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Report of the Working Group on the Universal Periodic Review*

South Sudan

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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 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 the Minister of Justice and Constitutional Affairs, Paulino Wanawilla Unango. 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 universal periodic review.

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” and that the specific recommendations that had been made then were to be implemented by the government of what was then Southern Sudan. As had been recommended during the first cycle of the universal periodic review, South Sudan had promulgated its Transitional Constitution in 2011, providing for national, state and local tiers of government, the national legislature, the executive branch and an independent judiciary. The Transitional Constitution also contained provisions for a bill of rights.

6. Since gaining independence, South Sudan had enacted 133 laws and introduced into domestic law 11 regional and international instruments. It had acceded to various regional and international conventions. The Transitional National Legislative Assembly had before it for ratification the International Covenant on Civil and Political Rights and its First Optional Protocol, as well as the International Covenant on Economic, Social and Cultural Rights.

7. The Transitional 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 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. Appeals against a death penalty sentence could be made to the courts of appeal and thereafter to the Supreme Court.

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

10. Regulatory frameworks were being put into place to improve the performance of the justice sector. However, justice sector personnel and infrastructure in 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 of children under 18 years of age into the armed forces was prohibited by the Transitional Constitution and the Sudan People's Liberation Army (SPLA) Act. As a result of a revised action plan signed with the United Nations, 821 boys and girls had been released from the army and 540 had been released from militia groups in 2013 alone. 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 in the national army, SPLA members who had committed offences against civilians and property had been tried and convicted. Suspects were in detention following the events at the Terrain Hotel in July 2016. The court established to try offences committed jointly by members of SPLA, the National Security Service and the police while on duty had convicted 35 persons.

13. With the support of United Nations police, the Government had developed a strategic training plan for the national police force. United Nations police had 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 pretrial detainees, the 11 central and 79 county prisons were still overcrowded. Two new prisons had been built and seven had been renovated, with support from international partners, and all provided health-care services on site.

15. The Transitional Constitution set out the right to decent housing and a legal framework recognizing customary law and practices related to land had been established under the Land Act.

16. Before conflict had broken out in December 2013, the estimated population of resettled internally displaced persons 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. The Government intended to facilitate the relocation of internally displaced persons to places of their choice and was soliciting from international partners technical, financial and capacity-building assistance to facilitate their reception in the cities of Malakal, Bor, Bentiu, Juba and Wau.

17. The 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. A framework had been established to mainstream gender issues. A national action plan had been adopted to implement Security Council resolution 1325 (2000). Continuous efforts were being made to eradicate harmful customs and traditions. Sexual exploitation and abuse, the early and forced marriage of girls under 18 years of age and domestic violence continued to slow efforts to eliminate discrimination, especially in rural areas. Special protection units had been established at a number of police stations to enable 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 well-being and 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 aimed to meet the needs of specific categories of learners, including children demobilized from the army and militia groups.

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

20. Sustainable peace and nation-building would not be achievable without a commitment to implementing the Agreement on the Resolution of the Conflict in the Republic of South Sudan of 17 August 2015. The parties to the Agreement had decided to treat it as part of the Transitional 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 a contradiction, the Agreement would supersede the provisions of the Transitional Constitution. Following the crisis of July 2016, the parties to the Agreement had recommitted themselves to its implementation. Cantonments had been agreed upon for the forces of SPLA in Opposition (SPLA-IO) and the ceasefire between SPLA and SPLA-IO was being maintained in most parts of South Sudan.

21. The process of establishing a commission for truth, reconciliation and healing in accordance with the Agreement would be launched very shortly. The African Union Commission had the mandate to initiate the establishment of a 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 international humanitarian law. Those acts might amount to war crimes and crimes against humanity.

24. South Africa commended South Sudan for ratifying various core international human rights instruments and noted its efforts to consolidate peace.

25. Spain congratulated South Sudan on its ratification of the Convention on the Rights of the Child.
26. The Sudan commended South Sudan for its commitment to the universal periodic review process and stated that it deserved technical and capacity-building assistance from the international community.
27. Swaziland was concerned that civil strife continued to undermine security and human rights. It applauded the establishment of the Ministry of Gender, Child and Social Welfare, and emphasized the importance of girls' education.
28. Sweden noted the adoption of restrictive legislation governing civil society organizations and the use of sexual and gender-based violence as a weapon of war.
29. Switzerland noted the resumption of violence and was concerned about 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 and the constitutional provisions aimed at safeguarding freedom of expression and association, among others.
32. Uganda commended South Sudan on its commitment to implementing the recommendations arising from the first cycle of the universal periodic review, held in 2011.
33. Ukraine encouraged South Sudan to ratify the human rights instruments it had not yet ratified. 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 obstacles to restoring peace, order and stability.
35. The United Kingdom called for accountability for acts of 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 noted the serious human rights violations committed since the fighting had begun in 2013 and the fact that delivery of humanitarian assistance continued to be obstructed.
38. Uruguay requested the cessation of violence against the civilian population and urged cooperation with the Commission on Human Rights in South Sudan established by the Human Rights Council.
39. The Bolivarian Republic of Venezuela acknowledged the frank manner in which South Sudan set out to address its human rights challenges. It encouraged South Sudan to continue to improve living conditions.
40. Albania noted the slow implementation of the recommendations arising from the 2011 universal periodic review. It urged South Sudan to further strengthen its efforts and its human rights mechanisms.
41. Algeria welcomed the Transitional Constitution and the Child Act, which protected children from recruitment into the armed forces.

42. Angola noted some major constrains, including 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 the elimination of 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 the Agreement on the Resolution of the Conflict in the Republic of South Sudan had stalled and that the Government and political leaders had failed to fulfil their responsibilities towards their people.
47. Bahrain commended South Sudan for implementing the recommendations arising from the previous review, adding that the human rights of displaced persons had to be protected.
48. Bangladesh noted the poverty, food insecurity and the persistent disputes and conflicts that had disrupted progress in terms of nation-building. 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 that path.
50. Botswana stated that the conscription of child soldiers, arbitrary detention, the curtailment of the freedoms of peaceful assembly and association, among other things, were worrisome.
51. Brazil expressed concern about impunity for serious crimes and reiterated the need to establish the court and the commission mentioned in the Agreement on the Resolution of the Conflict in the Republic of South Sudan.
52. Burundi encouraged South Sudan to continue its efforts to restore peace and security. It welcomed the ratification of international instruments and the implementation of measures to prevent the recruitment of children into the army, among other things.
53. Canada called for the rapid and robust implementation of all the provisions in the Agreement on the Resolution of the Conflict in the Republic of South Sudan.
54. The Central African Republic noted with satisfaction that South Sudan had taken up many of the recommendations received during the first cycle of the universal periodic review.
55. Chile noted with concern the adverse effects of the conflicts on the population and urged South Sudan to adopt all measures necessary 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 the commitment of South Sudan to implementing the recommendations arising from the first cycle of the universal periodic review.
58. The Congo noted the challenges faced by South Sudan in the area of peace and development and called upon 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 South Sudan to demilitarize the country and depoliticize human rights, especially in respect of the death penalty, arbitrary arrests and unlawful detentions.
61. Cuba acknowledged the major challenges faced by South Sudan in promoting and protecting human rights and urged the international community to enhance its support.
62. Cyprus welcomed the recent ratification by South Sudan 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 make efforts to promote and strengthen human rights.
66. Egypt welcomed the level of compliance with international commitments and the efforts made by South Sudan to secure the rights to housing, food and education.
67. The Minister of Justice and Constitutional Affairs thanked the delegations for their interest in assisting his Government in improving human rights protection. He reported that the Council of Ministers had adopted a resolution requesting the United Nations to assist in providing human rights training to 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 by the fact that its members would come from other African countries, not from South Sudan.
68. To combat impunity successfully, training must be provided for prosecutors, investigators and judges. There was a shortage of both manpower and facilities for that purpose, and there were not enough courts or judges to cover a vast country in which 85 per cent of the population lived in rural areas without the infrastructure needed for clean water, housing and health care. Assistance was needed from the international community to combat poverty and reduce insecurity.
69. The quota establishing that 25 per cent of members of public institutions had to be women was strictly observed, unless candidates with a sufficient level of education could not be found. Women needed encouragement to exercise their right to education. It was particularly difficult to combat child marriage and to prevent pupils from dropping out of school in states such as Upper Nile, where most schools had been destroyed and had yet to be rebuilt.
70. Concerning relief assistance to the civilian population, the President had formed a committee that coordinated with UNMISS. Together, they assessed how best to deliver humanitarian relief to citizens and laid down some rules for cooperating so as to reach 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; the new hybrid court could try perpetrators even though South Sudan had not yet adhered to the Rome Statute of the Court.
72. Non-governmental organizations (NGOs) had been taking part in the process of drafting legislation. Through the Non-Governmental Organizations Act, the Government had 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 in UNMISS protection-of-civilians sites, there were also about 1.5 million internally displaced persons who remained outside of such 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 customs and tribal 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 for journalists but also for others, especially writers contributing to newspapers, and for political parties. Killings sometimes took place in insecure areas, where government presence was limited. It was taking some time to investigate such killings. Implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan would undoubtedly be beneficial in persuading people to report crimes without fear of reprisal. There was no statute of limitations for homicide.
76. The Government had already agreed to the deployment of a regional protection force. A commission for truth, reconciliation and healing would be established after a committee had been set up to organize consultations.
77. It was always a problem to amend customary law because of the many ways in which it affected people, especially women, who had no right to own land or property. An improved family law could not be imposed, as it would simply be rejected and ignored. The country therefore needed help to improve its laws and bring them into conformity with human rights law. Women were serving in the armed forces but the Government would be held responsible for failing to protect them should they become victims in the course of armed combat. Gender-based violence was 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, poverty, peace and security, and as a result of a 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 put an end to the crisis, in accordance with the Agreement on the Resolution of the Conflict in the Republic of South Sudan.
82. Germany expressed alarm at the continuing climate of violence and impunity and the fact that the Agreement on the Resolution of the Conflict in the Republic of South Sudan had not been fully implemented.
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 of National Unity.
84. Guatemala called upon the parties to cease hostilities and implement the Agreement on the Resolution of the Conflict in the Republic of South Sudan and called 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, the enactment of the National Security Service Act and the development of a national housing policy.
86. Iceland expressed serious concern at the resumption of violence, including the inability of United Nations 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 the current review of South Sudan was the country's first 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, raping and killing 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 Agreement on the Resolution of the Conflict in the Republic of South Sudan.
93. Latvia remained deeply concerned at the reported targeting of civilians and humanitarian workers and called for unhindered access by humanitarian aid organizations.
94. Luxembourg expressed concern about the fact that mass 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 upon the international community to provide support to ensure human rights.
96. Maldives called upon all parties to the conflict to carry out 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 years of age from the army and the establishment of special protection units at police stations for reporting gender-based violence.
99. Mozambique commended South Sudan for implementing the recommendations arising from the previous review 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 upon the international community to support the 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. The 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 sociopolitical and constitutional progress made towards the promotion and protection of human rights and the efforts made to strengthen the legal and security institutions.
106. Finland welcomed the ratification of the Convention on the Elimination of All Forms of Discrimination against Women but regretted the outbreaks of violence and the growing tensions between the opposing forces and ethnic groups, and urged all parties to work towards an inclusive peace.
107. Pakistan welcomed the efforts made to preserve peace and promote and protect the human rights of vulnerable groups, as well as the promulgation of the Transitional Constitution.
108. Panama welcomed the continuing cooperation of South Sudan with the universal periodic review and hoped it would successfully implement 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 taken to address 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 that political leaders were making statements amounting to incitement to ethnic hatred and urged all parties in the conflict to stop such hateful rhetoric.
113. Rwanda urged South Sudan to fully implement the Agreement on the Resolution of the Conflict in the Republic of South Sudan, 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 Transitional 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 the Transitional Government of National Unity and called upon 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 the Agreement on the Resolution of the Conflict in the Republic of South Sudan. The first step in that direction had to 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. The Government was cooperating fully with the Commission on Human Rights in South Sudan created by the Human Rights Council. The members of the Commission had visited Juba and the Government was expecting them to visit the country again before 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 military commanders to prevent the recruitment of children into the armed forces.

122. Acts of sexual violence committed by members of the armed forces had been 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 Service. It had been claimed incorrectly that civilians had been detained by members of the Service, the explanation being that military detention centres might be used when ordinary places of detention were full. Most existing legislation would be reviewed. The Government was open to proposals for improvement.

123. The Government was 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 with cows was still common. Persons under 18 years of age 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, on the rights of the child.

124. Concerning the attack on the Terrain Hotel in July 2016, the criminal investigation was complete and the establishment of a special court for trying those responsible 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 whatever 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 the nearly civil war in South Sudan (Iceland);

126.5 Fully implement the Agreement on the Resolution of the Conflict in the Republic of South Sudan, notably its provisions on accountability for

** The conclusions and recommendations have not been edited.

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 improving 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 combating 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);

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 Peace and Reconciliation Commission Act in order to appease the climate of national instability and ensure effectively the promotion and protection of human rights (Congo);

126.17 Continue to support the Peace and Reconciliation Commission 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 respect for 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 in South Sudan to facilitate access to justice for victims and witnesses, with due regard for their protection (Spain);
- 126.23 Continue efforts to build the national human rights institutions and provide the necessary resources to execute their mandate (Egypt);
- 126.24 Continue to strengthen national human rights instruments and mechanisms (Nepal);
- 126.25 Accelerate the process for the development of government institutions for the promotion and protection of human rights (Togo);
- 126.26 Develop a national human rights action plan for better implementation and monitoring (Ethiopia);
- 126.27 Continue efforts for the implementation of a human rights agenda and action plan (Pakistan);
- 126.28 Continue to seek the necessary technical and capacity-building assistance to effectively implement key national priorities and international human rights obligations (South Africa);
- 126.29 Continue to engage its regional and international partners with a view to seeking technical and other assistance in the field of human rights (Philippines);
- 126.30 Continue to adopt measures aiming at the protection of children (Sudan);
- 126.31 Take necessary measures to implement a national public awareness campaign on children's rights (Sudan);
- 126.32 Continue to seek technical assistance from the international community in line with recommendation 12 in 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 the wider international community for the 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 area of education, to prevent the increase of illiteracy 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 and use of children 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 through 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 reported cases (Republic of Korea);
- 126.47 Strengthen efforts to prevent discrimination and violence against women and girls, including by eradicating 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 combating the 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 the promotion and protection of children's rights and prevent the 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 the commanders responsible. Ratify the Optional Protocol to the Convention on the Rights of the Child on the 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 people 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 law (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 the Republic of 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 freedom of expression (Japan);
- 126.68 Focus on economic, social and cultural rights as a first step to lifting the country out of the cycle of poverty and underdevelopment according to the Agenda 2030 on Sustainable Development 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 (Bolivarian Republic of Venezuela);
- 126.70 Promptly address the impact of the conflict on civilians' 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 by 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 by 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 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 (Botswana);
- 127.7 Complete the ratification of the Optional Protocols to the Convention on the Rights of the Child (Luxembourg);
- 127.8 Become a 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 national human rights 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 programmes (Togo);
- 127.12 Fully cooperate with the commission of inquiry established by 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 Commission on Human Rights in South Sudan and 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 of the United Nations (Senegal);

- 127.17 Strengthen cooperation with the United Nations human rights mechanisms and issue a standing invitation to special procedure 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 human rights special procedures and setting up an institutional channel for responding to communications from them (Paraguay);
- 127.20 Continue to make efforts to promote women's 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 conflict 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 that 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 fighting against impunity among perpetrators of acts of sexual violence (Argentina);
- 127.34 Take steps to eliminate sexual and gender-based violence and ensure that perpetrators are held responsible and that victims have secure access to justice (Ukraine);

- 127.35 Promptly take concrete and legal measures to address impunity for 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 units and allied militias 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-based 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, the perpetrators of the attack on the Terrain Hotel, during which a local journalist was killed and several aid workers were 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 as a first step towards ending 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' school 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:
- 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 treaties, 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 and 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 to which it is not yet party (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 the armed forces or armed groups and reintegrate them into civilian life in line with the Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups and the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (the 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 prosecute perpetrators of violations committed by all parties to the conflict (Serbia);
- 128.17 Complete the ratification process for 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 for 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 Protection of 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 reservations (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 would 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 to ensure that national legislation complies 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 the non-application of statutes 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 **Repeal the National Security Service Act, 2014, or reform it 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 respect of 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 children's 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 vulnerable groups (Colombia);**
- 128.37 **Enable the full deployment, without obstruction, of the UNMISS Regional Protection Force, as authorized by Security Council resolution 2304**

(2016), to bring stability and help prevent further atrocities (United States of America);

128.38 Allow and facilitate immediately the deployment of the UNMISS Regional Protection Force as mandated by the Security Council (Germany);

128.39 Continue efforts to improve conditions of detention and 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 lootings (Norway);

128.42 Take preventive and more effective measures aimed at promoting and protecting human rights, especially in the 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 context of the armed conflict and, in particular, take all necessary measures to immediately stop the abduction of children to make them child soldiers, unlawful killings, sexual violence, attacks against civilians, lootings and the destruction of property (Uruguay);

128.45 Secure civilian infrastructure throughout South Sudan, in particular protection-of-civilians 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 to 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 of persons in vulnerable situations (Sweden);

128.49 Guarantee the effective delivery of humanitarian assistance to civilians and the protection of humanitarian actors, with full respect for international humanitarian law, while stepping up cooperation with the UNMISS Human Rights Division, 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 United Nations 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 and their release (Argentina);
- 128.53 Stop the recruitment of child soldiers into both the armed forces and 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 into society. Pursue and punish all those responsible for violations of the human rights of children, in particular for 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, demobilization 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 independence and 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 by 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 of 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 remedy, including reparation and compensation (Argentina);

128.74 Ensure accountability for cases of extrajudicial killings and ethnic rape as weapons 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, war crimes and other serious crimes under international and South Sudanese law (Czechia);

128.78 Expedite as a matter of priority the establishment of a 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 the setting up of a 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 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 of freedom of expression and association, and take action to protect journalists (New Zealand);**
- 128.84 **Guarantee fundamental freedoms, in particular 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 the United Nations Educational, Scientific and Cultural Organization of the status of judicial inquiries into the murder of journalists (Netherlands);**
- 128.90 **Take all necessary measures to ensure that civil society organizations, human rights defenders and journalists are able to carry out their legitimate activities without facing legal or administrative obstructions or fear or threat of reprisals (Sweden);**
- 128.91 **Promote and protect civil society space and carry out effective and impartial investigations into all cases of intimidation and violence against civil society actors and 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 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 phenomenon of global warming (Colombia);
- 128.95 Ensure access to safe and quality education for children (Slovakia);
- 128.96 Ensure the inclusion in all humanitarian and post-conflict reconstruction efforts of policies 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 the rights of large sectors of people displaced from areas affected by 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 for the main international instruments (Italy);
- 129.4 Consider ratifying other international and regional human rights conventions that it is not yet a party to (Philippines);
- 129.5 Carry out an evaluation with a view to ratifying 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 for the International Covenant on Civil and Political Rights and incorporate into domestic law the provisions of the international conventions already ratified (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 of the International Criminal Court, including by incorporating provisions to cooperate with the 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, using fair trials and without making 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.
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