears to have had a positive impact in improving troop behaviour and relations with the civilian population.

52. Two SPLA soldiers were reportedly investigated and tried before a military court in August 2013, and sentenced to five years' imprisonment and dismissal from SPLA, in connection with the killing of two women and the injury of a child in Pibor town on 31 July. In August, four SPLA officers were convicted of looting humanitarian premises and supplies in Pibor and sentenced to three years' imprisonment. As of May 2013, a total of 84 soldiers had been court-martialled in Jonglei for contraventions of the SPLA Act, of whom 61 were convicted. Eight of these cases were related to crimes against civilians (rape, murder and attempted murder), while the rest pertained to misconduct. At the instruction of the President, SPLA has ordered a number of boards of inquiry into allegations of murder in Pibor, Bor, Boma and Manyabol. One board is examining the execution of the Wildlife Services brigadier and others in Boma in May (see para. 48 above). The outcome of these inquiries is unknown as they have not been completed. However, it is understood that the Military Justice Directorate has opened a significant number of murder, other criminal and disciplinary investigations concerning incidents in Jonglei State. Meanwhile, in Unity State, several soldiers, including two officers, were arrested following alleged violations committed by SPLA during the civilian disarmament exercise in June.

53. On 2 July, the Ministry of Justice presented seven major international and regional human rights instruments to the National Legislative Assembly for approval.

54. UNMISS continues to provide technical assistance to the South Sudan Human Rights Commission despite the latter's limited funding constraining its work capacity. The Commission chaired the fourth human rights forum in September, where it was announced that 3.5 million South Sudanese pounds had been allocated for the Commission to develop a curriculum for human rights education together with the Ministry of Education. UNMISS also conducted human rights training sessions for security forces, State public attorneys, traditional chiefs, civil society groups, journalists and human rights defenders.

55. Challenges remained in key areas, notably the administration of justice. In Western Bahr el Ghazal, for example, the ad hoc court established in the State capital, Wau, on 26 February to conduct trials related to the December 2012 unrest came to a close on 17 June. While minimum standards of fair trial procedures were generally observed, there were reports of intimidation of defence counsels and

witnesses. Criminal prosecutions have yet to take place regarding the shooting of unarmed protestors by the security forces on 9 December 2012. Arbitrary arrests, detention and harassment also remain a serious concern in the country. UNMISS continues to raise these concerns both at State and national levels.

Disarmament, demobilization and reintegration

56. The National Disarmament, Demobilization and Reintegration Council held its fourth meeting on 10 September. On that occasion, the Government reaffirmed its commitment to rightsizing the security forces through its disarmament, demobilization and reintegration programme. Meanwhile, the first of two pilot projects of the programme in Mapel, Western Bahr el Ghazal, which began on 15 April, concluded on 18 September with a graduation ceremony for 290 ex-combatants, short of the original target of 500. The World Bank has commenced implementation of the reintegration component to support the livelihoods of the ex-combatants.

57. A review of the pilot phase is being conducted by the National Disarmament, Demobilization and Reintegration Commission, UNMISS and other partners. The Government has already asked the United Nations to support the demobilization and reintegration of a second group of ex-combatants to begin by the end of 2013, but this will hinge on review of the first pilot project.

Security sector reform

58. The drafting of a national security policy progressed with support from UNMISS and international partners. In July and September, consultative sessions with State actors and civil society were held at the national level in Juba, and the drafting committee has finalized the draft. The Minister of National Security will present the final draft for consideration by the Council of Ministers and the National Legislative Assembly.

59. The small arms and light weapons control bill, which was developed with UNMISS support and would govern the marking, registration, ownership, use, brokering and storage of small arms and light weapons, is being reviewed by the Ministry of Justice.

Mine action

60. The United Nations Mine Action Service and its partners surveyed 204 kilometres of road during the reporting period. Of the 112,170,000 square metres estimated to contain hazards in South Sudan, 2,908,261 square metres of residential and agricultural land have been cleared of mines. Meanwhile, 73,358 individuals received mine risk education. The Mine Action Service launched an eight-week course for the National Police Service to respond to unexploded ordnance and form part of a standing South Sudanese conventional munitions disposal capacity. Together with UNMISS, it also launched pilot projects on weapons, ammunition and stockpile management at National Police Service locations in Central Equatoria and Western Bahr el Ghazal States.

61. The National Mine Action Authority and UNMAS launched investigations into reports of alleged remining in Jonglei. Findings are forthcoming. UNMAS continues its advocacy efforts to ensure that the Government is aware of its obligations under

the Ottawa Convention on Landmines, which bans the use of all anti-personnel mines.

Implementation of the Peacebuilding Support Plan

62. UNMISS and the United Nations country team continued to implement the Peacebuilding Support Plan, albeit more slowly than desired owing to insecurity, political and funding constraints. The United Nations and partners continued support to mechanisms for managing intercommunal conflict, including the establishment of youth forums and conferences of councils of traditional leaders. The latter are not yet operational in all 10 States as not all State legislative assemblies have passed the necessary legislation. Peacebuilding Fund projects for literacy training and *haffirs* (water-points) have now entered the initial implementation phase in priority crisis-prone areas of Jonglei State. However, the wider provision of vocational and literacy training has faced challenges from a lack of resources and facilities.

Quick-impact projects

63. A total of \$2 million has been allocated to quick-impact projects. Implementation of 36 projects is ongoing through local and international non-governmental organizations, the United Nations and partners. The projects are being implemented across all 10 States, focusing on water and sanitation, education, health, roads and bridge rehabilitation.

VII. Humanitarian situation, recovery and development

64. Displacement of populations continued in Pibor County, Jonglei State, owing to hostilities between security forces and non-State armed groups, as well as intercommunal violence. By mid-September, an estimated 17,843 people from Jonglei had been registered as refugees in Ethiopia, Kenya and Uganda since January. In addition, thousands of civilians from Pibor have relocated to Juba and to other States. Following access negotiations with all parties involved in the armed hostilities in mid-July, humanitarian actors reached people affected by the violence and mounted a humanitarian response operation in several areas of Pibor County. Additional helicopter assets enabled humanitarians to provide assistance to up to 70,000 people, while plans are under way to scale up this assistance to reach 95,000 people.

65. According to available statistics compiled by the Office for the Coordination of Humanitarian Affairs, at least 265 violence-related incidents have occurred so far in 2013, causing at least 586 deaths and newly displacing at least 159,130 people throughout South Sudan, with displacement in Jonglei State accounting for 65 per cent of the total. Between 1 July and 30 September, the Office registered 61 violent incidents with humanitarian impact, down from 121 during the previous three months. The majority of these (34) occurred in Jonglei State.

66. Food security continued to stabilize somewhat, but remains precarious, and food assistance remains a priority. Over 1.8 million food-insecure people had received assistance by mid-September. As part of a larger effort to strengthen resilience, 540,000 people received livelihood assistance to help them produce their own food.

67. Refugees continue to arrive from the Sudan into Unity and Upper Nile States, but at a slow pace. More than 225,000 refugees are currently hosted in South Sudan, of whom about 197,000 are Sudanese, with only 1,149 arriving between June and October. This has allowed aid agencies to focus on strengthening services and providing sustainable support.

68. South Sudanese nationals continue to return from the Sudan, but in low numbers compared to previous years. By mid-September, about 84,000 had returned since January. Return conditions remain hazardous, as most border points between South Sudan and the Sudan remain closed and border areas remain insecure. Reintegration opportunities for returnees remain scarce, despite efforts to devise adequate land allocation policies at the national level.

69. More than 150,000 people affected by floods have been accessed by humanitarians and more than 91,000 assisted so far, with the flood response ongoing.

VIII. Cross-cutting issues in the Mission

Public information

70. UNMISS continues outreach campaigns to increase public understanding of its mandate. Modules to train Government communications staff and a communications training programme for the National Police Service have been developed. Radio Miraya has served as a vehicle to facilitate civic education, with strong coverage of the Government reshuffle and debates on the national constitutional review. A package of media bills, including the South Sudan Media Authority bill and the access to information bill, was passed by the National Legislative Assembly on 8 July.

Implementation of the review of civilian capacity in the aftermath of conflict

71. Under the national staff capacity-building programme, 338 staff members were trained between June and August in management, leadership, vocational and technical skills and information technology. UNMISS is also organizing training in 30 knowledge areas in support of the nationalization of 50 of its posts. Since 2012, the Mission has increased the volume of local purchases by 38 per cent. Efforts are ongoing to raise awareness among local businesses to further increase the participation of local businesses in United Nations procurement.

Conduct and discipline

72. UNMISS continued awareness-raising for UNMISS personnel on sexual exploitation, sexual abuse and other prohibited conduct. In November, UNMISS, in close collaboration with the United Nations country team, the Government and civil society partners, will commence a nationwide campaign to strengthen awareness and prevention of sexual exploitation and abuse and enforce the zero-tolerance policy.

Women and peace and security

73. The United Nations and its partners continued to support the Government in the development of its national action plan for the implementation of Security

Council resolution [1325 \(2000\)](#). As part of national capacity development, UNMISS has also co-located Gender Affairs Officers with nine State ministries responsible for gender.

HIV/AIDS

74. Progress was made towards a more coordinated, Government-led response to HIV/AIDS in South Sudan. On 20 August 2013, the National Legislative Assembly adopted the HIV/AIDS Commission Act, which provides a regulatory framework for the establishment of a national HIV/AIDS commission. The United Nations continued its HIV/AIDS outreach, providing training to 23,567 individuals (17,587 men and 5,980 women) and certifying 86 HIV/AIDS counsellors. Voluntary, confidential counselling and testing services were offered to 4,885 people (3,411 men and 1,474 women), mainly from the security forces.

Staff security

75. The boards of inquiry convened by United Nations Headquarters to examine the attacks on UNMISS convoys in Jonglei on 12 March near Pibor town, which resulted in serious injury to a peacekeeper, and on 9 April near Gumuruk, which resulted in 12 fatalities, including the deaths of five Indian peacekeepers and seven civilian staff, have concluded their reports. The recommendations of both reports are being implemented. Meanwhile, the recommendations made by the board of inquiry into the 21 December 2012 shooting down of an UNMISS helicopter by SPLA, in which four Russian crew members were killed, are being implemented. As of 6 November, the national investigation into that incident had yet to be completed.

76. Between 7 May and 5 November 2013, 67 cases of harassment, threats, physical assault, arrest and detention of United Nations staff and seizure of United Nations vehicles were recorded, committed mainly by SPLA and the National Police Service. One of the most egregious incidents occurred on 19 October in Juba when, following a traffic encounter with a military pickup carrying armed uniformed men, a female international civilian staff member was severely beaten by men wearing uniforms of the South Sudan military and police security services and then detained for more than one hour at a law enforcement facility. From 25 October to 3 November, five additional incidents of harassment and extortion of United Nations staff members by South Sudanese security personnel were reported in Juba.

77. While the majority of these incidents took place in and around Juba, others occurred at the State level. In one of the cases, on 26 October, in Manyabol, Jonglei State, approximately 50 SPLA soldiers attempted to force entry into an UNMISS helicopter when it landed with an SPLA medical team dispatched to investigate reports of SPLA soldiers falling sick in the town. The UNMISS crew was forced to let 16 SPLA soldiers on-board for evacuation to Juba.

78. On 28 June, UNMISS provided the Government with a detailed list of status of forces violations recorded since the establishment of the Mission, totalling, at that date, 248 cases. Two ministerial meetings have been held and a task force convened under the Ministry of Foreign Affairs. UNMISS continued to engage with the Government at the highest levels on all violations, requesting that immediate steps be taken to hold perpetrators to account.

IX. Observations

79. South Sudan currently stands at a crossroads. While there are grave concerns related to the situation in Jonglei State and, in particular, the human rights violations perpetrated in Pibor County by security forces over the past months, recent events provide South Sudan with new opportunities. The new Cabinet has expressed its commitment to turning a new page in relation to both service delivery for the people and improving relations with the international community, as well as with the Sudan. President Kiir has expressed his determination to hold the new Cabinet accountable for performance as well as transparency. The actions now being taken to hold some members of the security forces accountable for violations of human rights and to reform the security sector are another positive sign. The initiatives to seek a political solution to the internal conflicts in the country also augur well for the country's long-term stability. If sustained, these trends could create an opportunity for progress on key transitional political issues, in particular the constitutional review process, national reconciliation and preparations for the 2015 elections. The availability of revenues, improved fiscal management and the creation of a more stable environment through investment in institution-building and the extension of public services would be essential for such progress.

80. There is reason for cautious optimism as the country enters the final year before the landmark first post-independence elections planned for 2015. However, there are potential pitfalls that require prudent management. In particular, political tensions in some of South Sudan's 10 States should be resolved in an inclusive manner. I also urge President Kiir to continue the reconciliation efforts within SPLM. In addition, the upcoming critical pre-election processes, including party registration, constituency demarcation and selection of candidates, need to be managed in a transparent and inclusive manner. To avoid potentially destabilizing uncertainty, it is important that the Government takes the necessary decisions regarding the census and the timing of the elections without further delay, while making effort to create a political and security environment that will guarantee free, fair and credible elections in 2015.

81. With the increase in oil revenues and the improvement of the economic situation in the country, the Government will be expected to better support constitutional bodies such as the National Elections Commission, the National Constitutional Review Commission, the National Bureau of Statistics and the Political Parties Council. The United Nations stands ready to provide advisory support to these bodies on technical, logistical and security aspects of the elections, in coordination with its international partners. As recommended by the electoral needs assessment mission, the United Nations is in the process of establishing an integrated electoral team under the leadership of UNMISS.

82. The peaceful resolution of internal conflicts is another essential prerequisite to South Sudan's development. Sustainable solutions to the threats posed by armed groups and to the intercommunal violence need to be found. Lasting peace will only be achieved if the root causes of conflict are addressed. The United Nations will continue to support the Government in stepping up its efforts in this area and leading the extension of its own authority by rebuilding trust with aggrieved minorities.

83. I am particularly concerned about the situation in parts of Jonglei State, where considerable numbers of civilians have been killed and many thousands displaced

by ongoing fighting, violent actions perpetrated by undisciplined elements of SPLA, intercommunal violence and the activities of armed groups. The latest raid in Twic East Country involving armed elements, where at least 56 people were reportedly killed, underscores the continued challenges the Government faces in the protection of civilians and extension of its authority. The Jonglei emergency requires a Government-led peace process that will bring all stakeholders on-board and will address underlying causes of the conflict. While I am encouraged by the action taken by SPLA to bring to justice some soldiers responsible for human rights violations, it is essential that the South Sudan authorities take further steps to ensure the full and transparent accountability of perpetrators for serious violations, as well as to ensure that such violations are prevented in the first instance.

84. The Security Council gave UNMISS a clear mandate to assist the Government, including the military and police, in fulfilling its responsibility to protect the civilian population. The Mission will continue its engagement and consultations with SPLA to identify areas of joint action to this end, in line with the human rights due diligence policy. I also encourage the Government to continue to enhance its coordination of actors in the security sector in order to make concrete progress on the transformation of the sector, and to urgently review its disarmament, demobilization and reintegration programme to address the challenges identified in the pilot project in Western Bahr el Ghazal State.

85. Continuing violations of the status of forces agreement between the United Nations and South Sudan by elements of the security sector remain a serious concern. I call upon the Government to urgently take steps to prevent any recurrences and bring to account those responsible for violations, including the incident in Juba on 19 October 2013.

86. I welcome the recent summits between the Presidents of South Sudan and the Sudan. It is important to build upon the ensuing increase in confidence to normalize relations between the two countries and resolve outstanding issues. The United Nations, in cooperation with the African Union, shall continue to provide all possible assistance in this endeavour.

87. With an increase in oil production, it is crucial that South Sudan implement policies that promote economic stability and invest in other potentially productive sectors. Prudent and transparent management of South Sudan's natural resources and investments in health, education and public infrastructure will help to ensure that the country remains on the path towards sustainable peace and development. As South Sudan signs the New Deal and a compact with international partners in early December, an agreement based on mutual accountability, a new basis can be established to help the country succeed in reaching its political milestones and in fostering a new social contract with its people based on diversified economic growth. In this regard, UNMISS has consulted with the Government in the preparation of the trimesterly progress report on the benchmarks for mandate implementation. The report will be circulated separately to Council members.

88. Finally, I would like to thank my Special Representative, Hilde Frafjord Johnson, and all of the civilian, military and police personnel of UNMISS, for their dedicated efforts in support of the consolidation of peace in South Sudan. In addition, I am grateful to the members of the United Nations country team and their partners for their work in promoting development and stability in South Sudan, as well as to the Member States who contribute troops and police to the Mission.