

The President of the Security Council presents her compliments to the members of the Council and has the honour to transmit herewith, for their information, a copy of a **letter dated 18 February 2021 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations** addressed to the Secretary-General, and its enclosure.

This letter and its enclosure will be issued as a document of the Security Council under the symbol S/2021/166.

22 February 2021



New York, February 18, 2020

Excellency,

Ireland and Mexico, as co-chairs of the Security Council's Informal Experts Group on Women, Peace and Security and in close cooperation with the United Kingdom, would like to share the summary note of the following meeting of the Informal Experts Group:

- The situation in South Sudan

We would be grateful if the present letter and its attachment could be circulated as a document of the Security Council.

Please accept, Excellency, the assurances of our highest consideration.

Handwritten signature of Geraldine Byrne Nason in black ink.

Geraldine Byrne Nason  
Permanent Representative  
of Ireland  
to the Security Council

Handwritten signature of Juan Ramón de la Fuente Ramírez in black ink.

Juan Ramón de la Fuente Ramírez  
Permanent Representative  
of Mexico  
to the United Nations

Handwritten signature of Barbara Woodward in black ink.

Barbara Woodward  
Permanent Representative  
of the United Kingdom  
to the United Nations

H.E. Mr. António Guterres  
Secretary-General  
United Nations  
New York





## SECURITY COUNCIL INFORMAL EXPERTS GROUP ON WOMEN, PEACE AND SECURITY

### Summary of the meeting on South Sudan held on February 2nd, 2021

On 2 February 2021, the Informal Experts Group on Women, Peace and Security (IEG) convened a meeting on the situation in South Sudan. The members were briefed by the Deputy Special Representative of the Secretary-General, Resident and Humanitarian Coordinator of the United Nations Mission in South Sudan (UNMISS). Other representatives of UNMISS and the UN Country Team in South Sudan provided additional information in the discussion that followed the briefing. The meeting concluded with an overview of key recommendations provided by UN Women and additional observations shared by the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

#### Questions from Council Members:

Members of the Security Council asked about women's participation in government, the committees set up to implement the peace agreement, the constitution-making process, and challenges in the implementation of the national action plan on women, peace and security. Expressing concern about the continuing high levels of conflict-related sexual violence in the country, Council members asked about progress on the action plan of the South Sudan's People's Defense Forces (SSPDF) and other recommendations to prevent organized forces from committing sexual violence and increase services for survivors, including mental health and psychosocial support. Council Members welcomed the recent announcement of the Government of South Sudan to establish the Hybrid Court and inquired about the transitional justice mechanisms of the peace agreement, the status of the mobile courts, and challenges to the investigation of sexual and gender-based violence. Other questions focused on UNMISS' patrols, the redesignation of protection of civilian sites, and gender mainstreaming in security sector reform and in the humanitarian response. Emphasizing the importance of women's economic empowerment for conflict prevention and women's participation and protection, Council members asked on progress in that regard and how to assist the Government to enhance women's literacy, education and business and financial management skills. Finally, Council members asked about UNMISS' plan to address the gender-related recommendations of the independent strategic review.

#### Main points raised in the meeting:

- The **35 percent quota enshrined in the peace agreement for women's representation** in the Transitional Government's bodies has thus far only been met by the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (41 percent of women) and the reconstituted Joint Monitoring and Evaluation Commission (JMEC) (35 percent of women). Furthermore, of the 35 ministries, only 9 are headed by women and of the ten deputy ministers, only one is a woman. Nevertheless, women were appointed to the key positions of Foreign Affairs Minister and Minister of Defense and there is one woman among the five vice presidents. At state level only one woman was appointed as a governor (in Western Bahr-el-Ghazal). In response to a communiqué issued by women

civil society leaders calling on the parties to adhere to the 35 percent quota, the acting Secretary-General of the SPLM announced in October 2020 that the quota would be implemented in the remaining positions allotted to the party. Furthermore, the two main parties in the country, and one other, have women as their Secretaries-General. UNDP, UNMISS and UN Women supported women civil society leaders to develop action plans on achieving the 35 percent quota, facilitated dialogue among women's groups as well as between women's groups and key decision makers, and supported the development of databases with women leaders ready to assume public offices. The UN also convened a series of consultations with key actors, including women civil society leaders to enhance the capacity of stakeholders to effectively participate in the **constitution-making** process.

- UN Women has deployed **gender advisors** to the Intergovernmental Authority on Drought and Development (IGAD) and the JMEC and a senior gender advisor will soon be deployed to the **Strategic Defense and Review Board**. Furthermore, UNDP, UNMISS and UN Women are providing technical support to the women's caucus which is reviewing legislation to incorporate gender equality principles into laws.
- **Conflict-related sexual violence** continues to be used as a tactic of war and of terror, and as a driver of forced displacement even though the Cessation of Hostilities Agreement and the Revitalized Agreement explicitly prohibit sexual violence. In 2019, the United Nations verified 229 cases of conflict-related sexual violence and despite COVID-19 related constraints on monitoring and reporting there has been an increase in recorded cases in 2020, with the majority of cases implicating members of the South Sudan's People's Defense Forces (SSPDF) and community-based militias. **Since January 2020, more than 390 women and girls have been abducted** for the purpose of rape, forced marriage and sexual slavery in the context of clashes between heavily armed community-based militias. Some of the 500 women and girls that had been abducted in mid-2018 in Western Equatoria have been released following command orders issued by Riek Marchar and direct engagement of the United Nations. Some of them, along with civil society partners that facilitated their release, have been harassed. Others have been forced to return and many women and girls are still kept on military bases where they are subjected to sexual violence. The appointed Governor for Western Equatoria has been identified by the United Nations for alleged involvement in sexual slavery in his capacity as a former SPLA-IO commander and this has been brought to the attention of the **2206 Sanctions Committee**. Humanitarian workers were also among those subjected to sexual violence, which has a chilling effect on service delivery. Furthermore, the dire humanitarian situation led families to adopt **negative coping practices, including child marriage**.
- In September 2020, following engagement by the United Nations, the **National Salvation Front** issued a **unilateral communiqué on the prevention of conflict-related sexual violence**. Furthermore, with the support of the United Nations, the SSPDF and the SPLA-IO consolidated their action plans to prevent conflict-related sexual violence. The consolidated action plan has been validated last month and focuses on training, sensitization, accountability, oversight and protection. Hundreds of security sector personnel have been trained on command orders prohibiting sexual violence and a training curriculum for new recruits is being rolled out. UNMISS, UNDP and UN WOMEN

implemented projects to promote **gender mainstreaming in security sector reform** and to support the National Disarmament, Demobilization and Reintegration Commission to conduct a gender-needs assessment targeting former combatants and to collect data on **former women combatants**.

- Since 2017, as part of UNMISS' efforts to ensure **accountability for persons accused of committing serious crimes** within its protection of civilian sites, 63 individuals accused of committing gender-based violence have been referred to national authorities for investigation resulting in 25 convictions. The **Gender-based Violence and Juvenile Court** began hearing cases in February 2020 and 670 gender-based violence cases have been registered so far. Furthermore, over the past several months, UNMISS, in partnership with UNDP, UNHCR and NGO partners deployed **mobile courts** to Malakal and Bentiu to hear, amongst others, sexual violence cases. The Mission is also supporting the rapid deployment of formal and traditional justice sector officials to hotspots with recurrent violence and aims to build more durable justice presences in key areas near former protection of civilian sites. In the meeting, representatives of UNMISS joined the members of the Security Council in welcoming the recent announcement of the establishment of the **Hybrid Court** but emphasized the need to turn the announcement into a formal memorandum of understanding. A **court martial** in Yei recently convicted 13 SSPDF soldiers for rape but so far only low-ranking soldiers have been held accountable. UNMISS is supporting the SSPDF to deploy military mobile courts to address crimes committed by soldiers, including conflict-related sexual violence. One such session has recently been completed in Bentiu and there are more such mobile courts planned in Bor and Yambio in the next months.
- UNMISS and humanitarian actors established a taskforce on the planning of the **redesignation of protection of civilian sites** and UNMISS is co-locating peacekeepers in police stations situated in the redesignated sites to encourage reporting of conflict-related sexual violence. UNMISS gender experts systematically participate in regular patrols to analyse the gendered impacts of the conflict and to provide protection for women and children during livelihood activities. The Mission has a special police team focusing on sexual and gender-based violence and **30 percent of UNMISS police officers are women**.
- The United Nations is providing **psychosocial and mental health support to survivors** of sexual and gender-based violence including through a joint program of UNFPA and UN WOMEN. Furthermore, UNFPA established a **One Stop Centre** in Juba Teaching Hospital aimed at increasing access for survivor-centred assistance. Together with other United Nations entities, UNMISS supports the Government of South Sudan with its own **development strategy**, which has a strong focus on women's development, and the **South Sudan Humanitarian Fund** now requires applying organizations to dedicate part of the funding to gender-specific needs. Furthermore, the **United Nations Cooperation Framework** has a particular emphasis on women's empowerment, including skills development and **women's participation in economic recovery**.

## Recommendations:

The following recommendations were made either by UN Women, as the secretariat of the IEG, the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, of the Deputy Special Representative of the Secretary-General of UNMISS.<sup>1</sup>

In view of the **upcoming negotiations on the mandate of UNMISS**, the Security Council should retain all existing references to women, peace and security in both the preamble and operational paragraphs of resolution 2514 (2020). In addition, in a new mandate of UNMISS the Security Council should consider adding the following to its operational paragraphs:

- a) Urge the Government of South Sudan to ensure **women's full, equal and meaningful participation in the constitution-making process**.
- b) Request UNMISS to use **good offices** to advocate for women's participation at every stage of the process to implement the peace agreement and ensure that the political primacy of **women's leadership and participation** is central to peace-making and peacebuilding efforts.
- c) Encourage the government of South Sudan to swiftly adopt the statute of the Hybrid Court and urge the Government of South Sudan to establish, in cooperation with the AU and IGAD, the **transitional justice mechanisms** of Chapter V of the R-ARCSS and to ensure that gender considerations and the meaningful participation of women, including survivors of sexual and gender-based violence, are central to their design and implementation, and to strengthen national accountability mechanisms that would be complementary to the Hybrid Court.
- d) Recognize the critical role of **women leaders and networks and women-led organizations** in conflict prevention, early warning, conflict resolution and peacebuilding on the national and the local level and to request UNMISS to support and engage systematically with a wide range of diverse women's civil society organizations as equal partners in all areas of its work.
- e) Recognize and support **women's leadership role in mitigating the effects of the COVID-19 crisis** and the disproportionate impact that the pandemic has on women and girls, and call for a gender-responsive approach to pandemic response and post-pandemic recovery.
- f) Following the preambular recognition of the need to protect **women's rights organizations** and women peacebuilders from **threats and reprisals**, the operational paragraphs of the resolutions should encourage the Government and its international partners, including the UN, to enhance their monitoring and reporting on these incidents, take adequate measures to prevent them and respond to the multifaceted physical, social, economic and psychological impact of such incidents.
- g) Urge the Government of South Sudan to rigorously and expeditiously **investigate all incidents of sexual violence** and hold perpetrators accountable regardless of rank or seniority in accordance with the UN/TGoNU Joint Communiqué on ending sexual violence in conflict.

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

- h) Call for the **immediate and safe release** of all women and children abducted during the course of hostilities, ensuring access to **services, protection, justice, and reparations**.

In addition, the co-chairs and other Council members should:

- a) Engage in strategic high-level political diplomacy and advocacy in support of women's meaningful participation in all government institutions at the national and local level, and in particular the **35 percent quota** for women's participation in the Executive and in the transitional justice institutions.
- b) Strongly advocate that **no individual targeted with international sanctions** and no alleged perpetrator of CRSV is or becomes part of the government.
- c) Closely **monitor the implementation of the R-ARCSS** and ensure a consistent follow-up of the implementation of all parts of the agreement, including the **gender provisions**.
- d) Support, in close cooperation with civil society, a comprehensive review of activities, outcomes and impact under the **National Action Plan** on WPS 2015-20 and the development, resourcing and implementation of a new National Action Plan.
- e) Support the Government of South Sudan to strengthen and build the **capacity of the judiciary** to ensure that cases of CRSV are investigated and prosecuted in a consistent manner by adhering to international fair trial standards and that **services, reparations** and redress are provided to survivors ensuring their rights and meaningful participation.
- f) Support the Government of South Sudan to expedite the full implementation of the **consolidated action plan on preventing conflict-related sexual violence**.
- g) Consider increasing the levels of financial assistance for SGBV services and providing more **long-term and flexible funding for women-led civil society organizations** engaged in peacebuilding and SGBV work.
- h) Strengthen **women's economic empowerment**, vocational training, business and financial management skills, including literacy and second chance education, in order to improve women's access to incomes and livelihoods and women's food security.
- i) Encourage UNMISS to implement the **gender-related recommendations of the 2020 independent strategic review**, including improving gender-mainstreaming throughout its areas of work and strengthening its capacity and expertise on gender equality and women's protection.

The Co-Chairs closed the meeting, thanking the Deputy Special Representative of the Secretary-General for his participation and committed to follow-up on the important issues raised at the meeting.