

Terms of Reference

South Sudan Strategic Assessment

Background:

1. In July 2016, the South Sudan implementation of the Agreement on the Resolution of the Conflict in South Sudan, signed in August 2015, suffered a major setback with the outbreak of heavy fighting in Juba between the Sudan People's Liberation Army (SPLA) and SPLA-in Opposition (SPLA-IO). The hostilities resulted in a dramatic deterioration of the security, humanitarian and human rights situation in Juba, with hundreds killed and wounded, widespread sexual violence, including rape and gang rape, thousands of civilians displaced, attacks on media and aid workers, and the killing of two United Nations peacekeepers. In the aftermath of the violence, First Vice President Riek Machar fled the capital city and ultimately the country, and President Kiir appointed Taban Deng Gai, former SPLM/A-IO Chief negotiator and Minister of Mining, as the new First Vice President.

2. In an attempt to address the security situation in Juba and facilitate a return to the implementation of the peace agreement, on 12 August 2016, the Security Council adopted Security Council Resolution 2304, which extended the mandate of the United Nations Mission in South Sudan (UNMISS) until 15 December 2016, and authorized an increase in the force ceiling from 13,000 to 17,000 troops, including 4,000 for a robust Regional Protection Force (RPF) to be deployed in Juba. Resolution 2304 was built upon the IGAD Plus Heads of State 18 July 2016 communique, which called for the deployment of a regional protection force, the AU Assembly 18 July 2016 communique, and the 5 August 2016 Communique of the Second IGAD Plus Extra-Ordinary Summit. Resolution 2304 mandated the RPF to perform the following tasks:

Facilitate the conditions for safe and free movement into, out of, and around Juba, including through the means of ingress and egress from the city and major lines of communication and transport within Juba.

Protect the airport to ensure the airport remains operational, and protect key facilities in Juba essential to the well-being of the people of Juba, as identified by the Special Representative of the Secretary-General.

Promptly and effectively engage any actor that is credibly found to be preparing attacks, or engages in attacks, against United Nations Protection of Civilians sites, other United Nations premises, United Nations personnel, international and national humanitarian actors, or civilians.

3. Operative paragraph 6 of Resolution 2304 requested that the Secretary-General take steps to enhance the safety and security of UN personnel and in operative paragraph 18 further requested the Secretary-General to provide recommendations to that end within 90 days. The same paragraph asked that recommendations be presented to the Council to adapt UNMISS to the situation on the ground and to increase efficiency of the implementation of its mandate, also within 90 days.

Objective:

4. The overall objective of the Strategic Assessment is to develop a shared understanding of the situation and core priorities to achieve peace, and to propose options for UN engagement on the basis of an assessment of risks and opportunities. These will in turn provide the Secretary-General with recommendations to advise the Security Council on the future engagement of UNMISS in South Sudan following the outbreak of violence in Juba in July 2016 and the subsequent changes in the operating environment, as requested in Op18 of res.2304. This will include identifying requirements for the Mission to deliver against its mandate in the new operating environment and support peace efforts, an analysis of the implications of the establishment of the Regional Protection Force, as well as measures required to enhance safety and security of UN staff.

5. The recommendations from the assessment will take into account the current political, security and humanitarian situation on the ground, including the rule of law, human rights, protection of civilians, gender and child protection issues, as well as conflict dynamics in South Sudan. They will also be informed by recommendations of assessments undertaken since the strategic review in October 2015, including; the recommendations of the Malakal Board of Inquiry; the findings of the independent Special Investigation on the violence committed in Juba between 8-25 July, led by Patrick Cammaert; and the ongoing planning for the Regional Protection Force.

6. The Strategic Assessment and recommendations will take account of the interim cooperation framework to support the TGoNU recently launched by the integrated United Nations presence on the ground, as well as the views of other international stakeholders (IGAD plus, AU, donors).

Methodology:

7. The strategic review of UNMISS will be undertaken by the South Sudan ITF, under the leadership of DPKO, and in close collaboration with UNMISS as well as the UNCT. It will be conducted in consultation with key stakeholders at the national level, IGAD, the AU, and the signatories of the ARCSS. The methodology will follow the Integrated Assessment Planning Policy (IAP), with due consideration of the planning-related findings of the High-Level Independent Panel on Peace Operations. As the lead department, DPKO will be responsible for drafting and finalising the review report, in coordination with UNMISS, the UNCT and the South Sudan ITF.

8. The review would be conducted in the following phases:

Phase I: Updated conflict analysis and identification, development of vision and strategic priorities (29 August – 23 September)

The strategic assessment will commence with an updated conflict analysis led by DPKO, and undertaken jointly with UNMISS, the UNCT and ITF in UNHQ. The analysis will look at the key political, security, rule of law, social, economic, humanitarian, gender and regional dimensions of the conflict, including human rights considerations, threats to civilians, and identify the key actors and linkages to the conflict. The analysis will also identify and take into consideration the challenges and risks associated with the implementation of the peace agreement, as well as lessons learned from previous UN interventions.

Based on the updated conflict analysis, the process will develop a common UN vision, priorities and responsibilities in support of peace efforts, including priority objectives for UNMISS for further consultation with, UNMISS, the UNCT in South Sudan and the South Sudan ITF. The assessment will include analysis of areas of concentration for UNMISS vis-à-vis other partners such as IGAD, African Union, bilateral and other partners. These consultations will ensure that the priority objectives for UNMISS are consistent and coherent with the overall integrated United Nations presence on ground, and reflect key human rights and physical protection threats, including those specific to women and children. The agreed priority objectives for UNMISS will then be validated by the principal's level ITF.

In summary, the conflict analysis should generate the following outputs:

- Updated analysis of the conflict dynamics in South Sudan
- Identification of key priorities for peace in South Sudan
- Articulation of assumptions and risks regarding the likely trajectory of the situation in South Sudan over the next 24 months, and definition of the most likely and worst case scenarios
- Definition of strategic priorities for the UN, including UNMISS, support to peace efforts in South Sudan for the next 24 months, recognising that these will be subject to periodic review depending on political and security developments on the ground
- Identify the existing and protected UNMISS Force capacity and capability to undertake mandated and implied tasks
- Broad outline of proposed UNMISS responses to meet the priority objectives

Phase II: Field Visit (26 September - 7 October)

A field visit mission led by the Assistant Secretary-General of the DPKO Office of Operations, with representatives from DPKO (OO, OROLSI, DPET, OMA), DFS, DSS and a core group from the South Sudan ITF, at a minimum including one development and one humanitarian representative, will deploy to South Sudan to work with UNMISS and the UNCT to validate the outputs of Phase I and formulate options on how to achieve the UNMISS priority objectives that emerge therefrom. The field visit team will consult a cross-section of stakeholders, including but not limited to (signatories, eminent persons, faith based groups, traditional elders, women's groups, opposition party leaders, private sector associations, local civil society organisations as well as IDP communities, regional partners, humanitarian actors and donors). This team would identify key elements/tasks for the UN, and those specific to UNMISS to support the South Sudan peace process, building on the UNMISS current mandate, the lessons learned during 2016 (Malakal and Terrain), and the ongoing RPF planning exercise and impending workshop on transitional security arrangements, which is scheduled to take place in Juba in September. The review will also seek to determine potential ways in which UNMISS will work with other partners to achieve these objectives. Following the UNMISS portion of the field visit, the ASG/DPKO and a small team will continue to Addis Ababa to discuss the initial findings of the Strategic Assessment with AU and IGAD interlocutors.

The field visit will also determine the additional resources (staffing, logistics, and other requirements including programmatic resources) necessary to achieve the agreed priority objectives and to strengthen staff safety and security. Initial findings from this visit will be consolidated in internal report at this stage.

The field visit will:

- Identify the key elements/tasks for a new UNMISS mandate, building on existing priorities and those identified in the strategic assessment process, and taking into consideration the comparative advantage of the United Nations presence on the ground as well as identify areas for partnerships and joint programming etc., vis-à-vis support to the implementation of the peace agreement and advancing peace in the country, more generally.
- Determine resources (staffing, logistics and other requirements including programmatic resources) necessary for UNMISS to achieve the agreed strategic objectives, including by defining the parameters of the new mission concept as well as the military, police and support concepts of operations (through the Global Focal Point arrangement.)
- Develop recommendations to ensure coordination and coherence between different components of the Mission (military, police, support and civilian components) and the wider UN presence on the ground (the Mission and UNCT).
- Identify the threats and risks to UN personnel, as well as for broader humanitarian activities, associated with supporting the implementation of the proposed elements/tasks of a new UNMISS mandate, including the establishment of the Regional Protection Force, and propose the mitigating measures for the identified threats and risks.

Phase III: Finalization of report and recommendations, including consultations (10 – 28 October)

The field visit team would then prepare a special report of the Secretary-General capturing the conduct, findings and recommendations of the review which will have been consulted extensively with relevant stakeholders. Consultations will be held with the South Sudan ITF to debrief and discuss the findings and recommendations of the report, followed by endorsement at a Directors' level ITF. If agreement cannot be reached at Director level, a Principals' level ITF will be convened to discuss. The consultations with the South Sudan ITF will also serve as an opportunity for the ITF to discuss a possible Secretary-General's Directive to the SRSG, RC and HC, which can inform a subsequent development of an Integrated Strategic Framework on the ground. Thereafter, DPKO and UNMISS will conduct internal and external consultation to secure endorsement and buy-in for the recommended course of action.

Phase IV: Secretary-General's report and Security Council consultations (November 2016)

The finalised report, its findings and recommendations, will be presented as a special report to the Security Council on South Sudan in November 2016.

Leadership and Participation:

The Strategic Assessment is a joint product of the South Sudan ITF, which is chaired by DPKO. All relevant UN Headquarters departments and agencies will participate in the strategic review process through the South Sudan ITF. The South Sudan ITF will provide overall guidance to the process and will be consulted during the definition of priority objectives for the UN, including UNMISS, and the finalization of the review report and recommendations. A Director-level ITF would be called to endorse the recommendations of the review. DPKO and UNMISS will ensure proper consultation with the relevant stakeholders in South Sudan, including close coordination and consultation with the UNCT as well as national and local stakeholders.

Headquarters participation for the mission is requested from:

- DPKO (OO, OROLSI, DPET, OMA)
- DFS
- DSS
- Core group from the South Sudan ITF: OHCHR, DPA, one representative each of development and humanitarian organizations.

UNMISS and the UNCT will select their representatives

Travel:

The cost of travel and other associated costs will be covered by each participating entity