



Security Council

Seventy-eighth year

9332

nd meeting

Tuesday, 30 May 2023, 10.15 a.m.

New York

Provisional

President: Mrs. Baeriswyl (Switzerland)

Members:

Albania	Mr. Hoxha
Brazil	Mr. De Almeida Filho
China	Mr. Geng Shuang
Ecuador	Mr. Pérez Loose
France	Mrs. Jaraud-Darnault
Gabon	Mr. Biang
Ghana	Mr. Korbich
Japan	Mr. Ishikane
Malta	Mr. Camilleri
Mozambique	Mr. Fernandes
Russian Federation	Mr. Nebenzia
United Arab Emirates	Mrs. Nusseibeh
United Kingdom of Great Britain and Northern Ireland . .	Dame Barbara Woodward
United States of America	Mr. DeLaurentis

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

Letter dated 26 April 2023 from the Panel of Experts on South Sudan established pursuant to Security Council resolution 2206 (2015) addressed to the President of the Security Council (S/2023/294)

Report of the Secretary-General on the assessment of progress achieved on the key benchmarks established in paragraph 2 of resolution 2577 (2021) (S/2023/300)

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

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Report of the Secretary-General on the assessment of progress achieved on the key benchmarks established in paragraph 2 of resolution 2577 (2021) (S/2023/300)

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of South Sudan to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2023/379, which contains the text of a draft resolution submitted by the United States of America.

I wish to draw the attention of Council members to document S/2023/294, which contains the text of a letter dated 26 April 2023 from the Panel of Experts on South Sudan established pursuant to resolution 2206 (2015) addressed to the President of the Security Council; and document S/2023/300, which contains the report of the Secretary-General on the assessment of the progress achieved on the key benchmarks established in paragraph 2 of resolution 2577 (2021).

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Albania, Brazil, Ecuador, France, Japan, Malta, Switzerland, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstaining:

China, Gabon, Ghana, Mozambique, Russian Federation

The President (*spoke in French*): The draft resolution received 10 votes in favour, none against and 5 abstentions. The draft resolution has been adopted as resolution 2683 (2023).

I shall now give the floor to those members of the Council who wish to make statements after the voting.

Mr. Korbich (Ghana): At the outset, I would like to thank the penholder, the United States, for its committed efforts during the negotiation of resolution 2683 (2023), which was just adopted, and commend all members of the Council for their constructive engagement on the resolution.

While Ghana acknowledges the need for further efforts to be made by South Sudan in its security sector reforms, including in its arms and weapons management practices, we abstained in the voting on the resolution because we think that what South Sudan needs from the international community at this time are not sanctions, but a carefully managed support system of capacity development in the young nation's transitional journey of statehood.

We also regret that the efforts of the three African members of the Security Council and other delegations to introduce language from the African Union resolution adopted during the thirty-sixth ordinary session of the Assembly of the Union, held from 18 to 19 February, were not incorporated in the text. That resolution expressed concern about the socioeconomic impact of sanctions as one of the main obstacles impeding the implementation of the African Union Agenda 2063 and the United Nations 2030 Agenda for Sustainable Development.

We, however, welcome the Council's decision that the notification requirements set out in paragraph 2 of resolution 2633 (2022) shall no longer apply to the supply, sale or transfer of non-lethal military equipment, solely in support of the implementation of the terms of the peace agreement, or related technical assistance or training on non-lethal military equipment.

Mr. Biang (Gabon) (*spoke in French*): At the outset, we would like to thank the delegation of the United

States for its involvement and commitment throughout the negotiating process.

Gabon abstained in the voting on the renewal of a sanctions regime with regard to South Sudan. That position is in line with our firm conviction that the sanctions remain counterproductive given the efforts undertaken by the Government of South Sudan in recent years. Similarly, we believe that the international community should recalibrate and redouble its efforts and direct them at capacity-building and peacebuilding. Above all, the South Sudanese forces must be given the necessary tools to enable them to carry out their constitutional mandate to defend the territorial integrity of their country more effectively.

Mr. Fernandes (Mozambique): Mozambique would like to thank the penholder for its efforts in facilitating the negotiation process and trying to build consensus on the text of resolution 2683 (2023), which was just adopted.

Mozambique abstained in the voting because we consider that the current text does not reflect the important progress achieved by the people and the Government of South Sudan on the political, economic and security tracks since the country became independent on 9 July 2011. We think that there were still opportunities for us to continue engaging to build consensus for consolidating a text that would better reflect the views of all and best support the Government of South Sudan in overcoming its challenges.

Sanctions regimes can have negative effects on people's lives, particularly by exacerbating pre-existing socioeconomic vulnerabilities, which is why we should thoroughly consider listing criteria to avoid ambiguity in the implementation of the sanctions. It is also important to take into consideration the challenges that young countries such as South Sudan face in the process of consolidating their State and ensure that the decisions taken by the Council do not have unintended negative consequences. We encourage a continued commitment on the part of the people, the Government and other relevant stakeholders in South Sudan to paving the way to further accelerating national reconciliation and the peace process at large. We advocate for the international community's continued support to South Sudan to enable it to deal with pending issues such the creation of the army's command-and-control structure and the preparation of the country's first elections.

Mr. Geng Shuang (China) (*spoke in Chinese*): China abstained in the voting on resolution 2683 (2023) on South Sudan, which was just adopted. I would like to make the following explanation.

For some time the sanctions imposed by the Security Council have seriously hampered South Sudan's implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan and its efforts to enhance its security capabilities, develop economic and trade ties and conduct humanitarian operations, and have been the subject of much controversy. As a result, China's attitude to maintaining the Council's sanctions against South Sudan has been one of caution, and we have repeatedly abstained in the voting on the resolutions extending them. The sanctions have a bearing on South Sudan's long-term peace and stability and its peoples' welfare, and the desire to see them lifted is shared by the countries of the region. Both the Intergovernmental Authority on Development, at its meeting in November of last year, and the African Union Peace and Security Council, at its meeting in February, issued communiqués calling for lifting the unreasonable arms embargo and other sanctions on South Sudan.

Regrettably, the penholder of resolution 2683 (2023) ignored the many positive developments that South Sudan has registered on the sanctions benchmarks and disregarded the just calls of the countries concerned and the international community. Instead of lifting any of the sanctions, the penholder included more items on the embargo list in the early draft of the resolution, added criteria for listing, made accusations and put pressure on the South Sudanese authorities. That is unacceptable. During the consultations, the three African members of the Security Council (A3) proposed coming up with a list of exemptions from the arms embargo, which could have been a compromise solution to bridge the divide. However, the penholder stubbornly insisted on its own national position and put the draft resolution to a vote directly without fully discussing the A3's proposal. China rejects that approach, which is not at all constructive and undermines the Council's unity.

China has always believed that the Security Council should handle the issue of sanctions prudently and responsibly. It should carefully calibrate their intensity and scope and stay committed to creating conditions that are conducive to a political settlement. The organization of elections, financial management and the exploitation of natural resources are issues that should be decided

by the Government and the people of South Sudan. However, the resolution we just voted on includes the so-called obstruction of free and fair elections in the listing criteria and interferes in South Sudan's affairs on issues such as finance, anti-corruption and resource management. The international community should take an objective view of the difficulties and challenges that South Sudan is facing in improving its national governance and show it the necessary patience and encouragement. No country should use Security Council sanctions as a political tool for exerting diplomatic pressure or coercion or to undermine the sovereignty and security of other countries.

China has repeatedly stressed that the penholders should maintain objectivity and impartiality, listen to the legitimate concerns and appeals of the countries concerned and maintain the unity and cooperation of the Council as much as possible. Some penholders have recently disregarded the views of the countries under consideration and have placed their national positions above the collective opinion and engaged in double standards and political manipulation. The frequency of such events deserves the Council's attention and vigilance.

Mrs. Nusseibeh (United Arab Emirates): I too would like to start by thanking the penholder, the United States, for facilitating the consultations on resolution 2683 (2023). The United Arab Emirates affirms its commitment, alongside all the other members of the Security Council, to supporting all efforts towards peace and stability in South Sudan. We engaged constructively in the negotiations on the resolution and felt it was crucial that regional perspectives, including, and most importantly, those of South Sudan, were taken into account when considering Council resolutions, particularly those related to sanctions regimes. During the negotiations on the text, we consistently sought to amplify those regional perspectives, as put forward by the three African members of the Security Council.

While we had hoped that the Council would be able to find a path to consensus, the United Arab Emirates nonetheless voted in favour of the draft text. We did so because it signals that the sanctions regime is responsive to progress on the ground and reflects the further achievements that have been made on the benchmarks established by the Council, and that trajectory needs to be continued. We look forward to further progress in adjusting the sanctions regime to reflect the ongoing situation in South Sudan.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): The Russian Federation abstained in the voting on resolution 2683 (2023), prepared by the United States, on the extension of the sanctions regime against South Sudan. We believe that the easing of the sanctions that it provides for is insufficient. We regret that the United States penholders were so fixated on the ill-suited sanctions paradigm that they were unwilling not only to meet this young State halfway regarding reviewing the arms embargo but even to hold a constructive discussion during the negotiations on the key provisions of the draft and the specific proposals made for their revision. They once again ignored the agreed positions of the countries of the continent as well as the approaches of a number of other members of the Security Council, including Russia.

It cannot be ignored that at this point South Sudan is particularly in need of strengthening its developing armed forces, which can become an effective tool for tackling the problem of intercommunal violence and can ensure the success of the elections scheduled for December 2024. South Sudan has made significant progress in the past year in implementing the benchmarks of resolution 2577 (2021), as the Secretary-General recognized in his report on the findings of the United Nations assessment team (S/2023/300). In our view, using the alarming situation in its neighbour the Sudan as a pretext for not making meaningful progress on South Sudan's sanctions file is unfair.

We believe that rather than keeping African countries under sanctions for decades, what they need is help in overcoming their continuing security issues, which is impossible without effective, well-trained and -equipped national security entities. And their benchmarks were not intended to become an iron curtain against the lifting of sanctions. In general, it is our view that the Council's frequently archaic sanctions regimes on the African continent are in need of extensive review and restructuring. We are particularly concerned about the fact that in many African States, including in South Sudan, sanctions regimes are used by Western countries to pressure them and even interfere in their internal affairs. Moreover, they are compounded by unlawful and unilateral restrictive measures that run counter to all the principles of international law, further aggravate the socioeconomic situations of the countries involved and undermine efforts — including those of the Council — to build peace. That is why our delegation took the initiative of including a passage in the draft

resolution recognizing the negative impact of such unilateral measures on post-conflict reconstruction work and calling for countries to refrain from applying them to countries that are subject to Security Council sanctions. We regret that our constructive language, despite receiving strong support from China and the three African members of the Security Council, was rejected by the United States as the penholder. We nonetheless intend to promote that provision in other Security Council sanctions regimes.

Mr. Ishikane (Japan): I join other colleagues in commending the efforts of the United States as penholder. Japan decided to vote in favour of the sanctions resolution (resolution 2683 (2023)).

With regard to the benchmarks set out in existing Security Council resolutions, the report of the Secretary-General (S/2023/300) and the final report of the Panel of Experts on South Sudan (see S/2023/294) indicate that some progress has been made but that sufficient progress has not been achieved.

Security Council sanctions are not an end in themselves. They are a means to maintain international peace and security. The introduction of sanctions against South Sudan is meant to contribute to that purpose, and, on that basis, Japan believes that sanctions against South Sudan should be lifted as soon as possible through appropriate procedures, once it is judged that the objectives have been achieved.

Japan notes that the Government of South Sudan is moving forward with various peace processes based on the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan and hopes that the peace agreement will continue to be implemented, including through the holding of elections and the establishment of a Constitution. Japan is willing to consider how it can cooperate with the Government of South Sudan to help it achieve those benchmarks and expected goals.

The President (*spoke in French*): I now give the floor to the representative of South Sudan.

Mr. Malwal (South Sudan): At the outset, allow me to reiterate the objection of my country to the resolution just adopted (resolution 2683 (2023)). It is done in bad faith and with ill intent, given the reasons being stated as to why that unilateral coercive measure is necessary. It is not, in fact, necessary — it is counterproductive and has an adverse humanitarian effect on the very citizens

whom the proponents claim to support and protect from harm's way, rather than on the Government. The resolution is an example of brazen interference in domestic affairs.

South Sudan wholeheartedly appreciates the three African members of the Council — namely, Gabon, Ghana and Mozambique — as well as China and Russia for their efforts throughout the consultations phase in seeking to have a balanced text that takes into consideration the achievements in the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan and the parties' respect for the cessation of hostilities agreement. Any minor hiccups should not be taken out of context and considered a violation.

Much has been achieved, including the implementation of chapter V, with the final public consultation held in Juba from 15 to 17 May under the theme "Building a sustainable South Sudanese model for the transitional justice system". After the conclusion of that forum, the parties will then prepare for the formation of the Commission for Truth, Reconciliation and Healing and its related components, including the Compensation and Reparation Authority and the Hybrid Court. In his statement, His Excellency President Salva Kiir Mayardit stated the importance of the truth as a basis for reconciliation and healing, with an emphasis on the fact that South Sudan will not shy away from establishing the Hybrid Court.

With the adoption of today's resolution, the Security Council lost the opportunity to appraise the events in my country from an objective point of view and according to the facts. If some of the views and proposals offered and shared by certain members of the Security Council had been considered, we would have had a balanced text and an encouraging resolution. It is our hope that, in future reviews, different views will be accommodated to give the Security Council objective ownership of the resolution.

Allow me to address the issue of the inclusivity of women, youth and civil society in the affairs of the State. We have talked about it time and again in the Security Council. However, it keeps recurring for reasons best known to those who continue to advocate for it. Nevertheless, South Sudan's position on the inclusion of women is ingrained in our Constitution, with 35 per cent of all public positions allocated to women as a matter of law. That was a decision of the

people of South Sudan, and it is being implemented on a daily basis. For example, we have ministries the sole duties of which are catering to the needs of women and youth. Therefore, we should talk from a position of what has been achieved and how to do better, rather than engaging in repeated and tried discussions and accusations.

Any peace agreement is, by nature, complicated, but what matters is the political will of the stakeholders to fulfil their promises through the implementation of what they have agreed. In South Sudan, the stakeholders have that commitment, which has been demonstrated in the agreement on the road map and the collegiality of the leaders.

In conclusion, an incorrect understanding of conflicts leads to wrong diagnoses and potentially harmful responses, as has been witnessed in the case of South Sudan. Therefore, we call on the Security Council to be objective, accommodating of others' views and proposals and devoid of national political interests, which increase rather than discourage conflict. South Sudanese leaders are seized with the objective of finalizing the implementation of the Revitalized Agreement and embarking on the next phase of the transition. Join us in a genuine partnership to realize the objective of a lasting peace in South Sudan. Let us stop being referees.

The meeting rose at 10.40 a.m.