



General Assembly

Distr.: General
14 September 2021

English only

Human Rights Council

Forty-eighth session

13 September–1 October 2021

Agenda item 4

Human rights situations that require the Council's attention

Written statement* submitted by Maat for Peace, Development and Human Rights Association, 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.

[22 August 2021]

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



The Recent Human Rights Situation in South Sudan from May to July 2021

Preamble

Although the civil war in South Sudan ended with the signature of the Sudanese Peace Agreement, South Sudan continues to suffer from armed violence. The clashes between the rival ethnic groups have caused the death of more than 1000 people during the second half of 2021.

Accordingly, Maat for Peace, Development and Human Rights presents this written intervention to provide an update of the recent the human rights situation in South Sudan over the past three months, and concludes with a set of recommendations for the attention of the HRC within the framework of the recommendations presented to the African Union Commission of Inquiry on South Sudan.

The reality of the human rights environment in South Sudan during the period covered by the report

First: Civil and political rights

A. The right to life

Since the independence until today, the tense political situation in South Sudan has resulted in blatant violations against the right to life. This is mainly attributed to the armed conflict between the tribes fighting for power as well as the spread of all forms of violence and organized crime resulting from insecurity and political tension. The second part of this intervention outlines the most prominent violations in this regard. Given the continuous fight for power, resulting in clashes between the forces loyal to Vice President and a splinter group in South Sudan, about 30 individuals were killed and 13 others were injured in early August.¹

In the context of the continued attacks on humanitarian workers, 6 relief workers were killed in the past three months. South Sudan continues to be one of the most dangerous countries for relief workers, as 128 humanitarian workers has been killed while on duty in South Sudan since 2013.² Amidst such insecurity, 12 civilians were killed on July 17 of 2021 in a border area between the Sudan and South Sudan. They were killed in an attack that was attributed to some herdsmen by local government officials.³ Furthermore, in the context of weak judicial institutions, 42 people were executed by South Sudan People's Defence Forces, the South Sudan National Police Service (SSNPS) and the South Sudan's National Security Service (NSS).⁴

B. Arbitrary arrests

Given the tense political process and the hindering of the power-sharing process, the NSS arrested a number of politicians, political activists and academicians on August 2, including the former governor of Northern Bahr el Ghazal state. They were arrested for political

¹ Deadly fighting between rivals in SSudan VP Machar's party, France 24, 7 August, 2021. Available at: <https://www.france24.com/en/live-news/20210807-deadly-fighting-between-rivals-in-ssudan-vp-machar-s-party>.

² Two Aid Workers Killed in Ambush in South Sudan, VOA news, 8 June, 2021. Available at: <https://www.voanews.com/africa/two-aid-workers-killed-ambush-south-sudan>.

³ 12 killed in contested border region: S.Sudan official, The New Arab, 17 May, 2021. Available at: <https://english.alaraby.co.uk/news/12-killed-contested-border-region-ssudan-official>.

⁴ 42 killed in extrajudicial killings in South Sudan: UN, The New Arab, 26 July, 2021. Available at: <https://english.alaraby.co.uk/news/42-killed-extrajudicial-killings-south-sudan-un>.

considerations and accusations of attempting to make political changes after 10 years of the country's independence.⁵

C. Freedom of information and press

The harassment and intimidation of journalists continue in South Sudan. On July 4, the security forces detained a news anchor at the government-owned broadcasting network for more than two weeks, before being released, after he allegedly declined to report news about recent presidential decrees on the South Sudan Broadcasting Corporation.⁶

D. The right to peaceful assembly and the restrictions on civil society

The civil society suffers from severe limitations on its work. The NSS canceled the panel discussion on constitution making that was scheduled on July 17 by the "South Sudan Civil Society Forum" for creating awareness on the steps to review the constitution as stipulated in the Sudanese Peace Agreement. Such cancellation is considered a violation of the constitutional rights of the citizens to freedoms of expression, associations and assembly, in addition to being a deliberate step to undermine citizens' participation in the implementation of the peace agreement.⁷

Second: The economic, social and cultural rights

A. The right to health

The healthcare status in South Sudan remains poor. There are few facilities and are often inaccessible. Moreover, violence continues to affect workers in healthcare and communities, as the internally displaced persons, returnees and populations affected by the conflict are living in poor conditions. They are facing serious threats to their lives and health, owing to the Covid-19 pandemic and the beginning of the season of rain and floods. Since June, more than 800,000 people in South Sudan has been suffering from limited access to life-saving services, as their urgent calls for humanitarian funding have not been met.⁸

B. The right to education

The limited access to education and high dropout rates have resulted in 2.8 million children being out of school, which is the highest percentage for out-of-school children in the world with more than 70% of school-age children. Furthermore, the closure of schools for 14 months due to the Covid-19 pandemic has pushed an additional two million children out of school.

C. Rights of the Child

In South Sudan, children's lives are threatened. The mortality rate of children is among the highest rates in the world. One out of every 10 children is not expected to reach the age of five. In addition, 8.3 people in South Sudan, including 4.5 million children, are in need of humanitarian assistance.

The high levels of food insecurity is also a matter of concern. 1.4 million children are expected to suffer from severe malnutrition this year, which is the highest number since 2013. More than 300,000 are also expected to suffer from extreme forms of malnutrition and they

⁵ S. Sudanese security shut policy think tank, arrest activist, Sudan tribune, 3 August, 2021. Available at: https://www.sudantribune.com/spip.php?iframe&page=imprimable&id_article=69897.

⁶ South Sudan Journalist in Bad Health After Two Weeks in Detention, VOA News, 27 July, 2021. Available at: <https://www.voanews.com/press-freedom/south-sudan-journalist-bad-health-after-two-weeks-detention>.

⁷ Civil Society Condemns the NSS's Cancellation of a Dialogue on Constitution-making in South Sudan, July 22, 2021, available at: <https://bit.ly/2U7Pgpy>.

⁸ 10 years after South Sudan's independence, more children in need of urgent humanitarian assistance than ever before, UNICEF, 6 July, 2021. Available at: <https://www.unicef.org/press-releases/10-years-after-south-sudans-independence-more-children-need-urgent-humanitarian>.

are at risk of death if no treatment is provided. The assistance needed by children is estimated at 180 million dollars.⁹

D. Women's rights

There is a major challenge facing women's enjoyment of their political rights in South Sudan. The proportion of women's membership was not honored in the recently formed Parliament, which is a violation of women's rights and their representation in the National Legislature of South Sudan. Although the female representation was stipulated in the Sudanese Peace Agreement by 35%, only 159 of women were appointed.¹⁰

Recommendations

A. The African Union Commission of Inquiry on South Sudan needs to urge the government of South Sudan to form regular armed forces, establish a high commission in the country for reconciliation between the rival tribes in order to put an end to the civil war. This is in addition to providing security for humanitarian workers and security forces to protect humanitarian premises.

B. The government of South Sudan should suspend arbitrary executions, particularly in "Warrap" state, rehabilitate the judiciary and remove the power of the authorities over it to rule with transparency and justice, in addition to forming a military court to try murder and national security cases for a speedy trial.

C. Urging the government of South Sudan to stop intimidating and arresting media workers and to make compensations for the damage caused to them.

D. The government of South Sudan should provide freedom for the civil society organizations by not cancelling any symposium on awareness-raising or political issues.

E. The government of South Sudan should contribute in restructuring the Ministry of Health, increasing the number of facilities and making them more accessible as well as providing sanitary materials for patients in South Sudan through the conclusion of protocols with other states and the purchase of medicines and medical supplies.

F. The government of South Sudan should commit to the 35% proportion of women's membership in the Parliament, in accordance with the Sudanese Peace Agreement.

⁹ South Sudan's Health Care Remains Inadequate, Officials Say, VOA News, 5 July, 2021. Available at: <https://www.voanews.com/africa/south-sudans-health-care-remains-inadequate-officials-say>.

¹⁰ Ignoring the proportion of women's membership in the Parliament of South Sudan.. "A Disappointment", Al Ain News, May 16, available at: <https://al-ain.com/article/ssudan-peace-41>.