



HUMAN RIGHTS COUNCIL - 46th SESSION

Interactive dialogue with the Commission on Human Rights in South Sudan

(11-12 March 2021)

Ms. Yasmin Sooka, Member of the Commission on Human Rights in South Sudan:

Summary of the report: [A/HRC/46/53](#)

- The report presents an overview of the situation of human rights in South Sudan and updates the Council on critical developments and incidents on which the Commission has collected and preserved evidence.
- Main conclusions indicate that **members of the Government of South Sudan** have **engaged in acts amounting to gross human rights violations** and serious violations of international humanitarian law in the context of the armed conflict in Central Equatoria.
- Main recommendations focus on effectively implementing the provisions of the **Revitalized Agreement on Resolution of the Conflict in South Sudan**, by prioritizing outstanding **political appointments**, urgent **security arrangements**, the establishment of the **transitional national legislature** and of the **transitional justice mechanisms envisaged in chapter V of the Revitalized Agreement**

The Commission further mentioned that **current violence** in South Sudan is the **worst since the onset of the civil war in December 2013** and that the situation has worsened due to the COVID-19 pandemic and the increased number of floods. In addition, South Sudan is currently facing its **highest levels of food insecurity and malnutrition in a decade**. Moreover, violence from criminal groups has increasingly targeted women and girls, using them as chattels, and treating them as the “spoils of war” and raping them for days.

Furthermore, Central Equatoria is experiencing an upsurge in violent insurgency led by the **National Salvation Front or NAS, led by Thomas Cirillo, a former senior military officer in the South Sudan army**. Competition over land and cattle has fueled the violence at community level, which has become increasingly politicised. Also, since 2011 the Government of South Sudan has **systematically clamped down on freedoms of speech, expression, peaceful assembly, and association**.

Despite the formation of the **Revitalised Government** in February 2020, almost none of the provisions of the Peace Agreement have been implemented. The lack of accountability for gross human rights violations **entrenches impunity and is building resentment and deepening ethnic divisions and the violence**.

The Commission urged the South Sudanese government to **implement Chapter V transitional justice provisions**. It also highlighted that in order for the transition to work there is a need for **political will, sustained international pressure and continued engagement to kick-start and accompany the process**.

Delegation of South Sudan (speaking as the country concerned):

The **Revitalised Government of National Unity** is continuing its improvement and reinforcement of institutions at all levels. Also, the **development of the Transitional Legislative Assembly, the Council of States and the States Assembly** is going to be done very soon. Additionally, the government has **engaged with non-signatory armed groups** to manage the security situation in the country.

With regards to **accountability and gender-based violence**, in September 2020 a **Gender-Based Violence Court** was established in Juba to **promote accountability** for these crimes: 24 offenders were prosecuted. Additionally, a **Joint Special Emergency Court of Organized Forces** was established in November 2020 to address violations of human rights committed by **police personnel against civilians**.

Regarding **children in armed groups**, an **Action Plan** signed by all actors was put into motion to **improve the protection of children in various locations**. Various trainings from different institutions covered topics like **children protection in armed conflict** and the importance of **reintegration of children** to families and communities.

Regarding issues of **transitional justice and Chapter V of the Peace Agreement**, a resolution was recently passed to mandate the **Ministry of Justice and Constitutional Affairs** to start the process with stakeholders to establish the **three transitional justice institutions**. A **Task Force** was also established within the Ministry to **oversee the implementation of chapter 5, 6 and the judicial reforms**. Additionally, the implementation of a **Tactical Committee for Truth, Reconciliation, and Healing (CTRH)** is well advanced. Moreover, the Ministry of Justice is



drafting a **Permanent Constitution** and establishing the necessary judicial reforms leading to establishing **Constitutional Courts**.

With regards to **services of prison inmates**, with international partners, South Sudan provided vocational training to inmates and 20 prisoner officers. On **police service capacity building**, the Ministry of Interior in collaboration with the **UN police** and **UNDP** has trained police officers on **gender-based violence** and established **six community policing centers in Juba**. Finally, the fight against COVID-19 has affected the economy and South Sudan urges for support of the international community to assist the country and help it implement the agreement. Finally, the country established that it wanted for the **Human Rights Council to move South Sudan's case from Agenda Item 4 to Agenda Item 10 under capacity building**.

Interactive Dialogue

The majority of the countries **welcomed the report by the Commission** and commended South Sudan's **cooperation efforts with the mandate**. They also expressed their full support for the **Revitalised Transitional Agreement**. Nevertheless, they expressed deep concerns regarding **the continuing sub-national violence and its impact on civilian population**. Also, they called on the **lack of implementation of crucial chapters** of the Peace Agreement, **sexual and gender-based violence** cases, the climate of impunity for these violations, arbitrary detentions, and systematic violations of the rights to **freedom of expression, to assembly and association and to food**. All of them urged the **Hybrid Court to continue its accountability work**, and that the other **transitional justice mechanisms be implemented** as soon as possible as well as **Chapter V of the agreement**.

Several countries expressed their support for the **renewal of the mandate of the Commission** and encouraged South Sudan to continue cooperating with it.

Russia highlighted the unwillingness of the parties in fully implementing the of Agreements and commended the **African Union's** mediation efforts. **China** highlighted it would help **South Sudan on its socioeconomic development** to mitigate the humanitarian crisis and mentioned its opposition of the **politicization of human rights**.

Sudan and **Eritrea** commended South Sudan's peace efforts despite the grave economic crisis it faces amidst the pandemic and regretted the fact that the Commission's report **neglected the repercussions of the COVID-19 crisis**. They encouraged to **provide technical support and aid** to South Sudan. **Venezuela** and the **DPRK** mentioned they opposed the attempts of some countries to use human rights as **an instrument of political pressure** through the **imposition of interventionist monitoring mechanisms**.

(Final remarks were given by Mr. Andrew Clapham and Mr. Barney Afako, Members of the Commission on Human Rights in South Sudan)

Delegations that took the floor during the Interactive Dialogue (26 country delegations):

Albania, Australia, Belgium, Botswana, Burundi, Cameroon, China, Democratic People's Republic of Korea, Egypt, Ethiopia, Eritrea, European Union, France, Germany, Ireland, Kenya, Netherlands, New Zealand, Norway on behalf of NB8 (Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, Sweden), Russian Federation, Switzerland, Sierra Leone, Sudan, United Kingdom, United States of America, Venezuela.

NGOs that took the floor during the Interactive Dialogue (7):

CIVICUS - World Alliance for Citizen Participation, East and Horn of Africa Human Rights Defenders Project Human Rights Watch, Rencontre Africaine pour la defense des droits de l'homme, Elizka Relief Foundation, Amnesty International, Legal Action Worldwide.

NGOs representatives highlighted that **key areas of the Peace Agreement have stalled**, particularly around **governance and security sector reform**, posing severe **threats to the peace process**. **Civic space** has been closed, with **restrictions on freedom of speech, expression, peaceful assembly, and association**. Increasing cases of **arbitrary arrests towards journalists and human rights defenders** have been recorded as well as **torture**, and **gender-based violence** by National Security Officers and use of **child soldiers by armed groups**. **Impunity** remains the norm in South Sudan. They also expressed their concern over South Sudan's petition to **put an end to the Commission** and **urged the Council to renew the mandate**. Finally, NGOs requested **South Sudan's full implementation of the Peace Agreement**.

To watch full ID with the with the Commission on Human Rights in South Sudan, refer to UN Web TV, [Part 1](#) (11 March) – [Part 2](#) (12 March).