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PEACE AND SECURITY COUNCIL 416th MEETING AT THE LEVEL OF HEADS OF STATE AND GOVERNMENT

ADDIS ABABA, ETHIOPIA 29 JANUARY 2014

PSC/AHG/COMM/1.(CDXVI)

COMMUNIQUE

The Peace and Security Council of the African Union (AU), at its 416th meeting held at the level of Heads of State and Government, on 29 January 2014, adopted the following decision on the situation in the Republic of South Sudan:

Council,

1. **Takes note** of the report of the Chairperson of the Commission on the situation in the Republic of South Sudan [PSC/AHG/3(CDXVI)], as well as of the statements made by the current Chairperson of the Intergovernmental Authority on Development (IGAD) and the representative of the Republic of South Sudan;
2. **Recalls** its earlier communiqués and press statements on the situation in South Sudan, notably communiqué PSC/AHG/COMM.1(CDXI) adopted at its 411th meeting held in Banjul, The Gambia, on 30 December 2013, and press statement PSC/PR/BR.2(CDXIII) adopted at its 413th meeting held on 16 January 2014. Council **further recalls** resolution 2132 (2013) adopted by the United Nations (UN) Security Council, on 24 December 2013, as well as the press statements on the situation in South Sudan issued by the UN Security Council, on 30 December 2013 and on 23 January 2014, respectively,;
3. **Reaffirms** the AU's principled position on the total rejection of unconstitutional changes of Government and of any attempt to seize power by force, in line with the AU Constitutive Act, as well as the African Charter on Democracy, Elections and Governance;
4. **Reiterates AU's deep concern** following the conflict that broke out in South Sudan on 15 December 2013 and the subsequent fighting between the forces of the Government of the Republic of South Sudan and forces loyal to former Vice-President Riek Machar, as well as at the resulting dire humanitarian consequences, including the killing of thousands of civilians, mass displacements of populations and widespread violations of international humanitarian law and human rights. Council **also reiterates** AU's concern at the impact that continued conflict in South Sudan could have on regional security and stability;
5. **Strongly condemns once again** the attacks against innocent civilians, including the targeting of ethnic groups and specific communities, and the other violations of international humanitarian law and human rights, **reiterates** that all perpetrators of such acts must be held accountable in line with relevant AU's instruments against impunity and, in this respect, **welcomes** the steps taken by the Commission to establish a Commission of Inquiry into violations of human rights, with the view to making recommendations on accountability reconciliation and healing;
6. **Reminds** the parties to the conflict, namely the Government of the Republic of South Sudan and the Sudan People's Liberation Movement/Army - SPLM/A (in opposition), of their responsibility towards the people of South Sudan and the imperative of placing the interest of their country above narrow political and other considerations;
7. **Reiterates its appreciation** to the IGAD and its Chairperson, Prime Minister Hailemariam

Desalegn, as well as to the other leaders of the region, for their commitment and leadership in the search for a lasting solution to the crisis in South Sudan. Council **also commends** the IGAD Mediation Team, chaired by Ambassador Seyoum Mesfin and comprising Generals Lazaro K. Sumbeiywo and Mohamed Ahmed M. El Dabi, for its perseverance and dedication in the discharge of its mandate. Council **expresses appreciation** at the close coordination between the Mediation Team and the AU, and **calls for** continued collaboration in line with the underlying principles of the African Peace and Security Architecture (APSA). Council **also expresses appreciation** to the international partners for their continued support to the IGAD-led efforts;

8. **Notes with satisfaction** the steps taken by the Commission in support of the IGAD mediation efforts, including the visit undertaken by the Chairperson of the Commission to Juba, on 20 January 2014, and the interactions she had with both President Salva Kiir Mayardit and the detainees;

9. **Welcomes** the signing of the Agreements on Cessation of Hostilities and on the Status of Detainees signed in Addis Ababa, on 23 January 2014, between the Government of the Republic of South Sudan and the Sudan People's Liberation Movement/Army - SPLM/A (in opposition), and **commends** the Parties for the spirit of compromise they have shown;

10. **Demands** that the Parties:

- (a) faithfully and fully abide by their commitments under the Agreement on Cessation of Hostilities, to effectively end hostilities and hostile propaganda. In this respect, Council **expresses concern** at the reported skirmishes between the Parties and **underlines its determination**, in cooperation with IGAD, to hold those responsible accountable,
- (b) ensure the protection of civilians and humanitarian access, it being understood that any violation of commitments made in this respect should be fully documented by the AU Commission of Inquiry, as part of the efforts to ensure accountability and fight impunity, and
- (c) cooperate fully with IGAD towards the early operationalization of the Monitoring and Verification Mechanism (MVM) provided for in the Agreement on Cessation of Hostilities. In this respect, Council **welcomes** the ongoing IGAD efforts for the establishment and effective functioning of the MVM and AU's contribution to those efforts;

11. **Underlines** the importance of the commitment made by the Parties to an all-inclusive dialogue and reconciliation process, with the aim of resolving the issues connected with the current crisis and laying the foundation for lasting peace, security and stability in their country. In this respect, Council **stresses** the need for such a dialogue, building on the relevant provisions of the Agreement on the Status of Detainees and earlier AU's pronouncements, to be anchored on the following principles:

- (a) inclusivity with the participation of all stakeholders, both armed belligerents and those who did not take up arms, including other political actors, civil society, traditional and religious leaders, youth and women. In this respect, Council **welcomes** the release of some of the detainees to the custody of President Uhuru Kenyatta of Kenya, and **looks forward** to the resolution of the cases of the remaining ones,

- (b) comprehensiveness, as the dialogue has to address the challenges of governance, democratization, management of diversity and resources, and other relevant issues, keeping in mind the relevant AU instruments to which South Sudan is a party, and
 - (c) a strong sense of patriotism and primacy of the interest of the Republic of South Sudan and its people, the objective being the building of a viable state and a new sense of South Sudanese nationhood;
12. **Requests** the Commission, consistent with earlier decisions of Council and in close coordination with IGAD and its Mediation Team, to fully support this process, notably through the AU High-Level Implementation Panel (AUHIP), which is, among others, mandated to assist South Sudan to address its democratization and governance challenges;
13. **Commends** the efforts deployed by the United Nations Mission in South Sudan (UNMISS) to ensure the protection of the civilian population, including the provision of shelter and other forms of assistance to the Internally Displaced Person's (IDPS). Council **calls upon** the Government of the Republic of South Sudan and all other parties on the ground to fully cooperate with UNMISS in the implementation of its protection mandate;
14. **Further commends** the donors and humanitarian agencies for the assistance rendered to the affected populations, and **calls for** the mobilization of additional resources to meet the needs on the ground;
15. **Decides** to remain actively seized of the situation.