



Security Council

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Letter dated 15 July 2021 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution [2567 \(2021\)](#), in which the Secretary-General is requested, in accordance with best practices, to conduct and provide the Security Council, no later than 15 July 2021, a needs assessment, including security, procedural and logistical requirements to create an enabling environment for elections in South Sudan, I am pleased to inform you that a needs assessment mission was deployed to South Sudan from 6 to 26 May. The mission team conducted a field visit to Malakal and held consultations in Addis Ababa. I am hereby transmitting a summary of the key findings and recommendations of the mission, as an annex to the present letter.

The assessment was led by the Electoral Assistance Division of the Department of Political and Peacebuilding Affairs and included representatives of the Eastern Africa Division of the Department and of the United Nations Development Programme. I am grateful to South Sudan for its early and consistent support to the process.

The needs assessment showed that aspirations for peaceful and credible elections in South Sudan are high, albeit tempered by ubiquitous concerns over a fragile security, political and socioeconomic situation. Elections could constitute a turning point for South Sudan if the process enjoys broad public trust and leads to a peaceful acceptance of the results. To that end, efforts would need to be made to reduce the high stakes, renounce the politics of exclusion, strengthen the system of checks and balances within the Government, introduce mechanisms for the protection and promotion of human rights for all, ensure a genuine role for the opposition, examine how national resources are distributed, and tackle structural grievances. The constitutional and legal reforms envisioned in the peace agreement provide an important opportunity to encourage women to participate meaningfully in decision-making processes. To that end, efforts should be made to ensure that they participate and will require special effort to ensure that they participate truly and are protected in the process.

The electoral assistance needs in South Sudan are significant and, based on the needs assessment, it is recommended that, within two years prior to the holding of elections, agreements be reached in three areas: (a) the legal and security framework for elections; (b) the composition and functioning of the National Election Commission and the designation of its members in Juba and at the sub-national level; and (c) the allocation of resources for the management of the operating costs of the National Election Commission and a budget for elections operations. For these and other efforts, the parties to the peace process will likely rely on the assistance of the



United Nations, the African Union, the Intergovernmental Authority on Development, the Troika (the United States of America, the United Kingdom of Great Britain and Northern Ireland and Norway), the European Union and others as they move forward. Close coordination between these actors will be of key importance, and the United Nations Mission in South Sudan (UNMISS) is uniquely placed to play a coordinating role amongst regional and international partners in order to ensure an effective alignment of good offices and technical assistance.

With regard to logistics, the needs assessment has shown that electoral operations in South Sudan will be extremely complex and lengthy, given the severe infrastructure challenges, security concerns, inability to access large parts of the country during the rainy season, illiteracy rate and difficulty for many South Sudanese to prove their age and citizenship. The possible requirement of multiple ballot papers will make the simultaneous holding of national and sub-national elections more complex.

To support the Government and people of South Sudan to hold peaceful and credible elections, it was recommended that a UNMISS-led integrated electoral assistance team be established immediately. The team will initially provide technical assistance for the review of the legal framework for elections and the establishment of an electoral administration at the national and sub-national levels, including a further capacity assessment of the National Election Commission's infrastructure, logistics, security and financial requirements for in-country and out-of-country voting. In the meantime, my team at UNMISS, in coordination with the United Nations country team, is also taking steps to further identify the requirements, in order to support the elections and determine how to best start the preparations.

I thank the Council for its timely attention to a matter that is of great concern to the people of South Sudan, the region and the United Nations. I look forward to the Council's positive consideration of these recommendations.

(Signed) António **Guterres**

Annex**Electoral needs assessment for South Sudan****Secretary-General's summary for the Security Council**

1. In March 2021, in its resolution [2567 \(2021\)](#), the Security Council requested the Secretary-General, in accordance with best practices, to conduct and provide to it, no later than 15 July 2021, a needs assessment, including security, procedural and logistical requirements to create an enabling environment for elections in South Sudan. Accordingly, throughout the month of May 2021, a team led by the Electoral Assistance Division of the Department of Political and Peacebuilding Affairs, with a representative of the Eastern Africa Division of the Department, and of the United Nations Development Programme, conducted an electoral needs assessment for South Sudan. The team held remote meetings and travelled to Juba, Malakal and Addis Ababa from 6 to 26 May to meet with key interlocutors, namely the Government of South Sudan, the African Union, the Intergovernmental Authority on Development (IGAD), the Reconstituted Joint Monitoring and Evaluation Commission, the interim National Election Commission, civil society, political parties, the media, the diplomatic community and a wide range of other stakeholders.
2. The needs assessment team found that, while aspirations for peaceful and credible elections run high in South Sudan, they are tempered by ubiquitous concerns over a fragile security situation and a challenging political and socioeconomic environment.
3. The holding of elections could be a turning point for South Sudan. The needs assessment team found, however, that for elections to enjoy broad public trust and lead to a peaceful acceptance of the results, the political and electoral system in South Sudan should be consistent with the rule of law and human rights and provide defeated candidates with an incentive to continue to participate. To that end, efforts would need to be made to reduce the high stakes, renounce the politics of exclusion and avoid a winner-takes-all political and electoral system. This would require strengthening the system of checks and balances within the Government, introducing mechanisms for the protection and promotion of human rights for all, ensuring a genuine role for the opposition by holding consultations outside parliament, examining how national resources are distributed, and tackling other structural grievances. The constitutional and legal reforms envisioned in the peace agreement provide an important opportunity for meaningful participatory decision-making that will affect how elections are implemented and the results ultimately accepted.
4. Electoral operations in South Sudan will be extremely complex and lengthy, given the infrastructure challenges, security concerns, inability to access large parts of the country during the rainy season, illiteracy rate and difficulty for many South Sudanese to prove their age and citizenship. In particular, if national and sub-national elections are held simultaneously, with the existing electoral systems requiring eight different ballot papers, the challenges will increase exponentially for the electoral administration, political parties, candidates and voters.
5. Concerning the electoral timeline, the assessment team recommends that, within two years prior to the holding of elections, progress be made on (a) an agreement on the legal and security framework for elections, including the electoral system, boundary delimitation, special measures for internally displaced persons, refugees, out-of-country voting, dispute resolution mechanisms and election observation, as well as on the type and level of elections to be held; (b) an agreement on the composition and functioning of the National Election Commission and the designation of its members, both in Juba and at the sub-national level; and (c) the

allocation of resources for the operating costs of the National Election Commission and a budget for elections operations.

6. The parties to the peace process will likely rely on the assistance of the United Nations, the African Union, the Intergovernmental Authority on Development, the Troika (the United States of America, the United Kingdom of Great Britain and Northern Ireland and Norway), the European Union and others to move forward. The ongoing cooperation to support the implementation of the peace agreement will assume even greater importance in the context of elections. The electoral needs assessment team noted that the United Nations Mission in South Sudan (UNMISS) is uniquely placed to play a coordinating role amongst regional and international partners and ensure an effective alignment of good offices and technical assistance.

7. In the light of the existing Security Council mandate, the electoral needs assessment team recommends that the United Nations provide electoral assistance to South Sudan in an integrated manner, under the overall guidance and leadership of the Special Representative of the Secretary-General and Head of the United Nations Mission in South Sudan. United Nations agencies, funds and programmes, such as the United Nations Office for Project Services, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, the International Organization for Migration and the United Nations Development Programme, would gradually complement UNMISS efforts, as required.

8. The assessment team recommends that United Nations electoral assistance be provided in two phases, as described below:

Phase 1

9. In the immediate term – continued support to the peace process through awareness-raising, engagement, good offices and technical advice and assistance for the establishment of an electoral framework for credible elections whose results will be accepted. This may include:

(a) Political engagement with IGAD, the African Union, the Troika and the wider diplomatic community, with a view to promoting dialogue and confidence-building between and among political actors;

(b) Technical advice on the drafting of constitutional provisions related to elections and the review of electoral laws;

(c) Advice and technical assistance for the reconstitution of the National Election Commission, including the designation of its members and operating mechanisms and the establishment of its infrastructure;

(d) Engagement for a timely fulfilment of outstanding key activities relating to the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, including the promotion of national security forces;

(e) Support for enhanced participation of women, young people, people with disabilities, displaced persons, refugees and politically marginalized groups in the electoral process;

(f) Establishment of early warning mechanisms for the prevention of and response to election-related violence;

(g) A technical capacity assessment of the National Election Commission infrastructure, logistics, security and financial requirements for in country and out-of-country voting, to be conducted by the UNMISS-led integrated electoral assistance team, to inform national electoral planning and United Nations support.

Phase 2

10. In the medium to long term (until end of December 2023) – contingent on the formation of a national government, further assessment of technical needs and of the availability of additional resources, continued United Nations assistance may include technical assistance to the reconstituted National Election Commission on legal and procedural matters, operations, election security, information technology and database management, external relations, media training and voter and civic education.

11. The electoral needs assessment team recommends that the national authorities:

(a) Establish a platform for dialogue with a view to creating an enabling political, social and security environment for the start of electoral preparations;

(b) Commence an inclusive and transparent process on the review of the electoral framework, including through the drafting of a Constitution, review of electoral laws (including electoral dispute resolution mechanisms) and establishment of a reconstituted National Election Commission, as set out in the peace agreement;

(c) Initiate planning for securing resources for the functioning of the electoral administration and management and conduct of electoral operations;

(d) Initiate inclusive and transparent discussions on options for district delimitation and voter registration;

(e) Support and empower the national police as lead on security during elections.

12. The electoral needs assessment team recommends that international partners provide early and sustained support to the electoral processes of South Sudan. Engagement of regional and international partners will be instrumental in encouraging progress and providing the diplomatic, technical, and financial support required for the preparation and conduct of elections at the end of the transitional period. Unity and complementarity among all partners should be sought and nurtured.

13. To respond to the immediate needs arising from the implementation of the provisions of the peace agreement as they relate to elections in South Sudan, which will be followed by operational and technical assistance upon the reconstitution of the National Election Commission, the electoral needs assessment team recommends that an advance integrated electoral team of seven electoral advisers be set up to provide assistance during phase 1 of the support that has been recommended.

14. Lastly, as with all United Nations support to Member States, technical assistance and engagement should be based on United Nations principles of national ownership, respect for national sovereignty, promotion and protection of human rights and strict impartiality.