



AMNESTY INTERNATIONAL PUBLIC STATEMENT

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South Sudan: UN Human Rights Council must continue to promote accountability in absence of progress on truth and justice for past crimes

Speaking at the UN Human Rights Council today, Amnesty International thanked the High Commissioner for Human Rights for her update on South Sudan. The organisation said that it remained concerned about the absence of progress in the establishment of the Hybrid Court for South Sudan, leaving victims of the conflict with no meaningful justice avenue to date.¹ The failure of the government to incorporate crimes under international law into domestic law has further engrained impunity. This impunity continues to fuel violations of human rights and humanitarian law such as those documented by the UN Mission in South Sudan and the Office of the High Commissioner for Human Rights in Unity State earlier this year.²

Despite the steps taken towards establishing the truth commission, the organisation said it also remained concerned about the oppressive environment in which the right to truth would be sought. Despite obligations under the 2015 and 2018 peace agreements to amend security legislation, authorities are yet to amend the 2014 National Security Service (NSS) Act and remove the unconstitutional police-like powers of arrest and detention from the NSS.

Since the start of the conflict in 2013, the government, mostly through the NSS, has become increasingly authoritarian and has sought to silence critics by harassing, intimidating, threatening, arbitrarily detaining and, in some cases, forcibly disappearing and killing them extra-judicially.³ Freedom of expression, peaceful assembly and association must be guaranteed for a successful truth-seeking process. Equally, strong victim and witness protection mechanisms must be put in place.

Amnesty International said that technical assistance will only be effective if matched by political will for meaningful change. The role of the Commission on Human Rights remains critical for collecting and preserving evidence for future accountability. The organization concluded its statement by urging all member states to support the renewal of its mandate next year.

¹ Amnesty International, "Do you think we will prosecute ourselves?" No prospects for accountability in South Sudan (Index: AFR 65/1105/2019), 7 October 2019, www.amnesty.org/en/documents/afr65/1105/2019/en/

² UNMISS and OHCHR, "Attacks against civilians in southern Unity State, South Sudan. February – May 2022", 6 September 2022, [report on attacks on civilians in southern unity state - 06 september 2022.pdf \(unmissions.org\)](https://www.unmissions.org/report-on-attacks-on-civilians-in-southern-unity-state-06-september-2022.pdf)

³ Amnesty International, "These walls have ears": The chilling effect of surveillance in South Sudan (Index: AFR 65/3577/2021), 2 February 2021, [South Sudan: "These walls have ears": The chilling effect of surveillance in South Sudan - Amnesty International](https://www.amnesty.org/en/documents/afr65/3577/2021/en/)

Background

This public statement is based on an oral statement Amnesty International delivered to the Human Rights Council on 04 October 2022, during the interactive dialogue with the UN High Commissioner for Human Rights.

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