



# Security Council

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## United States of America: draft resolution

*The Security Council,*

*Recalling* its previous resolutions, statements of its President, and press statements concerning the situation in South Sudan,

*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity, and national unity of the Republic of South Sudan, and recalling the importance of the principles of non-interference, good-neighbourliness, and regional cooperation,

*Affirming* its support for the 2018 “Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan” (the Revitalised Agreement),

*Stressing* that the peace process only remains viable with the full commitment by all parties, and *urging* the full implementation without delay of the Revitalised Agreement and of the Agreement on the Roadmap to a Peaceful and Democratic end of the Transition Period of the R-ARCSS, *noting* with concern the delayed implementation of the Revitalised Agreement, which necessitated a further two-year extension of the transitional political arrangements,

*Welcoming* that some progress was achieved in the implementation of the priority measures defined in paragraph 9 of resolution [2625 \(2022\)](#), including continued security provided to re-designated protection of civilian sites, initiation of a permanent constitution-making process, ensuring better freedom of movement of UNMISS and the graduation of a first phase of the necessary unified forces,

*Expressing* deep concern over the continued intensification of all forms of violence prolonging the political, security, economic, and humanitarian crisis in most parts of the country, condemning the mobilization of armed groups by parties to the conflict and encouragement of defections, including by members of the government forces and armed opposition groups, and *further recognizing* that intercommunal violence in South Sudan is politically and economically linked to national-level violence and corruption undertaken by South Sudan’s previous civil war actors in the capital, and *encouraging* UNMISS to continue to support and protect community-led peace dialogue processes, in coordination with South Sudanese authorities, in order to strengthen local community engagement, empowerment, and national reconciliation,

*Recognizing* the Secretary-General’s report from 22 February 2023 ([S/2023/135](#)), requesting the Government and parties to facilitate unhindered humanitarian access along the Nile River corridor which will enable the delivery of services to the most vulnerable persons, in which the Secretary-General urged that

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the corridor is given adequate consideration for its potential to contribute to economic and social development of South Sudan and recommended that in this endeavor UNMISS should provide the required support as needed,

*Expressing* appreciation for the leadership of the Intergovernmental Authority on Development (IGAD) in advancing the peace process for South Sudan and *welcoming* the commitment and efforts of IGAD and its member states, the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC), the African Union (AU), including the African Union Peace and Security Council (AUPSC), the United Nations (UN), and countries in the region to continue engaging with South Sudanese leaders to address the current crisis, and *encouraging* their continued and proactive engagement,

*Welcoming* the resumption of the facilitation of political dialogue by the Community of Sant'Egidio between signatories and non-signatories of the Revitalised Agreement and *encouraging* all parties to continue their efforts to peacefully resolve disputes in order to achieve an inclusive and sustainable peace,

*Encouraging* the Government of South Sudan to continue engaging with the United Nations Peacebuilding Commission (PBC) to enhance international support for South Sudan's peacebuilding objectives,

*Stressing* the need for the rapid and transparent assessment of violations by the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM), *encouraging* IGAD to take action on the reports and share the reports with the Security Council rapidly, and *noting* that the African Union, IGAD, and the United Nations Security Council demanded that parties that violate the Agreement on Cessation of Hostilities, Protection of Civilians, and Humanitarian Access (the ACOH) must be held accountable, appealing to member states for political, logistical and financial support for the RJMEC and the CTSAMVM to enhance their operational capabilities and enhanced diplomatic engagement from RJMEC member states with the government to press for action to hold those accountable when violations are documented,

*Expressing* grave concern at ongoing reports of sexual and gender-based violence, including the findings of the report of the Secretary-General on Children and armed conflict in South Sudan (S/2023/99) and on Conflict Related Sexual Violence to the Security Council (S/2022/272) of the use of sexual and gender-based violence as a tactic by parties to the conflict against the civilian population in South Sudan, including use of rape and sexual slavery for the purpose of intimidation and punishment, based on perceived political affiliation, and employed as part of a strategy targeting members of ethnic groups, and where sexual and gender-based violence against women and girls has persisted after the signing of the Revitalised Agreement, as documented in the March 2022 report published by UN Commission on Human Rights in South Sudan (CHRSS) on "Conflict-Related Sexual Violence against women and girls in South Sudan", *noting* that some progress was observed by South Sudanese parties through implementation of action plans to address sexual violence in conflict, and *underlining* the urgency and importance of timely investigations to support accountability and the provision of assistance and protection to survivors and victims of sexual and gender-based violence, including conflict-related sexual violence,

*Expressing* serious and urgent concern over the more than 2.2 million internally displaced persons and ongoing humanitarian crisis, 9.4 million in need of humanitarian assistance according to the 2023 South Sudan Humanitarian Snapshot, and the estimated 7.7 million people who faced severe food insecurity in mid-2022 and likely famine in some areas, according to the Food and Agriculture Organization and the World Food Programme, *recalling* its resolution 2417 (2018) that recognizes

the need to break the vicious cycle among armed conflict, displacement, and food insecurity, condemning the unlawful denial of access by humanitarian personnel to civilians in armed conflict and underlining that the use of starvation of civilians as a method of warfare may constitute a war crime, *strongly condemning* all attacks against humanitarian personnel and facilities that resulted in the deaths of nine personnel in 2022 and five personnel since January 2023, *further condemning* obstructions by all parties of civilians and humanitarian actors seeking to reach civilians in need of assistance, *expressing* grave concern at the imposition of taxes and illegal fees which hamper the delivery of humanitarian assistance across the country, and *commending* United Nations humanitarian agencies, partners, and donors for their efforts to provide urgent and coordinated support to the population,

*Strongly condemning* all human rights violations and abuses and violations of international humanitarian law by all parties, including armed groups and national security forces, as well as the incitement to commit such abuses and violations, including those in Tambura, Western Equatoria State, and recently Jonglei, Unity, and Upper Nile States, *further condemning* severe restrictions of freedoms of opinion, expression, peaceful assembly and association, and the harassment, targeting, and censorship of UNMISS and civil society, as well as journalists, human rights defenders, humanitarian personnel, and media correspondents, and *strongly encouraging* all parties to create a safe and enabling environment for those groups, and further emphasizing that South Sudan's government bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity, and *expressing concern* that despite the signing of the Revitalised Agreement, violations and abuses including those involving sexual and gender-based violence continue to occur, which may amount to international crimes, including war crimes and crimes against humanity,

*Reiterating* the urgent need to end impunity in South Sudan and to bring to justice all those responsible for violations of international humanitarian law and violations and abuses of human rights, expressing serious concern over the delays in the establishment of transitional justice mechanisms called for in Chapter V of the Revitalised Agreement,

*Stressing* the importance of transitional justice measures included in Chapter V of the Revitalised Agreement, to end impunity and promote accountability, facilitate national reconciliation and healing, and ensure a sustainable peace, particularly those efforts undertaken by the UN-mandated Commission on Human Rights in South Sudan, and in this regard, *recognizing* the operationalization of a Gender-Based Violence and Juvenile Court by the Judiciary of South Sudan, and the establishment of mobile courts to combat impunity including for intercommunal violence and human rights abuses and violations involving killings and rape, *acknowledging* the approval by the Government of South Sudan (GoSS) to establish transitional justice mechanisms, including the Hybrid Court for South Sudan, and *further recognizing* that the GoSS conducted nationwide consultations on the Commission for Truth, Reconciliation, and Healing, encouraging it to continue to hold meaningful consultations with all stakeholders, including full, equal, and meaningful participation of women, and inclusion of youth, victims, persons with disabilities, and internally displaced persons (IDPs), and South Sudanese refugees, emphasizing its expectation that all credible reports of human rights violations and abuses will be duly considered by any transitional justice mechanisms for South Sudan including those established pursuant to the Revitalised Agreement, stressing the importance of ensuring accountability for IHL violations and expressing grave concern that according to credible reports, war crimes and crimes against humanity may have been committed, underlining the importance of collection and preservation of evidence for

eventual use by the Hybrid Court for South Sudan and other accountability mechanisms, and encouraging efforts in this regard,

*Underlining that any obstruction of UNMISS by any party is unacceptable, including restrictions on freedom of movement, assault of UNMISS personnel, and constraints on mission operations, including restrictions on patrols and UNMISS efforts to, *inter alia*, monitor the human rights situation,*

*Recalling its resolution 2117 (2013) and expressing grave concern at the threat to peace and security in South Sudan arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons, and further expressing concern that illicit trafficking and diversion of arms and related materiel of all types undermine the rule of law, and has the potential to undermine respect for international humanitarian law, can impede the provision of humanitarian assistance and have wide-ranging negative humanitarian and socioeconomic consequences,*

*Noting the measures adopted by the Security Council in resolution 2428 (2018) and renewed in 2471 (2019), 2521 (2020), 2577 (2021) and 2633 (2022) recalling that individuals or entities responsible for or complicit in, or having engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of South Sudan, may be designated for targeted sanctions, further recalling its willingness to impose targeted sanctions, and stressing the critical importance of effective implementation of the sanctions regime, including its travel ban measures, and the key role that neighboring states, as well as regional and subregional organizations, can play in this regard, encouraging efforts to further enhance cooperation, and reiterating its readiness to consider adjusting measures, including through modifying, suspending, lifting or strengthening measures to respond to the situation,*

*Emphasizing that persistent barriers to full implementation of resolution 1325 (2000), and subsequent resolutions addressing women, peace, and security, including resolution 2242 (2015), will only be dismantled through dedicated commitment to gender equality, women's empowerment, participation, and human rights, as well as concerted leadership, consistent information and action, and support, to facilitate women's full, equal, and meaningful participation in all levels of decision-making and leadership,*

*Acknowledging the significance of the GoSS's ratification of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, and welcoming the extension of the Comprehensive Action Plan to End and Prevent All Grave Violations Against Children by the GoSS, and endorsement of Call to Action to Ensure the Rights and Wellbeing of Children Born of Sexual Violence in Conflict,*

*Welcoming that South Sudan acceded to four international conventions and passed into law the (i) Convention on the Rights of Persons with Disabilities and Optional Protocol; (ii) International Covenant on Civil and Political Rights; (iii) Protocol to The African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol); and (iv) International Covenant on Economic, Social and Cultural Rights,*

*Expressing serious concern about the dire situation of persons with disabilities in South Sudan, including abandonment, violence, and lack of access to basic services, and emphasizing the need to ensure that the particular needs of persons with disabilities are addressed in the humanitarian response,*

*Recognizing the adverse effects of climate change, ecological changes, land degradation, food insecurity, and natural disasters, among other factors, on the humanitarian situation and stability in South Sudan, calling on the government to*

engage with local communities to address these challenges, and *emphasizing* the need for comprehensive risk assessments and risk management strategies by the GoSS and the United Nations to inform programs relating to these factors, and acknowledging the United Nations Framework Convention on Climate Change and the Paris Agreement,

*Strongly urging* the Government of South Sudan to coordinate with UNMISS and the Humanitarian Country Team to address the flood waters and lack of services such as water management, sanitation, and hygiene facilities in IDP sites, including at Bentiu,

*Noting* the United Nations Department of Operational Support's Environment Strategy (phase II), which emphasises good stewardship of resources and a positive legacy of the mission, and identifies the goal of expanded renewable energy use in missions to enhance safety and security, save costs, offer efficiencies and benefit the mission,

*Commending* the work of UNMISS, and *expressing* its deep appreciation for the actions taken by UNMISS peacekeepers and troop- and police-contributing countries in implementing the UNMISS mandate in a challenging environment,

*Recognizing* the importance of strategic communications to peacekeeping operations, acknowledging that its efficient use is crucial to the effective implementation of UNMISS' mandate, *emphasizing* the need to continue to improve UNMISS' strategic communications capabilities in order to maintain the mission's ability to achieve its protection, political and humanitarian goals, and *welcoming* the commitment of the Secretary-General to mainstream strategic communications activities into both planning and day-to-day operational decisions of missions, including UNMISS, as stated in its Action for Peacekeeping Plus Plan,

*Welcoming* the commitment of the Secretary-General to enforce strictly his zero-tolerance policy on sexual exploitation and abuse, *noting* the various measures taken by UNMISS and troop- and police-contributing countries to combat sexual exploitation and abuse, while *expressing* continued concern over allegations of sexual exploitation and abuse reportedly committed by peacekeepers and other UN personnel in South Sudan,

*Taking note* of the Secretary-General's 15 July 2021 electoral needs assessment (S/2021/661), and also *taking note of* the Report of the Secretary-General of 25 February 2022 (S/2022/156), and *further recognizing* that free and fair elections necessitate that the GoSS fulfils its commitment to promptly execute key benchmarks for the constitutional process and create conditions for the protection of civic and political space, and ensuring the will of all South Sudanese voters and the full, equal and meaningful participation and inclusion of women, and meaningful and diverse inclusion of youth, persons with disabilities, South Sudanese citizens IDPs, South Sudanese refugees, as well as members of all political groups is critical for a transition toward a stable, inclusive, democratic, and self-reliant state,

*Determining* that the situation in South Sudan continues to constitute a threat to international peace and security in the region,

*Acting* under Chapter VII of the Charter of the United Nations,

#### **UNMISS Mandate**

1. *Decides* to extend the mandate of UNMISS until 15 March 2024;
2. *Decides* that UNMISS's mandate is designed to advance the three-year strategic vision defined in resolution [2567 \(2021\)](#) to prevent a return to civil war in South Sudan, to build durable peace at the local and national levels, and to support

inclusive and accountable governance and free, fair, and peaceful elections in accordance with the Revitalised Agreement;

3. *Decides* that UNMISS shall have the following mandate, *authorizes* UNMISS to use all necessary means to implement its mandate, *requests* the Secretary-General to inform the Security Council of any obstacles to the implementation of the mandate, and *stresses* that the protection of civilians shall be given priority in decisions about the use of available capacity and resources;

(a) *Protection of civilians:*

(i) To use all necessary means to ensure effective, timely, and dynamic protection of civilians under threat of physical violence through a comprehensive and integrated approach, irrespective of the source or location of such violence and, in this regard:

- To prevent, deter, and stop violence against civilians, including politically driven violence, particularly in high-risk areas, as well as to promptly and effectively engage any actor that is credibly found to be preparing attacks, or engages in attacks, against civilians, IDP camps, and the UNMISS protection of civilians sites,
- To maintain a proactive deployment and a mobile, flexible, robust and effective posture including by conducting active patrolling by foot and by vehicle, in particular in high risk areas, IDP camps, and the UNMISS protection of civilians site, emphasizing that, pursuant to the SOFA, UNMISS is fully authorized to undertake its mandated tasks,
- To identify and deter threats and attacks against civilians, including through strengthened implementation of a mission-wide early warning and response system that draws upon robust conflict-sensitive analysis, regular interaction with civilians including with Community Liaison Assistants, and close consultations with humanitarian, human rights, civil society, and development organizations, in areas at high risk of conflict, in particular when the GoSS is unable, or fails, to provide such security, and includes tracking, analyzing and reporting on the rate and effectiveness of the Mission's protection of civilians responses and ensuring that risks of sexual and gender-based violence in conflict and post-conflict situations are included in the Mission's data collection, threat analysis and early warning system,
- To maintain public safety and security of and within UNMISS protection of civilians sites, and where protection of civilian sites have been re-designated, to protect civilians in those re-designated sites, irrespective of the source of violence, to maintain a flexible posture linked to threat analysis, to rapidly respond to threats in other locations, to promptly develop contingency plans for protecting civilians in both the protecting of civilian and re-designated sites in a crisis, and ensure the ability to scale up presence and protection of re-designated sites if the security situation deteriorates;

(ii) To provide specific protection for women and children, including through the continued and consistent use and deployment of UNMISS's Child Protection Advisers, Women Protection Advisers, and uniformed and civilian Gender Advisers, and share best practices with relevant local stakeholders for the purpose of capacity building, and to further deter, prevent, and respond to sexual and gender-based violence, including by actively intervening to protect civilians threatened by, and survivors of, sexual violence, irrespective of its source, and by facilitating access to organizations that provide services and support to

survivors, including medical, sexual and reproductive health, psychosocial, mental health, legal, and socioeconomic services;

(iii) To exercise good offices, confidence-building, and facilitation in support of UNMISS's protection strategy, especially in regard to women and children, including to facilitate, the prevention, mitigation, and resolution of intercommunal violence through, inter alia, support to community-led peace dialogue processes, in line with evidence-based best practice, and informed by gender-sensitive conflict and political economy analysis and, conflict-sensitive analysis, mediation and community engagement in order to foster sustainable local and national reconciliation as an essential part of preventing violence and long-term state-building activity;

(iv) To foster a secure environment for the safe, informed, voluntary, and dignified return, relocation, resettlement or integration into host communities for IDPs and refugees, informed by robust gender responsive conflict analysis, and when and to locations where conditions are conducive, including through monitoring of and promoting respect for human rights, coordination with police services, security and government institutions, and civil society actors in relevant and protection-focused activities, investigation and prosecution of sexual and gender-based violence and conflict-related sexual violence, as well as other human rights violations and abuses, in order to strengthen protection of civilians, combat impunity, and promote accountability, at all times operating consistent with the United Nations Human Rights Due Diligence Policy (HRDDP);

(v) To facilitate the conditions for safe and free movement into, out of, and around Juba, including at the means of ingress and egress from the city and major lines of communication and transport within Juba, including the airport;

(vi) To monitor and report the environmental impacts of its operations when fulfilling its mandated tasks and, in this context, to manage them as appropriate and consistent with applicable and relevant General Assembly resolutions and United Nations rules and regulations;

*(b) Creating the conditions conducive to the delivery of humanitarian assistance:*

(i) To contribute, in close coordination with humanitarian actors, to the creation of security conditions conducive to the delivery of humanitarian assistance, so as to allow, in accordance with international law, including applicable international humanitarian law, all humanitarian personnel full, safe and unhindered access to all those in need in South Sudan and timely delivery of humanitarian assistance, including IDPs and refugees, consistent with United Nations guiding principles of humanitarian assistance, including humanity, impartiality, neutrality, and independence, including by providing gender-sensitive risk assessments on the adverse effects of climate change;

(ii) To ensure the security and freedom of movement of United Nations and associated personnel where appropriate, including through explosive ordnance risk mitigation and clearance, and to ensure the security of its installations and equipment necessary for implementation of mandated tasks;

*(c) Supporting the Implementation of the Revitalised Agreement and the Peace Process:*

(i) To use good offices to support the peace process and the creation of conditions conducive to the full implementation of the Revitalised Agreement and the Agreement on the Roadmap to a Peaceful and Democratic end of the

Transition Period of the R-ARCSS, to prevent further escalation of political violence and address the root causes of conflict. including through advice, technical assistance, and coordination with relevant regional actors, in particular to learn from the National Dialogue to generate significant political reform and continue a South Sudanese dialogue about how to encourage power-sharing and peaceful political competition;

(ii) To assist all parties: to provide the full, equal and meaningful participation of women, and meaningful, diverse and effective engagement of civil society, youth, and other marginalized groups in the peace process, transitional government bodies and institutions, and all conflict resolution and peacebuilding efforts, including on transitional justice, electoral, judicial, legislative, and institutional reform, the constitution-making process, and security sector transformation; to promote an open, free, inclusive, and safe civic space; and to ensure that the protection, rights, well-being and empowerment of children affected by armed conflict are fully incorporated in these processes, as well as their views and needs considered in their design;

(iii) To participate in and support the work of CTSAMVM, RJMEC, and other implementation mechanisms in the implementation of their mandates, including at the subnational level;

(iv) To use good offices to assist the GoSS and other relevant parties in upholding the view of elections as a phased approach that must first focus on supporting the creation of conditions conducive to civic and political space, transitional security arrangements, and an inclusive constitutional review process for an eventual political transition, including through technical assistance and capacity-building, to support mechanisms of the Revitalised Agreement;

(v) To provide technical assistance, to include capacity-building, and logistical support focused on creating conditions for civic and political space and legal frameworks, for the electoral process, as appropriate and, in coordination with the United Nations Country Team and regional and international partners as well as security support to facilitate the electoral cycle, consistent with the Revitalised Agreement, noting UNMISS support will include, *inter alia*, support to the South Sudanese governmental authorities and non-governmental organizations in its efforts to draft a permanent constitution, mitigate the potential for tensions throughout the electoral period, provide for the full, equal, meaningful and safe participation of women candidates and voters, including young voters, at all levels and in all phases of the electoral process, and provide for the participation of South Sudanese IDPs and refugees, and *notes* that UNMISS support will be continually assessed and reviewed according to the progress made by the South Sudanese authorities in paragraphs 6, 7, and 8 below;

(vi) To provide support for the implementation of gender-responsive community violence reduction (CVR) programs, to complement community disarmament initiatives in cooperation and coordination with development partners and community representatives, with a particular focus on the members of armed groups ineligible or unwilling to be integrated into the Necessary Unified Forces, women and youth;

(vii) To use technical assistance and capacity building to support the GoSS and non-governmental South Sudanese voices to strengthen, expand and reform all components of the rule of law and justice sector, in a conflict-sensitive manner, and in line with the terms of the Peace Agreement in order to strengthen protection of civilians, combat impunity, and promote accountability, including



investigation and prosecution of sexual and gender-based violence, including conflict-related sexual violence, and human rights violations and abuses in a survivor-centered approach, which includes taking measures for the protection of victims and witnesses;

(vii) To ensure that any support provided to non-United Nations security forces and government officials is informed by robust conflict-sensitive analysis and provided in strict compliance with the HRDDP, and that capacity-building support to civilian institutions is informed by conflict sensitive analysis, including the monitoring and reporting on how support is used and on the implementation of mitigating measures;

*(d) Monitoring, investigating, and reporting on violations of international humanitarian law and violations and abuses of human rights:*

(i) To monitor, investigate, verify, and report immediately, publicly, and regularly on abuses and violations of human rights and violations of international humanitarian law, including those that may amount to war crimes or crimes against humanity; and, where possible, to monitor, investigate, verify, and report immediately, publicly, and regularly on the chains of command and the decision-making structures that led to abuses and violations of human rights and violations of international humanitarian law, including those that may amount to war crimes or crimes against humanity;

(ii) To monitor, investigate, verify and report specifically and publicly on violations and abuses committed against women and children, including those involving all forms of sexual and gender-based violence, including conflict related sexual violence, and accelerate implementation of monitoring, analysis and reporting arrangements on conflict-related sexual violence, including by ensuring these arrangements promote timely action to deter, prevent and respond to incidents of sexual and gender-based violence, and by strengthening the monitoring and reporting mechanism for violations and abuses against children;

(iii) To monitor, investigate and report on incidents of hate speech and incitement to violence in cooperation with the United Nations Special Adviser on the Prevention of Genocide;

(iv) To coordinate with, share appropriate information with, and provide technical support, to include capacity building, to international, regional, and community and national mechanisms and relevant local stakeholders engaged in monitoring, investigating, prosecuting and reporting on violations of international humanitarian law and human rights violations and abuses, including those that may amount to war crimes or crimes against humanity, as appropriate;

4. *Decides* to maintain the overall force levels of UNMISS with a troop ceiling of 17,000 personnel, and a police ceiling of 2,101 personnel, including 88 justice and corrections advisors *expresses* its readiness to consider adjustments to UNMISS force levels and capacity-building tasks based on security conditions on the ground and implementation of priority measures in paragraph 9 below;

#### **South Sudan Peace Process**

5. *Demands* all parties to the conflict and other armed actors to immediately end the fighting throughout South Sudan and engage in political dialogue, *reminds* South Sudanese authorities of their primary responsibility to protect civilians in South Sudan, and *further demands* South Sudan's leaders to implement the permanent ceasefire declared in the Revitalised Agreement and all previous ceasefire and cessation of hostilities agreements, including commitments in the Rome Declaration;

6. *Expresses its deep concern* about the delays in implementing the Revitalised Agreement, in particular calls for the use of a single Treasury account and the required audits, reviews and additional tools for an oil marketing system that is open, transparent, and competitive and roots out corruption so that the South Sudanese public may benefit from the country's oil wealth, *calls on* the parties to implement fully the Revitalised Agreement, including by allocating the necessary financial resources, establish its institutions without delay, and ensure full, equal, and meaningful participation of women, and inclusion of youth, faith groups, and civil society in all conflict resolution and peacebuilding efforts, *stresses* the need to expeditiously, finalize security arrangements, establish all transitional institutions, and make progress on transitional reforms, including establishing free and open civic space, an inclusive constitutional drafting process, and economic transparency and public financial management reform, *recognizes* the detrimental effect of corruption and misuse of public funds on the GoSS's ability to provide services to its population, and *further stresses* the need to enhance good economic governance to ensure effective national revenue collection and anti-corruption structures in order to finance implementation of regulatory framework essential for a political transition, and the humanitarian needs of the population;

7. *Stresses* that conducting free and fair elections, reflecting the will of all South Sudanese and with the full, equal and meaningful participation of women, and inclusion of youth, people with disabilities, South Sudanese IDPs, refugees, and members of all political groups, is critical for a transition toward a stable, inclusive, democratic, and self-reliant state, and in this regard, *underscores* that elections should be viewed as a phased approach and UNMISS should focus in the near-term on key conditions, including the prevention of a further escalation of political violence and creating conditions for an inclusive, constitutional drafting and review process and the inclusive civic space that is a prerequisite to the conduct of free and fair elections, and in this *calls for* the South Sudanese authorities, consistent with the Revitalised Agreement, to make immediate and concrete progress on the key milestones to facilitate a peaceful electoral process, including adoption of the Permanent Constitution, the passing of necessary legislation, transitional security arrangements, and the establishment of an independent electoral commission and to mitigate potential for tensions throughout the electoral period once the above conditions are achieved, while affirming the importance of the South Sudanese authorities and all relevant parties creating the propitious conditions to enable UNMISS's support to the electoral process, as provided for in paragraph 3 above;

8. *Calls upon* the GoSS as well as all relevant parties to ensure an environment conducive to open political dialogue consistent with the Revitalised Agreement, which includes free and constructive political debate, freedom of opinion and expression, including for civil society, opposition parties, and members of the press and, freedom of peaceful assembly, equitable access to media including State media, the security of all political actors, freedom of movement for all candidates, as well as for presence of domestic and international election observers and witnesses, journalists, human rights activists and actors from civil society including women, which can help lead to free and fair elections;

9. *Calls upon* the GoSS and all relevant actors to take action to fulfill the following priority measures before the end of UNMISS's current mandate:

- Utilize robust conflict-sensitive analysis to provide protection of civilians and security to re-designated protection of civilian sites, and to prevent and respond to violence or criminality directed towards the inhabitants of those camps, in a manner consistent with its obligations under international human rights law and international humanitarian law, as applicable, and to appropriately vet all

security forces personnel involved in providing security at the re-designated sites,

- Make progress on creating a conducive political environment for elections including, promptly making progress on key benchmarks for the constitutional process that include passage and implementation of the Political Parties Act, and establishment of the Political Parties Council, the Reconstituted National Constitutional Review Commission, and the Constitutional Drafting Committee, expanding inclusive civic space, including robust membership by South Sudanese non-governmental organizations in these bodies, reducing political violence, and ensuring key tasks are met consistent with the principles of inclusive governance,
- End all obstructions to UNMISS, including, inter alia, obstructions that hamper UNMISS carrying out its mandate to monitor and investigate human rights violations and abuses and violations of international humanitarian law, and immediately cease obstructing international and national humanitarian actors from assisting civilians, and facilitate freedom of movement for the CTSAMVM,
- Make progress on implementing the security arrangements by ensuring the regular and adequate payment of salaries to the necessary unified forces, consistent with the budgetary outlays to the National Security Service and of the South Sudan Presidential Guard Unit, and by assigning clear missions to these forces in keeping with the Strategic Defense and Security Review (SDSR) process contained in the Revitalised Agreement,
- Conclude without further delay a Memorandum of Understanding with the African Union to establish the Hybrid Court for South Sudan, start its effective establishment, and set up the Commission for Truth, Reconciliation, and Healing and the Compensation and Reparation Authority, and to provide mechanisms enabling civil society, victims, and witnesses to safely participate in these mechanisms without fear of reprisals or retaliation;

10. *Reiterates its call on the GoSS to comply with the obligations set out in the SOFA between the GoSS and the United Nations, and immediately cease obstructing UNMISS in the performance of its mandate, calls on the GoSS to take action, to deter, and to hold those responsible to account for any hostile or other actions that impede UNMISS or international and national humanitarian actors, and to continue to take all appropriate measures to ensure the safety and security and freedom of movement of UNMISS personnel with unhindered and immediate access, reminds the GoSS that, pursuant to the SOFA, UNMISS, as well as its contractors, does not require prior authorization or permission to undertake its mandated tasks and shall enjoy full and unrestricted freedom of movement without delay throughout South Sudan affirms the critical importance of the ability of UNMISS to monitor, investigate, and report on violations of international humanitarian law and violations and abuses of human rights and to use all of its bases without restrictions in order to execute its mandate, and urges the GoSS to facilitate the smooth functioning of all UNMISS bases and to build an environment of mutual cooperation for UNMISS and its partners to conduct their work;*

11. *Demands that all parties immediately cease all forms of violence, human rights violations and abuses, and violations of international humanitarian law, including sexual and gender-based violence, including conflict-related sexual violence, and calls on the GoSS to expedite the implementation of the Action Plan for the Armed Forces on Addressing Conflict Related Sexual Violence and the South Sudan National Police Service Action Plan on addressing conflict-related sexual violence, hold those responsible for these violations and abuses accountable, in order*

to break the prevailing cycle of impunity, and to increase its efforts to expeditiously and transparently complete the ongoing investigations of allegations of human rights violations and abuses and hold perpetrators accountable in a manner consistent with its international obligations, *encourages* it to release the reports of those investigations; and *calls on* the GoSS to immediately condemn and counter increasing hate speech and ethnic violence and to promote reconciliation among its people;

12. *Demands* that all parties allow, in accordance with international law, including applicable international humanitarian law, the rapid, safe and unhindered access of relief personnel, equipment and supplies, and timely delivery of humanitarian assistance, to all those in need throughout South Sudan in particular to IDPs and refugees, and end use of hospitals, schools and other civilian premises for purposes that could make them subject to attack, *stresses* the obligation to respect and protect all medical personnel and humanitarian personnel exclusively engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities, *stresses* also that any returns or other durable solutions for IDPs or refugees must be undertaken on a voluntary and informed basis in conditions of dignity and safety, and *notes* that freedom of movement of civilians and their right to seek asylum should be respected;

13. *Calls upon* the GoSS to resolve housing, land and property issues for the realization of durable solutions for IDPs and refugees, including through efforts to develop a National Land Policy and to create a secure environment for the safe, informed, voluntary, and dignified return, relocation, resettlement or integration into host communities for South Sudanese IDPs and refugees when and to locations where conditions are conducive;

14. *Calls on* parties to ensure full, effective, and meaningful participation and involvement of women in all spheres and levels of political leadership, the peace process, the transitional government, and ongoing reform processes under the peace agreement, *further calls 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 freely, and fulfill the commitments set out regarding inclusivity, including with respect to national diversity, gender, age and regional representation in the Revitalised Agreement to ensure the implementation of the 35 percent minimum participation level for women's representation at all levels, which has not yet been achieved, *regrets* the low participation of women in the transition roadmap, and *encourages* their meaningful participation in the implementation;

15. *Condemns* continued acts of sexual violence, including conflict related sexual violence, and *demands* all parties to the conflict and other armed actors prevent further commission of sexual violence, and to implement the actions called for in resolution [2467 \(2019\)](#) to adopt a survivor-centered approach to prevent and respond to sexual violence in conflict and post-conflict related situations and to hold those responsible accountable including through the prompt investigation, prosecution and punishment of perpetrators, as well as reparations for victims as appropriate, and *strongly urges* the SSPDF, the SPLA-IO, and the National Salvation Front (NAS) to fully implement the joint and unilateral commitments and action plans they have made on preventing conflict-related sexual violence;

16. *Strongly urges* all parties to armed conflict in South Sudan to implement the actions called for in The Conclusions on Children and Armed Conflict in South Sudan adopted by the Security Council Working Group on Children and Armed Conflict on 5 March 2021, *urges* all parties to fully implement the January 2020 Comprehensive Action Plan to End and Prevent All Grave Violations Against Children, and *calls on* the GoSS to implement the Optional Protocol to the Convention

on the Rights of the Child on the Involvement of Children in Armed Conflict and to strengthen the legal framework to safeguard children's rights in South Sudan;

17. *Calls upon* the GoSS, while taking note of paragraph 3.2.2 of Chapter V of the Revitalised Agreement, and to ensure that all victims and survivors of sexual violence have equal protection under the law, and equal access to justice, and to advance respect for human rights of women and girls in these processes, through the provision of legal aid and medical support and psychosocial counselling, *notes* that implementing transitional justice measures, including those in the Revitalised Agreement, are key to healing and reconciliation, *urges* the GoSS to prioritize expanding and reforming and strengthening all components of the rule of law and justice sector, including at the subnational level, in order to strengthen protection of civilians, combat impunity, and promote accountability, including for the grave violations perpetrated against children described by the Special Representative of the Secretary General for Children and Armed Conflict, and *calls on* the international community to extend support to establishing the Hybrid Court for South Sudan; and calls upon the GoSS and African Union to overcome their current impasse and establish the Hybrid Court for South Sudan;

18. *Expresses* its intention to consider all appropriate measures, as demonstrated by adoption of resolutions [2206 \(2015\)](#), [2290 \(2016\)](#), [2353 \(2017\)](#), [2428 \(2018\)](#), [2471 \(2019\)](#), [2521 \(2020\)](#), [2577 \(2021\)](#) and [2633 \(2022\)](#), against those who take actions that undermine the peace, stability, and security of South Sudan, *stresses* the sanctity of United Nations protection sites, *underscores* that individuals or entities that are responsible for or complicit in attacks against UNMISS personnel and premises and any humanitarian personnel, may meet the designation criteria, *takes note* of the 20 February 2018 Special Report of the Secretary-General on the renewal of the mandate of the United Nations Mission in South Sudan ([S/2018/143](#)) that the steady re-supply of weapons and ammunition to South Sudan has directly affected the safety of United Nations personnel and UNMISS's ability to carry out its mandate, *underscores* the measures adopted by the Security Council in resolution [2428 \(2018\)](#), including the arms embargo, to deprive the parties of the means to continue fighting and to prevent violations of the ACOH, and *demand*s that all Member States comply with their obligations to prevent the direct or indirect supply, sale or transfer of arms and related materiel of all types, including weapons and ammunition, to the territory of South Sudan as set out in relevant Security Council resolutions;

### **UNMISS Operations**

19. *Recalls* its resolution [2086 \(2013\)](#), *reaffirms* the basic principles of peacekeeping, as set forth in Presidential Statement [S/PRST/2015/22](#), including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate, and *recognizes* that the mandate of each peacekeeping mission is specific to the need and situation of the country concerned, and that the Security Council expects full delivery of the mandates it authorizes;

20. *Requests* the Secretary-General fully implement the activities and existing obligations listed in paragraph 20 of resolution [2625 \(2022\)](#) in the planning and conduct of UNMISS's operations within the limits of the mandate and area of operations and in line with existing United Nations guidelines and regulations;

### **United Nations and International Support:**

21. *Requests* and *encourages* the Special Representative of the Secretary-General to direct the operations of an integrated UNMISS and coordinate all activities of the United Nations system in the Republic of South Sudan, and to exercise his or her good offices to lead the UN system in South Sudan in assisting the AU, IGAD,

RJMEC, CTSAMVM, and other actors, as well as the parties, with implementation of the Revitalised Agreement and to promote, peace and reconciliation, *underscores* in this regard the critical role of CTSAMVM as well as the importance of the support provided to it by UNMISS in delivering on its mandate, and *reaffirms* in this regard the critical role that the UN plays, in coordination with regional organizations and other actors, to advance political dialogue between parties and contribute to achieving an enduring cessation of hostilities and lead the parties to an inclusive peace process;

22. *Encourages* continued firm engagement by IGAD, the AU, the AUPSC and countries in the region to find durable solutions to peace and security challenges in South Sudan, and to urge South Sudan's leaders to meet without delay all commitments made under cessation of hostilities agreements and the Revitalised Agreement, in particular as it pertains to resource management, and *further encourages* consultation between regional entities and the Secretary-General and his Special Representative on an action plan and common messaging to this end, *underlines* the support by IGAD of the national dialogue, in cooperation with the United Nations and AU, and *urges* IGAD to appoint a Chairperson for the RJMEC;

23. *Urges* all parties and Member States, as well as international, regional and subregional organizations to ensure cooperation with the Panel of Experts established by resolution [2206 \(2015\)](#), and *further urges* all Member States involved to ensure the safety of the members of the Panel of Experts and unhindered access, in particular to persons, documents and sites in order for the Panel of Experts to execute its mandate;

24. *Requests* the Secretary-General to continue to make available technical assistance to the Commission of the African Union and to the GoSS in setting up the Hybrid Court for South Sudan and for the implementation of other aspects of Chapter V of the Revitalised Agreement, including with regard to the establishment of the Commission for Truth, Reconciliation, and Healing and the Compensation and Reparation Authority, emphasizing measures should be gender-responsive, inclusive, accessible, fully resourced and designed and implemented with women's full, equal and meaningful participation and leadership, and *invites* the African Union to share information on progress made in the establishment of the Hybrid Court for South Sudan, with the Secretary-General;

25. *Commends* the commitment of the troop- and police-contributing countries in implementing the Mission's mandate in a challenging environment, and in this connection *stresses* that any national caveat that negatively affects the implementation of mandate effectiveness should not be accepted by the Secretary-General, *requests* troop- and police-contributing countries to implement relevant provisions of resolution [2538 \(2020\)](#) and all other relevant resolutions on reducing barriers to and increasing women's participation at all levels and in all positions in peacekeeping, including by ensuring safe, enabling and gender-sensitive working environments for women in peacekeeping operations, and *highlights* that lack of effective command and control, refusal to obey orders, failure to respond to attacks on civilians, declining to participate in or undertake long-range patrols in remote parts of the country, inadequate equipment, and financial resources may adversely affect the shared responsibility for effective mandate implementation;

26. *Urges* troop- and police-contributing countries to continue taking appropriate action to prevent sexual exploitation and abuse, including vetting, pre-deployment and in-mission awareness training for all personnel, to ensure full accountability in cases of such conduct involving their personnel, including through timely survivor-centered investigations of allegations of sexual exploitation and abuse, to repatriate units when there is credible evidence of widespread or systemic sexual exploitation and abuse by those units, to take appropriate disciplinary

measures, and to report to the United Nations fully and promptly on actions undertaken;

27. *Calls upon* the international community to scale up gender-sensitive humanitarian response for the people of South Sudan to meet the severe and increasing range of humanitarian needs, and further calls upon the Government of South Sudan to match their stated priorities in their national budget, including funds dedicated to implementing the R-ARCSS;

28. *Stresses* the ongoing need for bilateral and multilateral partners to work closely with the GoSS to respond to the COVID-19 pandemic, and provide international assistance, as well as sustainable development assistance, in partnership with agencies of the United Nations development system;

### **Reporting:**

29. *Requests* the Secretary-General to continue to report violations of the SOFA or obstructions to UNMISS on a monthly basis;

30. Recalls paragraph 3 (a)(i) and (a)(ii) of this resolution, and stresses the importance of a proactive, robust military posture to deter, prevent, and respond to threats of violence against civilians and in this regard, requests the Secretary-General, to provide the Security Council, no later than 15 October 2023, a separate independently conducted impact assessment of the mission's implementation of its protection of civilians mandate with a focus on the mission's protection of civilians strategy following the redesignation of several POC sites, troop and police mindset, whole of mission integration, and any obstacles to the mission being able to fulfill its mandate, including obstruction by host government or other forces;

31. Request the Secretary-General provide, no later than 15 October 2023, a separate report that provides: an assessment and a detailed analysis of the political, security, and economic factors delaying R-ARCSS implementation and their causes, including the causes of ongoing subnational violence; an assessment of certain conditions and/or indicators, such as an inclusive constitution-making process and drafting of critical legal frameworks through broader engagement with non-governmental and sub-national organizations, expansion of civic space, and further prevention of political violence that remain necessary pre-requisites for credible elections; an integrated UN transition strategy focusing on the self-reliance of South Sudan and the critical gaps to be addressed to build durable peace at the local and national levels; and recommendations for how UNMISS might adapt in light of the findings of the report;

32. *Requests* the Secretary-General to report to the Security Council on implementation of the UNMISS mandate and the obstructions UNMISS encounters in doing so in a comprehensive written report to be *submitted* within 90 days of the date of adoption of this resolution, every 90 days thereafter, and underscores that such reporting should provide integrated, evidence-based and data-driven analysis, strategic assessments and frank advice to the Security Council and should include attention to:

- Whether and how each of its activities undertaken pursuant to paragraph 3 have contributed toward advancing the strategic vision described in paragraph 2, and what challenges and obstacles the mission faced in advancing the strategic vision, using the data collected and analyzed through the Comprehensive Planning and Performance Assessment System (CPAS), the mission's implementation of the Integrated Peacekeeping Performance and Accountability Framework (IPPAF) and other strategic planning and performance measurement tools to describe the mission's impact and overall mission performance,

including information on undeclared caveats, declining to participate in or undertake patrols and their impact on the mission, and how the reported cases of under-performance are addressed,

- Progress made on the elements in paragraphs [5, 6, 7, and 8] above,
- Implementation of priority measures referenced in paragraph 9 above,
- How it has implemented the capacities and obligations described in paragraph 20 in the planning and conduct of its operations, including regarding its posture and footprint, such as Temporary Operating Bases,
- Analysis of risks associated with climate change that may adversely impact peace and security in South Sudan, and implementation of the UNMISS mandate,
- Providing recommendations, where appropriate, for Security Council action to address obstacles identified through strategic planning and performance measurement tools;

33. *Decides* to remain actively seized of the matter.

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