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PEACE AND SECURITY COUNCIL 945TH MEETING 15 SEPTEMBER 2020 ADDIS ABABA, ETHIOPIA

PSC/PR/COMM.(CMXLV)

COMMUNIQUE

Adopted by the Peace and Security Council (PSC) of the African Union (AU) at its 945th Meeting held on 15 September 2020, on the Report of the Chairperson of the Commission on the Situation in the Republic of South Sudan.

The Peace and Security Council,

Taking note of the statement made by the Permanent Representative of the Republic of Djibouti to the African Union, H.E. Ambassador Idriss Mohamed Farrah of Djibouti, in his capacity as the Chairperson of the PSC for the month of September 2020, and the briefing by the AU Commissioner for Peace and Security, H.E. Ambassador Smail Chergui, and the presentations by the Special Representative of the Chairperson of the Commission for South Sudan, Ambassador Joram Biswaro, as well as by the AU Legal Counsel, Ambassador Namira Negm, on the state of progress in the establishment of the Hybrid Court on South Sudan; and **also taking note** of the statements made by the representatives of the Republic of South Sudan, the Republic of The Sudan, in its capacity as Chair of the Inter- Governmental Authority on Development (IGAD), the Interim Chairperson of the Reconstituted Joint Monitoring and Evaluation Commission (R-JMEC), the Special Representative of the Secretary-General of the United Nations in South Sudan (UNMISS), as well as the statement received from the Office of the IGAD Special Envoy to South Sudan;

Recalling its previous communiqes and press statements on the situation in South Sudan, particularly, Communique [PSC/PR/COMM.(CMXVIII)], adopted at its 918th Meeting held on 9 April 2020, Communique PSC/PR/COMM.(CMXII), adopted at 912th Meeting held on 27 February 2020, Communique PSC/PR/COMM.(DCCCXCIV), adopted at its 894th meeting held on 14 November 2019, Communique PSC/PR/COMM.(DCCCLXXXVI), adopted at its 886th meeting held on 15 October 2019, and Communique PSC/AHG/COMM.(DCCLXXXIII), adopted at its 783rd meeting held on 30 June 2018, in Nouakchott, Mauritania, at the level of Heads of State and Government;

Reaffirming the AU solidarity with the people and the Government of South Sudan in their aspirations to restore peace, stability and development in their country, and reaffirming also the sovereignty, political independence and territorial integrity of the Republic of South Sudan;

Acting under Article 7 of its Protocol, the Peace and Security Council:

1. **Takes note** of the Report of the Chairperson of the Commission on the situation in South Sudan;
2. **Acknowledges** the efforts being deployed by the Government of South Sudan and all the parties, as well as the overall progress achieved to date in the implementation of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) and the positive impact thereof on the overall political, security and humanitarian situation, while bearing in mind the dire challenges including due to the COVID-19 pandemic, desert locust invasion, devastating floods and the difficult economic situation;
3. **Commends** H.E. President Salva Kiir Mayardit, First Vice-President Dr. Riek Machar and the other

South Sudanese Parties for the progress registered so far, including in relation to sharing the regional responsibilities, in the implementation of the R-ARCSS and the compromises made in order to achieve the prevailing relative peace in the country; and **encourages** the South Sudanese Parties to accelerate the pace of implementation of all outstanding Transitional tasks through commitment to the spirit of consensus building and constructive dialogue that they have bravely demonstrated on several previous occasions;

4. **Also commends** President Salva Kiir Mayardit for facilitating the Sudanese peace process and **welcomes** both the agreement initialled in August 2020 in Juba, South Sudan and the Declaration of Principles signed in Addis Ababa on 3 September 2020 and **encourages** the Sudanese parties to respect their commitments outlined in these agreements;

5. **Welcomes** the progress made in the resolution of the impasse relating to the appointment of State Governors and **urges** President Salva Kiir Mayardit and Dr. Riek Machar to expeditiously resolve the impasse over the governorship of Upper Nile State, and to appoint the governor, as soon as possible; **appeals** to the Parties to rapidly conclude the appointments of deputy State governors, advisors, State-level commissions, and commissioners of counties; and **underscores** the pivotal role of regional and local government structures in delivering the mandate of the Reconstituted-Transitional Government of National Unity (T-GoNU), including through addressing the fundamental root causes and drivers of intercommunal conflicts in some States, as well as overcoming the different humanitarian, livelihood and public health challenges facing the country;

6. **Commends** IGAD for its continued efforts in South Sudan, particularly its oversight role in the implementation of the R-ARCSS and, in this context, **welcomes** the outcomes of the 36th Extraordinary Assembly of IGAD Heads of State and Government held on 14 July 2020 which, among others, encouraged and recognized efforts spearheaded by H.E. President Salva Kiir Mayardit, aimed at reducing armed conflict, including the announcement of the disarmament of civilians and the formation of a National Taskforce to investigate and address the persistent intercommunal challenges and pastoralist conflicts; and **encourages** IGAD, in collaboration with the AU and other international and regional partners, and including through its Special Envoy and the two co-guarantors Sudan and Uganda, to continue to support the peace process in South Sudan and ensuring the consistent implementation of R-ARCSS; and **requests** the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM) to assist the National Taskforce, in this regard.

7. **Also welcomes** the appointment of Major General Charles Tai Gituai, as the new Deputy Chairperson of the Reconstituted - Joint Monitoring and Evaluation Commission (RJMEC), currently serving as the Interim Chairperson, and **urges** IGAD to expedite the appointment of the new Chairperson of the Commission;

8. **Underscores** the urgent need for the South Sudanese parties to abide by the commitments made under the R-ARCSS and in this regard, **urges** the parties to ensure that subsequent appointments to the R-TGoNU abide by the 35% quota for women as per the R- ARCSS; and in this respect, **underscores** the

important role that women continue to play in the South Sudan peace processes including in reconciliation, economic development, education and transitional justice, as well as the continuous relevance of the Women, Peace and Security agenda to the ongoing implementation of the peace process in South Sudan;

9. **Condemns** the recent violation of cessation of hostilities in Central Equatorial and a number of other regions, as well as the rise in intercommunal violence leading to losses of life and displacement of large numbers of the population, particularly women and children in a manner that necessitates addressing the root causes and drivers of this recurrent violence; and **strongly calls on** the South Sudanese parties to ensure their full compliance to their commitments as outlined in, both, the Ceasefire Agreement signed in 2017 and the R-ARCSS of 2018, as well as the Rome Declaration of January 2020;

10. **Reminds** the hold-out armed groups of their commitments to cease hostilities, undertaken through the Rome Declaration and Resolution of 12 January 2020 and **requests** them to implement these commitments without further delay, while expressing support to the efforts deployed by the AU Commissioner Peace and Security to impress on the hold-out groups to adhere to the cessation of hostilities and engage with the peace process;

11. **Expresses deep concern over** the continued violations of the cessation of hostilities, and **condemns in the strongest terms** the attack on the bodyguards of Vice President Dr. James Wani Igga by the National Salvation Army (NAS) of Thomas Cirilo Swaka and, in this respect, **requests** CTSAMVM to promptly investigate these violations and report the outcomes, before the end of October 2020, to the AU, IGAD and UN, with recommendations to prevent further clashes; **and underlines**, in this regard, the fundamental necessity of allowing unfettered access by CTSAMVM to all affected areas and fully cooperate with the investigation, and highlighting that this recurrent form of violations will require the Council to consider effective measures against obstructionists of peace in South Sudan ;

12. **Underscores the importance** of all military formations that have committed to ceasefire agreements, in 2017 and 2020, to be part of the reunification and reintegration of the National Unified Forces (NUF) process and to engage in all efforts aimed at creating unified national defence and security forces; **emphasizes** the need for including the opposition armed groups, including the National Salvation Front (NAS), in the membership of the CTSAMVM as per the Rome Declaration;

13. **Underscores the need** for the Government of South Sudan, working with other signatories of the R-ARCSS, to mobilize the necessary funding for the completion of the training, graduation, and deployment of the NUF, and commence necessary efforts towards an effective Disarmament, Demobilization, and Reintegration (DDR) process; expresses **deep concern** over the slow pace in the implementation of the transitional security arrangements leading to reunification and reintegration of the NUF which is undermining efforts towards the full implementation of the R-ARCSS; **welcomes** the initiative by the AU Commission and the Government of South Sudan to work out modalities for supporting the arms collection process, in order to prevent future violent conflicts;

14. **Welcomes** the efforts deployed by the UNMISS in implementing its protection of civilian

mandate; **notes with concern** the allegations of restrictions of access imposed on UNMISS and calls all parties to facilitate the work of UNMISS; **strongly condemns** reported deliberate targeting of humanitarian actors and **calls on** the Government of South Sudan, working closely with the CTSAMVM and the UNMISS, to investigate the reported killings and ensure that perpetrators of these heinous crimes are brought to justice;

15. **Also notes with concern** the planned withdrawal of UNMISS forces from Protection of Civilians (POCs), which may have an adverse impact on the safety and security of the Internally Displaced Persons (IDPs); in this respect, **encourages** the UN Country Team and international humanitarian agencies to ensure that that effective mitigating measures are put into place and **calls on** the R-TGoNU and the UN to create conducive conditions for returnees;

16. **Calls on** the AU Commission to urgently engage with the Government of South Sudan, through the National Dialogue Steering Committee, to constitute, from the existing expertise within the Commission, a technical team of experts to consult with various national and international stakeholders on these concerns; and **looks forward** for the launching of the National Dialogue on 3 November 2020 while encouraging all holdout actors, to join and actively participate in National Dialogue Conference, with a view to facilitating an all-inclusive national healing and reconciliation of the country; and **underlines**, in this regard, that South Sudan is a key priority to AU Post Conflict Reconstruction and Development agenda, including through the activities of the AUPCRD Centre;

17. **Takes note** of all efforts being deployed by the AU Commission, working with the Government of South Sudan, towards the establishment of the Hybrid Court of South Sudan (HCSS) and **appeals** to the RTGoNU to establish the Commission for Truth, Reconciliation, and Healing (CTRH) and the Compensation and Reparation Authority (CRA) mandated by Chapter V of the Peace Agreement, in concerted efforts to achieve lasting peace, justice and reconciliation in South Sudan;

18. **Emphasizes**, in this regard, the importance of ensuring that all efforts, including mobilization of necessary resources from within the Continent, are made in a manner that will ensure the integrity and legitimacy of the Hybrid Court, as well as the transparency regarding its establishment;

19. **Renews** its appeal international partners and financial institutions to step up their support to peace efforts and economic recovery in South Sudan, and **reiterates** its previous calls for the immediate and unconditional lifting of all sanctions and unilateral coercive measures targeting South Sudan including through reviewing the measures taken pursuant to the relevant UN Security Council resolutions;

20. **Reiterates its call** on the international community, including the AU Member States to step up their efforts towards supporting the efforts of the R-TGoNU especially in light of the COVID-19 pandemic, the negative effects of floods, food insecurity; **encourages** the R-TGoNU to further facilitate humanitarian access and the relevant procedures to ensure that that aid reaches all affected communities;

21. **Highlights** the importance of African solidarity with South Sudan in facing the paramount

challenges it faces, and **commends** the sizeable assistance provided recently by the Arab Republic of Egypt, in response to COVID-19 pandemic and recent devastating floods; **encourages** all Member States to contribute, within their resources and capabilities, to efforts aimed at supporting peace and resilience of South Sudan;

22. **Commends** President Salva Kiir for the spirit of African solidarity demonstrated in his Excellency's decision to donate \$1 million to the AU COVID-19 pandemic response; and **requests** the AU Commission, through the Africa Centres for Disease Control and Prevention (Africa-CDC), and the AU Trust Fund on Coronavirus response to continue supporting South Sudan in the fight against COVID-19 pandemic;

23. **Decides** to remain seized of the matter.