



Security Council

Sixty-eighth year

Provisional

6993rd meeting

Monday, 8 July 2013, 10 a.m.

New York

President: Mrs. DiCarlo (United States of America)

Members:

Argentina	Mrs. Perceval
Australia	Ms. King
Azerbaijan	Mr. Mehdiyev
China	Mr. Wang Min
France	Mr. Araud
Guatemala	Mr. Rosenthal
Luxembourg	Ms. Lucas
Morocco	Mr. Kadiiri
Pakistan	Mr. Masood Khan
Republic of Korea	Mr. Kim Sook
Russian Federation	Mr. Iliichev
Rwanda	Mr. Manzi
Togo	Mr. Kadangha-Bariki
United Kingdom of Great Britain and Northern Ireland	Mr. Parham

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on South Sudan (S/2013/366)

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13-38520 (E)



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The meeting was called to order at 10.05 a.m.

Expression of thanks to the outgoing President

The President: As this is the first meeting of the Council for the month of July 2013, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Ambassador Sir Mark Lyall Grant, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland, for his service as President of the Security Council for the month of June 2013. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Lyall Grant and his team for the great diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on South Sudan (S/2013/366)

The President: Under rule 37 of the Council's provisional rules of procedure, I invite the representative of South Sudan to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Ms. Hilde Johnson, Special Representative of the Secretary-General and Head of the United Nations Mission in the Republic of South Sudan, to participate in this meeting. On behalf of the Council, I welcome Ms. Johnson, who is joining today's meeting via video teleconference from Juba.

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

I wish to draw the attention of Council members to document S/2013/366, which contains the report of the Secretary-General on South Sudan.

I now give the floor to Ms. Johnson.

Ms. Johnson: I welcome this timely opportunity to provide members of the Council with an update on developments in South Sudan as the country turns two years old tomorrow. Many of us witnessed the outpouring of euphoria that greeted the dawn of independence of South Sudan. The mood of that day now seems like a fading memory. We have since seen many setbacks and problems.

It is still important to acknowledge the progress that has been made. Since its independence, with the support of the United Nations Mission in the Republic of South Sudan (UNMISS), South Sudan has made strides towards becoming a more stable and democratically accountable country. Progress has been made in key areas. In the area of consolidation of peace, on 25 April the Government renewed its offer of amnesty to six armed group leaders and their forces through the issuance of a presidential decree. The amnesty has been accepted by the South Sudan Liberation Army, the so-called South Sudan Democratic Army and the South Sudan Defence Forces. Talks with the Government have resulted in thousands of militia coming forward for reintegration. That is a very positive development for stability in the country, and in particular for Unity and Upper Nile states.

Progress has also been made in the reform of the South Sudan National Police Service (SSNPS) towards a more professional and effective police service. The Government and the SSNPS, with the support of UNMISS, have completed the registration of now over 47,000 police officers, which is higher than the figure reflected in the Secretary-General's report (S/2013/366) and the benchmarks. Ghost officers will be weeded out, establishing new standards of professionalism and openness. At the same time, United Nations police are providing training at all levels, improving the conduct and capacity of the SSNPS and helping reform the whole police service. Tangible results are being achieved.

Another area where progress is being achieved is the rule of law and security sector reform. The Government, with the support of UNMISS and other United Nations partners, has addressed more than 1,000 cases of prolonged and arbitrary detention. Also, with the support of UNMISS and its international partners, consultations for the development of a draft national security policy have taken place in all 10 states, and the drafting committee is now preparing for the next level of consultations at the national level. The legislative framework for the national security agencies has been adopted in the Cabinet and will be submitted for parliamentary approval. That is critical to ensure democratic control.

The implementation of the Peacebuilding Support Plan continues with preliminary but encouraging results. Some important highlights include a joint road map on integrated United Nations support to the 2015 elections and preparation for the national census,

the successful organization of peace conferences in different states, technical assistance to the national reconciliation process, and progress towards a compact under the New Deal for Engagement in Fragile States. Also, concrete dividends of peace are being delivered in several areas with the help of United Nations agencies, funds and programmes.

Despite such achievements since independence, progress in South Sudan has been hampered in other areas. Although most parts of the country remain stable, the security situation in Jonglei, particularly in the south-east of the state, has dominated developments since January. Fighting between the Sudan People's Liberation Army (SPLA) and the David Yau Yau armed group, and threats from both, have resulted in the displacement of thousands of civilians. The population centres in Pibor county, where between 35,000 and 40,000 people used to live, including Boma, Manyabol and Pibor, are largely emptied of civilians, while the conditions of the remaining Murle population in inaccessible rural areas remain largely unknown. That is of deep concern.

Clashes in Boma in May also resulted in considerable looting and damage to property, including that of humanitarian organizations, reportedly perpetrated by both armed groups and state security forces. The same happened in Pibor town. Restrictions have been reported on the movement of hundreds of civilians who remain in Pibor town and the harassment of civilians reportedly continues.

The violence in south-east Jonglei also had tragic consequences for UNMISS, when, on 9 April, a military convoy was ambushed approximately 12 kilometres outside Gumuruk, resulting in the death of five peacekeepers, two national civilian staff members and five private contractors. Accountability must be ensured, both in relation to this incident, as well as in relation to the shoot-down of the UNMISS helicopter in 2012.

The deterioration in the security situation in parts of South Sudan has been accompanied by human rights violations by armed groups and national security institutions. At the same time, we are concerned that violations of the status-of-forces agreement are continuing, and constraints in the operating environment for the Mission and humanitarian agencies remain a challenge.

National and state authorities are struggling to translate their commitments to improving respect for human rights into action. Cases of arbitrary arrest, detention, abuse and incidences of killings by security forces, as well as the inability of the authorities to hold those responsible to account on a timely basis, are cause for deep concern.

To strengthen awareness and accountability, UNMISS will increase its public reporting, issuing thematic reports and incident-related reports on human rights, while the United Nations High Commissioner for Human Rights will brief the Council directly on the human rights situation in South Sudan.

In an encouraging sign of growing Government concern for accountability, on 17 May President Salva Kiir Mayardit issued a statement condemning the violence by armed groups in Jonglei, as well as the abuses perpetrated by ill-disciplined elements of the Government security forces, and committed to bringing those responsible to justice. SPLA investigations have been conducted into incidents in Pibor and Manyabol of reported abuses against civilians involving members of the security forces. Much more needs to be done, however, to enforce discipline and command and control in order to build trust among the communities and ensure respect for international humanitarian and human rights law within the security forces.

The Government has also attempted to pursue dialogue with David Yau Yau. While amnesty was previously spurned by the armed group, the President of South Sudan renewed his call to David Yau Yau to take up the offer of amnesty in a statement on 28 June, and he reiterated the Government's commitment to coming to an understanding with the armed group. In the same statement, the President referred to the SPLA investigations into the violations perpetrated against civilians and he committed to bringing the perpetrators to justice.

For its part, in response to the crisis in Jonglei, UNMISS increased its military presence to a height of nine infantry companies in late March, distributed equally between the areas inhabited by all three of the main communities of the state. In recent months, UNMISS has conducted hundreds of patrols, of both long and short duration, to reach out to and protect all communities, and has provided protection at its Pibor and Gumuruk bases to civilians seeking refuge. However, severe operational and logistical constraints

in the rainy season are now making it extremely difficult to sustain more than five companies in Jonglei.

Beyond the escalation of violence in Jonglei, inter-communal violence continues in the tri-state area of Warrap, Lakes and Unity. In the face of such violence, it is apparent more than ever that the provision of physical protection alone will not bring long-term peace and stability to South Sudan. The Government needs to establish effective long-term strategies through a political framework to address the underlying causes of violence. The establishment of the National Reconciliation Committee is one such welcome indication of the political will needed to foster necessary inclusive national dialogue.

UNMISS continues to support the Government's efforts to seek political solutions to inter-communal conflict and peace initiatives aimed at bringing durable solutions to disputes over scarce natural resources. The Mission is encouraging local authorities, community leaders and national figures to reinforce their efforts to foster reconciliation. It is also essential that national and state authorities, and the communities themselves, take the lead and assume full ownership of such processes.

Burdened by the austerity climate, preoccupied with efforts to address the security situation, and challenged by divergences that have emerged within the top echelons of the ruling Sudan People's Liberation Movement (SPLM), the Government has also faced difficulties in implementing political reforms and strengthening public institutions. Bodies crucial to a successful political transition, such as the National Constitutional Review Commission and the National Elections Commission, require adequate budgetary support from the Government to advance their work according to the schedule laid out in South Sudan's Transitional Constitution, while the Political Parties Council has yet to be sworn in.

The key determinant for developments in South Sudan continues to be its relations with the Sudan. While the visit to Juba on 12 April of President Omer Al-Bashir — the first such visit since South Sudan's independence — was promising, counter-accusations by both sides of military support to rebel groups in each other's territories, and the threat by the Sudan to shut down the oil pipeline, were a new setback. With the recent visit by South Sudan's Vice-President, Riek Machar Teny Dhurgon, and a ministerial delegation to Khartoum, as well as the expected arrival of First Vice-President Ali Osman Taha in Juba today, it is

hoped that progress can be made. It is incumbent on both parties, with the support of the international community, to strengthen their cooperative efforts for peaceful coexistence.

Since UNMISS was established, and through its decentralized presence and continued expansion through the county support bases, it has achieved concrete results in a number of areas. In implementing its mandate, however, it is facing enormous operational challenges, both with regard to engineering assets and mobility. Critical resource and capability gaps have resulted in a mobility crisis, which particularly affects our operations in high-risk areas such as Jonglei. That is having an especially detrimental effect on the Mission's ability to protect civilians, by which its success will ultimately be judged. Effective protection is only possible through a presence in those communities most at risk.

The ability of UNMISS to deploy its troops in insecure areas is seriously constrained by aviation safety procedures and a lack of military aviation capabilities. Since one of its civilian helicopters was shot down on 21 December 2012, the Mission has had to introduce new flight risk-assessment procedures, which does slow down its responsiveness. The total of only three military helicopters available to supply troops in Jonglei is woefully inadequate and has had a major impact on early warning and response capacity. Force multipliers are therefore urgently required to rectify the problem. Based on the recently completed military capability study, options outlined by the Secretary-General in his report include aerial surveillance capability, deterrence and supplementary heavy-lift and riverine capabilities. I urge the Council to take urgent action to support the Mission in filling those critical resource and capability gaps.

UNMISS is also developing options for reconfiguring its military component and assets so that they are more effectively located to address emerging threats, security concerns and military deterrence needs within the country. The focus will be on the most unstable areas and where civilians are facing the greatest threats of physical violence. For such a deployment to be effective, however, force multipliers will be essential.

As outlined in the Secretary-General's report before the Council, I, along with the rest of the Mission, remain committed to helping the Government make progress in pursuing further political reforms, creating

a Constitution, improving the human rights situation and conducting a population census and democratic elections. Those goals will help to ensure that South Sudan remains on the path to stability and prosperity.

The President: I thank Ms. Johnson for her briefing.

I now give the floor to the representative of South Sudan.

Mr. Deng (South Sudan): Since this is the first time that my delegation is addressing the Security Council during your presidency, Madam, let me begin by congratulating you on your assumption of this important role and assuring you of the full support and cooperation of our delegation and Government.

As we approach the second anniversary of our independence, we remain deeply grateful for the support we have received from the United Nations and the international community for the overwhelming vote of our people in our self-determination referendum, the warmth with which our new State was welcomed to the United Nations, and the generous support for our new nation, as reflected in the creation of the United Nations Mission in South Sudan (UNMISS) and the report of the Secretary-General before us (S/2013/366).

I would also like to take this opportunity to thank the Secretary-General and UNMISS, through the Secretary-General's Special Representative in South Sudan, Ms. Hilde Johnson, for the extensive work undertaken, which is well reflected in the important report on the situation in South Sudan.

As the Council is aware, tomorrow, 9 July, marks our second anniversary as an independent nation. The past two years have been very difficult for our young nation, particularly with intra-communal violence in the states of Jonglei, Lakes, Warrap, Unity, Upper Nile and Western Bar El Ghazal, and, of course, the ongoing tensions between ourselves and the Sudan. These situations have severely constrained our ability as a Government to improve our capacity for the delivery of much-needed basic services, respect for human rights, the protection of civilians, the general consolidation of peace, and the provision of peace dividends.

The Secretary-General's report draws necessary attention to the challenges facing the Government of South Sudan. These challenges include the constitutional review and the drafting of the new constitution, preparations for the 2015 elections, and

the work of the National Bureau of Statistics towards the pre-election census. These are indications that the leadership of South Sudan is determined to develop the necessary tools for democratic transformation in the young nation. We are aware, however, that there is a gap between our aspirations and our performances, largely due to a lack of capacity. We are thankful to UNMISS, the United Nations agencies and our international development partners for their efforts in mobilizing material and human resources to address these pressing challenges.

The Government of the Republic of South Sudan is genuinely concerned for the security and general welfare of its citizens and of all those who live in South Sudan. We take note of the deep concerns of the Secretary-General, the United Nations in general and the international community regarding the Security of individuals, human rights protection, and respect for the rule of law in general. We do not deny these realities. However, we also realize that they are part of the militarized legacy of the prolonged war that devastated our society for over half a century. Without taking this as an excuse, it is important that they not be viewed as representing Government policy. The Sudan People's Liberation Movement (SPLM) fought against injustice and the marginalization of identity groups. An SPLM-led Government could not, therefore, advance a strategy against the safety and the rights of the population for which it fought. We are determined to address these challenges, even though we acknowledge that it will not be easy, and that we need the support of our friends and international partners to enhance our capacity to achieve our desired objective.

The Government of South Sudan places great value on the support of UNMISS, particularly in the states of Jonglei, Upper Nile and the tri-state area of Lakes, Warrap and Western Bahr El Ghazal. Inter-communal violence and cattle-rustling pose a major challenge to the limited capacity of our nascent State. We believe that dialogue and reconciliation represent the only way to promote peace, security and stability in our country. Disarmament, demobilization and reintegration programmes are essential, but we must continue to foster a culture of peace, mutual understanding and cooperation. We need to develop the capacity of our people to silence the guns and promote socioeconomic development and prosperity for all.

South Sudan continues to express its heartfelt condolences for the UNMISS staff and other

humanitarian workers who lost their lives in South Sudan on 21 December 2012 and 12 March and 9 April 2013, respectively. We regret that the investigations into these incidences have been prolonged, but there should be no doubt that the Government of South Sudan wants a transparent and accountable allocation of responsibility. I am pleased to report that these incidents will be the subject of consideration by our Cabinet this week to determine the appropriate response. It is certainly not our intention to disappoint our partners and friends in the international community, who provide us with the support we need to ensure peacebuilding and consolidation in our young nation. We therefore plead for patience and understanding for the delays, which are due not to our lack of the will to cooperate, but to our capacity constraints.

As South Sudan enters its second year of independence under very difficult political and economic conditions, the issue of Abyei remains unresolved, resulting in tragic suffering for the people of the area. The recent assassination of the Ngok Dinka Paramount Chief was a manifestation of that tragic

situation. We remain optimistic, however, that given the recent efforts of the Governments of South Sudan and the Sudan, respectively, especially reflected in the consultations between their Vice-Presidents, positive results towards the goal of two viable, prosperous and peaceful States, living peacefully and cooperatively side by side, are indeed achievable. We look to the international community and to this Council to maintain the necessary support to the parties to implement their agreements in good faith.

In conclusion, I would like to reiterate our appreciation to the Council for its continued attention to the challenges facing South Sudan and its unfailing support in addressing them through UNMISS. We assure the Council of our Government's readiness to work with all international partners towards the promotion of peace in our country and in the region.

The President: There are no more names inscribed on the list of speakers. I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.30 a.m.