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**Working Group on the Universal Periodic Review**  
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### **Draft report of the Working Group on the Universal Periodic Review\***

#### **South Sudan**

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\* The annex to the present report is circulated as received

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-sixth session from 31<sup>st</sup> October to 11 November 2016. The review of South Sudan was held at the 12th meeting on 7 November 2016. The delegation of South Sudan was headed by Hon. Paulino Wanawilla Unango, the Minister of Justice and Constitutional Affairs. At its 14th meeting held on 9 November 2016, the Working Group adopted the report on South Sudan.
2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of South Sudan: Indonesia, Namibia and the Russian Federation.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of South Sudan:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/26/SSD/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/26/SSD/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/26/SSD/3).
4. A list of questions prepared in advance by Belgium, Czechia, Germany, Norway, Mexico, the Netherlands, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, and the United States of America was transmitted to South Sudan through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The Minister of Justice and Constitutional Affairs of South Sudan recalled that his country had previously been reviewed within the context of one Sudan, specific recommendations being made for implementation by the Government of what was then Southern Sudan. As recommended in the first UPR cycle, South Sudan had promulgated its Transitional Constitution in 2011, providing for national, state and local tiers of government, the national legislature, the executive and an independent judiciary. The Constitution also contained provisions for a Bill of Rights.
6. Since gaining independence, the Republic of South Sudan had enacted 133 laws and introduced into its domestic law 11 regional and international instruments. It had acceded to various regional and international conventions. The Transitional National Legislative Assembly now had before it for ratification the International Covenant on Civil and Political Rights and its 1st Optional Protocol, and the International Covenant on Economic, Social and Cultural Rights.
7. The Constitution guaranteed the inherent right to life, liberty and security. No one should be subjected to arrest, detention, deprivation or restriction of liberty, torture or cruel, inhuman or degrading treatment or punishment, except in accordance with procedures prescribed by law. Contraventions of all those provisions were offences under the penal

law. A Bill to amend the Penal Code would proscribe genocide, war crimes and crimes against humanity.

8. Capital punishment for homicide was permitted only if the victim's next of kin refused the blood money that courts could order as an alternative. The death penalty could be appealed to the court of appeal and thereafter to the Supreme Court.

9. The constitutional right to a fair trial provided that an accused person was innocent until proved guilty, that a person arrested in connection with an offence must be informed at the time of the arrest of the reasons for it, and that he or she must not be held in detention for more than 24 hours before being produced in court. In the case of a serious offence, legal aid must be provided from Government funds for an accused person unable to afford the costs of a defence.

10. Regulatory frameworks were being put in place to improve the performance of the justice sector. However, justice sector personnel and infrastructure in the cities affected by conflict were in dire need of rebuilding. The Government was soliciting financial support for that purpose from its international partners.

11. The recruitment to armed forces of children under 18 was prohibited by the Constitution and the Sudan People's Liberation Army (SPLA) Act. As a result of a Revised Action Plan signed with the United Nations, in 2013 alone, a total of 821 boys and girls had been released from the army, and 540 from militia groups. A Child Protection Unit had been established within the army, with staff trained by the United Nations Mission in South Sudan (UNMISS).

12. To combat impunity within the national army, SPLA members who had committed offences against civilians and property had been tried and convicted. Suspects were now in detention following the events at the Terrain Hotel in July 2016. The Joint Court established to try offences jointly committed by members of the SPLA, the National Security Service, and the police while on duty had convicted 35 persons.

13. With the support of United Nations Police (UNPOL), the Government had developed a Strategic Training Plan for the police force. UNPOL also provided human rights training modules for police cadets.. As a result of the training, special units led by female police officers had been established to deal with issues relating to women and children, such as gender-based violence.

14. In spite of measures to improve prison conditions by providing separate cells for men, women and juveniles, and for pre-trial detainees, the 11 central and 79 county prisons were still overcrowded. Two new prisons had been built and seven renovated, with support from international partners, and all had health-care on site.

15. The Constitution provided the right of access to decent housing, and there was a legal framework for land tenure under the Land Act, recognizing customary law and practices related to land.

16. Before conflict broke out in December 2013, the estimated population of resettled internally displaced persons (IDPs) had been 390,000. In May 2016, the Government had ordered the eviction of persons who had illegally occupied houses or land in the wake of the conflict. It intended to facilitate the relocation of IDPs to places of their choice, and the Government was soliciting from international partners technical and financial assistance for capacity building to facilitate their reception in the cities of Malakal, Bor, Bentiu, Juba and Wau.

17. A Ministry of Gender, Child and Social Welfare had been established to promote and protect the human rights of women and children and persons with special needs. There was a Gender Policy framework to implement the principle of gender mainstreaming. A

National Action Plan had been adopted to implement United Nations Security Council resolution 1325. Continuous efforts were being made to eradicate harmful customs and traditions. Sexual exploitation and abuse, early and forced marriages of girls under 18, and domestic violence continued to challenge efforts to eliminate discrimination, especially in rural areas. The special protection units at a number of police stations enabled women, girls and children to report cases of gender-based violence, and women-friendly facilities had been set up to encourage women and girls to discuss their welfare and to train them in social skills. Cases of sexual violence were under investigation or already before the courts.

18. Formal education was free and compulsory throughout the country, and an alternative educational system provided for specific categories of learners, including children demobilized from the army and militia groups.

19. The Constitution guaranteed freedom of expression and access to information, and the right to form or join political parties, associations and trade unions. The Government had enacted the Broadcasting Corporation Act, the Access to Information Act, and the Media Authority Act in 2013. These three media laws, as well as an independent media board and information commissions, protected those rights. A number of institutions had been set up to promote transparency and the right of access to information, including the Elections Commission and the Peace and Reconciliation Commission. Cases in which individuals, including journalists, had lost their lives as a consequence of criminal acts were under investigation.

20. Sustainable peace and nation-building would not be achievable without commitment to implement the Agreement for the Resolution of the Conflict in the Republic of South Sudan (ARCSS). The parties to ARCSS had decided to treat it as part of the Constitution, and had established the Transitional Government of National Unity and the Transitional National Legislative Assembly in accordance with the Agreement. In the event of contradiction, ARCSS superseded the provisions of the Constitution. Following the crisis of July 2016, the parties to ARCSS had re-committed themselves to its implementation. Cantonments had been agreed upon for the forces of the Sudan People's Liberation Army in Opposition (SPLA-IO), and the ceasefire between the SPLA and the SPLA-IO was being maintained in most parts of South Sudan.

21. The process of establishing the commission for Truth, Reconciliation and Healing in accordance with ARCSS would be launched very shortly. The African Union Commission had the mandate to initiate the establishment of the Hybrid Court for South Sudan, after which the Transitional Government of National Unity would enact legislation to bring it into being.

## **B. Interactive dialogue and responses by the State under review**

22. During the interactive dialogue, 85 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

23. Slovenia expressed horror at the reports of continued violations of human rights and of international humanitarian law. Those acts might amount to war crimes and crimes against humanity.

24. South Africa commended on the ratification of various core international human rights instruments and noted the efforts of South Sudan to ensure the consolidation of peace.

25. Spain congratulated South Sudan on its ratification of the Convention on the Rights of the Child.

26. The Sudan commended the commitment of South Sudan to the UPR process and stated that it deserved technical assistance and capacity-building from the international community.
27. Swaziland was concerned that the civil strife continued to undermine security and human rights. It applauded the establishment of the Ministry of Gender, Child and Social Welfare, and emphasised the importance of girls' education.
28. Sweden noted the adoption of restrictive legislation governing civil society organisations and the use of sexual and gender-based violence as a weapon of war.
29. Switzerland noted the resumption of violence and was concerned at the climate of impunity and the restrictions on civil society and the media.
30. Timor-Leste appreciated the ratification of various international conventions and welcomed the commitment of South Sudan to cooperating with the Human Rights Council.
31. Togo welcomed the adoption of a law creating a Human Rights Commission, the constitutional provisions to safeguard freedom of expression and association, among others.
32. Uganda commended South Sudan on its commitment to implement the recommendations of the first UPR cycle in 2011.
33. Ukraine encouraged South Sudan to ratify the remaining human rights instruments. It was concerned about violence and armed conflict.
34. The United Arab Emirates praised the institutional and legislative work carried out in all sectors to establish a modern country capable of overcoming the hardships in restoring peace, order and stability.
35. The United Kingdom of Great Britain and Northern Ireland called for accountability for sexual violence committed since the outbreak of the fighting in 2013.
36. The United Republic of Tanzania called for intensified efforts to attain peace and to end the hostilities, and effective implementation of the 2005 Comprehensive Peace Agreement.
37. The United States of America noted serious human rights violations committed since the fighting began in 2013 and continuing obstruction to the delivery of humanitarian assistance.
38. Uruguay requested the cessation of violence against the civilian population and urged cooperation with the Commission set up by the Human Rights Council.
39. Venezuela (Bolivarian Republic of) acknowledged the frank nature in which South Sudan set out its human rights challenges. It encouraged South Sudan to continue to improve living conditions.
40. Albania noted slow progress in the implementation of recommendations from the 2011 UPR. It urged further strengthening of national efforts and human rights mechanisms.
41. Algeria welcomed the Transitional Constitution and the protection of children from recruitment to the armed forces through the Child Act.
42. Angola noted major constraints such as food insecurity. It urged all parties to the conflict to embark on an inclusive and peaceful dialogue to achieve stability and development.
43. Argentina expressed concern at the prevailing situation and human rights violations. It requested respect for the rights and freedoms of the entire population.

44. Armenia encouraged the ratification of all major international human rights instruments, access to education for women, and fight against early and forced marriage.
45. Australia urged South Sudan to fulfil its obligations under ratified conventions and to bring to justice perpetrators of ongoing human rights abuses.
46. Austria noted that the implementation of ARCSS had stalled and that the Government and the political leaders had failed to fulfil their responsibilities toward their people.
47. Bahrain commended the implementation of previous UPR recommendations but indicated that human rights of displaced persons must be protected.
48. Bangladesh noted poverty, food insecurity and the persistent disputes and conflicts which had caused a disruption to the overall nation-building progress. It supported the call by South Sudan for international support.
49. Belgium welcomed the ratification of various core human rights treaties and the acceptance of the complaint mechanisms under those treaties. It invited South Sudan to continue on this path.
50. Botswana stated that conscription of child soldiers, arbitrary detention, curtailment of freedoms of peaceful assembly and association, amongst others, were worrisome.
51. Brazil expressed concern about impunity for serious crimes and reiterated the need to create means to establish the court and the commission in accordance with ARCSS.
52. Burundi encouraged continued efforts to restore peace and security. It welcomed the ratification of international instruments, and measures to prevent recruitment of children in the army, amongst others.
53. Canada called for a rapid and robust implementation of all provisions in ARCSS.
54. The Central African Republic noted with satisfaction that South Sudan had taken up many of the recommendations received during the first UPR cycle.
55. Chile noted with concern the adverse effects of the conflicts on the population and urged South Sudan to adopt all necessary measures to achieve a peaceful and safe society.
56. China welcomed the ratification of various core international human rights instruments and the efforts made by South Sudan to protect the right to food and housing.
57. Colombia underscored South Sudan's commitment to move forward in the implementation of the UPR 1st cycle recommendations.
58. The Congo noted challenges faced by South Sudan in the area of peace and development and called on international partners to provide technical assistance.
59. Costa Rica was concerned about the indiscriminate use of violence, especially sexual violence, the high rates of illiteracy and the imposition of the death penalty.
60. Croatia urged demilitarization of the country and depoliticization of human rights, especially in terms of death penalty, arbitrary arrest and unlawful detentions.
61. Cuba acknowledged major challenges faced by South Sudan in promoting and protecting human rights and urged the international community to enhance its support.
62. Cyprus welcomed South Sudan's recent ratification of various international human rights instruments.
63. Czechia appreciated the information presented by South Sudan and made recommendations.

64. Denmark was concerned by the lack of protection of women's rights, including sexual and gender-based violence, and about the continued recruitment of child soldiers.
65. Djibouti encouraged South Sudan to put efforts towards promoting and strengthening human rights.
66. Egypt welcomed South Sudan's compliance with its international commitments and its efforts to secure the rights to housing, food and education.
67. The Minister of Justice and Constitutional Affairs thanked the delegations for their positive concern to assist his Government in improving human rights protection. He informed that the Council of Ministers had adopted a resolution requesting the United Nations to assist in human rights training for members of the armed forces, whose tribal and customary ways of thinking posed an obstacle to their understanding of human rights. Ideally, all reported violations would be investigated by the new hybrid court, whose impartiality was assured through the appointment of its members from African countries other than the South Sudanese.
68. To combat impunity successfully, training must be provided for prosecutors, investigators and even judges. There was a shortage of both manpower and facilities for that purpose. Neither the courts nor the judges were sufficiently numerous to cover a vast country in which 85 per cent of the population lived in rural areas lacking infrastructure in clean water, housing and health-care. Assistance was needed from the international community to combat poverty and reduce insecurity.
69. The quota of a 25 per cent membership of women in public institutions was strictly observed, unless candidates with a sufficient level of education were lacking. Women needed encouragement to exercise their right to education. It was particularly difficult to combat child marriage and school dropout in areas such as the Upper Nile, where most schools had been destroyed and had to be rebuilt.
70. Concerning relief assistance to the civilian population, the President had formed a committee who sat together with UNMISS. They made assessment of accessibility to deliver humanitarian relief to the citizens and laid down some rules to cooperate together so that the delivery could be made to all areas of South Sudan, irrespective of who was in control of the area.
71. The Government was already introducing into domestic law offences proscribed by the International Criminal Court (ICC), and the new hybrid court could try perpetrators even though South Sudan had not yet adhered to the Statute of the ICC.
72. Non-governmental organizations had been taking part in the process of drafting legislation. Through the Non-Governmental Organizations Act, the Government endeavoured to persuade them to work in all areas of the country, so that their services were fairly distributed.
73. Although there were 200,000 people on UNMISS Protection of Civilian (PoC) sites, there were also about one and a half million internally displaced persons not on PoC sites. They too were in continuing need of services.
74. The abolition of the death penalty seemed to be some way off, because of tribal custom and customary law, and progress towards that goal had to be gradual for that reason.
75. Freedom of expression was a matter of concern not only to journalists but also to others, especially writers contributing to newspapers, and political parties. Killings sometimes took place in areas of insecurity. The government presence was limited in those places, and therefore, it was taking some time to investigate these incidents. ARCSS would undoubtedly be beneficial in persuading people with knowledge of crimes to report them without fear of reprisal. There was no statute of limitation for homicide.

76. The Government had already agreed to the deployment of the regional protection force. The Commission for Truth, Reconciliation and Healing was supposed to be formed after consultations. A committee had been set up to organize these consultations.
77. It was always a problem to amend customary law, because of the diversity of its impacts on peoples' lives. The impact was especially negative for women, who had no right to land or property of their own. An improved family law could not be imposed on communities, which would simply reject it and go their own way. The country therefore needed help to improve its laws and bring them into conformity with human rights. Women were now serving in the armed forces, but the Government would be held responsible for failing to protect them if they became victims in the course of armed combat. Gender-based violence was now being tackled through a special police unit headed by women.
78. Ethiopia took note of the challenges faced by South Sudan in the fields of human rights, peace and security, poverty, and lack of financial resources.
79. Norway remained concerned about the targeting of civilians, sexual violence and oppression of civil society, human rights defenders and the media.
80. France was deeply concerned about the seriousness of human rights violations committed since 2013, which possibly constituted war crimes and crimes against humanity.
81. Georgia hoped that the Transitional Government of National Unity would pave the way to ending the crisis in accordance with the 2015 Peace Agreement.
82. Germany expressed alarm at the continuing climate of violence and impunity and the lack of full implementation of ARCSS.
83. Ghana urged South Sudan to conduct independent investigations into human rights and humanitarian law abuses, hold perpetrators to account, and expedite the formation of the Transitional Government.
84. Guatemala called on the parties to cease hostilities and implement the 2015 Peace Agreement and for an immediate cessation of violations of human rights and international humanitarian law.
85. The Holy See noted the ratification of the Convention on the Rights of the Child, enactment of the National Security Service Act and the development of the National Housing Policy.
86. Iceland expressed serious concern at the resumption of violence, including the inability of UN peacekeepers to ensure the safety and security of civilians.
87. India encouraged continuous training for the army on human rights standards to promote understanding among various ethnic groups.
88. Indonesia noted that this was the first review of South Sudan as an independent state and that some immediate challenges included security and stability.
89. Ireland expressed concern at persistent violations of human rights and international humanitarian law and at the law restricting the operations of civil society and NGOs.
90. Italy welcomed the efforts of South Sudan to face the post-independence issues peacefully and to promote and protect human rights in the institutional and normative framework.
91. Japan expressed deep concern at reported looting and violence, including the harassment, rape, and killings of civilians and humanitarian aid workers by government security forces.

92. Kenya underlined that it was the responsibility of the Government of South Sudan and the Transitional Government of National Unity to implement the 2015 Peace Agreement.
93. Latvia remained deeply concerned at the reported targeting of civilians and humanitarian workers and called for unhindered access of humanitarian aid organizations.
94. Luxembourg expressed concern that massive violations of human rights and humanitarian law continued to be committed by all parties against the civilian population.
95. Madagascar noted the willingness of the Government to strengthen the institutional and judicial framework and called on the international community to provide human rights support.
96. The Maldives called upon all parties to the conflict to undertake their international legal obligations and encouraged South Sudan to investigate human rights violations and bring perpetrators to justice.
97. Mexico welcomed the ratification of the Convention on the Rights of Persons with Disabilities but noted that the political and humanitarian situation continued to be challenging.
98. Montenegro welcomed the release of boys and girls under 18 from the army, and the special protection units at police stations for reporting gender-based violence.
99. Mozambique commended South Sudan on implementing recommendations from the previous UPR cycle and supported its call for capacity-building and technical assistance.
100. Namibia expressed concern at the re-emerging conflict and the associated human rights violations, and called on the international community to support its Government.
101. Nepal supported the call of South Sudan for technical and financial support for the protection and promotion of human rights.
102. The Netherlands was concerned at the use of conflict-related sexual violence by both sides since the resumption of fighting in Juba on 8 July 2016.
103. New Zealand condemned the gross violations of human rights and international humanitarian law during the conflict.
104. Niger welcomed the promulgation of the Transitional Constitution and the efforts to strengthen the legislative framework by incorporating regional and international conventions.
105. Nigeria noted the socio-political and constitutional progress made towards the promotion and protection of human rights and the efforts in strengthening the legal and security institutions.
106. Finland regretted the outbreaks of violence and the growing tensions between the opposing forces and ethnic groups and urged all actors to work towards inclusive peace.
107. Pakistan welcomed the efforts made in preserving peace, the promulgation of the Transitional Constitution and in promoting and protecting the human rights of vulnerable groups.
108. Panama welcomed the continuing cooperation of South Sudan with the UPR and hoped for its successful implementation of the recommendations.
109. Paraguay expressed concern at the discrimination suffered by women, including in access to education and health services, and the high rates of infant and maternal mortality.

110. The Philippines welcomed the ratification of various core human rights conventions and appreciated the actions addressing gender inequality.
111. Portugal was appalled by reports of gross violations and abuses of international human rights and humanitarian law.
112. The Republic of Korea was concerned about the ethnic incitements by political leaders and urged all parties to the conflict to stop such hateful rhetoric.
113. Rwanda urged South Sudan to fully implement the 2015 Peace Agreement, undertake comprehensive security sector reforms, and combat sexual and gender-based violence.
114. Saudi Arabia welcomed the efforts by South Sudan to promote and protect human rights and to establish peace but was concerned at the reports of ethnic hate crimes.
115. Senegal welcomed the fundamental human rights principles enshrined in the Constitution, and the action taken to establish the Peace and Reconciliation Commission.
116. Serbia encouraged South Sudan to seek technical assistance in taking action against human rights violations and to put an end to the recruitment and use of child soldiers in armed conflicts.
117. Sierra Leone noted the efforts to establish a Transitional Government of National Unity and called on all parties to actively engage in a peaceful resolution of the conflict.
118. Slovakia was deeply concerned by the grave human rights violations, particularly by the indiscriminate and disproportionate targeting of civilians.
119. In his final remarks, the Minister of Justice and Constitutional Affairs thanked the delegations for their advice. He reiterated that the hybrid court had to be set up, since that was a requirement under ARCSS. The first step in that direction must be taken by the African Union Commission, through a Memorandum of Understanding with the Government, to be transmitted to the Transitional National Legislative Assembly for its approval. The process of launching the Commission for Truth, Reconciliation and Healing would start shortly.
120. South Sudan was cooperating fully with the Commission on Human Rights created by the Human Rights Council. They had visited Juba, and the Government was expecting them to visit the country again within November 2016. South Sudan was committed to cooperating with all human rights mechanisms of the United Nations. It looked forward to being at peace with itself, its neighbours and the world.
121. As a large country with limited resources, it needed support and assistance in combating impunity. The Chief of Staff had given standing orders to all the commanders in the armed forces to prevent the recruitment of children.
122. Cases of sexual violence committed by members of the armed forces were tried in the ordinary courts, except those committed during armed combat. The objective of the National Security Service Act was to organize and discipline the members of the security. It had been claimed incorrectly that civilians had been detained by members of the National Security Service. The explanation was that military detention centres might be used when ordinary places of detention were full. Most existing legislation was to be reviewed. The Government was open to proposals for improvement.
123. The Government was also working on the elimination of harmful customary practices. A man accused of beating his wife or children might claim that he was merely disciplining them according to custom. The practice of paying for a bride through a present of cows was still common. Persons under 18 were minors according to the law, but they sometimes had to be protected from their own families' preference to have them working

and contributing to the family income rather than attending school. Families themselves had to be educated, over time and with assistance, in the rights of the child.

124. Concerning the attack on the Terrain Hotel in July 2016, the criminal investigation was now complete. The establishment of a special court to try perpetrators had been recommended. A number of suspects were in detention.

125. Freedom of expression was curtailed only by the need to prevent hate speech, such as statements provoked by ethnic hatred, and defamation. In every other way, journalists and members of the public could say and write what they chose.

## **II. Conclusions and/or recommendations\*\***

**126. The recommendations formulated during the interactive dialogue/listed below have been examined by South Sudan and enjoy the support of South Sudan:**

**126.1. Continue to consider becoming party to the remaining core human rights instruments (Ethiopia);**

**126.2. Remove from its law and practice all civil and criminal provisions constituting discrimination against women and girls (Paraguay);**

**126.3. Adopt a comprehensive law addressing all forms of violence against women and girls (Belgium);**

**126.4. Fully implement the signed peace agreement designed to end South Sudan's nearly civil war (Iceland);**

**126.5. Fully implement the Agreement on the Resolution of the Conflict in the Republic of South Sudan, notably its provisions for accountability for violations of international humanitarian and human rights law committed during the conflict (Canada);**

**126.6. Take the necessary measures to implement the provisions of the August 2015 Peace Agreement on justice and reconciliation, which is a prerequisite for the improvement of the situation of human rights in the country (France);**

**126.7. Continue efforts to strengthen the commitment to the "Agreement on the Resolution of the Conflict in the Republic of South Sudan" by returning to a complete ceasefire as soon as possible (Holy See);**

**126.8. Take action to implement the 2015 peace agreement envisaging a range of transitional justice, accountability and reconciliation institutions, which are essential for long-term peace in South Sudan (New Zealand);**

**126.9. Rapidly implement all provisions of the Agreement on the Resolution of the Conflict in the Republic of South Sudan, including the justice and reconciliation aspects of the agreement (Austria);**

**126.10. Propose specific initiatives and policies aimed at combatting all manifestations of racial and ethnic intolerance and respect the Agreement on the Resolution of the Conflict in the Republic of South Sudan (Saudi Arabia);**

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\*\* The conclusions and recommendations have not been edited

- 126.11. **Develop a comprehensive strategy to strengthen social cohesion and respect for racial, religious, tribal and ethnic diversity to strengthen the national peace plan (Saudi Arabia);**
- 126.12. **Undertake fundamental reforms to resolve the dispute in South Sudan (Saudi Arabia);**
- 126.13. **Continue its efforts towards peace and national reconciliation (Cuba);**
- 126.14. **Continue efforts to strengthen national reconciliation and fight against insecurity (Senegal);**
- 126.15. **Take the necessary steps to ensure the consolidation of peace, justice and reconciliation in the country (South Africa);**
- 126.16. **Implement the 2012 Act on the Peace and Reconciliation Commission in order to appease the climate of national instability and be able to ensure effectively the promotion and protection of human rights (Congo);**
- 126.17. **Continue to support the Peace and Reconciliation Committee to implement the comprehensive national reconciliation and healing programme (Uganda);**
- 126.18. **Continue its efforts to promote domestic peace and reconciliation processes in order to foster an enabling environment for human rights development (China);**
- 126.19. **Further strengthen the commitment to the peace and reconciliation process, also in order to guarantee a more effective protection of human rights and the respect of the rule of law (Italy);**
- 126.20. **Further focus on the respect of human rights (Djibouti);**
- 126.21. **Continue to maintain the promotion and protection of human rights as a major priority in national policies and strategies (Togo);**
- 126.22. **Strengthen the capacity of the Human Rights Commission of South Sudan to facilitate access to justice for victims and witnesses, with due protection for them (Spain);**
- 126.23. **Continue efforts to build the national human rights institutions and provide the necessary resources to execute their mandate (Egypt);**
- 126.24. **Give continuity to strengthening of national human rights instruments and mechanisms. (Nepal);**
- 126.25. **Accelerate the process of the development of government institutions for the promotion and protection of human rights (Togo);**
- 126.26. **Develop national human rights action plan for better implementation and monitoring (Ethiopia);**
- 126.27. **Continue efforts for the implementation of human rights agenda and action plan (Pakistan);**
- 126.28. **Continue to seek the necessary technical assistance and capacity building to effectively implement key national priorities and international human rights obligations (South Africa);**

- 126.29. Continue to engage its regional and international partners with the view of seeking technical and other assistance in the field of human rights (Philippines);
- 126.30. Continue adopting measures aiming at the protection of children (Sudan);
- 126.31. Take necessary measures to implement a national public awareness campaign on child rights (Sudan);
- 126.32. Continue to seek technical assistance from the international community in line with recommendation 12 of the OHCHR Assessment Mission report (Namibia);
- 126.33. Further cooperate with the conventional mechanisms of the United Nations and of the African Union (Central African Republic);
- 126.34. Constructively engage to garner technical and financial support from the United Nations agencies and wider international community for more effective promotion and protection of human rights (Nepal);
- 126.35. Engage with relevant international partners and civil society to develop appropriate mechanisms of prevention and response to deal with violence and violations of human rights (Serbia);
- 126.36. Reinforce its efforts to eradicate harmful customs and practices that are discriminatory against women (India);
- 126.37. Develop a comprehensive strategy to eliminate discrimination against women and girls in the areas of education to prevent the increase of illiteracy rate among females (Saudi Arabia);
- 126.38. Take appropriate measures to put an end to all forms of discrimination against women and girls as well as to widespread sexual violence, and also to the recruitment of children and their use in conflict (Madagascar);
- 126.39. Put in place a strategic plan aimed at strengthening the promotion and respect of the rights of women and vulnerable persons (Djibouti);
- 126.40. Continue its effort to protect the rights of women, children and vulnerable groups (Indonesia);
- 126.41. Take further steps to improve the humanitarian situation (Japan);
- 126.42. Take all appropriate measures to protect people from all forms of sexual violence (Luxembourg);
- 126.43. Enhance efforts to combat violence against women (Italy);
- 126.44. Strengthen efforts to combat sexual violence against women and children, including the development and strengthening of relevant laws (South Africa);
- 126.45. Undertake all necessary measures to eliminate discrimination and abuses against women and girls (Georgia);
- 126.46. Stop sexual violence against women and investigate all the reported cases (Republic of Korea);

- 126.47. **Strengthen the efforts to prevent discrimination and violence against women and girls, including by eradication of harmful practices such as child, early and forced marriage (Slovenia);**
- 126.48. **Take effective action to eliminate the phenomenon of Female Genital Mutilation (Cyprus);**
- 126.49. **Stop and prevent violations and abuses of children's rights, including by actively preventing and combatting recruitment and use of children in hostilities by parties to the conflict (Slovenia);**
- 126.50. **Cease the recruitment and use of children in armed conflict (Slovakia);**
- 126.51. **Further improve promotion and protection of children's rights and prevent recruitment of child soldiers (Ukraine);**
- 126.52. **Redouble efforts aimed at stopping the recruitment and use of children in armed conflict (Djibouti);**
- 126.53. **Issue clear, public orders to end the recruitment of child soldiers, ensure their swift release and investigate and prosecute commanders responsible. Ratify the Optional Protocol on the Convention on the Rights of the Child on involvement of children in armed conflict (Germany);**
- 126.54. **Work for the social reintegration of child soldiers, refugees and displaced persons who have opted to return to their original location (Senegal);**
- 126.55. **Ensure the safe return of demobilized child soldiers to their families and ensure their access to education (Slovakia);**
- 126.56. **Promote the guarantee of the human rights of children and elderly affected by the internal conflict, including family reunification (Colombia);**
- 126.57. **Ensure an impartial and comprehensive investigation of all reported cases of human rights violations and bring the perpetrators to justice (Georgia);**
- 126.58. **Adopt legal instructions and orders to all armed forces, military intelligence, and allied militia, with the aim to prevent, and punish all abuses, including crimes of sexual and gender-based violence (Albania);**
- 126.59. **Ensure access to justice for victims of sexual violence, ensuring the effective implementation of laws protecting women (Luxembourg);**
- 126.60. **Investigate and prosecute incidents of sexual violence perpetrated by both parties to the conflict (Sierra Leone);**
- 126.61. **Ensure proper investigation into allegations of violations of international humanitarian and human rights laws (Ukraine);**
- 126.62. **Work with the African Union to establish a Hybrid Court and the Commission for Truth, Reconciliation and Healing, within the time frame set out in the peace agreement (United Kingdom of Great Britain and Northern Ireland);**
- 126.63. **Fulfil its obligation under the Agreement on the Resolution of the Conflict in South Sudan to cooperate fully in establishing the Hybrid Court (United States of America);**
- 126.64. **Work with the African Union to establish the Hybrid Court set out in the August 2015 Peace Agreement (Australia);**

- 126.65. Facilitate the effective functioning of the Transitional Government of National Unity, the implementation of the Peace Agreement and the establishment of the Hybrid Court by the African Union (Kenya);
- 126.66. Strengthen transitional justice by establishing the hybrid court and a truth and reconciliation commission (Sierra Leone);
- 126.67. Take measures to ensure the freedom of expression (Japan);
- 126.68. Focus on economic, social and cultural rights as a first step to lift the country from the cycle of poverty and underdevelopment according to the Agenda 2030 of the United Nations (United Arab Emirates);
- 126.69. Continue its efforts to consolidate social policies in favour of the most vulnerable sectors of its people, counting on the assistance and cooperation of the community of nations, as requested by the country (Venezuela (Bolivarian Republic of));
- 126.70. Promptly address the impact of the conflict on civilian access to food, including through concrete steps in technical assistance and capacity building, as requested in the national report (Brazil);
- 126.71. Guarantee the human rights to water and sanitation, increasing access to drinking water and sanitation facilities (Spain);
- 126.72. Take further steps to provide access to education for all citizens, in particular in rural areas (Sudan);
- 126.73. Implement the Convention on the Rights of the Child through the 2012 General Education Act, to enable all children to join school (Kenya);
- 126.74. Take all appropriate measures to protect children's rights, especially ensuring their access to primary education (Italy);
- 126.75. Promote the inclusiveness of persons with disabilities (Angola);
- 126.76. Provide internally displaced persons with assistance and protect their rights (China);
- 126.77. Continue to seek support to address the issue of internally displaced persons (Nigeria).
127. The following enjoy the support of South Sudan, which considers that they are already implemented or in the process of implementation.
- 127.1. Adopt and ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Spain);
- 127.2. Ratify and implement the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Kenya);
- 127.3. Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Montenegro)(Rwanda);
- 127.4. Promptly ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Guatemala);
- 127.5. Promptly ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Guatemala)

- 127.6. **Ratify the two Optional Protocols on the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (Botswana);**
- 127.7. **Complete the ratification of the optional protocols to the Convention on the Rights of the Child (Luxembourg);**
- 127.8. **Become a State Party to the three optional protocols to the Convention on the Rights of the Child (Slovakia);**
- 127.9. **Ratify and implement the African Charter on Human and Peoples' Rights (Kenya);**
- 127.10. **Set up a Human Rights National Commission, in order to, inter alia, document all human rights violations linked to the recurrent internal armed crises (Central African Republic);**
- 127.11. **Take the necessary measures for the inclusion of human rights in educational programs (Togo);**
- 127.12. **Fully cooperate with the Commission of Inquiry established through Human Rights Council Resolution 31/20 (Canada);**
- 127.13. **Cooperate fully with all international human rights mechanisms, including the Commission on Human Rights in South Sudan established by the Human Rights Council (Czechia);**
- 127.14. **Cooperate fully with the UN Commission on Human Rights for South Sudan and the OHCHR (Norway);**
- 127.15. **Continue to cooperate with the Commission on Human Rights in South Sudan (Philippines);**
- 127.16. **Continue to cooperate with the international community, including the mechanisms of the Human Rights Council and those of the United Nations (Senegal);**
- 127.17. **Strengthen cooperation with the UN human rights mechanisms and issue a standing invitation to special procedures mandate holders (Georgia);**
- 127.18. **Issue a standing invitation to the Human Rights Special Procedures (Rwanda);**
- 127.19. **Consider the possibility of extending a standing invitation to the Special Procedures for Human Rights, and setting up an institutional channel for responding to communications from them (Paraguay);**
- 127.20. **Continue to make efforts to promote women empowerment (Pakistan);**
- 127.21. **Continue implementing affirmative measures aimed at eliminating every kind of discrimination against women and girls (Panama);**
- 127.22. **Release all child soldiers (Republic of Korea);**
- 127.23. **Make every effort to stop violence and the forced recruitment and use of minors as combatants (Holy See);**
- 127.24. **Take all necessary measures to ensure the protection of the rights of children and to put an end to the recruitment and use of child soldiers (Luxembourg);**

- 127.25. **Take further steps for the protection of physical and sexual integrity of children, including by actively preventing the recruitment and use of children in armed conflicts and ensuring their effective rehabilitation in accordance with the best interests of the child (Croatia);**
- 127.26. **Strengthen the justice, law and order sectors (Uganda);**
- 127.27. **Intensify efforts to carry out necessary reforms in the security sector (Uganda);**
- 127.28. **Continue appropriate institutional work to build the rule of law and consolidate good governance, taking into account the promotion of the principles of human rights and fundamental freedoms in the country (United Arab Emirates);**
- 127.29. **Take further measures to improve access to justice for citizens (Togo);**
- 127.30. **Continue its national efforts to improve access to justice and provide necessary training for personnel working in this field (Egypt);**
- 127.31. **Fight against impunity by ensuring that all those who are guilty of human rights violations are brought to justice (Luxembourg);**
- 127.32. **Take measures to end impunity for acts of sexual violence against women and girls (Spain);**
- 127.33. **Strengthen measures aimed at ensuring fight against impunity of perpetrators of acts of sexual violence (Argentina);**
- 127.34. **Take steps to eliminate sexual and gender-based violence, ensure that perpetrators are held responsible and victims have secure access to justice (Ukraine);**
- 127.35. **Promptly take concrete and legal measures to address impunity of sexual and gender based violence, including when committed by members of the armed forces (Denmark);**
- 127.36. **Issue clear, public orders to all armed forces, military intelligence, and allied militia to prevent and punish all abuses, including crimes of sexual and gender-based violence (United Kingdom of Great Britain and Northern Ireland);**
- 127.37. **Establish a strategy to improve the existing mechanisms for reporting cases of sexual and gender violence against women and girls and to ensure access to justice for victims (Mexico);**
- 127.38. **Take steps to hold to account the perpetrators of the human rights violations, including sexual and gender-based violence, committed during the violence in Juba in July 2016, more specifically, of the attack on the Terrain Hotel, during which a local journalist was killed and several aid workers raped (Netherlands);**
- 127.39. **Increase the representation and participation of women in the public sector (Angola);**
- 127.40. **Appoint more women to positions of responsibility within the army and the police, which would be a first step to end gender-based violence (Algeria);**

127.41. Effectively implement the General Education Act, in particular by taking measures to improve school enrolment rates (Belgium);

127.42. Take measures to further reduce women's illiteracy rate and increase girls' enrolment rate (China);

127.43. Reinforce policies to protect the fundamental rights of internally displaced persons (Holy See).

**128. The following recommendations will be examined by South Sudan which will provide responses in due time, but no later than the thirty-fourth session of the Human Rights Council in March 2017:**

128.1. Ratify the International Convention on the Elimination of All Forms of Racial Discrimination (Algeria);

128.2. Promptly ratify the International Convention on the Elimination of All Forms of Racial Discrimination (Guatemala);

128.3. Promptly ratify the International Covenant on Civil and Political Rights (Guatemala);

128.4. Promptly ratify the International Covenant on Economic, Social and Cultural Rights (Guatemala);

128.5. Ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Belgium) (Norway)(Panama);

128.6. Continue ratifying core human rights treaty, namely the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Indonesia);

128.7. Proceed with the early ratification of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Japan);

128.8. Ratify the core international human rights instruments, particularly the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Nepal);

128.9. Ratify core international human rights treaties, namely the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and their Optional Protocols, as well as the International Convention for the Protection of All Persons from Enforced Disappearance (Portugal);

128.10. Sign and ratify the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights (Namibia);

128.11. Ratify the International Covenant on Civil and Political Rights along with its Second Optional Protocol (Croatia);

128.12. Ratify the International Covenant on Civil and Political Rights, and its Optional Protocols and the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol (Uruguay);

128.13. Complete the ratification procedures for the International Covenant on Economic, Social and Cultural Rights (Egypt);

128.14. Ratify the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and other

core international human rights treaties and conventions it is not yet party to (Sierra Leone);

128.15. Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and step up efforts to protect children and prevent their recruitment into armed forces or armed groups and reintegrate them into civilian life in line with the Paris Commitments and Paris Principles (Czechia);

128.16. Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and combat and prosecute perpetrators of violations committed by all parties to the conflict (Serbia);

128.17. Complete the ratification process of the two Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, and the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Albania);

128.18. Promptly ratify the International Convention on the Rights of All Migrant Workers and Members of Their Families (Guatemala);

128.19. Promptly ratify the Convention on the Rights of Persons with Disabilities (Guatemala);

128.20. Ratify the Convention against Discrimination in Education (Paraguay);

128.21. Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia)(Belgium)(Rwanda);

128.22. Consider the possibility of ratifying the 1951 Convention relating to the Status of Refugees, and its 1967 Protocol, without reservation (Panama);

128.23. Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);

128.24. Establish an open, consultative process for drafting and ratifying a new constitution, under which new elections will be held at the end of the transitional period (United States of America);

128.25. Ensure that national legislation is in line with international human rights standards (Timor-Leste);

128.26. Harmonize national legislation with international human rights standards (Angola);

128.27. Continue its efforts for the compliance of national legislation with international human rights standards (Madagascar);

128.28. Typify the crimes of international law, enacting and enforcing legislation defining and criminalizing torture, enforced disappearance, genocide and crimes against humanity, and ensure non-application of the statute of limitation, amnesties, pardons prior to conviction and immunities (Uruguay);

128.29. Approve immediately the bill to reform the Penal Code to include the definition of the crimes of genocide, torture and enforced disappearance (Spain);

- 128.30. **Reform or repeal the National Security Service Act, 2014 in order to comply with international, regional and national human rights law standards (Germany);**
- 128.31. **Amend its customary law so as to ensure compliance with the Convention on the Elimination of All Forms of Discrimination against Women, particularly in inheritance (Algeria);**
- 128.32. **Amend customary law and ensure its compliance with the Convention on the Elimination of All Forms of Discrimination against Women and the Transitional Constitution (Maldives);**
- 128.33. **Repeal penal code provisions that criminalize sexual relations between consenting adults of the same sex (Uruguay);**
- 128.34. **Establish the independent children's commission (Timor-Leste);**
- 128.35. **Establish, as rapidly as possible, the Independent Child Commission responsible for investigating violations of children's rights and monitoring the implementation of the 2008 Child Act (Paraguay);**
- 128.36. **Set up permanent and sustainable programmes of education and training on human rights for public servants, in particular members of the armed forces and the judicial sector, with a focus on protecting the vulnerable groups (Colombia);**
- 128.37. **Enable the full deployment - without obstruction - of the Regional Protection Force, as authorized by UN Security Council Resolution 2304, to bring stability and help prevent further atrocities (United States of America);**
- 128.38. **Allow and facilitate immediately the deployment of the Regional Protection Force as mandated by the UN Security Council (Germany);**
- 128.39. **Continue efforts to improve conditions of detention, and to abolish the death penalty, with a view to commuting all death sentences (Holy See);**
- 128.40. **Cease attacks against civilians and the United Nations premises and personnel (Maldives);**
- 128.41. **Immediately desist from violations of human rights, including attacks on civilians and unlawful killings, acts of rape and sexual violence, arbitrary detentions, abductions and looting (Norway);**
- 128.42. **Take preventive and more effective measures aimed at promoting and protecting human rights, especially in light of the cases in which the safety and security of civilians is lacking, and where the scope of armed conflicts in parts of the country is wider (Bahrain);**
- 128.43. **That the Government of South Sudan and all parties to the conflict immediately end the gross violations of human rights and serious violations of international humanitarian law, including targeted attacks on civilians, rape and sexual and gender-based violence, and arbitrary detention and abduction, and commit to and implement a political solution to the conflict (New Zealand);**
- 128.44. **Put an end to all violations of international humanitarian law and human rights committed in the armed conflict, in particular, take all necessary measures to immediately stop abductions of children to make them child soldiers, unlawful killings, sexual violence, attacks against civilians, looting and destruction of property (Uruguay);**

- 128.45. **Secure civilian infrastructure throughout South Sudan, in particular Protection of Civilian Sites, and protect civilians, humanitarian workers, and human rights defenders from human rights violations and abuses, including extrajudicial killings, enforced disappearances, torture, and indiscriminate violence (Canada);**
- 128.46. **Allow and facilitate immediate, unimpeded and sustained humanitarian access in all parts of the country (Ukraine);**
- 128.47. **Immediately respect the ceasefire and facilitate full and unimpeded access for humanitarian aid to the entire country (Germany);**
- 128.48. **Guarantee immediate and unhindered humanitarian access to populations in need throughout the country, and ensure the protection of the civilian population, including persons in vulnerable situations (Sweden);**
- 128.49. **Guarantee effective delivery of humanitarian assistance to civilians and protection of humanitarian actors, with full respect for international humanitarian law, while stepping up cooperation with the Human Rights Division of the United Nations Mission in South Sudan, in particular concerning the implementation of the Cessation of Hostilities Agreement of January 2014 (Brazil);**
- 128.50. **Permit unimpeded humanitarian access for civil society, NGOs and UN agencies, without threat of harassment or violence, to ensure the provision of vital supplies and assistance to populations in need (Ireland);**
- 128.51. **Create care mechanisms for the communities affected by the conflict, including psychiatric care (Colombia);**
- 128.52. **Prevent and put an end to human rights violations and abuses suffered by children, strengthen measures aimed at ensuring an effective end to their recruitment as well as their release (Argentina);**
- 128.53. **Stop the recruitment of child soldiers both in the armed forces and the militias (Costa Rica);**
- 128.54. **Immediately cease recruiting child soldiers and ensure their rehabilitation (Australia);**
- 128.55. **Immediately live up to its commitment to end the use of child soldiers and minors in armed conflicts (Denmark);**
- 128.56. **Take measures to put an end to the recruitment of children by the armed forces or armed groups (France);**
- 128.57. **Strengthen ongoing efforts to end the recruitment of child soldiers and ensure the release of all children associated with armed groups (Maldives);**
- 128.58. **Stop and prevent violations and abuses of children's rights, including by actively preventing and combating the recruitment and use of children in hostilities (Portugal);**
- 128.59. **Adopt measures to restrict the recruitment of children in the conflict and to ensure their demobilization and integration in society. Pursue and punish all those responsible of violations of the human rights of the children, in particular the killings and mutilations (Chile);**
- 128.60. **Take the necessary steps to prevent the recruitment of girls and boys by the army and other armed forces, and put in place a mechanism for the**

disarmament, demobilisation and reintegration of girls and boys who have been involved in the armed conflict (Mexico);

128.61. Investigate all cases of human rights violations and abuses and prosecute those responsible without exceptions and immunity (Slovenia);

128.62. Investigate the serious human rights violations committed since the independence and to prosecute those responsible (Costa Rica);

128.63. Immediately end all and prevent further violations of international human rights law and international humanitarian law committed by members of the armed forces and allied militias (Austria);

128.64. End impunity for all human rights violations and launch credible, transparent, and comprehensive investigations into all allegations of violations of international human rights law, including those possibly constituting international crimes (Norway);

128.65. Ensure prompt, credible, transparent, impartial and comprehensive investigations leading to prosecutions of the allegations of gross violations and abuses of international human rights law and violations of international humanitarian law, thus guaranteeing that perpetrators are duly accountable before justice (Portugal);

128.66. Take all necessary measures to safeguard the full enjoyment of human rights of women and girls, including by promptly and independently investigating all allegations of sexual and gender-based violence and bringing perpetrators of such crimes to justice, in accordance with international standards (Sweden);

128.67. Ensure that all forces, including any affiliated militia forces, immediately cease all violations and abuses of international humanitarian and human rights law, in particular against women and girls and including violations perpetrated by state security institutions, and end impunity by bringing the perpetrators to justice (Canada);

128.68. Urgently adopt effective measures to combat sexual violence in the whole territory, to ensure accountability for those responsible of such crimes, and to ensure total redress for victims, by guaranteeing sufficient financial resources to implement such measures (Chile);

128.69. End, investigate independently and prosecute promptly cases of sexual violence against civilians as well as assaults on and harassment of journalists and civil society activists (Germany);

128.70. Undertake prompt, effective and impartial investigations into allegations of crimes under international law and human rights violations, in particular sexual and gender-based violence (Iceland);

128.71. Investigate promptly cases of sexual and gender-based violence and ensure that perpetrators are brought to justice (Latvia);

128.72. Take all the necessary measures to end the employment of sexual violence in a widespread and systematic manner, as a tactic of war, as well as rape and sexual abuses against women and girls, and ensure that perpetrators are prosecuted (Portugal);

128.73. Adopt measures to ensure the effective access of victims to a remedy, including reparation and compensation (Argentina);

- 128.74. **Ensure accountability for cases of extrajudicial killings and ethnic rape as a weapon of war (Czechia);**
- 128.75. **Establish a special tribunal based on the recommendations of the report on the investigation into the attack on the Hotel Terrain and ensure accountability for all human rights violations (Japan);**
- 128.76. **Set up immediately the Hybrid Court provided for in the 2015 peace agreement (Switzerland);**
- 128.77. **As provided in the peace agreement, support the swift establishment of a hybrid court to investigate cases of genocide, crimes against humanity and war crimes and other serious crimes under international and South Sudanese law (Czechia);**
- 128.78. **Expedite as a matter of priority the establishment of the Hybrid Court for South Sudan, in line with the Agreement on the Resolution of the Conflict in the Republic of South Sudan, to try violations of human rights and other serious crimes in South Sudan and ensure accountability of all perpetrators (Ireland);**
- 128.79. **Take concrete measures to ensure better protection of civilians, in particular women and children, by supporting setting up the Hybrid Court and by investigating and prosecuting alleged serious violations of international law, including when perpetrated by its military personnel (Finland);**
- 128.80. **Guarantee the fight against impunity by ensuring that all those responsible for the crimes are prosecuted and tried, in particular by speeding up, with the support of the African Union, the establishment of a hybrid court as foreseen in the Peace Agreement (France);**
- 128.81. **Implement an effective birth registration policy for the whole country in order to consolidate the rights of children (Central African Republic);**
- 128.82. **Ensure that birth registration is stepped up, through an ongoing campaign and the efficient use of resources, and that the right to sustainable nutrition, public health and basic education is secured for all children (Mexico);**
- 128.83. **Ensure protection for freedom of expression and association, and take action to protect journalists (New Zealand);**
- 128.84. **Guarantee fundamental freedoms, in particular the freedom of expression, which will contribute to the reconciliation process (France);**
- 128.85. **Ensure the protection of and access to all areas by journalists, human rights defenders and humanitarian workers (Australia);**
- 128.86. **Provide full access for journalists, human rights organizations and other members of civil society to all areas of the country (Iceland);**
- 128.87. **Take concrete steps to ensure freedom of expression, including for civil society and the media, and ensure that harassment, threats, unlawful detainment and intimidation of these groups by the national security services, end immediately (Norway);**
- 128.88. **Ensure the enjoyment of freedoms of expression and assembly, and put to an end the unlawful detention of peaceful protesters (Botswana);**
- 128.89. **Protect human rights defenders and journalists from violence and arbitrary arrests, address impunity for crimes against human rights defenders**

and journalists, and notify UNESCO of the status of the judicial inquiries into the murder of journalists (Netherlands);

128.90. Take all necessary measures to ensure that civil society organisations, human rights defenders and journalists are able to carry out their legitimate activities without legal or administrative obstruction, or fear or threat of reprisals (Sweden);

128.91. Promote and protect civil society space and carry out effective and impartial investigations of all cases of intimidation and violence against civil society actors as well as hold perpetrators of such acts accountable in accordance with international fair trial standards (Finland);

128.92. Revise and amend legislation, including the 2014 National Security Service Act and the 2015 Non-Governmental Organizations Act, which have been used to restrict the rights to freedom of expression, association and the right to peaceful assembly (Switzerland);

128.93. Establish a robust legal framework for the functioning of a pluralistic system of political parties and ensure that free and fair elections are held regularly and in accordance with international standards (Czechia);

128.94. Take measures to enhance access to basic products among vulnerable communities, by creating food security programmes, in areas particularly affected by the effect by the phenomenon of global warming (Colombia);

128.95. Ensure access to safe and quality education for children (Slovakia);

128.96. Ensure disability inclusion in all humanitarian and post –conflict reconstruction efforts to protect the rights of persons with disabilities who belong to the most vulnerable groups in society (Austria);

128.97. Take swift and immediate measures to protect and promote human rights, especially of large sectors of people displaced from the areas of armed conflict in accordance with international humanitarian law and international human rights law (Bahrain).

**129. The recommendations below did not enjoy the support of South Sudan and would thus be noted.**

129.1. Sign and ratify the main regional and international human rights instruments (Djibouti);

129.2. Ratify the international legal instruments on human rights to which it is not yet a party (Niger);

129.3. Continue the ratification process of the main international instruments (Italy);

129.4. Consider ratifying other international and regional human rights conventions that it is not yet a state party to (Philippines);

129.5. Carry out an evaluation to ratify the main human rights instruments, in particular the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of Persons with Disabilities (Chile);

129.6. Finalize the ratification process of the International Covenant on Civil and Political Rights and transpose into domestic law the provisions of the international ratified conventions (France);

- 129.7. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro)(Rwanda);**
- 129.8. **Declare an official moratorium on executions and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay);**
- 129.9. **Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);**
- 129.10. **Accede and adapt its national legislation to the Rome Statute, including with the incorporation of provisions to cooperate with the International Criminal Court (Guatemala);**
- 129.11. **Accede to the Rome Statute of the International Criminal Court and accede to the Agreement on Privileges and Immunities of the International Criminal Court (Sweden);**
- 129.12. **Ratify the Rome Statute of the International Criminal Court (Costa Rica)(Cyprus)(Latvia)(Republic of Korea)(Switzerland);**
- 129.13. **Consider ratifying the Rome Statute of the International Criminal Court (Timor-Leste);**
- 129.14. **Place a moratorium on the use of the death penalty (Georgia);**
- 129.15. **Consider abolishing the death penalty (Ukraine);**
- 129.16. **Bring all those suspected of criminal responsibility to justice in accessible ordinary civilian courts and in fair trials without recourse to the death penalty (Iceland).**
- 130. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## Annex

### Composition of the delegation

The delegation of South Sudan was headed by H.E. Hon. Paulino Wanawilla Unango, the Minister of Justice and Constitutional Affairs and composed of the following members:

- H.E. Mr. Kuol Alor Kuol Arop, Ambassador, Permanent Representative;
  - Ambassador Akech Chol Ahou Ayok, Ambassador, Deputy Permanent Representative;
  - Mr. Chaplian Khamis Edward Lisok, Director, Child Protection Unit, Ministry of Defense and Veteran Affairs;
  - Mr. Henry Oyay Nyago Karial, Director, Military Justice, Ministry of Defense and Veteran Affairs;
  - Mr. Taban Christopher Laku Lasso, Prisons Services, Ministry of Interior;
  - Mr. Martin Mayang Mamur Magok, Ministry of General Education;
  - Ms. Suzan James Nyak Riek, Peace and Reconciliation Commission;
  - Mr. Kuot Jook Alit, Legal Advisor, Ministry of Defense and Veteran Affairs;
  - Mr. Lawrence Kamilo Tombe, Legal Counsel, Ministry of Justice and Constitutional Affairs;
  - Mr. Jalpan Kir Obyce, Special Advisor, Ministry of Justice and Constitutional Affairs;
  - Mr. Ramadan Hassan Tombe, Minister Plenipotentiary, Permanent Mission
-