



Security Council

Distr.: General
3 May 2022

Original: English

Assessment of progress achieved on the key benchmarks established in paragraph 2 of resolution [2577 \(2021\)](#)

Report of the Secretary-General

I. Introduction

1. By its resolution [2428 \(2018\)](#), the Security Council imposed an arms embargo on the entire territory of South Sudan. In its resolution [2577 \(2021\)](#), it renewed the arms embargo measures until 31 May 2022 but expressed its readiness to review them, through, inter alia, their modification, suspension or progressive lifting in the light of progress achieved on the key benchmarks outlined in paragraph 2 of the resolution. The present report is submitted pursuant to paragraph 4 of that resolution, in which the Security Council requested the Secretary-General, in close consultation with the United Nations Mission in South Sudan (UNMISS) and the Panel of Experts on South Sudan, to conduct, no later than 15 April 2022, an assessment of progress achieved on the key benchmarks.¹

2. Those key benchmarks are: (a) the completion, by the Revitalized Transitional Government of National Unity, of stages 1, 2 and 3 of the strategic defence and security review process contained in the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan; (b) the formation, by the Revitalized Transitional Government of National Unity, of a unified command structure for the necessary unified forces, the training, graduation, and redeployment of the necessary unified forces and allocation by the Revitalized Transitional Government of National Unity of adequate resources for the planning and implementation of the redeployment of the necessary unified forces; (c) progress, by the Revitalized Transitional Government of National Unity, on the establishment and implementation of the disarmament, demobilization and reintegration process, and in particular the development and implementation of a plan for the collection and disposal of long- and medium-range heavy weapons and the development of a time-bound plan for the complete and verifiable demilitarization of all civilian areas; (d) progress by the South Sudanese defence and security forces on properly managing their existing arms and ammunition stockpiles, including by establishing the planning documents, protocols

¹ In paragraph 5 of resolution [2577 \(2021\)](#), the Council also requested the South Sudan authorities to report, no later than 15 April 2022, to the Security Council Committee established pursuant to resolution [2206 \(2015\)](#) concerning South Sudan on the progress achieved on the key benchmarks in paragraph 2 of the resolution, and invited the South Sudan authorities to report on progress achieved on the implementation of reforms in paragraph 3 of the resolution (dealing, inter alia, with public finance management reforms and transitional justice mechanisms).



and training necessary for the recording, storage, distribution and management of the weapons and ammunition; and (e) the implementation of the Joint Action Plan for the Armed Forces on addressing conflict-related sexual violence, with an emphasis on the training, sensitization, accountability and oversight of the defence and security forces.

3. Pursuant to the request mentioned in paragraph 1, an assessment team from the Secretariat visited South Sudan from 14 to 23 March 2022. During the visit, the team undertook consultations with representatives of the Government of South Sudan² and members of South Sudanese civil society (including women's groups); the reconstituted Joint Monitoring and Evaluation Commission; the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism; UNMISS; members of the United Nations country team; and members of the diplomatic corps based in Juba, including representatives of the Troika (which comprises Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America). In addition, the team visited Addis Ababa on 24 and 25 March 2022 and met representatives of the African Union Commission; the Special Representative of the Secretary-General to the African Union and Head of the United Nations Office to the African Union; and the Special Envoy of the Secretary-General for the Horn of Africa.³ In New York, consultations were held with members of the Security Council Committee established pursuant to resolution [2206 \(2015\)](#) concerning South Sudan and with the Department of Peace Operations (including the Office of Rule of Law and Security Institutions). In addition, the present report benefited from consultations with the Panel of Experts on South Sudan, whose members are based in their home countries.

II. Context

4. On 18 November 2021, the President of South Sudan, Salva Kiir Mayardit sent a letter to the Committee in which he called upon the members of the Security Council to unconditionally lift the arms embargo and "other restrictions". In his letter, he also expressed the view that there was no longer a justification for the arms embargo at that stage of peace implementation and that the embargo was impeding the implementation of chapter II of the Revitalized Agreement. The President stated that unified forces in training could not graduate because South Sudan could not procure arms as a result of the arms embargo. On 25 January 2022, the Peace and Security Council of the African Union issued a communiqué in which, *inter alia*, it called on the international community to lift the arms embargo and other sanctions imposed on South Sudan to enable the country to build the required capacity of the unified armed forces and for them "to more effectively discharge their constitutional mandate of defending the territorial integrity of their country".⁴

5. Since the adoption of resolution [2577 \(2021\)](#), on 28 May 2021, progress has been made towards the implementation of the Revitalized Agreement. In 2021, the

² The Ministry of Defence and Veterans Affairs, the Ministry of Cabinet Affairs, the Ministry of Foreign Affairs and International Cooperation, the Joint Defence Board, one of the Co-Chairs of the Joint Military Ceasefire Commission, the Chair of the Joint Transitional Security Committee, the Bureau for Community Security and Small Arms Control (Ministry of the Interior) and the Chair of the South Sudan Disarmament, Demobilization and Reintegration Commission.

³ A meeting scheduled with the Special Envoy for South Sudan of the Intergovernmental Authority on Development, Ismail Wais, could not be held because he was travelling to Khartoum to hold meetings in the framework of the implementation of the Revitalized Agreement. Instead, a remote meeting was held with the Special Envoy upon the return of the assessment team to New York.

⁴ African Union, communiqué PSC/PR/COMM.2/1060, 25 January 2022, para. 12.

Transitional National Legislative Assembly and the Council of States were reconstituted. The parliament adopted the National Constitutional Amendment bill (2021), which paves the way for the incorporation of the Revitalized Agreement into the Constitution. A task force was also established to operationalize the transitional justice mechanisms of the Revitalized Agreement. However, overall implementation remains slow and partial. A number of legislative bills that are essential for the successful completion of the transitional period have yet to be enacted by the reconstituted Transitional National Legislative Assembly. Those bills, which have been reviewed and approved by the Council of Ministers, include six security bills and the constitution-making process bill. Amendment of the Political Parties Act of 2012 will also be part of the same legislative initiative.⁵

6. Since the signing of the Revitalized Agreement, violence directly attributable to the two main parties, the Sudan People's Liberation Movement in Government/Army (SPLM/A-IG) and the Sudan People's Liberation Movement-Army in Opposition (SPLM/A-IO), has significantly subsided. However, intercommunal violence has risen dramatically in various parts of the country. In addition, opposition military leaders have continued to defect to the Government. Significant among those was the defection in August 2021 of a group of military commanders from SPLM/A-IO through the Kit-Gwang Declaration. On 16 January 2022, SPLM/A-IG and the Kit-Gwang and Agwelek factions of SPLM/A-IO signed respective agreements in Khartoum. Those agreements provide for amnesty for the Kit-Gwang faction, for the recommitment of the parties to the ceasefire under the Khartoum Declaration of Agreement between Parties of the Conflict of South Sudan and for the establishment of coordination offices in Juba. On 17 January, the President issued a decree granting amnesty to the Kit-Gwang faction of SPLM/A-IO, led by Simon Gatwech Dual, and to the Agwelek forces, led by Johnson Olony.⁶ That development was followed by similar defections of military commanders from SPLM/A-IO in Unity State, which led to a series of military clashes, including attacks on training and cantonment sites.⁷

7. On 22 March 2022, SPLM/A-IO announced its decision to suspend participation in meetings of the security mechanisms, including the reconstituted Joint Monitoring and Evaluation Commission.⁸ SPLM/A-IO alleged that the Government had launched attacks on SPLA-IO-controlled areas, cantonment sites and training centres and had facilitated defections. In the same vein, the South Sudan Opposition Alliance (SSOA) condemned inter-party defections and the recent clashes between the South Sudan People's Defence Forces and SPLA-IO, calling upon the parties to recommit to the permanent ceasefire. In response, the reconstituted Joint Monitoring and Evaluation Commission expressed concerns about the decision of SPLM/A-IO to suspend its participation in the meetings of the security mechanisms of the Revitalized Agreement.⁹ The reconstituted Joint Monitoring and Evaluation Commission also expressed concerns about recent reports of clashes and warned that such attacks were exacerbated by the delayed implementation of the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism set out in the Revitalized Agreement.

⁵ See S/2022/156 and S/2021/1015.

⁶ See S/2022/156.

⁷ See www.jmecsouthsudan.org/index.php/press-release/item/611-rjmec-concerned-with-splm-a-io-suspension-of-participation-in-the-meetings-of-r-arcss-security-mechanisms.

⁸ Sudan People's Liberation Movement in Opposition, press release, 22 March 2022.

⁹ Reconstituted Joint Monitoring and Evaluation Commission, press release, 24 March 2022, available at www.jmecsouthsudan.com/index.php/press-release/item/612-rjmec-concerned-with-clashes-emphasises-inclusive-dialogue-within-the-framework-of-the-r-arcss-as-the-only-way-of-resolving-disagreements.

8. On 28 March 2022, the First Vice-President Riek Machar issued a press release noting that, during the evening of 27 March, without prior notification, the South Sudan People's Defence Forces had deployed heavily armed personnel with armoured personnel carriers on all routes leading to his residence.¹⁰ He stressed that the deployment of those troops created unnecessary tension, was disruptive and weakened trust among the parties to the Revitalized Agreement. The troops were removed on the morning of 28 March. On the same day, the President addressed the nation and affirmed the Government's commitment to peace. He emphasized the need for reconciliation and stated that he had directed the Ministry of Justice and Constitutional Affairs to establish a commission for truth, reconciliation and healing. He also stressed that the Revitalized Agreement was an ambitious document that could not be implemented without sustained dialogue among the parties. The President assured the public that the implementation of the Revitalized Agreement was on track.¹¹ The national consultative process for the establishment of the Commission for Truth, Reconciliation and Healing was subsequently launched on 5 April 2022, in Juba, with the participation of the President and the Vice-Presidents.

9. On 3 April 2022, three of the South Sudanese parties (SPLM-IG, SPLM/A-IO and SSOA) reached an agreement on the command-and-control structure of the necessary unified forces after mediation led by the Deputy Chair of the Sudanese Transitional Military Council, General Mohamed Hamdan Dagalo.¹² According to the Agreement, the allocation of positions to the opposition parties was to be implemented within two weeks. The parties also agreed to complete the graduation of the necessary unified forces within two months, adhere to the cessation of hostilities agreements, cease encouragement and facilitation of defections, stop negative media campaigns and make efforts to build trust among the parties. Moreover, SPLM/A-IO agreed to resume participation in the mechanisms of the Revitalized Agreement. Following the signing of the agreement, SPLM/A-IO issued a statement on 3 April lifting its suspension of participation in the security mechanisms.¹³ On 12 April, the President issued a decree by which he established a final necessary unified forces command structure.

10. Since 2019, the Community of Sant'Egidio has organized several rounds of negotiations to involve non-signatories to the Revitalized Agreement in the implementation mechanisms. From 14 to 17 December 2021, the Community of Sant'Egidio convened a technical workshop in collaboration with the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism and the Intergovernmental Authority on Development. Following that workshop, some parties under the South Sudan Opposition Movements Alliance, in particular the so-called Real Sudan People's Liberation Movement and the South Sudan United Front/Army, agreed to participate in the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism structures by the end of March 2022. To date, however, no South Sudan Opposition Movements Alliance monitors have been deployed with the monitoring and verification teams of the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism. The absence of the National Salvation Front in the implementation mechanism continues to have a negative impact on the peace process.

11. Following the electoral needs assessment mission¹⁴ in South Sudan conducted pursuant to resolution [2567 \(2021\)](#), the President of the Security Council issued a

¹⁰ Office of the First Vice-President of the Republic of South Sudan, press release, 28 March 2022.

¹¹ Office of the President of the Republic of South Sudan, statement to the press, 28 March 2022.

¹² Agreement on the Implementation of the Transitional Security Arrangements, signed on 3 April 2022.

¹³ Office of the Chairman and Commander-in-Chief of SPLM/A-IO, press release, 3 April 2022.

¹⁴ See [S/2021/661](#).

statement on 27 October 2021 (S/PRST/2021/20) in which the Council requested the Secretary-General to set up a dedicated team within UNMISS to implement the electoral assistance activities set forth in phase 1 of the electoral needs assessment for South Sudan, which included technical advice and assistance for the establishment of an electoral framework for credible elections the results of which would be accepted.¹⁵ While the President, in his address to the nation on 31 December 2021, announced that the elections would be held in 2023, members of the Revitalized Transitional Government of National Unity, especially from the opposition, have not yet agreed on an electoral timetable. As the country approaches the end of the transitional period in February 2023, the reconstituted Joint Monitoring and Evaluation Commission and other interlocutors continue to express concerns about the accumulation of unfulfilled commitments and unmet benchmarks in the Revitalized Agreement, in particular in chapter II.

Arms embargo

12. On 13 July 2018, the Council adopted resolution 2428 (2018), in which it imposed an arms embargo on South Sudan that has since remained unchanged.¹⁶

13. There are three categories of exemptions to the arms embargo contained in resolution 2428 (2018): exemptions subject to the approval of the Committee; exemptions requiring an advance notification to the Committee; and standing exemptions for which no prior approval from or notification to the Committee is required. There are no exemptions under the arms embargo for non-State armed groups in South Sudan, which are prohibited from receiving weapons from any source.

14. Arms embargo exemptions that require approval of the Committee apply to: (a) arms and related materiel, as well as technical training and assistance, solely in support of the implementation of the terms of the peace agreement; and (b) other sales or supply of arms and related materiel, or provision of assistance or personnel. Since the imposition of the arms embargo, a total of 10 such exemption requests have been submitted to the Committee by Member States, 9 of which have been approved.¹⁷

15. Member States and international organizations are required to submit advance notifications to the Committee regarding the provision of the following assistance and equipment: (a) non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training; (b) arms and related materiel temporarily exported to South Sudan by the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the protection or evacuation of its nationals and those for whom it has consular responsibility in South Sudan; and (c) arms and related materiel, as well as technical

¹⁵ In the electoral needs assessment mission report, it was also noted that, in the medium to long term, additional technical assistance to support the legal, operational, security and information management aspects of the electoral process could be provided, contingent on the conditions on the ground.

¹⁶ The other sanctions measures, which were imposed by the Security Council in March 2015 with the adoption of resolution 2206 (2015) in response to deteriorating political and security conditions in South Sudan, are an asset freeze and a travel ban. Currently, the Committee's sanctions list contains the names of eight individuals subject to such targeted measures.

¹⁷ All nine requests were applications for the supply, sale or transfer of arms and related materiel, as well as technical training and assistance, solely in support of the implementation of the terms of the peace agreement. Of the nine requests, five concerned the provision of non-lethal military equipment to the Government of South Sudan to equip the professional army that should be formed in accordance with the Revitalized Agreement. Two other exemption requests concerned the transfer of helicopters to provide transportation assistance to the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism, and another two involved the provision of technical training to officers of the South Sudan People's Defence Forces.

training and assistance, to or in support of the African Union Regional Task Force intended solely for regional operations to counter the Lord's Resistance Army. To date, a total of 18 such notifications have been submitted to the Committee.

16. Arms embargo standing exemptions, for which no prior approval from or advance notification to the Committee is required, apply to: (a) arms and related materiel, as well as training and assistance, intended solely for support of or use by United Nations personnel, including UNMISS and the United Nations Interim Security Force for Abyei; and (b) protective clothing, including flak jackets and military helmets, temporarily exported to South Sudan by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only.

17. In paragraph 8 of resolution [2428 \(2018\)](#), the Security Council called upon all Member States, in particular States neighbouring South Sudan, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to South Sudan, in their territory, including seaports and airports, if the State concerned had information that provided reasonable grounds to believe the cargo contained items the supply, sale, or transfer of which was prohibited by the arms embargo. To date, no Member State has submitted an inspection report to the Committee.

III. Progress achieved on the key benchmarks established in paragraph 2 of resolution [2577 \(2021\)](#)

Progress achieved on benchmark (a): completion, by the Revitalized Transitional Government of National Unity, of stages 1, 2 and 3 of the Strategic Defence and Security Review process contained in the Revitalized Agreement

18. The Revitalized Agreement stipulates that the Revitalized Strategic Defence and Security Review Board must be reconstituted during the pre-transitional period.¹⁸ The Agreement further stipulates that the review process must be “comprehensive, inclusive, transparent and underpinned by the principles and strategies of national interests in promoting and defending the sovereignty and dignity of the country and its people.”¹⁹

19. There has been steady progress in the development and formulation of the strategic defence and security review. The Revitalized Strategic Defence and Security Review Board started functioning on 3 July 2021. Despite reported challenges (such as a high turnover of its members and lack of funding), the Board conducted five workshops supported by the reconstituted Joint Monitoring and Evaluation Commission and UNMISS. The objective of the fourth and fifth workshops, which were held on 6 and 7 and from 25 to 27 October 2021 respectively, was to finalize the strategic security assessment and the security policy framework, the completion of which were stipulated in stage 1 of the Strategic Defence and Security Review.²⁰

20. According to multiple interlocutors consulted by the assessment team, drafts of the strategic security assessment and the security policy framework have been

¹⁸ Revitalized Agreement, chap. 2.5.1.

¹⁹ Ibid., chap. 2.5.4.

²⁰ Reconstituted Joint Monitoring and Evaluation Commission, quarterly report on the status of implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan for the period from 1 October to 31 December 2021, available at www.jmecsouthsudan.org/index.php/reports/rjmec-quarterly-reports/199-rjmec-quarterly-report-on-the-status-of-implementation-of-the-r-arcss-from-1st-october-to-31th-december-2021.

completed and submitted to the Minister of Defence and Veterans Affairs, Angelina Teny, in her capacity as Chair of the Strategic Defence and Security Review Board. Those interlocutors also noted that the sixth workshop of the Strategic Defence and Security Review Board, aimed at drafting and completing the revised defence policy (the third document required in stage 1 of the Strategic Defence and Security Review), had been scheduled to be held over two days, on 22 and 23 March 2022. However, the workshop was held on only the first of the two days owing to the decision (since rescinded) of Sudan People's Liberation Movement in Opposition late on 22 March 2022 to suspend its participation in the security mechanism meetings.

21. Representatives of the Revitalized Transitional Government of National Unity informed the assessment team that all three documents (the strategic security assessment, the security policy framework and the revised defence policy) required in stage 1 of the Strategic Defence and Security Review had been completed. Moreover, they stated that the revised defence policy included the analysis of the operational capabilities that the national army and other security forces would require to meet identified challenges, as well as the range of models specifying the level of human resources, equipment and training needed to develop the military so that it would be able to respond to defence and security priorities, and the associated financial implications (both stage 2 outputs per the Revitalized Agreement). Representatives of the Revitalized Transitional Government of National Unity also indicated that they were currently working on the white paper on defence and security and on the security sector transformation road map (stage 3 outputs).

22. According to the Revitalized Agreement, the findings of stage 2 are to be submitted to the presidency for evaluation and adoption,²¹ while the findings of the white paper on defence and security and the security sector transformation road map should be approved first by the Council of Ministers and then by the Transitional National Legislative Assembly.²²

23. Many of the interlocutors with whom the assessment team spoke, including representatives of the Revitalized Transitional Government of National Unity, stressed that the Revitalized Agreement did not require the completion of the Strategic Defence and Security Review prior to the graduation and redeployment of the necessary unified forces. They noted that the Strategic Defence and Security Review was a longer-term process that should provide for the organization, structure, roles and responsibilities of the future armed forces, the national security service and other organized forces.

Progress achieved on benchmark (b): formation, by the Revitalized Transitional Government of National Unity, of a unified command structure for the necessary unified forces, training, graduation and redeployment of the necessary unified forces, and allocation by the Revitalized Transitional Government of National Unity of adequate resources for the planning and implementation of the redeployment of the necessary unified forces

24. After a long period of stagnation, there have been some recent positive developments in the unification process of the necessary unified forces, including the screening and training of the troops and the formation of a unified command structure. That process is fundamental to the implementation of the transitional security arrangements, which are generally considered the backbone of the Revitalized Agreement.

²¹ Revitalized Agreement, chap. 2.5.4.3.1.

²² Ibid., chap. 2.5.4.3.3.

25. On 14 December 2021, the Joint Defence Board received funding from the National Transitional Committee and deployed teams to the respective training centres to commence the screening of troops.²³ The screening process determines the eligibility of ex-combatants for graduation and redeployment or demobilization. On 16 February 2022, the Joint Defence Board noted in its progress report on the screening, reorganization and unification of the necessary unified forces that the screening process had been completed between December 2021 and January 2022.

26. In the same report, the Joint Defence Board indicated that 25 assembly and cantonment areas and 17 training centres had been identified and established for the necessary unified forces, and that over 50,000 personnel, comprising members of the military, the police, national security, the wildlife service, the prisons service and the civil defence service had been successfully trained. The Board concluded that “in general the forces [were] ready for graduation”. In his progress report issued in March 2022 and covering the period from 22 February 2020 to 22 February 2022, the Interim Chairperson of the reconstituted Joint Monitoring and Evaluation Commission noted that “the pre-transition [had] closed with at least 78,500 security personnel registered at the various cantonment sites, barracks and training centres. According to [Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism] reports, an estimated 35,000 combatants remained in cantonment sites, while at least 45,499 personnel, with 3,612 being women, were in various training centres”.²⁴

27. Several interlocutors of the assessment team stressed that the conditions in the cantonment areas and training centres were extremely dire, with little or no food and medicine available to the majority of the forces and a lack of shelter and separate facilities for female personnel.²⁵ The difficult living conditions resulted in significant and constant movement of personnel that made it difficult to know with certainty how many were screened and trained²⁶ and the extent of the training received. Other interlocutors noted that the training itself was rudimentary and inconsistent and that further training would be necessary after graduation.

28. The arms embargo was also raised by the Revitalized Transitional Government of National Unity as a barrier to the graduation of the necessary unified forces, as it argued that the graduates would need to be armed for redeployment throughout the country. Other interlocutors, however, expressed the view that additional weapons were not required for the training and graduation of the forces.

29. Almost all interlocutors noted that graduation of the necessary unified forces had been delayed because of continued disagreement over the ratios of the unified command structure. On 17 March 2022, the Chairperson of the Sovereignty Council of the Sudan, Lieutenant General Abdel-Fattah Al-Burhan, visited Juba to discuss issues related to the implementation of the Revitalized Agreement, in particular the unification of the command structure. The Lieutenant General Al-Burhan reportedly made a proposal to help to overcome the long stalemate between the parties to the

²³ See S/2022/156, para. 4.

²⁴ Major General Charles Tai Gituai (retired), Interim Chairperson of the reconstituted Joint Monitoring and Evaluation Commission, Progress report on two years of the transitional period of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, covering the period 22 February 2020 to 2 February 2022, available at www.jmecsouthsudan.org/index.php/reports/r-arcss-evaluation-reports/202-progress-report-by-he-maj-gen-charles-tai-gituai-rtd-cbs-interim-chairperson-of-rjmec-on-two-years-of-the-transitional-period-of-the-r-arcss-covering-the-period-22nd-february-2020-to-22nd-february-2022/file.

²⁵ Quarterly report for the period from 1 October to 31 December 2021.

²⁶ Notwithstanding its report of 16 February 2022, the Joint Defence Board informed the assessment team on 21 March 2022 that 31,803 troops had been screened and were ready for graduation.

Revitalized Agreement. The visit to Juba took place after the Lieutenant General's discussions with the President of Uganda, Yoweri Kaguta Museveni, in Kampala. The Sudan and Uganda are the main guarantors of the Revitalized Agreement.

30. On 22 March 2022, SPLM/A-IO decided to suspend its participation in the security mechanism meetings, including the reconstituted Joint Monitoring and Evaluation Commission. On 25 March, the President of South Sudan issued a decree allocating three command positions in the military and two in the National Police Service to SPLM/A-IO and SSOA. In the same decree, he directed the Chief of the South Sudan People's Defence Forces and the Inspector General of Police to immediately implement the order. In a press statement issued on 26 March, SPLM/A-IO recalled that the parties to the Revitalized Agreement had agreed in 2018 to a 50/50 ratio for the necessary unified forces and denounced the presidential decree, stressing that it was a unilateral decision and a rejection of the ongoing mediation process led by the Sudan.

31. However, on 3 April 2022, the South Sudanese parties to the Revitalized Agreement reached an agreement on the unification of the command structure. The agreement stipulates a 60/40 distribution in favour of SPLM-IG and the allocation of positions to the opposition parties within two weeks.²⁷ Following the agreement, SPLM/A-IO issued a press release lifting the suspension of its participation in the meetings of the security mechanisms.²⁸ Following the submission of SPLM/A-IO nominees by the First Vice-President Riek Machar and of SSOA nominees by the Vice-President, Hussein Abdelbagi, a final necessary unified forces command structure was announced through a presidential decree issued on 12 April 2022.

32. Several interlocutors of the assessment team stressed that the harmonization of ranks among the parties was another issue that needed to be addressed before the graduation and redeployment of the forces. They also noted the importance of allocating adequate resources for the planning and implementation of the redeployment of the necessary unified forces in the 2022/23 budget. They observed, however, that to date, the Revitalized Transitional Government of National Unity had consistently failed to provide the funding and logistical support necessary to sustain troops in cantonment sites and training centres.²⁹

Progress achieved on benchmark (c): progress by the Revitalized Transitional Government of National Unity on the establishment and implementation of the disarmament, demobilization and reintegration process, and in particular the development and implementation of a plan for the collection and disposal of long- and medium-range heavy weapons and the development of a time-bound plan for the complete and verifiable demilitarization of all civilian areas

33. The Revitalized Agreement stipulates that, following a cantonment and selection process, individuals found ineligible to serve in the unified national army, national security services, the police, prisons, the fire brigade or the wildlife service would be referred to a disarmament, demobilization and reintegration programme.

34. The Disarmament, Demobilization and Reintegration Commission was established in September 2019. Whereas it has developed a number of policy

²⁷ Agreement on the implementation of the transitional security arrangements, signed on 3 April 2022.

²⁸ SPLM/A-IO, press release, 3 April 2022.

²⁹ Quarterly report for the period from 1 October to 31 December 2021.

documents,³⁰ including the Disarmament, Demobilization and Reintegration Commission bill, and it submitted its strategy, implementation plan and budget estimates in 2020 to the Revitalized Transitional Government of National Unity, announcements made by the Revitalized Transitional Government of National Unity as to the status of disarmament, demobilization and reintegration mentioned no funding for implementation for the Commission.

35. While representatives of the Disarmament, Demobilization and Reintegration Commission participated in the screening of ex-combatants in cantonment and training sites conducted between December 2021 and January 2022 (see para. 25 above), the transitional facilities needed to rehabilitate and reintegrate demobilized ex-combatants have yet to be established owing to a lack of necessary funding. In his statement made at the twenty-first monthly meeting of the reconstituted Joint Monitoring and Evaluation Commission, on 10 February 2022, the Interim Chairperson noted that disarmament, demobilization and reintegration remained without the necessary support and funds from the Revitalized Transitional Government of National Unity. As the disarmament, demobilization and reintegration process was integral to the successful implementation of the transitional security arrangements, he urged the Revitalized Transitional Government of National Unity to ensure that the Commission received all the support it needed, as a matter of urgency.³¹

36. In an effort to address risks stemming from the absence of a disarmament, demobilization and reintegration process, a community violence reduction pilot programme is being developed by the International Friends of South Sudan technical working group³² and UNMISS to complement a national disarmament, demobilization and reintegration process. This pilot initiative is aimed at a community-based approach to the reintegration of ex-combatants and armed young people at risk of violence. It is supported by the Revitalized Transitional Government of National Unity, which has tasked the Chairperson of the Disarmament, Demobilization and Reintegration Commission with taking the lead in the pilot project. An inaugural meeting took place on 10 December 2021, during which the methodology for the way forward was discussed. Funding for the initiative will be reportedly sought from regional and international partners.³³

37. Similarly, in late March 2022, the United Nations Development Programme (UNDP) launched a peace and community cohesion project in Lakes State, supported by the Government of Sweden, to assist the South Sudan Bureau for Community Security and Small Arms Control in civilian voluntary disarmament activities. Three activities were envisaged: supporting voluntary civilian disarmament initiatives and peace education; conducting skills training (and voluntary disarmament) for young former combatants; and supporting the security service in managing arms stockpiles

³⁰ The disarmament, demobilization and reintegration policy document (outlining the duties of the Commission); the disarmament, demobilization and reintegration strategy and programme; the public information strategy; the reinsertion framework; the reintegration framework; standard operating procedures for the Disarmament, Demobilization and Reintegration Commission headquarters and the 10 state commissions that have been activated.

³¹ Major General Charles Tai Gituai (retired), Interim Chairperson of the reconstituted Joint Monitoring and Evaluation Commission, statement to the twenty-first monthly meeting of the Commission, 10 February 2022 (see www.jmecsouthsudan.org/index.php/media-center/news/item/601-as-year-two-of-transitional-period-ends-a-lot-remain-at-stake-for-r-arcss).

³² An informal working group comprising Canada, Egypt, Ethiopia, France, Germany, Kenya, the Netherlands, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the African Union, members of the African Diplomatic Corps, the Intergovernmental Authority on Development, the reconstituted Joint Monitoring and Evaluation Commission, UNMISS, UNDP and the World Bank.

³³ Quarterly report for the period from 1 October to 31 December 2021.

collected from civilians, in line with the Firearms Act (2016). The overall goal is to explore lessons learned from the Lakes State voluntary civilian disarmament programme and to identify the weapons collected and the type of storage facilities.³⁴

38. Lastly, the Disarmament, Demobilization and Reintegration Commission is currently working with UNDP to initiate a pilot project for a mobile demobilization programme in Central Equatoria.³⁵

39. The lack of progress in the disarmament, demobilization and reintegration of demobilized ex-combatants is having a significant detrimental impact on the ability of the parties to the Revitalized Agreement to deal with the significant number of senior officers and soldiers who are not eligible to serve in the new unified forces.

40. Similarly, no progress has been made in the collection and disposal of long- and medium-range heavy weapons or in the development of a time-bound plan for the complete and verifiable demilitarization of all civilian areas. The assessment team was informed that there were 14 civilian buildings that remained occupied by military forces across the country.³⁶

Progress achieved on benchmark (d): progress by the South Sudanese defence and security forces on properly managing their existing arms and ammunition stockpiles, including by establishing the necessary planning documents, protocols and training for the recording, storage, distribution and management of the weapons and ammunition

41. Although there are no specific provisions regarding stockpile management in the Revitalized Agreement, it does stipulate that, during the pre-transitional period, maps detailing present locations and lists of numbers of forces not previously declared in accordance with the Cessation of Hostilities Agreement between the Government of the Republic of South Sudan and the Sudan People's Liberation Movement/Army (in Opposition) must be presented to the monitoring and verification mechanisms and the Joint Military Ceasefire Commission. Lists must include the size of forces, weaponry, equipment and ammunition (as of 14 days after the signing of the Revitalized Agreement).³⁷ The Revitalized Agreement further stipulates that the collection of long- and medium-range heavy weapons must be carried out within 45 days after the signing of the Revitalized Agreement.³⁸

42. Since the signature of the Revitalized Agreement, there has been limited progress in training for the recording, storage, distribution and management of weapons and ammunition. In September 2018 and April 2019, in Juba, 40 and 30 personnel, respectively, were trained at two workshops sponsored by the African Development Bank. At two workshops held in December 2019 and December 2021, respectively, by the Bonn International Centre for Conversion and the Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States, 40 and 30 personnel were trained. On 2 December 2019, 30 senior government officers were trained at a high-level workshop on the importance of weapons and ammunition management. On 9 December 2021, a high-level weapons and ammunition management dialogue, in which the Minister of Defence, the Deputy

³⁴ Meeting of the assessment team with the United Nations country team, 21 March 2022.

³⁵ Meeting of the assessment team with the Chair of the Disarmament, Demobilization and Reintegration Commission, 18 March 2022.

³⁶ Report of the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism and outcomes of the Mechanism technical committee meeting, 23 February 2022, available at https://ctsamvm.org/wp-content/uploads/2022/03/CTSAMVM-REPORT-AND-CTC-OUTCOMES_-23-February-2022-1.pdf.

³⁷ Revitalized Agreement, chap. 2.2.3.4.

³⁸ Ibid., chap. 2.2.3.

Minister of the Interior, the Chief of the South Sudan People's Defence Forces and the Inspector General of the Police participated (in addition to 11 other senior officers), was held with the objective of raising awareness among key decision-making personnel drawn from the South Sudanese security forces of the critical need to improve significantly weapons and ammunition management and physical security and stockpile management practices. To date, a total of 140 personnel and 45 senior officers have been trained in the management of armouries. The Bureau for Community Security and Small Arms Control has served as the national partner with the Regional Centre on Small Arms in that training.

43. After South Sudan signed the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa in November 2011,³⁹ the Bureau received three electronic weapons-marking machines from the Nairobi-based Regional Centre on Small Arms (two in 2011 and one in 2014). The Bureau agreed with the Regional Centre on a central marking standard and undertook a marking exercise of State-owned (police) weapons in 2011. A total of 47,200 weapons were marked in Upper Nile, Eastern Equatoria and Central Equatoria prior to the outbreak of the conflict, in December 2013. However, marking has not resumed since the signing of the Revitalized Agreement.⁴⁰

44. While South Sudan has general policy documents on firearms management, notably the Firearms Act (2016),⁴¹ various interlocutors, including government officials, informed the assessment team that no significant progress had been made in improving the weapons and ammunition management infrastructure of South Sudan. While initial steps were taken to develop or revise guidelines and protocols on weapons and ammunition management by the country's organized forces, they are not yet readily available. The Minister of Defence and Veterans Affairs indicated that, in order to address the issue of stockpile management of arms and ammunition, a process had been initiated to first review what existed and identify stakeholders and that the Ministry was in the process of developing a concept for the establishment of a system.⁴²

45. The assessment team was not provided with any information on new armouries or on the refurbishment of existing armouries. It was informed, however, that leakage or sale of small arms and ammunition from the security forces to civilians had continued and had contributed to the increase in intercommunal violence in various parts of the country.

46. A major obstacle to the management of arms and ammunition stockpiles appears to be the sheer number of weapons in civilian hands in South Sudan. According to the most recent study on the number of weapons available in that country, commissioned in 2016 by UNDP and the Bureau for Community Security and Small Arms Control, civilians in South Sudan hold between 232,000 and 601,000 firearms. The study concluded that there were strong reasons to think that the higher figure was the more accurate, as some of the areas not surveyed (such as Unity, Upper Nile and Eastern Equatoria) might have higher proportions of arms-holding households than the

³⁹ Available at www.sipri.org/sites/default/files/research/disarmament/dualuse/pdf-archive-att/pdfs/reca-nairobi-protocol-for-the-prevention-control-and-reduction-of-small-arms-and-light-weapons-in-the-great-lakes-region-and-the-horn-of-africa.pdf.

⁴⁰ Secretariat of the Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States, email to the assessment team, 6 April 2022.

⁴¹ Firearms Act (2016), available at <https://erc.undp.org/evaluation/managementresponses/keyaction/documents/download/263>. See, for example, chap. III, "Public Warehouse to be Established", and chap. IX, "Marking of Firearms".

⁴² Ministry of Defence and Veterans' Affairs, letter addressed to the assessment team, 25 March 2022.

surveyed areas.⁴³ Another challenge involves the assessment of the number and quality of weapons and ammunition in the hands of the uniformed services and the assessment of their arms stockpiles. The persistent trust deficit among the parties has resulted in very limited transparency concerning the amount, type and location of weapons and ammunition, including long- and medium-range heavy weapons, in the hands of various forces, in contradiction with the provisions of the Revitalized Agreement. In its interim report, issued on 25 November 2020 (S/2020/1141), and its final report, issued on 15 April 2021 (S/2021/365), the Panel of Experts on South Sudan recommended that the Security Council request an independent evaluation of the Government's management of its arms stockpiles.

47. Articles 8 and 9 of the Nairobi Protocol include provisions for the disposal of State-owned small arms and light weapons and the disposal of confiscated or unlicensed small arms. While no assessment has been made to identify the number of weapons rendered surplus, redundant or obsolete, or their locations, one weapons destruction machine unit (weapons crusher) was donated on the recommendation of the Regional Centre on Small Arms and officially handed over to the South Sudan authorities on 28 February 2022.⁴⁴

Progress achieved on benchmark (e): implementation of the Joint Action Plan for the Armed Forces on addressing conflict-related sexual violence, with an emphasis on the training, sensitization, accountability and oversight of the defence and security forces

48. Amid sustained levels of sexual violence perpetrated by parties to the conflict,⁴⁵ there has been modest progress in implementation of the Joint Action Plan.⁴⁶ Significant challenges, including allocation of human and financial resources, remain.

49. Having been signed by the Joint Defence Board in January 2021, the Joint Action Plan was officially launched in June 2021. Covering the period from January 2021 to December 2023, the Plan comprises six key pillars: (1) mainstreaming of sexual violence considerations in security arrangements under the Revitalized Agreement; (2) external communication and outreach; (3) training, awareness-raising and sensitization; (4) accountability and oversight; (5) protection of victims, witnesses and judicial actors; and (6) monitoring, evaluation and reporting. A joint committee on conflict-related sexual violence (known as the Joint Implementation Committee), comprising 11 senior officials of the South Sudan People's Defence Forces, SPLA-IO and SSOA and mandated by the Joint Defence Board to oversee the implementation of the Action Plan and to be responsible for the production of progress reports, was formally launched in November 2021.

⁴³ Small Arms Survey, *National Small Arms Assessment in South Sudan* (revised February 2017), available at https://www.ss.undp.org/content/south_sudan/en/home/library/democratic_governance/national-small-arms-assessment-in-south-sudan.html.

⁴⁴ Secretariat of the Regional Centre on Small Arms, email to the assessment team, 6 April 2022.

⁴⁵ See S/2022/272, para. 50, S/2022/156, para. 73 and S/2021/1015, para. 76.

⁴⁶ The Joint Action Plan consolidates and reinforces commitments made in two action plans issued by the South Sudan People's Defence Forces and SPLA-IO in March and June 2019, respectively. In a statement introducing the Plan, the Chairperson and Co-Chairs of the Joint Defence Board state that "the military has zero tolerance on [conflict-related sexual violence] and ... those who commit command or condone sexual violence will be held accountable regardless of their ranks". In section 1 of the Plan, it is noted that "[s]exual violence has been a pervasive feature of the conflict in South Sudan since the start of the crisis in December 2013". Comprising six pillars, the Plan aims at "providing guidance to military personnel on prevention and response to sexual violence for a period of three years (October 2020–September 2023) and ultimately [ensuring] that no member of the national army commits, commands and/or condones" conflict-related sexual violence (see <https://stoprapenow.org/wp-content/uploads/2021/06/UNMISS-Joint-Action-Plan-of-the-Armed-Forces-2021-2023-Annex-1-and-2.pdf>).

50. In the area of training, awareness-raising and sensitization (pillar 3), commanders, military judges and military educational institutions, such as colleges and academies, are to ensure that troops, including female personnel, are trained on the prevention of and response to sexual violence in a mandatory, periodic and systematic fashion. Under that pillar, the national army would also develop comprehensive training modules that would be used for those trainings in the field and in military training institutions, and that every commander would sign an undertaking to respect international human rights, humanitarian law and national laws as they relate to conflict-related sexual violence and would ensure that elements under his or her command sign similar undertakings.⁴⁷ In that connection, the Joint Implementation Committee is considering a concept note for a training of trainers programme as a pending action point. In October 2020, the Minister of Defence and Veterans Affairs launched a conflict-related sexual violence training manual for instructors,⁴⁸ which was prepared with the technical support of the office of the Senior Women's Protection Advisor of UNMISS. That manual could be used as a basis for the development of the training modules.

51. Prevention efforts foreseen in pillar 3 also include the development and airing of audio and video messages by senior officials of the national armed forces and the translation, printing and dissemination of the Joint Action Plan to ensure that all military personnel are made aware of their obligations.⁴⁹ On 16 March 2021, the two co-chairs of the Joint Implementation Committee (from SPLA-IO and SSOA) spoke on Radio Miraya about the importance of preventing and eliminating conflict-related sexual violence in South Sudan.⁵⁰ Plans are being made to create opportunities for the Committee to meet with the joint consultation forum on conflict-related sexual violence, a platform for civil society organizations working in that area. In the context of International Women's Day, on 8 March 2022, the Chair and Co-Chairs of the Committee wrote a letter to the Joint Defence Board asking that a message regarding zero tolerance for conflict-related sexual violence be read at all graduation ceremonies of the necessary unified forces. However, in connection with its possible participation during graduation, the Committee informed UNMISS that it was facing human and financial resource constraints that would prevent Committee representatives from being present at those graduation ceremonies.

52. With regard to accountability and oversight (pillar 4), which is aimed at strengthening internal institutional frameworks related to accountability, some progress had been made. A total of 31 cases of conflict-related sexual violence or sexual and gender-based violence have been heard by all courts directly supported by UNMISS, and convictions had been obtained in 28 of those cases. An additional 18 cases have been heard by UNDP-facilitated mobile courts (to which UNMISS provided technical support) resulting in 16 convictions.⁵¹ According to UNMISS, the Mission has supported general courts martial in Bentiu, Bor, Juba, Maridi, Malakal, Renk and Wau. Moreover, a general court martial in Yei that was not supported by UNMISS convicted various persons of rape.

⁴⁷ Joint Action Plan, p. 13.

⁴⁸ The training manual was initially designed for the South Sudan People's Defence Forces under its own action plan and will be used for the training of trainers.

⁴⁹ Joint Action Plan, p. 14.

⁵⁰ United Nations Peacekeeping, "UNMISS organizes radio debates to commemorate International Women's Day", 16 March 2021.

⁵¹ All fair trial rights were respected and UNMISS monitored the proceedings for mobile court cases. Sentences ranged from one month imprisonment (assault) to 12 years (rape), which are within the imprisonment terms allowed by national law. UNMISS, emails to the assessment team, 5 and 13 April 2022.

53. Under pillar 4 of the Joint Action Plan it is also stated that accountability for sexual violence is not limited to formal justice but includes the provision of individual or collective reparations for survivors, such as rehabilitation (e.g. access to adequate and timely mental and physical health services), and that military personnel should facilitate access to services by victims and witnesses in all zones under their control.⁵² According to UNMISS, although compensation was awarded to survivors of conflict-related sexual violence by the general courts martial in Yei, it has not been made. Mobile courts have occasionally awarded compensation or imposed sentences of imprisonment for offences of sexual and gender-based violence and conflict-related sexual violence. For example, in April 2019, a defendant belonging to the South Sudan People's Defence Forces in Bentiu who was convicted of rape, sentenced to 10 years' imprisonment and ordered to pay two cows as compensation to the victim's family.

54. Pillar 4 (accountability and oversight) of the Joint Action Plan also addresses institutional frameworks relating to the recruitment of military personnel, including by envisioning measures to enhance the recruitment and retention of women as critical to gender equality and the prevention of conflict-related sexual violence.⁵³ The Plan states that the planning for all military operations and civil-military interactions must take into consideration the prevention of sexual violence.⁵⁴ In that regard, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and UNDP are supporting a peacebuilding fund project aimed at transforming the South Sudan security sector into a gender-responsive sector that protects and promotes the rights of women and girls across the country. The project foresees the creation of a gender-mapping initiative in security sector institutions. The initiative would provide information on the numbers of women in the security sector and their ranks, which is necessary for future advocacy with respect to increasing women's participation in security sector institutions. UNMISS is a strategic partner in this project.

55. Despite the developments outlined above, much remains to be done. There has been little progress on other pillars of the Joint Action Plan. While the Joint Implementation Committee was launched in November 2021, the Government has not provided funding for Committee meetings, which have been supported by UNMISS. To date, a total of 10 meetings have been held, which focused mainly on the organizational activities. The Committee is planning one consolidated progress report, which will be sent to the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict. A limited number of Arabic-language copies of the Plan have been produced with the help of UNMISS, and the Committee will need to produce and implement a strategy to distribute them. It is also stipulated in the Plan that the military would appoint focal points in relevant units (at headquarters level), divisions, brigades and colleges to work with the Joint Implementation Committee in implementing the Plan. UNMISS has requested the Committee to provide the list of updated focal points.⁵⁵

IV. Conclusion

56. The Revitalized Transitional Government of National Unity has made progress, albeit limited, in the implementation of the five benchmarks set out in resolution [2577 \(2021\)](#), with the support of the United Nations, the African Union, the

⁵² Joint Action Plan, p. 16.

⁵³ Joint Action Plan, p. 14.

⁵⁴ *Ibid.*, p. 15.

⁵⁵ *Ibid.*, p. 18.

Intergovernmental Authority on Development, the reconstituted Joint Monitoring and Evaluation Commission and other regional and international partners. However, further efforts are needed, and I encourage the South Sudan authorities to remain committed to the implementation of the five benchmarks, in particular by committing budgetary resources, in coordination with the donor community.

57. The Revitalized Agreement remains the only viable road map for consolidating peace in South Sudan. While I am concerned by the accumulation of delays, I remain optimistic regarding how much can be accomplished when the parties move forward together, as shown by the agreement concluded on 3 April 2022 on the unification of the command structure of the armed forces. That is a crucial step towards the graduation and redeployment of the necessary unified forces and, more importantly, towards the overall implementation of the transitional security arrangements and chapter II of the Revitalized Agreement. I urge the parties to abide by the specific timelines laid out in the Agreement.

58. Moreover, I call upon the parties to demonstrate their continued commitment to the Revitalized Agreement and to work expeditiously towards its full implementation. The continued support of regional and subregional actors, in particular the African Union and the Intergovernmental Authority on Development, as well as the international community, will remain critical to that end. In that connection, I also call upon international donors to remain fully committed at this critical juncture for South Sudan.
