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To: Delegations

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Subject: South Sudan
- Council Conclusions (12 December 2016)

Delegations will find in the annex the Council conclusions on South Sudan, as adopted by the Council at its 3510th meeting held on 12 December 2016.

Council conclusions on South Sudan

1. The EU is profoundly disturbed by developments in South Sudan. The UN Secretary General has warned that South Sudan stands on the edge of the abyss and that catastrophe may be imminent. The UN Special Adviser on the Prevention of Genocide has warned of escalating violence along ethnic lines and the potential for genocide. As all sides are planning for further military campaigns with the onset of the dry season, time to find a solution is running out. There is now a last chance for political and military leaders to avoid the resumption of war, to spare their people further suffering and to find a just and inclusive political settlement of their differences. The EU calls on all parties to lay down their arms and to take decisive steps to end violence.
2. Fighting between the Sudan People's Liberation Army, the Sudan People's Liberation Army in Opposition and armed groups is increasing in scope and intensity; South Sudan is at risk of complete fragmentation. Atrocious acts of violence, often with an ethnic motivation, are being committed in many parts of the country; killing and maiming of civilians, starvation, rape and other forms of sexual violence, recruitment and use of child soldiers and attacks on schools, on hospitals and on humanitarian workers are taking place. Sexual and gender-based violence are repeatedly being used as a weapon of war. Inflammatory rhetoric, on the part of both government and opposition, is whipping up ethnic animosities. The Transitional Government of National Unity is severely restricting fundamental freedoms and applying relentless pressure on civil society and on the media. The EU calls upon the Transitional Government to uphold its responsibility for the protection of civilians and on all parties to comply strictly with their obligations under international law and to put an end to violations of human rights and of international humanitarian law in South Sudan.

3. The humanitarian situation has never been as bad since the country gained independence five years ago. It is estimated that some six million people are in need of humanitarian assistance. Almost one and a half million refugees have sought protection in neighbouring countries, and thousands continue to do so each day, dramatically increasing pressure on resources and living conditions in host countries. Almost two million persons are internally displaced, often subsisting in appalling conditions or in UN Protection of Civilians sites, which remain extremely vulnerable to attack; the UN Mission in South Sudan (UNMISS) must be allowed to exercise its mandate concerning the Protection of Civilians sites without hindrance. Access restrictions and violence continue to obstruct humanitarian operations. Since the start of the conflict in December 2013, sixty-seven humanitarian workers have been killed; increasing restrictions on humanitarian access are of great concern. Almost five million persons are food insecure. Famine is looming unless humanitarian aid is provided to the people in need. The humanitarian crisis is further exacerbated by the disastrous economic situation in South Sudan. The EU urges all parties to allow and facilitate the full, safe and unhindered provision of humanitarian assistance to all those in need, in accordance with international humanitarian law. This is essential in order to save lives. The EU has provided substantial humanitarian aid to South Sudan and to neighbouring countries which are generously receiving those fleeing violence; the EU will continue to do so.

4. There can be no military solution to the divisions of South Sudan. The EU calls on all parties to observe the ceasefire in full and to repudiate any speech inciting ethnic hatred. UNMISS must be allowed to exercise its mandate in full and without hindrance. The Regional Protection Force must be established and deployed rapidly, as mandated in UNSC Resolution 2304 (2016). All parties must be brought into an inclusive political process, based on the 2015 Agreement on the Resolution of the Conflict. The Transitional Government of National Unity must implement, in full and immediately, the commitments made in the Joint Communiqué issued with the UN Security Council on 4 September 2016.

5. The EU urges all South Sudanese parties to work urgently and constructively with the United Nations, the Inter-Governmental Authority on Development (IGAD) and its international partners (IGAD Plus), the African Union, and the Joint Monitoring and Evaluation Commission, to address the crisis. The EU will continue to enforce its own arms embargo and urges the United Nations Security Council to impose a UN arms embargo. The countries of the region and the international community should make every possible effort in this regard. The EU reiterates that it remains ready to impose further autonomous restrictive measures against any individual who obstructs the peace process and its implementing institutions, who impedes UNMISS in the performance of its mandate, who prevents actors from exercising their humanitarian duties, who incites ethnic hatred or who orders or commits atrocities against civilians. The EU calls on the African Union to move forward as quickly as possible with the implementation of the justice and accountability measures provided for in the 2015 Agreement on the Resolution of the Conflict, in particular the establishment of the Hybrid Court for South Sudan, and underlines that it will support efforts to ensure that any individual who orders or commits criminal acts of violence in breach of international or relevant South Sudanese law is held accountable before a court.
