

UN Human Rights Council calls for rule of law improvement in S. Sudan

Monday 17 September 2012

September 16, 2012 (JUBA) - The Government of South Sudan and its partners should be fully supported in efforts to build the capacity of rule of law institutions as a mechanism of addressing the shortfalls in its human protection mandate, a report to the United Nations Human Rights Council says.

The report, which was submitted by the United Nations Commissioner for Human Rights, specifically advocates for technical assistance and capacity building initiatives to the young nation, which suffered decades of civil war before its independence from Sudan last year.

It was presented in accordance with in accordance with Human Rights Council resolution 18/17, which required the Office of the United Nations High Commissioner for Human Rights (OHCHR), in collaboration with the Government of South Sudan, to identify and assess areas that needed assistance.

South Sudan, which attained independence in July last year, faces numerous human rights challenges, which hitherto remain potential threats to the country's efforts to enjoy peace and stability.

A recent report by the US-based Human Rights Watch (HRW) deplored the dire state of prisons in the country, where inmates allegedly live in horrible conditions and are reportedly denied access to lawyers, indicating flawed justice systems.

South Sudan's Interior Minister, Alison Magaya, however, vowed an investigation into issues of human rights abuses highlighted in the report, but said as a new nation, systems are still in infant stages of development.

The OHCHR, in its report, also acknowledges efforts by South Sudan Government to promote and protect human rights and fundamental freedoms, citing some remarkable progress made in the establishment of laws and policies in the country.

The report, however, says despite South Sudan's commitment to put in place and ratify some of the international instruments for promotion and protection of human rights and freedoms, the country still faces several challenges.

"In spite of the above-mentioned achievements, a number of concerns and issues were raised by delegations during the universal periodic review, including the impact of armed conflicts on civilians; combating impunity; the need for the country to complete its transition from a militarized society to a democratic system based on the rule of law," the 31 August report reads in part.

The report also urges the South Sudan government to undertake a comprehensive reform of its security sector with a view to putting an end to violations committed by law enforcement officers, while empowering the South Sudan National Police Service with the tools to investigate crime and hold perpetrators to account.

In addition, it says, the Juba regime should support capacity-building of the judiciary and, in particular, the training of judges, prosecutors and lawyers; and establish legal aid mechanisms and ensure the right of victims to reparation.

However, while the primary responsibility for the promotion and protection of human rights lies with the Government of South Sudan, OHCHR urges the international community to assist national actors in implementing the following recommendations:

- To define a clear human rights strategy by developing a comprehensive national human rights plan of action, including objectives, indicators, lines of responsibility and budgetary requirements;
- To ensure the presence of the State throughout the national territory, including the justice sector, to protect the population from violence and to grant all citizens the right to redress;
- To adopt and implement a human rights-based approach to development by ensuring that human rights are integrated into programmes and policies;
- To take all measures necessary to develop a robust legal framework for the promotion and protection of human rights in South Sudan.

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