

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	101
Land:	Sydsudan
Kilde:	UK Foreign and Commonwealth Office
Titel:	Annual report on human rights situation in 2014 - South Sudan
Udgivet:	12. marts 2015
Optaget på baggrundsmaterialet:	18. juni 2015



Human Rights and Democracy Report - South Sudan

Publisher [United Kingdom: Foreign and Commonwealth Office](#)

Publication Date 12 March 2015

Cite as United Kingdom: Foreign and Commonwealth Office, *Human Rights and Democracy Report - South Sudan*, 12 March 2015, available at: <http://www.refworld.org/docid/551a52fa15.html> [accessed 22 April 2015]

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

There was a significant deterioration in the human rights situation in South Sudan in 2014. The conflict that began in December 2013 had a profound effect, with severe human rights abuses and violations suffered by the civilian population. The scale of the conflict has been deeply disturbing, with the UN reporting gross violations and abuses of human rights on a massive scale. Despite commitments by the South Sudan government to tackle sexual violence and the recruitment of child soldiers, these remained widespread. We were also extremely concerned about the narrowing of political space, with journalists harassed, and aspects of proposed domestic legislation aimed at increasing the power of the security services and reducing the space for civil society. Due to the ongoing conflict, progress on the Foreign & Commonwealth Office's (FCO) aims of addressing the contributing causes of conflict, such as a lack of tolerance of political dissent, corruption and the lack of accountability, was minimal.

Nonetheless, human rights remained at the top of the agenda for the UK government in our dealings with South Sudan throughout 2014. We repeatedly lobbied the government, including at ministerial level, on a range of human rights issues. However, given the context, a major focus was on seeking to bring an end to the conflict, which ultimately would have the single biggest positive impact for human rights in South Sudan. The UK government was closely involved in the mediation efforts led by the Intergovernmental Authority on Development (IGAD). The UK Special Representative actively supported the peace talks in Addis Ababa, and worked closely with IGAD and our Troika partners (the US and Norway) to urge the parties to secure an inclusive peace agreement that will benefit all the people of South Sudan.

In the absence of an agreement, however, human rights violations and abuses as a result of conflict are highly likely to continue into 2015. It is also likely that the overall trajectory of a narrowing of political space will continue, as the South Sudan government seeks to assert its control. If a peace agreement is reached, it will be important that accountability plays a central part in the work of any transitional government. Those responsible for human rights abuses must be held to account. We support the work of the African Union Commission of Inquiry (AU CoI). The CoI report should be published and highlight the need for accountability and set out options for ensuring justice. Supporting international mechanisms for promoting peace and accountability will be central to the UK's human rights objectives in South Sudan in 2015. We will also support access to justice, freedom of expression, and preventing sexual violence in conflict through our lobbying and project work.

Freedom of Expression and Assembly

Aspects of domestic legislation discussed by the National Assembly in 2014 showed a trend towards a

narrowing of political space in South Sudan. Non-governmental organisations (NGOs) raised concerns about the NGO Bill, which would bring the sector under greater government control. FCO Minister for Africa, James Duddridge, wrote to the South Sudanese foreign minister in October reflecting the concerns of the UK NGO community about the bill. A number of South Sudanese MPs also expressed concern, and the bill was withdrawn for further consultations.

We also raised concerns about the draft National Security Service Bill's compliance with South Sudan's interim constitution. This bill set out measures that would empower the Security Service to take a broad range of actions with limited accountability or judicial oversight. It also included measures which contradict some of the more positive aspects of the draft NGO bill. The President sent the bill back to parliament for further review.

Three bills relating to the media passed into law. These included the Broadcasting Corporation Act, Media Authority Act, and Right of Access to Information Act. The South Sudan government should now ensure these acts are properly implemented and communicated to the public.

The government's general treatment of the media also remained deeply worrying. Reports of harassment and intimidation of journalists increased in frequency. In September, the Interior Minister described journalists reporting opposition views as "anti-government agitators". As a result of such intimidation and harassment, self-censorship by media houses and journalists rose. The UK continues to raise the issue of the centrality of freedom of expression as part of ongoing contacts and dialogue with the South Sudan government on human rights.

Access to Justice and the Rule of Law

Both the South Sudan government and the opposition committed to ensure accountability for violations and abuses. There was increased reporting that the government took action to hold its forces to account, but lack of transparency and communication around these investigations mean that we were not able to assess the credibility of these actions. The South Sudan Human Rights Commission compiled a report of atrocities committed during the ongoing conflict, but the South Sudan government is yet to make this public. Former Minister for International Development, Lynn Featherstone, visited in September 2014, and urged the government to make its findings public. Without further action by the government and the opposition forces, it is likely that a culture of impunity will prevail throughout South Sudan.

Weaknesses remained in the judicial system, with many detainees unaware of their rights and lacking legal representation. It was reported that over 90% of citizens relied solely on the customary justice mechanisms, due to lack of access to the statutory legal system at the community level, particularly in rural areas. Both customary and statutory systems need to be strengthened to provide a fairer and more equitable justice service, including to the poorest and most vulnerable, particularly women. The UK will support justice service delivery at the community level, linking it with national level systems in 2015.

As a result of the conflict and related human rights concerns, UK bilateral support to the security sector ceased. However, the British Embassy in Juba maintained political and strategic engagement with security sector institutions, primarily the South Sudan National Police Service, to whom support is being provided through the UN and civil society to promote policy dialogue, human rights and accountability, and to tackle sexual and gender based violence.

The UK continued its support to the UN Mission in South Sudan (UNMISS) in 2014, including through a revision of its mandate that made monitoring, investigating, and verifying reports of human rights violations and abuses, one of three key areas of focus.

Death Penalty

South Sudan resumed implementation of the death penalty in 2013 and continued to issue death sentences throughout 2014. This was disappointing given South Sudan's previous vote in favour of the biennial UN General Assembly (UNGA) resolution on the moratorium on the use of the death penalty in 2013. The UK continues to urge the government to abolish the death penalty.

Conflict and Protection of Civilians

The lack of capacity and willingness from both sides to discriminate between combatants and civilians remained deeply concerning. The UN reported targeted attacks against civilians and violence aimed at spreading terror amongst the civilian population, in addition to regular denials of humanitarian access. Whilst the intensity of the conflict decreased during the second half of the year, security remained highly fragile, and credible reports were received suggesting that human rights violations and abuses also continued to be carried out at inter-tribal levels.

The conflict has resulted in the widespread displacement of a sizable percentage of the population. By 31 December, the UN Office for the Coordination of Humanitarian Affairs estimated that nearly two million people were displaced overall, with nearly 500,000 as refugees in neighbouring countries. Since the outbreak of conflict, approximately 100,000 displaced persons have sought refuge in various Protection of Civilians camps around the country managed by UNMISS.

The UK is one of the largest donors to South Sudan and has committed £132.5 million to the in-country humanitarian effort since the start of the crisis. We also worked closely with the UN to bring vital aid to those made most vulnerable, and to help protect the human rights of those displaced. For example, we deployed police officers to the policing element of UNMISS, who have undertaken work focused on sexual and gender-based violence issues, human rights, community policing and accountability.

Women' Rights

Sexual violence, though not exclusively used against women and girls, has been a recurring aspect of conflict in South Sudan. But the scale of violence in 2014 was particularly concerning. An estimated 74% of sexual violence victims are under the age of 18.

UK ministers identified South Sudan as a priority country for the Prevention of Sexual Violence in Conflict Initiative (PSVI), and South Sudan attended the Global Summit to End Sexual Violence in London in June. Ms Featherstone visited in September 2014 as the Ministerial Champion for Tackling Violence Against Women and Girls Overseas, and had the opportunity to engage with a range of national stakeholders on this issue. In October, the Secretary General's Special Envoy on Sexual Violence in Conflict, Zainab Bangura, visited South Sudan and issued a joint communiqué with President Kiir, committing South Sudan to the development of an action plan with concrete measures. This commitment was encouraging, and demonstrated a degree of recognition on the government's part of the extent and seriousness of the issue, but we have seen little in terms of follow on action to date. The UK continued to press for the implementation of measures set out in the communiqué, and supported projects which provide help to the survivors of sexual violence.

Harmful traditional and cultural practices in South Sudan continue, directed towards women and girls. The Ministry of Gender, Child Welfare and Humanitarian Affairs remained willing to engage on such issues, but continued to suffer from a lack of sufficient capacity to address them.

Children's Rights

Prior to the outbreak of the current conflict, the most significant issue affecting children was internal displacement as a result of inter-tribal fighting and floods, making them more vulnerable to manipulation and abuse. The abduction of children has also been a traditional feature of inter-communal violence.

In 2012-13, the Sudan People's Liberation Army undertook to identify, demobilise and reintegrate all remaining children within its ranks. But the outbreak of conflict severely undermined these efforts, and we had credible reports from NGO partners of a resurgence in the recruitment of child soldiers by both sides of the conflict during 2014. The UN Children's Fund (UNICEF) states that in 2014 some 12,000 are reported as being used by armed forces and groups in the conflict. In January 2015, UNICEF commenced a project to support the reintegration of child soldiers linked to the Greater Pibor Administration Area. The British Embassy in Juba continued to monitor the situation closely, and the UK continued to call on both sides to halt the recruitment of child soldiers. Mr Duddridge hosted a roundtable on CAAC during the UNGA in September that included discussion on South Sudan.

Children continue to form a significant proportion of the internally displaced population. Concerns about their living conditions remain, and it will take time to assess the overall humanitarian impact.

Search Refworld

by keyword

and / or country

[Advanced Search](#) | [Search Tips](#)

Countries

- [South Sudan](#)

Topics

- [Access to procedures](#)
- [Children's rights](#)
- [Death penalty](#)
- [Freedom of assembly and association](#)
- [Freedom of expression](#)
- [Internal armed conflict](#)
- [Protection of civilian persons in time of war](#)
- [Rule of law / Due process / Procedural fairness](#)
- [Women's rights](#)