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Technical assistance and capacity-building

Written statement* submitted by Stichting Global Human Rights Defence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 August 2024]

* Issued as received, in the language of submission only.



Human Rights Situation in South Sudan

Stichting Global Human Rights Defence and Global Rights Defenders (GRD) are gravely concerned regarding the human rights situation in South Sudan. The ongoing human rights violations and abuses being committed in South Sudan with impunity, compounded by the deteriorating climate for civic and political space call for immediate and durable interventions.

This statement is a joint statement by Stichting Global Human Rights Defence and GRD which are non-governmental organizations committed to promoting and protecting the rights of every human being. This statement presents an overview of Stichting Global Human Rights Defence and GRD's concerns in South Sudan and recommendations to the Human Rights Council.

The technical and capacity building activities provided by the Office of the United Nations High Commissioner for Human Rights (OHCHR) through the Human Rights Division of the United Nations Mission in South Sudan (UNMISS) to the Government of South Sudan to address post-conflict transition have not adequately intervened or resolved human rights challenges.

Government forces and armed groups have committed serious human rights violations and abuses with impunity, including extrajudicial executions; unlawful killings; conflict-related sexual and gender-based violence including mass rapes and sexual slavery; state suppression and the severe restriction of civic space and participation such as freedoms of opinion, expression, peaceful assembly and association, harassment, among others; abductions; forced displacement; arbitrary arrests and detentions; attacks on civilians; and the recruitment and use of children,.... The intercommunal violence is compounded by climate change, food insecurity, prolonged displacement amidst resource scarcity, and a weakened economy.

In 2023, the Human Rights Division documented 885 incidents that affected 3,340 civilians: 1,524 killed, 1,052 injured, 601 abducted and 163 subjected to conflict-related sexual violence. Compared with 2022, this represents a 24 per cent increase in the number of incidents and a 4 per cent decrease in the number of civilians affected. In total, 86 per cent of the civilians harmed (2,868) were attributed to community-based militias and self-defence groups, while parties to the conflict were responsible for 11 per cent (358). The remaining 4 per cent (114) were attributed to opportunistic violence. At the end of 2023, the displacement crisis in South Sudan persisted as one of Africa's most significant, where there are over 2.2 million refugees across neighbouring countries, and 2.2 million internally displaced. As of June 2024, there are 9 million people in need of humanitarian assistance.

Although the Government of South Sudan (GoSS) signed the Revitalised Agreement 2018, and the UNMISS mandate is to prevent a return to civil war in South Sudan, build durable peace at the local and national levels, and to support inclusive and accountable governance and free, fair, and peaceful elections in accordance with the Revitalised Agreement, the GoSS has failed to prevent violations of international humanitarian law and human rights abuses. In the HRC resolution 49/35, the Human Rights Council requested OHCHR, in cooperation with the Government of South Sudan and relevant mechanisms of the African Union, to urgently assist South Sudan to address human rights challenges in the post-conflict transition.

Technical and capacity building assistance measures were identified as capacity gaps articulated in the 2022 needs assessment for capacity-building and technical assistance of the GoSS and the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, as well as human rights challenges identified by the Human Rights Division. The needs assessment was procured by the GoSS, UNMISS and other United Nations agencies, identified to further strengthen the promotion and protection of human rights in the country which included activities tailored towards sensitisation, trainings, workshops and stakeholder engagements.

The HRC/55/77 report on technical assistance and capacity-building for South Sudan listed several technical and capacity-building activities and beneficiaries through sensitisation, trainings, workshops and stakeholder engagements between January – December 2023.

This included 399 capacity building and sensitization programmes for 15,484 individuals (10,096 men and 5,388 women) ranging from topics including the international human rights and humanitarian law frameworks, the South Sudan Bill of Rights and the Interim Constitution the duties of States to protect and promote human rights, accountability for victims and survivors, civic and political space, transitional justice, women's rights and peace processes. Additionally there were public awareness-raising segments on human rights, such as panels and radio broadcasting to expand the knowledge of South Sudanese communities about human rights and heighten awareness of human rights violations and abuses.

During a HRC meeting in March 2023, it was found that the GoSS expressed concern over the inaccuracies and contradictions within the HRC/55/77 report which had exaggerated the number of trainings and workshops which could not be verified by the Government institutions reported to have benefited from the workshops. This led the GoSS to reject the extension of the Commission on Human Rights in South Sudan though it would continue to engage with the international community.

The ongoing violence and gross human rights violations in South Sudan remain a serious concern for both South Sudan and the international community. Without meaningful engagement and intervention violations such as sexual and gender-based violence, arbitrary detentions and extra-judicial killings, forced displacement and all other forms of human rights abuses will continue.

Recommendations

In accordance with the Peace agreement, all political leaders within South Sudan should work together and assume responsibility to end the persisting violence and horrendous human rights violations and abuses;

The GoSS should extend the mandate of the Commission on Human Rights in South Sudan to carry out ongoing technical and capacity training activities;

The Commission on Human Rights in South Sudan should properly report, document and cite all technical and capacity training activities to ensure accountability and transparency;

All accountability mechanisms for human rights violations and abuses, violations of international humanitarian law and non-adherence to the rule of law should be strengthened. The absence of justice, ineffective remedies for victims, and the pervasive impunity to commit crimes will continue if adequate interventions or mechanisms are not established;

Technical and capacity training activities tailored towards sensitisation, trainings, workshops and stakeholder engagements should be tailored to the needs of beneficiaries and relevant stakeholders, instead of workshops;

UNMISS should further advance the ability to promote accountability, such as advocating for and providing technical support to the rule of law institutions. Supporting activities include preparing case files, organizing evidence, supporting victims and witnesses, providing guidance on human rights issues, and monitor legal proceedings and reporting on adherence to fair trials. This will assist in enhancing accountability for human rights violations and abuses and violations of international humanitarian law and ensure access to justice for victims and their families;

The root causes of the conflict must be addressed and confronted by the GoSS;

The Human Rights Division should continue its work in supporting the establishment and functionality of mobile courts throughout South Sudan to alleviate case backlogs, prison congestion, and most notably enable victims and witnesses to participate in court proceedings through a fair and equitable legal process;

All technical and capacity building programmes, educational materials, and related should focus on and be tailored towards those most affected by the transitional government. This includes civil society, marginalized groups including women, youth and persons with disabilities, humanitarian workers, journalists, and all others affected by the conflict;

Additional capacity building programmes should be implemented which focus on promoting and protecting the rights of displaced populations within South Sudan such as refugees and those internally displaced; and

To ensure the overall implementation of the Revitalized Agreement to establish three transitional justice institutions, including the Hybrid Court of South Sudan, is successful the GoSS should receive increased financial support. Without a formidable and holistic justice system, actors committing crimes against humanity are not viable to be held accountable. Increased financial support to build institutions, implement and monitor programming, provide training and assistance, should be provided.

Global Rights Defenders NGO(s) without consultative status, also share the views expressed in this statement.

Amnesty International (2023) South Sudan 2023. <https://www.amnesty.org/en/location/africa/east-africa-the-horn-and-great-lakes/south-sudan/report-south-sudan/#:~:text=Government%20forces%20and%20armed%20groups,recruitment%20and%20use%20of%20children.>

<https://www.ohchr.org/en/news/2023/10/human-rights-council-holds-dialogue-technical-assistance-and-capacity-building-south>

A/HRC/55/77

A/HRC/49/78

UNHCR (2024) Global Focus: South Sudan Situation.

<https://reporting.unhcr.org/operational/situations/south-sudan-situation>

A/HRC/55/77

UNHCR (2024) Global Focus: South Sudan Situation.

A/HRC/51/1

UN Geneva (13 March 2023) Afternoon- Human Rights Council Discusses the Stituation of Children in The Central African epublis and Strengthening Institutional Cpacities in SOuth Sudan. Meeting Summar. <https://www.ungeneva.org/en/news-media/meeting-summary/2023/03/le-conseil-tient-des-dialogues-sur-la-republique-centrafricaine>

A/HRC/55/77