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Statement by Alice Wairimu Nderitu, Special Adviser on the Prevention of Genocide, welcoming moves by the Government of South Sudan to establish transitional justice institutions

(New York, 2 February 2021) The United Nations Special Adviser on the Prevention of Genocide, Alice Wairimu Nderitu, welcomed the Government of South Sudan's approval to establish transitional justice mechanisms, including the African Union Hybrid Court for South Sudan.

The Special Adviser noted that this decision is a crucial step towards establishing accountability for serious human rights violations, many of which may constitute atrocity crimes, that have taken place since violent conflict broke out in December 2013. "The decision is an important initial step towards justice and accountability for the many victims who have suffered brutal crimes during the conflict in South Sudan, including heinous acts of sexual and gender-based violence" said the Special Adviser.

She also commended the move as positive progress in the implementation of the 2018 Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) and called for swift and concrete action to operationalize the Court. The Hybrid Court is envisioned to have jurisdiction with respect to the crime of genocide, crimes against humanity, war crimes and other serious crimes, including gender-based crimes and sexual violence.

In addition to the Hybrid Court, the Special Adviser stressed the need to establish the other mechanisms under Chapter V of the R-ARCSS, including the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority. All institutions should observe the 35 per cent women representation threshold in line with the peace agreement.

Special Adviser Nderitu also encouraged the Government of South Sudan and the African Union to work collaboratively with other initiatives that promote accountability, including the Commission on Human Rights in South Sudan established by the Human Rights Council, which is mandated to determine and report the facts and circumstances of, collect and preserve evidence of, and clarify responsibility for alleged gross violations and abuses of human rights.

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