



Council of the
European Union

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OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
On:	16 April 2018
To:	Delegations
Subject:	South Sudan
	- Council conclusions (16 April 2018)

Delegations will find in the annex the Council conclusions on South Sudan, as adopted by the Council at 3613rd meeting held on 16 April 2018.

Council Conclusions on South Sudan

1. 2018 is a critical year for securing peace in South Sudan as the term of the Transitional Government of National Unity (TGoNU), as set out in the Agreement on the Resolution of the Conflict in South Sudan (ARCSS), comes to an end. The EU strongly supports efforts of the Intergovernmental Authority on Development (IGAD) to address the situation and bring peace to South Sudan through the High Level Revitalisation Forum (HLRF). All stakeholders should be able to participate freely and without fear in the HLRF. The EU welcomes the prominent role played by civil society, youth, women and faith-based organisations during the first two phases of the Forum. Political space for their participation, as well as for vulnerable groups, must be ensured.

While ARCSS remains the basis for the process, the discussions must reflect the reality on the ground. The EU remains deeply concerned at the continued fighting and grave violations and abuses of human rights that have inflicted horrific levels of human suffering and left the country in ruins. The EU urges all parties to the negotiations to put the future of the country and the needs of its people first.

2. The EU urges all parties to the conflict in South Sudan to immediately cease fighting and participate in the peace process in good faith. During the HLRF, all parties must show real increased commitment and be serious about agreeing on: viable, revised responsibility-sharing; accountable, realistic governance structures reflecting the political, regional and ethnic diversity of the country; a clear transitional period; and monitored, durable and effective security sector arrangements that cannot be used to pursue the interests of any single individual group. This is a premise to lay the ground for sustainable and lasting peace and stability in South Sudan.

3. The EU welcomes the signature of the Cessation of Hostilities, Protection of Civilians and Humanitarian Access Agreement (CoHA) on 21 December 2017. However, the EU is deeply appalled by the continued violations of the agreement by all sides. All parties must immediately end military and other violations of the agreement, including the obstruction of humanitarian operations, hostile propaganda, and the harassment of civil society, the media and the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM). The EU commends the work done by CTSAMM to date in reporting on CoHA violations in difficult circumstances. It is crucial that the parties unconditionally disclose information pertaining to their military units so that the African Union (AU) may take action against those responsible. The EU calls on all parties to support the verification process, including through facilitating access for CTSAMM.
4. The EU strongly welcomes the important role played by the AU, and the relentless efforts by the United Nations (UN) and its Mission in South Sudan (UNMISS) to protect civilians and support the peace process. The EU reiterates its calls that UNMISS, including the Regional Protection Force (RPF), must be allowed to deliver on their mandates as per UNSCR 2406 (2018). It stresses the need for a united approach by all countries of the region.

5. The EU remains gravely concerned about the persistent catastrophic humanitarian situation that is caused mainly by the ongoing conflict. Seven million people – two thirds of the population – are in urgent need of humanitarian assistance as a result of more than four years of conflict, with children being particularly affected. More than four million people are displaced, including over two million who have fled to neighbouring countries. Humanitarian organisations continue to face security threats and other forms of obstruction, including bureaucratic impediments. Parties to the conflict continue to divert resources, including through exorbitant work permit fees and arbitrary taxes. The EU condemns all attacks on humanitarian personnel and urges all parties to the conflict to grant free, safe and unhindered access to all areas, in accordance with international humanitarian law. The EU also calls for strong collective actions by all donors, UN agencies and NGOs to respond in a more systematic and resolute manner. The EU calls on all parties to comply with international humanitarian law, to protect civilians and to facilitate medical care. More than ever, consistent and safe access for sustained humanitarian assistance is crucial to prevent a recurrence of famine in 2018.

6. The EU condemns in the strongest terms attacks against civilians, including but not limited to those reported by the Commission on Human Rights in South Sudan (CHRSS). Grave human rights violations and abuses, some of which may amount to war crimes, including ethnically targeted violence, rape and other forms of sexual and gender-based violence, recruitment and use of children during conflict, enforced disappearances and incommunicado detention, arbitrary arrest and detention, as well as torture are regularly documented and reported. The space for human rights defenders and journalists to work freely continues to shrink across the country. The culture of impunity must not be allowed to continue; the EU emphasises the urgent need to end it and reiterates its calls on all parties to hold perpetrators to account and to ensure effective remedies for victims. The EU strongly supports the implementation of transitional justice institutions in South Sudan and urges the TGoNU to make progress on the mechanisms provided for in ARCSS Chapter V, and in particular to sign without further delay the Memorandum of Understanding on the establishment of a Hybrid Court for South Sudan. The EU will support the effective operation of the mechanism in the future.
7. The EU strongly condemns the high levels of corruption and illicit financial flows that fuel the conflict. It calls for greater financial accountability, adherence to international financial standards and responsible engagement with the regional and international financial sectors and encourages South Sudan to join the Eastern and Southern African Anti-Money Laundering Group. This is crucial in order to initiate the process of restoring the confidence of the people and international partners in the management of public funds in South Sudan. The EU is deeply concerned by continuing arms imports and allegations of regional complicity. The EU will continue applying its autonomous arms embargo and reiterates the call for a UN arms embargo. The EU commends the decision of the 61st Council of Ministers of IGAD on 26 March 2018 to take targeted sanctions against individual violators of the CoHA, and encourages the AU to implement this decision. The EU remains ready to apply all appropriate measures to those obstructing the political process.

8. Once an agreement is reached at the HLRF and a new transition starts, the new government of South Sudan will have to take on critical challenges. First and foremost, a permanent ceasefire must be achieved. Security of the population and improved humanitarian conditions must be ensured to foster a safe environment for the eventual voluntary return of refugees and internally displaced persons. The constitutional review process should be completed in an inclusive manner, ensuring an open political and civic space. Accountability, reconciliation and truth-telling processes should be prepared, as they are essential elements of providing justice for the population. These will lay the ground for the transitional authorities to prepare for inclusive and credible elections to a revised timeline.

In the light of the above, the EU would be ready to consider the best way to support South Sudan on its path towards peace and stabilisation.
