



Security Council

Seventy-seventh year

9045th meeting

Thursday, 26 May 2022, 10.20 a.m.

New York

Provisional

President: Mrs. Thomas-Greenfield (United States of America)

Members:

Albania	Ms. Dautllari
Brazil	Mr. De Almeida Filho
China	Mr. Zhang Jun
France	Mrs. Gasri
Gabon	Mr. Biang
Ghana	Mr. Korbich
India	Mr. Raguttahalli
Ireland	Ms. Byrne Nason
Kenya	Mr. Kiboino
Mexico	Mr. Ochoa Martínez
Norway	Ms. Juul
Russian Federation	Ms. Evstigneeva
United Arab Emirates	Mr. Abushahab
United Kingdom of Great Britain and Northern Ireland	Mr. Kariuki

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

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The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

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

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

Members of the Council have before them document S/2022/417, which contains the text of a draft resolution submitted by the United States of America.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Albania, Brazil, France, Ghana, Ireland, Mexico, Norway, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstentions:

China, Gabon, India, Kenya, Russian Federation

The President: The draft resolution received 10 votes in favour, none against and 5 abstentions. The draft resolution has been adopted as resolution 2633 (2022).

I now give the floor to those members of the Council who wish to make statements after the voting.

Mr. Kiboino (Kenya): My delegation thanks the United States, the penholder, for facilitating the negotiation of resolution 2633 (2022). We appreciate the fact that some of the proposals made by the three African members of the Security Council — Gabon, Ghana and Kenya — were taken on board. Nevertheless, Kenya abstained in the voting on the resolution because the text falls short of the call by the Intergovernmental Authority on Development and the African Union for lifting the arms embargo and targeted sanctions on

South Sudan. In our view, the resolution also falls short of the Council's own commitment to progressively lifting the arms embargo and targeted measures against South Sudan, which in our view have not been effective tools in support of the South Sudan peace process.

Admittedly, the new resolution reflects a positive step in its attempt to exempt non-lethal military equipment from the arms embargo, but more progress could have been made, including by suspending the individual targeted sanctions. Additionally, more could have been done to ease restrictions on the provision of capacity-building, technical assistance and regional training programmes. In essence, the Council has continued to unintentionally suppress the country's capacity to develop its security sector, thereby limiting its ability to respond effectively to security incidents such as the reported intercommunal violence and other crimes.

In that regard, we should recall that in March, the Council failed to mandate the United Nations Mission in South Sudan to offer substantial support to institution-building in South Sudan. Despite limited resources and weak State institutions, as well as inadequate international resources, South Sudan has registered some important milestones in the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan. Kenya will continue working with South Sudan and regional and international partners, including all the members of the Security Council, to encourage further progress in that regard. We urge the Government and all the parties in South Sudan to redouble their efforts to expeditiously implement the pending aspects of the Revitalized Agreement and all the remaining benchmarks so that it will no longer be necessary to extend the arms embargo and targeted sanctions when the resolution next comes up for review.

Mr. Raguttahalli (India): I am taking the floor to explain India's vote on resolution 2633 (2022) on South Sudan, which was just adopted.

South Sudan is a young member of the United Nations, emerging from the ravages of civil war and facing a multitude of challenges on the political, security and development fronts. They are typical for any newly independent nation, irrespective of time or place on the globe. During the past year, as mentioned by the Secretary-General in his report (S/2022/156), South Sudan has made steady progress in its implementation

of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan. That includes developing and formulating its strategic defence and security review and the process of unifying the necessary united forces. The security situation in the country is more stable and the level of violence has decreased. There has been more inclusive political dialogue among all stakeholders. The constructive engagement with South Sudan of the international community, including the United Nations, the African Union and the Intergovernmental Authority on Development, has contributed to the improved situation.

India has historically enjoyed close ties with South Sudan and is cognizant of the enormous challenges confronting it on its path to peace and stability. As one of the largest troop-contributing countries to the United Nations Mission in South Sudan, with a peacekeeping contingent of approximately 2,400 troops, India remains firmly committed to the cause of securing peace and stability in South Sudan. We strongly believe that at this critical phase, South Sudan needs more constructive engagement and encouragement in order to move forward confidently in its pursuit of peace, stability and development. To that end, the international community, including the Council, must spare no effort in addressing the concerns that South Sudan has repeatedly raised regarding the sanctions, including the arms embargo and targeted measures. Similar views have been expressed by other countries in the region. The international community has to recognize the enormity of the challenges faced by South Sudan and appreciate the efforts it has made.

The resolution that we just voted on falls short of those expectations and continues to maintain the sanctions measures without giving due consideration to the positive strides made by South Sudan. In view of that, India decided to abstain in the voting on the resolution.

Mr. Korbich (Ghana): At the outset, I would like to thank the penholder, the United States, for its diligent and committed efforts during the negotiations on resolution 2633 (2022), on South Sudan, which was just adopted.

Ghana commends the constructive engagement of all members of the Council on the resolution and believes that it will help to provide the stability required for the further engagement of the South Sudanese leadership in transitioning the country through the present

delicate stage of the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan. We recognize, however, that South Sudan needs to be supported by the international community in its transitional journey and needs to build its capacities, including its ability to meet its reporting requirements to the Council. Ghana takes note of the formation of a unified command structure and the plans for the redeployment of the necessary unified forces. We encourage the Government of South Sudan to continue its efforts to deal with the country's strategic defence and security review; disarmament, demobilization and reintegration; managing existing arms and ammunition stockpiles; and the implementation of the joint action plan for the armed forces.

We welcome the Council's decision to exempt the supply, sale or transfer of non-lethal military equipment from the arms embargo inspections regime and hope that the progressive fulfilment of the benchmarks by the Government of South Sudan will lead to a more positive consideration of the embargo in subsequent reviews.

We note the centrality of the implementation of the Revitalized Agreement to stability in South Sudan and encourage all the parties to genuinely commit to its provisions for the country's progress. We want a South Sudan that will develop in peace without armed conflict.

Mr. Biang (Gabon) (*spoke in French*): We would like to thank the United States delegation for its work during the negotiations.

Gabon abstained in the voting on resolution 2633 (2022), renewing the mandate of the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan. Our abstention reflects the position of the African Union in the communiqué of the tenth meeting of the African Union Peace and Security Council held on 25 January on the situation in South Sudan. The position was reiterated by Heads of State and Government at the thirty-fifth African Union Summit, which took place in February.

South Sudan is the world's youngest State. It was placed under sanctions just four years after its birth, and for seven years the people of South Sudan have been living under a sanctions regime whose effectiveness falls far short of our expectations. We believe firmly that at this stage, sanctions are counterproductive with regard to the efforts made in the past few years by the Government and the people of South Sudan. While we note the progress made with regard to the

sanctions regime, we also believe that the efforts of the international community must be more firmly directed towards capacity-building, post-conflict reconstruction and peacebuilding. It is also crucial to give the South Sudanese armed forces the tools they need to more effectively fulfil their mandate under the Constitution to defend the territorial integrity of their country. Gabon will continue to support South Sudan and give it constructive encouragement in its efforts to deal with the reasons that led to the imposition of the sanctions on it.

Ms. Evstigneeva (Russian Federation) (*spoke in Russian*): The Russian Federation abstained in the voting on resolution 2633 (2022), prepared by the United States, on the extension of the sanctions regime on South Sudan.

Security Council sanctions constitute a powerful response to threats to peace, but we firmly believe that they must be applied with the utmost care and be totally justified and nuanced. Their use as a punitive measure is unacceptable. The restrictions applied by the Security Council should reflect the situation on the ground and serve the political process. Accordingly, they should also be subject to regular review and modification until they are fully lifted. In our view, many of the current Security Council sanctions regimes no longer correspond to the situations on the ground and thereby hinder the plans of national Governments in their State-building efforts and formation of effective security forces. The situation concerning the South Sudanese sanctions regime is no exception.

Let me emphasize that we do not seek to downplay the situation in that young country, which has yet to overcome many challenges. However, it cannot be denied that the security situation in South Sudan has changed significantly. Juba has made some progress in meeting the benchmarks provided for in resolution 2577 (2021), despite some objective delays of which we are all aware. At this stage, the State needs to strengthen its emerging armed forces in particular. Juba's position on the lifting of the sanctions is well known and has been expressed at the highest level. It is also important to note that its position is supported by the African Union and the Intergovernmental Authority on Development.

Nevertheless, while preparing the document, the penholder for the South Sudan file, the United States, once again ignored not only Juba's calls but also the agreed position of the countries of the

African continent and the views of other members of the Security Council, including Russia, regarding the importance of demonstrating respect for South Sudan's opinion and willingness to ease the sanctions in order to help the country achieve even greater results in its State-building process.

We should not omit to mention that we have an increasing number of questions regarding penholders' working methods. We would like to remind the Council that presidential note 507, on the Council's working methods (S/2017/507, annex), stipulates that penholders must provide their colleagues with the opportunity to participate fully in the drafting of resolutions and conduct consultations in a spirit of openness and flexibility. Unfortunately, in the work on the resolutions on South Sudan, we are increasingly encountering situations where Washington's own interests are being placed above those of Juba and the region, and where the opinions of other Council members are not being taken into account.

Mr. Dai Bing (China) (*spoke in Chinese*): The Security Council sanctions regime on South Sudan is the most controversial of all the Council's sanctions regimes. That is because South Sudan is the youngest State Member of the United Nations, and one that has endured a decade of war and whose foundations are very fragile. It needs constructive support, not sanctions pressure, from the international community, because the African Union and the Intergovernmental Authority on Development have always taken a clear stand against Security Council sanctions on South Sudan and the Council's punishment of Africa's youngest brother. That is also because the issue of South Sudan must ultimately be addressed through political means. Not only is sanctions pressure frequently ineffective, it also restricts the ability of the South Sudanese Government to build up its security capacity for the protection of civilians. In January the African Union Peace and Security Council issued a communiqué once again calling on the international community to lift the arms embargo and other sanctions on South Sudan in order to allow it to build the security capacity necessary to maintain national security and stability in South Sudan.

It is precisely for those reasons that China has been cautious about Security Council sanctions on South Sudan and has often abstained in the voting on resolutions renewing those sanctions. Last year, the Security Council established benchmarks for adjusting sanctions on South Sudan. According to the report of the

Secretary-General (S/2022/156), South Sudan has made progress in implementing the benchmarks, including those related to defence and security as well as the development and formulation of the strategic review. There have also been some positive developments in the unification process of the necessary unified forces and modest progress in the implementation of the joint action plan for the armed forces on addressing conflict-related sexual violence.

In the light of the report of the Secretary-General, and at the same time taking into account the obsession of certain Council members with sanctions, China and other Council members believe that the Security Council should take measures to gradually ease the sanctions regime on South Sudan. Based on that, China has put forward constructive amendments, including on exempting training and non-lethal equipment from sanctions, changing the application of exemption requests to reporting, and adjusting targeted sanctions. Other members of the Council have proposed similar amendments. If adopted, these measures, rather than exacerbating the conflict in South Sudan, will help the country respond positively to the African Union's concerns, enhance South Sudan's security capacity-building and encourage the Government to take more substantive steps towards implementing the benchmarks for adjusting sanctions.

The penholder's responsibility is to help the Council come up with a text that has the broadest possible consensus, rather than stubbornly insisting on its own views in the text. Regrettably, the penholder did not fulfil that responsibility, and did not listen carefully to reasonable opinions or take them on board. The fairness and inclusiveness that a penholder should demonstrate were absent, and the concerns of all parties were not taken into account when the text was amended. A number of members, including all three African members of the Council, broke the silence procedure set by the United States in drafting resolution 2633 (2022). However, the United States still forced a vote on the text, which does not enjoy consensus. China therefore had no choice but to abstain in the voting.

The President: I now give the floor to the representative of South Sudan.

Mr. Malwal (South Sudan): My delegation congratulates you, Madam, and your delegation on your assumption of the presidency of the Council this month. We are saddened by the senseless shooting in Uvalde, Texas. Please accept our condolences as we offer our sympathies to the families of those who lost their loved ones at the school.

Regrettably, the Council just adopted a resolution (resolution 2633 (2022)) in the belief that it will resolve the conflict and bring peace to South Sudan. However, after so many years dealing with the issue, we know better. The resolution will not do that — in fact, it may even compound the economic misery that the people of South Sudan are currently enduring. It is common knowledge that South Sudan does not agree with the sanctions and the arms embargo imposed on it. That is because we strongly believe that they were ill-intended from the beginning and have been counterproductive since they were imposed. I do not think that the Council can authoritatively say that the resolution will achieve the outcome it desires.

As we have said here before, I would like to reiterate today that punitive measures are not effective tools in this instance. The Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan before us has the ingredients needed to establish and restore peace and harmony in South Sudan. What we need from the international community is greater encouragement and material support so that the implementation of the Agreement progresses faster and more effectively. Waiting for the end of the mandate every year to point out the shortcomings in its implementation will not produce positive results.

In conclusion, my delegation is grateful to the Council members who have always tried, within their means, to balance the text and mandate of the sanctions resolution in order to make it fit for its intended purpose, which is lasting peace in South Sudan.

The meeting rose at 10.50 a.m.