



**LAW**

Legal Action  
Worldwide

MAY 2026

Issue N°2

# FRONTLINE INSIGHTS

*Legal and policy briefs*

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**SOUTH SUDAN** - Renewed  
Armed Conflict, Political  
Upheaval, and the Unravelling  
of the Peace Agreement

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# Frontline Insights #2 May – SOUTH SUDAN: Renewed Armed Conflict, Political Upheaval, and the Unravelling of the Peace Agreement

Legal Action Worldwide (LAW)

## I. Introduction

For more than a decade, armed conflict in South Sudan has subjected women, men, and children to repeated and brutal acts of violence, massive displacement, loss, and profound hardship, entrenching insecurity across the country while deepening one of the world's gravest humanitarian crises.<sup>1</sup>

Since January 2025, however, the crisis in South Sudan has taken a form that falls outside the assumptions on which the international response to address it was initially built.

This rupture is visible in several specific events. Since early March 2025, the two main signatories to the 2018 Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS)<sup>3</sup> have been fighting one another; the government – with foreign air support – is conducting a sustained aerial campaign resulting in grave civilian harm; the first domestic prosecution for crimes against humanity in South Sudan's history has been brought against the head of the other R-ARCSS signatory; the peace agreement itself is being formally dismantled; and politically connected private actors have all but captured the state's revenue collection apparatus.

Specific incidents include:

- ⇒ On 24 March 2025, government forces airdropped containers of flammable liquid on the village of Wun Aliet, Unity State. On 3 May, they carried out a similar attack on a Médecins Sans Frontières (MSF) hospital at Old Fangak, Jonglei State. Credible human rights organisations have documented at least 58 deaths and 17 severe burn injuries from incendiary attacks in Nasir,

Longechuk and Ulang counties (Upper Nile State) in early March 2025 alone.<sup>4</sup>

- ⇒ On 26 March 2025, First Vice-President Riek Machar was placed under house arrest; on 11 September he was charged with crimes against humanity; his trial opened on 22 September, with judgment expected by May 2026.<sup>5</sup>
- ⇒ On 26 April 2025, the government formally designated nine predominantly Nuer counties, including counties under bombardment, as “hostile, primarily aligned to [Sudan People's Liberation Movement/Army in Opposition] SPLM-A/IO.”<sup>6</sup>

Taken together, these developments place South Sudan outside the assumptions of the R-ARCSS and the diplomacy built around it. The international response, including periodic calls to implement the R-ARCSS and standing advocacy for the long-promised Hybrid Court for South Sudan, is now misaligned with the crisis that is actually unfolding.

Through its analysis and presence on the ground, **Legal Action Worldwide (LAW)** has identified five salient features of the current conflict landscape in South Sudan, set out below. Together, they expose a widening gap between the crisis now unfolding and the policy, protection, and accountability tools that continue to shape the international response. The recommendations that follow are intended to help recalibrate that response and improve civilian protection.

## II. The existing response was designed for a different phase of the conflict

Between 2022 and 2024, the United Nations (UN) Commission on Human Rights in South Sudan described<sup>7</sup> a transitional government whose elites had “continued to delay and mismanage the political transition.”<sup>8</sup> During that time, incidents of conflict-related sexual violence (CRSV) were pervasive,<sup>9</sup> while intercommunal violence fomented by political-military elites spread through Warrap, Unity, and the Equatorias.<sup>10</sup> Government forces also fought the non-signatory National Salvation Front (NAS) in localised conflicts.<sup>11</sup> Meanwhile, the National Security Service (NSS), operating under the 2014 NSS Act, continued to arrest individuals without warrant or judicial oversight, with broad powers that contested July 2024 amendments to the Act left intact.<sup>12</sup>

At the same time, none of the three transitional justice institutions provided for in Chapter V of the R-ARCSS<sup>13</sup> – namely the Commission for Truth, Reconciliation and Healing (CTRH), the Hybrid Court for South Sudan (HCSS), and the Compensation and Reparation Authority (CRA) – had been established. Outside of the R-ARCSS, the Tumaini Peace Initiative, launched by Kenya in May 2024, was the vehicle for bringing holdout groups like NAS into the peace framework.<sup>14</sup>

Across this period, impunity and elite capture further drove the recurrence of violations. The international community’s response, however, appeared to have assumed that the original signatories remained inside the agreement.

### III. What changed after January 2025

**LAW has identified five shifts that distinguish the current crisis from the 2022–2024 period. While each is significant on its own, together they mark the end of the very conflict that the international response was designed to address, and the emergence of a new era.**

The five shifts include: direct conflict between the two main R-ARCSS signatories; a sustained and wider aerial campaign, backed by foreign military support, that has caused serious civilian harm; the use of domestic crimes against humanity charges against one signatory in proceedings that appear politically driven; the active dismantling of R-ARCSS itself; and the capture of state revenue by politically connected actors.

#### 1. The two R-ARCSS signatories are now at war with each other

Until 2025, fighting across South Sudan took place mainly between government forces and groups not signatory to the R-ARCSS, such as NAS, or between communities whose clashes were often stoked by political-military leaders (as in Warrap State and Tambura County (Western Equatoria State)). That pattern broke in February and March 2025: when the White Army overran the South Sudan People’s Defence Forces (SSPDF) garrison at Nasir (Upper Nile State) on 4 March, the ruling Sudan People’s Liberation Movement in Government (SPLM-IG) did not pursue the militia group. It instead went after the other signatory to the peace agreement and, on 8 March, the NSS confirmed that it had detained senior Sudan People’s Liberation Movement/Army in Opposition (SPLM-A/IO) leaders.

On 26 March 2025, the NSS placed First Vice-President Riek Machar under de facto house arrest.<sup>15</sup> In September, SPLM-A/IO formed an operational alliance with NAS. By October, after the SPLM-IG recognised a splinter SPLM-A/IO faction led by Stephen Par Kuol, the Chief of Defence Forces ordered SPLM-A/IO soldiers to report to SSPDF barracks or be treated as hostile.

The international response to these events was by and large condemnatory, and rightfully so. The African Union (AU) Peace and Security Council (PSC) stated that the dismissals and detention of SPLM-A/IO officials constituted actions “in blatant violation of the provisions of the R-ARCSS” in its communiqué of the 1283rd meeting on 12 June 2025.<sup>16</sup> In its later 1326th meeting communiqué of 23 January 2026, the

PSC reiterated deep concern over arbitrary detentions and called for the unconditional release of Riek Machar and other political detainees.<sup>17</sup>

These developments matter legally as well as politically. As a power-sharing agreement, the entire R-ARCSS security framework found in Chapter II, including the shared ceasefire and the unification of both sides' armies under the Necessary Unified Forces (NUF) framework, assumes the two signatories are not fighting each other. What is happening now has no place inside R-ARCSS. The last time the two sides fought each other was in July 2016, and that collapse ended the previous 2015 peace agreement.

This breakdown also leaves the international response conceptually behind the facts. The UN Security Council's prevention language was written for a slow-burn emergency, not an active armed conflict between the principal signatories to a peace agreement almost eight years after they signed it.

2. A sustained aerial campaign, with foreign air support, affecting civilians

In 2025, the government also conducted airstrikes in seven of South Sudan's 10 states, reflecting the most sustained aerial campaign on South Sudanese territory since before independence in 2011.<sup>18</sup>

Government forces have used improvised incendiary devices against civilians and civilian buildings, including containers of flammable liquid dropped from aircraft, with survivors presenting burn patterns inconsistent with those caused by conventional munitions. Two attacks have been documented in particular detail: the bombing of Wun Aliet (Unity State) on 24 March 2025, and the bombing of the Médecins Sans Frontières hospital at Old Fangak (Jonglei State) on 3 May 2025.<sup>19</sup> At least 58 deaths and 17 severe burn injuries from incendiary attacks in Nasir,

Longechuk and Ulang counties (Upper Nile State) were reported in early March 2025.<sup>20</sup>

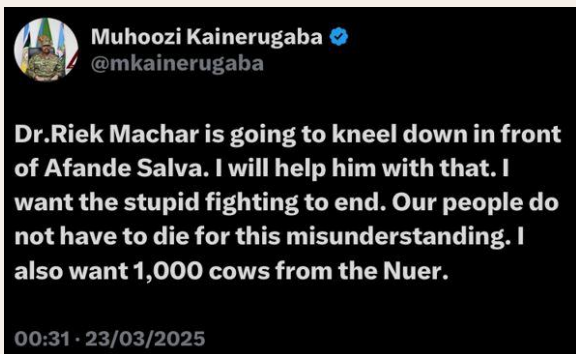
Two features of this campaign are new:

First, on 26 April 2025, the SPLM-IG publicly designated nine predominantly Nuer counties as "hostile, primarily aligned to SPLM-A/IO."<sup>21</sup> That represents a state act labelling civilian-populated counties as enemies. It is also inseparable from what followed: the heaviest bombardment and the heaviest ground operations hit precisely those counties, and driving civilians out of opposition-administered areas, amounting to forced displacement, appears to have been a key objective.<sup>22</sup>

Second, from February 2025 the Ugandan People's Defence Forces (UPDF) have been deployed inside South Sudan and have conducted joint aerial operations alongside the SSPDF.

Muhoozi Kainerugaba – the son of incumbent Ugandan president Yoweri Museveni, himself a military officer, Chief of Defence Forces of the Uganda People's Defence Force, and the Chairman of the Patriotic League of Uganda – publicly claimed responsibility on X (formerly Twitter) for bombing SPLM-A/IO positions, and posting highly incendiary messages directed at Nuer populations.<sup>23</sup>





Paradoxically, Uganda is itself a guarantor of R-ARCSS. The UPDF deployments and operations, as well as such statements made publicly on X by the Chief of Defence Forces of the Uganda People's Defence Force, raise serious compliance questions under Security Council resolution 2428 (2018) and subsequent arms embargo renewals,<sup>24</sup> as well as legal questions about ethnic incitement, discriminatory intent in military operations, Uganda's legal basis for intervening in South Sudan, and the evidentiary value of command statements for attribution and responsibility.

### 3. The first domestic prosecution of crimes against humanity used as a political weapon

On 11 September 2025, the Minister of Justice charged Riek Machar and seven co-defendants under the Penal Code and the Anti-Money Laundering and Counter-Terrorism Financing Act. The charges include treason, murder, and crimes against humanity. A special three-judge court began hearings on 22 September. As the defence pointed out on the record, this is the first attempt at a domestic crimes against humanity prosecution in South Sudan's history.<sup>25</sup>

LAW notes with grave concern that the proceedings display features of a political trial. The defendants were held for more than five months without charge, without lawyers, and without any judicial review of whether their detention was lawful.<sup>26</sup> The President replaced the Chief Justice and Deputy Chief Justice himself in May 2025, while a shocking four different Ministers of Justice and Constitutional Affairs held office in 2025. The investigation committee's mandate was never

published; its formal head, a police officer, never went to Nasir; the real inquiry was run inside the NSS.

In addition, the chargesheets are one-page long, handwritten, and contain none of the material facts a defence lawyer would need to mount a defence. The President and senior officials declared the accused guilty before the trial even began, while judgment is expected by May 2026.<sup>27</sup>

These developments are qualitatively different from the judicial dysfunction in 2022–2024. Back then, the justice system was said to be too weak to prosecute serious crimes. It is now being used to prosecute crimes against humanity – just not those carried out in the context of attacks against civilians.<sup>28</sup> The prosecution's theory – that the SPLM-A/IO's leadership exercised effective command or control over the "White Army" – is contested<sup>29</sup> and is not supported by the findings of the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM), which covered Nasir in its reports.<sup>30</sup>

The language of international criminal law is now live in South Sudanese courtrooms – but it is being used against the people whose own communities are being bombed by the same government that is prosecuting them.

### 4. The R-ARCSS is being legally dismantled, not only ignored

Obstruction of R-ARCSS implementation has been constant since 2018.<sup>31</sup> What changed in late 2025 is that the government moved from ignoring the agreement to actively taking it apart.

In December 2025, the SPLM-IG proposed amendments that would abolish the R-ARCSS' supremacy over other laws and would defer the adoption of a permanent constitution indefinitely.<sup>32</sup> That is a proposal to strip out the

parts of the agreement that were meant to be transformative, while keeping its name.

Other signs point the same direction. The Council of Ministers and the Transitional National Legislative Assembly did not meet for most of 2025. The President appointed his own daughter to a senior office. The Chief Justice was dismissed in breach of constitutional safeguards. The SPLM-IG replaced the SPLM-A/IO appointees on the High-Level Standing Committee for the R-ARCSS with members of the splinter faction.<sup>33</sup> These facts matter for the choice of policy tool. If the signatory that controls the process is now materially amending away the substance, there is little point asking for full implementation of what is left.

### Calls for “full implementation of R-ARCSS” assume there is still an R-ARCSS to implement.

#### 5. Predatory economic governance has consolidated

In September 2025, the UN Commission documented the diversion of around US\$24.5 billion in oil revenue since 2011, alongside more than US\$3 billion in unrepaid oil-backed foreign loans.<sup>34</sup> It identified the “Oil for Roads” scheme as a central mechanism. By late 2025, a single politically connected private company, Crawford Capital Ltd., had embedded itself inside South Sudan’s revenue collection systems through “e-services.” Under a December 2025 presidential decree and a Civil Aviation Authority directive, Crawford Capital now collects aircraft overflight fees estimated at US\$3.5–5 million a month.<sup>35</sup>

The state, meanwhile, credits civil service salaries to bank accounts it cannot honour in physical currency. By December 2025, withdrawals had been prohibited. Public sector workers have effectively been unpaid for two years. The state is now being pursued in foreign courts over commercial awards, including a November 2025 UK High Court injunction over a South Sudanese oil cargo tied to the US\$1.25 billion Petronas claim.<sup>36</sup>

The UN Commission’s earlier reporting was novel in, and should be commended for, treating corruption and economic crimes as structural drivers of human rights violations.<sup>37</sup> What it is now describing is politically connected private actors having captured the state’s revenue collection machinery itself. That is a different fact pattern, and it opens different legal responses – anti-money laundering duties in host states, targeted sanctions, the obligations of banks handling the proceeds, and the civil liability of corporate service providers who knowingly help.

## IV. Implications for the accountability response

LAW finds that each of the five shifts detailed above requires changes in what accountability actors should do, and with what tools.

### a. Complementarity

The Rome Statute’s principle of complementarity defers to genuine national proceedings. Although South Sudan is not a State Party to the Rome Statute, but the principle still matters – both for universal jurisdiction prosecutions in third states and for any potential Security Council referral.

Up to 2024, the UN Commission described a judiciary too weak to deliver genuine accountability. The more recent 2025–2026 record<sup>38</sup> shows something more evidentially useful, which is a judiciary being actively used to prosecute on political grounds, with five months of incommunicado detention, handwritten chargesheets, the Chief Justice replaced twice, and the real investigation run inside the NSS. Under any reasonable application of the “unwilling or unable test,”<sup>39</sup> that record shows the state is unwilling or unable genuinely to investigate and prosecute the crimes documented.

Third states considering universal jurisdiction over the Wun Aliet bombing or the Old Fangak hospital bombing, for example, should treat such an understanding as material.

b. The absence of the Hybrid Court is now worse than a vacuum

For a decade, the case against the African Union (AU) Commission's failure to finalise the Hybrid Court's instruments has been that it leaves victims without a form of accountability and entrenches impunity. That case still stands. Yet the empty space the Hybrid Court should occupy has been filled by a politically directed domestic prosecution that merely borrows the vocabulary of international criminal law. The damage done when a specialised mechanism exists only on paper, and the domestic system turns the language of "crimes against humanity" against the other signatory to a peace agreement, is significant, and it lies directly at the AU Commission's door.

The AU Commission has the legal authority under Chapter V of the R-ARCSS, to finalise and publish the Court's instruments without the cooperation of the government in Juba. The obstacles are political, not legal, and they are now producing a harm that did not exist in 2022-2024.

c. Arms embargo enforcement, against a guarantor

The UPDF's deployments and joint aerial operations inside South Sudan raise credible compliance questions under Security Council resolution 2428 (2018).<sup>40</sup> This is different from the enforcement problem the Panel of Experts has worked on since 2015. The subject here is a UN member state, and an R-ARCSS guarantor – not a local armed group or a sanctioned individual. The Panel of Experts' mandate should be expanded to cover UPDF compliance explicitly. Member states that trade with or supply Uganda's aerospace sector should conduct due diligence consistent with the embargo. The public statements of Uganda's Chief of Defence Forces, acknowledging air operations and addressing Nuer civilians directly and him being "tired of killing Nuer," are on the record and available as evidence.

d. Targeted sanctions

Calls for targeted sanctions against individuals credibly implicated in serious crimes have featured consistently in international discourse on South Sudan since 2016.

Commanders named in successive UN Commission reports, including General Johnson Olony,<sup>41</sup> remain in post. Several of the senior officials in the chain authorising airstrikes, and in the Juba forced recruitment campaign, are identifiable from the same record. Crawford Capital Ltd.'s beneficial owners, for example, can be traced through ordinary corporate registries in the relevant jurisdictions.

e. The Truth Commission selection

The submission in January 2026 of a shortlist of South Sudanese Truth Commissioners<sup>42</sup> is being presented as a partial step forward. Survivor representatives, civil society, and media were excluded from interview observation, in breach of the 2024 enabling law. The Ministry of Justice publicly said that the Transitional Justice Working Group was not registered, was influenced by foreign actors and political motives, and had no legal standing. The shortlist was submitted without publication, and the panel was funded at around US\$20,000, which the government did not provide. This pattern – executive control of a selection process that is required by law to be independent – is the same pattern visible in the judiciary. Seating commissioners on this basis would lock in an institution that survivors will not accept. Better to delay, and to restart the process with an independent panel and proper funding.

## V. The Way Forward

Over the next 12 months, absent a change of course:

⇒ Judgment in the Machar case is expected by May 2026;

- ⇒ National elections are scheduled for December 2026;
- ⇒ A further extension of the transitional period past February 2027 is possible;
- ⇒ Military operations are likely to continue in Jonglei, Upper Nile, and the Equatorias; and
- ⇒ Further amendments to the R-ARCSS are likely to be proposed.

LAW reiterates concern that a response still calibrated to a previous phase of the conflict will be several steps behind the facts.

### LAW recommends:

- ⇒ Treat the one-year CHRSS extension as a floor, not a ceiling. The HRC's March 2026 decision – adopted on 27 March by the core group (Albania, Ireland, Norway, the United Kingdom) that has carried these resolutions since 2016 – was welcome, but it should not be the end of the conversation. Civil society's February 2026 request for a two-year extension and enhanced interactive dialogues at the September session was proportionate to the evidence, and the next resolution cycle should revisit both.
- ⇒ The AU Commission should publish the Hybrid Court's legal instruments on its own authority. Continued deferral to the government in Juba is no longer

defensible, given that the domestic system is now being used to prosecute the other R-ARCSS signatory for crimes against humanity.

- ⇒ Bring UPDF compliance into arms embargo enforcement directly. Member states – particularly those supplying Uganda's aerospace and defence sectors – should align their export controls and due diligence accordingly.
- ⇒ Impose targeted sanctions on named individuals and entities. This includes commanders responsible for the incendiary aerial attacks at Wun Aliet, Old Fangak, and Ulang; the SSPDF and NSS chain implicated in the Juba forced recruitment campaign; and Crawford Capital Ltd. and its beneficial owners.

None of these substitutes for the political work now being carried by South Sudan's neighbours and by the AU High Representative for the Horn of Africa and the Red Sea, Jakaya Kikwete, appointed on 25 March 2026.<sup>43</sup>

Meaningful accountability however – measured in prosecutions, sanctions, and the continued preservation of evidence – will be a part of what now restores, or fails to restore, the conditions that could make the R-ARCSS recoverable.

## About LAW in South Sudan

LAW launched its South Sudan programme in 2014. Working with five national partners and a network of South Sudanese lawyers, civil society actors and survivors' groups, LAW pursues justice for survivors of human rights violations through three mutually reinforcing streams of work: legal aid; accountability and transitional justice; and legislative advocacy and technical support.

**Legal aid.** Through Justice Confidence Centres in Wau, Juba and Malakal, seven lawyers and legal officers provide legal information, representation and assistance to women and girls in cases of rape, forced marriage, arbitrary detention, domestic violence, divorce, inheritance and child custody. Over 300 individuals have received legal aid since the Centres opened in April 2022.

**Accountability and transitional justice.** LAW currently represents 38 survivors of international crimes committed during the conflict and accompanies survivor advocates and groups engaged in truth-telling, memorialisation and decision making on transitional justice mechanisms. LAW advocates for implementation of the Geneva Conventions Act 2012, the finalisation of the Hybrid Court for South Sudan, and the full operation of the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority. In 2019, LAW represented 35 survivors in a landmark communication to the Committee on the Elimination of Discrimination against Women (CEDAW).

**Legislative advocacy and technical support.** LAW leads civil society engagement on key gender equality bills – including the Anti-GBV Bill, the Family Law Bill and the Affirmative Action Bill – and led the technical committee on domestication of the Maputo Protocol. LAW trains judges, prosecutors, lawyers, and civil society organisations on international criminal law, transitional justice and gender-based violence.

### LAW Key Figures

- 5 national partners
- 3 Justice Confidence Centres in Wau, Juba, and Malakal, staffed by 7 lawyers and legal officers
- 50+ women and girls given legal representation in GBV cases in 2024; 300+ since April 2022
- 38 survivors of international crimes currently represented
- 54 justice actors trained in international criminal law, transitional justice and GBV

### LAW On-going Cases

- Filed the first ever case under the Geneva Conventions Act against members of the SSPDF on behalf of survivors of rape
- Submitted the first ever case against the Government of South Sudan for the rape, mass rape, and sexualised enslavement of 30 South Sudanese women and girls by members of the South Sudan army and the Presidential Guard, lodged before the UN Committee on the Elimination of all Forms of Discrimination Against Women (CEDAW)

For more information, visit:

<http://www.legalactionworldwide.org/where-we-work/south-sudan>

## ENDNOTES

<sup>1</sup> An estimated 33.7 million people in South Sudan will require humanitarian aid this year. See, e.g., *Sudan: 1000 days of war deepen the world's worst health and humanitarian crisis*, World Health Organisation, 9 January 2026, available at <https://www.who.int/news/item/09-01-2026-sudan-1000-days-of-war-deepen-the-world-s-worst-health-and-humanitarian-crisis>.

<sup>3</sup> The two main signatories were the Sudan People's Liberation Movement (SPLM), led by President Salva Kiir, and the Sudan People's Liberation Movement-in-Opposition (SPLM-IO), led by First Vice-President Riek Machar.

<sup>4</sup> *South Sudan: Incendiary Bombs Kill, Burn Civilians End Use of Cruel Indiscriminate Weapons; Allow UN Peacekeepers Deployment*, Human Rights Watch, 9 April 2025, available at <https://www.hrw.org/news/2025/04/09/south-sudan-incendiary-bombs-kill-burn-civilians>; Human Rights Watch, *World Report 2026* (2026), <https://www.hrw.org/world-report/2026/country-chapters/south-sudan>.

<sup>5</sup> *South Sudan's Vice President Has Been Placed Under House Arrest, Party Says*, New York Times, 27 March 2025, available at <https://www.nytimes.com/2025/03/27/world/africa/south-sudan-vice-president-arrest-riek-machar.html>; *South Sudan VP Machar charged with treason and murder, suspended by president*, Reuters, 12 September 2025, available at <https://www.reuters.com/world/africa/south-sudan-vp-machar-charged-with-treason-murder-suspended-by-president-2025-09-11>; *Treason trial of South Sudan's suspended VP Machar begins*, Reuters, 22 September 2025, available at <https://www.reuters.com/world/africa/treason-trial-south-sudans-suspended-vp-machar-begins-2025-09-22>.

<sup>6</sup> A/HRC/61/25, paras. 16, 39, 51.

<sup>7</sup> A/HRC/52/26, A/HRC/55/26 and A/HRC/58/27.

<sup>8</sup> A/HRC/58/27, p. 1.

<sup>9</sup> See, e.g., A/HRC/58/27, para. 26.

<sup>10</sup> See, e.g., A/HRC/58/27, para. 12.

<sup>11</sup> See, e.g., S/2023/99, para. 21.

<sup>12</sup> The contested July 2024 amendments were the amendments to South Sudan's National Security Service (NSS) Act 2014 that kept the NSS's power to arrest and detain individuals, including without a warrant, instead of stripping those powers out and confining the NSS to ordinary intelligence functions. The core controversy centered on sections 54 and 55. Section 54 already empowered NSS officers to arrest and detain, without a warrant, persons suspected of broadly defined "offences against the State," and the July 2024 bill preserved that framework. The bill passed on 3 July 2024 despite earlier commitments by Kiir, Machar, and the Council of Ministers to abolish NSS arrest powers. See, e.g., *South Sudan: President should return proposed security law amendments to legislators for revision, UN Commission says*, OHCHR, 10 July 2024, available at <https://www.ohchr.org/en/press-releases/2024/07/south-sudan-president-should-return-proposed-security-law-amendments>.

<sup>13</sup> *Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS)*, Ch. V, 12 September 2018, available at <https://www.peaceagreements.org/agreements/2112>.

<sup>14</sup> The Tumaini Peace Initiative, launched in Nairobi on 9 May 2024, is a high-level mediation effort aimed at addressing the conflict in South Sudan by bringing into the process holdout groups that did not sign the 2018 R-ARCSS. The initiative is led by Kenyan President William Ruto, South Sudanese President Salva Kiir, and former Commander of the Kenya Army and chief mediator, Major General Lazarus Sumbeiywo. *Tumaini Consensus for Sustainable Peace In South Sudan Protocols For Initialling, Nairobi*, 15 July 2024, available at [https://www.peaceagreements.org/media/documents/SS\\_240715\\_Tumaini\\_Protocols\\_CQHsh1.pdf](https://www.peaceagreements.org/media/documents/SS_240715_Tumaini_Protocols_CQHsh1.pdf).

<sup>15</sup> A/HRC/61/25, paras. 13–19; cf. ICG, *A Trial for South Sudan's Frail Peace*, November 2025.

<sup>16</sup> *Peace & Sec. Council, African Union, Communiqué*, PSC/PR/COMM.1283 (2025), ¶ 3, 12 June 2025, available at <https://www.peaceau.org/uploads/1283.comm-en.pdf>.

<sup>17</sup> *Peace & Sec. Council, African Union, Communiqué*, PSC/PR/COMM.1326 (2026), ¶ 13, 23 January 2026, available at <https://www.peaceau.org/uploads/1326.comm-en.pdf>.

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<sup>18</sup> A/HRC/61/25, para. 49.

<sup>19</sup> A/HRC/61/25, paras. 53–63.

<sup>20</sup> *South Sudan: Incendiary Bombs Kill, Burn Civilians End Use of Cruel Indiscriminate Weapons; Allow UN Peacekeepers Deployment*, Human Rights Watch, 9 April 2025, available at <https://www.hrw.org/news/2025/04/09/south-sudan-incendiary-bombs-kill-burn-civilians>; Human Rights Watch, *World Report 2026 (2026)*, <https://www.hrw.org/world-report/2026/country-chapters/south-sudan>.

<sup>21</sup> *South Sudan says nine Nuer counties are 'hostile' to government*, *Sudans Post*, 26 April 2025, available at <https://www.sudanspost.com/south-sudan-says-nine-nuer-counties-are-hostile-blames-opposition-ties>.

<sup>22</sup> A/HRC/61/25, paras. 16, 39, 51.

<sup>23</sup> *Uganda Army Chief says he is tired of killing Nuer*, *Radio Tamazuj*, 23 March 2025, available at <https://www.radiotamazuj.org/en/news/article/uganda-army-chief-says-he-is-tired-of-killing-nuer>; A/HRC/61/25, paras. 38, 54–56.

<sup>24</sup> S/RES/2428 (2018).

<sup>25</sup> *South Sudan VP Machar charged with treason and murder, suspended by president*, *Reuters*, 12 September 2025, available at <https://www.reuters.com/world/africa/south-sudan-vp-machar-charged-with-treason-murder-suspended-by-president-2025-09-11>; *Treason trial of South Sudan's suspended VP Machar begins*, *Reuters*, 22 September 2025, available at <https://www.reuters.com/world/africa/treason-trial-south-sudans-suspended-vp-machar-begins-2025-09-22>.

<sup>26</sup> A/HRC/61/25, paras. 84–93.

<sup>27</sup> A/HRC/61/25, para. 86.

<sup>28</sup> Such as (i) deportation or forcible transfer of population; (ii) persecution against any identifiable group or collectively on political, racial, national, ethnic, cultural, religious, gender or other grounds that are universally recognised as impermissible under international law; and (iii) other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health. See “*There is nothing left for us*”: *starvation as a method of warfare in South Sudan*, A/HRC/45/CRP.4, para. 5 ff. & passim, available at <https://reliefweb.int/report/south-sudan/there-nothing-left-us-starvation-method-warfare-south-sudan-conference-room-paper>.

<sup>29</sup> A/HRC/61/25, para. 91.

<sup>30</sup> CTSAMVM is a multinational mechanism led by the Intergovernmental Authority on Development (IGAD), that monitors, verifies, and reports on compliance of the signatory Parties to Chapter 2 of the R-ARCSS. See <https://ctsamvm.org>.

<sup>31</sup> See successive Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) quarterly reports; CHRSS A/HRC/55/26.

<sup>32</sup> A/HRC/61/25, para. 24.

<sup>33</sup> A/HRC/61/25, paras. 20–22, 86.

<sup>34</sup> A/HRC/60/CRP.5.

<sup>35</sup> A/HRC/61/25, paras. 110–111.

<sup>36</sup> A/HRC/61/25, paras. 112–114.

<sup>37</sup> See, e.g., *Human rights violations and related economic crimes in the Republic of South Sudan*, A/HRC/48/CRP.3, available at <https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/CoHRSouthSudan/A-HRC-48-CRP.3.pdf>.

<sup>38</sup> A/HRC/61/25, paras. 84–93.

<sup>39</sup> See, e.g., *Informal expert paper, The principle of complementarity in practice. Annex 4: List of indicia of unwillingness or inability to genuinely carry out proceedings*, International Criminal Court (ICC), at p. 28, available at <https://www.icc-cpi.int/sites/default/files/NR/rdonlyres/20BB4494-70F9-4698-8E30-907F631453ED/281984/complementarity.pdf>.

<sup>40</sup> A/HRC/61/25 paras. 3, 52.

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<sup>41</sup> See, e.g., A/HRC/61/25, para. 45, following video evidence of him inciting the killing of civilians.

<sup>42</sup> *Another step in the establishment of South Sudan's Truth Commission*, Rights for Peace, 23 January 2026, available at <https://www.rightsforpeace.org/post/selection-panel-shortlists-south-sudanese-ctrh-commissioner-candidates-according-to-the-law>.

<sup>43</sup> *Chairperson of the AU Commission Appoints President Jakaya Kikwete as the AU High Representative for the Horn of Africa and the Red Sea*, AU Press Release, 25 March 2026, available at <https://au.int/en/pressreleases/20260325/auc-chairperson-appoints-president-jakaya-kikwete-au-high-representative>.