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## **South Sudan: Put Human Rights First**

South Sudan should mark its independence on July 9, 2011, by taking key steps to further a robust human rights agenda, Amnesty International and Human Rights Watch said today. The steps should include placing a moratorium on the death penalty, releasing detainees whose continued imprisonment is unjustified, and ratifying the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Enormous challenges lie ahead for South Sudan, a region wracked by the legacy of the prolonged civil war and severe underdevelopment. But the government can and should take a number of short-term steps to ensure the protection, respect, and promotion of its citizens' rights in six areas, Amnesty International and Human Rights Watch said in a briefing paper, "South Sudan: A Human Rights Agenda," released on June 30, 2011.

"South Sudan should celebrate its birthday by showing firm commitment to human rights, for everyone and especially for women and children," said Daniel Bekele, Africa director for Human Rights Watch. "By taking the steps we have outlined in the Human Rights Agenda for South Sudan, the new country's leaders will send a powerful signal to a people who have experienced so many decades of abuse and neglect."

The semi-autonomous region of Southern Sudan gained independence through a self-determination referendum, held in January, under the terms of the 2005 Comprehensive Peace Agreement (CPA). The agreement ended Sudan's 22-year civil war. The region is set to declare independence on July 9, becoming Africa's 54th state.

A top priority is to ensure accountability for abuses by soldiers, police, and other security forces. Since the January referendum, fighting between the government Sudan People's Liberation Army forces and armed opposition groups has increased, and soldiers have been responsible for grave human rights abuses, including unlawful killings of civilians and looting and destruction of civilian property.

Police have also been implicated in day-to-day human rights violations and problems in the administration of justice, including arbitrary arrests and detentions.

"The government needs to demonstrate its commitment to combat a growing culture of impunity for abuses by its security forces," Bekele said. "It should make sure that rank-and-file soldiers and their officers, as well as the police service, know and understand their obligations, and are held accountable for violations."

The two groups also urged actions to promote freedom of expression, association, and assembly. During Sudan's April 2010 elections, southern security forces harassed, arrested, and detained people thought to be opposed to the ruling Sudan People's Liberation Movement, including journalists and party members. Both organizations have documented cases in which security personnel harassed and arbitrarily arrested and detained journalists for criticizing the government.

“Respect for freedom of expression, association, and assembly is essential to the new state,” said Erwin van der Borght, Africa director of Amnesty International. “The government should publicly affirm commitment to these essential freedoms and stop arresting journalists arbitrarily.”

In view of chronic weaknesses in the justice system, the groups also urged the government to declare an official moratorium on executions with an ultimate view to abolishing the death penalty and to commute all death sentences.

Weaknesses in law enforcement and the justice system contribute to arbitrary detentions and long periods of pretrial detention. Children are often tried and detained with adults, while mentally ill people languish in prison without any legal basis for their detention, and do not receive treatment.

“A moratorium on executions is an immediate human rights priority, especially in a country where the highest standards of due process cannot be guaranteed,” van der Borght said.

To address weaknesses in the justice system the new government should promptly review the case of every person in detention to determine the necessity and legality of their continued detention, Amnesty International and Human Rights Watch said.

While South Sudan is expected to succeed to the various human rights treaties the Khartoum government ratified, the new nation should also ratify additional international human rights instruments, such as the CEDAW, the Rome Statute of the International Criminal Court, and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The organizations also called on the South’s leaders to declare zero tolerance for forced and early marriage and gender based violence. The government should urgently develop a national strategy to deal with both issues that includes intensive training for traditional leaders in charge of customary law.