

# REVISING THE UN PEACEKEEPING MANDATE IN SOUTH SUDAN

Maintaining Focus on the Protection of Civilians

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## Executive Summary

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Civil war has raged in South Sudan for two years. Horrific atrocities continue to be committed against the civilian population by both primary parties to the conflict as UNMISS has struggled to protect civilians within and beyond its protection of civilians (POC) sites. This report by the Stimson Center and the Australian Strategic Policy Institute examines the challenges the UN Mission in South Sudan (UNMISS) has faced in its efforts to protect civilians from physical violence despite the priority and focus of the revised mandate that was adopted following the outbreak of civil war in December 2013.

The report offers the following recommendations for stakeholders to consider as part of the upcoming mandate review that will take place by December 15, 2015, as well as lessons for future reviews.

### Recommendations to the United Nations (UN) Security Council

**1. Maintain the mission's current prioritization of the protection of civilians.** This includes protecting civilians under threat of physical violence, deterring violence against civilians, implementing the mission-wide early warning strategy, maintaining the safety and security of POC sites, implementing the POC strategy, and supporting efforts to assist the eventual safe and voluntary return of internally displaced persons.

**2. Revise the authorized troop and police ceiling for the mission.** There has been no increase in the authorized number of troops and police since an initial increase after the outbreak of the civil war in December 2013, despite the demands of protecting an unprecedented number of civilians in the POC sites. The Secretary-General's November 2015 report recognized a need for further military and police resources. The commitments made during the Leaders' Summit on UN Peacekeeping in September 2015 present an opportunity to identify further troops, resources, and capabilities to reinforce and support the mission in carrying out its mandate.

**3. Maintain both a sequenced and a phased approach to the mission mandate.** The model of reviewing the mission mandate requirements on the basis of conditions on the ground should be performed regularly and as required. Gradually reintroduce capacity-building measures into the mission mandate, with a focus on institutional reforms in the security and justice sectors. Use a comprehensive threat assessment framework that includes atrocity indicators to guide future reviews of the mission mandate.<sup>1</sup> The UN Security Council should also provide the mission with political support to counteract pressure from the South Sudanese government to revert to a pre-civil-war-style mandate, and to avoid the mission being drawn into undertaking additional tasks that could dilute the mission's capacity to protect civilians.

**4. Exert political pressure on the parties to the conflict.** The Security Council has an important working relationship with the parties to the conflict in terms of the strategic consent to deploy the peacekeeping mission. It also has power to influence the behavior of the major parties by drawing attention to failure to comply with the peace agreement, ongoing Status of Forces Agreement (SOFA) violations, and attacks on mission personnel. This can be done publicly through statements and meetings, but also privately in consultations and demarches on the actors in the conflict.

**5. Engage substantively with troop- and police-contributing countries (TCCs/PCCs) on the future direction of the mission and mandate renewal.** Routine meetings with TCCs/PCCs take place ahead of mandate renewals, but there is scope for broader consultation. This might include meetings of the UN Security Council Working Group on Peacekeeping Operations, which could involve more stakeholders beyond TCCs/PCCs (such as major donors and regional organization representatives). This is particularly important as several countries deployed to UNMISS are deploying to UN peacekeeping for the first time.

**6. Establish an advisory body external to the mission to develop an integrated strategic vision for security sector reform (SSR) and disarmament, demobilization, and reintegration (DDR), in consultation with the parties to the conflict, as well as for the South Sudanese National Police Service (SSNPS) and the security sector more broadly.** This will be important to set an overall strategic vision for reforming the security sector, engaging with government officials, and coordinating funding and training support from various international stakeholders. The advisory body could also identify an appropriate party to undertake vetting of security personnel being absorbed into the new state security entities.

Recommendations to the UN Peacekeeping Mission in South Sudan (UNMISS) and the UN Secretariat

**7. Engage with the humanitarian community to identify a way forward to address safe and voluntary returns.** Mission leadership should make renewed efforts to meet with the national and international humanitarian community in order to update them on UNMISS's activities and consult on longer-term efforts to ensure the voluntary return or relocation of civilians in the POC sites. The Humanitarian Country Team could also take the lead in developing an agreed-upon set of principles for safe and voluntary relocations with UNMISS.

**8. Develop a strategic communications plan explaining UNMISS's approach to the protection of civilians, including in particular the policy around taking people onto UNMISS bases.** This is important to counter disinformation about the decision-making processes involved and to communicate information about alternative protection efforts that are being undertaken outside or near UN bases in some of these instances. It is also essential to managing the expectations of the international community, as well as the local population.

**9. Build and actively populate a comprehensive and current database to support implementation of the Human Rights Due Diligence Policy (HRDDP).** The human rights division could lead this in cooperation with other sections. This is essential to ensure that the mission is prepared to undertake capacity-building initiatives going forward, and to assist with vetting.

**10. Provide the UN Security Council with frank advice and assessments on the needs of the mission.** This should include advice not only on threats, but on where there are mission resource gaps that are threatening security (e.g., security perimeters around POC sites, a lack of enablers threatening mobility).

**11. Manage the performance of TCCs/PCCs and put systems in place that will enable the mission to replace and repatriate those that are underperforming.** The mission should seize on the political support from the Leaders' Summit on UN Peacekeeping to make clear that it will be

carefully monitoring the performance of TCCs and that there will be consequences for those that are underperforming.

**12. Report on the effect being delivered by mission operations (i.e., qualitative) instead of the number of activities taking place (i.e., quantitative).** For example, approaches to patrolling need to be more strategic and assessed on the results and impact they deliver. The Security Council could consider requesting that this reporting be made to the Security Council.

**13. Build on the deployment of Unarmed Unmanned Aerial Vehicles (UUAVs) into the mission to strengthen the mission's information and threat analysis.** This should include transparency on how the information gathered from these assets will be used by the mission, as well as ensuring that the mission has appropriate resources to process and analyze the information being obtained (including in UNMISS's Joint Mission Analysis Cell).

Recommendations to other stakeholders,  
including troop- and police-contributing countries

**14. Engage with the Security Council to establish a Core Group or 'Group of Friends on South Sudan.'** This might be modeled on the approach of similar groups supporting the UN peacekeeping mission in Haiti and former mission in Timor-Leste. It will provide a wider range of stakeholders with the ability to engage substantively in the mandate renewal process to ensure that mandates are phased and sequenced, and will continue to be tailored to conditions on the ground.

**15. Troop and police contributors need to be clear about any caveats in advance of deployment.** Several TCCs/PCCs appear to have hidden caveats concerning the activities they are willing to conduct and the locations to which they are willing to be deployed, such as contingents that refuse unofficially to deploy outside Juba. Clarity from these TCCs/PCCs, and frank reporting from the mission, will enable the UN Secretariat to make choices on potential contributors based on their abilities to undertake key mission tasks. Clarity will also assist mission leadership in identifying the appropriate TCCs/PCCs for particular operations.





## Introduction

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Civil war has been raging in South Sudan for nearly two years.<sup>2</sup> Tens of thousands of civilians have been killed since the outbreak of violence on December 15, 2013. The conflict and targeted campaigns of ethnic attacks have contributed to the displacement of millions of people, with an estimated 646,000 seeking refuge across the borders,<sup>3</sup> more than 1.6 million civilians internally displaced, and more than 200,000 civilians seeking shelter on UN bases across the country.<sup>4</sup> With the South Sudanese government failing in its responsibility to protect civilians, and indeed actively perpetrating violence against civilians, this responsibility continues to fall to the UN peacekeeping mission in South Sudan (UNMISS), and has remained the first priority of the mission. But horrific atrocities have continued to be committed against the civilian population by both major parties to the conflict, and UNMISS has faced difficulty in protecting civilians on its bases and has struggled to project the force needed to protect civilians beyond the protection of civilians (POC) sites.

Efforts by the mission to protect the civilian population have been hampered by the two major parties' unwillingness to commit to a political resolution to the conflict. Attempts to bring about a cease-fire between the two main protagonists prior to August 2015 largely failed, despite concerted political engagement and pressure. The peace agreement signed in August between Salva Kiir, president of the Government of the Republic of South Sudan, chairman of the Sudan People's Liberation Movement (SPLM), and leader of the Sudan People's Liberation Army (SPLA), and Riek Machar, chairman and commander-in-chief of the SPLM/SPLA-in-Opposition (SPLM/A-IO), has raised some hope that there may be a political solution to the conflict. But already there are several early indications that the parties will not fully comply with the terms of the agreement.<sup>5</sup> Nonetheless, the peace agreement currently offers the best option of a way forward to a political settlement. It is in this context that the UN Security Council is considering a revised mandate for the mission.

The Security Council is expected to authorize a new mandate for UNMISS by December 15, 2015.<sup>6</sup> This presents a pivotal opportunity to address some of the challenges that have been plaguing the mission, particularly when it comes to engaging with the government to support capacity building and the adequacy of resources and capabilities to protect civilians. The review of the mandate also coincides with other broader strategic developments on UN peace operations, including the implementation of the recommendations of the UN High-level Independent Panel on Peace Operations (HIPPO) report<sup>7</sup> and the commitments made during the Leaders' Summit on UN Peacekeeping on September 28, 2015 (which included many commitments specific to UNMISS).<sup>8</sup> The adoption of Resolution 2241, which outlines issues for further consideration in the upcoming revision of the UNMISS mandate and sets a timeline for further analysis of mission requirements, signals an intention by the Security Council to heed some of the HIPPO recommendations on phased mandating. The potential availability of further resources and capabilities – as pledged at the Leaders' Summit – creates some space for a more honest discussion around the adequacy of the resources and capabilities currently available to UNMISS, and might enable the UN to be more selective in its choices of potential troop and police contributors.

This Stimson Center and Australian Strategic Policy Institute (ASPI) report examines why UNMISS has struggled in its efforts to protect civilians from physical violence despite the priority and focus of the revised mandate adopted following the outbreak of civil war. It explores the challenges faced by UNMISS in carrying out its mandated tasks under the narrower mandate adopted in May 2014 (Resolution 2155), assesses the most recent mandate revisions proposed under Resolution 2241, and considers opportunities and challenges for strengthening efforts by UNMISS to protect civilians in the context of the peace agreement and wider developments in UN peacekeeping. The report provides recommendations for stakeholders to consider as part of the upcoming mandate review in December 2015 and the ongoing viability of the peacekeeping mission in South Sudan.

#### Applying a Focused POC Mandate: Lessons from Resolution 2155

The deployment of UNMISS in July 2011 immediately following the referendum on South Sudan's independence coincided with efforts to implement several major peacekeeping reforms. With the ongoing challenges in the Democratic Republic of the Congo and crisis that had taken place in Cote d'Ivoire during 2010-2011, the context in South Sudan was viewed by some as a preferred test case for applying the lessons that had been learned in the decade since the Brahimi Report.<sup>9</sup> These included the "New Horizons" peacekeeping agenda,<sup>10</sup> the Global Field Support Strategy,<sup>11</sup> and the review of civilian capacities.<sup>12</sup> The mission had a strong peacebuilding focus and drew on the three-tiered approach to protection of civilians outlined in the opera-

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tional concept developed by the Department of Peacekeeping Operations (DPKO) and Department of Field Support (DFS).<sup>13</sup> However, the mission's mandate to support capacity-building of the South Sudanese government came into tension with its simultaneous protection mandate. The situation became much more complicated as the political agreement underpinning the mission's work started to quickly unravel following Riek Machar's dismissal from President Kiir's government in July 2013.

The events of December 15, 2013, and after challenged the mission's preparedness to protect civilians. As ethnic violence ensued, civilians forced their way onto UN bases to seek protection.<sup>14</sup> Within days, the UN was sheltering 45,000 civilians.<sup>15</sup> The UN Security Council responded by authorizing the deployment of an additional 5,500 troops and 423 police.<sup>16</sup> As the political crisis continued and civil war raged across the country, the Security Council took the drastic step of significantly revising the mandate for UNMISS and removed peacebuilding activities that could be viewed as supporting the government, given its status as a party to the conflict.

With the adoption of Resolution 2155 in May 2014, the mission adopted a much greater emphasis on the protection of civilians. UNMISS was reconfigured to focus on four main tasks in the mandate: protection of civilians, monitoring and investigating human rights, creating the conditions for the delivery of humanitarian assistance, and supporting the implementation of the cessation of hostilities agreement. Focusing the mission's resources on efforts to protect civilians and ensuring that the mission was not providing material support to either major party were necessary moves. However, the decision to remove any early peacebuilding engagement has had an ongoing impact on the longer-term sustainability of efforts by UNMISS to protect civilians.

Despite these changes, civilians have continued to be subjected to violent attacks, atrocities, and horrific abuses across the country at the hands of government and opposition forces, as well as splinter groups and local militias not clearly under the formal structure of either of the two main parties. Many of the attacks have been ethnically targeted and intended to drive civilians from particular swaths of territory. Armed groups have seized on the lack of a mission presence to undertake attacks in areas such as Unity state, as detailed in the recent report of the African Union Commission of Inquiry in South Sudan<sup>17</sup> and the UNMISS Human Rights Flash Report of June 2015.<sup>18</sup>

Some of the challenges that have hampered the mission's ability to effectively protect civilians have included access restrictions, the demands of maintaining safety and security in POC sites, the projection of force, inadequate situational awareness, limited understanding on host government capacity, and resource and capability constraints.

### Consent and Access Restrictions

The issue of access restrictions remains one of the most significant challenges impeding protection efforts in South Sudan. The Government of South Sudan had violated its Status of Forces Agreement (SOFA) with UNMISS numerous times before the outbreak of violence in December 2013, and these violations have become routine since the start of the civil war. SOFA violations have included restrictions on movement (by ground, river, and air), limiting the ability of

the mission to access large parts of the country, as well as the delay of visas for mission personnel and delays on the importation of essential mission equipment.<sup>19</sup> Members of the opposition movement have also restricted UNMISS's movement since the outbreak of the civil war, although these restrictions do not qualify as SOFA violations because the SPLM/A-IO was not a party to the SOFA. These restrictions have persisted despite the signing of the peace agreement in August 2015.<sup>20</sup>

Access restrictions affect the ability of UNMISS to undertake operations, limiting the movement and transport of personnel and supplies (see Box 1). Concerns that helicopters may be shot down, as happened in 2014 and prior to that in 2012,<sup>21</sup> have resulted in the mission obtaining Flight Safety Assurances (FSAs) from the government and/or opposition before any flight is undertaken. This onerous process, combined with the low supply of and high demand for air assets, means it may take days for an air asset to be deployed.<sup>22</sup> This also has significant implications in terms of troop willingness to engage in high-risk operations, as it may take too much time for an FSA to be obtained in order to initiate casualty and medical evacuation.<sup>23</sup>

Similar access restrictions have been applied at the ground level, although it is often unclear whether these are strategic decisions directed by the leadership of the parties to the conflict, or whether these are simply imposed by local troops or commanders in order to obtain revenue by demanding illegal payments or to disrupt the mission's activities. The use of checkpoints to block access has created impediments to the projection of force by the mission into areas outside peacekeeping bases. In an effort to encourage troops to push back against these types of restrictions, the mission has developed standard operating procedures for troops to follow in these circumstances, and has started to record instances when they are not followed. Nonetheless, troops are often reluctant to push through these checkpoints, either because of insufficient political will among some contingents or for more pragmatic reasons, such as concerns that they will not have access to timely medical evacuation if they are injured or attacked because of the delays in deploying air assets.<sup>24</sup>

The application of access restrictions has enabled both parties to the conflict to advance military aims, by restricting the presence of the mission in certain parts of the country where it could be present to monitor human rights violations, attacks, or atrocities being committed against civilians. The mission's limited presence in the country was particularly apparent during the violence in Unity state that began escalating around April 2015 and has persisted to the present. Efforts to establish troop presence in Leer County – the part of Unity state most affected by the violence – encountered major obstacles. At the time this report was written, the mission had experienced recent successes; a long duration patrol had managed to spend around two weeks in Leer County, and the mission had exercised considerable diplomatic efforts to facilitate a return to the area. Despite efforts to intimidate the patrol, including shots fired at it, civilian personnel were able to join the patrol temporarily for human rights investigations. However, the overall lack of situational awareness has impeded the mission's ability to obtain a full account of the threats against civilians in different parts of the country, as well as to intervene with force to deter and respond to attacks against civilians.<sup>25</sup>



### BOX 1. BARGES FROM JUBA TO MALAKAL

Restrictions on the mission's movements by air and the impassability of many roads across South Sudan have made the use of barges an important means to access some remote areas in the north of the country. They enable the movement of a large amount of supplies by river that are particularly critical for the provision of humanitarian services to places such as Malakal, where approximately 47,000 civilians are seeking shelter in the UN POC site as of November 2015.<sup>26</sup>

But the slow-moving nature of barges have made them a relatively easy target for attack, as demonstrated by the use of a rocket-propelled grenade against a barge in July 2015,<sup>27</sup> as well as the recent kidnapping of peacekeepers and contractors moving supplies by barge in October 2015.<sup>28</sup>

Following the attack in July, the mission sent a letter to the government notifying it of a planned barge movement from Juba to Malakal in July and August. Despite informing the mission that it would send a letter acknowledging the movement, the government delayed doing so for weeks.<sup>29</sup> As a result, humanitarian organizations in Malakal had begun planning to scale back delivery of services if the barge did not arrive.<sup>30</sup>

Highlighting the complicated political challenges of engaging the government on access restrictions, there were differing views within the mission on whether the barge movement should proceed without the government's acknowledgement. Some felt it would be too risky with the government and opposition conducting military operations near the river, whereas others were concerned that waiting for acknowledgement might set a dangerous precedent.

Prior to the October incident, the mission had informed both parties of the planned barge movement as usual and received clearances. However, the SPLM/A-IO claimed, after it took control of the barge and kidnapped the personnel on board, that the mission had sought clearance from the wrong person within the party.<sup>31</sup>

### Protection of Civilians Sites

UNMISS's efforts to protect civilians on and near its bases have likely saved tens of thousands of lives. As of November 2015, more than 200,000 civilians were being protected at six POC sites throughout the country in Juba, Bor, Malakal, Bentiu, Melut, and Wau.<sup>32</sup> Ongoing violence against civilians saw those numbers rise in the last 18 months, with an increase of 50,000 people at the Bentiu site alone between April and August 2015 as a result of the violence in Unity state.<sup>33</sup> While numbers have varied with changing security conditions, and some civilians have voluntarily left POC sites during the course of the civil war, there is no indication at present of any intention for civilians at POC sites to leave in large numbers, and as fighting in violation of the ceasefire agreement continues, it is possible those numbers may grow again.

The POC sites create unique challenges for UNMISS. Unlike internally displaced persons (IDP) camps, these sites exist on UN grounds and facilities. (In some cases, the sites also extend beyond the original area of the UN bases, on land that has been assigned to UNMISS by the South Sudanese government for POC use.) The mission has responsibility for maintaining safety and security of and within the POC sites, with the military components providing perimeter security and police supporting the maintenance of internal security (see Box 2). It also has to coordinate closely with a range of humanitarian organizations to provide services to the civilians within the sites.<sup>34</sup> As the number of civilians in these sites has increased and the geographic territory that they occupy has in some cases expanded, this has placed increasing demands on mission personnel and resources. More secure perimeters could improve security in the sites and lessen the demands on mission personnel.

Despite the mission's considerable efforts to provide protection within and of the POC sites, civilians still remain at risk from internal and external security threats (see Box 3). Many camp perimeters are porous and lack adequate lighting, enabling people to avoid the official entry gates and enter undetected. In some instances, they bring in contraband, including weapons and alcohol, which fuels or exacerbates criminality within the sites. Options for detaining individuals that commit criminal acts in the POC sites are limited and create unique legal challenges as a result of the lack of an effective functioning legal system. In some cases, criminals may be released back into the community and then return to the POC site. And civilians that leave the POC sites to visit markets or gather firewood can be at risk of attack near the site perimeters or on nearby roads. The proximity of POC sites to UN staff and facilities also presents a significant safety and security concern for the mission. For some major troop- and police-contributing countries, this is a significant concern.<sup>35</sup>

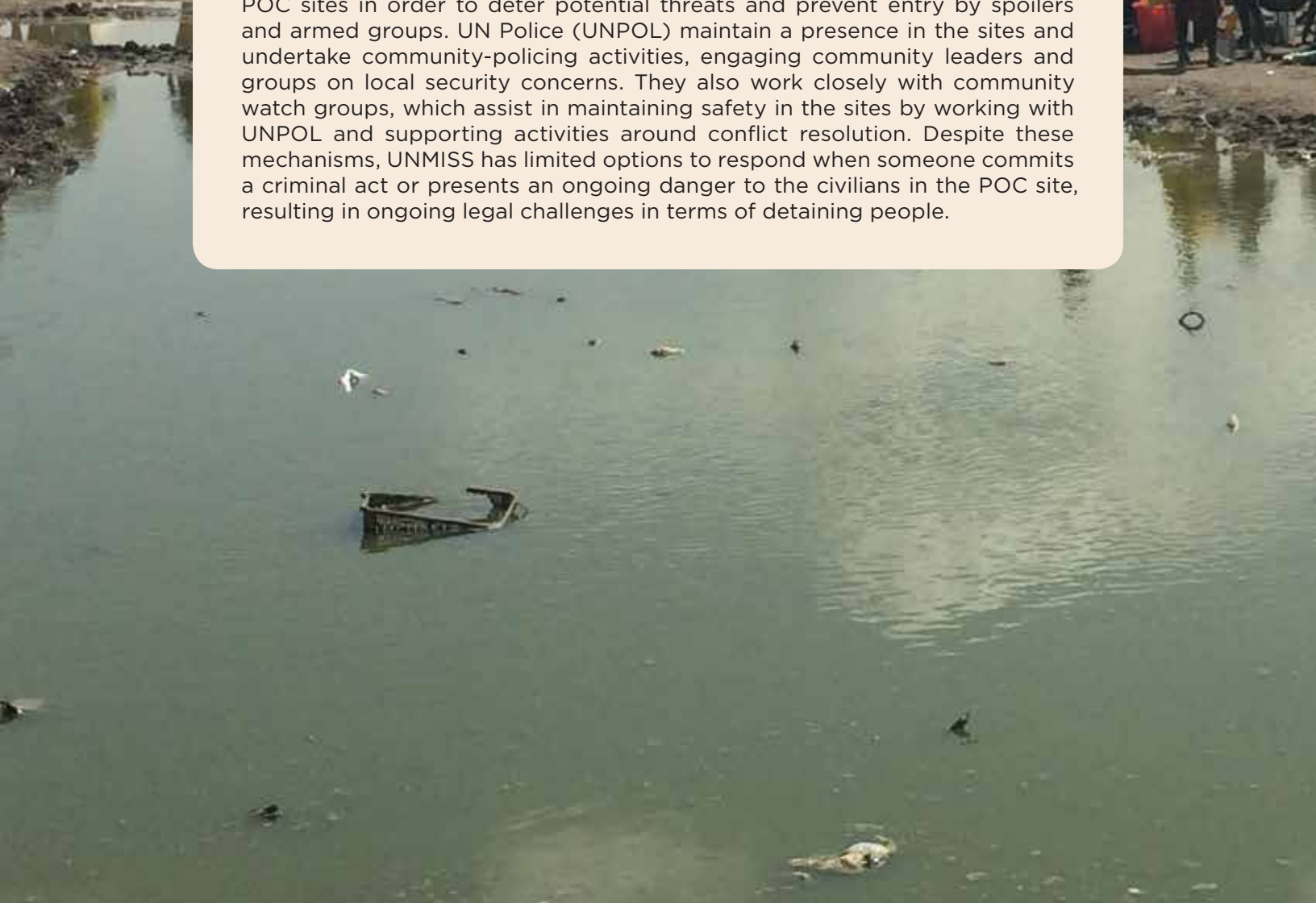
There are differing views from within and outside the mission as to whether the civilians at POC sites are primarily there to seek physical protection or access to food and essential services. There are no publicly available data surveying people's motivations for arriving at the sites. However, in many cases it is likely that the two motivations are linked, as in many instances civilians have been prevented from accessing their normal food and water sources as a result of the threats of violence and conflict. While the mission has made attempts to voluntarily relocate some of the civilians from POC sites, these initiatives have not succeeded, in part because of government interference but also because of the ongoing levels of insecurity across the country.

## BOX 2. PROTECTION OF CIVILIANS SITES

The POC sites emerged out of necessity as a mechanism to protect the thousands of civilians that were fleeing violence as a consequence of the outbreak of civil war in December 2013. As insecurity continued to prevail across the country – characterized by horrific human rights abuses and ethnically targeted atrocities against the civilian population by the SPLM, SPLM/A-IO, and other militias – the numbers of civilians seeking protection continued to grow, with more than 200,000 civilians seeking protection in August 2015.

The sites have provided security from external threats, and in that regard ensured that UNMISS was delivering on its protection mandate. However, the sites created new protection challenges for the mission, with ongoing intercommunal tensions (as many civilians remained traumatized from the ethnic violence they escaped), high levels of criminality (often exacerbated by porous borders into the POC sites), and an ever-increasing demand for basic services (a source of tension and fighting when in short supply).

UNMISS has put in place several measures to reduce threats in the POC sites and manage overall security. Military contingents patrol the borders of the POC sites in order to deter potential threats and prevent entry by spoilers and armed groups. UN Police (UNPOL) maintain a presence in the sites and undertake community-policing activities, engaging community leaders and groups on local security concerns. They also work closely with community watch groups, which assist in maintaining safety in the sites by working with UNPOL and supporting activities around conflict resolution. Despite these mechanisms, UNMISS has limited options to respond when someone commits a criminal act or presents an ongoing danger to the civilians in the POC site, resulting in ongoing legal challenges in terms of detaining people.



### BOX 3. CONFLICT-AFFECTED COMMUNITIES' PERCEPTIONS IN BENTIU AND JUBA

Stimson Center staff conducted a small number of interviews and focus group discussions with conflict-affected persons in the Bentiu POC site in June 2015 and in the Juba POC site in August 2015. Residents of these two sites shared their perceptions of security within and around the POC sites.

In Bentiu, interviewees shared serious concerns about violence originating from both inside and outside the POC site. Representatives of the community watch group and the community high committee (both informal community structures that interface between POC site residents and UNMISS) discussed rampant gang violence, and said they believed the gangs had access to weapons such as hand grenades. Several interviewees talked about fighting between residents over issues including access to water at the bore hole, frustration stemming from overcrowding, and property theft. Interviewees reported that people often felt unsafe leaving the POC site because of the risk of attacks such as beatings, sexual violence, killings, and abductions. In addition, interviewees reported incidents of government soldiers shooting through the fences, endangering even those who did not leave the site. Some interviewees reported feeling safer than in previous months because of the completion of the dirt berms surrounding the recently extended area of the POC site, and the construction of UNMISS watch towers.

Interviewees generally viewed UNMISS favorably, although some complained that UNMISS police arrived too late when there was a security incident and did not patrol regularly in the older part of the POC site, which has poor drainage and is harder to access than the new extension. Some interviewees, such as representatives of the community high committee, understood UNMISS's protection mandate well, while others did not; for example, one woman in the POC 5 section of the Bentiu POC site said that according to UNMISS's mandate, if someone is abducted by a government actor outside the gate of the POC site, UNMISS "has no right to do anything about it." In fact, UNMISS's protection mandate extends throughout the country to any civilian at risk of physical violence.

In Juba, focus group participants' perceptions of internal security within the POC site were more positive by comparison. Participants did not report any serious problems with gang violence, although they did discuss interpersonal fighting that escalated into larger or intercommunal fights. Participants generally reported that they continued to be afraid of external threats, such as shootings or sexual violence, when they left the site. Some participants complained about the flow of weapons such as knives and hand grenades into the site.

When asked what would need to change for them to feel safe to leave the POC site, participants in one focus group mentioned reduced presence of government soldiers in Juba, while participants in another group said they could not count on the signing of a peace agreement alone because they did not trust that it would be implemented. A participant in a focus group of women newly arrived from the Bentiu POC site said that, after the horrific violence committed in Unity state, she did not think that there could be real peace or unity in the country.

Focus group participants expressed generally positive attitudes toward UNMISS, except the group of recent arrivals from the Bentiu POC, who said they were not confident of UNMISS's protection and that they expected UNMISS to assist them but instead people were "left to look after themselves." Most participants continued to express fear and uncertainty about how UNMISS would react and what level of protection the mission would provide if the government directly attacked the site. Participants in one focus group again believed incorrectly that UNMISS had no mandate to protect civilians outside the POC site.



The emergence of the POC sites as a means to provide protection has also raised concerns in the mission that this has set a precedent, and that in instances of increased violence civilians will head to a UN base with the expectation that they will be let in and protected. This was a concern raised when planning was underway to establish a temporary operating base in Leer County in Unity state (which has since been revised to a more stripped-down austere operating base).<sup>36</sup> During a security incident in Yambio in August 2015, civilians approached the UNMISS base (which was not at that time sheltering any civilians) for protection but were not allowed to enter. UNMISS officials say that the decision was made in accordance with mission guidance on when and how to allow civilians onto bases, and that mission personnel monitored the threats and provided physical protection outside the base until the civilians felt safe departing.<sup>37</sup> However, many humanitarians have expressed concern about the lack of transparency with respect to UNMISS's decision-making process for allowing civilians onto bases, and have questioned whether peacekeepers were following mission guidance on this issue.<sup>38</sup>

Questions about when and how the mission chooses to allow civilians onto its bases are among the many tensions between the mission and the humanitarian community with regard to the POC sites. The two have also clashed over when and how the sites should be closed, how the sites should be funded (for example, who should pay for fencing to protect the sites' perimeters), and what minimum living standards should be upheld for the civilians who seek protection at the sites. Many humanitarians perceive that closure of the POC sites is a high priority for the mission, and some are concerned that the mission could try to move forward with plans to relocate civilians without obtaining their full consent or in a way that undermines their security. Apparent difficulties with communication between the mission and the humanitarian community – for example, over the closure of the POC 2 section of the Juba POC site in September 2015 – should be explored and rectified to address these concerns.

### Protection Beyond the POC Sites: Role of the Military Component

Protecting civilians in the POC sites is only a small part of the mission's mandate. With more than 1.6 million civilians internally displaced across the country, the mission has struggled to project force to protect millions of civilians across the country at risk of physical violence.<sup>39</sup> Many of those civilians, as well as many others who have not moved from their homes, remain subject to the threat of atrocities and ethnic violence.

In an effort to project force and protect civilians in areas where UNMISS has no existing presence, and in response to high levels of violence and reports of atrocities in Unity state, the mission has been making attempts to extend its presence in the area in an effort referred to as Operation Unity. The initiative was originally envisioned to include the deployment of integrated long-range patrols (comprising military and civilian personnel) as well as the establishment of a temporary operating base in Leer County. More recently, the mission has revised the plan to establish a more modest base that will support rotating patrols.<sup>40</sup> The plan is to retain this presence and to develop it, over time, into a temporary operating base.

Mission personnel interviewed had a range of views on the objectives of Operation Unity. These included demonstrating a more agile mission posture, recording and reporting on hu-

man rights violations, deterring violence against civilians through mission presence, intervening physically to interrupt violence and protect civilians, reducing the flow of civilians to POC sites, and facilitating the delivery of humanitarian aid. Some within the mission saw Operation Unity as a pilot initiative that, if successful, could be replicated elsewhere in the country, while others saw it as a specific response to the particularly brutal violence in Unity state. The mission originally aimed to establish the temporary operating base by September 2015, but because of obstacles to the mission's freedom of movement, including major delays in getting flight safety assurances to enable resupply, the establishment of a presence was severely delayed.

While access restrictions are one main impediment to these efforts, the mission's ability to project force is also contingent on the availability of assets. The establishment of more temporary operating bases creates demands on mission assets, in part because of the rotation and movement of troops. This was one of the concerns with Operation Unity, as additional troops would need to be moved into Bentiu to reinforce those taking part in the operation.<sup>41</sup> Air assets continue to be overstretched, particularly during the wet season when other access routes by road are impassable. There are also limits on the numbers of troops available to take part in such operations because many are required to provide perimeter security to the POC sites, particularly as they have grown in size. Progress in terms of projecting force is also difficult to measure. The Security Council receives reports of the number and type of patrols undertaken, but little or no detail is provided on what effect has been achieved by them. For example, the November 2015 report from the Secretary-General noted that "UNMISS conducted 5,666 short-duration, 214 long-duration, 52 dynamic air and 407 integrated patrols."<sup>42</sup> While there is some detail on progress being made to project force, this could be better linked to some of the tasks being undertaken. Rather than focusing on quantitative or process-focused reporting, the mission should be required to provide more detail on the outcomes achieved when patrols or other tasks are undertaken, in a qualitative manner.

Even if greater numbers of military and police were available, many may not be willing to undertake such operations. Despite UNMISS's Chapter VII mandate, many troop and police contributors continue to deploy to the mission with a "Chapter VI" mindset and without disclosing all of their national caveats.<sup>43</sup> This hampers planning efforts for operations, as there is no clear picture of which troops may be available and willing to undertake certain tasks. The mission has been keeping records of incidents and situations where troops have been underperforming, but mission leadership has very few options available to enforce performance standards.

### Protection Beyond the POC Sites: Role of the Civilian Component

UNMISS's civilian sections have attempted to protect civilians beyond the POC sites in three main ways: through political engagement with the parties to the conflict by mission leadership at state and headquarters levels; through local dialogue and reconciliation initiatives by the civil affairs section; and through human rights monitoring and reporting by the human rights division. In addition, civilian personnel support protection efforts by participating in integrated patrols, analyzing conflict information (as discussed further on page 20), and developing POC strategies and ensuring that POC is prioritized at all levels of the mission (through the work of POC advisors).

Protection through political engagement by mission leadership is very limited due to UNMISS's limited political influence with the two major parties; as one UNMISS official put it, the mission is "at the bottom of the political food chain."<sup>44</sup> Political engagement by the mission with the SPLM/A-IO has been minimal because of both geographical constraints (the SPLM/A-IO leadership is largely based in Pagak and Addis Ababa) and limited interest by the SPLM/A-IO. UNMISS's leadership has attempted to engage regularly with the South Sudanese government, including to report on and push back against access restrictions. The mission's leadership has put a particular emphasis on attempting to repair and build relationships with the South Sudanese government, which has been largely hostile toward the mission since the beginning of the civil war.

The mission's civil affairs section has engaged actively to protect civilians through local dialogue and reconciliation initiatives. Civil affairs personnel travel to different parts of the country to engage directly with local authorities, community leaders, and civil society groups to assist them to resolve political and intercommunal tensions. The civil affairs section also offers logistical support from UNMISS to facilitate dialogue and reconciliation (for example, by flying authorities to meet and resolve disputes with authorities from another state).<sup>45</sup> The section's efforts in parts of the country not experiencing active conflict related to the civil war – and in which other parts of the mission were not operating – were particularly important in helping to prevent local conflicts from escalating, being manipulated, and potentially being further drawn into the national crisis. These efforts have been undertaken in some

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cases in partnership with private contractors specializing in local conflict prevention and resolution. The partnership between the mission (which is perceived as an influential and legitimate international body to bring parties together) and the private contractors (which can provide funding to support local peace-building projects to cement agreements by disputing parties) has so far proven successful.

Finally, UNMISS's human rights division has attempted to protect civilians by monitoring and reporting on human rights abuses. The division's role in this regard has been somewhat limited, primarily because of limited access to information, but has still had important impact. For example, the flash report detailing brutal attacks against civilians in Unity state in April-May 2015, produced by the mission's human rights division in June 2015, was compiled mainly using information from people who managed to escape the fighting and move to the Bentiu POC site for protection. Despite this challenge, the report still drew significant international attention to the violence in Unity and helped to motivate the mission to begin planning Operation Unity to project force into Leer County. However, UNMISS's human rights division has put out very few of these human rights reports since the outbreak of the civil war, in large part because of the lack of access to information outside POC sites.

### Conflict Analysis

The mission's capacity to gather and analyze information about threats and vulnerabilities is severely impeded by its limited presence throughout the country because of logistical constraints, security risks, or government restrictions. In areas experiencing active conflict, the mission has found it difficult to get accurate information from local interlocutors affiliated with both sides, and instead has received information primarily from the side in control of the given area. Officials at UN Headquarters, including Under-Secretary-General for UN Peacekeeping Hervé Ladsous, have called for the mission to receive unmanned, unarmed aerial vehicles (UUAVs),<sup>46</sup> which could significantly improve the mission's ability to gather information from parts of the country that it cannot access in person. However, the South Sudanese government has so far refused to allow UUAVs. Furthermore, at present the mission does not have the technical capacity to effectively analyze information collected using UUAVs. Any future authorization of UUAVs would need to be accompanied by increased capacity for UNMISS's Joint Mission Analysis Cell (JMAC).

The mission sometimes receives information from nongovernmental organizations (NGOs) operating in parts of the country in which the mission has no presence; however, the NGOs' willingness to share information with UNMISS is limited and inconsistent. NGOs are not always confident that the mission will treat sensitive information appropriately. For example, no formal mission-wide protocols in place to protect information. Because of the serious security challenges, there may be very few or only one humanitarian organization operating in a particular area, making the source of information easy to identify, and some organizations fear retaliation against their staff for sharing information with the mission. In June, the mission had begun to recruit national staff to advise state coordinators and report to the JMAC; while these personnel have provided useful insights to aid mission analysis, the mission was not able to vet them thoroughly, and so concerns remain about how information is shared with them.<sup>47</sup>

### Peacebuilding and the Role of UNPOL

UN Security Council Resolution 2155 of May 2014 suspended UNMISS statebuilding activities to allow the mission to focus its efforts on POC, and also to avoid the perception that it was aiding a government that was committing deliberate violence against its own population, and was a party to the conflict. The resolution severely restricted the mission's engagement with the state security sector but it did authorize limited engagement in the form of operational coordination with the South Sudanese National Police Service (SSNPS) for the purpose of fostering a secure environment to facilitate the safe and voluntary return of IDPs. However, UNPOL's efforts in this regard were limited, partly because of the enormous demands on UNPOL capacity to maintain safety and security in the POC sites, and partly because the mission has had very little leverage with the SSNPS after disengagement damaged professional relationships.

UNPOL engagement with the SSNPS has so far been limited to modest support to a trust- and confidence-building initiative led by the South Sudanese Inspector-General of the Police, intended to boost security in a few key neighborhoods in Juba in which many of the IDPs in the Juba POC site had previously been living. This engagement included allocating funds from UNMISS's Quick Impact Project pool to build police watch-posts in three neighborhoods, along with visits to the watch-posts to engage with the junior level officers running them.<sup>48</sup> UNPOL has also provided limited sensitization training to the SSNPS and has informally engaged with trainees to monitor whether they are applying the training to their policing activities.

The new mandate offers an opportunity for UNPOL to re-engage more substantively with the SSNPS, but the task will likely be seriously complicated by divisions between the two major parties to the conflict as well as distrust from local communities. There has been no accountability for crimes reportedly committed by the SSNPS, particularly during the early days of the crisis in December 2013 in Juba. At the same time, the burden of maintaining safety and security within POC sites remains very high.

Restricting UNMISS's mandate in such a drastic manner affected the relationship between UNMISS and senior figures in the government and security forces. It lessened the influence of the peacekeeping mission, which had an impact in terms of political leverage, as well as the overall functioning of the relationship between the government and UNMISS (which continued to deteriorate and likely contributed to an increased range of access restrictions and SOFA violations). The reconfiguration of UNMISS's mandate in 2014 sent a clear political message on the mission's priorities to protect civilians and expressed the UN Security Council's ongoing concern and outrage at the abuses being committed by the government. However, a more nuanced approach that identified priorities and allowed for some limited engagement in capacity building may have been more helpful in efforts at building longer-term sustainable approaches to the protection of civilians.

### Revising the UNMISS Mandate: Opportunities and Challenges

The UN Security Council adopted Resolution 2241 following the signing of the peace agreement. The resolution sets out a series of steps and requests of the Secretary-General to provide information in preparation for a more comprehensive revision of the mandate by December 15,

2015. In this respect, the Council decided to apply a phased approach to authorizing a significantly reconfigured mandate for UNMISS. This decision, along with the timing of the mandate renewal, presents opportunities and challenges for UNMISS to more effectively implement its protection of civilians mandate.

#### Resolution 2241: Preparing the Ground for a Revised UNMISS Mandate

Resolution 2241 retained the focus of UNMISS on the four core tasks identified in the narrow mandate from May 2014, namely protection of civilians, monitoring and investigating human rights, creating conditions conducive to the delivery of humanitarian assistance, and supporting the implementation of verification mechanisms for the ceasefire. But it also included several new tasks, including providing support for the implementation of the peace agreement (see Box 4) as well as requesting that the Secretary-General report back on a series of issues within 45 days of the adoption of Resolution 2241 in preparation for the Council to revise the mandate more comprehensively in December. These requests included (1) conducting a review of the mandate to provide an assessment and recommendations on resource requirements (including civilians and force structure capabilities); (2) conducting an assessment of security planning in Juba, as well as an appropriate role for the UN to provide support to protect freedom of movement, in consultation with the government and troop- and police-contributing countries; and (3) assessing actions already undertaken to support the SSNPS and provide recommendations on possible further support to the SSNPS as well as the Joint Integrated Police (JIP).<sup>49</sup>

The Secretary-General subsequently reported back to the Security Council, detailing a series of recommendations to reconfigure the mandate for UNMISS to support implementation of the peace agreement, based on a recent conflict assessment and technical review.<sup>50</sup> The report details a series of tasks for inclusion in the revised mandate along six lines: political support to the implementation of the peace agreement (including use of the Secretary-General's good offices); contribution to the improvement of the security situation (supporting the Ceasefire Transitional Security Arrangement Monitoring Mechanism and JIPs); protection of civilians (with revised resourcing to support the projection of force and perimeter security of the POC sites); human rights (including strengthened capacity to implement HRDDP); creating conditions for the delivery of humanitarian assistance; and developing the rule of law and security institutions (coordinating support to police, justice, and correctional institutions, as well as programs for security sector reform and disarmament, demobilization, and reintegration). The Secretary-General recommends UNMISS should have a period of one year to implement and assess the changes.

Several of the recommendations could go some way toward addressing the issues that have been hampering UNMISS's ability to protect civilians. The report recommends an increase of 500 troops and 600 police, as well as a series of force-enablers. In combination with the proposed review of perimeter security needs at POC sites, these resources could provide the mission with some further flexibility to project force beyond the POC sites. The report also recommends a series of measures in support of capacity-building activities, including the deployment of 78 government-provided corrections officers and five government-provided justice personnel, as well as sequenced support to security sector reform (SSR) and disarmament, demobilization,

#### BOX 4. AGREEMENT ON THE RESOLUTION OF THE CONFLICT IN THE REPUBLIC OF SOUTH SUDAN

The peace agreement signed in August 2015 sets out a series of terms and conditions intended to end the civil war in South Sudan.<sup>53</sup> This includes mechanisms and reforms such as the establishment and role of a transitional government (including the process for preparing for national elections); arrangements for a permanent ceasefire and transitional security arrangements; humanitarian assistance and reconstruction; resource economic and financial management; and transitional justice, accountability, reconciliation, and healing.

Resolution 2241 mandates UNMISS to assist with the implementation of the agreement in several areas, including: supporting the establishment of transitional security arrangements and a Joint Operations Centre; supporting the work on constitutional reform; assisting the parties to develop a strategy to address SSR and DDR; participating in, supporting, and providing security for the work of the Ceasefire Transitional Security Arrangement Monitoring Mechanism (CTSAMM); monitoring and reporting on the withdrawal of security actors; and participating in the work of the Joint Monitoring and Evaluation Commission (JMEC). The CTSAMM is a successor to the Intergovernmental Authority on Development (IGAD) Monitoring and Verification Mechanism (MVM) and is overseen by the JMEC, which has been set up to oversee the implementation of the peace agreement. Whereas UNMISS was mandated to support the MVM logistically (for example, by providing flights and accommodation), its mandate with respect to the CTSAMM involves a more substantive membership role.

The resolution also requests that the Secretary-General make available technical assistance for implementing provisions of the agreement on transitional justice, accountability, reconciliation, and healing, and report back on the assistance provided within six months of the adoption of the resolution. This includes a request to provide technical assistance to the new hybrid court for South Sudan. The hybrid court will be established by the African Union Commission in order to investigate and prosecute individuals violating international or South Sudanese law from December 15, 2013, until the end of the transition period.



and reintegration (DDR) activities. These would address some of the challenges that have hampered the ability of the mission to plan for and build more sustainable protection mechanisms.

If these recommendations are adopted by the Security Council, they have the potential to improve UNMISS's ability to protect civilians. However, they also need to be carefully considered in the context of the planning assumptions on which they are based, including the commitment of the parties to the peace agreement and the willingness of donors and other international stakeholders to provide the additional support needed.<sup>51</sup> The Secretary-General also noted separately that it is "extremely difficult" to assess the strengths of institutions in Juba to respond to security threats, thereby also making it difficult to determine the most appropriate role for the mission and creating further challenges for UNMISS going forward.<sup>52</sup>

### Opportunities

The upcoming renewal of UNMISS's mandate provides an opportunity to address some of the problems that have hampered the mission's ability to protect civilians since the outbreak of civil war in December 2013. First, the peace agreement has created time and space for stakeholders to engage on a revised mandate. This is supported by the phased mandating approach adopted in Resolution 2241, which provides time for further analysis to be undertaken by the Secretary-General (effectively the Secretariat) on a range of requested issues that will affect the effectiveness of any mandate, including resourcing and the security situation. For example, the resolution made a specific request of the Secretary-General to consult with the Government of South Sudan, as well as troop- and police-contributing countries, in assessing the future role of UNMISS in providing security, and the Secretary-General has subsequently reported back on these assessments. The Security Council has the benefit of time to draw on advice and apply assessments to its revision of the mandate.

Second, discussions over the new mandate for UNMISS are taking place at a time of substantive peacekeeping reform, with efforts underway to improve UN peacekeeping through the HIPPO review. The Security Council has an opportunity to draw on and utilize some of the recommendations proposed as part of those reforms, particularly when it comes to the process and content of the new mandate for UNMISS. It has already decided to undertake a phased approach to reconfiguring the UNMISS mandate in Resolution 2241. Other reforms that could be considered as part of the new mandate include the application of mandate sequencing, generating a broader range of capabilities, and engaging in a real dialogue with troop- and police-contributing countries on the mandate.

Third, the recent Leaders' Summit on UN Peacekeeping has provided scope to select from a range of countries that made pledges, some specifically on South Sudan. So even though the authorized ceiling has not been reached to date, there are public commitments that the UN Secretariat can draw on to build up resources in the mission. These reinforcements will be particularly important as the mission attempts to project more force beyond the POC sites. If the commitments are upheld, this may result in surplus contributions, which will allow the UN to be more selective in the troop- and police-contributing countries it selects for the mission. But this will require the Council and the UN Secretariat to engage substantively with TCCs/PCCs



on planning and preparations for changes in the mission. Forums such as the UN Security Council Working Group on Peacekeeping Operations could assist in facilitating these discussions beyond the routine engagement with TCCs/PCCs just prior to mandate changes. Furthermore, an informal mechanism such as a “Group of Friends on South Sudan” may provide for more sustained engagement on mandate development with a broader range of stakeholders.

Finally, there has been increased attention among the international community and regional actors on the events taking place in South Sudan given the momentum around the peace agreement and as a consequence of engagement on the Addis talks. Several stakeholders have invested significant time and political capital in an attempt to reach a political solution to the conflict. The political support of these actors, and their unified voice on peace agreement implementation issues, will be critical to the effectiveness of the work of UNMISS following the adoption of the new mandate.

### Challenges

Despite the opportunities that many of these recent events present, there remain significant challenges to the implementation of the peace agreement, as well as aspects of the existing mandate that are likely to be retained. Furthermore, many of the planning assumptions that have underpinned the recommendations of the Secretary-General’s report to the Security Council are likely to be tested.

First, there is a lack of unity among Council members on some of the aspects of the existing UNMISS mandate. Resolution 2241 was not adopted by consensus, with Russia and Venezuela abstaining on the resolution. This is quite unusual on peacekeeping mandates, reflecting significant differences among members on the overall approach to engaging politically with the government and the role of regional organizations, including the African Union. Russia and Venezuela expressed reservations about the ongoing threat of sanctions to the leadership, the use of UAVs despite the opposition expressed by the government of South Sudan,<sup>54</sup> and the engagement by the Council on the establishment of the hybrid court, which they viewed as an issue for the African Union. Consensus among Security Council members is critical, as the Council can have influence over the parties and should be using its united strength to exert political pressure on the parties.

Second, the new mandate won’t address the underlying political issues that will require attention and sustained engagement among stakeholders. This is particularly important when it comes to issues such as access restrictions, but also in terms of ensuring there is accountability. For example, UNMISS’s ability to implement the Human Rights Due Diligence Policy (HRDDP), which is intended to prevent the UN from supporting members of the security sector that are likely to commit grave human rights violations, is very weak. If the mission is to re-engage more substantively with the state security sector in the future, it will need to begin now to actively populate its HRDDP database, collecting as much information as possible about individuals and units that have been implicated in abuses, particularly those committed during the civil war.

Third, there are different expectations among the many parties and stakeholders on the future direction of the UN’s engagement in South Sudan, including the two major parties to the conflict, the region, and the international community. This creates a substantial risk of a mismatch in objectives and the allocation of resources. For example, it is still unclear what vision the parties have for restoring safety and security to Juba and to the rest of the country, and for newly developed mechanisms like the JIP. At present, the government appears to envision the JIP as a way to reinforce the existing confidence and trust-building initiative to increase security in neighborhoods in Juba from which many of the IDPs in the Juba POC site originate. The SPLM/A-IO seems to view the JIP more ambitiously as a police force to maintain security across Juba, and has demanded an equal composition of police from the different parties at all levels of the JIP.<sup>55</sup> The JIP and other security arrangements in Juba and around the country will have to be approached very carefully to maximize effective security provision and minimize risks of fragmentation of the security sector. As the parties try to reach an agreement about these arrangements, there is a strong risk that they will expect UNPOL to play an active role – well beyond what UNPOL can realistically achieve – in designing and assisting the JIP. Expectations will need to be clearly shared among the parties and managed through ongoing communication.

Fourth, the new mandate has the scope to address some of the challenges when it comes to the resourcing and capabilities available to the mission; however, it won’t address the lack of willingness and underperformance by troop and police contributors. While the UN Secretariat may undertake to identify whether countries have any caveats on their engagement ahead of deployment, in

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practice many of these “hidden” caveats are not communicated until troops are on the ground. In order to address these concerns, the mission should continue with efforts to identify instances of underperformance, communicate these to the Council, and consider options to respond (possibly with repatriation of units). With several commitments as a result of the Leaders’ Summit on UN Peacekeeping, the UN Secretariat may have scope to be more selective with troop-contributing countries. However, this will remain a politically sensitive issue.

Fifth, many of the early peacebuilding tasks that may be authorized will not be supported through the assessed funds of the peacekeeping mission and will require coordination of funding among donors and stakeholders. The Secretary-General’s report acknowledges that UNMISS won’t be able “to deliver all of the support necessary to ensure the success of the peace process.”<sup>56</sup> Donor support will be critical when it comes to justice and reconciliation, as well as DDR and SSR efforts in the country. An external advisory body could assist in developing an integrated strategic vision for SSR and DDR, engaging with the government and coordinating funding among stakeholders. Unless these approaches are adequately funded and have a coordinated and sustainable approach, they will fail in meeting their objectives to support security and capacity-building efforts, as well as longer-term protection of civilians in the country.

Finally, many of the assumptions underpinning the recommendations in the Secretary-General’s report will be tested over the next 12 months. Even if the major parties have agreed to the ceasefire, there is no clear indication that they have command and control over all of their forces. Furthermore, militia groups will continue to act as spoilers, as demonstrated by ongoing ceasefire violations.

### Going Forward: Improving the Protection of Civilians

The outbreak of civil war has limited the ability of UNMISS to carry out its mission mandate and protect the civilian population. The peace agreement and upcoming mandate renewal provide an opportunity to focus on some key reforms to address these challenges, with the aim of supporting short- and long-term efforts to protect the civilian population. It also provides an opportunity to draw on many of the reforms recommended in the HIPPO report as part of the process. These include focusing on the primacy of politics (which has implications for the work of the Security Council, the diplomatic community, and regional organizations); improving Council processes by adopting a more responsive approach to mandating through sequencing, analysis and planning, and the use of threat assessments and conflict analysis; ensuring the mission has sufficient resources and capabilities (which requires frank advice from the UN Secretariat regarding needs, key enablers, and willing TCCs/PCCs); and building institutions and relationships with the security sector and civil society (early peacebuilding tasks).

The new post-peace agreement context offers some important opportunities to encourage political dialogue and reconciliation, and to improve the protection of civilians in South Sudan, particularly those not staying in POC sites. But the situation remains volatile and unpredictable, and despite a proliferation of new bodies and initiatives laid out in the peace agreement, such as the CTSAMM, the JMEC, the JIP, and the hybrid court, it remains unclear to what extent these ideas will be implemented and what the political landscape in South Sudan will look like over the coming year.

For now, what is clear is that the majority of the challenges that UNMISS faced prior to the signing of the peace agreement persist. The POC sites remain a huge responsibility to maintain. Threats against civilians in parts of the country are likely to persist – if not from the two main parties, then from the many militias and splinter factions that remain mobilized – and the logistical and political obstacles that UNMISS has faced in projecting force thus far will likely continue to impede its ability to protect civilians in more remote parts of the country. The challenges of engaging with the security sector that UNMISS experienced before the civil war broke out are even greater now, with deeper political and tribal divisions, a lack of accountability for crimes committed during the war, and serious mistrust within the South Sudanese population toward security forces.

With all these challenges, it will be critical for the Security Council to avoid adding too many additional tasks to UNMISS's mandate too soon. The recommendations offered at the beginning of this report suggest a way forward for the mission to tackle some additional tasks to reflect the new political environment (such as actively collecting information about members of the security sector who have committed serious human rights violations) while avoiding others (for example, creating an external advisory body to develop an integrated vision for DDR and SSR, instead of assigning this to the mission). By focusing on resolving the most pressing protection threats it faces now, and gradually taking on other responsibilities as political and security conditions change, UNMISS can avoid losing the gains it has made in protecting civilians through the last two years of civil war.

## Methodology and Acknowledgements

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This report draws on field interviews conducted by Alison Giffen and Aditi Gorur in Juba and Bentiu, South Sudan, in June 2015, and by the authors in Juba in August 2015, with UNMISS personnel, humanitarian actors, and other stakeholders. These interviews were supplemented by follow-up conversations conducted with UNMISS personnel in November and December 2015. It also draws on focus groups and interviews conducted by Alison Giffen and Aditi Gorur with displaced persons in the protection of civilians site in Bentiu in June 2015 and by the authors with displaced persons in Juba in August 2015. The authors are grateful to the focus group respondents and the interviewees who shared their time and experiences, to the international NGO staff who helped to identify focus group participants and translate their responses, and to the reviewers of the report for their suggestions.

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# REVISING THE UN PEACEKEEPING MANDATE IN SOUTH SUDAN

Maintaining Focus on the Protection of Civilians

Civil war has raged in South Sudan for two years. Horrific atrocities continue to be committed against the civilian population by both primary parties to the conflict as the United Nations mission in South Sudan (UNMISS) has struggled to protect civilians within and beyond its protection of civilians (POC) sites. This report by the Stimson Center and the Australian Strategic Policy Institute examines the challenges UNMISS has faced in its efforts to protect civilians from physical violence despite the priority and focus of the revised mandate that was adopted following the outbreak of civil war in December 2013.

This report offers recommendations for stakeholders to consider as part of the upcoming mandate review that will take place in December 2015, as well as lessons for future reviews.



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