



## **SECURITY COUNCIL INFORMAL EXPERT GROUP ON WOMEN, PEACE AND SECURITY**

### **Summary of the meeting on the situation in South Sudan, held on February 20<sup>th</sup> 2023**

On 20 February 2023, the Informal Expert Group on Women, Peace and Security (IEG) convened a meeting on the situation in South Sudan. The members were briefed by the Deputy Special Representative of the Secretary-General for South Sudan, Ms. Sara Beysolow Nyanti, accompanied by representatives from the United Nations Mission in South Sudan (UNMISS) and the UN Country Team. The meeting concluded with an overview of key recommendations provided by UN Women and additional observations provided by the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

#### **Questions from Council Members:**

Security Council members asked about women's meaningful participation in public decision-making, including in the constitutional review process and upcoming elections, reprisals against women peacebuilders, women human rights defenders and women-led organizations, violence against women as voters and candidates in the electoral process, and the capacity of the mission and the country team to address all these issues effectively. Other questions focused on conflict-related sexual violence (CRSV) and its worrisome increase over the last year. These included questions on implementation of the action plans adopted by the armed forces and the police to address CRSV, questions on accountability for perpetrators and the status of current or pending legislations, such as those relating to the protection of victims and witnesses. Council Members also asked for specific ways to increase the percentage of women in the security sector institutions and in patrols by the peacekeeping mission, and whether a gender perspective was being integrated into assessments and interventions to address climate-related shocks, such as flooding.

#### **Main points raised in the meeting:**

- Since the last meeting of the IEG two years ago, the Security Council has strengthened the language on women, peace and security in its decisions on South Sudan, both with regards to the mandate of the peacekeeping mission and the sanctions committee. The Security Council has also been briefed by South Sudanese women from civil society on six separate occasions since February 2021, who have repeatedly expressed concern over unmet quotas for women due to lack of political will, the slow pace of implementation of the gender-related provisions of the peace agreement, and high levels of CRSV.
- In August 2022, the signatories of the peace agreement agreed on a new roadmap to extend the transition by 24 months to enable the implementation of key outstanding tasks, such as the unification of the Necessary Unified Forces (NUF), the elections, and the new constitution. Some women's groups regretted the low participation of women in the decisions about the roadmap.

- Following the resolution of the political impasse, the Reconstituted Transitional National Legislative Assembly (R-TNLA) adopted important legislation at the end of the year. However, other priority bills concerning implementation of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) remain pending, such as the Family Law bill and draft legislation against gender-based violence (GBV), which have not yet been tabled for debate. CRSV, for example, is still not a self-standing war crime in South Sudanese legislation.
- The 35 percent quota for women included in the R-ARCSS has still not been met. Generally, the expert meetings and consultations held by the Reconstituted National Constitutional Amendment Committee have a limited representation of women. One of the five vice-presidents of the country, the Speaker of the R-TNLA, and the Deputy Speaker of the Council of States are women. There are also several women ministers, but only one State governor out of twelve (ten states and two administrative areas). In spite of significant legal, customary, and socio-cultural barriers, there are many South Sudanese women who are ready to take on decision-making positions. Therefore, the use of temporary special measures and quotas, as proposed in the R-ARCSS, provide an opportunity to promote greater representation of women in the mechanisms and institutions of R-ARCSS and the upcoming elections.
- Efforts continue to bring onboard groups that have not signed the R-ARCSS, especially through the Rome peace process facilitated by the Community of Sant 'Egidio, though no information was provided about women's participation or gender issues in this process.
- Recently, President Kiir granted pardons to 71 prisoners, including 7 women.
- The unification of the armed forces continues but is hampered by a lack of funding and logistical capability, including for women former combatants and associated with the armed groups who remain in cantonment sites for a long time without notification, putting up with difficult conditions, such as flooding in some of these sites.
- UNMISS, UN Women, and UNDP are implementing a project to mainstream gender in security sector reform, with support from the Peacebuilding Fund. This has included the establishment and operationalization of several women's networks and the creation of women-friendly spaces in security sector institutions, among other deliverables UNMISS, under the leadership of the Police Commissioner, has collaborated with the South Sudan National Police Service (SSNPS) to build their capacity to preventing and respond to GBV cases across the country, including through trainings and co-location.
- Other recent interventions led by UN Women and the UN Gender Theme Group include supporting the government in the development and adoption of the second phase of the National Action Plan on Women, Peace and Security; submitting to the Ministry of Justice a comprehensive gender analysis of 27 laws to inform legislative reforms and the constitution-making process and contribute to eliminating gender-based discrimination; enhancing the capacity of Special Protection Units of the police to monitor and respond to GBV; and providing access to economic opportunities for more than 1,100 women to start up small business enterprises through more than 120 Village Saving Loans Associations and upscaling five women's economic empowerment centers.
- In February 2022, the UN and the Transitional National Government of National Unity (R-TGNU) organized a three-day high-level conference on women's leadership. Several participants demanded parity, even though the 35 percent has not been met. Approximately 500 women, as well as the President, Vice Presidents, several ministers, members of the parliaments, Governor, and former presidents from other African countries, participated in the

conference. Prior to this event, Pope Francis, the Archbishop of Canterbury and the Moderator of the Church of Scotland visited South Sudan as part of their ecumenical missions to Africa and underscored the need for women to be involved in political and decision-making processes.

- The security situation has deteriorated in several locations, especially in Warrap, Central and Eastern Equatoria, Unity, Upper Nile and Jonglei. These clashes lead to mass displacement and a significant number of abductions and incidents of CRSV.
- In October 2022, the Special Representative of the Secretary-General on sexual violence in conflict visited South Sudan to call for expedited implementation of the action plans of the armed forces and the police on addressing CRSV, comprehensive training and vetting of the unified forces, as well as the removal from power of individuals credibly suspected of patterns of CRSV. Progress against these action plans is an indicator of the consolidation of peace and a benchmark for sanctions relief and delisting from the annex of the Secretary-General's annual report on CRSV. The UN works closely with the Joint Implementation Committee of the Action Plan for the Armed Forces and the Foreign Ministry leads a monthly meeting during which the implementation of the action plan of the armed forces is reviewed. On the other hand, the implementation of the action plan for the police has advanced at a slower pace.
- The UN verified 299 incidents of CRSV in 2022, compared with 194 in 2021. Lack of services, lack of protection of victims and witnesses, intimidation and reprisals of women's organizations and human rights defenders inhibit reporting of human rights violations. The majority of cases are attributed to non-state armed groups, including civil defense forces and community-based militias, but 38 percent are still attributed to the armed forces and 5 percent to the police. Women and girls are especially at risk when conducting essential livelihood activities, traveling to and from school, and fleeing hostilities.
- The UN is also assisting women released from abduction by the SPLA-IO in Western Equatoria, noting the presence of 93 children born of CRSV among this group, who are at risk of being stigmatized and ostracized.
- Impunity for serious crimes, including sexual violence, remains pervasive. To assist women and girls to access justice and seek accountability, UNMISS supported civilian and military justice actors to deploy mobile civilian and military courts across South Sudan. UNMISS supported the South Sudan People's Defence Forces Military Justice Directorate (MJD) to deploy 11 General Court Martials to promote accountability for serious crimes, including sexual violence and CRSV. UNMISS also provided technical assistance and capacity building support to MJD to investigate and prosecute sexual violence and ensure a victim-centered approach throughout. Additionally, UNMISS supported deployments of a Joint Special Mobile Court (JSMC) to address serious crimes, including sexual violence, related to cattle migration in the border areas of Warrap and Western Bahr el Ghazal States. The JSMC has been attributed by community members and local officials with contributing to peace and stability, increasing the numbers of returnees, and building trust in the formal justice system.
- The UN continues to document cases of reprisals and intimidation against women human rights defenders and is working to expand networks of women human rights defenders to all states, as well as finalize guidance on how to support individuals seeking protection in UNMISS premises.
- 9.4 million people, more than three-quarters of the population of South Sudan, are expected to need humanitarian assistance in 2023, and the humanitarian response plan has only received

one percent of the funding requirements so far this year. Women and girls are disproportionately affected.

- Climate-related shocks, including extensive flooding, are behind much of the increase in humanitarian needs, and the UN will ensure that a gender perspective is central to its work on climate adaptation and mitigation.
- Attention and resources to gender equality issues will be crucial to respond to increasing demands for support. These include the upcoming elections and constitutional review process, the need to deliver both on policy reform at the national level and change at the community level, and the significant investment by the World Bank and the African Development Bank to promote women's economic empowerment, peacebuilding, and services for survivors of gender-based violence.

### **Recommendations:**

The following recommendations were made by UN Women, as the secretariat of the IEG.<sup>1</sup>

In the upcoming negotiations on the mandate renewal for UNMISS, the Security Council should retain the references to women, peace and security in resolution 2625 (2022), including on accountability and transitional justice, and consider the following additions:

- The language on OP 14 of 2625 could be updated to regret the low participation of women in the transition roadmap and demand women's meaningful participation in its implementation, as well as in the drafting of the constitution, the unification of the armed forces, the establishment and operationalization of transitional justice mechanisms, and the preparations for the elections, with due consideration for displaced and refugee women.
- In that same paragraph in 2625 (2022), the Security Council called on parties to "recognize the need to protect women-led organizations and women peacebuilders from threats and reprisals and provide a safe environment to enable them to carry out their work safely and freely." This could be expanded to request the mission to enhance its reporting to the Security Council on these issues.
- In paragraphs on humanitarian aid and security conditions conducive to its delivery, there could be a reference to the need for adequate consultation and involvement of women in humanitarian delivery and planning and due consideration to their leadership in camp management.
- Given the alarming surge in conflict-related sexual violence in 2022, the Security Council should call on the government to prioritize and focus on the full and expedited implementation of the 2014 Joint Communiqué of the Republic of South Sudan and the UN on the Prevention of CRSV, the Action Plan for the Armed Forces in addressing CRSV and the one for the police on the same subject-matter. The Security Council should also urge the government to update the country's legal framework, including by formulating, adopting, and implementing a standalone law on victim and witness protection, adopting legislation on conflict-related sexual violence as international crimes in line with international standards, and fast-track the adoption of a law against gender-based violence.

---

<sup>1</sup> These recommendations are suggestions from UN participants in this meeting or the background note prepared by the secretariat of the Informal Expert Group ahead of the meeting, and not recommendations from the Informal Expert Group as a whole or Council Members.

The Security Council should call on the government to facilitate unhindered access to multi-sectoral services for survivors and prioritize justice and reparations.

- The language on OP 16 could be strengthened to call on the government to implement the comprehensive action plan to end and prevent all grave violations against children, including rape and other forms of sexual violence, signed in 2020 with the United Nations, and to strengthen the overall legal framework to safeguard children's rights in South Sudan.
- The Security Council could request enhanced gender analysis in the reports from the Secretary-General, with special attention to the reasons behind the persistent under-representation of women in decision-making and the continued high levels of sexual violence. The Security Council could encourage the Reconstituted Joint Monitoring and Evaluation Commission to publish the percentage of women's representation in each of the transitional institutions of the R-ARCSS in its quarterly reports.
- The Security Council could commend the World Bank's investment on women's economic empowerment and encourage other international partners to scale up their support to survivors of gender-based violence.
- The Security Council could commend efforts to adopt a second national action plan on women, peace and security and encourage the allocation of resources for its adequate implementation.

The Co-Chairs thanked all participants and committed to follow-up on the important issues raised at the meeting.