

Statement by Mr. Nicholas Haysom
Special Representative of the Secretary-General and Head of UNMISS
United Nations Security Council Briefing
15 September 2023
[Near Verbatim]

Madame President,

Thank you for the opportunity to brief this Council.

With 15 months remaining to the elections scheduled to end the transitional period, time is of the essence for South Sudan to realise the goals and aspirations of the Revitalized Peace Agreement and its Roadmap.

The country anticipates holding its first elections in December 2024. However, key institutions and legal frameworks are yet to be put in place. And critical questions remain unanswered.

Resolving them does not require material resources, only the political will to reach compromise and consensus. Such questions include: the type of elections to be held; voter registration requirements; how electoral boundaries will be determined; the nature of participation of refugees and internally displaced persons; the allocation of security responsibilities; and how electoral-related disputes will be managed.

Of particular importance is the stalled constitution-making process, to be carried out in an environment that respects freedom of expression, association, peaceful assembly, and encourages civic engagement. This process is 12 months behind schedule, according to the Roadmap. The need to recalibrate or resolve its priorities within the remaining time of the transitional period is now urgent. However, this sense of urgency needs to come from the parties to the agreement, not from the international community.

Since my last briefing, there has been modest progress in the following areas:

- The passage of the National Elections Act (Amendment) Bill to its third reading in parliament, with inclusive consultations amongst key stakeholders.
- The establishment of a Joint Taskforce between the Unity Government and the Trilateral, (comprising the African Union, IGAD and the United Nations,) to coordinate support for the implementation of the constitution-making and electoral processes.
- The commencement of electoral security planning.
- Initial election budgetary discussion within the government.
- A recent agreement on the deployment of the first batch of the duly graduated Necessary Unified Forces (NUF).

While in this Mission's assessment, overall delays on key decisions can be attributed to foot-dragging by the signatories, we note as well a lack of capacity in establishing the required institutions, and in the complexities of electoral planning.

However, in his Martyrs Day statement, President Kiir made a clear commitment that South Sudan will not return to war, that the path forward is elections in December 2024, and that all parties must work to exit the perpetual transitional government status. He has also committed to holding elections on time.

A level playing field is therefore required now for credible, inclusive, and peaceful elections. Currently, the situation privileges one party above others; and I note that campaigning has begun in some states. This reinforces the urgent need to establish the Political Parties Council, as the body responsible for registering

political parties, so that all parties can have equal opportunity, access and rights, by law, to mobilise support and present their best cases to the people.

Relatedly, I would like to caution that unilateralism and brinkmanship are toxic to the practice of post conflict unity coalition governance, which requires compromise, mutual trust, and confidence building.

I recognize the collective responsibility of the political class in general, including the opposition parties, in progressively unlocking the blockages in the Roadmap. Some of them were outlined by the SPLM In Opposition, in a statement issued this week. We would also acknowledge, however, that a pre-eminent responsibility rests on the ruling party to resist unilateral interpretations of the Peace Agreement, and to make full use of available public resources and decision-making committees to advance the implementation of the agreement.

Excellencies,

Looking ahead, further steps that should be taken by the country's political leadership include:

- Passing priority elections-related legislation in parliament.
- Allocating a national budget for elections.
- Reconstituting and resourcing key electoral institutions (the National Constitutional Review Commission, National Elections Commission, and Political Parties Council).
- Completing essential benchmarks in the Roadmap, especially related to the Transitional Security Arrangements.

Despite all these challenges, an independent perception survey commissioned by UNMISS showed that there remains significant popular demand for elections.

Civil society organisations across the nation have expressed to UNMISS their desire for elections, but not without reservations about the overall status of the implementation of the Peace Agreement. They have identified a role for themselves in monitoring and supporting its implementation, and in conducting civic education campaigns. But to do that, they need a secure environment as well as resources to partner in expanding civic and political space.

I note that, during a recent Political Parties Forum in Wau, supported by UNMISS and its partners, stakeholders across the political spectrum also reaffirmed their commitment to a more open political space, including through local mechanisms to support freedom of expression, association, assembly, and movement.

A stable security environment is essential for creating a conducive environment, both for elections and for future sustainable development. The Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) reports that since the graduation of the first phase of the Necessary Unified Forces in January 2023, little progress has been registered. However, positively, UNMISS takes note that the Joint Defence Board has this week recalled graduated personnel of the Necessary Unified Forces to their training centres within seven days for onward deployment, and has summoned recruits for Phase 2 of the integration process.

Madame President,

In summary, the importance of sustaining the country's overall stabilisation, through continued international engagement and support to the implementation of key Roadmap benchmarks, including electoral preparations, must be underlined.

For our part, UNMISS has been mandated by the Security Council to support an enabling environment for South Sudan to carry out its first national elections since independence. We are currently seeking, (including

within our existing resources), support for a two-phased approach to assist South Sudan to prepare for elections.

In the first phase, the UN will focus on capacity-building for standing up key institutions and expanding civic and political space. The second phase, support to the electoral process itself, will be contingent on Member States support and progress during the first phase, when and if a national electoral framework matures.

Madame President,

Against this backdrop, the ceasefire is largely holding across the country. There has been a substantial reduction in conflict between the signatories since the signing of the Revitalized Peace Agreement in 2018. But intercommunal and sub-national violence remains an overall impediment to peace consolidation as does sporadic fighting between the Government forces and non-signatories, absent the latter's integration into the peace process.

While I am confident that the Mission's more robust posture has contributed to a limited decrease in violence in South Sudan, I must state that the expanded protection of civilians' mandate in Security Council Resolution 2677 (2023,) coupled with a reduced aviation operability and a static budget, have put our mobility enhancement under strain. In this context, the Mission requested an external review of our protection of civilians' capacity, which has validated the need for increased capability requirements.

UNMISS, nevertheless, continues to strengthen our approach towards the protection of civilians, including an enhanced coordination mechanism for whole-of-mission responses to early warning indicators. We are also expanding our uniformed presence across the country by adding additional operating bases.

Madame President,

The impact of the Sudan crisis — along political, economic, humanitarian and security dimensions — continues to loom. The situation has exacerbated existing conflict drivers in South Sudan, such as competition over limited resources. South Sudan needs additional support from international donors for support to the Sudan crisis, but I also call for the Unity Government to allocate national budget funding to meet its own humanitarian and public service needs, and to restart support for onward transportation of people who have crossed into South Sudan. I note that an overall squeeze in humanitarian funding continues, and reductions in anticipated food distributions have already sparked tensions and protests in the IDP camp in Bentiu.

While I will defer detailed briefing on the humanitarian situation to my OCHA colleague, it must be said that, after four years of recurrent flooding and drought, the impact of climate change has been unrelenting. This has a significant bearing on the security environment given that the majority of South Sudan's population relies on climate-sensitive sectors for their livelihoods, such as agriculture, pastoral practices, fishing, and forestry. (Changing climate patterns are affecting the movement of herders, constituting a new source of conflict.)

This suggests that addressing humanitarian needs alone is insufficient. We are increasingly emphasizing coordinated approaches across the peace, humanitarian, and development nexus, focusing on enhancing community resilience to conflict-, climate- and food-related shocks, finding durable solutions to displacement, and strengthening community violence reduction, including through the project platforms, such as the Reconciliation, Stabilization and Resilience Trust Fund, and building institutions, and also in alignment with the UN Sustainable Development Cooperation Framework.

In all these efforts, I wish to thank our partners: IGAD, the Troika, the European Union and its member states, the Revitalized Joint Monitoring and Evaluation Commission, the African Union and the UN Country Team as a whole.

Excellencies,

The inspirational success and popularity of South Sudan's national basketball team, the Bright Stars, illustrates how the people of this country yearn for their nation-building moment. It's time for the political class and signatory parties to marry that dream with reality, and for the international community and the United Nations to stay the course towards that objective.

I thank you.