Prioritization and Sequencing of Security Council Mandates: The Case of UNMISS

Introduction

The UN Security Council is expected to renew the mandate of the United Nations Mission in South Sudan in March 2019. In this context, the International Peace Institute (IPI), the Stimson Center, and Security Council Report organized a workshop on February 6, 2019, to discuss UNMISS's mandate and political strategy. This workshop offered a platform for member states, UN actors, and outside experts to share their assessment of the situation in South Sudan. The discussion was intended to help the Security Council make informed decisions with respect to the strategic orientation, prioritization, and sequencing of the mission's mandate and actions on the ground.

The first session of the workshop focused on the dynamics of the current political process in South Sudan, including the challenges facing the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) signed in September 2018, and continuing threats to civilians, the mission, and humanitarian actors. In the second session, participants identified several ideas to strengthen and adapt UNMISS's mandate to help the mission advance its political strategy and achieve the Security Council's objectives in the coming year.

Conflict Analysis

On September 12, 2018, following three rounds of the South Sudan High-Level Revitalization Forum convened by the Intergovernmental Authority on Development (IGAD) in Addis Ababa and further talks in Khartoum, South Sudan's warring parties signed the R-ARCSS. Since then, several positive developments have taken place. Key opposition figures have returned to Juba and are able to move freely throughout the city. Some of the transitional committees required to be established under the R-ARCSS are being constituted, and meetings between the South Sudan People's Defense Force (SSPDF) and opposition forces are taking place across the country. Casualties from political violence have reduced, and some people living in the UNMISS protection of civilians (POC) sites[1] have voluntarily returned, or expressed the desire to return, to their areas of origin.

---

1   As of January 2019, UNMISS operates six POC sites in South Sudan for approximately 193,000 civilians. More information is available at: UNMISS, *POC Update January 21, 2019*, UNMISS Communications and Public Information Section, available at:
https://unmiss.unmissions.org/sites/default/files/poc_sites_update_227_-_21_january_2019.pdf .

However, this progress remains fragile and easily reversible. Guarantors to the peace process from the region are increasingly occupied with other dynamics and are disengaging from South Sudan's political process. Threats against civilians persist, including from sexual and gender-based violence, intercommunal violence, and armed group clashes in parts of the country, particularly in the Central and Western Equatoria regions. According to the various timelines specified in the R-ARCSS, implementation of key provisions is already behind schedule and showing signs of stagnation.[2] In this ever-fragile context, UNMISS and humanitarian actors continue to confront impediments to complete and unhindered access.

STAGNATION ON IMPLEMENTATION OF THE R-ARCSS

Since the signing of the R-ARCSS, some important symbolic progress has been made toward its implementation and building confidence across signatories. This includes the development of key implementation committees in Juba, the release of some political prisoners, and movement of some signatory armed groups towards cantonment.[3]

However, more substantive progress has yet to manifest, as difficult political questions must now be resolved in this implementation phase, including the structure of the country's security sector and the composition of federal states. The committees in Juba responsible for implementing various aspects of the R-ARCSS have been bogged down in internal bureaucracy and have yet to make substantive progress. It is also unclear at this stage what impact the return of Riek Machar to South Sudan, expected to happen in May 2019, will have on the political and security situation, as well as on the success of the R-ARCSS. These dynamics are unlikely to change without external pressure, as many of the signatories are unhappy with certain aspects of the R-ARCSS and are looking for opportunities to avoid implementation.

DISENGAGEMENT BY KEY GUARANTORS

Regional actors—notably IGAD and the governments of Ethiopia, Sudan and Uganda—have long been instrumental in shepherding South Sudan's peace process, including through the signing of the R-ARCSS. There is a real risk that regional attention is drifting away from South Sudan, as happened in the aftermath of the signing of the 2015 peace agreement. Because the UN and UNMISS play only complementary roles in the political process, the region's disengagement poses serious threats to the R-ARCSS's long-term prospects.

At this time, it seems that IGAD member states do not have a cohesive vision for what peace in South Sudan should look like in the near term, which could undermine the organization's ability to support the South Sudanese peace process. Member states are embroiled in internal politics and promoting their national interests, and IGAD engagement has waned as a result of these divisions.

The Sudanese government, which hosted the mediation process culminating in the R-ARCSS, faces mounting domestic pressure while simultaneously hosting the recently concluded peace process for the Central African Republic. Because of this diverted attention, the Sudanese government is allegedly losing influence over how the R-ARCSS is being implemented, and the South Sudanese government has begun to influence the process in a direction that favors its own interests.

Beyond IGAD and South Sudan's neighbors, international actors that have engaged historically on South Sudan's peace processes have not provided significant support following the R-ARCSS's adoption. The African Union and the Troika countries (the United States, the United Kingdom, and Norway) similarly appear to have disengaged.

---

2 For more information, see: Joint Monitoring and Evaluation Committee (JMEC), *Report on the Status of Implementation of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan for the period 1st October – 31st December 2018*. January 26, 2019, available at: https://jmecsouthsudan.org/index.php/reports/jmec-quarterly-reports/126-rjmec-quarterly-report-to-igad-on-the-status-of-implementation-of-the-r-arcss-from-1st-october-to-31st-december-2018/file .

3 Ibid.

CONTINUED VIOLENCE AGAINST CIVILIANS

Despite a reduction in politically driven armed group clashes throughout much of the country, civilians remain highly vulnerable to violence. Grave reports in recent months of sexual and gender-based violence remain serious concerns. Reports by UN and external investigators found that over one hundred women and girls were assaulted in-and-around the town of Bentiu over the course of a ten-day period in December 2018.[4] This spate of sexual violence resembles other sporadic spikes in the country over the course of the year.

Moreover, armed clashes continue in Central Equatoria state between signatory armed groups to the R-ARCSS and the National Salvation Front (NAS) forces led by Thomas Cirillo, who has not signed the peace agreement. This violence has already led to civilian casualties and attacks on displaced persons settlements.[5] The South Sudanese government has moved troops into the Yei region as a response to NAS activity. This campaign is likely to target not only insurgent combatants but also civilian populations that the government believes support Cirillo and his forces.

Finally, intercommunal violence is on the rise, in part due to the seasonal cycle of violence brought on by the beginning of the dry season. Cattle raiding and clashes between ethnic groups in the Lakes and Jonglei regions have yielded high civilian casualty rates, abductions, abuses against children, and the destruction of property.[6]

Protection responsibilities continue to fall disproportionately on UNMISS as the South Sudanese government remains wholly incapable of providing security to its people and protecting them from violence. The mission's POC sites throughout the country remain integral to UNMISS's protection strategy. However, UNMISS spends a significant portion of its annual resources maintaining and protecting these sites, and therefore has fewer resources available to provide protection to civilians living outside the sites in other areas of the country.

RESTRICTED ACCESS

Finally, restricted access for the mission and for humanitarians continues to hinder the mission's ability to deliver on its mandated tasks. The South Sudanese government repeatedly restricts UNMISS's access to key areas of the country where armed group clashes are taking place and civilians are at risk. As a result, neither the mission nor humanitarian responders can access these civilian populations to prevent or respond to abuses. The government also continues to hinder the entrance of mission personnel into the country and the delivery of equipment and fuel. These actions are in clear violation of the Status of Forces Agreement between the UN and the South Sudanese government.

In addition to this deliberate restriction of access for the mission, humanitarian access continues to be hindered by a volatile security situation. For the third consecutive year, South Sudan has ranked the most violent place in the world in which to deliver humanitarian assistance.[7] Attacks against humanitarians have included criminality and opportunistic violence. They have also resulted from poor command and control structures across armed groups operating within the country.

Prioritizing and Sequencing UNMISS's Mandate

In light of the current context and the challenges facing both the South Sudanese peace process and the work of the mission, workshop participants generally expressed support for the current UNMISS mandate. Participants praised the mandate's flexibility, noting that it has allowed mission leadership to design a strategic vision and respond effectively to volatility on the ground. Moreover, while the signing of the R-ARCSS represents an important development, there remains significant potential for the political

---

4   UNMISS and the Office of the High Commissioner for Human Rights, *Conflict-Related Sexual Violence in Northern Unity, September – December 2018*, February 15, 2019, available at https://www.ohchr.org/Documents/Countries/SS/UNMISS_OHCHR_report_CRSV_northern_Unity_SouthSudan.pdf .

5   UN Security Council, Report of the Secretary-General on South Sudan (covering the period from 2 September to 30 November 2018), U.N. Doc. S/2018/1103, December 10, 2018, para. 17.

6   Ibid, paras. 19-20.

7   Ibid, para. 25.

process to backslide and armed group violence to reignite. For these reasons, participants advised against making radical changes to the UNMISS mandate for the coming year.

However, participants did identify several areas where mandate language could be adapted to better support the political process and better position the mission to be able to provide protection to the South Sudanese population. These recommendations included authorizing UNMISS to provide technical support to the political process, ensuring UNMISS's POC mandate remains flexible, mandating the mission to facilitate safe and voluntary returns for those who want to leave the POC sites, and encouraging continued regional engagement in the political process.

TECHNICAL SUPPORT TO THE PEACE PROCESS

Participants agreed that the Council should expand UNMISS's mandate to support the peace process to specifically include providing advice and technical support to the pre-transitional authorities in implementing the R-ARCSS. Having technical experts whose role it is to attend committee meetings and advise participants on how to move forward on various aspects of the R-ARCSS will help to break gridlock, override bureaucratic delays, and pressure signatories to live up to their commitments.

FLEXIBLE PROTECTION LANGUAGE AND FACILITATING RETURNS

Participants encouraged the Council to ensure that UNMISS's POC mandate remains flexible. Considering the diversity of the threats facing civilians throughout the country, as well as the potential for progress on the national political process to be reversed, the Council should empower mission leadership with a flexible POC mandate that allows the SRSG to respond to threats as they arise. It should likewise develop strategies that are tailored to the various challenges facing civilian security in different parts of the country.

Some participants suggested that the UNMISS mandate could incorporate more language on engaging with local civil society when developing the mission's protection strategies and responding to threats.

Some participants noted that UNMISS should specifically be authorized to facilitate the safe and voluntary return of displaced persons living in the POC sites to their areas of origin as a part of its protection of civilians mandate. Protection in the context of voluntary returns will require the mission to be more mobile and proactive in its patrolling and other protection activities. Language specifically authorizing the mission to support safe and voluntary returns will encourage UNMISS to expand its POC activities and provide support to those who want to return.

Participants highlighted, however, that the Council should clarify that UNMISS should only help facilitate voluntary returns. While there have been recent instances of some displaced persons seeking to leave certain POC sites and return to their homes, participants emphasized that the security situation remains precarious throughout South Sudan, and the government remains unable to protect civilians from violence. UNMISS should only work to facilitate returns for people living in POC sites who want to return home, and should simultaneously work to combat any efforts by armed groups or political actors to coerce or intimidate South Sudanese citizens into either returning before they are ready or remaining in POC sites longer than they would like.

ENCOURAGE REGIONAL ENGAGEMENT

Finally, participants discussed options for the Council to encourage continued regional engagement, both in UNMISS's mandate language and through direct engagement with IGAD and its member states. This should include taking steps to ensure that regional attention remains on South Sudan and is not diverted to other priorities. It should also include a constructive dialogue regarding IGAD's proposal for deploying troops to UNMISS's Regional Protection Force. Finally, participants suggested that the Council should more strongly encourage actors other than IGAD member states, including the African Union and the Troika countries, to recommit their support of R-ARCSS implementation and the South Sudanese peace process more broadly.

Conclusion

Recent progress in South Sudan's political process remains fragile, and the symbolic gains that have been made have not yet been supplemented by substantive action. Reluctant signatories to the

R-ARCSS have stalled on implementation, which is all the more problematic as regional interest in the process wanes. Violence against civilians continues to be a pervasive problem throughout the country, and the volatility of the security situation has hindered humanitarian access.

In this context, the current UNMISS mandate remains highly relevant. Workshop participants encouraged the Security Council to maintain the mandate's flexible nature and advised against making radical changes. Participants did however highlight several opportunities to improve the mission's mandate by refining existing tasks to ensure the mission is well-positioned to respond to changes in the operating environment. Among these, the Council should authorize the mission to provide technical support to the peace process, maintain flexible POC language and mandate the mission to facilitate voluntary returns from POC sites, and encourage continued regional engagement in South Sudan's political process.

The **INTERNATIONAL PEACE INSTITUTE** (IPI) is an independent, international not-for-profit think tank dedicated to managing risk and building resilience to promote peace, security, and sustainable development. To achieve its purpose, IPI employs a mix of policy research, strategic analysis, publishing, and convening. With staff from around the world and a broad range of academic fields, IPI has offices facing United Nations headquarters in New York and offices in Vienna and Manama.

The **STIMSON CENTER** is a nonpartisan policy research center working to solve the world's greatest threats to security and prosperity. Stimson's Protecting Civilians in Conflict program engages policymakers, practitioners, and communities on the ground to identify protection gaps and develop tailored strategies to protect civilians in war-torn societies.

SECURITY COUNCIL REPORT's mission is to advance the transparency and effectiveness of the UN Security Council. We seek to achieve this by making available timely, balanced, high-quality information about the activities of the Council and its subsidiary bodies; by convening stakeholders to deepen the analysis of issues before the Council and its working methods and performance; by encouraging engagement of the Council with all member states and civil society; and by building capacity on Council practice and procedure through assisting incoming members and other training and assistance programs. SCR is independent and impartial; it advocates transparency but does not take positions on the issues before the Council.