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**PEACE AND SECURITY COUNCIL**

**571<sup>ST</sup> MEETING AT THE LEVEL OF HEADS OF STATE AND GOVERNMENT**

**ADDIS ABABA, ETHIOPIA**

**29 JANUARY 2016**

**PSC/AHG/COMM.2(DLXXI)**

## COMMUNIQUE

The Peace and Security Council of the African Union (AU), at its 571<sup>st</sup> meeting held on 29 January 2016, at the level of Heads of State and Government, adopted the following decision on the situation in South Sudan:

### **Council,**

1. **Takes note** of the statements made by the Chairperson of the Commission, Dr. Dlamini Zuma and by the Secretary-General of the United Nations (UN), Ban Ki-moon, as well as of the briefings provided by the AU Commissioner for Peace and Security, Ambassador Smail Chergui and the Chairperson of the Joint Monitoring and Evaluation Commission (JMEC) former President Festus Gontebanye Mogae, on their on-going efforts to assist the South Sudanese parties to fully implement the Agreement on the Resolution of the Conflict in the Republic of South Sudan, signed in August 2015. Council **also takes note** of the statements by the representatives of the Republic of South Sudan and by Ethiopia, in its capacity as the Chair of the Inter-Governmental Authority on Development (IGAD);
2. **Recalls** its earlier communiques and press statements on the situation in South Sudan, including communiques PSC/AHG/COMM.I(DXXVII) adopted at its 547<sup>th</sup> meeting held on 26 September 2015, in New York;
3. **Commends** the Chair of the IGAD, Prime Minister Hailemariam Desalegn of Ethiopia, and leaders of the IGAD especially President Uhuru Kenyatta of the Republic Kenya, President Yoweri Museveni of the Republic of Uganda, President Omar al-Bashir of the Republic of Sudan, for their continued engagement and support to the efforts of JMEC and their active role to the promotion of peace, security and stability in South Sudan. In this regard, Council **underscores** the fact that a stable and safe region can only be attained through unity of purpose in assisting South Sudan to address its challenges;
4. **Commends** the JMEC Chairperson, and the JMEC members for their continued and unwavering support to the implementation of the Agreement. Council **further commends** the collegial spirit that has guided the deliberations within the JMEC meetings thus far, in an effort to bring the parties together for the benefit of the people of South Sudan. Council **notes with satisfaction the determination** displayed by the JMEC to continue engaging the parties even during the most difficult periods of the implementation process;
5. **Applauds** the continued commitment of the AU High Representative in assisting the South Sudanese parties overcome their challenges, as well as engaging the regional and international partners in support of the process. In this respect, Council **underscores** the unswerving commitment of the AU as a whole, and the AU High Representative in particular, to assist the South Sudanese to address their challenges and realize their potential as young and prosperous country intent on meeting the needs of its citizens;
6. **Expresses appreciation** for the important role played by the United Nations Mission in South Sudan (UNMISS) and its leadership in assisting in the maintenance of peace and security in South Sudan under challenging conditions. Council also **expresses its appreciation** for the support given to the UNMISS by the troop contributing countries, as well as to the police

contributing countries and **urges** them to continue this support given the fact that South Sudan is going through a critical transitional period in its history;

7. **Notes with great concern**, that the South Sudanese parties have missed the deadline for forming the Transitional Government of National Unity (TGoNU) as provided for in the Agreement. Council, therefore, **calls on** the Parties, with the facilitation of JMEC and the AU High Representative to urgently address the impediments that obstruct the formation of the TGoNU. Considering the imperative of the TGoNU to the successful implementation of the Agreement, Council **strongly calls on** the South Sudanese Parties to urgently establish it without further delay nor any preconditions. Council **also strongly urges** Dr. Riek Machar Teny, Chairman of the Sudan People's Liberation Movement/Army-In Opposition (SPLM/A-IO), to return to Juba to take up his position as the First Vice-President of South Sudan. On the decision of the GoSS to establish 28 States, Council **urges** the parties to refer the matter to an inclusive, participatory national boundary commission comprising all Parties to the Agreement, which should review the proposed states and their boundaries and in this respect, Council **underscores** that this review should not impede the establishment of the TGoNU;

8. **Further expresses its grave concern** over the continued violations of the Ceasefire Agreement, as reported by the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM) and **encourages** the parties to desist from these violations which could undermine the current security situation. Council **further underscores** that the challenges facing South Sudan cannot be addressed through a military solution. Council **urges** for the speedy formation of the CTSAMM with all its required human resources, fully equipped and with full protection, to enable it to carry out its tasks efficiently and in a timely manner. In this regard, Council **further calls for** international support to ensure that the CTSAMM is fully functional and capable of carrying out its given mandate;

9. **Urges** the Commission to speedily complete the necessary arrangements, including the mobilization of resources and recruitment of personnel, to enable the establishment of the AU Mission in South Sudan (AUMISS). Council **further urges** the Commission to undertake the necessary preparations to enable it, to expeditiously and effectively fulfil the functions assigned to it under the Agreement. In this regard, Council **calls on** the Commission to **urgently** implement the outcomes of the AU High Level Ad-Hoc Committee workshop held on 2 November 2015;

10. **Commends** the AU Liaison Office in South Sudan, particularly the AU Special Representative for South Sudan, for the continued support to the work of the South Sudanese, especially through their support to the AU High Representative, in implementing the Agreement and **encourages** the Office to continue working steadfastly until the establishment of the AUMISS;

11. **Urges** the international community to lend support towards the implementation of the Agreement in a coordinated manner, in accordance with the mechanisms established under the Agreement, particularly the JMEC. Council **welcomes** the establishment of the

JMEC Partners Forum and **urges** that this Forum be an open mechanism to allow other donors and supporters to provide financial support to the implementation process of the various components of the Agreement;

12. **Notes with concern** the evolving economic situation in South Sudan, especially with the decline of oil prices at the international market, and **further notes that** this situation has the potential of affecting the full functioning of the government, especially with regard to providing humanitarian assistance to the affected population. In this regard, Council **appeals** to the international community to urgently provide assistance in addressing the humanitarian situation in the country. Council **further stresses the need** for assistance to be directed towards the long-term stabilization and reconstruction of South Sudan;

13. **Strongly urges** the South Sudanese Parties to immediately lift all restrictions on humanitarian access, and to take full responsibility for ensuring the safety and security of humanitarian workers and extend meaningful assurances of safety for humanitarian personnel and their operations;

14. **Further calls upon** the Parties and all relevant stakeholders to facilitate the voluntary return, resettlement and rehabilitation of all South Sudanese displaced and exiled from their homes, so that they can resume their lives as free citizens;

15. **Notes with appreciation** the rapprochement between Presidents Omar Hassan Al Bashir and Salva Kiir Mayardit, of the Republics of Sudan and South Sudan respectively, and their agreement to normalize the relations between their countries. Council **commends** the Republic of South Sudan for withdrawing its troops five miles (8 km) south from the border. Council also **applauds** the Republic of Sudan for agreeing to reduce the transit fees for oil, as well as reopening of the border crossing points into South Sudan. Council **notes** that these decisions will facilitate communication, trade and relationship between the two countries and help stabilize South Sudan.

16. **Urges** the Presidents to sustain the momentum created by these developments and work closely with the African Union High Level Implementation Panel for Sudan and South Sudan (AUHIP) led by former President Thabo Mbeki. In this context, Council **renews its support** to the efforts of the AUHIP to assist Sudan and South Sudan to resolve the outstanding issues in the implementation of the Cooperation Agreement of 2012;

17. **Decides** to remain actively seized of the matter.