

**Security Council**

Distr.: General
22 February 2021

Original: English

Letter dated 18 February 2021 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Ireland and Mexico, as Co-Chairs of the Informal Expert Group on Women and Peace and Security of the Security Council and in close cooperation with the United Kingdom, would like to share the summary note of the following meeting of the Informal Expert Group on the situation in South Sudan (see annex).

We would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) **Geraldine Byrne Nason**
Permanent Representative of Ireland to the Security Council

(Signed) **Juan Ramón de la Fuente Ramírez**
Permanent Representative of Mexico to the United Nations

(Signed) **Barbara Woodward**
Permanent Representative of the United Kingdom to the United Nations



Annex to the letter dated 18 February 2021 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Informal Expert Group on Women and Peace and Security of the Security Council

Summary of the meeting on the situation in South Sudan, held on 2 February 2021

On 2 February 2021, the Informal Expert Group on Women and Peace and Security of the Security Council convened a meeting on the situation in South Sudan. The members received a briefing from the Deputy Special Representative of the Secretary-General for South Sudan and Resident and Humanitarian Coordinator. Other representatives of the United Nations Mission in South Sudan (UNMISS) and the United Nations country team in South Sudan provided additional information in the discussion that followed the briefing. The meeting concluded with an overview of key recommendations, delivered by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), and additional observations shared by a representative of the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

Questions from Security Council members

Members of the Security Council asked about women's participation in government, the committees set up to implement the peace agreement, the constitution-making process and challenges in the implementation of the national action plan on women and peace and security. Expressing concern about the continuing high levels of conflict-related sexual violence in the country, Council members asked about progress with regard to the action plan of the South Sudan People's Defence Forces (SSPDF) and other recommendations to prevent organized forces from committing sexual violence and to increase services for survivors, including mental health and psychosocial support. Council members welcomed the recent announcement of the Government of South Sudan regarding the establishment of the Hybrid Court for South Sudan and enquired about the transitional justice mechanisms set out in the peace agreement, the status of the mobile courts and challenges to the investigation of sexual and gender-based violence. Other questions focused on UNMISS patrols, the redesignation of sites for the protection of civilians, and gender mainstreaming in security sector reform and in the humanitarian response. Emphasizing the importance of women's economic empowerment for conflict prevention and women's participation and protection, Council members asked about progress in that regard and how to assist the Government to enhance women's literacy, education and business and financial management skills. Lastly, Council members asked about the Mission's plan to address the gender-related recommendations of the independent strategic review.

Main points raised in the meeting

- The 35 per cent quota enshrined in the peace agreement for women's representation in the Transitional Government's bodies has thus far been met only by the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (41 per cent) and the reconstituted Joint Monitoring and Evaluation Commission (35 per cent). Furthermore, of the 35 ministries, only 9 are headed by women. Of the 10 deputy ministers, only 1 is a woman.

Nevertheless, women were appointed to the key positions of Minister for Foreign Affairs and Minister of Defence, and there is one woman among the five Vice-Presidents. At the state level, only one woman has been appointed as a governor (in Western Bahr el-Ghazal). In response to a communiqué issued by women civil society leaders in which the parties were called upon to adhere to the 35 per cent quota, the acting Secretary-General of the Sudan People's Liberation Movement announced in October 2020 that the quota would be implemented in the remaining positions allotted to the party. Furthermore, the two main parties in the country, and one other, have women as their Secretaries-General. The United Nations Development Programme (UNDP), UNMISS and UN-Women supported women civil society leaders in developing action plans on achieving the quota, facilitated dialogue among women's groups as well as between women's groups and key decision makers, and supported the development of databases of women leaders ready to assume public office. The United Nations also convened a series of consultations with key actors, including women civil society leaders, to enhance the capacity of stakeholders to effectively participate in the constitution-making process.

- UN-Women has deployed gender advisers to the Intergovernmental Authority on Development and the reconstituted Joint Monitoring and Evaluation Commission, and a senior gender adviser will soon be deployed to the Strategic Defence and Security Review Board. Furthermore, UNDP, UNMISS and UN-Women are providing technical support to the women's caucus, which is reviewing legislation to incorporate gender equality principles into laws.
- Conflict-related sexual violence continues to be used as a tactic of war and of terror, and as a driver of forced displacement, even though sexual violence is explicitly prohibited in the Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access and the Revitalized Agreement on the Resolution of the Conflict in South Sudan. In 2019, the United Nations verified 229 cases of conflict-related sexual violence, and despite constraints on monitoring and reporting imposed on account of the coronavirus disease (COVID-19) pandemic, there was an increase in recorded cases in 2020, with the majority of cases implicating members of SSPDF and community-based militias. Since January 2020, more than 390 women and girls have been abducted for the purpose of rape, forced marriage and sexual slavery in the context of clashes between heavily armed community-based militias. Some of the 500 women and girls who had been abducted in mid-2018 in Western Equatoria were released following command orders issued by Riek Machar and the direct engagement of the United Nations. Some of them, along with civil society partners that facilitated their release, have been harassed. Others have been forced to return, and many women and girls are still kept on military bases where they are subjected to sexual violence. The appointed Governor of Western Equatoria has been identified by the United Nations for alleged involvement in sexual slavery in his capacity as a former commander of the Sudan People's Liberation Army in Opposition (SPLA-IO), and this has been brought to the attention of the Security Council Committee established pursuant to resolution [2206 \(2015\)](#) concerning South Sudan. Humanitarian workers were also among those subjected to sexual violence, which has a chilling effect on service delivery. Furthermore, the dire humanitarian situation has led families to adopt negative coping practices, including child marriage.
- In September 2020, following engagement by the United Nations, the National Salvation Front issued a unilateral communiqué on the prevention of conflict-related sexual violence. Furthermore, with the support of the United Nations, SSPDF and SPLA-IO consolidated their action plans to prevent such violence.

The consolidated plan was validated in January 2021 and is focused on training, awareness-raising, accountability, oversight and protection. Hundreds of security sector personnel have been trained on command orders prohibiting sexual violence, and a training curriculum for new recruits is being rolled out. UNMISS, UNDP and UN-Women implemented projects to promote gender mainstreaming in security sector reform and to support the National Disarmament, Demobilization and Reintegration Commission to conduct a gender needs assessment targeting former combatants and to collect data on former women combatants.

- Since 2017, as part of the Mission's efforts to ensure accountability for persons accused of committing serious crimes within its sites for the protection of civilians, 63 individuals accused of committing gender-based violence have been referred to national authorities for investigation, resulting in 25 convictions. The Gender-based Violence and Juvenile Court began hearing cases in February 2020, and 670 gender-based violence cases have been registered thus far. Furthermore, over the past several months, UNMISS, in partnership with UNDP, the Office of the United Nations High Commissioner for Refugees and non-governmental organization partners, has deployed mobile courts to Malakal and Bentiu to hear, among others, sexual violence cases. The Mission is also supporting the rapid deployment of formal and traditional justice sector officials to hotspots with recurrent violence and aims to build more durable justice presences in key areas near former sites for the protection of civilians. In the meeting, representatives of UNMISS joined the members of the Security Council in welcoming the recent announcement of the establishment of the Hybrid Court but emphasized the need to turn the announcement into a formal memorandum of understanding. A court martial in Yei recently convicted 13 SSPDF soldiers of rape, but thus far only low-ranking soldiers have been held accountable. UNMISS is supporting SSPDF in the deployment of military mobile courts to address crimes committed by soldiers, including conflict-related sexual violence offences. One such session has recently been completed in Bentiu, and there are more planned in Bor and Yambio in the coming months.
- UNMISS and humanitarian actors established a task force to plan the redesignation of sites for the protection of civilians, and UNMISS is co-locating peacekeepers in police stations situated in the redesignated sites to encourage reporting of conflict-related sexual violence. UNMISS gender experts systematically participate in regular patrols to analyse the gendered impacts of the conflict and to provide protection for women and children during livelihood activities. The Mission has a special police team focusing on sexual and gender-based violence, and 30 per cent of UNMISS police officers are women.
- The United Nations is providing psychosocial and mental health support to survivors of sexual and gender-based violence, including through a joint programme of the United Nations Population Fund and UN-Women. Furthermore, the Population Fund established a one-stop centre at the Juba Teaching Hospital aimed at increasing access to survivor-centred assistance. Together with other United Nations entities, UNMISS supports the Government of South Sudan with its own development strategy, which has a strong focus on women's development, and the South Sudan Humanitarian Fund now requires applying organizations to dedicate part of the funding to gender-specific needs. Furthermore, the Framework of Cooperation of the Sudan and the United Nations on the Prevention and Response to Sexual Violence in Conflict has a particular emphasis on women's empowerment, including skills development and women's participation in economic recovery.

Recommendations

The following recommendations were made by UN-Women, as the secretariat of the Informal Expert Group, the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict or the Deputy Special Representative of the Secretary-General of UNMISS.¹

In view of the upcoming negotiations on the mandate of UNMISS, the Security Council should retain all existing references to women and peace and security in both the preambular and operative paragraphs of resolution 2514 (2020). In addition, in a new mandate, the Council should consider doing the following in the operative paragraphs:

(a) Urging the Government to ensure the full, equal and meaningful participation of women in the constitution-making process;

(b) Requesting UNMISS to use its good offices to advocate women's participation at every stage of the process to implement the peace agreement and ensure that the political primacy of women's leadership and participation is central to peacemaking and peacebuilding efforts;

(c) Encouraging the Government to swiftly adopt the statute of the Hybrid Court and to establish, in cooperation with the African Union and the Intergovernmental Authority on Development, the transitional justice mechanisms of chapter V of the Revitalized Agreement, to ensure that gender considerations and the meaningful participation of women, including survivors of sexual and gender-based violence, are central to their design and implementation, and to strengthen national accountability mechanisms that would be complementary to the Hybrid Court;

(d) Recognizing the critical role of women leaders, women's networks and women-led organizations in conflict prevention, early warning, conflict resolution and peacebuilding at the national and local levels, and requesting UNMISS to support and engage systematically with a wide range of diverse women's civil society organizations as equal partners in all areas of its work;

(e) Recognizing and supporting women's leadership role in mitigating the effects of the COVID-19 crisis, recognizing the disproportionate impact that the pandemic has on women and girls, and calling for a gender-responsive approach to pandemic response and post-pandemic recovery efforts;

(f) In the light of the recognition, in the preamble, of the need to protect women's rights organizations and women peacebuilders from threats and reprisals, encouraging the Government and its international partners, including the United Nations, to enhance their monitoring and reporting on the incidents, take adequate measures to prevent them and respond to the multifaceted physical, social, economic and psychological impact of such incidents;

(g) Urging the Government to rigorously and expeditiously investigate all incidents of sexual violence and hold perpetrators accountable, regardless of rank or seniority, in accordance with the joint communiqué by the Transitional Government and the Security Council members on ending sexual violence in conflict;

¹ These recommendations are suggestions from United Nations participants in the meeting or from the background note prepared by the secretariat of the Informal Expert Group ahead of the meeting, and they are not recommendations from the Informal Expert Group as a whole or Council members.

(h) Calling for the immediate and safe release of all women and children abducted during the course of hostilities, ensuring access to services, protection, justice and reparations.

In addition, the Co-Chairs and other Council members should:

(a) Engage in strategic high-level political diplomacy and advocacy in support of women's meaningful participation in all government institutions at the national and local levels, and in particular the 35 per cent quota for women's participation in the executive and the transitional justice institutions;

(b) Strongly advocate that no individual targeted with international sanctions and no alleged perpetrator of conflict-related sexual violence be or become part of the Government;

(c) Closely monitor the implementation of the Revitalized Agreement and ensure consistent follow-up on the implementation of all parts of the Agreement, including its gender provisions;

(d) Support, in close cooperation with civil society, a comprehensive review of activities, outcomes and impact under the national action plan on women and peace and security for the period 2015–2020 and the development, resourcing and implementation of a new national action plan;

(e) Support the Government to strengthen and build the capacity of the judiciary to ensure that cases of conflict-related sexual violence are investigated and prosecuted in a consistent manner by adhering to international fair trial standards and that services, reparations and redress are provided to survivors, thereby ensuring protection of their rights and meaningful participation;

(f) Support the Government to expedite the full implementation of the consolidated action plan on preventing conflict-related sexual violence;

(g) Consider increasing the levels of financial assistance for sexual and gender-based violence services and providing more long-term and flexible funding for women-led civil society organizations engaged in peacebuilding and work against sexual and gender-based violence;

(h) Strengthen women's economic empowerment, vocational training, business and financial management skills, including literacy and second chance education, in order to improve women's access to incomes and livelihoods and women's food security;

(i) Encourage UNMISS to implement the gender-related recommendations of the 2020 independent strategic review, including by improving gender-mainstreaming throughout its areas of work and strengthening its capacity and expertise on gender equality and women's protection.

The Co-Chairs closed the meeting, thanking the Deputy Special Representative of the Secretary-General for his participation, and committed themselves to following up on the important issues raised at the meeting.