



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of South Sudan and welcome the constructive engagement of the Government of South Sudan during the 40<sup>th</sup> session of the UPR Working Group in January/February 2022.

As the final outcome report on the review of South Sudan was recently adopted by the Human Rights Council at its 50<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of South Sudan – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 87 delegations and the presentation made and responses provided by the delegation of South Sudan. I have also considered the actions taken by the Government of South Sudan to implement the 203 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the prioritization that the Government has accorded to implementing the Revitalized Agreement on the Resolution of the Conflict in South Sudan and related peace process, including efforts towards reconstitution of the Transitional National Legislature. I reiterate the urgency of accelerating the establishment of transitional justice mechanisms, under Chapter V of the Revitalised Agreement.

I note the extension of the roadmap for twenty-four months and encourage the full implementation of the remaining benchmarks including accelerating the constitution-making process and creating an environment conducive for free and fair elections.

I note the visit of UN Assistant Secretary-General for Human Rights, Ilze Brands Kehris, to South Sudan from 17 to 19 May 2022 and echo her concern that impunity for human rights violations remains one of the main obstacles to peace in South Sudan, as are prevalent sexual violence and shrinking civic space.

I thus encourage continued efforts to ensure accountability for ongoing and past violations, notably inclusive public consultations in establishing the Commission for Truth, Reconciliation and Healing, as well as addressing conflict-related sexual violence, corruption and economic crimes, and creating a safe and favourable environment for the media and human rights defenders. These focus areas for action can lay the groundwork for credible elections and a path for sustained peace and development.

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H. E. Mr. Mayik Ayii DENG  
Minister for Foreign Affairs and International Cooperation  
Republic of South Sudan

I encourage South Sudan to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the Special Representative of the Secretary-General.

I also encourage South Sudan to establish a national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

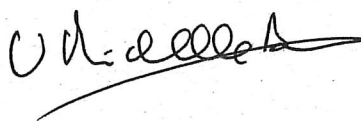
[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf)

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Government of South Sudan to consider submitting a mid-term report on follow-up to the third cycle of the review by 2024.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

My Office looks forward to discussing with you ways in which it may assist South Sudan in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet  
High Commissioner for Human Rights



cc.: H.E. Hon. Justice Ruben Madol AROL  
Minister of Justice and Constitutional Affairs  
Republic of South Sudan

Mr. Nicholas HAYSOM  
Special Representative for South Sudan and Head of the United Nations Mission in South  
Sudan (UNMISS)  
Republic of South Sudan

Ms. Sara BEYSOLOW NYANTI  
Deputy Special Representative for South Sudan/Humanitarian Coordinator/Resident  
Coordinator  
Republic of South Sudan

Mr. Musa GASSAMA  
Director UNMISS Human Rights Division  
Representative of the United Nations High Commissioner for Human Rights  
United Nations Mission in South Sudan (UNSMISS)  
Republic of South Sudan



## Annex

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Concluding the process of accession to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and their Optional Protocols, by transmitting to the Secretary-General the respective instruments of accession.
- Ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

### **National human rights framework**

- Engaging citizens in the implementation processes for the Revitalised Agreement of the Resolution of Conflict in South Sudan, including reconciliation, constitutional development and monitoring of the peace agreement.

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Development, the environment, and business and human rights*

- Ensuring the implementation of the articles of the Revitalized Agreement on the Petroleum Revenue Management Act, which facilitated transparency, accountability and an equitable allocation of oil revenues.

#### **B. Civil and political rights**

##### *Right to life, liberty and security of person*

- Ensuring the timely investigation of all allegations of serious violations of human rights and international humanitarian law committed by the South Sudan People's Defence Forces, the National Security Service and other members of the security forces.
- Investigating enforced disappearances to establish the fate and whereabouts of persons disappeared, and bringing perpetrators to justice.

##### *Administration of justice, including impunity, and the rule of law*

- Implementing the transitional justice provisions in the Revitalized Agreement and adopting a broad approach to reparations, including by ensuring that at least 1 per cent of oil revenues are allocated to reparations.

##### *Fundamental freedoms*

- Taking effective measures to prevent acts aimed at interfering with the freedom to express opinions, such as attempts to intimidate or silence civil society, journalists, legal professionals, human rights defenders and political groups, investigating such interference, and ensuring that perpetrators are prosecuted and victims are provided with redress.

### **C. Economic, social and cultural rights**

#### *Right to an adequate standard of living*

- Realigning spending priorities and committing resources towards fulfilling citizens' needs, including ensuring freedom from hunger and other economic, social and cultural rights, and improved standards of living.

#### *Right to health*

- Improving access to health services, especially on sexual and reproductive health.
- Increasing budgetary allocations for the public health sector and strengthening the capacities of public health facilities and health workers.

#### *Right to education*

- Ensuring quality, inclusive and equitable education, particularly for girls and children in pastoralist communities.

### **D. Rights of specific persons or groups**

#### *Women*

- Eliminating and preventing practices that constitute forced marriage, tackling the root causes thereof, and ensuring that instances of forced marriage are investigated and prosecuted.

#### *Children*

- Implementing the comprehensive action plan to end and prevent all grave violations against children in South Sudan, and budgeting for its implementation.
- Taking active steps towards meeting its commitment to ending child marriage by 2030.

#### *Refugees and internally displaced persons*

- Facilitating the realization of the right to return of refugees and internally displaced persons.

