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Technical assistance and capacity-building

Technical assistance and capacity-building for South Sudan

Report of the Office of the United Nations High Commissioner for Human Rights*

Summary

The present report, prepared pursuant to Human Rights Council resolution 52/43, contains an overview of the technical assistance and capacity-building provided by the Office of the United Nations High Commissioner for Human Rights through the Human Rights Division of the United Nations Mission in South Sudan to the Government of South Sudan. It covers the period from January to December 2023.

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 52/43 on technical assistance and capacity-building for South Sudan. In that resolution, the Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR), in cooperation with the Government of South Sudan and relevant mechanisms of the African Union, to urgently assist South Sudan in addressing human rights challenges in the post-conflict transition by providing the Government with the necessary technical and capacity-building support, in accordance with the terms of the resolution. The Council also requested OHCHR to present a comprehensive report to the Council at its fifty-fifth session on the support provided to the Government, to be followed by an interactive dialogue.

2. The report, which covers the period from January to December 2023, presents an overview of the main human rights challenges in South Sudan and outlines the technical assistance and capacity-building support provided to the Government of South Sudan by OHCHR through the Human Rights Division of the United Nations Mission in South Sudan (UNMISS) to help address those challenges. It also contains recommendations for the Government and other stakeholders to strengthen the promotion and protection of human rights in the country.

II. Methodology

3. The present report is based on information on human rights violations and abuses and violations of international humanitarian law gathered and verified by the Human Rights Division through its headquarters in Juba and 12 field offices in 10 States. The Human Rights Division conducted at least 390 field visits and interviewed 2,036 victims, witnesses and other relevant stakeholders, of which 408 were women. Sources of information included victim and eyewitness accounts and observations by human rights officers, as well as secondary sources, including information provided by service providers, local and national authorities, community leaders and civil society organizations.

4. The findings are based on information that has been documented and corroborated in accordance with OHCHR methodology. The overview of the human rights situation should not be considered exhaustive, given the challenges encountered in monitoring and reporting on violations and abuses of international human rights law and violations of international humanitarian law, including limited access to various locations owing to security considerations, denials of access and inaccessibility of some locations due to poor road conditions.

5. The information on technical assistance is based on direct engagement with the Government of South Sudan and other stakeholders at the national and State levels and on projects implemented by the Human Rights Division in cooperation with other UNMISS components,¹ as well as United Nations agencies, such as the United Nations Development Programme (UNDP). These activities were undertaken based on identified capacity gaps articulated in the 2022 needs assessment for capacity-building and technical assistance of the Government of South Sudan 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.

¹ Rule of Law Advisory Section, Women's Protection Advisory Unit, Protection Transition and Reintegration Section, Child Protection Unit, Communications and Public Information Division and United Nations police.

III. Main human rights challenges

A. Protection of civilians

6. Since the signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan in 2018, a general reduction in armed conflict-related violence against civilians has been observed throughout the country. Nonetheless, conflict persists in different regions, such as between the South Sudan People's Defence Forces and the National Salvation Front in Central Equatoria State. Consequently, civilians in those areas face ongoing security challenges and are exposed to risks that compromise their safety. Furthermore, intercommunal and intracommunal violence, including over access to natural resources, as well as land and border disputes and cattle-related attacks perpetrated by community-based militias and self-defence groups continue to pose significant risks to civilians, notably in Warrap, Jonglei and Eastern Equatoria States. These developments forestall peace and human security efforts and directly affect the well-being and safety of civilians.

7. 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.

Number of civilians affected by violence in South Sudan in 2023

Type of violence	Men	Women	Boys	Girls	Total
Killing	1 258	143	102	21	1 524
Injury	883	122	37	10	1 052
Abduction	66	155	237	143	601
Conflict-related sexual violence	14	96	3	50	163
Total	2 221	516	379	224	3 340

Figure I
Trends in the number of civilians affected by violence in South Sudan in 2022 and 2023

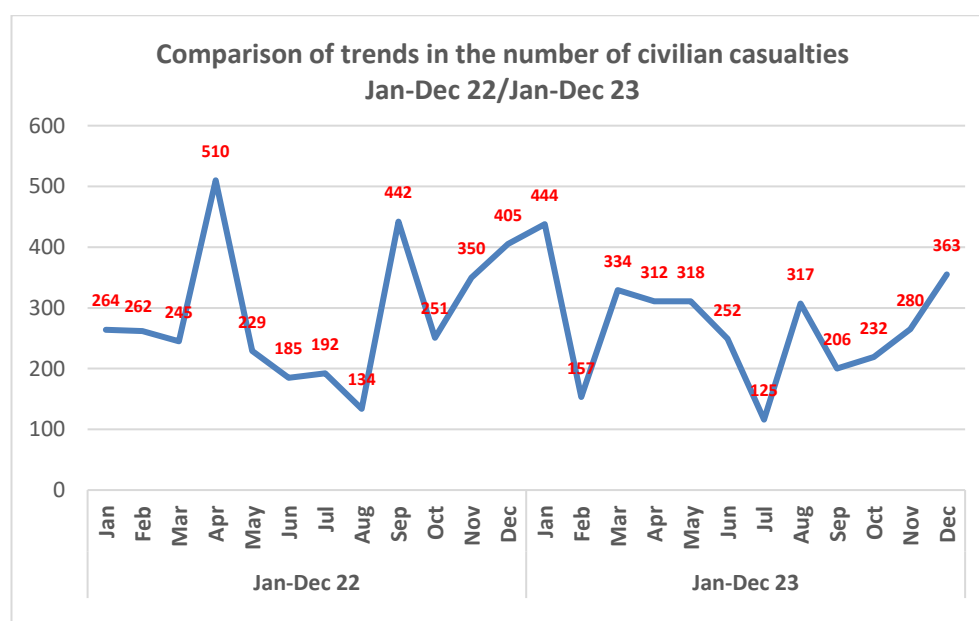
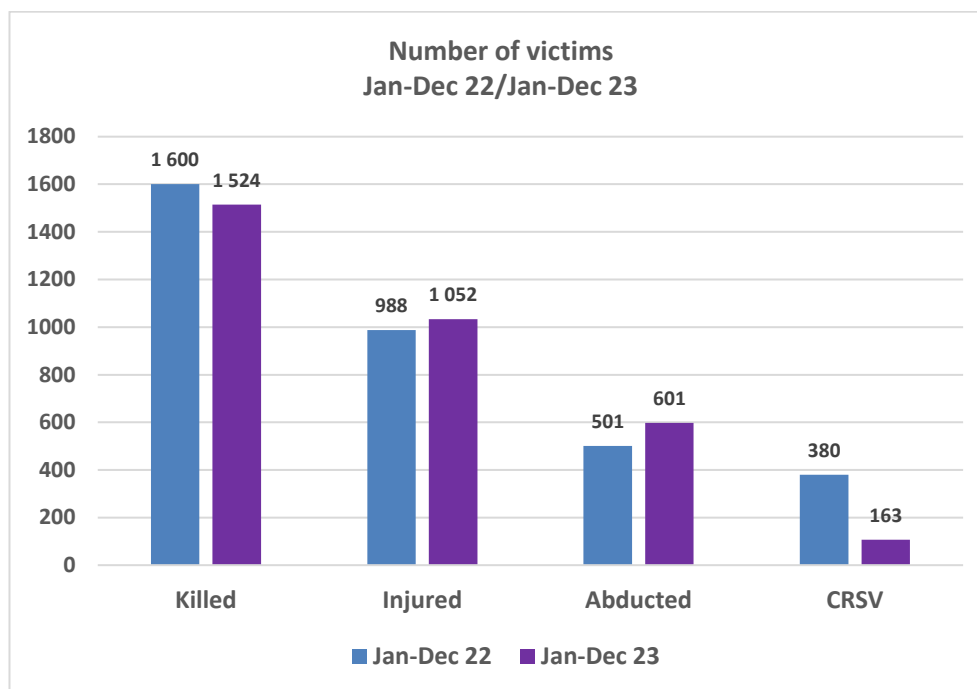


Figure II
Comparison of the number of civilians affected by violence in South Sudan in 2022 and 2023



8. The fight over border access and control, as well as access to natural resources, specifically timber and gold, in Central Equatoria State has intensified the existing tension between the South Sudan People's Defence Forces and the National Salvation Front. Defections from the National Salvation Front to the South Sudan People's Defence Forces,² as well as internal strife within the National Salvation Front leadership, further aggravated the tensions. As a result, civilians residing in various regions, including Yei-Maridi Road, Mugwo and Otego (particularly in Ombaci Boma) Payams in Yei County, Udabi Payam in Morobo County, Loka Boma in Lainya County, and Paya Hills in Lobonok Payam, Juba County, continued to be adversely affected. Both parties involved in the conflict have demonstrated a lack of adherence to the principles of international humanitarian law and have committed various human rights violations and abuses, such as killings, other violations of physical integrity, sexual violence, abductions, looting and destruction of civilian property, arbitrary detention, ill-treatment and forced displacement of civilians.

9. In 2023, the Human Rights Division documented 34 incidents of violence perpetrated by the National Salvation Front affecting 122 civilians, including 27 women and 10 children (7 boys and 3 girls), as follows: 17 killings (14 men, 2 women and 1 girl), 17 injuries (16 men and 1 woman), 83 abductions (55 men, 19 women, 7 boys and 2 girls) and 5 incidents of conflict-related sexual violence (5 women). In the context of the conflict with the National Salvation Front, the South Sudan People's Defence Forces were responsible for 44 incidents affecting 68 civilians, including 21 women, 8 girls and 3 boys (30 killed, 13 injured and 25 subjected to sexual violence). In addition, 29 incidents of arbitrary detention and ill-treatment affecting 72 victims, including 4 women, were documented, mainly of civilians perceived as sympathizers or collaborators with the National Salvation Front.

10. In Eastern Equatoria, Jonglei and Warrap States, violence by community-based militias and/or civil defence groups continued to account for most of the violent incidents across the country, affecting 2,347 civilians, including 334 women, 259 boys and 155 girls (1,128 killed, 728 injured, 458 abducted and 33 subjected to sexual violence). In Warrap State, despite the Cessation of Hostilities Agreement and the communiqué on peace adopted

² For example, in June 2023, one of the National Salvation Front commanders defected to the South Sudan People's Defence Forces along with his subordinates. He later declared his allegiance to the Government of South Sudan.

by the Peace and Security Council of the African Union in 2022, persistent intercommunal violence triggered by cattle raiding between Dinka sub-clans and a renewed intercommunal dispute between the Dinka Twic Mayardit and Dinka Ngok communities in the Abyei Administrative Area resulted in 863 civilian casualties, including 77 women, 21 boys and 8 girls (531 killed, 320 injured, 10 abducted and 2 subjected to sexual violence).

B. Rule of law, accountability and transitional justice

1. Accountability

11. The weakness of accountability mechanisms for human rights violations and abuses, violations of international humanitarian law and non-adherence to the rule of law continued to contribute to pervasive impunity and the absence of justice and effective remedies for victims. For instance, in Warrap and Upper Nile States, victims' access to justice and accountability for human rights violations and abuses was hindered by insecurity and lack of judicial personnel.

12. Judges and staff of judicial entities in South Sudan faced logistical constraints, restricted access and security considerations, which had an impact on the tasks they were to carry out. For instance, judges were unable to preside over cases in various States, and therefore had to carry out their duties exclusively from headquarters. As a result, traditional chiefs in rural areas continued to oversee most of the judicial proceedings, including in matters that fell outside their competence.³ The lack of expertise of customary courts to handle highly sensitive cases is cause for concern, as it erodes the rule of law in South Sudan, contributing to the prevalence of impunity and lack of accountability for perpetrators.

13. The backlog of cases in prisons and other detention facilities continued to significantly burden the criminal justice system. The deployment of mobile courts to resolve this backlog was hindered by the lack of transportation and inaccessible roads, which presented obstacles for victims and witnesses who had to travel from remote places to participate in court proceedings. Moreover, the lack of transportation arrangements had a negative impact on the transit of inmates from correctional facilities to court.

2. Extrajudicial executions

14. Extrajudicial executions remained a grave concern in South Sudan, despite consistent advocacy by UNMISS at the State and national levels to address the issue. In 2023, the Human Rights Division documented 38 cases of extrajudicial execution – 22 in Warrap State, including one woman and one boy, 13 in Lakes State and 3 in Eastern Equatoria State. The extrajudicial executions were often ordered or sanctioned by State and local government officials and conducted by firing squads composed of national security agents, reportedly to address the increase in localized armed violence perpetrated by community-based militias. Engagement and advocacy by the Human Rights Division for due process and accountability in response to extrajudicial executions in Warrap State resulted in the arrest, trial and conviction on 22 August by the Prisons Disciplinary Board of three personnel of the National Prison Service of South Sudan for their complicity in the extrajudicial execution of a civilian in the town of Turalei in Twic County on 10 May. The victim was extracted from Twic County Prison where he had been incarcerated on murder charges.

C. Civic space and participation

15. The civic space in South Sudan remained severely restricted. The Human Rights Division documented restrictions in relation to the freedoms of opinion, expression, peaceful assembly and association, enforced primarily by security forces through censorship, harassment, arbitrary arrests and the detention of journalists and individuals, hence impeding public engagement in democratic processes. Other armed players, as well as civilian

³ While customary courts primarily handle cases related to civil and family matters, they also adjudicated criminal cases brought before them.

authorities, such as governors and ministers, also intimidated and impeded the efforts of activists.

16. In 2023, the Human Rights Division documented 30 incidents committed by security forces, affecting 60 male individuals. These included censorship, harassment, arbitrary detention and ill-treatment of individuals expressing critical or divergent views of the Government. Forty-nine individuals were arbitrarily arrested and detained, one was killed, one was injured, one journalist was kidnapped, and there were seven cases of intimidation or restrictive orders and one media outlet closure.

17. In addition, journalists and civil society activists continued to be subjected to harassment and intimidation by national security forces while performing their duties. For instance, during a parliamentary session on budget deliberations on 11 August, security personnel seized the equipment of several journalists who were covering the boycott of the budget discussions by members of the opposition. In another incident, security personnel arbitrarily arrested and detained a South Sudanese journalist, reportedly subjecting him to ill-treatment, possibly amounting to torture, and issued death threats in relation to the release of material, which they found to be sensitive. The journalist is reported to have left the country owing to continuing death threats.

18. The restrictions on civic and political space significantly hindered the participation of the general public in constructive dialogue on crucial matters of national significance, such as elections and the constitution-making process, during the reporting period.

19. Several other factors have also played a role in limiting the civic and political space, including recurring conflicts that have led to the erosion of national and State-level institutions and the absence of independent oversight mechanisms for those institutions. For instance, while several key institutions have recently been established to prepare the 2024 elections, notably the National Elections Commission, the National Constitutional Review Commission and the Political Parties Council, an oversight mechanism for dispute resolution over the results of the elections has yet to be established. Moreover, the newly established institutions lack funding, staffing and infrastructure and are in the budget and action plan development stage. The participation of civilians in political processes has been considerably constrained by a weakened economy, forced displacement and slow implementation of the permanent constitution-making process.

D. Conflict-related sexual violence and sexual and gender-based violence

20. In 2023, the Human Rights Division documented 116 incidents of conflict-related sexual violence involving 163 victims (96 women, 50 girls, 14 men and 3 boys). The prevailing culture of silence surrounding conflict-related sexual violence remained an overarching problem during the reporting period, with attendant challenges, such as stigma and the long-lasting psychological trauma suffered by survivors. Underreporting of incidents of conflict-related sexual violence remained a key challenge, owing to the fear of retaliation, lack of trust in the judicial system and inadequate medical, psychological, legal and socioeconomic support services for victims and survivors of sexual violence.

21. Sexual and gender-based violence remained one of the most critical challenges to the protection and well-being of women and children, particularly girls, in South Sudan. In 2023, the Human Rights Division documented 114 incidents of sexual and gender-based violence involving 118 victims (97 girls, 19 women and 2 boys). The majority of the alleged perpetrators were not known to the victims. Sexual and gender-based violence remained underreported owing to various factors, such as stigma, trauma and fear of retaliation.

IV. Main achievements in capacity-building and technical cooperation

22. The Human Rights Division continued to provide technical assistance and capacity-building at the request of the Government of South Sudan. In 2023, the Division, in collaboration with relevant UNMISS components and external partners, conducted

399 capacity-building and sensitization programmes for 15,484 individuals (10,096 men and 5,388 women). Participants were drawn from the national and State ministries, the national human rights institution, civil society organizations and national security forces, including the South Sudan People's Defence Forces, the South Sudan National Police Service and the South Sudan National Prison Service.

23. The topics covered included the international human rights and international 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. Various delivery methods were used for the training, including visual tools and materials, presentations, round-table discussions, group discussions, interactive learning guides and videos. The activities contributed to raising awareness of the national and international human rights frameworks and strengthened the participants' ability to respond to human rights incidents, including by providing information to the Human Rights Division.

24. Fifteen public awareness-raising segments on human rights, moderated by panels of experts from civil society organizations and government partners, were aired on Radio Miraya as part of the "Know Your Rights" talk show in 2023. The radio segments covered various topics, including the universal periodic review, conflict-related sexual violence, transitional justice and accountability. These programmes had a considerable impact, expanding the knowledge of South Sudanese communities about human rights, heightening awareness of human rights violations and abuses and encouraging communities to increase their demands for accountability.

25. To cultivate an environment conducive to youth participation in human rights and peace processes in South Sudan, the Human Rights Division, in collaboration with the South Sudan Youth Organizations Coalition and the Commission on Human Rights in South Sudan, convened a youth forum on civic engagement on 28 September for 100 stakeholders, including 30 young women. The forum provided a platform for various stakeholders to engage in meaningful discussions about opportunities and challenges associated with the advancement of the political participation and civic engagement of young people in South Sudan.

26. To increase the inclusive and effective participation of women and youth in democracy and transitional justice processes, a round table was organized in collaboration with women-led civil society organizations on 22 June. The speakers at the round table emphasized the need for respect for civic space and compliance with the stipulation in the Revitalized Agreement that 35 per cent of the participants in all executive and transitional institutions and processes should be women.

A. Rule of law, accountability and transitional justice

1. Accountability

27. The Human Rights Division continued to advocate for and provide technical support to the rule of law institutions, with the aim of enhancing accountability for human rights violations and abuses and violations of international humanitarian law and ensuring access to justice for victims and their families. For instance, the Division assisted the United Nations-supported General Court Martial deployed to Yei River County from 22 May to 16 June. The support included a range of different activities, such as preparing case files, organizing information and evidence, supporting victims and witnesses, providing guidance on human rights issues, as well as monitoring legal proceedings and reporting on adherence to fair trial guarantees. The General Court Martial sentenced to prison 12 soldiers of the South Sudan People's Defence Forces convicted of crimes such as murder, rape, sexual harassment and grievous harm. The convicted soldiers were imprisoned for periods of three months to 10 years and were also ordered to pay fines ranging from 50,000 to 700,000 South Sudan pounds. Most of the convicted soldiers were demoted and dismissed from the South Sudan People's Defence Forces.

28. The Human Rights Division also played a pivotal role in supporting the pre-deployment assessment team of the mobile courts in Upper Nile State. The Division's office in Malakal collaborated with justice entities in Maban, Malakal and Renk to advocate for mobile court deployment to alleviate case backlogs and prison congestion. Consequently, a mobile court supported by the UNMISS Rule of Law Advisory Section was successfully deployed in Malaka in early August. In addition to monitoring adherence to fair trial standards, the Division's role encompassed identifying, mobilizing and assisting witnesses, and providing for their access to the court in collaboration with a local partner. This collaborative effort has enabled victims and witnesses to participate in court proceedings and promoted a fair and equitable legal process.

29. Technical support was provided to the Central Equatoria State Legal and Prison Administration through a project initiative on action-oriented joint prison monitoring aimed at mitigating the overcrowding of detention facilities and reducing the backlog of cases in the judicial system. In a successful outcome of this initiative, 14 male inmates accused of minor offences, who had been in protracted detention, were presented before a high court judge and promptly released on 17 and 18 November.

30. The engagement of the Human Rights Division with the Legal Administration of Lakes State on accountability for the rape of a 16-year-old girl by a senior officer of the South Sudan National Police Service on 15 November 2022 resulted in the trial and conviction of the perpetrator on 21 August 2023. The perpetrator was sentenced to two years in prison and the payment of fines.

2. Transitional justice

31. The overall implementation of the Revitalized Agreement remained slow, hindering progress in the establishment of the three transitional justice institutions, including the Hybrid Court of South Sudan. Furthermore, the Government's financial support for execution of transitional justice initiatives remained insufficient.

32. Despite challenges, the Government made significant progress in the drafting of the bills establishing the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority, following public consultations by the Technical Committee of the Ministry of Justice and Constitutional Affairs with support from the Human Rights Division and UNDP. On 20 November, the two bills were presented to the Reconstituted Transitional National Legislative Assembly for deliberation and enactment. The legal frameworks for the Commission on Truth, Reconciliation and Healing and the Compensation and Reparation Authority are expected to provide for the establishment of the transitional justice mechanisms, the implementation processes, the protection of victims and witnesses, representation of vulnerable groups as well as procedures for compensation and reparations. Once enacted, these bills have the potential to bring justice and closure to ordinary people in South Sudan, offering a path towards healing, reconciliation and the rebuilding of the social fabric of the nation, which has been deeply affected by years of conflict and violence.

33. OHCHR and the Human Rights Division have been providing support to the Government in its continued engagement in a process of broad and public consultation on the bills with key stakeholders, including victims' and survivors' networks, the Transitional Justice Working Group and civil society organizations, to ensure that their views and opinions are duly considered. OHCHR and the Human Rights Division also continued to advocate for the holistic implementation of the transitional justice mechanisms in chapter V of the Revitalized Agreement.

34. In order to establish a group of transitional justice trainers within the South Sudan security sector, the Human Rights Division conducted a training of trainers workshop on transitional justice, human rights, gender, and justice processes in February for 34 senior judge advocates (including 7 women) of the South Sudan People's Defence Forces. The training recipients have been educating new justices in the South Sudan People's Defence Forces mobile courts.

35. Between February and May, the Human Rights Division monitored the deployment of the National Investigation Committee on the Southern Unity Crisis. The deployment was

in line with the recommendations in the joint report entitled “Attacks against civilians in southern Unity State, South Sudan, February–May 2022”, issued by the Human Rights Division and OHCHR in September 2022,⁴ in which, among other things, the Government was requested to investigate the documented incidents and enforce appropriate accountability measures against the perpetrators of the human rights violations and abuses. The Human Rights Division provided logistical support to the Committee, facilitated meetings with some local interlocutors and briefed Committee members on human rights concerns relative to the investigation.

36. In March, the Human Rights Division engaged 45 women and 5 male young people in a round table on their inclusion and participation in the transitional justice processes. The participants provided comments on the draft bills on the Commission on Truth, Reconciliation and Healing and the Compensation and Reparation Authority and emphasized the need to involve women and youth throughout the transitional justice processes. Similarly, in May, the Division provided technical support to the Transitional Justice Working Group in its analysis of the two bills with respect to their compliance with views and opinions from the public consultations, protection concerns, gender diversity and inclusion, and compliance with human rights standards and principles. The Transitional Justice Working Group continues to use the analysis of the bills to advocate with key stakeholders.

37. In May, the Human Rights Division, in collaboration with the Centre for Human Rights Lawyers, conducted a training session for 40 (including 16 women) judge advocates and Commissioners of Oath on accountability and transitional justice processes, with the aim of ensuring that the South Sudan People’s Defence Forces mobile courts adhere to human rights norms and standards. Thanks to this training, the judges have been able to incorporate principles of human rights and transitional justice into their judicial duties and decisions.

38. The Ministry of Justice and Constitutional Affairs received technical assistance from the Human Rights Division to coordinate a national transitional justice conference, held in Juba from 15 to 17 May. The conference effectively enhanced comprehension within governmental institutions regarding the role of stakeholders in transitional justice and its impact on the establishment of a lasting peace. It has contributed to the formal acknowledgement and discussion of transitional justice issues in government circles.

39. From 20 to 23 June, the Human Rights Division, in partnership with the African Union and the Centre for Peace and Advocacy, trained 24 men and 21 women from youth and women’s groups on transitional justice mechanisms, the African Union Transitional Justice Policy Framework and stakeholders’ roles in the transitional justice processes in South Sudan. The participants called for advocacy with the Government of South Sudan and the African Union for progressive steps towards the establishment of the Hybrid Court for South Sudan, increased participation of local communities, women, youth and people with disabilities in the transitional justice processes and protection of victims and witnesses.

40. To facilitate consultations on the establishment of the Commission for Truth Reconciliation and Healing, the Human Rights Division, in collaboration with UNDP and the Office of the United Nations High Commissioner for Refugees, provided technical assistance to the task force on the establishment of the Commission in the Ministry of Justice and Constitutional Affairs. This enabled the Technical Committee to consult South Sudanese refugees in Ethiopia between 28 August and 1 September.

41. With technical and logistical support provided by the Human Rights Division in coordination with UNDP, on 19 September, the Ministry of Justice and Constitutional Affairs officially launched the Ministry’s website,⁵ which is expected to update the public on the mandate of the Ministry, on the establishment of transitional justice and accountability mechanisms under chapter V of the Revitalized Agreement and on the promotion of access to South Sudan laws by stakeholders and the public.

⁴ Available at https://waps.ohchr.org/sites/default/files/documents/countries/ss/2022-09-09/report_on_attacks_on_civilians_in_southern_unity_state_06_september_2022.pdf.

⁵ See <https://mojca.gov.ss>.

42. On 18 October, the Human Rights Division, in coordination with the State Legislative Assembly, held a human rights and rule of law forum in Warrap State. The participants discussed and deliberated on the transitional justice mechanisms in chapter V of the Revitalized Agreement and how the different stakeholders could engage in the transitional justice processes and promote accountability for human rights violations with a view to ending impunity in the State. The Speaker of the Assembly called upon all to respect and promote human rights in the State. The forum was attended by 55 participants, including 10 women, from the State Legislative Assembly, the judiciary, the executive branch, the United Nations and civil society organizations.

43. On 24 October, the Human Rights Division, in partnership with the Lakes State authorities, held a State transitional justice conference for a total of 50 participants, including 9 women, on the role of stakeholders in the transitional justice processes. The participants established the State Transitional Justice Committee, which is co-chaired by the Ministry of Parliamentary and Legal Affairs as well as a civil society organization representative, to coordinate activities in the State, including raising awareness of transitional justice and accountability mechanisms to address human rights violations in the State.

B. Civic space and participation

44. To ensure inclusive, safe and meaningful civil society participation in the political processes, UNMISS senior leadership regularly engaged with civil society organizations nationwide on pertinent political developments, challenges and the way forward. In May and September, for example, the Human Rights Division facilitated the engagement of the Special Representative of the Secretary-General and Head of UNMISS with civil society organizations on issues related to civic and political space in the context of preparations for the general elections. The interactive discussion led to a number of recommendations on the need for the Government to stabilize security at the State level, the timely implementation of the Revitalized Agreement and the road map to a peaceful and democratic end to the transitional period, non-interference of security forces in activities of civil society organizations, the need to convene a national civil society organizations forum and advocacy for inclusive and transparent constitution-making and electoral processes, among others.

1. Establishment of protection networks

45. In a sustained effort to create the conditions for a safe and enabling environment conducive to free and unhindered civic and political space, the Human Rights Division, in collaboration with the Union of Journalists of South Sudan and the South Sudan Human Rights Defenders Network, conducted tailored training for journalists and human rights defenders in Bor, Jonglei State; Yei, Central Equatoria State; Yambio, Western Equatoria State; Torit, Eastern Equatoria State; and Rumbek, Lakes State.⁶ These engagements equipped more than 180 journalists and human rights defenders (including 58 women human rights defenders) with skills in context analysis, creating strategic plans and security plans, stakeholder mapping, monitoring and reporting on fundamental freedoms, and digital data protection.

46. The technical assistance and capacity-building provided to journalists, civil society organizations and media professionals contributed to the establishment of protection networks in Bor, Juba, Rumbek, Torit and Yambio. The protection networks are informal collaborative networks at the boma, payam, State and national levels to pool knowledge and resources for protection and advocacy and share information on support, personal security and solidarity among activists. In addition, the protection networks will contribute to credible analysis and reporting on the civic and political environment and citizen participation in the electoral processes at the subnational level.

⁶ From 27 to 30 June in Bor; from 27 to 30 June in Yei; from 15 to 18 August in Yambio; from 5 to 8 September in Torit; and from 13 to 15 September in Rumbek.

2. Women's participation in public and political life

47. The Human Rights Division engaged and supported the Female Journalists Network in promoting women's leadership, management and representation in the media sector. From 18 to 20 October 2022 and on 7 and 8 February 2023, capacity-building workshops were held on promoting a gender perspective in the political process. Through the Network, 45 journalists and editors, including 35 women, were trained in gender-responsive reporting with the aim of improving women's representation in South Sudan media and increasing the coverage of issues affecting women, such as sexual and gender-based violence, conflict-related sexual violence, property rights and access to health care, by at least 35 per cent.

48. On 29 November, the Human Rights Division commemorated the International Day for Women Human Rights Defenders together with women human rights defenders in the framework of the celebrations of the 16 Days of Activism against Gender-based Violence campaign. Thirty-two women activists participated and shared strategies for effective networking and tackling threats such as intimidation and discussed the referral pathway for sexual and gender-based violence. The participants also took part in art therapy sessions aimed at providing mental health benefits.

3. Protection of media professionals through engagement with the security forces

49. With the aim of protecting the safety of journalists, the Human Rights Division has been recording incidents involving the infringement of their human rights, including arbitrary detention, intimidation and assault against journalists perpetrated by security forces. During the reporting period, several initiatives were implemented to enhance the knowledge and skills of journalists and security forces. Those efforts focused primarily on raising awareness and conducting capacity-building activities.

50. In particular, in a collaborative effort with the United Nations Educational, Scientific and Cultural Organization (UNESCO), a training session for trainers was conducted for 45 members of security forces, including 12 women, on 26 and 27 September to enhance understanding about freedom of expression and the safety of journalists. During the training, security forces were reminded to uphold fundamental freedoms and access to information for citizens, create an atmosphere conducive to civic engagement and political participation in democratic processes, and ensure the safety of journalists. The Human Rights Division observed an improvement in the relationship between security personnel and journalists as a result of these capacity development efforts, which have also enabled easier access to security personnel for discussions about situations involving journalists. In a positive development, in March, with the assistance of the Human Rights Division, the Union of Journalists of South Sudan successfully facilitated the release of the seven journalists who were detained in January 2023 for their involvement in the dissemination of a video featuring the President of South Sudan.

51. On 28 September, the Human Rights Division made a presentation on the Internet and its impact on access to information and freedom of expression at the commemoration of the International Day for Universal Access to Information, coordinated by UNESCO and the Ministry of Information, Communication Technology and Postal Services. The gathering was attended by 50 people, including 21 women, from diverse media sources.

4. Technical assistance to the Political Parties Forum

52. In May and September, the Human Rights Division provided technical assistance to the work of 150 members of various political parties, including 55 women, gathered in two Political Parties Forums organized by UNMISS. The discussions related to the role of political parties in implementing the road map and reflections on the way forward on the theme "Uniting for democratic governance and a peaceful transition in South Sudan". The Division engaged the political party members on the importance of human rights, emphasizing fundamental freedoms and the dangers of propaganda and hate speech in campaigns or rallies. The engagement with political party members in the Forums enabled a dialogue on human rights issues and encouraged political party leaders to commit to ethical behaviour and promote a culture of integrity within the political landscape.

53. UNMISS interventions during the reporting period on creating the conditions conducive for civic and political space as a prerequisite for credible elections in 2024 were anchored in participation, prevention, protection and promotion. The interventions included advocacy for broadening the civic and political space and the provision of technical assistance, including capacity-building and logistical support, focused on creating the conditions for civic and political space, in coordination with the United Nations country team.

C. Conflict-related sexual violence

54. The Women's Protection Advisory Unit sustained its engagement with the parties to the conflict to enhance the prevention of and response to conflict-related sexual violence. This included capacity-building activities for the parties listed in the report of the Secretary-General on conflict-related sexual violence (S/2023/413) and relevant government agencies to promote accountability, raise awareness about the negative and long-term impact of conflict-related sexual violence and promote a survivor-centred approach in responding to such violence.

55. From January to June, the UNMISS Rule of Law and Security Institutions Support Office, with the support of the Women's Protection Advisory Unit, convened a three-part training workshop for 50 judge advocates, including four women, to enhance the capacity of the South Sudan People's Defence Forces Military Justice Directorate to promote accountability for serious crimes, including sexual and gender-based crimes, committed by the personnel of the South Sudan People's Defence Forces. The capacity-building activities focused on equipping judge advocates with practical skills to effectively investigate, prosecute and adjudicate serious crimes, including sexual and gender-based violence in the context of armed conflict, and to investigate and prosecute crimes against children, as well as to manage and preserve evidence.

56. The Women's Protection Advisory Unit and the UNMISS Rule of Law and Security Institutions Support Office supported the Military Justice Directorate in reviewing and printing pocket cards with key messages on ending sexual violence, underscoring the importance of adopting a victim-centred approach before, during and after criminal proceedings. The "six key messages to end sexual violence" have been enacted by South Sudan People's Defence Forces as standing orders that are legally binding on all military personnel.

57. Between January and September, 76 outreach and capacity-building activities on the prevention of and response to conflict-related sexual violence were organized across the country, targeting security forces and parties to the conflict (the South Sudan National Police Service, the South Sudan People's Defence Forces and the Sudan People's Liberation Army in Opposition), as well as local authorities, members of parliament, community leaders and members of civil society organizations, journalists and survivors of conflict-related sexual violence. In addition, two radio talk shows and a television show were recorded for the general public.

58. As part of the technical support provided to the Joint Implementation Committee for the Joint Action Plan for the Armed Forces on Addressing Conflict-related Sexual Violence in South Sudan, the Women's Protection Advisory Unit conducted monitoring and evaluation training in February to equip members of the Joint Implementation Committee with key concepts of monitoring and evaluation.

59. To strengthen the capacity of the trainers and instructors of security forces in the prevention of and response to conflict-related sexual violence, baseline training was conducted from 3 to 5 April for military officers (24 men and 10 women) from the three components of the Joint Implementation Committee, namely the South Sudan People's Defence Forces, the Sudan People's Liberation Army in Opposition and the South Sudan Opposition Alliance in Central Equatoria. A further aim of the training was to help security personnel to develop training plans and identify trainers who would replicate the training in their respective units, contributing to the zero tolerance policy towards impunity for sexual violence crimes (conflict-related sexual violence and sexual and gender-based violence) in South Sudan.

60. On 27 June, in collaboration with the United Nations Population Fund (UNFPA) and the Centre for Inclusive Governance, Peace and Justice, the Women's Protection Advisory Unit conducted a consultation on economic empowerment with survivors of conflict-related sexual violence in Juba. Fifteen conflict-related sexual violence survivors from the National Survivors Network South Sudan and members of civil society working on women's empowerment attended the consultation, which was opened by the Minister of Gender, Child and Social Welfare. During the deliberations, participants focused on the specific issue of economic empowerment of survivors of conflict-related sexual violence and considered both its technical and practical aspects from the perspective of survivors to give effect to the survivor-centred approach. Survivors also made recommendations in relation to the two transitional justice bills (see para. 32 above), including a recommendation that gender-sensitive and transformative measures should be considered from the outset.

61. In the framework of the commemoration of the 2023 International Day for the Elimination of Sexual Violence in Conflict, with the theme "Bridging the gender digital divide to prevent, address and respond to conflict-related sexual violence", UNMISS organized seven capacity-building activities on prevention of and response to conflict-related sexual violence in Central Equatoria and Lakes States, targeting 211 individuals (105 women and 106 men). Furthermore, four radio talk shows and four public events were organized in Central Equatoria, Lakes and Western Equatoria States. The target groups included community workers, women's groups, students, religious leaders, community leaders, the South Sudan People's Defence Forces, the South Sudan National Police Service, the general public, State governments, local musicians, youth, associations of persons with disabilities, survivors of conflict-related sexual violence, members of civil society working on women's empowerment and the UNMISS force.

D. National and State-level human rights commissions

62. The Human Rights Division continued to strengthen the capacity of the national human rights institution – the South Sudan Human Rights Commission – to effectively monitor, investigate and document human rights violations and abuses.

63. The Human Rights Division provided technical assistance to the Commission and civil society organizations to support the holding of the twelfth national human rights forum. The forum, held on 17 May, brought together 100 representatives, including 35 women, from national and State governments, the diplomatic community and civil society organizations. It provided stakeholders with an opportunity to engage in constructive dialogue aimed at addressing human rights violations and abuses related to the exercise of the right to freedom of expression and assembly at the national and State levels.

64. In addition, the Human Rights Division continued to provide technical support to State institutions in organizing human rights and rule of law forums across South Sudan, bringing together key stakeholders to discuss critical issues related to accountability, access and administration of justice. For instance, in Lakes State, on 19 May, the Division organized the monthly accountability forum in collaboration and coordination with the legal administration and public prosecution office. In Central Equatoria State, on 23 June, the Division, in partnership with the Office of the Human Rights Adviser for Central Equatoria, its Independent Human Rights Commission and civil society organizations, conducted a human rights forum with the theme of "Strengthening accountability and access to justice in Central Equatoria". The forum was attended by 130 representatives (including 50 women) from different civil society organizations, religious leaders, members of political parties, members of the Independent Human Rights Commission and representatives of the media. In Eastern Equatoria, the Division organized a two-day human rights forum with the theme "Addressing access to justice and accountability for human rights violations", bringing together 52 participants (13 women), including representatives from the justice sector, local governments, national security forces, members of parliament, county and traditional authorities, youth and women leaders, and representatives of civil society, the media and the South Sudan Law Society.

65. From 12 to 15 June, the Human Rights Division partnered with the South Sudan Human Rights Commission in conducting a capacity-building programme on transitional justice and accountability mechanisms under chapter V of the Revitalized Agreement. The training gathered 45 senior prison and police officers, including 16 women, to discuss the transitional justice mechanisms in the Revitalized Agreement. As a result of the training, law enforcement and prison officials are able to apply basic principles of transitional justice in their daily functions.

E. United Nations human rights instruments and mechanisms

66. Advocacy and high-level engagement by the Human Rights Division with representatives of the Government, the South Sudan Human Rights Commission and civil society organizations contributed to the signing of three bills of accession to international human rights treaties and one regional treaty by the President on 24 February, namely, the Convention on the Rights of Persons with Disabilities and its Optional Protocol; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. However, the instruments of accession to the international treaties have yet to be deposited.

67. As part of its activities under the Human Rights 75 campaign, the Human Rights Division, in collaboration with the Community Empowerment for Progress Organization, organized a three-day workshop on international human rights instruments and mechanisms for 42 men and 18 women from the 11 specialized committees of the reconstituted Transitional National Legislative Assembly. The workshop provided participants with a comprehensive understanding of the treaties and mechanisms, with a view to improving the implementation of those treaties and mechanisms in order to promote and protect human rights in South Sudan. The workshop highlighted how important it was for the National Legislative Assembly to honour obligations arising from human rights instruments and mechanisms, given its role in promoting and protecting human rights by translating international human rights obligations into concrete domestic actions.

68. Joint activities were also organized with the Government to strengthen the national capacity to implement the recommendations made during the third cycle of the universal periodic review, in 2022. As a result, during a joint workshop organized with government and non-government actors in May, the universal periodic review implementation matrix was reviewed to identify specific priority actions and indicators to measure progress in the realization of human rights by the Government. The priority areas included protection from sexual and gender-based violence, access to quality education, and freedom of expression and association. In addition, a training session was held on 4 and 5 October for the South Sudan Civil Society Coalition on the universal periodic review, in particular on implementing recommendations related to transitional justice.

V. Conclusions and recommendations

A. Conclusions

69. **Civilians in South Sudan continue to suffer the devastating consequences of human rights violations and abuses, including killings, injuries, extrajudicial executions, arbitrary detention, abductions, conflict-related sexual violence and large-scale civilian displacements. There is a need for increased international attention and collaborative efforts to ensure that the Government of South Sudan takes decisive actions to protect its citizens, adhere to human rights norms and standards, and foster an environment conducive to transparent elections and sustainable democratic progress.**

70. **Women and girls continue to be the main victims of sexual violence perpetrated by both parties to the conflict and other armed factions. The insufficient allocation of government funds, combined with the lack of prioritization of the health-care needs of**

survivors, has led to an inadequate medical and psychosocial response. Similarly, cultural stigma, the limited capacity of the judicial infrastructure and a pervasive climate of insecurity that hinders investigative and legal processes continue to impede access to justice by survivors of sexual violence. Survivors' capacity to pursue justice is further hindered by the limited availability of specialized support services and a general lack of knowledge regarding the existing legal options.

71. While some progress has been made in the formulation of legislation to create the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority by the Government, ensuring accountability for gross human rights violations and abuses and serious violations of international humanitarian law remains a challenge in South Sudan, and this, in turn, is a hindrance to progress towards achieving sustainable peace. The persistent weakness or non-existence of the rule of law and judicial infrastructure in various locations exacerbates the situation, impeding access to justice and effective remedies, including to reparations for the victims.

72. Through technical cooperation, advisory services and capacity-building activities, the Human Rights Division provided practical assistance to the Government of South Sudan, national human rights institutions and civil society organizations, which is vital for the promotion and protection of human rights in South Sudan. That technical assistance resulted in the strengthening of human rights institutions, improved follow-up on recommendations by human rights mechanisms, including the universal periodic review, as well as better alignment of legal frameworks with international human rights standards. The capacity-building activities, including workshops, training courses, seminars and conferences, enabled learning, knowledge transfer and the sharing of experiences, contributing to the enhancement of the capacities of government officials, members of security forces, and justice and civil society actors to address human rights violations and abuses and promote accountability and a protective environment in South Sudan. Nonetheless, persistent subnational violence as well as inadequate funding, particularly for the South Sudan Human Rights Commission and the State-level human rights commissions, continued to impede efforts to strengthen the human rights framework and advance the promotion and protection of human rights.

B. Recommendations

73. Based on the findings contained in the present report and recalling recommendations from the previous report of OHCHR on technical assistance and capacity-building for South Sudan (A/HRC/52/82), it is recommended that the Government of South Sudan:

- (a) Take effective measures to guarantee human rights protection and protect civilians from violence, including from intercommunal violence;
- (b) Take steps to stem the pervasive impunity by conducting independent, impartial, prompt, effective, thorough, credible and transparent investigations into all allegations of human rights violations and abuses and violations of international humanitarian law and hold perpetrators to account, including those in positions of command and authority;
- (c) Enhance and protect civic space, ensuring respect for fundamental freedoms, in particular the rights to freedom of expression, association and peaceful assembly, including in the light of the upcoming elections;
- (d) Continue to strengthen the rule of law and justice system, including by enhancing gender-sensitive investigatory and prosecutorial capacities as a means of strengthening access to justice across South Sudan;
- (e) Take effective measures to address deficiencies in the administration of justice system, including customary justice entities, to enhance their capacity to fully

fulfil their tasks in compliance with international human rights law and standards. The system should provide for a formal judicial oversight mechanism;

(f) Take comprehensive measures to tackle systematic challenges faced by victims and survivors of sexual violence, including through reforms in the legal and societal structures;

(g) Ensure the efficacy and long-term viability of human rights technical cooperation by encouraging coordination and collaboration among international stakeholders;

(h) Take effective measures to provide the necessary resources to enable the South Sudan Human Rights Commission and State-level human rights commissions to fulfil their mandates;

(i) Strengthen collaboration with the South Sudan Human Rights Commission, the State-level human rights commissions and the international community and establish multi-stakeholder partnerships in undertaking technical cooperation initiatives aimed at enhancing the ability of South Sudan to promote, protect and uphold human rights;

(j) Intensify efforts with regard to the implementation of the transitional justice mechanisms as outlined in chapter V of the Revitalized Agreement, including by signing the memorandum of understanding on the Hybrid Court for South Sudan;

(k) Consider concluding the process of accession to the Convention on the Rights of Persons with Disabilities and its Optional Protocol, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

74. It is recommended that the African Union:

(a) Support and encourage the timely completion of the benchmarks stipulated in the road map to a peaceful and democratic end to the transitional period;

(b) Support the implementation of the transitional justice mechanisms under chapter V of the Revitalized Agreement, including the establishment of the Hybrid Court for South Sudan, and the speedy enactment of the bills on the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority.

75. It is recommended that the international community:

(a) Strengthen its support to the Government of South Sudan through technical assistance and capacity-building, including by allocating funds, in order to enhance the protective environment and advance human rights;

(b) Strongly advocate that the Government ensure the protection of civilians and adherence to international human rights law and international humanitarian law;

(c) Support the establishment and development of accountability mechanisms, including the Hybrid Court for South Sudan, as part of the overall transitional justice process;

(d) Support the strengthening of the judicial system across South Sudan, including in remote locations;

(e) Continue to support the Government and humanitarian organizations in providing medical and psychosocial assistance to survivors of sexual violence.