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UN Human Rights Council

Thirty-fourth session: 27 February – 24 March 2017

Item 4: Interactive Dialogue with the Commission on South Sudan

Mr. President,

Amnesty International shares the concerns of the Commission on Human Rights in South Sudan with regards to the increase in serious human rights violations and abuses throughout the country. Reports about the “staggering [...] increase in the number of cases of sexual or gender-based violence”¹ are particularly alarming.

Amnesty International is concerned by the lack of accountability for these serious crimes, and the failure of the Government to guarantee victims’ rights to justice, truth and reparation.

According to the government, some crimes committed against civilians by its soldiers have been prosecuted before military courts, despite the fact that South Sudan’s SPLA Act provides that if military personnel commit an offence against a civilian a civil court should assume jurisdiction over the offence. The jurisdiction of military courts over criminal cases should be limited to trials of military personnel for breaches of military discipline; it should not extend to crimes under international law or human rights violations.

Presidential investigations into human rights violations and abuses, the reports of which are rarely made public, also have failed to result in accountability. Such was the case with the presidential investigation into the attack on Terrain hotel in July 2016. While some men were reportedly arrested following the investigation, no criminal investigations or prosecutions have taken place.

There has also been little progress towards the establishment of a Hybrid Court for South Sudan.

In light of these concerns, Amnesty International calls on the Human Rights

¹ A/HRC/34/63, para 34.

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Council to renew and strengthen the mandate of the Commission on Human Rights in South Sudan. The Commission's mandate should include investigation of violations and abuses of international human rights and humanitarian law, with a particular focus on sexual and gender-based crimes and identification of alleged perpetrators.

Amnesty International calls on the Council to transmit the report of the Commission to the United Nations Security Council and the African Union.

Thank you Mr. President.